



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
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COMMON COUNCIL

Regular Meeting, Tuesday, November 7, 2006

PRESENT: Alds. Stepaniak, Sullivan, Treis, Becker, Birschel, Didier, Donegan, Ewerdt, Grimm, Hanson, Herzog, Krill (7:32 p.m.), Krol, Maher, Meaux, Purins -16

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Capt. Reit; Fire Chief Redman; Mr. Wojcehowicz, Water Utility Supt.; Ms. Nielsen, Nursing Supr.; Ms. Ledesma, City Clerk; Ms. Williams, Deputy City Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 7:30 p.m., and welcomed new City Administrator James Archambo.

It was moved by Ald. Grimm, seconded by Ald. Didier that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -15

(Ald. Krill present 7:32 p.m.) -16

PUBLIC HEARING

The first item on the agenda was a public hearing concerning the proposed 2007 City of Wauwatosa budget. Required legal notices have been published. Mr. Archambo reported that the proposed budget is \$48,008,000, an increase of \$711,000 (1.5%) over the 2006 budget. The total levy is \$34,006,000, up \$990,000 (3%) over 2006. The tax rate will decrease from \$8.49 per \$1,000 of assessed value to \$6.43 per \$1,000 of assessed value. A surplus of \$1.362 million dollars has been applied to the proposed budget, a 4.8% increase (\$62,000) over the previous year.

The average residence's value has increased from \$175,000 to \$244,000, an increase of 40%. The average residence's tax will increase from \$1,528 to \$1,568, an increase of \$40 (2.7%). The assessed value of properties in the city increased by 36% - from \$3.9 billion dollars to \$5.3 billion dollars.

The proposed budget is within the levy restraints and meetings the state's expenditure restraint requirements.

Mr. Kesner added that department directors began the budget process in May with the development of personnel schedules. In August, the executive review team (Mayor Estness, Finance Director Braier, and then Interim Administrator Kesner) reviewed all proposed departmental budgets and submitted that data to the Budget Committee. The city's costs are primarily personnel-related; 80% of the budget is allocated for salaries and benefits. The Common Council had previously committed

to a three-year labor agreement which guarantees a 3% increase for employees for next year. (This was also applied to non-represented employees.) Health insurance rates have seen another significant increase. A wellness program has been instituted and it is hoped that it will positively affect insurance costs over the long term. Co-pay and deductible figures have been increased as well. At the very least, these efforts should reduce the amount of future increases.

A major portion of the budget is allocated for police services – 27%. This is followed by 25% for the fire department and 20% for engineering and public works activities. The remaining 11.8% covers general government operations.

Mayor Estness reported that the proposed budget, and other financial documents, is available on-line.

The public hearing was declared open. The Mayor inquired whether anyone of the public present wished to be heard in favor of the proposed budget. No one of the public present wished to be heard in favor of the proposed budget.

The Mayor inquired whether anyone of the public present wished to be heard in opposition to the proposed budget. No one of the public present wished to be heard in opposition to the proposed budget.

The mayor inquired whether anyone of the public present had any questions or wished to make any comments. No one of the public present had any questions or wished to make any comments. The public hearing was closed and the matter held to the next Common Council meeting on November 21, 2006.

OLD BUSINESS

The following item was held after a public hearing on October 17, 2006:

ORDINANCE O-06-19

AN ORDINANCE AMENDING CHAPTER 24.22.040 BY PROHIBITING CHECK CASHING AND OTHER SIMILAR BUSINESSES IN THE TRADE DISTRICT AND VILLAGE TRADE DISTRICT

The Common Council of the City of Wauwatosa do ordain as follows:

Part 1. That Section 24.22.040 Prohibited Use in Trade Districts is amended and Section 24.27.050 Prohibited use is created to read as follows:

Convenient cash business, also referred to as a payday loan business, title for cash business, check cashing business, deferred presentment service provider or similar enterprise licensed pursuant to Wis. Stat. sec. 218.05, or a person licensed pursuant to Wis. Stat. sec. 138.09, who accepts a check or title, holds the check or title for a period of time before negotiating or presenting the check or title for payment, and pays to the issuer an agreed-upon cash, or who refinances or consolidates such a transaction.

Part II. This Ordinance shall take effect and be in force from and after its passage and publication.

It was moved by Ald. Sullivan, seconded by Ald. Krill to adopt the foregoing ordinance. -16

OLD BUSINESS

The following item was held after a public hearing on October 17, 2006:

ORDINANCE O-06-20

AN ORDINANCE AMENDING CHAPTER 24.24 OF THE MUNICIPAL CODE BY MODIFYING THE FRONT YARD SETBACK REQUIREMENTS IN THE AA COMMERCIAL DISTRICT

The Common Council of the City of Wauwatosa do ordain as follows:

Part 1. That Section 24.24 AA Commercial Districts is amended to read as follows:

Section 24.24.070 Front building line setbacks.

Front building line setbacks shall be not less than 25 feet to the building except when located within 150 feet of the intersection of two public streets, in which case staff shall review and establish appropriate and safe setbacks.

Section 24.24.130 Additional restrictions.

A. No parking is allowed within the required front yard setback.

Section 24.24.080 Special front building line setbacks shall be eliminated

Part II. This Ordinance shall take effect and be in force from and after its passage and publication.

It was moved by Ald. Maher, seconded by Ald. Grimm to adopt the foregoing ordinance. -16

APPOINTMENTS BY THE MAYOR

Community Development Block Grant Advisory Committee

Jose Vasquez, 2657 Lefeber

Civic Celebration Commission

Pat Mundy, 2225 N. 103rd Street

(Term ends 12/31/10)

Foregoing appointments ordered held as this was the first reading.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Letter from Robert Dennik, Director, Milwaukee County Economic & Community Development, regarding the Eschweiler buildings
Director of Community Development

2. City of Wauwatosa Bank Reconciliation of Depository Accounts as of September 30, 2006 and Investment Summary as of October 31, 2006
Place on file
3. Special Use application to construct a detached garage exceeding the 16 ft. height restriction at 532 N. 64th Street
Plan Commission
4. Conditional Use application to operate an adult day care for persons with disabilities at 7111 W. Center Street
Plan Commission, Committee on Community Development
5. Conditional Use application to operate a bank with a drive-thru at 12000 W. Burleigh Street
Plan Commission, Committee on Community Development
6. Land Division application to divide property at 9400 W. Congress Street
Plan Commission, Committee on Community Development
7. Conditional Use application to operate a grocery store at 12000 W. Burleigh Street
Plan Commission, Committee on Community Development
8. Land Division application to divide property at 3300 N. 124th Street
Plan Commission, Committee on Community Development
9. Letter from David Jasenski, Clear Channel Outdoor, regarding sales and advertising in bus shelters
Director of Community Development
10. Southeastern Wisconsin Regional Planning Commission 2005 Annual Report
Place on file
11. Notices of Claim: Wendy French, 1587 Morning Glory Dr., Hartford
Jeff Gehrke, 449 S. 74th Street
City Attorney
12. Donation: \$1,400 from the Region 4 Bioterrorism group to the fire department Donations for Equipment account
Place on file

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-233

WHEREAS, Pat Linnan, Underwood Joint Venture, has applied for a Conditional Use in the AA Light Manufacturing District at 10950 W. Potter Road for an expansion of Bryant and Stratton College and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Pat Linnan, Underwood Joint Venture, for an expansion of Bryant and Stratton College in the AA Light Manufacturing District at 10950 W. Potter Road subject to the same terms as the original Conditional Use (R-04-132).

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-06-234

WHEREAS, Tim Birkenstock, Children’s Hospital and Health System, and William Hatcher, Milwaukee Regional Medical Center, have applied for a Conditional Use in the Medical Center and Institutions District at 999 N. 92nd Street for a temporary private ground helipad for Flight for Life and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission and the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Tim Birkenstock, Children’s Hospital and Health System, and William Hatcher, Milwaukee Regional Medical Center, for a temporary private ground helipad for Flight for Life in the Medical Center and Institutions District at 999 N. 92nd Street subject to obtaining any necessary licenses and permits.

It was moved by Ald. Treis, seconded by Ald. Herzog to approve the two foregoing resolutions. -16

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-235

WHEREAS, the Public Works Building Equipment Account currently has the funds set aside for 2 purposes, a lighting system and a security system; and

WHEREAS, the lighting system program was eliminated due to the fact that illumination would be less than the current illumination and the proposed equipment was not suitable for the facility; and

WHEREAS, the original estimate for the new security system, requested funding in the amount of \$10,000.00, although that cost now has risen to the point that it is necessary to set aside \$18,000.00 for the purchase; and

WHEREAS, the Public Works Director has suggested that \$33,000.00 of the funds originally set aside for the lighting system should be reallocated for purposes of door repairs and hardware changes on the exterior of the Public Works building; and

WHEREAS, the Public Works Director has suggested that the remainder of the funds originally allocated for the lighting system should be allocated for an updated facility asset audit and an energy audit for the Public Works building;

NOW, THEREFORE, BE IT RESOLVED THAT the change of purpose for funds in the 2006 Public Works Building Equipment Account is hereby approved, to provide that the security system purchase be funded in an amount up to \$18,000.00, and that the repair of doors and door hardware on the exterior of the Public Works building be funded at an amount up to \$33,000.00, and that the balance

in the Public Works Building Equipment Account be allocated toward a facility asset audit and energy audit for the Public Works building;

BE IT FINALLY RESOLVED THAT the funds in the Building Equipment Account are hereby authorized to be carried over into the 2007 calendar year.

It was moved by Ald. Stepaniak, seconded by Ald. Purins to approve the foregoing resolution. -15-1 (Ewerdt)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-236

WHEREAS, the Wisconsin Department of Transportation has informed the City that there may be a change in standards for traffic signal controllers which would make it imprudent to purchase replacement traffic signal controllers until such time as new regulations are finalized; and

WHEREAS, it would be prudent to purchase more lighting distribution cabinets and other street lighting improvements from the permanent street lighting account with any additional funds that may be made available, as such street lighting improvements would improve public safety throughout the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT THE amount of \$50,000.00 currently available in the Cabinet Traffic Signal Account is hereby authorized to be transferred into the Permanent Street Lighting Account for the purpose of purchasing new lighting distribution cabinets and other street lighting improvements;

BE IT FURTHER RESOLVED THAT the balance of funds in the permanent street lighting account are hereby authorized to be carried over into the year 2007.

It was moved by Ald. Stepaniak, seconded by Ald. Purins to approve the foregoing resolution. -16

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-237

WHEREAS, the Milwaukee Water Works received approval from the Wisconsin Public Service Commission to increase the water rates charged to the Wauwatosa Water Utility; and

WHEREAS, the Wisconsin Public Service Commission, on September 13, 2006, approved a request of the Wauwatosa Water Utility to pass the increase in Milwaukee’s water rates through to customers of the Wauwatosa Water Utility; and

WHEREAS, the pass through of a rate increase would cover the increased costs of purchased water from Milwaukee as provided to customers of the Wauwatosa Water Utility;

NOW, THEREFORE, BE IT RESOLVED THAT the pass through rate increase for the Wauwatosa Water Utility approved by the Wisconsin Public Service Commission as a rate adjustment is hereby approved and implemented in billing to customers of the Wauwatosa Water Utility effective December 1, 2006.

It was moved by Ald. Stepaniak, seconded by Ald. Purins to approve the foregoing resolution. -15-1 (Herzog)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-238

WHEREAS, the Wauwatosa Water Utility has presented its proposed 2007 budget to the Committee on Budget & Finance and the Common Council; and

WHEREAS, the budget is more particularly described in the memorandum of the Water Superintendent dated October 19, 2006, and the accompanying budget documents which were presented to the Committee on Budget & Finance at its meeting of October 31, 2006;

NOW, THEREFORE, BE IT RESOLVED THAT the proposed 2007 Wauwatosa Water Utility budget as contained in the budget document dated November 18, 2006, and more particularly described in the October 19, 2006, memorandum of the Water Superintendent, is hereby approved.

It was moved by Ald. Stepaniak, seconded by Ald. Purins to approve the foregoing resolution. Roll call vote, Ayes 15, Noes 1 (Herzog)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-06-239

WHEREAS, the Wauwatosa Common Council previously approved \$471,306.73 for purchase and installation of a new voice/data system and data network to service the City of Wauwatosa facilities; and

WHEREAS, completion of the project requires additional funds, which originally were being requested from the Bridge Repair Capital Account; and

WHEREAS, the Wauwatosa Common Council Committee on Budget & Finance determined that remaining funds in the Bridge Repair Capital Account should be utilized for future bridge repair projects; and

WHEREAS, necessary funds to cover the excess costs of the voice/data system are available in the Reserve for Contingencies;

NOW, THEREFORE, BE IT RESOLVED THAT the sum of \$18,000.00 is hereby approved to be transferred from the Reserve for Contingencies for the purposes of providing additional funding to complete the installation of the City's new voice/data system;

BE IT FURTHER RESOLVED THAT the balance of funds in the Capital Budget for Bridge Repairs in the year 2006 is hereby carried over into the 2007 budget year.

It was moved by Ald. Stepaniak, seconded by Ald. Purins to approve the foregoing resolution. Roll call vote, Ayes 16.

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 10/18/06 – 11/07/06 --

The Committee on Budget and Finance hereby reports to the Common Council that it has examined the accounts of bills and claims and hereby certifies the same as correct and recommends that each of said accounts be allowed and paid.

Total bills and claims for 10/18/06 – 11/07/06: \$2,367,444.82

It was moved by Ald. Meaux, seconded by Ald. Maher that each and every one of the accounts of bills and claims be allowed and ordered paid. Roll call vote, Ayes 16.

There being no further business, the meeting adjourned at 7:58 p.m.

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Carla A. Ledesma, CMC, City Clerk