



CITY OF WAUWATOSA  
 7725 WEST NORTH AVENUE  
 WAUWATOSA, WI 53213  
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**COMMON COUNCIL**  
Regular Meeting, Tuesday, October 6, 2009

PRESENT: Alds. Meaux, Nikcevich, Organ, Stepaniak, Walsh, Wilke, Berdan, Birschel, Dennik, Donegan, Ewerdt, Hanson, Jay, Krol, McBride -15

EXCUSED: Alds. Herzog

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance Director; Mr. Kappel, Public Works Director; Ms. Welch, Community Development Director; Police Capt. Weiss; Dr. Kreuser, Health Officer; Ms. Nielsen, Nursing Supervisor; Ms. Ledesma, City Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Didier in the Chair

The Mayor called the meeting to order at 7:30 p.m.

Former Alderman Richard Bachman was recognized for his years of service to the community. He was presented with a U.S. flag from the City, a proclamation from Milwaukee County Executive Scott Walker declaring October 6, 2009 'Dick Bachman Day' in the county, and a state flag by Rep. Vukmir and Sen. Sullivan.

The Beautification Committee's 2009 Yard of Distinction award recipients were honored:

Dist. 1	Laurie Evans & Barbara Cantalini 2032 Two Tree Lane	Carrie Hayek 6617 Revere Avenue	Mary McCanna 6646 Revere Avenue
Dist. 2	Mary Johnson & Bruce Miller 8215 Milwaukee Avenue	Carolyn & Jim Lorence 7925 Stickney Avenue	
Dist. 3	Vince Gorichan 766 N. 117th Street	Kelly Kirk 363 N. 120th Street	
Dist. 4	Barbara & Tom Kutchera 912 N. 76th Street	Michelle Van Gheem 1055 Honey Creek Pkwy.	Michael Zirbel 1326 N. 71st Street
Dist. 5	David & Kelley Rizicka 2509 Lefeber Avenue	Craig Waltress 2615 N. 69th Street	Anne & Bill Weinfurter 2477 N. 67th Street
Dist. 6	Mary & Dan Druml 2450 Swan Boulevard	Eric Rentz & Gordan Reistad 2608 N. 82nd Street	Suzanne Schultz 2409 N. 88th Street
Dist. 7	Bonnie & Galen Pieper 2140 N. 115th Street	Megan Scott & Marty Boehme 11735 W. Gilbert Avenue	Bob & Eileen Scholz 2354 N. 117th Street
Dist. 8	Linda Bishop 4266 Glenway Street	John Drake 10251 York Court	Stephanie Anderson 4258 Glenway Street

Non-Residential	Pizzeria Piccola, outdoor patio 7606 W. State Street	Trinity Episcopal Church 1717 Church Street	
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It was moved by Ald. McBride, seconded by Ald. Organ that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -15

**PUBLIC HEARING**

The first item of business was a public hearing to consider the following proposed ordinance:

**ORDINANCE**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING A PROPERTY LOCATED AT 11711 W. BURLEIGH STREET FROM AA COMMERCIAL DISTRICT TO AA BUSINESS DISTRICT

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

Certified Survey Map No. 4215 being in the Northwest ¼ of Section 18, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin is rezoned from AA Commercial District to AA Business District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication.

Proof of publication is in the file.

In a meeting held on August 10, 2009, the City Plan Commission recommended approval of the request.

No one of the public present wished to be heard in favor of the proposed ordinance.

No one of the public present wished to be heard in opposition to the proposed ordinance.

Jack Shepherd, 500 N. 99th Street, architect for the building’s property owner, was present. The rezoning will bring this property into zoning conformance with adjacent properties and will permit planned improvements within the appropriate setbacks.

The public hearing was declared closed. Ordered held to the next Community Development Committee meeting on October 13, 2009.

**OLD BUSINESS**

The following were held after public hearings before the Common Council on September 15, 2009:

**ORDINANCE** O-09-21

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING THE PROPERTY LOCATED AT 431 N. 108<sup>th</sup> STREET FROM AA SINGLE FAMILY RESIDENCE DISTRICT TO OFF STREET PARKING DISTRICT

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

Part I. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

The South Half of Lot Sixteen (16) and all of Lot Seventeen (17), both in Block One (1) in University Lawns, being a subdivision of part of the Southeast ¼ of Section 30, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin, and the North half of the vacated alley is Rezoned from AA Single Family Residence District to Off Street Parking District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication.

**ORDINANCE** O-09-22

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING THE PROPERTY LOCATED AT 443 N. 108<sup>th</sup> STREET FROM AA SINGLE FAMILY RESIDENCE DISTRICT TO OFF STREET PARKING DISTRICT

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

Part I. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

The North Half of Lot Sixteen (16) and all of Lot Fifteen (15), both in Block One (1) in University Lawns, being a subdivision of part of the Southeast ¼ of

Section 30, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin, and the North half of the vacated alley is Rezoned from AA Single Family Residence District to Off Street Parking District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication.

It was moved by Ald. Hanson, seconded by Ald. Dennik to adopt the two foregoing ordinances. Roll call vote, Ayes 9, Noes 6 (Meaux, Organ, Wilke, Birschel, Krol, McBride)

### **APPOINTMENTS BY THE MAYOR**

#### ad hoc Energy Committee

Nicholas Welch, 8624 Stickney Avenue  
(term ends 11/1/10)

It was moved by Ald. Krol, seconded by Ald. Birschel to concur with the foregoing appointment. -15

#### Citizens' Advisory Capital Improvements Committee

Tom Stacey, 1269 N. 123<sup>rd</sup> Street  
Frank DeFrain, 1355 N. 63<sup>rd</sup> Street  
James Engelhardt, 2006 Sunset Court  
Jason Kohout, 9995 W. North Avenue  
(Terms end 6/30/12)

Foregoing appointments ordered held as this was the first reading.

### **APPLICATIONS, COMMUNICATIONS, ETC.**

1. Special Use application for a garage height over 16 feet located at 7318 Wellauer Drive, Dale Ahrens, applicant  
**Plan Commission**
2. Conditional Use application for rear patio dining at 6913 W. North Avenue, Michael Feker, applicant  
**Plan Commission, Community Development Committee**
3. Conditional Use application for an emergency generator for a pump station at approximately 805 Honey Creek Parkway, Jennifer B. Wright, applicant  
**Plan Commission, Community Development Committee**
4. E-mails opposing the Change of Zoning for 431 and 443 N. 108th Place: Pat Bilot, 604 N. 72<sup>nd</sup> Street; Jeanne Sands & Scott Todd, 11001 W. Wells Street; Susie Murray & Craig Wisner, 10906 W. Wells Street; Jeffery Taylor (no address given); Nancy Belanger, 2185 W. Hillcrest Drive  
**Add to existing file**

5. City of Wauwatosa Bank Reconciliation of Depository Accounts for the period ending August 31, 2009

**Place on file**

6. E-mails supporting the Change of Zoning for 431 and 443 N. 108th Place: David Liska, 8115 Hillcrest Drive; Brian M. Dahlke, 515 N. 108<sup>th</sup> Place; Residents – no address given: Eileen Walter, Judy Bagdonas, Jennifer Kramer, Mark Meissner, April M. Mallow, Melanie Neal, George Fehrenbach, Kelly Ivan, Jeff Roznowski, Paul Kramer, Cynthia Burwell, Tim Lowry, James W. Kasper, Cory Strebe, Patti Fisher, Faye Mirr, Suzanne Garcia, Christopher Ody, Lee Ann Kasper, Katy Reisig, Suzanne Quinn; Non-residents – no address given: Jeff Erdman, Vicki Matheys, Eric Balone, Trista, Jessica Watkins, Kathleen Reich, Sam Monroe, Lori Sisolak, Laura, Jill Zentkowski, Jodi Marsh, John Tieg, Linda, Rod Hanson, Judy Pemberton, Bob Wulf, Ryan Carbon, Robert Wurtz, Jim Robertson, Missy, Karen Haas, Julie Gramoll, Cynthia Gilane, Tom Maas, Kevin Dieck, Keith W. Thompson, Kozerski

**Add to existing file**

7. Summons and Complaint: Ronald L. Collison, 2140 N. 93<sup>rd</sup> Street

**City Attorney**

8. Letter from Joanne Stingl, 609 N. 109<sup>th</sup> Street, opposing the Change of Zoning for 431 and 433 N. 108th Place

**Add to existing file**

9. Letters from Maria Sanchez, 442 N. 109<sup>th</sup> Street, and Ana Sanchez (no address given) opposing the Change of Zoning for 431 and 443 N. 108th Place

**Place in existing file**

10. E-mail from Brian Stepp, 2611 N. 86<sup>th</sup> Street, in opposition to placing the matter of reducing the size of the Common Council on file

**Place in existing file**

11. Letters from George Grbich, Walter's on North, and Jimmy Wilkonson (no addresses given) opposing the Legislation, Licensing & Communication Committee's recommendation to deny the operator license for Brent Dziondziak

**Place in existing file**

**FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION**

1. Ordinance amending Chapter 11.32.080 of the Code removing a handicapped no parking zone at 6636 W. Lloyd Street

**Re-referred to originating committee**

2. Ordinance amending section 11.32.080 of the Code removing two-hour parking restrictions on Blanchard Street between N. 72<sup>nd</sup> and N. 74<sup>th</sup> Streets

**Re-referred to originating committee**

3. Ordinance amending section 11.32.080 of the Code providing for parking changes on W. State Street and on N. 72<sup>nd</sup> and N. 74<sup>th</sup> Streets north of W. State Street

**Re-referred to originating committee**

**FROM THE COMMUNITY DEVELOPMENT COMMITTEE FOR INTRODUCTION**

1. Ordinance amending the official zoning Map by rezoning property located at 11711 W. Burleigh Street from AA Commercial District to AA Business District

**Re-referred to originating committee**

**FROM THE COMMITTEE OF THE WHOLE**

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI –

The Committee of the Whole, to whom was referred the matter of a charter ordinance to reduce the size of the Common Council, recommends to the Common Council that the matter be placed on file.

Dated this 15th day of September 2009

Committee of the Whole

It was moved by Ald. Dennik, seconded by Ald. Nikcevich to refer the matter to the Community Development Committee. Roll call vote, Ayes 7, Noes 8 (Meaux, Organ, Walsh, Birschel, Ewerdt, Hanson, Krol, Wilke). Motion failed.

It was moved by Ald. Birschel, seconded by Ald. Ewerdt to place the matter on file. –

It was moved by Ald. McBride, seconded by Ald. Nikcevich to refer the matter to the Legislation, Licensing, and Communications Committee. Roll call vote, Ayes 6 (Nikcevich, Stepaniak, Dennik, Donegan, Jay, McBride), Noes 9. Motion failed.

Roll call vote on motion to place on file, Ayes 11, Noes 4 (Nikcevich, Dennik, Jay, McBride)

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS**

**RESOLUTION** R-09-216

WHEREAS, an existing Public Health Nurse position at 0.865 FTE will not be funded in the 2010 budget with levy funds; and

WHEREAS, grant funds for pandemic response provide funding for a 1.0 FTE Public Health Nurse for one year; and

WHEREAS, the existence of the permanent 1.0 FTE Public Health Nurse shall be reviewed as part of the 2011 budget, provided that grant funds are no longer available;

NOW, THEREFORE, BE IT RESOLVED THAT the position distribution resolution shall hereby be amended to reflect that the 0.865 Public Health Nurse position in the Wauwatosa Health Department is amended to 1.0 FTE Public Health Nurse position.

It was moved by Ald. Donegan, seconded by Ald. Ewerdt to approve the foregoing resolution. Roll call vote, Ayes 14, Noes 1 (Walsh)

**FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS**

**RESOLUTION R-09-219**

WHEREAS, Christopher D. Nelson, 1600 N. 116<sup>th</sup> Street, #1, Wauwatosa, WI, has applied for an operator's license in conjunction with his employment at the Tobacco Outlet, 11712 W. North Avenue, Wauwatosa, WI; and

WHEREAS a background investigation revealed the applicant had more than one conviction, and

WHEREAS, the circumstances surrounding these previous convictions are substantially related to the responsibilities required of persons holding operator's licenses in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Christopher D. Nelson is hereby denied;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Mr. Nelson in writing of this decision and the reasons for the denial.

**FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS**

**RESOLUTION R-09-220**

WHEREAS, Adam J. McCullough, 646 S. Hawley Road, #101, Milwaukee, WI, applied for an operator's license in conjunction with his employment at AMF Bolero, 118<sup>th</sup> & Burleigh, Wauwatosa, WI; and

WHEREAS, a background investigation revealed the applicant had several previous convictions; and

WHEREAS, the circumstances surrounding these previous convictions are substantially related to the responsibilities required of person holding operator's licenses in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Adam J. McCullough is hereby denied;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Mr. McCullough in writing of this decision and the reasons for the denial.

**FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS**

**RESOLUTION R-09-221**

WHEREAS, the Wauwatosa School District has applied for a fireworks user's permit for the purposes of conducting a fireworks display at Wauwatosa West High School on October 9, 2990; and

WHEREAS, the Committee on Legislation, Licensing and Communications has reviewed their request;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa the Common Council of the City of Wauwatosa that the Clerk be authorized to issue a fireworks user's permit to the Wauwatosa School District for the purpose of conducting a fireworks display on October 9, 2009, 2009 at Wauwatosa West High School at a specific location to be designed by the Wauwatosa Fire Chief, subject to all applicable laws and permit conditions, and subject further to all of the following:

- Receipt by the City Clerk of a signed application and appropriate permit fee
- Receipt by the City Attorney of a Hold Harmless Agreement executed by the Wauwatosa School District in favor of the City of Wauwatosa
- Receipt by the City Attorney of a Certificate of General Liability Insurance evidencing liability coverage for the fireworks contractor naming the City of Wauwatosa as an additional insured

It was moved by Ald. Birschel, seconded by Ald. Nikcevich to approve the three foregoing resolutions. -15

## **FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS**

### **RESOLUTION R-09-218**

WHEREAS, Brent J. Dziondziak, 2167 N. 69<sup>th</sup> Street, Wauwatosa, WI, has applied for an operator's license in conjunction with his employment at Walter's Tap, 6930 W. North Avenue, Wauwatosa, WI; and

WHEREAS, a background investigation revealed the applicant had more than one conviction, one of which was fairly recent; and

WHEREAS, the circumstances surrounding these previous convictions are substantially related to the responsibilities required of persons holding operator's licenses in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Brent J. Dziondziak be denied;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Mr. Dziondziak in writing of this decision and the reasons for the denial.

It was moved by Ald. Birschel, seconded by Ald. Nikcevich to approve the foregoing resolution. Roll call vote, Ayes 11, Noes 4 (Nikcevich, Stepaniak, Donegan, McBride)

**FROM THE COMMITTEE ON TRAFFIC AND SAFETY**

**RESOLUTION R-09-217**

WHEREAS, the Lutheran Home, 7500 W. North Avenue, Wauwatosa, WI, has requested a 20-foot loading zone outside its North Avenue entrance; and

WHEREAS, the applicant has agreed to be responsible for the cost of the sign and the annual permit fee;

NOW, THEREFORE, BE IT RESOLVED THAT the 20-foot loading zone at 7500 West North Avenue, as more particularly described in the loading zone application, is hereby approved and the special privilege permit for the establishment of the loading zone pursuant to Section 11.32.310 of the Wauwatosa Municipal Code is hereby granted.

It was moved by Ald. Meaux, seconded by Ald. Stepaniak to approve the foregoing resolution. -15

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-09-222**

WHEREAS, Fang Ping Xiao has applied for a Conditional Use in the Business Planned Development District at 2711 Mayfair Road for a Japanese restaurant, 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 Fang Ping Xiao for a Japanese restaurant in the Business Planned Development District at 2711 Mayfair Road subject to the following conditions:

- 1) hours of operation 10:30 a.m. to 10:00 p.m. Monday through Friday, 10:00 a.m. to 10:00 p.m. Saturday and Sunday, and
- 2) obtaining all necessary licenses and permits.

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-09-223**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Loren Meyer, MD, Wisconsin Heart Hospital,

for a Land Combination by Certified Survey Map at 10000 W. Blue Mound Road in the AA Institutions District. A Certified Survey Map to be filed with Milwaukee County Register of Deeds described as follows:

Being a redivision of Lots 1,2,3,4,5,6,7,8,9,10,11,12,13,15,16,17 and 18 in Block 1 of assessment subdivision No. 65 and Parcels 1 and 2 of Certified Survey Map No. 6421 in the Northwest ¼ of the Southeast ¼ of Section 29 and lands in the Northeast ¼ of the Southwest ¼ of Section 29, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.

All in accordance with the application attached hereto and made a part of this resolution, and in compliance with Section 24.56.010 of the Code of the city of Wauwatosa and subject to the payment of all outstanding special assessments on the aforescribed property which is being subdivided.

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**ORDINANCE O-09-20**

**AN ORDINANCE REPEALING AND RECREATING SECTION 7.64.020 OF THE CODE OF THE CITY OF WAUWATOSA PERTAINING TO HART PARK RULES**

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

Part I: Section 7.64.020 of the Wauwatosa Municipal Code is hereby repealed and recreated in its entirety to read as follows:

7.64.020 Park rules.

A. Whoever does any of the following within a city park in the city of Wauwatosa may be punished pursuant to Section 2.38.020 of this code by a forfeiture of an amount not to exceed one hundred dollars, plus costs of prosecution:

1. Disorderly Conduct. Engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance;
2. Litters or deposits any type of debris or waste material in other than a proper container;
3. Has in his or her possession a firearm or dangerous weapon;
4. Brings upon such property an unleashed dog or other domestic animal; animal feces must be picked up and disposed of properly

5. Destroys or defaces public property, which includes but is not limited to buildings, plants, shrubs and trees or park furniture;
  6. Brings upon and/or uses upon the premises illegal drugs as defined in Chapter 961 of the Wisconsin Statutes;
  7. Without permission of the board of parks and forestry commissioners, brings upon and/or uses upon the premises intoxicating beverages;
  8. Engages in illegal gambling as defined in Chapter 945 of the Wisconsin Statutes;
  9. Drives a motor vehicle or rides a bicycle in areas other than the paved roadway and parking area; no motorized vehicles are permitted on bicycle pathways other than emergency, law enforcement or park staff vehicles.
  10. Except for park employees, permitted users or officials, anyone remaining upon the premises after closing hours or after the park director has declared the park closed. Closing hours, if any, for a park shall be determined by the board of parks and forestry commissioners.
  11. Without the permission of the board of parks and forestry commissioners and by permit issued by the Wauwatosa fire department, discharges, explodes, fires, or uses firecrackers, sparklers, rockets, torpedoes, bombs, caps, roman candles, explosives, smoke or party novelties.
  12. No person shall erect any structure, tent, or edifice unless noted and approved on the Reservation permit Application.
  13. Signs must be pre-approved by both the Chief Building Inspector and the Park Board.
- B. The aforesaid rules may be summarized in the following manner for purposes of brevity on such things as posters, permits or citations:
1. No disorderly conduct shall be allowed;
  2. No littering;
  3. No firearms or dangerous weapons shall be allowed;
  4. Dogs or other domestic animals must be leashed;
  5. Destruction or defacing of property forbidden;
  6. No dangerous drugs shall be allowed;

7. Without permission, no intoxicating beverages shall be allowed;
8. No gambling;
9. No cars or bicycles shall be allowed except on roadways; no motorized vehicles on bike paths.
10. No one is allowed in the park when it is closed;
11. No fireworks may be used.
12. No tents, shelters or structures except by permit.
13. No unapproved signs.

C. The Park Board may issue separate rules for specific areas of the park such as the stadium field and track, the tennis courts etc. Violations of these rules are subject to the forfeiture described in Section A, above.

Part II: Subsection 7.64.030 C. of the Wauwatosa Municipal Code is hereby created to read as follows:

C. All tents or temporary structures erected for an event will require a separate permit & fee.

Part III: Section 7.64.040 of the Wauwatosa Municipal Code is hereby repealed and recreated to read in its entirety as follows:

7.64.040 Bond may be required.

To assure proper cleanup, the parks director shall require a bond in a reasonable amount. Failure of the permittee to leave the premises in as clean a condition as they were found may result in a forfeiture of part or all of the bond that has been posted.

Part IV: Sections 7.64.100 through 7.64.150 of the Wauwatosa Municipal are hereby repealed.

Part V: This ordinance shall take effect on and after its date of publication.

It was moved by Ald. Hanson, seconded by Ald. McBride to approve the two foregoing resolutions and to adopt the foregoing ordinance. -15

**FROM THE BUDGET COMMITTEE**

**RESOLUTION R-09-224**

NOW, THEREFORE, BE IT RESOLVED THAT a meeting of the Wauwatosa Common Council is hereby scheduled to occur on November 3, 2009, at 7:30 PM, for the sole purpose of holding a public hearing before the Common Council regarding the proposed 2010 City of Wauwatosa annual budget.

It was moved by Ald. Ewerdt, seconded by Ald. Donegan to approve the foregoing resolution. -15

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-09-225**

WHEREAS, the Common Council has previously approved entering into a contract for stop loss insurance with United Healthcare for the period October 1, 2009 to October 1, 2010, but left open the possibility that the Budget & Finance Committee would be able to review the final bids and determine whether to go with a different carrier or to raise the self-retained limit from its current level of \$75,000.00; and

WHEREAS, upon further review of final bids, it was determined that the bid of United Healthcare to provide stop loss insurance for the City of Wauwatosa health insurance program for the period October 1, 2009 to October 1, 2010, and to maintain the current self-retained limit of \$75,000.00 is in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council of the City of Wauwatosa does hereby confirm the acceptance of the bid of United Healthcare to provide stop loss insurance for the City's self-insured health insurance program for the period of October 1, 2009 to October 1, 2010, and to maintain the current self-retained limit at \$75,000.00.

It was moved by Ald. Ewerdt, seconded by Ald. Donegan to approve the foregoing resolution. -15

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**BILLS AND CLAIMS FOR THE PERIOD 9/16/09 – 10/06/09 --**

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 9/16/09 – 10/06/09: \$2,926,370.66

It was moved by Ald. Meaux, seconded by Ald. Ewerdt that each and every account of bills and claims be allowed and ordered paid. Roll call vote, Ayes 15

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION** R-09-226

BE IT RESOLVED by the Common Council of the City of Wauwatosa, THAT the following revised account of the special assessment for sidewalk and/or drive approach repairs, be submitted to the City Comptroller; and

BE IT FURTHER RESOLVED, THAT the City Clerk be and she is hereby directed to send out the proper amended notices to the owners of the properties as listed below for sidewalk and/or drive approach repairs under Contract 08-19 Concrete Sidewalk Repair.

REVISED ACCOUNT OF EXPENSE  
Contract 08-19

<u>Address</u>	<u>Key No.</u>	<u>Original Assessment</u>	<u>Amended Assessment</u>
2017 N. 81 <sup>st</sup> Street	343073600	\$180.83	\$127.93
1717 Ludington Avenue	372001300	\$391.51	\$100.00

It was moved by Ald. Krol, seconded by Ald. Walsh to approve the foregoing resolution. -15

There being no further business, the meeting adjourned at 9:45 p.m.

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Carla A. Ledesma, CMC, City Clerk