



CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989

COMMON COUNCIL
Regular Meeting, Tuesday, March 18, 2008

PRESENT: Alds. Purins, Stepaniak, Becker, Birschel, Didier, Donegan, Grimm, Hanson, Krill,
Krol, Meaux -11

EXCUSED: Alds. Ewerdt, Herzog, Maher, Minear, Treis

ALSO Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance
PRESENT: Director; Mr. Kappel, Public Works Director; Police Chief Weber; Mr. Wehrley, City
Engineer; Ms. Aldana, Asst. City Attorney/Personnel Admin.; Ms. Ledesma, City
Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Estness in the Chair

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

State Senator Sullivan and Chuck Mitchell, Scenic Wisconsin, presented a *Citizens for a Scenic Wisconsin* award to Marge Donegan, present on behalf of the Wauwatosa Beautification Committee.

The Mayor and Common Council President Becker made presentations as follows: (1) Plaque to Dale Kirchner for his years of service broadcasting the Fourth of July Parade; (2) Recognition of Tom Schultz for his years of service on the City Plan Commission; (3) Proclamation recognizing Wauwatosa West High School for "We the People...The Citizen and the Constitution" state championship; (4) Proclamation recognizing Wauwatosa East High School boys basketball state champions

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. -11

OLD BUSINESS

The following item was held after a public hearing on March 4, 2008:

RESOLUTION

WHEREAS, the Common Council of the City of Wauwatosa, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 7:30 p.m. Local Time, on the 4th day of March, 2008 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Board of Public Works on the proposed improvement by repaving of the following streets. Sidewalk replacement cost, on those streets so indicated, is included in the assessment rate for the paving work.

<u>Street & Location</u>	<u>Ald. Dist</u>	<u>Exist & (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
N. 73 rd Street – W. Center Street to north city limit	5	30'	B – Asph.	Yes
N. 74 th Street – W. Center Street to north city limit	5	30'	B – Asph.	Yes
N. 74 th Street – W. Clarke Street to W. Center Street	5	24'	B – Asph.	Yes
N. 75 th Street – W. Center Street to north city limit	5	30'	B – Asph.	Yes
N. 84 th Street – W. North Avenue to W. Wright Street	6	30'	B – Asph.	Yes
N. 85 th Street – W. Meinecke Avenue to north city limit	6	30'	B – Asph.	Yes
Elm Lawn – South End to Watertown Plank Road	3	30'	B – Asph.	Yes
W. Locust Street – N. 117 th Street to N. 124 th Street	6,7	30'	C – Asph.	No
Robertson Avenue – W. Wisconsin Avenue to Avon Court	3	30'	B – Asph.	Yes
Ruby Avenue – N. 100 th Street to N. 106 th Street	8	30'	C – Asph.	No
Alley – W. Center Street-W. Clarke Street/N. 66 th Street-N. 67 th Street	5	18'/20'	C - Asph.	No
Alley – W. Fiebrantz Avenue-W. Capitol Drive/N. Mayfair Road-N. 110 th Street	8	20'	C - Asph.	No
Alley – W. Wright Street-W. Meinecke Avenue/N. 64 th Street-N. 65 th Street	5	20'	A – Conc.	No
Alley – Jackson Park Boulevard-Stickney Avenue/Ludington Avenue-N. 90 th Street	2	20'	A – Conc.	No
Alley – Stickney Avenue-Menomonee River Parkway/N. 89 th Street-N. 90 th Street	2	18'	A – Conc.	No
Alley – W. Wells Street-Menomonee River Parkway/N. 60 th Street-west end	4	20'	A – Conc.	No

Original Construction: New (Conc.) or (Asph.) Grading, placing new concrete curb and gutter, and concrete or asphalt pavement surface (as indicated) on a new stone or asphalt base.

Reconstruction: Type “A” (Asph.) or (Conc.) Completely removing existing curb and gutter and existing pavement, placing new concrete curb and gutter (excluding alleys), and asphalt or concrete pavement surface on a new base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving: Type “B” (Asph.) Completely removing existing curb and gutter, milling the existing asphalt pavement as required, and placing new concrete curb and gutter and asphalt pavement surface on the existing road base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving: Type “C” (Asph.) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and surfacing with asphalt pavement. Also

included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

and has heard all persons desiring audience at such hearing;

NOW, THEREFORE, BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the report of the Board of Public Works in connection with the construction of the above-described permanent public improvement, including preliminary plans and specifications therefore, is hereby adopted and approved.

Section 2. That the Board of Public Works is directed to carry out the work of such permanent improvement in accordance with the report of the Board of Public Works.

Section 3. That payment for said permanent improvement be made by assessing the cost to the property improved as indicated in said report.

Section 4. That the assessments shown on the report, are true and correct and are hereby confirmed.

Section 5. That the owners of the respective parcels of land fronting or abutting the street improvements, on which a public hearing has been held and preliminary assessments have been confirmed, shall have payment of the special assessments scheduled as follows:

(a) Each special assessment and special charge, pursuant to Section 66.0627 of the Wisconsin Statutes, levied in an amount of \$200 or less against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in one installment.

(b) All assessments will be collected in installments as provided below, except such assessments on property where the owner of the same shall file with the City Clerk within 30 days from date of billing, a written notice that he elects to pay the special assessment on his property to the City Treasurer on or before the next succeeding November 1, unless the election is revoked in writing 30 days prior to November 1. If, after making such election, said property owner fails to make the payment to the City Treasurer, the City Clerk shall place the entire assessment, and applicable interest, on the next succeeding tax roll.

(c) Each special assessment for improvements levied in an amount exceeding \$200 against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in five equal annual installments of principal together with interest at the rate of twelve percent (12%) per year or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the sale of corporate purpose bonds, which include the project which is the subject of the special assessment, whichever figure is less, on the unpaid balance of said assessment. Individual assessments shall run concurrently except as provided under Section 3.08.040 of the City Code.

(d) Each special assessment levied against any parcel of land in the City of Wauwatosa for the installation of sanitary sewer main or water main or construction of permanent street pavement shall not be entered in the tax roll until all installments of special assessments for sanitary sewer or water main or construction of permanent street pavement levied previously against the same parcel of land have been entered into the tax rolls and have been paid. Such subsequent special assessment shall be

deferred and only interest at the rate of twelve percent (12%) per year, or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the issuance of General Obligation Debt, which include the project which is the subject of the special assessment, whichever figure is less, on such subsequent special assessment shall be carried into the tax rolls in addition to the scheduled installments of such prior assessments. After the last installment of such prior special assessment has been entered in the tax rolls, installments of the subsequent special assessment shall, beginning with the next subsequent tax roll, be entered in the tax rolls pursuant to Section 3.08.030 of the City Code.

(e) Whenever special assessments are levied against the frontage and side of a corner parcel of land in the City of Wauwatosa for the installation of sanitary sewers or water mains or construction of permanent pavements arising out of the same public works project, such special assessments levied against a corner parcel of land shall be deemed to be two separate special assessments, and the special assessment levied against the frontage of the corner parcel of land shall first be scheduled on the tax rolls for payment as provided in Section 3.08.030 of the City Code and the special assessment levied against the side of the corner parcel of land shall be scheduled on the tax rolls pursuant to (c) above, following such scheduling of the special assessment levied against the frontage of the corner parcel of land.

(f) Notwithstanding the provisions of (c) and (d) above, any owners of parcels of land assessed may at their option elect to pay both the scheduled installments of prior assessments as well as scheduled installments of subsequent special assessments on the same tax rolls as entered on those tax rolls pursuant to Section 3.08.030 of the City Code.

(g) If, after special assessments have been placed on the tax rolls in installments or otherwise, the taxpayer fails to pay the same within the time allowed for payment of general taxes, the same shall become delinquent and shall be treated in the same manner and subject to the same laws as delinquent general property taxes.

Section 6. The properties against which the assessments are proposed are benefited. Such benefits may include, but are not necessarily limited to, enhancement of value or marketability, improved drainage, improved pedestrian safety (walks), improved vehicular access, improved skid resistance and cross sectional elements.

Section 7. The City Clerk is directed to publish this resolution in the Wauwatosa News Times, official paper of the City of Wauwatosa.

Section 8. The City Clerk is further directed to mail a copy of this resolution to every property owner within the limits of the assessment district whose name appears on the assessment roll and whose post office address is known, or can with reasonable diligence be ascertained.

It was moved by Ald. Stepaniak, seconded by Ald. Krol to approve the foregoing resolution except for N. 74th Street (W. Center Street to the north city limits), N. 84th Street (W. North Avenue to W. Wright Street), and the alleys, with the intention referring a review of the assessment methodology used for alleys to the Committee on Budget and Finance. –

It was moved by Ald. Birschel, seconded by Ald. Purins to amend the motion by removing W. Locust Street (N. 117th Street to N. 124th Street). -11

Vote on motion as amended, 11

The amended resolution is as follows:

RESOLUTION R-08-38

WHEREAS, the Common Council of the City of Wauwatosa, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 7:30 p.m. Local Time, on the 4th day of March, 2008 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Board of Public Works on the proposed improvement by repaving of the following streets. Sidewalk replacement cost, on those streets so indicated, is included in the assessment rate for the paving work.

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N. 85 th Street – W. Meinecke Avenue to north city limit	6	30'	B – Asph.	Yes
Elm Lawn – South End to Watertown Plank Road	3	30'	B – Asph.	Yes
Robertson Avenue – W. Wisconsin Avenue to Avon Court	3	30'	B – Asph.	Yes
Ruby Avenue – N. 100 th Street to N. 106 th Street	8	30'	C –Asph.	No

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Repaving: Type "C" (Asph.) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and surfacing with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

and has heard all persons desiring audience at such hearing;

NOW, THEREFORE, BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the report of the Board of Public Works in connection with the construction of the above-described permanent public improvement, including preliminary plans and specifications therefore, is hereby adopted and approved.

Section 2. That the Board of Public Works is directed to carry out the work of such permanent improvement in accordance with the report of the Board of Public Works.

Section 3. That payment for said permanent improvement be made by assessing the cost to the property improved as indicated in said report.

Section 4. That the assessments shown on the report, are true and correct and are hereby confirmed.

Section 5. That the owners of the respective parcels of land fronting or abutting the street improvements, on which a public hearing has been held and preliminary assessments have been confirmed, shall have payment of the special assessments scheduled as follows:

(a) Each special assessment and special charge, pursuant to Section 66.0627 of the Wisconsin Statutes, levied in an amount of \$200 or less against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in one installment.

(b) All assessments will be collected in installments as provided below, except such assessments on property where the owner of the same shall file with the City Clerk within 30 days from date of billing, a written notice that he elects to pay the special assessment on his property to the City Treasurer on or before the next succeeding November 1, unless the election is revoked in writing 30 days prior to November 1. If, after making such election, said property owner fails to make the payment to the City Treasurer, the City Clerk shall place the entire assessment, and applicable interest, on the next succeeding tax roll.

(c) Each special assessment for improvements levied in an amount exceeding \$200 against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in five equal annual installments of principal together with interest at the rate of twelve percent (12%) per year or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the sale of corporate purpose bonds, which include the project which is the subject of the special assessment, whichever figure is less, on the unpaid balance of said assessment. Individual assessments shall run concurrently except as provided under Section 3.08.040 of the City Code.

(d) Each special assessment levied against any parcel of land in the City of Wauwatosa for the installation of sanitary sewer main or water main or construction of permanent street pavement shall not be entered in the tax roll until all installments of special assessments for sanitary sewer or water

main or construction of permanent street pavement levied previously against the same parcel of land have been entered into the tax rolls and have been paid. Such subsequent special assessment shall be deferred and only interest at the rate of twelve percent (12%) per year, or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the issuance of General Obligation Debt, which include the project which is the subject of the special assessment, whichever figure is less, on such subsequent special assessment shall be carried into the tax rolls in addition to the scheduled installments of such prior assessments. After the last installment of such prior special assessment has been entered in the tax rolls, installments of the subsequent special assessment shall, beginning with the next subsequent tax roll, be entered in the tax rolls pursuant to Section 3.08.030 of the City Code.

(e) Whenever special assessments are levied against the frontage and side of a corner parcel of land in the City of Wauwatosa for the installation of sanitary sewers or water mains or construction of permanent pavements arising out of the same public works project, such special assessments levied against a corner parcel of land shall be deemed to be two separate special assessments, and the special assessment levied against the frontage of the corner parcel of land shall first be scheduled on the tax rolls for payment as provided in Section 3.08.030 of the City Code and the special assessment levied against the side of the corner parcel of land shall be scheduled on the tax rolls pursuant to (c) above, following such scheduling of the special assessment levied against the frontage of the corner parcel of land.

(f) Notwithstanding the provisions of (c) and (d) above, any owners of parcels of land assessed may at their option elect to pay both the scheduled installments of prior assessments as well as scheduled installments of subsequent special assessments on the same tax rolls as entered on those tax rolls pursuant to Section 3.08.030 of the City Code.

(g) If, after special assessments have been placed on the tax rolls in installments or otherwise, the taxpayer fails to pay the same within the time allowed for payment of general taxes, the same shall become delinquent and shall be treated in the same manner and subject to the same laws as delinquent general property taxes.

Section 6. The properties against which the assessments are proposed are benefited. Such benefits may include, but are not necessarily limited to, enhancement of value or marketability, improved drainage, improved pedestrian safety (walks), improved vehicular access, improved skid resistance and cross sectional elements.

Section 7. The City Clerk is directed to publish this resolution in the Wauwatosa News Times, official paper of the City of Wauwatosa.

Section 8. The City Clerk is further directed to mail a copy of this resolution to every property owner within the limits of the assessment district whose name appears on the assessment roll and whose post office address is known, or can with reasonable diligence be ascertained.

APPOINTMENTS BY THE MAYOR

Board of Parks and Forestry Commissioners

Tom Ertel, 7440 Oakhill Avenue

Jill Gaertner, 6829 Terrace Court

George Haas, 7425 W. Garfield Avenue

(Terms end 4/30/10, all reappointments)

Police and Fire Commission

Marna Tess-Mattner, 1542 Upper Parkway South
(Term ends 4/30/13)

Foregoing appointments ordered held as this was the first reading.

Civic Celebration Commission

Dan Lofy, 202 Forest Street
(Term ends 12/31/11)
Brit Swisher and Jamie Swisher, 1827 N. 73rd Street
(Terms end 12/31/10)

Library Board

Ann Marie Perhach, 11637 W. Clarke Street
(Term ends 6/30/09)

Senior Commission

Dianne Dagen, 8444 Hill Street
(Term ends 4/30/11)

It was moved by Ald. Birschel, seconded by Ald. Krol
to concur with the foregoing appointments. -11

APPLICATIONS, COMMUNICATIONS, ETC.

1. Letter from Grede Foundries, Inc., 9898 W. Blue Mound Road requesting that the temporary lifting of parking restrictions on N. 99th Street be extended for an additional 6 months beyond April 3, 2008
Public Works Dir.
2. Notice of Claim: Rhonda Phillips, 2140 S. 83rd Street, West Allis; Scott Clinton, 18230 Taywood Circle, Brookfield; John Baker, 2131 N. 72nd Street
City Attorney
3. City of Wauwatosa, Statement of Financial Condition as of February 29, 2008
Place on file
4. Petition opposing street paving on N. 74th Street from Center Street to the north city limits
Add to existing file
5. Wauwatosa Water Utility Statement of Receipts and Disbursements for the period ending February 29, 2008
Place on file
6. City of Wauwatosa Bank Reconciliation of Depository Accounts as of January 31 2008
Place on file
7. Petition requesting reconsideration of all street projects included in the 2008 street improvement plan
Add to existing file
8. Memo regarding a \$50 donation from John C. Hammond to be used for future expenses for Community Support expenditures
Place on file

9. Memo regarding a \$25 donation from Ruth A. Ruege to be used for future expense for Community Support expenditures

Place on file

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION

1. Ordinance amending Chapter 8.12 of the city code to extend the hardship exemption under the smoke-free restaurant ordinance until the implementation of the statewide non-smoking legislation applying to taverns

Re-refer to originating committee

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-08-39

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the collective bargaining agreement for the years 2008-2010 which has been negotiated between the City of Wauwatosa and the American Federation of State, County and Municipal Employees (AFSCME) Local 305, Council 48, a copy of which is attached hereto, is hereby approved.

It was moved by Ald. Purins, seconded by Ald. Krill
to approve the foregoing resolution. 10-1 (Donegan)

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-08-40

WHEREAS, William Poull of the Club Tap, 8828 W. North Avenue, has requested a temporary extension of the licensed premises to include the parking lot of his business on April 6, 2008, for his annual chili contest;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of the Club Tap be extended to include the parking area in the rear of the building on April 6, 2008, between the hours of Noon and 6:00 p.m., on the condition that refuse resulting from the event will be thoroughly cleaned by the premises owner.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-08-41

WHEREAS, William Poull of the Club Tap, 8828 W. North Avenue, has requested a temporary extension of the licensed premises to include the parking lot of his business on May 31, 2008, and June 1, 2008, for his annual corn roast;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of the Club Tap be extended to include the parking area in the rear of the building on May 31, and June 1, 2008, between the

hours of Noon and 8:00 p.m. with live music from 1:00 p.m. to 6:00 p.m., on the condition that refuse resulting from the event will be thoroughly cleaned by the premises owner and any outdoor music will be kept to a minimal volume.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-08-42

WHEREAS, Xe Vang, 634 Beau's Bay, #2, Slinger, WI, has applied for an operator's license in conjunction with her employment at Noodles & Company, 12132 W. Capitol Drive, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Xe Vang is hereby issued an operator's license for the period ending June 30, 2008, contingent upon a review of her record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Vang's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

It was moved by Ald. Krol, seconded by Ald. Meaux to approve the three foregoing resolutions. -11

FROM THE COMMITTEE ON TRAFFIC AND SAFETY

ORDINANCE O-08-05

AN ORDINANCE CLARIFYING PARKING REGULATIONS ON THE EAST SIDE OF WAUWATOSA AVENUE AND THE EAST SIDE OF N. 76TH STREET IN THE CITY OF WAUWATOSA

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

Part I. The "North 76th Street – east side" subsection of the "Schedule of Streets, and Portions" subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by amending that portion designated "(a) from W. Blue Mound Road to the driveway of the Fruit Ranch" to read "(a) from W. Blue Mound Road to a point 45 feet north thereof" and by redesignating that portion designated with the letter "(z)" to be designated with the heading "(a)" and by deleting that portion which reads, "(a) from a point 240 feet south of W. Clarke Street to W. Clarke Street."

Part II. The "Wauwatosa Avenue – east side" subsection of the "Schedule of Streets, and Portions" subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby repealed in its entirety and recreated to read as follows:

Wauwatosa Avenue – east side.

- (a) from State Street to Meinecke Avenue (ww) from 185 feet south of W. Clarke Street to a point 120 feet south thereof.
- (a) from W. Clarke Street to a point 185 feet south thereof

- (b) from W. Clarke Street to a point 230 feet north thereof
- (a) from 230 north of W. Clarke Street to W. Center Street

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

It was moved by Ald. Grimm, seconded by Ald. Meaux
to adopt the foregoing ordinance. -11

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-08-43

WHEREAS, Stephanie Atterberry-Hughes and Phillip Jennings have applied for a Conditional Use in the AA Business District at 8320 West Blue Mound Road for a massage therapy establishment 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Stephanie Atterberry-Hughes and Phillip Jennings for a massage therapy establishment in the AA Business District at 8320 West Blue Mound Road subject to the following conditions:

- 1) hours of operation from 9:00 a.m. to 8:00 p.m. Monday through Saturday,
- 2) obtaining any required licenses and permits.

It was moved by Ald. Birschel, seconded by Ald. Donegan
to approve the foregoing resolution. -11

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-08-44

WHEREAS, in the calendar year 2008 the City of Milwaukee will begin constructing park improvements on a portion of the former Hartung Quarry which is located within the municipal boundary of the City of Wauwatosa but which land is owned by the City of Milwaukee; and

WHEREAS, the park improvements, when completed, will benefit residents in neighborhood located in both the City of Wauwatosa and the City of Milwaukee, and neighbors from both cities appeared before the Committee on Budget and Finance in support of this project; and

WHEREAS, the City of Milwaukee's construction of park improvements, utilizing Grant monies and City of Milwaukee funds, will require certain permits, such as erosion control and Right of Way permits, from the City of Wauwatosa; and

WHEREAS, waiver of permit fees for these permits would provide an immediate, and positive, “in-kind contribution” from the City of Wauwatosa to this project; and

WHEREAS, waiver of said permit fees would involve minimal cost to the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council of the City of Wauwatosa hereby approves the waiver of any permit fees required to be paid by the City of Milwaukee for construction activities associated with park improvements at the former Hartung Quarry, in an amount totaling not more than \$1,500 in potential fees.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-08-45

WHEREAS, the City of Wauwatosa has an existing contract with Graef, Anhalt, Schloemer & Associates (GAS) for construction inspection services; and

WHEREAS, the Committee on Budget and Finance previously authorized staff to negotiate terms for a one year extension for the year 2008; and

WHEREAS, the negotiated rates for 2008 are reflected in the memorandum of the City engineer to the Committee dated March 4, 2008, a copy of which is attached hereto and incorporated herein;

NOW, THEREFORE BE IT RESOLVED THAT the Wauwatosa Common Council hereby approves a one year extension of the existing construction inspection services contract with GAS for the year 2008, with rates as reflected in the memorandum of the City Engineer dated March 4, 2008

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-08-46

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the following claims for 2007 property tax refunds due to excessive assessments on the listed tax parcels are hereby denied:

Covenant Healthcare System, Inc. - Tax Parcel No. 411-9976-05 (201 N. Mayfair Road) & Tax Parcel #411-9994-03 (N. Mayfair Road)

Covenant Healthcare System, Inc. - Tax Parcel No. 411-9976-05 (201 N. Mayfair Road) & Parcel No. 411-9994-03 (N. Mayfair Road) & Parcel No. 411-9978-06 (N. 110th St.)

Annunciation Greek Orthodox Church Foundation - Parcel No. 222-9981-05

Learsi Wisconsin, LLC - Parcel No. 384-0009-01

It was moved by Ald. Stepaniak, seconded by Ald. Hanson to approve the three foregoing resolutions. -11

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 3/5/08 – 3/18/08 --

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 3/5/08 – 3/18/08: \$1,450,002.93

It was moved by Ald. Meaux, seconded by Ald. Krill
that each and every one of the accounts of bills and claims
be allowed and ordered paid. Roll call vote, Ayes 11.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-08-47

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to the Harwood LLC, 7610 Harwood Avenue, Wauwatosa, WI, to encroach onto City right-of-way by eighteen inches with three (3) light fixtures to illuminate the outside sign at a height of approximately twenty (20) feet above ground level, subject to the applicants executing unto the City of Wauwatosa an indenture setting forth the terms, provisions and conditions relating to the granting of the aforesaid permission by said City to said applicants.

It was moved by Ald. Grimm, seconded by Ald. Krill
to approve the foregoing resolution. -11

There being no further business, the meeting adjourned at 8:05 p.m.

cal

Carla A. Ledesma, CMC, City Clerk