



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, December 2, 2008**

**PRESENT:** Alds. Hanson, Herzog, Jay, Krol, Maher, McBride, Meaux, Nikceвич, Organ, Stepaniak, Walsh, Birschel, Donegan, Ewerdt -14

**EXCUSED:** Alds. Purins and Treis

**ALSO PRESENT:** Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Ms. Plass, Acctg. Manager; Mr. Kappel, Public Works Director; Ms. Welch, Community Development Director; Police Chief Weber; Ms. Aldana, Asst. City Attorney/HR Director; Mr. Wehrley, City Engineer; Ms. Ledesma, City Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Didier in the Chair

The Mayor called the meeting to order at 7:35 p.m.

Girl Scout troop #1305 led the pledge of allegiance.

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. -14

### **PUBLIC HEARING**

The first order of business was a public hearing to consider the proposed City of Wauwatosa Comprehensive Plan.

Proof of publication is in the file.

In a meeting held on October 13, 2008, the City Plan Commission recommended approval of the adoption of the comprehensive plan

Ms. Welch, Community Development Director, stated that the city's comprehensive plan has not been updated since the mid-1970's. It is critical to have a plan that can address the current and future planning needs of the city. The proposed plan is available for review on the city's website.

The following members of the public present wished to be heard in favor of the proposed plan:

Gloria Stearns, 1815 N. 116th Street, thanked the council for funding and participating in the update of the comprehensive plan. She urged that staff and elected representatives use this document, once passed, when dealing with land use issues.

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

No one of the public present wished to make any other comments or questions.

The public hearing was declared closed. Ordered held for two weeks.

**PUBLIC HEARING**

The second public hearing concerned the streets proposed for improvement in 2009:

<u>Street &amp; Location</u>	<u>Ald. Dist.</u>	<u>Exist &amp; (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
N. 68 <sup>th</sup> St. from Mt. Vernon Ave. to W. Blue Mound Rd.	4	34'	A-Conc.	Yes
N. 68 <sup>th</sup> St. from W. State St. to Menomonee River	4	Varies	A-Conc.	No
N. 86 <sup>th</sup> St. from W. Wright St. to north city limit	6	30'	B-Asph.	Yes
Auburn Ave. from N. 70 <sup>th</sup> St. to N. 72 <sup>nd</sup> St.	4	30'	A-Conc.	Yes
W. Blue Mound Rd. from USH 45 to N. Mayfair Rd.	3	35'-24'-35'	C-Asph.	No
Kinsman St. from west end to N. 68 <sup>th</sup> St.	4	24'	A-Conc.	Yes
W. Meinecke Ave. from N. 81 <sup>st</sup> St. to Swan Blvd.	6	30'	B-Asph.	Yes
W. Ruby Ave. from N. 100 <sup>th</sup> St. to N. 106 <sup>th</sup> St.	8	30'	C-Asph.	No
Wauwatosa Ave. from W. Center St. to beyond north city limit	5	36'	A-Conc.	Yes
Alley - W. Center St.-Ridge Blvd. / Swan Blvd. - 93 <sup>rd</sup> St.	6	20'	A-Conc.	No
Alley - W. Meinecke Ave. - W. North Ave. / N. 66 <sup>th</sup> St. - 100ft. east	5	20'	C-Asph.	No

Proof of publication is in the file.

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

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

The following members of the public present had questions or comments about the Meinecke Avenue portion of the project:

Sue Stenzel, 2402 N. 85th Street, noted that work on N. 85th Street was performed this year. Receiving assessment bills for two consecutive years places a tremendous burden on property owners even with the extended payment period. Ms. Stenzel expressed concern over the lengthy project period for N. 85th Street; it was just completed on November 30th and was started in mid August. Will sewer work being performed in conjunction with the Meinecke Street improvement negatively impact the work just completed on N. 85th Street?

Mr. Kappel explained that the N. 85th Street project was lengthy because the contractor was also the successful bidder on several other area projects. The pace of the work was determined by the availability of the contractor's crews. In addressing the back-to-back assessments, Mr. Kappel did note that side-yard assessments are levied at a reduced rate compared to front-yard assessments. He added that the Meinecke project does have significant sewer work attached to it, but it will not disrupt the work just completed on N. 85th Street.

Kristen Chose, 2404 N. 89th Street, asked for more detail about the project in her block. She expressed concern from an aesthetic standpoint about the white X's marking sidewalk blocks slated for removal. The slabs were marked this past summer, but residents were not told the reason therefor at that time. She also felt the special assessment places a tremendous financial burden on property owners.

Mr. Kappel stated that the Type B construction planned for W. Meinecke Avenue means that curbs will be removed and replaced, as will driveway approaches. The asphalt surface will be milled off; a base course and final course of asphalt will then be applied. In addressing the sidewalk X's, Mr. Kappel explained that the markings must be prominent enough so that satisfactory blocks are not removed in error, and so that those blocks slated for replacement, are replaced. Sidewalk slabs are not just removed because of cracks or surface imperfections. They may be replaced because they have heaved such that they no longer direct run-off towards the street.

Joe Chose, 2404 N. 89th Street, asked for information concerning the criteria used for sidewalk replacement. Mr. Kappel replied that the information is available from the Engineering Department, or on the city's website.

Adam Cardina, 2402 N. 83rd Street, inquired how closely the cost estimates would reflect actual assessments, and why resident were being assessed a finance charge.

Mr. Kappel explained that the cost estimates are developed based upon the best information available at the time; once the work is completed, actual material costs are assigned to each property and the final assessment figures are based on that data. Mr. Kesner stated that the finance charge applies to extended payment options only. The city has to borrow the money to fund the street improvement projects and passes the cost of borrowing onto those property owners who are extending their payments.

Wes Culberson, 2378 N. 83rd Street, asked about disputing some of the sidewalk slabs slated for removal and was instructed to contact the Engineering Department to discuss the matter further. Mr. Kappel noted that if a slab initially slated for removal is not replaced, the white X will be painted over to make it much less noticeable.

There being no other comments, the public hearing was declared closed. Ordered held for two weeks.

### **APPOINTMENTS BY THE MAYOR**

#### Civil Service Commission

John Schapekahm, 653 N. 77<sup>th</sup> Street  
(term ends 9/30/2011)

#### Citizen's Advisory Capital Improvements Committee

Pamela Matthews, 4139 N. 110<sup>th</sup> Street  
(term ends 6/30/2011)  
Jason Kohout, 9995 W. North Avenue  
(term ends 6/30/2009)

It was moved by Ald. Maher, seconded by Ald. Birschel  
to concur with the foregoing appointments. -14

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. Notice of Claim: Randy W. Potter, 6331 W. Wisconsin Avenue; Diane Trinko-Johnson, 3150 N. Knoll Blvd.; Sherry Buford, 3855 N. 81<sup>st</sup> Street Milwaukee; Rachel & Pat English, 1825 N. 74<sup>th</sup> Street  
**City Attorney**
2. Petition by Richard J. Lochrie to remove the Village Professional Building, 7746 Menomonee River Parkway, from the current Village Business Improvement District boundaries  
**Community Development Director and Village Business Improvement District Director**
3. Letters from Philip J. Ertl, Wauwatosa School District, 12121 W. North Avenue, and Rick Beattie, Wauwatosa Recreation Department, 11324 W. Center Street, in support of the Hart Park athletic field initiative  
**Added to existing file**
4. Letters and e-mails from approximately 80 residents addressed to the Budget and Finance Committee in support of the Hart Park athletic field initiative and artificial turf on the playing field  
**Added to existing file**
5. \$100 donation to Police Department Community Support from the Village Business Improvement District  
**Place on file**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS FOR INTRODUCTION**

1. Ordinance amending Section 2.59.040 of the city code increasing the Epidemiologist position in the Health Department from part time to full time  
**Re-referred to originating committee**

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

1. Ordinance amending Section 11.32.080 of the city code to prohibit parking on school days on N. 115<sup>th</sup> Street south of W. Center Street  
**Re-referred to originating committee**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS**

**RESOLUTION R-08-237**

WHEREAS, the Human Resources Department conducted a Request for Proposals to outsource the administration of the City's Flexible Spending Plan; and

WHEREAS, the Human Resources Department recommends that the City enter into a contract with Diversified Benefit Services based on the level of services provided to the City and its employees and the competitive price;

NOW, THEREFORE, BE IT RESOLVED THAT the Human Resources Department is authorized to enter into a contract with Diversified Benefit Services for the administration of the City's Flexible Spending Plan with an estimated annual cost, (subject to changes in enrollment) of \$7,400.00.

It was moved by Ald. Krol, seconded by Ald. Ewerdt to approve the foregoing resolution. 13-0-1 (Walsh)

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

**RESOLUTION** R-08-238

WHEREAS, Beth E. Brandt, 6011 Regency Hills Drive, Racine, WI, has applied for an operator's license in conjunction with her employment at Noodles & Co., 12132 W. Capitol Drive, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Beth E. Brandt, 6011 Regency Hills Drive, Racine, WI, is hereby issued an operator's license for the period ending June 30, 2009.

It was moved by Ald. Birschel, seconded by Ald. Hanson to approve the foregoing resolution. -14

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION** R-08-239

WHEREAS, the following table reflects the 2008 health and dental insurance rates and proposed 2009 rates:

Plan	2008 Rate	2009 Rate
Choice Plus-Single	\$ 612.56	\$ 603.70
Choice Plus-Family	\$1,530.02	\$1,506.96
Choice-Single	\$ 584.65	\$ 555.49
Choice-Family	\$1,460.24	\$1,420.42
Humana Single	\$ 47.95**	\$ 34.05
Humana Family	\$ 119.85**	\$ 113.91
Care Plus Single	\$ 29.97**	\$ 30.57
Care Plus Family	\$ 94.60**	\$ 98.42

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council approves the proposed 2009 rates reflected above.

It was moved by Ald. Maher, seconded by Ald. Donegan to approve the foregoing resolution. -14

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION** R-08-240

WHEREAS, construction of improvements to Hart Park Athletic Field in 2009 are being considered as part of the overall City of Wauwatosa Capital budget; and

WHEREAS, delaying the design work for the athletic field improvements while considering the overall Capital Budget would make it impossible to complete the athletic field improvements in time for the Autumn, 2009, football season;

NOW, THEREFORE, BE IT RESOLVED THAT that portion of the City of Wauwatosa 2009 Capital Budget related to design of the athletic fields and facility improvements at Hart Park is hereby approved in the amount of \$575,000.00, with funds to be expended from the Capital Projects Reserve Fund for Park Improvements;

BE IT FURTHER RESOLVED THAT appropriate City staff is hereby authorized to issue a qualifications-based Request for Proposals for the design of the Hart Park Athletic Field Improvements;

BE IT FINALLY RESOLVED THAT staff are immediately authorized to enter into a contract for necessary land survey work in advance of the Hart Park design, in order that a survey may be conducted prior to extensive snowfall on the land to be affected by the project.

It was moved by Ald. Maher, seconded by Ald. McBride to approve the foregoing resolution. -14

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

BILLS AND CLAIMS FOR THE PERIOD 11/19/08 – 12/02/08 --

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 11/19/08 – 12/02/08: \$1,509,332.28

It was moved by Ald. Meaux, seconded by Ald. Organ that each and every one of the accounts of bills and claims be allowed and ordered paid. Roll call vote, Ayes 14

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

cal

\_\_\_\_\_  
Carla A. Ledesma, CMC, City Clerk