



CITY OF WAUWATOSA  
7725 WEST NORTH AVENUE  
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**COMMON COUNCIL**  
**Regular Meeting, Tuesday, May 4, 2010**

PRESENT: Alds. Berdan, Birschel, Causier, Donegan, Ewerdt, Hanson, Herzog, Jay, McBride, Meaux, Nikcevich, Organ, Pantuso, Walsh, Wilke -15

EXCUSED: Ald. Wilson

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 Supr.; Ms. Ledesma, City Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Didier in the Chair

The Mayor called the meeting to order at 7:40 p.m.

The Mayor and Common Council President Meaux, assisted by Claudia Shea and Barbara Benton of the Wauwatosa Historical Society, presented certificates to the following Historical Society art contest winners:

JK: Maria Naack and Kayleigh Vada (both from Lincoln School)

SK: Madeline Cicero (Washington School) and Aidan Jones (Roosevelt School)

1st grade: Madison Sveum and Keegan Anderson Roberts (both from Roosevelt School)

2nd grade: Skye Sell (Lincoln School), Emily Muetze (Roosevelt School), and Anna Perez (Lincoln School)

3rd grade: Elliott St. Amour (Roosevelt School), Chloe Beaudoin (Eisenhower School), Kail Palen (Underwood School)

4th grade: Emma Kessler (Jefferson School), Casey Bunzel (St. Bernard School), and Evan Knauss (Jefferson School)

5th grade: Rylan McNally and Mathieu St. Amour (both from Roosevelt School)

Kathy Ehley, Chair of the Wauwatosa Historic Preservation Commission, presented the Mayor and Jeff Roznowski of the Wauwatosa Historical Society, with certificates of merit and recognition for the rehabilitation and preservation of the Little Red Store, 7720 Harwood Avenue.

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

### **OLD BUSINESS**

The following item was held after the public hearing on April 20, 2010:

#### **ORDINANCE** O-10-04

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING AN APPROXIMATELY 88-ACRE PORTION OF THE NORTHEAST QUADRANT OF THE MILWAUKEE COUNTY GROUNDS FROM MEDICAL CENTER AND INSTITUTIONS DISTRICT AND RESEARCH PARK PLANNED DEVELOPMENT DISTRICT TO BUSINESS PLANNED DEVELOPMENT 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:

Lot 2 of Certified Survey Map No. \_\_\_\_\_ being a part of the Northeast quarter and the Southeast quarter of the Southwest quarter of Section 20, the Northeast quarter, Northwest quarter, Southeast quarter and the Southwest quarter of the Southeast quarter of Section 20, the Northwest quarter of the Northwest quarter of Section 21 and the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 29, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, more accurately described on the attached map, is Rezoned from Medical Center and Institutions District and Research Park Planned Development District to Business Planned Development 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.

### **OLD BUSINESS**

The following item was held after the public hearing on April 20, 2010:

**ORDINANCE** O-10-05

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING A 55-ACRE PORTION OF THE NORTHEAST QUADRANT OF THE MILWAUKEE COUNTY GROUNDS FROM MEDICAL CENTER AND INSTITUTIONS DISTRICT TO CONSERVANCY 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:

Lot 1 of Certified Survey Map No. \_\_\_\_\_ being a part of the Northeast quarter and the Southeast quarter of the Southwest quarter of Section 20, the Northeast quarter, Northwest quarter, Southeast quarter and the Southwest quarter of the Southeast quarter of Section 20, the Northwest quarter of the Northwest quarter of Section 21 and the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 29, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, more accurately described on the attached map, is Rezoned from Medical Center and Institutions District to Conservancy 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. Herzog, seconded by Ald. McBride to adopt the two foregoing ordinances. -15

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. **Notice of Claim:** Megan P. O'Rourke, 4954 N. 106<sup>th</sup> Street, Milwaukee  
**City Attorney**
2. Letter from Daniel J. Diliberti, Milwaukee County Treasurer, supporting the proposed UWM satellite campus on the County grounds  
**Add to existing file**
3. Wauwatosa Water Utility State of Receipts and Disbursements for the period ending March 31, 2010  
**Place on file**
4. Conditional Use application in the AA Single Family Residence District for a 100-foot communication tower at 2630 N. 64<sup>th</sup> Street, Wauwatosa Water Utility, applicant  
**Plan Commission, Community Development Committee**
5. Conditional Use application in the AA Business District for a 2,000-square foot restaurant at 3180 N. 124<sup>th</sup> Street, Eric Thom, Continental 164 Fund LLC, applicant  
**Plan Commission, Community Development Committee**

6. Conditional Use application in the AA Business District for expanded outdoor seating at 9125 W. North Avenue, Sean Phelan, Alterra Coffee Roasters, Inc., applicant  
**Plan Commission, Community Development Committee**
7. Special Use application in the AA Business District for a veterinary clinic at 11619 W. North Avenue, Vic Dhillon, applicant  
**Plan Commission**
8. Conditional Use application in the AA Business District for a liquor store at 11747 W. North Avenue, Amandip Singh and David Carter, applicants  
**Plan Commission, Community Development Committee**
9. Memo from the City Attorney regarding the amendment of storm water-related ordinances  
**Plan Commission, Community Development Committee**
10. E-mail and attachments from Cheryl Nenn, Milwaukee Riverkeepers, 1845 N. Farwell Avenue, Suite 100, Milwaukee opposing the proposed UWM satellite campus on the County grounds  
**Add to existing file**
11. E-mails expressing concern regarding the proposed UWM satellite campus on the County grounds:  
Laurel Kinziger, no address given; Arlene and Michael Kelpsich, no address given; Elizabeth Gauger, 2766 N. Avondale Blvd., Milwaukee; Mary Restle, 3837 N. 84<sup>th</sup> Street, Milwaukee; Mary Pistiner, no address given; Christopher Washburn, 3130 N. 91<sup>st</sup> Street, Milwaukee; Sally Mathews, 4072 Glenway Street, Wauwatosa; Erika Voss, 2200 N 64<sup>th</sup> Street, Wauwatosa; Rosie and Peter Petroll, no address given; Nancy Barbieri, no address given; Mary Brehm, no address given; Monika and Marty Bachhuber, no address given; Donna Martin, 2203 N. 68<sup>th</sup> Street, Wauwatosa; Patty Witt, 16508 W. Melody Court, New Berlin; Robert Molthen, no address given  
**Add to existing file**
12. Request for a liquor license extension and Street Vendor Permit by Hector's – A Mexican Restaurant, 7118 W. State Street, for their twentieth anniversary party on June 17, 2010, Robert H. Messinger, applicant  
**Board of Public Works and Legislation, Licensing & Communications Committee**
13. E-mails in opposition of the proposed UWM satellite campus: Nancy Benninghouse, 2429 N. 114<sup>th</sup> Street; Pat Schermerhorn, no address given; Jeff Poniewaz, no address given; LuAnne Washburn, 719 N. 119<sup>th</sup> Street; Lane Hall, 6437 Upper Parkway North; Carmen Tracey, 1930 Menomonee River Parkway; Michael J. Matusinee, no address given  
**Add to existing file**
14. Letter from Greg Stano, 4430 N. 108<sup>th</sup> Street, Wauwatosa, regarding sewer issues in the 8<sup>th</sup> District  
**Add to existing file**
15. E-mail from Sen. Jim Sullivan in support of the rezoning of the Milwaukee County grounds for the proposed UWM College of Engineering campus  
**Add to existing file**

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION**

1. Ordinance amending Chapter 15.14.240 of the Code updating the Village Business Improvement District sign code  
**Re-referred to originating committee**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS**

**RESOLUTION R-10-75**

WHEREAS, the Health Department proposes to reconfigure its clerical staffing to improve departmental efficiencies in response to advances in technology and changes in health issues; and

WHEREAS, the Health Department recommends the following changes:

<u>Current Positions Funding</u>	<u>Proposed Position Funding</u>
0.7 FTE Municipal Clerk I Mix of grant and levy	1.0 FTE Municipal Clerk III levy
0.7 FTE Municipal Clerk I Mix of grant and levy; and	0.5 FTE Municipal Clerk I grant

WHEREAS, the proposed reconfiguration will allow continuity and higher level of clerical duties to handle complex database management;

NOW, THEREFORE, BE IT RESOLVED THAT the position resolution is hereby amended to eliminate 0.7 FTE Municipal Clerk I and reduce one 0.7 FTE Municipal Clerk I to 0.5 FTE and create 1 FTE Municipal Clerk III.

It was moved by Ald. Donegan, seconded by Ald. Berdan to approve the foregoing resolution. Roll call vote, Ayes 10, Noes 5 (Jay, Meaux, Pantuso, Walsh, Wilke)

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

**RESOLUTION R-10-76**

WHEREAS, Tim T. Goetzke, 6318 W. Lincoln Avenue, West Allis, WI, has applied for an operator's license in connection with his employment at Dave & Buster's, 2201 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Tim T. Goetzke, 6318 W. Lincoln Avenue, West Allis, WI, is hereby issued an operator's license for the period ending June 30, 2010, upon the condition all outstanding fines are paid in full by that time.

It was moved by Ald. Birschel, seconded by Ald. Hanson to approve the foregoing resolution. -15

**FROM THE COMMITTEE ON TRAFFIC AND SAFETY**

**ORDINANCE O-10-06**

**AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 11.32.080 TO ALLOW TWO-HOUR PARKING ON A PORTION OF NORTH 85<sup>TH</sup> STREET**

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

Part I. The “85<sup>th</sup> Street – east side” portion of the “schedule of streets, and portions” subsection of Wauwatosa Code section 11.32.080 is hereby amended by changing the letter designation at the beginning of the subsection referencing “West North Avenue to the south lot line of 2320 N. 85<sup>th</sup> Street” from the letter “(f)” to the letter “(c)”.

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

**FROM THE COMMITTEE ON TRAFFIC AND SAFETY**

**ORDINANCE O-10-07**

**AN ORDINANCE CREATING TWO-HOUR PARKING LIMITS IN THE HARWOOD PARKING MALL AND THE PIONEER PARKING LOT BETWEEN 9:00 AM AND 6:00 PM EXCEPT SUNDAYS AND HOLIDAYS**

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

Part I. Section 11.34.090 A 2 of the Code of the City of Wauwatosa is hereby amended to read in its entirety as follow:

In the Harwood Parking Mall, for more than two hours in the spaces provided along the westerly side thereof, between the hours of 9:00 AM and 6:00 PM, except Sundays and Holidays;

Part II. Section 11.34.090 A 3 of the Wauwatosa Municipal Code is hereby repealed.

Part III. Section 11.34.040 of the Wauwatosa Municipal Code is hereby amended to read in its entirety as follows:

It is unlawful for any person, firm or corporation owning, driving, or in charge of any automobile, motor truck or other vehicle, to park the same in the Pioneer Lot for more than two hours between 9:00 AM and 6:00 PM, except on Sundays and Holidays.

Part IV. This ordinance shall become effective on and after its date of publication.

It was moved by Ald. Meaux, seconded by Ald. Jay to adopt the two foregoing ordinances. -15

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**ORDINANCE O-10-08**

AN ORDINANCE AMENDING SECTION 15.28.020.A.1 OF THE WAUWATOSA MUNICIPAL CODE TO ADDRESS REQUIREMENTS FOR FENCES NEAR PERMANENT STRUCTURES ON ADJACENT PARCELS.

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

Part I. Section 15.28.020 A. 1. of the Wauwatosa Municipal Code is hereby repealed and recreated in its entirety to read as follows:

1. If the city directs the owner of a structure to maintain or repair that structure to the standards set by the city building maintenance code, and said maintenance or repair cannot be accomplished because a part of the structure is obstructed by a fence, the city shall require the owner of the fence to temporarily remove that portion of the fence causing the obstruction at the fence owner's cost until said maintenance or repair is completed. The fence owner shall then replace that portion of the fence at the fence owner's cost.

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

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-10-77**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Milwaukee County for a Land Combination by Certified Survey Map on the northeast quadrant of the Milwaukee County Grounds. A Certified Survey Map to be filed with Milwaukee County Register of Deeds described as follows:

Being a part of the Northeast quarter and the Southeast quarter of the Southwest quarter of Section 20, the Northeast quarter, Northwest quarter, Southeast quarter and the Southwest quarter of the Southeast quarter of Section 20, the Northwest quarter of the Northwest quarter of Section 21 and the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 29, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin, more accurately described on the attached map,.

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 and final transfer of property to common ownership.

It was moved by Ald. Herzog, seconded by Ald. Organ to adopt the foregoing ordinance and to approve the foregoing resolution. -15

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**ORDINANCE O-10-09**

AN ORDINANCE REPEALING AND RECREATING CHAPTER 8.12 OF THE WAUWATOSA MUNICIPAL CODE PERTAINING TO ADOPTION OF THE STATEWIDE SMOKING BAN.

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

Part I. Chapter 8.12 of the Wauwatosa Municipal Code, entitled Smokefree Restaurants, is hereby repealed.

Part II. Chapter 8.12 of the Wauwatosa Municipal Code is hereby recreated to read as follows:

**CHAPTER 8.12 SMOKING BAN**

8.12.010 State Statute Adopted. The provisions of Section 101.123 of the Wisconsin Statutes, as amended by 2009 AB 720 and as further amended by 2009 Wisconsin Act 276, are hereby adopted in their entirety.

Part III: This ordinance shall be effective beginning July 5, 2010.

It was moved by Ald. Herzog, seconded by Ald. Organ to adopt the foregoing ordinance. The vote was taken in two parts. Vote to repeal the ordinance, -15. Vote to adopt the statewide smoking ban, Ayes 13, Noes 2 (Herzog, Jay)

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION**

WHEREAS, Curtis Stang, UWM Innovation Park, LLC, and Craig Dillman, Milwaukee County, have submitted a preliminary plan for a Business Planned Development on an 87.8-acre site located at the northeast corner of Hwy 45 and Watertown Plank Road; and

WHEREAS, these preliminary plans have been reviewed and recommended by the City Plan Commission, the Design Review Board, and the Committee on Community Development; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby approves the preliminary plans for a Business Planned Development on an 87.8-acre site located at the northeast corner of Hwy 45 and Watertown Plank Road submitted by Curtis Stang, UWM Innovation Park, LLC, and Craig Dillman, Milwaukee County based upon the plans submitted to the City and the public hearings conducted on this matter and subject to the following conditions:

- 1) plans showing adequate sewer capacity, environmental remediation, and stormwater management subject to approval by the City Engineer;
- 2) parking lot and traffic circulation plans including a traffic impact study subject to approval by the City Engineer;
- 3) plans for water supply to the site subject to approval by the City Water Superintendent;
- 4) building plans designating design and materials recommended by the City Design Review Board prior to issuing building permits;
- 5) emergency vehicle access plan subject to approval by City police and fire departments;
- 6) final sale and recorded legal division of the parcel;
- 7) development of the 8.7 acre parcel identified for residential development is limited to a maximum of 200,000 sq.ft. and final site plan to be submitted for approval by Plan Commission and Common Council;
- 8) land clearance shall be subject to erosion control approval and specific building permit;
- 9) development to stay within the previously approved parameters of 0.46 FAR;
- 10) land use in the portion of the site immediately east of the identified habitat area will remain as open space;
- 11) Outlot 2 will remain undeveloped until the Wisconsin Department of Transportation completes their designs for the Watertown Plank/Swan Boulevard Intersection;
- 12) A plan and master association created supporting the habitat area will be established; and
- 13) Removal of the text in the proposed site guidelines referring to a transition of the butterfly route to the expanded habitat area to the east on County park land.

It was moved by Ald. Herzog, seconded by Ald. Organ to approve the foregoing resolution. –

It was moved by Ald. Hanson, seconded by Ald. Birschel to amend the motion by including a provision that the city adopt a limit of 850,000 square feet of floor space in developed buildings, and further provide that this figure could be amended to include an additional 342,200 square feet if the need arises. –

It was moved by Ald. Donegan, seconded by Ald. Birschel to refer this issue back to the Committee on Community Development for further discussion. Roll call vote, Ayes 6 (Birschel, Donegan, Hanson, Jay, Organ, Walsh), Noes 9. Prior to announcement of the vote, Ald. Jay corrected her vote to a “No” vote. Therefore, the vote became Ayes 5 (Birschel, Donegan, Hanson, Organ, Walsh), Noes 10.

Roll call vote on motion to amend, Ayes 2 (Birschel, Hanson),  
Noes 13. –Motion failed.

It was moved by Ald. Meaux, seconded by Ald. McBride  
to provide that the Historic Preservation Commission serve  
as the Design Review Board for the entire residential part of  
this development. Roll call vote, Ayes 13, Noes 2 (Jay, Walsh)

A friendly amendment was offered to clarify the wording of points 10 and 11 in the resolution above. The words “outlot 1” shall be added to point 10. In point 11, wording shall be clarified as follows: Outlot 2 will remain undeveloped; those portions of Outlot 2 not utilized by the WI DOT for design of the Watertown Plank Road/Swan Boulevard intersection shall remain undeveloped and returned to designated habitat protection area, and any land on the southern portion will require further Common Council approval via a plan amendment process.

Roll call vote on motion, as amended, Ayes 13, Noes 2  
(Hanson, Walsh)

The amended resolution is as follows:

**AMENDED RESOLUTION** R-10-78

WHEREAS, Curtis Stang, UWM Innovation Park, LLC, and Craig Dillman, Milwaukee County, have submitted a preliminary plan for a Business Planned Development on an 87.8-acre site located at the northeast corner of Hwy 45 and Watertown Plank Road; and

WHEREAS, these preliminary plans have been reviewed and recommended by the City Plan Commission, the Design Review Board, and the Committee on Community Development; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby approves the preliminary plans for a Business Planned Development on an 87.8-acre site located at the northeast corner of Hwy 45 and Watertown Plank Road submitted by Curtis Stang, UWM Innovation Park, LLC, and Craig Dillman, Milwaukee County based upon the plans submitted to the City and the public hearings conducted on this matter and subject to the following conditions:

- 1) Plans showing adequate sewer capacity, environmental remediation, and stormwater management subject to approval by the City Engineer;
- 2) Parking lot and traffic circulation plans including a traffic impact study subject to approval by the City Engineer;
- 3) Plans for water supply to the site subject to approval by the City Water Superintendent;
- 4) Building plans designating design and materials recommended by the City Design Review Board prior to issuing building permits;
- 5) Emergency vehicle access plan subject to approval by City police and fire departments;
- 6) Final sale and recorded legal division of the parcel;
- 7) Development of the 8.7 acre parcel identified for residential development is limited to a maximum of 200,000 sq.ft. and final site plan to be submitted for approval by Plan Commission and Common Council;

- 8) Land clearance shall be subject to erosion control approval and specific building permit;
- 9) Development to stay within the previously approved parameters of 0.46 FAR;
- 10) The land immediately east of the identified habitat area (Outlot #1) shall remain open space, but installation of utilities, access road, and walking paths will be allowed;
- 11) Outlot #2 will remain undeveloped; those portions of Outlot #2 not utilized by the WI DOT for design of the Watertown Plank Road/Swan Boulevard intersection shall remain undeveloped. Any northern portion not needed for intersection design will remain undeveloped and returned to designated habitat protection area and any land on the southern portion will require further Common Council approval via a plan amendment process;
- 12) A plan and master association created supporting the habitat area will be established;
- 13) Removal of the text in the proposed site guidelines referring to a transition of the butterfly route to the expanded habitat area to the east on County park land; and
- 14) The Historic Preservation Commission will serve as the Design Review Board for the residential portion of the development.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-10-79**

WHEREAS, the Director of Community Development provided a memorandum describing the process for applying for funding to support the construction of additional bicycle trails in Hart Park with grants from the Department of Natural Resources; and

WHEREAS, the estimated cost of the pathway would be \$120,000.00, including a route underneath the new 70<sup>th</sup> Street bridge, which would require a 50% match by the City of Wauwatosa, resulting in a City cost of \$60,000.00, which cost has been included in the 2011 Five-Year Capital Plan;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to proceed with a grant application with the Wisconsin Department of Natural Resources for additional bicycle trails in Hart Park in the City of Wauwatosa consistent with the memorandum provided by the Director of Community Development, dated April 23, 2010.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-10-80**

WHEREAS, the City of Wauwatosa has received two grants in the amount of \$400,000.00 for purposes of brownfield assessments; and

WHEREAS, the first step to implementation to grants would be to identify and prioritize properties that are potentially contaminated and can take advantage of brownfield grants; and

WHEREAS, Symbiont Engineering has provided a proposal to perform the brownfield assessments on behalf of the City of Wauwatosa pursuant to previous agreements;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into an agreement with Symbiont Engineering for the implementation of EPA brownfield assessment grants as provided in the appropriate grant documentation in the amount up to \$400,000.00 to be funded by grant proceeds.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-10-81**

WHEREAS, the existing 60-ton air conditioning system at the police complex has reached the end of its service life, is unreliable and now needs replacement; and

WHEREAS, a grant of Community Development funds available through the American Recovery and Reinvestment Act of 2009 in the amount of \$190,000.00 is available for the City to utilize to replace and upgrade this system; and

WHEREAS, after review of the existing system by the City's mechanical consultant, there is an opportunity to substantially improve the efficiency of this air conditioning system by replacing the existing equipment with a 40-ton ACCU (Air Cooled Condensing Unit), associated DX (Direct Expansion) coil, refrigerant piping and retrofit an ERV (Energy Recovery System) to serve the original portion of the building;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to purchase and contract for the design and installation of a new energy efficient air cooled condensing system for the Police Complex in an amount not to exceed \$190,000.00.

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

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-10-82**

WHEREAS, the City of Wauwatosa has been working with the City of Milwaukee and Waukesha County to explore opportunities to fund a regional recycling sorting facility; and

WHEREAS, a viable location for such a facility exists at 13<sup>th</sup> Street and Mt. Vernon Avenues in the City of Milwaukee; and

WHEREAS, understanding the benefits of such location would require a transportation study for the City of Wauwatosa; and

WHEREAS, the 2010 recycling revenues contain sufficient funds to provide for a transportation study, which will be conducted by AECOM Engineering for an amount not to exceed \$10,900.00;

NOW, THEREFORE, BE IT RESOLVED THAT City officials are hereby authorized to enter into a contract with AECOM Engineering for an amount not to exceed \$10,900.00, to be drawn from 2010 recycling revenues, for purposes of conducting a transfer station study surrounding the potential location of a regional recycling sorting facility at 13<sup>th</sup> Street and Mt. Vernon Avenue in the City of Milwaukee.

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

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

BILLS AND CLAIMS FOR THE PERIOD 4/21/10 – 5/4/10 --

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 4/21/10 – 5/4/10: \$2,024,541.09

It was moved by Ald. Meaux, seconded by Ald. Hanson  
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-10-83**

WHEREAS, the bids received for aggregate seal coating under Contract 10-18, Aggregate Seal Coating, exceed the available budget amount; and

WHEREAS the quantities of work must be reduced to bring the total bid price within the available budget amount of \$133,783.36; and

WHEREAS, upon this reduction, Fahrner Asphalt Sealers, Inc., of Plover, Wisconsin remains the lowest of two bids received;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa that the quantities of aggregate seal coating, and sweeping contemplated under Contract 10-18 be and are hereby reduced by no less than 10.18%, for a reduction in the bid amount of \$15,166.64; and

BE IT FURTHER RESOLVED that the proper city officials be and they are hereby authorized and directed to enter into a contract with Fahrner Asphalt Sealers, Inc., of Plover, Wisconsin, for aggregate seal coating, and work incidental thereto under Contract 10-18, at and for an adjusted bid price not to exceed \$133,783.36, this being the lowest and best bid.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-10-84**

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized and directed to enter into a contract with Venske Concrete & Construction, LLC, for the work of concrete sidewalk repair and work incidental thereto under Contract 10-19 at and for the bid amount of \$164,480.73, this being the lowest and best bid.

BE IT FURTHER RESOLVED that the surety deposits, if any, be returned to the unsuccessful bidders.

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

There being no further business, the meeting adjourned at 9:55 p.m.

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Carla A. Ledesma, CMC, City Clerk