



**CITY OF WAUWATOSA**  
MEMORIAL CIVIC CENTER  
7725 WEST NORTH AVENUE  
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PLEASE NOTE: The items on this agenda may be revised before the time of the Common Council meeting, some items may be removed and others added prior to the completion of the final Common Council agenda. The final agenda is available in the City Clerk's office and on the city website at [www.wauwatosa.net](http://www.wauwatosa.net). It is anticipated that each item listed on the agenda may be discussed, referred or acted upon unless it is noted in the specific agenda item that no action is contemplated.

**COMMON COUNCIL MEETING**  
**FINAL AGENDA**

Tuesday, April 5, 2011 - 7:30 p.m. Council Chambers

1. Roll Call
2. Approval of minutes of previous meeting

**APPOINTMENTS BY THE MAYOR**

Committee on Citizens with Disabilities (approval)  
Lanette Davidson, 1957 River Park Court, term ending 3/31/2014

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. Notices of Claims: Marquis B. Robinson, 1706 N. 119<sup>th</sup> Street, Wauwatosa; Clarence McGee, 8827 B N. 95<sup>th</sup> Street, Milwaukee  
**City Attorney**
2. Conditional Use application in the AA Professional Office District for a JK-5 Montessori School at 12121 W. North Avenue, Dean Heus and Dr. Phil Ertl, Wauwatosa School District, applicants  
**City Plan Commission, Community Development Committee**
3. Conditional Use application in the Light Manufacturing District for a Business Planned Development including a retail shopping center at 11500 W. Burleigh Street, Timothy Blum, HSA Commercial Real Estate and Burleigh 45, LLC, applicants  
**City Plan Commission, Community Development Committee**
4. Conditional Use application in the AA Business District for an addition to Outpost Natural Foods at 7000 W. State Street, Eric J. Neumann, MSI General Corp. and Pam Mehnert, Outpost Natural Foods, applicants  
**City Plan Commission, Community Development Committee**
5. Conditional Use application in the AA Business District for a retail development over 50,000-square feet including a Wal-Mart Neighborhood Market grocery store at 3850 N. 124<sup>th</sup> Street, Deborah C. Tomczyk, Reinhart Boerner Van Deuren s.c. and Franklin C. Gatlin III, Gatlin Development Co., Inc., applicants  
**City Plan Commission, Community Development Committee**
6. Conditional Use application in the Business Planned Development for massage therapy at 2751 N. Mayfair Road, Ginger Hartman, Mayfair ME, and William Steele, One Mayfair, LLC, applicants  
**City Plan Commission, Community Development Committee**
7. Conditional Use application in the AA Business District for expanded outdoor dining at Habanero's Restaurant, 869 N. Mayfair Road, Ed Bushman Victor Construction, Inc., and Brandon V. Bergman, Naturquest 2000 Development, applicants  
**City Plan Commission, Community Development Committee**

**APPLICATIONS, COMMUNICATIONS, ETC. (cont.)**

8. Emails in opposition to the vote to deny the union contracts:

Rachelle Aho, City of Wauwatosa employee  
Carolyn Chabron, City of Wauwatosa employee  
Christian Hains, no address given  
Joanne Pelczynski, City of Wauwatosa employee  
Ellyn Steinke, 2737 N. 117<sup>th</sup> Place  
Pattie Schey, 6837 Aetna Court  
Lynn Budde, 2449 Swan Blvd.  
Anne Calvey, 7324 W. Wisconsin Avenue

**Add to existing file**

Emails supporting the vote to deny the union contracts:

Mark E. Lambrecht, 8019 Warren Avenue

**Add to existing file**

9. Email from Ace Thomas, for Grandma Josie's Development Center, 7327 W. Center Street requesting the removal of the "no parking sign" on the west side of the building on N. 74<sup>th</sup> Street

**Engineering Department**

10. Letter from William Poull, The Club Tap, 8828 W. North Avenue requesting an extension of their liquor license to include the rear parking lot for its annual Corn Roast to be held on Saturday June 4<sup>th</sup> and Sunday June 5<sup>th</sup> from 11:00 a.m. to 9:00 p.m. for both days with music from 1:00 p.m. to 6:00 p.m.

**Legislation, Licensing and Communications Committee, Board of Public Works**

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

1. Ordinance creating Section 2.90 of the city code pertaining to the Community Development Authority

**Re-refer to originating committee**

2. Ordinance repealing Chapters 6.56 and 6.57 and recreating Chapter 6.56 pertaining to regulation of secondhand dealers

**Re-refer to originating committee**

**REPORTS FROM STANDING COMMITTEES**

**FROM THE COMMITTEE ON BUDGET & FINANCE**

1. Resolution approving a transfer of \$7,500 from the Municipal Complex Account to the Police Complex account for replacement of a water heater

**Committee recommended approval 6-0**

2. Bill and Claims

**FROM THE BOARD OF PUBLIC WORKS**

1. Resolution awarding Contract 11-18, Aggregate Sealcoating to Fahrner Asphalt Sealers Inc. in the amount of \$121,592.20 (budgeted amount \$129,239.20)

**Board recommended approval 4-0**

2. Resolution approving an encroachment into the city right-of-way at 6502 W. North Avenue for parking on the right-of-way up to back of sidewalk, Mark Fruchtmann, applicant, subject to the applicant executing an encroachment agreement

**Board recommended approval 4-0**

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, must contact the City Clerk at voice telephone 479-8917 or TTY 471-8484 (City Hall, 7725 W. North Avenue, Wauwatosa, Wisconsin 53213) for accommodations. Requests for accommodations for meetings should be made at least three (3) business days prior to the meeting. Every effort will be made to arrange accommodations for all meetings; so please give the City Clerk as much advance notice as possible.