



CITY OF WAUWATOSA
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COMMON COUNCIL
Regular Meeting, Tuesday, February 21, 2012

PRESENT: Alds. Berdan, Birschel, Causier, Donegan, Ewerdt, Hanson, Jay, McBride, Nikceovich, Organ, Pantuso, Roznowski, Walsh, Wilson -14

EXCUSED: Ald. Wilke

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Porter, Public Works Director; Mr. Ruggini, Finance Director; Fire Chief Ugaste; Police Chief Weber; Ms. Enders, Economic Development Director/Interim Community Development Director; Ms. Aldana, HR Director/Asst. City Attorney; Mr. Wojcehowicz, Water Utility Supt.; Ms. Ledesma, City Clerk

Mayor Meaux in the Chair

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

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 item of business was a public hearing to consider the proposed improvement in 2012 of N. 90th Street, from Menomonee River Parkway to North Avenue.

Proof of publication is in the file.

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

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

No one of the public present wished to be heard either for or against the proposal or had any comments or questions.

The public hearing was declared closed. Ordered held to the next Common Council meeting on March 6, 2012.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Email from Cornelia and Mark Beilke, 1443 Alice Street in support of keeping chickens on residential property
City Attorney and Health Department
2. Emails from Dan Cohen, no address given, Thomas Falk 2215 N. 64th Street, and Luke C. and Mary E. Perry, 2519 N. 68th Street, with concerns about the proposal to operate an O'Reilly auto parts store in the former Blockbuster location, 6102 W. North Avenue
Place in existing file
3. Donation from the First Congregational Church Circle 7 of Wauwatosa in the amount of \$25 for future expenditures in the Police Department's Community Support Division
Place on file
4. Notice of Claim: Thomas Boyce, 6536 Hillcrest Drive
City Attorney

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION

1. Ordinance amending Section 1.04.110 of the city code pertaining to relocating Ward 1's voting location from the Wauwatosa East High School to Fire Station #1, 1601 Underwood Avenue
Request adoption under suspension of the rules

It was moved by Ald. Birschel, seconded by Ald. Jay
to adopt the ordinance under suspension of the rules. -14

The adopted ordinance is as follows:

ORDINANCE O-12-08

AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 1.04.110 TO MOVE THE POLLING PLACE FOR WARD 1 TO FIRE STATION #1

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

- Part I. That portion of Section 1.04.110 of the Wauwatosa Municipal Code relating to the Polling location for District 1, Ward 1, is hereby amended to reflect that the polling location shall be at Fire Station #1, 1601 Underwood Avenue.
- Part II. This ordinance shall take effect on and after its date of publication.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-12-23

WHEREAS, Anthony J. Keller, W342 N4906 W. Lindy Lane, Nashotah, WI, has applied for an operator's license in conjunction with his employment at the Crowne Plaza on Blue Mound Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Anthony J. Keller is hereby issued an operator's license for the period ending June 30, 2012, contingent upon a review of his record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Mr. Keller'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. Birschel, seconded by Ald. Roznowski to approve the foregoing resolution. -14

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-12-24

WHEREAS, Sherry Carlin, Tosafest 2012 Chairperson for the Wauwatosa Village Task Force, has applied for a Street Festival Permit in the Village area on September 7 & 8, 2012 for Tosafest; and

WHEREAS, the Committee on Community Development reviewed the request and recommends granting a Street Festival permit subject to the following restrictions:

1. Tosafest shall be conducted on Friday, September 7th from 2:00 p.m. to 11:30 p.m.; and on Saturday, September 8th from 11:00 a.m. to 11:30 p.m.; with take down and clean-up on Sunday, September 9th from 7:00 a.m. to noon.
2. Live and recorded music associated with the event shall cease no later than 11:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT a Street Festival permit be granted for Tosafest 2012 to use the Village area on September 7 & 8, 2012, subject to compliance with all state and municipal laws and ordinances.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION

WHEREAS, concern has been expressed by aldermen and business owners regarding the provisions of Section 15.14.330B of the Wauwatosa Municipal Code providing that changeable copy signs may only be changed once within a 24-hour period; and

WHEREAS, in an effort to determine whether changes to the 24-hour time limit would be acceptable and workable in the City of Wauwatosa, the Common Council wishes to temporarily provide that such signs be changed on a more frequent basis, while also making clear that this temporary change does not provide a foundation for additional installations of changeable copy signs during this time period in reliance upon this new and temporary provision; and

WHEREAS, the Community Development Committee determined, after discussions among itself, staff and members of the public, that a temporary 90-day trial of allowing changeable copy signs to change not more than once per 10-minute period is an appropriate test;

NOW, THEREFORE, BE IT RESOLVED THAT the provisions of Section 15.14.330D providing that changeable copy signs may be changed only once within a 24-hour period are hereby temporarily suspended for 90 days from the date of passage of this resolution in favor of a temporary provision that such changeable copy signs may be changed not more than once within a 10 minute period;

BE IT FURTHER RESOLVED THAT during the trial period stated above, a temporary moratorium on the installation of new changeable copy signs subject to this provision is hereby enacted and any new changeable copy sign during this time period may be installed only after approval of the Common Council;

BE IT FINALLY RESOLVED THAT the Committee on Community Development shall consider the impact of this provision at its May 29th meeting of the Community Development Committee for further evaluation of the effect of this temporary change.

It was moved by Ald. Organ, seconded by Ald. Hanson to deny the foregoing resolution. Roll call vote, Ayes 8, Noes 6 (Jay, McBride, Nikceovich, Pantuso, Roznowski, Wilson)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-12-26

WHEREAS, the City of Wauwatosa Water Utility currently has a water meter system which will be phased out in future generations involving new technology for meter reading; and

WHEREAS, Badger Meter has proposed the establishment of a Beta Test Site within a portion of the City of Wauwatosa for purposes of testing its new advanced metering infrastructure (AMI) technology featuring a fixed base meter reading network solution; and

WHEREAS, the participation in the Beta test radio system on a small scale would require the transfer of \$150,000.00 from Water Utility surplus funds to purchase materials required in the beta test area for the two-way fixed network AMI system, which will also provide for upgrades to the City's wireless infrastructure to send data through the utility for processing;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into a Beta Test Agreement with Badger Meter for purposes of establishing a Beta Test Site for that company's Advanced Metering Analytic solution along with upgrades to the City's wireless infrastructure as necessary to complete the operation of such system;

BE IT FURTHER RESOLVED that \$150,000.00 from Water Utility surplus funds is hereby transferred to the appropriate account to implement the Beta Test Program.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-12-27

WHEREAS, the Project Plan for Tax Incremental Finance District #6 anticipates \$12 million of public infrastructure being necessary to support the planned development for its UWM Innovation Park; and

WHEREAS, a significant portion of the planned development, including the “Eschweiler Buildings,” is located in an area which overlaps with the Research Park Tax Incremental Finance District (TIF 2), such that some project costs associated with the improvements benefitting this area can be paid with TIF 2 proceeds; and

WHEREAS, recent developments, including changes in the projected cost of TIF 2 expenses related to Watertown Plank Road, and unrestricted funds originally intended for purposes of paying the property tax case settlement, have made sufficient funds available internally such that no external borrowing would be required at present to fund the balance of TIF 6 infrastructure needs; and

WHEREAS, this complete transaction is more particularly described in the memorandum of the Finance Director to the Budget & Finance Committee dated February 10, 2012;

NOW, THEREFORE, BE IT RESOLVED THAT \$2 million which was previously transferred from the Health/Life Fund to the General Fund, as well as an additional surplus of \$53,515.00 in the General Fund shall hereby be transferred to the Debt Service Fund to be made available to be loaned to TIF 6 through internal lending processes as more particularly described in the memorandum of the Finance Director dated February 10, 2012, in the form of an internal bond anticipation note to TIF 6.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-12-28

WHEREAS, the Government Finance Officers Association recommends that General Fund balances provide for two months worth of operating expenditures, or approximately 16.7% of the annual expenditure budget while the current unrestricted fund balance in the General Fund for the City of Wauwatosa is 14.3% which is slightly below that recommended level; and

WHEREAS, the Health/Life fund currently maintains a fund balance in excess of that necessary for ongoing operations; and

WHEREAS, following other transfers, an additional transfer of \$1,400,000.00 from the Health/Life to the General Fund would allow both funds to meet recommended levels;

NOW, THEREFORE, BE IT RESOLVED THAT up to \$1,400,000.00 of fund balance be transferred from the Health/Life Fund to the General Fund for purposes of providing that the undesignated General Balance be established at 16.7% of the 2012 budgeted expenditures.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-12-29

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT City staff is authorized to execute the attached contract with US Health Center for various professional wellness services.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-12-30

WHEREAS, the 2012 City of Wauwatosa Capital budget provides for the purchase of a new fire engine during the 2012 calendar year; and

WHEREAS, after consulting with fire engine manufacturers, it was determined that the O'Fallon (Missouri) Fire Protection District recently solicited bids for a fire engine with nearly identical specifications to the one being purchased by Wauwatosa; and

WHEREAS, the bid submitted by Pierce Manufacturing was the lowest bid received by the O'Fallon Fire Protection District; and

WHEREAS, Pierce Manufacturing has committed to the City of Wauwatosa that it will honor its bid price to the O'Fallon Fire Protection District and provide an additional \$25,000.00 rebate from that price if Wauwatosa were to purchase directly without an additional bidding process; and

WHEREAS, Wauwatosa purchasing procedures provide that Wauwatosa may purchase capital items based upon prices received in bids by other government entities; and

WHEREAS, the purchase of a fire engine from Pierce Manufacturing would be in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to proceed with the purchase of a fire engine from Pierce Manufacturing pursuant to the bids received by the O'Fallon (Missouri) Fire Protection District with modifications as stated in the memorandum from the Fire Department dated February 13, 2012, at a cost of \$599,590.00.

It was moved by Ald. Walsh, seconded by Ald. Donegan
to approve the five foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 2/8/12 – 2/21/12 --

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 2/8/12 – 2/21/12:

\$2,681,465.26

It was moved by Ald. Causier, seconded by Ald. Walsh that each and every account of bills and claims be allowed and ordered paid. Roll call vote, Ayes 13, Present 1 (Donegan)

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-12-31

WHEREAS, the Wauwatosa Purchasing Department has requested bids for emulsion and street patching materials for the Spring/Summer 2012 repair season; and

WHEREAS, each of the five bidders reflected in the memorandum from the Purchasing Department dated February 9, 2012, provide different advantages based upon the price, convenience and availability;

NOW, THEREFORE, BE IT RESOLVED THAT each of the five vendors described in the memorandum from the purchasing department are hereby qualified to provide emulsion and street patching materials for the Spring/Summer 2012 repair season on an as-needed basis, with individual purchases being made on the basis of price, convenience and availability.

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

FROM THE BOARD OF PUBLIC WORKS

The Board of Public Works, to whom was referred the 2011 Annual Report of the Board of Public Works, recommends to the Common Council that the Report be accepted and placed on file.

Dated this 6th day of February 2012.

BOARD OF PUBLIC WORKS

It was moved by Ald. Hanson, seconded by Ald. Walsh to place the foregoing report on file. -14

There being no further business, the meeting adjourned at 8:20 p.m.

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