



CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989
<http://www.wauwatosa.net>

COMMON COUNCIL
Regular Meeting, Tuesday, April 3, 2012

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

EXCUSED: Ald. Donegan

ALSO PRESENT: Mr. Archambo, City Administrator; Ms. Aldana, Asst. City Attorney/HR Director; 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. 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.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Notice of Claim: Donald W. Albee, 11121 Wisconsin Avenue; St. Pius X Parish, 2506 Wauwatosa Avenue
City Attorney
2. Wauwatosa Water Utility Statement of Receipts and Disbursements for the period ending February 29, 2012
Place on file
3. Conditional Use request in the AA Business District for a fitness training facility at 8316-B W. Blue Mound Road, John Eggers, Straighten n' Strengthen, and Philip W. Jennings, Jennings Joint Venture Properties, applicants
City Plan Commission, Community Development Committee
4. Request by the Historic Preservation Commission for historic designation of the Rockway/Brookside Place Historic District, City of Wauwatosa, applicant
City Plan Commission, Community Development Committee
5. Conditional Use request in the AA Institutions District to expand the president's house on the Aurora Psychiatric Hospital Campus at 1220 Dewey Avenue, Sarah Freymuth, Zimmerman Architectural Studios, and Larry Lentz, Aurora Health Care, Inc., applicants
City Plan Commission, Community Development Committee

6. Conditional Use request in the Village Trade District for outdoor seating at Arte, 7511 Harwood Avenue, Karen Salituro, Arte, LLC, and Ray Perry, applicants
City Plan Commission, Community Development Committee
7. Conditional Use request in the Village Trade District for a wine retail store at 1341 Wauwatosa Avenue, Brooke Boomer, The Ruby Tap, LLC, and Karen Wilman-Salituro, Sustainable Properties, Inc., applicants
City Plan Commission, Community Development Committee
8. Special Use request in the Village Trade District for a resale store at 1430 Underwood Avenue, Scott Carpenter and Catherine Connolly, St. Charles Youth and Family Services, and Lindsey D. Draper, applicants
City Plan Commission
9. Request for a Land Division by Certified Survey Map for property in the Estate Residential District at 2545 N. 100th Street Carol N. Maria, applicant
City Plan Commission, Community Development Committee
10. Request by Maureen Millmann, Tosa Farmer's Market, to use the Hart's Mills lot on Saturdays from June 2nd until October 13th from 8:00 a.m. to noon
Board of Public Works
11. Letter from Robert H. Messinger, Hector's A Mexican Restaurant, 7118 W. State Street, requesting an extension of his liquor license for Cinco de Mayo Celebration on May 5th 2012, Hector's Anniversary Party, June 14, 2012, and HectorFest, September 8, 2012 .
Legislation, Licensing, and Communications, Board of Public Works
12. Request for a Land Division by Certified Survey Map in the AA Industrial District for property at 11700 W. Capitol Drive, Daniel Drake, Harley-Davidson Motor Company, and Todd Champeau, Harley Davidson, Inc., applicants
City Plan Commission, Community Development Committee
13. Conditional Use request in the Trade District to modify hours of operation and to add outdoor seating at the diner at 7225 W. North Avenue, Jon Anne Willow, North Avenue Partners, LLC, and Al Rusk, Alshor Investments, applicants
City Plan Commission, Community Development Committee

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-12-53

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 June 1 through June 3, 2012, for an 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 June 1 through June 3, 2012, between the hours of 12:00 noon until 9:00 PM with music from 1 PM to 6 PM (Friday, June 1, 2012, from 3 PM to 9 PM with no live music) with all trash be removed from the parking lot after the event, and the music be kept at a reasonable level of volume.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-12-54

WHEREAS, Lisa Allen, chairperson of the Village BID, has applied for a Street Festival Permit to the Village area on June 2, 2012, for VillageGreen Street Fair; and

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

1. VillageGreen Street Fair shall be conducted on Saturday, June 2, 2012, from 9:00 a.m. to 3:00 p.m., with take down and clean-up starting at 6:00 a.m. and ending at 5:00 p.m.
2. Live and recorded music associated with the event shall cease no later than 3:00 p.m.;

NOW, THEREFORE, BE IT RESOLVED THAT a Street Festival Permit be granted to the Village BID for VillageGreen Street Fair to use the Village area on June 2, 2012.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-12-55

WHEREAS, Tucker Lahr, NextNav, LLC., and Margaret Robinson, American Tower Asset Sub. LLC. , have applied for a Conditional Use in the AA Business District at 4100 North 124th Street, to install a communications facility on an existing tower 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 by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Tucker Lahr, NextNav, LLC., and Margaret Robinson, American Tower Asset Sub. LLC., to install a communications facility on an existing tower in the AA Business District at 4100 North 124th Street subject to obtaining any additional licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-12-56

WHEREAS, Heather Bachmann and Diane Michael and the Gaulke Joint Revocable Trust have applied for a Conditional Use in the AA Business District at 346 North 121st Street, to operate a daycare center, 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 by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Heather Bachmann and Diane Michael and the Gaulke Joint Revocable to operate a daycare center in the AA Business District at 346 North 121st Street, subject to the following:

- 1) Hours of operation Monday through Friday 7 a.m. to 6 p.m.
- 2) Obtaining state daycare licensing
- 3) Obtaining all necessary licenses and permits

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-12-57

WHEREAS, Rafael Luciano, McDonalds, and Stephan Jeske, Haag Mueller, Inc., have applied for a Conditional Use in the AA Business District at 3800 North 124th Street, to add a drive through lane with ordering board, 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 by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Rafael Luciano, McDonalds, and Stephan Jeske, Haag Mueller, Inc, to add a drive through lane with ordering board in the AA Business District at 3800 North 124th Street, subject to the following:

- 1) submission of a revised parking lot plan for approval to the Engineering Division
- 2) obtaining all the necessary licenses and permits

It was moved by Ald. Organ, seconded by Ald. Jay
to approve the four foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-12-58

WHEREAS, the North Avenue Development Plan, in describing initial implementation steps, anticipates the purchase by the City of Wauwatosa of an existing property at 2313 N. 69th Street in order to construct a new 69th Street parking area; and

WHEREAS, the Common Council has provided funds in the 2012 Capital Improvement Plan for the purchase of this property and initial design work; and

WHEREAS, the parcel at 2313 N. 69th Street recently was made available for sale on the open market;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials of the City of Wauwatosa are hereby authorized to purchase the property at 2313 N. 69th Street from its current owners for a purchase price of \$159,900.00, to be funded through the 2012 Capital budget, with appropriate contingencies to protect the interests of the City as described in the Accepted Offer to Purchase;

BE IT FURTHER RESOLVED THAT prior to demolition on this site, City officials are herewith authorized to permit Habitat for Humanity, Inc. or some similar organization to enter the property and remove all valuable items, fixtures and materials which have been placed in the home and are suitable for reuse for the charitable purposes affiliated with such organization, which shall be considered a donation from the citizens of the City of Wauwatosa to such organization.

It was moved by Ald. Walsh, seconded by Ald. Causier to approve the foregoing resolution. Ayes 13, Present 1 (Ewerdt)

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-12-59

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 American Sewer Services, Inc., for the work of TIF District No. 2 Water Main Extensions, Phase 2, Watertown Plank Road, from Innovation Drive to 1,000 feet east of USH 45, and work incidental thereto under Contract 12-81.

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-12-60

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Cranky Al's, 6901-03-05 W. North Avenue, Wauwatosa, WI, to encroach onto City right-of-way with outdoor seating along the property walls on N. 69th Street and 7" against the property on North Avenue, subject to the applicant 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 applicant and also subject to ADA compliance.

It was moved by Ald. Hanson, seconded by Ald. Wilson to approve the two foregoing resolutions. -14

There being no further business, the meeting adjourned at 7:38 p.m.

cal

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