



# CITY OF WAUWATOSA

## COMMON COUNCIL

AGENDA • DECEMBER 4, 2012

**Regular Meeting**

**Common Council Chambers**

**7:30 PM**

7725 West North Avenue, Wauwatosa, WI 53213

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 will be 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.

Roll Call

Approval of minutes of previous meeting

### **APPOINTMENTS BY THE MAYOR**

1. Village of Wauwatosa Business Improvement District Board (first reading)

Sean Phelan, Phelan Development, property owner  
 Mark Veth, BeSpetacted, business owner  
 Christine Maciejewski, Metcalfe Market, business representative  
 Gordon Goggin, The Lowlands Group  
 Reappointments, terms expire 2015  
 Bill Robison, community representative  
 Reappointment, term expires 2013

### **APPLICATIONS, COMMUNICATIONS, ETC.**

1. Statement of Receipts and Disbursements for the period ending October 31, 2012

**Place on file**

2. Southeastern Wisconsin Regional Planning Commission 2011 Annual Report

**Place on file**

3. Conditional Use request in the AA Industrial District for outside storage located at 4480 N. 124th Street, Jim Larson, Units Mobile Storage, and Robert Wagner, Wauwatosa Real Estate Holdings, LLC, applicants

**Plan Commission, Community Development Committee**

4. Conditional Use request in the AA Business District for a child care center located at 7219 W. Center Street, Latonya and Ken Hughes, applicants

**Plan Commission, Community Development Committee**

### **ORDINANCES FOR INTRODUCTION**

1. Ordinance amending portions of the Wauwatosa Municipal Code pertaining to certain residency requirements

**Re-refer to originating committee**

**FROM THE COMMITTEE ON TRAFFIC & SAFETY**

1. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to create a 'no parking' zone on W. Wisconsin Avenue between N. 108th Place and N. 109th Street

**Committee recommended approval 5-0**

2. Resolution approving an agreement with Ayres Associates for traffic analyses East Tosa North Avenue and Wauwatosa Village in an amount not to exceed \$46,000

**Committee recommended approval 5-0**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS**

1. Ordinance repealing portions of Chapter 2.52 and 2.58 of the Wauwatosa Municipal Code pertaining to personnel regulations

**Committee recommended approval 4-0**

**FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS**

1. Resolution approving a liquor license transfer by Eddie Martinis Enterprises, Inc., d/b/a Eddie Martini's, 8612 W. Watertown Plank Road, for the period ending June 30, 2013, Chris Murphy, agent

**Committee recommended approval 4-0**

2. Resolution approving a reserve liquor license transfer by Brett's Brats, LLC, d/b/a/ Highlands Cafe, 1413 N. 60th Street, for the period ending June 30, 2013, Brett Swider, agent

**Committee recommended approval 4-0**

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

1. Resolution approving a Conditional Use in the Medical Center and Institutions District to expand the parking structure at 8700 W. Doyne Avenue, John Balzer, Froedtert Health, and Gregg Prossen, Zimmerman Architectural Studios, applicants

**Committee recommended approval 8-0**

2. Resolution approving a Conditional Use in the AA Business District at 9125 W. North Avenue to expand the Alterra Cafe, Sean Phelan, Phelan Development, and William Bruss, General Counsel, WaterStone Bank, applicants

**Committee recommended approval 8-0**

3. Resolution approving a Conditional Use in the Trade District at 6817 W. North Avenue for a Belair Cantina restaurant with outdoor seating, Scott Johnson, applicant

**Committee recommended approval 8-0**

4. Resolution approving a Conditional Use in the Parks and Open Space District at 3535 North Mayfair Road to expand the dog exercise area at Currie Park, James Keegan, Milwaukee County Parks, applicant

**Committee recommended approval 8-0**

**FROM THE COMMITTEE ON BUDGET & FINANCE**

1. Resolution authorizing an agreement with Toole Design Group for creation of a bicycle/pedestrian facilities plan in the amount of \$42,045.47
2. Resolution authorizing a contract with contract with Selzer-Ornst, Co., in the amount of \$278,000.00 for the 2012 Health Department renovation
3. Memo from the Asst. Fire Chief recommending approval of a Department of Transportation construction mitigation contract

**Committee met before Council**

4. Bills and Claims

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.

### Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO CREATE A 'NO PARKING' ZONE ON W. WISCONSIN AVENUE BETWEEN N. 108TH PLACE AND N. 109TH STREET

AN ORDINANCE AMENDING SECTION 11.32.080 OF THE CODE OF THE CITY OF WAUWATOSA REGARDING PARKING ON WISCONSIN AVENUE

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

Part I. The "Wisconsin Avenue - south side" portion of the Schedule of Streets, and Portions, subsection of Section 11.3.2080 of the Wauwatosa Municipal Code is hereby amended by adding the following:

- (a) between N. 108th and N. 109th Streets

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

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

## COMMITTEE ON TRAFFIC &amp; SAFETY

MEETING OF 11/13/12

**Coming off a 90-day Trial, Parking Prohibitions on W. Wisconsin Avenue between N. 108th Place and N. 109th Street.** Mr. Porter stated that the 90-day trial has concluded. There is some concern by area businesses about the loss of parking for customers wishing to patronize their establishments.

Jeff Marohl, Henry R. Marohl, Inc., 10848 W. Wisconsin Avenue, stated that this on-street parking has been used for years by customers of area businesses. He does not support continuing the prohibition. He submitted letters from Bud Vanstone, KVG Building Corporation, 10850 W. Wisconsin Avenue, Victor Haight, Leonard Auto Body, 756 N. 109th Street, Stephanie Hunt, Bella Blvd, LLC, 740 N. 109th Street, Ron Wimmer, Wimmer Photography, 736 N. 109th Street, Jonathan Wagner, Wagner Associates, 10848 W. Wisconsin Avenue, Robert Johnston, 10848 W. Wisconsin Avenue, Tom Rudig, Rudig Trophies, 580 N. 108th Place, and Juentino Reyes, 10848 W. Wisconsin Avenue, all supporting the restoration of the parking places. There are many tenants who depend on the on-street parking.

Mike Trinkl, 10857 W. Wisconsin Avenue, stated that the small area where parking is being prohibited can only hold 2-3 small cars. Parking cars right up to the intersection creates a dangerous situation and a visual obstruction. The police concur that parking in this area creates safety concerns. Please prohibit the parking.

Jennifer Biefeld, 721N. 109th Street, stated that there shouldn't be any parking on the south side of the street due to the presence of a fire hydrant. The area has been much safer since the prohibition was instituted.

Ald. Hanson concurred with the residents and opined that the safety of the neighborhood is more important than the needs of the area businesses with respect to parking.

Ald. McBride agreed that it is a difficult situation when residences and businesses are next to each other; he must err on the side of pedestrian safety, however.

It was moved by Ald. McBride, seconded by Ald. Moldenhauer that an ordinance be drafted for introduction that will enact the parking prohibition on a permanent basis. -5

CITY OF WAUWATOSA  
Resolution

By: Traffic & Safety

WHEREAS, planning studies adopted for the East Tosa North Avenue and the Wauwatosa Village area both recommend significant traffic changes; and

WHEREAS, suggested traffic changes should be reviewed in order to assure compliance with Manual on Uniform Traffic Control Devices (MUTCB) and other engineering standards; and

WHEREAS, the engineering division has received proposals from Ayres Associates of Waukesha, WI, to perform both traffic analyses at a total cost estimated not to exceed \$46,000; and

WHEREAS, the Committee on Traffic and Safety has recommended that should the total funds available not be spent, it would be advantageous to use additional traffic analysis funds toward the study of that commercial area of West North Avenue to the west of the proposed study area;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into an agreement with Ayres Associates of Waukesha, WI, to perform traffic analyses as part of the implementation of the East Tosa North Avenue and Wauwatosa Village development plans in an amount not to exceed \$46,000.;

BE IT FURTHER RESOLVED THAT should these funds not be spent entirely on these areas, any additional remaining funds may be utilized for additional traffic study of that part of North Avenue west of the land study area.

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

## Ordinance

ORDINANCE REPEALING PORTIONS OF CHAPTER 2.52 AND 2.58 OF THE  
WAUWATOSA MUNICIPAL CODE PERTAINING TO PERSONNEL REGULATIONS

**A**

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, John Balzer, Froedtert Health, and Gregg Prossen, Zimmerman Architectural Studios, have applied for a Conditional Use in the Medical Center and Institutions District at 8700 West Doyne Avenue to expand the parking structure, 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 John Balzer, Froedtert Health, and Gregg Prossen, Zimmerman Architectural Studios, to expand the parking structure in the Medical Center and Institutions District at 8700 West Doyne Avenue, subject to obtaining any additional permits and licenses

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, Sean Phelan, Phelan Development, and William Bruss, General Counsel, WaterStone Bank, have applied for a Conditional Use in the AA Business District at 9125 West North Avenue to expand Alterra Cafe, 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, Sean Phelan, Phelan Development, and William Bruss, General Counsel, WaterStone Bank to expand Alterra Cafe in the AA Business District at 9125 West North Avenue, subject to obtaining any additional permits and licenses

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, Scott Johnson, Belair Cantina, has applied for a Conditional Use in the Trade District at 6817 West North Avenue for Belair Cantina restaurant with outdoor seating, 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 Scott Johnson, Belair Cantina, for Belair Cantina restaurant with outdoor seating in the Trade District at 6817 West North Avenue, subject to the following:

1. Hours of operation Monday through Friday 11 a.m. 2 a.m. and Saturday/Sunday 10 a.m. to 2 a.m. with an 11 p.m. daily closing time for the outdoor dining areas
2. Contacting the fire department
3. obtaining any additional permits and licenses

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, James Keegan, Milwaukee County Parks, has applied for a Conditional Use in the Parks and Open Space District at 3535 North Mayfair Road to expand the dog exercise area at Currie Park, 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 James Keegan, Milwaukee County Parks, to expand the dog exercise area at Currie Park in the Parks and Open Space District at 3535 North Mayfair Road, subject to the following:

1. Hours of operation dawn to dusk daily
2. Maintenance of site fencing and gravel surface at gates
3. Obtaining any additional permits and licenses
4. Improvements to the entrance drive pursued with WisDOT
5. Maintain vegetative buffer on Capitol Drive and Mayfair Road
6. Accessibility improvements to curbs and parkway

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By: Budget & Finance

WHEREAS, 2012 Community Block Grant Development funding included approximately \$40,000.00 from Administration and Planning dollars to complete a City-wide bicycle/pedestrian facilities plan; and

WHEREAS, the Development Department received responses to an RFP to consultant services to complete the plan, choosing from the three lowest bidders the Toole Design Group of Silver Spring, Maryland, as the most qualified consultant; and

WHEREAS, existing 2012 CDBG funds are set aside in the Administrative and Planning portion of the budget in sufficient amounts to pay the contract;

NOW, THEREFORE BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into an agreement with Toole Design Group for creation of a bicycle/pedestrian facilities plan for the City of Wauwatosa in the amount of \$42,045.47 and as further described in the memorandum of the Assistant City Planner dated November 20, 2012.

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By: Budget & Finance

WHEREAS, the City of Wauwatosa solicited proposals for 2012 Health Department Renovations; and

WHEREAS, the lowest and best bid was submitted by Selzer-Ornst, Co., in the amount of \$278,000.00, which, with ancillary costs added would result in a total project cost of \$314,000.00; and

WHEREAS, the available budget for this project is \$250,000.00, requiring that \$64,000.00 should be transferred from other budgets as described in the November 20, 2012, memorandum of the Director of Public Works;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a contract with Selzer-Ornst, Co., in the amount of \$278,000.00 for the 2012 Health Department renovation;

BE IT FURTHER RESOLVED THAT funds are hereby transferred to this project from:

- 1. 2013 Capital Improvement Project No. 6009, in the amount of \$20,000.00,
- 2. 2012 Surplus Municipal Complex Capital Projects Fund in the amount of \$30,000.00,

and

3. 2013 Repair Funds in the amount of \$24,000.00,  
to cover additional costs necessary as part of this project.

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
MEMO



To: **Common Council**

From: **James Case**

Date: **November 30, 2012**

Subject: **Memo from the Asst. Fire Chief recommending approval of a  
Department of Transportation construction mitigation contract**

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**A. Issue**

Approval of DOT construction mitigation contract

**B. Background/Options**

Request for approval of the DOT contract that provides \$200,000 in funding to the city to assist with mitigating emergency incidents during the 2013-2014 Mayfair Road and Watertown Plank Road construction process. This funding will allow for a temporary fire station and living quarters to be constructed at the city yards which will lessen the impact on emergency response to the West side during road construction. The funding also covers the cost for a fire department liaison to be present at planning meetings and assist with mitigation of emergency incidents in the construction area.

**C. Fiscal Impact**

Adopting this contract will have minimal direct fiscal impact as there are no matching funds required.

**D. Recommendation**

I recommend approval of the attached DOT contract.

**AGREEMENT BETWEEN**  
**THE WISCONSIN DEPARTMENT OF TRANSPORTATION**  
**AND**  
**THE CITY OF WAUWATOSA FIRE DEPARTMENT**

State Project I.D. 1060-37-92  
CONTRACT NO. 4  
2013-2014 Traffic Mitigation  
Zoo Interchange Project

This agreement is a formal partnership, made and entered into between the Wisconsin Department of Transportation (DEPARTMENT) and the City of Wauwatosa Fire Department (CITY), to provide for services as described herein. The Wisconsin Department of Transportation and City of Wauwatosa Fire Department are partnering during the Zoo Interchange Project (PROJECT) to ensure that emergency response capabilities are not adversely affected by roadway reconstruction.

The DEPARTMENT advises implementation of a comprehensive and cost effective transportation management plan that will help ensure the safety, accessibility and mobility for the traveling public in the PROJECT area. The PROJECT area is defined as interstates I-94 and I-894/USH-45 from Lincoln Avenue on the south, west of Underwood Parkway on the west, Burleigh Road on the north and 70<sup>th</sup> Street on the east. Included in the PROJECT area are local alternate route streets within two miles of the interstate roadways.

To mitigate traffic impacts caused by the PROJECT, the DEPARTMENT will provide \$200,000 to the CITY. In turn, the CITY will provide planning, coordination, equipment staging, and staffing services (as outlined below) in an effort to mitigate emergency incidents in the PROJECT area and stay informed of PROJECT roadway closures and construction progress for a 2-year period commencing on January 1, 2013 and ending on December 31, 2014.

The monies provided by this agreement will allow for CITY to assist in:

- Mitigating impacts to emergency response times on the west side of Wauwatosa by providing a temporary fire station west of HWY 100 when the city is bisected by the HWY 100 reconstruction project in 2013. The DEPARTMENT will not be responsible for selling or reimbursing any losses to the CITY for the temporary crew quarters.
- Providing a liaison to the PROJECT to debrief and mitigate incidents in the construction zone
- Relaying of project information to fire stations, EMS providers and dispatchers
- Evaluation of emergency access and traffic control plans with identification of risks and training opportunities
- Emergency response planning and emergency response routing-planning (emergency vehicle preemption and signing)
- Inter-jurisdictional response

- Participation in incident “dry run” exercises
- Provide feedback and insight that will aid in the development and updates of a crisis-communications plan

The CITY shall provide staff for traffic mitigation services who are billed at the Assistant Chief straight time rate with overhead included at \$71.41 per hour. The project overhead may include retirement, FICA and communications costs.

### **Basis of Payment**

The CITY shall charge actual costs incurred and attributable to the work performed and described above under this agreement to the DEPARTMENT. The DEPARTMENT will provide to the CITY reimbursable funding for these functions in the **total amount of \$200,000** toward traffic mitigation services. Total reimbursement to the CITY for traffic mitigation measures under this agreement and equipment staging will not exceed \$200,000 total as detailed in Attachments A and B: City of Wauwatosa Fire Department - Cost Estimate. Billings shall be directed by the CITY to the attention of Chris Hager, Wisconsin Department of Transportation, Southeast Region, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798 and will include a statement of expenses supported by a description of items and services provided and expended. The DEPARTMENT shall pay the bill promptly upon receipt thereof.

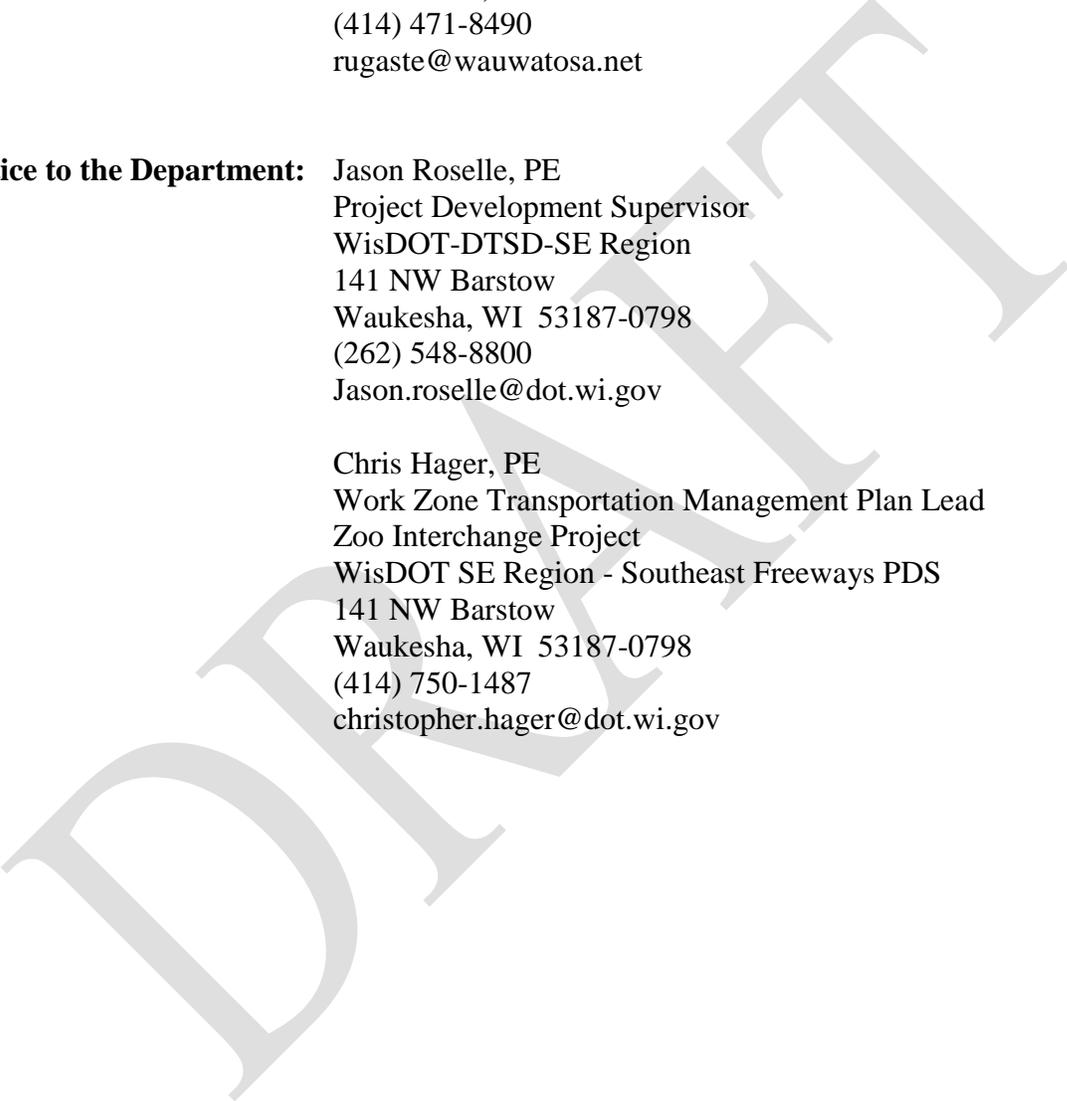
**Notifications**

Other correspondence and notifications required under this agreement shall be given as follows:

**Notice to the City:** Chief Rob Ugaste  
City of Wauwatosa Fire Department  
1601 Underwood Ave  
Wauwatosa, WI 53213  
(414) 471-8490  
rugaste@wauwatosa.net

**Notice to the Department:** Jason Roselle, PE  
Project Development Supervisor  
WisDOT-DTSD-SE Region  
141 NW Barstow  
Waukesha, WI 53187-0798  
(262) 548-8800  
Jason.roselle@dot.wi.gov

Chris Hager, PE  
Work Zone Transportation Management Plan Lead  
Zoo Interchange Project  
WisDOT SE Region - Southeast Freeways PDS  
141 NW Barstow  
Waukesha, WI 53187-0798  
(414) 750-1487  
christopher.hager@dot.wi.gov



Attachment: DOT Mitigation Contract (2) (1153 : Approval of DOT construction mitigation contract)

**Signatures**

This agreement may only be amended by a written document signed by each of the parties hereto.

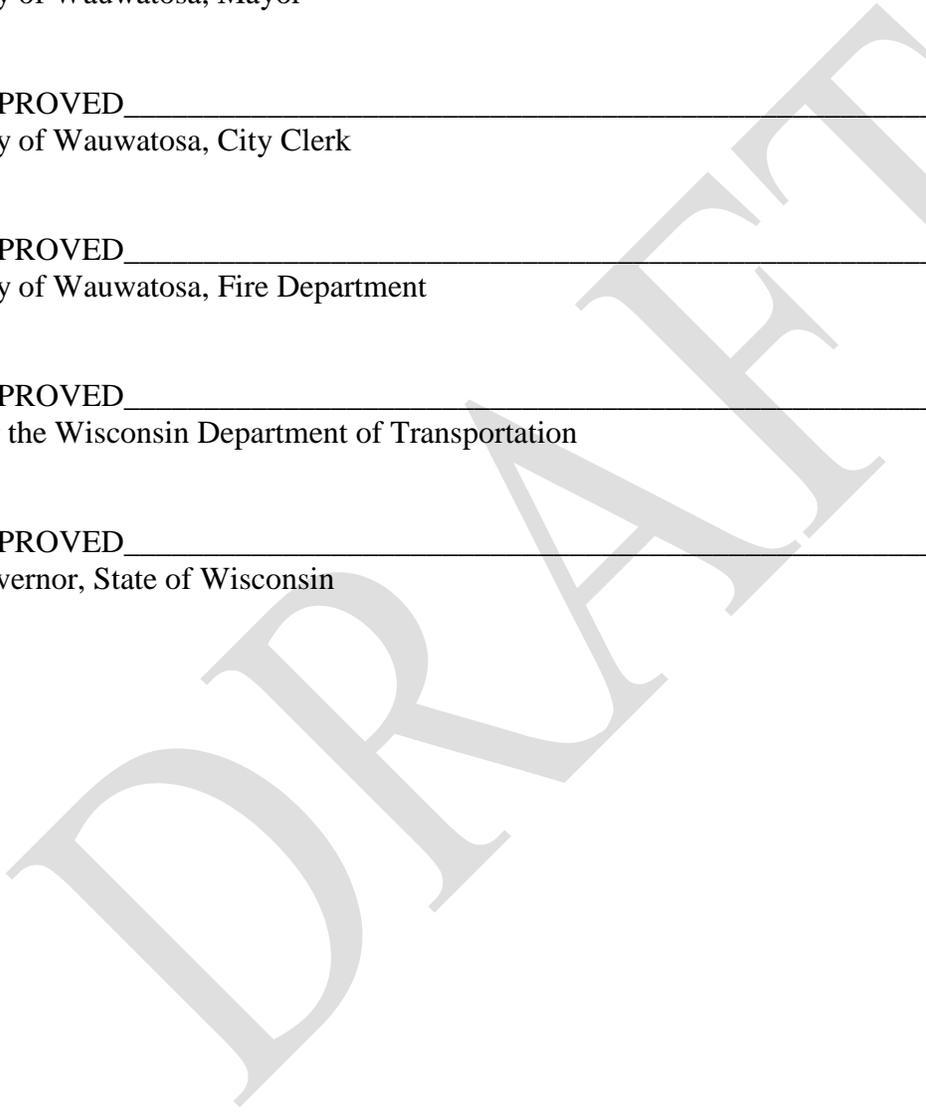
APPROVED \_\_\_\_\_  
City of Wauwatosa, Mayor Date

APPROVED \_\_\_\_\_  
City of Wauwatosa, City Clerk Date

APPROVED \_\_\_\_\_  
City of Wauwatosa, Fire Department Date

APPROVED \_\_\_\_\_  
For the Wisconsin Department of Transportation Date

APPROVED \_\_\_\_\_  
Governor, State of Wisconsin Date



Attachment: DOT Mitigation Contract (2) (1153 : Approval of DOT construction mitigation contract)

**Attachments A and B:  
City of Wauwatosa Fire Department  
Cost Estimate**

State Project I.D. 1060-37-92  
CONTRACT NO. 4  
2013-2014 Traffic Mitigation  
Zoo Interchange Project

**Attachment A:**

**FIRE DEPARTMENT TRAFFIC MITIGATION STAFF SERVICES**

<b>Function</b>	<b>Rate per Hour</b>	<b>Total Staff Hours</b>	<b>Total Cost</b>
Incident Dry-Run Exercises/ Emergency Preparedness	\$71.41	XX	\$xxxxxx
Emergency Response Route Planning	\$71.41	XX	\$xxxxxx
Emergency Access Evaluations, including work zone site review	\$71.41	XX	\$xxxxxx
Incident Information Dissemination	\$71.41	XX	\$xxxxxx
Subtotal		XX	<b>\$50,000.00</b>

**Attachment B:**

**FIRE DEPARTMENT EQUIPMENT STAGING**

<b>Function</b>	<b>Total Cost</b>
Temporary crew quarters for City fire department staff	<b>\$78,000</b>
Construction of an equipment and engine storage building including electric & gas	<b>\$57,000</b>
Sewer and water to the temporary living quarters and storage building	<b>\$10,000</b>
Overtime cost and expenses for properly staffing the temporary station during the 20 days while Bluemound Road and Watertown Plank Road are fully closed at HWY 100 in the summer of 2013; this includes a staff paramedic along with the expenses associated with moving truck #3 from station #3 to the temporary station	<b>\$5,000</b>
Subtotal	<b>\$150,000.00</b>

**Total Estimated Contract Costs Not to Exceed: \$200,000.00**



**CITY OF WAUWATOSA  
FIRE DEPARTMENT**

1601 UNDERWOOD AVENUE  
WAUWATOSA, WI 53213  
Telephone: (414) 471-8490  
Fax: (414) 471-8473



TO: CITY ADMINISTRATOR  
MAYOR  
BUDGET & FINANCE COMMITTEE

FROM: JIM CASE,  
ASSISTANT FIRE CHIEF

RE: FIRE DEPARTMENT DOT CONTRACT

DATE: November 29, 2012

**Issue:** Approval of DOT construction mitigation contract

**Background:** Request for approval of the DOT contract that provides \$200,000 in funding to the city to assist with mitigating emergency incidents during the 2013-2014 Mayfair Road and Watertown Plank Road construction process. This funding will allow for a temporary fire station and living quarters to be constructed at the city yards which will lessen the impact on emergency response to the West side during road construction. The funding also covers the cost for a fire department liaison to be present at planning meetings and assist with mitigation of emergency incidents in the construction area.

**Fiscal impact:** Adopting this contract will have minimal direct fiscal impact as there are no matching funds required.

**Recommendation:** I recommend approval of the attached DOT contract.

Respectfully,

**Jim Case**

Jim Case  
Assistant Fire Chief

Cc John Ruggini, Finance Director

1 Attachment – Proposed DOT Contract

Attachment: DOT Contract Memo (1153 : Approval of DOT construction mitigation contract)

### Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO CREATE A 'NO PARKING' ZONE ON W. WISCONSIN AVENUE BETWEEN N. 108TH PLACE AND N. 109TH STREET

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Passed and Dated \_\_\_\_\_

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City Clerk

Approved \_\_\_\_\_

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Mayor

## COMMITTEE ON TRAFFIC &amp; SAFETY

MEETING OF 11/13/12

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CITY OF WAUWATOSA  
Resolution

By: Traffic & Safety

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WHEREAS, suggested traffic changes should be reviewed in order to assure compliance with Manual on Uniform Traffic Control Devices (MUTCB) and other engineering standards; and

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\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

## Ordinance

ORDINANCE REPEALING PORTIONS OF CHAPTER 2.52 AND 2.58 OF THE  
WAUWATOSA MUNICIPAL CODE PERTAINING TO PERSONNEL REGULATIONS

A

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, John Balzer, Froedtert Health, and Gregg Prossen, Zimmerman Architectural Studios, have applied for a Conditional Use in the Medical Center and Institutions District at 8700 West Doyme Avenue to expand the parking structure, 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 John Balzer, Froedtert Health, and Gregg Prossen, Zimmerman Architectural Studios, to expand the parking structure in the Medical Center and Institutions District at 8700 West Doyme Avenue, subject to obtaining any additional permits and licenses

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, Sean Phelan, Phelan Development, and William Bruss, General Counsel, WaterStone Bank, have applied for a Conditional Use in the AA Business District at 9125 West North Avenue to expand Alterra Cafe, 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, Sean Phelan, Phelan Development, and William Bruss, General Counsel, WaterStone Bank to expand Alterra Cafe in the AA Business District at 9125 West North Avenue, subject to obtaining any additional permits and licenses

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, Scott Johnson, Belair Cantina, has applied for a Conditional Use in the Trade District at 6817 West North Avenue for Belair Cantina restaurant with outdoor seating, 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 Scott Johnson, Belair Cantina, for Belair Cantina restaurant with outdoor seating in the Trade District at 6817 West North Avenue, subject to the following:

1. Hours of operation Monday through Friday 11 a.m. to 2 a.m. and Saturday/Sunday 10 a.m. to 2 a.m. with an 11 p.m. daily closing time for the outdoor dining areas
2. Contacting the fire department
3. obtaining any additional permits and licenses

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By:

WHEREAS, James Keegan, Milwaukee County Parks, has applied for a Conditional Use in the Parks and Open Space District at 3535 North Mayfair Road to expand the dog exercise area at Currie Park, 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 James Keegan, Milwaukee County Parks, to expand the dog exercise area at Currie Park in the Parks and Open Space District at 3535 North Mayfair Road, subject to the following:

1. Hours of operation dawn to dusk daily
2. Maintenance of site fencing and gravel surface at gates
3. Obtaining any additional permits and licenses
4. Improvements to the entrance drive pursued with WisDOT
5. Maintain vegetative buffer on Capitol Drive and Mayfair Road
6. Accessibility improvements to curbs and parkway

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By: Budget & Finance

WHEREAS, 2012 Community Block Grant Development funding included approximately \$40,000.00 from Administration and Planning dollars to complete a City-wide bicycle/pedestrian facilities plan; and

WHEREAS, the Development Department received responses to an RFP to consultant services to complete the plan, choosing from the three lowest bidders the Toole Design Group of Silver Spring, Maryland, as the most qualified consultant; and

WHEREAS, existing 2012 CDBG funds are set aside in the Administrative and Planning portion of the budget in sufficient amounts to pay the contract;

NOW, THEREFORE BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into an agreement with Toole Design Group for creation of a bicycle/pedestrian facilities plan for the City of Wauwatosa in the amount of \$42,045.47 and as further described in the memorandum of the Assistant City Planner dated November 20, 2012.

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

By: Budget & Finance

WHEREAS, the City of Wauwatosa solicited proposals for 2012 Health Department Renovations; and

WHEREAS, the lowest and best bid was submitted by Selzer-Ornst, Co., in the amount of \$278,000.00, which, with ancillary costs added would result in a total project cost of \$314,000.00; and

WHEREAS, the available budget for this project is \$250,000.00, requiring that \$64,000.00 should be transferred from other budgets as described in the November 20, 2012, memorandum of the Director of Public Works;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a contract with Selzer-Ornst, Co., in the amount of \$278,000.00 for the 2012 Health Department renovation;

BE IT FURTHER RESOLVED THAT funds are hereby transferred to this project from:

- 1. 2013 Capital Improvement Project No. 6009, in the amount of \$20,000.00,
- 2. 2012 Surplus Municipal Complex Capital Projects Fund in the amount of \$30,000.00,

and

3. 2013 Repair Funds in the amount of \$24,000.00,  
to cover additional costs necessary as part of this project.

Passed and Dated \_\_\_\_\_

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
MEMO



To: **Common Council**

From: **James Case**

Date: **November 30, 2012**

Subject: **Memo from the Asst. Fire Chief recommending approval of a  
Department of Transportation construction mitigation contract**

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**A. Issue**

Approval of DOT construction mitigation contract

**B. Background/Options**

Request for approval of the DOT contract that provides \$200,000 in funding to the city to assist with mitigating emergency incidents during the 2013-2014 Mayfair Road and Watertown Plank Road construction process. This funding will allow for a temporary fire station and living quarters to be constructed at the city yards which will lessen the impact on emergency response to the West side during road construction. The funding also covers the cost for a fire department liaison to be present at planning meetings and assist with mitigation of emergency incidents in the construction area.

**C. Fiscal Impact**

Adopting this contract will have minimal direct fiscal impact as there are no matching funds required.

**D. Recommendation**

I recommend approval of the attached DOT contract.

**AGREEMENT BETWEEN**  
**THE WISCONSIN DEPARTMENT OF TRANSPORTATION**  
**AND**  
**THE CITY OF WAUWATOSA FIRE DEPARTMENT**

State Project I.D. 1060-37-92  
CONTRACT NO. 4  
2013-2014 Traffic Mitigation  
Zoo Interchange Project

This agreement is a formal partnership, made and entered into between the Wisconsin Department of Transportation (DEPARTMENT) and the City of Wauwatosa Fire Department (CITY), to provide for services as described herein. The Wisconsin Department of Transportation and City of Wauwatosa Fire Department are partnering during the Zoo Interchange Project (PROJECT) to ensure that emergency response capabilities are not adversely affected by roadway reconstruction.

The DEPARTMENT advises implementation of a comprehensive and cost effective transportation management plan that will help ensure the safety, accessibility and mobility for the traveling public in the PROJECT area. The PROJECT area is defined as interstates I-94 and I-894/USH-45 from Lincoln Avenue on the south, west of Underwood Parkway on the west, Burleigh Road on the north and 70<sup>th</sup> Street on the east. Included in the PROJECT area are local alternate route streets within two miles of the interstate roadways.

To mitigate traffic impacts caused by the PROJECT, the DEPARTMENT will provide \$200,000 to the CITY. In turn, the CITY will provide planning, coordination, equipment staging, and staffing services (as outlined below) in an effort to mitigate emergency incidents in the PROJECT area and stay informed of PROJECT roadway closures and construction progress for a 2-year period commencing on January 1, 2013 and ending on December 31, 2014.

The monies provided by this agreement will allow for CITY to assist in:

- Mitigating impacts to emergency response times on the west side of Wauwatosa by providing a temporary fire station west of HWY 100 when the city is bisected by the HWY 100 reconstruction project in 2013. The DEPARTMENT will not be responsible for selling or reimbursing any losses to the CITY for the temporary crew quarters.
- Providing a liaison to the PROJECT to debrief and mitigate incidents in the construction zone
- Relaying of project information to fire stations, EMS providers and dispatchers
- Evaluation of emergency access and traffic control plans with identification of risks and training opportunities
- Emergency response planning and emergency response routing-planning (emergency vehicle preemption and signing)
- Inter-jurisdictional response

- Participation in incident “dry run” exercises
- Provide feedback and insight that will aid in the development and updates of a crisis-communications plan

The CITY shall provide staff for traffic mitigation services who are billed at the Assistant Chief straight time rate with overhead included at \$71.41 per hour. The project overhead may include retirement, FICA and communications costs.

### **Basis of Payment**

The CITY shall charge actual costs incurred and attributable to the work performed and described above under this agreement to the DEPARTMENT. The DEPARTMENT will provide to the CITY reimbursable funding for these functions in the **total amount of \$200,000** toward traffic mitigation services. Total reimbursement to the CITY for traffic mitigation measures under this agreement and equipment staging will not exceed \$200,000 total as detailed in Attachments A and B: City of Wauwatosa Fire Department - Cost Estimate. Billings shall be directed by the CITY to the attention of Chris Hager, Wisconsin Department of Transportation, Southeast Region, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798 and will include a statement of expenses supported by a description of items and services provided and expended. The DEPARTMENT shall pay the bill promptly upon receipt thereof.

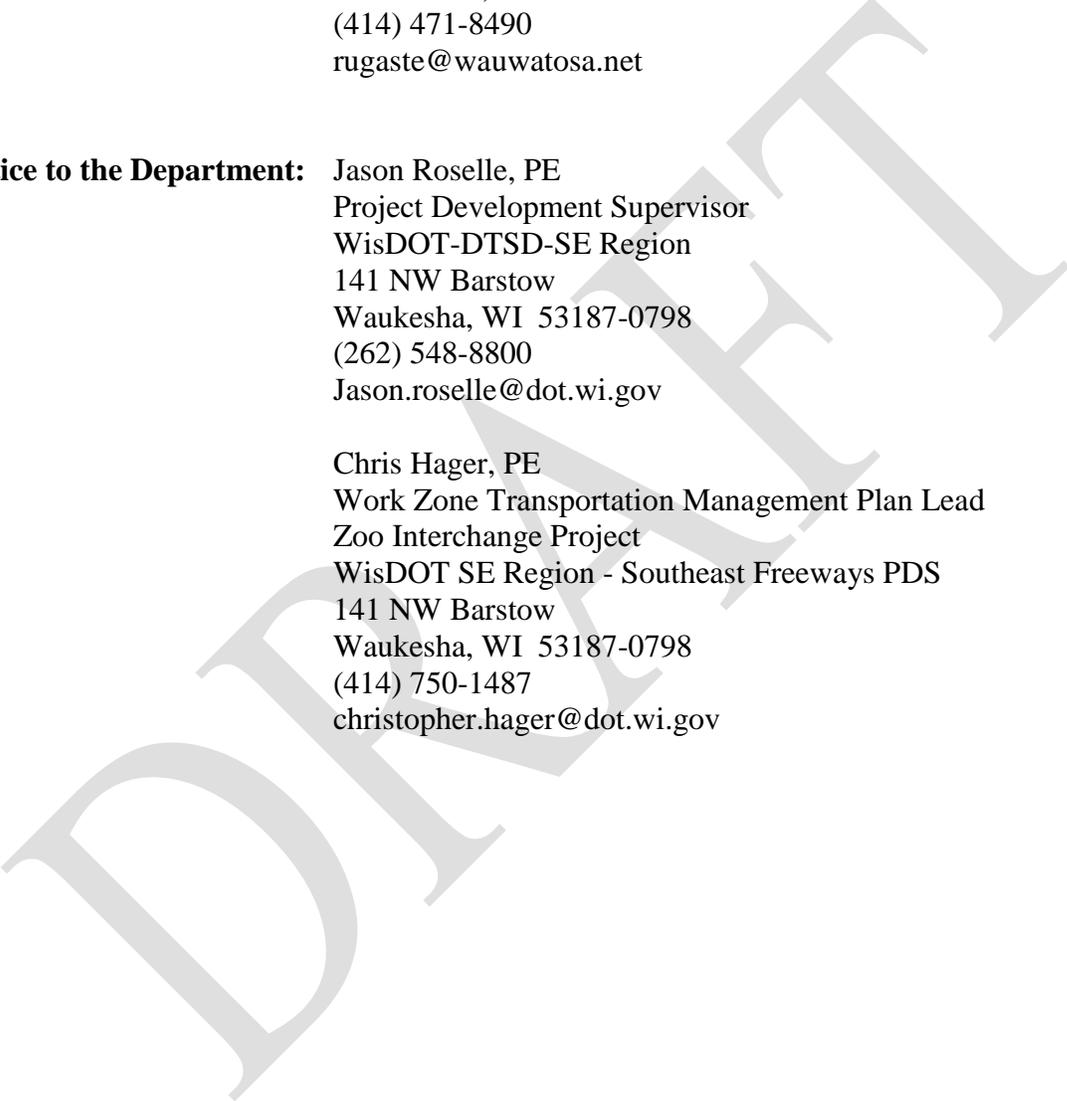
**Notifications**

Other correspondence and notifications required under this agreement shall be given as follows:

**Notice to the City:** Chief Rob Ugaste  
City of Wauwatosa Fire Department  
1601 Underwood Ave  
Wauwatosa, WI 53213  
(414) 471-8490  
rugaste@wauwatosa.net

**Notice to the Department:** Jason Roselle, PE  
Project Development Supervisor  
WisDOT-DTSD-SE Region  
141 NW Barstow  
Waukesha, WI 53187-0798  
(262) 548-8800  
Jason.roselle@dot.wi.gov

Chris Hager, PE  
Work Zone Transportation Management Plan Lead  
Zoo Interchange Project  
WisDOT SE Region - Southeast Freeways PDS  
141 NW Barstow  
Waukesha, WI 53187-0798  
(414) 750-1487  
christopher.hager@dot.wi.gov



Attachment: DOT Mitigation Contract (2) (1153 : Approval of DOT construction mitigation contract)

**Signatures**

This agreement may only be amended by a written document signed by each of the parties hereto.

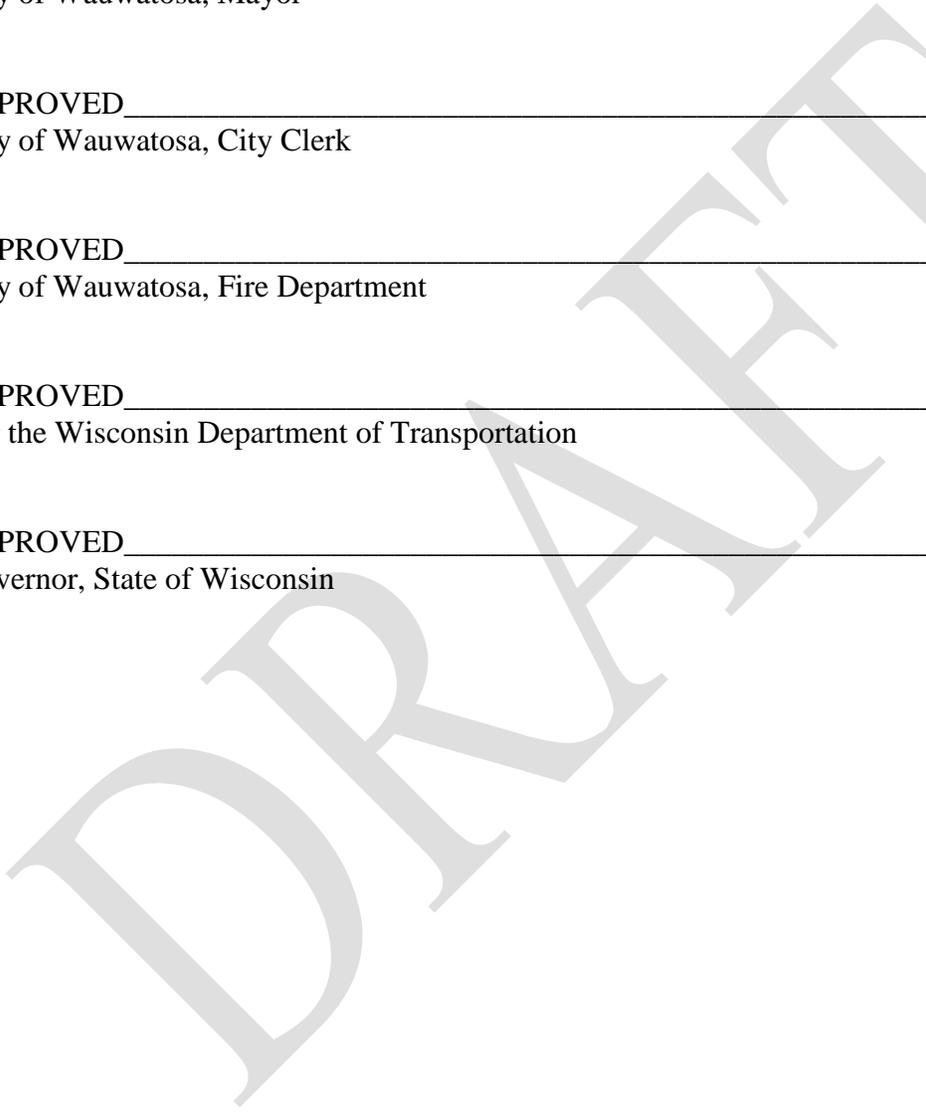
APPROVED \_\_\_\_\_  
City of Wauwatosa, Mayor Date

APPROVED \_\_\_\_\_  
City of Wauwatosa, City Clerk Date

APPROVED \_\_\_\_\_  
City of Wauwatosa, Fire Department Date

APPROVED \_\_\_\_\_  
For the Wisconsin Department of Transportation Date

APPROVED \_\_\_\_\_  
Governor, State of Wisconsin Date



Attachment: DOT Mitigation Contract (2) (1153 : Approval of DOT construction mitigation contract)

**Attachments A and B:  
City of Wauwatosa Fire Department  
Cost Estimate**

State Project I.D. 1060-37-92  
CONTRACT NO. 4  
2013-2014 Traffic Mitigation  
Zoo Interchange Project

**Attachment A:**

**FIRE DEPARTMENT TRAFFIC MITIGATION STAFF SERVICES**

Function	Rate per Hour	Total Staff Hours	Total Cost
Incident Dry-Run Exercises/ Emergency Preparedness	\$71.41	XX	\$xxxxxx
Emergency Response Route Planning	\$71.41	XX	\$xxxxxx
Emergency Access Evaluations, including work zone site review	\$71.41	XX	\$xxxxxx
Incident Information Dissemination	\$71.41	XX	\$xxxxxx
Subtotal		XX	<b>\$50,000.00</b>

**Attachment B:**

**FIRE DEPARTMENT EQUIPMENT STAGING**

Function	Total Cost
Temporary crew quarters for City fire department staff	<b>\$78,000</b>
Construction of an equipment and engine storage building including electric & gas	<b>\$57,000</b>
Sewer and water to the temporary living quarters and storage building	<b>\$10,000</b>
Overtime cost and expenses for properly staffing the temporary station during the 20 days while Bluemound Road and Watertown Plank Road are fully closed at HWY 100 in the summer of 2013; this includes a staff paramedic along with the expenses associated with moving truck #3 from station #3 to the temporary station	<b>\$5,000</b>
Subtotal	<b>\$150,000.00</b>

**Total Estimated Contract Costs Not to Exceed: \$200,000.00**



**CITY OF WAUWATOSA  
FIRE DEPARTMENT**  
1601 UNDERWOOD AVENUE  
WAUWATOSA, WI 53213  
Telephone: (414) 471-8490  
Fax: (414) 471-8473



TO: CITY ADMINISTRATOR  
MAYOR  
BUDGET & FINANCE COMMITTEE

FROM: JIM CASE,  
ASSISTANT FIRE CHIEF

RE: FIRE DEPARTMENT DOT CONTRACT

DATE: November 29, 2012

**Issue:** Approval of DOT construction mitigation contract

**Background:** Request for approval of the DOT contract that provides \$200,000 in funding to the city to assist with mitigating emergency incidents during the 2013-2014 Mayfair Road and Watertown Plank Road construction process. This funding will allow for a temporary fire station and living quarters to be constructed at the city yards which will lessen the impact on emergency response to the West side during road construction. The funding also covers the cost for a fire department liaison to be present at planning meetings and assist with mitigation of emergency incidents in the construction area.

**Fiscal impact:** Adopting this contract will have minimal direct fiscal impact as there are no matching funds required.

**Recommendation:** I recommend approval of the attached DOT contract.

Respectfully,

**Jim Case**

Jim Case  
Assistant Fire Chief

Cc John Ruggini, Finance Director

1 Attachment – Proposed DOT Contract

Attachment: DOT Contract Memo (1153 : Approval of DOT construction mitigation contract)