



CITY OF WAUWATOSA

COMMON COUNCIL

MINUTES • JUNE 4, 2013

Regular Meeting

Common Council Chambers

7:30 PM

7725 West North Avenue, Wauwatosa, WI 53213

PRESENT: Alds. Walz-Chojnacki, Wilke, Wilson, Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson

EXCUSED: Ald. Birschel

ALSO Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Porter, Public Works Director;

PRESENT: Ms. Plass, Accounting Mgr; Police Chief Weber; Ms. Enders, Development Director; Mr. Wojcehowicz, Water Utility Supt.; Ms. Ledesma, City Clerk

Mayor Ehley in the Chair

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

Approval of minutes of previous meeting

It was moved by Ald. McBride, seconded by Ald. Organ that the reading of the minutes of the previous meeting be dispensed with and that they be approved as printed. -15

APPOINTMENTS BY THE MAYOR

1. Board of Review (first reading)

**Roger Walsh, 9215 Wilson Boulevard
(Term expires 6/30/2017)**

Foregoing appointment ordered held as this was the first reading.

2. City Attorney (reappointment)

Alan Kesner, 4-year term pursuant to Wauwatosa Municipal Code 20.071(7)

It was moved by Ald. McBride, seconded by Ald. Walz-Chojnacki to concur with the foregoing appointment. 13-2 (Ewerdt, Hanson)

APPLICATIONS, COMMUNICATIONS, ETC.

1. Notice of Claim: Jennifer Race, 2629 Zastrow Road, Hartland

City Attorney

2. Wauwatosa Water Utility Statement of Receipts and Disbursements as of April 30, 2013

Place on file

3. Southeast Regional Planning Commission Report #54, "A Regional Housing Plan for Southeastern Wisconsin: 2035"

Development Department

ORDINANCES FOR INTRODUCTION

- 1. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to provide for 30-minute angled parking at the northeast corner of Swan Boulevard and W. North Avenue (for adoption)

ORDINANCE

AN ORDINANCE AMENDING SECTION 11.32.080 OF THE CODE OF THE CITY OF WAUWATOSA TO PROVIDE FOR 30 MINUTE PARKING AT SWAN BOULEVARD AND NORTH AVENUE

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

Part I. The introductory subsection of Section 11.32.080" the following subsection: of the Wauwatosa Municipal Code is hereby amended by adding the following"

- (ccc) no more than thirty (30) minutes between the hours of 8:30 AM - 7:00 PM on weekdays and 8:30 AM to 3:00 PM on Saturday and Sunday

Part II. The "Swan Boulevard - east side" portion of the schedule of streets, and portions, subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by adding the following:

- (ccc) in the angled parking spaces between West North Avenue and the alley immediately north thereof.

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

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 6/11/2013 7:30 PM
TO:	Traffic and Safety Committee, Traffic and Safety Committee	

FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS

- 1. Resolution authorizing the temporary liquor license extension for Tosa Foods LLC d/b/a Shepherd's Sports Bar, 6715 W. North Avenue, to include the parking lot at 6707 W. North Avenue on June 29-30, 2013

Committee recommended approval 5-0

RESOLUTION R-13-102

WHEREAS, Martin Beaudoin, agent for Shepherd's Sports Bar, 6715 W. North Avenue, Wauwatosa, WI, has requested a temporary extension of the licensed premises to include the parking lot at 6707 W. North Avenue for the Wauwatosa Gran Prix Bike Race on Saturday, June 29, 2013 from 5:00 PM to 10:00 PM and Sunday, June 30, 2013, from 9:00 AM to 10:00 PM;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Shepherd's Sports Bar be extended to include the parking lot at 6707 W. North Avenue on June 29, 2013, from 5:00 PM to 10:00 PM and June 30, 2013, from 9:00 AM to 10:00 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Brian Ewerdt, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

- Resolution approving the Operator license application by Ryan A. Bachorz, 10536 W. Fountain Avenue, Milwaukee, for the period ending June 30, 2014

Committee recommended approval 5-0

RESOLUTION R-13-103

WHEREAS, Ryan A. Bachorz, 10536 W. Fountain Avenue, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at Dave and Busters, 2201 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Ryan A. Bachorz is hereby issued an operator's license for the period ending June 30, 2014.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Brian Ewerdt, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

- Resolution denying the Operator license application by Lindsay M. Wells, 3032A N. Bartlett Avenue, Milwaukee, for the period ending June 30, 2013

Committee recommended approval 3-2

It was moved by Ald. Ewerdt, seconded by Ald. Dubinski to approve the resolution. --

It was moved by Ald. Tilleson, seconded by Ald. Pantuso to amend the resolution to approve the application with a six-month review. Roll call vote, Ayes 4 (Wilson, Donegan, Pantuso, Tilleson), Noes 11. --Motion failed.

Vote on the original motion, Ayes 11, Noes 4 (Wilson, Donegan, Pantuso, Tilleson)

RESOLUTION R-13-104

WHEREAS, Lindsay M. Wells, 3032A N. Bartlett Avenue, Milwaukee, WI, applied for an operator's license in conjunction with her employment at Dave & Busters 2201 N. Mayfair Road, Wauwatosa, WI; and

WHEREAS, a background investigation revealed the applicant had more than one conviction, which the applicant failed to fully disclose; and

WHEREAS, the circumstances surrounding these previous convictions, and the failure to fully disclose the past convictions during the application process, are substantially related to the responsibilities required of persons holding operator's licenses in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Lindsay M. Wells is hereby denied for at least a period of six months;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Ms. Wells in writing of this decision and the reasons for the denial.

RESULT:	APPROVED [11 TO 4]
MOVER:	Brian Ewerdt, Alderman
SECONDER:	John Dubinski, Alderman
AYES:	Berdan, Causier, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Roznowski, Walz-Chojnacki, Wilke
NAYS:	Donegan, Pantuso, Tilleson, Wilson
EXCUSED:	Birschel

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

1. Resolution approving a Conditional Use in the R2 District at 2506 Wauwatosa Avenue to operate a day camp, Yosef Perlman, BEST Camp Inc, and Dean Weyer, St. Pius X Parish, applicants

Committee recommended approval 8-0

RESOLUTION R-13-105

WHEREAS, Yosef Perlman, BEST Camp Inc., and Dean Weyer, St. Pius X Parish, have applied for a Conditional Use in the R2 District at 2506 Wauwatosa Avenue to operate a day camp, 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 Yosef Perlman, BEST Camp Inc., and Dean Weyer, St. Pius X Parish, to operate a day camp in the R2 District at 2506 Wauwatosa Avenue contingent upon hours of operation from 9 a.m. to 3 p.m. Monday through Friday from June until August and obtaining any additional permits and licenses.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey Roznowski, Alderman
SECONDER:	Bobby Pantuso, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

2. Resolution approving a Conditional Use in the R1-9 District at 4750 N. Mayfair Road to operate a Buddhist temple, Tu Mai, Phuoc Hau Buddhist Temple, and Russell Gnant, Unity West, Inc., applicants

Committee recommended approval 8-0

RESOLUTION R-13-106

WHEREAS, Tu Mai, Phuoc Hau Buddhist Temple, and Russell Gnant, Unity West, Inc, have applied for a Conditional Use in the R1-9 District at 4750 North Mayfair Road to operate a Buddhist temple, 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 Tu Mai, Phuoc Hau Buddhist Temple, and Russell Gnant, Unity West, Inc., to operate a Buddhist temple in the R1-9 District at 4750 North Mayfair Road contingent upon:

1. Hours of operation Monday through Thursday 7 p.m. to 9 p.m.; Sunday 9 a.m. to 4 p.m.; and Saturday 9 a.m. to 5 p.m.
2. Obtaining the necessary licenses and permits for the living quarters and any other operations

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey Roznowski, Alderman
SECONDER:	Bobby Pantuso, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

3. Resolution approving a Conditional Use in the Special Purpose District - Parks and Open Space (SP-POS) at 1800 Swan Blvd. to operate a beer garden, Kathleen Slawski and Heidi Janzen, Friends of Hoyt Park & Pool, applicants

Committee recommended approval 5-1-2

It was moved by Ald. Pantuso, seconded by Ald. Moldenhauer

to approve the resolution. --

It was moved by Ald. Dubinski to amend the resolution to provide that the hours be from noon until 9 p.m., that live music be restricted to between 4 and 8 p.m. with no amplified music or brass bands, and that a Committee of the Whole meeting be scheduled in November or December of 2013 that is open to the public to discuss any issues that occurred concerning the beer garden. --

Roll call vote on the item to amend the hours, Ayes 1 (Dubinski), Noes 12, Present 2 (McBride, Roznowski). Failed.

Roll call vote on the item pertaining to live music, Ayes 4 (Causier, Dubinski, Hanson, Organ), Noes 9, Present 2 (McBride, Roznowski). Failed.

It was moved by Ald. Dubinski, seconded by Ald. Organ to amend the motion by striking the provision about prohibiting amplified music, but keeping the hours of 4-8 p.m., and still prohibiting brass bands. Roll call vote, Ayes 4 (Causier, Dubinski, Hanson, Organ), Noes 9, Present 2 (McBride, Roznowski). Failed.

Roll call vote on holding a Committee of the Whole meeting in November or December, Ayes 1 (Dubinski), Noes 13, Present 2 (McBride, Roznowski). Failed.

Vote on original motion to approve, 13-0-2 (McBride, Roznowski)

RESOLUTION R-13-107

WHEREAS, Kathleen Slawski and Heidi Janzen, Friends of Hoyt Park & Pool, have applied for a Conditional Use in the Special Purpose District - Parks and Open Space (SP-POS) at 1800 North Swan Blvd to operate a beer garden, 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 Kathleen Slawski and Heidi Janzen, Friends of Hoyt Park & Pool, Inc., to operate a beer garden in the Special Purpose District - Parks and Open Space (SP-POS) at 1800 North Swan Blvd contingent upon:

1. hours of operation from noon to 10:00 p.m. Wednesday through Sunday
2. live music not restricted by hours
3. obtaining the necessary licenses and permits
4. site plan approval by appropriate staff for a fire pit or heating elements, as necessary

RESULT:	APPROVED [13 TO 0]
MOVER:	Bobby Pantuso, Alderman
SECONDER:	James Moldenhauer, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, Moldenhauer, Organ, Pantuso, Tilleson, Walz-Chojnacki, Wilke, Wilson
ABSTAIN:	McBride, Roznowski
EXCUSED:	Birschel

4. Resolution approving a Conditional Use in the R1-9 District at 12121 W. North Avenue to expand the athletic fields at Breitlow Field, Tom DiSalvo, Zimmerman Architectural Studios, Inc., and Tom Kulczewski, Wauwatosa School District, applicants

Committee recommended approval 8-0

It was moved by Ald. Hanson, seconded by Ald. Ewerdt to refer this matter back to Committee to solicit additional comments from the neighbors. Ayes 1 (Hanson), Noes 14. Failed.

RESOLUTION R-13-108

WHEREAS, Tom DiSalvo, Zimmerman Architectural Studios, Inc., and Tom Kulczewski, Wauwatosa School District, have applied for a Conditional Use in the R1-9 District at 12121 West North Avenue to expand the athletic fields at Breitlow Field, 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 Tom DiSalvo, Zimmerman Architectural Studios, Inc., and Tom Kulczewski, Wauwatosa School District, to expand the athletic fields at Breitlow Field in the R1-9 District at 12121 West North Avenue contingent upon:

1. Record a parking easement or formal document with the Register of Deeds with a copy to the City of Wauwatosa
2. establish a Code of Conduct and executing a User Agreement
3. addressing storm water management on 121st Street
4. having the Board of Public Works addressing the traffic conditions and safety
5. limiting the PA system limited to a small portable system
6. obtaining any additional licenses and permits

RESULT:	APPROVED [14 TO 1]
MOVER:	Jeffrey Roznowski, Alderman
SECONDER:	Bobby Pantuso, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
NAYS:	Hanson
EXCUSED:	Birschel

FROM THE COMMITTEE ON BUDGET & FINANCE

1. Resolution authorizing the dual use operation of the transfer station beginning in June 2013

Committee recommend approval 8-0

RESOLUTION R-13-109

WHEREAS, in March 2013 the City of Wauwatosa Department of Public Works successfully completed a trial demonstration of the effectiveness for dual use of the Transfer Station for collection of both recycling and refuse, and

WHEREAS, on April 22, 2013, the Wisconsin Department of Natural Resources granted the City a permit allowing for modification of the Transfer Station as a dual use facility, the first such permit granted in the State of Wisconsin; and

WHEREAS, by separate action on June 4, 2013, the Common Council is expected to authorize the purchase of an additional collection truck for daily route assignment, in order to implement dual use of the Transfer Station;

NOW THEREFORE BE IT RESOLVED THAT, appropriate City officials in the Department of Public Works are hereby authorized to take the necessary steps to begin and complete the implementation of dual use of the City of Wauwatosa transfer station for dual use in the collection of both recycling and refuse, consistent with the permit issued by the Wisconsin Department of Natural Resources for such purpose on April 22, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Peter Donegan, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

2. Resolution authorizing the purchase of an automated refuse truck from Stepp Equipment in the amount of \$236,888, and the lease/purchase of a 2007 automated refuse truck from Stepp Equipment in the amount of \$73,000 until the new truck is delivered

Committee recommended approval 8-0

RESOLUTION R-13-110

BE IT RESOLVED, by the Common Council of the City of Wauwatosa that appropriate City Officials are hereby authorized to purchase a new 2013 Peterbilt/Labrie automated truck for the sum of \$236,888.00; and

BE IT FURTHER RESOLVED THAT the short-term purchase of a previously-owned 33 yard 2007 Freightliner/Labrie tandem axle refuse truck for the sum of \$73,000.00 is hereby approved; and

BE IT FINALLY RESOLVED THAT, after the new 2013 truck is received and becomes operational, officials shall be authorized to sell or dispose of the 2007 truck in a manner most beneficial to the City.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Peter Donegan, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

- 3. Resolution authorizing execution of a professional services agreement with K. Singh & Associates for water main and retaining wall design along Menomonee River Parkway/State Street in the amount of \$75,000

Committee recommended approval 8-0

RESOLUTION R-13-111

WHEREAS, a Request for Proposals was sent to five consulting firms for water main and retaining wall design along Menomonee River Parkway/State Street near Underwood Avenue to reduce overland flooding; and

WHEREAS, staff recommends K. Singh & Associates for an amount not to exceed \$75,000.00;

NOW, THEREFORE, BE IT RESOLVED THAT the proper City officials be and hereby are authorized to enter into a contract with K. Singh & Associates in an amount not to exceed \$75,000.00 for design services for water main and retaining walls along Menomonee River Parkway/State Street near Underwood Avenue.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Peter Donegan, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

- 4. Resolution authorizing execution of an agreement with the Wisconsin Department of Transportation for Utility upgrades related to the Union Pacific Railroad overpass replacement near I-94, with a 10% city cost of \$39,500

Committee recommended approval 8-0

RESOLUTION R-13-112

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the proper City officials are hereby authorized to execute the State/Municipal Agreement with the Wisconsin Department of Transportation pertaining to Union Pacific Railroad overpass near I-94.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Peter Donegan, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

5. Resolution approving a pass-through water rate increase of 0.9% beginning with bills issued August 1, 2013

Committee recommended approval 8-0

RESOLUTION R-13-113

WHEREAS, the Milwaukee Water Works has received approval from the Wisconsin Public Service Commission to increase water rates charged to all its customers, including the Wauwatosa Water Utility; and

WHEREAS, the Wisconsin Public Service Commission, on May 9, 2013, approved the request of the Wauwatosa Water Utility to pass this increase in Milwaukee's water rates through to customers of the Wauwatosa Water Utility; and

WHEREAS, the rate increase would cover the increased costs of purchased water from Milwaukee provided to customers of the Wauwatosa Water Utility;

NOW, THEREFORE, BE IT RESOLVED THAT the pass through rate increase for the Wauwatosa Water Utility approved by the Wisconsin Public Service Commission as a rate adjustment is hereby approved and implemented in billing to customers of the Wauwatosa Water Utility effective August 1, 2013 and the quarterly bills issued September 1, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Peter Donegan, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

6. Resolution authorizing execution of an agreement with the Wisconsin Department of Transportation for improvement of Mayfair Road from Burleigh Street to the north city limits south of Hampton Avenue in an amount up to \$200,000 for the local share of parking lane resurfacing, new sidewalk installation, and other non-participating items

Committee recommended approval 8-0

RESOLUTION R-13-114

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the proper City officials are hereby authorized to execute a State/Municipal agreement with the Wisconsin Department of Transportation for improvement of Mayfair Road from Burleigh Street to north City limits south of Hampton Avenue using the \$200,000.00 from the Capital Improvements budget for payment of the City's share of costs for this project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Peter Donegan, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

7. Bills and claims

BILLS AND CLAIMS FOR THE PERIOD 5/22/13 - 6/4/13 --

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 5/22/13 - 6/4/13:

It was moved by Ald. Causier, seconded by Ald. Dubinski that each and every account of bills and claims be allowed and ordered paid. Roll call vote, Ayes 14-0-1 (Donegan)

RESULT:	APPROVED [14 TO 0]
MOVER:	Kathleen Causier, Alderwoman
SECONDER:	John Dubinski, Alderman
AYES:	Berdan, Causier, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
ABSTAIN:	Donegan
EXCUSED:	Birschel

FROM THE COMMITTEE OF THE WHOLE

1. Resolution authorizing an agreement with a firm to conduct the Common Council strategic planning process

Committee met prior to council meeting

Mr. Kesner reported the results of the rankings for the top two firms interviewed in the Committee of the Whole meeting held earlier in the evening:

Springsted, Inc., 23 points (7 first place votes)
Azimuth Group, 24 points (8 first place votes)

It was moved by Ald. Ewerdt, seconded by Ald. Wilson to award the strategic planning proposal to Springsted, Inc. -15

RESOLUTION R-13-115

BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a contract with Springsted Incorporated for the purpose of providing strategic planning services to the Common Council, consistent with the terms included in the proposal submitted to the City on April 26, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian Ewerdt, Alderman
SECONDER:	Craig Wilson, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

FROM THE BOARD OF PUBLIC WORKS

1. Resolution authorizing encroachment onto city right-of-way with an awning overhang at 949 N. Glenview Avenue, Kevin Wahlgren, applicant, subject to verification of the bottom height of the awning and the execution of a hold harmless agreement

Board recommended approval 4-0

RESOLUTION R-13-116

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Kevin Wahlgren, 949 N. Glenview Avenue, Wauwatosa, WI, to encroach onto City right-of-way with an awning overhang, contingent upon final design of the overhang height complies with requirements of the Engineering Services Division, and 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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian Ewerdt, Alderman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

2. Resolution authorizing the dedication of right-of-way for, and the renaming of, Harley-Davidson Avenue

Board recommended approval 4-0

RESOLUTION R-13-117

WHEREAS, in 1997 the Wauwatosa Economic Development Corporation created two parcels via certified survey map #6448 and granted an easement to the City for use as a roadway; and

WHEREAS, in 1998 the City named the new public street Harley Davidson and the following year the WEDC Quit Claimed parcels 1 and 2 of the CSM 6448 to the City;

NOW, THEREFORE, BE IT RESOLVED THAT parcels 1 and 2 of certified survey map #6448 are hereby dedicated as public right-of-way for street purposes;

BE IT FURTHER RESOLVED THAT the street created above, as well as the remainder of the street currently known as Harley Davidson Avenue is hereby named Harley-Davidson Avenue.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian Ewerdt, Alderman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

- 3. Resolution awarding the bid for Contract 13-03 / Project 1013 Sanitary Sewer & Storm Sewer Relay, Repair & Reconstruction Using a Structural C.I.P.P. Relining Process to American Sewer Services, Inc., in the amount of \$326,399.50 (only bid received)

Board recommended approval 4-0

RESOLUTION R-13-118

WHEREAS, the Board of Public Works recommends that the proper City Officials be authorized to enter into a contract for doing work of improvement under Contract 13-03 / Project 1013 Sanitary Sewer & Storm Sewer Relay, Repair & Reconstruction Using a Structural C.I.P.P. Relining Process,

NOW, THEREFORE, 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 Sanitary Sewer & Storm Sewer Relay, Repair & Reconstruction Using a Structural C.I.P.P. Relining Process and work incidental thereto under Contract 13-03 / Project 1013 at and for their bid price of \$326,399.50 this being the lowest and best bid.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian Ewerdt, Alderman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

- 4. Resolution approving the second amendment to the agreement with the City of Milwaukee for wholesale water purchase, clarifying and expanding the City's service area to include several properties currently served by Milwaukee County

Board recommended approval 4-0

RESOLUTION R-13-119

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT appropriate City officials are hereby authorized to execute the second amendment to the agreement for purchase of water at wholesale between the City of Wauwatosa and City of Milwaukee in a form substantially similar to that presented to the Board of Public Works at its meeting of June 3, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brian Ewerdt, Alderman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Berdan, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Birschel

Carla A. Ledesma, CMC, City Clerk

Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO PROVIDE FOR 30-MINUTE ANGLED PARKING AT THE NORTHEAST CORNER OF SWAN BOULEVARD AND W. NORTH AVENUE (FOR ADOPTION)

AN ORDINANCE AMENDING SECTION 11.32.080 OF THE CODE OF THE CITY OF WAUWATOSA TO PROVIDE FOR 30 MINUTE PARKING AT SWAN BOULEVARD AND NORTH AVENUE

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

Part I. The introductory subsection of Section 11.32.080" the following subsection: of the Wauwatosa Municipal Code is hereby amended by adding the following"

(ccc) no more than thirty (30) minutes between the hours of 8:30 AM - 7:00 PM on weekdays
and 8:30 AM to 3:00 PM on Saturday and Sunday

Part II. The "Swan Boulevard - east side" portion of the schedule of streets, and portions, subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by adding the following:

(ccc) in the angled parking spaces between West North Avenue and the alley immediately north thereof.

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-102

By: Legislation Licensing & Communications

WHEREAS, Martin Beaudoin, agent for Shepherd's Sports Bar, 6715 W. North Avenue, Wauwatosa, WI, has requested a temporary extension of the licensed premises to include the parking lot at 6707 W. North Avenue for the Wauwatosa Gran Prix Bike Race on Saturday, June 29, 2013 from 5:00 PM to 10:00 PM and Sunday, June 30, 2013, from 9:00 AM to 10:00 PM;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Shepherd's Sports Bar be extended to include the parking lot at 6707 W. North Avenue on June 29, 2013, from 5:00 PM to 10:00 PM and June 30, 2013, from 9:00 AM to 10:00 PM.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-103

By: Legislation Licensing & Communications

WHEREAS, Ryan A. Bachorz, 10536 W. Fountain Avenue, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at Dave and Busters, 2201 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Ryan A. Bachorz is hereby issued an operator's license for the period ending June 30, 2014.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-104

By: Legislation, Licensing & Communications

WHEREAS, Lindsay M. Wells, 3032A N. Bartlett Avenue, Milwaukee, WI, applied for an operator's license in conjunction with her employment at Dave & Busters 2201 N. Mayfair Road, Wauwatosa, WI; and

WHEREAS, a background investigation revealed the applicant had more than one conviction, which the applicant failed to fully disclose; and

WHEREAS, the circumstances surrounding these previous convictions, and the failure to fully disclose the past convictions during the application process, are substantially related to the responsibilities required of persons holding operator's licenses in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Lindsay M. Wells is hereby denied for at least a period of six months;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Ms. Wells in writing of this decision and the reasons for the denial.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-105

By: Community Development Committee

WHEREAS, Yosef Perlman, BEST Camp Inc., and Dean Weyer, St. Pius X Parish , have applied for a Conditional Use in the R2 District at 2506 Wauwatosa Avenue to operate a day camp, 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 Yosef Perlman, BEST Camp Inc., and Dean Weyer, St. Pius X Parish, to operate a day camp in the R2 District at 2506 Wauwatosa Avenue contingent upon hours of operation from 9 a.m. to 3 p.m. Monday through Friday from June until August and obtaining any additional permits and licenses.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-106

By: Community Development Committee

WHEREAS, Tu Mai, Phuoc Hau Buddhist Temple, and Russell Gnant, Unity West, Inc, have applied for a Conditional Use in the R1-9 District at 4750 North Mayfair Road to operate a Buddhist temple, 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 Tu Mai, Phuoc Hau Buddhist Temple, and Russell Gnant, Unity West, Inc., to operate a Buddhist temple in the R1-9 District at 4750 North Mayfair Road contingent upon:

1. Hours of operation Monday through Thursday 7 p.m. to 9 p.m.; Sunday 9 a.m. to 4 p.m.; and Saturday 9 a.m. to 5 p.m.
2. Obtaining the necessary licenses and permits for the living quarters and any other operations

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-107

By: Community Development Committee

WHEREAS, Kathleen Slawski and Heidi Janzen, Friends of Hoyt Park & Pool, have applied for a Conditional Use in the Special Purpose District - Parks and Open Space (SP-POS) at 1800 North Swan Blvd to operate a beer garden, 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 Kathleen Slawski and Heidi Janzen, Friends of Hoyt Park & Pool, Inc., to operate a beer garden in the Special Purpose District - Parks and Open Space (SP-POS) at 1800 North Swan Blvd contingent upon:

1. hours of operation from noon to 10:00 p.m. Wednesday through Sunday
2. live music not restricted by hours
3. obtaining the necessary licenses and permits
4. site plan approval by appropriate staff for a fire pit or heating elements, as necessary

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-108

By: Community Development Committee

WHEREAS, Tom DiSalvo, Zimmerman Architectural Studios, Inc., and Tom Kulczewski, Wauwatosa School District, have applied for a Conditional Use in the R1-9 District at 12121 West North Avenue to expand the athletic fields at Breitlow Field, 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 Tom DiSalvo, Zimmerman Architectural Studios, Inc., and Tom Kulczewski, Wauwatosa School District, to expand the athletic fields at Breitlow Field in the R1-9 District at 12121 West North Avenue contingent upon:

1. Record a parking easement or formal document with the Register of Deeds with a copy to the City of Wauwatosa
2. establish a Code of Conduct and executing a User Agreement
3. addressing storm water management on 121st Street
4. having the Board of Public Works addressing the traffic conditions and safety
5. limiting the PA system limited to a small portable system
6. obtaining any additional licenses and permits

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-109

By: Budget and Finance Committee

WHEREAS, in March 2013 the City of Wauwatosa Department of Public Works successfully completed a trial demonstration of the effectiveness for dual use of the Transfer Station for collection of both recycling and refuse, and

WHEREAS, on April 22, 2013, the Wisconsin Department of Natural Resources granted the City a permit allowing for modification of the Transfer Station as a dual use facility, the first such permit granted in the State of Wisconsin; and

WHEREAS, by separate action on June 4, 2013, the Common Council is expected to authorize the purchase of an additional collection truck for daily route assignment, in order to implement dual use of the Transfer Station;

NOW THEREFORE BE IT RESOLVED THAT, appropriate City officials in the Department of Public Works are hereby authorized to take the necessary steps to begin and complete the implementation of dual use of the City of Wauwatosa transfer station for dual use in the collection of both recycling and refuse, consistent with the permit issued by the Wisconsin Department of Natural Resources for such purpose on April 22, 2013.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-110

By: Budget & Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa that appropriate City Officials are hereby authorized to purchase a new 2013 Peterbilt/Labrie automated truck for the sum of \$236,888.00; and

BE IT FURTHER RESOLVED THAT the short-term purchase of a previously-owned 33 yard 2007 Freightliner/Labrie tandem axle refuse truck for the sum of \$73,000.00 is hereby approved; and

BE IT FINALLY RESOLVED THAT, after the new 2013 truck is received and becomes operational, officials shall be authorized to sell or dispose of the 2007 truck in a manner most beneficial to the City.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-111

By: Budget & Finance Committee

WHEREAS, a Request for Proposals was sent to five consulting firms for water main and retaining wall design along Menomonee River Parkway/State Street near Underwood Avenue to reduce overland flooding; and

WHEREAS, staff recommends K. Singh & Associates for an amount not to exceed \$75,000.00;

NOW, THEREFORE, BE IT RESOLVED THAT the proper City officials be and hereby are authorized to enter into a contract with K. Singh & Associates in an amount not to exceed \$75,000.00 for design services for water main and retaining walls along Menomonee River Parkway/State Street near Underwood Avenue.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-112

By: Budget & Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the proper City officials are hereby authorized to execute the State/Municipal Agreement with the Wisconsin Department of Transportation pertaining to Union Pacific Railroad overpass near I-94.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-113

By: Budget & Finance

WHEREAS, the Milwaukee Water Works has received approval from the Wisconsin Public Service Commission to increase water rates charged to all its customers, including the Wauwatosa Water Utility; and

WHEREAS, the Wisconsin Public Service Commission, on May 9, 2013, approved the request of the Wauwatosa Water Utility to pass this increase in Milwaukee's water rates through to customers of the Wauwatosa Water Utility; and

WHEREAS, the rate increase would cover the increased costs of purchased water from Milwaukee provided to customers of the Wauwatosa Water Utility;

NOW, THEREFORE, BE IT RESOLVED THAT the pass through rate increase for the Wauwatosa Water Utility approved by the Wisconsin Public Service Commission as a rate adjustment is hereby approved and implemented in billing to customers of the Wauwatosa Water Utility effective August 1, 2013 and the quarterly bills issued September 1, 2013.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-114

By: Budget & Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the proper City officials are hereby authorized to execute a State/Municipal agreement with the Wisconsin Department of Transportation for improvement of Mayfair Road from Burleigh Street to north City limits south of Hampton Avenue using the \$200,000.00 from the Capital Improvements budget for payment of the City's share of costs for this project.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-116

By: Board of Public Works

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Kevin Wahlgren, 949 N. Glenview Avenue, Wauwatosa, WI, to encroach onto City right-of-way with an awning overhang, contingent upon final design of the overhang height complies with requirements of the Engineering Services Division, and 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.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-117

By: Board of Public Works

WHEREAS, in 1997 the Wauwatosa Economic Development Corporation created two parcels via certified survey map #6448 and granted an easement to the City for use as a roadway; and

WHEREAS, in 1998 the City named the new public street Harley Davidson and the following year the WEDC Quit Claimed parcels 1 and 2 of the CSM 6448 to the City;

NOW, THEREFORE, BE IT RESOLVED THAT parcels 1 and 2 of certified survey map #6448 are hereby dedicated as public right-of-way for street purposes;

BE IT FURTHER RESOLVED THAT the street created above, as well as the remainder of the street currently known as Harley Davidson Avenue is hereby named Harley-Davidson Avenue.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-118

By: Board of Public Works

WHEREAS, the Board of Public Works recommends that the proper City Officials be authorized to enter into a contract for doing work of improvement under Contract 13-03 / Project 1013 Sanitary Sewer & Storm Sewer Relay, Repair & Reconstruction Using a Structural C.I.P.P. Relining Process,

NOW, THEREFORE, 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 Sanitary Sewer & Storm Sewer Relay, Repair & Reconstruction Using a Structural C.I.P.P. Relining Process and work incidental thereto under Contract 13-03 / Project 1013 at and for their bid price of \$326,399.50 this being the lowest and best bid.

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-119

By: Board of Public Works

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT appropriate City officials are hereby authorized to execute the second amendment to the agreement for purchase of water at wholesale between the City of Wauwatosa and City of Milwaukee in a form substantially similar to that presented to the Board of Public Works at its meeting of June 3, 2013.

Passed and Dated _____

City Clerk

Approved _____

Mayor