



# CITY OF WAUWATOSA

## COMMON COUNCIL

MINUTES • OCTOBER 15, 2013

**Regular Meeting**

**Common Council Chambers**

**7:30 PM**

7725 West North Avenue, Wauwatosa, WI 53213

PRESENT: Alds. Ewerdt, Hanson (7:43 p.m.), McBride, Moldenhauer, Pantuso, Tilleson, Walz-Chojnacki, Wilke, Wilson, Berdan, Birschel, Causier, Donegan, Dubinski, -14

EXCUSED: Alds. Organ and Roznowski

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Ms. Enders, Development Director; Mr. Porter, Public Works Director; Mr. Ruggini, Finance Director; Police Capt. Sharpee; Ms. Aldana, Asst. City Attorney/HR Director; Fire Chief Ugaste; Ms. Ledesma, City Clerk

Mayor Ehley in the Chair

The Mayor called the meeting to order at 7:40 p.m.

It was moved by Ald. McBride, seconded by Ald. Walz-Chojnacki that the reading of the minutes of the last regular Meeting be dispensed with and they be approved as printed. -13

Webelo Pack #125 from St. Jude's Elementary School was introduced.

### **Employer Recognition Awards presented by the Committee for Citizens with Disabilities**

The Mayor, Julie Alexander and Mary Callan from the Committee for Citizens with Disabilities, and Ald. Birschel, the Committee's aldermanic liaison, recognized the following businesses for their willingness to hire and work with people with disabilities:

Project Search, part of Children's Hospital, is a school-to-work program that partners with Easter Seals and the Department of Vocational Rehabilitation to provide total workplace immersion. Twelve people are currently employed at Children's Hospital.

McDonald's Restaurant, 6631 W. North Avenue, owned and operated by Marshall Chay, has partnered with Wauwatosa East High School to work with students with special needs to improve their job skills.

The Wauwatosa branch of the Wisconsin Athletic Club has employed people with disabilities in its housekeeping, customer service, and laundry departments. The WAC partners with the Curative job training program. Several club members also have disabilities and staff provides adaptive support.

### **APPOINTMENTS BY THE MAYOR**

1. Economic Development Advisory Committee (first reading)

Mark Lemke, 7440 Melrose Avenue (Dist 1)  
term ending 7/2016

2. Civic Celebration Commission (first reading)

Mary Foley, 2205 North 102nd Street (Dist 2)  
term ending 12/2016

**Foregoing appointments ordered held as this was the first reading.**

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. Letters from Charles Mitchell, 7525 Oakhill Avenue, Bill Otto, 7720 Mary Ellen Place, Peter and Kris Hyndiuk, 8913 W. North Avenue, Jody Lowe, 6274 Upper Parkway North, and Eugene Guszowski, AG Architecture, Inc., 1414 Underwood Avenue, supporting the use of TIF funds for the Mandel Group project on the UWM Innovation Campus

**Add to existing file**

2. Letter from Janet Chandler, 7348 Hillcrest Drive, Robert Kujawski, 1708 N. 72nd Street, Elizabeth Green, W143 N10660 Magnolia Drive, Germantown, the President and Board members of the Wauwatosa Woman's Club, 1626 Wauwatosa Avenue, Janet Wolf, 6301 N. 86th Court, Milwaukee, Sheena Finnigan, 2327 N. 68th Street, Lauren McGaver, 830 Geralayne Circle, and Barbara Grove, 16855B Lake Road, Brookfield, supporting the rezoning application for 7517 Milwaukee Avenue

**Add to existing file**

3. Notice of Claim: Danilo Ferrari, 9306 W. Fiebrantz Ave

**City Attorney**

4. Notice of Claim: Steve Kinnamon, 11709 W. Potter Road

**City Attorney**

5. Notice of Claim: Russ Darrow Kia of Wauwatosa, 1901 N. Mayfair Road

**City Attorney**

6. Statement of Financial Condition for the month ending September 30, 2013

**Place on file**

7. Email from Phil Aiello, Mandel Group, urging the Council to approve the Mandel Group's TIF application and reporting that the Wauwatosa School Board unanimously passed a resolution to allow The University Lab School to establish a governance agreement with the Wauwatosa School District

**Add to existing file**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS**

1. Ordinance repealing Section 2.59 of the Wauwatosa Municipal Code

**Committee recommended approval 4-0**

**ORDINANCE O-13-19**

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

Part I. Section 2.59 of the Wauwatosa Municipal Code is hereby repealed in its entirety.

Part II. This ordinance shall take effect on December 31, 2013 and after its date of publication.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathleen Causier, Alderwoman
<b>SECONDER:</b>	Tim Hanson, Alderman
<b>AYES:</b>	Berdan, Birschel, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Pantuso, Tilleson, Walz-Chojnacki, Wilke, Wilson
<b>EXCUSED:</b>	Organ, Roznowski

2. Resolution approving a Classification and Compensation Plan for non-represented employees  
**Committee recommended approval 3-0**

**RESOLUTION R-13-193**

WHEREAS, the City contracted for a salary market survey and design of a new compensation plan to update its pay practices and compare to market rates as well as to consolidate its several pay plans into one consolidated pay plan;

WHEREAS, the grade order list set forth below may be updated as necessary by Administration if modifications of positions and grades are made during the appeals process after Council adoption of this Resolution;

WHEREAS, the new compensation plan shall be effective beginning January 1, 2014 or as soon thereafter as deemed practical by the City Administrator;

NOW THEREFORE BE IT RESOLVED THAT the City's compensation plan shall be implemented and administered as follows:

**CLASSIFICATION AND COMPENSATION PLAN FOR NONREPRESENTED EMPLOYEES**

**Sections:**

I. Intent

II. Plan Administration

III. Salary Increases

IV. Pay Grades for Non-represented Employees

**I. Intent.**

It is the declared purpose and intent of this chapter to create a new salary and classification system for City of Wauwatosa regular full and part time employees. Employees who are included in the police and fire collective bargaining units are not covered by this chapter.

**II. Plan administration.**

- A Wage Placements: All wage placements within the established ranges shall be made with reference to the following guidelines:

1. New Employees. New employees shall be hired at the minimum step of the pay range whenever it is appropriate and possible. If, because of remarkably higher levels of education

and/or experience of a candidate or due to difficult market conditions (as may be evidenced by difficulty in recruiting), hiring a candidate requires a salary beyond the minimum, the department head must seek approval from the Human Resources Director and the City Administrator for a higher step, which shall not be higher than the range control point without approval of the Common Council. Consideration must be given to the current compensation of other employees in the same classification (if applicable) to maintain internal pay equity. Department heads are not authorized to present informal salary offers to potential candidates above the minimum of the pay range before necessary approval is received.

2. **Salary Progression through Grades.** Typically, employees shall move through the step system for the first years of employment by receiving a step increase on his/her anniversary date contingent upon satisfactory performance. Employees may advance more than one step based upon exceptional performance as determined by the Department Director and City Administrator. Advancement of more than one step in one year should be approved only in compelling situations to maintain the integrity of the system. Employees may advance in salary beyond the control point (step 6) based on merit and consistent with the city's merit criteria.

3. **Salary Upon Promotion.** Employees who are promoted will be granted a salary increase of five percent or the minimum of the higher grade, whichever is greater. In the event of a promotion of two or more salary grades, the increase will be at least eight percent, but not to exceed ten percent or the minimum of the higher grade, whichever is greater. If the increase places an employee between the range minimum and the control point, then the employee will be placed on the next closest step. In no case shall a promotional increase allow the employee to earn a salary above the established range maximum.

4. **Salary Upon Transfer.** Employees who transfer to a new classification in the same salary grade will receive no salary adjustment.

5. **Salary Upon Voluntary Demotion.** An employee who takes a voluntary demotion will retain his/her present salary unless that salary exceeds the maximum rate of pay for the new position in which case the employee's salary will be adjusted to the new maximum. However, an employee may continue to receive a rate of pay in excess of that maximum upon the recommendation of the Department Director and approval of the Human Resources Director, the City Administrator, and the Common Council. If the employee continues to receive a rate of pay in excess of the maximum salary range, the employee will not be eligible for further base-accumulating pay increases until his/her salary is again within the salary range for the new position, nor would the employee be eligible for lump sum payments of the type described in 8(4) in this section.

6. **Salary Upon Replacement of Employee in Previous Classification within Orientation Period.** An employee who does not successfully complete their orientation period and returns to his/her former class will have his/her salary restored to the same rate of pay the employee would have received had he/she remained in the former class.

7. **Salary Upon Demotion Related to Performance.** An employee who is demoted for performance reasons after the end of the orientation period will retain his/her present salary unless that salary exceeds the maximum rate of pay for the new position in which case the employee's salary will be adjusted to the new maximum.

8. **Salary Upon Reclassification of Position.** When the allocation of a position has been changed as the result of changes in the organizational structure of a department or slow and

gradual changes in the duties and responsibilities of the position, such change in grade will be considered to be a reclassification.

- B. Plan Implementation. Upon implementation of this pay grade/step plan each employee's initial pay level will be determined as follows:
1. If an employee's salary immediately prior to implementation, is below the control point (step 6) of the appropriate grade for that employee's position, the employee's salary will be increased to the next step within that grade which provides the employee a pay increase.
  2. If an employee's salary immediate prior to implementation is above the control point (step 6) of the appropriate grade for that employee's position, but below the maximum, the employee's salary will not change upon implementation of the plan.
  3. If an employee's salary immediately prior to implementation, is below the salary provided by the minimum step for the appropriate grade, the employee's salary shall be raised to the minimum step for that grade.
  4. If an employee's salary immediately prior to implementation, exceeds the salary provided by the maximum step within the appropriate grade, the employee's salary shall be frozen at its then-present level until such time as the employee's salary is within the salary range for the appropriate grade. In addition, until such time as that employee's salary falls within the appropriate pay range, each time all salary ranges are adjusted pursuant to an across the board percentage increase, employees subject to this subsection may receive a lump sum merit payment up to the percentage by which other salary ranges are adjusted across the board. The amount of this merit lump sum payment shall not be added to base salary for that employee. Any employee who has received a merit lump sum payment under this subsection at the beginning of a calendar year, and who subsequently leaves city employment during that calendar year, shall be liable to the city for prorated amount based upon the percentage of the calendar year for which the employee will no longer be employed by the city.

### III. Salary Increases.

1. Salary increases include step increases under the pay plan, merit increases and annual across-the-board salary increases.
2. Annually the City Administrator shall present to the Common Council recommendations for pay increases for the next budget year. The recommendations will include a report on the current status of pay plan administration, including a summary of employee development/performance reports for the preceding twelve months; a recommendation for an across-the-board market adjustment to the schedule, and a recommendation on a merit pay budget.
3. After the recommendations made by the City Administrator referenced in #1 above are approved, the City Administrator shall then exercise his/her discretion in awarding all salary increases within the budgetary limits approved by the Common Council. Step increases and across the board increases are contingent upon satisfactory performance and may be withheld based on lack of performance. Across the board increases may be split and awarded by the City Administrator at appropriate intervals based on budget constraints.

Merit increases shall be awarded consistent with the city's merit pay criteria.

4. Any employee whose salary is at or above the maximum of the appropriate pay grade will receive no additional increases to base; however, the employee will be eligible for a merit lump sum payment.

IV. Pay plan grades for non-represented employee

RECOMMENDED 2013 GRADE ORDER LIST

GRADE	JOB TITLE	DEPARTMENT	Minimum					Control Point	Pay for Performance	Merit to
			87.5% Step 1	90.0% Step 2	92.5% Step 3	95.0% Step 4	97.5% Step 5	100.0% Step 6		120.0% Maximum
V	Director of Public Works	Public Works	\$47.08	\$48.42	\$49.77	\$51.11	\$52.46	\$53.80	➔	\$64.56
T	Assistant Attorney / HR Director	Attorney	\$43.62	\$44.87	\$46.11	\$47.36	\$48.60	\$49.85	➔	\$59.82
	Chief of Police	Police								
	City Attorney	Attorney								
	Finance Director	Finance								
	Fire Chief	Fire								
R	City Engineer	Public Works	\$40.16	\$41.31	\$42.46	\$43.61	\$44.75	\$45.90	➔	\$55.08
Q	Health Officer	Health	\$38.44	\$39.54	\$40.64	\$41.73	\$42.83	\$43.93	➔	\$52.72
	Police Captain	Police								
P	Assistant Chief	Fire	\$36.72	\$37.76	\$38.81	\$39.86	\$40.91	\$41.96	➔	\$50.35
	City Assessor	Assessor								
	Library Director	Library								
	Manager, Information Systems	IT								
	Water Superintendent	Water								
O	Deputy Chief	Fire	\$34.98	\$35.98	\$36.98	\$37.98	\$38.98	\$39.98	➔	\$47.98
	Police Lieutenant	Police								
N	Municipal Engineer	Public Works	\$33.26	\$34.21	\$35.16	\$36.11	\$37.06	\$38.01	➔	\$45.61
M	Assistant City Attorney	Attorney	\$31.54	\$32.44	\$33.34	\$34.24	\$35.14	\$36.04	➔	\$43.25
	Assistant Library Director	Library								
	Battalion Chief	Fire								
	City Clerk	City Clerk								

<b>L</b>	Assistant Manager, IT	IT	\$29.80	\$30.65	\$31.51	\$32.36	\$33.21	\$34.06	➔	\$40.87
	Fleet Superintendent	Public Works								
	Operations Superintendent	Public Works								
	Parks/Forestry Superintendent	Public Works								
	Police Sergeant	Police								
	Traffic & Electrical Superintendent	Public Works								
<b>K</b>	Accounting Manager	Finance	\$28.08	\$28.88	\$29.68	\$30.49	\$31.29	\$32.09	➔	\$38.51
	Accountant/Business Manager	Water								
	Business Supervisor	Treasurer								
	Children's Library Supervisor	Library								
	Circulation Supervisor	Library								
	Deputy City Assessor	Assessor								
	Health & Productivity Coordinator	Human Resources								
	Nursing Supervisor	Health								
	Principal Planner	Development								
	Public Health Manager	Health								
Public Safety Analyst	IT									
Reference Supervisor	Library									
<b>J</b>	Appraiser III	Assessor	\$26.35	\$27.10	\$27.85	\$28.60	\$29.36	\$30.11	➔	\$36.13
	Building Inspector	Development								
	Civil Engineer	Public Works								
	Electrical Inspector	Development								
	Operations Supervisor	Public Works								
	Operations Supervisor Sanitation	Public Works								
	Plumbing Inspector	Development								
	Senior Accountant	Finance								
	Senior Management Analyst	Various								
	Stock Clerk / Lead Mechanic	Public Works								
Water Supervisor	Water									
<b>I</b>	Assistant Planner	Development	\$24.62	\$25.33	\$26.03	\$26.73	\$27.44	\$28.14	➔	\$33.77
	Business Services Specialist	Development								
	Cataloger	Library								
	Children's Librarian	Library								
	Code Specialist	Fire								
	Deputy City Clerk	City Clerk								
Development Coordinator	Development									

	HR Generalist	Human Resources								
	Public Health Nurse	Health								
	Purchasing Coordinator	Purchasing								
	Reference Librarian	Library								
	Sanitarian	Health								
	Senior Engineering Technician	Public Works								
	Technical Support Analyst	IT								
<b>H</b>	Appraiser II	Assessor	\$22.90	\$23.55	\$24.21	\$24.86	\$25.52	\$26.17	➔	\$31.40
	Engineering Technician	Public Works								
	Fire Equipment Mechanic	Fire								
	Human Resources Assistant	Human Resources								
	Mechanic	Public Works								
	Public Health Specialist	Health								
	Sign Technician	Public Works								
<b>G</b>	Controls System Technician	Water	\$21.17	\$21.77	\$22.38	\$22.98	\$23.59	\$24.19	➔	\$29.03
	Electrical Technician	Public Works								
	Operator Technician	Water								
	PEG - Access Coordinator	Administration								
	Property Maintenance Inspector	Development								
	Tech Services Assistant	Library								
<b>F</b>	Accounting Technician	Finance	\$19.44	\$20.00	\$20.55	\$21.11	\$21.66	\$22.22	➔	\$26.66
	Administrative Support Specialist	Various								
	Appraiser I	Assessor								
	Arborist	Public Works								
	Dispatcher	Police								
	Dispatcher/Clerk	Public Works								
	DPW Maintenance Lead									
	Meter Repair Person	Water								
	Payroll Specialist	HR								
	Repairperson - Lead	Public Works								
	Water Maintenance Lead	Water								
	Yard Equipment Operator	Public Works								
<b>E</b>	DPW Maintenance Worker	Public Works	\$17.71	\$18.22	\$18.72	\$19.23	\$19.73	\$20.24	➔	\$24.29
	IT Help Desk Specialist	IT								

Legal Secretary	Attorney
Meter Service Person	Water
Office Assistant	Various
Public Safety Tech	
Support Assistant	IT
Repairperson	Public Works
RFO/Loader	Public Works
Water Maintenance Worker	Water

<b>D</b>	Account Assistant	Finance	\$14.76	\$15.18	\$15.60	\$16.03	\$16.45	\$16.87	➔	\$20.24
	Clerical Assistant	Various								
	Custodial Worker	Public Works								
	Laborer - Custodian	Public Works								
	Meter Reader	Water								
	Watchperson	Public Works								
<b>C</b>	Circulation Attendant	Library	\$12.30	\$12.65	\$13.01	\$13.36	\$13.71	\$14.06	➔	\$16.87
	Parking Specialist	Police								
	Security Guard	Library								
	Tech Services Aide	Library								

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

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

1. Resolution approving an Intergovernmental Agreement with the City of Milwaukee regarding emergency services at Center Street and at Hartung Parks

**Committee recommended approval 8-0**

**RESOLUTION R-13-194**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted for appropriate City officials to execute an Intergovernmental Agreement with the City of Milwaukee regarding emergency services at Center Street and Hartung Parks consistent with the document presented to the Committee on Community Development at its meeting of October 8, 2013.

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

2. Ordinance amending portions of Chapter 9 of the Wauwatosa Municipal Code to permit the domestic keeping of chickens in the City

**Committee recommended approval 7-1**

**ORDINANCE O-13-18**

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

**Part I.**

Sections 9.04.050 and 9.04.060 of the Wauwatosa Municipal Code are hereby amended to read as follows:

9.04.050. Domestic Keeping of Chickens in the City.

9.04.050. Findings.

The common council of the City of Wauwatosa desires to provide for the health, safety, and well being of its residents, to ensure and maintain property conditions and values, and to provide a domestic and sustainable source of nourishing food through limited chicken egg production in a residential environment respecting its urban surroundings and rural origins.

9.04.060. Permit, Application, Enforcement, and Penalty.

**A. Permit Required.**

1. No person shall keep live chickens in the city without first obtaining a valid permit. The permit process requires a completed application accompanied with a fee as set forth in the consolidated fee schedule. The permit application is also subject to neighborhood approval and other requirements as set forth below.
2. Permit. Each owner shall obtain a city issued permit prior to acquiring any live chicken. No more than one such permit may be issued for any single residential parcel or household. A permit and fee shall be required for each parcel.
3. No permit fee may be refunded in whole or in part or be transferable.
4. A permit is subject to revocation upon failure to comply with any provision under this code. Once a license is revoked, a permit shall not be reissued.
5. The permit shall be renewed and fee shall be paid annually. There shall be a penalty added to the permit fee for late payment of the permit fee at a rate set forth in the consolidated fee schedule.

**B. Neighborhood Approval and Site Plan Required.**

1. Before a permit is issued for the keeping of chickens, the applicant shall obtain the written consent of the owner of the property where chickens shall be kept and the owners of all adjoining or diagonally abutting properties, including those across an alley. Written consent shall be provided at the time of the application.
  2. The applicant must submit a site plan at the time of the application which complies with the provisions of this chapter.
- C. Keeping of Chickens Allowed. The keeping of up to four licensed chickens is allowed on a residential property, under the following provisions:
1. No roosters shall be kept.
  2. No chicken shall be slaughtered.
  3. Chickens shall be provided with fresh water and adequate amounts of feed regularly.
  4. Chickens shall be provided with a sanitary and adequately sized covered enclosure or coop and shall be kept in the covered enclosure or coop or a sanitary and adequately accessible fenced enclosure at all times.
  5. Chicken coops shall be moisture- resistant, sturdy, constructed in a workmanlike manner, and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.
  6. Chicken coops shall be constructed and yards maintained to reasonably prevent the collection of standing water and shall be cleaned of droppings, uneaten feed, feathers and other waste daily and as soon as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance.
  7. Chicken coops and yards together shall be large enough to provide at least 16 square feet of space per chicken.
  8. No enclosure or coop shall be located closer than 25 feet to any residential dwelling on an adjacent lot unless consent is given by the owner of the adjacent lot.
  9. No enclosure or coop shall be located in the front yard of a residential parcel.
  10. In addition to compliance with the requirements of this section, no one shall keep chickens that cause any nuisance, unhealthy condition, create a public health threat, or otherwise interfere with the normal use of property in the enjoyment of life by humans or animals.
  11. Chicken eggs may not be sold, traded, or hatched for commercial purposes.
- D. Public Health Requirements.
1. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
  2. Any person keeping chickens shall immediately report any unusual illness or death of chickens to the health department.
  3. The health officer may order testing, quarantine, isolation, vaccination, or humane euthanasia

of ill chickens or chickens believed to be a carrier of communicable disease.

E. Enforcement. Penalty.

1. Any person violating any provision of this chapter shall be subject to the general penalty provisions of this code in addition to the penalties provided under this section and chapter 15. A citation may be issued pursuant to Wauwatosa Municipal Code Chapter 1.24.010 and Wisconsin Statute Section 800.02.
2. Removal of chicken. Any chicken may be impounded or removed from the city for violations of this chapter. The chicken’s owner shall be responsible for costs of the impoundment or removal.
3. The Development Department shall issue permits and enforce the provisions of this code, except that the public health provisions of Sub. D. above, shall be enforced by the Health Department.

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

Part III. Noncodified provision:

The consolidated fee schedule shall be amended by providing that the permit fee under this section shall be \$50.00 per household in the first licensed year, and \$20.00 per household in each succeeding year. The fee for late renewal of a permit shall be an additional \$20.00.

Part IV. Noncodified provision:

The Committee on Community Development shall review the implementation of this ordinance within nine months of its publication.

<b>RESULT:</b>	<b>ADOPTED [11 TO 3]</b>
<b>MOVER:</b>	Jason Wilke, Alderman
<b>SECONDER:</b>	Craig Wilson, Alderman
<b>AYES:</b>	Berdan, Causier, Donegan, Dubinski, Ewerdt, McBride, Pantuso, Tilleson, Walz-Chojnacki, Wilke, Wilson
<b>NAYS:</b>	Birschel, Hanson, Moldenhauer
<b>EXCUSED:</b>	Organ, Roznowski

**FROM THE COMMITTEE ON BUDGET & FINANCE**

1. Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$9,475,000 for Sewerage Projects

**Committee recommended approval 7-0**

**RESOLUTION R-13-195**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$9,475,000 for the public purpose of paying the cost of sewerage projects, consisting of storm and sanitary sewer improvements.

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

2. Resolution directing publication of notice to electors relating to General Obligation Sewerage Bond Issue

**Committee recommended approval 7-0**

**RESOLUTION R-13-196**

WHEREAS an initial resolution authorizing general obligation bonds has been adopted by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") and it is now necessary that said initial resolution be published to afford notice to the residents of the City of its adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

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

3. Resolution providing for the sale of \$9,475,000 General Obligation Sewerage Bonds, Series 2013

**Committee recommended approval 7-0**

**RESOLUTION R-13-197**

WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") has adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds in an amount not to exceed \$9,475,000 for the public purpose of paying the cost of sewerage projects, consisting of storm and sanitary sewer improvements (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes; and

WHEREAS, the Common Council of the City hereby finds and determines that general obligation bonds in the principal amount of \$9,475,000 should be issued pursuant to the Initial Resolution to finance the Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Issuance of the Bonds. The bonds authorized by the Initial Resolution shall be designated "General Obligation Sewerage Bonds, Series 2013" (the "Bonds") and shall be issued in the principal amount of \$9,475,000 for the purpose above specified.

Section 2. Sale of the Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Hutchinson, Shockey, Erley & Co. ("HSE")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with HSE) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the Common Council shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law. The award of the Bonds shall be made subject to expiration of the referendum petition period applicable to the Bonds under Section 67.05(7)(b) of the Wisconsin Statutes.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

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

4. Resolution providing for the sale of \$5,600,000 Waterworks System Revenue Bonds, Series 2013

**Committee recommended approval 7-0**

**RESOLUTION R-13-198**

WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") is presently in need of \$5,600,000 for the public purpose of paying the cost of waterworks system improvements and acquisitions set forth in the Water Utility's Capital Budget, including replacing, installing and repairing

water mains and meters (the "Project"); and

WHEREAS, the Common Council of the City hereby finds and determines that waterworks system revenue bonds in an amount of \$5,600,000 should be issued pursuant to Section 66.0621, Wisconsin Statutes, to finance the Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Issuance of the Bonds. The City shall issue bonds designated "Waterworks System Revenue Bonds, Series 2013" (the "Bonds") in an amount of \$5,600,000 for the purpose above specified.

Section 2. Sale of the Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Hutchinson, Shockey, Erley & Co. ("HSE")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with HSE) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the Common Council shall consider taking further action to provide the details of the Bonds and to award the Bonds to the lowest responsible bidder therefor.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

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

5. Resolution approving the Village Business Improvement District's 2014 Operating Plan  
Committee recommended approval 7-0

**RESOLUTION R-13-199**

WHEREAS, the Village of Wauwatosa Business Improvement District submitted to the Committee on Budget & Finance its 2014 budget and work plan; and

WHEREAS, Committee members and representatives of the BID Board agreed that the budget and work plan are accurate and do reflect the intentions of the entire BID Board;

NOW, THEREFORE, BE IT RESOLVED THAT the 2014 budget and work plan for the Village of Wauwatosa Business Improvement District as provided to the Committee on Budget & Finance on October 8, 2013, are hereby approved and, upon completion of the tax roll, assessments shall be included on the property tax bills of affected properties in a manner consistent with those documents.

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

6. Resolution approving a Level III fund transfer of \$75,000 from Water Repair to Advanced Metering Infrastructure in the 2013 Water Department budget

**Committee recommended approval 7-0**

**RESOLUTION R-13-200**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted to the Water Department for a Level III transfer of \$75,000 within the 2013 Capital Budget, from "Repair, renovate, or replace water main as needed" to the "Advanced Metering Infrastructure Program" for the purchase of additional water meters and radio transmitters in 2013 to continue the meter conversion program.

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

7. Resolution authorizing a three-year contract with Andres Medical Billing for ambulance billing services with two two-year optional extensions

**Committee recommended approval 7-0**

**RESOLUTION R-13-201**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to enter into a three year contract with Andres Medical Billing with two two-year optional extensions at the rates described in the memorandum of the Finance Director dated October 4, 2013.

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

8. Resolution authorizing a three-year contract with ESO Solutions for electronic patient care reporting software with two two-year optional extensions

**Committee recommended approval 7-0**

**RESOLUTION R-13-202**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and hereby is granted to enter into a 3 year contract with two two-year optional extensions with ESO Solutions for electronic patient care reporting pursuant to the terms as outlined by the City Finance Director in his memorandum dated October 4, 2013.

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

9. Resolution authorizing an agreement with Graef in an amount up to \$500,000 for professional services related to utility designs for the Milwaukee Avenue project

**Committee recommended approval 7-0**

**RESOLUTION R-13-203**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to enter into an Agreement with Graef in an amount up to \$500,000 for professional services related to utility designs for the Milwaukee Avenue project for 2014.

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

10. Resolution authorizing a settlement in the matter of CVS Pharmacy v. City of Wauwatosa (case #13CV006145)

**Committee recommended approval 7-0**

**RESOLUTION R-13-204**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to enter into a Settlement Agreement in the Matter of CVS Pharmacy v. City of Wauwatosa, Milwaukee County Circuit Court Cases #12-CV-760 and #13-CV-6145 for excessive taxes for the years 2011 and 2012.

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

11. Resolution approving terms of financial assistance in Wauwatosa TIF District #6 to the Mandel Group for residential development associated with the historic Eschweiler buildings

**Committee recommended approval 5-2**

**RESOLUTION**

WHEREAS, the Project Plan for Wauwatosa Tax Incremental Finance District #6 provides for the ability to fund structured parking associated with private development when it contributes positively to the overall development plan for UWM Innovation Campus; and

WHEREAS, the Budget & Finance Committee has considered the financial viability of providing the underground parking and related development assistance consistent with the Project Plan to the Mandel Group, Inc., as part of an approximately 192-unit residential development located near the historic Eschweiler Buildings; and

WHEREAS, the terms of said tax incremental financing assistance are described on the term sheet which is attached hereto and incorporated herein;

NOW, THEREFORE, BE IT RESOLVED THAT the proposed development assistance described on the attached term sheet for The Mandel Group, Inc., for the purpose of constructing an approximately 192-unit residential development located near the historic Eschweiler Buildings, which assistance is consistent with and anticipated by the project plan for Wauwatosa Tax Incremental District #6, is hereby approved;

BE IT FURTHER RESOLVED THAT the terms described on the attached Term Sheet, along with related details, including the terms of the prior Planned Unit Development approval for said project, shall be substantially incorporated into a Development Agreement which shall be brought to the Common Council for final approval at a future date.

It was moved by Ald. Wilson, seconded by Ald. McBride to approve the foregoing resolution. -

It was moved by Ald. Ewerdt, seconded by Ald. Hanson to hold the matter for two weeks and send it back to the Budget and Finance Committee -

Roll call vote on motion to hold, Ayes 5 (Ewerdt, Hanson, Moldenhauer, Birschel, Donegan, Noes 9. Failed

With the consent of the Second, it was moved by Ald. Wilson to amend his original motion to include direction to staff that

the Developer Agreement coming back to Council reflects that public access to the walled gardens shall be provided, and that staff explore using every possible additional tax credit. -

It was moved by Ald. Ewerdt, seconded by Ald. Hanson to amend the motion to add Historic Preservation as a Permitted Use to the Project Plan before moving forward with the financing. -

Roll call vote on amendment, Ayes 2 (Ewerdt, Hanson), Noes 12. Failed

With the consent of the Second, and at the request of Ald. Wilke, Ald. Wilson amended his original motion to include that the Developer shall provide public access to the entire site in a manner agreed to by both parties. -

Roll call vote on original motion to approve the \$2.5 million TIF assistance request with the proviso that public access to the entire site shall be provided in a manner agreed to by both parties, and directing staff to explore use of every possible additional tax credit.

Roll call vote, Ayes 11, Noes 3 (Ewerdt, Hanson, Donegan)

#### **RESOLUTION R-13-205**

WHEREAS, the Project Plan for Wauwatosa Tax Incremental Finance District #6 provides for the ability to fund structured parking associated with private development when it contributes positively to the overall development plan for UWM Innovation Campus; and

WHEREAS, the Budget & Finance Committee has considered the financial viability of providing the underground parking and related development assistance consistent with the Project Plan to the Mandel Group, Inc., as part of an approximately 192-unit residential development located near the historic Eschweiler Buildings; and

WHEREAS, the terms of said tax incremental financing assistance are described on the term sheet which is attached hereto and incorporated herein;

NOW, THEREFORE, BE IT RESOLVED THAT the proposed development assistance described on the attached term sheet for The Mandel Group, Inc., for the purpose of constructing an approximately 192-unit residential development located near the historic Eschweiler Buildings, which assistance is consistent with and anticipated by the project plan for Wauwatosa Tax Incremental District #6, is hereby approved;

BE IT FURTHER RESOLVED THAT the terms described on the attached Term Sheet, along with related details, including the terms of the prior Planned Unit Development approval for said project, shall be substantially incorporated into a Development Agreement which shall be brought to the Common Council for final approval at a future date;

BE IT FURTHER RESOLVED THAT the Development Agreement presented to the Common Council for approval will include a provision that, should the Option 2A "Walled Gardens" be created,

the Developer will be required to provide for access and use of those gardens and other non-private areas of the Designated Historic District by members of the General Public, including a provision for rental availability of the top-floor "ballroom" area within the Administration building following its renovation for use as part of the residential development;

BE IT FINALLY RESOLVED THAT staff will be directed to consider and incorporate into final budget projections reflected in the Development Agreement any new and proposed changes in the law regarding an increase in the amount of available historic tax credits, and if appropriate shall reduce the assistance amount provided to the Developer by the amount of any projected savings to the project budget as a result of such increased tax credits.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [11 TO 3]</b>
<b>MOVER:</b>	Craig Wilson, Alderman
<b>SECONDER:</b>	Dennis McBride, Alderman
<b>AYES:</b>	Berdan, Birschel, Causier, Dubinski, McBride, Moldenhauer, Pantuso, Tilleson, Walz- Chojnacki, Wilke, Wilson
<b>NAYS:</b>	Donegan, Ewerdt, Hanson
<b>EXCUSED:</b>	Organ, Roznowski

## 12. Bills and Claims

BILLS AND CLAIMS FOR THE PERIOD 10/2/13 - 10/15/13 --

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 10/2/13 - 10/15/13: \$1,978,193.90

:

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 13-0-1 (Donegan)

## **FROM THE BOARD OF PUBLIC WORKS**

1. Resolution approving the encroachment application by Mark and Susan Irgens, 2565 N. 90th Street, to install a decorative carriage walk, subject to the execution of an encroachment agreement

**Board recommended approval 5-0**

### **RESOLUTION R-13-206**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Mark and Susan Irgens, 2565 N. 90<sup>th</sup> Street, Wauwatosa, Wisconsin, to encroach onto City right-of-way with a seven foot-four inch by three foot-six inches carriage walk between back of curb and City sidewalk, 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.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Hanson, Alderman
<b>SECONDER:</b>	Donald Birschel, Alderman
<b>AYES:</b>	Berdan, Birschel, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Pantuso, Tilleson, Walz-Chojnacki, Wilke, Wilson
<b>EXCUSED:</b>	Organ, Roznowski

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Carla A. Ledesma, CMC, City Clerk

**Ordinance O-13-19**

ORDINANCE REPEALING SECTION 2.59 OF THE WAUWATOSA MUNICIPAL CODE

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

Part I. Section 2.59 of the Wauwatosa Municipal Code is hereby repealed in its entirety.

Part II. This ordinance shall take effect on December 31, 2013 and after its date of publication.

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

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-13-193

By: Employee Relations Committee

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WHEREAS, the City contracted for a salary market survey and design of a new compensation plan to update its pay practices and compare to market rates as well as to consolidate its several pay plans into one consolidated pay plan;

WHEREAS, the grade order list set forth below **may** be updated as necessary by Administration if modifications of positions and grades are made during the appeals process after Council adoption of this Resolution;

WHEREAS, the new compensation plan shall be effective beginning January 1, 2014 or as soon thereafter as deemed practical by the City Administrator;

NOW THEREFORE BE IT RESOLVED THAT the City's compensation plan shall be implemented and administered as follows:

### **CLASSIFICATION AND COMPENSATION PLAN FOR NONREPRESENTED EMPLOYEES**

#### **Sections:**

- I. Intent
- II. Plan Administration
- III. Salary Increases
- IV. Pay Grades for Non-represented Employees

#### **I. Intent.**

It is the declared purpose and intent of this chapter to create a new salary and classification system for City of Wauwatosa regular full and part time employees. Employees who are included in the police and fire collective bargaining units are not covered by this chapter.

#### **II. Plan administration.**

- A Wage Placements: All wage placements within the established ranges shall be made with reference to the following guidelines:

1. New Employees. New employees shall be hired at the minimum step of the pay range whenever it is appropriate and possible. If, because of remarkably higher levels of education and/or experience of a candidate or due to difficult market conditions (as may be evidenced by difficulty in recruiting), hiring a candidate requires a salary beyond the minimum, the department head must seek approval from the Human Resources Director and the City Administrator for a higher step, which shall not be higher than the range control point without approval of the Common Council. Consideration must be given to the current compensation of other employees in the same classification (if applicable) to maintain internal pay equity. Department heads are not authorized to present informal salary offers to potential candidates above the minimum of the pay range before necessary approval is received.

2. **Salary Progression through Grades.** Typically, employees shall move through the step system for the first years of employment by receiving a step increase on his/her anniversary date contingent upon satisfactory performance. Employees may advance more than one step based upon exceptional performance as determined by the Department Director and City Administrator. Advancement of more than one step in one year should be approved only in compelling situations to maintain the integrity of the system. Employees may advance in salary beyond the control point (step 6) based on merit and consistent with the city's merit criteria.

3. **Salary Upon Promotion.** Employees who are promoted will be granted a salary increase of five percent or the minimum of the higher grade, whichever is greater. In the event of a promotion of two or more salary grades, the increase will be at least eight percent, but not to exceed ten percent or the minimum of the higher grade, whichever is greater. If the increase places an employee between the range minimum and the control point, then the employee will be placed on the next closest step. In no case shall a promotional increase allow the employee to earn a salary above the established range maximum.

4. **Salary Upon Transfer.** Employees who transfer to a new classification in the same salary grade will receive no salary adjustment.

5. **Salary Upon Voluntary Demotion.** An employee who takes a voluntary demotion will retain his/her present salary unless that salary exceeds the maximum rate of pay for the new position in which case the employee's salary will be adjusted to the new maximum. However, an employee may continue to receive a rate of pay in excess of that maximum upon the recommendation of the Department Director and approval of the Human Resources Director, the City Administrator, and the Common Council. If the employee continues to receive a rate of pay in excess of the maximum salary range, the employee will not be eligible for further base-accumulating pay increases until his/her salary is again within the salary range for the new position, nor would the employee be eligible for lump sum payments of the type described in 8(4) in this section.

6. **Salary Upon Replacement of Employee in Previous Classification within Orientation Period.** An employee who does not successfully complete their orientation period and returns to his/her former class will have his/her salary restored to the same rate of pay the employee would have received had he/she remained in the former class.

7. **Salary Upon Demotion Related to Performance.** An employee who is demoted for performance reasons after the end of the orientation period will retain his/her present salary unless that salary exceeds the maximum rate of pay for the new position in which case the employee's salary will be adjusted to the new maximum.

8. **Salary Upon Reclassification of Position.** When the allocation of a position has been changed as the result of changes in the organizational structure of a department or slow and gradual changes in the duties and responsibilities of the position, such change in grade will be considered to be a reclassification.

B. **Plan Implementation.** Upon implementation of this pay grade/step plan each employee's initial pay level will be determined as follows:

1. If an employee's salary immediately prior to implementation, is below the control point (step 6) of the appropriate grade for that employee's position, the employee's salary will be increased to the next step within that grade which provides the employee a pay increase.

2. If an employee's salary immediate prior to implementation is above the control point (step 6) of the appropriate grade for that employee's position, but below the maximum, the employee's salary will not change upon implementation of the plan.
3. If an employee's salary immediately prior to implementation, is below the salary provided by the minimum step for the appropriate grade, the employee's salary shall be raised to the minimum step for that grade.
4. If an employee's salary immediately prior to implementation, exceeds the salary provided by the maximum step within the appropriate grade, the employee's salary shall be frozen at its then-present level until such time as the employee's salary is within the salary range for the appropriate grade. In addition, until such time as that employee's salary falls within the appropriate pay range, each time all salary ranges are adjusted pursuant to an across the board percentage increase, employees subject to this subsection may receive a lump sum merit payment up to the percentage by which other salary ranges are adjusted across the board. The amount of this merit lump sum payment shall not be added to base salary for that employee. Any employee who has received a merit lump sum payment under this subsection at the beginning of a calendar year, and who subsequently leaves city employment during that calendar year, shall be liable to the city for prorated amount based upon the percentage of the calendar year for which the employee will no longer be employed by the city.

### III. Salary Increases.

1. Salary increases include step increases under the pay plan, merit increases and annual across-the-board salary increases.
2. Annually the City Administrator shall present to the Common Council recommendations for pay increases for the next budget year. The recommendations will include a report on the current status of pay plan administration, including a summary of employee development/performance reports for the preceding twelve months; a recommendation for an across-the-board market adjustment to the schedule, and a recommendation on a merit pay budget.
3. After the recommendations made by the City Administrator referenced in #1 above are approved, the City Administrator shall then exercise his/her discretion in awarding all salary increases within the budgetary limits approved by the Common Council. Step increases and across the board increases are contingent upon satisfactory performance and may be withheld based on lack of performance. Across the board increases may be split and awarded by the City Administrator at appropriate intervals based on budget constraints.

Merit increases shall be awarded consistent with the city's merit pay criteria.

4. Any employee whose salary is at or above the maximum of the appropriate pay grade will receive no additional increases to base; however, the employee will be eligible for a merit lump sum payment.

### IV. Pay plan grades for non-represented employee

#### RECOMMENDED 2013 GRADE ORDER LIST

GRADE	JOB TITLE	DEPARTMENT	Minimum					Control Point	Pay for Performance	Merit to
			87.5% Step 1	90.0% Step 2	92.5% Step 3	95.0% Step 4	97.5% Step 5	100.0% Step 6		120.0% Maximum
V	Director of Public Works	Public Works	\$47.08	\$48.42	\$49.77	\$51.11	\$52.46	\$53.80	→	\$64.56
T	Assistant Attorney / HR Director	Attorney	\$43.62	\$44.87	\$46.11	\$47.36	\$48.60	\$49.85	→	\$59.82
	Chief of Police	Police								
	City Attorney	Attorney								
	Finance Director	Finance								
	Fire Chief	Fire								
R	City Engineer	Public Works	\$40.16	\$41.31	\$42.46	\$43.61	\$44.75	\$45.90	→	\$55.08
Q	Health Officer	Health	\$38.44	\$39.54	\$40.64	\$41.73	\$42.83	\$43.93	→	\$52.72
	Police Captain	Police								
P	Assistant Chief	Fire	\$36.72	\$37.76	\$38.81	\$39.86	\$40.91	\$41.96	→	\$50.35
	City Assessor	Assessor								
	Library Director	Library								
	Manager, Information Systems	IT								
	Water Superintendent	Water								
O	Deputy Chief	Fire	\$34.98	\$35.98	\$36.98	\$37.98	\$38.98	\$39.98	→	\$47.98
	Police Lieutenant	Police								
N	Municipal Engineer	Public Works	\$33.26	\$34.21	\$35.16	\$36.11	\$37.06	\$38.01	→	\$45.61

<b>M</b>	Assistant City Attorney	Attorney	\$31.54	\$32.44	\$33.34	\$34.24	\$35.14	\$36.04	➔	\$43.25
	Assistant Library Director	Library								
	Battalion Chief	Fire								
	City Clerk	City Clerk								
<b>L</b>	Assistant Manager, IT	IT	\$29.80	\$30.65	\$31.51	\$32.36	\$33.21	\$34.06	➔	\$40.87
	Fleet Superintendent	Public Works								
	Operations Superintendent	Public Works								
	Parks/Forestry Superintendent	Public Works								
	Police Sergeant	Police								
	Traffic & Electrical Superintendent	Public Works								
<b>K</b>	Accounting Manager	Finance	\$28.08	\$28.88	\$29.68	\$30.49	\$31.29	\$32.09	➔	\$38.51
	Accountant/Business Manager	Water								
	Business Supervisor	Treasurer								
	Children's Library Supervisor	Library								
	Circulation Supervisor	Library								
	Deputy City Assessor	Assessor								
	Health & Productivity Coordinator	Human Resources								
	Nursing Supervisor	Health								
	Principal Planner	Development								
	Public Health Manager	Health								
	Public Safety Analyst	IT								
Reference Supervisor	Library									
<b>J</b>	Appraiser III	Assessor	\$26.35	\$27.10	\$27.85	\$28.60	\$29.36	\$30.11	➔	\$36.13
	Building Inspector	Development								

	Civil Engineer	Public Works								
	Electrical Inspector	Development								
	Operations Supervisor	Public Works								
	Operations Supervisor Sanitation	Public Works								
	Plumbing Inspector	Development								
	Senior Accountant	Finance								
	Senior Management Analyst	Various								
	Stock Clerk / Lead Mechanic	Public Works								
	Water Supervisor	Water								
<b>I</b>	Assistant Planner	Development	\$24.62	\$25.33	\$26.03	\$26.73	\$27.44	\$28.14	➔	\$33.77
	Business Services Specialist	Development								
	Cataloger	Library								
	Children's Librarian	Library								
	Code Specialist	Fire								
	Deputy City Clerk	City Clerk								
	Development Coordinator	Development								
	HR Generalist	Human Resources								
	Public Health Nurse	Health								
	Purchasing Coordinator	Purchasing								
	Reference Librarian	Library								
	Sanitarian	Health								
	Senior Engineering Technician	Public Works								
	Technical Support Analyst	IT								
<b>H</b>	Appraiser II	Assessor	\$22.90	\$23.55	\$24.21	\$24.86	\$25.52	\$26.17	➔	\$31.40
	Engineering	Public Works								

	Technician									
	Fire Equipment Mechanic	Fire								
	Human Resources Assistant	Human Resources								
	Mechanic	Public Works								
	Public Health Specialist	Health								
	Sign Technician	Public Works								
<b>G</b>	Controls System Technician	Water	\$21.17	\$21.77	\$22.38	\$22.98	\$23.59	\$24.19	➔	\$29.03
	Electrical Technician	Public Works								
	Operator Technician	Water								
	PEG - Access Coordinator	Administration								
	Property Maintenance Inspector	Development								
	Tech Services Assistant	Library								
<b>F</b>	Accounting Technician	Finance	\$19.44	\$20.00	\$20.55	\$21.11	\$21.66	\$22.22	➔	\$26.66
	Administrative Support Specialist	Various								
	Appraiser I	Assessor								
	Arborist	Public Works								
	Dispatcher	Police								
	Dispatcher/Clerk	Public Works								
	DPW Maintenance Lead									
	Meter Repair Person	Water								
	Payroll Specialist	HR								
	Repairperson - Lead	Public Works								
	Water Maintenance Lead	Water								
	Yard Equipment	Public Works								

	Operator									
<b>E</b>	DPW Maintenance Worker	Public Works	\$17.71	\$18.22	\$18.72	\$19.23	\$19.73	\$20.24	➔	\$24.29
	IT Help Desk Specialist	IT								
	Legal Secretary	Attorney								
	Meter Service Person	Water								
	Office Assistant	Various								
	Public Safety Tech Support Assistant	IT								
	Repairperson	Public Works								
	RFO/Loader	Public Works								
	Water Maintenance Worker	Water								
<b>D</b>	Account Assistant	Finance	\$14.76	\$15.18	\$15.60	\$16.03	\$16.45	\$16.87	➔	\$20.24
	Clerical Assistant	Various								
	Custodial Worker	Public Works								
	Laborer - Custodian	Public Works								
	Meter Reader	Water								
	Watchperson	Public Works								
<b>C</b>	Circulation Attendant	Library	\$12.30	\$12.65	\$13.01	\$13.36	\$13.71	\$14.06	➔	\$16.87
	Parking Specialist	Police								
	Security Guard	Library								
	Tech Services Aide	Library								

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-194

By: Community Development Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted for appropriate City officials to execute an Intergovernmental Agreement with the City of Milwaukee regarding emergency services at Center Street and Hartung Parks consistent with the document presented to the Committee on Community Development at its meeting of October 8, 2013.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

## **Ordinance O-13-18**

### ORDINANCE AMENDING PORTIONS OF CHAPTER 9 OF THE WAUWATOSA MUNICIPAL CODE TO PERMIT THE DOMESTIC KEEPING OF CHICKENS IN THE CITY

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

#### Part I.

Sections 9.04.050 and 9.04.060 of the Wauwatosa Municipal Code are hereby amended to read as follows:

9.04.050. Domestic Keeping of Chickens in the City.

9.04.050. Findings.

The common council of the City of Wauwatosa desires to provide for the health, safety, and well being of its residents, to ensure and maintain property conditions and values, and to provide a domestic and sustainable source of nourishing food through limited chicken egg production in a residential environment respecting its urban surroundings and rural origins.

9.04.060. Permit, Application, Enforcement, and Penalty.

#### A. Permit Required.

1. No person shall keep live chickens in the city without first obtaining a valid permit. The permit process requires a completed application accompanied with a fee as set forth in the consolidated fee schedule. The permit application is also subject to neighborhood approval and other requirements as set forth below.
2. Permit. Each owner shall obtain a city issued permit prior to acquiring any live chicken. No more than one such permit may be issued for any single residential parcel or household. A permit and fee shall be required for each parcel.
3. No permit fee may be refunded in whole or in part or be transferable.
4. A permit is subject to revocation upon failure to comply with any provision under this code. Once a license is revoked, a permit shall not be reissued.
5. The permit shall be renewed and fee shall be paid annually. There shall be a penalty added to the permit fee for late payment of the permit fee at a rate set forth in the consolidated fee schedule.

#### B. Neighborhood Approval and Site Plan Required.

1. Before a permit is issued for the keeping of chickens, the applicant shall obtain the written consent of the owner of the property where chickens shall be kept and the owners of all adjoining or diagonally abutting properties, including those across an alley. Written consent shall be provided at the time of the application.
2. The applicant must submit a site plan at the time of the application which complies with the provisions of this chapter.

C. Keeping of Chickens Allowed. The keeping of up to four licensed chickens is allowed on a residential property, under the following provisions:

1. No roosters shall be kept.
2. No chicken shall be slaughtered.
3. Chickens shall be provided with fresh water and adequate amounts of feed regularly.
4. Chickens shall be provided with a sanitary and adequately sized covered enclosure or coop and shall be kept in the covered enclosure or coop or a sanitary and adequately accessible fenced enclosure at all times.
5. Chicken coops shall be moisture-resistant, sturdy, constructed in a workmanlike manner, and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.
6. Chicken coops shall be constructed and yards maintained to reasonably prevent the collection of standing water and shall be cleaned of droppings, uneaten feed, feathers and other waste daily and as soon as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance.
7. Chicken coops and yards together shall be large enough to provide at least 16 square feet of space per chicken.
8. No enclosure or coop shall be located closer than 25 feet to any residential dwelling on an adjacent lot unless consent is given by the owner of the adjacent lot.
9. No enclosure or coop shall be located in the front yard of a residential parcel.
10. In addition to compliance with the requirements of this section, no one shall keep chickens that cause any nuisance, unhealthy condition, create a public health threat, or otherwise interfere with the normal use of property in the enjoyment of life by humans or animals.
11. Chicken eggs may not be sold, traded, or hatched for commercial purposes.

D. Public Health Requirements.

1. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
2. Any person keeping chickens shall immediately report any unusual illness or death of chickens to the health department.
3. The health officer may order testing, quarantine, isolation, vaccination, or humane euthanasia of ill chickens or chickens believed to be a carrier of communicable disease.

E. Enforcement. Penalty.

1. Any person violating any provision of this chapter shall be subject to the general penalty provisions of this code in addition to the penalties provided under this section and chapter 15. A citation may be issued pursuant to Wauwatosa Municipal Code Chapter 1.24.010 and Wisconsin Statute Section 800.02.

- 2. Removal of chicken. Any chicken may be impounded or removed from the city for violations of this chapter. The chicken’s owner shall be responsible for costs of the impoundment or removal.
- 3. The Development Department shall issue permits and enforce the provisions of this code, except that the public health provisions of Sub. D. above, shall be enforced by the Health Department.

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

Part III. Noncodified provision:

The consolidated fee schedule shall be amended by providing that the permit fee under this section shall be \$50.00 per household in the first licensed year, and \$20.00 per household in each succeeding year. The fee for late renewal of a permit shall be an additional \$20.00.

Part IV. Noncodified provision:

The Committee on Community Development shall review the implementation of this ordinance within nine months of its publication.

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

\_\_\_\_\_

City Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-195

By: Budget and Finance Committee

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BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$9,475,000 for the public purpose of paying the cost of sewerage projects, consisting of storm and sanitary sewer improvements.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-196

By: Budget and Finance Committee

WHEREAS an initial resolution authorizing general obligation bonds has been adopted by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") and it is now necessary that said initial resolution be published to afford notice to the residents of the City of its adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-197

By: Budget and Finance Committee

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WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") has adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds in an amount not to exceed \$9,475,000 for the public purpose of paying the cost of sewerage projects, consisting of storm and sanitary sewer improvements (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes; and

WHEREAS, the Common Council of the City hereby finds and determines that general obligation bonds in the principal amount of \$9,475,000 should be issued pursuant to the Initial Resolution to finance the Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Issuance of the Bonds. The bonds authorized by the Initial Resolution shall be designated "General Obligation Sewerage Bonds, Series 2013" (the "Bonds") and shall be issued in the principal amount of \$9,475,000 for the purpose above specified.

Section 2. Sale of the Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Hutchinson, Shockey, Erley & Co. ("HSE")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with HSE) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the Common Council shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law. The award of the Bonds shall be made subject to expiration of the referendum petition period applicable to the Bonds under Section 67.05(7)(b) of the Wisconsin Statutes.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and

approval in the manner provided by law.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-198

By: Budget and Finance Committee

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WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") is presently in need of \$5,600,000 for the public purpose of paying the cost of waterworks system improvements and acquisitions set forth in the Water Utility's Capital Budget, including replacing, installing and repairing water mains and meters (the "Project"); and

WHEREAS, the Common Council of the City hereby finds and determines that waterworks system revenue bonds in an amount of \$5,600,000 should be issued pursuant to Section 66.0621, Wisconsin Statutes, to finance the Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Issuance of the Bonds. The City shall issue bonds designated "Waterworks System Revenue Bonds, Series 2013" (the "Bonds") in an amount of \$5,600,000 for the purpose above specified.

Section 2. Sale of the Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with the City's financial advisor, Hutchinson, Shockey, Erley & Co. ("HSE")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with HSE) shall also cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the Common Council shall consider taking further action to provide the details of the Bonds and to award the Bonds to the lowest responsible bidder therefor.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-199

By: Budget and Finance Committee

WHEREAS, the Village of Wauwatosa Business Improvement District submitted to the Committee on Budget & Finance its 2014 budget and work plan; and

WHEREAS, Committee members and representatives of the BID Board agreed that the budget and work plan are accurate and do reflect the intentions of the entire BID Board;

NOW, THEREFORE, BE IT RESOLVED THAT the 2014 budget and work plan for the Village of Wauwatosa Business Improvement District as provided to the Committee on Budget & Finance on October 8, 2013, are hereby approved and, upon completion of the tax roll, assessments shall be included on the property tax bills of affected properties in a manner consistent with those documents.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-200

By: Budget and Finance Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted to the Water Department for a Level III transfer of \$75,000 within the 2013 Capital Budget, from "Repair, renovate, or replace water main as needed" to the "Advanced Metering Infrastructure Program" for the purchase of additional water meters and radio transmitters in 2013 to continue the meter conversion program.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-201

By: Budget and Finance Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to enter into a three year contract with Andres Medical Billing with two two-year optional extensions at the rates described in the memorandum of the Finance Director dated October 4, 2013.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-202

By: Budget and Finance Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and hereby is granted to enter into a 3 year contract with two two-year optional extensions with ESO Solutions for electronic patient care reporting pursuant to the terms as outlined by the City Finance Director in his memorandum dated October 4, 2013.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-203

By: Budget and Finance Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to enter into an Agreement with Graef in an amount up to \$500,000 for professional services related to utility designs for the Milwaukee Avenue project for 2014.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-204

By: Budget and Finance Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to enter into a Settlement Agreement in the Matter of CVS Pharmacy v. City of Wauwatosa, Milwaukee County Circuit Court Cases #12-CV-760 and #13-CV-6145 for excessive taxes for the years 2011 and 2012.

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

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Clerk

Approved \_\_\_\_\_

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Mayor

CITY OF WAUWATOSA  
Resolution

R-13-205

By: Budget and Finance Committee

WHEREAS, the Project Plan for Wauwatosa Tax Incremental Finance District #6 provides for the ability to fund structured parking associated with private development when it contributes positively to the overall development plan for UWM Innovation Campus; and

WHEREAS, the Budget & Finance Committee has considered the financial viability of providing the underground parking and related development assistance consistent with the Project Plan to the Mandel Group, Inc., as part of an approximately 192-unit residential development located near the historic Eschweiler Buildings; and

WHEREAS, the terms of said tax incremental financing assistance are described on the term sheet which is attached hereto and incorporated herein;

NOW, THEREFORE, BE IT RESOLVED THAT the proposed development assistance described on the attached term sheet for The Mandel Group, Inc., for the purpose of constructing an approximately 192-unit residential development located near the historic Eschweiler Buildings, which assistance is consistent with and anticipated by the project plan for Wauwatosa Tax Incremental District #6, is hereby approved;

BE IT FURTHER RESOLVED THAT the terms described on the attached Term Sheet, along with related details, including the terms of the prior Planned Unit Development approval for said project, shall be substantially incorporated into a Development Agreement which shall be brought to the Common Council for final approval at a future date;

BE IT FURTHER RESOLVED THAT the Development Agreement presented to the Common Council for approval will include a provision that, should the Option 2A "Walled Gardens" be created, the Developer will be required to provide for access and use of those gardens and other non-private areas of the Designated Historic District by members of the General Public, including a provision for rental availability of the top-floor "ballroom" area within the Administration building following its renovation for use as part of the residential development;

BE IT FINALLY RESOLVED THAT staff will be directed to consider and incorporate into final budget projections reflected in the Development Agreement any new and proposed changes in the law regarding an increase in the amount of available historic tax credits, and if appropriate shall reduce the assistance amount provided to the Developer by the amount of any projected savings to the project budget as a result of such increased tax credits.

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

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Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-13-206

By: Board of Public Works

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Mark and Susan Irgens, 2565 N. 90<sup>th</sup> Street, Wauwatosa, Wisconsin, to encroach onto City right-of-way with a seven foot-four inch by three foot-six inches carriage walk between back of curb and City sidewalk, 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 \_\_\_\_\_

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Clerk

Approved \_\_\_\_\_

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Mayor