



CITY OF WAUWATOSA

COMMON COUNCIL

MINUTES • JANUARY 21, 2014

Regular Meeting

Common Council Chambers

7:30 PM

7725 West North Avenue, Wauwatosa, WI 53213

PRESENT: Alds. Wilson, Berdan, Birschel, Causier, Donegan, Dubinski, Ewerdt, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke -16

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Porter, Public Works Director; Mr. Ruggini, Finance Director; Police Chief Weber; Mr. Kesner, City Attorney; Ms. Enders, Development Director; Fire Chief Ugaste; 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.

It was moved by Ald. McBride, seconded by Ald. Organ that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -16

APPLICATIONS, COMMUNICATIONS, ETC.

1. Wauwatosa Water Utility Statement of Receipts and Disbursements for the month ended November 30, 2013

Place on file

2. Letter from Diane Morgan, 110 N. 89th Street, and Dain Maddox, 105 N. 88th Street, concerning the 90-day trial of Ravenswood parking restrictions

Add to existing file

3. Claim for excessive assessment by Atty. Robert Hill on behalf of CVS Pharmacy, 7520 W. Blue Mound Road

City Attorney

4. Notices of claims: Midwest Transfer & Logistics, 275 Sola Drive, Gilberts, IL; Valerie Emerson, 3960 S. 55th Street, Milwaukee; Joseph Fox, 2350 Menomonee River Parkway

City Attorney

ORDINANCES FOR INTRODUCTION

1. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to add parking restrictions on the west side of N. 68th Street across from Colectivo, 6745 W. Wells Street

Refer to originating committee

ORDINANCE

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

Part I. The "N. 68th Street - west side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

"(a) on the west side of 68th Street across from 6745 Wells Street"

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

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 1/28/2014 7:30 PM
TO:	Traffic and Safety Committee	

- 2. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to add parking restrictions on the east side of N. 68th Street near Colectivo, 6745 W. Wells Street

Refer to originating committee

ORDINANCE

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

Part I. The "N. 68th Street - east side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

"(a) between driveways on N. 68th Street near Colectivo Coffee, 6745 W. Wells Street and the residence to the south.

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

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 1/28/2014 7:30 PM
TO:	Traffic and Safety Committee	

- 3. Ordinance amending Section 11.32.490 of the Wauwatosa Municipal Code to create an on-street handicapped parking space at 6514 W. Lloyd Street

Refer to originating committee

ORDINANCE

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

Part I. Section 11.32.490 of the Code of the City of Wauwatosa is hereby amended by adding the following:

- 8. From the driveway in front of 6514 Lloyd Street up to one half the distance to the next driveway

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

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 1/28/2014 7:30 PM
TO:	Traffic and Safety Committee	

- 4. Ordinance amending Section 11.32.490 of the Wauwatosa Municipal Code to create an on-street handicapped parking space at 615 N. 79th Street

Refer to originating committee

ORDINANCE

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

Part I. Section 11.32.490 of the Code of the City of Wauwatosa is hereby amended by adding the following:

- 9. At 615 N. 79th Street

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

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 1/28/2014 7:30 PM
TO:	Traffic and Safety Committee	

- 5. Ordinance amending Section 11.36.200 of the Wauwatosa Municipal Code to add a 'no U-turn' sign in the Blue Mound Road median at Ravenswood Circle

Refer to originating committee

ORDINANCE

AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 11.36.200 PERTAINING TO NO U-TURNS

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

Part I. Section 11.36.200 of the Code of the City of Wauwatosa is hereby amended by adding the following:

- 11. In the Blue Mound Road median at Ravenswood Circle

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

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 1/28/2014 7:30 PM
TO:	Traffic and Safety Committee	

- 6. Ordinance amending Title 24 of the Wauwatosa Municipal Code to add "Group Living" as a Conditional Use in the C2 District

Refer to originating committee

7. Ordinance amending the official zoning map of the City of Wauwatosa to rezone 8402, 8416, and 8426 W. North Avenue and 2315 N. 84th Street from R8 District to R8 District/Planned Unit Development Overlay

Refer to originating committee

FROM THE COMMITTEE ON TRAFFIC & SAFETY

1. Resolution amending the Official Stop Sign Map of the City of Wauwatosa by creating a 4-way stop at the intersection of N. 78th and Wright Streets

Committee recommended approval 5-0

RESOLUTION R-14-4

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the Official Stop Sign Map under Section 11.16.025 of the Code of the City of Wauwatosa is hereby amended to add a stop sign at the intersection of 78th and Wright Streets.

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

FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS

1. Resolution voicing objection to the language of LRB-3532/1 as currently written and urging reasonable regulation of the collection, use of, and access to license plate data through ARPR technology in Wisconsin

Committee recommended approval 5-0

RESOLUTION R-14-5

WHEREAS, the Wauwatosa Police Department has invested significant resources in the installation and use of Automated Registration Plate Readers (“ARPRs”) (also referred to as “Automated License Plate Readers” or “ALPRs”), by installing such devices on five (5) front line squad cars and planning for a sixth (6th) to be installed after January 1, 2014; and

WHEREAS, the use of ARPR technology has saved tens or hundreds of man-hours for detectives, by sometimes allowing suspects to be located in minutes rather than utilizing multiple detectives over a long period of time to locate individuals; and

WHEREAS, the Wauwatosa Police Department belongs to a group of approximately twenty-three law enforcement agencies from throughout the state known as the Wisconsin ALPR Association, which combines data resources into a single database to improve the effectiveness of the readers, and has developed guidelines and baseline operating procedures for appropriate use and retention of the data collected through the use of such devices; and

WHEREAS, the Wisconsin State Representative from Big Bend, Wisconsin, representing the 83rd Assembly District, had proposed [LRB-3532/1], a draft bill which would significantly restrict the use of ARPRs by law enforcement agencies in Wisconsin; and

WHEREAS, the draft bill addresses legitimate privacy concerns by proposing to limit the use of ARPR technology through inappropriately short data retention periods, overly-stringent limitations on access to data, and limitation on the times and situations during which data can be collected by the devices; and

WHEREAS, the Representative from the 83rd District is currently circulating the bill draft among his fellow legislators, seeking cosponsors for his proposal prior to its formal introduction; and

WHEREAS, the City of Wauwatosa and its Police Department do not believe the draft bill in its current form strikes the appropriate balance of privacy against the appropriate law enforcement uses, and would significantly hamper the use of this important technology, but would support statewide legislation which could provide appropriate regulation of the use of such technology;

NOW THEREFORE BE IT RESOLVED THAT the City of Wauwatosa Common Council does hereby voice its objection to the language of LRB-3532/1, the draft legislation being circulated by the Representative from the 83rd District to regulate Automated Registration Plate Readers, in its current form;

BE IT FURTHER RESOLVED THAT the City of Wauwatosa Common Council would support reasonable legislation to regulate the collection, use of and access to license plate data through the use of ARPRs, which would include the following provisions:

1. Requires a written policy which restricts the use of ARPR systems and ARPR data to lawfully authorized individuals and for legitimate law enforcement purposes, which would allow for certain uses beyond active investigations of known criminal suspects; and providing severe penalties for the misuse or improper release of data.
2. Requires training addressing constitutional, civil rights and privacy concerns.
3. Sets a reasonable data retention period of not less than six months to one year.
4. Restricts the release of ARPR data under the Wisconsin Public Records Law, by including ARPR data in the list of public records exempt from disclosure under 19.36); and

BE IT FURTHER RESOLVED THAT the City of Wauwatosa Common Council encourages State Representatives involved in drafting ARPR legislation work closely with and adopt the recommendations provided by the Wisconsin ALPR Association in order to produce legislation which creates the appropriate balance between privacy concerns and the appropriate use of this valuable law enforcement technology; and

BE IT FINALLY RESOLVED THAT City of Wauwatosa staff are hereby directed to communicate this resolution to all appropriate legislative representatives and other individuals as appropriate to encourage the adoption of appropriate legislative regulation of ARPR technology in Wisconsin.

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

- Resolution granting a "Class B" liquor license and Class "B" beer license to WB WI II, LLC, d/b/a World of Beer, 418 N. Mayfair Road, for the period ending June 30, 2014 and an economic development grant, Brian C. Randall, agent

Committee recommended approval 6-0

RESOLUTION R-14-6

WHEREAS, WB WI II, LLC, d/b/a World of Beer, 418 N. Mayfair Road, Wauwatosa, WI, has applied for a Reserve Class B Liquor license and Class B Beer license;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B Liquor and Class B Beer license be awarded to WB WI II, LLC, d/b/a World of Beer, 418 N. Mayfair Road, Wauwatosa, WI, for the period ending June 30, 2014;

BE IT FURTHER RESOLVED THAT an economic development grant in the sum of \$9,500.00 pursuant to Section 6.08.475 of the Wauwatosa Municipal Code be and hereby is granted.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

- Resolution setting a public hearing date of March 4, 2014 to consider a zoning code text amendment to add Group Living as a Conditional Use in the C2 District

Committee recommended approval 7-0

RESOLUTION R-14-7

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, March 4, 2014 in City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning a proposed zoning code text amendment adding group living as a Conditional Use in the C2 District.

BE IF FURTHER RESOLVED THAT the City Clerk be and is hereby directed to publish the proper notices of said hearing as required by law.

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

- Resolution setting a public hearing date of March 4, 2014 to consider a change of zoning from R8 District to R8 District/Planned Unit Development Overlay at 8402, 8416 and 8426 West North Avenue and 2315 North 84th Street

Committee recommended approval 7-0

RESOLUTION R-14-8

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, March 4, 2014 in City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning a proposed ordinance rezoning the properties located at 8402, 8416 and 8426 West North Avenue and 2315 North 84th Street from R8 District to R8 District/Planned Unit Development Overlay.

BE IF FURTHER RESOLVED THAT the City Clerk be and is hereby directed to publish the proper notices of said hearing as required by law.

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

- Resolution approving a Land Division by Certified Survey Map at approximately 1300 Discovery Parkway, David Gilbert, UWM Real Estate Foundation, applicant

Committee recommended approval 7-0

RESOLUTION R-14-9

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to David Gilbert, UWM Real Estate Foundation for a Land Division by Certified Survey Map at approximately 1300 Discovery Parkway. The location of the parcels is more particularly described as follows:

Being a division of Lot 2 and Lot 3 of Certified Survey Map No. 8523 in the Northwest ¼, Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 20 and the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section 29 in the Township 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, Wisconsin

All in accordance with the application attached hereto and made a part of this resolution, and in compliance with Section 17.02.070 of the Code of the City of Wauwatosa.

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

- 4. Resolution approving a Land Combination at 7517 Milwaukee Avenue and 1626 Wauwatosa Avenue, Brian Randall, Friebert, Finerty & St. John, S.C., and Susan McTavish, Wauwatosa Woman’s Club, applicants

Committee recommended approval 8-0

RESOLUTION R-14-10

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Brian Randall, Friebert, Finerty & St. John, S.C., and Susan McTavish, for a Land Combination at 7517 Milwaukee Avenue and 1626 Wauwatosa Avenue. The location of the parcels is more particularly described as follows:

RINGROSE W 49.71 FT ON FRONT LI & 38.41 FT ON REAR LI OF LOT 6 & ALL OF LOTS 7, 8, & 9 and RINGROSE E 50.29 FT ON FRONT LI & 61.59 FT ON REAR LI OF LOT 6, SW 1/4 SEC 22

All in accordance with the application attached hereto and made a part of this resolution, and in compliance with Section 17.02.070 of the Code of the City of Wauwatosa.

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

- 5. Ordinance amending the official zoning map of the City of Wauwatosa from M1 District to C2 District at 6510 West State Street

Committee recommended approval 8-0

ORDINANCE O-14-2

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

ASSESSORS PLAT NO. 11, NE 1/4 SEC. 27-7-21, PT LOT 9 BLK 2 DESC AS COM 32.20 FT WLY OF W LI LOT 8 AS MEAS ALG N LI OF W. STATE ST. TH WLY ALG SD N LI OF ST 360 FT NLY 115.83 FT NELY 160 FT 146.06 FT TH SLY 274.85 FT TO P.O.B.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of

Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

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

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

6. Resolution approving a Conditional Use at 6510 West State Street for a credit union with drive through, David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union, applicants

Committee recommended approval 8-0

RESOLUTION R-14-11

WHEREAS, David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union, applied for a Conditional Use in the C2 District at 6510 West State Street for a credit union with drive through, 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 David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union to construct a credit union with drive through in the C2 District at 6510 West State Street contingent upon:

- Hours of operation Monday through Friday 7:30 a.m. to 6:00 p.m. and Saturday 8:30 a.m. to 1:30 p.m.
- obtaining all other necessary licenses and permits

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

7. Resolution approving a Conditional Use in the C2 District at 418 North Mayfair Road for a drinking establishment with outdoor seating (World of Beer), Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino, applicants

Committee recommended approval 8-0

RESOLUTION

WHEREAS, Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino, applied for a Conditional Use in the C2 District at 418 North Mayfair Road for a drinking establishment with outdoor seating (World of Beer), 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 Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino for drinking establishment with outdoor seating (World of Beer) in the C2 District at 418 North Mayfair Road, contingent upon:

1. hours of operation Sunday through Thursday 10 a.m. to 2 a.m. and Friday and Saturday 10 a.m. to 2:30 a.m.
2. no outdoor music after midnight
3. Design Review Board approval of the outdoor enclosure
4. new parking lot plan, including a rack for 20 bikes, submitted to Engineering
5. work with Engineering to address parking on 107th Street
6. obtaining any additional permits and licenses

It was moved by Ald. Walz-Chojnacki, seconded by Ald. Hanson to amend the foregoing resolution by adding a seventh condition that a six-month staff review of hours of operation for the outdoor patio area be performed and a report made back to Committee if significant issues arose in that time period. -16

RESOLUTION R-14-12

WHEREAS, Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino, applied for a Conditional Use in the C2 District at 418 North Mayfair Road for a drinking establishment with outdoor seating (World of Beer), 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 Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino for drinking establishment with outdoor seating (World of Beer) in the C2 District at 418 North Mayfair Road, contingent upon:

1. hours of operation Sunday through Thursday 10 a.m. to 2 a.m. and Friday and Saturday 10 a.m. to 2:30 a.m.
2. no outdoor music after midnight

3. Design Review Board approval of the outdoor enclosure
4. new parking lot plan, including a rack for 20 bikes, submitted to Engineering
5. work with Engineering to address parking on 107th Street
6. obtaining any additional permits and licenses
7. six-month staff review of hours of operation for outdoor patio area and reporting back to the Committee on Community Development if significant issues have arisen in that time period.

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

8. Resolution approving a final plans for Phase II and an amendment to Phase 1A of a Planned Unit Development at approximately 11500 W. Burleigh Street for a retail development, Tim Blum, HSA Commercial, applicant

Committee recommended approval 8-0

RESOLUTION

WHEREAS, Tim Blum, HSA Commercial, applied for final approval of Phase II and an amendment to Phase 1A of a Planned Unit Development at approximately 11500 West Burleigh Street, to construct a retail development 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 final approval for Phase II and an amendment to Phase 1A of a Planned Unit Development to Tim Blum, HSA Commercial, to construct a retail development at approximately 11500 West Burleigh Street, subject to the following:

1. approval by appropriate city staff related to utilities, engineering, traffic, fire and building codes
2. final Design Review Board approvals
3. approval of an updated Developer's Agreement
4. project monument signage is not included in this approval
5. obtaining any other licenses and permits

It was moved by Ald. Wilke, seconded by Ald. Tilleson to amend the foregoing resolution by adding a sixth condition that the bicycle and pedestrian vehicular circulation shall be approved by the Directors of Development and Public Works. -16

RESOLUTION R-14-13

WHEREAS, Tim Blum, HSA Commercial, applied for final approval of Phase II and an amendment to

Phase 1A of a Planned Unit Development at approximately 11500 West Burleigh Street, to construct a retail development 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 final approval for Phase II and an amendment to Phase 1A of a Planned Unit Development to Tim Blum, HSA Commercial, to construct a retail development at approximately 11500 West Burleigh Street, subject to the following:

1. approval by appropriate city staff related to utilities, engineering, traffic, fire and building codes
2. final Design Review Board approvals
3. approval of an updated Developer's Agreement
4. project monument signage is not included in this approval
5. obtaining any other licenses and permits
6. approval of the bicycle and pedestrian vehicular circulation by the Directors of Development and Public Works

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

FROM THE COMMITTEE ON BUDGET & FINANCE

1. Resolution authorizing a contract agreement with Dixon Engineering for antenna coordination during Glenview water tower rehabilitation project

Committee recommended approval 8-0

RESOLUTION R-14-14

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT approval is hereby granted for City officials to enter into a contract with Dixon Engineering for antenna coordination during rehabilitation of the Glenview water tower in an amount up to \$34,750.00.

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

- Resolution approving a purchase order for 2014 capital expenditures for the Advanced Metering Infrastructure Project

Committee recommended approval 8-0

RESOLUTION R-14-15

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to City officials to enter into a blanket purchase order with Badger Meter for 2014 capital expenditures in an amount not to exceed \$950,000 as part of the Advanced Metering Infrastructure Program.

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

- Resolution approving a North Avenue design contract between the City and Ayres and Associates

Committee recommended approval 8-0

RESOLUTION R-14-16

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted to enter into a contract for the North Avenue Improvement plans with Ayres and Associates in the sum not to exceed \$44,800.00 in order to bring the plans to bid-ready format by mid-February, 2014.

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

- Resolution approving a fund transfer for Temporary Fire Station #54

Committee recommended approval 8-0

RESOLUTION R-14-17

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT authorization of an inter-fund transfer in the amount of \$31,610.07 from the Fire Department Building Repair Account #01-221-5710-000 to the Fire Department Capital Improvement Account #03-221-5980-000 be and the same is hereby granted.

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

5. Resolution adopting the 2014 Sanitary and Storm Sewer Rates

Committee recommended approval 8-0

RESOLUTION R-14-18

WHEREAS, the Milwaukee Metropolitan Sewerage District has notified the City of Wauwatosa of increases in sewer user charges for the 2014 at approximately 13% and 17% increase in storm water; and

WHEREAS, current rates charged to sanitary sewer users in the City of Wauwatosa are not sufficient to pay that portion of the expenses for late sewer user charges charged by the Metropolitan Milwaukee Sewerage District while maintaining the local sewer system within the City of Wauwatosa; and

WHEREAS, recommended rate increases for 2014 sanitary sewer rate and storm water rates are reflected in a January 10, 2014, memorandum of the Finance Director;

NOW, THEREFORE, BE IT RESOLVED THAT the recommendation of the Finance Director for an increase in the 2014 sanitary sewer rates and storm water rates as reflected in his memorandum of January 10, 2014, a copy of which is attached hereto, is hereby approved.

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

6. Resolution approving a Memorandum of Understanding with the Wisconsin Automated License Plate Reader Association

Committee recommended approval 8-0

RESOLUTION R-14-19

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to the appropriate City officials to enter into a Memorandum of Understanding to act as fiscal agent for the Wisconsin Automated License Plate Reader Association.

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

7. Resolution approving a fund transfer from the contingency fund for 2013 Assessor legal services (2/3 vote required)

Committee recommended approval 8-0

RESOLUTION R-14-20

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT a fund transfer from the Reserve for Contingencies to Account #01-625-5810-000 for 2013 Assessor legal services in the amount of \$76,000.00 be and hereby is approved.

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

8. Bills and Claims

BILLS AND CLAIMS FOR THE PERIOD 01/08/14 - 01/21/14 -

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 01/08/14 - 01/21/14 \$42,794,537.33

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 15, Present 1 (Donegan)

FROM THE BOARD OF PUBLIC WORKS

1. Resolution awarding the bid for the purchase of emulsion and street patching materials for the 2014 spring/summer repair season to all qualified bidders based on price, convenience and availability

Board recommended approval 4-0

RESOLUTION R-14-21

WHEREAS, the Wauwatosa Purchasing Department has requested bids for emulsion and street patching materials for the Spring/Summer 2014 repair season; and

WHEREAS, each of the five bidders reflected in the memorandum from the Purchasing Department dated January 15, 2014, provide different advantages based upon the price, convenience and availability;

NOW, THEREFORE, BE IT RESOLVED THAT each of the five vendors described in the memorandum from the purchasing department are hereby qualified to provide emulsion and street patching materials for the Spring/Summer 2014 repair season on an as-needed basis, with individual purchases being made on the basis of price, convenience and availability.

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

Carla A. Ledesma, CMC, City Clerk

Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO ADD PARKING RESTRICTIONS ON THE WEST SIDE OF N. 68TH STREET ACROSS FROM COLECTIVO, 6745 W. WELLS STREET

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

Part I. The "N. 68th Street - west side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

"(a) on the west side of 68th Street across from 6745 Wells Street"

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO ADD PARKING RESTRICTIONS ON THE EAST SIDE OF N. 68TH STREET NEAR COLECTIVO, 6745 W. WELLS STREET

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

Part I. The "N. 68th Street - east side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

"(a) between driveways on N. 68th Street near Colectivo Coffee, 6745 W. Wells Street and the residence to the south.

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

Ordinance

ORDINANCE AMENDING SECTION 11.32.490 OF THE WAUWATOSA MUNICIPAL CODE TO
CREATE AN ON-STREET HANDICAPPED PARKING SPACE AT 6514 W. LLOYD STREET

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

Part I. Section 11.32.490 of the Code of the City of Wauwatosa is hereby amended by adding the following:

8. From the driveway in front of 6514 Lloyd Street up to one half the distance to the next driveway

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

Ordinance

ORDINANCE AMENDING SECTION 11.32.490 OF THE WAUWATOSA MUNICIPAL CODE TO
CREATE AN ON-STREET HANDICAPPED PARKING SPACE AT 615 N. 79TH STREET

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

Part I. Section 11.32.490 of the Code of the City of Wauwatosa is hereby amended by adding the following:

9. At 615 N. 79th Street

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

Ordinance

ORDINANCE AMENDING SECTION 11.36.200 OF THE WAUWATOSA MUNICIPAL CODE TO ADD A 'NO U-TURN' SIGN IN THE BLUE MOUND ROAD MEDIAN AT RAVENSWOOD CIRCLE

AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 11.36.200 PERTAINING TO NO U-TURNS

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

Part I. Section 11.36.200 of the Code of the City of Wauwatosa is hereby amended by adding the following:

- 11. In the Blue Mound Road median at Ravenswood Circle

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

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-4

By: Traffic and Safety Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the Official Stop Sign Map under Section 11.16.025 of the Code of the City of Wauwatosa is hereby amended to add a stop sign at the intersection of 78th and Wright Streets.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-5

By: Legislation, Licensing and Communications

WHEREAS, the Wauwatosa Police Department has invested significant resources in the installation and use of Automated Registration Plate Readers (“ARPRs”) (also referred to as “Automated License Plate Readers” or “ALPRs”), by installing such devices on five (5) front line squad cars and planning for a sixth (6th) to be installed after January 1, 2014; and

WHEREAS, the use of ARPR technology has saved tens or hundreds of man-hours for detectives, by sometimes allowing suspects to be located in minutes rather than utilizing multiple detectives over a long period of time to locate individuals; and

WHEREAS, the Wauwatosa Police Department belongs to a group of approximately twenty-three law enforcement agencies from throughout the state known as the Wisconsin ALPR Association, which combines data resources into a single database to improve the effectiveness of the readers, and has developed guidelines and baseline operating procedures for appropriate use and retention of the data collected through the use of such devices; and

WHEREAS, the Wisconsin State Representative from Big Bend, Wisconsin, representing the 83rd Assembly District, had proposed [LRB-3532/1], a draft bill which would significantly restrict the use of ARPRs by law enforcement agencies in Wisconsin; and

WHEREAS, the draft bill addresses legitimate privacy concerns by proposing to limit the use of ARPR technology through inappropriately short data retention periods, overly-stringent limitations on access to data, and limitation on the times and situations during which data can be collected by the devices; and

WHEREAS, the Representative from the 83rd District is currently circulating the bill draft among his fellow legislators, seeking cosponsors for his proposal prior to its formal introduction; and

WHEREAS, the City of Wauwatosa and its Police Department do not believe the draft bill in its current form strikes the appropriate balance of privacy against the appropriate law enforcement uses, and would significantly hamper the use of this important technology, but would support statewide legislation which could provide appropriate regulation of the use of such technology;

NOW THEREFORE BE IT RESOLVED THAT the City of Wauwatosa Common Council does hereby voice its objection to the language of LRB-3532/1, the draft legislation being circulated by the Representative from the 83rd District to regulate Automated Registration Plate Readers, in its current form;

BE IT FURTHER RESOLVED THAT the City of Wauwatosa Common Council would support reasonable legislation to regulate the collection, use of and access to license plate data through the use of ARPRs, which would include the following provisions:

1. Requires a written policy which restricts the use of ARPR systems and ARPR data to lawfully authorized individuals and for legitimate law enforcement purposes, which would allow for certain uses beyond active investigations of known criminal suspects; and providing severe penalties for the misuse or improper release of data.
2. Requires training addressing constitutional, civil rights and privacy concerns.
3. Sets a reasonable data retention period of not less than six months to one year.
4. Restricts the release of ARPR data under the Wisconsin Public Records Law, by including

ARPR data in the list of public records exempt from disclosure under 19.36); and

BE IT FURTHER RESOLVED THAT the City of Wauwatosa Common Council encourages State Representatives involved in drafting ARPR legislation work closely with and adopt the recommendations provided by the Wisconsin ALPR Association in order to produce legislation which creates the appropriate balance between privacy concerns and the appropriate use of this valuable law enforcement technology; and

BE IT FINALLY RESOLVED THAT City of Wauwatosa staff are hereby directed to communicate this resolution to all appropriate legislative representatives and other individuals as appropriate to encourage the adoption of appropriate legislative regulation of ARPR technology in Wisconsin.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-6

By: Legislation, Licensing and Communications

WHEREAS, WB WI II, LLC, d/b/a World of Beer, 418 N. Mayfair Road, Wauwatosa, WI, has applied for a Reserve Class B Liquor license and Class B Beer license;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B Liquor and Class B Beer license be awarded to WB WI II, LLC, d/b/a World of Beer, 418 N. Mayfair Road, Wauwatosa, WI, for the period ending June 30, 2014;

BE IT FURTHER RESOLVED THAT an economic development grant in the sum of \$9,500.00 pursuant to Section 6.08.475 of the Wauwatosa Municipal Code be and hereby is granted.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-7

By: Community Development Committee

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, March 4, 2014 in City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning a proposed zoning code text amendment adding group living as a Conditional Use in the C2 District.

BE IF FURTHER RESOLVED THAT the City Clerk be and is hereby directed to publish the proper notices of said hearing as required by law.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-8

By: Community Development Committee

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, March 4, 2014 in City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning a proposed ordinance rezoning the properties located at 8402, 8416 and 8426 West North Avenue and 2315 North 84th Street from R8 District to R8 District/Planned Unit Development Overlay.
BE IF FURTHER RESOLVED THAT the City Clerk be and is hereby directed to publish the proper notices of said hearing as required by law.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-9

By: Community Development Committee

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to David Gilbert, UWM Real Estate Foundation for a Land Division by Certified Survey Map at approximately 1300 Discovery Parkway. The location of the parcels is more particularly described as follows:

Being a division of Lot 2 and Lot 3 of Certified Survey Map No. 8523 in the Northwest ¼, Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 20 and the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section 29 in the Township 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, Wisconsin

All in accordance with the application attached hereto and made a part of this resolution, and in compliance with Section 17.02.070 of the Code of the City of Wauwatosa.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-10

By: Community Development Committee

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Brian Randall, Friebert, Finerty & St. John, S.C., and Susan McTavish, for a Land Combination at 7517 Milwaukee Avenue and 1626 Wauwatosa Avenue. The location of the parcels is more particularly described as follows:

RINGROSE W 49.71 FT ON FRONT LI & 38.41 FT ON REAR LI OF LOT 6 & ALL OF LOTS 7, 8, & 9 and RINGROSE E 50.29 FT ON FRONT LI & 61.59 FT ON REAR LI OF LOT 6, SW 1/4 SEC 22

All in accordance with the application attached hereto and made a part of this resolution, and in compliance with Section 17.02.070 of the Code of the City of Wauwatosa.

Passed and Dated _____

Clerk

Approved _____

Mayor

Ordinance O-14-2

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA FROM M1 DISTRICT TO C2 DISTRICT AT 6510 WEST STATE STREET

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

ASSESSORS PLAT NO. 11, NE 1/4 SEC. 27-7-21, PT LOT 9 BLK 2 DESC AS COM 32.20 FT WLY OF W LI LOT 8 AS MEAS ALG N LI OF W. STATE ST. TH WLY ALG SD N LI OF ST 360 FT NLY 115.83 FT NELY 160 FT 146.06 FT TH SLY 274.85 FT TO P.O.B.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

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-14-11

By: Community Development Committee

WHEREAS, David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union, applied for a Conditional Use in the C2 District at 6510 West State Street for a credit union with drive through, 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 David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union to construct a credit union with drive through in the C2 District at 6510 West State Street contingent upon:

1. Hours of operation Monday through Friday 7:30 a.m. to 6:00 p.m. and Saturday 8:30 a.m. to 1:30 p.m.
2. obtaining all other necessary licenses and permits

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-12

By: Community Development Committee

WHEREAS, Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino, applied for a Conditional Use in the C2 District at 418 North Mayfair Road for a drinking establishment with outdoor seating (World of Beer), 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 Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino for drinking establishment with outdoor seating (World of Beer) in the C2 District at 418 North Mayfair Road, contingent upon:

1. hours of operation Sunday through Thursday 10 a.m. to 2 a.m. and Friday and Saturday 10 a.m. to 2:30 a.m.
2. no outdoor music after midnight
3. Design Review Board approval of the outdoor enclosure
4. new parking lot plan, including a rack for 20 bikes, submitted to Engineering
5. work with Engineering to address parking on 107th Street
6. obtaining any additional permits and licenses
7. six-month staff review of hours of operation for outdoor patio area and reporting back to the Committee on Community Development if significant issues have arisen in that time period.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-13

By: Community Development Committee

WHEREAS, Tim Blum, HSA Commercial, applied for final approval of Phase II and an amendment to Phase 1A of a Planned Unit Development at approximately 11500 West Burleigh Street, to construct a retail development 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 final approval for Phase II and an amendment to Phase 1A of a Planned Unit Development to Tim Blum, HSA Commercial, to construct a retail development at approximately 11500 West Burleigh Street, subject to the following:

1. approval by appropriate city staff related to utilities, engineering, traffic, fire and building codes
2. final Design Review Board approvals
3. approval of an updated Developer's Agreement
4. project monument signage is not included in this approval
5. obtaining any other licenses and permits
6. approval of the bicycle and pedestrian vehicular circulation by the Directors of Development and Public Works

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-14

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT approval is hereby granted for City officials to enter into a contract with Dixon Engineering for antenna coordination during rehabilitation of the Glenview water tower in an amount up to \$34,750.00.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-15

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to City officials to enter into a blanket purchase order with Badger Meter for 2014 capital expenditures in an amount not to exceed \$950,000 as part of the Advanced Metering Infrastructure Program.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-16

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted to enter into a contract for the North Avenue Improvement plans with Ayres and Associates in the sum not to exceed \$44,800.00 in order to bring the plans to bid-ready format by mid-February, 2014.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-17

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT authorization of an inter-fund transfer in the amount of \$31,610.07 from the Fire Department Building Repair Account #01-221-5710-000 to the Fire Department Capital Improvement Account #03-221-5980-000 be and the same is hereby granted.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-18

By: Budget and Finance Committee

WHEREAS, the Milwaukee Metropolitan Sewerage District has notified the City of Wauwatosa of increases in sewer user charges for the 2014 at approximately 13% and 17% increase in storm water; and

WHEREAS, current rates charged to sanitary sewer users in the City of Wauwatosa are not sufficient to pay that portion of the expenses for late sewer user charges charged by the Metropolitan Milwaukee Sewerage District while maintaining the local sewer system within the City of Wauwatosa; and

WHEREAS, recommended rate increases for 2014 sanitary sewer rate and storm water rates are reflected in a January 10, 2014, memorandum of the Finance Director;

NOW, THEREFORE, BE IT RESOLVED THAT the recommendation of the Finance Director for an increase in the 2014 sanitary sewer rates and storm water rates as reflected in his memorandum of January 10, 2014, a copy of which is attached hereto, is hereby approved.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-19

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and the same is hereby granted to the appropriate City officials to enter into a Memorandum of Understanding to act as fiscal agent for the Wisconsin Automated License Plate Reader Association.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-20

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT a fund transfer from the Reserve for Contingencies to Account #01-625-5810-000 for 2013 Assessor legal services in the amount of \$76,000.00 be and hereby is approved.

Passed and Dated _____

Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-14-21

By: Board of Public Works

WHEREAS, the Wauwatosa Purchasing Department has requested bids for emulsion and street patching materials for the Spring/Summer 2014 repair season; and

WHEREAS, each of the five bidders reflected in the memorandum from the Purchasing Department dated January 15, 2014, provide different advantages based upon the price, convenience and availability;

NOW, THEREFORE, BE IT RESOLVED THAT each of the five vendors described in the memorandum from the purchasing department are hereby qualified to provide emulsion and street patching materials for the Spring/Summer 2014 repair season on an as-needed basis, with individual purchases being made on the basis of price, convenience and availability.

Passed and Dated _____

Clerk

Approved _____

Mayor