



# CITY OF WAUWATOSA

## COMMON COUNCIL

MINUTES • FEBRUARY 4, 2014

**Regular Meeting**

**Common Council Chambers**

**7:30 PM**

7725 West North Avenue, Wauwatosa, WI 53213

PRESENT: Alds. Wilke, Wilson, Berdan, Birschel, Causier, Dubinski, Hanson, McBride, Moldenhauer, Organ (7:32 p.m.), Pantuso, Roznowski, Tilleson, Walz-Chojnacki -14

EXCUSED: Alds. Donegan and Ewerdt

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; 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. Hanson that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -13

### **APPOINTMENTS BY THE MAYOR**

1. Community Development Authority (appointment, first reading)

Allan Wick, 2604 Pasadena Boulevard (Dist. 6)  
Term expires 9/30/2015

2. Senior Commission (reappointment, first reading)

Mary Ann Hamill, 8017 Stickney Avenue (Dist. 2)  
Term expires 4/30/2015

Patricia Miller, 8844 Stickney Avenue (Dist. 2)  
Term expires 4/30/2015

Diane Euting, 2404 N. 66th Street (Dist. 5)  
Term expires 4/30/2016

Judy Parmeter, 8143 Richmond Court (Dist. 2)  
Term expires 4/30/2017

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

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

1. Request by Ald. Pantuso for review of the City's bee-keeping ordinance

**City Attorney, Health Department**

2. Notices of Claims: John Foley, Foley Framing, LLC, 1053 N. 115th Street; Charlene Werner, 4504 N. 105th Street

**City Attorney**

3. Notice of Circumstances of Claim by Murphy & Prachthausen, SC, 330 E. Kilbourn Avenue, Milwaukee, on behalf of Bernard and Kathleen Hansen, 12123 Underwood Parkway

**City Attorney**

4. Claim for Excessive Assessment filed by Atty. Don Millis, Reinhart Boerner Van Deuren, s.c., PO Box 2018, Madison, on behalf of Target Corporation, Walgreen Company, General Growth Properties, LLC, and Sears Holdings Corporation for refund of excessive real estate taxes imposed for the year 2013, and on behalf of Macy's Retail Holdings, Inc., for refund of excessive personal property taxes imposed for the year 2013

**City Attorney**

5. Request by Sherry Carlin, 2014 Tosafest Chair, for a Street Festival permit for the Village area for Tosafest on September 4-8, 2014

**Community Development Committee**

6. Notices of Claims: James Brojanac, 19130 W. North Avenue, Brookfield for property at 527 N. 62nd Street; Ann Evenson, 2940 Arbor Drive, Brookfield

**City Attorney**

7. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended December 31, 2013

**Place on file**

8. Claim for Excessive Assessment filed by Atty. Don Millis, Reinhart Boerner Van Deuren s.c., PO Box 2018, Madison, on behalf of Philip and Leander Jennings; LRJ 84 Bluemound III, LLC; LRJ 84 Bluemound I, LLC, for refund of excessive real estate taxes imposed for 2013

**City Attorney**

9. Updated Claim for Excessive Assessment filed by Atty. Don Millis, Reinhart Boerner Van Deuren, s.c., PO Box 2018, Madison, on behalf of General Growth Properties, LLC, for refund of excessive real estate taxes imposed for 2013

**City Attorney**

10. Claim for Excessive Assessment filed by Atty. Joseph Pickart, Whyte Hirschboeck Dudek, s.c., 555 E. Wells Street, Milwaukee, on behalf of Manos Holdings Burleigh, LLC, for refund of excessive real estate taxes imposed for 2013

**City Attorney****FROM THE COMMITTEE ON TRAFFIC & SAFETY**

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

**Committee recommended approval 5-0**

**ORDINANCE O-14-3**

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.

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

- 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

Committee recommended approval 5-0

**ORDINANCE O-14-4**

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.

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

- 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

Committee recommended approval 5-0

**ORDINANCE O-14-5**

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.

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

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

Committee recommended approval 5-0

**ORDINANCE** O-14-6

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.

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

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

Committee recommended approval 5-0

**ORDINANCE** O-14-7

**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.

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

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

1. Resolution approving a Land Division by Certified Survey Map at 2500 North Mayfair Road, Stephen Smith, Mayfair Mall, LLC., and Brian Randall, Friebert, Finerty & St. John S.C., applicants

**Committee recommended approval 8-0**

**RESOLUTION R-14-22**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Stephen Smith, Mayfair Mall, LLC., and Brian Randall, Friebert, Finerty & St. John S.C., for a Land Division by Certified Survey Map at 2500 North Mayfair Road. The location of the parcels is more particularly described as follows:

Being a division of Lot 1 of Certified Survey Map No. 8311 and Parcel 2 of Certified Survey Map No. 5460, being a part of the Northwest ¼, Northeast ¼, Southwest ¼, and Southeast ¼ of the Southwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 17, Town 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 24.56.010 of the Code of the City of Wauwatosa and subject to the payment of all outstanding special assessments on the aforescribed property which is being subdivided.

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

2. Resolution approving a Conditional Use in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining, Mark Nielsen, Marcat Too Corp., and Joshua Jeffers, 6505-6519 West North Avenue LLC., applicants

**Committee recommended approval 8-0**

**RESOLUTION R-14-23**

WHEREAS, Mark Nielsen, Marcat Too Corp., and Joshua Jeffers, 6505-6519 West North Avenue LLC., applied for a Conditional Use in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining 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 Mark Nielsen, Marcat Too Corp., and Joshua Jeffers, 6505-6519 West North Avenue LLC., to operate a restaurant in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining contingent upon:

1. restaurant hours of operation Monday through Saturday 11:00 a.m. to 2 a.m. and Sunday 8:00 a.m. to 9:00 p.m.
2. outdoor seating to close at 11:00 p.m. daily
3. hours of operation for the sandwich shop 10:00 a.m. to 3:00 p.m.
4. approval of an encroachment agreement for bike parking in the right-of-way
5. permitting the reduction of existing off-street parking spaces
6. addition of an eight foot fence around the restaurant patio with aesthetic approval by staff
7. obtaining any other licenses and permits.

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

3. Resolution approving a Conditional Use in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating (OnoKine Grindz), David Lau, OnoKine Grindz, and Richard and Renee Bira, applicants

**Committee recommended approval 8-0**

**RESOLUTION R-14-24**

WHEREAS, David Lau, OnoKine Grindz, and Richard and Renee Bira, applied for a Conditional Use in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating (OnoKine Grindz) 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 Lau, OnoKine Grindz, and Richard and Renee Bira, to operate a restaurant in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating (OnoKine Grindz), contingent upon:

1. operating hours Monday through Saturday 11 a.m. to 8 p.m. and Sunday 11 a.m. to 6 p.m.
2. compliance with building and fire codes before obtaining a restaurant license
3. approval of an encroachment agreement for the outdoor seating
4. obtaining any additional permits and licenses.

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

4. Resolution approving a Conditional Use in the C2 District at 10600 W. Blue Mound Road for a restaurant (Picnic Basket), Timothy Weiberg, Picnic Basket Restaurant of Wauwatosa, Inc., and Bluemound Strip Center, LLC., applicants

**Committee recommended approval 8-0**

**RESOLUTION R-14-25**

WHEREAS, Timothy Weiberg, Picnic Basket Restaurant of Wauwatosa, Inc., and Bluemound Strip Center, LLC., applied for a Conditional Use in the C2 District at 10600 West Blue Mound Road to operate a restaurant, 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 Timothy Weiberg, Picnic Basket Restaurant of Wauwatosa, Inc., and Bluemound Strip Center, LLC., to operate a restaurant in the C2 District at 10600 West Blue Mound Road, contingent upon:

1. Hours of operation from 7:00 a.m. to 11:00 p.m. daily
2. Obtaining all other necessary licenses and permits

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

**FROM THE COMMITTEE ON BUDGET & FINANCE**

1. Resolution authorizing the redemption of general obligation promissory notes, series 2005, dated May 1, 2005

**Committee recommended approval 7-0**

**RESOLUTION R-14-26**

WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") has outstanding its General Obligation Promissory Notes, Series 2005, dated May 1, 2005 (the "2005 Notes") which mature on December 1, 2014;

WHEREAS, the Common Council has determined that it is necessary and desirable to call the 2005 Notes for redemption on March 10, 2014 with funds of the City;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that the 2005 Notes are called for prior payment on March 10, 2014 at the price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with Hutchinson, Shockey, Erley & Co. to cause timely notice of redemption, in substantially the form attached hereto as Exhibit A and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice.

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

2. Resolution approving 2013 operating and capital budget carryovers

**Committee recommended approval 7-0**

**RESOLUTION R-14-27**

WHEREAS, various City departments have filed forms with the Finance Director requesting that specific funds within various accounts be carried over from the 2013 to the 2014 budget year; and

WHEREAS, those forms were provided to the Committee on Budget and Finance at its January 28, 2014, meeting and more particularly described in the memorandum of the Finance Director to the Committee dated January 24, 2014, available for review at the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT the carryover requests presented to the Budget & Finance Committee at its January 28, 2014, meeting and further retained in the files of the City Clerk and Finance Director are hereby approved for carryover into the 2014 budget year, and the 2014 City of Wauwatosa budget is hereby amended accordingly.

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

- Resolution authorizing a one-year professional services agreement extension with Graef - USA for construction inspection services

**Committee recommended approval 7-0**

**RESOLUTION R-14-28**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to the proper City officials to enter into a one year contract extension with Graef - USA for construction inspection during the 2014 construction season, approval of the 2014 fee schedule for non-City funded projects, and authorization of City staff to enter into agreements for non-City work.

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

- Resolution authorizing a Davis-Bacon compliance contract extension with Ayres and Associates for Innovation Park accelerator facility monitoring

**Committee recommended approval 7-0**

**RESOLUTION R-14-29**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT approval be and the same is hereby given to City officials to enter into a contract extension with Ayres Associates at an additional cost of \$2,300 per month, not to exceed a total of \$20,700 without further Common Council approval.

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

5. Resolution creating an overlapping TIF District and approving terms of financial assistance in Wauwatosa TIF District #3 to Wangard Partners for residential development at the former Western Metals site

**RESOLUTION R-14-30**

WHEREAS, Wangard Partners has proposed a redevelopment of the former Western Industries factory at approximately 1215 North 62nd Street in the City of Wauwatosa, and has requested tax incremental finance assistance for the extensive environmental remediation on the site, as well as creation of structured parking and improvement of public access to the historic Schoonmaker Reef, which is primarily located on that site; and

WHEREAS, the Budget & Finance Committee has considered the financial viability of providing assistance to promote the development of the Wangard Project on this site and has recommended an offer of financial terms for such assistance which are described on the Term Sheet attached hereto and incorporated herein; and

WHEREAS, the Budget & Finance Committee has also recognized the provision of such financial assistance may be aided by the creation of a new tax incremental finance district and the closure of the existing tax incremental finance district #3 in the City of Wauwatosa, in order to promote further development in this area of the City of Wauwatosa,

NOW, THEREFORE, BE IT RESOLVED THAT the proposal for development assistance described in the attached Term Sheet for Wangard Partners (d/b/a WP Property Acquisitions, LLC) for the purpose of environmental remediation and construction of structured parking as part of a proposed residential development located on the former Western Industries site at 1215 North 62nd Street, in the City of Wauwatosa, is hereby approved;

BE IT FURTHER RESOLVED THAT City of Wauwatosa staff are hereby directed to begin the process of creating a new tax incremental finance district in the State Street area to promote future development in that area, while allowing the closure of TIF #3 to proceed, in order to promote future development of blighted areas along State Street;

BE IT FINALLY RESOLVED THAT the appropriate City officials are hereby authorized to draft and execute a Development Agreement with WP Property Acquisitions, LLC, or a related party, which incorporates the financial terms in the attached Term Sheet, as well as the details of the previously approved planned development for the development at 1215 North 62nd Street in the City of Wauwatosa.

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

## 6. Bills and Claims

BILLS AND CLAIMS FOR THE PERIOD 01/22/14 - 02/04/14 --

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 01/22/14 - 02/04/14: \$2,498,532.05

It was moved by Ald. Causier, seconded by Ald. Walz-Chojnacki that each and every account of bills and claims be allowed and ordered paid. Roll call vote, Ayes 14.

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

1. Resolution awarding the bid for the purchase of street trees for the spring planting season to eight vendors based upon price, convenience, and availability

**Board recommended approval 5-0**

### **RESOLUTION R-14-31**

WHEREAS, the Purchasing Department has requested bids for the purchase of trees for the 2014 spring planting season; and

WHEREAS, it has been past practice to award the bid to multiple bidders for purchases during the planting season on an as-needed basis because of price, convenience, and availability;

NOW, THEREFORE, BE IT RESOLVED THAT THE Purchasing Department is hereby authorized to purchase trees for the 2014 spring planting season from any of the eight bidders submitting bids, with individual purchases being evaluated on an as-needed basis pursuant to price, convenience and availability.

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

Carla A. Ledesma, CMC, City Clerk

**Ordinance O-14-3**

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 O-14-4**

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 O-14-5**

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 O-14-6**

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 O-14-7**

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-14-22

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 Stephen Smith, Mayfair Mall, LLC., and Brian Randall, Friebert, Finerty & St. John S.C., for a Land Division by Certified Survey Map at 2500 North Mayfair Road. The location of the parcels is more particularly described as follows:

Being a division of Lot 1 of Certified Survey Map No. 8311 and Parcel 2 of Certified Survey Map No. 5460, being a part of the Northwest ¼, Northeast ¼, Southwest ¼, and Southeast ¼ of the Southwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 17, Town 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 24.56.010 of the Code of the City of Wauwatosa and subject to the payment of all outstanding special assessments on the aforescribed property which is being subdivided.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-14-23

By: Community Development Committee

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WHEREAS, Mark Nielsen, Marcat Too Corp., and Joshua Jeffers, 6505-6519 West North Avenue LLC., applied for a Conditional Use in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining 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 Mark Nielsen, Marcat Too Corp., and Joshua Jeffers, 6505-6519 West North Avenue LLC., to operate a restaurant in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining contingent upon:

1. restaurant hours of operation Monday through Saturday 11:00 a.m. to 2 a.m. and Sunday 8:00 a.m. to 9:00 p.m.
2. outdoor seating to close at 11:00 p.m. daily
3. hours of operation for the sandwich shop 10:00 a.m. to 3:00 p.m.
4. approval of an encroachment agreement for bike parking in the right-of-way
5. permitting the reduction of existing off-street parking spaces
6. addition of an eight foot fence around the restaurant patio with aesthetic approval by staff
7. obtaining any other licenses and permits.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-14-24

By: Community Development Committee

WHEREAS, David Lau, OnoKine Grindz, and Richard and Renee Bira, applied for a Conditional Use in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating (OnoKine Grindz) 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 Lau, OnoKine Grindz, and Richard and Renee Bira, to operate a restaurant in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating (OnoKine Grindz), contingent upon:

1. operating hours Monday through Saturday 11 a.m. to 8 p.m. and Sunday 11 a.m. to 6 p.m.
2. compliance with building and fire codes before obtaining a restaurant license
3. approval of an encroachment agreement for the outdoor seating
4. obtaining any additional permits and licenses.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-14-25

By: Community Development Committee

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WHEREAS, Timothy Weiberg, Picnic Basket Restaurant of Wauwatosa, Inc., and Bluemound Strip Center, LLC., applied for a Conditional Use in the C2 District at 10600 West Blue Mound Road to operate a restaurant, 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 Timothy Weiberg, Picnic Basket Restaurant of Wauwatosa, Inc., and Bluemound Strip Center, LLC., to operate a restaurant in the C2 District at 10600 West Blue Mound Road, contingent upon:

1. Hours of operation from 7:00 a.m. to 11:00 p.m. daily
2. Obtaining all other necessary licenses and permits

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

\_\_\_\_\_  
Clerk

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

CITY OF WAUWATOSA  
Resolution

R-14-26

By: Budget and Finance Committee

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WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") has outstanding its General Obligation Promissory Notes, Series 2005, dated May 1, 2005 (the "2005 Notes") which mature on December 1, 2014;

WHEREAS, the Common Council has determined that it is necessary and desirable to call the 2005 Notes for redemption on March 10, 2014 with funds of the City;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that the 2005 Notes are called for prior payment on March 10, 2014 at the price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with Hutchinson, Shockey, Erley & Co. to cause timely notice of redemption, in substantially the form attached hereto as Exhibit A and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

EXHIBIT ANOTICE OF FULL CALL\*

Regarding

CITY OF WAUWATOSA  
MILWAUKEE COUNTY, WISCONSIN  
GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2005  
DATED MAY 1, 2005

NOTICE IS HEREBY GIVEN that the Notes of the above-referenced issue which mature on the date and in the amount; bear interest at the rate; and have a CUSIP No. as set forth below have been called by the City for prior payment on March 10, 2014 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
12/01/2014	\$600,000	4.00%	943504H86

The City shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before March 10, 2014.

Said Notes will cease to bear interest on March 10, 2014.

By Order of the  
Common Council  
City of Wauwatosa  
City Clerk

Dated \_\_\_\_\_

\* To be provided by registered or certified mail, overnight express delivery, or facsimile transmission, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to March 10, 2014 and to the MSRB.

In addition, if the Notes are subject to the continuing disclosure requirements of SEC Rule 15c2-12 effective July 3, 1995, this Notice should be filed electronically with the MSRB through the Electronic Municipal Market Access (EMMA) System website at [www.emma.msrb.org](http://www.emma.msrb.org).

CITY OF WAUWATOSA  
Resolution

R-14-27

By: Budget and Finance Committee

WHEREAS, various City departments have filed forms with the Finance Director requesting that specific funds within various accounts be carried over from the 2013 to the 2014 budget year; and

WHEREAS, those forms were provided to the Committee on Budget and Finance at its January 28, 2014, meeting and more particularly described in the memorandum of the Finance Director to the Committee dated January 24, 2014, available for review at the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT the carryover requests presented to the Budget & Finance Committee at its January 28, 2014, meeting and further retained in the files of the City Clerk and Finance Director are hereby approved for carryover into the 2014 budget year, and the 2014 City of Wauwatosa budget is hereby amended accordingly.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-14-28

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 the proper City officials to enter into a one year contract extension with Graef - USA for construction inspection during the 2014 construction season, approval of the 2014 fee schedule for non-City funded projects, and authorization of City staff to enter into agreements for non-City work.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-14-29

By: Budget and Finance Committee

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BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT approval be and the same is hereby given to City officials to enter into a contract extension with Ayres Associates at an additional cost of \$2,300 per month, not to exceed a total of \$20,700 without further Common Council approval.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
Resolution

R-14-30

By: Budget and Finance Committee

WHEREAS, Wangard Partners has proposed a redevelopment of the former Western Industries factory at approximately 1215 North 62nd Street in the City of Wauwatosa, and has requested tax incremental finance assistance for the extensive environmental remediation on the site, as well as creation of structured parking and improvement of public access to the historic Schoonmaker Reef, which is primarily located on that site; and

WHEREAS, the Budget & Finance Committee has considered the financial viability of providing assistance to promote the development of the Wangard Project on this site and has recommended an offer of financial terms for such assistance which are described on the Term Sheet attached hereto and incorporated herein; and

WHEREAS, the Budget & Finance Committee has also recognized the provision of such financial assistance may be aided by the creation of a new tax incremental finance district and the closure of the existing tax incremental finance district #3 in the City of Wauwatosa, in order to promote further development in this area of the City of Wauwatosa,

NOW, THEREFORE, BE IT RESOLVED THAT the proposal for development assistance described in the attached Term Sheet for Wangard Partners (d/b/a WP Property Acquisitions, LLC) for the purpose of environmental remediation and construction of structured parking as part of a proposed residential development located on the former Western Industries site at 1215 North 62nd Street, in the City of Wauwatosa, is hereby approved;

BE IT FURTHER RESOLVED THAT City of Wauwatosa staff are hereby directed to begin the process of creating a new tax incremental finance district in the State Street area to promote future development in that area, while allowing the closure of TIF #3 to proceed, in order to promote future development of blighted areas along State Street;

BE IT FINALLY RESOLVED THAT the appropriate City officials are hereby authorized to draft and execute a Development Agreement with WP Property Acquisitions, LLC, or a related party, which incorporates the financial terms in the attached Term Sheet, as well as the details of the previously approved planned development for the development at 1215 North 62nd Street in the City of Wauwatosa.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

TERM SHEET FOR DEVELOPMENT AGREEMENT  
 BETWEEN WP PROPERTY ACQUISITION, LLC AND CITY OF WAUWATOSA  
 REGARDING  
 1215 62<sup>nd</sup> ST, WAUWATOSA, WISCONSIN  
 (Former Western Industries Site)

1. **Developer:** WP Property Acquisitions, LLC, a Wisconsin limited liability company owned and controlled by Stewart Wangard or its successors or assigns.

2. **Description of Project:** Demolition of existing improvements and construction of new improvements containing approximately 169 dwelling units (rental) in 6 buildings, approximately 97 structured parking spaces, 41 detached garage parking spaces and landscaping and surface parking on the 1200 Block of North 62<sup>nd</sup> Street, in the City, pursuant to final design and final construction budget approved by the City (the "Project"). The Developer has represented that the estimated net taxable value of the Project will be in excess of \$20,000,000.

3. **City Financial Assistance:** The City shall provide financial assistance in the form of a reimbursement for Eligible Project Expenses (defined below) and also as reimbursement for Developer-Funded Expenditures (defined below), which may be repaid to Developer in the form of a Municipal Revenue Obligation. (MRO).

(a) Previously-approved expenditures in the amount of \$865,000 related to environmental remediation as reflected in the 2006 Development Agreement with Lears Co. associated with this parcel and additional remediation costs identified by Sigma in the amount of \$922,000 (collectively, "Eligible Project Expenses"), shall be paid to the Developer in an amount up to \$1,787,000, with reductions in such amount based upon subsequently-approved expenditures under the prior Development Agreement; and

(b) Developer shall fund newly-incurred costs of the Project related to additional environmental remediation, a pathway to access Schoonmaker Reef, security fencing, lighting for reef access, improvements to the reef area, and the cost of structured parking ("Developer-Funded Expenditures"), which shall be repaid by the City through an MRO in the amount of \$1,500,000.

4. **City Obligations:**

(a) Fund the reimbursement for Eligible Project Expenses to the Developer and the Developer-Funded Expenditures through the MRO as provided below.

(b) Seek approval for creation of a new Tax Increment District ("TID") related to this site, which new District may overlap some or all of the existing Wauwatosa TID # 3. Creation of the new TID is subject to standard approvals by CDA, Common Council, and Joint Review Board.

(c) Creation of a new TID or satisfactory amendment of the project plan for existing Wauwatosa TID #3 shall be a condition precedent to the City's obligation to reimburse the "Developer-Funded Expenditures".

(d) Cooperate to structure the TIF funding so as to minimize negative income tax or other impacts on Developer.

5. Developer Obligations:

(a) Obtain all necessary zoning, permits, and approvals and complete construction of the Project in accordance with plans approved by City. To the extent any public improvements are included within the scope of work for the Project, complete the installation of same per City specifications and dedicate same to the City upon completion.

(b) Complete Project in accordance with approved plans.

6. Funding of Developer Reimbursement for Eligible Project Expenses: City will fund the reimbursement for Eligible Project Expenses in an amount up to \$275,000 prior to the start of construction. The balance of funds available for Eligible Project Expenses will be paid to the Developer upon completion of a minimum of \$8,000,000 of incremental value from physical improvements on the site. Developer shall provide documentation of said improvements.

7. Funding of MRO for Developer-Funded Expenditures: The City will pay an amount equal to 70% of the increment (net of amortization of reimbursement for Developer-Funded Expenditures and any administrative costs) generated annually by the Developer's project. This payment will be calculated solely from the Tax payments actually received from the developer and from no other funds of the City. Annual payments may be made up to 45 days after the tax liability for that year has been paid in full by Developer, until a total aggregate amount of \$1,500,000 has been paid.

8. Adjustment of Reimbursement for Eligible Project Expenses and Developer-Funded Expenditures: The City will engage a construction expert to review actual expenses vs. budgeted expenses. Cost of said expert shall be an eligible TID administrative expense. If Developer's total costs for Eligible Project Expenses are less than the final budget for such items approved by the City, the reimbursement for Eligible Project Expenses to the Developer shall be reduced by 60% of the amount of the difference, except that Developer shall be credited for expenditures pursuant to paragraph 12, below, as though they were expenditures for Eligible Project Expenses. If Developer's costs exceed the final approved budget for such items, Developer shall be responsible for all cost overruns.

9. Participation in Additional Earnings: The purpose of providing tax incremental financing is to eliminate any funding gap related to construction of the Project which could not be repaid through anticipated revenues in the future. This amount is calculated by determining a projected Internal Rate of Return ("IRR") on equity invested in the Project in order to assure financial viability of the project. Developer is satisfied that the projected IRR in the 2013 Feasibility Report for this development is sufficient to make the project financially viable. If,

during such period as the MRO described in paragraph 7, above, remains outstanding: (a) the Developer sells a controlling portion of its fee simple interest in the Project to a third party pursuant to an arms-length transaction; and (b) the Developer or an affiliate of the Developer no longer manages the Project, and if the value of the project as part of said transaction results in an IRR calculation in which the Developer's IRR is more than 600 basis points above the original 2013 projection by Ehlers & Company, the City shall have no further obligation to make payments toward the MRO for reimbursement of Developer Funded Expenses as described in paragraph 7, above, except that any unreimbursed amounts for funds expended pursuant to paragraph 12, below, shall remain payable, provided that a sufficient MRO balance would otherwise remain payable at such time.

10. **Reimbursement of Expenses:** If the Developer is not successful in obtaining TIF approvals consistent with this Term Sheet and does not proceed with the Project, the Developer shall reimburse the City's out of pocket expenses incurred in connection with processing the TIF Application, preparation of the development agreement, and the prefunding of the reimbursement for eligible project expenses into escrow accounts. Developer's obligation for reimbursement under this section shall not exceed \$10,000. This obligation shall be guaranteed by Wangard Partners, Inc..

11. **Tax Exempt Covenant:** The Developer shall enter into a restrictive covenant in customary form requiring any owner of the Project to make payments in lieu of taxes, in an amount equal to the amount of property taxes which would otherwise be payable to all taxing jurisdictions, in the event that all or any portion of the Project site becomes tax exempt during the life of the TID and for 20 years thereafter. The covenant shall be recorded and shall run with the land.

12. **Bike Share Station:** If a public bike-share system is created in the City of Wauwatosa which is designed to include a station located at the Project, Developer will permit the installation of said public bike-share station, which station must be consistent with the capacity and other characteristics recommended or anticipated in the overall system design. If such station is installed, Developer shall be responsible for one-half (50%) of the cost of such station, to a maximum of \$25,000.

13. **Further Conditions:** The Development Agreement shall contain such additional provisions and assurances as are customarily contained in similar agreements with the City and shall provide for tax incremental financing as set forth herein.

14. **Income and Expense Information:** During the life of the TIF, the Developer will provide annual income and expense information as requested by the City Assessor as is customary for the purposes of property valuation, which information shall be maintained in confidence pursuant to laws and other rules generally applicable to such submissions.

CITY OF WAUWATOSA  
Resolution

R-14-31

By: Board of Public Works

WHEREAS, the Purchasing Department has requested bids for the purchase of trees for the 2014 spring planting season; and

WHEREAS, it has been past practice to award the bid to multiple bidders for purchases during the planting season on an as-needed basis because of price, convenience, and availability;

NOW, THEREFORE, BE IT RESOLVED THAT THE Purchasing Department is hereby authorized to purchase trees for the 2014 spring planting season from any of the eight bidders submitting bids, with individual purchases being evaluated on an as-needed basis pursuant to price, convenience and availability.

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

\_\_\_\_\_

Clerk

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor

CITY OF WAUWATOSA  
 PURCHASING DEPARTMENT  
 BIDS FOR SPRING TREES  
 RECEIVED January 28, 2014

indicates sub  
 low bid  
 low bid and substitute

Larger Tree Size  
 Smaller Tree Size

Prices are stated "per tree"

	Pag1 of 4	Johnson	Wayside	Silver Creek	Arthur Weiler	McKay	Meacham	Breezy Hill	Kankakee
Quantity	Common Name	B&B	B&B	B&B	B&B	B&B	B&B	B&B	B&B
3	Amur Maple	\$ 119.00	\$ 109.00	no bid	no bid	\$ 129.00	\$ 119.00	\$ 145.00	no bid
7	Columnar Maple	\$ 130.00	\$ 92.00	\$ 98.00	no bid	\$ 124.00	no bid	\$ 125.00	\$ 95.00
16	Deborah Maple	\$ 98.00	\$ 95.00	\$ 98.00	no bid	no bid	\$ 109.00	\$ 125.00	\$ 83.00
23	Emerald Queen Maple	\$ 98.00	\$ 95.00	\$ 98.00	no bid	no bid	no bid	\$ 125.00	\$ 83.00
20	Royal Red Maple	\$ 138.00	\$ 130.00	\$ 120.00	no bid	no bid	\$ 124.00	\$ 125.00	\$ 99.00
6	Autumn Blaze maple	\$ 122.00	\$ 142.00	no bid	no bid	\$ 149.00	\$ 117.50	\$ 155.00	\$ 122.00
1	Green Mtn Sugar Maple	\$ 165.00	\$ 115.00	\$ 101.00	\$ 120.00	\$ 145.00	\$ 118.00	\$ 125.00	\$ 122.00
11	Black Alder	\$ 125.00	\$ 65.00	no bid	\$ 105.00	\$ 122.00	no bid	no bid	no bid
11	Service Berry -Aut Brill	\$ 143.00	no bid	no bid	no bid	\$ 127.00	\$ 96.50	\$ 185.00	no bid
39	Hackberry	no bid	no bid	no bid	no bid	\$ 104.00	\$ 115.00	\$ 110.00	\$ 109.00
3	Katsura	\$ 152.00	no bid	\$ 128.00	no bid	no bid	no bid	no bid	no bid
4	Turkish Filbet	no bid	no bid	\$ 127.00	no bid	\$ 159.00	\$ 148.00	\$ 170.00	no bid
2	Thornless Cockspur	\$ 108.00	\$ 70.00	\$ 89.00	no bid	\$ 104.00	\$ 93.50	\$ 80.00	\$ 113.00
2	American Beech	\$ 238.00	\$ 130.00	no bid	\$ 125.00	no bid	no bid	no bid	no bid
31	Gingko	no bid	\$ 223.00	no bid	no bid	no bid	no bid	\$ 235.00	no bid
24	Skyline Honey Locust	\$ 141.00	\$ 103.00	\$ 99.00	\$ 105.00	\$ 124.00	\$ 121.50	\$ 125.00	\$ 89.00
18	Sunburst Honey Locust	no bid	\$ 115.00	no bid	no bid	no bid	no bid	\$ 125.00	\$ 89.00
23	Kentucky CoffeeTree	\$ 156.00	\$ 140.00	no bid	no bid	\$ 125.00	no bid	\$ 165.00	\$ 126.00
1	Larch	\$ 90.50	no bid	no bid	no bid	\$ 130.00	no bid	no bid	no bid
3	Adams Crabapple	\$ 81.00	\$ 71.00	no bid	no bid	no bid	no bid	no bid	\$ 78.00
18	Red Jewel Crab	\$ 74.00	\$ 75.00	no bid	no bid	no bid	\$ 75.00	\$ 75.00	\$ 70.00
3	SugarTyme	no bid	no bid	no bid	no bid	\$ 99.00	no bid	\$ 85.00	\$ 96.00
7	Prairie Fire Crabapple	\$ 69.00	\$ 71.00	\$ 85.00	\$ 85.00	\$ 125.00	\$ 69.50	\$ 75.00	\$ 112.00
17	Ironwwood	\$ 156.00	\$ 140.00	no bid	no bid	no bid	no bid	\$ 145.00	\$ 127.00
26	cork	\$ 111.00	no bid	no bid	no bid	no bid	no bid	no bid	no bid
1	London Plane Tree	\$ 146.00	\$ 165.00	no bid	\$ 120.00	\$ 129.00	no bid	\$ 145.00	no bid
320									
	In Wire Cages/Baskets:	yes	yes	Yes	yes	Yes	yes	no	yes
NOTES:	Delivery Charges:	\$150/\$325	\$200/load	10% / 5%	\$240/load	\$125/load	included	\$3.00/tree	\$625/Load
	Credit Card	Yes	No	yes	yes	No	No	Yes	Yes
	Minimum Order:	none	None	\$500	None	None	none	None	\$1,000.00

Attachment: Copy of 2014 SPRING TREE BID TAB (R-14-31 : 2014 spring tree bid)

CITY OF WAUWATOSA  
 PURCHASING DEPARTMENT  
 BIDS FOR SPRING TREES  
 RECEIVED January 28, 2014

Page 2 of 4		Johnson	Wayside	Silver Crk	Arthur Weiler	McKay	Meacham	Breezy Hill	Kankakee
Quantity	Common Name	B&B	B&B	B&B	B&B	B&B	B&B	B&B	B&B
4	Aristocrat Pear	no bid	\$ 138.00	no bid	no bid	no bid	no bid	\$ 145.00	\$ 123.00
5	Autumn Blaze Pear	\$ 179.00	\$ 138.00	no bid	no bid	no bid	no bid	no bid	no bid
23	Swamp White Oak	\$ 155.00	\$ 160.00	no bid	no bid	\$ 129.00	\$ 129.00	\$ 145.00	\$ 125.00
1	Hybrid Swamp bur	\$ 220.00	no bid	no bid	\$ 150.00	no bid	no bid	no bid	no bid
1	Chinkapin	\$ 194.00	\$ 193.00	no bid	\$ 150.00	no bid	no bid	\$ 145.00	\$ 159.00
19	English Oak	\$ 173.00	\$ 125.00	no bid	no bid	no bid	no bid	\$ 145.00	\$ 112.00
4	Crimson Spire	\$ 170.00	no bid	no bid	no bid	no bid	no bid	no bid	\$ 159.00
12	Japanese Tree Lilac	\$ 131.00	\$ 142.00	no bid	no bid	\$ 138.00	\$ 129.00	\$ 185.00	\$ 131.00
2	Bald Cypress	no bid	\$ 150.00	no bid	no bid	\$ 125.00	no bid	\$ 125.00	\$ 134.00
20	Redmond Linden	\$ 94.00	\$ 114.00	\$ 99.00	no bid	\$ 98.00	\$ 88.50	\$ 110.00	\$ 86.00
21	Sterling Silver Linden	no bid	\$ 114.00	no bid	no bid	no bid	\$ 133.50	\$ 110.00	\$ 160.00
9	New Horizon Elm	no bid	\$ 119.00	no bid	no bid	\$ 124.00	\$ 108.50	\$ 145.00	\$ 120.00
6	Princeton Elm	\$ 118.00	\$ 119.00	no bid	no bid	no bid	no bid	no bid	\$ 160.00
6	Prospector Elm	no bid	\$ 119.00	no bid	no bid	no bid	no bid	no bid	\$ 120.00
2	Techny Arborvitae	\$ 97.00	\$ 88.00	no bid	\$ 59.00	\$ 93.00	\$ 59.00	\$ 60.00	no bid
1	Black Hills Spruce	\$ 151.00	\$ 146.00	\$ 100.00	\$ 140.00	\$ 129.00	\$ 65.00	\$ 145.00	no bid
136									
	In Wire Cages/Baskets:	Yes	yes	Yes	yes	Yes	yes	no	Yes
<b>NOTES:</b>	Delivery Charges:	\$150/\$325	\$200/load	10% / 5%	\$240	\$ 125.00	Included	\$3.00/tree	\$625/Load
	Credit Card	Yes	No	yes	yes	No	No	Yes	Yes
	Minimum Order:	None	None	\$500	None	None	none	None	\$1,000.00

Attachment: Copy of 2014 SPRING TREE BID TAB (R-14-31 : 2014 spring tree bid)

CITY OF WAUWATOSA  
 PURCHASING DEPARTMENT  
 BIDS FOR SPRING TREES  
 RECEIVED January 28, 2014

Page 3 of 4		Johnson	Wayside	Silver Crk	Arthur Weiler	McKay	Meacham	Breezy Hill	Kankakee
Common Name		Bare Root	Bare Root	Bare Root	Bare Root	Bare Root	Bare Root	Bare Root	Bare Root
Quantity									
4	Amur Maple	no	\$ 70.00	no	no	no bid	no bid	No	no bid
16	Deborah Maple	bid	\$ 70.00	bid	bid	no bid	\$ 60.00	bid	no bid
23	Emerald Queen Maple	on	\$ 70.00	on	on	no bid	no bid	on	no bid
20	Royal Red Maple	Bare Root	\$ 90.00	Bare Root	Bare Root	no bid	\$ 75.00	Bare Root	\$ 68.00
6	Autum Blaze Maple	trees	no bid	trees	trees	\$ 74.00	\$ 69.00	Trees	\$ 83.00
7	Columnar Maple		\$ 70.00			\$ 54.00	no bid		no bid
1	Green Mtn. Sugar Maple		\$ 75.00			\$ 55.00	\$ 71.00	Can only	\$ 83.00
11	black alder		\$ 50.00			\$ 45.00	no bid	supply	no bid
39	hackberry		no bid			\$ 53.00	\$ 62.00	2" B&B	\$ 55.00
4	Turkish Filbert		no bid			\$ 77.00	no bid	at pricing	no bid
24	skyline honey locust		\$ 75.00			\$ 49.25	no bid	above	\$ 55.00
18	sunburst honeylocut		no bid			no bid	no bid		\$ 60.00
23	Kentucky coffeetree		\$ 90.00			\$ 67.50	\$ 76.00		no bid
3	Adams Crabapple		\$ 50.00			no bid	no bid		no bid
18	red jewel crabapple		\$ 55.00			no bid	no bid		no bid
3	sugartyme crabapple		no bid			\$ 51.00	no bid		no bid
7	prairie fire crabapple		\$ 50.00			\$ 49.00	\$ 49.50		no bid
4	Crimson Spire Oak		no bid			no bid	no bid		no bid
9	New Horizon Elm		\$ 90.00			no bid	\$ 70.00		no bid
6	Princeton Elm		\$ 95.00			no bid	no bid		no bid
6	prospector elm		\$ 90.00			no bid	no bid		no bid
4	Aristocrat Pear		no bid			no bid	no bid		no bid
5	autumn blaze pear		no bid			no bid	no bid		no bid
12	japanese tree lilac		no bid			\$ 57.00	\$ 77.00		no bid
20	redmond linden		\$ 90.00			\$ 44.25	\$ 47.00		\$ 59.00
21	Sterling Silver Linden		\$ 90.00			no bid	\$ 78.00		no bid
314	<b>Total</b>								
	In Wire Cages/Baskets:		Yes			Yes	yes		Yes
NOTES:	Delivery Charges:		\$200/Load			\$ 125.00	included		\$625 / load
	Credit Card	Yes	No	Yes	Yes	No	No		Yes
	Minimum Order:		None			None	none		\$1,000

Attachment: Copy of 2014 SPRING TREE BID TAB (R-14-31 : 2014 spring tree bid)

CITY OF WAUWATOSA  
 PURCHASING DEPARTMENT  
 BIDS FOR SPRING TREES  
 RECEIVED January 28, 2014

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Notes:

Bid tabulation reflects prices for requested items. Species substitutions are listed below.

(1.) Johnson Nursery Substituting How Wings Taterian Maple 2" for Amur Maple; (2.) 2" Crimson King Maple for Royal Red Maple; (3.) 2" Camulus Serviceberry for Serviceberry (4.) 1.5" Eye Stopper Cork tree for Cork

Wayside : Substituting 1-3/4" English Oak ; Black Hills Spruce is 6-7' ;

McKay Nursery: Availability of stock is subject to prior sale

Breezy Hill: No bareroot trees available - only has 2" B & B Material

Kankakee Nursery Co. Substituting 3" trees for Deborah Maple, Emerald Queen Maple, Sterling Silver Linden, Princeton Elm, Substituting 2.5" inch trees for Hackberry, Thornless Cockspur; Substituting 1.75" tree for Ironwood; Substituting Regal Prince for Crimson Spire Oak, and a 3 inch Triumph Elm for Prospector Elm

Indicates low bid for requested item

Indicates Substitution

The following vendors did not respond:

Vilani Land Shapers  
 Schichtels  
 Shemin Nursery  
 Timberline Trees  
 Prairie Acres

Attachment: Copy of 2014 SPRING TREE BID TAB (R-14-31 : 2014 spring tree bid)