



CITY OF WAUWATOSA

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COMMON COUNCIL

Regular Meeting, Tuesday, February 16, 2010

PRESENT: Alds. Birschel, Dennik, Ewerdt, Hanson, Herzog, Jay, Krol, McBride, Meaux, Nikcevich, Organ, Walsh, Wilke, Berdan -14

EXCUSED: Ald. Donegan

ABSENT: Ald. Stepaniak

ALSO PRESENT: Mr. Archambo, City Administrator; Mr. Kesner, City Attorney; Mr. Braier, Finance Director; Police Chief Weber; Ms. Ledesma, City Clerk; Ms. Van Hoven, Deputy City Clerk

Mayor Didier 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. -14

OLD BUSINESS

The following item was held after a public hearing on February 2, 2010:

RESOLUTION R-10-26

WHEREAS, the Wauwatosa Historic Preservation Commission met and held a public hearing on January 6, 2010 to review the qualifications of Wauwatosa Avenue from approximately Warren Avenue to Watson Avenue for designation as a Wauwatosa Historic Property, and;

WHEREAS, the properties located on Wauwatosa Avenue from approximately Warren Avenue to Watson Avenue were previously designated as a Wauwatosa Landmark District and are identified as historic in the Wauwatosa Historical Reconnaissance Study, and have been determined to be eligible for the National Register of Historic Places, and;

WHEREAS, the district complies with the criteria established under Chapter 24.55.040 of the Wauwatosa Municipal Code, and

WHEREAS, a preservation plan for the district has been prepared according to Section 24.55.060 of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Wauwatosa, Wisconsin, upon the recommendation of the Wauwatosa Historic Preservation Commission and the findings of fact, hereby designates Wauwatosa Avenue between approximately Warren Avenue to Watson Avenue as a Wauwatosa Historic District and adopts the attached plan for preservation of the properties included within the district.

It was moved by Ald. Krol, seconded by Ald. McBride to approve the foregoing resolution. -14

APPOINTMENTS BY THE MAYOR

Police and Fire Commission
Peter Subotich, 2557 N. 82nd Street
(term ends 4/30/11)

It was moved by Ald. Herzog, seconded by Ald. Dennik to concur with the foregoing appointment. -14

APPLICATIONS, COMMUNICATIONS, ETC.

1. Wauwatosa Water Utility Statement of Receipts and Disbursements for the period ending January 31, 2010
Place on file
2. Notice of claim: Tiffany Lindsey, 270 N. 115th Street
City Attorney
3. Street Festival Permit application for Sts. Constantine and Helen Greek Orthodox Church, 2160 Wauwatosa Avenue, for their annual festival from June 11-13, 2010
Community Development Committee
4. E-mail from Doni R. Patterson, 11112 W. Congress Street, opposing the street paving and assessment on Glenway Street
City Engineer, Public Works Director

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION

1. Ordinance amending Section 8.24 of the city code pertaining to Solid Waste Collection and Disposal
Re-referred to originating committee

REPORTS FROM STANDING COMMITTEES

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-10-19

WHEREAS, Robert E. McKenney, 6224 W. Wisconsin Avenue, Wauwatosa, WI, has applied for an operator's license in conjunction with his employment at Leff's Lucky Town, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Robert E. McKenney is hereby issued an operator's license for the period ending June 30, 2010.

It was moved by Ald. Birschel, seconded by Ald. Organ to approve the foregoing resolution. -14

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-10-20

WHEREAS, Leon Krueger and Peter Venturi have applied for a Conditional Use in the Trade District at 7226 W. North Avenue to extend hours of operation to 24 hours daily, 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 Leon Krueger and Peter Venturi for expanded hours in the Trade District at 7226 W. North Avenue subject to the following conditions:

- 1) hours of operation 24 hours daily,
- 2) approved lease arrangement for overnight parking, and
- 3) obtaining all necessary licenses and permits

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-10-21

WHEREAS, Barry Bergling, American Tower Corporation, has applied for a Conditional Use in the Trade District at 4100 N. 124th Street to install wireless antennas and associated equipment at an existing cellular tower site, 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 Barry Bergling, American Tower Corporation, to install wireless antennas and associated equipment at an existing cellular tower site at 4100 N. 124th Street subject to obtaining all necessary licenses and permits.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-10-22

WHEREAS, Rick Laev and Mark Brick have applied for a Conditional Use in the AA Business District at 8930 W. North Avenue to add an education/training room, 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 Rick Laev and Mark Brick to add an education/training room at 8930 W. North Avenue subject to the following conditions:

- 1) hours of operation for the classroom to be 9:00 a.m. to 9:30 p.m. and existing daily hours for Ray's Liquor to remain the same; and
- 2) obtaining all necessary licenses and permits

It was moved by Ald. Herzog, seconded by Ald. Hanson to approve the three foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-10-23

WHEREAS, as a CDBG Entitlement Community, the City of Wauwatosa receives funding from HUD for the purpose of providing programs that benefit low and moderate income individuals; and

WHEREAS, funding for planning studies may be provided from funds set aside to cover administrative expenses related to the CDBG Grant; and; and

WHEREAS, funding for a North Avenue planning study was part of the 2010 annual plan previously approved by the Common Council; and

WHEREAS, staff in the Community Development Department worked with representatives of the North Avenue Alliance and other associated business and neighborhood groups to define the

expectations of the group in order to ensure that the final study would provide the desired information and recommendations; and

WHEREAS, an RFP was issued for preparation of the study, twenty-four planning forms responded, and a selection committee identified two of the firms for further interviews; and

WHEREAS, the committee determined that the firm of RDG Planning and Design provided the best blend of planning expertise and knowledge of streetscaping and urban design as well as a very practical approach to creating a successful business corridor, and recommended that firm for the approval of the Common Council;

NOW, THEREFORE, BE IT RESOLVED THAT, appropriate city officials are hereby authorized to retain the firm of RDG Planning and Design for purposes of preparing the North Avenue Corridor Plan, pursuant to the terms of the RFP and the firm's proposal for a cost not to exceed \$39,934.00, to be funded with 2010 CDBG administrative funds.

It was moved by Ald. Ewerdt, seconded by Ald. Nikcevich to approve the foregoing resolution -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 2/3/10 – 2/16/10 --

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 2/3/10 – 2/16/10: \$1,897,700.26

It was moved by Ald. Meaux, seconded by Ald. Walsh 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

RESOLUTION R-10-24

WHEREAS, the Wauwatosa Purchasing Department has requested bids for emulsion and street patching materials for the Spring/Summer 2010 repair season; and

WHEREAS, each of the five bidders reflected in the memorandum of the Purchasing Manager dated February 2, 2010, 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 of the Purchasing Manager are hereby qualified to provide emulsion and street patching materials for the Spring/Summer 2010 repair season on an as-needed basis, with individual purchases being made on the basis of price, convenience and availability.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-10-25

WHEREAS, the Building Department has requested the Purchasing Manager to solicit prequalification statements and pricing for building contractors to perform building and/or maintenance work on an as-needed basis for jobs less than \$25,000.00; and

WHEREAS, six contractors responded with acceptable rates, as outlined in the memorandum of the Purchasing Manager to the Board of Public Works dated February 10, 2010, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED THAT the six separate contractors described in the memorandum of the Purchasing Manager are hereby pre-qualified to perform work for the Building Department on an as-needed basis for jobs less than \$25,000.00 pursuant to the proposals attached to the memorandum.

It was moved by Ald. Krol, seconded by Ald. Hanson
to approve the two foregoing resolutions. -14

(A third item from the Board of Public Works originally appearing on the final agenda was determined not to need Common Council approval, that being final payment on Contract 08-13.)

There being no further business, the meeting adjourned at 7:40 p.m.

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Carla A. Ledesma, CMC, City Clerk