



**CITY OF WAUWATOSA**  
MEMORIAL CIVIC CENTER  
7725 WEST NORTH AVENUE  
Telephone: (414) 479-8917  
Fax: (414) 479-8989

It is anticipated that each item listed on the agenda may be discussed, referred or acted upon unless it is noted in the specific agenda item that no action is contemplated.

**COMMON COUNCIL**  
**FINAL AGENDA**  
**Tuesday, November 4, 2003 - 7:30 P.M.**

1. Roll Call
2. Approval of Minutes of previous meeting

**PUBLIC HEARING**

1. Proposed 2004 city budget

**APPOINTMENTS BY THE MAYOR**

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. Special Use application to construct a dormer addition to a legal, non-conforming structure at 1573 N. 122nd Street  
**Plan Commission, Board of Zoning Appeals**
2. Special Use application to construct and operate a gas station and car wash at 3106 N. Mayfair Road  
**Plan Commission, Board of Zoning Appeals**
3. Letter from David Stamm and Jayne Aliota, George Webb Corporation, opposing the proposed smoke free restaurant ordinance  
**Add to existing file**
4. Conditional Use application to operate a massage therapy establishment at 11712 W. North Avenue  
**Plan Commission, Committee on Community Development**
5. Notice of Claim: Carlton John Rieckhoff, Jr., 5821 N. 61st Street, Milwaukee  
Angela Caston, 3344 Marina Road, South Milwaukee  
Lawsuit: Wauwatosa Reserve Limited Partnership v. City of Wauwatosa  
**City Attorney**
6. Donation: \$2,500 from the Harley-Davidson Motor Company and \$225 from Nancy Sileno Gillingham to Police Community Support  
**Place on file**
7. Letter from R. E. Jungen, President, Wauwatosa Economic Development Corp., reporting staffing and other changes of the WEDC  
**Director of Community Development; City Administrator**
8. Letter from Vesna and Marija Madunic, co-owners of Bjonda, 7754 Harwood Avenue, opposing the proposed smoke-free restaurant ordinance  
**Add to existing file**
9. Letter from John F. Fuchs, Fuchs, DeStefanis & Boyle, S.C., regarding the proposed smoke-free restaurant ordinance  
**Add to existing file**

10. City of Wauwatosa Bank Reconciliation of Depository Accounts as of September 30, 2003  
**Place on file**

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION**

1. Ordinance amending the Zoning Code to allow indoor electric go-cart tracks as a Conditional Use in the AA Light Manufacturing District  
**Re-refer to originating committee**

**REPORTS FROM STANDING COMMITTEES**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS**

1. Resolution establishing a policy relating to re-instatement of sick leave for non-represented employees  
**Committee recommended approval 5-0**

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

1. Ordinance amending Chapter 15.22.010(A) and 15.22.020 of the City Code by adding familial status as a protected basis  
**Committee recommended approval 8-0**
2. Resolution setting a public hearing date of December 2, 2003 to consider amending the zoning code to allow indoor electric go-cart tracks as a conditional use in the AA Light Manufacturing District  
**Committee recommended approval 8-0**
3. Ordinance creating Chapter 8.12 of the City Code pertaining to smoke-free restaurants  
**Committee forwarded without recommendation**

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

1. Resolution authorizing the Health Officer as fiscal agent for the bioterrorism consortium to purchase computer hardware and software  
**Committee recommended approval 7-0**
2. Resolution authorizing the Health Officer to accept and execute budgets of continuation grants in the amount of \$757,763  
**Committee recommended approval 7-0**
3. Resolution authorizing the Health Officer to purchase communications equipment for the Milwaukee/Waukesha County Consortium for Public Health Emergency Preparedness  
**Committee recommended approval 8-0**
4. Resolution authorizing the Housing Authority to sell bonds to finance a senior housing project  
**Committee recommended approval 8-0**
5. Resolution approving the 2004 Community Development Block Grant allocations  
**Committee recommended approval 8-0**
6. Resolution authorizing the proper city officials to enter into a 5-year agreement with Davies Water Equipment Company for the purchase of fire hydrants  
**Committee recommended approval 8-0**
7. Resolution approving the 2004 softball diamond rental rates at Hart Park  
**Committee recommended approval 8-0**
8. Resolution authorizing a fund transfer in the amount of \$5,000 to pay for elevator repairs at the Muellner Building  
**Committee recommended approval 8-0**
9. \*Resolution denying the claim of Barbara Marks, 6726 W. Blue Mound Road  
**Committee recommended approval 7-1**
10. Bills and Claims

\*Council may convene into closed session per Wis. Stat. 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and may reconvene into open session.

**FROM THE BOARD OF PUBLIC WORKS**

1. Resolution awarding the bid for Contract 03-38, Demolition of Building at 6535 River Parkway, to Tyler Construction, Inc. in the amount of \$92,000 (low of 8 bids; funded by MMSD)  
**Board recommended approval 4-0**

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, must contact the City Clerk at voice telephone 479-8917 or TTY 471-8484 (City Hall, 7725 W. North Avenue, Wauwatosa, Wisconsin 53213) for accommodations. Requests for accommodations for meetings should be made at least three (3) business days prior to the meeting. Every effort will be made to arrange accommodations for all meetings; so please give the City Clerk as much advance notice as possible.