

CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
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COMMON COUNCIL
Regular Meeting, Tuesday, June 3, 2003

PRESENT: Alds. Kopischke, Krol, McCarthy, Stepaniak, Subotich, Sullivan (7:32 p.m.), Treis, Bruderle-Baran, Becker, Casey, Ecks, Grimm, Herzog, Jenkins -14

EXCUSED: Alds. Heins and Matthews

ALSO PRESENT: Mr. Wontorek, City Administrator; Mr. Braier, Finance Director; Mr. Kesner; City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Lt. Witkowski; Fire Chief Redman; Mr. Wojcehowicz, Water Utility Supt.; Ms. Thomas, Payroll and Benefits Mgr.; Mr. Coffaro, Asst. to the Administrator; Ms. Ledesma, City Clerk; Ms. Williams, Deputy City Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 7:30 p.m.

It was moved by Ald. Grimm, seconded by Ald. Jenkins 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

Civic Celebration Commission

Dan Lofy, 202 Forest
(Term ends 12/31/07)

Foregoing appointment ordered held as this was the first reading.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Special Use application to operate a full service dry cleaning and laundry business at 7111 W. Center Street
Plan Commission, Board of Zoning Appeals
2. E-mail from Terry Nickasch, chairman of East Town Stroll the Avenue, requesting a street festival permit and street closures for the annual "Stroll the Avenue" on June 17, 2003
Requested under suspension of the rules
3. City of Wauwatosa Bank Reconciliation of Depository Accounts as of April 30, 2003
Place on file

4. Letter from William D. Petasnick, President and CEO of Froedtert Hospital, regarding the transition of campus security from Milwaukee County to Wauwatosa
City Attorney
5. Letter from Robert S. Berlan, Director of the office of Community Planning & Development, U.S. Dept. of Housing & Urban Development, approving the city's Consolidated Plan for Fiscal Year 2003
Director of Community Development
6. Letter from Ald. Treis forwarding a copy of a memorandum to Supervisor Roger Quindel regarding possible new site for the proposed Wisconsin Lutheran College athletic fields
Director of Community Development

It was moved by Ald. Stepaniak, seconded by Ald. Ecks to approve Item #2 under suspension of the rules. -3

The approved resolution is as follows:

RESOLUTION R-03-144

WHEREAS, Terry Nickasch, agent for the East Town Business & Merchant Association, has applied for a street festival permit to utilize N. 69th Street from North Avenue north to the alley on June 17, 2003 for the purpose of the seventh annual Stroll the Avenue event; and

WHEREAS, a review of the request indicates that issuance of the permit will be in the public interest.

NOW, THEREFORE, BE IT RESOLVED THAT upon payment of the prescribed \$100.00 permit fee, a street festival permit shall be granted for the Stroll the Avenue event to utilize N. 69th Street from North Avenue north to the alley on June 17, 2003 between the hours of 5:00 p.m. and 10:00 p.m. consistent with the terms and conditions reflected in the attached Street Festival Permit which is incorporated as though fully set forth herein.

FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION

1. Ordinance amending the City Code by establishing a 15-minute parking zone on the north side of Portland Avenue adjacent to Wilson Elementary School and correcting language relating to a 15-minute parking zone at Longfellow Middle School
Re-refer to originating committee

FROM THE COMMITTEE ON TRAFFIC & SAFETY

RESOLUTION R-03-145

WHEREAS, the special privilege permit for the loading zone at 8316 W. Blue Mound Road in the City of Wauwatosa has expired and no new fee has been paid; and

WHEREAS, current signage reflects one hour parking at this location pursuant to the general parking ordinances;

NOW, THEREFORE, BE IT RESOLVED THAT the special privilege loading zone permit formerly issued to the location at 8316 W. Blue Mound Road in the City of Wauwatosa is hereby revoked and parking at that location shall be subject to the ordinance currently in place.

It was moved by Ald. Krol, seconded by Ald. Ecks to approve the foregoing resolution. -13

(Ald. Sullivan present 7:32 p.m.) -14

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-03-146

WHEREAS, Giuseppe’s On Bluemound, Inc., d/b/a Giuseppe’s Pizza and Custard, 418 N. Mayfair Road, Wauwatosa, WI, has applied for a Class B beer and liquor license;

NOW, THEREFORE, BE IT RESOLVED THAT a Class B beer and liquor license be awarded to Giuseppe’s On Bluemound, Inc., d/b/a Giuseppe’s Pizza and Custard, 418 N. Mayfair Road, Wauwatosa, WI, for the period ending June 30, 2004.

It was moved by Ald. Treis, seconded by Ald. Casey to approve the foregoing resolution. -14

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-03-147

WHEREAS, the Wauwatosa Water Utility has requested a change in staffing by reallocation of one person from the Meter Service staff and incorporating said position into the Water Maintenance staff; and

WHEREAS, the reallocation of this position would be a demotion to a lower classification; and

WHEREAS, the change of this position is being conducted at the employee’s request; and

WHEREAS, this change of position allocation will more closely align with priorities due to changes in Public Service Commission regulations;

NOW, THEREFORE, BE IT RESOLVED THAT the position distribution chart shall be amended to reallocate one position from Water Meter Service Person to an additional Water Maintenance Person.

It was moved by Ald. Jenkins, seconded by Ald. Kopischke to approve the foregoing resolution. -14

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-03-149

WHEREAS, Kent Westmass has applied for a Conditional Use to construct a pedestrian canopy on the Wauwatosa Presbyterian Church located in the AA Single Family Residence District at 2366 N. 80th Street 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Kent Westmass of Wauwatosa Presbyterian Church to construct a pedestrian canopy in the AA Single Family Residence District at 2366 N. 80th Street.

It was moved by Ald. Herzog, seconded by Ald. Bruderle -
Baran to approve the foregoing resolution. -14

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION

WHEREAS, William Heinlein and Keith Nygren have applied for a Conditional Use to construct a 36,000 square foot addition in the Medical Center and Institutions District at 8700 Watertown Plank Road 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to William Heinlein and Keith Nygren to construct a 36,000 square foot addition in the Medical Center and Institutions District at 8700 Watertown Plank Road subject to the following conditions:

- 1. Obtaining the proper city licensing and permits
- 2. Engineering department approval of storm water/water quality issues
- 3. Parking lot plan approval

It was moved by Ald. Casey, seconded by Ald. Treis
to approve the foregoing resolution. –

It was moved by Ald. Sullivan, seconded by Ald. Kopischke
to amend the resolution by adding the phrase, ‘The installation
of 155 new parking spaces shown on the site plan shall be

delayed pending a one-year review of on-site parking needs.”
Upon roll call vote, the vote was Ayes 13, Noes 1 (Becker)

Vote on the motion, as amended, upon roll call vote was Ayes 14.

The amended resolution is as follows:

AMENDED RESOLUTION R-03-148

WHEREAS, William Heinlein and Keith Nygren have applied for a Conditional Use to construct a 36,000 square foot addition in the Medical Center and Institutions District at 8700 Watertown Plank Road 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to William Heinlein and Keith Nygren to construct a 36,000 square foot addition in the Medical Center and Institutions District at 8700 Watertown Plank Road subject to the following conditions:

1. Obtaining the proper city licensing and permits
2. Engineering department approval of storm water/water quality issues
3. Parking lot plan approval
4. The installation of 155 new parking spaces shown on the site plan shall be delayed pending a one year review of on-site parking needs

FROM THE COMMITTEE ON BUDGET AND FINANCE

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI,

The Committee on Budget and Finance to whom was referred the report of independent auditors for the City of Wauwatosa and Wauwatosa Water Utility for the year ended December 31, 2002, recommends to the Common Council that the matter of the independent auditors' report be placed on file.

Dated this 27th day of May 2003.

Committee on Budget and Finance

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-03-150

WHEREAS, the City of Wauwatosa solicited proposals to provide stop loss insurance for the City's self-insured health and dental plans for the period June 1, 2003 through May 31, 2004; and

WHEREAS, of the proposals received, the bid by AIG Life Insurance providing a \$75,000.00 stop loss (deductible) per individual, with only one minor exception, is the most advantageous to the City and fits within current budget allocations;

NOW, THEREFORE, BE IT RESOLVED THAT the contract for stop loss insurance on the City of Wauwatosa's self-insured health and dental plans for the period June 1, 2003 through May 31, 2004 is hereby awarded to AIG Life pursuant to the final proposal submitted by AIG providing for a \$75,000.00 stop loss amount per individual insured.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-03-154

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the claim filed by Christopher Andrade for damages be and the same is hereby denied and placed on file for the reason that no liability exists on the part of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to notify said claimant of this action of the Common Council as provided by law.

It was moved by Ald. Stepaniak, seconded by Ald. McCarthy to approve the one foregoing report and two foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-03-151

WHEREAS, the Wauwatosa Fire Department has requested an increase in ambulance transport fees pursuant to the request of the Fire Chief on May 20, 2003; and

WHEREAS, the increase reflected in the Fire Chief's request would more closely align Wauwatosa's fees with those of neighboring and comparable communities;

NOW, THEREFORE, BE IT RESOLVED THAT the ambulance transport fees shall be changed in accordance with the recommendations of the Wauwatosa Fire Chief as detailed in his memorandum of May 20, 2003, a copy of which is attached hereto and incorporated herein.

It was moved by Ald. Stepaniak, seconded by Ald. McCarthy to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 12, Noes 1 (Sullivan)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-03-152

WHEREAS, the current agreement for the provision of senior programming with the YMCA of Metropolitan Milwaukee, West Suburban Branch, expires on December 31, 2003; and

WHEREAS, the current agreement contains provisions for up to two one year extensions; and

WHEREAS, the City of Wauwatosa Board of Parks and Forestry Commissioners have held several meetings to discuss the extension of the current agreement with the YMCA for provision of senior programming at the Hart Park Senior Center and has recommended support of a one year extension of the contract for the year 2004;

NOW, THEREFORE, BE IT RESOLVED THAT the agreement with the YMCA of Metropolitan Milwaukee, West Suburban Branch, for senior programming at Hart Park Senior Center shall be extended for an additional one year, and shall expire December 31, 2004.

It was moved by Ald. Stepaniak, seconded by Ald. McCarthy to approve the foregoing resolution. –

It was moved by Ald. Krol to hold the matter for two weeks in order to get information on revenue from programming fees. –Motion failed for lack of a second.

Vote on original motion upon roll call vote was Ayes 13, Noes 1 (Krol)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-03-153

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the claim filed by Laura B. Buege for damages be and the same is hereby denied and placed on file for the reason that no liability exists on the part of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to notify said claimant of this action of the Common Council as provided by law.

It was moved by Ald. Stepaniak, seconded by Ald. McCarthy to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 13, Present 1 (Herzog)

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 5/21/03 – 6/03/03

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 5/21/03 – 6/03/03: \$1,151,173.70

It was moved by Ald. Casey, seconded by Ald. Ecks that each and every one of the accounts of bills and claims be allowed and ordered paid. Upon roll call vote, the vote was Ayes 14.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-155

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized and directed to enter into a contract with Tyler Company, Inc., of Butler, Wisconsin for the work of Demolition of Buildings, Hart Park Floodway Buyout Phase III, and work incidental thereto under Contract 03-17, at and for their bid price of \$156,900, this being the lowest and best bid. This work is being funded by the Milwaukee Metropolitan Sewerage District.

BE IT FURTHER RESOLVED that the surety deposits, if any, be returned to the unsuccessful bidders.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-156

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT permission be and the same is hereby granted to Allen Silverstein, 8837 Jackson Park Boulevard, to encroach upon City right-of-way with stairs and a handicapped access ramp at 2281 Swan Boulevard subject to the applicant executing unto the City of Wauwatosa an indenture setting forth the terms, provisions and conditions relating to the granting of the aforesaid permission by said City to said applicant.

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

There being no further business, the meeting adjourned at 7:55 p.m.