

CITY OF WAUWATOSA
MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
Telephone: (414) 479-8917
Fax: (414) 471-8989

COMMON COUNCIL
Regular Meeting, Tuesday, July 15, 2003

PRESENT: Aids. McCarthy, Subotich, Stepaniak, Sullivan (7:35 p.m.), Treis, Bruderle-Baran,
Becker, Casey, Ecks, Grimm, Heins, Herzog, Kopischke, Krol -14

EXCUSED: Aids. Jenkins, Matthews

ALSO T. Wontorek, City Admin.; A. Kesner, City Attorney; W. Kappel, Public Works PRESENT:
Director; B. Weber, Police Chief; M. Mulroy, Library Director; M. Brown, Personnel
Dir.; J. Plass, Accounting Mgr.; B. Williams, Deputy City Clerk; E. Steinke, Recording
Clerk

Mayor Estness in the Chair.

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

Ms. Pat Ziperski was honored for her service to the community with over 20 years on the Library Board.

Moved by Ald. Grimm, seconded by Ald. Kopischke
that the reading of the minutes of the last regular meeting be
dispensed with and that they be approved as printed. -14

APPOINTMENTS BY THE MAYOR

Citizens' Advisory Capital Improvements Committee
Frank DeFrain, 1335 N. 63rd Street (Term ends 6/30/06)

Foregoing appointment ordered held as this was the first reading.

Library Board

Peter Holtz, 2650 N. 89th Street
(Term ends 6/30/06)
Joseph Ptaszek, 7814 Livingston Avenue (reappointment)
Marion Youngquist, 8220 Harwood Avenue (reappointment)
(Terms end 6/30/06)

Ad Hoc Cable Television Committee

Keith Murphy, Wauwatosa School District
(Term ends 6/30/06)

Board of Zoning Appeals

James O'Connell, 2550 N. 85th Street (reappointment)
Michael McCabe, 1317 N. 116th Street (reappointment)
(Terms end 4/30/05)

Design Review Board A

James Ruzicka, 2127 N. 74th Street (reappointment)
(Term ends 12/31/04)

Design Review Board B

Michael Murray, 2626 N. 94th Street (reappointment)

Board of Public Debt Commissioners

Marlyn Spear, 2335 N. 89th Street (reappointment)
(Term ends 4/30/06)

Board of Examiners and Appeals

J. Travers Price, 8626 Jackson Park Blvd. (reappointment)
William G. Murphy, 7303 Maple Terrace (reappointment)
Robert Ornst, Jr., 6526 Hillcrest Drive (reappointment)
Charles Millman, 2250 N. 72nd Street (reappointment)
(Terms end 5/30/05)

Citizens' Advisory Capital Improvements Committee

James Engelhardt, 6581 Washington Circle (reappointment)
Richard Deuel, 2426 N. 116th Street (reappointment)
Kathy Barry, 608 N. 62nd Street (reappointment)
(Terms end 6/30/06)

Police and Fire Commission

Marna Tess-Mattner, 1542 Upper Parkway South (reappointment)
(Term ends 4/30/08)

Moved by Ald. Ecks, seconded by Ald. Heins to approve the
foregoing appointments -14

APPLICATIONS, COMMUNICATIONS, ETC.

1. City of Wauwatosa Investment Summary and Statement of Financial Condition as of June 30, 2003;
Bank Reconciliation of Depository Accounts as of May 31, 2003
Place on file
2. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended June 30, 2003
Place on file
3. Conditional Use application to operate a store selling secondhand and new merchandise at 7215
W. North Avenue

Plan Commission, Committee on Community Development

APPLICATIONS, COMMUNICATIONS, ETC.

4. Letter from David M. Stamm, President of George Webb Corporation, supporting the Wisconsin Restaurant Association’s position regarding efforts to ban smoking in Wauwatosa restaurants

Add to existing file

5. Special Use application to add a rear addition onto a legal, non-conforming residence at 8335 W. Portland Avenue

Plan Commission, Board of Zoning Appeals

6. Milwaukee Metropolitan Sewerage District 2002 Comprehensive Annual Financial Report and Proceedings of the 2002 Commission meetings

Place on file

7. Letter from Thomas H. Buestrin, Chairman of Southeastern Wisconsin Regional Planning Commission, certifying that SEWRPC Planning Report No. 47, A Regional Freeway System Reconstruction Plan for Southeastern Wisconsin, was adopted on May 21, 2003

Place on file

8. Letter from Thomas L. Aldridge, President of Aldridge, Inc., supporting the Wisconsin Restaurant Association’s position regarding efforts to ban smoking in Wauwatosa restaurants

Add to existing file

9. Letter from Richard Bachman, Fisher Woods Neighborhood Assn., 2229 N. 115th Street, requesting investigation and discussion regarding development of the public works site north of the police station

Director of Community Development

FROM THE COMMITTEE ON EMPLOYEE RELATIONS FOR INTRODUCTION

1. Ordinance amending Sections 2.52.070, 2.52.071, 2.58.120 and 2.58.125 pertaining to eligibility for health and dental benefits

Re-refer to originating committee

2. Ordinance amending Section 2.36.060(E) of the City Code pertaining to appointment of a candidate to the position of Health Officer

Re-refer to originating committee

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

RESOLUTION R-03-174

WHEREAS, Wauwatosa Health Department has presented a “Concept Paper” regarding a possible system of “Shared Public Health Management” for the Cities of West Allis, Wauwatosa, Greenfield, and Greendale; and

WHEREAS, the shared services model outlined in this concept paper would provide for shared management, while not resulting in an actual consolidation of the services provided to the citizens within the individual communities; and

WHEREAS, the shared management concept could result in a reduction in duplicative administrative positions between the participating communities resulting in a significant cost savings;

NOW, THEREFORE, BE IT RESOLVED THAT the staff of the City of Wauwatosa is hereby authorized to pursue exploration of the concept of Shared Public Health Management as outlined in the Concept Paper from the Wauwatosa Health Department, with the understanding that implementation of the concept will require Common Council approval.

FROM THE COMMITTEE ON EMPLOYEE RELATIONS

ORDINANCE O-03-19

AN ORDINANCE TO AMEND CHARTER ORDINANCE SECTION 20.01(2)(b)(1) REGARDING RECRUITMENT FOR VACANCIES

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

Part I. Section 20.01(2)(b)(1) of the Charter Ordinances of the City of Wauwatosa is hereby amended to read as follows:

1. For open competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Examinations may be limited to current City employees only when the Commission determines that the best interests of the City shall be served. In all other cases, the examinations shall be open to eligible non-City employee applicants. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

Part II. This ordinance shall take effect 60 days following its passage and publication.

Moved by Ald. Casey, seconded by Ald. Stepaniak to approve the foregoing resolution and ordinance -14

FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS

RESOLUTION R-03-175

WHEREAS, in a memorandum dated June 19, 2003, the City Administrator recommended a policy regarding the types of materials to be included with the City of Wauwatosa's newsletter and the allocation of costs to organizations inserting those materials; and

WHEREAS, the Committee concurs with the recommendations of the City Administrator's June 19, 2003 memorandum, a copy of which is attached and hereby incorporated in this resolution;

NOW, THEREFORE, BE IT RESOLVED THAT the newsletter article and insert policy recommended by the City Administrator in his June 19, 2003 memorandum is hereby approved.

FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS

RESOLUTION R-03-176

WHEREAS, Edwin Travis, 4260 S. Ravinia Drive, Greenfield, WI, has applied for an operator's license in conjunction with his employment at Applebee's, 2500 N. Mayfair Road, Wauwatosa; and

WHEREAS, a background investigation revealed prior law violations which create concern for the Committee on Legislation, Licensing & Communications, which requested his appearance to answer those concerns; and

WHEREAS, Mr. Travis has failed to appear or respond to multiple requests from the Committee; and

WHEREAS, his failure to respond or appear indicates an additional level of concern which is directly related to his ability to satisfactorily operate under the license restrictions in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Edwin Travis, 4260 S. Ravinia Drive, Greenfield, is hereby denied;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Mr. Travis in writing of this decision and the reasons for the denial.

Moved by Ald. Sullivan, seconded by Ald. Treis to approve the foregoing resolutions -14

FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS

RESOLUTION

WHEREAS, Christopher Unholz, 2652 N. 62nd Street, Wauwatosa, WI, has applied for an operator's license in conjunction with his employment at Bjonda, 4711 Harwood Avenue, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Christopher Unholz is hereby issued an operator's license for the period ending June 30, 2004;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Mr. Unholz's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

Moved by Ald. Sullivan, seconded by Ald. Treis to approve the foregoing resolution. Upon a roll call vote, Ayes: 5, Noes: 9 (McCarthy, Subotich, Bruderle-Baran, Becker, Grimm, Heins, Herzog, Kopischke, Krol)
Motion fails.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-03-177

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Richard G. Jacobus to combine the parcels located at 2303, 2323, 2351, and 2365 North Mayfair Road, Wauwatosa. These parcels are more particularly described as follows:

- (1) Lot 1, Block 16 in Ritter Oak Ridge Subdivision, in the Southwest ¼ of Section 15, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.
- (2) Lot 2, Block 16 in Ritter Oak Ridge Subdivision, in the Southwest ¼ of Section 15, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.
- (3) Lot 3, Block 16 in Ritter Oak Ridge Subdivision, in the Southwest ¼ of Section 15, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.
- (4) Lots 2, Block 4 in West Lawn Park Subdivision, in the Southwest ¼ of Section 15, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of 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.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-03-178

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to John and Amy Thorson to combine the parcels located at 6846 Milwaukee Avenue, Wauwatosa. These parcels are more particularly described as follows:

1) All except North 54 feet and East 10 feet of Lot 11, Block 1 in Brown's Subdivision, Southwest ¼ section 22, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin.

2) Lot 10 and East 10 feet of Lot 11 except N 54 feet thereof of Block 1 in Brown's Subdivision, Southwest ¼ section 22, in Township 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of 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.

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-03-179

WHEREAS, the City of Wauwatosa and Milwaukee County have agreed to work together on the development of approximately 60 acres of land on the County Grounds along Watertown Plank Road; and

WHEREAS, the City and County have determined that the development of a master plan and design guidelines for the site including the creation of a request for qualifications that will be used to solicit proposals from interested parties is the next task in accomplishing this goal; and

WHEREAS, City and County have determined that the most feasible option for accomplishing this task is to hire a consultant experienced in the development of conceptual master plans; and

WHEREAS, that staff were authorized to solicit proposals from qualified consultants to develop a conceptual master plan and RFQ for the development of approximately 60 acres of land on the County Grounds including the Eschweiler buildings; and

WHEREAS, staff from the City and County have reviewed the proposals and made a recommendation on the selection of a consultant;

WHEREAS, funding for the project is available and will consist of \$15,000 from Milwaukee County and \$23,600 from the City's County Grounds account;

NOW, THEREFORE, BE IT RESOLVED that staff are directed to enter into a contract for the preparation of master plan and design guidelines for the development of approximately 60 acres of land on the County Grounds along Watertown Plank Road to The Kubala Washatko Architects, Inc. and their partners Conservation Design Forum and Earth Tech.

Moved by Ald. Ecks, seconded by Ald. Becker to approve the three foregoing resolutions -14

FROM THE COMMITTEE ON BUDGET & FINANCE

RESOLUTION R-03-180

WHEREAS, the position of Assistant to the City Administrator has become vacant due to a recent resignation; and

WHEREAS, the City Administrator has recommended that the position be filled with an Administrative Intern at a salary of \$12.00 per hour, including benefits; and

WHEREAS, the approximate savings by filling the position with a lower cost intern would be approximately \$20,000.00 per year;

NOW, THEREFORE, BE IT RESOLVED THAT the vacancy in the Assistant to the City Administrator position be filled, as an exception to the current hiring freeze, by a person at the Administrative Intern level at a salary of \$12.00 per hour including benefits.

Moved by Ald. Stepaniak, seconded by Ald. Casey to approve the foregoing resolution. Upon a roll call vote, Ayes: 12, Noes: 2 (Ecks, Grimm)

FROM THE COMMITTEE ON BUDGET & FINANCE

RESOLUTION R-02-181

WHEREAS, the Community Development Committee has recommended the selection of the Kubala Washatko Architects in collaboration with Conservation Design and Earth Tech for purposes of preparation of a master plan and design guideline for redevelopment of a 65 acre parcel located in the northeast quadrant of the Milwaukee County Grounds; and

WHEREAS, the total cost of the master plan and design guidelines is projected to be \$38,500.00 pursuant to the proposal of the Kubala Washatko Architects, of which Milwaukee County has committed \$15,000.00 toward the contract; and

WHEREAS, the City of Wauwatosa has previously allocated up to \$50,000.00 in funds for projects related to the County Grounds;

NOW, THEREFORE, BE IT RESOLVED THAT expenditure of up to \$23,500.00 for the contract with Kubala Washatko Architects for preparation of the master plan and design guidelines for the 65 acre parcel on the northeast quadrant of the County Grounds is hereby approved.

Moved by Ald. Stepaniak, seconded by Ald. Casey to approve the two foregoing resolutions -14

FROM THE COMMITTEE ON BUDGET & FINANCE

BILLS AND CLAIMS FOR THE PERIOD 7/2/03 - 7/15/03 --

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 7/2/03 - 7/15/03: \$1,211,827.41

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 a roll call vote, Ayes: 14

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-182

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 American Sewer Services, Inc. of Hartford, Wisconsin for the work of Contract 03-03, Water Main Relay and Extension, at and for their bid price of \$746,379.20, this being the lowest and best bid.

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-183

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 Crowley Construction Corporation, Wauwatosa, Wisconsin, for work of city-wide pavement marking under Contract 03-22 at and for their bid price of \$21,385.20, this being the lowest and only bid.

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-184

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 Munson, Inc. of Glendale, Wisconsin for the work of rehabbing the running track at Hart Park under Contract 03-25 at and for their bid price of \$38,474.00, this being the lowest and only bid.

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-185

WHEREAS, the Wauwatosa School District for Jefferson School, 6927 Maple Terrace, requested permission to encroach onto City property with landscaping, plantings, and a small retaining wall; and

NOW, THEREFORE, BE IT RESOLVED THAT the encroachment onto the City right-of-way requested by the Wauwatosa School District for Jefferson School, 6927 Maple Terrace, is hereby approved, contingent upon execution of an appropriate encroachment agreement;

BE IT FURTHER RESOLVED THAT all fees for said encroachment agreement are hereby waived.

Moved by Ald. Bruderle-Baran, seconded by Ald. Heins to approve the
four foregoing resolutions -14

There being no further business, the meeting adjourned at 8:23 p.m.

Bernadette A. Williams, Deputy City Clerk