



CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
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COMMON COUNCIL

Regular Meeting, Tuesday, September 2, 2003

PRESENT: Alds. Subotich, Sullivan, Treis, Bruderle-Baran, Becker, Casey, Ecks, Grimm, Heins, Herzog, Jenkins, Kopischke, Krol, Matthews, McCarthy, Stepaniak -16

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 Chief Weber; Mr. Brown, Personnel Director; Mr. Wojcehowicz, Water Utility Supt.; 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. Kopischke that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -16

APPOINTMENTS BY THE MAYOR

Board of Examiners and Appeals

Lisa Balistreri, 9302 Beverly Place (reappointment)
(Term ends 5/30/05)

Ordered held as this was the first reading.

Civil Service Commission

Thomas Mongan, 8425 W. Clarke Street
(Term ends 9/30/04)

Design Review Board B

John Pernice, 2361 N. 88th Street
(Term ends 12/31/05)

Board of Park and Forestry Commissioners

Dan Mitchell, 11925 W. Oxford Place
(Term ends 4/30/06)

It was moved by Ald. Ecks, seconded by Ald. Heins to concur with the foregoing appointments. -16

APPLICATIONS, COMMUNICATIONS, ETC.

1. City of Wauwatosa Investment Summary and Statement of Financial Condition as of July 31, 2003
Place on file
2. Notice of Claim: Deb Mueller, 17835 Elm Terrace Cir., Brookfield; Murray Carlson, 2510 N. 124th Street
City Attorney
3. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended July 31, 2003
Place on file
4. Conditional Use application to operate a massage therapy establishment at 7332 W. State Street
Plan Commission, Committee on Community Development
5. Special Use application to construct a rear dormer addition to a legal, non-conforming structure at 8154 Woodland Avenue
Plan Commission, Board of Zoning Appeals
6. Special Use application to construct a two-story addition to the rear of a legal, non-conforming structure at 7938 Jackson Park Boulevard
Plan Commission, Board of Zoning Appeals
7. Special Use application to operate a service station and convenience store at 11417 Watertown Plank Road
Plan Commission, Board of Zoning Appeals
8. Special Use application to operate a restaurant at 7225 W. North Avenue
Plan Commission, Board of Zoning Appeals
9. Special Use application to construct a rear addition to a legal, non-conforming structure at 11426 W. Wisconsin Avenue
Plan Commission, Board of Zoning Appeals
10. Special Use application to operate a Persian and Mediterranean restaurant at 6030 W. North Avenue
Plan Commission, Board of Zoning Appeals
11. Southeastern Wisconsin Regional Planning Commission 2002 Annual Report
Place on file
12. Request by Bill Poull to extension the liquor license of the Club Tap, 8828 W. North Avenue, to include the parking lot on October 18 and 19, 2003 for an annual pig roast
Committee on Legislation, Licensing, & Communications
13. Letter from the Wauwatosa Crime Stoppers, Inc. Board of Directors urging the city to maintain current funding levels of the police department
Budget Committee
14. City of Wauwatosa Investment Summary as of August 31, 2003
Place on file

FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION

1. Ordinance establishing a two hour parking restriction on portions of the north side of W. North Avenue
Re-refer to originating committee

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-03-206

WHEREAS, Bradley J. Lux has requested a temporary expansion of the area subject to the liquor license of Hector's A Mexican Restaurant, 7118 W. State Street, for the purpose of conducting an annual Hectorfest charity fundraiser; and

WHEREAS, the Committee on Legislation, Licensing & Communications recommends approval of the same subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT the location of the liquor license of Hector's A Mexican Restaurant be expanded to include the parking lot on Sunday, September 14, 2003 from Noon to 7:00 P.M.

BE IT FURTHER RESOLVED THAT the applicant be responsible for cleaning up refuse generated by the event.

It was moved by Ald. Treis, seconded by Ald. Ecks
to approve the foregoing resolution. -16

FROM THE COMMITTEE ON TRAFFIC AND SAFETY

ORDINANCE O-03-20

AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 11.32.080 TO CREATE ONE-HOUR PARKING ZONES ON PORTIONS OF NORTH 77TH STREET AND MARY ELLEN PLACE IN THE CITY OF WAUWATOSA

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

Part I. The "North 77th 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:

(hh) From West Blue Mound Road to the north property line of 529 N. 77th Street

Part II. The "Mary Ellen Place" portion of the "schedule of streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by being renamed "Mary Ellen Place – South Side" and adding the following:

(hh) From the east property line of 7705 Mary Ellen Place to the west lot line of 7729 Mary Ellen Place

Part III. This ordinance shall take effect on and after its date of publication.

It was moved by Ald. Krol, seconded by Ald. Matthews
to adopt the foregoing ordinance. -16

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-03-207

WHEREAS, the Wauwatosa Water Utility is currently in the process of connecting existing water mains on North 119th Street from W. Capitol Drive to a point near the north end of the Harley Davidson property; and

WHEREAS, Phase I assessment has revealed that it is necessary to perform Phase II Environmental Site Assessment at this location due to environmental concerns that were not previously anticipated; and

WHEREAS, the current contract for Phase I Environmental Site Assessment at this location has been conducted with K. Singh & Associates, Inc. of Elm Grove, WI; and

WHEREAS, K. Singh & Associates, Inc. has estimated total engineering and commodity services for the Phase II Environmental Site Assessment at this location at a total price of \$19,360.00 which is a reasonable price for this type of services;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Water Utility's recommendation to continue the existing working relationship with K. Singh & Associates, Inc. of Elm Grove, WI, for the Phase II Environmental Site Assessment at the location stated above is hereby approved and the competitive bidding process is waived.

It was moved by Ald. Stepaniak, seconded by Ald. Matthews to approve the foregoing resolution. Ayes 15, Present 1 (Casey)

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 8/6/03 – 9/2/03 --

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 8/6/03 – 9/2/03: \$2,657,432.79

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 16.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-208

BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT Fleet Equipment numbers L-09, M-03, M-08, M-26, M-27, M-28, and P-102 be declared surplus and that the Purchasing Manager be authorized and directed to dispose of these vehicles in a manner most advantageous to the City.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-209

WHEREAS, Builders Brick and Materials, 12005 W. Hampton Avenue, Wauwatosa, currently receives sanitary sewer and storm sewer service as a direct connection to the City of Milwaukee sanitary and storm sewer systems; and

WHEREAS, the Builders Brick and Materials plant is currently undergoing reconstruction which will require new sanitary and storm sewer connections; and

WHEREAS, the City of Wauwatosa does not have a sanitary sewer main on 119th Street nor W. Hampton Avenue available for this connection; and

WHEREAS, the City of Milwaukee is willing continue service to the site on condition that the City of Wauwatosa formally resolve to allow the new connection;

NOW, THEREFORE, BE IT RESOLVED THAT the request of Builders Brick and Materials, 12005 W. Hampton Avenue, Wauwatosa, to connect to the sanitary sewer and storm sewer system with the City of Milwaukee is hereby approved.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-210

WHEREAS, the Village Business Improvement District of Wauwatosa has requested permission to encroach onto City property in the right-of-ways at the northern end of Harwood Avenue perpendicular from Drew's Variety Store, on the southwest corner of Harmonie and Underwood Avenues, in front of Noodles restaurant on State Street and Harwood Avenue, and in front of the Village Fair Shopping Center; and

WHEREAS, this encroachment would be for the purpose of placing additional bicycle racks in the various Village areas;

NOW, THEREFORE, BE IT RESOLVED THAT the application of the Village Business Improvement District of Wauwatosa to encroach onto City of right-of-ways with bicycle racks in the various Village areas stated above be approved.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-211

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 General Pipe Services, Inc., of Waukesha, Wisconsin for the work of sanitary sewer cleaning and TV inspection and storm sewer TV inspection and work incidental thereto under Contract 03-05 at and for their bid price of \$21,939.66, 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-03-212

WHEREAS, the City has a contract to replace the roof at the Public Works Building under Contract 03-29; and,

WHEREAS, the City wishes to purchase the materials used for replacing the roof under a tax exempt status; and

WHEREAS, the price of the materials, including tax, be deducted from the contract via Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa as follows:

Section 1. That the competitive bidding process be waived and a purchase order be issued directly to Roofers Mart of WI, Inc. in the amount of \$179,110.98.

Section 2. That Change Order No. 1 to Contract 03-20 be approved for a net credit in the amount of \$10,030.21.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-03-213

WHEREAS, the Board of Public Works has accepted the work of demolition of buildings in the Hart Park Floodway Buyout Phase II and work incidental thereto in the City of Wauwatosa under Contract 03-17 and the same is ready for final payment.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa as follows:

Section 1. That the work of demolition of buildings under Contract 03-17 is hereby accepted.

Section 2. That the proper city officers be and they are hereby authorized and directed to draw and sign a city order in the sum of forty thousand six hundred forty-six dollars and six cents (\$40,646.06) in favor of Tyler Company, Inc. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

It was moved by Ald. Herzog, seconded by Ald. Bruderle -
Baran to approve the six foregoing resolutions. -16

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

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Carla A. Ledesma, CMC, City Clerk