

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, December 17, 2002**

PRESENT: Alds. Subotich, Sullivan (7:39 p.m.), Treis, Bruderle-Baran, Becker, Casey, Ecks, Grimm, Heins, Herzog, Jenkins, Kopischke, Krol, McCarthy, Stepaniak -15

EXCUSED: Ald. 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 Chief Weber; Fire Chief Redman; Mr. Brown, Personnel Director; Mr. Lenski, Deputy Assessor; Mr. Coffaro, Asst. to the Admin. Ms. Ledesma, City Clerk; Ms. Williams, Deputy City Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 7:37 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. -14

(Ald. Sullivan present 7:39 p.m.) -15

**POLL WORKER APPOINTMENTS**

District 1

Ruth Vijayapal, 1514 N. 68th Street  
Lois Proft, 2233 N. 63rd Street  
Laura Perez, 1708 N. 73rd Street  
Bernice Sisulak, 7358 Harwood Avenue

Elton Smith, 6706 Revere Avenue  
James Landolt, 2212 N. 70th Street  
Lillian Alberts, 2225 N. 64th Street  
Evelyn A. Laabs, 2248 N. 70th Street

John D. McCarthy, 1511 N. 65 Street  
Ann Larson, 6128 W. Washington Blvd.  
Bruce Johnson, 6325 W. North Avenue  
Margaret Strobel, 2021 N. 71st Street

Bernice Laabs, 2248 N. 70th Street

District 2

Lucile Dexter, 2213 N. 62nd Street  
Lucille Manke, 9327 W. North Avenue  
Janet Weimar, 9018 Jackson Park Blvd.  
Marian Vandenhauvel, 1838 Ludington Ave.  
Margaret Leising, 7628 Woodland Avenue

Gertrude S. Keske, 8514 Jackson Park Blvd.  
Janet McGrath, 1924 N. 81st Street  
Jeanette Quindt, 8201 Aberdeen Court

Lois Yanny, 8008 Hillcrest Drive  
Frances H. Cartier, 8140 Hillcrest Drive

Alice Voight 343 N. 113th Street  
Howard Baszynski, 8205 Chestnut Street  
Paul Gaus, 9040 Jackson Park Blvd.  
Francis Cotter, 605 N. 111th Street  
Joyce Schuller, 8137 Gridley Avenue

District 3

Anne Goyette, 8015 Harwood Avenue  
Patricia D'Amore, 8720 Glencoe Circle  
Irene Wellnitz, 10200 W. Blue Mound Road  
Jean Malinowski, 8643 Glencoe Circle  
Eleanore Oberle, 8826 Ravenswood Circle

Janet Pomush, 524 N. 98th Street  
Helen Davison, 10426 W. Michigan St.  
Marlene Brener, 10331 W. Wisconsin Avenue  
Kathryn Sommer, 812 Windsor Court  
Antonette Needham, 504 N. 109th Street

Kathy Wilfrath, 210 N. 110th Place  
Margaret Kusik, 11824 W. Homewood Avenue  
Norma Hollander, 519 N. 116th Street  
Margaret Mihm, 739 N. 114th Street  
Christine Cotter, 605 N. 111th Street

District 4

Howard Nicholson, 619 N. 78th Street  
Dick Bulgrin, 7021 W. Blue Mound Road  
Joy Chasty, 7300 W. State Street  
Sadie Minnema, 6800 Auburn Avenue  
Geri Altmann, 7112 Auburn Avenue

Kenneth Moe, 5917 W. Wells Street  
Rowena Radtke, 2336 N. 84th Street  
Eva Moe, 5917 W. Wells Street  
Gilbert Laur, 926 N. 76th Street  
Wayne Belling, 6320 W. Wells Street

Richard Badenhop, 6323 W. Wisconsin Ave.  
Rita Musto, 7015 W. Wells Street  
Joan Badenhop, 6323 W. Wisconsin Ave.  
Dixie Szohr, 951 N. 70th Street  
Jeanette Laabs, 5805 W. Wisconsin Avenue

District 5

Lois Literski, 7724 W. Clarke Street  
Marjorie Eske, 2410 N. 81st Street  
Joyce Dunne, 2367 N. 63rd Street

Janet Keller, 2423 N. 68th Street  
Doris Brostrom, 4535 N. 92nd Street

Marilynn Pyron, 2551 N. 65th Street  
Leigh Zarse, 1812 Mountain Avenue  
Mary Passage, 2554 N. 124th Street

Lucille Wilk, 2640 N. 68th Street  
Jean Yentz, 6525 W. Wright Street  
Joanne O'Brien, 3335 N. Knoll Terrace  
Janet Templeman, 2341 N. 72nd Street  
Natalie Keigher, 7928 W. North Avenue

District 6

Jean Beam, 2505 N. 81st Street  
Grace Gaertner, 2452 N. 93rd Street  
Maxine Gvora, 2352 N. 86 Street  
Philip Pudleiner, 2351 N. 103rd Street  
Patricia Luedtke, 2325 N. 85th Street

Arden Flemming, 10323 W. North Avenue  
Kathleen Blackburn, 2323 N. 100th Street  
Beverly Schwabe, 9416 Beverly Place  
Lois Schaefer, 2516 N. 86th Street  
Mary Dally, 2446 N. 102nd Street

Eva Peychal, 2868 N. 118th Street  
Jeanette Harris, 2709 N. 122nd Street  
Ardis Kelling, 9335 Beverly Place  
Frank J. Hallfeld, 12026 W. Chambers  
Lynn Koehler, 2471 N. 93rd Street

District 7

Marianne Miller, 737 N. 117th Street  
Pat Grant, 2450 N. 120th Street  
Emily Ganiere, 12250 W. North Avenue  
Leroy Herman, 2626 N. 122nd Street  
Thomas Savignac, 11407 W. Clarke Street

Charlotte Soleski, 12000 W. Blue Mound Road  
Gerald Miller, 737 N. 117th Street  
Enid (Penny) Wolf, 12300 Christine Drive  
Richard Bachman, 2229 N. 115th Street  
Gloria Bachman, 2229 N. 115th Street

Clarissa Wolf, 12000 W. Blue Mound Road  
Audrey Mondloch, 1747 N. 119th Street  
Don Birschel, 1225 N. 122nd Street  
Jeanine Savignac, 11407 W. Clarke Street  
Betty Weckwerth, 776 N. 117 Street

District 8

Fred Munte, 4434 N. 106th Street  
Jane Musch, 3191 N. Knoll Blvd.  
Joy Gooler, 3258 N. Mayfair Road  
Dolores Gluth, 10720 W. York Place  
Nancy Kohnert, 4276 N. Glenway Street  
  
Eugene Hitz, 4122 N. Glenway Street

Virginia Munte, 4434 N. 106th Street  
Barbara Weber, 4244 Raymir Circle  
Lucille Dallmann, 4144 N. 96th Street

Nancy Wellenstein, 4120 N. 97 Street  
Jean Yeager, 4573 N. 107th Street  
Marion Radspinner, 4535 N. 92nd Street  
Geraldine Brzykcy, 10323 W. Woodward Ave.  
Theresa K. Hitz, 4122 N. Glenway Street

It was moved by Ald. Bruderle-Baran, seconded by Ald.  
McCarthy to concur with foregoing appointments. -15

**OLD BUSINESS**

The following proposed resolution was held after a public hearing on December 3, 2002.

**RESOLUTION** R-02-307

WHEREAS, the Common Council of the City of Wauwatosa, Wisconsin, held a public hearing at the Council Chambers in the City Hall at 7:30 p.m. Local Time on the 3rd day of December, 2002, for the purpose of hearing all interested persons concerning special assessments for previously approved permanent street improvements at 12000 W. Blue Mound Road; and

WHEREAS, the Common Council has heard all persons desiring audience at such hearing;

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

Section 1. That payment for said previously approved permanent improvement at 12000 W. Blue Mound Road be made by assessing the cost to the property improved as indicated in the attached report.

Section 2. That the assessments shown on the report are true and correct and are hereby confirmed.

Section 3. That the owners of the respective parcels of land fronting or abutting the permanent street improvement at 12000 W. Blue Mound shall have payment of the special assessments scheduled pursuant to Section 66.0703 of the Wisconsin Statutes.

Section 4. The properties against which the assessments are proposed are benefited. Such benefits may include but are not necessary limited to enhancement of value or marketability, improved drainage, improved vehicular access, improved skid resistance and cross sectional elements.

Section 5. The City Clerk is directed to publish this resolution in the Wauwatosa News Times, official paper of the City of Wauwatosa.

It was moved by Ald. Casey, seconded by Ald. Kopischke

to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 15.

**APPOINTMENTS BY THE MAYOR**

Historical Preservation Commission

Gene Guskowski, 1035 Laurel Court (13)  
(Term ends 11/30/05)

Design Review Board A

Peter Muller, 8120 W. Woodland Avenue (13) (reappointment)

Design Review Board B

James Olsen, 11625 Underwood Parkway (26) (reappointment)  
Patricia Bohach, 4284 Raymir Place (22) (reappointment)  
(Terms end 12/31/04)

Design Review Board C

Bill Robison, 2414 N. 61 Street (13) (reappointment)  
John Kissinger, 1924 N. 83 Street (26) (reappointment)  
Robert Kennedy, 7024 W. Wisconsin Avenue (13) (reappointment)  
Ursula Twombly, 2641 N. 81 Street (13) (reappointment)  
(Terms end 12/31/04)

Board of Health

Judith Miller, 14 N. 77 Street (13) (reappointment)  
(Term ends 12/31/07)

Foregoing appointments ordered held as this was the first reading.

Civic Celebration Commission

Jim Barry, 8530 W. Stickney Avenue (13)  
Kevin Mullin, 1937 N. 73rd Street (13) (reappointment)  
Frank DeFrain, 1355 N. 63rd Street (13) (reappointment)  
(Terms end 12/31/06)

Design Review Board A

Kent Ehley, 7437 Kenwood Avenue (13) (reappointment)  
(Term ends 12/31/04)

Design Review Board B

Carmen Bolger-Linna, 12030 W. Hadley Street (22) (reappointment)  
(Term ends 12/31/04)

Design Review Board C

Dennis Scherr, 2380 N. 100 Street (26) (reappointment)  
(Term ends 12/31/04)

It was moved by Ald. Krol, seconded by Ald. Heins

to concur with the foregoing appointments. -15

**APPLICATIONS, COMMUNICATIONS, ETC.**

1. Special Use application to construct a garage with a height of 18 ft. whereas 16 ft. is the maximum allowed at 7924 Warren Avenue  
**Plan Commission, Board of Zoning Appeals**
2. Special Use application to construct an addition to a legal, non-conforming property at 6405 Washington Blvd.  
**Plan Commission, Board of Zoning Appeals**
3. Letter to the City and to Milwaukee County from the Presidents & CEOs of Froedtert Hospital, Children's Hospital of Wisconsin, Curative Care Network, Medical College of Wisconsin, and Blood Center of Southeastern Wisconsin expressing concern about the future of law enforcement at the Milwaukee County Regional Medical Center  
**City Administrator**
4. Water Utility Statement of Receipts and Disbursements for month ended November 30, 2002  
**Place on file**
5. City of Wauwatosa Investment Summary as of November 30, 2002  
**Place on file**
6. City of Wauwatosa Statement of Financial Condition as of November 30, 2002  
**Place on file**
7. Letter from Atty. John F. Fuchs of Fuchs, DeStefanis & Boyle, S.C. objecting to Plan Commission action on application for Special Use at 510 N. Mayfair Road  
**Add to existing file**
8. Petition with 46 signatures requesting stop signs on W. Wells Street at N. 74th Street  
**Engineering Department**
9. Letter from Pat Ziperski, 2110 Swan Boulevard, supporting rezoning of 2281 Swan Boulevard  
**Add to existing file**

**FROM THE COMMITTEE ON EMPLOYEE RELATIONS FOR INTRODUCTION**

1. Ordinance amending Sections 2.58.021 2.58.030 of the City Code by restoring language omitted in 1995  
**Re-refer to originating committee**

**FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION**

1. Ordinance restricting parking for a distance of 20 feet on either side of the 70th Street driveways of Pick 'N Save Food Store, 6950 W. State Street  
**Re-refer to originating committee**

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

1. Ordinance rezoning 2281 Swan Boulevard from DD Eight Family Residence District to AA Professional Office District  
**Re-refer to originating committee**
2. Ordinance rezoning land on the west side of N. 99th Street, south of W. Wisconsin Avenue from AA Single Family Residence District to AA Institutions District  
**Re-refer to originating committee**

**FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS**

**RESOLUTION R-02-308**

WHEREAS, Open Pantry Food Marts of Wisconsin, Inc., d/b/a Open Pantry Food Mart #608, 12324 W. North Avenue, Wauwatosa, has applied for a Class A beer license at the above address; and

WHEREAS, an Open Pantry Store currently possesses a license to sell beer at its nearby location at the corner of 115<sup>th</sup> Street and North Avenue; and

WHEREAS, the Kohl's Food Store directly across 124<sup>th</sup> Street from the above location, located in the City of Brookfield, also sells alcoholic beverages; and

WHEREAS, another location for sale of beer in this area would unduly concentrate such outlets in a single area; and

WHEREAS, Wauwatosa has not granted beer or liquor licenses in the past to locations which operate as gas stations due to policy concerns regarding the combination of alcohol and automobiles, as well as the increased traffic and related congestion and activity which is associated with such operations;

NOW, THEREFORE, BE IT RESOLVED THAT the application of Open Pantry Food Marts of Wisconsin, Inc., for a Class A beer license at 12324 W. North Avenue, Wauwatosa is hereby denied.

It was moved by Ald. Treis, seconded by Ald. Ecks  
to approve the foregoing resolution. -15

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-02-309**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Joseph F. Cira to combine the parcels located at 10428 W. Vienna Avenue, Wauwatosa. These parcels are more particularly described as follows:

Lots 15 and 16, Block 21 in Park Ridge Subdivision, in the Northwest ¼ of Section 8, 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 combined.

It was moved by Ald. Heins, seconded by Ald. Kopischke to approve the foregoing resolution. - 15

**FROM THE COMM. ON EMPLOYEE RELATIONS AND THE COMM. ON BUDGET & FINANCE**

**RESOLUTION R-02-310**

WHEREAS, the City of Wauwatosa has been awarded as Centers for Disease Control Bioterrorism Consortium grant to act as fiscal agent for the Milwaukee/Waukesha Consortium for Public Health Preparedness; and

WHEREAS, Wauwatosa's designation as fiscal agent serves to affect 20 municipalities and has been approved by 14 Health Officers serving those 20 municipalities in Milwaukee and Waukesha County; and

WHEREAS, the grant amount of \$482,285.00 is to be utilized in part to fund two positions to serve as emergency preparedness consortium personnel for the two county area; and

WHEREAS, the grant has currently been awarded only for a three year period; and

WHEREAS, the appointment of persons in two new positions would require including the new employees in the employee benefit plans of the City of Wauwatosa, which could subject the City to excessive liability for healthcare expenses if the employees were included within the City of Wauwatosa's self-insured health insurance plan rather than the health maintenance organization option provided to employees, and

WHEREAS, the potential liability under the self-insured health insurance plan would not otherwise be allocable to the 20 municipalities also participating in the consortium;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa's Health Department is hereby authorized to create two positions specific to staffing the needs of the Consortium for Public Health Preparedness as anticipated in the Centers for Disease Control Bioterrorism Consortium Grant, said positions to serve the entire consortium with Wauwatosa acting as fiscal agent;

BE IT FURTHER RESOLVED THAT the employees shall be hired with an express understanding that the positions are grant funded and may be eliminated upon failure to obtain additional grant funding in future years;

BE IT FURTHER RESOLVED THAT, the two employees shall be required as a condition of employment to choose the health maintenance organization option for health insurance coverage provided to the City of Wauwatosa employees, unless such requirement is prohibited by statute, ordinance or any applicable employment or labor agreements.

It was moved by Ald. Sullivan, seconded by Ald. Casey to approve the foregoing resolution. - 15

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-311**

WHEREAS, the Wauwatosa Health Department was previously authorized to apply for a Bioterrorism Consortium Grant from the United States Centers for Disease Control and to act as fiscal agent in the administration of that grant on behalf of a consortium of Municipalities; and

WHEREAS, the Center for Disease Control has awarded the grant to Wauwatosa, acting as fiscal agent for the two County Consortium in the amount of \$482,285.00 with no matching requirement from the City of Wauwatosa, and providing that 10% of the grant may be allocated to the Wauwatosa Health Department for administrative and tracking purposes;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa and the Wauwatosa Health Department are hereby authorized to execute the Center for Disease Control Bioterrorism Consortium grant as described in the memorandum of the Wauwatosa Health Office to this Committee, dated November 26, 2002 and act as fiscal agent in administering the grant on behalf of the two-county consortium.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-313**

WHEREAS, the Budget Committee, during preparation of the 2003 City of Wauwatosa budget, indicated a desire to conduct a City-wide survey for purposes of obtaining community input into future budget decisions; and

WHEREAS, it is estimated that the cost of such survey would be approximately \$15,000.00, which is currently not included in the administration department’s 2003 budget; and

WHEREAS, the engineering department’s Sundry Contractual Services Account is projected to contain a substantial amount of unspent funds, part of which could be carried over into 2003 and reallocated to fund the citizen survey; and

WHEREAS, the remaining balance of surplus funds in the engineering department’s Sundry Contractual Services Account would most appropriately be utilized for additional funding in seal coating projects during the year 2003;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are authorized to produce and distribute a survey to all City residents in the Spring City Newsletter, the results of which would be distributed to the public via the City’s website;

BE IT FURTHER RESOLVED THAT \$15,000.00 from the engineering department’s 2002 Sundry Contractual Services Account is hereby authorized to be transferred to the Administration Department and carried over into the 2003 budget for purposes of funding the City-wide survey; BE IT FINALLY RESOLVED THAT remaining unspent and unallocated funds in the engineering department Sundry and Contractual Services Account shall be carried over into the 2003 budget year and transferred to the account providing for seal coating projects in 2003.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-315**

WHEREAS, the City of Wauwatosa Purchasing Department solicited bids for a new Quint apparatus for the Wauwatosa Fire Department; and

WHEREAS, the bid from FWD Corporation, Seagrave Fire Apparatus Division, was the lowest of the three bids received; and

WHEREAS, in addition to the list price bid by FWD/Seagrave, the company offers financing allowing for a significant discount upon full prepayment of the cost of the apparatus, allowing for savings over \$26,000.00;

NOW, THEREFORE, BE IT RESOLVED THAT the bid of FWD/Seagrave for a new Quint apparatus, with the full prepayment option, for a total price of \$517,160.67 is hereby accepted and the appropriate City officials are hereby authorized to enter into an Agreement for said purchase.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-316**

WHEREAS, the City of Wauwatosa Purchasing Department has solicited proposals for a five year copier rental/lease agreement for the Wauwatosa Fire Department and the Wauwatosa Water Department; and

WHEREAS, the proposal from United Leasing Corporation for a Konica model 7022 at a cost of \$159.34 per month was determined to be the best solution for each of the departments;

NOW, THEREFORE, BE IT RESOLVED THAT the proposal of United Leasing Corporation for a five year copier/rental lease agreement for Konica model 7022 copiers for the Fire Department and the Water Department, each at a cost of \$159.34 per month, is hereby accepted and the proper City officials are authorized to enter into a contract pursuant to this proposal.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-318**

WHEREAS, the City of Wauwatosa Assessor has indicated that she expects a surplus of \$24,586.00 in four different accounts related to the 2002 revaluation project, as more specifically outlined in her memo to the Budget & Finance Committee on December 9, 2002; and

WHEREAS, the carryover of this surplus fund to the 2003 budget would allow completion of the revaluation work, including scanning of sketches into the Assessor's computer system as well as the insertion of digital photos into property files,

NOW, THEREFORE, BE IT RESOLVED THAT the amount of \$24,000.00 from Accounts #01-154-5100-010, 01-154-5110-000, 01-154-5110-010 and 01-154-5810-010 are authorized to be consolidated into Account #01-154-5100-010 and carried over into the 2003 budget year.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-319**

WHEREAS, the 2002 budget for the Common Council includes an appropriation of \$50,000.00 to fund consulting work which may be necessary related to the City’s role on the County grounds; and

WHEREAS, a lack of progress in discussions with the County during the year 2002 resulted in these consulting funds not being utilized during the past year; and

WHEREAS, it is apparent that discussions will take place in the near future, likely during the first part of the year 2003, regarding this matter;

NOW, THEREFORE, BE IT RESOLVED THAT the \$50,000.00 appropriation in account #01-111-5980-020 to fund studies regarding County ground issues is hereby authorized to be carried over to the year 2003.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**ORDINANCE O-02-39**

AN ORDINANCE AMENDING CHARTER ORDINANCE SECTION 20.13 BY ELIMINATING THE SINGLE PROJECT LIMIT FOR GENERAL OBLIGATION BONDS AND NOTES ISSUED BY THE CITY OF WAUWATOSA

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

Part I. Section 20.13 of the Wauwatosa Municipal Code shall be amended by repealing the entire second paragraph of said charter ordinance such that the revised charter ordinance in its entirety shall read as follows:

**Section 20.13 Limitation On Bonds and Notes Issued Without Referendum Approval.**

The total principle amount of general obligation bonds and notes issued by the City of Wauwatosa under Chapter 67, Wis. Stats., in any calendar year without referendum approval shall not exceed \$3,500,000.00.

The limitations provided by this section shall not be applicable to general obligation bonds or notes issued to refund any outstanding indebtedness, nor shall such limitations apply to borrowing for purposes of complying with mandates of Federal laws, laws of the State of Wisconsin, Administrative Agency regulations, or Court orders.

Part II. This charter ordinance shall take effect sixty days after passage and publication.

It was moved by Ald. Stepaniak, seconded by Ald. Casey to approve the six foregoing resolutions and to adopt the foregoing ordinance. -15

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-312**

WHEREAS, the Wauwatosa Health Department has requested permission to apply for a \$5,000.00 environmental health mini-grant; and

WHEREAS, the Wauwatosa Health Department previously received a similar grant during the first round of funding of this program from the State of Wisconsin/Department of Health and Family Services;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Health Department is hereby authorized to apply for an environmental health mini-grant in the amount of \$5,000.00 from the State of Wisconsin/Department of Health and Family Services – Division of Public Health.

It was moved by Ald. Stepaniak, seconded by Ald. Casey to approve the foregoing resolution. -15

By consensus, it was agreed that the City Administrator and the City Attorney shall review the policy in place concerning grant applications and report their findings to the appropriate Council committee.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-314**

WHEREAS, the Wauwatosa Police Department purchased the Identix Fingerprint Live-Scan system in the year 2000 by utilizing grant funding from the State of Wisconsin; and

WHEREAS, no service agreement was consummated at the time of the purchase; and

WHEREAS, necessary upgrades for compliance with the State of Wisconsin protocols require service to be conducted at the present time; and

WHEREAS, it is likely that additional service of this type will be required in the future, making an annual service agreement the most cost effective option for present and future services; and

WHEREAS, the Police Department has identified approximately \$5,000.00 from the 2002 budget which could be made available for this purpose, but requires an additional \$3,100.00 for the present year expenses;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa Police Department is authorized to enter into a Maintenance Agreement with the Identix Company for the Identix Fingerprint Live-Scan system at a cost not to exceed \$8,120.00 annually; and

BE IT FURTHER RESOLVED THAT the transfer of \$3,100.00 from the Reserve for Contingencies is hereby approved to provide partial funding for the Maintenance Agreement.

It was moved by Ald. Stepaniak, seconded by Ald. Casey to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 15.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-317**

WHEREAS, beginning in July 1998, the Wauwatosa City government instituted a changeover to digital telephone technology; and

WHEREAS, in conjunction with the changeover, there were numerous problems with phone lines and quality of service from Ameritech through the Centrex Agreement and also with the ISDN-PRI lines at City Hall; and

WHEREAS, beginning in 1998 the City of Wauwatosa withheld all or significant portions of payments on bills to Ameritech in an effort to force a resolution of the service difficulties; and

WHEREAS, at the time full service was finally restored during the year 2001, Ameritech claimed that the City had an outstanding balance of over \$110,000.00 due to the past short payments regarding the Centrex services; and

WHEREAS, Ameritech has offered to issue a credit to the City in the amount of \$84,613.02, leaving an approximate balance due of \$26,000.00 for Centrex services in addition to approximately \$9,000.00 due for settlement of accounts regarding ISDN-PRI lines utilized to serve City Hall;

NOW, THEREFORE, BE IT RESOLVED THAT the transfer of \$35,170.00 from the Reserve for Contingencies is hereby authorized in order to satisfy all outstanding invoices with Ameritech in settlement of disputes regarding past invoicing and service difficulties.

It was moved by Ald. Stepaniak, seconded by Ald. Casey to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 15.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

BILLS AND CLAIMS FOR THE PERIOD 12/4/02 – 12/17/02

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 12/4/02 – 12/17/02: \$1,368,426.72

It was moved by Ald. Casey, seconded by Ald. Bruderle-Baran 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 15.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-320**

BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, January 21, 2003 in the City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning matters relating to the City’s intent to perform street construction work in the City of Wauwatosa.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-321**

WHEREAS, the VALUE Cooperative Purchase Program has solicited bids for rubberized crack sealer, for which the low bid was awarded to Sherwin Industries at the price of \$0.232 per pound; and

WHEREAS, the Wauwatosa street department has requested an order for one load of rubberized crack sealer, consisting of approximately 44,000 pounds;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa purchasing manager is hereby authorized to issue a purchase order to Sherwin Industries for the purchase of rubberized crack sealer as described above, for a total not to exceed \$10,300.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-322**

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the V.A.L.U.E. bids of Ewald Automotive Group Inc. to furnish Five (5) full size Ford Crown Victoria and (1) Chevrolet

Tahoe police vehicles for their total bid price of \$133,913.00 without trade-in vehicles be and the same are hereby accepted.

BE IT FURTHER RESOLVED that the purchasing manager is hereby authorized and directed to issue a purchase orders for these vehicles as directed by the proper City officers.

BE IT FURTHER RESOLVED THAT Fleet numbers P-81, P-84, P-92, P-94, P-95, and P-96, be declared surplus and the purchasing manager be authorized and directed to dispose of these vehicles in a manner most advantageous to the City when the new vehicles are put into service.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-323**

WHEREAS, the Wauwatosa Purchasing Department has obtained pricing information for Eagle traffic signal controllers; and

WHEREAS, the only authorized State of Wisconsin distributor for Eagle traffic signal controllers is Traffic and Parking Control Company (TAPCO) in Elm Grove, Wisconsin; and

WHEREAS, the purchase price of the equipment requested would add up to a total cost of \$24,590.00;

NOW, THEREFORE, BE IT RESOLVED THAT the purchase of Eagle traffic signal controllers from Traffic & Parking Company in Elm Grove, Wisconsin, is hereby approved;

BE IT FURTHER RESOLVED THAT the competitive bidding process is hereby waived for this purchase.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-324**

WHEREAS, the Wauwatosa Purchasing Department has received bids for the purchase of stone, sand, and gravel to meet 2002 requirements; and

WHEREAS, the results of the bids are reflected in the memorandum of the Purchasing Manager to the Board of Public Works dated November 27, 2002; and

WHEREAS, all of the bids received, except the bid by Richard Hribar Sand & Gravel were reasonably close in price and quality; and

WHEREAS, it has been past practice to award that type of bid to multiple bidders for purchases during the calendar year on an as-needed basis due to price convenience and availability;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa Purchasing Department is hereby authorized to purchase stone, sand and gravel for the year 2003 from any of the bidders

having submitted bids, except Richard Hribar Sand & Gravel, with individual purchases being evaluated on an as-needed basis pursuant to price, convenience and availability.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-325**

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 Darwin Electric, Inc., of Oconto, Wisconsin for the work of street lighting and traffic signal replacement and work incidental thereto under Contract 03-28 at and for their bid price of \$473,896.25, this being the lowest and best bid.

BE IT FURTHER RESOLVED that the bid amount for this contract is \$473,896.25 and the city had budgeted \$450,000.00 in 2002 for this work and has budgeted an additional \$500,000.00 in 2003 for this same work.

BE IT FURTHER RESOLVED that the City will reimburse itself the promissory funds necessary for payment on this contract in excess of the funds available in 2002 from the 2003 budget.

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

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-326**

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 Henry R. Marohl, Inc., of Wauwatosa, Wisconsin for the work of drainage improvements and work incidental thereto under Contract 02-55 at and for their bid price of \$41,162.10, plus the alternate bid of \$9,748.00, for the total bid price of \$51,910.10, this being the lowest and best bid.

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

It was moved by Ald. Bruderle-Baran, seconded by Ald. Becker to approve the seven foregoing resolutions. -15

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

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Carla A. Ledesma, CMC, City Clerk