

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, October 15, 2002**

PRESENT: Alds. Krol, Matthews, McCarthy, Stepaniak, Subotich, Bruderle -Baran, Becker, Casey, Ecks, Heins, Herzog, Jenkins, Kopischke -13

EXCUSED: Alds. Grimm, Sullivan, Treis

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. Wehrley, Dir. of Engineering Services; 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. Kopischke 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

The Mayor, Common Council President Bruderle -Baran and Matt Stano of the Beautification Committee presented certificates to the following Yards of Distinction winners. A slide show of the winning properties was also shown.

District 1  
1850 N. 68th Street  
Jeffrey and Patricia Bogart  
  
6630 Vista Avenue  
Michael and Susan Schall  
  
2178 N. 64th Street  
James and Rebecca Moretti  
  
District 2  
1728 Day Court  
Bill and Sue Miller  
  
2010 N. 85th Street  
Vicki and Dale Loving  
  
2005 Underwood Avenue

Jill and Kent Morin  
  
District 3  
8235 Avon Court  
Cindy Burkwald  
  
115 N. 87th Street  
Tim and Ruth Bultman  
  
303 N. 115th Street  
Leanne Lieske  
  
District 4  
951 N. 70th Street  
Dixie and Kenneth Szohr  
  
6726 Cedar Street  
Ann and Warren Pierson

956 N. 72nd Street  
Deanna Weber

District 5  
2472 N. 66th Street  
Scott Margelofsky and Dominic Inovye

2322 N. 73rd Street  
David Barbry

2415 N. 70th Street  
Shane and Lori Johnston

District 6  
2637 Pasadena Blvd.  
Josef and Christine Kramer

3331 N. Knoll Terrace  
Rhody and Carolyn Megal

2517 N. 86th Street  
Jack and Wendy Venske

District 7  
11827 W. Walnut Road  
Natasha and Mark Summers

2423 N. 115th Street  
Irene Nelsen

1434 N. 122nd Street  
Landy and Dana Bonelli

District 8  
4085 N. 110th Street  
John and Mary Kwak

10229 W. Sunset Avenue  
Audrey Koepke

3328 N. Knoll Blvd.  
Jack and Beverly Denofre

Businesses  
Redemption Ev. Lutheran Church  
4057 N. Mayfair Road

Flag Center, Inc.  
2954 N. 117th Street

High Pointe  
1200 N. Mayfair Road

Harley-Davidson Motor Company  
11700 W. Capitol Drive

People's Choice Award  
2446 N. 66th Street  
Nicky Beckwith

## **APPLICATIONS, COMMUNICATIONS, ETC.**

1. Letter from Rosemary Wehnes, 7922 Jackson Park Boulevard, opposing plans to widen I-94 and Highway 45  
**Engineering Department**
2. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended September 30, 2002  
**Place on file**
3. Notices of Claim: Annie Jemison, 3940 W. Galena Street, Milwaukee  
John Marth, 7110 Cedar Street  
**City Attorney**
4. Special Use application to construct an addition to a legal, non-conforming structure at 7123 Cedar Street  
**Plan Commission, Board of Zoning Appeals**
5. Application to rezone 2281 Swan Boulevard from DD 8-Family Residence to Professional Office District  
**Plan Commission, Committee on Community Development**

6. Petition with 11 signatures expressing concerns related to W. Blue Mound Road from 68th to 72nd Streets  
**Engineering, City Attorney**
7. Letter from Ald. Krol forwarding citizen concerns regarding pedestrian safety at N. 90th St. and W. North Ave.  
**Police, Engineering Departments**
8. Donation: \$50 from the Young at Heart Senior Group from Christ King Church to the fire department donations account  
**Place on file**
9. Village of Wauwatosa Business Improvement District 2003 Work Plan and Budget  
**Committee on Budget & Finance**

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

1. Ordinance amending Chapter 2.02.180 of the City Code by establishing a cost recovery policy for discretionary parking ordinance changes requested by commercial or industrial properties  
**Re-refer to originating committee**

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

1. Ordinance amending the City Code by changing job titles of PC Support Specialist to Technical Support Specialist and Public Safety Systems Analyst to Public Safety Systems Administrator  
**Re-refer to originating committee**

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

1. Ordinance repealing and recreating Chapter 9.04 of the City Code pertaining to regulation of animals  
**Re-refer to originating committee**

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

**RESOLUTION R-02-251**

WHEREAS, Sayyed Enterprises, Inc. d/b/a Breeze-Thru Liquor, has applied for a Class A beer and a Class A liquor license to be used in operating its business at 11108 West Blue Mound Road, Wauwatosa, currently operated under the name Breeze-Thru Liquor;

NOW, THEREFORE, BE IT RESOLVED THAT Sayyed Enterprises, Inc., d/b/a Breeze-Thru Liquor is hereby awarded a Class A beer and Class A liquor license for the location at 11108 West Blue Mound Road, Wauwatosa, as more particularly described in the application materials on file at the City Clerk's office, for the period ending June 30, 2003.

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

**FROM THE COMMITTEES ON EMPLOYEE RELATIONS & BUDGET AND FINANCE**

**ORDINANCE O-02-31**

**AN ORDINANCE TO CORRECT PAY DISCREPANCIES FOR CERTAIN PART-TIME POSITIONS**

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

Part I. Section 2.59.070 of the Wauwatosa Municipal Code is hereby amended to reflect a pay raise for certain listed positions as follows:

<u>Title</u>	<u>Minimum</u>	<u>Normal</u>	<u>Maximum</u>
Cable Technician/ Video Prod. Asst.	\$6.7252	\$7.1289	\$8.9776
Fire Educ. Coordinator	\$10.5712	\$11.2193	\$14.1091
Tax Collection Aide	9.0307	10.0931	12.2180

<u>Title</u>	<u>Hourly Wage Rate</u>
Clerk	\$9.5220
Student Clerk	\$5.7766 - \$6.7300
Library Security Guard	\$7.5114
Library Tech. Equip. Asst.	\$8.4145
Public Health Nurse/ Sanitarian	\$18.6564
Snow Plow Operator	\$16.8821

Part II. The above changes are to be effective upon publication, except that back pay shall be provided to affected employees as though pay rate changes had been implemented during the years 2001 and 2002 in the same manner as such changes were implemented for full-time employees.

It was moved by Ald. Jenkins, seconded by Ald. Casey to adopt the foregoing ordinance. Upon roll call vote, the vote was Ayes 13.

**FROM THE COMMITTEES ON EMPLOYEE RELATIONS & BUDGET AND FINANCE**

**RESOLUTION R-02-252**

WHEREAS, Tom Novara, Fire and Building Code Specialist, has applied for a demotion to the vacant position of Municipal Clerk II, Court Clerk;

WHEREAS, the appointing power and Personnel Director concur with his request and intend to appoint him to the position of Municipal Clerk II;

WHEREAS, Mr. Novara has requested that the Common Council approve his request for a wage adjustment in the new position for a limited period of time;

WHEREAS, the Committee on Employee Relations has considered his request and recommends approval for the reasons, and with the conditions, set forth in the attached agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the attached agreement by and between the City, Mr. Novara and Local 35 approving a wage adjustment for Mr. Novara be and the same is hereby approved.

It was moved by Ald. Jenkins, seconded by Ald. Casey to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 12, Noes 1 (Kopischke)

**FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT**

**RESOLUTION R-02-253**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT permission be and the same is hereby granted to Dan and Denise Werlein to combine the parcels located at 8707 W. Hawthorne Avenue, Wauwatosa. These parcels are more particularly described as follows:

Lots 3 and 4, Block 9 in Ravenswood Subdivision, in the Southeast ¼ and the southwest ¼ of Section 28, 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.

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

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-254**

WHEREAS, the Wauwatosa Historic Preservation Commission will be seeking a Certified Local Government (CLG) sub-grant from the State Historical Society of Wisconsin for purposes of preparing and printing an educational publication related to historic preservation and local historic designation; and

WHEREAS, the CLG sub-grant is a reimbursement program wherein the Commission will be reimbursed when the final product is completed; and

WHEREAS, current estimates to conduct the project indicate that \$3,000.00 will allow development of the brochure and printing of 5,000 color copies;

NOW, THEREFORE, BE IT RESOLVED THAT funding is hereby provided to the Wauwatosa Historic Preservation Commission in the amount of \$3,000.00 for purposes of printing an educational publication related to historic preservation of local historic designation;

BE IT FURTHER RESOLVED THAT the Wauwatosa Historic Preservation Commission is hereby authorized to apply for a Certified Local Government grant from the State Historical Society of Wisconsin to reimburse the City for the cost of this publication.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-255**

WHEREAS, Cities and Villages Mutual Insurance Company is the current provider for third party administrative services related to worker's compensation claims against the City of Wauwatosa; and

WHEREAS, the City of Wauwatosa Personnel Department has been very satisfied with the services provided by CVMIC; and

WHEREAS, CVMIC has proposed an increase of less than 3% from the current contract rate to provide such services through January 1, 2006; and

WHEREAS, the Wauwatosa Purchasing Manager has concurred with the recommendation to renew the contract without soliciting additional proposals;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials of the City of Wauwatosa are hereby authorized to enter into a contract with the Cities and Villages Mutual Insurance Company to provide third party administrative services related to worker's compensation claims for the calendar years 2003 – 2005 pursuant to the proposal submitted to the Personnel Department during September, 2002.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-256**

WHEREAS, the Wauwatosa Engineering and Operations Department was notified on September 30 of being awarded an Urban Nonpoint Source & Stormwater Management Program Grant in the amount of \$149,980; and

WHEREAS, the grant funding will be utilized to design, install, and construct sediment catch basins to replace storm inlets; and

WHEREAS, this is a 50% matching grant and the matching funds will come from the storm sewer capital account.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT the Engineering and Operations Department is hereby authorized to accept the Urban Nonpoint Source & Stormwater Management Program Grant No. USC-MI03-41291-03 and to use it for the intended purposes.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-257**

WHEREAS, from the year 1990 to the present, the City has utilized outside consultants to provide construction inspection services when it has more construction projects in progress than can be inspected by the City’s in-house inspector; and

WHEREAS, the Engineering Services Manager solicited proposals for construction inspection services during the 2003-2005 construction/inspection seasons, with an option to extend the contract an additional two years; and

WHEREAS, the proposal of Graef, Anhalt, Schloemer & Associates, Inc. to provide services at a cost of \$47.00 per hour is most beneficial to the interest of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are authorized to enter into a contract with Graef, Anhalt, Schloemer & Associates, Inc. for construction/inspection services during the years 2003 – 2005 at a cost not to exceed \$47.00 per hour pursuant to the proposal submitted to the Engineering Services Manager, which contract shall include an option to extend for two additional years.

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

**RESOLUTION R-02-258**

WHEREAS, the Wisconsin Department of Transportation (DOT) is currently administering a contract for the resurfacing of Blue Mound Road between Highway 100 and 124<sup>th</sup> Street in the City of Wauwatosa, a project which is partly funded and participated in by the City of Wauwatosa; and

WHEREAS, the City has been scheduled to perform additional streetlight work along this section of roadway under a separate City contract, which has already been provided for in the Capital Improvements Budget; and

WHEREAS, the DOT has indicated that its overall construction contract could be changed to include this streetlight work, allowing for partial participation by DOT in the cost of that work; and

WHEREAS, accepting the change order to the DOT contract would result in a cost savings of approximately \$49,000.00 to the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a change order with the Wisconsin Department of Transportation regarding the Blue Mound Road Resurfacing Project to include scheduled streetlight work along the affected section of roadway, with partial participation by the Department of Transportation, in an amount not to exceed \$118,155.23.

**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 a request from the Municipal Court Judge for a review of salaries for elected officials, recommends to the Common Council that the request be placed on file.

Dated this 8th day of October 2002.

Committee on Budget and Finance

It was moved by Ald. Stepaniak, seconded by Ald. Casey to approve the five foregoing resolutions and to approve the foregoing report. -13

**FROM THE COMMITTEE ON BUDGET AND FINANCE**

BILLS AND CLAIMS FOR THE PERIOD 10/2/02 – 10/15/02 --

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 10/2/02 – 10/15/02: \$1,693,568.50

It was moved by Ald. Casey, seconded by Ald. McCarthy 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 13.

**FROM THE BOARD OF PUBLIC WORKS**

**RESOLUTION R-02-259**

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 Visu-Sewer Clean & Seal, Inc., of Pewaukee, Wisconsin for the work of storm sewer spot improvements under Contract 02-34 at and for their bid price of \$82,947.60, 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-02-260**

WHEREAS, the City of Wauwatosa has, for many years, cooperated informally with the City of Brookfield regarding snow and ice control and median landscape maintenance along 124<sup>th</sup> Street from North Avenue to Capitol Drive, which forms the border between the two cities; and

WHEREAS, the governments of the City of Wauwatosa and the City of Brookfield are interested in increasing and formalizing cooperative efforts in the provision of public services; and

WHEREAS, a draft Intergovernmental Agreement memorializing the past practices for snow and ice control and median landscape maintenance along 124<sup>th</sup> Street between North Avenue and Capitol Drive was presented to the Board of Public Works, which voted unanimously to approve the Agreement;

NOW, THEREFORE, BE IT RESOLVED THAT the Intergovernmental Agreement with the City of Brookfield for cooperative snow and ice control and median landscape maintenance along 124<sup>th</sup> Street, a copy of which is attached and incorporated herein, is hereby approved.

It was moved by Ald. Kopischke, seconded by Ald. Stepaniak to approve the two foregoing resolutions. -13

There being no further business, the meeting adjourned at 8:10 p.m.

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Carla A. Ledesma, CMC, City Clerk