

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, August 6, 2002

PRESENT: Alds. Heins, Herzog, Jenkins, Kopischke, Krol, Matthews, McCarthy, Stepaniak, Subotich, Sullivan (7:35 p.m.), Treis, Bruderle-Baran, Casey, Ecks, Grimm -15

EXCUSED: Ald. Becker

ALSO PRESENT: Mr. Wontorek, City Administrator; Mr. Braier, Comptroller/Treasurer; Mr. Kesner, City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Dir. of Community Development; Police Chief Weber; Dr. Kreuser, Health Officer; Mr. Coffaro, Asst. to the Administrator; Mr. Tarman-Ramcheck, Spec. Prog. Analyst; 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. -14

PUBLIC HEARING

The first item of business was a public hearing to consider the following proposed ordinance:

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING THE NORTHERN 60 FEET OF PROPERTY AT 11728 W. NORTH AVENUE FROM AAA SINGLE FAMILY RESIDENCE DISTRICT TO AA BUSINESS DISTRICT

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

Oak Ridge Subdivision, Lot 4 except S 27 ft thereof for St Blk 9 in the Southwest ¼ of Section 18, Town 7 North, Range 21 East, in the City of Wauwatosa, County of Milwaukee, State of Wisconsin is Rezoned from AAA Single Family District to AA Business District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

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

Proof of publication is in the file.

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI,

The City Plan Commission, to whom was referred the request by Richard and David Lardinois to rezone property located at 11728 W. North Avenue (the northern 60 feet) from AAA Single Family District to AA Business District, recommends to the Common Council that the rezoning be approved.

Dated this 10th day of June 2002.

Nancy L. Welch, Secretary
City Plan Commission

The Committee on Community Development recommended the ordinance be adopted during its meeting of July 9, 2002.

Richard Lardinois, 2540 S. 95th Street, West Allis, spoke in favor of the proposed ordinance. He explained that the rezoning will bring the lot into conformance with neighboring lots and will reflect its use for the past 50 years.

No one of the public present wished to be heard in opposition to the proposed ordinance.

No one of the public present had any comments or questions.

The public hearing was declared closed.

Ordered held to the next Common Council meeting, September 3, 2002.

PUBLIC HEARING

The second item of business was a public hearing to consider the following proposed ordinance:

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAUWATOSA BY REZONING THE LAND AT 1060 N. 115th STREET FROM AA LIGHT MANUFACTURING DISTRICT TO BUSINESS PLANNED DEVELOPMENT DISTRICT

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect the following change:

Homewood Comm at SW Cor of Blk 3 th N 0D34M00S W 74.97 ft th N 46D31M 33S E 341.32 ft th N 89D27M44S E, a Subdivision of Part of Section 30, in Township 7 North, Range 21 East, City of Wauwatosa, County of Milwaukee, State of Wisconsin is Rezoned from AA Business District to Business Planned Development District.

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

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

Proof of publication is in the file.

TO THE COMMON COUNCIL, CITY OF WAUWATOSA, WI,

The City Plan Commission, to whom was referred the request by Toldt Development for final plan approval of a Business Planned Development at 1060 N. 115th Street to construct a 60-unit apartment building, recommends to the Common Council that the Business Planned Development be approved.

Dated this 10th day of June 2002.

Nancy L. Welch, Secretary
City Plan Commission

The Committee on Community Development recommended the ordinance be adopted during its meeting of July 9, 2002.

Helmut Toldt, Toldt Development Corporation, Inc., 4040 N. Calhoun Road, Brookfield, spoke in favor of the proposed ordinance. The request is being made to accommodate 55 apartments in a 4-story building with underground and surface parking.

No one of the public present wished to be heard in opposition to the proposed ordinance.

No one of the public present had any comments or questions.
The public hearing was declared closed.

Ordered held to the next Common Council meeting, September 3, 2002.

PUBLIC HEARING

The third item of business was a public hearing to consider the following proposed ordinance:

ORDINANCE

AN ORDINANCE AMENDING CHAPTERS 24.34, AND 24.36 BY ADDING MEDICAL CLINIC AS A SPECIAL USE WHEN AN ACCESSORY TO A PERMITTED USE IN THE AA LIGHT MANUFACTURING AND AA INDUSTRIAL DISTRICTS

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

Part 1. That Section 24.34.025 and Section 24.36.025, is amended to include the following as a special use:

Medical Clinics when accessory to a permitted use.....6511

Part II. This Ordinance shall take effect and be in force from and after its passage and publication.

Proof of publication is in the file.

The Committee on Community Development recommended the ordinance be adopted during its meeting of July 30, 2002.

Bill Rudolph, Briggs and Stratton Corporation Plant Engineering Manager, spoke in favor of the proposed ordinance. The company is establishing an on-site clinic for employees and their families as a way of reducing and controlling medical costs. The proposal is on a very tight schedule; they would like to open the clinic by November when there is an open enrollment period for employees to select health insurance programs.

(Ald. Sullivan present 7:35 p.m.) -15

No one of the public present wished to be heard in opposition to the proposed ordinance.

No one of the public present wished to be heard either for or against the proposed ordinance or had any comments or questions.

The public hearing was declared closed.

Ordered held to the next Common Council meeting, September 3, 2002.

APPOINTMENTS BY THE MAYOR

Plan Commission

John Albert, 1922 N. 122nd Street
(Term ends 4/30/05)

Comprehensive Plan Commission

Mary Wolverton appointed as Chair

Board of Zoning Appeals

John Wolfe, 725 N. 119th Street
(Term ends 4/30/05)

Michael McCabe appointed as Chair

Design Review Board B

Jeff Dekker, 9508 W. Ruby Avenue
Dan Sanders, 2451 N. 81st Street
(Terms end 12/31/04)

Board of Public Debt Commissioners

Brian Randall, 2602 N. 88th Street
(Term ends 4/30/05)

Redevelopment Authority

Brian Randall, 2602 N. 88th Street
(Term ends 10/31/07)

Board of Parks and Forestry Commissioners
Dick Bachman, 2229 N. 115th Street

Tom Havas, 12135 Underwood Parkway
(Terms end 4/30/03)

Foregoing appointments ordered held as this was the first reading.

APPLICATIONS, COMMUNICATIONS, ETC.

1. Notices of Claim: George Baumgartner, 1418 N. 123rd Street; Andrew Korb, 6900 W. Terrace Court
City Attorney
2. Temporary Use application for a temporary office trailer at the Wisconsin Heart Hospital, N. 99th Street at W. Blue Mound Road
Board of Zoning Appeals
3. Special Use application for a restaurant addition to the west side of Mayfair Mall, 2500 N. Mayfair Road,
Plan Commission, Board of Zoning Appeals
4. Conditional Use application to construct an addition to Ronald McDonald House, 8948 Watertown Plank Road
Plan Commission, Committee on Community Development
5. Special Use application to operate a coffee shop/restaurant at 7606 W. State Street
Plan Commission, Board of Zoning Appeals
6. City of Wauwatosa Bank Reconciliation of Depository Accounts as of June 30, 2002 and Investment Summary as of July 31, 2002
Place on file
7. Special Use application to operate a medical clinic at 3300 N. 124th Street
Plan Commission, Board of Zoning Appeals
8. Letter from Carol McKay, 6911 Terrace Court, expressing concern regarding noise level of the Summer Nights Concert Series held in Hart Park
Police, Director of Community Development, Director of Public Works
9. Request for an amendment to a Business Planned Development at 10900 W. Blue Mound Road to eliminate 12 underground parking spaces
Plan Commission
10. Letter from Ald. Krol regarding request by Richard K. Jacobs, 7700 Stickney Avenue, for a no parking zone on the north side of Stickney Avenue west of Wauwatosa Avenue
Director of Public Works
11. Request by Robyn Brandt, manager of Buffalo Wild Wings, 2635 N. Mayfair Road, for an extension of the restaurant's liquor license to the parking lot on August 25, 2002 for an annual car show
Requested under suspension of the rules
12. Donations: \$25 from Stanley Piepenburg/Julie Rexcoat Family to Fire Diedrich Special Endowment Fund; \$135.12 from the music students of Suzanne M. Lent - Carrie Klopfenstein, Chris Gullickson, Abby Kohal, Sarah Widder, Alyssa Pintar, Kurt Bokern, Erik Pintar, Hannah Graber, Tim Lopez, Katie Kohal, Margaret Jarvis, Matthew Zietlow, Mackenzie Davis, and Alison Singewald to the fire department
Place on file

Action on Item #11 requested under suspension of the rules:

RESOLUTION R-02-200

WHEREAS, Buffalo Wild Wings Grill and Bar (“BW-3”) has requested a temporary extension of its liquor licensed premises to its parking lot at 2635 N. Mayfair Road on August 25, 2002, between the hours of 9:00 AM and 3:00 PM; and

WHEREAS, the proceeds from the annual car show occurring on this date will be donated to “Tosa 4 Kids” to support that organization’s continuing mission,

NOW, THEREFORE, BE IT RESOLVED THAT a temporary extension of the liquor license of BW-3 at 2635 N. Mayfair Road is hereby granted between the hours of 9:00 AM and 3:00 PM on August 25, 2002.

It was moved by Ald. McCarthy, seconded by Ald. Ecks
to approve the foregoing resolution under suspension of the
rules. -15

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION

1. Ordinance amending Section 8.10.070 of the City Code entitled Human Health Hazard/Administration
Re-refer to originating committee
2. Ordinance amending Section 8.08.110(9) of the City Code entitled Quarantine/Appeal
Re-refer to originating committee
3. Ordinance amending Section 8.08.100(12) of the City Code entitled Quarantine/Appeal
Re-refer to originating committee

FROM THE COMMITTEE ON TRAFFIC AND SAFETY

ORDINANCE O-02-21

AN ORDINANCE AMENDING WAUWATOSA CODE SECTION 11.32.080 TO ESTABLISH A ONE HOUR PARKING RESTRICTION ON A PORTION OF NORTH 61ST STREET

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

Part I. The “North 61st Street – west side” portion of the “Schedule of streets, and portions” of Wauwatosa Code Section 11.32.080 is hereby amended by adding one additional restriction which reads as follows:

“(bb) from West Blue Mound Road to a point 100 feet north thereof”

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

It was moved by Ald. McCarthy, seconded by Ald. Sullivan
to adopt the foregoing ordinance. -15

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

ORDINANCE O-02-22

AN ORDINANCE AMENDING WAUWATOSA CODE SECTIONS 15.14.020, 15.14.240.A.2.f., AND 15.14.240.A. AND CREATING SECTIONS 15.14.240(INTRO.), 15.14.240.B, 15.14.240.C. AND 15.14.240.D. TO ALLOW CERTAIN DECORATIVE FLAGS, BANNERS AND WAYFINDING SIGNS IN THE VILLAGE OF WAUWATOSA BUSINESS IMPROVEMENT DISTRICT

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

Part I. Those Parts of Wauwatosa Code Section 15.14.020 defining the terms “Banner” and “Flag” are hereby repealed and reenacted as follows:

"Banner" means any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentation applied to paper, plastic or fabric of any kind. Flags, as defined below, shall not be considered banners for the purpose of this chapter.

"Flag" means any fabric or bunting, attached along only one edge to a pole or permanent structure, containing distinctive colors or patterns, logos and/or corporate masthead or official corporate title/name, and used solely as an identifier of a government or political subdivision, institution or business.

Part II. Wauwatosa Code Section 15.14.080A.2.f. is hereby repealed and reenacted as follows:

f. Flags, provided that not more than two flags per street frontage are displayed at any time;

Part III. That portion of the introductory clause of Wauwatosa Code Section 15.14.240.A. before the first colon (“:”) is hereby redesignated as the introductory clause to Section 15.14.240, and amended to read as follows:

All signs, regardless of size and type, located within the area designated as the Village of Wauwatosa Business Improvement District shall comply with the signage requirements as established within the business district, and be subject to independent review and approval on a case by case basis by the Village of Wauwatosa Business Improvement District Signage Review Board, with the following exceptions:

Part IV. That portion of the introductory clause of Wauwatosa Code Section 15.14.240.A. after the first colon (“:”) shall now constitute the entire text of the introductory clause of Wauwatosa Code Section 15.14.240.A. and hereby amended to read as follows:

Portable sandwich-type signs are permitted within the city right-of-way as follows:

Part V. Wauwatosa Code Section 15.14.240.B. is hereby created to read as follows:

B. Directional and way finding-type signs approved by the Wauwatosa Village Business Improvement District Signage Review Board are permitted in the city right of way, contingent upon approval by the Board of Public Works.

Part VI. Wauwatosa Code Section 15.14.240.C. is hereby created to read as follows:

C. Flags or banners, if either of the following apply:

1. A banner complying with sec. 15.14.260 of this code; or
2. Other flags or banners in compliance with the following criteria:
 - a. The flag or banner does not exceed 20 square feet in size; and
 - b. The design and location of the flag or banner is approved by the Village of Wauwatosa Business Improvement District Signage Review Board and the Wauwatosa Board of Public Works; and
 - c. No flag or banner shall be less than eight feet from its lowest edge to the established grade below; and
 - d. The entire projection of the flag or banner shall not extend more than four feet from the building, and
 - e. The projection of the flag or banner shall not extend over the public right of way without an encroachment agreement and an insurance certificate approved by the city, and
 - f. All flags or banners approved under this section must be maintained in good condition. Either the Board of Public Works or the Village of Wauwatosa Business Improvement District Signage Review Board may withdraw its approval of a flag or banner at any time if it is not maintained in good condition.

Part VII. Wauwatosa Code Section 15.14.240.D. is hereby created to read as follows:

D. Monument signs to promote the Village of Wauwatosa Business Improvement District erected in the public right of way, so long as such signs do not create safety hazards, and are approved by the Common Council.

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

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-02-201

WHEREAS, Kevin Miyazaki has applied for a Conditional Use in the AA Business District at 1511 N. 68th Street to add a second story residential unit to an existing commercial building 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 by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use to Kevin Miyazaki for a Conditional Use in the AA

Business District to add a second story residential unit to an existing commercial building at 1511 N. 68th Street.

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

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-202

WHEREAS, the Wauwatosa Health Department has requested permission to apply for a \$3,000.00 radon grant from the Wisconsin Bureau of Environmental Health; and

WHEREAS, this grant would increase community-wide radon awareness and provide radon test kits to interested residents;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Health Department is hereby authorized to apply for a mini-grant in the amount of \$3,000.00 from the Wisconsin Bureau of Environmental Health – Radon Protection Section.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-203

WHEREAS, the Wauwatosa Health Department has proposed outsourcing its mass flu clinic activities to Covenant Healthcare due to previous delays and to contract problems related to the clinics; and

WHEREAS, outsourcing mass flu clinics to Covenant Healthcare pursuant to the draft Memorandum of Understanding would result in a revenue neutral mass flu clinic program for the Wauwatosa Department of Health; and

WHEREAS, the proposed outsourcing MOU is a pilot partnership program scheduled only for the Fall of 2002;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Health Department is hereby authorized to enter into a Memorandum of Understanding with Covenant Healthcare pursuant to the terms outlined to the Committee of Budget and Finance, for purposes of the outsourcing of flu clinics.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-204

WHEREAS, the State of Wisconsin has been authorized to award grants from the Centers for Disease Control for public health emergency preparedness; and

WHEREAS, the acceptance of grant funding would allow the Wauwatosa Health Department to continue its proactive stance for bioterrorism preparedness;

THEREFORE, BE IT RESOLVED THAT the Wauwatosa Health Department is hereby authorized to accept bioterrorism grant funding for public health preparedness in the amount of \$15,992.00.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-205

WHEREAS, the Wauwatosa Health Department was notified on June 24, 2002 of being awarded a mini-grant from the State of Wisconsin Environmental Health Grant Program in the amount of \$5,000.00; and

WHEREAS, mini-grant funding would be used to augment the existing environmental health operating budget to purchase monitoring equipment and supplies for responding to citizen inquiries and conducting health hazard investigations; and

WHEREAS, with the recent passage of the new human health hazard ordinance by the City of Wauwatosa, it is expected that more health hazard investigation requests will be received from the community;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Health Department is hereby authorized to accept Wisconsin Environmental Health grant funding in the amount of \$5,000.00 and to utilize that money to augment its existing environmental health operating budget.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-206

WHEREAS, the Wauwatosa Health Department previously received permission to apply for \$650.00 in grant funding from the Southeast Regional Division of Public Health Cardiovascular Prevention Grant Program; and

WHEREAS, this funding would allow production of an additional number of "Best Walks in Wauwatosa Neighborhoods" booklets;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Health Department is hereby authorized to accept the grant of \$650.00 from the Southeast Regional Division of Public Health Cardiovascular Prevention Grant Program and to utilize that money to purchase additional "Best Walks in Wauwatosa Neighborhoods" books for public use.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-207

WHEREAS, the Wauwatosa Senior Club has requested to use the club rooms in the upper level of the Wauwatosa Civic Center for Tai Chi classes currently conducted in the lower level auditorium space at the same time as other ongoing senior programs; and

WHEREAS, use of the upper level club rooms would not require any additional set up work or clean up activities by City staff; and

WHEREAS, the current request is for a limited purpose, one class to be conducted on 12 successive Friday mornings between September 6 and November 22, 2002;

NOW, THEREFORE, BE IT RESOLVED THAT the Wauwatosa Senior Club is hereby authorized to utilize the upper level civic center club rooms on 12 consecutive Friday mornings from September 6 through November 22, 2002 for purposes of a Tai Chi class, at no rental charge in addition to that already paid by the Wauwatosa Senior Club for the use of Civic Center facilities.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-208

WHEREAS, the Wauwatosa Common Council previously authorized Torke Wirth Pujara to develop construction documents and secure bids for purposes of constructing a community based residential facility at 12231 W. Blue Mound Road to replace the existing Marjorie C. Home currently located at 1222 N. 71st Street; and

WHEREAS, construction of the new CBRF is required as an element of the Hart Park Flood Mitigation Improvement Project; and

WHEREAS, funding for construction for this CBRF will be facilitated through funds provided by the Milwaukee Metropolitan Sewerage District; and

WHEREAS, Stone Creek Development, LLC, has provided the lowest bid in response to the requirements prepared by Torke Wirth Pujara;

NOW, THEREFORE, BE IT RESOLVED that the contract for the new facility for the Marjorie C. Home to be located at 12231 W. Blue Mound Road, Wauwatosa, shall hereby be awarded to the lowest responsible bidder, Stone Creek Development, LLC, contingent upon that company securing performance and labor material bonds in a timely fashion, as outlined in the letter of James Machnik of HNTB Corporation to Nancy Welch, Director of Community Development, dated July 26, 2002.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-210

WHEREAS, Wauwatosa Public Works Department and the Milwaukee County Department of Public Works have been working to resolve storm water billing issues related to the non-exempt medical properties on the Milwaukee County grounds within the City of Wauwatosa; and

WHEREAS, during the pendency of this effort, the Water Department billing system has automatically calculated accumulating penalty charges relating to the unpaid portions of the storm water fees; and

WHEREAS, the proper amounts for storm water fees are now being billed and Milwaukee County is now paying its bills for this purpose on time;

NOW, THEREFORE, BE IT RESOLVED THAT penalty charges incurred by Milwaukee County for nonpayment of storm water fees prior to September 1, 2002, for the non-exempt medical facilities on Milwaukee County grounds are hereby authorized to be reversed pursuant to the terms described in the memorandum of the Director of Public Works dated July 24, 2002.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-211

WHEREAS, reconstruction of the Marquette Interchange in the City of Milwaukee during the years 2004 – 2007 will include portions of West Blue Mound Road in the City of Wauwatosa as primary detour routes; and

WHEREAS, the Wisconsin Department of Transportation provides grants for the mitigation of construction impacts due to such traffic disruptions;

NOW, THEREFORE, BE IT RESOLVED THAT the Department of Public Works is hereby authorized to apply for Construction Mitigation Impact Funding from the Wisconsin Department of Transportation due to increased traffic occurring on Wauwatosa roads during the reconstruction of the Marquette Interchange.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-213

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the claim filed by Sherrie Harmon for property damage 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.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-214

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the claim filed by John Stanczak for property damage 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.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTIONU R-02-215

WHEREAS, the Wauwatosa Historical Society has requested that the City participate as a consortium member for the "Tosa High Project" in its application for a grant from the National Endowment for the Arts; and

WHEREAS, the City of Wauwatosa's agreement to participate as a consortium member will not obligate the City to any financial responsibility, while preserving valuable historical items at the current site of Wauwatosa East High School;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to participate as a consortium member in the "Tosa High Project" in conjunction with the Wauwatosa Historical Society's grant application from the National Endowment for the Arts.

It was moved by Ald. Stepaniak, seconded by Ald. Grimm
to approve the 12 foregoing resolutions. -15

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-209

WHEREAS, the Wauwatosa Police Department received Local Law Enforcement Block Grant funding in the year 2001; and

WHEREAS, the Wauwatosa Police Department has requested authorization to utilize these to

- 1) purchase a computer voice stress analyzer at a cost of \$12,265.00, including training
- 2) purchase a booking room photo interface for purposes of connecting on-line with the sheriff's department booking system to retrieve booking data, booking photos, and photo line-up materials electronically, and
- 3) purchase one spare mobile data terminal for Wauwatosa police squads; and

WHEREAS, the Wauwatosa Police Department has also been advised that it will be granted 2002 Local Law Enforcement Block Grant funding in the amount of \$24,694.00, requiring a 10% match by the City;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is authorized to purchase the items described in the memorandum of Captain John Bozicevich dated July 25, 2002, utilizing 2001 Block Grant Funds, including \$2,975.00 in matching funds to be reallocated from portions of the Police Department budget;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is hereby authorized to accept the 2002 Local Law Enforcement Block Grant in the amount of \$24,694.00.

It was moved by Ald. Stepaniak, seconded by Ald. Grimm to approve the foregoing resolution. Upon roll call vote, the vote was Ayes 13 Noes 2 (Bruderle-Baran, Casey)

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-212

WHEREAS, the Wauwatosa Department of Public Works solicited proposals for a solid waste and recycling contract beginning in the year 2003; and

WHEREAS, following submission of proposals during June 2002, the Department of Public Works began to negotiate specific prices with Waste Management, the apparent lowest cost provider; and

WHEREAS, the Director of Public Works has provided final price outlines agreed to by Waste Management pursuant to the final negotiation process; and

WHEREAS, ONYX has provided the best pricing on that portion of the RFP related to curbside yard waste collection and recovery;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to enter into a 10 year agreement with Waste Management, Inc. for solid waste disposal, blue bag recycling, separation and recovery, recycling of drop-off center material, composting screening, and hauling of leaves, yard waste chipping, and hauling and loose log disposal;

BE IT FURTHER RESOLVED THAT the City of Wauwatosa is authorized to enter into a ten year contract with ONYX for curbside yard waste collection and recovery pursuant to the terms outlined by the Director of Public Works.

It was moved by Ald. Stepaniak, seconded by Ald. Grimm 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 7/17/02 – 8/06/02

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 7/17/02 – 8/06/02:

\$1,851,976.01

It was moved by Ald. Casey, seconded by Ald. Grimm 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-02-216

WHEREAS, Joel Property Management LLC, has requested an encroachment agreement to continue parking within the City right-of-way in an area immediately north of the entrance to the parking structure of 11430 W. Blue Mound Road; and

WHEREAS, the previous encroachment agreement provided for two cars to be parked in this location; and

WHEREAS, the location has been utilized for a total of three parking spaces within the right-of-way since at least 1994; and

WHEREAS, the immediate neighbor to the location has approved this use of the City right-of-way;

NOW, THEREFORE, BE IT RESOLVED THAT the request of Joel Property Management LLC for an encroachment agreement allowing the parking of three automobiles within the City right-of-way near the parking structure and the building at 11430 W. Blue Mound Road is hereby approved, conditioned upon the owner providing the parking locations be paved with concrete in a manner acceptable to the City electrical inspectors and engineering department.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-02-217

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized to enter into a contract with Mainline Sewer & Water, Inc., of Wauwatosa, Wisconsin, for the work of water main relay on Menomonee River Parkway, W. Congress Street, and W. Hope Avenue, and work incidental thereto under contract 02-5 at and for their bid price of \$355,038.40, 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-02-218

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized to enter into a contract with Visu-Sewer Clean & Seal, Inc., of Pewaukee, Wisconsin for the work of Spot Sanitary Sewer and Storm Sewer Rehab and Lining Improvements under Contract 02-37A at and for their bid price of \$532,002.00 (including additive bid 1), this being the lowest and best bid. Project to be fully funded by CDBG monies.

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-02-219

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized to enter into a contract with National Power Rodding Corp. of Chicago, Illinois, for the work of Day Water Flooding, Sanitary Sewer Cleaning and TV Inspection under Contract 02-39B at and for their bid price of \$179,400.55, this being the lowest and best bid. Project to be fully funded by CDBG monies.

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

It was moved by Ald. McCarthy, seconded by Ald. Casey
to approve the four foregoing resolutions. -15

There being no further business, the meeting adjourned at 8:12 p.m.

/cal

Carla A. Ledesma, CMC, City Clerk