

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, July 16, 2002

PRESENT: Alds. Grimm, Jenkins, Kopischke, Krol, Matthews, McCarthy, Stepaniak,
Subotich, Sullivan (7:32 p.m.), Treis, Bruderle-Baran, Becker, Casey, Ecks -14

EXCUSED: Alds. Heins and Herzog

ALSO PRESENT: Mr. Wontorek, City Administrator; Ms. Plass, Accounting Mgr.; Mr. Kesner,
City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Dir. of Community
Development; Police Chief Weber; Fire Chief Redman; Mr. Wojcehowicz, Water
Utility Supt.; Mr. Tschudy, Water Utility Bus. Mgr.; 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. 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. -13

APPOINTMENTS BY THE MAYOR

Library Board

Joanne Petersen, School Board representative (reappointment)
Randal Brotherhood, 1665 Mountain Avenue (reappointment)
(Terms end 6/30/05)

Citizens' Advisory Capital Improvements Committee

Randal Brotherhood, 1665 Mountain Avenue (reappointment)
William Seeman, 6230 Upper Parkway North (reappointment)
Nancy Krebs, 2571 N. 88th Street (reappointment)
(Terms end 6/30/05)

It was moved by Ald. McCarthy, seconded by Ald. Krol
to concur with the foregoing appointments. -13

(Ald. Sullivan present 6:32 p.m.) -14

APPLICATIONS, COMMUNICATIONS, ETC.

- 1. Letter from Thomas E. Liker, 12148 Meadow Court, thanking the Council for funding the Citizens Police Academy
Place on file
- 2. Letter from Ald. Kopischke proposing a recurring column in the Wauwatosa News-Times and posting on the city's web site describing the services the city provides
Administration
- 3. City of Wauwatosa Investment Summary and Statement of Financial Condition as of June 30, 2002
Place on file
- 4. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended June 30, 2002
Place on file
- 5. Milwaukee Metropolitan Sewerage District 2001 Annual Financial Report and Proceedings of the 2001 Commission meetings
Place on file
- 6. Notice of Claim: George Baumgartner, 1418 N. 123rd Street
City Attorney
- 7. Letter from Mayor Estness requesting review of the Zoning Code to create an East Towne Trade District to enhance business development and strengthen the commercial areas of North Avenue and Center Street from 60th Street to Wauwatosa Avenue
Planning Department
- 8. Southeastern Wisconsin Regional Planning Commission 2001 Annual Report
Place on file

FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION

- 1. Ordinance amending Chapter 11.32.080 of the City Code by restricting parking on the west side of N. 61st Street from W. Blue Mound Road north 100 feet to one hour
Re-refer to originating committee

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT FOR INTRODUCTION

- 1. Ordinance amending the Zoning Code in the AA Light Manufacturing and AA Industrial Districts to allow medical clinics as a Special Use when accessory to a permitted use
Re-refer to originating committee

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

RESOLUTION R-02-191

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin THAT a public hearing be held before the Common Council in the Council Chambers at 7:30 p.m. Local Time, on Tuesday, August 6, 2002, 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 a proposed ordinance amending Section 24.34 AA Light Manufacturing District and Section 24.36 AA Industrial District to allow medical clinics as a special use when accessory to a permitted use.

BE IF FURTHER RESOLVED THAT the City Clerk be and is hereby directed to publish the proper notices of said hearing as required by law.

It was moved by Ald. Ecks, seconded by Ald. Matthews to approve the foregoing resolution. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-192

WHEREAS, the Wauwatosa Water Utility purchases water at a wholesale commodity rate from the Milwaukee Water Works; and

WHEREAS, the Milwaukee Water Works has received approval from the Public Service Commission of Wisconsin to adjust its rates for wholesale commodity water sales by \$.047 per 100 cubic feet of water; and

WHEREAS, the Public Service Commission of Wisconsin has approved a corresponding change in water rates to be charged by the Wauwatosa Water Utility effective with the change in Milwaukee Water Utility rates;

NOW, THEREFORE, BE IT RESOLVED THAT effective August 1, 2002, the metered volume charges for water from the Wauwatosa Water Utility shall be raised by \$0.047 per 100 cubic feet, with the new rates to be as follows:

- First 10,000 cubic feet - $\$1.376 + 0.047 = \1.423
- Next 40,000 cubic feet - $\$1.286 + 0.047 = \1.333
- Over 50,000 cubic feet - $\$1.086 + 0.047 = \1.133

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-193

WHEREAS, in October 1998 the City of Wauwatosa Common Council approved a final resolution authorizing reconstruction of Maywood Avenue during the year 1999; and

WHEREAS, the 1999 project was held because of a pending request by Wisconsin Lutheran College to vacate a portion of Maywood Avenue and Maywood Court; and

WHEREAS, the Common Council approved the street vacation request, leaving only a small portion of Maywood Avenue to require resurfacing; and

WHEREAS, the 2002 capital project fund balance would be sufficient to fund a Type C resurfacing treatment for the remaining portions of Maywood Avenue following the offset of \$3,755.00 in assessments to property owners; and

WHEREAS, the abutting property owners have been notified of the proposal and the assessments, have been invited to comment and no negative comments have been received;

NOW, THEREFORE, BE IT RESOLVED THAT portion of Maywood Avenue remaining under City jurisdiction is hereby authorized for a Type C resurfacing treatment in conjunction with the 2002 street program;

BE IT FURTHER RESOLVED THAT abutting property owners will be assessed a total of \$3,755.00 for this repaving project consistent with notices mailed in June, 2002;

BE IT FINALLY RESOLVED THAT the project may be added to one of the existing 2000 paving contracts already authorized by the Common Council without further action.

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-194

WHEREAS, the Department of Public Works received approval in the 2002 budget for a new aerial truck which has not yet been purchased; and

WHEREAS, the Director of Public Works has requested that the purpose of the funds budgeted for the new aerial truck be changed, allowing the purchase of a second new end loader identical to the one purchased earlier this year; and

WHEREAS, the purchase of the new end loader from Brooks Tractor, Inc. would include the trade-in of two loaders currently owned by the City having trade-in value of \$43,000.00;

NOW, THEREFORE, BE IT RESOLVED THAT a change of purpose of funds included in the Department of Public Works budget for the purchase of an aerial truck is hereby authorized for the purchase of a new end loader identical to the one purchased earlier this year;

BE IT FURTHER RESOLVED THAT the purchase of the new end loader, is hereby authorized in an amount not to exceed \$60,525.00 in addition to the trade-in of two end loaders valued at \$43,000.00 in the trade;

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

FROM THE COMMITTEE ON BUDGET AND FINANCE

RESOLUTION R-02-195

WHEREAS, due to a potential reduction in State Shared Revenue as a result of a proposed budget repair bill in the State legislature, budgeted operating and equipment purchase funds for the Department of Public Works were placed on hold pending an outcome to the State budget discussion; and

WHEREAS, \$223,000.00 have previously been released from this hold pursuant to requests of the Director of Public Works; and

WHEREAS, the Director of Public Works has requested an additional \$159,500.00 be released from these held funds, leaving \$224,700.00 to still be held;

NOW, THEREFORE, BE IT RESOLVED THAT \$159,500.00 of funds previously approved for the budget of the Department of Public Works, which have been held pending the resolution of State budget matters, is hereby released pursuant to the request reflected in the memorandum of the Director of Public Works dated July 1, 2002.

It was moved by Ald. Stepaniak, seconded by Ald. Casey to approve the four foregoing resolutions. -14

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 7/3/02 – 7/16/02 --

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 7/3/01 – 7/16/02: \$1,233,378.47

It was moved by Ald. Casey, seconded by Ald. Sullivan 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 14.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-02-198

WHEREAS, Angelina M. Fugarino, owner of the property at 418 N. Mayfair Road, Wauwatosa, WI, has requested a vacation of a small portion to the North 107th Street right-of-way immediately north of Blue Mound Road and east of her property as indicated in the communication attached hereto; and

WHEREAS, the City of Wauwatosa previously vacated a portion of the alley right-of-way adjacent to this property to enable construction on the parcel; and

WHEREAS, Angelina M. Fugarino is the owner of 100% of the frontage of lots abutting this public way;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa hereby abandons and vacates that portion of the public right-of-way for 107th Street as requested in the July 9, 2002 letter to the Board of Public Works;

BE IT FURTHER RESOLVED THAT this vacation of public way is subject to the parcel owner receiving confirmation from the Wisconsin Department of Transportation that the City has the right to vacate the parcel.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-02-199

BE IT RESOLVED by the Common Council of the City of Wauwatosa that the proper city officials be and they are hereby authorized and directed to enter into a contract with Crowley Construction Corporation of Wauwatosa, Wisconsin for the work of citywide pavement marking and work incidental thereto under Contract 02-22 at and for their bid price of \$31,364.49, the being the best and only bid.

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

It was moved by Ald. Sullivan, seconded by Ald. McCarthy to approve the two foregoing resolutions. -14

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-02-197

WHEREAS, the original cathodic protection system on the Burleigh Street water tower is no longer operable and;

WHEREAS, an internal inspection of the tank was now completed and subsequently determined the system should be replaced, and

WHEREAS, Corpro Waterworks of Medina, Ohio has agreed to install a new cathodic protection system at a price of \$9,900. and there are sufficient funds available in account #50-186-2000-600,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa THAT the bid of Corpro Waterworks to install a cathodic protection system for the Burleigh Street Water Tower at and for their bid price of \$9,900 be and the same is hereby approved.

BE IT FURTHER RESOLVED that the competitive bidding process be waived and that the Purchasing Manager be authorized and directed to issue a purchase order therefor.

It was moved by Ald. Sullivan, seconded by Ald. McCarthy to approve the foregoing resolution. -14

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-02-196

WHEREAS, on July 10, 2002, the Board of Public Works approved a street vendor permit to allow Covenant Healthcare to sponsor a farmer's market and health fair in the western portion of the Civic Center parking lot on Saturdays from July 20 through August 31, 2002, between the hours of 8:00 AM and 12:00 noon; and

WHEREAS, the street vendor permit was issued contingent upon co-sponsorship of the event by the Wauwatosa Health Department, whose Director was not immediately available for approval of such co-sponsorship; and

WHEREAS, the facilitator of the weekly event has requested permission for a small sign to be placed in the Civic Center lawn near the corner of Wauwatosa and North Avenues on Fridays, announcing "Farmer's Market Here This Saturday;" and

WHEREAS, any such sign would require approval of the Common Council based upon the Civic Center sign policy passed by the Wauwatosa Common Council on January 15, 2002;

NOW, THEREFORE, BE IT RESOLVED THAT the placement of a small sign announcing the farmer's market on Saturday mornings shall be allowed on Civic Center grounds at a location near the corner of Wauwatosa and North Avenues to be placed on Fridays prior to each weekly event and removed after its conclusion on Saturday, the first placement to be July 19, 2002 and the final placement to be allowed beginning August 30, 2002;

BE IT FURTHER RESOLVED THAT the content of the sign shall be limited to a message announcing that a farmer's market will be occurring on Saturday without further sponsorship or other information.

It was moved by Ald. Sullivan, seconded by Ald. McCarthy
to deny the request. –

Following discussion, the motion was withdrawn by the maker and by the seconder.

It was moved by Ald. Stepaniak, seconded by Ald. Kopischke
to approve the foregoing resolution. - 14

There being no further business, the meeting adjourned at 7:45 p.m.

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Carla A. Ledesma, CMC, City Clerk