



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 19, 2004

PRESENT: Alds. Bruderle -Baran, Becker, Birschel, Casey, Grimm, Herzog, Jenkins, Kopischke, Krill, McCarthy, Stepaniak, Subotich, Sullivan, Treis -14

EXCUSED: Alds. Krol and Maher

ALSO PRESENT: Mr. Braier, Finance Director; Mr. Kesner, City Attorney; Mr. Kappel, Dir. of Public Works; Ms. Welch, Community Development Director; Police Chief Weber; Mr. Cameron, Admin. Asst.; Ms. Ledesma, City Clerk; Ms. Williams, Deputy City Clerk

Mayor Estness in the Chair

The Mayor called the meeting to order at 7:35 p.m.

City Clerk Carla Ledesma swore in Donald F. Birschel as Seventh District Alderman.

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

APPLICATIONS, COMMUNICATIONS, ETC.

1. Wauwatosa Water Utility Statement of Receipts and Disbursements for month ended September 30, 2004
Place on file
2. Letter from Carl Templer, Village of Wauwatosa Business Improvement District, requesting review of the BID's 2005 work plan and budget
Committee on Budget & Finance
3. Canvass of votes of the Special Recall Election on October 12, 2004
Place on file
4. City of Wauwatosa Investment Summary as of September 30, 2004
Place on file

FROM THE COMMITTEE ON TRAFFIC & SAFETY FOR INTRODUCTION

1. Ordinance amending Section 11.32.080 of the City Code by restricting parking on the east side of N. 115th Street, north of W. North Avenue
Re-refer to originating committee

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-220

WHEREAS, James E. Purtell, 8421 W. Burleigh Street, Milwaukee, has applied for an operator's license in conjunction with his employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT James E. Purtell, 8421 W. Burleigh Street, Milwaukee, is hereby issued an operator's license for the period ending June 30, 2005.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-221

WHEREAS, Nicolina Tarantino, 12850 W. Greenfield Ave., New Berlin, WI, has applied for an operator's license in conjunction with her employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Nicolina Tarantino, 12850 W. Greenfield Ave., New Berlin, WI, is hereby issued an operator's license for the period ending June 30, 2005.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-222

WHEREAS, Tony Herold, 1339 N. 116th Street, Wauwatosa, WI, has applied for an operator's license in conjunction with his employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Tony Herold, 1339 N. 116th Street, Wauwatosa, WI, is hereby issued an operator's license for the period ending June 30, 2005.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-223

WHEREAS, Tami J. Graham, 4067 S. 35th Street, Greenfield, WI, has applied for an operator's license in conjunction with her employment at The Cheesecake Factory, 2350 N. Mayfair Road, Wauwatosa, WI;

NOW, THEREFORE, BE IT RESOLVED THAT Tami J. Graham is hereby issued an operator's license for the period ending June 30, 2005;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Graham's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-224

WHEREAS, Sandra K. Wolfgram, 213 E. Pier St., Port Washington, WI., applied for an operator's license in conjunction with her work at The Cheesecake Factory, 2350 N. Mayfair Road, Wauwatosa; and

WHEREAS, a background investigation revealed four previous misdemeanor convictions, two of which were not listed on Ms. Wolfgram's application; and

WHEREAS, the circumstances surrounding the previous convictions, and the seriousness of her previous convictions, are factors substantially related to the responsibilities of persons holding operator's licenses in the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the operator's license application of Sandra K. Wolfgram, 213 E. Pier Street, Port Washington, WI, is hereby denied;

BE IT FURTHER RESOLVED THAT the Clerk shall notify Ms. Wolfgram in writing of this decision and the reasons for the denial.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-225

WHEREAS, Stephanie M. Kosmatka, 3235 S. Landl Lane, Milwaukee, WI, has applied for an operator's license in conjunction with her employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Stephanie M. Kosmatka, 3235 S. Landl Lane, Milwaukee, WI is hereby issued an operator's license for the period ending June 30, 2005.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-226

WHEREAS, Julianne Rocque, 16701 W. Salentine Dr., New Berlin, WI, has applied for an operator's license in conjunction with her employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Julianne Rocque, 16701 W. Salentine Dr., New Berlin, WI, is hereby issued an operator's license for the period ending June 30, 2005.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-227

WHEREAS, James Cababa, 1009 N. Jackson Street, Milwaukee, WI, has applied for an operator's license in conjunction with his employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT James Cababa, 1009 N. Jackson Street, Milwaukee, WI, is hereby issued an operator's license for the period ending June 30, 2005.

FROM THE COMM. ON LEGISLATION, LICENSING AND COMMUNICATIONS

RESOLUTION R-04-228

WHEREAS, Shyla Burl, 2809 N. Richards Street, Milwaukee, WI, has applied for an operator's license in conjunction with her employment at The Cheesecake Factory, 2350 N. Mayfair Road;

NOW, THEREFORE, BE IT RESOLVED THAT Shyla Burl, 2809 N. Richards Street, Milwaukee, WI, is hereby issued an operator's license for the period ending June 30, 2005.

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

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 10/06/04 - 10/19/04

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 10/06/04 – 10/19/04: \$1,613,143.39

It was moved by Ald. Bruderle-Baran, seconded by Ald. Casey that each and every one of the accounts of bills and claims be allowed and ordered paid. Roll call vote, Ayes 14.

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-04-229

WHEREAS, Cable-Lite, Inc. undertook certain construction of street lighting cable in the year 2003 pursuant to contract 03-10; and

WHEREAS, some of the work pursuant to that contract was defective and required replacement pursuant to the warranty provisions of the contract, which Cable -Lite, Inc. has been unable to honor due to having gone out of business since that time; and

WHEREAS, the performance bond under the contract with Cable Lite, Inc. will provide the funds necessary to honor the completion of the contract; and

WHEREAS, it is estimated, after investigation, that the sum of \$9,966.00 in additional work will be necessary to complete the warranty repairs on the Cable-Lite contract, in addition to funds already invested for testing and minor repairs;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to enter into a contract with Outdoor Lighting Construction Company to correct the street lighting cable replacement work done by Cable-Lite, Inc. under contract 03-10 in an amount not to exceed \$9,966.00, contingent upon agreement by the holder of the performance bond for the Cable Lite contract agreeing to pay all expenses related to testing and repair of the work in question;

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

FROM THE BOARD OF PUBLIC WORKS

RESOLUTION R-04-230

WHEREAS, recent inspection of the Harmonee Bridge in the City of Wauwatosa reveals portions of deteriorated concrete on the underside of the bridge at approximately 15 locations; and

WHEREAS, the estimated cost of the repairs known to be required is approximately \$13,150.00, although more repairs may be found to be necessary once work is commenced; and

WHEREAS, the Bridge Repair Account has a balance sufficient to pay for the cost of these repairs;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Wauwatosa is hereby authorized to enter into a contract with Zenith Tech, Inc. for emergency repairs to the Harmonee Bridge in an amount not to exceed \$20,000.00;

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

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

There being no further business, the meeting adjourned at 7:50 p.m.

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Carla A. Ledesma, CMC, City Clerk