



Wauwatosa, WI

Common Council

Meeting Minutes

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, April 18, 2023

7:30 PM

Council Chambers and Zoom:
<https://servetosa.zoom.us/j/273225010>,
Meeting ID: 273 225 010

Regular Meeting

CALL TO ORDER

Mayor Dennis McBride called the regular Common Council meeting to order at 7:40 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: 14 Alderperson District 1 Andrew Meindl
Alderperson District 1 James Moldenhauer
Alderperson District 2 Margaret Arney
Alderperson District 2 John Dubinski
Alderperson District 3 Joseph Makhlof II
Alderperson District 4 David Lewis
Alderperson District 4 Ernst Franzen
Alderperson District 5 Sean Lowe
Alderperson District 5 Joel Tilleson
Alderperson District 6 Council President Meagan O'Reilly
Alderperson District 6 Joe Phillips
Alderperson District 7 Mike Morgan
Alderperson District 7 Amanda Fuerst
Alderperson District 8 Melissa Dolan
Excused: 2 Alderperson District 3 Robin Brannin
Alderperson District 8 Jason Wilke

SPECIAL PRESENTATION

1. Wisconsin Department of Tourism presentation of JEM Grant check to the Wauwatosa Tourism Commission

[23-189](#)

David Spiegelberg, Regional Tourism Specialist at the WI Dept. of Tourism, presented a Joint Effort Marketing grant check to the Wauwatosa Tourism Commission in the amount of \$22,086 to help fund the marketing of the ART 64 event. Present to receive the check on behalf of the City was Tourism Specialist Beth Gleesing, Tourism Commission Chairperson Dave Amoroso, and Mayor McBride.

PUBLIC HEARING

1. Public hearing regarding proposed ordinance amending the Zoning Map from C2 District to C2/Planned Unit Development Overlay District and to consider preliminary plans for a Planned Unit Development at 11400 W. Blue Mound Road and 11430 W. Blue Mound Road [23-1234](#)

Paulette Enders, Development Director, presented.

Public hearing opened at 7:52 PM.

Public Comments

Pete Gavaris, 1244 N. 86th Street, gave a public comment.

Steve Wurtezaw, 1118 W. Parkhill Avenue, spoke in favor.

Keith Bay, 522 N. 115th Street, gave a public comment.

Public hearing closed at 7:58 PM.

APPROVAL OF MINUTES

1. Approval of minutes of the April 5, 2023 regular meeting [23-252](#)

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: David Lewis

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhoulf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke

APPOINTMENTS BY THE MAYOR

1. Reappointment by Mayor McBride of Eileen McEnroe Hanks (District 1) as a member of the Board of Building and Fire Code of Appeals, term ending May 31, 2026 [23-1205](#)

Recommendation: First Reading

RESULT: HELD
2. Reappointment by Mayor McBride of Patrick Nook (District 6) as a member of the Wauwatosa Board of Building and Fire Code of Appeals, term ending May 31, 2026 [23-1206](#)

Recommendation: First Reading

RESULT: HELD
3. Reappointment by Mayor McBride of David G. Niles (District 7) as a member of the Wauwatosa Bicycle and Pedestrian Facilities Committee, term ending May 31, 2025 [23-1207](#)

Recommendation: First Reading

RESULT: HELD
4. Reappointment by Mayor McBride of Ryan Wallace (District 5) as a member of the Wauwatosa Bicycle and Pedestrian Facilities Committee, [23-1208](#)

term ending May 31, 2025

Recommendation: First Reading

RESULT: HELD

5. Reappointment by Mayor McBride of Ava Frazer (District 4) as a student member of the Wauwatosa Youth Commission, term ending May 31, 2026 [23-1209](#)

Recommendation: First Reading

RESULT: HELD

6. Reappointment by Mayor McBride of Kristin Hagen (District 1) as a member of the Wauwatosa Youth Commission, term ending May 31, 2026 [23-1211](#)

Recommendation: First Reading

RESULT: HELD

7. Appointment by Mayor McBride of Thomas Stacey (District 7) as a member of the Wauwatosa Design Review Board, term ending June 30, 2025 [23-1213](#)

Recommendation: First Reading

RESULT: HELD

8. Appointment by Mayor McBride of Christopher Due (District 3) as a member of the Wauwatosa Plan Commission, term ending April 30, 2026 [23-1215](#)

Recommendation: First Reading

RESULT: HELD

9. Reappointment by Mayor McBride of Steve Jung (District 4) as a member of the Wauwatosa Board of Building and Fire Code Appeals, term ending May 31, 2026 [23-1214](#)

Recommendation: First Reading

RESULT: HELD

ORDINANCES FOR INTRODUCTION

1. Ordinance amending the Official Zoning Map of the City of Wauwatosa from C2 District to C2 District/Planned Unit Development Overlay at 11400 W Blue Mound Road and 11430 W Blue Mound Road [23-1231](#)

The Common Council of the City of Wauwatosa ordains as follows:

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect a Zoning Map Amendment from C2 District to C2 District/Planned Unit Development Overlay at 11400 W Blue Mound Road and 11430 W. Blue Mound Road described as follows:

11400 W. Blue Mound Road - SE QUAR SEC 30-7-21 PARCEL 2 & E 10FT OF PARCEL 1 CERT SURVEY MAP

11430 W. Blue Mound Road - SE QUAR SEC 30-7-21 PARCEL 2 CERT SURV MAP NO 1588

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.

By: Plan Commission

Recommendation: Refer to Community Affairs Committee

RESULT: REFERRED TO ORIGINATING COMMITTEE

- 2. Ordinance deleting Subsection 11.32.360 2. of the Wauwatosa Municipal Code to allow two-way traffic in the alley between 113th and 115th Streets north of North Avenue [23-1232](#)

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

Part I. Subsection 2. of Wauwatosa Municipal Code Section 11.32.360 is hereby deleted in its entirety.

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

By: Transportation Affairs Committee

Recommendation: Refer to Transportation Affairs Committee

RESULT: REFERRED TO ORIGINATING COMMITTEE

- 3. Ordinance creating Subsection 11.28.035 14. of the Wauwatosa Municipal Code to prohibit right turns on red on the eastbound and northbound approaches to the intersection of Swan Boulevard and Menomonee River Parkway [23-1233](#)

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

Part I. Subsection 14. of Wauwatosa Municipal Code Section 11.28.035 is hereby created to read in its entirety as follows:

14. At the eastbound and northbound approaches to the intersection of Swan Boulevard and Menomonee River Parkway.

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

By: Transportation Affairs Committee

Recommendation: Refer to Transportation Affairs Committee

RESULT: REFERRED TO ORIGINATING COMMITTEE
FROM THE PLAN COMMISSION

1. Resolution approving a Land Division via Certified Survey Map at 11450 W. Burleigh Street, Chris Thomas, Thomas O’Conner Associates, applicant [23-1218](#)

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted for a Certified Survey Map to create two parcels. The location of the parcels are more particularly described as follows:

A redivision of Lot 3 of Certified Survey Map No. 8481, being part of the Northwest ¼ of Southeast ¼ of Section 7, Township 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, Wisconsin.

All in accordance with the application attached hereto and made a part of this resolution, in compliance with Section 17.02.070 of the Code of the City of Wauwatosa and subject to the following conditions:

1. Any technical corrections as identified by the Register of Deeds and City staff.
2. Per State Statute 236.34 (2), the CSM is to be recorded within 12 months of the Common Council approval.

By: Plan Commission

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlof II, Lewis, Franzen, Lowe, Tilleson, O’Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
 Enactment No: R-23-60

2. Resolution approving a Land Division via Certified Survey Map at 9455 Watertown Plank Road, Dan Cowell, Luther Group, applicant [23-1219](#)

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted for a Certified Survey Map to create two parcels. The location of the parcels are more particularly described as follows:

Being a redivision of Certified Survey Maps numbered _____ Lot 1, 9229 Lot 1 through 4, and 9303 Lot 1 in the Northeast 1/4, Northwest 1/4, Southeast 1/4, and Southwest 1/4 of the Northwest 1/4 of Section 28, and Northeast 1/4, and Southeast ¼, and the Northwest ¼ of the Northeast 1/4 of Section 29, all in Township 7 North, Range 21 East, in the City of Wauwatosa, Milwaukee County, Wisconsin.

All in accordance with the application attached hereto and made a part of this resolution, in

compliance with Section 17.02.070 of the Code of the City of Wauwatosa and subject to the following conditions:

1. Any technical corrections as identified by the Register of Deeds and City staff.
2. Per State Statute 236.34 (2), the CSM is to be recorded within 12 months of the Common Council approval.
3. Prior to recordation of the CSM, Phase A map must be recorded.

By: Plan Commission

Recommendation: Approve 5-1

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhoulf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-61

3. Resolution approving a Conditional Use Permit in the Special Purpose - [23-1220](#)
Medical Center District at 9201 Watertown Plank Road for a parking lot, Jim Lisak, Graef-USA, LLC., applicant

WHEREAS Jim Lisak, Graef-USA, LLC., applied for a Conditional Use Permit in the Special Purpose - Medical Center District at 9201 Watertown Plank Road for a parking lot, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission 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 Permit to Jim Lisak, Graef-USA, LLC., subject to:

1. Recording the related Certified Survey Map prior to issuing parking lot occupancy permit.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Site plans showing adequate storm water management and traffic/access improvement subject to approval by the Engineering Division as well as meeting all requirements of code chapter 24.12 pertaining to landscaping, including the requirement for a landscape performance guarantee (Section 24.12.070).
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.

5. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 5-1

Vote resulted in a 7-7 tie. Mayor Dennis McBride cast the tie-breaking vote in the affirmative. Motion passed 8-7.

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 8 Moldenhauer, Arney, Lewis, Franzen, Lowe, Phillips, Fuerst, and McBride

Nay: 7 Meindl, Dubinski, Makhlouf II, Tilleson, O'Reilly, Morgan, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-62

4. Resolution approving a Conditional Use Permit in the Midtown Mixed-Use District at 8932 W. North Avenue for an eating establishment, Erin Kelly, applicant

[23-1221](#)

WHEREAS Erin Kelly applied for a Conditional Use Permit in the Midtown Mixed-Use District at 8932 W. North Avenue for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission 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 Permit to Erin Kelly subject to:

1. Hours of operation are Tuesday through Saturday from 10:00 am to 6:00 pm.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Providing short- and long-term bicycle parking in compliance with City Code 24.11.080 prior to occupancy permit issuance.
4. Prior to occupancy permit issuance, submitting a revised parking lot plan for Engineering approval that provides a van accessible handicap parking space in compliance with ADA regulations and included screening of trash containers.
5. Any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
6. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.

7. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhoulf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-63

5. Resolution approving a Conditional Use Permit in the M1 District at 1435 N 113th Street for a sports and recreation participant establishment, Bron Launsby, Innovative Heights Wauwatosa, LLC, applicant [23-1222](#)

WHEREAS Bron Launsby, Innovative Heights Wauwatosa, LLC., applied for a Conditional Use Permit in the M1 District at 1435 N 113th Street for a sports and recreation participant establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission 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 Permit to Bron Launsby, Innovative Heights Wauwatosa, LLC., subject to:

1. Hours of operation Monday through Thursday from 1:00 pm to 8:30 pm; Friday 11:00 am to 10:00 pm; Saturday from 10:00 am to 10:00 pm; and Sunday from 11:00 am to 8:30 pm.
2. If the City receives complaints regarding parking, the applicant shall take corrective action to resolve all parking issues to the satisfaction of the Planning Manager and Public Works Director.
3. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
4. Short- and long-term bicycle parking must be provided in compliance with City Code 24.11.080.
5. Prior to occupancy permit issuance, submitting a site plan/parking lot plan for Engineering approval that provides pedestrian accessibility to the public right-of-way and provides trash container screening. If any modifications to parking lot lighting are proposed, a photometric plot must be submitted to Engineering for review and approval.
6. Any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works

testing requirements according to City Code 13.30.030.

7. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
8. Obtaining other required licenses, permits, and approvals.
9. Installation of a 6-foot fence with arborvitaes on the northern border of the property.
10. Adoption of a policy and posting signage prohibiting the presence of firearms,
11. Installation of exterior security cameras. Adding security guards if determined needed by Wauwatosa Police Department
12. Installation of right-turn-only signs and painted directional arrows at the driveway exits along N 113th Street.

By: Plan Commission

Recommendation: Approve 6-0

RESULT: REFERRED

MOVER: Joseph Makhlouf II

SECONDER: Andrew Meindl

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlouf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke

6. Resolution approving a Conditional Use Permit in the C1/Planned Unit Development District at 7488 W. State Street for an eating establishment, Tuan Nguyen, Mochi Ring, applicant [23-1223](#)

WHEREAS Tuan Nguyen, Mochi Ring, applied for a Conditional Use Permit in the C1/Planned Unit Development District at 7488 W. State Street for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission 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 Permit to Tuan Nguyen, Mochi Ring, subject to:

1. Hours of operation 11:00 am to 8:00 pm Monday through Sunday.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Obtaining a sidewalk cafe permit from the City Clerk's office for any outdoor dining in the right-of-way. The outdoor dining table and chair arrangement shall be modified to maintain a five foot wide clear path on the sidewalk.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect

one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.

5. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhoulf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-64

7. Resolution approving a Conditional Use Permit in the C2 District at 10101 W. Capitol Drive for before and after school childcare, Kevin Wilkes, Victorious Living Christian Center, Inc., applicant [23-1224](#)

WHEREAS Kevin Wilkes, Victorious Living Christian Center, Inc., applied for a Conditional Use Permit in the C2 District at 10101 W. Capitol Drive for before and after school childcare, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission 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 Permit to Kevin Wilkes, Victorious Living Christian Center, Inc., subject to:

1. Hours of operation Monday through Friday from 6:00 am to 9:00 am and 3:00 pm to 6:00 pm during the school year (August - June).
2. Providing detailed costs of any alterations and/or new construction as well as income and expense as requested by the Assessor's Office.
3. Submitting a pick-up and drop off parking lot circulation plan for Engineering review and approval prior to issuing occupancy permit. Additional parking lot striping may be required to facilitate safe ingress and egress at the site.
4. Screening the existing dumpster in the south parking lot per City Code 24.12.040 prior to occupancy permit issuance.
5. Any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
6. Under 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been

issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council

- 7. Obtaining any additional permits, licenses, and approvals.

By: Plan Commission

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlouf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-65

FROM THE GOVERNMENT AFFAIRS COMMITTEE

- 1. Resolution approving a 1.5% discretionary bonus for the City Administrator based upon existing employment agreement [23-1225](#)

WHEREAS the current 2021-2024 employment agreement with the City Administrator provides for an annual performance bonus equal to 1.5% of annual salary (not added to base pay) to be paid following review of performance toward meeting goals previously established by the Government Affairs Committee; and

WHEREAS the Government Affairs Committee determined at its meeting of April 11, 2023, that the City Administrator had met the appropriate goals for the 2022 calendar year and has recommended to the Common Council that the one-time bonus should be awarded as described;

NOW THEREFORE BE IT RESOLVED THAT, based upon the current employment agreement with the City Administrator and successful completion of the appropriate goals set forth for the position, the Common Council does hereby award a one-time bonus payment equal to 1.5% of annual salary, not to be added to base salary, to be paid during the next available pay period.

By: Government Affairs Committee

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Joel Tilleson

SECONDER: Ernst Franzen

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlouf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke

Enactment No: R-23-66

FROM THE FINANCIAL AFFAIRS COMMITTEE

1. Resolution approving a support and licensing renewal agreement with Nutanix for hyperconverged technology to run the City's technology services [23-1226](#)

BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a multiyear support and licensing renewal agreement with Nutanix or its agents for the amount of \$121,543.94 and approve a level three fund transfer from the Fund 24's fund balance to IT's 2023 operational budget for the amount of \$66,555.55.

By: Financial Affairs Committee

Recommendation: Approve 8-0

The motion included the following amendment:

BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a ~~one-year support and licensing renewal agreement with Nutanix for hyperconverged technology to run the City's technology services in the amount of \$54,998.39, consistent with the terms presented to the Committee on Financial Affairs at its April 11, 2023, meeting.~~ multiyear support and licensing renewal agreement with Nutanix or its agents for the amount of \$121,543.94 and approve a level three fund transfer from the Fund 24's fund balance to IT's 2023 operational budget for the amount of \$66,555.55.

RESULT: APPROVED AS AMENDED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlof II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-67

2. Resolution approving a one-year maintenance and support renewal agreement with ProPhoenix for Police and Fire record management and computer aided dispatch in the amount of \$68,636.28 [23-1227](#)

BE IT RESOLVED THAT the appropriate City officials are hereby authorized to enter into a one-year maintenance and support renewal contract with with ProPhoenix for Police and Fire record management and computer aided dispatch software in the amount of \$68,636.28, consistent with the terms presented to the Committee on Financial Affairs at its April 11, 2023, meeting.

By: Financial Affairs Committee

Recommendation: Approve 8-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlouf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-68

3. Resolution approving a contract with CDM Smith for the creation of a lead service line replacement plan in the amount of \$134,670 and authorizing a Level 3 fund transfer [23-1228](#)

WHEREAS, the city issued a Request for Proposals (RFP) for consultants to complete a lead service line replacement plan and received two proposals; and

WHEREAS, proposals were reviewed by a panel of City staff members who based on all the data available have recommended entering into a contract with CDM Smith for a total fee not to exceed \$134,670.00;

NOW, THEREFORE, BE IT RESOLVED that the appropriate City officials are authorized to execute a contract with CDM Smith for the creation of a lead service line replacement plan in the amount of \$134,670; and

BE IT FURTHER RESOLVED THAT a Level 3 fund transfer in the amount of \$74,670 from the 2023 maintenance of mains account and lateral replacement account is hereby approved in order to provide funding above the originally-budgeted amount for this contract.

By: Financial Affairs Committee

Recommendation: Approve 8-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlouf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-69

4. Resolution supporting an application to the Wisconsin Department of Transportation for a grant through the Transportation Alternatives Program for the installation of a multi-use trail along portions of Wisconsin Avenue and Mayfair Road [23-1229](#)

WHEREAS, the City of Wauwatosa supports the application submitted to the Wisconsin Department of Transportation (WisDOT) for the 2023-2026 Transportation Alternatives Program (TAP) award cycle. The purpose of the application is to seek federal grant funding to construct a multiuse trail along Wisconsin Avenue and S.T.H. 100 (Mayfair Road) and improve pedestrian crossings; and

WHEREAS, the City of Wauwatosa recognizes that WisDOT reimburses project sponsors for the federal share of 80% of the approved TAP project costs, up to the limit of the federal award amount. In light of the minimum twenty percent (20%) match requirement, the City of Wauwatosa will work toward securing the matching funds from the City’s Capital Improvement Program Budget.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa that if the City of Wauwatosa is awarded funding by WisDOT for the 2023-2026 TAP award cycle, appropriate city officials are hereby authorized to accept the award administered by WisDOT for the above- referenced project, provided that sufficient matching funds are available.

BE IT FURTHER RESOLVED that the City of Wauwatosa agrees to comply with all applicable laws, requirements, and regulations as outlined in the WisDOT 2023-2026 TAP application materials, the state-municipal agreement between WisDOT and the City of Wauwatosa, and any other program and/or project documentation.

By: Financial Affairs Committee

Recommendation: Approve 8-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhlouf II, Lewis, Franzen, Lowe, Tilleson, O’Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-70

- 5. Resolution authorizing City staff to apply for grant funding through the Department of Natural Resources for portions of the proposed park located at 116th Street and Gilbert Avenue [23-1230](#)

WHEREAS, the City of Wauwatosa is interested in acquiring or developing lands for public outdoor recreation purposes as described in the application;

WHEREAS, financial aid is required to carry out the project;

WHEREAS, the City of Wauwatosa has budgeted a sum sufficient to complete phase one of the project and;

NOW, THEREFORE BE IT RESOLVED THAT appropriate City staff are hereby authorized to act on behalf of the City of Wauwatosa to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims along with necessary supporting documentation within 6 months of project completion date;

Submit signed documents; and
Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that the City of Wauwatosa will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

By: Financial Affairs Committee

Recommendation: Approve 8-0

RESULT: APPROVED
MOVER: James Moldenhauer
SECONDER: Amanda Fuerst

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhoulf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke
Enactment No: R-23-71

6. Ratification of Comptroller's Office bills and claims report, April 6 to April 18, 2023 [23-1210](#)

RESULT: RATIFIED
MOVER: James Moldenhauer
SECONDER: Amanda Fuerst

Aye: 14 Meindl, Moldenhauer, Arney, Dubinski, Makhoulf II, Lewis, Franzen, Lowe, Tilleson, O'Reilly, Phillips, Morgan, Fuerst, and Dolan

Excused: 2 Brannin, and Wilke

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

1. Future Council Committee agenda items [23-1212](#)
No new items.

ADJOURNMENT

Meeting adjourned at 8:29 PM.