



Wauwatosa, WI

Common Council

Meeting Minutes

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, November 19, 2024

6:30 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 meeting to order at 6:30 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: 16 Alderperson District 8 Council President Jason Wilke
Alderperson District 2 Margaret Arney
Alderperson District 3 Robin Brannin
Alderperson District 6 Aletha Champine
Alderperson District 4 David Lewis
Alderperson District 2 Brad Foley
Alderperson District 4 Ernst Franzen
Alderperson District 3 Joseph Makhoul II
Alderperson District 5 Rob Gustafson
Alderperson District 5 Sean Lowe
Alderperson District 1 Andrew Meindl
Alderperson District 1 James Moldenhauer
Alderperson District 6 Joe Phillips
Alderperson District 7 Mike Morgan
Alderperson District 7 Amanda Fuerst
Alderperson District 8 Melissa Dolan

Alderperson Arney entered at 6:55 PM.

SPECIAL PRESENTATION

1. Presentation of Proclamation by Mayor McBride to the Wauwatosa East High School Girls' Cross Country Team

[24-1606](#)

Presentation by Mayor McBride.

RESULT: INFORMATIONAL ONLY

APPROVAL OF MINUTES

1. Approval of minutes of the October 1, 2024 special meeting [24-1507](#)
RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: David Lewis
Aye: 14 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
Nay: 1 Meindl
Excused: 1 Arney
2. Approval of minutes of the October 22, 2024 regular meeting [24-1506](#)
RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: David Lewis
Aye: 14 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
Nay: 1 Meindl
Excused: 1 Arney
3. Approval of minutes of the November 6, 2024 regular meeting [24-1566](#)
RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: David Lewis
Aye: 14 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
Nay: 1 Meindl
Excused: 1 Arney

APPOINTMENTS BY THE MAYOR

1. Reappointment by Mayor McBride of Seth Flanders (District 4) as a member of the Wauwatosa Sustainability Committee, term ending December 31, 2027 [24-1586](#)
RESULT: APPROVED
MOVER: Jason Wilke
SECONDER: Melissa Dolan
Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
Excused: 1 Arney
2. Appointment by Mayor McBride of John Revord (District 6) as a member of the Wauwatosa Bicycle and Pedestrian Facilities Committee, [24-1587](#)

term ending May 31, 2026

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: Melissa Dolan

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney

3. Reappointment by Mayor McBride of Lita Mallett (District 8) as a member of the Wauwatosa Community Development Block Grant Committee, term ending May 31, 2027

[24-1588](#)

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: Melissa Dolan

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney

FROM THE PLAN COMMISSION

1. Resolution approving a Land Combination via Certified Survey Map at 11400 W. Blue Mound Road, Steven Pape, applicant

[24-1562](#)

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Steven Pape for a Certified Survey Map to combine two adjacent parcels, 11400 W. Blue Mound Road and 11430 W. Blue Mound Road. The location of the parcels is more particularly described as follows:

Being Parcel 2 and the East 10 feet of Parcel 1 of Certified Survey Map 963 and also Parcel 2 of Certified Survey Map 1588 in Block "D" in Grand Avenue Highlands, an in the Northwest¼ of Section 30, 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, 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: Joe Phillips

SECONDER: Amanda Fuerst

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhlouf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney
Enactment No: R-24-179

2. Resolution approving a Land Division via Certified Survey Map at 2400 N. Mayfair Road, Alex Eppel, Brookfield Properties, and the City of Wauwatosa Community Development Authority, applicants [24-1563](#)

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Alex Eppel, Brookfield Properties, and the City of Wauwatosa Community Development Authority, for a lot line adjustment via Certified Survey Map at 2400 N. Mayfair Road. The parcel location is described as follows:

Being a redivision Lots 6 and 7 in Certified Survey Map 9575, Being a Part of the Southwest 1/4 of Section 17, 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, 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. Execution and recording of access easements.
3. 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: Joe Phillips

SECONDER: Amanda Fuerst

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhlouf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney
Enactment No: R-24-180

FROM THE TRANSPORTATION AFFAIRS COMMITTEE

1. Ordinance amending Sec. 11.32.080 of the Wauwatosa Municipal Code to prohibit parking on the east side of North 69th Street from North [24-1590](#)

Avenue to a point 147 feet south of North Avenue

Part I. The “North 69th Street -east side” portion of the "Schedule of Streets", and portions subsection of Wauwatosa Code Section 11.32.080 is hereby amended by deleting the following:

“(a) from W. Hillcrest Drive to 147 feet south of W. North Avenue”

and

“(c) from 147 feet south of W. North Avenue to W. Meinecke Avenue”

Part II. The “North 69th Street - east side” portion of the “Schedule of Streets”, and portions subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

“(a) from W. Hillcrest Drive to W. North Avenue”

and

“(c) from W. North Avenue to W. Meinecke Avenue”

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

By: Transportation Affairs Committee

Recommendation: Adopt 7-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Joe Phillips

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney
Enactment No: O-24-33

FROM THE GOVERNMENT AFFAIRS COMMITTEE

1. Resolution approving the 2025 Common Council Meeting Calendar [24-1589](#)

WHEREAS, the Common Council of the City of Wauwatosa typically meets the fourth Tuesday of each month; and

WHEREAS, from time to time, certain conflicts necessitate a change in meeting dates; and

WHEREAS, the City Clerk created a full annual calendar of meeting dates of the Common Council and Council Committees for 2025, as shown on the attached Exhibit “A”; and

WHEREAS, the Government Affairs Committee reviewed the calendar on November 12, 2024 and recommended approval.

NOW THEREFORE, BE IT RESOLVED that the 2025 Calendar of Common Council Meeting Dates, as attached hereto, is hereby approved.

By: Government Affairs Committee

Recommendation: Approve 6-2

Motion included an amendment to move the September 2025 Common Council meeting to September 30 and the Committee meetings from September 16 to September 23 to allow staff more time to prepare for the budget presentation.

RESULT: APPROVED AS AMENDED

MOVER: Ernst Franzen

SECONDER: Joe Phillips

Aye: 13 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhlouf II, and Meindl

Excused: 1 Arney
Enactment No: R-24-181

2. Ordinance amending Sec. 7.60.010 of the Wauwatosa Municipal Code [24-1600](#)
related to disorderly conduct and fraudulent renters of hotels

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

Part I. The “Written Register” portion of the “Hotel Registration and Security” subsection of the Wauwatosa Code Section 7.60.010 of the Wauwatosa Municipal Code is hereby amended in its entirety to read as follows:

1. Every owner, keeper or proprietor of any lodging house, rooming house, motel or hotel shall keep a register wherein all guests, roomers or lodgers shall inscribe their names and permanent address upon their procuring lodging, a room or accommodations. The owner, keeper or proprietor shall require identification of any guest, roomer or lodger at the time of registration, and in a valid and current format showing the person's name, date of birth and address, and may be, but is not limited to, a driver's license, state-issued picture identification card, or such other form as will reasonably assure that the registrant is, in fact, the person under whose name such lodging, room or accommodation is, in fact, being procured, and shall maintain a photo or digital copy of such identification. For any guest, roomer or lodger taking occupancy through a prearranged reservation in the name of a corporation, business, association or any other entity, the owner, keeper or proprietor shall request identification of the specific guest, roomer or lodger at the time of registration as will reasonably assure such person to be the person for whom the lodging, room or accommodations have been procured.
2. Before furnishing any lodging for hire to any person in any lodging house, or before furnishing any accommodations to any guest of any motel or hotel, the proprietor, manager or owner thereof shall require the person to whom such lodgings are furnished, or room is rented or accommodations furnished, to inscribe his or her name and permanent address in such register, kept for that purpose as heretofore provided, and shall set opposite the name the time that said name was so inscribed and the room occupied by such lodger, roomer or guest.
3. Any guest, roomer or lodger required to provide identification under sub. (1) shall be

presumed liable for any violations of the Wauwatosa Municipal Code that occur in such lodging, room or accommodation.

Part II. This ordinance shall become effective on and after its date of passage and publication.

By: Government Affairs Committee

Recommendation: Adopt 8-0

RESULT: ADOPTED

MOVER: Ernst Franzen

SECONDER: Joe Phillips

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney
Enactment No: O-24-34

FROM THE COMMUNITY AFFAIRS COMMITTEE

1. Resolution approving a Planned Unit Development Minor Amendment [24-1567](#)
at 11450 W. Burleigh Street, Chris Thomas, TOA Architecture,
applicant

WHEREAS, Chris Thomas, TOA, LLC., applied for a Planned Unit Development Minor Amendment at 11450 W. Burleigh Street for signage;

WHEREAS, this request was reviewed and recommended by the Community Affairs Committee 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 THAT the Common Council of the City of Wauwatosa, Wisconsin hereby grants approval to Chris Thomas, TOA, LLC., subject to submittal of a comprehensive sign manual prior to issuing any sign permits related to this application.

By: Community Affairs Committee

Recommendation: Approve 8-0

RESULT: APPROVED

MOVER: Sean Lowe

SECONDER: Amanda Fuerst

Aye: 15 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Excused: 1 Arney
Enactment No: R-24-182

2. Resolution approving Planned Unit Development final plans at 11220 W. Burleigh for a multi-unit residential development (The Foundry Phase 2), Mariana Arena, Engberg Anderson, applicant [24-1568](#)

WHEREAS, Mariana Arena, Engberg Anderson, applied for Planned Unit Development final plans at 11220 W. Burleigh Street for a multi-unit residential development (The Foundry Phase 2); and,

WHEREAS, this request was reviewed and recommended by the Community Affairs Committee 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 Planned Unit Development final plans approval to Mariana Arena, Engberg Anderson subject to:

1. Providing detailed costs of any alterations and/or new construction, as well as income and expense information as requested by the Assessor's office.
2. Site plans showing adequate sewer capacity, construction staging information, lighting, adequate short- and long-term bicycle parking, and storm water management subject to approval by the Engineering Division.
3. Plans for water supply to the site subject to approval by the Fire, Water, and Engineering departments.
4. Emergency vehicle access plan subject to approval by City Police and Fire departments.
5. Final landscaping plan in compliance with WMC 24.12 showing a detailed list of plantings and details for planting areas and subject to approval by the Development Department.
6. Plan showing pedestrian and bicycle access to the site subject to approval by the City Engineer.
7. Establishment of an access easement between the subject parcel and dog park.
8. Obtaining all other applicable licenses and permits.
9. In the event the landowner fails to commence development shown on the final development plan within 12 months after final approval has been granted, then such final approval will lapse and be of no further effect unless the time period is extended by the common council upon written application by the landowner.

By: Community Affairs Committee

Recommendation: Approve 7-1

RESULT: APPROVED
MOVER: Sean Lowe
SECONDER: Amanda Fuerst

- Aye:** 13 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Nay:** 2 Makhoulf II, and Meindl
- Excused:** 1 Arney
Enactment No: R-24-183
3. Ordinance amending portions of Sec. 24.16 of the Wauwatosa Municipal Code providing that zoning-related public hearings shall be held by the Common Council in advance of introduction at Plan Commission [24-1499](#)
- Recommendation:* Adopt 7-1
- RESULT:** ADOPTED
MOVER: Sean Lowe
SECONDER: Amanda Fuerst
- Aye:** 14 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Nay:** 1 Meindl
- Excused:** 1 Arney
Enactment No: O-24-35

FROM THE FINANCIAL AFFAIRS COMMITTEE

1. Resolution waiving the competitive bidding process for the City's 2025 Independence Day drone show [24-1591](#)
- WHEREAS, the Civic Celebration Committee is requesting approval to waive the competitive bid process for the City's 2025 Independence Day drone show in order to contract directly with Northern Lights Drone Company of New Berlin, WI, for a drone show on Independence day in 2025;
- NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT, for the reasons provided at the meeting of the Financial Affairs Committee on November 12, 2024, permission be and the same is hereby granted to waive the competitive bidding process for the City's 2025 Independence Day Drone Show; and
- BE IT FURTHER RESOLVED THAT staff are authorized to enter into a contract with Northern Lights Drone Company for a drone show on Independence Day, 2025, in an amount not to exceed \$32,000.

By: Financial Affairs Committee

Recommendation: Approve 8-0

After debate on the matter, motion made by Ald Dolan, seconded by Ald Morgan, to call the question and vote on the matter. Motion passed 12-4 (Makhoulf, Meindl, Phillips, and Franzen voted no).

RESULT: APPROVED
MOVER: James Moldenhauer
SECONDER: Joe Phillips

Aye: 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhoulf II, and Meindl
Enactment No: R-24-184

2. Resolution approving contract with Spohn Ranch, Inc. in the amount of [24-1594](#)
\$425,000 for the design and installation of a bicycle pump track at
Firefly Grove Park

WHEREAS, Firefly Grove Park is being constructed on 116th and Gilbert and the plans include possible installation of a bicycle pump track to be funded by American Rescue Plan Act funds;

WHEREAS, a Request for Proposals was issued and three proposals were received; and

WHEREAS, upon review of those proposals received, the proposal of Spohn Ranch Inc. for a project costing \$425,000, was most aligned with the factors the City was considering, and has been recommended by staff;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that the city enter into a contract agreement with Spohn Ranch, Inc., in the amount of \$425,000.00 for construction of a bicycle pump track at Firefly Grove Park, as more particularly described in the proposal received on November 4, 2024.

By: Financial Affairs Committee

Recommendation: Approve 7-1

After debate on the matter, motion made by Ald Dolan, seconded by Ald Morgan, to call the question and vote on the matter. Motion passed 10-6 (Lowe, Makhoulf, Meindl, Phillips, Franzen, and Gustafson voted no).

RESULT: APPROVED
MOVER: James Moldenhauer
SECONDER: Joe Phillips

Aye: 15 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 1 Makhoulf II
Enactment No: R-24-185

3. Resolution approving the 2025 City of Wauwatosa Operating and [24-1612](#)
Capital Budgets

WHEREAS, a summary of the proposed budget for the year 2025 has been published in the official newspaper of the City on October 16, 2024, together with the notice of public hearing on

the proposed budget held on November 6, 2024; and

WHEREAS, said public hearing was held at the time and place stated in said notice and opportunity given to everyone present who desired to be heard on the proposed 2025 budget;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT pursuant to said hearing as follows:

1. That there be and there is hereby appropriated for the various City purposes for the year 2025 and the re-estimated 2024 budget, the amounts as shown in the attached summary.
2. That the departmental balances, if any, in the general appropriations account shall, on December 31, 2025 revert to the Unappropriated General Fund Balance, except purchase order and contract balances and the following:

<u>Account No.</u>	<u>Account Title</u>
10114000-All objects	Historic Preservation Commission
10115000-All objects	Senior Commission
10210000-6604	Police-Expenditures from Donations - General
10210102-6604	Police-Expenditures from Donations - Community Support
10210110-6604	Police-Expenditures from Donations - K9
10220000-6609	Emergency Management
10410000-6604	Health - Expenditures from Donations
10635000-4404	Reserve Liquor License to be used for Bike/Ped if in excess of
budgeted revenue	
10340000-4831	Small Cell Revenue to be used for landscaping and Streetscaping
14210000-6024-AFSTA	Drug Asset Forfeiture-State
14210000-6025-AFTRE	Drug Asset Forfeiture-Treasury Funds
14210000-6026 -AFJUS	Drug Asset Forfeiture-Justice Fund
14220000-6603-EMT	Fire Department EMT Grant
14220000-6603-TOWER	Fire Department Training Tower fund
14220000-6604	Fire Department Donations

3. That the position control be amended to reflect those positions created or abolished by the budget.
4. That the 2025 consolidated fee schedule is hereby approved as recommended by the Financial Affairs Committee during the budget review process and made available for public review at the office of the City Clerk.
5. That the City Administrator is hereby authorized to implement budgeted salary increases by providing a 2.0% cost of living adjustment to all general employees.
6. That monthly health, dental and vision insurance rates for 2025 be as follows:

Health Insurance

UHC - Employee Only: \$820.49

UHC - Employee + Spouse: \$2,051.23
UHC - Employee + Child(ren): \$1,640.99
UHC - Family: \$2,379.43

Dental Insurance

Humana - Employee Only: \$41.00
Humana - Employee + Spouse: \$81.99
Humana - Employee + Child(ren): \$100.44
Humana - Family: \$151.69

Care Plus - Employee Only: \$36.28
Care Plus - Employee + Spouse: \$72.56
Care Plus - Employee + Child(ren): \$83.44
Care Plus - Family: \$130.28

Vision Insurance

Superior - Employee Only: \$4.63
Superior - Employee + Spouse: \$9.25
Superior - Employee + Child(ren): \$10.45
Superior - Family: \$16.16

7. That the Sanitary Sewer rate be increased 0.0% per 100 cubic foot (ccf) to:
 - a. 3.315 per ccf up for the first 50 CCF
 - b. 4.9672 per ccf for 51-200 CCF
 - c. 6.6229 per ccf over 200 CCF
8. That the Storm Sewer rate be increased 4.0% per Equivalent Residential Unit (ERU) to:
 - a. 33.94
9. That a Vehicle Registration Fee of \$15.00 be established effective April 1, 2025.
10. That the following vendors will be utilized with funds included in the 2024 Budget unless otherwise noted:
 - a. 10-year contract with Axon Enterprise for \$1,077,657.40 for provision of the Taser 10 bundle and virtual reality training. 2025 amount is \$89,758.10
 - b. \$53,872 contract with CERTUS for Police department staffing and deployment study
 - c. Conway Shields for Fire turnout gear
 - d. Badger Meter for water meters
 - e. Dixon Engineering for Water Tower related engineering
 - f. Aqua Backflow for water cross connection inspections
 - g. Midwest Meter for testing and calibration of large water meters
 - h. Westrum Leak Detection for water leak detection survey of all City owned fire hydrants
 - i. United Health Care for claims administration in 2025 totaling an estimated \$155,088

NexusACO HRA Plan PMPM

Current - \$34.71
Renewal - \$28.28

- j. Superior Vision contract for 4 years. Estimated annual contract is \$59,447 in 2025.

EE Only Premium

Current - \$4.63
Renewal - \$4.63

EE + Spouse Premium

Current - \$9.25
Renewal - \$9.25

EE + Child(ren) Premium

Current - \$10.25
Renewal - \$10.25

EE + Family Premium

Current - \$16.16
Renewal - \$16.16

- k. Voya for life insurance for 2 years for an estimated \$93,114 in 2025.

Employee Rate

Current - \$0.175/\$1,000
Renewal - \$0.175/\$1,000

Dependent Rate

Current - \$0.56/unit
Renewal - \$0.56/unit

- l. Symetra for stop loss insurance in 2025 for an estimated \$2,437,507

Specific Premium - EE

Current - \$0.171.83
Renewal - \$194.08

Specific Premium - FAM

Current - \$419.69

Renewal - \$507.70

Aggregate Premium

Current - \$3.37

Renewal - \$4.12

Excess Liability Laser

Current - N/A

Renewal - \$275,000

BE IT FURTHER RESOLVED THAT the sum of \$52,081,627 be and it is hereby levied and assessed upon all of the taxable property, both real and personal, in the City of Wauwatosa, assessed for taxation in said City for the 2024 tax year/ 2025 budget year for City purposes.

By: Financial Affairs Committee

Recommendation: Approve 6-2

Motion made by Ald Makhoulf, seconded by Ald Meindl, to amend the budget to include the request by the Municipal Judge to include a .6 FTE position for the Municipal Court. Motion failed 4-12 (Lowe, Moldenhauer, Wilke, Arney, Brannin, Champine, Doley, Foley, Franzen, Fuerst, Gustafson, and Lewis voted no).

Motion made by Ald Meindl, seconded by Ald Makhoulf, to amend the budget to remove the Vehicle Registration fee revenue and expense. Motion failed 2-14 (Lowe, Moldenhauer, Morgan, Phillips, Wilke, Arney, Brannin, Champine, Doley, Foley, Franzen, Fuerst, Gustafson, and Lewis voted no).

Motion made by Ald Meindl, seconded by Ald Makhoulf, to amend the budget to restore the Affordable Housing Fund contribution of \$125,000. Motion failed 2-14 (Lowe, Moldenhauer, Morgan, Phillips, Wilke, Arney, Brannin, Champine, Doley, Foley, Franzen, Fuerst, Gustafson, and Lewis voted no).

Motion made by Ald Morgan, seconded by Ald Dolan to call the question and vote on the budget. Motion passed 10-6 (Makhoulf, Meindl, Phillips, Arney, Franzen, and Gustafson voted no).

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Joe Phillips

Aye: 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhoulf II, and Meindl
Enactment No: R-24-186

4. Ratification of Comptroller's Office bills and claims report, October 23 through November 19, 2024

[24-1508](#)

RESULT: RATIFIED

MOVER: James Moldenhauer

SECONDER: Joe Phillips

Aye: 16 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Makhoulf II, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

FROM THE BOARD OF PUBLIC WORKS

1. Resolution awarding the contracts for the purchase of stone, sand and gravel for the 2025 construction and repair season (January 1 - December 31, 2025) [24-1607](#)

WHEREAS, the purchasing department advertised for bids on the purchase of stone, sand, and gravel for 2025;

NOW THEREFORE BE IT RESOLVED by the Common Council that the Purchasing Department be allowed to award the contract for sand, gravel, and gravel to all responding bidders on an as needed, price and availability basis.

By: Board of Public Works

Recommendation: Approve 4-0

RESULT: APPROVED
MOVER: Melissa Dolan
SECONDER: Amanda Fuerst

Aye: 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhoulf II, and Meindl
 Enactment No: R-24-187

2. Resolution approving the 2025 paving assessment resolution [24-1608](#)

BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin that the following be and hereby are the policies for 2025 construction pertaining to utility and street improvements and corresponding rates:

- (1) Due to the relative value of the benefits conferred upon different types of properties by the public improvements described herein, assessments for original permanent pavement of streets and alleys shall be at the following rates per assessable foot based upon property classification:
- A) \$98.00 for one or two family residences, churches, schools, public parks (“single family rate”)
 - B) \$122.50 for multiple family residences of three or more (1-1/4 x single family rate)
 - C) \$147.00 for business or commercial property (1-1/2 x single family rate)
 - D) \$196.00 for industrial property (2 x single family rate)

(1.1)

- A) A pavement improvement that terminates only partially abutting a parcel of land, shall have only such *prorata* portion assessed in the year that the Final Resolution is adopted by the Common Council
- B) On streets that Federal and/or State Aid is not available, the rate of assessment may be adjusted to recover 60% of the paving costs.
- C) On streets where the City does not have maintenance jurisdiction, the rate of assessment may be adjusted to recover 60% of the paving costs abutting each parcel.
- D) On streets where sidewalks are to be newly constructed on one side only, in conjunction with a street scheduled for improvement, the cost of the sidewalk plus 25% for engineering and overhead may be prorated by total street frontage and added to the basic assessment for each property abutting said improvement or on both sides of that portion of said street.

(2) Assessments for reconstruction of a permanent pavement shall be at the following rates per assessable foot (average width) for one or two family residences (other classes proportioned as in (1) above).

- A) Reconstruction Type “A” \$70.00 for completely removing existing curb and pavement regrading and replacing with new concrete curb and gutter and either concrete pavement or asphalt pavement with a new road base.
- B) Repaving Type “B” \$56.00 for completely removing existing curb and gutter, milling the existing pavement as required, and replacing with new concrete curb and gutter and asphalt pavement on the existing road base.
- C) Repaving Type “C” \$28.00 for replacing defective curb and gutter, milling the existing pavement surface as required, and surfacing with new asphalt pavement or in-place recycling.
- D) Repaving Type “D” \$35.00 for replacing defective curb and gutter, removing, milling and or pulverizing the existing pavement surface as required, and surfacing with new asphalt pavement.
- E) Repaving Type “E” \$14.00 for minimal defective curb and gutter replacement, minor pavement milling, overlay existing pavement with asphalt pavement.

If Type “C” Repaving is required on arterial streets less than 25 years after Type “A” repaving has been performed, all one and two family residences shall receive an assessment credit equal to 4% of their previous Type “A” paving assessment for each year under 25 years.

If Type “A” repaving is required on arterial streets less than 20 years after Type “C” repaving has been performed, all one and two family residences shall receive an assessment credit equal to 5% of their previous Type “C” paving assessment for each year under 20 years.

To recover the cost of public sidewalk replacement when done in conjunction with repaving, the assessable rates may reflect an amount of \$22.00 added against each frontage foot of adjacent properties.

Sidewalk replacement when not assessed by frontage foot shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11, or at the fixed rate of \$325.00 per sidewalk square with nominal size of 22 to 28 square feet, for 5” thick walks and \$350.00 for 7” thick walk. When sidewalk is assessed by actual cost per square foot, the rates for 5” walk shall be no less than \$9.00 per square foot and no greater than \$14.00 per square foot, and no less than \$10.00 per square foot and no greater than \$15.00 per square foot for 7” walk.

Any property where the entire city sidewalk was replaced within twelve years may be exempt from sidewalk assessment provided walk is at proper grade and condition.

Drive approach replacement shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11, with a minimum assessment rate of \$10.00 per square foot and a maximum assessment rate of \$15.00 per square foot.

- (3) The assessments for reconstruction of alleys shall be at the following rates per assessable foot (average width) for one of two family residences (other classes proportioned as below).

- A) Repaving Type “A” \$80.00 for completely removing existing alley pavement regarding and replacing with either concrete pavement or asphalt pavement with a new road base.
- B) Repaving Type “C” \$32.00 for milling the existing pavement surface as required, and surfacing with new asphalt pavement.

The assessment rate for “green” alleys shall remain the same as if the alley was intended for standard resurfacing or reconstruction.

Property Classification Factors

- A) 1-Unit - one and two family residences, churches, schools, public parks
- B) 1-1/2 Units - three or more family residences, apartments (3 or more units)
- (c) 2 Units - business, commercial, industrial

Assessable Factors

- A) Rear alley - Average of front and rear lot lines.
- B) Side alley - Average of front and rear lot lines.
- C) Rear and side alley - Single assessment only: average of front and rear lot lines.
- D) One and two family lots with primary vehicle access from a public street assessed at 50% of the unit rate.

(4)

- A) The front lot line is the lot line along the narrowest side of any lot that borders an existing or dedicated street lot line. The side lot line is any lot line that is not the front or rear lot line. Side lot assessments for original permanent pavement, reconstruction of permanent pavement, asphalt resurfacing, and sidewalk when assessed on a frontage foot rate, shall be assessed at the rate of 50% of the assessable side lot footage, abutting on the street being improved, for 1 and 2 family, church, school, and public park uses only. All other classes of property shall be assessed for full assessable footage.
- B) A platted or divided lot that extends through and abuts two streets, provided such lot does not consist of two or more platted or divided lots, shall have the longer of the two sides considered a side yard for purposes of assessment. The rate of assessment shall be determined as described in Paragraph (4) (a) herein.

Should both abutting frontages be equal in length, the frontage first improved or reconstructed or resurfaced, as the case may be, shall be considered the front for assessment purposes.

Irregular shaped lots may be assessed based on the actual abutting frontages, or average lot width.

- C) Properties with 3 sides adjacent to streets shall have the two longest assessable footage sides assessed at 50%. Remaining side is assessed at 100% of assessable footage.

(5) Permanent asphalt driveway approaches placed at existing driveways, in connection with the construction of original permanent pavement, shall be assessed at cost plus 12.5% for engineering and overhead.

(6) Concrete drive approaches installed or replaced under public contract, in connection with the construction of all permanent paving, shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph

11, with a minimum assessment rate of \$10.00 per square foot and a maximum assessment rate of \$15.00 per square foot. Concrete drive approaches six years old or less are to be replaced at no cost, and those seven to twelve years old at one-half cost.

- (7) Defective permanent curb replaced either by contract or City forces, when requested by the property owner in writing, or replacements not in connection with the resurfacing of a permanent street, shall be assessed at the rate of \$50.00 per foot replaced.
- (8) Service walk replacement shall be assessed per square foot as described in paragraphs 2 and 11, the same as sidewalk replacement.
- (9) Costs of service walks removed and replaced with sod in conjunction with permanent paving or sidewalk repair contract are not assessed to abutting property owners.
- (10) Sidewalk, driveway approaches, and service walk removal and replacement, when not done in conjunction with permanent paving or when ordered replaced by the Board of Public Works due to deterioration or defective condition, when done under public contract, shall be assessed per paragraph 2 or at cost plus 25% for engineering and overhead. Sidewalks and service walks when not done in conjunction with permanent paving, which require replacement because of city tree roots damaging same, shall receive a 1/3 credit.
- (11) To recover the cost of engineering and overhead in connection with repaving and related work involving special assessments, a charge of 12.5% shall be made against the contract amount of such work, unless a different amount is specifically stated in this resolution.
- (12) Drive approaches, sidewalk, service walk, and/or sodding replaced under public contract in excess of that required for construction of all permanent paving as determined by the Engineering Services Division, when requested by the property owner in writing, shall be assessed at actual cost plus the cost of engineering and overhead as described in paragraph 11 or at the unit rates in paragraph 2.
- (13) Federal, state, and railroad properties are exempt from special assessments.
- (14) Street projects that have been postponed shall be assessed at the rate the project was originally approved by the Common Council unless the Common Council subsequently sets a new rate.
- (15) Special assessments in amounts greater than \$5,000.00 can be paid in annual installments up to ten (10) years.
- (16) Private sanitary sewer, sanitary laterals, storm sewer and/or storm laterals

replaced under public contract in excess of that required for construction of publicly owned utilities as determined by the Engineering Services Division, when requested by the property owner in writing, shall be assessed at actual cost plus 10% for engineering and overhead.

- (17) Private sanitary sewer, sanitary laterals, storm sewer and/or storm laterals when ordered replaces by the Board of Public Works due to deterioration or defective condition, when done under public contract shall be assessed at actual cost plus 10% for engineering and overhead.

By: Board of Public Works

Recommendation: Approve 4-0

Motion by Ald Makhlouf, seconded by Ald Meindl, to postpone this matter to the December meeting to have a discussion about the City's use of special assessments. Motion failed 2-14 (Lowe, Moldenhauer, Morgan, Phillips, Wilke, Arney, Brannin, Champine, Doley, Foley, Franzen, Fuerst, Gustafson, and Lewis voted no).

RESULT: APPROVED
MOVER: Melissa Dolan
SECONDER: Amanda Fuerst

Aye: 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhlouf II, and Meindl
Enactment No: R-24-188

3. Resolution declaring the City's intent to perform street and alley improvements during the 2025 construction season and to assess neighboring property owners

[24-1609](#)

BE IT RESOLVED, by the Board of Public Works of the City of Wauwatosa, Wisconsin, that

Section 1. The Board of Public Works of the City of Wauwatosa, Wisconsin hereby declares its intention to exercise its police power, under Section 66.0703 of the Wisconsin Statutes, to levy special assessments upon property in the City of Wauwatosa within the following described area for the benefits conferred upon such property by the repaving of:

Street & Location: N. 115th St. from Underwood Pkwy. to Watertown Plank Rd.
Ald Dist: 3
Exist & Prop. Width: 36 (36)
Pavement Construction Type: D-Asph
Assessed Sidewalk Work: No

Street & Location: Watertown Plank Rd. from 113th St. to N. 115th St.
Ald Dist: 3 & 7
Exist & Prop. Width: 52 (52)
Pavement Construction Type: D-Asph

Assessed Sidewalk Work: No

Street & Location: Watertown Plank Rd. from 115th St. to N. 124th St.

Ald Dist: 3

Exist & Prop. Width: 52 (52)

Pavement Construction Type: E-Asph

Assessed Sidewalk Work: No

Street & Location: Wisconsin Ave. from N. 68th St. to N. 72nd St.

Ald Dist: 4

Exist & Prop. Width: 40 (40)

Pavement Construction Type: D-Asph

Assessed Sidewalk Work: Yes

Street & Location: Alley, Harvard Ln. to Blue Mound Rd. and N. 109th St. to N. 111th St.

Ald Dist: 3

Exist & Prop. Width: 20 (20)

Pavement Construction Type: A-Conc

Assessed Sidewalk Work: No

Section 2. Said public improvement shall include the following work to be done during the 2023 construction season:

Reconstruction: Type “A” (Asph.) or (Conc.) Completely removing existing curb and gutter and existing pavement, placing new concrete curb and gutter (excluding alleys), and asphalt or concrete pavement surface on a new base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving Type “B” (Asph.) Completely removing existing curb and gutter, milling the existing asphalt pavement as required, and placing new concrete curb and gutter and asphalt pavement surface on the existing road base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving: Type “C” (Asph) Milling the existing pavement as required, repairing

curbs (and abutting approaches and sidewalks where necessary), and surfacing with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Repaving: Type "D" Replacing defective curb and gutter, removing, milling and/or pulverizing the existing pavement surface as required, and surfacing with new asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Repaving: Type "E" Replacing minimal defective curb and gutter, minor pavement milling, overlay existing pavement with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Section 3. The total amount assessed shall be upon a reasonable basis as determined by the Common Council.

Section 4. That the owners of the respective parcels of land fronting or abutting the street improvements, on which a public hearing has been held and preliminary assessments have been confirmed, shall have payment of the special assessments scheduled as follows:

- a) Each special assessment and special charge, pursuant to Section 66.0703 of the Wisconsin Statutes, levied in an amount of \$200 or less against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in one installment.
- b) Each special assessment for improvements levied in an amount exceeding \$200 against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in five equal annual installments of principal together with interest at the rate of twelve percent (12%) per year or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the sale of corporate purpose bonds, which include the project which is the subject of the special assessment, whichever figure is less, on the unpaid balance of said assessment. Individual assessments shall run concurrently except as provided under Section 3.08.040 of the City Code.
- c) Each special assessment levied against any parcel of land in the City of Wauwatosa for the installation of sanitary sewer main or water main or construction of permanent street pavement shall not be entered in the tax roll until all installments of special assessments for sanitary sewer or water main or construction of permanent street pavement levied previously against the same parcel of land have been entered into the tax rolls and have been paid. Such subsequent special assessment shall be deferred and only interest at the rate of twelve percent (12%) per year, or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the issuance of General Obligation Debt, which include the project which is the subject of the special assessment, whichever figure is less, on such subsequent special

assessment shall be carried into the tax rolls in addition to the scheduled installments of such prior assessments. After the last installment of such prior special assessment has been entered in the tax rolls, installments of the subsequent special assessment shall, beginning with the next subsequent tax roll, be entered in the tax rolls pursuant to Section 3.08.030 of the City Code.

- d) Whenever special assessments are levied against the frontage and side of a corner parcel of land in the City of Wauwatosa for the installation of sanitary sewers or water mains or construction of permanent pavements arising out of the same public works project, such special assessments levied against a corner parcel of land shall be deemed to be two separate special assessments, and the special assessment levied against the frontage of the corner parcel of land shall first be scheduled on the tax rolls for payment as provided in Section 3.08.030 of the City Code and the special assessment levied against the side of the corner parcel of land shall be scheduled on the tax rolls pursuant to (c) above, following such scheduling of the special assessment levied against the frontage of the corner parcel of land.
- e) Notwithstanding the provisions of (c) and (d) above, any owners of parcels of land assessed may at their option elect to pay both the scheduled installments of prior assessments as well as scheduled installments of subsequent special assessments on the same tax rolls as entered on those tax rolls pursuant to Section 3.08.030 of the City Code.
- f) If, after special assessments have been placed on the tax rolls in installments or otherwise, the taxpayer fails to pay the same within the time allowed for payment of general taxes, the same shall become delinquent and shall be treated in the same manner and subject to the same laws as delinquent general property taxes.

Section 5. The properties against which the assessments are proposed are benefited. Such benefits may include, but are not necessarily limited to, enhancement of value or marketability, improved drainage, improved pedestrian safety (walks), improved vehicular access, improved skid resistance and cross sectional elements.

Section 6. The City Engineer has prepared a report consisting of:

- a) Preliminary and/or final plans and specifications for said improvements
- b) An estimate of the entire cost of the proposed improvements
- c) A schedule of the proposed assessments in connection therewith upon a reasonable basis as determined by the Board of Public Works.

The City Engineer is directed to file a copy of these in the City Clerk's Office for public inspection.

BE IT FURTHER RESOLVED, By the Board of Public Works of the City of Wauwatosa,

Wisconsin, that the City Clerk is directed to give notice, as by law provided, of a public hearing to all owners, to be assessed for the proposed improvements herein before listed, and to publish notice of the hearing at least once in the official newspaper at least ten days and not more than 40 days before the time set for the hearing; and

BE IT FURTHER RESOLVED, that the Common Council be requested to schedule the public hearing to be held before the Common Council both in-person in the Council Chambers and virtually via use of the Zoom platform, at 6:30 P.M., on Tuesday, December 17th, 2024 at which time all persons interested, or their agents or attorneys, concerning matters contained in the resolution and report, including the proposed assessment of benefits will be heard.

By: Board of Public Works

Recommendation: Approve 4-0

Motion by Ald Makhoulf, seconded by Ald Meindl, to postpone this matter to the December meeting to have a discussion about the City's use of special assessments. Motion failed 2-14 (Lowe, Moldenhauer, Morgan, Phillips, Wilke, Arney, Brannin, Champine, Doley, Foley, Franzen, Fuerst, Gustafson, and Lewis voted no).

RESULT: APPROVED
MOVER: Melissa Dolan
SECONDER: Amanda Fuerst

Aye: 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhoulf II, and Meindl
Enactment No: R-24-189

4. Resolution setting a Common Council public hearing date of December 17, 2024 for proposed assessments for 2025 street and alley improvements [24-1610](#)

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that a public hearing be held before the Common Council both in-person in the Council Chambers and virtually via use of the Zoom platform, at 6:30 PM Local Time on Tuesday, December 17th, 2024, at which time all persons interested, or their agents or attorneys, will be heard concerning special assessments relating to the City's intent to perform street construction work in the City of Wauwatosa.

By: Board of Public Works

Recommendation: Approve 4-0

RESULT: APPROVED
MOVER: Melissa Dolan
SECONDER: Amanda Fuerst

Aye: 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson,
Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan

Nay: 2 Makhoulf II, and Meindl
Enactment No: R-24-190

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

1. Future Council committee agenda items [24-1505](#)

Ald Makhoulf would like to have a discussion about the City's use of special assessments at a future Committee meeting.

Ald Morgan, in conjunction with Ald Fuerst, will be looking into whether it is time to review the City's regulation of tattoo and body art retail facilities.

RESULT: INFORMATIONAL ONLY

ADJOURNMENT

Meeting adjourned at 8:19 PM.