



Wauwatosa, WI

Common Council

Meeting Minutes

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, May 7, 2024

7:30 PM

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

Regular Meeting

CALL TO ORDER

Mayor McBride called the meeting to order at 7:33 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: 14 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 5 Rob Gustafson
Alderperson District 5 Sean Lowe
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
Excused: 1 Alderperson District 3 Joseph Makhoul II
Absent: 1 Alderperson District 1 Andrew Meindl

SPECIAL PRESENTATION

1. Historic Preservation Commission Preservation of Properties Award presentation [24-0533](#)

Jim Haertel, Chair, Historic Preservation Commission, presented Preservation of Property Awards to Betsy & James DuCanto, and Andy Schneider & Therese Hittman.

RESULT: INFORMATIONAL ONLY

APPROVAL OF MINUTES

1. Approval of minutes of the April 16, 2024 regular meeting [24-0679](#)

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: David Lewis

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

Excused: 1 Makhoul II

Absent: 1 Meindl

APPOINTMENTS BY THE MAYOR

1. Appointment by Mayor McBride of Chantal Boncher as a member of the Wauwatosa Tourism Commission, term ending July 31, 2024 [24-0493](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Jason Wilke
SECONDER: Sean Lowe

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

Excused: 1 Makhoul II

Absent: 1 Meindl

2. Reappointment by Mayor McBride of Angela Ebeling (District 2) as a member of the Bicycle and Pedestrian Facilities Committee, term ending May 31, 2026 [24-0521](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Jason Wilke
SECONDER: Sean Lowe

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

Excused: 1 Makhoul II

Absent: 1 Meindl

3. Reappointment by Mayor McBride of Brian Konyn (District 5) as a member of the Wauwatosa Plan Commission, term ending April 30, 2027 [24-0625](#)

Recommendation: First Reading

Motion included a suspension of the rules to approve the appointment after the first reading.

RESULT: APPROVED
MOVER: Jason Wilke
SECONDER: Sean Lowe

- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhlouf II
- Absent:** 1 Meindl
4. Reappointment by Mayor McBride of Kosta Zervas (District 7) as a member of the Wauwatosa Senior Commission, term ending April 30, 2027 [24-0606](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhlouf II
- Absent:** 1 Meindl
5. Reappointment by Mayor McBride of Brian Began (District 6) as a member of the Wauwatosa Library Board, term ending June 30, 2027 [24-0669](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhlouf II
- Absent:** 1 Meindl
6. Reappointment by Mayor McBride of Lauren Roznowski Hayden (District 5) as a member of the Wauwatosa Library Board, term ending June 30, 2027 [24-0624](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe

- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
7. Reappointment by Mayor McBride of Dennis Scherr as a member of the Wauwatosa Design Review Board, term ending June 30, 2026 [24-0700](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
8. Appointment by Mayor McBride of Aletha Champine as Alderperson Liaison (Voting Member) of the Wauwatosa Board of Health, term ending April 20, 2026 [24-0615](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
9. Appointment by Mayor McBride of Andrew Meindl as Alderperson Liaison (Ex Officio Member) of the Wauwatosa Youth Commission, term ending April 20, 2026 [24-0621](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
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- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
10. Appointment by Mayor McBride of David Lewis as Alderperson Liaison (Ex Officio Member) of the Wauwatosa Senior Commission, term ending April 20, 2026 [24-0620](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
11. Appointment by Mayor McBride of Ernie Franzen as Alderperson Liaison (Voting Member) of the Wauwatosa Library Board, term ending April 20, 2026 [24-0619](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
12. Appointment by Mayor McBride of Rob Gustafson and Joe Phillips as Alderperson Liaisons (Voting Members) of the Wauwatosa Community Development Authority, terms ending April 20, 2026 [24-0617](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
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- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
- 13.** Appointment by Mayor McBride of Robin Brannin as Alderperson Liaison (Voting Member) of the Wauwatosa Board of Parks and Forestry Commissioners, term ending April 20, 2026 [24-0616](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl
- 14.** Reappointment by Mayor McBride of James Moldenhauer as Alderperson Liaison (Voting Member) of the Wauwatosa Historic Preservation Commission, term ending April 20, 2026 [24-0618](#)
- Recommendation:* First Reading
- Motion included a suspension of the rules to approve the appointment after the first reading.*
- RESULT:** APPROVED
- MOVER:** Jason Wilke
- SECONDER:** Sean Lowe
- Aye:** 14 Wilke, Arney, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Moldenhauer, Phillips, Morgan, Fuerst, and Dolan
- Excused:** 1 Makhoulf II
- Absent:** 1 Meindl

APPLICATIONS, COMMUNICATIONS, ETC.

- 1.** Recommendation from the Bicycle & Pedestrian Facilities Committee for a 90-day trial to close all slip lanes at the intersection of North Avenue and Wauwatosa Avenue [24-0682](#)
- RESULT:** REFERRED
- 2.** Recommendation from the Bicycle & Pedestrian Facilities Committee for a 90-day trial to close the median opening south of N. 84th Street and Blue Mound Road and make it available only to pedestrians [24-0683](#)

Recommendation: Refer to Government Affairs Committee

RESULT: REFERRED

ORDINANCES FOR INTRODUCTION

1. Ordinance amending Chapter 6.08 and creating Chapter 6.10 of the Wauwatosa Municipal Code related to liquor licensing and cigarette and vape store licenses to conform to the provisions of 2023 Wisconsin Act 73 [24-0684](#)

The common council of the City of Wauwatosa do ordain as follows:

Part I. Subsection 6.08.020 C. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

C. "Fermented malt beverages" means any of the following:

1. Any beverage made by the alcohol fermentation of an infusion in potable water of barley malt and hops, with or without unmalted grains or decorticated and degerminated grains or sugar containing 0.5 percent or more of alcohol by volume.
2. Any beverage recognized by the federal department of the treasury as beer under [27 CFR part 25](#)
<https://docs.legis.wisconsin.gov/document/cfr/27%20CFR%2025>, except sake or similar products.

Part II. The current Subsection 6.08.020 K. of the Wauwatosa Municipal Code of Ordinances is hereby repealed, current subsections designated by the letters "F." through "J.", consecutively, are hereby re-designated by the letters "G." through "K.", consecutively, and a new Subsection "F." is created to read in its entirety as follows:

K. "Operator's Permit" means a current and valid operator's permit issued by the Department of Revenue, Division of Alcohol Beverages pursuant to Sec. 125.175, Wisconsin Statutes

Part III. Subsection 6.08.040 of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

Applications for licenses for retail sales of alcohol beverages shall be made to the city clerk of the city of Wauwatosa by use of the application forms created by the Wisconsin Department of Revenue, Division of Alcohol Beverages, pursuant to sec. 125.04(3) of the Wisconsin Statutes.

Part IV. Subsection 6.08.130 A. (Intro) of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

A. No person other than the licensee shall be permitted to sell or serve alcoholic beverages in any place operated under a class "A", "Class A", class "B", "Class B" or "Class C" retailer's license unless he or she:

Part V. Subsection 6.08.130 A.1. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

1. Has an operator's license or an operator's permit.

Part VI. Subsection 6.08.170 (Title) of the Wauwatosa Municipal Code of Ordinances is hereby amended to read as follows:

Consumption and possession in public places prohibited - Exceptions

Part VII. Section 6.08.250 of the Wauwatosa Municipal Code of Ordinances is repealed and is recreated to read in its entirety as follows:

6.08.250 - Provisional retail licenses.

- A. A provisional retail license may be issued to a person who has applied for a Class "A," Class "B," "Class A," "Class B" or "Class C" license, provided that the provisional retail license only authorizes the activities that the type of retail license applied for authorizes. A provisional retail license may not be issued if the quota prohibits issuing an annual license for the same.
- B. A provisional retail license authorizes applicants for retail licenses to open for business while completing the responsible beverage server training course requirement, provided the applicant meets all the other qualifications set out in article IV and divisions 3 and 4 of article V of this chapter.
- C. A provisional retail license expires 60 days after its issuance or when the retail license applied for is issued or denied, whichever is sooner.
- D. No person may hold more than one provisional retail license for each type of license applied for by the holder per year.
- E. The city clerk may revoke, in accordance with division 4 of article II of this chapter, the license if he/she discovers that the holder has made a false statement on the application.

Part VIII. Section 6.08.260 (Title) of the Wauwatosa Municipal Code of Ordinances is hereby amended to read as follows:

Temporary operator's license

Part IX. Subsection 6.08.260 B. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

- B. No person may hold more than two licenses of this kind per year;

Part X. Section 6.08.330 of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

No Class "B" license may be granted for any premises where any other business is conducted in connection with the premises, except that this restriction does not apply if the premises for which the Class "B" license is issued is connected to premises where other business is conducted by a secondary doorway that serves as a safety exit and is not the primary entrance to the Class "B" premises. No other business may be conducted on premises operating under a Class "B" license. These restrictions do not apply to any of the following:

- A. A hotel.
- B. A restaurant, whether or not it is a part of or located in any mercantile establishment.

- C. A combination grocery store and tavern.
- D. A combination novelty store and tavern.
- E. A bowling center or recreation premises.
- F. A club, society or lodge that has been in existence for 6 months or more prior to the date of filing application for the Class "B" license.
- G. A movie theater.
- H. A painting studio.
- I. An axe throwing facility.

Part XI. Section 6.08.350 of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

Class "A" retailer's license-Presence of person who has an operator's license or operator's permit required.

- A. Whenever a Class "A" retailer's license has been issued there shall be upon the licensed premises a licensee or other person who has an operator's license or operator's permit.
- B. No person shall sell or dispense fermented malt beverages unless such person is of legal drinking age or has an operator's license or operator's permit or is at least eighteen years of age and is under the immediate supervision of the licensee or agent or a person holding an operator's license or operator's permit.
- C. No person, firm or corporation shall allow or permit any employee to sell or dispense fermented malt beverages unless such employee or agent is of legal drinking age or has an operator's license or operator's permit or is at least eighteen years of age and is under the immediate supervision of the licensee or agent or a person holding an operator's license or operator's permit.

Part XII. Subsection 6.08.390 B. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

- B. Retail "Class B" License. A retail "Class B" license, when issued by the city clerk under authority of the common council, shall permit its holder to sell, deal and traffic in wine or intoxicating liquors to be consumed by the glass on the premises so licensed, shall authorize the sale of pre-mixed drinks containing intoxicating liquor in the manner described in Subsection 125.51(3)(bg) of the Wisconsin Statutes, or otherwise not in the original package or container for consumption off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal before the intoxicating liquor is removed from the premises. Wine or intoxicating liquor may also be sold, in the original package or container, in unlimited quantities, to be consumed off the premises where sold. The fee for such retail "Class B" license shall be as shown in the fee schedule and shall be prorated based on the number of months remaining in the licensing period.

Part XIII. Section 6.08.400 of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

6.08.400 - Retail "Class C" licenses.

- A. A "Class C" license authorizes the retail sale of wine by the glass or in an opened original container for consumption on the premises where sold.
- B. A "Class C" license may be issued to a person qualified under Section 125.04(5) of the Wisconsin Statutes, except a person acting as an agent for or in the employ of another.
- C. A "Class C" license shall particularly describe the premises for which it is issued.

Part XIV. Section 6.08.440 of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

"Class A" licensed premises-Operator's license, operator's permit or immediate family member required.

No person other than the licensee shall be permitted to sell, deal or traffic in intoxicating liquors in any place under a retail "Class A" liquor license unless he or she has an operator's license, operator's permit or unless he or she is a member of the immediate family of the licensee who is of legal drinking age or unless he or she is under the immediate supervision of the licensee or of a person holding an operator's license or operator's permit.

Part XV. Subsection 6.08.470 B. of the Wauwatosa Municipal Code of Ordinances is hereby amended to read in its entirety as follows:

- B. No retail "Class A", "Class B" or "Class C" licensee shall employ any person under legal drinking age to sell or serve intoxicating liquors in any part of the licensed premises, unless such person has been issued a valid operator's license under this chapter or an operator's permit.

No retail "Class A", "Class B" or "Class C" licensee shall employ any person under sixteen years of age to perform the sale or service of intoxicating liquors in any part of the licensed premises.

Part XVI. Section 6.08.510 of the Wauwatosa Municipal Code of Ordinances is hereby deleted.

Part XVII. Chapter 6.10 of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

Chapter 6.10 CIGARETTE, ELECTRONIC VAPING DEVICES, AND TOBACCO PRODUCTS RETAILER LICENSE**6.10.010 - License Required.**

No person shall sell cigarettes, electronic vaping devices, or tobacco products in the city without first obtaining a license from the city clerk. The provisions of Section [134.65 <https://docs.legis.wisconsin.gov/document/statutes/134.65>](https://docs.legis.wisconsin.gov/document/statutes/134.65) Wisconsin Statutes are hereby adopted and made a part of this section by reference. All current provisions of this code, including but not limited to Chapters 8.12 and 8.70, shall continue to be fully in force and in effect.

6.10.020 - License Fee.

The license fee shall be as specified in the Consolidated Fee Schedule adopted annually by the Common Council.

6.10.030 - Penalty.

Any person, firm, partnership, or corporation who violates any part of this chapter shall be subject to the general penalty provisions of this code.

Part XVIII. This ordinance shall take effect on and after its dates of passage and publication.

By: Government Affairs Committee

Recommendation: Introduced May 7, 2024, for adoption consideration

RESULT: REFERRED TO ORIGINATING COMMITTEE
Enactment No: O-24-16

2. Ordinance amending Chapter 1.04 of the Wauwatosa Municipal Code to define modified ward boundaries for the purpose of compliance with new legislative maps, to be applied to current and future aldermanic districts [24-0687](#)

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

Part I. Section 1.04.050 of the Wauwatosa Municipal Code is repealed and recreated to read in its entirety as follows:

The third aldermanic district shall consist of all that territory contained within Wards 7A, 7B, 8A, 8B and 9 in the city of Wauwatosa, Milwaukee County, as shown in the attached map of the city of Wauwatosa and more particularly described below:

A. *Ward 7A:* That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550790906001001, 550791853001017, 550791853001016,
550790906001018, 550791853001020, 550790906001021,
550791853001033, 550790906001019, 550790906001016,
550791853001031, 550790906001011, 550790906001022,
550790906001017, 550790906001023, 550791853001030,
550790906001015, 550790906001013, 550790906001014,
550790906001002, 550791853001021, 550790906001012,
550791853001032, 550790906001000, 550791853001039,
550791853001022

B. *Ward 7B:* That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550790906001008, 550790906001004, 550790906004018,
550790906001010, 550790906004016, 550790906001006,
550790906004020, 550790906001003, 550790906004019,
550790906001009, 550790906004021, 550790906004017,
550790906001007, 550790906001005

C. *Ward 8A:* That territory contained within the following areas in the City of

Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: 550790906004009, 550790906004008, 550790906004010, 550790906004006, 550790906004007, 550790906004012, 550790906004011, 550790906004013

- D. *Ward 8B*: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790906003002, 550790906003005, 550790906002005, 550790906003003, 550790906002011, 550790906004014, 550790906002006, 550790906002013, 550790906003001, 550790906003009, 550790906003012, 550790906002000, 550790906002009, 550790906003006, 550790906003011, 550790906002012, 550790906004022, 550790906002014, 550790906002010, 550790906002003, 550790906002008, 550790906002018, 550790906004015, 550790906003008, 550790906003007, 550790906002007, 550790906002015, 550790906002017, 550790906003004, 550790906002001, 550790906002004, 550790906002016, 550790906002002, 550790906003010, 550790906003000

- E. *Ward 9*: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550791853003003, 550790906004004, 550791853003012, 550791853003001, 550791853003027, 550791853003022, 550790906004003, 550790906004001, 550791853003015, 550791853003028, 550791853003000, 550791853003002, 550791853003024, 550791853003008, 550791853003016, 550790906004005, 550791853003029, 550791853003021, 550791853003007, 550791853003009, 550791853003019, 550791853003011, 550791853003017, 550791853001038, 550791853003031, 550791853003014, 550791853003020, 550791853003018, 550791853003010, 550790906004000, 550791853003025, 550790906004002, 550791853003023, 550791853003026, 550791853003013, 550791853003006, 550791853003004, 550791853003005, 550791853003030

Part II. Subsection 1.04.090 B of the Wauwatosa Municipal Code is repealed and recreated to read in its entirety as follows:

Ward 20: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790903001018, 550790903002025, 550790903001021, 550790903002017, 550790903001017, 550790903002019, 550790903002022, 550790903001025, 550790903002016, 550790903001010, 550790903001016, 550790903002020, 550790903001022,

550790903001012, 550790903001019, 550790903002018, 550790903001020, 550790903002023, 550790903001011, 550790903002021, 550790903002024, 550790903001027, 550790903001024, 550790903002026, 550790903001023, 550790903001014

Part III. Subsection 1.04.090 C of the Wauwatosa Municipal Code is repealed and recreated to read in its entirety as follows:

Ward 2I: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790903001026, 550790903002005, 550790903002006, 550791853001008, 550790903001006, 550790903001009, 550790902002029, 550790903001005, 550791853001010, 550790903001015, 550790903002011, 550790903002010, 550790903001007, 550790903001002, 550790903001001, 550790903001003, 550790903002003, 550790903002008, 550791853001009, 550791853001007, 550790903001008, 550790903001013, 550790903001004, 550790903002004, 550790903002001, 550790903002013, 550790903002007, 550790903001000, 550790903002012, 550790903002002, 550790903002014, 550790903002000, 550790903002015, 550790903002009

Part IV. The map attached to and included as an illustration related to the current Section 1.04.105 of the Wauwatosa Municipal Code of Ordinances is hereby replaced by utilization of the attached “2024” map, which reflects the revised ward maps described within secs. 1.04.030 through 1.04.100 of the code, as amended by Parts I through III of this ordinance, above.

Part V. That version of Section 1.04.100 of the Wauwatosa Municipal Code, intended to become effective on April 21, 2026, per the provisions of Ordinance O-23-01 as passed by the Wauwatosa Common Council on January 17, 2023, is hereby amended to read in its entirety as follows:

The eighth aldermanic district shall consist of all that territory contained within wards 7A, 7B, 12A and 12B in the city of Wauwatosa, Milwaukee County, as shown in the attached map of the city of Wauwatosa and more particularly described below:

A. *Ward 7A:* That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790906001001, 550791853001017, 550791853001016, 550790906001018, 550791853001020, 550790906001021, 550791853001033, 550790906001019, 550790906001016, 550791853001031, 550790906001011, 550790906001022, 550790906001017, 550790906001023, 550791853001030, 550790906001015, 550790906001013, 550790906001014, 550790906001002, 550791853001021, 550790906001012, 550791853001032, 550790906001000, 550791853001039, 550791853001022

B. *Ward 7B:* That territory contained within the following areas in the City of

Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790906001008, 550790906001004, 550790906004018, 550790906001010, 550790906004016, 550790906001006, 550790906004020, 550790906001003, 550790906004019, 550790906001009, 550790906004021, 550790906004017, 550790906001007, 550790906001005

C. Ward 12A: That territory contained within the following areas in the city of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790906001020, 550791853001034, 550791853001035, 550791853001036, 550791853001037

D. Ward 12B: That territory contained within the following areas in the city of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790912004004, 550790912004006, 550790912004007, 550790912004008, 550790912004009, 550790912004011, 550790912004012, 550790912004013, 550790912004014, 550790912004015, 550790912004016, 550790913003001, 550790913003002, 550790913003003, 550790913003004, 550790913003005, 550790913003006, 550790913003007, 550790913003008, 550790913004000, 550790913004001, 550790913004002, 550790913004003, 550790913004004, 550790913004005, 550790913004006, 550790913004007, 550790913004008, 550790913004009, 550790913004010, 550790913004011, 550790913004012, 550790913004013

Part VI. That version of Section 1.04.110 of the Wauwatosa Municipal Code, intended to become effective on April 21, 2026, per the provisions of Ordinance O-23-01 as passed by the Wauwatosa Common Council on January 17, 2023, is hereby amended to read in its entirety as follows:

The Ninth aldermanic district shall consist of all that territory contained within wards 8A, *B and 9 in the city of Wauwatosa, Milwaukee County, as shown in the attached map of the city of Wauwatosa and more particularly described below:

A. Ward 8A: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: 550790906004009, 550790906004008, 550790906004010, 550790906004006, 550790906004007, 550790906004012, 550790906004011, 550790906004013

B. Ward 8B: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID: 550790906003002, 550790906003005, 550790906002005, 550790906003003, 550790906002011, 550790906004014, 550790906002006, 550790906002013, 550790906003001,

550790906003009, 550790906003012, 550790906002000,
550790906002009, 550790906003006, 550790906003011,
550790906002012, 550790906004022, 550790906002014,
550790906002010, 550790906002003, 550790906002008,
550790906002018, 550790906004015, 550790906003008,
550790906003007, 550790906002007, 550790906002015,
550790906002017, 550790906003004, 550790906002001,
550790906002004, 550790906002016, 550790906002002,
550790906003010, 550790906003000

- C. *Ward 9*: That territory contained within the following areas in the City of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550791853003003, 550790906004004, 550791853003012,
550791853003001, 550791853003027, 550791853003022,
550790906004003, 550790906004001, 550791853003015,
550791853003028, 550791853003000, 550791853003002,
550791853003024, 550791853003008, 550791853003016,
550790906004005, 550791853003029, 550791853003021,
550791853003007, 550791853003009, 550791853003019,
550791853003011, 550791853003017, 550791853001038,
550791853003031, 550791853003014, 550791853003020,
550791853003018, 550791853003010, 550790906004000,
550791853003025, 550790906004002, 550791853003023,
550791853003026, 550791853003013, 550791853003006,
550791853003004, 550791853003005, 550791853003030

Part VIII. That version of Section 1.04.120 of the Wauwatosa Municipal Code, intended to become effective on April 21, 2026, per the provisions of Ordinance O-23-01 as passed by the Wauwatosa Common Council on January 17, 2023, is hereby amended to read in its entirety as follows:

The Tenth aldermanic district shall consist of all that territory contained within wards 19 and 20 in the city of Wauwatosa, Milwaukee County, as shown in the attached map of the city of Wauwatosa and more particularly described below:

- A. *Ward 19*: That territory contained with the following areas in the city of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550791853001011, 550791853001012, 550791853001013,
550791853001014, 550791853001015, 550791853001023,
550791853001024, 550791853002000, 550791853002001,
550791853002002, 550791853002003, 550791853002004,
550791853002005, 550791853002006, 550791853002007,
550791853002008, 550791853002009, 550791853002010,
550791853002011, 550791853002012, 550791853002013,
550791853002014, 550791853002015, 550791853002016,
550791853002017, 550791853002018, 550791853002019,
550791853002020, 550791853002021

- B. *Ward 20*: That territory contained within the following areas in the City of

Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550790903001018, 550790903002025, 550790903001021,
550790903002017, 550790903001017, 550790903002019,
550790903002022, 550790903001025, 550790903002016,
550790903001010, 550790903001016, 550790903002020,
550790903001022, 550790903001012, 550790903001019,
550790903002018, 550790903001020, 550790903002023,
550790903001011, 550790903002021, 550790903002024,
550790903001027, 550790903001024, 550790903002026,
550790903001023, 550790903001014

Part IX. That version of Section 1.04.130 of the Wauwatosa Municipal Code, intended to become effective on April 21, 2026, per the provisions of Ordinance O-23-01 as passed by the Wauwatosa Common Council on January 17, 2023, is hereby amended to read in its entirety as follows:

The Eleventh aldermanic district shall consist of all that territory contained within Wards 21 and 22 in the city of Wauwatosa, Milwaukee County, as shown in the attached map of the city of Wauwatosa and more particularly described below:

A. Ward 21: That territory contained within the following areas in the city of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550790903001026, 550790903002005, 550790903002006,
550791853001008, 550790903001006, 550790903001009,
550790902002029, 550790903001005, 550791853001010,
550790903001015, 550790903002011, 550790903002010,
550790903001007, 550790903001002, 550790903001001,
550790903001003, 550790903002003, 550790903002008,
550791853001009, 550791853001007, 550790903001008,
550790903001013, 550790903001004, 550790903002004,
550790903002001, 550790903002013, 550790903002007,
550790903001000, 550790903002012, 550790903002002,
550790903002014, 550790903002000, 550790903002015,
550790903002009

B. Ward 22: That territory contained with the following areas in the city of Wauwatosa, Milwaukee County, as defined by the U.S. Bureau of the Census in conjunction with the 2020 decennial census: Census Block ID:

550790902001000, 550790902001001, 550790902001002,
550790902001003, 550790902001004, 550790902001005,
550790902001006, 550790902001007, 550790902001008,
550790902001009, 550790902001010, 550790902001011,
550790902001012, 550790902001013, 550790902001014,
550790902001015, 550790902001016, 550790902001017,
550790902001018, 550790902001019, 550790902001020,
550790902001021, 550790902001022, 550790902001023,
550790902001024, 550790902001025, 550790902001026,

550790902001027, 550790902001028, 550790902001029,
550790902001030, 550790902001031, 550790902001032,
550790902001033, 550790902001034, 550790902001035,
550790902001036, 550790902002000, 550790902002001,
550790902002002, 550790902002003, 550790902002004,
550790902002005, 550790902002006, 550790902002007,
550790902002008, 550790902002009, 550790902002010,
550790902002011, 550790902002012, 550790902002013,
550790902002014, 550790902002015, 550790902002016,
550790902002017, 550790902002022, 550790902002023,
550790902002024, 550790902002025, 550790902002018,
550790902002019, 550790902002020, 550790902002021,
550790902002026, 550790902002027, 550790902002028,
550790902002030

Part X. The map contained as an attachment and adopted by that version of Section 1.04.150 of the Wauwatosa Municipal Code, intended to become effective on April 21, 2026, per the provisions of Ordinance O-23-01 as passed by the Wauwatosa Common Council on January 17, 2023, is hereby replaced by the “2026” map attached hereto and incorporated herein.

Part XI. Parts I through IV ordinance shall become effective on and after its dates of passage and publication.

Part XII. Parts V through X of this ordinance, amending the provisions created by Ordinance O-23-01, shall become effective on April 21, 2026, in place of those provisions of Ordinance O-23-01 which they are intended to modify.

By: Government Affairs Committee

Recommendation: Introduced May 7, 2024, for adoption consideration

RESULT: REFERRED TO ORIGINATING COMMITTEE
Enactment No: O-24-17

FROM THE GOVERNMENT AFFAIRS COMMITTEE

1. Resolution approving application for Special Event Permit by Ray’s Growler Gallery, Event Name: Toppling the Ray-borhood Beer Fest, Date/Time: June 2, 2024, 12-6 PM, Location: 8930 W. North Avenue

[24-0676](#)

WHEREAS, Ray’s Growler Gallery, 8930 W. North Avenue, has previously been granted a temporary extension of the licensed premises from 12:00 PM to 6:00 PM for the "Toppling the Ray-borhood" Market on Sunday, June 2, 2024, to include their parking lot; and

WHEREAS, the applicant has determined that it seeks to expand the event to include the closure of a portion of 89th Street;

NOW, THEREFORE, BE IT RESOLVED THAT the Special Event permit is hereby approved and the "Class B" Liquor licensed premises of Ray’s Growler Gallery be extended from 12:00 PM to 6:00 PM for "Toppling the Ray-borhood" event on Sunday, June 2, 2024, to include their

parking lot and a portion of 89th Street as described to the Committee on Government Affairs at its April 30, 2024, meeting.

By: Government Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Margaret Arney

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

Excused: 1 Makhoul II

Absent: 1 Meindl

Enactment No: R-24-071

2. Resolution approving application for Special Event Permit and temporary extension of licensed premises by Jackson's Blue Ribbon Pub, Event Name: Jax Fest, Date/Time: June 7, 2024, 5-10:30 PM, Location: 11302 W. Blue Mound Road

[24-0681](#)

WHEREAS, Nicole Spaude, of Jackson's Blue Ribbon Pub, 11302 W. Blue Mound Road, Wauwatosa, WI, has requested a special event permit and a temporary extension of its "Class B" liquor license to include the parking lot of his business on June 7, 2024 for purposes of conducting its annual "Jax Fest" event; and

WHEREAS applicant and its application have met all requirements and directions of staff and the relevant ordinances in planning for the event; and

WHEREAS the Committee on Government Affairs has reviewed the permit materials and information provided by the applicant, and has recommended approval of the Special Event Permit;

NOW THEREFORE BE IT RESOLVED THAT a Special Event Permit is hereby granted to Jackson's Blue Ribbon Pub, for "Jax Fest", to be held 11320 W. Blue Mound Road, on June 4, 2024, as more particularly described in materials presented to the Committee on Government Affairs at its April 30, 2024, meeting.

By: Government Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Margaret Arney

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

Excused: 1 Makhlouf II

Absent: 1 Meindl

Enactment No: R-24-072

FROM THE FINANCIAL AFFAIRS COMMITTEE

1. Resolution approving selection of bibliotecta to supply an Automated Materials Handler (Book Sorter) for the Wauwatosa Public Library following Request For Proposal (RFP) process [24-0675](#)

WHEREAS, in 2023, the City Finance Department approved Capital Improvement Project funds for purchasing a new Automated Material Handler (AMH) for the library in 2024 and the City and Library Board agreed that the cost of the AMH would be split between City funds and Library Agency Trust funds;

WHEREAS, a request for proposals was issued and the city received three responses and from those responses, library staff request to enter into a contract with bibliotheca;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Wauwatosa that Library staff is authorized to enter into a contract with bibliotheca to purchase a new AMH at a total cost of \$104,933, to be paid jointly with the use of City funds and Library Agency Trust funds.

By: Financial Affairs Committee

Recommendation: Approve 7-0

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

Excused: 1 Makhlouf II

Absent: 1 Meindl

Enactment No: R-24-073

2. Resolution waiving the competitive bidding process and authorizing appropriate City staff to enter into a sales order agreement with Election Systems & Software for a high-throughput ballot scanner and tabulator in the amount of \$62,665.00 [24-0677](#)

WHEREAS, the City Clerk's Department is requesting approval to waive the competitive bid process to enter into a sales agreement with Election Systems and Software for a high-throughput ballot scanner and tabulator;

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 April 30, 2024, permission be and the same is hereby granted to waive the competitive bidding process

and authorize the purchase of a DS450 high-speed ballot tabulator, for a total cost of \$62,665.00.

By: Financial Affairs Committee

Recommendation: Approve 7-0

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

Excused: 1 Makhlouf II

Absent: 1 Meindl
Enactment No: R-24-074

3. Ratification of Comptroller's Office bills and claims report, April 17 through May 7, 2024

[24-0680](#)

RESULT: RATIFIED

MOVER: James Moldenhauer

SECONDER: Joe Phillips

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

Excused: 1 Makhlouf II

Absent: 1 Meindl

FROM THE BOARD OF PUBLIC WORKS

1. Resolution approving final payment for Contract 22-05, N. 103rd Street Storm Sewer Relay

[24-0686](#)

WHEREAS, the Board of Public Works has accepted the work of Globe Contractors, Inc., completed the work of the 10rd Street Storm Sewer Improvements project and work under Contract 22-05/Project 4102 and the same is ready for final payment;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin as follows that the work of Zignego Company, Inc. under Contract 20-07 is hereby accepted; and that the proper City officers be and they are hereby authorized and directed to draw and sign a City order in the sum of \$146,040.83 as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract.

By: Board of Public Works

Recommendation: Approve 5-0

RESULT: APPROVED

MOVER: Melissa Dolan

SECONDER: Mike Morgan

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

Excused: 1 Makhlof II

Absent: 1 Meindl

Enactment No: R-24-075

2. Resolution approving request by Scott Brunner for an encroachment to build a new garage within an existing public utility easement at 629 N. 77th Street

[24-0685](#)

WHEREAS, an application has been made to the Common Council of the City of Wauwatosa (hereinafter "City") by Scott Brunner, 629 N. 77th Street, Wauwatosa, WI, (hereinafter "the Applicant") to encroach upon City property, to construct a garage over a portion of the City utility easement,

WHEREAS, the Common Council of the City of Wauwatosa has granted to said Applicant a privilege for the aforesaid encroachment subject to the execution of an Indenture to the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT in consideration of the granting of said privilege by the Common Council of the City of Wauwatosa to said Applicant and the Applicant's acceptance of said privilege, the Applicant does hereby covenant unto the City of Wauwatosa as follows:

Applicant must execute a Hold Harmless Agreement and complete an Encroachment Agreement.

By: Board of Public Works

Recommendation: Approve 4-1

RESULT: APPROVED

MOVER: Melissa Dolan

SECONDER: Mike Morgan

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

Excused: 1 Makhlof II

Absent: 1 Meindl

Enactment No: R-24-076

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

1. Future Council committee agenda items

[24-0678](#)

Alder Arney requested a presentation on the City's affordable housing fund.

RESULT: INFORMATIONAL ONLY

ADJOURNMENT

Meeting adjourned at 7:52 PM.

