



Wauwatosa, WI

Common Council

Meeting Minutes

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, April 16, 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 7:32 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: 15 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 James Moldenhauer
Alderperson District 6 Joe Phillips
Alderperson District 7 Mike Morgan
Alderperson District 7 Amanda Fuerst
Alderperson District 8 Council President Jason Wilke
Alderperson District 8 Melissa Dolan

Excused: 1 Alderperson District 1 Andrew Meindl

CEREMONIAL OATH OF OFFICE FOR ALDERPERSON DISTRICTS 1-8 & MAYOR

A ceremonial oath of office for Alderperson Districts 1-8 and Mayor was recited.

SPECIAL PRESENTATION

1. Recognition of outgoing City of Wauwatosa alderpersons

[24-0561](#)

RESULT: INFORMATIONAL ONLY

APPROVAL OF MINUTES

1. Approval of minutes of the March 19, 2024 regular meeting

[24-0502](#)

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: David Lewis

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

Excused: 1 Meindl

COUNCIL CAUCUS CONFIRMATION

1. Confirmation of Common Council President and Aldermanic representatives to the Plan Commission and the Board of Public Works [24-0531](#)

RESULT: APPROVED

MOVER: Robin Brannin

SECONDER: Ernst Franzen

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

Excused: 1 Meindl

APPOINTMENTS BY THE MAYOR

1. Reappointment by Mayor McBride of Patricia Bruce (District 5) as a member of the Wauwatosa Senior Commission, term ending April 30, 2027 [24-0095](#)

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

2. Reappointment by Mayor McBride of Nancy Hall (District 5) as a member of the Commission for Persons with Disabilities, term ending March 31, 2027 [24-0357](#)

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

3. Reappointment by Mayor McBride of Robert Ornst Jr., (District 1) as a member of the Wauwatosa Board of Building and Fire Code Appeals, term ending May 31, 2027

[24-0361](#)

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

4. Reappointment by Mayor McBride of Jennifer Cicero (District 1) as a member of the Wauwatosa Board of Health, term ending January 1, 2029

[24-0389](#)

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

5. Appointment by Mayor McBride of Matt Wicker (District 4) as a member of the Wauwatosa Civic Celebration Commission, term ending December 31, 2025

[24-0338](#)

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

6. Appointment by Mayor McBride of Guy Johnson (District 1) as a student member of the Wauwatosa Youth Commission, term ending

[24-0356](#)

May 31, 2026

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

7. Appointment by Mayor McBride of Lincoln Johnson (District 1) as a student member of the Wauwatosa Youth Commission, term ending May 31, 2026

[24-0373](#)

Recommendation: Second Reading

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: James Moldenhauer

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

Excused: 1 Meindl

8. 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: HELD

9. 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: HELD

APPLICATIONS, COMMUNICATIONS, ETC.

1. Claim - Jerry Lemon

[24-0494](#)

Recommendation: Refer to City Attorney

RESULT: REFERRED TO CITY ATTORNEY

FROM THE TRANSPORTATION AFFAIRS COMMITTEE

1. Ordinance amending Sec. 11.40.310 of the Wauwatosa Municipal Code prohibiting truck traffic on Swan Boulevard from Watertown Plank Road to Menomonee River Parkway

[24-0397](#)

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

Part I. The “Heavy traffic prohibited on certain streets” portion of the “Schedule of street, and portions” subsection of Wauwatosa Code Section 11.40.10 is hereby amended to read as follows:

#2. Swan Boulevard from Menomonee River Parkway to the north city limits

to

#2 Swan Boulevard from Watertown Plank Road to the north city limits.

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

By: Transportation Affairs Committee

Recommendation: Ready for adoption, Adopt 7-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Sean Lowe

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

Excused: 1 Meindl
Enactment No: O-24-11

2. Ordinance amending Sec. 11.32.080 of the Wauwatosa Municipal Code prohibiting parking on the west side of Mayfair Road from Capitol Drive to the North City Limit following the completion of a 90-day trial

[24-0399](#)

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

Part I. The “Mayfair Road - west side” portion of the “Schedule of streets, and portions” subsection of Wauwatosa Code Section 11.32.080 is hereby amended to read as follows:

(a) from West Blue Mound Road to W. Capitol Drive

to

(a) from West Blue Mound Road to North City Limits

Part II. The “Mayfair Road - west side” portion of the “Schedule of streets, and portions” subsection of Wauwatosa Code Section 11.32.080 is hereby amended by deleting the following subsection:

(o) from 50 feet south of W. Courtland Avenue to north city limits

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

By: Transportation Affairs Committee

Recommendation: Ready for adoption, Adopt 7-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Sean Lowe

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

Excused: 1 Meindl
Enactment No: O-24-12

3. Ordinance amending Sec. 11.32.080 of the Wauwatosa Municipal Code prohibiting parking on portions of the north side of North Avenue from Mayfair Road to 116th Street, to remove parking restrictions on portions of North Avenue between 114th Street and 115th Street, and to prohibit parking on the south side of North Avenue from Mayfair Road to 115th Street

[24-0400](#)

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

Part I. The “North Avenue - south 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 Mayfair Road to 10 feet west of the railroad bridge
- (a) from 150 feet east of the freeway bridge to N. 114th Street
- (k) from a point of 193 feet west of the Interstate 41 southbound entrance ramp to N. 115th Street
- (a) from Interstate 41 southbound entrance ramp to a point of 193 feet west thereof
- (a) from N. 115th Street to 90 feet west thereof
- (a) from the driveway at 1111 West North Avenue to the freeway entrance ramp
- (c) from 10 feet west of the railroad bridge to the east drive at 11011 W. North Avenue
- (a) from the east drive at 1101 W. North Avenue to the west drive at 11011 W. North Avenue
- (c) from the west drive at 11011 W. North Avenue to 126 feet west thereof
- (c) from 90 feet west of N. 115th Street to N. 117th Street

Part II. The “North Avenue - south side” portion of the “Schedule of streets, and portions” subsection of Wauwatosa Code Section 11.32.080 is hereby amended to read as follows:

- (c) from 90 feet west of N. 115th Street to N. 117th Street

to

- (c) from 90 feet west of N. 115th Street to 20 feet east of N. 116th Street

and

(a) from N. Mayfair Road to 90 feet west of N. 115th Street

to

(a) from N. 107th Street to 90 feet west of N. 115th Street

Part III. The “North Avenue - south side” portion of the “Schedule of streets, and portions” subsection of Wauwatosa Code Section 11.32.080 is hereby amended by creating the following:

(C) from 90 feet west of N.116th Street to N. 117th Street

Part IV. The “North Avenue - north side” portion of the “Schedule of streets, and portions” subsection of Wauwatosa Code Section 11.32.080 is hereby amended by amending the following:

(c) from N. 15th Street to 45 feet east of N. 117th street

to

(c) from 65 feet west of N. 116th Street to 45 feet east of N. 117th street

And

(a) from 60 feet east of N. 115th street to N. 115th Street

to

(a) from 50 feet east of N. 115th Street to 65 feet wet of N. 116th Street

And

(a) from North Mayfair Road to 437 feet west of N. 102nd Street
to

(a) from 437 feet west of N. 102nd Street to 53 feet west of N. 114th Street

Part V. The “North Avenue - north side” portion of the “Schedule of streets, and portions” subsection of Wauwatosa Code Section 11.32.080 is hereby amended by deleting the following:

(k) from 110 feet west of N. 113th Street to 60 feet east of N. 115th Street

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

By: Transportation Affairs Committee

Recommendation: Ready for adoption, Adopt 7-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Sean Lowe

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

Excused: 1 Meindl
Enactment No: O-24-13

4. Ordinance amending Sec. 11.32.490 of the Wauwatosa Municipal Code to include on-street accessible parking adjacent to 2644 North 124th Street. [24-0401](#)

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

Part I. Subsection 22. of Section 11.32.490 of the Wauwatosa Municipal Code is hereby created to read as follows:

“On the east side of N. 124th Street from a point 270 feet south of Burleigh Street to a point 354 feet south of Burleigh Street.”

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

By: Transportation Affairs Committee

Recommendation: Ready for adoption, Adopt 7-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Sean Lowe

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

Excused: 1 Meindl
Enactment No: O-24-14

FROM THE GOVERNMENT AFFAIRS COMMITTEE

1. Resolution granting a New Retail Class “B” beer and Reserve “Class B” liquor license for PM1 MGR, LLC, Michael Behrens - Agent, d/b/a Pizza Man Wauwatosa, 11500 W. Burleigh Street, for the period ending June 30, 2024 [24-0540](#)

WHEREAS, PM1 MGR, LLC, Michael Behrens - Agent, d/b/a Pizza Man Wauwatosa, 11500 W. Burleigh Street, has applied for a retail Class "B" beer and Reserve “Class B” liquor license for the period ending June 30, 2024; and

WHEREAS, the applicant meets the qualifications pursuant to Wis. Stat. 125.04(5); and

WHEREAS, the Government Affairs Committee reviewed the request and recommends approval.

NOW THEREFORE BE IT RESOLVED THAT PM1 MGR, LLC, Michael Behrens - Agent, d/b/a Pizza Man Wauwatosa, 11500 W. Burleigh Street, is granted a retail Class "B" beer and Reserve "Class B" liquor license for the period ending June 30, 2024.

By: Government Affairs Committee

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Margaret Arney

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

Excused: 1 Meindl
Enactment No: R-24-060

2. Resolution approving the temporary extensions of licensed premises by [24-0541](#)
Lowlands 6, LLC d/b/a Buckatabon Tavern & Supperclub, 7700
Harwood Avenue, for various events on June 23, July 30, and
September 6-7, 2024

WHEREAS, Lowlands 6, LLC d/b/a Buckatabon Tavern & Supperclub, 7700 Harwood Avenue, has requested a temporary extensions of the licensed premises for the following dates and times:

1. Tour of America's Dairyland event on June 23, 2024 from 9:00 AM-10:00 PM
2. Village Al Fresco event on July 30, 2024
3. Tosa Fest event on September 6-7, 2024

WHEREAS, the temporary extensions of the licensed premises includes ; and

WHEREAS, the Government Affairs Committee reviewed the applications on January 30, 2024 and recommends approval.

NOW, THEREFORE, BE IT RESOLVED THAT the retail alcohol licensed premises of Lowlands 6, LLC d/b/a Buckatabon Tavern & Supperclub, 7700 Harwood Avenue, be extended on the following dates and times:

1. Tour of America's Dairyland event on June 23, 2024 from 9:00 AM-10:00 PM
2. Village Al Fresco event on July 30, 2024
3. Tosa Fest event on September 6-7, 2024

BE IT FURTHER RESOLVED THAT the extended premises shall include

By: Government Affairs Committee

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Margaret Arney

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

Excused: 1 Meindl

Enactment No: R-24-061

3. Resolution approving the temporary extensions of licensed premises by [24-0542](#)
DRI 7 Tosa Village LLC d/b/a Café Hollander, 7677 W State Street, for various events on June 23, July 30, and September 6-7, 2024

WHEREAS, DRI 7 Tosa Village LLC d/b/a Café Hollander, 7677 W State Street, has requested a temporary extensions of the licensed premises for the following dates and times:

1. Tour of America's Dairyland event on June 23, 2024 from 9:00 AM-10:00 PM
2. Village Al Fresco event on July 30, 2024
3. Tosa Fest event on September 6-7, 2024

WHEREAS, the temporary extensions of the licensed premises includes ; and

WHEREAS, the Government Affairs Committee reviewed the applications on January 30, 2024 and recommends approval.

NOW, THEREFORE, BE IT RESOLVED THAT the retail alcohol licensed premises of DRI 7 Tosa Village LLC d/b/a Café Hollander, 7677 W State Street, be extended on the following dates and times:

1. Tour of America's Dairyland event on June 23, 2024 from 9:00 AM-10:00 PM
2. Village Al Fresco event on July 30, 2024
3. Tosa Fest event on September 6-7, 2024

BE IT FURTHER RESOLVED THAT the extended premises shall include

By: Government Affairs Committee

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Margaret Arney

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

Excused: 1 Meindl
 Enactment No: R-24-062

4. Resolution authorizing appropriate City staff to enter into an [24-0543](#)
intergovernmental agreement with the City of Milwaukee for
police/public safety support services during the 2024 Republican
National Convention (RNC)

WHEREAS, the Milwaukee Police Department (MPD) has requested assistance to support the policing and public safety service demands of the 2024 Republic National Convention (RNC); and

WHEREAS, the City of Wauwatosa agreed to provide police members and necessary equipment for each day during the RNC with units will being utilized by MPD to support tactical needs, crowd management needs, and providing command/control personnel; and

WHEREAS, this intergovernmental agreement outlines funding, incident command structure, and other details.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that Intergovernmental Agreement for Law Enforcement Supportive Services for the 2024 Republican National Convention be approved.

By: Government Affairs Committee

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Margaret Arney

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

Excused: 1 Meindl
 Enactment No: R-24-063

FROM THE COMMUNITY AFFAIRS COMMITTEE

1. Ordinance Amending the Official Zoning Map of the City of [24-0236](#)
Wauwatosa from R1-6 District to R2 District for a portion of land at
1357 N. 71st Street and from R2 District to R1-6 District for a portion
of land at 1412 St. Charles Street

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

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect a Zoning Map Amendment from R1-6 District to R2 District for a portion of land at 1357 N. 71st Street and from R2 District to R1-6 District for a portion of land at 1412 St. Charles Street:

1357 N. 71st Street - THAT PART OF LOT 11 IN STICKNEY'S SUBDIVISION NO.3 IN THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 11; THENCE NORTH 89°04'32" WEST, 122.60 FEET, ALONG THE NORTH LINE OF SAID LOT 11 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 89°04'32" WEST, 35.40 ALONG SAID NORTH LINE TO A FOUND CHISELED X IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 19°51'32" EAST, 81.65 FEET, ALONG THE WEST LINE OF SAID LOT 11; THENCE SOUTH 81°46'17" EAST, 4.13 FEET; THENCE NORTH 2°39'41" EAST, 76.89 FEET, TO THE POINT OF BEGINNING. CONTAINING 1,509 SQUARE FEET, MORE OR LESS

1412 St. Charles Street - THAT PART OF LOT 12 IN STICKNEY'S SUBDIVISION NO.3 IN THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 7 NORTH, RANGE 21 EAST, IN THE CITY OF WAUWATOSA, MILWAUKEE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 11 IN SAID STICKNEY'S SUBDIVISION NO.3; THENCE NORTH 89°04'32" WEST, 158.00 FEET, ALONG THE NORTH LINE OF SAID LOT 11 TO A FOUND CHISELED X IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 19°51'32" EAST, 81.65 FEET, ALONG THE EAST LINE OF SAID LOT 12 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 19°51'32" EAST, 15.14 FEET, ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 12; THENCE NORTH 82°14'32" WEST, 8.78 FEET, ALONG SAID SOUTH LINE; THENCE NORTH 10°00'21" EAST, 13.44 FEET; THENCE SOUTH 81°46'17" EAST, 1.23 FEET, TO THE POINT OF BEGINNING. CONTAINING 67 SQUARE FEET, MORE OR LESS

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication and subject to approval and recording of the lot line adjustment.

By: Plan Commission

Recommendation: Ready for adoption, Adopt 6-0

RESULT: ADOPTED

MOVER: Jason Wilke

SECONDER: Ernst Franzen

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

Excused: 1 Meindl
Enactment No: O-24-15

FROM THE FINANCIAL AFFAIRS COMMITTEE

1. Resolution approving Amendment Number 1 to the State Municipal Agreement with the Wisconsin Department of Transportation for the Mayfair Road repaving project between Burleigh Street and Silver Spring Drive (CIP Project 1122) [24-0559](#)

BE IT RESOLVED by the Common Council of the City of Wauwatosa that staff is authorized to execute the First Revision of the State/Municipal Financial Agreement for a State-Let Highway Project (CIP Project 1122) as more thoroughly described at the April 9, 2024 Financial Affairs Committee Meeting.

By: Financial Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED
MOVER: Amanda Fuerst
SECONDER: James Moldenhauer

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

Excused: 1 Meindl
Enactment No: R-24-064

2. Resolution approving term sheet with Wingspan Development Group for a multifamily housing development, the Foundry, at the Mayfair Collection (11220 W. Burleigh Street) and approval of associated contracts with Mannedge Consulting and Prism Technical [24-0560](#)

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that the term sheet with Wingspan Development Group for a multifamily housing development, The Foundry, be approved;

BE IT FURTHER RESOLVED THAT the associated contracts with Mannedge Consulting and Prism Technical for the purpose of monitoring and compliance of this project be approved, as more thoroughly described at the meeting of the Financial Affairs Committee on April 9, 2024.

By: Financial Affairs Committee

Recommendation: Approve 7-0

The Common Council may convene into closed session regarding this item pursuant to Wis. Stat. §19.85 (1)(e), to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Common Council may reconvene into open session to consider the balance of the agenda.

Motion by Alder Fuerst to call the question. Motion seconded by Alder Lowe. Motion carried 13-2 (Makhlouf II, Franzen).

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

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

Nay: 1 Makhlouf II

Excused: 1 Meindl

Abstain: 1 Arney
Enactment No: R-24-065

3. Ratification of Comptroller's Office bills and claims report, March 20 through April 16, 2024

[24-0504](#)

RESULT: RATIFIED

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

Excused: 1 Meindl

FROM THE BOARD OF PUBLIC WORKS

1. Resolution approving request by Joe Galbraith, Galbraith Carnahan Architects, for an encroachment at 6410 W. North Avenue

[24-0578](#)

WHEREAS, an application has been made to the Common Council of the City of Wauwatosa (hereinafter "City") by Joe Galbraith on behalf of Galbraith Carnahan Architects, 6410 W. North Avenue, Wauwatosa, WI, (hereinafter "the Applicant") to encroach upon City property, to install crushed granite, native planting, and a handrail to serve as the new handicap entrance to the building at 6410 W. North Avenue; and

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 shall execute a hold harmless/encroachment agreement (Indenture) in favor of the City.

By: Board of Public Works

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Melissa Dolan

SECONDER: Jason Wilke

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

Excused: 1 Meindl
Enactment No: R-24-066

2. Resolution approving emergency purchase order for asbestos abatement at the Hart Park Muellner Building [24-0579](#)

WHEREAS, the City of Wauwatosa began to renovate the Muellner Building at Hart Park and it was discovered that asbestos is present at several locations and due to the timing of scheduled events, a purchase order was issued to Integrity Environmental Inc., in the amount of \$18,776 to abate asbestos without obtaining three quotes;
NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that an emergency purchase order previously issued to Integrity Environmental in the amount of \$18,776 is hereby approved.

By: Board of Public Works

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Melissa Dolan

SECONDER: Jason Wilke

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

Excused: 1 Meindl
Enactment No: R-24-067

3. Resolution awarding Contract 24-07, Project 1024, 2024 Street & Utility Improvements to Stark Pavement Corp. in the amount of \$989,999.00 [24-0580](#)

WHEREAS, the Board of Public Works of the City of Wauwatosa reports that pursuant to the official notice, published as required by law, for proposals for Contract 24-07 / Project 1024, 2024 Streets and Utility Improvements;

WHEREAS, bids and proposals were received at the City Hall until 11:01 o'clock in the fore noon Thursday, April 11, 2024 and therefore publicly opened; and

WHEREAS, that said bids and proposals are returned herewith, and the bids received are as follows:

Stark Pavement Corp:	\$989,999.00
Vinton Construction Company:	\$1,067,996.89
Zignego:	\$1,311.393.33

WHEREAS, the lowest bid received is from Stark Pavement Corp;

WHEREAS the Board of Public Works recommends that the proper City Officials be authorized to enter into a contract for doing said work of improvement;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa, that the proper City Officials be and they are hereby authorized and directed to enter into a contract with Stark Pavement Corp for the work of Contract 24-07 / Project 1024, 2024 Street and Utility Improvements at and for their bid price of \$989,999.00 this being the lowest and best bid.

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

By: Board of Public Works

Recommendation: Approve 6-0

RESULT: APPROVED
MOVER: Melissa Dolan
SECONDER: Jason Wilke

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

Excused: 1 Meindl
Enactment No: R-24-068

4. Resolution accepting a water main dedication and easement at the Mayfair Collection, 11100-11500 W. Burleigh Street

[24-0581](#)

WHEREAS, public improvements were constructed within the Mayfair Collection as a 12 inch water main and the establishment of a 20 foot wide public water main easement and all required public improvements are complete and lien waivers received and approved by the City Attorney;

NOW THEREFORE BE IT RESOLVED that the dedication of the public improvements and easements at 11100-11500 W. Burleigh Street be accepted.

By: Board of Public Works

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Melissa Dolan

SECONDER: Jason Wilke

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

Excused: 1 Meindl
Enactment No: R-24-069

5. Resolution placing the 2023 Street Improvement Projects on the tax roll [24-0582](#)

WHEREAS, the Common Council of the City of Wauwatosa passed resolutions dated March 7, 2023 approving special assessments for work in connection with repaving, and work appurtenant thereto, in the following streets:

Street & Location: N. 115th St. from Bluemound Rd. to Underwood Creek Pkwy.
Aldermanic District: 3
Exist & (Prop.) Width: 36 (36)
Pavement Construction Type: D-Asph
Assessed Sidewalk Work: No

WHEREAS, the construction of the improvement above-described having now been completed in the aforementioned streets, it is the desire of the Board of Public Works to place the special assessments on the tax roll.

WHEREAS, it is the desire of the Board of Public Works to adjust the assessments for approaches and service walks, contained in said report, in relation to the costs of construction involved.

WHEREAS, the City Engineer has prepared amended special assessments taking into account the aforementioned differences.

NOW, THEREFORE, BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin, as follows:

Section 1. That the special assessments for paving set forth in the aforesaid reports of the Board of Public Works, approved by resolution passed and dated as listed are hereby directed to be entered upon the tax roll as hereinafter set forth and as reiterated in the special assessments attached hereto.

Section 2. That the amended special assessments for approaches and service walks, against the respective lots, tracts, and parcels of land abutting on the aforementioned

streets be and the same are hereby approved and adopted and are directed to be entered upon the tax roll as hereinafter set forth.

Section 3. That the owners of the respective parcels of land fronting or abutting the street improvements on which public hearings have 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 66.0627 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 4. That the City Clerk publish the installment assessment notice, as by Section 66.0715 of the Wisconsin Statutes provided, including therein that the owners of the property benefited by said improvement may elect within thirty (30) days from the date of said notice to pay the said assessment on their property on or before the next succeeding November 1.

By: Board of Public Works

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: Melissa Dolan

SECONDER: Jason Wilke

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

Excused: 1 Meindl

Enactment No: R-24-070

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

1. Future Council committee agenda items

[24-0503](#)

Alder Fuerst requested a discussion regarding a compensation study for members of the Common Council.

RESULT: INFORMATIONAL ONLY

ADJOURNMENT

Meeting adjourned at 8:09 PM.