



Wauwatosa, WI

Common Council

Meeting Minutes

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, March 21, 2023

7:30 PM

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

Regular Meeting

CALL TO ORDER

Mayor Dennis McBride called the regular Common Council meeting to order at 7:52 PM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: 13 Alderperson District 1 Andrew Meindl
Alderperson District 1 James Moldenhauer
Alderperson District 2 Margaret Arney
Alderperson District 2 John Dubinski
Alderperson District 3 Joseph Makhoul II
Alderperson District 4 David Lewis
Alderperson District 4 Ernst Franzen
Alderperson District 5 Joel Tilleson
Alderperson District 6 Joe Phillips
Alderperson District 7 Mike Morgan
Alderperson District 7 Amanda Fuerst
Alderperson District 8 Jason Wilke
Alderperson District 8 Melissa Dolan
Excused: 3 Alderperson District 3 Robin Brannin
Alderperson District 5 Sean Lowe
Alderperson District 6 Council President Meagan O'Reilly

APPROVAL OF MINUTES

1. Approval of minutes of the March 7, 2023 regular meeting

[23-1141](#)

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: David Lewis

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoul II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

APPOINTMENTS BY THE MAYOR

1. Reappointment by Mayor McBride of James Bittner (District 6) as a member of the Wauwatosa Board of Zoning Appeals, his term to expire April 30, 2026 [23-591](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

2. Reappointment by Mayor McBride of Laura Hyland (District 2) as a member of the Wauwatosa Board of Public Debt Commissioners, her term to expire April 30, 2026 [23-592](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

3. Reappointment by Mayor McBride of Steven Kreklow (District 4) of the Wauwatosa Board of Public Debt Commissioners, his term to expire April 30, 2026 [23-601](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

4. Reappointment by Mayor McBride of David Kern (District 1) of the Wauwatosa Board of Zoning Appeals, his term to expire April 30, 2026 [23-656](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

5. Reappointment by Mayor McBride of Mary Callen (District 2) as a member of the Wauwatosa Commission for Persons with Disabilities, her term to expire March 31, 2026

[23-658](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

6. Reappointment by Mayor McBride of Elizabeth (BJ) Ermenc (District 5) as a member of the Wauwatosa Commission for Persons with Disabilities, her term to expire March 31, 2026

[23-710](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

7. Reappointment by Mayor McBride of Kevin Ausman (District 4) as a member of the Wauwatosa Plan Commission, his term to expire April 30, 2026

[23-711](#)

Recommendation: Second Reading

RESULT: APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

- Excused:** 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
8. Reappointment by Mayor McBride of Victor Plantinga (District 6) as a member of the Wauwatosa Police and Fire Commission, his term to expire April 30, 2028 [23-732](#)
- Recommendation:* Second Reading
- RESULT:** APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan
- Aye:** 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan
- Excused:** 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
9. Reappointment by Mayor McBride of Michael Meier (District 7) as a member of the Wauwatosa Senior Commission, his term to expire April 30, 2026 [23-756](#)
- Recommendation:* Second Reading
- RESULT:** APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan
- Aye:** 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan
- Excused:** 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
10. Reappointment by Mayor McBride of Elsie Riepenhoff (District 1) of the Wauwatosa Senior Commission, her term to expire April 30, 2026 [23-811](#)
- Recommendation:* Second Reading
- RESULT:** APPROVED
MOVER: Ernst Franzen
SECONDER: Mike Morgan
- Aye:** 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan
- Excused:** 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
11. Reappointment by Mayor McBride of Steve Berg (District 4) as a member of the Wauwatosa Board of Parks and Forestry Commissioners, term to expire April 30, 2026 [23-1137](#)
- Recommendation:* First Reading
- RESULT:** HELD
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12. Appointment by Mayor McBride of Richard Brunner (District 3) as a member of the Wauwatosa Board of Zoning Appeals, term expiring April 30, 2026 [23-1138](#)

Recommendation: First Reading

RESULT: HELD

13. Reappointment by Mayor McBride of Thomas Stacey (District 7) as a member of the Wauwatosa Plan Commission, term to expire April 30, 2026 [23-1139](#)

Recommendation: First Reading

RESULT: WITHDRAWN

APPLICATIONS, COMMUNICATIONS, ETC.

1. Claim - Denise Anger [23-1145](#)

Recommendation: Refer to City Attorney

RESULT: REFERRED TO CITY ATTORNEY

2. Claim - David & Vanessa Cefalu [23-1147](#)

Recommendation: Refer to City Attorney

RESULT: REFERRED TO CITY ATTORNEY

3. Claim - Wauwatosa Peace Officers Association [23-1148](#)

Recommendation: Refer to City Attorney

RESULT: REFERRED TO CITY ATTORNEY

FROM THE PLAN COMMISSION

1. Resolution approving a Conditional Use Permit in the C2 District at 2635 N. Mayfair Road for an eating establishment, Brian Pham, applicant [23-1158](#)

WHEREAS Brian Pham applied for a Conditional Use Permit in the C2 District at 2635 N. Mayfair Road for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Brian Pham subject to:

1. Operating hours are 11:30 am to 10:00 pm Monday through Thursday, 11:30 am to 11:00 pm Friday, 12:00 pm to 11:00 pm Saturday, and 12:00 pm to 10:00 pm Sunday.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect

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

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

By: Plan Commission

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-40

2. Resolution approving a Conditional Use Permit in the C2 District at 530 N. 108th Place for a daycare establishment, Jacob Jansen, Authentic Child Care, applicant

[23-1159](#)

WHEREAS Jacob Jansen, Authentic Child Care, applied for a Conditional Use Permit in the C2 District at 530 North 108th Place for a daycare establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Jacob Jansen, Authentic Child Care, subject to:

1. Hours of operation. 6:00 am to 6:00 pm Monday through Friday.
2. Obtaining Site Plan approval from the City's Engineering Division.
3. Providing detailed costs of any alterations and/or new construction as well as income and expense as requested by the Assessor's Office.
4. Under 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council
5. Obtaining any additional permits, licenses, and approvals.

By: Plan Commission

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-41

3. Resolution approving a Conditional Use Permit in the M1/Planned Unit Development District at 1300 Glenview Place for a general warehousing operation, Jeff Olson, Hansen Storage Company, applicant [23-1160](#)

WHEREAS Jeff Olson, Hansen Storage Company, applied for a Conditional Use Permit in M1/Planned Unit Development District at 1300 Glenview Place for a general warehousing operation, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Jeff Olson, Hansen Storage Company, subject to:

1. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
2. Prior to occupancy or issuance of a building permit for any future user of the site, whichever occurs first, the facility user must submit a detailed business description to the Planning Division for review and approval to ensure Conditional Use Permit compliance.
3. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
4. A Floodplain Development permit is required along with building permits, if applicable.
5. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 8 Ald Meindl, Ald Moldenhauer, Ald Dubinski, Ald Makhoul II, Ald Lewis, Ald Franzen, Ald Morgan, and Ald Fuerst

Nay: 5 Ald Arney, Ald Tilleson, Ald Phillips, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-42

4. Resolution approving a Conditional Use Permit in the Special Purpose District - Research Park (SP-RP) at 850 N. Mayfair Road for eating establishments including a drive-through, Julianne Arter, Irgens, applicant [23-1161](#)

WHEREAS Julianne Arter, Irgens, applied for a Conditional Use Permit in Conditional Use in the Special Purpose District - Research Park (SP-RP) at 850 N. Mayfair Road for eating establishments including a drive-through, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Julianne Arter, Irgens, subject to:

1. Establishing hours of operation. Facility operations shall not occur before 6:00 am or after 11:00 pm.
2. Prior to occupancy issuance, the applicant shall record a shared parking and access agreement, approved by the City, between the properties at the Research One development.
3. Prior to occupancy or issuance of a building permit for any future eating and drinking establishment of the northern or southern end suites, whichever occurs first, the user must submit a project description to the Planning Division for review and approval to ensure Conditional Use Permit compliance.
4. Providing detailed costs of any alterations and/or new construction, as well as income and expense as requested by the Assessor's office.
5. Obtaining site plan approval that addresses and complies with Engineering staff report comments.
6. Full time public inspection of the private interceptor sewer shall be paid for by the development.
7. Compliance with bike and pedestrian regulations including connectivity, short and long-term bicycle parking accommodations, and Tosa Streets; as well as providing an easement for the Mayfair Road multi-use trail.
8. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
9. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Ernst Franzen

SECONDER: Andrew Meindl

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhlouf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-43

FROM THE COMMUNITY AFFAIRS COMMITTEE

1. Ordinance creating Section 9.12.020 of the Wauwatosa Municipal Code, adopting state regulations prohibiting the feeding of wild animals [23-569](#)

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

Part I. Section 9.12.020 of the Wauwatosa Municipal Code of Ordinances is hereby created to read in its entirety as follows:

Section 9.12.020 - Feeding of Wild Animals

- A. Adopted by Reference. That portion of the Administrative Code of the State of Wisconsin, NR 19.60 - Feeding of Wild Animals, is adopted and all amendments thereto are adopted and incorporated in this code by reference except as herein modified.
- B. Enforcement. The Police Department, Health Department, Building and Safety Division and all other City employees or agents designated by the City Administrator are authorized and directed to administer and enforce the provisions of the Administrative Code adopted by this section.

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

By: Community Affairs Committee

Recommendation: Ready for adoption, Adopt 7-0

RESULT: ADOPTED

MOVER: Jason Wilke

SECONDER: Joseph Makhlouf II

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhlouf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: O-23-7

2. Resolution approving a Minor Planned Unit Development Amendment (PUD) at 7501 W. North Avenue (AbleLight) to extend the PUD approval, Matt Riesterer, Luther Group, LLC., applicant [23-1157](#)

WHEREAS, Matt Riesterer, Luther Group, LLC., applied for a Minor Planned Unit Development Amendment at 7501 W. North Avenue (AbleLight) to extend the PUD approval; 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 approves a one-year extension to the Final Planned Unit Development approval that would have expired on April 19, 2022 for the property located at 7501 W. North Avenue.

By: Community Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: Jason Wilke

SECONDER: Joseph Makhoul II

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoul II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-44

FROM THE TRANSPORTATION AFFAIRS COMMITTEE

1. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to eliminate certain parking restrictions on River Parkway and 63rd Street [23-860](#)

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

Part I. The portion of the "Schedule of Streets", and portions subsection of Wauwatosa Code Section 11.32.080 is hereby amended by creating the following subsection:

"(III) from 7AM to 5PM Monday-Friday"

Part II. The "River Parkway - north side" portion of the "Schedule of Streets", and portions subsection of Wauwatosa Code Section 11.32.080 is hereby amended by deleting all existing restrictions there under.

Part III. The "River Parkway - north side" portion of the "Schedule of Streets", and portions

subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following new subsection:

“(a) from 68th Street to 705 feet east of 68th Street”

“(III) from 925 feet east of 68th Street to 1,240 feet east of 68th Street”

“(a) from 110 feet west of 63rd Street to 63rd Street”

Part IV. The "River Parkway - South Side" portion of the "Schedule of Streets", and portions subsection of Wauwatosa Code Section 11.32.080 is hereby amended by deleting all existing restrictions there under.

Part V. The "River Parkway - South Side" portion of the "Schedule of Streets", and portions subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following new subsection:

“(a) from 68th Street to 65 feet east of 68th Street”

“(III) from 910 feet east of 68th Street to 1225 feet east of 68th Street”

“(a) from 1225 feet east of 68th Street to 63rd Street”

Part VI. The "63rd Street - east side" portion of the "Schedule of Streets" and portions subsection of the Wauwatosa Code Section 11.32.080 is hereby amended by deleting the following subsections:

“(a) from 110 feet south of the south railroad track to W. State Street”

“(a) from the south side of River Parkway to 300 feet south of the south railroad track”

Part VII. The "63rd Street - east side" portion of the "Schedule of Streets" and portions subsection of the Wauwatosa Code Section 11.32.080 is hereby amended by adding the following subsections:

“(a) from 170 feet south of the southernmost railroad track to State Street”

Part VIII. The "63rd Street - west side" portion of the "Schedule of Streets" and portions subsection of the Wauwatosa Code Section 11.32.080 is hereby amended by deleting the following subsections:

“(a) from River Parkway to 230 feet south of the south railroad track”

“(a) from 130 feet south of the south railroad track to W. State Street”

Part IX. The "63rd Street - west side" portion of the "Schedule of Streets" and portions subsection of the Wauwatosa Code Section 11.32.080 is hereby amended by adding the following subsections:

“(a) along the west side of 63rd Street from approximately 225-feet south of the southern-most railroad track to State Street”

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

By: Transportation Affairs Committee

Recommendation: Ready for adoption, Adopt 6-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Joseph Makhoul II

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoul II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: O-23-8

Code to prohibit parking on a portion of 68th Street near Hillcrest Drive

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

Part I. The "68th Street - 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 subsections:

"(a) from 175 feet north of Hillcrest Drive to 175 feet south of Hillcrest Drive"

Part II. NON-CODIFIED PROVISION: The prohibitions described above shall take effect immediately pursuant to the provisions of sec. 2.02.180 of the Wauwatosa Municipal Code, prior to and until the effective date of the ordinance created herein.

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

By: Transportation Affairs Committee

Recommendation: Ready for adoption, Adopt 6-0

RESULT: ADOPTED

MOVER: Mike Morgan

SECONDER: Joseph Makhoul II

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoul II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: O-23-9

FROM THE FINANCIAL AFFAIRS COMMITTEE

1. Resolution approving 2023 Community Development Block Grant (CDBG) funding requests

[23-1149](#)

WHEREAS, the amount for the City's Community Development Block Grant (CDBG) allocation for 2023 is \$997,039;

WHEREAS, it was necessary to approve funding levels for applicant requests to allocate the 2023 CDBG funds;

NOW, THEREFORE BE IT RESOLVED THAT the Common Council of the City of Wauwatosa approves the use of 2023 CDBG funds for the following purposes:

Administration & Planning - \$199,408 Maximum

Project Administration: \$ 100,000

Metropolitan Milwaukee Fair Housing Council \$ 41,790

Comprehensive Plan: \$ 50,000

Total: \$ 191,790

Public Services & Community Programs - \$149,555 Maximum

Senior Center:	\$ 82,911
Tosa Cares:	\$ 6, 911
Life Navigators:	\$ 25,911
Vision Forward:	\$ 6,911
ERAS Senior Network	<u>\$ 26,911</u>
Total:	\$149, 555

Public Facilities, Economic Development & Rehabilitation

WWBIC:	\$35,000
Lutheran Home:	\$144,491
Lutheran Manor:	\$152,130
Carmelite Ministry of St. Teresa(CMST):	\$137,500
Community Development Authority	<u>\$186,573</u>
Total:	\$655,694

BE IT FURTHER RESOLVED THAT a Level III fund transfer is hereby approved for the purpose of implementing the expenditures described above.

By: Financial Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhlof II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-45

2. Resolution authorizing a reallocation of Community Development Block Grant funds to MSP Real Estate, Inc. and a Level Three fund transfer

[23-1150](#)

WHEREAS, city staff is requesting \$113,427 of existing Community Development Block Grant (CDBG) funds be reallocated for the purpose of providing funds to MSP Real Estate for site acquisition and soft costs related to a housing development located at 11500 West Burleigh Street;

NOW, THEREFORE BE IT RESOLVED THAT the Common Council of the City of Wauwatosa approves the use of \$113,427 of 2023 CDBG funds to MSP Real Estate Inc., and authorizes a Level 3 fund transfer for such purpose.

By: Financial Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-46

3. Resolution authorizing prequalification of consultant firms for 2023 and 2024 Construction Inspection Services [23-1151](#)

WHEREAS, the City of Wauwatosa utilizes two in-house inspectors and supplements that staff with consultant staff as necessary for proper inspection coverage across both public construction and private construction projects requiring inspection through Engineering;

WHEREAS, during 2021 and 2022, the city utilized Graef to provide construction inspection services to supplement city staff and due to staffing issues with Graef, the city submitted an RFP to 27 firms with the intent to utilize consultants for the 2023 and 2024 construction season and 6 firms;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that the six firms who applied for the RFP be approved for prequalification to provide Construction Inspection Services for 2023 and 2024 and that city staff be authorized to contract with each of the prequalified firms on price, convenience and availability at the submitted rates.

By: Financial Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-47

4. Resolution accepting the Police Recruitment and Retention Task Force 2022 Report and authorizing 2023 expenditures, including a Level Three fund transfer [23-1152](#)

WHEREAS, in November 2021, the Common Council from the City of Wauwatosa authorized \$203,000.00 to be used as recruitment efforts by the task force to include hiring bonuses, referral bonuses, and police academy reimbursement;

WHEREAS, the task force is proposing a Level 3 fund transfer for recruitment and retention efforts into 2023 in the amount of \$60,000.00;

WHEREAS, the total budget will increase to \$230,425 to accommodate for bonuses and marketing and advertisement in 2023;

NOW THEREFORE BE IT RESOLVED BY the Common Council of the City of Wauwatosa that the modified 2023 budget for the Police Recruitment and Retention Task Force is hereby approved, to be funded through police department salary savings, and that a Level 3 fund transfer be approved for support of the RRTF program as described in the memo of the Police Captain and the Human Resources Director presented to the Committee on Financial Affairs at its March 14, 2023, meeting.

By: Financial Affairs Committee

Recommendation: Approve 7-0

RESULT: APPROVED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhlouf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-48

5. Ratification of Comptroller's Office bills and claims report - March 8 to March 21, 2023 [23-1142](#)

RESULT: RATIFIED

MOVER: James Moldenhauer

SECONDER: Amanda Fuerst

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhlouf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly

FROM THE BOARD OF PUBLIC WORKS

1. Resolution awarding the bid for Contract 23-78 / Project 3010, 2023 Sanitary Sewer Improvements, to Visu-Sewer, Inc. in the amount of \$1,380,664.50 [23-1144](#)

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 2023 Sanitary Sewer Improvements under Contract Contract 23-78 / Project 3010; and

WHEREAS, bids and proposals were received until 11:01 o'clock in the morning, Wednesday, March 15, 2023, and therefore publicly opened; and

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

Visu-Sewer, Inc. \$1,380,664.50

WHEREAS, the lowest bid received is from Visu-Sewer, Inc. in the amount of \$1,380,664.50; and

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 Visu-Sewer, Inc, for the work of 2023 Sanitary Sewer Improvements at and for their bid price of \$1,380,664.50, 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: John Dubinski

SECONDER: Margaret Arney

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-49

2. Resolution accepting the 2022 MS4 Stormwater Report

[23-1146](#)

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT the City of Wauwatosa's MS4 Annual Stormwater Report for 2022 be accepted and the same is hereby approved and placed on file.

By: Board of Public Works

Recommendation: Approve 6-0

RESULT: APPROVED

MOVER: John Dubinski

SECONDER: Margaret Arney

Aye: 13 Ald Meindl, Ald Moldenhauer, Ald Arney, Ald Dubinski, Ald Makhoulf II, Ald Lewis, Ald Franzen, Ald Tilleson, Ald Phillips, Ald Morgan, Ald Fuerst, Ald Wilke, and Ald Dolan

Excused: 3 Ald Brannin, Ald Lowe, and Ald O'Reilly
Enactment No: R-23-50

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

1. Future Council Committee agenda items

[23-1143](#)

Phillips would like a discussion on funding for the remodel of the City Hall/Library facility.

RESULT: INFORMATIONAL ONLY

ADJOURNMENT

Meeting adjourned at 8:15 PM.