



# Wauwatosa, WI

## Common Council

### Meeting Minutes - Final

7725 W. North Avenue  
Wauwatosa, WI 53213

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Tuesday, October 22, 2024

6:30 PM

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

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#### Regular Meeting

#### CALL TO ORDER

Mayor McBride called the meeting to order at 6:30 PM.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

#### ROLL CALL

**Present:** 13 Alderperson District 8 Council President Jason Wilke  
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 Andrew Meindl  
Alderperson District 1 James Moldenhauer  
Alderperson District 6 Joe Phillips  
Alderperson District 7 Mike Morgan  
Alderperson District 8 Melissa Dolan  
**Excused:** 3 Alderperson District 2 Margaret Arney  
Alderperson District 3 Joseph Makhlof II  
Alderperson District 7 Amanda Fuerst

#### APPROVAL OF MINUTES

1. Approval of minutes of the September 24, 2024 regular meeting [24-1449](#)  
**RESULT:** APPROVED  
**MOVER:** Ernst Franzen  
**SECONDER:** David Lewis  
**Aye:** 13 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Gustafson, Lowe, Meindl, Moldenhauer, Phillips, Morgan, and Dolan  
**Excused:** 3 Arney, Makhlof II, and Fuerst

**PUBLIC HEARING**

1. Public hearing regarding an Ordinance amending portions of Section 24.16 of the Wauwatosa Municipal Code providing that zoning-related public hearings shall be held by the Common Council in advance of introduction at Plan Commission [24-1240](#)

*Tamara Szudy, Principal Planner, presented.*

*Public hearing opened at 6:33 PM.*

*No spoke for or against.*

*Public hearing closed at 6:34 PM.*

**RESULT:** INFORMATIONAL ONLY

**APPOINTMENTS BY THE MAYOR**

1. Reappointment by Mayor McBride of John Horky (District 6) as a member of the Wauwatosa Sustainability Committee, term ending December 31, 2027 [24-1401](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Rob Gustafson

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

**Excused:** 3 Arney, Makhlof II, and Fuerst

2. Reappointment by Mayor McBride of Kayla Janowski (District 4) as a member of the Wauwatosa Bicycle and Pedestrian Facilities Committee, term ending May 31, 2026 [24-1402](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Rob Gustafson

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

**Excused:** 3 Arney, Makhlof II, and Fuerst

3. Reappointment by Mayor McBride of Michael Anich (District 1) as a member of the Wauwatosa Civic Celebration Commission, term ending December 31, 2028 [24-1403](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Rob Gustafson

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst

4. Reappointment by Mayor McBride of Janel Ruzicka (District 1) as a member of the Wauwatosa Historic Preservation Commission, term ending November 30, 2027

[24-1443](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Rob Gustafson

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst

#### **FROM THE PLAN COMMISSION**

1. Resolution approving a Conditional Use Permit in the General Commercial (C2) zone at 10111 W. Capitol Drive to allow second-hand merchandise sales body, Benjamin Frinzi, applicant (d/b/a Renew Sports and Fitness Supply)

[24-1408](#)

**RESULT:** APPROVED

**MOVER:** Ernst Franzen

**SECONDER:** Robin Brannin

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst  
Enactment No: R-24-165

#### **FROM THE TRANSPORTATION AFFAIRS COMMITTEE**

1. Ordinance amending Sec. 11.32.080 of the Wauwatosa Municipal Code to prohibit parking on the west side of Wauwatosa Avenue from Wright Street to a point 150-feet north thereof and on the east side of Wauwatosa Avenue from Wright Street to a point 150-feet north thereof

[24-1452](#)

**RESULT:** ADOPTED

**MOVER:** Mike Morgan

**SECONDER:** Rob Gustafson

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst  
Enactment No: O-24-31

#### **FROM THE GOVERNMENT AFFAIRS COMMITTEE**

1. Resolution approving application for a new Class “B” Beer and “Class C” Wine license by Kelly’s Greens, LLC d/b/a Kelly’s Greens, 8932 W. North Avenue, Erin Kelly - Agent, for the period ending June 30, 2025

[24-1444](#)

**RESULT:** APPROVED

**MOVER:** Ernst Franzen

**SECONDER:** David Lewis

**Aye:** 12 Wilke, Brannin, Champine, Lewis, Foley, Franzen, Lowe, Meindl, Moldenhauer, Phillips, Morgan, and Dolan

**Excused:** 3 Arney, Makhoul II, and Fuerst

**Abstain:** 1 Gustafson  
Enactment No: R-24-166

2. Resolution approving application for Fireworks User Permit by Greg Pappas, Blue Mound Golf and Country Club, for the property address located at 10122 W. North Avenue for a wedding on October 26, 2024 from 8:15 PM -8:30 PM [24-1445](#)

**RESULT:** APPROVED

**MOVER:** Ernst Franzen

**SECONDER:** David Lewis

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

**Excused:** 3 Arney, Makhoul II, and Fuerst  
Enactment No: R-24-167

3. Resolution approving application for a new Secondhand Article Dealer license by Renew Sporting Goods LLC, d/b/a Renew Sports and Fitness Supply, 10111 W. Capitol Drive, Benjamin Frinzi - Agent, for the period ending December 31, 2024 [24-1446](#)

**RESULT:** APPROVED

**MOVER:** Ernst Franzen

**SECONDER:** Robin Brannin

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

**Excused:** 3 Arney, Makhoul II, and Fuerst  
Enactment No: R-24-168

4. Resolution approving application for appointment of successor Agent, Adrienne Reese, for Craftspot LLC d/b/a Grey House Creative Market, 6228 W. State Street [24-1447](#)

**RESULT:** APPROVED

**MOVER:** Ernst Franzen

**SECONDER:** David Lewis

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

**Excused:** 3 Arney, Makhoul II, and Fuerst

Enactment No: R-24-169

5. Resolution approving application for a new Class “B” Beer and Reserve “Class B” Liquor license by Sober Life LLC, d/b/a The Mana Tap, 10600 W. Blue Mound Road, Bhupinder Singh - Agent, for the period ending June 30, 2025 [24-1448](#)

**RESULT:** APPROVED

**MOVER:** Ernst Franzen

**SECONDER:** David Lewis

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

**Excused:** 3 Arney, Makhoul II, and Fuerst  
Enactment No: R-24-170

### **FROM THE COMMUNITY AFFAIRS COMMITTEE**

1. Ordinance amending Sec. 24.13.040 of the Wauwatosa Municipal Code related to Stormwater Management [24-1458](#)

*Motion by Alder Lowe to adopt the ordinance under suspension of the rules. Second by Alder Brannin.  
Motion passed unanimously.*

**RESULT:** ADOPTED

**MOVER:** Sean Lowe

**SECONDER:** Robin Brannin

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

**Excused:** 3 Arney, Makhoul II, and Fuerst  
Enactment No: O-24-32

2. Resolution approving a 3-year Memorandum of Understanding between the Wauwatosa Police Department and the Wauwatosa School District [24-1455](#)

*Motion by Alder Lowe to approve the resolution under suspension of the rules. Second by Alder Brannin.  
Motion passed unanimously.*

**RESULT:** APPROVED

**MOVER:** Sean Lowe

**SECONDER:** Robin Brannin

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

**Excused:** 3 Arney, Makhoul II, and Fuerst  
Enactment No: R-24-171

3. Resolution selecting and approving alternative for Schoonmaker Creek watershed flood mitigation project (CIP Project #3005) [24-1459](#)

*Motion by Alder Meindl to amend the resolution to include the consideration of the restoration and/or*

*naturalization of the open channel, as needed, working with the Washington Highlands Association and residents with "Option B" selected. Second by Alder Champine. Motion failed 2-11 (Lowe, Morgan, Phillips, Wilke, Brannin, Champine, Dolan, Foley, Franzen, Gustafson, Lewis).*

*Motion by Alder Lowe to approve the resolution, selecting the presented "Option B" for CIP Project #3005, under suspension of the rules. Second by Alder Brannin. Motion passed unanimously.*

**RESULT:** APPROVED

**MOVER:** Sean Lowe

**SECONDER:** Robin Brannin

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst  
Enactment No: R-24-172

4. Resolution naming the City park at 116th Street Gilbert Avenue Firefly Grove Park [24-1456](#)

*Motion by Alder Lowe to approve the resolution under suspension of the rules. Second by Alder Brannin. Motion passed unanimously.*

**RESULT:** APPROVED

**MOVER:** Sean Lowe

**SECONDER:** Robin Brannin

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst  
Enactment No: R-24-173

#### **FROM THE FINANCIAL AFFAIRS COMMITTEE**

1. Resolution authorizing the Engineering Services Division to procure materials for 2025 CIP projects in advance of 2025 budget approval [24-1453](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Joe Phillips

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

**Excused:** 3 Arney, Makhoulf II, and Fuerst  
Enactment No: R-24-174

2. Resolution approving contract extensions claim administrative fee with UnitedHealthcare, vision services with Superior Vision, and life insurance benefits with VOYA and request to enter into a contract with Symetra for stop loss insurance [24-1454](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Joe Phillips

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

**Excused:** 3 Arney, Makhlouf II, and Fuerst  
Enactment No: R-24-175

3. Resolution authorizing issuance of a \$665,000 short term general obligation note with the State Trust Loan Fund for the purpose of short-term financing capital projects [24-1466](#)

**RESULT:** APPROVED

**MOVER:** James Moldenhauer

**SECONDER:** Joe Phillips

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

**Excused:** 3 Arney, Makhlouf II, and Fuerst  
Enactment No: R-24-176

4. Ratification of Comptroller's Office bills and claims report, September 25 through October 22, 2024 [24-1451](#)

**RESULT:** RATIFIED

**MOVER:** James Moldenhauer

**SECONDER:** Joe Phillips

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

**Excused:** 3 Arney, Makhlouf II, and Fuerst

#### **FROM THE BOARD OF PUBLIC WORKS**

1. Resolution approving a Utility Occupancy License with Soo Line Railroad Company, d/b/a Canadian Pacific, for an underground fiber optic conduit at N. 115th street and the railroad tracks [24-1457](#)

**RESULT:** APPROVED

**MOVER:** Melissa Dolan

**SECONDER:** Jason Wilke

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

**Excused:** 3 Arney, Makhlouf II, and Fuerst  
Enactment No: R-24-177

#### **FUTURE COUNCIL COMMITTEE AGENDA ITEMS**

1. Future Council committee agenda items [24-1450](#)

**RESULT:** INFORMATIONAL ONLY

**ADJOURNMENT**

*Meeting adjourned at 7:09 PM.*