



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Meeting Agenda

### Common Council

*Mayor Dan Devine, Chair*

*Alderson Thomas G. Lajsic, Council President*

*Aldersons: Gary T. Barczak, Michael J. Czapski, Michael P. May,*

*Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,*

*Vincent Vitale, and Martin J. Weigel*

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Tuesday, February 18, 2014

7:00 PM

City Hall Common Council Chambers

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### REGULAR MEETING

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#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [R-2014-0024](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 101 St. from W. National Ave. to W. Cleveland Ave., S. 101 St. from W. Greenfield Ave. to 158 feet south of W. Maple St. and portions of intersecting streets by major asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair, sanitary sewer relay, water main relay, building services and utility adjustments.

**Sponsors:** Public Works Committee

2. [R-2014-0036](#) Resolution relative to determination of Special Use Permit for proposed multi-family residential development to be located at 66\*\* W. National Ave.

**Sponsors:** Safety & Development Committee

#### E. CITIZEN PARTICIPATION

## **F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES**

*New and Previous Matters referred to Committees may be considered and acted upon by Committees during the Common Council recess. Unless otherwise announced during the meeting, the standing Committees of the Common Council will meet during recess in the following rooms and in the following order:*

*Room 118*

*Administration & Finance, Safety & Development, Advisory*

*Room 113*

*Committee of the Whole, Public Works, License & Health*

## **G. MAYOR'S REPORT**

- 1. Recent events attended**
- 2. Awards/commendations**
- 3. Upcoming events**

## **H. ALDERPERSON'S REPORT**

- 1. Recent events attended**
- 2. Awards/commendations**
- 3. Upcoming events**

## **I. APPROVAL OF MINUTES**

*Minutes of the Common Council regular meeting of February 4, 2014.*

## **J. ITEMS NOT REFERRED TO COMMITTEE**

- 3. [2014-0071](#)** Poblocki Sign Company claim requesting a 2013 Real Estate Tax refund for the property at 922 S. 70 Street (Parcel #439-0001-021), State #77-40-292-R000005602, BOA Appeal #77-011-REO-13.

4. [2014-0090](#) Glenn Czerwinski communication regarding personal property damage allegedly sustained at 1033 S. 89 St. on February 5, 2014.
5. [2014-0099](#) Kim P. Elmer communication regarding vehicle damages allegedly sustained at 2530 S. 98 Street on February 11, 2014.

## **K. STANDING COMMITTEE REPORTS**

### **COMMITTEE OF THE WHOLE**

*Special Meeting held on February 10, 2014*

6. [2014-0061](#) Communication from Ald. May regarding City Organizational Structure.  
*Unanimously recommended to be placed on file. See Legislative file #2014-0018.*
7. [2014-0018](#) Updated Report on Possible Changes to Organizational Structure and City Administrative Officer, Clerk/Treasurer Position and Responsibilities (1/3/14).  
*Recommended to be approved as amended but not including List of Duties and Responsibilities and including Ald. May's communication from Legislative file #2014-0061 by the following vote:  
Ayes: 8 - Alderpersons Barczak, Lajsic, May, Probst, Reinke, Roadt, Vitale, and Weigel.  
Noes: 1 - Alderperson Czaplewski*
8. [2014-0015](#) Communication regarding City Administrative Officer Position/Reorganization.  
*Unanimously recommended to be placed on file.*

## **L. COMMON COUNCIL RECESS**

## **M. NEW AND PREVIOUS MATTERS**

### **COMMITTEE OF THE WHOLE**

#### **New Matters for Introduction**

9. [2014-0089](#) List of City Administrative Officer/Clerk-Treasurer Duties & Responsibilities.

**ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES****New Matters for Introduction**

10. [R-2014-0032](#) Resolution Requesting Emergency Funding for an Emergency Generator at the Health Department in the amount not to exceed \$39,000 with funds taken from the City's Contingency Fund.  
**Sponsors:** Public Works Committee
11. [R-2014-0041](#) Resolution relative to accepting the sole source proposal of Reliable Door Systems, Inc. for one (1) Albany Ultra Secure Overhead Door for a total net sum of \$29,375.00. Payment to be made from the Contingency Fund.  
**Sponsors:** Administration & Finance Committee and Public Works Committee

**ADMINISTRATION & FINANCE COMMITTEE****New Matters for Introduction**

12. [R-2014-0033](#) Resolution requesting the transfer of \$10,000 from the City's Contingency Fund to the City Attorney's Legal/Litigation Account.  
**Sponsors:** Administration & Finance Committee
13. [R-2014-0034](#) Resolution relative to approving 2013 Transfers, Carryovers, Open Purchase Orders, Capital Accumulation Charges, and Negative Department Balances.  
**Sponsors:** Administration & Finance Committee

**Previous Matters for Consideration**

14. [2013-0709](#) Communication from Ald. Michael May regarding Operations Analyst Position.

**City Attorney Claim Report**

15. [2011-0077](#) Rose & deJong, S.C. Notice of Claim on behalf of Richard Lyles requesting reimbursement in the amount of \$1,574.00 relative to an incident allegedly occurring on or around July 8, 1993.  
*City Attorney recommended to be placed of file.*

16. [2012-0040](#) Notice of Injury submitted by Cannon & Dunphy, S.C. on behalf of Wendy and Martin Poulos relative to an injury allegedly sustained on December 19, 2011 near the intersection of S. 92 St. and W. Lincoln Ave.  
*City Attorney recommended to be placed on file.*
17. [2013-0012](#) Summons and Complaint in the matter of BMO Harris Bank, N.A., vs The Estate of Louise C. Besa W. regarding foreclosure of mortgage. Case No. 12-CV-013775.  
*City Attorney recommended to be placed on file.*
18. [2014-0012](#) WE Energies communication regarding damages allegedly sustained at S. 81 St. and W. Lincoln Ave. on or about September 5, 2013.  
*City Attorney recommended to be placed on file.*

## **PUBLIC WORKS COMMITTEE**

### **New Matters for Introduction**

19. [O-2014-0013](#) An Ordinance to Amend Subsections 7.05(1)(t), 7.05(3)(a)1 and 7.05(4)(a)1 of the West Allis Revised Municipal Code Relating to Changing the Definition of “Residential Container” and to Require that all Residential Waste be Placed in Containers Purchased Through the City.  
**Sponsors:** Vincent Vitale
20. [R-2014-0026](#) Resolution authorizing the Director of Public Works/Engineering to accept the sole source proposal with Honeywell International, Inc. for purposes of updating our heating and ventilation air conditioning (HVAC) systems in an amount not to exceed \$22,000.  
**Sponsors:** Public Works Committee
21. [R-2014-0029](#) Resolution to approve bid of Western Contractors, Inc. for the complete construction of a skate park located at 8338 W. National Avenue in the City of West Allis in the amount of \$409,998.48.  
**Sponsors:** Public Works Committee
22. [R-2014-0030](#) Resolution to approve bid of Guide Lines Pavement Marking, LLC for pavement marking for shared lanes in S. 60th Street from W. Pierce St. to W. Rita Dr., S. 76th St. from W. Lapham St. to W. Grant St., W. National Avenue from S. 73rd St. to S. 70th St. and W. National Ave. from S. 65th St. to S. 62nd St. the City of West Allis in the amount of \$17,910.00.  
**Sponsors:** Public Works Committee

23. [R-2014-0031](#) Resolution authorizing and directing the City Engineer to enter into a State/Municipal Agreement for a Highway Improvement Project with the Wisconsin Department of Transportation for the design, construction and other related work for the resurfacing of S. 76th Street from W. Greenfield Avenue to W. Pierce Street.
- Sponsors:** Public Works Committee
24. [R-2014-0037](#) Resolution relative to accepting the proposal of various suppliers for furnishing and delivering valves, water boxes and extensions for a total sum of \$153,280.15.
- Sponsors:** Public Works Committee
25. [2014-0076](#) Communication from the Director of Public Works/City Engineer regarding the 2015-2019 Capital Improvement Paving Program.
26. [2014-0079](#) Communication from Principal Engineer regarding the Wisconsin Department of Transportation's plans to detour freeway traffic across City streets during construction of the Zoo Interchange.
27. [2014-0087](#) We Energies communication reaffirming their policy to the City regarding use of and trespassing on their property or rights-of-way and the concern for illegal dumping of yard and household materials on their property.

#### **Public Hearing Items (Public Works Committee)**

28. [R-2014-0024](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 101 St. from W. National Ave. to W. Cleveland Ave., S. 101 St. from W. Greenfield Ave. to 158 feet south of W. Maple St. and portions of intersecting streets by major asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair, sanitary sewer relay, water main relay, building services and utility adjustments.
- Sponsors:** Public Works Committee
29. [R-2014-0025](#) Final Resolution authorizing public improvement by major asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair, sanitary sewer relay, water main relay, building services and utility adjustments in S. 101 St. from W. National Ave. to W. Cleveland Ave., S. 101 St. from W. Greenfield Ave. to 158 feet south of W. Maple St. and portions of intersecting streets and levying special assessments against benefited properties.
- Sponsors:** Public Works Committee

**SAFETY & DEVELOPMENT COMMITTEE****New Matters for Introduction**

30. [O-2014-0012](#) An Ordinance to Create Subsection 4.21(14) of the West Allis Revised Municipal Code Relating to Indemnification and Liability Insurance Coverage for Police Reserve Officers.  
**Sponsors:** Safety & Development Committee
31. [O-2014-0014](#) An Ordinance to Create Subsections 10.106(8) and 10.107(11) of the West Allis Revised Municipal Code Relating to Temporary Daytime Parking Permits for Contractors.  
**Sponsors:** Michael P. May
32. [O-2014-0015](#) An Ordinance to Amend Section 2.53 of the West Allis Revised Municipal Code to Update the Statutory References and to Create Subsection 2.53(12) Relating to Appeals of Community Development Authority Decisions.  
**Sponsors:** Safety & Development Committee
33. [R-2014-0035](#) Resolution approving a Certified Survey Map by Anchor Bank, for the dedication of land for public alley purposes and for a lot split as part of the construction of a new bank at 7401 W. Greenfield Ave., submitted by Bill Simpson/FCM Corporation on behalf of Anchor Bank (Tax Key No. 453-0324-002).  
**Sponsors:** Safety & Development Committee
34. [2014-0095](#) Certified Survey Map by Anchor Bank, for the dedication of land for public alley purposes and for a lot split as part of the construction of a new bank at 7401 W. Greenfield Ave., submitted by Bill Simpson/FCM Corporation on behalf of Anchor Bank (Tax Key No. 453-0324-002).
35. [2014-0097](#) Certified Survey Map for a lot split to create a new (approximately 6.7 acre) lot located at 11100 W. Cleveland Ave. submitted by James B. O'Malley of WI Self Storage West Allis, LLC (Tax Key No. 484-9986-007).
36. [2014-0098](#) Request to rezone a portion of the property located at 11100 W. Cleveland Ave. from C-4/Regional Commercial District to M-1/Manufacturing District submitted by James B. O'Malley of WI Self Storage West Allis, LLC (Tax Key No. 484-9986-007).

37. [R-2014-0038](#) Resolution accepting ownership, by Quit Claim Deed, from 6750 North Acres, LLC to the City of West Allis, for a property located at 66\*\* W. Washington St. (Tax Key No. 439-0001-043).
- Sponsors:** Safety & Development Committee

#### **Public Hearing Items (Safety & Development Committee)**

38. [R-2014-0036](#) Resolution relative to determination of Special Use Permit for proposed multi-family residential development to be located at 66\*\* W. National Ave.
- Sponsors:** Safety & Development Committee
39. [2014-0068](#) Special Use Permit for proposed multi-family residential development to be located at 66\*\* W. National Ave.

#### **LICENSE & HEALTH COMMITTEE**

##### **New Matters for Introduction**

40. [2014-0093](#) Kerry Barkley request for a variance to Section 7.123(1) of the Revised Municipal Code, Animal Fancier Permit, relative to the maximum number of dogs allowed per dwelling.
41. [2014-0080](#) 2014-2015 Used Vehicle Dealer License application(s).
42. [2014-0078](#) 2013-2014 Class B Tavern Special Event Permit application no. 16 of OAR, LLC, Michael C. O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2013-2014 Class B Tavern License no. 838, Dance Hall License no. 840, and Instrumental Music License no. 841) for a St. Patrick's Day Party to be held Monday, March 17, 2014 from 8:00 a.m.- 10:00 p.m. (Tents to be placed in parking).
43. [2014-0081](#) Operator's License (bartender/sales clerk) applications.
44. [2014-0092](#) 2013-2014 Special Class B Beer and Wine License application(s).
45. [2014-0091](#) Police Department report regarding tavern violations/calls for service for the month of January 2014.

46. [2014-0082](#) Police Department Report involving GR's National Pub, 6827 W. National Ave. (2013-2014 Class B Tavern License no. 1613, Dance Hall License no. 1615 and Instrumental Music License No. 1614 of Guy M. Robb, LLC, Guy M. Robb, Agent, Incident Date: January 1, 2014).
47. [2014-0083](#) Police Department Report involving Remedy Bar, 1309 S. 60 St. (2013-2014 Class B Tavern License no. 1733 of Lele's Whiskey Corner, LLC, Erwin C. Magritz, Agent, Incident Date: January 9, 2014).
48. [2014-0084](#) Police Department Report involving Czar's, 6901 W. Beloit Rd. (2013-2014 Class B Tavern License no. 1440, Dance Hall License no. 1442 and Instrumental Music License no. 1441 of Czar's, LLC, Timothy A. Czernecki, Agent, Incident Date: January 14, 2014).
49. [2014-0085](#) Police Department Report involving The Walleye Saloon, 8824 W. Becher St. (2013-2014 Class B Tavern License no. 1970 of Janocik and Janocik, LLC, Andrew P. Janocik, Agent, Incident Date: January 15, 2014).
50. [2014-0086](#) Police Department Report involving Las Palmas, 6007 W. Burnham St. (2013-2014 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, Incident Date: January 26, 2014).

### **Previous Matters for Consideration**

51. [2014-0077](#) Amended Findings and Recommendations in the Matter of the Complaint Against Scardina Bakery & Delicatessen, Inc., d/b/a Scardina Bakery & Delicatessen, for premises located at 5901 W. Beloit Rd. (2013-2014 Food Permit renewal application).

### **ADVISORY COMMITTEE**

### **New Matters for Introduction**

52. [R-2014-0039](#) Resolution relative to accepting the sole source proposal of Journal Radio Networks for providing Commercial Broadcast services for a total net sum of \$15,000.  
**Sponsors:** Administration & Finance Committee
53. [2014-0088](#) Comptroller/Manager of Finance requesting approval to destroy certain payroll and financial records. These records include payroll registers, journal entries, vouchers and back-up and other miscellaneous records, all older than 7 years, in accordance with the City's records retention policy, noted in Section 1.09 of the West Allis Revised Municipal Code.

54. [2014-0096](#) Reappointment by Mayor Devine of Patricia Wolfe as a member of the West Allis Capital Improvement Committee, her three-year term to expire January 10, 2017.
55. [2014-0100](#) Reappointment by Mayor Devine of Marianna Markowetz as a member of the West Allis Capital Improvement Committee, her three-year term to expire January 10, 2017.

## **N. ADJOURNMENT**

All meetings of the Common Council are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

### **NON-DISCRIMINATION STATEMENT**

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

### **AMERICANS WITH DISABILITIES ACT NOTICE**

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

### **LIMITED ENGLISH PROFICIENCY STATEMENT**

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.