



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair
Aldersperson Thomas G. Lajsic, Council President
Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Michael P. May,
Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,
Vincent Vitale, and Martin J. Weigel

Tuesday, February 18, 2014

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:00 p.m.

B. ROLL CALL

Present 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Lajsic.

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

Explanation by Peter Daniels, Principal Engineer

Appearances:

Patrick Bertrand, 1603 S. 100 St., commented on the mixed use of the street, the construction in the area, and the amount for businesses. He asked about the calculation, and to look at uniqueness of the neighborhood.

Brian Jacob, 2637 S. 101 St., reported on the staging ground for the Cleveland Ave bridge work, and that the street was fine before that project.

Anthony Menzia, 1639 S. 100 St., said there is no access to 101 St., and opposed the project.

(continued)

Theodore Kazubowski, 2629 S. 101 St., said the road was not that bad until the Cleveland Ave. construction took place.

Cheryl Rasmann, 1651 S. 100 St., described the history of 101 St. and lack of access to 101 St. She said the utilities are off of 100 St., and the property abuts both sides which is very unfair to the property owners.

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

Explanation by John Stibal, Director of Development

Appearances: None.

E. CITIZEN PARTICIPATION

John Arndt, 1653 S. 61 St., commented on snowplowing.

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

Mayor Devine announced that the following Committees would meet during recess: Administration & Finance, Public Works, Safety & Development, License & Health, and Advisory.

G. MAYOR'S REPORT

Mayor Devine reported on the passing of Police Detective Stacie Napoli and the fundraising efforts. He mentioned on February 22nd the Friends of Lafollette, in conjunction with County Parks, will host Empty Bowls benefiting local food pantries at the Lafollette Park Pavilion. Mayor Devine commented on serving lunch to the Woman's Club of West Allis at their Celebrity Luncheon event. He mentioned John McGivern's show, Around the Corner with John McGivern, did an episode on West Allis which will be airing on March 20th on Channel 10 with premiere party at State Fair Park. He announced Inspiration Studios, 1500 S. 73 St., will hold their grand opening on March 1st and they will be home to the Village Playhouse and art galleries. Mayor Devine, on behalf of the Fire Chief, reminded residents to clear snow around fire hydrants.

H. ALDERPERSON'S REPORT

Ald. Weigel reported on the Rotary Club's Cocktails for a Cause which supports international clean water efforts, and congratulated Double B's winning the Experts' Award for the best cocktail. He commented on Anchor Bank remodeling.

Ald. May reported on the Department of Transportation closing ramps, removing parking on Greenfield Avenue from 84 to 96 Streets and the neighborhood meeting held on February 19th with regard to Greenfield Ave.

Ald. Probst reminded neighbors to pitch in for snow removal around fire hydrants. She reported on the upcoming Reading Across America week. Ald. Probst thanked Ald. Reinke for the invitation to the Woman's Club of West Allis event.

that the agenda be amended to include item #30 as referral change to Administration & Finance Committee

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

COMMITTEE OF THE WHOLE

6. [2014-0061](#) Communication from Ald. May regarding City Organizational Structure.
Attachments: [M. May Communication City Organizational Structure.pdf](#)
[Shared Responsibility Between Mayor and Administrator - Draft.pdf](#)
8. [2014-0015](#) Communication regarding City Administrative Officer Position/Reorganization.
Attachments: [Communication.pdf](#)

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

7. [2014-0018](#) Updated Report on Possible Changes to Organizational Structure and City Administrative Officer, Clerk/Treasurer Position and Responsibilities (1/3/14).

Attachments: [CmteWhole.010614.pdf](#)
[Revised List of Duties and Responsibilities.pdf](#)
[Revised Estimated Fiscal Impact.pdf](#)
[Mayor Devine.Structural Reorganization Comm.pdf](#)

Aye: 8 - Ald. Barczak, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 1 - Ald. Czaplewski

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:48 p.m. Upon returning from recess at 9:11 p.m., and the roll call being taken, there were:

Present 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

M. NEW AND PREVIOUS MATTERS

COMMITTEE OF THE WHOLE

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

Attachments: [List of Duties and Responsibilities.pdf](#)

Held in Committee of the Whole during recess.

ADMINISTRATION & FINANCE COMMITTEE

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

Attachments: [Open PO Report to CC 2013.pdf](#)
[2013 OVER DRAFTS.pdf](#)
[2013 ESTIMATED SURPLUS-DEFICIT.pdf](#)
[2013 CARRYOVER REQUESTS.pdf](#)
[2013 OVER DRAFTS.pdf](#)

Held in Administration & Finance Committee during recess.

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

Attachments: [121213 AldMay Comm.OprtnsAnlystPosition.pdf](#)

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.
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.
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.
18. [2014-0012](#) WE Energies communication regarding damages allegedly sustained at S. 81 St. and W. Lincoln Ave. on or about September 5, 2013.
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

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

PUBLIC WORKS COMMITTEE

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

Attachments: [1227 Overhead door sole source.pdf](#)

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

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: Ald. Vitale

Attachments: [Health Commissioner communication.pdf](#)

Held in Public Works Committee during recess.

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

Attachments: [honeywell agreement.pdf](#)

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

Attachments: [2014-3 BID RESULTS.pdf](#)

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

Attachments: [1225 Water Valves & Accessories.pdf](#)

25. [2014-0076](#) Communication from the Director of Public Works/City Engineer regarding the 2015-2019 Capital Improvement Paving Program.

Attachments: [COMM-2014-0076.pdf](#)

[COMM - 2015-2019 Capital Improvement Paving Spreadsheet.pdf](#)

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.

Attachments: [COMM-2014-0079 Letter from Peter Daniels.pdf](#)
[COMM-2014-0079 - Zoo Interchange Flyer.pdf](#)
[COMM-2014-0079 - Maps.pdf](#)

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.

Attachments: [We Enegies communication.pdf](#)

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

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

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

Attachments: [2014-2 BID RESULTS.pdf](#)

Aye: 8 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Vitale, and Ald. Weigel

No: 1 - Ald. Roadt

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: 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
- Held in Safety & Development Committee during recess.*
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).
- Held in Safety & Development Committee during recess.*
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).
- Held in Safety & Development Committee during recess.*
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).
- Held in Safety & Development Committee during recess.*
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
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.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

LICENSE & HEALTH COMMITTEE

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.

Attachments: [Kerry Barkley request.pdf](#)

Held in License & Health Committee during recess.

41. [2014-0080](#) 2014-2015 Used Vehicle Dealer License application(s).

License application nos. 26, 33, 41, 187, 210, 254, 261, 1042, 1046, 1048, 1639, 1752, and 1817 granted.

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). 1st application for 2013-2014 license year.

43. [2014-0081](#) Operator's License (bartender/sales clerk) applications.

2013-2014 License application nos. 364 and 365 granted.

2013-2015 License application nos. 396 and 397 granted.

44. [2014-0092](#) 2013-2014 Special Class B Beer and Wine License application(s).

License application nos. 23 and 24 granted.

with alcohol sales and service ending at 11 p.m.

45. [2014-0091](#) Police Department report regarding tavern violations/calls for service for the month of January 2014.

Attachments: [Police Dept Report January 2014.pdf](#)

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).
- Held in License & Health Committee during recess.*
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).
- Held in License & Health Committee during recess.*
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).

Attachments: [Amended F&R - Scardina's.pdf](#)
[Scardina - County letter](#)

Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

ADVISORY COMMITTEE

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

Attachments: [ADMR461.Attachment.pdf](#)

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.

Attachments: [Destroy Records 2014.pdf](#)

- 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.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

N. ADJOURNMENT

to adjourn at 9:19 p.m., with the next regularly scheduled meeting to be held on March 4, 2014, at 7:00 p.m

*/s/Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



All meetings of the {bdName} 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.