



# City of West Allis

## Meeting Agenda

### Common Council

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

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Tuesday, March 20, 2018

7:00 PM

City Hall Common Council Chambers

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#### REGULAR MEETING

#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

*None.*

#### 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 123 (Mayor's conference room)*  
*Advisory, Public Works, Safety & Development*

*Room 128*  
*License & Health, Administration & Finance*

*The general public may contact the Committee Chair relative to an agenda item of interest that could be discussed or acted on during the recess meetings simultaneously occurring in different conference rooms. Additionally, if a member has interest in multiple agenda items which are scheduled for discussion or action during the recess meetings simultaneously occurring, s/he should contact the chair of the committee to inform of such interest.*

#### 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

1. [2018-0215](#) Minutes (Draft) of the Common Council Regular Meeting of March 6, 2018.  
*Attachments:* [030618 CC Minutes.draft](#)

## J. ITEMS NOT REFERRED TO COMMITTEE

2. [R-2018-0195](#) Resolution of Commendation for Alderperson Cathleen M. Probst.  
*Sponsors:* Committee of the Whole
3. [2018-0213](#) Tamara Supan Claim for Damages regarding personal injury allegedly sustained at Irving Elementary School, located at 10230 W. Grant St., on June 29, 2017.  
*Attachments:* [2018-0213.Claim - T. Supan amended](#)  
[2018-0213.Claim - T. Supan](#)  
[2018-0213.Claim - T. Supan](#)

## K. STANDING COMMITTEE REPORTS

*None.*

## L. MOTION FOR RECONSIDERATION

4. [2018-0059](#) 2017-2018 Operator's License (bartender/sales clerk) application no. 18-327 of Jennifer Lynn Schroeder.
5. [2018-0177](#) 2017-2019 Operator's License (bartender/sales clerk) application no. 19-406 of Kristina M. Mercer.

## M. COMMON COUNCIL RECESS

## N. NEW AND PREVIOUS MATTERS

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

6. [R-2018-0196](#) Resolution relative to accepting the sole source proposal of WTMJ-AM Radio, a division of Scripps Media, Inc. for providing Commercial Broadcast services for a total net sum of \$15,964.  
*Sponsors:* Administration & Finance Committee  
*Attachments:* [Brewers Radio Letter of Agreement](#)
7. [R-2018-0197](#) Resolution relative to approving the 2017 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.  
*Sponsors:* Administration & Finance Committee  
*Attachments:* [Exhibit 1 - 2017 CAPER](#)
8. [R-2018-0198](#) Resolution approving an amendment to the Community Development Block Grant (CDBG) Program FY2017, Exploit No More activity.  
*Sponsors:* Administration & Finance Committee
9. [R-2018-0200](#) Resolution amending the terms & conditions for an Economic Development Loan to Lula Mae Aesthetic Boutique, LLC.  
*Sponsors:* Administration & Finance Committee
10. [R-2018-0202](#) Resolution relative to selecting the Humana Medicare Advantage Plan as a total replacement for Medicare eligible retirees, effective July 1, 2018.  
*Sponsors:* Administration & Finance Committee  
*Attachments:* [Medicare Report and Recommendation 3-15-2018](#)  
[Group Sponsored Medicare Advantage Agreement](#)
11. [R-2018-0203](#) Resolution amending the terms & conditions for an Economic Development Loan to Westallion Brewing Company, LLC.  
*Sponsors:* Administration & Finance Committee
12. [R-2018-0207](#) Resolution approving: (1) 2017 Open Purchase Orders Carryovers, (2) 2017 Departmental/Citywide Carryovers, (3) 2017 Fund Transfers, and (4) 2017 Fund Balance Designations.  
*Sponsors:* Administration & Finance Committee  
*Attachments:* [Finance Director Memo with Carryover Report](#)
13. [2018-0229](#) Communication from Health Commissioner requesting authorization to promote current employees to Public Health Nurse Coordinator positions and update 2018 Budget to reflect the changes.  
*Attachments:* [Communication on Health Dept. Position Update in 2018 Budget](#)
14. [2018-0223](#) Communication from City Administrator requesting approval to fill the upcoming vacant

position of Principal Engineer in the Engineering Department.

Attachments: [Request to fill Principal Engineer position](#)

### City Attorney Claim Report

15. [2012-0107](#) Amber Pantich communication regarding vehicle damages allegedly sustained at 2111 S. 70 Street on March 2, 2012.

*City Attorney recommended to be placed on file.*

16. [2015-0688](#) Kmiec Law Offices, S.C. Notice of Claim & Itemization of Injury on behalf of Lillian & Michael Raymond regarding injuries and damages allegedly sustained at 1445 S. 84 St. on August 16, 2015.

Attachments: [Raymond Claim](#)  
[Ltr.CC.Raymond](#)

*City Attorney recommended to be placed on file.*

17. [2017-0478](#) Robert C. Braun Notice of Claim for Damages and amended Notices of Claim, relative to an incident allegedly sustained at West Allis Central High School on April 4, 2017.

Attachments: [Braun Notice of Claim](#)  
[Braun amended Notice of Claim](#)  
[Braun 2nd amended Notice of Claim](#)  
[Ltr to CC-Braun](#)  
[Signed Release-Braun](#)

*City Attorney recommended to be placed on file.*

18. [2018-0145](#) Robert C. Braun Summons and Complaint Small Claims 18SC005278 relative to an incident allegedly sustained at West Allis Central High School on April 4, 2017.

Attachments: [Claim - Robert C. Braun](#)  
[Ltr to CC-Braun](#)  
[Signed Release-Braun](#)

*City Attorney recommended to be placed on file.*

### PUBLIC WORKS COMMITTEE

#### New Matters for Introduction

19. [R-2018-0140](#) Resolution accepting work of J&A Pohl, Inc. for construction of an asphalt parking lot, concrete curb and gutter, storm sewer, pavement marking, landscaping and utility adjustments in the Farmers Market Parking Lot located at W. Lapham Street and S. 66th Street in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms for final payment of 2012 Project No. 9 in the amount of \$500.00 of the \$82,872.76 total project cost.

Sponsors: Public Works Committee

20. [R-2018-0174](#) Resolution Approving an Agreement between the City of West Allis and the Milwaukee Metropolitan Sewerage District (MMSD) to receive \$192,715 in funding through the MMSD Green Solutions Program for the installation of Green Infrastructure in the West Allis Library Parking Lot.
- Sponsors:* Public Works Committee
- Attachments:* [West Allis Library MMSD Agreement Revised](#)
21. [R-2018-0175](#) Resolution accepting work of Globe Contractors, Inc. for the installation of storm sewer relay in the Public Storm Sewer Easement in 932 S 60th St. in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms for final payment of 2016 Project No. 19 in the amount of \$3,670.00 of the \$28,050.00 total project cost.
- Sponsors:* Public Works Committee
22. [R-2018-0191](#) Resolution authorizing the Interim City Engineer to amend an existing contract with Globe Contractors Inc. for Emergency Repairs to the Sanitary Sewer in W. Greenfield Avenue from S. 72nd to S. 74th Streets in the Amount of \$166,706.00.
- Sponsors:* Public Works Committee
23. [2018-0226](#) Communication from Interim City Engineer regarding the bid opening for the reconstruction of W. National Avenue from S. 70th Street to S. 76th Street.
- Attachments:* [COMM-2018 - National Avenue](#)  
[bidsumNational](#)
24. [2018-0227](#) Communication from Interim City Engineer regarding the bid opening for the Crosstown Connector Bike Bridge over Hwy 100.
- Attachments:* [COMM-2018 - Bike Bridge](#)  
[bidsumBike](#)

## SAFETY & DEVELOPMENT COMMITTEE

### New Matters for Introduction

25. [O-2018-0011](#) Ordinance to Amend Section 6.027 of the West Allis Revised Municipal Code Relating to Sex Offender Residing Within Eight Hundred (800) Feet of Schools, Child-Care Centers, Parks, and Other Specified Facilities and Uses Prohibited.
- Sponsors:* Safety & Development Committee
26. [O-2018-0013](#) Ordinance to Amend Section 6.027 of the West Allis Revised Municipal Code Relating to Sex Offender Residing Within Nine Hundred Fifty (950) Feet of Schools, Child-Care Centers, Parks, and Other Specified Facilities and Uses Prohibited.
- Sponsors:* Safety & Development Committee

### Previous Matters for Consideration

27. [O-2018-0007](#) Ordinance to Amend Section 6.027 of the West Allis Revised Municipal Code Relating to Sex Offender Residing Within Seven Hundred Fifty (750) Feet of Schools, Child-Care Centers, Parks, and Other Specified Facilities and Uses Prohibited

**Sponsors:** Safety & Development Committee

**Attachments:** [City of S. Milwaukee v. Kester, 347 Wis. 2d 334 \(Wis.Ct.App. 2013\)](#)  
[Doe v. Miller, 405 F.3d 700 \(8th Cir. 2005\)](#)  
[Hoffman v. Vill. of Pleasant Prairie, 249 F. Supp. 3d 951 \(E.D. Wis. 2017\)](#)  
[McKune v. Lile, 122 S. Ct. 2017 \(2002\)](#)  
[Vasquez v. Foxx, No. 16-CV-8854, 2016 U.S. Dist. LEXIS 170354 \(N.D. Ill. Dec. 9, 2016\)](#)  
[Vill. of Menomonee Falls v. Ferguson, 334 Wis. 2d 131 \(Wis.Ct.App. 2011\)](#)

## LICENSE & HEALTH COMMITTEE

### New Matters for Introduction

28. [O-2018-0010](#) An Ordinance to Repeal Section 9.035 of the West Allis Revised Municipal Code Relating to Massage Parlors.

**Sponsors:** License & Health Committee

29. [2018-0218](#) License applications.

*Operator's License (bartender/sales clerk) applications 2017-2018 & 2017-2019:*

*Alvarado, Maricela; Ayala, Crystal J.; Belsha, Melissa L.; Castro, Rocio; Fabian, Karisa; Feest, Jamie; Fricano, Kim; Johnson, Martin; Mauermann, Allen; Nuno Becerra, Aurora; Olsen, Danielle; Pierce, Virginia; Saldivar, Laura; Singh, Kulwar; Standarsk, iMichelle; and Turrentine Jr., Ellis.*

*Salvage & Recycling Center License application 2017-2018:*

- *Electric Avenue Automotive LLC, d/b/a Electric Ave Auto, 5237 W. Electric Ave.*

*Amusement and Phonograph Distributor's Licenses renewal applications 2018-2019:*

- *J. Modl-S. Krahn, Partnership, d/b/a Northern Novelty, Hartland*
- *Lakeside Music LLC, d/b/a Sam's Amusement, Kenosha*
- *SNC Inc., d/b/a Southern Novelty Co., Wauwatosa*

*Carnival Permit renewal application 2018:*

- *Downtown West Allis, Inc., 11th Annual Downtown West Allis A la Carte, Sunday, June 3, 2018, from noon – 6 p.m., Greenfield Avenue between 70th and 76th Streets and adjacent side streets.*

*Manufactured and Mobile Home Community License renewal applications 2018-2019:*

- *Greenfield Terrace LLC, 10525 W. Greenfield Ave.*
- *Mayfair Village MH Court LLC, 1000 S. 108 St.*

*Pawn Dealer License renewal application 2018-2019:*

- *Pawn America Wisconsin LLC, d/b/a Pawn America, 7530 W. Lincoln Ave.*

*Secondhand Article Dealer License renewal applications 2018-2019:*

- *American Restaurant Equipment, Inc., d/b/a American Restaurant Equipment, 5312 W. Electric Ave.*
- *Jerry Dutscheck, Sole Proprietor, d/b/a Military Antiques & Collectibles Shop, 9104 & 9106 W. Greenfield Ave.*
- *Pawn America Wisconsin LLC, d/b/a Pawn America, 7530 W. Lincoln Ave.*
- *Record Head Corp., d/b/a Record Head, 7045 W. Greenfield Ave.*
- *Michael G. Govas, Sole Proprietor, d/b/a Shortys Shooting Sports, 2192 S. 60 St.*

*Secondhand Article Dealer License for Charitable Organizations License renewal application 2018-2019:*

- *The Salvation Army Adult Rehabilitation Center, d/b/a Salvation Army Family Store, 7713 W. Greenfield Ave.*

*Secondhand Jewelry Dealer License renewal application 2018-2019:*

- *Pawn America Wisconsin LLC, d/b/a Pawn America, 7530 W. Lincoln Ave.*

*Used Vehicle Dealer License renewal application 2018-2019*

- *D & F Auto Group, Inc., d/b/a D & F Auto Group, 5730 W. Lincoln Ave.*
- *Hi-Ridge, Inc., d/b/a Ridge Auto Sales, 5735 W. National Ave.*

30. [2018-0198](#) Police Department report regarding tavern violations/calls for service for the month of February 2018.

**Attachments:** [Tavern Violations Report February 2018](#)

31. [2018-0199](#) Police Department Report involving Dopp's Bar & Grill, 1753 S. 68 St. of Doppelgangers, Inc., Tammy L. Dopp, Agent, Incident Date: February 1, 2018.
32. [2018-0200](#) Police Department Report involving Studz Pub, 6833 W. National Ave., of DTR Enterprises, LLC, Dean Ratas, Agent, Incident Date: February 1, 2018.
33. [2018-0201](#) Police Department Report involving Uncle Festers, 5732 W. Mitchell St., of Uncle Festers LLC, Melinda F. Rooney, Agent, Incident Date: February 2, 2018.
34. [2018-0202](#) Police Department Report involving Limanski's Pub, 8900 W. Greenfield Ave., of CRG Investments LLC, Kathy L. Goedde, Agent, Incident Date: February 8, 2018.
35. [2018-0203](#) Police Department Report involving Fiddlers Green, Inc., 6108 W. Burnham Street, of Fiddlers Green, Inc., Sandra J. Piotrowski, Agent, Incident Date: February 10, 2018.
36. [2018-0204](#) Police Department Report involving Z's Bar, 6309 W. National Avenue, Z's Bar, LLC, David Zarate, Agent, Incident Date: February 11, 2018.
37. [2018-0205](#) Police Department Report involving The Alibi, 6540 W. Grant St., Alibi Taverns LLC, Patrick R. Kosidowski, Agent, Incident Date: February 23, 2018.
38. [2018-0206](#) Police Department Report regarding the month of February 2018 Tavern Compliance Checks involving forty-four (44) West Allis businesses, resulting with two (2) selling alcohol to an underage person without requesting identification (Shepherd's Sports Lounge, Inc., Christina M. Knueppel, Agent, d/b/a Shepherd's Hideaway, 8924 W. Schlinger Avenue; and JC'S Pub, Inc., Jeffery M. Clark, Agent, d/b/a JC's Pub, 8028 W. National Avenue)
39. [2018-0172](#) 2017-2018 Instrumental Music License application no. 2537 of Gravity Group, Inc.,

Michael R. Hottinger, Agent, d/b/a The Peanut Butter & Jelly Deli, for premises located at 6125 W. Greenfield Ave.

40. [2018-0170](#) 2017-2018 Class B Beer License application no. 2535 of Gravity Group, Inc., Michael R. Hottinger, Agent, d/b/a The Peanut Butter & Jelly Deli, for premises located at 6125 W. Greenfield Ave. (new-nonexisting location) (exceeds quota).
41. [2018-0171](#) 2017-2018 Class C Wine License application no. 2536 of Gravity Group, Inc., Michael R. Hottinger, Agent, d/b/a The Peanut Butter & Jelly Deli, for premises located at 6125 W. Greenfield Ave. (new-nonexisting location).
42. [2018-0197](#) 2017-2018 Combination Class A Liquor License application no. 2538 of Shree Khodiar Krupa LLC, Jignesh K. Patel, Agent, d/b/a Express Pantry, for the premises located at 8530 W. Greenfield Avenue (new-existing location).

## ADVISORY COMMITTEE

### New Matters for Introduction

43. [2018-0214](#) City Attorney's Communication Requesting Approval for Destruction of Public Records in the City Attorney's Office.
- Attachments:* [Ltr to CC-Destruction of Public Records 3.20.18](#)
44. [2018-0224](#) Reappointment by Mayor Devine of Gerald Matter as a member of the West Allis Community Development Authority, his four-year term to expire October 1, 2021.
45. [2018-0232](#) Appointment by Mayor Devine of Mr. Michael Franklin as the Alternate Member of the West Allis Board of Appeals, his three-year term to expire May 1, 2021.
46. [2018-0233](#) Appointment by Mayor Devine of Mr. Michael Franklin as a member of the West Allis Ethics Board, his term to expire June 1, 2020.
47. [2018-0234](#) Appointment by Mayor Devine of Ms. Jennine Neckuty as the Citizen-At-Large Member of the West Allis Tourism Commission, her one-year term to expire January 1, 2019.

## O. 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.