



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, Kevin Haass,
Michael P. May, Rosalie L. Reinke,
Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel

Tuesday, March 20, 2018

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:16 p.m.

B. ROLL CALL

Present 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, 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. Reinke.

D. PUBLIC HEARINGS

None.

E. CITIZEN PARTICIPATION

Tracy Stefanski, 1982 S 75 St., commented on the resignation of Aldersperson Probst; and requested to be appointed to the position of Aldersperson for the Second Aldermanic District.

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 announced the following two items:

- 1. The Community Alliance Against Drugs (C.A.A.D) are currently accepting applications for their annual scholarship; and*
- 2. The West Allis Christmas Parade Committee is holding a Pins for the Parade event fundraiser which supports the Christmas Parade.*

H. ALDERPERSON'S REPORT

Ald. Weigel commented on the Greenfield Avenue construction and reminded everyone that the businesses are open during this time.

Ald. Probst commented on the National Avenue construction and reminded everyone that the businesses will be open during that time.

Ald. May commended the West Allis Police Department on their response time to incidents.

I. APPROVAL OF MINUTES

1. [2018-0215](#) Minutes (Draft) of the Common Council Regular Meeting of March 6, 2018.

Attachments: [030618 CC Minutes.draft](#)

A motion was made by Ald. Lajsic, seconded by Ald. Probst, that this matter be Approved. The motion carried unanimously.

J. ITEMS NOT REFERRED TO COMMITTEE

2. [R-2018-0195](#) Resolution of Commendation for Alderperson Cathleen M. Probst.

Sponsors: Committee of the Whole

Attachments: [R-2018-0195 signed](#)

A motion was made by Ald. Lajsic, seconded by Ald. Barczak, that this matter be Adopted. The motion carried unanimously.

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](#)

A motion was made by Ald. May, seconded by Ald. Barczak, that this matter be Referred for Legal Action to the City Attorney. The motion carried unanimously.

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.

A motion was made by Ald. Czaplewski, seconded by Ald. Vitale, that this matter was Reconsidered and Referred back to the License & Health Committee. The motion carried by the following vote:

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

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

A motion was made by Ald. Vitale, seconded by Ald. Reinke, that this matter was Reconsidered and Referred back to the License & Health Committee. The motion failed by the following vote:

Aye: 0

No: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

M. COMMON COUNCIL RECESS

A motion was made by Ald. Lajsic, seconded by Ald. Reinke, that the Council recess until completion of Committee meetings. The motion carried unanimously.

Thereupon, the Council took a recess at 7:46 p.m. Upon returning from recess at 8:35 p.m., and the roll call being taken, there were:

Present 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

N. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

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](#)
[R-2018-0196 signed](#)

This matter was Adopted on a Block Vote

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](#)
[R-2018-0197.signed](#)

This matter was Adopted on a Block Vote

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

Attachments: [R-2018-0198.signed](#)

This matter was Adopted on a Block Vote

9. [R-2018-0200](#) Resolution amending the terms & conditions for an Economic Development Loan to Lula Mae Aesthetic Boutique, LLC.

Sponsors: Administration & Finance Committee

Attachments: [R-2018-0200.signed](#)

This matter was Adopted on a Block Vote

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](#)
[R-2018-0202.signed](#)

This matter was Adopted on a Block Vote

11. [R-2018-0203](#) Resolution amending the terms & conditions for an Economic Development Loan to Westallion Brewing Company, LLC.

Sponsors: Administration & Finance Committee

Held in Administration & Finance Committee during recess.

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](#)

This matter was Approved on a Block Vote

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](#)

This matter was Approved on a Block Vote

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

This matter was Placed on File on a Block Vote

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](#)
[Signed Release-Raymond](#)

This matter was Placed on File on a Block Vote

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](#)

This matter was Placed on File on a Block Vote

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](#)

This matter was Placed on File on a Block Vote

Passed The Block Vote

A motion was made by Ald. Haass, seconded by Ald. May, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

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](#)
[R-2018-0207.signed](#)

A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Adopted. The motion carried by the following vote:

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

No: 2 - Ald. Czaplewski, and Ald. Vitale

PUBLIC WORKS COMMITTEE

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

Attachments: [R-2018-0140.signed](#)

This matter was Adopted on a Block Vote

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](#)
[R-2018-0174 signed](#)

This matter was Adopted on a Block Vote

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

Attachments: [R-2018-0175 signed](#)

This matter was Adopted on a Block Vote

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

Attachments: [R-2018-0191 signed](#)

This matter was Adopted on a Block Vote

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](#)

This matter was Approved on a Block Vote

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](#)

This matter was Placed on File on a Block Vote

Passed The Block Vote

A motion was made by Ald. Barczak, seconded by Ald. Reinke, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

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

This matter was Placed on File on a Block Vote

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

Attachments: [O-2018-0013 signed](#)

This matter was Passed on a Block Vote

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 \(Wis.Ct.App. 2011\)](#)

This matter was Placed on File on a Block Vote

Passed The Block Vote

A motion was made by Ald. Lajsic, seconded by Ald. Probst, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

LICENSE & HEALTH COMMITTEE

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

Attachments: [O-2018-0010 signed](#)

This matter was Passed on a Block Vote

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.

(continued)

*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 Dutschek, 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.*

This matter was Approved subject to the necessary requirement(s) on a Block Vote

30. [2018-0198](#)

Police Department report regarding tavern violations/calls for service for the month of February 2018.

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

This matter was Placed on File on a Block Vote

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.

This matter was Placed on File on a Block Vote

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.

This matter was Placed on File on a Block Vote

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.

This matter was Placed on File on a Block Vote

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.

This matter was Placed on File on a Block Vote

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.

This matter was Placed on File on a Block Vote

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.

Held in License & Health Committee during recess.

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.

This matter was Placed on File on a Block Vote

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, premises located at 8924 W. Schlinger Ave). Incident Date: February 10, 2018.

Held in License & Health Committee during recess.

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.

This matter was Placed on File on a Block Vote

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).

This matter was Placed on File on a Block Vote

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).

This matter was Placed on File on a Block Vote

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).

This matter was Approved subject to the necessary requirement(s) on a Block Vote

Passed The Block Vote

A motion was made by Ald. Czaplewski, seconded by Ald. May, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

ADVISORY COMMITTEE

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](#)

This matter was Approved on a Block Vote

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.

Attachments: [Matter Appointment Letter](#)

This matter was Approved on a Block Vote

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.

Attachments: [Franklin Appointment Letter](#)

This matter was Approved on a Block Vote

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.

Attachments: [Franklin Appointment Letter](#)

This matter was Approved on a Block Vote

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.

Attachments: [Neckuty Appointment Letter](#)

This matter was Approved on a Block Vote

Passed The Block Vote

A motion was made by Ald. Reinke, seconded by Ald. Lajsic, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

O. ADJOURNMENT

A motion was made by Ald. Lajsic, seconded by Ald. Barczak, to adjourn at 8:46 p.m., with the next scheduled meeting to be held on Wednesday, April 4, 2018, at 7:00 p.m. The motion carried unanimously.

*Respectfully submitted,
Steven A. Braatz, Jr., City Clerk*