

12.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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R-2011-0090 Resolution Introduced

Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 811, Service of Lawsuit Upon City Officers, Employees, Boards, Commissions and Departments, Section 4.0 References, Section 5.1 Procedures, Responsibility and Section 5.2 Procedures, General Policies under City Attorney.

Introduced: 4/19/2011

Controlling Body: Administration & Finance Committee

Sponsor(s): Administration & Finance Committee

COMMITTEE RECOMMENDATION *adopt*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>APR 19 2011</u>			Barczak				
			Czaplewski				
		X	Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt				
			Sengstock				
			X Vitale	✓			
		Weigel					
		TOTAL		5			

SIGNATURE OF COMMITTEE MEMBER

Kurt Kopplin _____ _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **ADOPT**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>APR 19 2011</u>		✓	Barczak	✓			
			Czaplewski	✓			
		✓	Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock				✓
			Vitale	✓			
		Weigel	✓				
		TOTAL		9			1



City of West Allis

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West Allis, WI 53214

Resolution

File Number: R-2011-0090

Final Action:

Sponsor(s): Administration & Finance Committee

APR 19 2011

Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 811, Service of Lawsuit Upon City Officers, Employees, Boards, Commissions and Departments, Section 4.0 References, Section 5.1 Procedures, Responsibility and Section 5.2 Procedures, General Policies under City Attorney.


WHEREAS, Policy No. 811, Service of Lawsuit Upon City Officers, Employees, Boards, Commissions and Departments, was originally included in the City of West Allis Policies & Procedures Manual on January 1, 1993; and,


WHEREAS, it is necessary to amend said policy at this time.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that Policy No. 811, Service of Lawsuit Upon City Officers, Employees, Boards, Commissions and Departments, Section 4.0 References, Section 5.1 Procedures, Responsibility and Section 5.2 Procedures, General Policies are approved as presented in the attached restatement.

BE IT FURTHER RESOLVED that the City Administrative Officer, Clerk/Treasurer is authorized and directed to include the amended Policy No. 811, Section 4.0, Section 5.1 and Section 5.2 in the City's Policies & Procedures Manual and distribute said policy to all departments, divisions and offices.

ATTR-Amend Policy No 811-P&P Manual

ADOPTED APR 19 2011

Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED 4/25/11

Dan Devine, Mayor

811 1 11/2/93

1.0 PURPOSE:

To set forth a procedure to ensure that the City Attorney's Office is notified of the commencement of a lawsuit against the City or against an officer, employee, agent, board, department, commission of the City and relating to City business.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all City of West Allis departments, boards, commissions, officers, and employees of the City of West Allis.

3.0 POLICY:

It is the policy of the City to require all officers, employees and board or commission members to deliver to the City Attorney's Office, immediately upon receipt of service, a copy of any summons and complaint or other document which commences legal action against the City, or any of the City officers, employees, boards, commissions, or departments and relates to City business.

4.0 REFERENCES:

Sections 62.115, 62.09(12), 893.80 and 895.46, Wisconsin Statutes.
Section 2.15, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY.

When an officer, employee, or board or commission member is served with a summons and complaint or other document commencing legal action, the person served shall immediately notify his or her supervisor or department head. Whether the supervisor or department head is immediately notified or not, the person served shall, within 48 hours of service, personally deliver the document to a member of the City Attorney's Office.

5.2 GENERAL POLICIES.

Any person served with a summons and complaint or other legal document shall note the date and time of service on the document and who the document was served upon.

Failure to comply with the provisions of this policy may result in the officer, agent, or board or commission member having judgment entered against him or her personally or may result in the loss of right to City representation or reimbursement of damages, costs and attorney fees.

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