



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,

James W. Sengstock, Vincent Vitale, and Martin J. Weigel

Tuesday, December 18, 2012

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. May.

D. PUBLIC HEARINGS

1. [R-2012-0248](#) Resolution relative to determination of Special Use Permit for a proposed restaurant to be located within the Renaissance Faire office building, located at 801 S. 60 St.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

Items 2 and 3 were taken together.

2. [R-2012-0241](#) Resolution relative to determination of Special Use Permit for proposed auto accessory store, Superior Accessories, to be located at 729 S. 84 St.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

3. [R-2012-0244](#) Resolution relative to determination of Special Use Permit for proposed auto accessory store, Superior Window Tinting of Milwaukee, to be located at 723 S. 84 St.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

4. [R-2012-0242](#) Resolution relative to approving an amendment to the Community Development Block Grant (CDBG) Program for FY2012 for the creation of a Downtown West Allis Public Amenity Project.

Sponsors: Administration & Finance Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Michael Mangan, 2304 S. 62 St., encouraged community composting.

Ernest Pagels, Jr., 1703 S. 115 Ct., #6, asked about the 2011 floods, MMSD contribution to residents for sewage backups, and using the money for improving the system. He also commented on reckless driving of the police.

Robert Braun, 2160 S. 86 St., thanked the Mayor for the manger scene. He referenced a clown's experience with the Milwaukee Police Dept. He commented on the squirrel feeding case and dead squirrels. He also addressed the gun shooting in Connecticut.

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. MISCELLANEOUS BUSINESS

Mayor's Report

*Mayor Devine announced the CAAD's New Year's event.
He thanked Tom Harmatys for his years of service.*

Alderspersons Comments

Ald. Weigel thanked the Mayor and Director of Development for touring the city with the Youth Commission.

Ald. Probst announced the next listening session for the second Aldermanic District.

Ald. Vitale commented on guns, the Connecticut school shooting, and the Second Amendment.

Ald. Reinke thanked those who contributed to the Veterans' Tree Project.

Ald. May wished everyone a Merry Christmas and Happy New Year, and reported on

construction work on Greenfield Ave.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of December 4, 2012

J. ITEMS NOT REFERRED TO COMMITTEE

5. [2012-0650](#) Report of the Municipal Judge for the month of November 2012, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$98,452.66.
6. [2012-0653](#) Michael S. Albrecht Notice of Circumstances Giving Rise to Claim for Damages regarding injuries allegedly sustained on August 12, 2012.
7. [2012-0654](#) Michael L. Albrecht Notice of Circumstances Giving Rise to Claim for Damages regarding injuries allegedly sustained on August 12, 2012.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

8. [2011-0160](#) West Allis Fire Fighters IAFF Local 1004 communication regarding opening of contract negotiations.

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

No: 0

9. [2012-0479](#) Communication from Transition Team relative to Implementation of WI Act 10 (2011 Budget Repair Bill) and WI Act 32 (2011-13 Biennial Budget Bill).

Attachments: [Transition Team comm..pdf](#)

[A_F Comite Amendments to CC 12-18-12\[1\].docx](#)

A motion was made by Ald. Sengstock, seconded by Ald. Vitale that this matter be approved as amended.

A motion to amend was made by Ald. May, seconded by Ald. Roadt, to keep double time pay for Sundays and paid holidays; time and one half overtime pay for all other days. The motion passed by the following vote:

Ayes: 6 - Ald. Czaplewski; Ald. May; Ald. Roadt; Ald. Vitale; Ald. Weigel; and Mayor Devine.

Noes: 5 - Ald. Barczak; Ald. Lajsic; Ald. Probst; Ald. Reinke; Ald. Sengstock.

Aye: 6 - Ald. Czaplewski, Ald. May, Ald. Roadt, Ald. Vitale, Ald. Weigel, and Devine

No: 5 - Ald. Barczak, Ald. Lajsic, Ald. Probst, Ald. Reinke, and Sengstock

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:54 p.m. Upon returning from recess at 8:40 p.m., and the roll call being taken, there were:

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

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

11. [O-2012-0046](#) An Ordinance to Repeal Sections 2.06, 2.071, 2.075 & 2.076; to Repeal & Recreate Section 2.76; Repeal Sections 2.77 & 2.78; and to Amend Sections 4.045, 4.10, 5.125 & 5.126 of the West Allis Revised Municipal Code Relating to the Civil Service, Wages, Hours and Other Conditions of Employment.

Sponsors: Administration & Finance Committee

12. [R-2012-0239](#) Resolution relative to acquiring sole source Revised Municipal Code supplements and services from General Code for a total sum not to exceed \$10,000.

Sponsors: Administration & Finance Committee

Attachments: [1176 Rev Mun Code sole source.pdf](#)

13. [R-2012-0252](#) Resolution relative to renewal of the agreement with Wisconsin Community Services, Inc. for West Allis Mediation Center for 2013.

Sponsors: Administration & Finance Committee

Attachments: [ADMR147.Attachment.pdf](#)

14. [R-2012-0253](#) Resolution to approve a partial release of mortgage to Wellness Doctors, LLC as related to the property at 10025 W. Greenfield Avenue.
- Sponsors:** Administration & Finance Committee
- Attachments:** [DEV-R-696-Attachment A - Legal Description.pdf](#)
15. [2012-0657](#) Communication from City Administrative Officer transmitting copy of List of Interim Successors to Elected and Appointed City Officials.
- Attachments:** [MCC.SuccList 121212.pdf](#)
16. [2012-0658](#) Communication from City Administrative Officer regarding request from Director of Public Works/City Engineer to waive residency for the appointment of Assistant Director of Public Works.
- Attachments:** [MCC.Wepking Appt 121212.pdf](#)

Passed The Block Vote

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

No: 0

PUBLIC WORKS COMMITTEE

10. [R-2012-0240](#) Resolution relative to accepting the sole source proposal of Badger Meter for providing water meters and radio read transmitters for a total sum of \$206,580.00.
- Sponsors:** Administration & Finance Committee and Public Works Committee
- Attachments:** [1177 Water meters sole source.pdf](#)
21. [R-2012-0237](#) Resolution adopting a Conveyance of Rights in Land and Temporary Construction Easement by and between the City of West Allis and the State of Wisconsin, Department of Transportation, regarding certain lands located on the We Energies property located east of I-894 at W. Dakota Street (Tax Key No. 518-9944-001).
- Sponsors:** Public Works Committee
- Attachments:** [R-2012-0237 Easement.pdf](#)
[R-2012-0237 EasementDrawing.pdf](#)
22. [R-2012-0238](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into a State/Municipal Agreement to transfer ownership and operational responsibility for the traffic control signals at the intersections of : Greenfield Avenue (STH 59) with 92nd Street, Greenfield Avenue (STH 59) with 84th Street (STH 181), 84th Street (STH 181) with Schlinger Avenue (Wisconsin State Fair Park Gate 5), and 84th Street (STH 181) with Wisconsin State Fair Park Gate 4 to the Wisconsin Department of Transportation for the purpose of controlling the flow of traffic.

Sponsors: Public Works Committee

Attachments: [R-2012-0238 TrafficControlSignalOpp..pdf](#)

23. [R-2012-0245](#) Resolution accepting work of Visu-Sewer, Inc. for installation of sanitary sewer lining, sanitary sewer spot lining, sewer/manhole grouting and manhole lining in various locations within the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2011 Project No. 5.

Sponsors: Public Works Committee

24. [R-2012-0247](#) Resolution approving a rate change in the sanitary sewer user charge-MMSD portion.

Sponsors: Public Works Committee

Attachments: [Microsoft Word - MMSD Sewer resolution 2013.pdf](#)
[2013 sewer rate calc.pdf](#)

25. [R-2012-0250](#) Resolution approving the 2013 sanitary sewer user charge - City portion

Sponsors: Public Works Committee

Attachments: [Microsoft Word - 2013 city sewer rate resolution body.pdf](#)

26. [R-2012-0249](#) Resolution showing no 2013 increase in stormwater management charges.

Sponsors: Public Works Committee

Attachments: [Microsoft Word - 2013 Storm water rate resolution.pdf](#)

27. [R-2012-0251](#) Resolution approving the 2013 solid waste fund user charge.

Sponsors: Public Works Committee

Attachments: [Microsoft Word - 2013 solid waste rate resolution.pdf](#)

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

28. [2012-0655](#) Special Use Permit for a proposed auto repair facility, JK Automotive, to be located at 714 S. 60 St.

Attachments: [Hearing letter.1-2-13.pdf](#)

Held in Safety & Development Committee during recess.

29. [2012-0656](#) Special Use Permit to establish Marco's Pizza restaurant within a portion of the multi-tenant commercial building located at 1715-1723 S. 76 St., submitted by Melissa Klockzien of Family Video.

Held in Safety & Development Committee during recess.

30. [2012-0636](#) 2011 Southeastern Wisconsin Regional Planning Commission Annual Report.

Attachments: [2011 Southeastern Wisconsin Regional Planning Commission Report.pdf](#)

31. [R-2012-0248](#) Resolution relative to determination of Special Use Permit for a proposed restaurant to be located within the Renaissance Faire office building, located at 801 S. 60 St.

Sponsors: Safety & Development Committee

32. [2012-0629](#) Special Use Permit for a proposed restaurant to be located within the Renaissance Faire office building, located at 801 S. 60 St.

Attachments: [SUP letter 801 S. 60 St..pdf](#)

33. [R-2012-0241](#) Resolution relative to determination of Special Use Permit for proposed auto accessory store, Superior Accessories, to be located at 729 S. 84 St.

Sponsors: Safety & Development Committee

34. [2012-0631](#) Special Use Permit for proposed auto accessory store, Superior Accessories, to be located at 729 S. 84 St.

35. [R-2012-0244](#) Resolution relative to determination of Special Use Permit for proposed auto accessory store, Superior Window Tinting of Milwaukee, to be located at 723 S. 84 St.

Sponsors: Safety & Development Committee

36. [2012-0630](#) Special Use Permit for proposed auto accessory store, Superior Window Tinting of Milwaukee, to be located at 723 S. 84 St.

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

37. [2012-0651](#) 2012-2013 Adult-Oriented Establishment Operator Permit application(s).

License application no. 1921 granted.

38. [2012-0649](#) Tavern Operator License applications.

2012-2014 License application nos. 226, 227, and 229 granted.

39. [2012-0647](#) Police Department report regarding tavern violations/calls for service for October and November 2012.

Attachments: [Police Report Oct and Nov 2012.pdf](#)

40. [2012-0645](#) Police Department Report involving Burnham Bowl, 6016 W. Burnham St. (2012-2013 Class B Tavern License no. 764, Dance Hall License no. 766, Instrumental Music License no. 767, and Bowling Alley License no. 964 of Blaine Enterprises, Inc, Claudia A. Martorano, Agent, Incident Date: October 26, 2012).

Held in License & Health Committee during recess.

41. [2012-0646](#) Police Department Report involving Big Dogs Sports Grill LLC, 9427 W. Greenfield Ave., (2012-2013 Class B Tavern License no. 1784, Dance Hall License no. 1785, and Instrumental Music License no. 1786 of Big Dogs Sports Grill LLC, Gary M. Jackowski, Agent, Noise Complaint, Incident Date: November 24, 2012).

Held in License & Health Committee during recess.

42. [2012-0648](#) Police Department Report relative to poker tournaments being held at three (3) Class B Tavern licensed establishments. (The Drunken Duck, 5906 W. Burnham St.; Fiddler's Green, 6108 W. Burnham St.; and Callanan's Parkway Pub, 11505 W. National Ave.)

Held in License & Health Committee during recess.

43. [2012-0652](#) 2012-2013 Combination Class A License application no. 1922, of Big Boss Liquor, Inc., Raj K. Sehdev, Agent, d/b/a Aryan's Liquor Store for premises located at 1568 S. 81 St. (new-existing).

44. [2012-0659](#) Operation Plan for Melissa M. Martin, d/b/a M & M Sports Bar for premises located at 1900 S. 60 St. (2012-2013 Class B Tavern License application no. 1911 and Dance Hall License no. 1912).

Attachments: [OperationPlan MM.pdf](#)
[signed operation plan 12-18-12.pdf](#)

Item #5 of Operation Plan to be deleted.

45. [2012-0614](#) 2012-2013 Class B Tavern License application no. 1911 and Dance Hall License no. 1912, Melissa M. Martin, d/b/a M & M Sports Bar for premises located at 1900 S. 60 St. (new-existing location).

Dance Hall License not being approved based on Operation Plan.

subject to the necessary requirements

46. [2012-0592](#) 2012-2013 Tavern Operator License application no. 13-569 of Brett A. Bennett.

based on nonappearance and police report

Passed The Block Vote

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

No: 0

ADVISORY COMMITTEE

47. [2012-0666](#) City Administrative Officer, Clerk/Treasurer communication requesting permission to destroy certain records.
48. [2012-0660](#) Appointments by Mayor Devine of youth members to the West Allis Youth Commission.
49. [2012-0661](#) Reappointment by Mayor Devine of Charlene Dempsey as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2014.

50. [2012-0662](#) Reappointments by Mayor Devine of Karen Timonen and Patricia Wolfe as members of the West Allis Beautification Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, their two-year terms to expire December 31, 2014.
51. [2012-0664](#) Reappointments by Mayor Devine to the West Allis Community Celebrations Committee of Kathleen Dagenhardt, Pat Hladilek, and Randy Kassa, their three-year terms to expire December 31, 2015.
52. [2012-0665](#) Reappointment by Mayor Devine of Mary Cay Freiberg as a member of the West Allis Board of Health, her two-year term to expire January 1, 2015.
53. [2012-0663](#) Reappointment by Mayor Devine of Ald. Rosalie Reinke as a member of the West Allis Community Celebrations Committee, her two-year term to expire December 31, 2014.

Passed The Block Vote

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

No: 0

ADMINISTRATION & FINANCE COMMITTEE

17. [2012-0667](#) Communication from City Administrative Officer regarding new policy for "Fill In Pay" and "Interim Assignment Pay" as an alternative to the Transition Team's recommendation on Premium Pay.

Attachments: [MCC.TT Fill In & Interim Assig Pay.121812.pdf](#)
[POLICY.FIP & IAP 121812.Amended.pdf](#)
[CC Amendment of 12-18-12 to AFs Amendment of 12-10-12.pdf](#)

City Attorney Claim Report

18. [2012-0095](#) Summons and Complaint in the matter of Bank of America, N.A., vs Debbie Gibbs, et al, regarding foreclosure of mortgage, Case No. 12CV001299.
19. [2012-0487](#) American Family Insurance Group Notice of Claim submitted on behalf of Neil and Agnes Kraina regarding vehicle damages allegedly sustained on August 7, 2012 at S. 102 Street and W. National Ave. Claim No. 00 475 001631 6908.

20. [R-2012-0242](#) Resolution relative to approving an amendment to the Community Development Block Grant (CDBG) Program for FY2012 for the creation of a Downtown West Allis Public Amenity Project.

Sponsors: Administration & Finance Committee

Passed The Block Vote

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

No: 0

N. OTHER MATTERS RELATING TO THE AFFAIRS AND GOVERNMENT OF THE CITY WHICH MAY PROPERLY BE BROUGHT BEFORE THE COMMON COUNCIL

Common Council President Lajsic wished everyone a Merry Christmas and a prosperous New Year.

O. ADJOURNMENT

to adjourn at 8:47 p.m., with the next regularly scheduled meeting to be held on January 2, 2013, at 7:00 p.m

*/s/Monica Schultz
Deputy City Clerk*



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.