



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, September 17, 2013

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. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

Excused 1 - Ald. Lajsic

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Czaplewski.

D. PUBLIC HEARINGS

1. [R-2013-0210](#) Resolution relative to determination of Special Use Permit for Our Town Thrift Store, a proposed second-hand article retail store, to be located at 8104 W. National Ave.

Sponsors: Safety & Development Committee

Attachments: [AFFIDAVIT OF PUBLICATIONS - TR GRAPHICS](#)

Explanation by John Stibal, Director of Development.

Appearances:

Peter Weis, New Berlin, owner of the store, described the loading dock area and available space.

2. [R-2013-0212](#) Resolution relative to determination of Special Use Permit for Poblocki Paving, a proposed asphalt paving facility, to establish a maintenance building, construction office addition and create an outdoor storage yard for their business operations located at 423 S. Curtis Rd.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Greg Bredin, consultant, Waukesha, commented on the dust, storage area and tanks.

E. CITIZEN PARTICIPATION

None.

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 beautification awards ceremony, and he thanked and commended the winners. He announced the final art crawl on September 19th and the opening of Urban Joe Café. He reported on the swearing-in ceremony for the police officers, and he congratulated them.

H. ALDERPERSON'S REPORT

None.

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of September 3, 2013

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2013-0560](#) List of individuals and locations in West Allis selected by the West Allis Beautification Committee to receive Proclamation of Commendation for Best Porch.

Attachments: [CC LTR.PorchWinners 2013.pdf](#)

4. [2013-0552](#) Report of the Municipal Judge for the month of August 2013, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$122,947.93.

Attachments: [Mun Judge Report August 2013.pdf](#)

5. [2013-0547](#) Quarterly Report of Matters Pending Before Committee Prior to June 1, 2013.

Attachments: [Quarterly Report.pdf](#)

6. [2013-0553](#) Notice of Circumstances/Injury submitted on behalf of Phillip and Michelle L. Ganzke regarding damages allegedly sustained on W. Burnham Street on May 16, 2013.

7. [2013-0562](#) Tiffany Simmons communication regarding vehicle damages allegedly sustained at W. Beloit Road between S. 69th and S. 70 Streets on September 5, 2013.

8. [2013-0563](#) Elizabeth Rathkamp communication regarding property damage allegedly sustained at 2372 S. 57 Street on February 18, 2013.

Passed The Block Vote

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

No: 0

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:24 p.m. Upon returning from recess at 10:03 p.m., and the roll call being taken, there were:

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

Excused 1 - Ald. Lajsic

M. NEW AND PREVIOUS MATTERS**ADMINISTRATION & FINANCE COMMITTEE**

9. [R-2013-0196](#) Resolution relative to approving a sole source proposal for Public Health Consulting Services from Bay View Advanced Management, LLC for a total sum not to exceed \$34,000.

Sponsors: Administration & Finance Committee

Attachments: [WA 2013-14 Obj Proposal.pdf](#)

10. [R-2013-0197](#) Resolution relative to deleting the City of West Allis Policies & Procedures Manual Nos. 1901 through 1911, under Public Library.

Sponsors: Administration & Finance Committee

11. [R-2013-0206](#) Resolution approving the Five-Year 2014-2018 Consolidated Plan relative to the Community Development Block Grant (CDBG) Program.

Sponsors: Administration & Finance Committee

Attachments: [2014-2018 goals & objectives.pdf](#)

12. [R-2013-0208](#) Resolution approving an Action Plan for Fiscal Year 2014 relative to the Community Development Block Grant (CDBG) Program.

Sponsors: Administration & Finance Committee

Attachments: [2014 Block Grant Report COMBINED AMENDED 9-12-13.pdf](#)

13. [R-2013-0211](#) Resolution to amend Policy No. 1424 (Premium Pay Policy) by adding Paragraph 5.4.9 (Voting Equipment Technician Premium).

Sponsors: Administration & Finance Committee

Attachments: [Policy 1424.pdf](#)

14. [R-2013-0209](#) Resolution to provide a grant to Urban Joe Café for the design and development of a parklet using Community Development Block Grant (CDBG) funds in an amount up to \$2,000.

Sponsors: Administration & Finance Committee

Passed The Block Vote

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

No: 0

15. [2013-0564](#) Communication from the Director of Development regarding the Development of Parklets in West Allis.

Attachments: [Parklet Communication.pdf](#)

16. [R-2013-0184](#) Resolution relative to adopting a new policy on a Vehicle Rental Program (VRP).

Sponsors: May and Probst

Attachments: [Vehicle Rental Prog Policy.pdf](#)

City Attorney Claim Report

17. [2013-0010](#) Concorde Adjusters, Inc. Notice of Subrogation Intent on Recovery on behalf of First Student, Inc. regarding damages allegedly sustained on December 18, 2012. Claim #FGA019083.

18. [2013-0126](#) Amended Summons and Complaint in the matter of Bank of America, N.A., vs Sharon E. Lemke, et al, regarding foreclosure of mortgage, Case No. 12CV8399.

19. [2013-0189](#) American Family Insurance Group submitted on behalf of John Kenenakhone regarding a claim allegedly sustained on February 26, 2013. Claim No. 00-445-021875-1425.

Passed The Block Vote

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

No: 0

PUBLIC WORKS COMMITTEE

20. [R-2013-0198](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 59 St. from W. National Ave. to W. Burnham St.; W. Hicks St. from S. 76 St. to S. 81 St.; S. 81 St. from W. Becher St. to W. Grant St.; S. 80 St. from W. Hicks St. to W. Rogers St., and portions of intersecting streets by concrete reconstruction with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

21. [R-2013-0199](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 76 St. from W. Pierce St. to W. Greenfield Ave., 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

22. [R-2013-0200](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 62 St. from W. Beloit Rd. to W. Lincoln Ave., S. 63 St. from W. Beloit Rd. to W. Lincoln Ave., W. Wildwood Terr. from S. 99 St. to east of S. 99 St., W. Wildwood Ct. from S. 99 St. to west of S. 99 St., W. Burnham St. from S. 82 St. to S. 84 St., W. Bennett Ave. from S. 74 St. to west of S. 74 St., and portions of intersecting streets by minor asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair, sanitary sewer relay, water main relay and utility adjustments.

Sponsors: Public Works Committee

23. [R-2013-0202](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Manitoba St. from S. 91 St. to S. 96 St., W. Dakota St. from S. 92 St. to S. 99 St., W. Montana St. from S. 92 St. to S. 96 St., and portions of intersecting streets by concrete pavement repair and utility adjustments.

Sponsors: Public Works Committee

24. [R-2013-0204](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of area bounded by S. 56 St. to S. 70 St. and North City Limits to W. Burnham St. by miscellaneous sidewalk repair.

Sponsors: Public Works Committee

25. [R-2013-0205](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of North/South and East/West alley between S. 87 St. - S. 88 St., W. National Ave. and W. Becher St.; and North/South alley between S. 57 St. - S. 58 St., W. Mitchell St. and W. Beloit Rd. by removal and reconstruction of the concrete alley pavement, storm sewer relay, utility adjustments and storm underdrain.
- Sponsors:* Public Works Committee
26. [R-2013-0201](#) Resolution relative to accepting the proposal of Vermeer-Wisconsin, Inc. for furnishing a new 2013 Vermeer Stump Cutter for a total sum of \$27,348.00.
- Sponsors:* Public Works Committee
27. [R-2013-0203](#) Resolution relative to accepting the proposal of Kubota Tractor Corp. for furnishing a new 2013 Kubota Tractor with Mower for a total sum of \$16,316.40.
- Sponsors:* Public Works Committee
28. [R-2013-0207](#) Resolution directing staff to prepare an amendment to the Stormwater Management System User Charge ordinance relative to providing a credit to stormwater fees for municipal users who's overall impact on the system is beneficial to the stormwater management system.
- Sponsors:* Public Works Committee
29. [2013-0558](#) Communication from the Director of Public Works/City Engineer regarding changing the policy of street parking during a snow emergency.
- Attachments:* [COMM-2013-0558.pdf](#)
30. [2013-0565](#) Communication from Director of Public Works/City Engineer recommending on behalf of the Mayor's Office, Health and Development Departments to rebuild the damaged area of the Farmer's Market to as near original as possible.
- Attachments:* [COMM-2-13-0565.pdf](#)
31. [R-2013-0180](#) Resolution to approve bid of LaLonde Contractors, Inc. for construction of an asphalt parking lot, concrete curb and gutter, storm sewer, pavement marking, landscaping and utility adjustments in the Chalet Parking Lot located at 6215 W. National Avenue in the City of West Allis in the amount of \$185,860.90.
- Sponsors:* Public Works Committee

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

32. [O-2013-0035](#) An Ordinance to Establish Parking Restrictions on the North Side of the West 40 Feet of the 11700 Block and the East 20 Feet of the 11800 Block of West Washington Street.
- Sponsors:* Barczak
33. [2013-0566](#) Communication from Ald. May regarding Property Maintenance Code Enforcement and Time Extensions.
- Attachments:* [May.pdf](#)
34. [R-2013-0120](#) Resolution approving a Certified Survey Map to combine the residential lot located at 713 S. 98 St. (Tax Key No. 443-0396-002) with the adjoining vacant lot to the north (Tax Key No. 443-0396-001), submitted by Matthew Ribbeck, property owner.
- Sponsors:* Safety & Development Committee
35. [2013-0478](#) Certified Survey Map to combine the residential lot located at 713 S. 98 St. (Tax Key No. 443-0396-002) with the adjoining vacant lot to the north (Tax Key No. 443-0396-001), submitted by Matthew Ribbeck, property owner.
36. [R-2013-0210](#) Resolution relative to determination of Special Use Permit for Our Town Thrift Store, a proposed second-hand article retail store, to be located at 8104 W. National Ave.
- Sponsors:* Safety & Development Committee
- Attachments:* [AFFIDAVIT OF PUBLICATIONS - TR GRAPHICS](#)
37. [2013-0479](#) Special Use Permit for Our Town Thrift Store, a proposed secondhand article retail store, to be located at 8104 W. National Ave.
38. [R-2013-0212](#) Resolution relative to determination of Special Use Permit for Poblocki Paving, a proposed asphalt paving facility, to establish a maintenance building, construction office addition and create an outdoor storage yard for their business operations located at 423 S. Curtis Rd.
- Sponsors:* Safety & Development Committee

39. [2013-0477](#) Special Use Permit for Poblocki Paving, a proposed asphalt paving facility, to establish a maintenance building, construct an office addition and create an outdoor storage yard for their business operations located at 423 S. Curtis Rd.

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

40. [O-2013-0036](#) Ordinance to Repeal and Recreate Section 7.035 of the City of West Allis Revised Municipal Code Relating to Excessive Noise and Vibration

Sponsors: License & Health Committee

Held in License & Health Committee during recess.

41. [2013-0554](#) 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: [F&R-Scardina's 9-17-13.pdf](#)

42. [2013-0546](#) Police Department report regarding tavern violations/calls for service for the month of August 2013.

Attachments: [Police Dept Report August 2013.pdf](#)

43. [2013-0542](#) Appointment of new agent, Adam J. Rogge, by Mega Marts, LLC, d/b/a Pick 'n Save #6846 located at 2625 S. 108 St. (2013-2014 Combination Class A Liquor License no. 1087).

44. [2013-0555](#) 2013-2014 Special Class B Beer and Wine License application(s).

License application nos. 9-14 granted.

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

45. [2013-0548](#) 2013-2014 Class B Tavern Special Event Permit application no. 14 of Janice Susan, LLC, Janice S. Fazen, Agent, d/b/a Dog House, 1641 S. 68 St. (2013-2014 Class B Tavern License no. 1759, Instrumental Music License no. 1761 and Dance Hall License no. 1760) for Thank You and Anniversary event, Saturday, October 5, 2013 from 7:00 a.m. to 11:00 p.m., and Sunday, October 6, 2013, from 7:00 a.m. to 9:00 p.m. (Food, tent and outdoor music). 2nd application for 2013-2014 license year.

46. [2013-0549](#) 2013-2014 Special Instrumental Music Permit appl. no. 2 of Dale J. Zbieranek, Agent, d/b/a Barneks, 7411 W. Becher St. (2013-2014 Class B Tavern License no. 1060 and Dance Hall License no. 1062) for an event on Saturday, September 28, 2013.

47. [2013-0556](#) Operator's License (bartender/sales clerk) applications.

2013-2014 License application nos. 315, 317-318, and 320-321.
2013-2015 License application nos. 341-346, and 348 granted.

48. [2013-0550](#) 2013-2014 Adult-Oriented Establishment Operator Permit application(s).
License application no. 2006 granted.
49. [2013-0545](#) 2013-2014 Adult-Oriented Establishment Operator Permit application no. 2008 of Robert E. Porter, Jr.
Held in License & Health Committee during recess.
50. [2013-0541](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-339 of Vanessa M. Alcantar.
Held in License & Health Committee during recess.
51. [2013-0543](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-314 of Cornelius S. Williams.
Held in License & Health Committee during recess.
52. [2013-0544](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-316 of Holly M. Sage.
Held in License & Health Committee during recess.
53. [2013-0551](#) 2013-2014 Class B Tavern License application no. 2004 of Morgan Murphy Enterprises, LLC, Carolyn S. Tomovich, Agent, d/b/a Tap 58, premises located at 5732 W. Mitchell St. (new-existing location).
54. [2013-0557](#) Communication from Assistant City Attorney regarding failure to follow the terms of the payment agreement for delinquent 2012 real estate and personal property taxes, signed on July 22, 2013, for 6139 W. Beloit Rd., Smokin' Joe's Pub, LLC, d/b/a Whammy Bar, dated September 11, 2013.
Attachments: [Attorney communication 9-11-2013.pdf](#)
55. [2013-0561](#) Department of Revenue Field Report regarding Wisconsin State Seller's Permit for Dilneet Corporation (2013-2014 Combination Class A Liquor License application no. 1080, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave., Incident Date: September 5, 2013).
Attachments: [DOR Field Report 9-17-13.pdf](#)
Held in License & Health Committee during recess.
56. [2012-0575](#) Summons and Complaint in the matter of the complaint against Dilneet Corporation, Rupinder K. Randhawa, Agent, for the premises located at 7218 W. Greenfield Ave., d/b/a West Allis Liquor & Tobacco (2012-2013 Class A Liquor License application no. 1080 and Cigarette License application no. 1081).
Attachments: [Summons WA Liq & Tob 10-23-12.pdf](#)
[Complaint WA Liq. & Tob. 10-23-12.pdf](#)
Held in License & Health Committee during recess.

57. [2012-0003](#) Summons and Complaint in the matter of the complaint against Dilneet Corporation, Rupinder K. Randhawa, Agent, for the premises located at 7218 W. Greenfield Ave., d/b/a West Allis Liquor & Tobacco (2011-2012 Class A Liquor License no. 1080 and Cigarette License no. 1081).

Attachments: [Summons WA Liq. & Tob. 1-3-12.pdf](#)
[Complaint WA Liq. & Tob. 1-3-12.pdf](#)

Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel
No: 0

ADVISORY COMMITTEE

58. [2013-0559](#) Notification of reappointments to the West Allis Community Improvement Foundation, Inc.

Attachments: [WACIF Cmte Listing.pdf](#)

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel
No: 0

N. ADJOURNMENT

to adjourn at 10:13 p.m., with the next regularly scheduled meeting to be held on October 1, 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.