



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, April 2, 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. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock,
Ald. Vitale, and Ald. Weigel

Excused 1 - Ald. Barczak

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Lajsic.

2. [R-2013-0079](#) Resolution of Commendation for Steven J. Hook.

Sponsors: Lajsic

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

No: 0

D. PUBLIC HEARINGS

1. [R-2013-0081](#) Resolution relative to determination of Special Use Permit for Jessyca's Body Shop, a proposed personal training business, to be located at 10617 W. Oklahoma Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Jessica Karczewski, 8160 W. Forest Garden Ct., Greenfield, asked who her alderpersons are.

E. CITIZEN PARTICIPATION

Robert Phillippi, 727 S. 97 St., commented on traffic on S. 97 St. due to bridge construction, and parking signage at S. 97 St. and W. Schlinger Ave.

Violet Braun, 2160 S. 86 St., commented on a fundraiser, her lawn sign and decoration.

Robert Braun, 2160 S. 86 St., commented on a fundraiser, retaliation, his pro-life movement poster, and help with an assault victim.

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 citywide cleanup scheduled for April 20th. He congratulated the West Allis/West Milwaukee Chamber of Commerce award recipients for Business of the Year (Creative Business Interiors), Citizen of the Year (Citlali Mendieta-Ramos), and the Young Professional of the Year (Pam Zorko and Dan Maass).

Alderspersons Comments

Ald. Probst announced the next listening session for the second aldermanic district, and observed the one-year anniversary of election win for her and Ald. May.

Ald. Vitale commented on heavy industry loss, and remarked on Unit Drop Forge.

Ald. Weigel commented on the citywide cleanup and street cleaning.

Ald. May addressed his ride-along with the West Allis Police Department, and commented on the career fair at Walker Elementary School.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of March 19, 2013

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2013-0157](#) Patricia G. Nefstead communication regarding damages allegedly sustained at 2549 S. 88 St. on February 2, 2013.

4. [2013-0180](#) Michael Welter communication regarding injuries allegedly sustained between 2430 S. 80 St. and 2436 S. 80 St. on February 20, 2013.

Passed The Block Vote

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

No: 0

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

5. [R-2013-0068](#) Resolution relative to approving 2012 Transfers, Carryovers, Open Purchase Orders, Capital Accumulation Charges, and Negative Department Balances.

Sponsors: Administration & Finance Committee

Attachments: [2012 Carryovers.pdf](#)

6. [2013-0106](#) Communication from City Administrative Officer transmitting 2014-2018 Multi-Year Budget Forecasting Report.

Attachments: [MCC.MultiYr Forecast 021413.pdf](#)

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

7. [O-2013-0014](#) Ordinance to Repeal and Recreate Subsection 9.02(4) of the City of West Allis Revised Municipal Code Relating to Description of Premises and Plan of Operation; to Create Subsection 9.02(4m) of the Revised Municipal Code Relating to the Truth of Statements Made in Alcohol Beverage License Applications; to Amend Subsection 9.02(10) of the Revised Municipal Code Relating to the Numbering, Expiration, and Posting of Licenses; to Repeal and Recreate Subsection 9.02(16) of the Revised Municipal Code Relating to Operator's Licenses; and to Repeal and Recreate Subsection 9.02(20) of the Revised Municipal Code Relating to the Suspension, Revocation, and Nonrenewal of Alcohol Beverage Licenses.

Sponsors: License & Health Committee

8. [R-2013-0063](#) Resolution Creating a Detailed Table of Contents for Section 9.02 of the City of West Allis Revised Municipal Code Relating to Alcoholic Beverages.

Sponsors: License & Health Committee

10. [2013-0129](#) 2012-2014 Tavern Operator License application no. 14-246 of Brianna R. Pitterle.
11. [2013-0016](#) 2012-2014 Tavern Operator License application no. 14-232 of Jessica M. Rojo.
12. [2013-0148](#) Police Department Report involving Jilly Beans, 9524 W. Greenfield Ave. (2012-2013 Class B Tavern License no. 1701, Dance Hall License no. 1702, and Instrumental Music License no. 1700 of Sportz Medicine, LLC, John J. Biwer, Agent, Incident Date: February 20, 2013).
13. [2013-0062](#) 2012-2014 Tavern Operator License application no. 14-237 of Kelly A. Theoharis.

Denied based on two (2) nonappearances.

Passed The Block Vote

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

No: 0

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:34 p.m. Upon returning from recess at 8:25 p.m., and the roll call being taken, there were:

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

Excused 1 - Ald. Barczak

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

14. [O-2013-0019](#) An Ordinance to repeal Salary Ordinance No. O-2013-0006 and re-establish the salaries of certain Miscellaneous Employees of the City of West Allis for 2013-2014.

Sponsors: Administration & Finance Committee

15. [R-2013-0077](#) Resolution relative to approving the 2012 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.

Sponsors: Administration & Finance Committee

16. [R-2013-0082](#) Resolution approving a loan amendment regarding the release of collateral by and between the City of West Allis and Home Sealed LLC.

Sponsors: Administration & Finance Committee

18. [2013-0182](#) Communication from City Administrative Officer recommending modification of Policy No. 1424, Premium Pay, regarding Emergency Call Back Procedures for Sundays and Holidays, and regarding Interim Assignment Allowable Pay Increases; and Policy No. 1422, Departmental Review of Employee Performance, regarding changing the year for performance evaluations from January 1 to December 31, to October 1 to September 30.

Attachments: [MCC.2013-0182 040213.pdf](#)
[PolicyNo.1424.pdf](#)
[PolicyNo.1422.pdf](#)

19. [2013-0185](#) Communication from City Administrative Officer regarding request to fill vacant position of Maintenance Repairer in the Department of Public Works, Water Division.

Attachments: [VACPOSREQ.MaintRpr WtrDiv 040213.pdf](#)

20. [2011-0179](#) Department of Workforce Development communication regarding the Housing Discrimination Complaint of Portia Wright ERD Case No. CR201100938.

and Placed on File

21. [2013-0072](#) Sajid Bashir communication requesting corrected personal property taxes for 2012, Choudry Oil, Account no. 536048.

22. [2013-0108](#) Inho Lee communication regarding vehicle damages allegedly sustained at Highway 100 and W. National Ave. on February 8, 2013.

Passed The Block Vote

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

No: 0

17. [2013-0181](#) Communication from City Administrative Officer recommending modification to Policy No. 1454, Work Hours and Schedules, and Policy No. 1424, Premium Pay, regarding Incentive Day for Refuse Pickup on Saturdays and Sundays.

Attachments: [MCC.2013-0181 040213.pdf](#)
[PolicyNo.1454.pdf](#)
[PolicyNo.1424.pdf](#)

Aye: 5 - Ald. Lajsic, Ald. Probst, Ald. Reinke, Sengstock, and Ald. Vitale

No: 4 - Ald. Czaplewski, Ald. May, Ald. Roadt, and Ald. Weigel

PUBLIC WORKS COMMITTEE

29. [R-2013-0076](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 1025 South 57th Street in the Total Amount of \$3,098.84.

Sponsors: Public Works Committee

Attachments: [Resolution 1025 S. 57 St..pdf](#)

30. [R-2013-0078](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 2318 South 66th Street in the Total Amount of \$7,523.04.

Sponsors: Public Works Committee

Attachments: [Resolution 2318 S. 66 St..pdf](#)

31. [R-2013-0080](#) Resolution to approve bid of State Contractors, Inc. for the installation of concrete curb and gutter, concrete pavement, miscellaneous walk repair, driveway replacement, sanitary sewer, sanitary sewer relay, storm sewer relay, water main relay, building services and utility adjustments in West Grant Street from South 76th Street to South 84th Street in the City of West Allis in the amount of \$1,239,878.50.

Sponsors: Public Works Committee

Attachments: [2013-2 BID RESULTS.pdf](#)

32. [2013-0156](#) We Energies communication reaffirming their policy to the City regarding use of and trespassing on their property or rights-of-way and the concern for illegal dumping of yard and household materials on their property.

Attachments: [WE Energies policy 3-14-13.pdf](#)

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

23. [O-2013-0017](#) An Ordinance to Create Subsections 11.165(6) and 11.165(7) of the West Allis Revised Municipal Code Relating to Privileges in Streets and Creating a Penalty for Violation.

Sponsors: Public Works Committee and Safety & Development Committee

24. [R-2013-0071](#) Resolution relative to deleting the City of West Allis Policies & Procedures Manual No. 860, Sale of City Owned Land Without Bids (Less than \$500 Value), under City Attorney - Real Estate Agent.

Sponsors: Public Works Committee and Safety & Development Committee

25. [R-2013-0072](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 855, Moving City Owned Buildings and No. 857, Razing Buildings Not Public.

Sponsors: Public Works Committee and Safety & Development Committee

26. [R-2013-0073](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 851, Condemnation Proceedings for Acquisition of Right of Way; No. 852, Easements; No. 853, Eliminating Vehicle Access; No. 854, Filling Drainage Ditches; and No. 856, Razing City Owned Buildings.

Sponsors: Public Works Committee and Safety & Development Committee

27. [R-2013-0074](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 850, Acquisition of a Vacant Parcel of Property; No. 858, Relocation Assistance; No. 859, Sale of City Owned Land Without Bids (More Than \$500 in Value); and No. 861, Small Property Purchases.

Sponsors: Public Works Committee and Safety & Development Committee

28. [R-2013-0075](#) Resolution Relative to Adopting a New Policy for Inclusion in the City's Policies & Procedures Manual Relative to the Granting of Encroachments.

Sponsors: Public Works Committee and Safety & Development Committee

33. [2013-0184](#) Special Use Permit for Mexi-Italian Cafe, an expansion of an existing restaurant, located at 1126 S. 70 St.

Held in Safety & Development Committee during recess.

34. [2013-0186](#) Special use application for a commercial printing business to occupy a portion of the mixed use property located at 9500 W. Schlinger Ave.

Held in Safety & Development Committee during recess.

35. [R-2013-0081](#) Resolution relative to determination of Special Use Permit for Jessyca's Body Shop, a proposed personal training business, to be located at 10617 W. Oklahoma Ave.

Sponsors: Safety & Development Committee

36. [2013-0150](#) Special Use Permit for Jessyca's Body Shop, a proposed personal training business, to be located at 10617 W. Oklahoma Ave.

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

37. [O-2013-0018](#) Ordinance to Repeal Section 9.09 of the City of West Allis Revised Municipal Code Relating to Carnival Permits.

Sponsors: License & Health Committee

Held in License & Health Committee during recess.

9. [2013-0155](#) 2012-2013 Tavern Operator License application no. 13-605 of Vicente Lozano.

Denied based on being untruthful to the License & Health Committee.

38. [2013-0166](#) 2013-2014 Amusement Distributor's License application(s).

License application nos. 432 & 434 granted.

39. [2013-0167](#) 2013-2014 Phonograph Distributor's License application(s).

License application nos. 416 & 418 granted.

40. [2013-0162](#) 2013-2014 Mobile Home Park License application(s).

License application nos. 289 & 292 granted and application no. 290 was held.

41. [2013-0163](#) 2013-2014 Secondhand Article Dealer License application(s).

License application nos. 301, 304, 311-312, 334, 347, 1322, 1725 & 1859 granted.

42. [2013-0164](#) 2013-2014 Secondhand Jewelry Dealer License application(s).

License application nos. 1262, 1693 & 1892 granted.

43. [2013-0178](#) 2013-2014 Trailer and Truck Rental License application(s).

License application no. 406 granted.

44. [2013-0165](#) 2013-2014 Used Vehicle Dealer License application(s).

License application nos. 247, 256, 1244, 1499, 1669 & 1779 granted.

45. [2013-0170](#) Package Goods Operator License application(s).

License application no. 1959 granted.

46. [2013-0168](#) Tavern Operator License applications.
*2012-2013 License application nos. 607, 609 & 611-615 granted.
2012-2014 License application no. 260 granted.*
47. [2013-0179](#) 2012-2013 Special Class B Beer and Wine License application(s).
License application no. 25 granted.
48. [2013-0169](#) 2012-2013 Class B Tavern Special Event Permit application no. 13 of Lele's Whiskey Corner, LLC, Erwin C. Magritz, Agent, d/b/a Remedy Bar, 1309 S. 60 St. (2012-2013 Class B Tavern License no. 1733) for a Brewer tailgate party 3:00 p.m. to 7:00 p.m. to be held on April 6, 2013. (Small tent with temporary fencing).
49. [2013-0175](#) 2012-2013 Cigarette License application no. 1951 of Spring West, LLC, Ajit S. Walia, Agent, d/b/a Mobil-Pantry 41 #105 for premises located at 10537 W. Greenfield Ave.
Held in License & Health Committee during recess.
50. [2013-0171](#) 2012-2013 Tavern Operator License application no. 13-610 of Shawn A. Kazubowski.
Held in License & Health Committee during recess.
51. [2013-0172](#) 2012-2013 Tavern Operator License application no. 13-608 of Rebecca C. Kroes.
Held in License & Health Committee during recess.
52. [2013-0173](#) 2012-2014 Tavern Operator License application no. 14-258 of Richard H. Schilling.
Held in License & Health Committee during recess.
53. [2013-0174](#) 2012-2014 Tavern Operator License application no. 14-259 of Vickie L. Van Eperen.
Held in License & Health Committee during recess.
54. [2013-0137](#) 2012-2013 Class B Tavern License application no. 1956 of Stallis Palace, LLC, Rachel L. Wesenberg, Agent, d/b/a Stallis Palace, for premises located at 8812 W. Greenfield Ave. (new-existing location).
55. [2013-0130](#) 2012-2014 Tavern Operator License application no. 14-248 of Rachael C. Tovar.
Denied based on the police report.

Passed The Block Vote

Aye: 9 - Ald. Czapski, Ald. Lajcsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

ADVISORY COMMITTEE

56. [O-2013-0016](#) An Ordinance to Repeal & Recreate Section 3.04 of the West Allis Revised Municipal Code Relating to Agenda Items and the Order of Business.

Sponsors: Advisory Committee

Aye: 9 - 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

Mayor Devine thanked everyone who worked on the Community Dinner Dance.

O. ADJOURNMENT

to adjourn at 8:43 p.m., with the next regularly scheduled meeting to be held on April 16, 2013, at 7:00 p.m

*/s/ Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



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.