



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, February 19, 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. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

Excused 1 - Sengstock

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Vitale.

D. PUBLIC HEARINGS

1. [R-2013-0028](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of W. Oklahoma Ave. from S. Waukesha Rd. to S. 124 St. and portions of intersecting streets by major asphalt resurfacing, miscellaneous sidewalk repair, miscellaneous driveway repair and utility adjustments.

Sponsors: Public Works Committee

Explanation by Peter Daniels, Principal Engineer.

Appearances:

Owen Klatt, 12120 W. Oklahoma Ave., asked about access, percent average, and interest rate calculation.

Lance Johnson, 12214 W. Oklahoma Ave., asked about the material being used, project duration, and payments. He commented on the high use as a community thoroughfare.

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. MISCELLANEOUS BUSINESS

Mayor's Report

None.

Alderspersons Comments

Ald. Reinke congratulated Irving School on their Civil and Revolutionary War program.

Ald. Probst announced the next listening session for the second aldermanic district, and commented on the WIAA wrestling tournament.

Ald. Weigel reported on the Business Improvement District's Annual Town Hall meeting.

Ald. May thanked the Dept. of Public Works on their snowplowing operations. He announced an upcoming neighborhood meeting in March with the Department of Transportation. He also stated that a recent survey conducted on his Facebook and Twitter accounts indicated that a better job could be done on enforcement of traffic laws and property code enforcement.

H. AGENDA APPROVAL

that the agenda be amended to include item #21 referral to Public Works Committee and item #22 as a joint referral to include the Public Works Committee be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of February 5, 2013

J. ITEMS NOT REFERRED TO COMMITTEE

2. [2013-0096](#) Report of the Municipal Judge for the month of January 2013, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$124,386.10.
Attachments: [Municipal Judge Report January 2013.pdf](#)
3. [2013-0076](#) Summons and Complaint in the matter of Wells Fargo Bank, N.A., vs Dorothy J. Delmar, et al, regarding foreclosure of mortgage, Case No. 13CV000636.
4. [2013-0085](#) Summons and Complaint in the matter of Nationstar Mortgage, LLC vs Joseph A. Hapka, et al, regarding foreclosure of mortgage, Case No. 13CV000642.
5. [2013-0103](#) Andrew Slack communication regarding vehicle damages allegedly sustained on S. 68 St. between National Avenue and Mitchell Street on February 4, 2013.

6. [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

K. STANDING COMMITTEE REPORTS

SAFETY & DEVELOPMENT COMMITTEE

7. [R-2013-0025](#) Resolution approving an amendment to the Project Plan for Tax Incremental District Number Three (Quad/Graphics), City of West Allis, Wisconsin.

Sponsors: Safety & Development Committee

Attachments: [TIF 3 Amendment 3 02.12.13.pdf](#)
[TIF 3 Amendment 3 \(1.29.13\).pdf](#)

8. [2013-0068](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation to support the allocation amendment to the Project Plan for Tax Incremental District Number Three.

Attachments: [TIF 3 Common Council - CDA 1-30-13.pdf](#)

Passed The Block Vote

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

No: 0

9. [R-2013-0023](#) Resolution approving an amendment to the Project Plan for Tax Incremental District Number Seven (Summit Place), City of West Allis, Wisconsin.

Sponsors: Safety & Development Committee

Attachments: [TIF 7 Project Plan Amendment #4 1.29.13.pdf](#)

10. [2013-0067](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation to support the additional financing and amendment to the Project Plan for Tax Incremental District Number Seven.

Attachments: [TIF 7 Common Council - CDA 1-30-13.pdf](#)

11. [R-2013-0022](#) Resolution to amend the Cooperation Agreement between the City of West Allis and the Community Development Authority of the City of West Allis for Tax Incremental District Number Seven (Summit Place), City of West Allis, Wisconsin.

Sponsors: Safety & Development Committee

Attachments: [CC-Amended Cooperation Agreement\(1-31-13\).pdf](#)

12. [R-2013-0027](#) Resolution approving a January 2013 Amendment to Summit Place Business Park amended and Restated Development Agreement.

Sponsors: Safety & Development Committee

Passed The Block Vote

Aye: 8 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Vitale, and Ald. Weigel

No: 1 - Ald. Roadt

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 8:25 p.m., and the roll call being taken, there were:

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

Excused 1 - Sengstock

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

13. [2013-0107](#) Communication from Alderpersons Czaplewski and Weigel regarding Common Council guidelines for use of City First Industrial Ring Enterprise (FIRE) Management Financial Resources.

Attachments: [MCC.Guidelines FIRE MgmtFinResources 021313.pdf](#)

and Placed on File

14. [O-2013-0006](#) An Ordinance to establish the salaries of certain Miscellaneous Employees of the City of West Allis for 2013-2014.

Sponsors: Administration & Finance Committee

15. [O-2013-0007](#) An Ordinance to establish the salary ranges of certain employees in the Executive Service, the Managerial Service, the Deputy Service, and the Confidential, Professional and Supervisory Service of the City of West Allis for the years 2012/2013 and 2014.

Sponsors: Administration & Finance Committee

Attachments: [SalarySched.NonRep #1 2012 2013.pdf](#)

[SalarySched.NonRep #2 2014.pdf](#)

[Salary Scale 2012.2013 and 2014 Correct by Finance.pdf](#)

16. [O-2013-0008](#) An Ordinance to establish the salaries of certain employees in the Health Department for 2012/2013 and 2014.

Sponsors: Administration & Finance Committee

Attachments: [SalarySched.Health #1 2012 2013.pdf](#)
[SalarySched.Health #2 2014.pdf](#)

17. [O-2013-0009](#) An Ordinance to establish the salaries of certain employees in the Engineering Department for 2012/2013 and 2014.
- Sponsors:*** Administration & Finance Committee
- Attachments:*** [SalarySched.Eng #1 2012 2013.pdf](#)
[SalarySched.Eng #2 2014.pdf](#)
18. [O-2013-0010](#) An Ordinance to Establish the Salaries of Certain Administrative and Clerical Employees for the Years 2012/2013 and 2014.
- Sponsors:*** Administration & Finance Committee
- Attachments:*** [SalarySched.AdmClr #1 2012 2013.pdf](#)
[SalarySched.AdmClr #2 2014.pdf](#)
19. [O-2013-0011](#) An Ordinance to Establish the Salaries of Certain Labor Employees for the Years 2012/2013 and 2014.
- Sponsors:*** Administration & Finance Committee
- Attachments:*** [SalarySched.Labor #1 2012 2013.pdf](#)
[SalarySched.Labor #2 2014.pdf](#)
20. [R-2013-0037](#) Resolution approving a Memorandum of Understanding to Participate in the Milwaukee County/Waukesha County Consortium for Emergency Public Health Preparedness.
- Sponsors:*** Administration & Finance Committee
- Attachments:*** [FINAL Consort 13 MOU.DOC](#)
23. [R-2013-0043](#) Resolution relative to approving the Renewal Agreement between the City of West Allis and the Aurora Employee Assistance Program for Employee Assistance Services for 2013 as well as future years.
- Sponsors:*** Administration & Finance Committee
24. [2013-0104](#) Communication from City Administrative Officer regarding request to fill a vacant Civil Engineer position in the Engineering Department.
- Attachments:*** [VACPOSREQ.Engineer 021913.pdf](#)
25. [2013-0105](#) Request from City Administrative Officer regarding request to fill an upcoming vacant position of Equipment Operator I in the Department of Public Works/Sanitation and Street Division.
26. [2013-0106](#) Communication from City Administrative Officer transmitting 2014-2018 Multi-Year Budget Forecasting Report.
- Attachments:*** [MCC.MultiYr Forecast 021413.pdf](#)

Held in Administration & Finance Committee during recess.

27. [R-2013-0019](#) Resolution relative to accepting the sole source proposal of Business Interiors by Staples for furnishing and installing a Mohawk Information/Reference Desk System for a total net sum of \$17,535.66.

Sponsors: Administration & Finance Committee

Attachments: [1180 Ref Desk Sole Source Letter.pdf](#)

Passed The Block Vote

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

No: 0

PUBLIC WORKS COMMITTEE

21. [R-2013-0041](#) Resolution relative to accepting the proposal of R.A. Smith National, Inc. for providing Engineering Consulting Services for a total sum not to exceed \$9,800.00.

Sponsors: Administration & Finance Committee

22. [R-2013-0042](#) Resolution relative to accepting the sole source proposal of TAPCO for 68 LED street lights in the amount of \$21,760 and authorize the appropriate city officials to purchase additional LED street lights using U.S. Department of Energy's Energy Efficiency and Conservation block grant funding in a total amount not to exceed \$100,000.

Sponsors: Administration & Finance Committee

29. [R-2013-0034](#) Resolution relative to accepting the proposal of Neenah Foundry Co. for furnishing and delivering cast iron manhole frames and covers for a total sum of \$98,708.00.

Sponsors: Public Works Committee

30. [R-2013-0035](#) Resolution relative to accepting the proposal of HD Supply Waterworks for furnishing and delivering fire hydrants for a total sum of \$151,200.00.

Sponsors: Public Works Committee

Attachments: [1182 Firer Hydrants.pdf](#)

31. [R-2013-0040](#) Resolution relative to accepting the proposal of Ewald Automotive Group for furnishing and delivering 11 trucks for a total sum of \$274,704.00.

Sponsors: Public Works Committee

32. [R-2013-0036](#) Resolution authorizing the Director of Public Works/City Engineer to extend the agreement with AECOM Technical Services (AECOM) to provide consulting services relative to the NR216 Permit compliance requirements for 2013 for a sum not to exceed \$17,188.
- Sponsors:* Public Works Committee
- Attachments:* [NR216 Agreement.pdf](#)
[NR216 Agreement \(2\) - 2013.pdf](#)
33. [R-2013-0038](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Sign a Lease Termination Agreement and General Release with Nextel West Corp. for Removal of Nextel's Communication Equipment on the 116th Water Tower.
- Sponsors:* Public Works Committee
- Attachments:* [Nextel Lease Termination Agreement.pdf](#)
34. [R-2013-0039](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 1132 South 85th Street in the Total Amount of \$7,301.67.
- Sponsors:* Public Works Committee
35. [2013-0094](#) Communication from Alderman Michael May to the Zoo Interchange Team regarding the West Allis Property Impacts.
- Attachments:* [MMay communication WA Property Impacts.pdf](#)
36. [2013-0097](#) Communication from the Director of Public Works/City Engineer regarding the 2014-2018 Capital Improvement Paving Program.
- Attachments:* [2014-18 Capital Improvement Paving Program Memo.pdf](#)
[2014-18 Capital Improvement Paving Program Attachment.pdf](#)
37. [2013-0102](#) Communication to vacate a portion of unimproved City right of way along the east side of 2338-40 S. 108 St., submitted by Teri Wagner.
38. [R-2013-0028](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of W. Oklahoma Ave. from S. Waukesha Rd. to S. 124 St. and portions of intersecting streets by major asphalt resurfacing, miscellaneous sidewalk repair, miscellaneous driveway repair and utility adjustments.
- Sponsors:* Public Works Committee

39. [R-2013-0029](#) Final Resolution authorizing public improvement by major asphalt resurfacing, miscellaneous sidewalk repair, miscellaneous driveway repair and utility adjustments in W. Oklahoma Ave. from S. Waukesha Rd. to S. 124 St. and portions of intersecting streets and levying special assessments against benefited properties.

Sponsors: Public Works Committee

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

40. [R-2013-0032](#) Resolution declaring Downtown West Allis . . . Third Thursday Art Crawls scheduled for May 2013 through September 2013 between 5:00 p.m. and 8:00 p.m. as a Community Event.

Sponsors: Safety & Development Committee

Attachments: [Third Thursday Art Crawls 2013.pdf](#)

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

No: 0

41. [2013-0098](#) Special Use Permit for Sammy's Taste of Chicago, a restaurant, proposed to be located at 1234 S. 108 St.

Held in Safety & Development Committee during recess.

42. [2013-0099](#) Special Use Permit to extend the hours of operation for a new restaurant, the Pizza Pit, a tenant within a portion of the existing Citgo station located at 6819-21 W. Lincoln Ave.

Attachments: [Pizza Pit ltr opposed.3-5-13.pdf](#)

Held in Safety & Development Committee during recess.

43. [2013-0100](#) Special Use Permit for Spoons Ice Cream to be located within the mixed commercial residential use building at 6501-29 W. Greenfield Ave.

Held in Safety & Development Committee during recess.

44. [2013-0101](#) Special Use Permit for Integrity Family Services to establish a training facility at 6014 W. Madison St.

Held in Safety & Development Committee during recess.

LICENSE & HEALTH COMMITTEE

28. [O-2013-0005](#) An Ordinance to Amend Subsections 7.05(1)(t), 7.05(3)(a)1 and 7.05(4)(a)1 of the West Allis Revised Municipal Code Relating to Changing the Definition of “Residential Container” and to Require that all Residential Waste be Placed in Containers Purchased Through the City.
- Sponsors:* Ald. Vitale
- Held in Public Works Committee during recess.*
Held in License & Health Committee during recess.
45. [O-2013-0004](#) An Ordinance to Amend Subsection 9.02(5)(b)5 of the City of West Allis Revised Municipal Code Relating to Alcoholic Beverages Temporary Extension of Class B Tavern Licensed Premises for Special Events.
- Sponsors:* License & Health Committee
- Aye:** 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel
- No:** 0
46. [2013-0093](#) 2012-2013 Secondhand Article Dealer License application no. 1943 of Shop Again, Inc., Haltham K. Hafez, Agent, d/b/a Playroom Closet for premises located at 1320 S. 108 Street.
47. [2013-0095](#) Package Goods Operator License application(s).
- 2012-2013 License application no. 1936 granted.*
2012-2014 License application no. 1941 granted.
48. [2013-0092](#) Tavern Operator License applications.
- 2012-2013 License application nos. 595-598 granted.*
2012-2014 License application nos. 238-245 granted.
49. [2013-0091](#) Police Department report regarding tavern violations/call for service for January 2013.
- Attachments:* [Police Report January 2013.pdf](#)
50. [2013-0088](#) Findings and Recommendations in the Matter of the Complaint Against D's Too, Inc., Pauline Ziegler, Agent relative to revocation of the Class B Beer License.
- Attachments:* [Findings of Fact.D's Too.2-19-13.pdf](#)
51. [2013-0089](#) Police Department Report involving The Drunken Duck, 5906 W. Burnham Ave., (2012-2013 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment, LLC, Lindsey Anne Guillermo, Agent, Incident Date: January 3, 2013).

52. [2013-0090](#) Police Department Reports involving Quenchers, 7731 W. Becher St. (2012-2013 Class B Tavern License no. 1453, Dance Hall License no. 1455 and Instrumental Music License no. 1774 of Sportz Medicine, LLC, John J. Biwer, Agent, Incident Date: January 5, 2013).
53. [2013-0075](#) 2012-2013 Class B Tavern License application of Paradise Café, LLC, Amilcar A. Alarcon, Jr., Agent, d/b/a Paradise Café, for premises located at 813 S. 60 St. (new-nonexisting location).
Held in License & Health Committee during recess.
54. [2013-0074](#) Application of Transfer of License from Premises to Premises of 2012-2013 Class B Tavern Liquor License no. 723 of Margarita Paradise, LLC/Paradise Café, LLC, Amilcar A. Alarcon, Agent, d/b/a Margarita Paradise from 11112 W. National Ave. to 813 S. 60 St.
Held in License & Health Committee during recess.
55. [2013-0066](#) 2012-2013 Class B Tavern License application no. 1939 and Instrumental Music License application no. 1940 of 6500 Bar and Grill, LLC, Celena M. Mooren, Agent, d/b/a 6500 Bar & Grill, for premises located at 6500 W. Greenfield Ave. (new-existing location).

Passed The Block Vote

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

No: 0

56. [2013-0055](#) Summons and Complaint in the matter of the complaint against D&G Investments, LLC, Thaddeus J. Derynda and Bernie Gallas (Partners), for premises located at 10401 W. Greenfield Ave., d/b/a Mobile Estates of West Allis (2011-2012, 2012-2013 Mobile Home Park License renewal applications no. 290).

Attachments: [D&G Invstmnts, LLC Summons.2-19-13.pdf](#)
[D&G Investments, LLC.Complaint.2-19-13.pdf](#)

Held in License & Health Committee during recess.

57. [2013-0054](#) Communication from Assistant City Attorney regarding Notice of Error in Name of Licensee for D&G Investments, LLC, Thaddeus J. Derynda and Bernie Gallas (Partners), (d/b/a Mobile Estates of West Allis at 10401 W. Greenfield Ave., Mobile Home Park License application no. 290).
Held in License & Health Committee during recess.
58. [2012-0512](#) Director of Building Inspections and Neighborhood Services communication regarding the 2011-2012 and 2012-2013 Mobile Home Park License, D&G Investments, Thaddeus J. Derynda and Bernie Gallas (Partners), d/b/a Mobile Estates of West Allis at 10401 W. Greenfield Ave.

Attachments: [BINS Comm. 10401 W. Greenfield Ave..pdf](#)

Held in License & Health Committee during recess.

ADVISORY COMMITTEE

59. [O-2013-0003](#) An Ordinance to Create Section 2.57 of the West Allis Revised Municipal Code Relating to Requiring Attendance of Board, Commission and Committee Members.

Sponsors: Advisory Committee

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, 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

None.

O. ADJOURNMENT

to adjourn at 8:32 p.m., with the next regularly scheduled meeting to be held on March 5, 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.