



# City of West Allis

## Meeting Minutes

### Common Council

7525 W. Greenfield Ave.  
West Allis, WI 53214

*Mayor Dan Devine, Chair*

*Aldersperson Thomas G. Lajsic, Council President*

*Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Kevin Haass,*

*Michael P. May, Cathleen M. Probst, Rosalie L. Reinke,*

*Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel*

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Tuesday, November 17, 2015

7:00 PM

City Hall Common Council Chambers

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#### 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. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

#### C. PLEDGE OF ALLEGIANCE

*The Pledge of Allegiance was led by Ald. Lajsic.*

#### D. PUBLIC HEARINGS

1. [R-2015-0233](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 89 St. from W. National Ave. to W. Lincoln Ave., W. Rogers St. from S. 92 St. to east of S. 89 St. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

**Sponsors:** Public Works Committee

*Explanation by Peter Daniels, Principal Engineer.*

*Appearances:*

*Sandra Lorenz, 8802 W. Rogers St., inquired about handicapped parking and access, the timeline of the project, driveway access, and commented on the amount on cars in the neighborhood.*

*Melissa Dlugi, 2000 S. 91 St., agrees with project being done, requested a stop sign at 91st and Rogers Street, and questioned how many cars are in the neighborhood and parking.*

***Public Hearing Held.***

2. [R-2015-0240](#) Resolution relative to determination of Special Use Permit to establish the BD Cooking Company, a proposed catering company, to be located at 7109 W. National Ave.

**Sponsors:** Safety & Development Committee

*Explanation by John Stibal, Director of Development.*

*Appearances: None.*

**Public Hearing Held.**

## E. CITIZEN PARTICIPATION

*Laura Temke, 546 N. 65 St., commented on the 2016 budget process and the lack of notice given to employees and retirees about the changes in the health insurance. Ms. Temke stated she is not against paying more for health insurance, but asked the Council to postpone health insurance changes until next year so employees can make the best decisions for their families. Ms. Temke commented on how twenty-percent of the employees will lose their current providers.*

## 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 reported on the Veteran's Ceremony held at Veterans Memorial Park and thanked Tanner Paull Post for their assistance and the West Allis Fire Department Honor Guard for presenting the Colors. At the ceremony a new flag pole was dedicated on site at the request of a veteran who lived in the community and who had served in Vietnam. Mayor Devine attended the Senior Center volunteer party for over 100 people who has twenty-five (25) hours of volunteering at the Senior Center. Mayor Devine commented on installing approximately 169 smoke detectors in homes along with installing batteries in both smoke detectors and carbon monoxide detectors. Mayor Devine thanked the Health Department, Professional Firefighters of Wisconsin for supplying many of the smoke detectors, and the local Batteries Plus for supplying the batteries. Mayor Devine announced the holiday festivities taking place on December 5, 2015 beginning with the Downtown Activities beginning at 1:30 p.m., Community Sing/Tree Lighting at 4:00 p.m. followed by the West Allis Community Christmas Parade.*

## H. ALDERPERSON'S REPORT

*Ald. Reinke announced that the Celebrations Committee is sponsoring the Veteran's Giving Tree located in West Allis City Hall.*

*Ald. Probst commended and attended a special award ceremony for Faith Angel Thomas who attends Jefferson Elementary school who was the recipient of the prestigious Girl Scout USA National Lifesaving Medal of Honor Award after hearing a man cry for help outside her schoolroom and alerting the main office at Jefferson Elementary School.*

## I. APPROVAL OF MINUTES

3. [2015-0795](#) Minutes (Draft) of the Common Council regular meeting of November 3, 2015.

*Attachments:* [110315 CC Minutes.draft](#)

**A motion was made by Ald. Lajsic, seconded by Ald. May, that this matter be Approved. The motion carried unanimously.**

## J. ITEMS NOT REFERRED TO COMMITTEE

4. [2015-0786](#) Report of the Municipal Judge for the month of October 2015, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$131,521.03.

**This matter was Placed on File on a Block Vote.**

5. [2015-0782](#) Summons and Complaint in the matter of Nationstar Mortgage LLC vs James Edward Davis, et al. regarding foreclosure of mortgage, Case No. 15CV008628.

*Attachments:* [Nationstar Mortgage](#)

**This matter was Referred for Legal Action to the City Attorney on a Block Vote.**

6. [2015-0784](#) Javon B. Lattimore Notice of Claim and Claim for Damages, Notice of Injury or Circumstances, and Notice of Injury and Claim relative to injuries and damages allegedly sustained on May 29, 2015.

**This matter was Referred for Legal Action to the City Attorney on a Block Vote.**

7. [2015-0788](#) Department of Workforce Development Notice of Amended Complaint Open Housing Law of Portia Wright ERD Case No. CR201400840.

*Attachments:* [DWD Amended Complaint P. Wright](#)

**This matter was Referred for Legal Action to the City Attorney on a Block Vote.**

8. [2015-0797](#) GEICO Casualty Company communication on behalf of Tracy Mc Cormick regarding vehicle damages allegedly sustained on August 9, 2015. Claim Number 050820643-0101-055.

**Attachments:** [T. McCormick.claim](#)

This matter was Referred for Legal Action to the City Attorney on a Block Vote.

**Passed The Block Vote**

A motion was made by Ald. May, seconded by Ald. Barczak, to approve all the actions on the preceding items on a Block Vote. The motion carried unanimously.

## K. STANDING COMMITTEE REPORTS

### ADMINISTRATION & FINANCE COMMITTEE

9. [2015-0740](#) Communication from City Administrator regarding proposed health insurance plan changes as included in the 2016 City of West Allis Mayor's Recommended Budget.

**Attachments:** [Communication re Health Insurance Plan Changes for 2016](#)  
[Amended Communication re health insurance](#)

A motion was made by Ald. Vitale, seconded by Ald. Haass, that this matter was Approved as Amended. The motion carried by the following vote:

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

**No:** 0

10. [2015-0735](#) 2016 City of West Allis Mayor's Recommended Budget.

**Attachments:** [2016 City of West Allis Mayor's Recommended Budget](#)

*A motion to amend was made by Ald. Probst, seconded by Ald. Lajsic to restore the 1.8% salary increase and reinstate the \$5,000 funding for performance appraisals for general staff. The motion carried by the following vote:*

*Aye: 8-Ald. Barczak, Haass, Lajsic, May, Probst, Reinke, Roadt, and Vitale.*

*No: 2-Ald. Czaplewski and Weigel.*

A motion was made by Ald. Barczak, seconded by Ald. Lajsic, that this matter was Approved as Amended. The motion carried by the following vote:

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

**No:** 1 - Ald. Probst

11. [O-2015-0051](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2016.

**Sponsors:** Administration & Finance Committee

**Attachments:** [Attachments to Appropriations Ordinance](#)  
[Amended Attachments to Appropriations Ordinance 111715](#)

**A motion was made by Ald. Vitale, seconded by Ald. May, that this matter was Passed as Amended. The motion carried by the following vote:**

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

**No:** 0

## L. COMMON COUNCIL RECESS

**A motion was made by Ald. Lajsic, seconded by Ald. Reinke, that the Council recess until completion of Committee meetings. The motion carried unanimously.**

*Thereupon, the Council took a recess at 7:45 p.m. Upon returning from recess at 8:17 p.m., and the roll call being taken, there were:*

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

## M. NEW AND PREVIOUS MATTERS

### ADMINISTRATION & FINANCE COMMITTEE

12. [R-2015-0217](#) Resolution relating to public access to information and records within the custody of the City of West Allis.

**Sponsors:** Administration & Finance Committee

**Attachments:** [NOTICE OF FEES Revised 11/17/15](#)  
[NOTICE OF FEES Revised 11/17/15 - marked up](#)

**This matter was Adopted on a Block Vote.**

13. [R-2015-0236](#) Resolution relative to selecting MSDSonline® for furnishing the software for the storage and accessibility of safety data sheets (SDS) or MSDS as required by Wisconsin's Safety and Professional Services codes for a three year period at the cost of \$15,300.

**Sponsors:** Administration & Finance Committee

**Attachments:** [MSDSonline Communication](#)  
[MSDSonline Contract](#)

**This matter was Adopted on a Block Vote.**

- 14. [R-2015-0237](#) Resolution amending the terms & conditions for an Economic Development Loan to Reclaimers LLC, under the Department of Housing and Urban Development Community Development Block Grant Program in an amount not to exceed \$150,000.

**Sponsors:** Administration & Finance Committee

**Attachments:** [Exhibit A - Commitment Letter \(11-17-15\)](#)

**This matter was Adopted on a Block Vote.**

- 15. [2015-0799](#) Communication from the Assistant City Engineer regarding the proposed change in title for Leo Kos.

**Attachments:** [Leo Los Retitle Communication Revised](#)

**This matter was Placed on File on a Block Vote.**

- 16. [2015-0800](#) Communication from HR Director requesting consideration of two matters pertaining to the Employee Recognition Awards Program.

**Attachments:** [Communication re Employee Recognition Awards Program](#)

**This matter was Approved and Placed on File on a Block Vote.**

- 17. [2015-0804](#) Fire Department request for the approval to sign Milwaukee Fire Department’s Indemnity Agreement and Release.

**Attachments:** [Fire Department communication](#)  
[F-154 MFD Ride Along Forms](#)

**This matter was Approved on a Block Vote.**

- 18. [2015-0792](#) City Administrator report on IT Steering Committee meetings.

**Attachments:** [IT Steering Committee Meeting Minutes 10/28/2015](#)

**This matter was Placed on File on a Block Vote.**

**Passed The Block Vote**

**A motion was made by Ald. Vitale, seconded by Ald. Probst, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:**

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

**No:** 0

**PUBLIC WORKS COMMITTEE**

19. [R-2015-0231](#) Resolution accepting work of Vinton Construction Company for the installation of sanitary sewer relay and sanitary sewer spot relay in various locations within the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2013 Project No. 17.

**Sponsors:** Public Works Committee

**This matter was Adopted on a Block Vote.**

20. [R-2015-0232](#) Resolution to approve the West Allis Water Utility December 1st, 2015 Simplified Rate Adjustment

**Sponsors:** Public Works Committee

**Attachments:** [Resolution Rate Attachment](#)

**This matter was Adopted on a Block Vote.**

21. [R-2015-0235](#) Resolution Calling on Governor Walker and the Wisconsin State Legislature to Pass Legislation to End Adverse Possession Claims Against Public Lands.

**Sponsors:** Public Works Committee

*Held in Public Works Committee during recess.*

22. [R-2015-0233](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 89 St. from W. National Ave. to W. Lincoln Ave., W. Rogers St. from S. 92 St. to east of S. 89 St. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

**Sponsors:** Public Works Committee

**This matter was Adopted on a Block Vote.**

23. [R-2015-0234](#) Final Resolution authorizing public improvement by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 89 St. from W. National Ave. to W. Lincoln Ave., W. Rogers St. from S. 92 St. to east of S. 89 St. and portions of intersecting streets and levying special assessments against benefited properties.

**Sponsors:** Public Works Committee

**This matter was Adopted on a Block Vote.**

#### Passed The Block Vote

**A motion was made by Ald. Barczak, seconded by Ald. Reinke, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:**

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

**No:** 0

#### SAFETY & DEVELOPMENT COMMITTEE

24. [O-2015-0052](#) An Ordinance to Establish Parking Restrictions on the North Side of the East 260 Feet of the 10800 Block of West Lapham Street.

**Sponsors:** Ald. Reinke and Ald. Haass

**This matter was Passed on a Block Vote.**

25. [R-2015-0238](#) Resolution authorizing the submittal of a \$400,000 FY 2016 U.S. EPA Brownfield Grant application for a City-wide Environmental Assessment Grant.

**Sponsors:** Safety & Development Committee

**This matter was Adopted on a Block Vote.**

26. [R-2015-0239](#) Resolution authorizing the Director of Development to enter into a contract with an environmental consultant to prepare a 2016 U.S. EPA Brownfield Grant application in an amount not to exceed \$5,000.

**Sponsors:** Safety & Development Committee

**This matter was Adopted on a Block Vote.**

27. [2015-0789](#) Amended Summons and Complaint in the matter of the Complaint Against John Scherff, d/b/a Central Wastewater Treatment of Wisconsin LLC, located at 356-360 S. Curtis Rd., regarding their Special Use Permit.

**Attachments:** [Amended Complaint CWT](#)

*Held in Safety & Development Committee during recess.*

28. [2015-0803](#) Special Use Permit to establish a Jersey Mikes restaurant within a portion of the existing multi-tenant retail building located at 3007 S. 108 St.

*Held in Safety & Development Committee during recess.*



29. [O-2015-0041](#) Ordinance to amend the official West Allis Zoning Map by rezoning a portion of the property located at 932 S. 60 St. from RB-2 Residence District to C-3 Community Commercial District.

**Sponsors:** Safety & Development Committee

**This matter was Passed as Amended on a Block Vote.**

30. [R-2015-0240](#) Resolution relative to determination of Special Use Permit to establish the BD Cooking Company, a proposed catering company, to be located at 7109 W. National Ave.

**Sponsors:** Safety & Development Committee

**This matter was Adopted on a Block Vote.**

31. [2015-0767](#) Special Use Permit to establish the BD Cooking Company, a proposed limited food production facility, to be located at 7109 W. National Ave.

**This matter was Placed on File on a Block Vote.**

#### Passed The Block Vote

**A motion was made by Ald. Lajsic, seconded by Ald. Probst, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:**

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

**No:** 0

#### LICENSE & HEALTH COMMITTEE

32. [2015-0796](#) Mega Marts, LLC communication regarding notice of change of liquor agent at the Pick 'n Save #6847 located at 6760 W. National Ave.

**Attachments:** [Mega Mart Communication](#)

**This matter was Approved on a Block Vote.**

33. [2015-0783](#) 2016 Gun Range License renewal application.

*License application no. 25 granted.*

**This matter was Approved subject to the necessary requirement(s) on a Block Vote.**

34. [2015-0794](#) 2015-2016 Adult-Oriented Establishment Operator Permit application(s).

*License application no. 2271 granted.*

**This matter was Approved on a Block Vote.**

35. [2015-0793](#) Operator's License (bartender/sales clerk) applications

*2015-2017 License application nos. 377 and 379 granted.*

**This matter was Approved on a Block Vote.**

36. [2015-0781](#) 2015-2016 Class B Tavern License application no. 2269 of Lutz Land Management, Inc., Mark S. Lutz, Agent, d/b/a Ka-Bob's Restaurant, 6801 & 6807 W. Becher Street (new-existing location).

**This matter was Approved subject to the necessary requirement(s) on a Block Vote.**

37. [2015-0773](#) Police Department report regarding tavern violations/calls for service for the month of October 2015.

**Attachments:** [Police Department Report October 2015](#)

**This matter was Placed on File on a Block Vote.**

38. [2015-0774](#) Police Department Report involving Boosters West, 7731 W. Becher St., of Boosters West, LLC, Keith P. Randolph, Agent, Incident Date: September 26, 2015.

**This matter was Placed on File on a Block Vote.**

39. [2015-0775](#) Police Department Report involving Walleye Saloon, 8824 W. Becher Street, of Janocik and Janocik, LLC, Andrew P. Janocik, Agent, Incident Date: September 27, 2015.

**This matter was Placed on File on a Block Vote.**

40. [2015-0776](#) Police Department Report involving Heart Breakers, 9440 W. National Avenue, of Milwaukee Entertainment, LLC, Steven N. Pohlbel, II, Agent, Incident Date: October 2, 2015.

**This matter was Placed on File on a Block Vote**

41. [2015-0777](#) Police Department Report involving The Drunk Uncle, 1902 S. 68 Street, of Steffek, LLC, Neal A. Steffek, Agent, Incident Date: October 9, 2015.

**This matter was Placed on File on a Block Vote**

42. [2015-0778](#) Police Department Report involving McGuire's Bar, 6235 W. National Ave., of McGuire's Bar, Inc., Daniel M. McGuire, Agent, Incident Date: October 10, 2015.

**This matter was Placed on File on a Block Vote**

43. [2015-0779](#) Police Department Report involving J. Beans Pub, LLC, 9033 W. National Ave., of J. Beans Pub, LLC, Jill Lisowski, Agent, Incident Date: October 17, 2015.

**This matter was Placed on File on a Block Vote**

44. [2015-0770](#) Summons and Complaint in the matter of the complaint against Daniel Hiley, for the premises located at 5832 W. Lincoln Ave., d/b/a Sale Inn (2015-2016 Class B Tavern License renewal application).

**Attachments:** [Summons Sales Inn](#)  
[Complaint Sale Inn](#)  
[Affidavit of Service](#)

*Held in License & Health Committee during recess.*

45. [2015-0771](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-360 of Heather K. Pijka.  
**This matter was Approved on a Block Vote**
46. [2015-0772](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-376 of Steven A. Denneau.  
**This matter was Approved on a Block Vote**
47. [2015-0791](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-378 of Michelle L. Drury.  
*Held in License & Health Committee during recess.*
48. [2015-0748](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-364 of Steven D. McIntosh.  
**This matter was Approved on a Block Vote**
49. [2015-0725](#) 2015-2016 Adult-Oriented Establishment Operator Permit application no. 2255 of Erica M. Heard.  
**This matter was Denied based on two (2) nonappearances on a Block Vote.**
50. [2015-0746](#) Police Department Report involving The Hideout, 6201 W. Mitchell St., of Hideout West Allis, Inc., Daniel R. Seiy, Agent, regarding Noise complaint and Trouble calls Incident Dates: September 20, 2015, August 29, 2015, September 5, 2015 and September 17, 2015.  
**This matter was Placed on File on a Block Vote.**

**Passed The Block Vote**

**A motion was made by Ald. Czaplewski, seconded by Ald. Barczak, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:**

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

**No:** 0

**ADVISORY COMMITTEE**

51. [R-2015-0216](#) Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 908, Records Retention Policy, Under City Clerk.

**Sponsors:** Advisory Committee

**Attachments:** [Records Retention Policy](#)  
[Records Retention Policy - marked up](#)

**This matter was Adopted on a Block Vote.**

52. [2015-0801](#) Reappointment by Mayor Devine of Ray Nazer as a member of the Historical Commission of the City of West Allis, his five-year term to expire December 31, 2020.

Attachments: [Nazer Appointment Letter](#)

**This matter was Approved on a Block Vote.**

53. [2015-0802](#) Appointments by Mayor Devine of Youth Members (Applegate, Dean, Kovnesky) to the West Allis Youth Commission.

Attachments: [Youth Commission Appointment Letter](#)

**This matter was Approved on a Block Vote.**

54. [2015-0805](#) Reappointment by Mayor Devine of Margee Maydak as a member of the West Allis Commission on Aging, her three-year term to expire November 1, 2018.

Attachments: [Maydak Appointment Letter](#)

**This matter was Approved on a Block Vote.**

#### **Passed The Block Vote**

**A motion was made by Ald. Reinke, seconded by Ald. May, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:**

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

**No:** 0

#### **N. ADJOURNMENT**

**A motion was made by Ald. Lajsic, seconded by Alt. Vitale, to adjourn at 8:30 p.m., with the next regularly scheduled meeting to be held on December 1, 2015, at 7:00 p.m. The motion carried unanimously.**

*Monica Schultz*  
*City Clerk*