

City of West Allis Meeting Minutes

7525 W. Greenfield Ave. West Allis, WI 53214

Common Council

Mayor Dan Devine, Chair
Alderperson Thomas G. Lajsic, Council President
Alderpersons: 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

Tuesday, October 6, 2015

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. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald.

Reinke, Ald. Roadt, and Ald. Vitale

Excused 1 - Ald. Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Barczak.

D. PUBLIC HEARINGS

1. Resolution relative to determination of Special Use Permit for Pope Auto Worx,

an existing business at 10204 W. Greenfield Ave., proposing an expansion to their auto repair facility at 10214 W. Greenfield Ave. and 102** W. Greenfield

Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

Public Hearing Held.

2. R-2015-0208 Resolution relative to determination of Special Use Permit for RSR Services, a

proposed commercial truck repair facility to be located at 6014 W. Beloit Rd.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Yuriy Ksenidi, 1131 S. 89 St., inquired when the business will open.

Public Hearing Held.

E. CITIZEN PARTICIPATION

Yuriy Ksenidi, 1131 S. 79 St., commented on crosswalk walk signals and street parking obstructing parking lot exits. He mentioned the repairs on the tennis courts at LaFollette Park were completed, and the 2nd annual Blood Drive at LaFollette Park on October 31st.

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 reminded everyone about Oktoberfest at the West Allis Farmers Market. He commented on Charles Doering, Jr., a WW II Veteran and lifelong West Allis resident, and the ceremony which awarded Mr. Doering the Knight of the Legion of Honor Medal from France.

Mayor Devine thanked staff at General Mitchell Elementary School regarding the public official question and answer session.

Mayor Devine thanked and commended the recipients at the West Allis Police Department annual awards ceremony.

H. ALDERPERSON'S REPORT

Ald. Vitale commented on the East Allis Neighborhood Association meeting and thanked staff for their presentations. He said he would like to see the East Allis Association split into four or five units because of the size of the organization to be more effective and be able to address concerns better.

Ald. Probst commented on the East Allis Neighborhood Association meeting and suggested a break down into smaller units to address items more relative to a specific area and to be more responsive to concerns of a neighborhood. She spoke about the City working to control the rodent problem and said every single resident needs to be involved to help control this problem.

Ald. May attended the Conrad Gardens Neighborhood Association meeting. He thanked the Center for Excellence and the West Allis Police Department for creating overnight parking online registration.

Ald. Reinke added to the Mayor's comment on General Mitchell School's panel discussion. She thanked the staff and students on a job well done and felt it was an excellent learning process about City Government.

Ald. Barczak commented on property complaints. He introduced the video "I'm that guy" put together by the City's Video Communication Department.

I. APPROVAL OF MINUTES

3. 2015-0696 Minutes (Draft) of the Common Council regular meeting of September 15,

2015.

Attachments: 09-15-15 CC Minutes.draft

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

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

Reinke, Ald. Roadt, and Ald. Vitale

No: 0

J. ITEMS NOT REFERRED TO COMMITTEE

4. 2015-0650 Summons and Complaint in the matter of North Milwaukee State Bank vs. First

Property Development, LLC, et al. regarding foreclosure of mortgage, Case No.

15CV007689.

Attachments: First Prop. Dev. Claim

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

5. 2015-0686 Notice of Claim and Notice of Injury submitted on behalf of Mary K. Sawczuk

relative to injuries and damages allegedly sustained on May 20, 2015.

Attachments: Mary K. Stawski.10-6-15

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

6. 2015-0687 Notice of Claim and Notice of Injury submitted on behalf of Jennifer L. Doyle

relative to injuries and damages allegedly sustained on May 20, 2015.

Attachments: J. Doyle Claim 10-6-15

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

7. <u>2015-0688</u> Kmiec Law Offices, S.C. Notice of Claim & Itemization of Injury on behalf of

Lillian & Michael Raymond regarding injuries and damages allegedly sustained

at 1445 S. 84 St. on August 16, 2015.

Attachments: Raymond Claim

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

8. 2015-0698 Michael Julius communication relative to property damages allegedly sustained

at 6754 W. Beloit Rd.

Attachments: Michael Julius 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. Probst, 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: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, and Ald. Vitale

No: 0

K. STANDING COMMITTEE REPORTS

None.

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 7:30 p.m. Upon returning from recess at 8:28 p.m., and the roll call being taken, there were:

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

Excused 1 - Ald. Weigel

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

9. Resolution approving an Action Plan for Fiscal Year 2016 relative to the

Community Development Block Grant (CDBG) Program.

Sponsors: Administration & Finance Committee

Attachments: Action Plan for Fiscal Year 2016

This matter was Adopted on a Block Vote.

10. Resolution approving an additional \$20,000 U.S. EPA Revolving Loan Fund

Subgrant from the City of West Allis to the Community Development Authority

of the City of West Allis for the property located at 1445-1501 S. 113 St.

Sponsors: Administration & Finance Committee

This matter was Adopted As Amended on a Block Vote.

11. Resolution approving a West Allis Neighborhood Association Small Grant

Program Organizational Grant to East Allis Neighborhood Association in the

amount of \$500.

Sponsors: Ald. Vitale

Attachments: Organizational Grant Application (10-1-15)

This matter was Adopted on a Block Vote.

12. R-2015-0209 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 \$15,000.

Sponsors: Administration & Finance Committee

Attachments: Bay View Advanced Management 2015-2016

This matter was Adopted on a Block Vote.

13. R-2015-0210 Resolution relative to selecting Maestro Health for furnishing the software for

the ACA reporting requirements for a three-year period at an estimated cost of

\$22,000.

Sponsors: Administration & Finance Committee

Attachments: Maestro Health Fee Proposal

Maestro Health Agreement

This matter was Adopted on a Block Vote.

14. R-2015-0205 Resolution relative to accepting the proposal of GHA Technologies, Inc. for

furnishing and delivering Video Storage Controllers for a total sum of

\$26,864.84

Sponsors: Administration & Finance Committee

<u>Attachments:</u> 1281 Video Storage Controller tabulation

This matter was Adopted on a Block Vote.

15. Resolution relative to accepting the proposal of CalAmp for furnishing and

delivering GPS equipment for the monitoring and tracking of city vehicles for a

total sum of \$35,000.

Sponsors: Administration & Finance Committee

This matter was Adopted on a Block Vote.

16. 2015-0699 Communication from the City Administrator regarding Executive Safety

Committee's recommendation to implement an incentive for worker's

compensation physical therapy services.

<u>Attachments:</u> Communication re Worker's Comp Physical Therapy Services

Executive Safety Cmte Meeting Minutes 09/11/15

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

17.	2015-0708	Communication from Director of Information Technology and Communications requesting approval of a limited term telecommuting position for Kathryn Perrone, IT Supervisor and Computer/Network Analyst.
	<u>Attachments:</u>	Memo re Telecommute Agreement for Kathryn Perrone
		Terms and Conditions re Perrone Telecommute Agreement
		This matter was Approved as Amended and Placed on File on a Block Vote.
18.	2015-0709	Communication from City Administrator transmitting Traffic Violation and Accident Reports for the period April 1, 2015 through June 30, 2015.
	Attachments:	Traffic Violation & Accident Reports for 2nd Quarter 2015
		This matter was Placed on File on a Block Vote.
19.	2015-0703	City Administrator report on IT Steering Committee meetings.
	Attachments:	ITSC Meeting Minutes 08/26/15
		This matter was Approved and Placed on File on a Block Vote.
20.	2009-0563	Miriam Lezama communication regarding property damage allegedly sustained
		at 1908-1910 S. 76 St. on August 13, 2009.
		This matter was Placed on File on a Block Vote.
21.	<u>2011-0680</u>	Ms. Sharon Knedle Notice of Claim for punitive and compensatory damages in the amount of \$225,000.00 regarding the matter of feeding squirrels.
		the amount of \$225,000.00 regarding the matter of reeding squirrels.
		This matter was Placed on File on a Block Vote.
22.	2011-0681	Mr. William H. McCarver Notice of Claim for punitive and compensatory
		damages in the amount of \$175,000.00 regarding the matter of feeding squirrels.
		This matter was Placed on File on a Block Vote.
23.	<u>2012-0371</u>	Summons & Verified Complaint and Demand for Jury Trial in the matter of
		Sharon Knedle vs. City of West Allis, et. al.
		This matter was Placed on File on a Block Vote.
24.	2012-0389	Summons & Verified Complaint and Demand for Jury Trial in the matter of
- **		William H. McCarver vs. City of West Allis, et. al. 12CV007388.
		This matter was Placed on File on a Block Vote.

25. 2012-0495 Centegra Health System communication on behalf of Judythe A. ONeil

regarding injuries allegedly sustained at the Wisconsin State Fair on August 12,

2012.

This matter was Placed on File on a Block Vote.

26. 2013-0142 Notice of Injury submitted on behalf of Heather Justham relative to injury

allegedly sustained at the intersection of S. 84 Street and W. Becher St. on

December 18, 2012.

This matter was Placed on File on a Block Vote.

27. 2015-0020 Summons and Complaint in the matter of Wisconsin Housing and Economic

Development Authority vs. Michael A. Flood and Aloma J. Flood, et al

regarding foreclosure of mortgage, Case No. 14CV010671.

Attachments: WHEDA vs Flood

This matter was Placed on File on a Block Vote.

28. 2015-0093 WDJT TV Station communication regarding 2014 Personal Property taxes.

Attachments: WEJT TV Station claim

This matter was Paid and Placed on File on a Block Vote.

29. 2015-0372 Amended Summons and Complaint in the matter of JPMorgan Chase Bank,

National Association vs. David M. Rangel, et al, regarding foreclosure of

mortgage,

Case No.15-CV-000235.

Attachments: JPMorgan Chase vs. Rangel, et at

This matter was Placed on File on a Block Vote.

30. 2015-0625 State Farm Insurance communication submitted on behalf of Jerome & Diane

Schumitsch relative to vehicle damages allegedly sustained on March 3, 2015.

Attachments: Schumitsch claim

This matter was Denied on a Block Vote.

31. 2015-0631 First Amended Complaint in the matter of Darrell K. Haze vs. Police Officer

Tieranie Merchant, et al.

Attachments: 1st amended complaint

amended order on motions

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

No: 0

PUBLIC WORKS COMMITTEE

32. Resolution requesting a waiver from requirements for a sidewalk or pedestrian

accommodations on the proposed S. 100th Street reconstruction project due to a

lack of support from residents adjacent to project.

Sponsors: Ald. May

This matter was Adopted As Amended on a Block Vote.

33. R-2015-0214 Resolution authorizing and directing the Director of Public/City Engineer to

enter into a revised "small cell" master license agreement with Verizon Wireless

Personal Communications.

Sponsors: Public Works Committee

Attachments: R-2015-0214 Master Lease Agreement

Held in Public Works Committee during recess.

34. Resolution authorizing staff to petition the Public Service Commission for a

Simplified Rate Increase.

Sponsors: Public Works Committee

<u>Attachments:</u> Rate Case Application October 2015

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

35. R-2015-0152 Resolution relative to determination of Special Use Permit for a proposed

extension of premise at Guzzler's Sports Lounge, an existing business located at

7408 W. Walker St.

Sponsors: Safety & Development Committee

This matter was Adopted on a Block Vote.

36. 2015-0508 Special Use Permit for a proposed extension of premise at Guzzler's Sports

Lounge, an existing business located at 7408 W. Walker St.

This matter was Placed on File on a Block Vote.

37. O-2015-0048 An ordinance to repeal and recreate subsections 16.52, 16.54(2), 16.62(5),

16.62(14) and 16.63 of the City of West Allis Revised Municipal Code, Chapter 16, Plumbing Code, relative to allowing plumbing permits for replacement

fixtures to be issued to homeowners.

Sponsors: Safety & Development Committee

This matter was Passed on a Block Vote.

38. R-2015-0211 Resolution authorizing the Community Development Authority to approve an

environmental remediation contract with Rams Contracting, Ltd estimated to be

in the amount of \$36,800.

Sponsors: Safety & Development Committee

Attachments: Remedial Action Bid-Rams Contracting

This matter was Adopted on a Block Vote.

39. 2015-0685 Petition in favor of the proposed extension of premise for Guzzler's Sports

Lounge located at 7408 W. Walker St.

Attachments: Guzzler's Sports Lounge Petition 10-6-15

This matter was Placed on File on a Block Vote.

40. Resolution relative to determination of Special Use Permit for Pope Auto Worx,

an existing business at 10204 W. Greenfield Ave., proposing an expansion to their auto repair facility at 10214 W. Greenfield Ave. and 102** W. Greenfield

Ave.

Sponsors: Safety & Development Committee

This matter was Adopted As Amended on a Block Vote.

41. 2015-0679 Special Use Permit for Pope Auto Worx, an existing business at 10204 W.

Greenfield Ave., proposing an expansion to their auto repair facility at 10214

W. Greenfield Ave. and 102** W. Greenfield Ave.

This matter was Placed on File on a Block Vote.

42. Resolution relative to determination of Special Use Permit for RSR Services, a

proposed commercial truck repair facility to be located at 6014 W. Beloit Rd.

Sponsors: Safety & Development Committee

This matter was Adopted As Amended on a Block Vote.

43. 2015-0633 Special Use Permit for RSR Services, a proposed commercial truck repair

facility to be located at 6014 W. Beloit Rd.

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: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald.

Reinke, Ald. Roadt, and Ald. Vitale

No: 0

LICENSE & HEALTH COMMITTEE

44. <u>O-2015-0047</u> An Ordinance to Create SubSection 9.02(24) of the West Allis Revised

Municipal Code Relating to Priority of License Applications.

Sponsors: Ald. Probst

This matter was Passed on a Block Vote

45. <u>0-2015-0049</u> An Ordinance to Amend Subsection 9.31(7)(d) of the West Allis Revised

Municipal Code Relating to Conviction Record of Applicant for an

Entertainment Club License.

Sponsors: Ald. Barczak

This matter was Passed on a Block Vote

46.	2015-0697	2015-2016 Special Class B Beer and Wine License application no. 22 of The ALS Association Wisconsin Chapter for an event, Milwaukee Walk to Defeat ALS, to be held at Greenfield Park, 2028 S. 124 St., on October 11, 2015, from 8:00 a.m. to 2:00 p.m. (1st application for the 2015-2016 license year. Beer and Wine to be served).
		This matter was Approved on a Block Vote
47.	<u>2015-0692</u>	2015-2016 Special Class B Beer and Wine License application(s).
		License application nos. 20-21 granted,
		This matter was Approved on a Block Vote.
48.	2015-0689	2015-2016 Operator's License (bartender/sales clerk) application no. 16-352 for Erica J. Schluenz.
		Held in License & Health Committee during recess.
49.	2015-0690	Operator's License (bartender/sales clerk) applications.
		2015-2016 License application nos. 353-355 & 358 granted. 2015-2017 License application nos. 342-343, 345-348 & 350-353 granted.
		This matter was Approved on a Block Vote.
50.	2015-0704	2015-2016 Used Vehicle Dealer License no. 2069 of Outlet Auto LLC, David Gardison, Agent, d/b/a Outlet Auto LLC, for the premises located at 5730 W. Lincoln Ave., issued on June 1, 2015.
		Held in License & Health Committee during recess.
51.	2015-0691	2015-2016 Used Vehicle Dealer License application no. 2254 of DEM Auto Sales, LLC, Erwing L. Jackson, Agent, d/b/a DEM Auto Sales, LLC, for the premises located at 5730 W. Lincoln Ave.
		This matter was Approved subject to the necessary requirement(s) on a Block Vote.
52.	2015-0693	Amended 2015-2016 Class B Tavern Floor Plan, Plan of Operation and Public Entertainment Form of Guzzler's Sports Lounge, LLC, Eric G. Millard, Agent, d/b/a Guzzler's Sports Lounge, for the premises located at 7408 W. Walker St. (extension of premises).
		This matter was Approved on a Block Vote.
53.	2015-0547	2015-2016 Class B Tavern License renewal application no. 862 of Rupena's, Inc., Maria E. Karczewski, Agent, d/b/a Rupena's Summit Café, for the premises located at 6737 W. Washington St.
		Held in License & Health Committee during recess.

00	mon country	Freeing Finances
54.	2015-0656	2015-2016 Class B Tavern License application no. 2251 of Uncle Festers LLC, Peggy L. Cetnarowski, Agent, d/b/a Uncle Festers, for the premises located at 5732 W. Mitchell St. (new-existing).
		This matter was Approved subject to the necessary requirement(s) on a Block Vote.
55.	2015-0627	2015-2016 Entertainment Club License application no. 2246 of Just For Today, Donald Henry and Fred D. Bell, Partners, for the premises located at 1900 S. 60 St.
	Attachments:	Just For Today Business Plan
		This matter was Approved subject to the necessary requirement(s) as amended on a Block Vote.
56.	2015-0694	Summons in the matter of the complaint against Big Dogs Sports Grill, LLC, Gary M. Jackowski, Agent, for the premises located at 9427 W. Greenfield Ave., d/b/a Big Dogs Sports Grill (2015-2016 Class B Tavern License renewal application no. 784).
	Attachments:	Summons Big Dogs Sports Grill 10-6-15
		Affidavit of Service Big Dogs Sports Grill
		Held in License & Health Committee during recess.
57.	2015-0672	Jonathan Klug communication relative to filing a complaint regarding the liquor license at 9427 W. Greenfield Ave. for Big Dog's Sports Grill not being in use since April.
	Attachments:	Craw Daddy's complaint filed 9-4-15
		This matter was Placed on File on a Block Vote.
58.	2015-0546	2015-2016 Class B Tavern License renewal application no. 784 of Big Dogs Sports Grill LLC, Gary M. Jackowski, Agent, d/b/a Big Dogs Sports Grill, for the premises located at 9427 W. Greenfield Ave.
		This matter was Placed on File on a Block Vote.
59.	2015-0660	2015-2016 Class B Tavern License application no. 2250 and Tavern Entertainment - Other Entertainment License application no. 2252 of Craw Daddy's LLC, Mike J. Weier, Agent, d/b/a Craw Daddy's, for the premises at 9427 W. Greenfield Ave. (new-existing).

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:

Held in License & Health Committee during recess.

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

No: 0

ADVISORY COMMITTEE

60. 2015-0701 Notification by Mayor Devine of reappointments to the Downtown West Allis

Business Improvement District of Gloria Hawkins, James Mejchar, and Douglas

Persich, their terms to expire October 10, 2018.

<u>Attachments:</u> Letter re BID Board Reappointments

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

61. 2015-0702 Notification of reappointment of Gerry Matter to the West Allis Community

Improvement Foundation, Inc.

Attachments: Reappointment of Gerry Matter to the WACIF

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

62. 2015-0705 Appointment by Mayor Devine of Marcia Lawson as the Beautification

Committee Member of the West Allis Block Grant Committee, her two-year

term to expire September 1, 2017.

This matter was Approved on a Block Vote.

63. 2015-0706 Reappointments by Mayor Devine to the West Allis Community Development

Authority of Wayne Clark, Peter Hansen, and Jason Metz, their four-year terms

to expire October 1, 2019.

This matter was Approved on a Block Vote.

64. 2015-0707 Reappointments by Mayor Devine to the West Allis Board of Review of Winard

Coley and Sharon Prindiville, their five-year terms to expire August 21, 2020.

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: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald.

Reinke, Ald. Roadt, and Ald. Vitale

No: 0

N. ADJOURNMENT

A motion was made by Ald. Lajsic, seconded by Ald. Reinke, to adjourn at 8:36 p.m., with the next regularly scheduled meeting to be held on October 20, 2015, at 7:00 p.m. The motion carried unanimously.

Monica Schultz, City Clerk