

City of West Allis Meeting Minutes

Common Council

Mayor Dan Devine, Chair Alderperson Thomas G. Lajsic, Council President Alderpersons: 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, May 21, 2013

7:04 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:04 p.m.

B. ROLL CALL

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

Excused 1 -Sengstock

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Reinke.

D. PUBLIC HEARINGS

Items 1 and 2 were taken together.

R-2013-0124 1.

Resolution authorizing the Director of Development to negotiate the sale of public lands located in the City of West Allis at 8** S. 72 St. (Tax Key No. 440-0004-001), 1000 S. 72 St. (Tax Key No. 440-0213-003) and 10** S. 72 St. (Tax Key No. 440-0213-002) to the School District of West Allis-West Milwaukee, et. al.

Sponsors: Public Works Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

2. R-2013-0123 Resolution authorizing the Director of Development to negotiate the sale of approximately 14.52 acres of public land located at 11301 W. Lincoln Avenue (a portion of Tax Key No. 484-9995-004) to the School District of West Allis-West Milwaukee, et. al.

Sponsors: Public Works Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Alex Lux, 3414 S. 119 St., thanked the adult advisors for the Youth Commission and commented on the Youth Commission's report.

Brian Kokta, 2031 S. 90 St., read the Youth Commission's report.

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 thanked the West Allis Fire Department for their Open House and the benefit/fundraiser for the victims of recent tragedies in the community.

He encouraged attention to the I-94 corridor project, and he announced West Allis Ala Carte.

H. ALDERPERSON'S REPORT

Ald. Weigel commented on the recent S. 74 St. incident, and said that a neighborhood meeting will be held for Ward 6.

Ald. Barczak commented on the little league facility at Reservoir Park, Barczak Field, and thanked the Department of Public Works for their assistance.

Ald. Roadt encouraged additional veterans to participate in the Memorial Day Parade.

Ald. Reinke wished Sophia Baranowski a happy 104th Birthday. She said the July 4th events are listed in the City's Newsletter, and she commented on the Breakfast of Champions. She announced the contest being held, and commented on Memorial Day and the veterans being honored.

Ald. May thanked the West Allis Fire Department for the fundraiser this past weekend for the families of the victims from recent fires. He reported on the Open House, and commended Swiss Turner Gymnastics. He commented on the Department of Transportation's Open House for the east-west corridor project. He encouraged resident response on the opposition of ramp elimination at S. 70 St. or Hawley Rd.

that the agenda be amended to include items #22, 27, 28 and 30 as joint referrals to the Safety and Development Committee and the Public Works Committee be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of May 7, 2013

J. ITEMS NOT REFERRED TO COMMITTEE

3. 2013-0268 Report of the Municipal Judge for the month of April 2013, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$192,103.92.

Attachments: Municipal Judge Report April 2013.pdf

4.	2013-0265	Amended Summons and Complaint in the matter of JP Morgan Chase Bank, National Association vs. Waukesha State Bank, et al, regarding foreclosure of mortgage, Case No. 13-CV-002329.
5.	2013-0266	Amended Summons and Complaint in the matter of JP Morgan Chase Bank, National Association vs Waukesha State Bank, et al, regarding foreclosure of mortgage, Case No. 13-CV-002004.
6.	2013-0267	Amended Summons and Complaint in the matter of JP Morgan Chase Bank, National Association vs Ana E. Hernandez, et al, regarding foreclosure of mortgage, Case No. 13-CV-004021.
7.	2013-0307	Lynnette Vollmer communication regarding vehicle damages allegedly sustained eastbound on W. Lincoln Ave. about S. 99 St. on April 13, 2013.

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

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 7:32 p.m. Upon returning from recess at 8:41 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

8. Resolution Awarding the Sale of \$8,140,000 General Obligation Corporate Purpose Bonds, Series 2013A.

Sponsors: Administration & Finance Committee

9.	R-2013-0121	Resolution approving the terms & conditions for an Economic Development Loan to Commercial Bargains Inc., under the Department of Housing and Urban Development Community Development Block Grant Program in an amount not to exceed \$25,000.
	Sponsors:	Administration & Finance Committee
10.	R-2013-0122	Resolution approving the terms & conditions for an Economic Development Loan to BEStrege LLC under the Department of Housing and Urban Development Community Development Block Grant Program in an amount not to exceed \$150,000.
	<u>Sponsors:</u>	Administration & Finance Committee
11.	2013-0269	West Allis Professional Police Association communication regarding opening of contract negotiations.
	Attachments:	WA Prof Police Association communication.pdf
		Held in Administration & Finance Committee during recess.
12.	<u>2013-0295</u>	Communication from City Administrative Officer regarding request to fill upcoming vacant position of Community Health Technician at the Health Department.
	Attachments:	VACPOSREQ.CommHlthTech 052113.pdf
13.	<u>2013-0296</u>	Communication from City Administrative Officer regarding request to fill vacant position of Arborist in the Department of Public Works, Forestry Division.
	Attachments:	VACPOSREQ.Arborist ForDiv 052113.pdf
City	Attorney Claim R	Report
14.	2008-0001	Amended Summons and Complaint in the matter of Beneficial Wisconsin, Inc., vs. Estate of Jon Stoll and City of West Allis Fire Department.
15.	2009-0121	Summons and Complaint in the matter of Countrywide Home Loans Servicing LP vs. City of West Allis, et al.
16.	<u>2010-0108</u>	Amended Summons and Complaint in the matter of Citibank, N.A. vs. Linda A. Torres, et al., regarding foreclosure of mortgage, Case No. 09CV017934.
17.	2010-0272	Susan R. Opitz communication regarding injuries allegedly sustained near 10534 W. Greenfield Ave. on April 2, 2010.
18.	2011-0674	Amended Summons and Complaint in the matter of Wells Fargo Bank, N.A. vs. Brian T. Williams and Dolores E. Williams, et al, regarding foreclosure of mortgage, Case No. 10-CV-013658.
19.	2012-0097	Second Amended Summons and Complaint in the matter of U.S. Bank National Association vs. Kimberly A. Burns, et al., regarding foreclosure of mortgage, Case No. 09-CV-014679.
20.	<u>2013-0187</u>	Ralinda Howard communication regarding vehicle damages allegedly sustained at

approximately South 70 Street and West Washington Street on March 15, 2013.

21. 2013-0222

Todd Gross communication regarding vehicle damages allegedly sustained eastbound on W. Lincoln Ave. about S. 98 St. on April 4, 2013.

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

23. R-2013-0116 Resolution Authorizing and Directing the Director of Public Works/City Engineer to

Pay For Sanitary Sewer Lateral Repairs at 1570 South 72nd Street in the Total

Amount of \$9,616.66.

Sponsors: Public Works Committee

Attachments: R-2013-0116.pdf

24. Resolution accepting work of Northern Pipe Equipment, Inc. for the closed circuit TV

inspection of sanitary and storm sewers at various locations within the City of West Allis and authorizing and directing settlement of said contract in accordance with

contract terms of 2012 Project No. 3.

Sponsors: Public Works Committee

25. R-2013-0128 Resolution to approve bid of State Contractors, Inc. for the removal and

reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, utility adjustments and storm underdrain in various locations within the City of West Allis, in

the amount of \$940,458.15.

Sponsors: Public Works Committee

Attachments: 2013-6 BID RESULTS.pdf

26. 2013-0291 Downtown West Allis Business Improvement District (BID) requesting street closures

of West Greenfield Ave., from 5:00 a.m. to 6:00 p.m., use of the City Hall parking lot for registration, parking restrictions, the use of signs and supplies from the Department of Public Works, and additional Police presence for their 23rd Annual Classic Car

Show on Sunday, October 6, 2013.

Attachments: BID 23rd Annual Classic Car Show 2013.pdf

22. Resolution directing the Director of Development to submit and execute an Offer to

Purchase for the property located at 11300 W. Cleveland Ave.

Sponsors: Public Works Committee

Attachments: Offer to Purchase 11300 W. Cleveland Ave 5-21-13.pdf

27. Resolution authorizing the Director of Development to negotiate the sale of public

lands located in the City of West Allis at 8** S. 72 St. (Tax Key No.

440-0004-001), 1000 S. 72 St. (Tax Key No. 440-0213-003) and 10** S. 72 St. (Tax Key No. 440-0213-002) to the School District of West Allis-West Milwaukee,

et. al.

Sponsors: Public Works Committee

28. Resolution authorizing the Director of Development to negotiate the sale of

approximately 14.52 acres of public land located at 11301 W. Lincoln Avenue (a portion of Tax Key No. 484-9995-004) to the School District of West Allis-West

Milwaukee, et. al.

Sponsors: Public Works Committee

30. Resolution authorizing the sale of 0.49 acres of Community Development Authority of

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

Sponsors: Safety & Development 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

29. Ordinance to amend Subsection 16.54(3) of the Revised Municipal Code relative to

plumbing plan review of commercial buildings and to amend Subsection 16.62(15)

relative to establishing plumbing plan review fees.

Sponsors: Safety & Development Committee

31. 2013-0299 Special Use Permit for a proposed addition to Oscar's Frozen Custard, an existing

restaurant located at 2362 S. 108 St.

Held in Safety & Development Committee during recess.

32. 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.

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

LICENSE & HEALTH COMMITTEE

35.	<u>2013-0261</u>	2013-2014 Secondhand Jewelry Dealer License application(s).
		License application nos. 357, 360-361, 1055 and 1882 granted.
36.	2013-0262	2013-2014 Secondhand Article Dealer License application(s).
		License application nos. 329, 332, 1191, 1375, 1888 and 1978 granted.
37.	<u>2013-0263</u>	2013-2014 Pawn Dealer License application(s).
		License application nos. 1058 and 1860 granted.
38.	<u>2013-0264</u>	2013-2014 Salvage & Recycling Center License application(s).
		License application nos. 351 and 352 granted.
39.	<u>2013-0273</u>	2013-2014 Used Vehicle Dealer License application(s).
		License application no. 1973 granted.
40.	<u>2013-0274</u>	2013-2014 Amusement Distributor's License application(s).
		License application nos. 430, 435-437, 441, 1854 and 1975 granted.
41.	<u>2013-0275</u>	2013-2014 Phonograph Distributor's License application(s).
		License application nos. 420-421, 1056, 1855 and 1974 granted.
42.	2013-0292	2013-2014 Arcade License application(s).
		License application no. 1628 granted.

43.	<u>2013-0293</u>	2013-2014 Trailer and Truck Rental License application(s).
		License application no. 407 granted.
44.	<u>2013-0285</u>	Package Goods Operator License application(s).
		2013-2014 License application nos. 1927-1930 and 1936 granted.
45.	<u>2013-0241</u>	Tavern Operator License applications.
		2013-2014 License application nos. 270, 273, 275-277, and 280-281 granted. 2013-2015 License application nos. 88, 89, 91-94, 96, 97, 113-115, 117, 119-122, 124, 126-129, 134-144, 152-154, 156, 158-170, 173-183, 185-187, 189-193, 195, 197-199 and 211 granted.
46.	2013-0310	2012-2013 Class B Tavern Special Event Permit application no. 17 of D&N Lynch, Inc., Joseph Lynch, Agent, d/b/a Lynch's, 2300 S. 108 St., (2012-2013 Class B Tavern License application no. 489, Instrumental Music License application no. 617 and Dance Hall License application no. 616) for Huskies Gridiron Club fundraising, June 15, 2013 from 3:00 p.m. to 11:00 p.m. (Tents, food and music in fenced area.). 2nd application for 2012-2013 license year.
47.	<u>2013-0276</u>	2013-2014 Combination Class A Liquor License renewal application(s).
		License application nos. 920, 925, 932, 934, 936, 938, 1087, 1089, 1205, 1299, 1351, 1494 and 1502 granted.
48.	<u>2013-0286</u>	2013-2014 Class B Tavern, Dance Hall, Tavern Entertainment-Special License,
		Instrumental Music, Pool Tables and Bowling Alleys renewal applications.
		2013-2014 Class B Tavern License application nos. 489, 637, 650, 663, 669, 674, 680, 700, 717, 748, 751, 753, 773, 776, 786, 797, 806, 815, 827, 862, 863, 1082, 1095, 1232, 1238, 1264, 1301, 1310, 1312, 1415, 1440, 1490, 1524, 1571, 1594, 1611, 1613, 1620, 1654, 1663, 1722, 1743, 1759, 1784, 1806, 1840, 1867, 1878, 1908, 1913 and corresponding Dance Hall, Tavern Entertainment-Special License, Instrumental Music, Pool Tables and Bowling Alleys renewal applications granted.
49.	<u>2013-0232</u>	Police Department report regarding tavern violations/call for service for April 2013.
	<u>Attachments:</u>	Police Report April 2013.pdf
50.	2013-0271	Police Department Report involving Shepherd's Hideaway, 8924 W. Schlinger Ave. (2012-2013 Class B Tavern License no. 806, Dance Hall License no. 808, and Instrumental Music License no. 809 of Shepherd's Sports Lounge, Inc., Christina M. Knueppel, Agent, Incident Date: March 30, 2013). Held in License & Health Committee during recess.

51.	2013-0272	Police Department Report involving Tap City, 7207 W. National Ave. (2012-2013 Class B Tavern License no. 650, Instrumental Music License no. 1510, and Dance Hall License no. 652 of Tap City, Inc., Mary M. Pakula, Agent, Incident Date: April 16, 2013).
		Held in License & Health Committee during recess.
52.	2013-0303	Carnival Permit application no. 1 of Corina Wenzel for Wenzel Amazements at Immaculate Heart of Mary Church grounds, 1121 S. 116 St., from May 24-26, 2013.
53.	<u>2013-0305</u>	Carnival Permit application no. 2 of St. Aloysius Catholic Church for Rainbow Valley Rides at St. Al's, 1414 S. 93 St., from May 31, 2013 to June, 2, 2013.
54.	<u>2013-0308</u>	Carnival Permit application no. 3 of Downtown West Allis, Inc. for West Allis Ala Carte, Greenfield Avenue between S. 70 - 76 Streets, on June 2, 2013.
55.	2013-0278	2013-2014 Class B Beer License renewal application no. 1828 of Wisconsin CVS Pharmacy, LLC, John Sili, Agent, d/b/a CVS / Pharmacy #5676 located at 7552 W. Oklahoma Ave. (new agent)
56.	2013-0281	2013-2014 Class B Tavern License application no. 1918, Dance Hall License application no. 1920, and Instrumental Music License application no. 1919, of new-existing location).
57.	2013-0277	2013-2014 Class B Tavern License renewal application no. 768, Dance Hall License renewal application no. 1652, and Instrumental Music License renewal application no. 771 of Kip's Inn, Inc., Gina Jaeckel, Agent, d/b/a Kip's Inn located at 837 S. 108 Street. (new agent)
58.	2013-0279	2013-2014 Class B Tavern License renewal application no. 1895 of Blazin Wings, Inc., Richard T. Buchanan, Agent, d/b/a Buffalo Wild Wings #409 located at 2950 S. 108 St. (new agent)
59.	2013-0280	2013-2014 Class B Tavern License renewal appl. no. 1159, Instrumental Music License renewal appl. no. 1160 and Dance Hall License renewal appl. no. 1161 of DDT Bobblehedz, Inc., David Bickler, Jr., Agent, d/b/a Bobblehedz located at 5630 W. Lincoln Ave. (new agent).
		Held in License & Health Committee during recess.
60.	2013-0283	2013-2014 new Instrumental Music License application no. 1972 and Class B Tavern License renewal application no. 1931 of 3M Management LLC, Melissa M. Martin, Agent, d/b/a M & M's Sports Bar, premises location at 1900 S. 60 St.
		for the Class B Tavern License renewal application no. 1931; Denied new Instrumental Music License application no. 1972
61.	2013-0282	2013-2014 Class B Tavern License renewal application no. 853 and Dance Hall License renewal application no. 854 of Ubie's Double Vision, LLC, Robert A. Uebelacker, Agent, d/b/a Ubie's Double Vision, premises location at 5501 W. Burnham St.

		Held in License & Health Committee during recess.
62.	2013-0302	2013-2014 Class B Tavern License renewal application no. 791 and Dance Hall License renewal application no. 793 of N. S. Inc., Ricky E. Sergeant, Agent, d/b/a Sarge's Corner for premises located at 1979 S. 54 St.
		Held in License & Health Committee during recess.
63.	<u>2013-0270</u>	2012-2013 Direct Sellers/Solicitors Permit application no. 14 of Jacob Marx.
		Held in License & Health Committee during recess.
64.	2013-0298	2012-2013 Direct Sellers/Solicitors Permit application no. 19 of Austin Kairis.
		Held in License & Health Committee during recess.
65.	<u>2013-0300</u>	2012-2013 Direct Sellers/Solicitors Permit application no. 21 of Peter G. Hutchins.
		Held in License & Health Committee during recess.
66.	<u>2013-0306</u>	2012-2013 Direct Sellers/Solicitors Permit application no. 25 of Benjamin Katrichis.
		Held in License & Health Committee during recess.
67.	2013-0290	2013-2015 Tavern Operator License renewal application no. 15-90 of Eric G. Millard.
		Held in License & Health Committee during recess.
68.	<u>2013-0287</u>	2013-2015 Tavern Operator License renewal application no. 15-95 of John A. Cissa.
		Held in License & Health Committee during recess.
69.	2013-0288	2013-2015 Tavern Operator License renewal application no. 15-151 of Albert Hernandez.
		Held in License & Health Committee during recess.
70.	2013-0284	2013-2014 Class B Tavern License application no. 1970 of Janocik and Janocik, LLC, Andrew P. Janocik, Agent, d/b/a The Walleye Saloon, for premises located at 8824 W. Becher St. (new-existing location).
71.	2013-0239	2013-2015 Tavern Operator License renewal application no. 15-005 of Ashlee J. Leonard.
72.	2013-0171	2012-2013 Tavern Operator License application no. 13-610 of Shawn A. Kazubowski.
73.	2013-0177	2012-2013 Class B Beer License appl. no. 1957 of Bonappetito of West Allis, Inc., Michael P. Martello, Agent, d/b/a Lupitas Mexican Kitchen, for premises located at 1126 S. 70 St., Suite 106C. (new-nonexisting location).
74.	2013-0037	Communication from Assistant City Attorney regarding Municipal Judgments on Noudeum Pophannouvong, d/b/a Hong Thai Restaurant, premises located at 6425 W. Greenfield Ave.
	<u>Attachments:</u>	COM. Hong Thai Rest.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

33. 2013-0301

2013-2014 Class B Tavern License renewal application no. 1530 and Instrumental Music License renewal application no. 1532 of Gregory S. Barczak, d/b/a 88 Keys Piano Martini Lounge, premises located at 7211 W. Greenfield Avenue.

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

No: 0

Present: 1 - Ald. Barczak

34. <u>O-2013-0024</u>

An Ordinance to Create Subsection 7.05(7)(a) of the West Allis Revised Municipal Code Relating to Refuse Collection and City-Issued Containers.

Sponsors: Ald. Czaplewski

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

No: 0

ADVISORY COMMITTEE

75. 2013-0309

Communication from the Executive Director relative to the Community Development Authority's approval of the creation of a Resident Advisory Board (RAB) for the Section 8 Housing Choice Voucher (HCV) Program.

Attachments:

Comm-Res approving the creation of RAB - Sec 8 HCV 5-21-13.pdf

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

No: 0

N. ADJOURNMENT

to adjourn at 8:51 p.m., with the next regularly scheduled meeting to be held on June 4, 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.