



City of West Allis

Meeting Agenda

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

Tuesday, November 17, 2015

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

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

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

E. CITIZEN PARTICIPATION

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

New and Previous Matters referred to Committees may be considered and acted upon by Committees during the Common Council recess. Unless otherwise announced during the meeting, the standing Committees of the Common Council will meet during recess in the following rooms and in the following order:

Common Council Chambers
Administration & Finance, Safety & Development, Advisory

Room 128
Public Works, License & Health

G. MAYOR'S REPORT

1. Recent events attended
2. Awards/commendations
3. Upcoming events

H. ALDERPERSON'S REPORT

1. Recent events attended
2. Awards/commendations
3. Upcoming events

I. APPROVAL OF MINUTES

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

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

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.
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](#)

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.
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](#)

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](#)

K. STANDING COMMITTEE REPORTS**ADMINISTRATION & FINANCE COMMITTEE**

Regular Meeting held on November 9, 2015.

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](#)

Unanimously recommended for approval as amended.

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

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

Recommended to be approved as amended by the following vote:

Ayes: 4-Haass, Lajsic, May, and Vitale

Noes: 1-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](#)

Unanimously recommended for passage as amended.

L. COMMON COUNCIL RECESS**M. NEW AND PREVIOUS MATTERS****ADMINISTRATION & FINANCE COMMITTEE****New Matters for Introduction**

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](#)

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](#)
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 \(11-17-15\)](#)
15. [2015-0799](#) Communication from the Assistant City Engineer regarding the proposed change in title for Leo Kos.
- Attachments: [Leo Los Retitle Communication_Revised](#)
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](#)
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](#)
18. [2015-0792](#) City Administrator report on IT Steering Committee meetings.
- Attachments: [IT Steering Committee Meeting Minutes 10/28/2015](#)

PUBLIC WORKS COMMITTEE

New Matters for Introduction

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

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](#)

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

Public Hearing Items (Public Works Committee)

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

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

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

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

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

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

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](#)

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.

Previous Matters for Consideration

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

Public Hearing Items (Safety & Development Committee)

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

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.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

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](#)

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

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

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

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).

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

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

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.
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.
40. [2015-0776](#) Police Department Report involving Heart Breakers, 9440 W. National Avenue, of Milwaukee Entertainment, LLC, Steven N. Pohlabe, II, Agent, Incident Date: October 2, 2015.
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.
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.
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.
44. [2015-0770](#) Summons in the matter of the complaint against Daniel Hilety, 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](#)

45. [2015-0771](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-360 of Heather K. Pijka.
46. [2015-0772](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-376 of Steven A. Denneau.
47. [2015-0791](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-378 of Michelle L. Drury.

Previous Matters for Consideration

48. [2015-0748](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-364 of Steven D. McIntosh.
49. [2015-0725](#) 2015-2016 Adult-Oriented Establishment Operator Permit application no. 2255 of Erica M. Heard.
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.

ADVISORY COMMITTEE**New Matters for Introduction**

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

N. ADJOURNMENT

All meetings of the Common Council 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.