



City of West Allis

Meeting Minutes

7525 W. Greenfield Ave.
West Allis, WI 53214

Committee of the Whole

Common Council President Thomas G. Lajsic, Chair
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, June 2, 2015

6:00 PM

City Hall Room 128

SPECIAL MEETING (draft minutes)

A. CALL TO ORDER

The meeting was called to order by Council President Lajsic at 6:00 p.m.

B. ROLL CALL

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

Others Present: Rebecca Grill, City Administrator; Mayor Dan Devine; Scott Post, City Attorney; Monica Schultz, City Clerk, John Stibal, Director of Development, Michael Lewis, City Engineer/Director of Public Works; Jim Jandovitz, Director of Information Technology/Communications; Ed Lisinski, Building Inspections and Neighborhood Services Director; Dave Wepking, Assistant Director of Public Works; Joseph Burtch, Assistant City Engineer; Mark Wyss, Finance Director/Comptroller, City Treasurer; and Janel Lemanske, Secretary to the Committee.

C. APPROVAL OF MINUTES

[2015-0376](#) Minutes (Draft) of the Committee of the Whole special meeting of August 5, 2014.

Attachments: [080514 COW Special Minutes \(draft\)](#)

A motion was made by Ald. Vitale, seconded by Ald. Barczak, to approve the minutes of August 5, 2014 Special meeting. The motion carried unanimously.

D. NEW AND PREVIOUS MATTERS

25. [O-2014-0073](#) An Ordinance to Create Section 1.060 of the Revised Municipal Code Relating to User Fees for the Residential Private Property Sanitary Inflow and Infiltration Reduction Program.

Sponsors: Public Works Committee

Attachments: [Attachment for Ordinance](#)

A motion was made by Ald. Vitale, seconded by Ald. Barczak, that this matter be recommended for passage. Discussion ensued.

Ald. Weigel asked Mr. Post to expand on the email from Ms. Grill because of concerns and tax versus fees. Mr. Post explained that this program is not State mandated, and that there are policy reasons to do it or not to if that is the Council's decision. Ald. Barczak confirmed tax is classified as taking the fees and putting into a general fund or applying it to something else; a fee is classified as those monies that go for that purpose. The initial authorization isn't a problem as explained by Mr. Post, it is years down the road that an alderman might see the fund and want to spend it on another purpose. That is now a tax, and where the City can run into trouble. A fee is created for a specific purpose. Ald. Vitale verified that it would take the full Council to make any amendments to this program. Ald. May questioned if the funds can be used by staff to fund the Water Department in which Mr. Post explained that if the funds are used for another purpose it would be considered a tax. However, using the funds to administer the program is allowed. A user fee is anyone who gets a benefit out of the program and not a direct benefit. Ald. May touched on the email from Ms. Grill with only twenty-percent (20%) of the meter sheds out of compliance meaning eighty-percent (80%) are in compliance, and of those who are in compliance in those meter sheds may feel they don't have a benefit of this program. Mr. Lewis explained if everyone does contribute, everyone benefits.

Ald. May question why a targeted program would not be beneficial. As road improvements occur, fix or repair the problem. Mr. Burtch commented on seeking volunteers, or fix those with problems, but couldn't find enough monies to target just one area at time and this is a citywide problem. He stressed that everyone pays for the flows. Ald. May suggest putting it on a special assessment and allow to pay over twenty (20) years, and it would go with the property; and to have a separate debt bonded fund. Mr. Burch explained the contract has to be paid so that wouldn't work.

Mr. Wyss explained to issue debt to a fund you would have to spend the monies within an allotted time, and you would have to be specific on what you are spending and then spend down to avoid an arbitrage. As long as you turn over the funds then it can be viable. Ald. Barczak clarified that under Ald. May's suggested target/debt program the homeowner would pay the entire cost and the City will give the property owner twenty (20) years to pay off their debt. Council President Lajsic stated the current proposal is a measured approach to be affordable to help the lower incomes along with the higher incomes and he looks at the program as a positive. Ald. Vitale stated that this is a citywide program and a good program.

Ald. Reinke questioned once monies have accumulated and future alderpersons wish to discontinue the program, how would those monies be distributed. Mr. Post advised you would have to continue the program or face lawsuits. Mr. Burtch said that this

program can be looked at as an incentive when selling your property. This program counts on 99% of homes not to fail or the cost would be much greater. Ald. Czaplewski would like this brought to a referendum since once this program is started it can't be stopped and it's committing everyone forever. Mr. Burtch stated they are looking for the leaking laterals before they fail and the decision lies not with the City's Engineering Department but by a National standard. Ald. May questioned if there are other ideas and Mr. Lewis stated that all ideas were considered and this is the best program and a fair program. Mr. Post stated that you cannot make people inspect their laterals, and you would need to have probable cause; and Mr. Post suggested amending Subsection 6(b)(4) of the Ordinance pertaining to catastrophic events and suggested amending it to add "repair or "rehabilitation of sanitary laterals". Ald. Barczak commented that if the City didn't have any money left then it is your responsibility, the Council can make a decision at that time to borrow monies.

Mr. Post said the ordinance states the City is obligated to all repairs so if there is a catastrophic event such as an earthquake the City is obligated to pay for them even though the funds may not be there the City would have to then borrow the funds. The City does not have to do rehabilitations but does have to do repairs. Repair means the tearing out of the lateral; rehabilitation is putting in the insert. Mr. Burtch said what he sees is guarantying nothing for the fee if no funds are available. Ald. Barczak that if the fund is out of money without a catastrophic event then the City can borrow the monies, and that decision can be made at that point.

A motion was made by Ald. Barczak, seconded by Ald. Reinke, that this matter be recommended for passage as amended to amend Subsection 6(b)(4) to include "repair or "rehabilitation". The motion carried unanimously. Discussion ensued.

A motion was made by Ald. Vitale, seconded by Ald. Barczak, that this matter was Recommended for Passage. The motion carried by the following vote:

- Aye:** 8 - Ald. Lajsic, Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. May, Ald. Probst, Ald. Reinke, and Ald. Vitale
- No:** 2 - Ald. Roadt, and Ald. Weigel

24. [R-2015-0138](#) Resolution to create the Policies and Procedures Section 2823, Engineering Division of Public Works, to describe the standard policies followed by the Engineering Division in regard to administering the Residential Private Sanitary Inflow/Infiltration Reduction Fund Program (Private Sanitary Program).

Sponsors: Public Works Committee

Attachments: [Policy Draft rev2](#)

A motion was made by Ald. Vitale, seconded by Ald. Barczak, that this matter was Recommended For Adoption. The motion carried unanimously.

- Aye:** 9 - Ald. Lajsic, Ald. Barczak, Ald. Czaplewski, Ald. Haass, Ald. May, Ald. Probst, Ald. Reinke, Ald. Vitale, and Ald. Weigel
- No:** 1 - Ald. Roadt

26. [2015-0016](#) Communication from the Assistant City Engineer regarding an update on the proposed Residential Private Property Inflow/Infiltration Reduction Fund.

Attachments: [2015-0016 - ORDINANCE DRAFT](#)

[2015-0016 - FAQ](#)

[2015-0016 - POLICY DRAFT](#)

[2015-0016 - MEMO](#)

[2015-0016 - MAP](#)

A motion was made by Ald. Vitale, seconded by Ald. Reinke, that this matter was Recommended to be Placed on File. The motion carried unanimously.

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

No: 0

30. [2015-0226](#) Communication from Director of Public Works/City Engineer introducing a proposed Park policy.

Attachments: [COMM-2015-0226 policy and memo](#)

This matter was Held.

31. [2015-0229](#) Communication from Director of Public Works/City Engineer regarding application for Park Use Permit.

Attachments: [COMM - Park Use Permit](#)

This matter was Held.

E. ADJOURNMENT

Meeting adjourned at 7:00 p.m.

Respectfully submitted,

Janel Lemanske

Secretary to the Committee