

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 18, 2016

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 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. Barczak.

D. PUBLIC HEARINGS

1. Resolution to approve the Year 2017 Operating Plan for the Downtown West

Allis Business Improvement District and to adopt the Special Assessment

Method as stated therein (Final).

Sponsors: Administration & Finance Committee

Attachments: BID 2017 Operating Plan (FINAL)

R-2016-0248 Signed Resolution

Explanation by Steve Schaer, Planning Manager.

Appearances: None.

This matter was Public Hearing Held.

2. R-2016-0249

Resolution relative to determination of Special Use Permit for Light of Grace Annex, a proposed religious institution, to be located at 5900 W. National Ave.

Sponsors: Safety & Development Committee

Explanation by Steve Schaer, Planning Manager.

Appearances: None.

This matter was Public Hearing Held

E. CITIZEN PARTICIPATION

None.

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 announced the following Halloween events: the Citywide Trick-or-Treat will take place October 29, 2016 and made mention of the "Teal" pumpkins which signifies those homes handing out allergy-free candy or an alternative non-food treat; the Downtown Halloween Hunt will be held on October 29, 2016 between S. 70 - S. 76 Streets; and the Community Alliance Against Drugs "Halloween in the Park" event is scheduled for October 22, 2016 at Greenfield Park.

Mayor Devine congratulated Antigua Latin Inspired Kitchen Chef Nicholas Ramos, a West Allis resident, who won the American Culinary Federation Chefs of Milwaukee, Inc. - Chef of the Year award.

H. ALDERPERSON'S REPORT

Ald. May announced a new map application for leaf collection which can be accessed through the City's website at www.westalliswi.gov.

I. APPROVAL OF MINUTES

3. <u>2016-0627</u> Minutes (Draft) of the Common Council regular meeting of October 4, 2016.

<u>Attachments:</u> 100416 CC Minutes.draft

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

J. ITEMS NOT REFERRED TO COMMITTEE

4. 2016-0606 American Family Insurance communication on behalf of Eleanor L. Nass

regarding vehicle damages allegedly sustained on September 6, 2016. Claim

#00-445-187536.

Attachments: E. Nass Claim

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

5. 2016-0616 Randall Hierl Notice of Claim and Circumstances of Claim regarding property

damages allegedly sustained on July 2016 at 2171 S. 89 Street.

Attachments: R. Hierl Notice of Claim

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

Passed The Block Vote

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

K. STANDING COMMITTEE REPORTS

COMMITTEE OF THE WHOLE

Item nos. 6-8 reported out after Recess.

L. COMMON COUNCIL RECESS

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

Thereupon, the Council took a recess at 7:19 p.m. Upon returning from recess at 8:20 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

9. Resolution relative to accepting the proposal of Schenck SC for furnishing

Financial Auditing Services for the period January 1, 2016 through December

31, 2016 for total sum of \$52,165.00.

Sponsors: Administration & Finance Committee

Attachments: Communication regarding Schenck financial auditing services

Schenck Financial Auditing Services Proposal for 2016

R-2016-0251 Signed

This matter was Adopted on a Block Vote.

10. R-2016-0252 Resolution requesting authorization to list used fire apparatus for sale.

Sponsors: Administration & Finance Committee

Attachments: Communication regarding disposal of used fire apparatus

Information on FireTec Used Apparatus Sales

This matter was Adopted on a Block Vote.

11. 2016-0621 Communication from City Administrator recommending the appointment of

Ms. Peggy Steeno for the position of Finance Director/Comptroller/Treasurer.

Attachments: Appt. for the position of Finance Dir./Comptroller/Treasurer

Held in Administration & Finance Committee during recess.

12. 2016-0623 Communication from City Administrator requesting approval to fill an

upcoming vacant position of Arborist in the Department of Public Works,

Forestry Division.

<u>Attachments:</u> Request to fill Arborist position in Forestry Division

This matter was Approved on a Block Vote.

13. 2016-0620 City Administrator report on IT Steering Committee meetings.

Attachments: IT Steering Committee Meeting Minutes for 09/28/2016

This matter was Placed on File on a Block Vote.

14. Resolution relative to accepting the proposal of Schenck, SC for furnishing

Financial Auditing Services for the period January 1, 2016 through December

31, 2018 for total sum of \$158,075.00.

Sponsors: Administration & Finance Committee

<u>Attachments:</u> Communication regarding Schenck financial auditing services

Schenck Financial Auditing Services Proposal for 2016-2018

This matter was Placed on File on a Block Vote.

15. 2016-0139 Scott Radcliffe communication relative to damages allegedly sustained at 3103

S. 112 St. on January 7, 2016.

Attachments: Scott Radcliffe damages claim

This matter was Placed on File on a Block Vote.

16. 2016-0448 Jake Napientek communication relative to property damages allegedly sustained

on May 25, 2016.

Attachments: Napientek Claim

This matter was Denied on a Block Vote.

17. 2016-0557 Allen Thigpen, Jr. communication requesting reimbursement of towing fees

allegedly sustained at the North West corner of S. 84 St. and W. Lapham Ave.

on August 13, 2016.

Attachments: A Thigpen tow fees

This matter was Denied on a Block Vote.

18. 2016-0595 Nicholas Niemczyk communication regarding vehicle damages allegedly

sustained at 1626 S. 93 St. on August 11, 2016.

Attachments: N. Niemczyk veh dmg

This matter was Placed on File on a Block Vote.

19. Resolution to approve the Year 2017 Operating Plan for the Downtown West

Allis Business Improvement District and to adopt the Special Assessment

Method as stated therein (Final).

Sponsors: Administration & Finance Committee

Attachments: BID 2017 Operating Plan (FINAL)

R-2016-0248 Signed Resolution

This matter was Adopted on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Haass, 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

PUBLIC WORKS COMMITTEE

20. Ordinance to Amend Subsections 11.05(1) and 11.05(1)(a) of the West Allis

Revised Municipal Code Relating to Vehicular Travel Causing Litter.

Sponsors: Public Works Committee

This matter was Passed on a Block Vote.

21. O-2016-0048 Ordinance to Repeal and Replace Section 11.11 of the West Allis Revised

Municipal Code Relating to High Voltage Wires and Poles.

Sponsors: Ald. Lajsic

Attachments: Ordinance - High Voltage Wires and Poles

This matter was Passed on a Block Vote.

22. O-2016-0049 Ordinance to Amend Subsection 11.18 (3) and Create Subsections 11.18 (16) &

(17) of the West Allis Revised Municipal Code Relating to Permit Fee

Schedules.

Sponsors: Public Works Committee

Attachments: Ordinance - Fee Schedules

This matter was Passed on a Block Vote.

23. R-2016-0247 Resolution authorizing and directing the Director of Public Works/City

Engineer to enter into an Operating Agreement with Midwest Bikeshare, Inc., to

operate a bike-sharing program in the City of West Allis.

Sponsors: Public Works Committee

Attachments: Bublr Operating Agreement - West Allis

This matter was Adopted on a Block Vote.

24. Resolution to approve bid of UPI, LLC for the installation of water main relay

and building services in South 57th St. from West National Avenue to West Greenfield Avenue in the City of West Allis in the amount of \$141,963.00.

Sponsors: Public Works Committee

Attachments: 2016-18 BID RESULT

R-2016-0250 Signed

This matter was Adopted on a Block Vote.

25. R-2016-0253 Resolution to Impose a Moratorium on Issuance of Right of Way permits for

Installation of New Other Than Standard Utility and Light Poles as defined in

Section 11.11 of the Revised Municipal Code.

Sponsors: Public Works Committee

Attachments: R-2016-0253 Signed

This matter was Adopted on a Block Vote.

26. R-2016-0254 A Resolution to Amend the City's Policies & Procedures Manual No. 2806

Relating to Special Assessments & Sidewalk Improvements.

Sponsors: Public Works Committee

Attachments: P&P 2806 Special Assessments-Sidewalk Improve-Original

P&P 2806 Special Assessments-Sidewalk Improve-Clean
P&P 2806 Special Assessments-Sidewalk Improve-Rev

R-2016-0254 Signed

This matter was Adopted on a Block Vote.

27. R-2016-0255 A Resolution to Amend the City's Policies & Procedures Manual No. 2611

Relating to Street Repair.

Sponsors: Public Works Committee

Attachments: P&P 2611 Street Repair-Clean

P&P 2611 Street Repair-Rev

R-2016-0255 Signed

This matter was Adopted on a Block Vote.

28. R-2016-0256 A Resolution to Amend the City's Policies & Procedures Manual No. 2612

Relating to Snow Plow Damage Complaints.

Sponsors: Public Works Committee

Attachments: P&P 2612 Snow Plow Damage Complaints-Clean

P&P 2612 Snow Plow Damage Complaints-Rev

R-2016-0256 Signed

This matter was Adopted on a Block Vote.

29. R-2016-0257 A Resolution to Amend the City's Policies & Procedures Manual No. 2814

Relating to the 10-Year Sidewalk Repair Program.

Sponsors: Public Works Committee

Attachments: P&P 2814 10Y Sidewalk Repair Prog-Clean

P&P 2814 10Y Sidewalk Repair Prog-Rev

R-2016-0257 Signed

This matter was Adopted on a Block Vote.

30. R-2016-0258 A Resolution to Delete City of West Allis Policies & Procedures Manual Policy

No. 2815 Relating to the Interim 5-Year Sidewalk Review Program.

Sponsors: Public Works Committee

Attachments: P&P 2815 Interm 5Y Sidewalk Review Prog-Original

R-2016-0258 Signed

This matter was Adopted on a Block Vote.

Previous Matters for Consideration

31. 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 Placed on File on a Block Vote.

32. 2015-0229 Communication from Director of Public Works/City Engineer regarding

application for Park Use Permit.

Attachments: COMM - Park Use Permit

This matter was Placed on File on a Block Vote.

33. 2016-0186 Communication from the Director of Public Works/City Engineer regarding

selecting bags or carts for the City's recycling program.

<u>Attachments:</u> 2016-0186

This matter was Placed on File 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

34. 2016-0617 City of New Berlin Notice of Public Hearing before the City of New Berlin Plan

Commission scheduled for November 9, 2016, at 6:00 p.m., in regard to an

overall update to the City's 2020 Comprehensive Plan.

Attachments: City of New Berlin Official Notice

This matter was Placed on File on a Block Vote.

35. 2016-0622 Special Use Permit for Gill Automotive, a proposed auto repair business, to be

located at 9435 W. Lincoln Ave.

Held in Safety & Development Committee during recess.

36. 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.

37. 2016-0125 Proposed Findings of Fact and Directions to Staff 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: Proposed Findings of Fact-CWT

Held in Safety & Development Committee during recess.

38. R-2016-0249 Resolution relative to determination of Special Use Permit for Light of Grace

Annex, a proposed religious institution, to be located at 5900 W. National Ave.

Sponsors: Safety & Development Committee

This matter was Adopted on a Block Vote.

39. 2016-0610 Special Use Permit for Light of Grace Annex, a proposed religious institution,

to be located at 5900 W. National Ave.

This matter was Placed on File 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: 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

40. O-2016-0047 An Ordinance to Amend Subsection 9.01(1) of the West Allis Revised

Municipal Code Amending the Number of Class "A" Liquor Licenses Permitted

within the City.

Sponsors: License & Health Committee

A motion was made by Ald. Czaplewski, seconded by Ald. Weigel, that this matter was Passed. The motion carried by the following vote:

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

No: 2 - Ald. Barczak, and Ald. Roadt

41. 2016-0618 Summons and Complaint in the matter of the complaint against Top Dog

Enterprises, LLC, Ronald Mellantine, Agent, for the premises located at 9638 W. National Ave., d/b/a The Choice Eatery & Entertainment (2016-2017 Class

B Tavern License no. 2316).

<u>Attachments:</u> Summons The Choice Eatery & Entertainment

Summons time correction

Complaint The Choice Eatery & Entertainment

Affidavit of Service

This matter was Issue a Findings and Recommendation to revoke on a Block Vote.

42. 2016-0635 License applications.

2016-2018 Operator's License (bartender/sales clerk) applications: Chiraag Valand, and Cheryl Shilts

2016-2017 Secondhand Article Dealer License application(s): Brew Town Trading Co., LLC, 7633 W. Beloit Rd.

2016-2017 Special Class B Beer & Wine License(s):

Milwaukee Croatian Tambaritzans, 2025 S. 67 Pl., October 22, 2016, 5:00 p.m. to 11:00 p.m.

(1st event for 2016-2017 license year, 1st event for Beer & Wine)

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

43. 2016-0601 2016-2017 Class B Tavern License application no. 2359, Dance Hall License application no. 22360, and Instrumental Music License application no. 2361 of

Thirsty Cow Gastropub, LLC, Iura S. Gianesini, Agent, d/b/a Thirsty Cow Gastropub, for the premises located at 7211 W. Greenfield Avenue

Castropuo, for the prefinses located at 7211 W.C

(new-existing location).

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

44. <u>2016-0605</u> 2016-2017 Class B Tavern License application no. 2363, of Elaine C. Schmay,

d/b/a Elaine, for the premises located at 1022 S. 60 St. (new-existing location).

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

45. 2016-0626 2016-2017 Class B Tavern Special Event Permit application no. 12 of John

Starr Pickles, LLC, John Starr, Agent, d/b/a Broken Starr Saloon, 1100 S. 60 Street, for a Custome/Birthday Party to be held on October 22, 2016, from 2:00

p.m. to 11:00 p.m. (Food, tent, and outdoor music). First (1st) application for the

2016-2017 license year.

This matter was Approved on a Block Vote.

47. O-2016-0041 An Ordinance to Repeal Subsection 9.01(1) of the West Allis Revised

Municipal Code Relating to Elimination of the Quota on Class A Licenses.

Sponsors: License & Health Committee

Attachments: Class A Survey - 2016

Class A License Establishments

This matter was Placed on File on a Block Vote.

48. O-2016-0042 An Ordinance to Create Subsections 9.01(1)(a) and (b) of the West Allis

Revised Municipal Code Relating to the Number of Class A Licenses.

Sponsors: Ald. May and Ald. Barczak

This matter was Placed on File on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Czaplewski, seconded by Ald. Vitale, 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

46. 2016-0444 2016-2017 Combination Class A Liquor License application no. 2338 of

Parthenon Foods, Inc., Danny C. Sarandos, Agent, d/b/a Parthenon Foods, for the premises located at 8415 W. Greenfield Ave., (new-nonexisting location).

A motion was made by Ald. Czaplewski, seconded by Ald. Weigel, that this matter was Approved subject to the necessary requirement(s) conditional upon Ordinance O-2016-0046 being passed and published. The motion carried by the following vote:

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

No: 2 - Ald. Barczak, and Ald. Roadt

ADVISORY COMMITTEE

49. 2016-0629 Reappointment by Mayor Devine of Nicole Dahms as a member of the West

Allis Block Grant Committee, her two-year term to expire September 1, 2018.

<u>Attachments:</u> Dahms Appointment Letter

This matter was Approved on a Block Vote.

50. 2016-0630 Reappointment by Mayor Devine of Michael Plicka as member of the West

Allis Block Grant Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his

two-year term to expire September 1, 2018.

Attachments: Plicka Appointment Letter

This matter was Approved on a Block Vote.

51. 2016-0632 Reappointments by Mayor Devine to the West Allis Commission on Aging of

Deborah Tiegs and John Zentgraf, their three-year terms to expire November 1,

2019.

<u>Attachments:</u> <u>Tiegs Appointment Letter</u>

Zentgraf Appointment Letter

This matter was Approved on a Block Vote.

52. 2016-0633 Reappointment by Mayor Devine of Karin Gale as a member of the West Allis

Community Development Authority, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her four-year term to expire October 1, 2020.

Attachments: Gale Appointment Letter

This matter was Approved on a Block Vote.

53. 2016-0634 Appointment by Mayor Devine of Barbara Hart as a member of the West Allis

Library Board, her term to expire July 1, 2017.

<u>Attachments:</u> Hart 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

Aye:

COMMITTEE OF THE WHOLE

6. R-2016-0220 Resolution relative to the modification of the organizational and reporting

structure of the City of West Allis (Organizational Chart) and amending the City

of West Allis Policies & Procedures Manual Policy No. 403 (Shared

Responsibilities of Mayor and City Administrator).

Sponsors: Ald. Haass, Ald. Lajsic and Ald. May

Attachments: Policy 403. Mayor and City Administrator Duties & Responsibilities

Proposed Future Organizational Chart

R-2016-0220 Signed

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

8 - Ald. Barczak, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 2 - Ald. Czaplewski, and Ald. Reinke

7. R-2016-0221 Resolution relative to amending City of West Allis Policies & Procedures

Manual Policy No. 404, Recruitment, Selection, Appointment and Confirmation

for City Officials and Department Heads.

Sponsors: Administration & Finance Committee

Attachments: Policy 404 - Marked Copy

R-2016-0221 Signed

A motion was made by Ald. Lajsic, seconded by Ald. May, that this matter was Adopted. 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

8. Resolution relative to repealing and recreating the City of West Allis Policies &

Procedures Manual Policy No. 405, Discipline for Non-Elective Officials

(Executive Service/Department Heads).

Sponsors: Administration & Finance Committee

Attachments: Policy 405 - Current Version

Policy 405 - Proposed Recreated Version.090616

Policy 405 - 10/18/16 Marked Version

Policy 405 - 10/18/16 Final Clean Version

R-2016-0222 Signed

A motion was made by Ald. Czaplewski, seconded by Ald. Roadt, that this matter be amended to remove reference to Chair in 5.3 to be Administration and Finance Committee. 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

A motion was made by Ald. Lajsic, seconded by Ald. Probst, that this matter was Adopted 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

N. ADJOURNMENT

A motion was made by Ald. Lajsic, seconded by Ald. Reinke, to adjourn at 8:41 p.m., with the next regularly scheduled meeting to be held on November 1, 2016, at 7:00 p.m. The motion carried unanimously.

Respectfully submitted, Monica Schultz, City Clerk