

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, Kevin Haass, Michael P. May, Rosalie L. Reinke, Daniel J. Roadt, Tracy Stefanski, Vincent Vitale, and Martin J. Weigel

Tuesday, May 21, 2019

7:13 PM

City Hall Common Council Chambers 7525 W. Greenfield Avenue

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:13 p.m.

B. ROLL CALL

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. May.

D. PUBLIC HEARINGS

1. Resolution approving the Vacation and Discontinuance of a portion of unimproved

City alley right-of-way between S. 107 St. and S. 108 St. south of W. Lincoln Ave.

and north of W. Hayes Ave.

Sponsors: Public Works Committee

Attachments: Description & Location

R-2019-0355 signed

Explanation by Peter Daniels, City Engineer.

Appearances: None.

Public Hearing Held

E. CITIZEN PARTICIPATION

None.

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

Mayor Devine announced that the following standing Committees would meet during recess: Administration & Finance, Public Works, Safety & Development, License & Health, and Advisory.

G. MAYOR'S REPORT

Mayor Devine reminded everyone about the West Allis Ala Carte schedule for June 2.

H. ALDERPERSON'S REPORT

None.

I. APPROVAL OF MINUTES

2. 2019-0363 Minutes (draft) of the Common Council Regular meeting of May 7, 2019.

Attachments: 050719 CC Minutes.draft

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

J. ITEMS NOT REFERRED TO COMMITTEE

3. 2019-0331 Report of the Municipal Judge for the month of April 2019, consisting of all fines,

costs and fees collected by the City of West Allis in the sum of \$146,421.47.

Attachments: Municipal Judge April 2019

This matter was Placed on File on a Block Vote

4. 2019-0329 Claim by Tauntila Russell and Frederick Jackson regarding damage vehicle at

Wildwood and Montana on 104th Street on May 1, 2019.

Attachments: Tauntila Russell and Frederick Jackson

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

5. 2019-0330 Claim by Andi Lushi regarding damage to property at 7726 W. Becher Street on

March 8, 2019.

Attachments: Claim - Andi Lushi 5-21-19

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

6. 2019-0347 Claim by Jacob Pogorzelski regarding damages to property at 3165 S. Toldt

Parkway on April 21, 2019.

Attachments: 2019-0347 Claim - Jacob Pogorzelski 5-17-2019

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

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 7:18 p.m. Upon returning from recess at 8:39 p.m., and the roll call being taken, there were:

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

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

7. Resolution approving an Intergovernmental Cooperation Agreement between the City

of West Allis ("City") and the Wisconsin State Fair Park Board ("Board") for first aid, first response, and emergency transport for the 2019 and 2020 State Fair

seasons.

Sponsors: Administration & Finance Committee

Attachments: State Fair EMS Contract 2019-20

R-2019-0346 signed

Signed - State Fair EMS Contract 2019-20

This matter was Adopted As Amended on a Block Vote

8. Resolution to authorize the allocation of an amount not to exceed \$3,300 for pay for

exceptional performance for Municipal Court personnel.

Sponsors: Administration & Finance Committee

Attachments: R-2019-0347 signed

This matter was Adopted on a Block Vote

9. Resolution relative to approval of the Employment Contract for the position of Health

Commissioner with Robert Leischow.

Sponsors: Administration & Finance Committee

Attachments: Health Commissioner Employment Contract

R-2019-0351 signed

This matter was Adopted on a Block Vote

10. Resolution to amend City of West Allis Policies & Procedures Manual Policy No.

1110, Creating, Maintaining, and Administering Pay Ranges, including amending the

title to "Compensation and Pay Administration".

Sponsors: Administration & Finance Committee

Attachments: Policy #1110 - Amended Copy

Policy #1110 - Updated Copy (Clean)

R-2019-0356 signed

This matter was Adopted on a Block Vote

11. R-2019-0359 Resolution to approve a Use Agreement between the City of West Allis ("City") and

the West Allis-West Milwaukee Recreation and Community Services Department of the School District of West Allis-West Milwaukee, et al. ("Department") for use of

McKinley Park.

Sponsors: Administration & Finance Committee

Attachments: McKinley Park Use Agreement

Held in Adminstration & Finance Committee during recess.

12. 2019-0332 Finance Director/Comptroller submitting report for April 2019 indicating City of West

Allis checks issued in the amount of \$2,746,720.54.

Attachments: April 2019 Monthly Claims Report to CC

This matter was Placed on File on a Block Vote

13. 2019-0370 Discussion regarding possible opioid manufacturer litigation using outside counsel.

Held in Adminstration & Finance Committee during recess.

Previous Matters for Consideration

14. 2018-0977 Peter Troia Notice of Claim regarding vehicle damages allegedly sustained at Root

River Pkwy and W. Oklahoma Ave. on April 6, 2017.

Attachments: Peter Troia

Claim Report - Troia and AmFam S & C Peter J. Troia et al 5-15-19

Held in Administration & Finance Committee during recess.

15. 2018-0693 Summons and Complaint in the matter of Felker Family, LP vs. City of West Allis

regarding money judgment. Case No. 2018CV004472.

Attachments: Felker Family LP Claim

Held in Administration & Finance Committee during recess.

City Attorney Claim Report

16. 2019-0030 Virginia D. Paszek Notice of Claim regarding personal property damages allegedly

sustained at 7126 W. Lincoln Avenue on December 5, 2018.

Attachments: 2019-0030 Claim - Virginia D. Paszak 01-10-2019

Claims Report-May 2019

This matter was Placed on File on a Block Vote

17. 2019-0082 Claim by Tiffany Salazar regarding damage to vehicle at 1958 S. 55th Street on

January 27, 2019.

Attachments: Claim - Tiffany Salazar 02-18-2019

Claims Report-May 2019

This matter was Placed on File on a Block Vote

18. 2019-0183 Claim by Joshua Rodriguez regarding damage to vehicle at 935 S. 111 St. on January

19, 2019.

Attachments: 2019-0183 Claim - Joshua Rodriguez 03-13-2019 redacted

Claims Report-May 2019

This matter was Placed on File on a Block Vote

19. 2019-0220 Erie Insurance Notice of Claim relative to Andrea Kische, vehicle damages allegedly

sustained at 624 S. 92 St., on February 26, 2019.

Attachments: 2019-0220 Erie Insurance

Claims Report-May 2019

This matter was Denied on a Block Vote

20. 2019-0222 Stacey Medved Notice of Claim relative to property damages allegedly sustained at

7112 W. Beloit Rd. on November 30, 2018.

Attachments: 2019-0222 Claim Medved

Claims Report-May 2019

This matter was Placed on File 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. May, Ald. Haass, Ald. Lajsic, Ald. Reinke, Ald. Roadt, Ald. Stefanski, Ald. Vitale, and Ald. Weigel

No: 0

PUBLIC WORKS COMMITTEE

21. Resolution Approving an Agreement between the City of West Allis and the

Milwaukee Metropolitan Sewerage District (MMSD) to receive \$89,000 in funding

through the MMSD Green Solutions Program for the installation of Green

Infrastructure in the West Allis Business Improvement District Municipal Parking Lot.

Sponsors: Public Works Committee

Attachments: West Allis Downtown Parking Lot G98005P33

R-2019-0316

This matter was Adopted on a Block Vote

22. R-2019-0306 Resolution accepting work of Langer Roofing & Sheet Metal, Inc. for the roof

replacement at the West Allis Police Department located at 11301 West Lincoln Avenue in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms for final payment of 2014 Project No. 13

in the amount of \$500.00 of the \$290,747.00 total project cost.

Sponsors: Public Works Committee

Attachments: R-2019-0306 signed

This matter was Adopted on a Block Vote

23. Resolution accepting work of Visu-Sewer, Inc. for the installation of sanitary and

storm sewer lining, sanitary sewer spot lining, sanitary sewer grouting and sanitary manhole lining and grouting at various locations throughout City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms

for final payment of 2017 Project No. 24 in the amount of \$500.00 of the

\$227,760.25 total project cost.

Sponsors: Public Works Committee

Attachments: R-2019-0317 signed

This matter was Adopted on a Block Vote

24. R-2019-0321 Resolution accepting work of American Sewer Services, Inc. for the installation of

concrete curb and gutter, concrete pavement, concrete sidewalk, driveway replacement, sanitary sewer relay, water main relay, building services and utility adjustments in South 57th Street from West National Avenue to West Lapham Street in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms for final payment of 2017 Project No. 5 in the

amount of \$16,494.65 of the \$923,886.25 total project cost.

Sponsors: Public Works Committee

Attachments: R-2019-0321 signed

This matter was Adopted on a Block Vote

25. 2019-0066 Deliberating the repair or replacement of the Public Works Facility currently located

at 6300 West McGeoch Avenue.

Held in Public Works Committee during recess.

26. Resolution approving the Vacation and Discontinuance of a portion of unimproved

City alley right-of-way between S. 107 St. and S. 108 St. south of W. Lincoln Ave.

and north of W. Hayes Ave.

Sponsors: Public Works Committee

Attachments: Description & Location

R-2019-0355 signed

This matter was Adopted on a Block Vote

Passed The Block Vote

A motion was made by Ald. Barczak, 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. May, Ald. Haass, Ald. Lajsic, Ald. Reinke, Ald. Roadt, Ald. Stefanski, Ald. Vitale, and Ald. Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

27. Resolution approving a Certified Survey Map to consolidate 2 lots into 1 lot,

submitted by Tu Tan Nguyen d/b/a Ilura LLC, on behalf of Chau Vo. (Tax Key Nos.

444-0511-001 and 444-0513-000).

Sponsors: Safety & Development Committee

Attachments: R-2019-0352 signed

This matter was Adopted on a Block Vote

28. 2019-0368 Certified Survey Map to consolidate 2 lots into 1 lot, submitted by Tu Tan Nguyen

d/b/a Ilura LLC, on behalf of Chau Vo. (Tax Key Nos. 444-0511-001 and

444-0513-000).

Attachments: CSM- Pho Saigon- 10532 W Greenfield

This matter was Placed on File on a Block Vote

29. 2019-0366 Special Use Permit for a proposed beer garden, to be located at 6800 W Becher St.

Attachments: Application-Beer Garden-6800 W Becher

Lutz Beer and Coffee Bar (SUP-SLA)

Held in Safety & Development during recess.

30. 2019-0367 Special Use Permit for a proposed Community Based Residential Facility to replace

the existing office building located at 8410 W. Cleveland Ave.

Attachments: Application- CBRF- 8410 W Cleveland

Community Based Residential Facility (SUP-SLA)

Held in Safety & Development during recess.

31. 2019-0369 Special Use Permit for Holiday Inn Express, a proposed hotel, to be located at

10201 West Lincoln Ave.

Attachments: Application - Holiday Inn Express

Holiday Inn Express(SUP-SLA)

Held in Safety & Development during recess.

Passed The Block Vote

A motion was made by Ald. Lajsic, seconded by Ald. Stefanski, 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. May, Ald. Haass, Ald. Lajsic, Ald. Reinke, Ald. Roadt, Ald. Stefanski, Ald. Vitale, and Ald. Weigel

No: 0

LICENSE & HEALTH COMMITTEE

32. 2019-0372

2018-2019 Class B Tavern Special Event Permit application no. 26 of Weigel's Hillcrest, Inc., Martin Weigel, Agent, d/b/a Benno's Genuine Bar & Grill, 7413 W. Greenfield Ave. for West Allis Ala Carte, from 10:00 a.m. to 6:00 p.m., on June 2, 2019. 40' x 40' extension of licensed premises in front of business. (First (1st) permit application for 2018-2019.)

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

Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Haass, Ald. Lajsic, Ald. Reinke, Ald. Roadt, Aye: Ald, Stefanski, and Ald, Vitale

0 No:

Abstain: 1 -

Ald. Weigel

33. 2019-0360

2019-2020 Class B Tavern Special Event Permit application no. 4 of K & M of West Allis, Inc., Richard Branski, Agent, d/b/a Hanke's, 6101 W. Lincoln Ave., for a Bar Party - BBQ to be held on Saturday, August 17, 2019, 10:00 a.m. to 10:00 p.m. (Food). (First (1st) permit application for the 2019-2020 license year.)

This matter was Approved on a Block Vote.

2019-0359 34.

License applications.

Amusement and/or Phonograph Distributor's License applications 2019-2020

- Blondie Enterprises LLC, Lynn Jeske
- · Hometown Management, Inc., Gregory J. Manske
- · Mitchell Novelty Co., Ralph Fleege
- · National Entertainment Network LLC, Tony Bender
- Reggie's Amusements LLC, Reginald Zeniecki
- · SNC, Inc., Southern Novelty Co, Patrick Modl
- · Suburban Vending Co., Inc., Michael J. Eppler
- · Wisconsin P & P Amusement, Inc., Michael Weigel, Agent

Arcade License applications 2019-2020

• CEC Entertainment, d/b/a Chuck E. Cheese #843, Brandon J. Kuffer, Manager, 2990 S. 108 St.

Carnival Permit application 2019-2020

· St. Augustine Parish, 6762 W. Rogers St. July 12 and 13, 2019 (4:00 p.m. - 11:00 p.m.) July 14, 2019 (11:00 a.m. - 5:00 p.m.)

Operator's Licenses (bartender/sales clerk) applications 2019-2020

- · Gildersleeve, Elizabeth
- · Neitman. John S.
- · Raul, Zuniga
- · Stein, Tara

Operator's Licenses (bartender/sales clerk) applications 2019-2021

· Krejci, Sedalia

Secondhand Article Dealer applications 2019-2020

- · As New Resale LLC, As New Resale, Nicole Fernhaber, Agent, 5825 W. National Ave.
- · Bob's Coins & Hobbies, LLC, Bob's Coins & Hobbies, Sherry Grainger, 3050 S. 92 St.
- Boring Bob, Robert E. Thimm, 7829 W. Greenfield Ave.
- · Milwaukee Sewing Machine Co., Inc., Donald L. Minch, Jr., 7226 W. Greenfield Ave.
- PR Novelty, Paul Dorobialski, 8707 W. Greenfield Ave.
- The Shooters Shop, Inc., Kevin Nugent, 2465 S. 84 St.
- · Within Reason Resale and Consignment LLC, Within Reason Resale and Consignment, Karlene Clark, 7532 W. Becher St.

Secondhand Jewelry Dealer applications 2019-2020

- Diane's Designs, Diane G. Latinovich, 7344 W. Greenfield Ave.
- J.P. Haase Jewelers, Inc., Joseph Haase, 1431 S. 108 St.

Special Class B Beer & Wine License applications 2019-2020

• St. Augustine Parish, 6762 W. Rogers St. Festival

July 12 and 13, 2019 (4:00 p.m. - 11:00 p.m.) July 14, 2019 (11:00 a.m. - 5:00 p.m.)

(1st application, beer and wine for 2019-2020 license year)

Special Instrumental Music Permit 2018-2019

• Studz Pub, 6833 W. National Ave., Dean Ratas Event Date: June 15, 2019, from 1:00 p.m. to 5:00 p.m. D.J. Music

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

35. 2019-0361

Request from St. Augustine Parish to waive the Carnival Permit's Surety Bond requirement for the St. Augustine Parish Festival to be held July 12, 2019 - July 14, 2019.

Attachments: St. Augustine Parish request

This matter was Approved on a Block Vote

36.	2019-0348	Police Department Report regarding tavern violations/calls for service for the month of April 2019.
		This matter was Placed on File on a Block Vote
37.	2019-0353	Police Department Report regarding March 2019 Tavern and Wisconsin Clean Air Act Smoking Ban compliance checks resulting and April 2019 Tobacco compliance checks with no violations being reported.
		This matter was Placed on File on a Block Vote
38.	2019-0354	Police Department Report involving Paulie's Pub & Eatery, 8031 W. Greenfield Ave., Paulie's Pub & Eatery, LLC, Kristine M. Budiac, Agent, Incident Date: April 13, 2019.
		This matter was Placed on File on a Block Vote
39.	<u>2019-0355</u>	Police Department Report involving The Alibi, 6540 W. Grant St., Alibi Taverns LLC, Patrick R. Kosidowski, Agent, Incident Date: April 21, 2019.
		This matter was Placed on File on a Block Vote
40.	2019-0349	Police Department Report relative to the April 17, 2019 Tavern Compliance Checks involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (Stallywood LLC, Robert Anderson, Agent, d/b/a Stallywood, premises located at 6827 W. National Avenue) (Licensed Operator (bartender/sales clerk): Frank M. Kiewit).
		Held in License & Health Committee during recess.
41.	2019-0350	Police Department Report relative to the April 17, 2019 Tavern Compliance Checks involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (DHV Enterprises, LLC, Melissa A. Schrubbe, Agent, d/b/a Dog House, premises located at 1641 S. 68 St.) (Unlicensed Operator (bartender/sales clerk: Amanda N. Schoenbach).
		Held in License & Health Committee during recess.
42.	2019-0351	Police Department Report relative to the April 17, 2019 Tavern Compliance Checks involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (ARH Enterprises, LLC, Hugo Juarez, Agent, d/b/a Las Palmas, premises located at 1901 S. 60 Street). (Unlicensed Operator (bartender/sales clerk: Stephanie Mendez Castro).
		Held in License & Health Committee during recess.
43.	2019-0352	Police Department Report relative to the April 17, 2019 Tavern Compliance Checks involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (BS Dollar, LLC, Sally A. Dollar, Agent, d/b/a Barcode, premises located at 2110 S. 60 Street) (Licensed Operator (bartender/sales clerk: Monique V. Gielow).

Held in License & Health Committee during recess.

44. 2019-2020 Combination Class A Liquor application, of Spring West, LLC,

Satwinder Singh, Agent, d/b/a Pantry 41 105, for the premises located at 10537 W.

Greenfield Ave. (new-nonexisting location).

Held in License & Health Committee during recess.

45. 2019-0323 2019-2020 Operator's License (bartender/sales clerk) application of Martha

Gabriela Solis-Villasenor.

Held in License & Health Committee during recess.

46. 2019-0322 2019-2021 Operator's License (bartender/sales clerk) renewal application of Jill E.

Staniak.

This matter was Approved on a Block Vote

47. 2019-0346 2019-2020 Adult-Oriented Establishment License renewal application of Tee & Bee,

Inc., Benjamin J. Bishop, Agent, d/b/a Temptations, for the premises located at 9800

W. Greenfield Ave.

Held in License & Health Committee during recess.

48. 2019-0316 2018-2019 Class B Tavern Special Event Permit application no. 23 of John Starr

Pickles, LLC, d/b/a Broken Starr Saloon, John R. Starr, Agent, 1100 S. 60 St., for bike show and fundraiser, to be held on Saturday, June 23, 2019 from Noon to 8:00

p.m. (W. Washington St. closure from S. 58 St. to S. 60 St., tents and outdoor music). First (1st) permit application for 2018-2019 license year.

This matter was Approved subject to the necessary requirement(s) and subject to approval of

block party on a Block Vote

Passed The Block Vote

A motion was made by Ald. Czaplewski, 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. May, Ald. Haass, Ald. Lajsic, Ald. Reinke, Ald. Roadt, Ald. Stefanski, Ald. Vitale, and Ald. Weigel

No: 0

ADVISORY COMMITTEE

New Matters for Introduction

49. 2019-0373 Reappointment by Mayor Devine of Ms. Danielle Romain as a member of the West

Allis Police & Fire Commission, her five-year term to expire May 1, 2024.

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

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

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

No: 0

N. ADJOURNMENT

A motion was made by Ald. Lajsic, seconded by Ald. Stefanski, to adjourn at 8:44 p.m., with the next regularly scheduled meeting to be held on June 4, 2019, at 7:00 p.m. The motion carried unanimously.

Respectfully submitted, Steven A. Braatz, Jr., City Clerk



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.