



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Alderman James W. Sengstock, Council President

*Aldermen: Gary T. Barczak, Michael J. Czaplewski, Kurt E. Kopplin, Thomas G. Lajsic,
Richard F. Narlock, Rosalie L. Reinke, Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel*

Tuesday, July 6, 2010

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. [2010-0421](#) On the 2010-2011 "Class B" Tavern License application no. 1665, of Mis Suenos, LLC, Deborah A. Ramirez, Agent, d/b/a Mis Suenos for premises located at 7335 W. Greenfield Ave. (new-nonexisting) in regard to exceeding the quota.
2. [R-2010-0157](#) Resolution relative to determination of Special Use Permit to establish Mis Suenos Mexican Restaurant and outdoor dining at 7335 W. Greenfield Ave. (formerly Tommasino's restaurant).
Sponsors: Safety & Development Committee
3. [R-2010-0160](#) Resolution relative to determination of Special Use Permit for Crawdaddy's Restaurant to establish an outdoor dining area located at 6414-22 W. Greenfield Ave. and 6400 W. Greenfield Ave.
Sponsors: Safety & Development Committee
4. [R-2010-0158](#) Resolution relative to determination of Special Use Permit to establish a restaurant and catering business, Get Them While They're Hot Tamales, within the existing mixed-use building located at 8223 W. Becher St.
Sponsors: Safety & Development Committee
5. [R-2010-0156](#) Resolution relative to determination of Special Use Permit to establish the WA/WM School District Learning Center for an alternative school, classrooms and administrative facilities to be located at 1135-39 S. 70 St.
Sponsors: Safety & Development Committee

- 6. [R-2010-0135](#) Resolution relative to determination of Special Use Permit for Shamrox, a proposed tavern with an outdoor deck extension of premises to be located at 6851 W. Beloit Rd.

Sponsors: Safety & Development Committee

- 7. [R-2010-0149](#) Resolution relative to determination of Special Use Permit for Serenity Martial Arts, a proposed martial arts studio to be located at 8303 W. Becher St.

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:

*Room 118
Administration & Finance, Safety & Development, Advisory*

*Room 128
Public Works, License & Health*

G. MISCELLANEOUS BUSINESS

Mayor's Report

Alderspersons Comments

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of June 15, 2010.

J. ITEMS NOT REFERRED TO COMMITTEE

8. [2010-0403](#) Summons and Complaint in the matter of Wells Fargo Bank vs. Maria G. Garcia, et al, regarding foreclosure of mortgage, Case No. 10CV009347.
9. [2010-0404](#) Summons and Complaint in the matter of BAC Home Loans Servicing, L.P., vs. Maria Garcia, et al, regarding foreclosure of mortgage, Case No. 10CV009817.
10. [2010-0407](#) Penegor Law Office communication on behalf of George Glavas regarding refund of 2009 personal property taxes (Tax ID 000535905).
11. [2010-0406](#) Summons, Complaint and Injunctive Relief, and Notice of Appeal Administrative Agency Review in the matter of R. Eileen Jezo Trustee, Nancy A. Lynch Trustee, Nicolas A. and Nicole C. Coates, and Michael B. and Lisa A. Harris vs. City of West Allis, Case No. 10CV009883.
12. [2010-0408](#) Summons, Complaint and Injunctive Relief in the matter of R. Eileen Jezo Trustee, Nancy A. Lynch Trustee, Nicolas A. and Nicole C. Coates, and Michael B. and Lisa A. Harris vs. City of West Allis, Case No. 10CV009896.

K. STANDING COMMITTEE REPORTS

None.

L. MOTION FOR RECONSIDERATION

13. [2010-0325](#) 2010-2012 Tavern Operator License application no. 12-147 of Kim I. White.

M. COMMON COUNCIL RECESS

N. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

14. [R-2010-0155](#) Resolution amending the agreement with Veolia ES Emerald Park Landfill, LLC (Veolia) to provide disposal of sediment removed from storm sewers in the 111th Street Pump Station drainage basin.

Sponsors: Administration & Finance Committee and Public Works Committee

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

15. [R-2010-0153](#) Resolution Authorizing the Redemption of General Obligation Refunding Bonds, Series 1998.
Sponsors: Administration & Finance Committee
16. [R-2010-0162](#) Resolution relative to approving a Loan Agreement between the City of West Allis and West Allis Memorial Hospital for City payment and Hospital repayment of funds related to \$2,285,000 of remaining principal from the 1998c General Obligation Refunding Bonds.
Sponsors: Administration & Finance Committee
17. [R-2010-0161](#) Resolution relative to adopting a new policy on the establishment of a City of West Allis Accountability Hotline.
Sponsors: Administration & Finance Committee
18. [2010-0424](#) Wisconsin Professional Police Association communication regarding opening of contract negotiations.
19. [2010-0432](#) Comptroller/Manager of Finance submitting the report for the month of March, 2010 indicating City of West Allis checks issued in the amount of \$2,296,725.42.
20. [2010-0433](#) Comptroller/Manager of Finance submitting the report for the month of April, 2010 indicating City of West Allis checks issued in the amount of \$2,354,025.79.
21. [2010-0438](#) Comptroller/Manager of Finance submitting the City of West Allis Comprehensive Annual Financial Report for the year ended December 31, 2009 for review and approval.
22. [2010-0439](#) Comptroller/Manager of Finance informing the Common Council that LifeQuest will be authorized to accept debit/credit cards for ambulance transactions. In addition, they will also be authorized to negotiate a settlement on our behalf, during Phase III of the collection process.
23. [2010-0430](#) Communication from City Administrative Officer regarding request to fill the vacant Sanitation Supervisor position in the Department of Public Works Sanitation & Street Division.

City Attorney Claim Report

24. [2010-0192](#) Duane Brewer communication regarding property damage allegedly sustained at 2186 S. 86 St.
City Attorney recommended denial.

PUBLIC WORKS COMMITTEE**New Matters for Introduction**

25. [R-2010-0152](#) Resolution to approve bid of Cream City Wrecking & Dismantling, LLC. for the decommissioning and demolition project at the former Chalet Restaurant located at 6215 W. National Avenue in the City of West Allis, in the amount of \$35,774.00.
Sponsors: Public Works Committee
26. [2010-0427](#) Communication from Director of Public Works/City Engineer regarding request of the Little League of West Allis to install lights on the new field above Barczak Field.

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES**Public Hearing Items (Safety & Development and License & Health Committees)**

27. [R-2010-0157](#) Resolution relative to determination of Special Use Permit to establish Mis Suenos Mexican Restaurant and outdoor dining at 7335 W. Greenfield Ave. (formerly Tommasino's restaurant).
Sponsors: Safety & Development Committee
28. [2010-0382](#) Special Use Permit to establish Mis Sueños Mexican Restaurant and outdoor dining at 7335 W. Greenfield Ave. (formerly Tommasino's restaurant).
29. [2010-0353](#) Downtown West Allis Business Improvement District communication in support of Debra and Joel Ramirez establishing an American/Mexican restaurant at 7335 W. Greenfield Ave.
30. [R-2010-0160](#) Resolution relative to determination of Special Use Permit for Crawdaddy's Restaurant to establish an outdoor dining area located at 6414-22 W. Greenfield Ave. and 6400 W. Greenfield Ave.
Sponsors: Safety & Development Committee
31. [2010-0381](#) Special Use Permit for Crawdaddy's Restaurant to establish an outdoor dining area located at 6414-22 W. Greenfield Ave. and 6400 W. Greenfield Ave.

32. [R-2010-0164](#) Resolution relative to approving a lease agreement between Crawdaddy's Restaurant and the City of West Allis to construct a deck for outdoor dining on City owned land at 6400 W. Greenfield Ave.
Sponsors: Rosalie L. Reinke
33. [R-2010-0135](#) Resolution relative to determination of Special Use Permit to establish an outdoor deck at Shamrox located at 6851 W. Beloit Rd.
Sponsors: Safety & Development Committee
34. [2010-0228](#) Special Use Permit for Shamrox, a proposed tavern with an outdoor deck to be located at 6851 W. Beloit Rd.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

35. [O-2010-0022](#) An Ordinance to Repeal Parking Restrictions on the South Side of the 8600 Block of W. Becher St.
Sponsors: Thomas G. Lajsic
36. [O-2010-0025](#) An Ordinance to Establish Parking Restrictions on Both Sides of the 1100 Block of S. 57 St.
Sponsors: Vincent Vitale
37. [O-2010-0023](#) An Ordinance to Amend Subsection 2.19(8)(b), Repeal Subsection 5.10(22), Re-number Subsection 5.10(23), Repeal and Recreate Section 5.14 and Create Section 5.18 of the West Allis Revised Municipal Code Relating to the Fire Prevention Code, Penalties and Citation Authority.
Sponsors: Thomas G. Lajsic
38. [O-2010-0024](#) Ordinance to create Section 9.34 of the City of West Allis Revised Municipal Code requiring property owner registration.
Sponsors: Safety & Development Committee
39. [R-2010-0159](#) Resolution approving an amendment to the professional services contract with Arcadis for the preparation of demolition specifications, oversight and asbestos assessment for the former Chalet Restaurant located at 6215 W. National Ave., in an amount not to exceed \$4,150.
Sponsors: Safety & Development Committee

40. [R-2010-0163](#) Resolution approving the Cooperation Agreement by and between the Community Development Authority and the City of West Allis for the administration of Neighborhood Stabilization Program (NSP) funds from the Wisconsin Department of Commerce.
- Sponsors:** Safety & Development Committee

Previous Matters for Consideration

41. [2010-0320](#) Special Use Permit to establish Sanfelippo Auto Center, a proposed vehicle dealership, at 3035 S. 108 St. submitted by Michael Sanfelippo.

Public Hearing Items (Safety & Development Committee)

42. [R-2010-0158](#) Resolution relative to determination of Special Use Permit to establish a restaurant and catering business, Get Them While They're Hot Tamales, within the existing mixed-use building located at 8223 W. Becher St.
- Sponsors:** Safety & Development Committee
43. [2010-0396](#) Special Use Permit to establish a restaurant and catering business, Get Them While They're Hot Tamales, within the existing mixed use building located at 8223 W. Becher St.
44. [R-2010-0156](#) Resolution relative to determination of Special Use Permit to establish the WA/WM School District Learning Center for an alternative school, classrooms and administrative facilities to be located at 1135-39 S. 70 St.
- Sponsors:** Safety & Development Committee
45. [2010-0395](#) Special Use Permit to establish the WA/WM School District Learning Center for an alternative school, classrooms and administrative facilities to be located 1135-39 S. 70 St.
46. [R-2010-0149](#) Resolution relative to determination of Special Use Permit for Serenity Martial Arts, a proposed martial arts studio to be located at 8303 W. Becher St.
- Sponsors:** Safety & Development Committee
47. [2010-0384](#) Special Use Permit for Serenity Martial Arts, a proposed martial arts studio to be located at 8303 W. Becher St.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

48. [2010-0441](#) Mega Marts, LLC communication regarding notice of change of liquor agent at the Pick 'n Save #6847 located at 6760 W. National Ave. (2010-2011 Combination Class A Liquor License no. 1089).
49. [2010-0400](#) 2010-2011 Secondhand Article Dealer License application(s).
50. [2010-0401](#) 2010-2011 Trailer and Truck Rental License renewal application(s).
51. [2010-0426](#) 2010-2011 Amusement Distributor's License application(s).
52. [2010-0440](#) 2010-2011 Arcade License renewal application.
53. [2010-0375](#) Tavern Operator License applications.
54. [2010-0399](#) 2010-2011 Class B Tavern License renewal applications.
55. [2010-0423](#) 2010-2011 Class C Wine License application no. 1648 of Singha Thai, Ltd., Phounpraseuth Vechsathol, Agent, d/b/a Singha Thai Restaurant at 2237 S. 108 St. (new-nonexisting)
56. [2010-0422](#) 2010-2011 Special Class B Beer and Wine License application(s).
57. [2010-0434](#) 2010-2011 Class B Tavern Special Event Permit application no. 2 of Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill, 1753 S. 68 St. (2010-2011 Class B Tavern License no. 1490, Instrumental Music License no. 1491 and Dance Hall License no. 1492) for a Birthday Party, to be held Saturday, July 31, 2010, from 12:00 p.m. to 11:00 p.m. (Fenced in parking lot behind Dopp's).
58. [2010-0435](#) 2010-2011 Class B Tavern Special Event Permit application no. 3 of Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill, 1753 S. 68 St. (2010-2011 Class B Tavern License no. 1490, Instrumental Music License no. 1491 and Dance Hall License no. 1492) for Dopp's Fall Get Together, to be held Saturday, September 18, 2010, from 12:00 p.m. to 11:00 p.m. (Fenced in parking lot behind Dopp's).
59. [2010-0437](#) 2010-2011 Class B Tavern Special Event Permit application no. 4 of DRND Corporation, Deborah M. Nadboralski, Agent, d/b/a D & D's Bar & Grill, 1022 S. 60 St. (2010-2011 Class B Tavern License no. 1574, Instrumental Music License no. 1575 and Dance Hall License no. 1576) for One Year Anniversary Party, to be held Sunday, August 1, 2010, from 12:00 p.m. to 12:00 a.m. (Pop up tent, outdoor cook-out).

60. [2010-0425](#) Summons and Complaint in the matter of the complaint against LAM Enterprises, LLC, Loretta Matovich, Agent, for the premises located at 1101 S. 60 St., d/b/a Shawna's Pub & Grub (2009-2010 Class B Tavern License no. 1579).
61. [2010-0365](#) 2010-2011 Class B Tavern License renewal application no. 1579, Instrumental Music License application no. 1675, and Dance Hall License renewal application no. 1580 of LAM Enterprises, LLC, Loretta Matovich, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St.
62. [2010-0394](#) Police Department Report involving Shawna's Pub and Grub, 1101 S. 60 St. (2009-2010 Class B Tavern License no. 1579 and Dance Hall License no. 1580 of LAM Enterprises, LLC, Loretta A. Matovich, Agent, Incident Date: May 30, 2010).
63. [2010-0436](#) 2010-2012 Tavern Operator License renewal application no. 12-199 of Staci LM. Rettig.
64. [2010-0402](#) 2010-2012 Package Goods Operator License application no. 1685 of Krysta Montville.
65. [2010-0409](#) 2010-2012 Package Goods Operator License application no. 1690 of Jacob C. Hovie.
66. [2010-0411](#) 2010-2012 Package Goods Operator License application no. 1687 of Shane E. Ragland.
67. [2010-0431](#) 2010 Special Event Direct Sellers Permit application no. 1 of Glywin R. McJennett, Jr.
68. [2010-0410](#) 2010 Special Event Direct Sellers Permit application no. 2 of Robert S. Meek.
69. [2010-0412](#) Communication from Assistant City Attorney regarding non-payment of personal property taxes for Scardina Bakery and Delicatessen.
70. [2010-0428](#) Police Department Report involving West Allis Cigarette Depot, 7023 W. Greenfield Ave. (2010-2011 Cigarette License application no. 513 of Atlas Tobacco & Grocery Wholesale Corp., Kamal H. Issa, Agent, Incident Dates: June 12, 2010 and June 17, 2010).
71. [2010-0405](#) 2010-2011 Class A Beer License no. 909 of National Quick Food Mart, LLC, Gurlal Singh, Agent, d/b/a Kwik Pantry for premises located at 5631 W. National Ave.

Previous Matters for Consideration

72. [2010-0239](#) 2010-2011 Tavern Operator License application no. 11-469 of Jenifer Lee Daniels.
73. [2010-0392](#) Police Department Report involving Flappers, 7527 W. Becher St. (2009-2010 Class B Tavern License no. 797 and Dance Hall License no. 799 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: May 10, 2010).
74. [2010-0325](#) 2010-2012 Tavern Operator License application no. 12-147 of Kim I. White.
75. [2010-0162](#) Summons and Complaint in the matter of the complaint against Mr. Gyros Café & Grill, LLC, James P. Wood, Agent, d/b/a Mr. Gyros relative to Food-Related Permit.
76. [2009-0719](#) Findings and Recommendations in the Matter of the Complaint Against Mr. Gyros Cafe & Grill, LLC, James Wood relative to Food-Related Permit.
77. [2009-0782](#) 2009-2010 Tavern Operator License application no. 10-413 of Courtney A. Oettinger.
78. [2010-0390](#) Police Department Report involving Ubie's Double Vision, 5501 W. Burnham St. (2009-2010 Class B Tavern License no. 853, Dance Hall License no. 854 and Instrumental Music License no. 855 of Ubie's Double Vision, LLC, Robert A. Uebelacker, Agent, Incident Date: May 2, 2010).
79. [2010-0391](#) Police Department Report involving Jock Stop Sports Bar, 7930 W. National Ave. (2009-2010 Class B Tavern License no. 880 and Dance Hall License no. 882 of JOCH Enterprises, LLC, Christopher John Bitz, Agent, Incident Date: May 1, 2010).
80. [2010-0393](#) Police Department Report involving Dicken's Grill, 9646 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 776, Dance Hall License no. 779, and Instrumental Music License no. 778 of R&D Krueger Enterprises, Inc., Diane M. Krueger, Agent, Incident Date: May 28, 2010).

Public Hearing Items (License & Health Committee)

81. [2010-0367](#) 2010-2011 Class B Tavern License application no. 1665 of Mis Sueños, LLC, Deborah A. Ramirez, Agent, d/b/a Mis Sueños located at 7335 W. Greenfield Ave. (new-nonexisting premises).

ADVISORY COMMITTEE

New Matters for Introduction

82. [2010-0413](#) Appointment by Mayor Devine of Julie St. Clair as a member of the West Allis Board of Appeals, her term to expire May 1, 2012.
83. [2010-0414](#) Reappointment by Mayor Devine of Diane Brandt as a member of the West Allis Economic Development (Partnership) Committee, her three-year term to expire January 1, 2013.
84. [2010-0415](#) Appointment by Mayor Devine of Ms. Citlali Mendieta as a member of the West Allis Economic Development (Partnership) Committee, her three-year term to expire January 1, 2013.
85. [2010-0417](#) Reappointment by Mayor Devine of Mary Pat Morris as a member of the West Allis Ethics Board, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her three-year term to expire June 1, 2013.
86. [2010-0418](#) Reappointment by Mayor Devine of Donald Nehmer as a member of the West Allis Ethics Board, his three-year term to expire June 1, 2013.
87. [2010-0419](#) Reappointment by Mayor Devine of Donna Olson as a member of the West Allis Library Board, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her three-year term to expire July 1, 2013.
88. [2010-0420](#) Reappointments by Mayor Devine to the West Allis Plan Commission of James Hoerig, Jim Lisinski, and Charles Wikenhauser, their three-year terms to expire April 30, 2013.
89. [2010-0429](#) Reappointment by Mayor Devine of Ted Toerpe as a member of the West Allis Library Board, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his three-year term to expire July 1, 2013.
90. [2010-0416](#) Reappointments by Mayor Devine to the West Allis Electrical Review Board of Ald. Thomas Lajsic, Scott Bergum, and Robert Yuzna, their two-year terms to expire May 31, 2012.

O. OTHER MATTERS RELATING TO THE AFFAIRS AND GOVERNMENT OF THE CITY WHICH MAY PROPERLY BE BROUGHT BEFORE THE COMMON COUNCIL

P. 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.