



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Alderson Thomas G. Lajszic, Council President

Aldersons: Gary T. Barczak, Michael J. Czapski, Michael P. May,

Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,

James W. Sengstock, Vincent Vitale, and Martin J. Weigel

Tuesday, June 4, 2013

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. [O-2013-0027](#) Ordinance to amend the official West Allis Zoning Map by creating a Planned Development District - Residential (PDD-1) Zoning Overlay upon existing property zoned RB-2 Residence District and located at 1803 and 1807 S. 92 St.

Sponsors: Safety & Development Committee

2. [R-2013-0126](#) Resolution relative to determination of Special Use Permit for a proposed addition to Oscar's Frozen Custard, an existing restaurant located at 2362 S. 108 St.

Sponsors: Safety & Development Committee

3. [R-2013-0137](#) Resolution relative to determination of Special Use Permit for MGS Group, LLC, a proposed training center offering personal defense, safety and security classes, to be located within a portion of the existing commercial building at 2465-73 S. 84 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. 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**

- 4. Discussion relative to the 2012-2013 Youth Commission City Report and general maintenance and upkeep in the City of West Allis.**

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of May 21, 2013.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2013-0335](#) James Eannelli communication regarding damages allegedly sustained at 8803 W. Greenfield Ave. on April 24, 2013.
5. [2013-0341](#) Sarah Gavin communication regarding vehicle damages allegedly sustained at the corner of S. 76 St and W. Becher St. on May 17, 2013.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on May 28, 2013. (Ald. Barczak excused).

6. [2013-0250](#) 2013-2015 Tavern Operator License application no. 15-53 of Roberto Herrera, Jr.

*Recommended to be approved by the following vote:
Ayes: 3 - Alderpersons Czaplewski, Roadt and Sengstock
Noes: 1 - Alderperson Weigel*
7. [2013-0324](#) 2013-2014 Tavern Operator License application no. 14-282 of Jacob T. Peterson.

Unanimously recommended to be denied based on the police report.
8. [2013-0325](#) 2013-2015 Tavern Operator License application no. 15-184 of Renee H. Behrendt.

Unanimously recommended to be denied based on the police report.
9. [2013-0322](#) 2013-2015 Tavern Operator License application no. 15-188 of Thomas E. Daniels.

Unanimously recommended to be denied based on the police report.
10. [2013-0300](#) 2012-2013 Direct Sellers/Solicitors Permit application no. 21 of Peter G. Hutchins.

Unanimously recommended to be denied based on the police report.
11. [2013-0302](#) 2013-2014 Class B Tavern License renewal application no. 791 and Dance Hall License renewal application no. 793 of N. S. Inc., Ricky E. Sergeant, Agent, d/b/a Sarge's Corner for premises located at 1979 S. 54 St.

Unanimously recommended to be approved subject to necessary requirements.
12. [2013-0252](#) 2013-2014 Cigarette License renewal application no. 468 of Choudry Oil, Inc., Sajid Bashir, Agent, d/b/a Mobil for premises located at 2315 S. 76 St. and 2013-2014 Cigarette License renewal application no. 1835 of Choudry Oil, Inc., Sajid Bashir, Agent, d/b/a Philip 66 for premises located at 7202 W. Lincoln Ave.

Unanimously recommended to be approved subject to necessary requirements.

13. [2013-0237](#) 2013-2014 Tavern Operator License application no. 14-264 of Sarah M. Reeves.
Unanimously recommended to be approved.
14. [2013-0246](#) 2013-2015 Tavern Operator License application no. 15-60 of Isabel M. Castillo.
Unanimously recommended to be approved.
15. [2013-0312](#) 2012-2014 Tavern Operator License application no. 14-274 of Kelly K. Vick.
Unanimously recommended to be approved.
16. [2013-0317](#) 2013-2015 Tavern Operator License application no. 15-171 of Nathan D. Keleher.
Unanimously recommended to be approved.
17. [2013-0323](#) 2013-2014 Tavern Operator License application no. 14-279 of Jennifer L. Ziglinski.
Unanimously recommended to be approved.
18. [2013-0240](#) 2013-2015 Tavern Operator License renewal application no. 15-008 of Tiffany B. Dobeck.
Unanimously recommended to be approved.
19. [2013-0247](#) 2013-2015 Tavern Operator License renewal application no. 15-77 of Julaine Kartz.
Unanimously recommended to be approved.
20. [2013-0248](#) 2013-2015 Tavern Operator License renewal application no. 15-36 of Debra J. Doss.
Unanimously recommended to be approved.
21. [2013-0249](#) 2013-2015 Tavern Operator License renewal application no. 15-58 of Theresa A. Marks.
Unanimously recommended to be approved.
22. [2013-0318](#) 2013-2015 Tavern Operator License renewal application no. 15-172 of Peter W. Grubor.
Unanimously recommended to be approved.
23. [2013-0319](#) 2013-2015 Tavern Operator License renewal application no. 15-145 of Sue A. Banacin.
Unanimously recommended to be approved.

24. [2013-0320](#) 2013-2015 Tavern Operator License renewal application no. 15-194 of Lisa Jean Bannach.
Unanimously recommended to be approved.
25. [2013-0271](#) Police Department Report involving Shepherd's Hideaway, 8924 W. Schlinger Ave. (2012-2013 Class B Tavern License no. 806, Dance Hall License no. 808, and Instrumental Music License no. 809 of Shepherd's Sports Lounge, Inc., Christina M. Knueppel, Agent, Incident Date: March 30, 2013).
Unanimously recommended to be placed on file.
26. [2013-0272](#) Police Department Report involving Tap City, 7207 W. National Ave. (2012-2013 Class B Tavern License no. 650, Instrumental Music License no. 1510, and Dance Hall License no. 652 of Tap City, Inc., Mary M. Pakula, Agent, Incident Date: April 16, 2013).
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

27. [2013-0338](#) Comptroller/Manager of Finance submitting the report for the month of January 2013, indicating City of West Allis checks issued in the amount of \$2,228,861.46.
28. [2013-0339](#) Comptroller/Manager of Finance submitting the reports for the month of February 2013 indicating City of West Allis checks issued in the amount of \$2,805,111.91
29. [2013-0340](#) Comptroller/Manager of Finance submitting the reports for the month of March 2013 indicating City of West Allis checks issued in the amount of \$2,057,409.27
30. [2013-0343](#) Communication from City Administrative Officer relative to the 2014-2023 Ten Year Capital Improvement Program.

PUBLIC WORKS and SAFETY & DEVELOPMENT COMMITTEES

Previous Matters for Consideration

31. [2013-0210](#) Communication from Kurt Wachholz, Superintendent, School District of West Allis-West Milwaukee, et al., relative to the acquisition of land behind the West Allis Police Department for the development of a soccer field and multi-use artificial surface.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

32. [R-2013-0133](#) Resolution accepting work of UPI, LLC for the installation of concrete curb and gutter, concrete pavement, miscellaneous walk repair, driveway replacement, sanitary sewer relay, sanitary sewer, storm sewer relay, storm sewer, water main relay, building services and utility adjustments in South 56th Street from West National Ave. to North City Limits in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2012 Project No. 1.
Sponsors: Public Works Committee
33. [R-2013-0130](#) Resolution accepting work of MJ Construction, Inc. for the installation of concrete curb and gutter, concrete pavement, miscellaneous walk repair, driveway replacement, sanitary sewer, sanitary sewer relay, storm sewer relay, water main relay, building services and utility adjustments in W. Washington St. from S. 70th St. to S. 77th St. and W. Madison St. from S. 76th St. to S. 77th St. in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2012 Project No. 2.
Sponsors: Public Works Committee
34. [R-2013-0132](#) Resolution accepting work of J&A Pohl, Inc. for the concrete patching, manhole adjustments, and catch basin repairs at various locations in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2012 Project No. 8.
Sponsors: Public Works Committee
35. [R-2013-0131](#) Resolution accepting work of F.J.A. Christiansen Roofing for the replacement of the roof at the West Allis Historical Society located at 8405 West National Avenue in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2012 Project No. 11.
Sponsors: Public Works Committee
36. [R-2013-0138](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 1359 South 57th Street in the Total Amount of \$22,948.92.
Sponsors: Public Works Committee

37. [R-2013-0139](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 2415 South 72nd Street in the Total Amount of \$12,551.99.
Sponsors: Public Works Committee
38. [R-2013-0134](#) Resolution to oppose the construction of any alternatives for the I-94 East-West Corridor that do not include access to both 70th Street and Hawley Road/60th Street.
Sponsors: Public Works Committee
39. [R-2013-0140](#) Resolution authorizing the Director of Public Works/City Engineer to temporarily close 109th, 110th, 111th, 111pl, and 112th at Theo Trecker Way.
Sponsors: Public Works Committee
40. [2013-0211](#) Communication from Director of Public Works/City Engineer regarding revised fees for weed cutting.

Previous Matters for Consideration

41. [R-2013-0070](#) Resolution Approving the Emergency Repairs at the Water Reservoir payable to Rodney Hunt - Fontaine, Ltd. in an amount not to exceed \$50,000.
Sponsors: Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

42. [2013-0337](#) Request by Rusel Lugo, of Clear Choice Homes, to purchase City-owned property located in the 900 block of S. 90 St. (Tax Key No. 442-0225-000).
43. [2013-0347](#) Communication from Michael Czaplewski, Chair, FIRE Board of Directors, regarding FIRE's recommended approval of two loans - Cardinal Capital Management, Inc. in the amount of \$500,000 and Dynamis Software Corporation in the amount of \$300,000.
44. [2013-0336](#) Special Use Permit for GR's National Pub, for an outdoor extension of premise to the existing pub, located at 6827 W. National Ave.
45. [2013-0348](#) Special Use Permit for an expansion of use to relocate fuel tanks from 551 S. Curtis Rd to 571-79 S. Curtis Rd. and to provide cross access between parcels on the Zignego Ready Mix properties, submitted by Paul Zignego.

Previous Matters for Consideration

46. [R-2009-0131](#) Resolution adopting the final submitted City of West Allis Bicycle and Pedestrian Master Plan prepared by the Bicycle Federation of Wisconsin.
Sponsors: Safety & Development Committee

Public Hearing Items (Safety & Development Committee)

47. [O-2013-0027](#) Ordinance to amend the official West Allis Zoning Map by creating a Planned Development District - Residential (PDD-1) Zoning Overlay upon existing property zoned RB-2 Residence District and located at 1803 and 1807 S. 92 St.
Sponsors: Safety & Development Committee
48. [R-2013-0101](#) Resolution approving a Certified Survey Map to consolidate two existing residential properties located at 1803 and 1807 S. 92 St. into one lot of record, to establish a Planned Development for a high density residential use, submitted by Chris Miller, 92 Street Commons, LLC. (Tax Key No. 451-0282-001 and 451-0283-001).
Sponsors: Safety & Development Committee
49. [2013-0255](#) Certified Survey Map to consolidate two existing residential properties located at 1803 and 1807 S. 92 St. into one lot of record, to establish a Planned Development for a high density residential use, submitted by Chris Miller, 92 Street Commons, LLC. (Tax Key No. 451-0282-001 and 451-0283-001)
50. [R-2013-0142](#) Resolution relative to determination of a Planned Development Agreement by and between the City of West Allis and Chris Miller d/b/a 92 Street Commons, LLC for new construction of a proposed Residential Planned Development of 38 apartment homes and other site and architectural improvements on properties located at 1803 and 1807 S. 92 St. pursuant to Sec. 12.60 of the Revised Municipal Code.
Sponsors: Safety & Development Committee
51. [2013-0257](#) Communication from Stephen Perry Smith Architects, Inc. on behalf of 92 Street Commons, LLC., requesting an ordinance to amend the official West Allis Zoning Map by creating a Residential Planned Development District overlay zoning (PDD-1) for residentially zoned land located at 1803 and 1807 S. 92 St.
52. [R-2013-0126](#) Resolution relative to determination of Special Use Permit for a proposed addition to Oscar's Frozen Custard, an existing restaurant located at 2362 S. 108 St.
Sponsors: Safety & Development Committee

53. [2013-0299](#) Special Use Permit for a proposed addition to Oscar's Frozen Custard, an existing restaurant located at 2362 S. 108 St.
54. [R-2013-0137](#) Resolution relative to determination of Special Use Permit for MGS Group, LLC, a proposed training center offering personal defense, safety and security classes, to be located within a portion of the existing commercial building at 2465-73 S. 84 St.
Sponsors: Safety & Development Committee
55. [2013-0254](#) Special Use Permit for MGS Group, LLC a proposed training center offering personal defense, safety and security classes, to be located within a portion of the existing commercial building at 2465-2473 S. 84 St.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

56. [O-2013-0026](#) Ordinance to Create Section 9.35 of the City of West Allis Revised Municipal Code Relating to Requiring Control of Premises for Certain Licenses/Permits, Providing for a Remedy Where the Operation Lapses or is Abandoned, Requiring Cooperation with the License & Health Committee, and Providing a Procedure for Suspension, Revocation, and Nonrenewal of Licenses and Permits.
Sponsors: Martin J. Weigel
57. [2013-0346](#) 2013-2014 Secondhand Jewelry Dealer License renewal application no. 1877 of M.J.C. Inc., Michael J. Czaplewski, Agent, d/b/a Jewelry by M.J.C., for premises located at 10923 W. Lincoln Ave.
58. [2013-0345](#) 2013-2014 Secondhand Jewelry Dealer License application(s).
59. [2013-0332](#) 2013-2014 Secondhand Article Dealer License application(s).
60. [2013-0327](#) 2013-2014 Arcade License application(s).
61. [2013-0333](#) 2013-2014 Amusement Distributor's License application(s).
62. [2013-0344](#) 2013-2014 Phonograph Distributor's License application(s).

63. [2013-0331](#) 2012-2013 Class B Tavern Special Event Permit application no. 17 of Guy M. Robb, LLC, Guy M. Robb, Agent, d/b/a GR's National Pub, 6827 W. National Ave., (2012-2013 Class B Tavern License no. 1613, Instrumental Music License no. 1614 and Dance Hall License No. 1615) for Golf Outing on Saturday, June 22, 2013 from 11:00 a.m. to 6:00 p.m. (Outside back door of tavern up to tenant's garage and food). 1st application for 2012-2013 license year.
64. [2013-0334](#) Tavern Operator License applications.
65. [2013-0330](#) 2013-2014 Combination Class A Liquor License renewal application(s).
66. [2013-0315](#) 2013-2014 Class B Beer License renewal application(s).
67. [2013-0314](#) 2013-2014 Class C Wine License renewal application(s).
68. [2013-0329](#) 2013-2014 Class B Tavern, Dance Hall, Instrumental Music, Tavern Entertainment-Other License, and Tavern Entertainment-Special License renewal applications.
69. [2013-0328](#) 2012-2013 Class B Beer License application no. 1976 and Class C Wine License application no. 1977 of Vani's Kitchen, Inc., Nagavani Bhadharla, Agent, d/b/a Vani's Kitchen premises located at 10535 W. Greenfield Ave. (new-existing).

Previous Matters for Consideration

70. [2013-0280](#) 2013-2014 Class B Tavern License renewal appl. no. 1159, Instrumental Music License renewal appl. no. 1160 and Dance Hall License renewal appl. no. 1161 of DDT Bobblehedz, Inc., David Bickler, Jr., Agent, d/b/a Bobblehedz located at 5630 W. Lincoln Ave. (new agent).
71. [2013-0282](#) 2013-2014 Class B Tavern License renewal application no. 853 and Dance Hall License renewal application no. 854 of Ubie's Double Vision, LLC, Robert A. Uebelacker, Agent, d/b/a Ubie's Double Vision, premises location at 5501 W. Burnham St.
72. [2013-0056](#) Communication from Assistant City Attorney regarding building code violations at 5501 W. Burnham St., Ubie's Double Vision, LLC, Robert A. Uebelacker, Agent, d/b/a Ubie's Double Vision, (2012-2013 Class B Tavern License no. 853, Instrumental Music License no. 854 and Dance Hall License no. 855).
73. [2013-0326](#) 2012-2013 Cigarette License application no. 1962 of Frenz, Inc., Ibrar H. Malik, Agent, d/b/a Hwy 100 Mobil for premises located at 3061 S. 108 St.

74. [2012-0395](#) 2012-2013 Cigarette License renewal application no. 1400 of Rahan, LLC, Mohammad Rafiq, Agent, d/b/a Hwy 100 Mobil for premises located at 3061 S. 108 St.
75. [2012-0550](#) Communication from Assistant City Attorney regarding non-payment of 2011 real estate taxes for 3061 S. 108 St., Mohammad Rafiq, dated October 9, 2012.
76. [2013-0321](#) 2013-2015 Tavern Operator License application no. 15-098 of Benjamin R. Allen.
77. [2013-0238](#) 2013-2014 Tavern Operator License application no. 14-265 of Lisa A. Payne-Hennen.
78. [2013-0313](#) 2013-2015 Tavern Operator License application no. 15-196 of Jennifer S. Hauglie.
79. [2013-0290](#) 2013-2015 Tavern Operator License renewal application no. 15-90 of Eric G. Millard.
80. [2013-0270](#) 2012-2013 Direct Sellers/Solicitors Permit application no. 14 of Jacob Marx.
81. [2013-0306](#) 2012-2013 Direct Sellers/Solicitors Permit application no. 25 of Benjamin Katrichis.
82. [2013-0311](#) 2012-2013 Direct Sellers/Solicitors Permit application no. 16 of Ace Tilson.

ADVISORY COMMITTEE

New Matters for Introduction

83. [R-2013-0141](#) Resolution appointing the Director of Development to represent the City of West Allis on the Milwaukee Continuum of Care.
Sponsors: Advisory Committee
84. [2013-0349](#) Appointment by Mayor Devine of Jean Wolfgang as a member of the West Allis Plan Commission, her three-year term to expire April 30, 2016.
85. [2013-0350](#) Reappointment by Mayor Devine of Lee Krajcik as a member of the West Allis Electrical Review Board, his two-year term to expire May 31, 2015.
86. [2013-0351](#) Reappointment by Mayor Devine of Richard Sujecki as a member of the West Allis Electrical Review Board, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his two-year term to expire May 31, 2015.

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.