



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair

Aldersperson James W. Sengstock, Council President

Alderspersons: 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, November 18, 2008

7:00 PM

City Hall - 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 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Barczak.

D. PUBLIC HEARINGS

1. [R-2008-0229](#) Resolution approving a Planned Development Agreement amendment pursuant to Sec. 12.60 of the Revised Municipal Code by and between the City of West Allis and Chr. Hansen for various building and demolition improvements to the existing Chr. Hansen campus, located at 9015 W. Maple St. (Tax Key No. 451-1006-000)

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Brian Preiss, Executive Director, Business Improvement District, 7231 W. Greenfield Ave., addressed the installation of the new street name signs in the downtown. Mr. Preiss announced Christmas on the Avenue scheduled for December 6th.

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. MISCELLANEOUS BUSINESS

Mayor's Report

Mayor Devine attended the Veteran's Day ceremony, the Alliance of Cities conference, and announced the Community Breakfast of Thanks and Giving.

Alderspersons Comments

Ald. Weigel reported on a meeting for the Southeastern Wisconsin Watersheds Trust (SWWT).

Ald. Reinke addressed Henry Canitz Day, and commented on the Christmas Giving Tree honoring veterans sponsored by the Celebrations Committee.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of November 5, 2008

J. ITEMS NOT REFERRED TO COMMITTEE

2. [2008-0691](#) Joseph C. Kaminski, 3228A S. 7 St., Milwaukee, communication regarding injury allegedly sustained at South 76 Street and West Oklahoma Avenue on October 16, 2008.
3. [2008-0723](#) Pamela J. King, 3228A S. 7 St., Milwaukee, communication regarding injury allegedly sustained at South 76 Street and West Oklahoma Avenue on October 16, 2008.
4. [2008-0720](#) Lawsuit of Todd Clementi, Plaintiff, City of West Allis, Involuntary Plaintiff v. David W. Ulbrich and Badger Mutual Insurance, Defendants (Case No. 08-CV-014816) filed by Attorney James E. Gatzke of Gatzke & Ruppelt, S.C.

Attachments: [Lawsuit Clementi v Ulbrich & Badger Mut Insur.pdf](#)

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:12 p.m. Upon returning from recess at 8:12 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

6. [O-2008-0050](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2009.

Sponsors: Administration & Finance Committee

Attachments: [ADMO.AppropOrd.Atchmt1.pdf](#)
[ADMO.AppropOrd.Atchmt2.pdf](#)
[ADMO.AppropOrd.Atchmt3.pdf](#)
[ADMO.AppropOrd.Atchmt4.pdf](#)

7. [R-2008-0231](#) Resolution Relating to Renewal of Health Insurance Portability and Accountability Act Exemption.

Sponsors: Administration & Finance Committee

Attachments: [HIPAA EXEMPTION ELECTION DOC.pdf](#)

8. [R-2008-0237](#) Resolution to approve a Demonstration Commercial Facade Improvement Project Contract by and between the City of West Allis and Robert B. Kegel Trust for the property located at 5901 W. National Ave. in an amount not to exceed \$6,255.00.

Sponsors: Administration & Finance Committee

9. [R-2008-0230](#) Resolution approving Subgrantee Agreements by and between the City of West Allis and various Community Development Block Grant recipients and City Departments for support of administrative, public service, housing rehabilitation, economic development, public improvement, redevelopment activities and projects funded by 2009 Community Development Block Grant funds.

Sponsors: Administration & Finance Committee

Attachments: [Exhibit B - Subgrantee Agreement\(11-18-08\).doc](#)
[Exhibit A-SummaryChartofConPlan2009.xls](#)

10. [R-2008-0234](#) Resolution approving the transfer of \$148,895 from the City's Contingency Fund to the Planning & Zoning Division's budget for the preparation of the City's Comprehensive Plan Update for 2030.

Sponsors: Administration & Finance Committee

11. [R-2008-0235](#) Resolution approving the transfer of \$28,000 from the City's Contingency Fund to the Department of Building Inspection & Zoning's budget for the additional funds needed to remodel its office.

Sponsors: Administration & Finance Committee

12. [2008-0724](#) Comptroller/Manager of Finance requesting approval in offering a Pill-Splitting program.

Attachments: [Pillsplitting1.pdf](#)

13. [2008-0725](#) Comptroller/Manager of Finance requesting consulting services for the Medicare Part D program.

Attachments: [Medicare Part D.pdf](#)

Held in Administration & Finance Committee during recess.

City Attorney Claim Report

14. [2008-0210](#) Notice of Circumstances of Claim submitted by Scott R. Winkler, Winkler Law Firm, S.C. on behalf of Guillermo Gallegos Lopez and Maribel Barron regarding injuries and damages allegedly sustained at South 72 Street and West Oklahoma Avenue on March 1, 2008.

15. [2008-0672](#) Paul Esperes communication regarding vehicle damage allegedly sustained at South 84th Street and West Lincoln Avenue on September 23, 2008.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

5. [2008-0645](#) 2009 City of West Allis Mayor's Recommended Budget.

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Weigel

No: 1 - Vitale

PUBLIC WORKS COMMITTEE

16. [R-2008-0238](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain and two alleys by asphalt resurfacing of the alley pavement.

Sponsors: Public Works Committee

17. [R-2008-0236](#) Resolution relative to accepting the proposal of Crescent Electric Supply Co. for furnishing and delivering street lighting cable for a total sum of \$45,882.50.

Sponsors: Public Works Committee

Attachments: [1010 Street Light Cable.xls](#)

18. [2008-0729](#) Downtown West Allis Business Improvement District communication regarding the crosswalks and parking lines in Downtown West Allis.

Attachments: [2008-0729.pdf](#)

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

19. [R-2008-0239](#) Resolution authorizing the Community Development Authority of the City of West Allis an additional \$268,900 for street lighting for W. Greenfield Ave. and W. National Ave. from S. 60 St. to S. 62 St.

Sponsors: Safety & Development Committee

Held in Safety & Development Committee during recess.

20. [2008-0717](#) Special Use Permit for proposed hours of operation extension for First Class Child Care, an existing business located at 7625 W. Becher St. (Tax Key No. 477-0748-000)

Held in Safety & Development Committee during recess.

21. [2008-0726](#) Special Use Permit for proposed MATC classrooms to be located within a portion of the existing office building located at 1205 S. 70 St. (Tax Key No. 440-0256-002)

Held in Safety & Development Committee during recess.

22. [2008-0727](#) Special Use Permit for Flaming Grill, a proposed restaurant to be located at the former Chalet Restaurant at 6215 W. National Ave. (Tax Key No. 454-0073-001)

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

23. [R-2008-0229](#) Resolution approving a Planned Development Agreement amendment pursuant to Sec. 12.60 of the Revised Municipal Code by and between the City of West Allis and Chr. Hansen for various building and demolition improvements to the existing Chr. Hansen campus, located at 9015 W. Maple St. (Tax Key No. 451-1006-000)

Sponsors: Safety & Development Committee

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

24. [2008-0703](#) 2008-2009 Tavern Operator License application no. 9-594 of Dorene J. Monty.

Held in License & Health Committee during recess.

25. [2008-0704](#) 2008-2009 Tavern Operator License application no. 9-597 of Trish M. Beatty.

26. [2008-0705](#) 2008-2009 Tavern Operator License application no. 9-598 of Michael R. Ewaskowitz.
28. [2008-0707](#) 2008-2009 Tavern Operator License application no. 9-602 of Ryan E. Higgins.
Held in License & Health Committee during recess.
29. [2008-0708](#) 2008-2010 Tavern Operator License application no. 10-276 of Tiffany M. Urban.
Denied based upon Police Report.
30. [2008-0709](#) 2008-2010 Tavern Operator License application no. 10-282 of Lisa M. Rodriguez.
31. [2008-0659](#) 2008-2010 Tavern Operator License application no. 10-270 of Jeremiah J. Ulrich.
Based upon two (2) nonappearances.
32. [2008-0661](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 472, Dance Hall License no. 1040, Instrumental Music License no. 1039 and Cigarette License no. 475, Larry M. Beilfuss, Agent, Incident Date: September 27, 2008).
33. [2008-0716](#) 2008-2009 Class B Tavern License application no. 1469, Dance Hall License application 1471, Instrumental Music License application no. 1471 and Cigarette License application no. 1470 of The Flaming Grill Holding, LLC, Ackasone Virasith, Agent, d/b/a Flaming Grill premises located at 6215 W. National Ave. (new-nonexisting location).
Held in License & Health Committee during recess.
34. [2008-0306](#) 2008-2009 Class B Tavern License application no. 1389 of Jacqueline A. George, d/b/a Gyro Grill & Pub for premises located at 10722 W. Oklahoma Ave. (new-nonexisting location).
Held in License & Health Committee during recess.
35. [2008-0728](#) 2008-2009 and 2008-2010 Tavern Operator License applications.
2008 - 2010 License application nos. 285 and 286 granted.
36. [2008-0722](#) 2008-2009 Used Vehicle Dealer License application no. 1474 of Economy Motors, LLC II at 5735 W. National Avenue.

37. [2008-0719](#) Video/Cable Communications Coordinator communication regarding 3rd quarter funding recommendations for the WA/WM School District educational access operations.

Attachments: [2008-0719.pdf](#)

38. [2008-0718](#) Video/Cable Communications Coordinator communication regarding 3rd quarter funding recommendations for the West Allis Community Communications Corporation (WACCC) public access operations.

Attachments: [2008-0718.pdf](#)

39. [2008-0730](#) Communication from CEC Entertainment, Inc., d/b/a Chuck E. Cheese's at 2990 S. 108 St., regarding voluntary surrender of their Class B Liquor, Class B Beer, Instrumental Music and Dance Hall Licenses.

Attachments: [Chuck E Cheese.pdf](#)

40. [2008-0731](#) 2008-2009 Arcade License application no. 1476 of CEC Entertainment, Inc., d/b/a Chuck E. Cheese's at 2990 S. 108 St.

41. [2008-0710](#) Police Department report regarding tavern violations/calls for service for the month of October 2008.

Attachments: [2008-0710.pdf](#)

42. [2008-0711](#) Police Department Report regarding October 24, 2008 Alcohol Compliance Check involving eighteen (18) West Allis businesses, resulting with none selling alcohol to an underage person without requesting identification.

43. [2008-0712](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: October 1, 2008).

Held in License & Health Committee during recess.

44. [2008-0713](#) Police Department Report involving Wisconsin Athletic Club, 1939 S. 108 St., (2008-2009 Class B Tavern License no. 481 and Instrumental Music License no. 613 of RBC, Inc., Ted M. Torcivia, Agent, Incident Date: October 4, 2008).

45. [2008-0714](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2008-2009 Class B Tavern License no. 827, Dance Hall License no. 829, and Instrumental Music License no. 830 of Harry O's, Inc., Harry J. Strahlendorf, Agent, Incident Date: October 3, 2008).

Held in License & Health Committee during recess.

46. [2008-0715](#) Police Department Report involving Lenny's, 6309 W. National Ave., (2008-2009 Class B Tavern License no. 458, Dance Hall License no. 506 and Cigarette License no. 1357 of Lenny's, Inc., Leonard E. Malan, Agent, Incident Date: October 18, 2008).

Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

27. [2008-0706](#) 2008-2009 Tavern Operator License application no. 9-600 of Ryan M. Larscheidt.

Aye: 8 - Barczak, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Vitale

No: 2 - Czaplewski, and Weigel

ADVISORY COMMITTEE

47. [2008-0721](#) Appointment by Mayor Devine of Shelly Strasser as the Representative for the Director of School District Recreation Department to the West Allis Community Celebrations Committee.

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

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

Council President Sengstock wished everyone a Happy Thanksgiving.

O. ADJOURNMENT

to adjourn at 8:23 p.m., with the next regularly scheduled meeting to be held on December 2, 2008, at 7:00 p.m

*/s/ Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



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.