



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair

Aldersperson James W. Sengstock, Council President

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

Tuesday, May 4, 2010

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 7 - Barczak, Czapski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

Excused 3 - Lajsic, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop 558 from Frank Lloyd Wright Intermediate School.

D. PUBLIC HEARINGS

1. [R-2010-0114](#) Resolution relative to determination of Special Use Permit for proposed building addition at Arrow Hyundai, an existing auto dealership located at 10611 W. Arthur Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

2. [R-2010-0112](#) Resolution relative to determination of Special Use Permit for proposed addition to Yester Years, an existing pub and grill, located at 9427 W. Greenfield Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

3. [R-2010-0111](#) Resolution relative to determination of Special Use Permit for proposed outdoor dining deck addition to the Jock Stop, an existing pub and grill located at 7930 W. National Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Tom Phelps, 1703 S. 80 St., addressed his concerns relative to parking and the closing time.

4. [R-2010-0113](#) Resolution relative to determination of Special Use Permit for proposed outdoor dining patio addition to Brass Monkey, an existing pub and grill located at 11904 W. Greenfield Avenue.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

The Clerk's Office received one (1) letter opposing and three (3) letters in favor of the Special Use Permit.

Appearances: None.

5. [R-2010-0110](#) Resolution relative to determination of Special Use Permit for proposed collocation of additional antennas and assorted corresponding equipment to the existing rooftop and equipment space at New Samaria, 6700 W. Beloit Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Mary Gorski, 2626 S. Seymour Pl., commented on the petition regarding deer problems and associated concerns relative to disease, landscaping, deer overpopulation, increased number of coyotes, vehicle accidents, safety issues, and DNR management and techniques. She requested a city ordinance be enacted to ban feeding the deer.

Edward Walkowiak, 2523 S. Seymour Pl., commented on the overpopulation of deer. He described his experiences with the deer and the increased number of coyotes. He said that the deer eat and destroy his property and asked for help from the city.

Kurt Traeder, 2512 S. Seymour Pl., commented on the Beautification awards that the City issues. He said the problem with the deer population has increased within the past two to five years. He addressed the cost involved with his yard and droppings throughout the property. He indicated that the deer no longer fear humans. He stated that he does not hate the deer and enjoys the wildlife, but the herd needs to be controlled because of its overpopulation. He requested assistance in order to get relief.

Dianna Dellinger, 2783 S. Seymour Pl., commented on the number of deer, safety concerns, and the cost involved with landscape damage and spray.

David Sahar, 11919 W. Verona Ct., said that this problem is a newer problem because of the recent overpopulation of deer. He addressed the destruction, expense and vehicle accidents associated with the deer. If the deer overpopulation is not addressed, the problem will only get worse and will be more costly for the city to handle it. He asked that this matter be taken seriously, and has already tried numerous remedies on his own.

Richard Burbey, 11819 W. Lincoln Ave., said that deer are an increasing problem. He commented on the landscape damage, and that they cannot be scared away. He addressed traffic problems associated with the deer. He said that the deer are nice to watch, but the numbers are now very problematic and something needs to be done.

Donna Fay Szafir, 2588 S. Seymour Pl., said that the deer problem has reached a high level, and the problem has not been addressed. She stated that citizens are doing the most they can. She said the deer overpopulation is a serious problem and government help is needed.

Cathy Barwick, 10431 W. Oklahoma Ave., commented on her bartender application, and explained her background and current situation. She requested that her application not be denied.

Jim Ryback, 2665 S. Seymour Pl., echoed his neighbors regarding the deer. He said that deer population has expanded, and the deer have become bolder. He stated that the deer have damaged property, and he addressed safety concerns.

Britanny Armbruster, 6630 W. Barnard Ave., commented on her bartender application. She described her current situation, and said she has learned responsible beverage service. She said she has to make ends meet, and asked for reconsideration.

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 announced the Community Improvement Foundation's annual dinner, the community clean up day, and the opening of the West Allis Farmer's Market.

Alderspersons Comments

Ald. Sengstock commented on the seriousness of the deer control issue, and described the next part of the review process.

Ald. Roadt said that he is looking for WWII veterans for the Memorial Day Parade.

Ald. Reinke commented on the police recognition ceremony, and congratulated the award recipients. She also reported that several people from Green Links Dr., Orchard Hills and surrounding areas who could not attend called her regarding deer control. She said that careful consideration will be used when addressing this matter.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of April 20, 2010

J. ITEMS NOT REFERRED TO COMMITTEE

6. [2010-0254](#) Sheila Rooney communication regarding vehicle damage allegedly sustained westbound on W. Lincoln Ave. and S. 84 St. on December 18, 2009.
7. [2010-0272](#) Susan R. Opitz communication regarding injuries allegedly sustained near 10534 W. Greenfield Ave. on April 2, 2010.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

8. [2010-0221](#) 2010-2012 Tavern Operator License application no. 12-04 of Travis P. Wozney.
9. [2010-0234](#) 2010-2012 Tavern Operator License application no. 12-01 of Dorothy J. Nolte.
10. [2010-0222](#) 2010-2011 Class B Tavern License application no. 1636 of Lakshmi Narasimha, Inc., Shakunthala V. Dammanna, Agent, d/b/a Tandoor Restaurant located at 1117 S. 108 St. (new-existing location).
11. [2010-0204](#) Police Department Report involving Las Palmas, 1901 S. 60 St. (2009-2010 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, Incident Date: March 15, 2010).
12. [2010-0188](#) 2009-2011 Tavern Operator License application no. 11-453 of Cathy A. Barwick.

Denied based on the police report.

13. [2010-0235](#) 2009-2011 Tavern Operator License application no. 11-460 of Dontay S. Bentley.
Denied based on the police report.
14. [2010-0185](#) 2009-2011 Tavern Operator License application no. 11-451 of Brittany L. Armbruster.
Denied based on the police report.
15. [2010-0210](#) 2010-2011 Used Vehicle Dealer License application no. 1638 of Reasonable Auto Sales & Service, LLC, John J. Casper, Agent, d/b/a Reasonable Auto Sales & Service, for premises at 5730 W. Lincoln Ave.
Denied based on the police report.

Passed The Block Vote

Aye: 7 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

No: 0

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 8:00 p.m. Upon returning from recess at 8:52 p.m., and the roll call being taken, there were:

Present 7 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

Excused 3 - Lajsic, Vitale, and Weigel

M. NEW AND PREVIOUS MATTERS**ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES**

16. [R-2010-0109](#) Resolution relative to accepting the proposal of Northern Sewer Equipment Co., Inc. for furnishing and delivering a Camel Combination Sewer Cleaning and Catch Basin Cleaning Machine for a total net sum of \$414,255.00.

Sponsors: Administration & Finance Committee and Public Works Committee

Attachments: [1082 Sewer-Catch Basin sole source letter.pdf](#)

ADMINISTRATION & FINANCE COMMITTEE

17. [R-2010-0119](#) Resolution relative to an agreement between the City of West Allis and the West Allis/West Milwaukee Family Resource Center for the provision of the Brighter Futures programs and services.
- Sponsors:* Ald. Reinke
18. [R-2010-0108](#) Resolution relative to accepting the proposal of Journal Community Publishing for providing publication services for an estimated sum of \$14,000.00.
- Sponsors:* Administration & Finance Committee
- Attachments:* [1072 Bid tabulation.pdf](#)
19. [R-2010-0118](#) Resolution to approve phase 3 of the Memorandum of Understanding to pay the City's share of fees associated with the cooperative hiring of Short Elliott Hendrickson Inc. to advance joint concerns and protect common interests in regard to the City of Milwaukee Water Works application to the Wisconsin Public Service Commission to increase its water rates.
- Sponsors:* Administration & Finance Committee
20. [R-2010-0116](#) Resolution relative to approving the application and the borrowing of up to \$188,018 from the Trust Funds of the State of Wisconsin at an interest rate of 4.5 percent for a term of 10 years for the purpose of financing sanitary sewer projects.
- Sponsors:* Administration & Finance Committee
- Attachments:* [Microsoft Word - debt for sanitary sewer - 2010 trust fund loan application....pdf](#)
[application may 3 2010.pdf](#)
21. [2010-0261](#) Library Director's request to approve an intra-departmental fund transfer to cover the cost of scanning software.
- Attachments:* [Library.ScanSoftware Ltr 050410.pdf](#)
22. [2010-0277](#) Communication from the Fire Chief regarding Local Program Operator Contract between the Wisconsin Department of Commerce and the West Allis Fire Department.
- Attachments:* [2010-0277 Fire Chief Communication.pdf](#)
23. [2010-0260](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period January 1, 2010 through March 31, 2010.
- Attachments:* [MCCAccidRpt.Qtr1 2010.pdf](#)
24. [2010-0027](#) Communication from the Library Director and Library Board President requesting a transfer of operating budget funds to complete library carpeting project.
- Attachments:* [2010-0027 Communication.pdf](#)

Passed The Block Vote

Aye: 7 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

No: 0

PUBLIC WORKS COMMITTEE

25. [2010-0250](#) Communication and petition submitted by Concerned Residents of Ermenc Park Estates regarding 2010 assessment for minor road repairs to S. 117 St. and permitted use of Nathan Hale High School grounds.

Attachments: [2010-0250 petition.pdf](#)

26. [2010-0262](#) Communication from Director of Public Works/City Engineer on behalf of Alderperson Dan Roadt asking for approval to close Senior Center's parking lot for Memorial Day activities.

27. [2010-0276](#) Communication from Director of Public Works/City Engineer regarding request to allow a children's moonwalk bouncer in Liberty Height's Park.

Attachments: [2010-0263 Request letter from Villa.pdf](#)

Passed The Block Vote

Aye: 7 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

No: 0

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES

28. [2010-0271](#) Special Use Permit for outdoor dining addition to Callanan's Parkway Pub, to be located at 11505 W. National Ave.

Attachments: [2010-0271 Brown.pdf](#)

Held in Safety & Development Committee during recess.

Held in License & Health Committee during recess.

29. [2010-0266](#) Special Use Permit to include a beer-serving establishment to the existing cigar business, Smoker's Pub, located within the Oak Ridge Square Shopping Center at 10708 W. Oklahoma Ave.

Held in Safety & Development Committee during recess.

Held in License & Health Committee during recess.

SAFETY & DEVELOPMENT COMMITTEE

36. [R-2010-0115](#) Resolution approving a Certified Survey Map for the proposed lot consolidation to be located at 9619 W. Grant St. submitted by James Bartos, owner.

Sponsors: Safety & Development Committee

37. [2010-0273](#) Certified Survey Map for proposed lot consolidation to be located at 9619 W. Grant St., submitted by James Bartos, owner.

38. [2010-0270](#) Special Use Permit for proposed daycare facility to be located at 5801 W. National Ave.

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

39. [R-2010-0114](#) Resolution relative to determination of Special Use Permit for proposed building addition at Arrow Hyundai, an existing auto dealership located at 10611 W. Arthur Ave.

Sponsors: Safety & Development Committee

40. [2010-0153](#) Special Use Permit for proposed building addition to be located at Arrow Hyundai, 10611 W. Arthur Ave.

41. [R-2010-0110](#) Resolution relative to determination of Special Use Permit for proposed collocation of additional antennas and assorted corresponding equipment to the existing rooftop and equipment space at New Samaria, 6700 W. Beloit Ave.

Sponsors: Safety & Development Committee

42. [2010-0265](#) Special Use Permit for proposed collocation of additional antennas and assorted corresponding equipment to the existing rooftop and equipment space at New Samaria, 6700 W. Beloit Ave.

Passed The Block Vote

Aye: 7 - Barczak, Czaplowski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

No: 0

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

30. [R-2010-0112](#) Resolution relative to determination of Special Use Permit for proposed addition to Yester Years, an existing pub and grill, located at 9427 W. Greenfield Ave.

Sponsors: Safety & Development Committee

31. [2010-0264](#) Special Use Permit for proposed addition to Yester Years, an existing pub and grill, located at 9427 W. Greenfield Ave.

32. [R-2010-0111](#) Resolution relative to determination of Special Use Permit for proposed outdoor dining deck addition to the Jock Stop, an existing pub and grill located at 7930 W. National Ave.

Sponsors: Safety & Development Committee

33. [2010-0194](#) Special Use Permit for proposed outdoor dining deck additon to the Jock Stop, a tavern/restaurant located at 7930 W. National Ave.

34. [R-2010-0113](#) Resolution relative to determination of Special Use Permit for proposed outdoor dining patio addition to Brass Monkey, an existing pub and grill located at 11904 W. Greenfield Avenue.

Sponsors: Safety & Development Committee

35. [2010-0263](#) Special Use Permit for proposed patio addition to Brass Monkey, an existing pub and grill located at 11904 W. Greenfield Avenue.

Attachments: [2010-0263 opposed Shea.pdf](#)
[2010-0263 support Citgo.pdf](#)
[2010-0263 support Goehrig.pdf](#)
[2010-0263 support Sheehan.pdf](#)

LICENSE & HEALTH COMMITTEE

43. [2010-0240](#) 2010-2011 Class B Tavern License application no. 1640 of Michael's Family Restaurant of W.A., Inc., Dennis R. Ermi, Agent, d/b/a Michael's Family Restaurant of W.A. located at 8417 W. Cleveland Ave. (new-nonexisting location).

Appearance by Dennis R. Ermi.

as amended

44. [2010-0278](#) 2010-2011 Secondhand Article Dealer License application no. 1637 of Jesse L. Knutowski and John Demler, Partners, d/b/a Great Lakes Trading, Co., for premises at 7419 W. Becher St.

Appearance by Jesse L. Knutowski.

45. [O-2010-0013](#) An Ordinance to Amend Subsection 9.05(2)(b) of the West Allis Revised Municipal Code Relating to Dance Halls.

Sponsors: Ald. Czaplewski

Held in License & Health Committee during recess.

46. [O-2010-0014](#) An Ordinance to Repeal SubSection 7.126(5)(d)(1) and Recreate Using Number (2) and Renumbering (3) to (2) of the West Allis Revised Municipal Code Relating to Dangerous Dogs.

Sponsors: Ald. Czaplewski

Held in License & Health Committee during recess.

47. [2010-0249](#) Petition for deer control on private properties.

Attachments: [2010-0249 Petition.pdf](#)

48. [2010-0252](#) 2010-2011 Class B Tavern License application no. 1642, Instrumental Music License application no. 1643 and Dance Hall License application no. 1644 of 6500 Bar, LLC, Susan C. Jesion, Agent, d/b/a 6500 Bar & Grill, for premises located at 6500 W. Greenfield Ave. (new-existing location).

49. [2010-0241](#) Appointment of new agent, Nicole M. Bartlett, by Mega Marts, LLC, d/b/a Pick 'n Save #6883 located at 11111 W. Greenfield Ave. (2009-2010 Combination Class A Liquor License no. 1205).
50. [2010-0224](#) 2009-2010 Class B Tavern Special Event Permit application no. 11 of Potocic Enterprises, Ltd., William L. Potocic, Agent, d/b/a State Fair Inn at 8101 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 700) for food and music to be held on Saturday, June 12, 2010, from 6:00 p.m. to 11:00 p.m. (Tent and outdoor music with food and drink served from inside).
51. [2010-0269](#) 2010-2011 Class B Tavern Special Event Permit application no. 1 of D&N Lynch, Inc., Joseph Lynch, Agent, d/b/a Lynch's, 2300 S. 108 St., (2010-2011 Class B Tavern License renewal application no. 489, Instrumental Music License renewal application no. 617) for Lynchfest: An Outdoor Music Festival, August 27 & 28, 2010 from 6:00 p.m. to 11:00 p.m. and August 29, 2010 from 9 a.m. to 9 p.m., (Tents with food).
52. [2010-0247](#) 2010-2011 Adult-Oriented Establishment License renewal application.
License application no. 531 granted.
53. [2010-0248](#) 2010-2011 Adult-Oriented Establishment Operator Permit application(s).
License application nos. 532, 543-544, 998, 1158, 1198, 1356, 1377, 1420, 1445, 1458, 1529, 1607, 1618 & 1647 granted.
54. [2010-0242](#) 2010-2011 Secondhand Article Dealer License renewal application(s).
License application nos. 306, 329, 332, 341-342 & 1191 granted.
55. [2010-0243](#) 2010-2011 Secondhand Jewelry Dealer License renewal application(s).
License application no. 358 granted.
56. [2010-0268](#) 2010-2011 Used Vehicle Dealer License renewal application(s).
License application nos. 32, 261 & 1535 granted.
57. [2010-0253](#) 2010-2011 Salvage & Recycling Center License renewal application(s).
License application no. 351 granted.
58. [2010-0244](#) 2010-2011 Amusement Distributor's License application(s).
License application nos. 430, 435, 441, 1321, 1568 & 1641 granted.
59. [2010-0245](#) 2010-2011 Phonograph Distributor's License renewal application(s).
License application nos. 1056 & 1569 granted.
60. [2010-0259](#) 2010-2012 Package Goods Operator License application(s).
License application nos. 569-570, 594, 1083 & 1645-1646 granted.
61. [2010-0251](#) 2010-2011 Combination Class A Liquor License renewal application(s).
License application nos. 933-936, 1080, 1494 & 1609 granted.

62. [2010-0218](#) 2010-2011 Class B Tavern, Dance Hall and Instrumental Music License renewal applications.
Class B Tavern License application nos. 444, 450, 458, 472, 690, 657, 732, 745, 751, 773, 853, 861, 869, 1060, 1210, 1238, 1440, 1538 & 1611 and corresponding Dance Hall and Instrumental Music License applications granted.
63. [2010-0246](#) Tavern Operator License applications.
2010-2011 License application nos. 473-474, 476-477 & 479 granted and 2010-2012 License application nos. 48-67 & 69-87 granted.
64. [2010-0255](#) 2010-2011 Cigarette License renewal application no. 513 of Atlas Tobacco & Grocery Wholesale Corp., Kamal H. Issa, Agent, d/b/a West Allis Cigarette Depot for premises located at 7023 W. Greenfield Ave.
Held in License & Health Committee during recess.
65. [2010-0258](#) 2010-2012 Tavern Operator License renewal application no. 12-68 of Judith E. Palms.
Held in License & Health Committee during recess.
66. [2010-0257](#) 2010-2011 Tavern Operator License application no. 11-478 of Jason A. Krzyzanowski.
Held in License & Health Committee during recess.
67. [2010-0267](#) 2010-2011 Tavern Operator License application no. 11-475 of Simone N. Mervosh.
Held in License & Health Committee during recess.
68. [2010-0202](#) 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: March 3, 2010.).

69. [2010-0203](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2009-2010 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: March 3, 2010).
70. [2010-0205](#) Police Department Report involving Night Court, 7127 W. National Ave. (2009-2010 Class B Tavern License no. 1594 of Parops, LLC, Hans T. Anderson, Agent, Incident Date: March 23, 2010).

Passed The Block Vote

Aye: 7 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

No: 0

ADVISORY COMMITTEE

71. [2010-0274](#) Reappointment by Mayor Devine of Sharon Plucinski as a member of the West Allis Beautification Committee, her three-year term to expire December 31, 2012.
72. [2010-0275](#) Reappointment by Mayor Devine of Judy Shabman as a member of the West Allis Civil Service Commission, her five-year term to expire May 1, 2015.

Passed The Block Vote

Aye: 7 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, and Sengstock

No: 0

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

None.

O. ADJOURNMENT

to adjourn at 9:02 p.m., with the next regularly scheduled meeting to be held on May 18, 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.