



# City of West Allis

## Meeting Agenda

### Common Council

*Mayor Jeannette Bell, Chair*

*Aldersperson James W. Sengstock, Council President*

*Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Linda A. Dobrowski,*

*Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke,*

*Vincent Vitale, and Martin J. Weigel*

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Tuesday, June 5, 2007

7:00 PM

City Hall - Council Chambers

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#### REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2007-0136](#) Resolution relative to determination of Special Use Permit for the remodeling of a mixed-use building, which includes the West Allis Cheese and Sausage Shop located at 6832 W. Becher St. (Tax Key No. 476-0106-000).

*Sponsors:* Safety & Development Committee

2. [R-2007-0140](#) Resolution relative to determination of Special Use Permit for proposed BUNKERS' nostalgic lounge & eatery restaurant/bar, to be located at 7420 W. Greenfield Ave. (Tax Key No. 440-0413-000)

*Sponsors:* Safety & Development Committee

3. [R-2007-0139](#) Resolution relative to determination of Special Use Permit for proposed addition to Swiss Turners Gymnastics Academy, an existing business located at 2214 S. 116 St. (Tax Key No. 481-9993-023)

*Sponsors:* Safety & Development Committee

4. [R-2007-0138](#) Resolution relative to determination of Special Use Permit for proposed construction of a shop/garage facility, to be located at 111\*\* W. Becher St. (Tax Key No. 481-9992-005)

*Sponsors:* Safety & Development Committee

5. [R-2007-0137](#) Resolution relative to determination of Special Use Permit for proposed modifications to the existing BP gas station and convenience store located at 5926 W. Beloit Rd. (Tax Key No. 455-0080-001)
- Sponsors:* Safety & Development Committee
6. [O-2007-0017](#) Ordinance to amend subsection 12.38(4)(b) of the Revised Municipal Code regarding area lot coverage for a detached garage.
- Sponsors:* Safety & Development Committee
7. [2007-0352](#) On the 2007-2008 Class B Tavern License appl. no. 1233 of Noudeum Pophannouvong, d/b/a Hong Thai Restaurant for premises located at 6425 W. Greenfield Ave. (new-nonexisting location) in regard to exceeding the quota.

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**

**Alderpersons Comments**

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

*Minutes of the Common Council regular meeting of May 15, 2007.*

J. ITEMS NOT REFERRED TO COMMITTEE

8. [2007-0313](#) Communications and all other matters referred to various Committees prior to April 1, 2007.
9. [2007-0303](#) Janelle Wallner communication regarding vehicle damage allegedly sustained at 116th St. and Rogers St. on May 4, 2007.

K. STANDING COMMITTEE REPORTS

**ADMINISTRATION & FINANCE COMMITTEE**

*Recess meeting held on May 15, 2007.*

10. [2007-0052](#) Jim Henry communication regarding property damage allegedly sustained at 9141 W. National Ave. on December 28, 2006.

*Recommended to deny by the following vote:*

*Ayes: Alderpersons Czaplewski, Weigel, Barczak and Reinke - 4*

*Noes: Alderperson Lajsic- 1*

**LICENSE & HEALTH COMMITTEE**

*Regular meeting held on May 22, 2007. (Ald. Sengstock excused)*

11. [2007-0304](#) Summons and Complaint in the matter of the complaint against PAK Enterprises, Inc., Mohammad Rafiq, Agent for the premises located at 3061 S. 108 St., d/b/a Mobil (2006-2007 Cigarette License no. 1044). Introduced May 22, 2007.

*Unanimously recommended to be placed on file.*

12. [2007-0216](#) Summons and Complaint in the matter of the complaint against PAK Enterprises, Inc., Mohammad Rafiq, Agent for the premises located at 3061 S. 108 St., d/b/a Mobil (2006-2007 Cigarette License no. 1044). Introduced April 24, 2007.

*Unanimously recommended to be placed on file.*

13. [2007-0096](#) Summons and Complaint in the matter of the complaint against PAK Enterprises, Inc., Mohammad Rafiq, Agent for the premises located at 3061 S. 108 St., d/b/a Mobil (2006-2007 Cigarette License no. 1044).

*Unanimously recommended to be placed on file.*

14. [2006-0676](#) Police Department Report regarding October 15, 2006 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2006-2007 Cigarette License no. 1144 of Pak Enterprises, Mohammed Rafiq, Agent, d/b/a Pak Enterprises at 3061 S. 108 St.)  
*Unanimously recommended to be placed on file.*
15. [2007-0305](#) 2007-2008 Cigarette License renewal application no. 1144 of Pak Enterprises, Inc., Mohammad Rafiz, Agent, for premises located at 3061 S. 108 St.  
*Unanimously recommended to approve.*
16. [2007-0244](#) 2007-2008 Tavern Operator License application no. 330 of Thomas L. Rasmussen, II.  
*Unanimously recommended to approve.*
17. [2007-0291](#) 2007-2009 Tavern Operator License application no. 155 of Christopher A. Barr.  
*Unanimously recommended to approve.*
18. [2007-0263](#) 2007-2008 Cigarette License renewal application no. 497 of Walgreens #4774, Paul Mould, Agent, for premises located at 8333 W. Greenfield Ave.  
*Unanimously recommended to approve.*
19. [2007-0250](#) 2007-2008 Cigarette License renewal application no. 520 of BP Greenmart, LLC, Wahab Hussaini, Agent, for premises located at 7605 W. Greenfield Ave.  
*Unanimously recommended to approve.*
20. [2007-0270](#) 2007-2009 Tavern Operator License application no. 164 of Michele L. King.  
*Recommended for approval by the following vote:  
Ayes: Alderpersons Kopplin, Czaplewski, and Narlock - 3  
Noes: Alderperson Dobrowski- 1*

## L. COMMON COUNCIL RECESS

## M. NEW AND PREVIOUS MATTERS

21. [2007-0361](#) Municipal Judge communication requesting authorization of an additional \$7,500 for overtime costs related to the Phoenix system, keeping current on the TRIP program and the issuance of commitments to enforce and collect judgments of the court.
22. [2007-0341](#) Communication from Library Director submitting the library strategic plan for the years 2007-2009.
23. [2007-0306](#) Comptroller/Manager of Finance submitting the report for the month of March, 2007 indicating City of West Allis checks issued in the amount of \$2,215,718.95
24. [2007-0354](#) Comptroller/Manager of Finance submitting the report for the month of April, 2007 indicating City of West Allis checks issued in the amount of \$2,291,361.44.
25. [2007-0355](#) Comptroller/Manager of Finance submitting the report for the month of May, 2007 indicating City of West Allis checks issued in the amount of \$2,217,084.13.

**City Attorney Claim Report**

26. [2007-0010](#) AmComp communication on behalf of HM Graphics, Inc. and Sandra Brown regarding injuries allegedly sustained at 80th and National Ave. on December 4, 2006.
27. [2007-0098](#) Welcome and Kathleen Schalmo communication regarding property damage allegedly sustained at 2156 S. 84 St. on January 23, 2007.

**PUBLIC WORKS COMMITTEE**

28. [R-2007-0135](#) Resolution to approve bid of Northern Pipe Equipment, Inc. for closed circuit TV inspection of sanitary and storm sewers at various locations throughout the City of West Allis, in the amount of \$41,250.00.  
*Sponsors:* Public Works Committee
29. [R-2007-0134](#) Resolution to approve bid of Payne & Dolan, Inc. for street construction in W. Lincoln Ave. from S. 61 St. to S. 76 St., in the amount of \$1,096,299.60.  
*Sponsors:* Public Works Committee
30. [2007-0356](#) Communication from Plan Commission recommending approval of the City Engineering Departments street improvement plan for proposed landscaping within City right of way at W. Dixon Street from S. 116 St. to S. Curtis Rd. as well as S. 118 St. from W. Fairview Ave. to W. Dixon St. in accordance with the City Foresters landscaping recommendation.  
*Attachments:* [Communication.doc](#)
31. [2007-0359](#) Communication from City Engineer on the Plan Commission action and recommended plan for the reconstruction of W. Dixon Street.

**SAFETY & DEVELOPMENT COMMITTEE**

32. [O-2007-0020](#) An Ordinance to Establish Parking Restrictions on the North Side of the 11700, 11800, 11900, 12000, 12100 and 12200 Blocks of W. Oklahoma Ave., from Root River Parkway Dr. to 370 ft. E of S. 124 St.  
*Sponsors:* Sengstock
33. [R-2007-0121](#) Resolution approving a Certified Survey Map for proposed lot split of an industrial parcel at 2100 S. 54 St., submitted by William Luterbach, James Luterbach Construction Co., and Brian Nahey, Carnes Company, Inc. (Tax Key No. 474-0005-001)  
*Sponsors:* Safety & Development Committee
34. [2007-0264](#) Certified Survey Map for proposed lot split of an industrial parcel at 2100 S. 54 St., submitted by William Luterbach, James Luterbach Construction Co., and Brian Nahey, Carnes Company, Inc. (Tax Key No. 474-0005-001)
35. [R-2007-0129](#) Resolution relative to determination of Special Use Permit for a proposed fitness center to be located within Toldt's Six Points development at 65\*\* W. Greenfield Ave. (Tax

Key No. 454-0639-000)

Sponsors: Safety & Development Committee

36. [2007-0198](#) Special Use Permit for proposed fitness center to be located within Toldt's Six Points development at 6501 W. Greenfield Ave. (Tax Key No. 454-0639-000)
37. [2007-0310](#) Special Use Permit to establish a dance school business within a portion of the existing multi-tenant commercial/industrial building located at 11331 W. Rogers St. (Tax Key No. 481-9994-003)
38. [2007-0311](#) Special Use Permit to establish a martial arts business within a portion of the existing multi-tenant commercial/industrial building located at 11331 W. Rogers St. (Tax Key No. 481-9994-003)
39. [2007-0353](#) Special Use Permit for an internal tavern expansion for Harry O's within the existing mixed use building located at 6741-43 W. Lincoln Ave. (Tax Key Number 490-0367-000).
40. [2007-0347](#) Kevin Raymond request for a variance to Section 9.21 of the Revised Municipal Code to erect an eight (8) foot by ten (10) foot storage shed at 10211 W. Greenfield Ave., #10.

41. [2007-0314](#) Police Department report regarding tavern violations/calls for service for the month of April 2007.

### Public Hearing Items (Safety & Development Committee)

42. [R-2007-0136](#) Resolution relative to determination of Special Use Permit for the remodeling of a mixed-use building, which includes the West Allis Cheese and Sausage Shop located at 6832 W. Becher St. (Tax Key No. 476-0106-000).

*Sponsors:* Safety & Development Committee

43. [2007-0297](#) Special Use Permit for the remodeling of a mixed use building which includes the West Allis Cheese and Sausage Shop located at 6832 W. Becher St. (Tax Key No. 476-0106-000).

44. [R-2007-0140](#) Resolution relative to determination of Special Use Permit for proposed BUNKERS' nostalgic lounge & eatery restaurant/bar, to be located at 7420 W. Greenfield Ave. (Tax Key No. 440-0413-000)

*Sponsors:* Safety & Development Committee

45. [2007-0258](#) Special Use Permit for proposed BUNKERS' nostalgic lounge & eatery restaurant/bar, to be located at 7420 W. Greenfield Ave. (Tax Key No. 440-0413-000)

46. [R-2007-0139](#) Resolution relative to determination of Special Use Permit for proposed addition to Swiss Turners Gymnastics Academy, an existing business located at 2214 S. 116 St. (Tax Key No. 481-9993-023)

*Sponsors:* Safety & Development Committee

47. [2007-0296](#) Special Use Permit for proposed addition to Swiss Turners Gymnastics Academy, an existing business located at 2214 S. 116 St. (Tax Key No. 481-9993-023)

48. [R-2007-0138](#) Resolution relative to determination of Special Use Permit for proposed construction of a shop/garage facility, to be located at 111\*\* W. Becher St. (Tax Key No. 481-9992-005)

*Sponsors:* Safety & Development Committee

49. [R-2007-0137](#) Resolution relative to determination of Special Use Permit for proposed modifications to the existing BP gas station and convenience store located at 5926 W. Beloit Rd. (Tax Key No. 455-0080-001)

*Sponsors:* Safety & Development Committee

50. [2007-0248](#) Special Use Permit application for modifications to existing BP gas station and convenience store located at 5926 W. Beloit Rd. (Tax Key No. 455-0080-001)

51. [O-2007-0017](#) Ordinance to amend subsection 12.38(4)(b) of the Revised Municipal Code regarding area lot coverage for a detached garage.

*Sponsors:* Safety & Development Committee

### LICENSE & HEALTH COMMITTEE

52. [2007-0308](#) Communication requesting a 30 day extension to complete the necessary requirements for 2006-2007 Class B Tavern License application no. 1235 and Dance Hall License appl. no. 1236 of Risk Takers, LLC., Pamela Houck, Agent, d/b/a Good Times for premises located at 7731 W. Becher St. (new-existing)
53. [2007-0319](#) 2007-2008 Tavern Operator License application no. 336 of Courtney R. Nissenbaum.
54. [2007-0320](#) 2007-2008 Tavern Operator License application no. 337 of Brad M. Roessger.
55. [2007-0334](#) 2007-2008 Tavern Operator License application no. 227 of Theodore M. Galaszewski.
56. [2007-0242](#) 2006-2007 Tavern Operator License application no. 661 of Garrett M. Kloc.
57. [2007-0321](#) 2007-2008 Class B Tavern License application no. 1251, of Bunkers, LLC, Scott J. Bunker, Agent, d/b/a Bunkers for premises located at 7418-20 W. Greenfield Ave. (new-nonexisting location).
58. [2007-0307](#) 2007-2008 Class B Tavern License renewal appl. no. 876, Dance Hall License renewal appl. no. 878, and Tavern Entertainment License renewal appl. no. 879 of ELS Properties, LLC, Lori Ann Sisolak, Agent, d/b/a The New Heart Breakers, premises located at 9442 W. National Ave.
59. [2007-0344](#) 2007-2008 Class B Tavern license renewal application no. 845, Kent Lawrence Keske, d/b/a Kesler's for premises located at 6901 W. Beloit Rd.
60. [2007-0351](#) Time Warner Cable communication regarding Milwaukee Public Television (MPTV) replacing MPTV2, channel 551, with MPTV V-ME and that programming formerly viewed on MPTV2 can be found on WMVT 36, Time Warner Cable channel 16.
61. [2007-0228](#) 2007-2009 Tavern Operator License application no. 51 of Alfredo A. Hernandez.
62. [2007-0239](#) 2007-2009 Tavern Operator License application no. 81 of Laura L. Helgert.
63. [2007-0332](#) 2007-2009 Tavern Operator License application no. 236 of Michael J. Jonas.
64. [2007-0360](#) 2007-2009 Tavern Operator License application no. 254 of Kelly R. Froehlich.
65. [2007-0329](#) 2007-2008 and 2007-2009 Tavern Operator License applications.
66. [2007-0312](#) 2007-2008 Special Class B Beer and Wine License application(s).
67. [2007-0333](#) 2007-2008 Class B Tavern Special Event Permit appl. no. 2 of Lois McHugh, d/b/a Lois's Derby, 1430 S. 81 St., (2007-2008 Class B Tavern License renewal application no. 682, Instrumental Music License renewal application no. 685, Dance License renewal application no. 684 and Cigarette renewal application no. 683) for Birthday Party, July 21, 2007 from 12:00 p.m. to 10:00 p.m. (Parking lot with a tent).
68. [2007-0342](#) 2007-2008 Class B Tavern Special Event Permit application no. 3 of Budiac Enterprises, LLC, Kristine M. Budiac, Agent, d/b/a Paulie's, 8031 W. Greenfield Ave. (2007-2008 Class B Tavern License no. 627, Instrumental Music License application

- no. 628, Dance License application no. 632 and Cigarette application no. 630) for an Annual tent party, July 27, 2007 thru July 28, 2007 from 10:00 a.m. to 11:00 p.m. and July 29, 2007 from 10:00 a.m. to 9:00 p.m.(Fenced in parking lot with tents).
69. [2007-0337](#) 2007-2008 Class B Beer License appl. no. 1257 of Sam's Fortune, LLC, Yong Qian Lai, Agent, d/b/a Fortune Chinese Restaurant located at 2945 S. 108 St. (new-existing location).
70. [2007-0338](#) 2007-2008 Class C Wine License appl. no. 1258 of Sam's Fortune, LLC, Yong Qian Lai, Agent, d/b/a Fortune Chinese Restaurant located at 2945 S. 108 St. (new-existing location).
71. [2007-0339](#) 2007-2008 Combination Class A Liquor License application no. 1260 of Amardeep, LLC, Amardeep Amardeep, Agent, d/b/a Lucky Food & Liquor, premises located at 2079 S. 69 St. (new-existing location)
72. [2007-0340](#) 2007-2008 Combination Class A Liquor License renewal application no. 1110 of R Khoury, LLC, Rosette A. Khoury, Agent, d/b/a Becher Beer & Liquor, premises located at 2079 S. 69 St.
73. [2007-0349](#) Appointment of new agent by WHG West Allis, LLC, d/b/a Applebees Neighborhood Grill & Bar, 2865 S. 108 St., of Lisa K. Blanchard (2006-2007 Class B Tavern license application no. 443).
74. [2007-0348](#) 2007-2008 Class B Tavern license renewal application no. 443, WHG West Allis, LLC, Lisa K. Blanchard, Agent, d/b/a Applebees Neighborhood Grill & Bar for premises located at 2865 S. 108 St. (new agent)
75. [2006-0435](#) 2006-2007 Class B Tavern license application no. 1141, Dance Hall license application no. 1143 and Instrumental Music license application no. 1142 of Tori 822, Inc., Nicholas D. Itsines, Jr., Agent, d/b/a Pallas Banquets, for premises located at 10900 W. Mitchell St.(new-nonexisting location)
76. [2007-0343](#) 2007-2008 Class B Tavern license renewal application no. 729, Dance Hall license renewal application no. 731 and Instrumental Music license renewal application no. 730, of Top Gun Saloon, Inc., Angela M. Robinson, Agent, d/b/a Top Gun Saloon for premises located at 1100 S. 60 St.
77. [2007-0328](#) List of 2007-2008 Class B Tavern, Dance Hall, Instrumental Music, Bowling Alley and Pool Table License renewal applications.
78. [2007-0324](#) 2007-2008 Combination Class A Liquor License renewal applications.
79. [2007-0326](#) 2007-2008 Class A Beer License renewal applications.
80. [2007-0323](#) 2007-2008 Class B Beer License renewal applications.
81. [2007-0327](#) 2007-2008 Class C Wine License renewal applications.
82. [2007-0322](#) 2007-2008 Wholesale Beer License renewal applications.

83. [2007-0336](#) 2007-2008 Amusement Distributor's License renewal application(s).
84. [2007-0335](#) 2007-2008 Phonograph Distributor's License renewal application(s).
85. [2007-0309](#) 2007-2008 Second Hand Dealer License renewal application(s).
86. [2007-0346](#) 2007-2008 Pawn Dealer License renewal application(s).
87. [2007-0345](#) 2007-2008 Precious Metal & Gem Dealer License renewal application(s).
88. [2007-0330](#) 2007-2008 Precious Metal & Gem Dealer License application no. 1262 of Shallow Jewelers, Inc., 8919 W. Greenfield Ave.
89. [2007-0315](#) Police Chief communication regarding City of West Allis crime statistics and major crime report for the month of April 2007.
90. [2007-0316](#) Police Department Report regarding February 4, 2007 Tobacco Compliance Check involving thirteen (13) West Allis businesses, resulting with two (2) selling tobacco to an underage person without requesting identification (2007-2008 Combination Class A Liquor License renewal application no. 1113 and 2007-2008 Cigarette License renewal application no. 1114 of Supreme Enterprises, Inc., Inderjeet Singh, Agent, d/b/a Oklahoma Liquor & Tobacco at 10711 W. Greenfield Ave.)
91. [2007-0317](#) Police Department Report involving Tavern on the Green, 11904 W. Greenfield Ave. (2006-2007 Class B Tavern License no. 813 of Tavern on the Green, LLC. Timothy G. Capper, Agent, Incident Date: March 17, 2007).
92. [2007-0318](#) Police Department Report involving Rider's Inn, 6231 W. Mitchell St. (2007-2008 Class B Tavern License renewal application no. 461, Dance Hall License renewal application no. 508 and Cigarette License renewal application no. 460 of J.K.H., Inc., John D. Sierocuk, Agent, Incident Date: February 16, 2007).
93. [2007-0350](#) 2007-2008 Precious Metal & Gem Dealer License renewal application no. 359 of M.J.C. Inc., 10923 W. Lincoln Ave.

Public Hearing Items (License & Health Committee)

94. [2007-0208](#) 2007-2008 Class B Tavern License application no. 1233, of Noudeum Pophannouvong, d/b/a Hong Thai Restaurant for premises located at 6425 W. Greenfield Ave. (new-nonexisting location).

**ADVISORY COMMITTEE**

95. [O-2007-0019](#) An Ordinance to Amend Subsection 3.05(1)(a) of the Revised Municipal Code Relative to the Standing Committees in the Rules of Procedure for Common Council.  
*Sponsors:* Narlock
96. [R-2007-0131](#) Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 301 Relative to Committees of the Common Council.

**Sponsors:** Narlock

97. [2007-0299](#) Appointment by Mayor Bell of Donald Nehmer as a member of the West Allis Police & Fire Commission, his five-year term to expire May 1, 2012.

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

O. 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.

#### NOTICE OF POSSIBLE QUOROM

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

#### 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.