



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

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, August 3, 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. [R-2010-0172](#) Resolution relative to determination of Special Use Permit for proposed children's transportation service, Go Kid Go Transport & Tours, LLC, to be located within the multi-tenant facility located at 430-450 S. Curtis Rd.

Sponsors: Safety & Development Committee

2. [R-2010-0176](#) Resolution relative to determination of Special Use Permit for proposed extension of premises for a deck/gazebo addition to Sir Gregory's Pub, located at 7534 W. Beloit Rd.

Sponsors: Safety & Development Committee

3. [R-2010-0178](#) Resolution relative to determination of Special Use Permit for proposed tavern to be located at the former private banquet facility located at 9105 W. Lincoln Ave.

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****Alderpersons Comments****H. AGENDA APPROVAL****I. APPROVAL OF MINUTES**

Minutes of the Common Council regular meeting of July 6, 2010.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2010-0500](#) Quarterly Report of Matters Pending Before Committee Prior to May 1, 2010.
5. [2010-0456](#) Report of the Municipal Judge for the months of April, May, and June 2010, consisting of all fines, costs and fees collected by the City of West Allis. Total amount collected for: April 2010 - \$128,655.65; May 2010 - \$144,154.46; and June 2010 - \$148,036.31.
6. [2010-0446](#) Summons and Complaint for Injunctive Relief in the matter of The International Association of Fire Fighters Local 1004, AFL-CIO, Dion Volk, Chris Levenhagen, and Dan Kirchner vs. The City of West Allis relative to the smoking ban, Case No. 10CV010685.
7. [2010-0448](#) Donald Sailer communication regarding vehicle damage allegedly sustained at 10211 W. Greenfield Avenue on June 25, 2010.

8. [2010-0484](#) Mark Warner communication regarding vehicle damage allegedly sustained at the corner of S. 117 St. and W. Cleveland Ave. on June 23, 2010.

K. STANDING COMMITTEE REPORTS

None.

L. MOTION TO RECONSIDER

9. [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.

M. COMMON COUNCIL RECESS

N. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

10. [R-2010-0168](#) Resolution relative to accepting the proposal of Midwest Media Group for furnishing and installing one (1) NewTek TriCaster and accessories for a total sum of \$25,988.00.
Sponsors: Administration & Finance Committee
11. [R-2010-0170](#) Resolution relative to approving an Agreement with Key Benefit Concepts for completion of a subsequent study on the Other Post Employee Benefit (OPEB) Valuation in an amount not to exceed \$7,500.
Sponsors: Administration & Finance Committee
12. [R-2010-0177](#) Resolution authorizing the Fire Chief to enter into an Agreement between the City of West Allis and Wisconsin State Fair Park regarding Paramedic Ambulance/Fire Engine Stand-By Services at Milwaukee Mile Events for 2010.
Sponsors: Administration & Finance Committee
13. [R-2010-0179](#) Resolution relative to accepting the proposal of Segway of Wisconsin to furnish three (3) Personal Transporters (PT) and accessories for the approximate total of \$17,000.00.

Sponsors: Administration & Finance Committee

14. [2010-0492](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Preliminary Financial Reports as of July 30, 2010 and Final Unaudited Financial Reports for January, February, and March 2010.
15. [2010-0494](#) Communication from City Administrative Officer requesting consideration of program to publicize names of delinquent property taxes, etc.
16. [2010-0495](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period April 1, 2010 through June 30, 2010.
17. [2010-0449](#) Communication from the City Attorney regarding the Order for Dismissal of the litigation of State Bank of Chilton v. City of West Allis (Case No. 09-CV-006824).

City Attorney Claim Report

18. [2008-0047](#) Summons and Complaint in the matter of State Bank of Chilton vs. City of West Allis, et al.
City Attorney recommended to be placed on file.
19. [2009-0662](#) Summons & Complaint in the matter of BAC Home Loans Servicing, L.P. vs. the City of West Allis, et al., Case No. 09CV015360.
City Attorney recommended to be placed on file.
20. [2010-0186](#) Robert J. Bakos communication requesting a refund of towing charges which allegedly occurred at 1803 S. 64 St. on or about March 5, 2010.
City Attorney recommended denial.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

21. [R-2010-0166](#) Resolution accepting work of Green Bay Pipe & T.V., LLC for the closed circuit TV inspection of sanitary and storm sewers at various locations in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2009 Project No. 2.
Sponsors: Public Works Committee

22. [R-2010-0167](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 1432 & 1433 South 57th Street in the Amount of \$26,960.08.
Sponsors: Public Works Committee
23. [R-2010-0174](#) Resolution to approve bid of Cornerstone Pavers, LLC for concrete patching, manhole adjustments and catch basin repairs at various locations within the City of West Allis, in the amount of \$247,205.80.
Sponsors: Public Works Committee
24. [2010-0490](#) Communication from Director of Public Works/City Engineer regarding recent meetings with the Milwaukee Metropolitan Sewerage District
25. [2010-0493](#) Communication for Director of Public Works/City Engineer regarding trial appointment of Douglas Bartels as Superintendent of the Building and Sign Division of the Department of Public Works.
26. [2010-0491](#) Tonkon Torp LLC request for City's Consent to Assignment and Assumption of Parking Space Lease Agreement relative to West Park Place.

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES

Public Hearing Items (Safety & Development and License & Health Committees)

27. [R-2010-0176](#) Resolution relative to determination of Special Use Permit for proposed extension of premises for a deck/gazebo addition to Sir Gregory's Pub, located at 7534 W. Beloit Rd.
Sponsors: Safety & Development Committee
28. [2010-0476](#) Special Use Permit for proposed extension of premises for a deck/gazebo addition to Sir Gregory's Pub, located at 7534 W. Beloit Rd.
29. [R-2010-0178](#) Resolution relative to determination of Special Use Permit for proposed tavern to be located at the former private banquet facility located at 9105 W. Lincoln Ave.
Sponsors: Safety & Development Committee
30. [2010-0478](#) Special Use Permit for proposed tavern to be located at the former private banquet facility located at 9105 W. Lincoln Ave.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

31. [O-2010-0026](#) An Ordinance to Establish Parking Restrictions on the North Side of the West 125 Feet of the 8200 Block of W. Oklahoma Ave.
Sponsors: Thomas G. Lajsic and Daniel J. Roadt
32. [R-2010-0175](#) Resolution to enter into a contract between the City of West Allis and the City of Milwaukee for disbursement of Neighborhood Stabilization Program funds from the Wisconsin Department of Commerce.
Sponsors: Safety & Development Committee
33. [R-2010-0173](#) Resolution approving a Certified Survey Map for a proposed combination of two lots into one property located at 11211 W. Lincoln Ave. submitted by Greg Kastenzholz, d/b/a Poblocki Paving Corp.
Sponsors: Safety & Development Committee
34. [2010-0498](#) Certified Survey Map for a proposed combination of two lots into one property located at 11211 W. Lincoln Ave. submitted by Greg Kastenzholz, d/b/a Poblocki Paving Corp.
35. [2010-0457](#) Communication from Jackie Kempinger Barkovich requesting the City to create a dog park.
36. [2010-0482](#) Communication from The Corner Bazaar requesting an ordinance amendment to sell used clothing, furniture and/or appliances currently not permitted in the C-1, Central Business District.

Previous Matters for Consideration

37. [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

Public Hearing Items (Safety & Development Committee)

38. [R-2010-0172](#) Resolution relative to determination of Special Use Permit for proposed children's transportation service, Go Kid Go Transport & Tours, LLC, to be located within the multi-tenant facility located at 430-450 S. Curtis Rd.
Sponsors: Safety & Development Committee

39. [2010-0480](#) Special Use Permit for proposed children's transportation service, Go Kid Go Transport & Tours, LLC, to be located within the multi-tenant facility located at 430-450 S. Curtis Rd.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

40. [2010-0465](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2010-2011 Class B Tavern License no. 454, Dance Hall License no. 504, and Instrumental Music License no. 1068 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, Incident Date: June 11, 2010).
41. [2010-0496](#) Appointment of new agent, Michelle M. Doblar, by Mega Marts, LLC, d/b/a Pick 'n Save #6847 located at 6760 W. National Ave. (2010-2011 Combination Class A Liquor License no. 1089).
42. [2010-0481](#) 2010-2011 Class B Beer License application no. 1706 of D's Too, Inc., Pauline Ziegler, Agent, d/b/a D's Too Inc. located at 11078 W. National Avenue (new-existing premises).
43. [2010-0479](#) 2010-2011 Class C Wine License application no. 1707 of D's Too, Inc., Pauline Ziegler, Agent, d/b/a D's Too Inc. located at 11078 W. National Avenue (new-existing premises).
44. [2010-0455](#) 2010-2011 Class B Tavern Special Event Permit appl. no. 5 of Dog House, Inc., Thomas Lee Lipp, Sr., Agent, d/b/a The Dog House, 1641 S. 68 Street, (2010-2011 Class B Tavern License no. 810 and 2010-2011 Dance Hall License no. 812) for a golf outing on August 28, 2010 from 9 a.m. to 11:00 p.m. (Fenced in Backyard).
45. [2010-0483](#) 2010-2011 Class B Tavern Special Event Permit application no. 6 of D&N Lynch, Inc., Joseph Lynch, Agent, d/b/a Lynch's, 2300 S. 108 St., (2010-2011 Class B Tavern License application no. 489, Instrumental Music License application no. 617 and Dance Hall License application no. 616) for Poker Run, September 11, 2010 from 9:00 a.m. to 10:00 p.m. (Tents with food).
46. [2010-0485](#) 2010-2011 Class B Tavern Special Event Permit application no. 7 of Ron's Pub, Inc., Ronald P. Daniels, Agent, d/b/a Ron's Pub LLC, 2110 S. 60 St., (2010-2011 Class B Tavern License application no. 450, Instrumental Music License application no. 500 and Dance Hall License application no. 499) for 30th Anniversary Party, August 21, 2010 from 3:00 p.m. to 9:00 p.m. (Canopy with food).

47. [2010-0501](#) 2010-2011 Class B Tavern Special Event Permit appl. no. 8 of Yiannis, Inc., George Glavas, Agent, d/b/a Petra Restaurant/Papa Giorgio's, 1657 S. 108 St. (2010-2011 Class B Tavern License no. 1549 and 2010-2011 Dance Hall License no. 1550) for an One Year Anniversary Party for Petra on September 11, 2010 from 3:00 p.m. to 10:30 p.m. and September 12, 2010 from 3:00 p.m. to 9:30 p.m. (Tent on south side of building).
48. [2010-0475](#) 2010-2011 Secondhand Jewelry Dealer License application(s).
49. [2010-0472](#) 2010-2011 Amusement Distributor's License application(s).
50. [2010-0473](#) 2010-2011 Phonograph Distributor's License application(s).
51. [2010-0474](#) Tavern Operator License applications.
52. [2010-0467](#) Police Department Report regarding June 21, 2010 Tobacco Compliance Check involving eleven (11) West Allis businesses, resulting with none selling tobacco to an underage person without requesting identification.
53. [2010-0502](#) Police Department Report regarding June 5, 2010 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification.
54. [2010-0468](#) Police Department Report regarding June 5, 2010 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2010-2011 Cigarette License no. 1100 of Wisconsin CVS Pharmacy LLC, Joe Brocksmith, Agent, d/b/a CVS Pharmacy #8765 at 9220 W. Greenfield Avenue).
55. [2010-0470](#) Police Department Report regarding June 5, 2010 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2010-2011 Cigarette License no. 498 of Walgreens Co., Melinda M. Smyczek, Agent, d/b/a Walgreens #5231 at 10725 W. Greenfield Avenue).
56. [2010-0469](#) Police Department Report regarding June 5, 2010 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2010-2011 Cigarette License no. 473 of Weis Oil, Inc., Richard F. Weis, Agent, d/b/a Weis Oil, Inc. at 12004 W. Greenfield Avenue).
57. [2010-0471](#) Police Department report regarding tavern violations/calls for service for the month of June 2010.

58. [2010-0464](#) Police Department Report involving Wild Bill's Saloon, 1454 S. 92 St. (2010-2011 Class B Tavern License no. 789 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Date: June 12, 2010).
59. [2010-0466](#) Police Department Report involving Bunkers, 7420 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1431 and Instrumental Music License no. 1547 of Bunkers LLC, Scott J. Bunker, Agent, Incident Date: June 12, 2010)
60. [2010-0458](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: May 30, 2010).
61. [2010-0459](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Agent, Incident Date: June 6, 2010).
62. [2010-0460](#) Police Department Report involving Double Barrel Saloon, 1100 S. 60 St. (2010-2011 Class B Tavern License no. 1524, Dance Hall License no. 1526 and Instrumental Music License no. 1525, of Syre Enterprises, LLC, Andrew M. Lomax, Agent, Incident Date: June 28, 2010).
63. [2010-0461](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2010-2011 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 Dates: June 13 and June 15, 2010).
64. [2010-0499](#) 2010-2011 Tavern Operator License application no. 11-532 of Nicole L. George.
65. [2010-0489](#) 2010-2012 Tavern Operator License application no. 12-225 of Lana M. Ostrowski.
66. [2010-0442](#) 2010-2011 Tavern Operator License application no. 11-517 of Ashley M. Altmeyer.
67. [2010-0443](#) 2010-2011 Tavern Operator License application no. 11-512 of Jennifer L. Breitbach.
68. [2010-0450](#) 2010-2012 Tavern Operator License renewal application no. 12-216 of Jesse W. Rofritz.
69. [2010-0452](#) 2010-2012 Tavern Operator License application no. 12-217 of John C. Urban.
70. [2010-0453](#) 2010-2011 Tavern Operator License application no. 11-522 of Steven D. McIntosh.

71. [2010-0454](#) 2010-2011 Tavern Operator License application no. 11-521 of John A. Cissa.
72. [2010-0487](#) 2010-2011 Tavern Operator License application no. 11-531 of Joseph V. Biwer.
73. [2010-0488](#) 2010-2012 Tavern Operator License application no. 12-226 of Nicole K. O'Connor.
74. [2010-0445](#) 2010-2011 Class A Beer License application no. 1703 of Swami Shree LLC d/b/a VJ's Food Mart, Bhavesh V. Patel, Agent, for premises located at 9206 W. Schlinger Ave. (new-existing location).
75. [2010-0447](#) 2010-2011 Combination Class A Liquor License appl. no. 1694 of Pooja, LLC, d/b/a Walsh's Beer & Liquor, Kulwinder S. Dhaliwal, Agent, for premises located at 10910 W. Greenfield Ave. (new-existing location).
76. [2010-0477](#) 2010-2011 Class B Tavern License application no. 1705 of International Development LLC, Joshua J. Johnson, Agent, d/b/a (to be determined) located at 9105 W. Lincoln Ave. (new-existing premises).
77. [2010-0451](#) 2010-2011 Class B Tavern License application no. 1701 of Sportz Medicine, LLC, John J. Biwer, Agent, d/b/a Jilly Beans, premises located at 9524 W. Greenfield Ave. (new-existing location).
78. [2010-0486](#) Communication from Assistant City Attorney regarding Smokin' Joe's failure to complete the landscaping and screening plan for the property at 6139 W. Beloit Rd.

Previous Matters for Consideration

79. [2010-0425](#) Summons and Complaint in the matter of the complaint against LAM Enterprises, LLC, Loretta A. 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).
80. [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 A. Matovich, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St.
81. [2010-0409](#) 2010-2012 Package Goods Operator License application no. 1690 of Jacob C. Hovie.
82. [2010-0310](#) 2010-2011 Class B Tavern license renewal application no. 1447, PM Pub & Grub, Inc., Dorene Monty, Agent, d/b/a PM Pub & Grub for premises located at 6533 W. Mitchell Street. (new agent).

83. [2010-0389](#) Police Department Report involving Lenny's, 6309 W. National Ave. (2009-2010 Class B Tavern License no. 458 and Dance Hall License no. 506 of Lenny's, Inc., Leonard E. Malan, Agent, Incident Date: April 22, 2010).
84. [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).
85. [2010-0163](#) Summons and Complaint in the matter of the complaint against Children's Creative Corner, Inc., Toni Hamelin, Agent, d/b/a Children's Creative Corner relative to Food-Related Permit.

ADVISORY COMMITTEE

New Matters for Introduction

86. [R-2010-0169](#) Resolution to reestablish a West Allis Christmas Funding, Planning, and Programming Subcommittee of the City of West Allis Community Celebrations Committee.
Sponsors: Advisory Committee
87. [2010-0463](#) Comptroller/Manager of Finance requesting approval to destroy paper copies of 2008 accounts payable checks and back-up, and 2008 journal entries, that have been scanned and now stored electronically.

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.