



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Meeting Agenda

### Common Council

*Mayor Dan Devine, Chair*

*Alderperson James W. Sengstock, Council President*

*Alderpersons: 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*

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Wednesday, November 3, 2010

7:00 PM

City Hall Common Council Chambers

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### REGULAR MEETING

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#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [R-2010-0242](#) Resolution relative to determination of Special Use Permit for proposed addition to sell private passenger vehicles at Heiser Chevrolet, an existing business located at 10200 W. Arthur Ave.  
**Sponsors:** Safety & Development Committee
  
2. [R-2010-0241](#) Resolution relative to determination of Special Use Permit for proposed commercial truck sales and repair to take place at 11139 W. Becher St.  
**Sponsors:** Safety & Development Committee
  
3. [R-2010-0236](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of W. Lapham St. from S. 73 St. to S. 76 St. and portions of intersecting streets by concrete reconstruction with miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main, water main relay, building services and utility adjustments.  
**Sponsors:** Public Works Committee
  
4. [R-2010-0243](#) Resolution approving an amendment to the Community Development Block Grant (CDBG) Program for the creation of S. 70 St. Development Project.  
**Sponsors:** Safety & Development Committee
  
5. [2010-0590](#) 2011 City of West Allis Mayor's Recommended Budget.

**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 October 19, 2010.*

**J. ITEMS NOT REFERRED TO COMMITTEE**

6. [2010-0640](#) Amended Summons and Complaint in the matter of Eagle Mortgage & Loan, LLC, vs. Joseph Hoffman, et al, regarding foreclosure of mortgage, Case No. 09CV013554.
7. [2010-0641](#) Summons and Complaint in the matter of BAC Home Loans Servicing, L.P., vs. Willie Anderson, et al, regarding foreclosure of mortgage, Case No. 10CV017658.
8. [2010-0646](#) Hupy & Abraham, S.C. communication on behalf of Donald D. Marshall regarding injuries and/or property damages allegedly sustained at S. 98 St. and W. Schlinger Ave. on Ocotber 15, 2010.

9.        [2010-0647](#)            Slavica Brankov communication regarding vehicle damages allegedly sustained at 3154 S. 124 St. on September 1, 2010.
10.       [2010-0648](#)            Nenad Simic communication regarding vehicle damages allegedly sustained at the intersection of S. 76 St. and W. Becher St. on October 14, 2010.
11.       [2010-0650](#)            Oliver F. Gardipee communication regarding vehicle damages allegedly sustained at 601 S. 12 St. on October 13, 2010.

## **K.        STANDING COMMITTEE REPORTS**

### **LICENSE & HEALTH COMMITTEE**

*Regular meeting held on October 26, 2010. (Ald. Barczak & Ald. Roadt excused).*

12.       [2010-0584](#)            2010-2011 Tavern Operator License application no. 11-552 of Cory R. Fitzpatrick.  
*Unanimously recommended to be approved.*
13.       [2010-0612](#)            2010-2011 Tavern Operator License application no. 11-560 of Jessica L. LaRocque.  
*Unanimously recommended to be approved.*
14.       [2010-0613](#)            2010-2011 Tavern Operator License application no. 11-559 of Lettitia M. Kujawa.  
*Unanimously recommended to be approved.*
15.       [2010-0615](#)            2010-2012 Tavern Operator License application no. 12-245 of Timothy E. Wergin.  
*Unanimously recommended to be approved.*
16.       [2010-0562](#)            2010-2012 Package Goods Operator License application no. 1718 of Jeanene M. Harrell.  
*Unanimously recommended to be approved.*
17.       [2010-0524](#)            2010-2011 Adult-Oriented Establishment Operator Permit application no. 1710 of Carlos Santos.  
*Unanimously recommended to be approved.*
18.       [2010-0608](#)            2010-2011 Class B Tavern License application no. 1722 of Madington, LLC, Greg M. Hansuld, Agent, d/b/a Bulldog 60, located at 1101 S. 60 Street. (new-existing premises).  
*Unanimously recommended to be approved subject to necessary requirements.*

19. [2010-0619](#) 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 Date: August 21, 2010).  
*Unanimously recommended to be placed on file.*
20. [2010-0620](#) 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 Date: September 4, 2010).  
*Unanimously recommended to be placed on file.*
21. [2010-0622](#) Police Department Report involving Havana Lounge & Cigar, 9505 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1210 and Instrumental Music License no. 1508 of Havana Lounge LLC, Brian L. Blocher, Agent, Incident Date: September 11, 2010).  
*Unanimously recommended to be placed on file.*
22. [2010-0618](#) Police Department Report involving Paulie's Pub & Eatery, LLC, 8031 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1403, Dance Hall License no. 1405 and Instrumental Music License no. 1406 of Paulie's Pub & Eatery, LLC, Kristine M. Budiac, Agent, Incident Date: August 20, 2010).  
*Unanimously recommended to be placed on file.*
23. [2010-0625](#) Police Department Report involving Magoo's Sports Pub & Grill, 8911 W. National Ave. (2010-2011 Class B Tavern License no. 637 and Instrumental Music License no. 644 of Magoo's of West Allis, Ltd., Thomas J. Beckmann, Agent, Incident Date: September 26, 2010).  
*Unanimously recommended to be placed on file.*

## **L. COMMON COUNCIL RECESS**

## **M. NEW AND PREVIOUS MATTERS**

### **ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES**

24. [R-2010-0239](#) Resolution authorizing the Director of Public Works/City Engineer to enter into an agreement with Ring & Duchateau for engineering services related to replacing the chiller units at City Hall and the Police Station in the amount of \$18,500.  
**Sponsors:** Public Works Committee

25. [R-2010-0240](#) Resolution authorizing the Director of Public Works/City Engineer to contract with The Garland Company, Inc. for emergency roof repairs at Fire Station No. 2 in the amount of \$12,425.

**Sponsors:** Public Works Committee

## ADMINISTRATION & FINANCE COMMITTEE

### New Matters for Introduction

26. [2010-0653](#) Comptroller/Manager of Finance submitting the City of West Allis Final Unaudited Financial Reports for April, May, June, July, and August 2010 and Preliminary Unaudited Financial Reports for September 2010.

### City Attorney Claim Report

27. [2004-0529](#) Attorney Peter M. Donohue communication on behalf of Antonio Rodriguez and Martha Hilda Becerra regarding injury allegedly sustained in their home on July 29, 2004.  
*City Attorney recommended to be placed on file.*
28. [2008-0108](#) Second Amended Complaint in the matter of Rickey Nelson Swift vs. Detective Carlo Danila, et al.  
*City Attorney recommended to be placed on file.*
29. [2010-0052](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000158.  
*City Attorney recommended to be placed on file.*
30. [2010-0254](#) Sheila Rooney communication regarding vehicle damage allegedly sustained westbound on W. Lincoln Ave. and S. 84 St. on December 18, 2009.  
*City Attorney recommended to be paid and placed on file.*
31. [2010-0528](#) Cindy Radtke communication regarding damages allegedly sustained on July 22 and 23, 2010 at 8519 W. Becher St.  
*City Attorney recommended to be paid and placed on file.*
32. [2010-0585](#) Janet Tierney communication regarding vehicle damage allegedly sustained at 6918 W. Becher St. on September 19, 2010.  
*City Attorney recommended to be paid and placed on file.*

**Public Hearing Items (Administration & Finance Committee)**

33. [2010-0590](#) 2011 City of West Allis Mayor's Recommended Budget.
34. [O-2010-0046](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2011.  
**Sponsors:** Administration & Finance Committee

**PUBLIC WORKS AND SAFETY & DEVELOPMENT COMMITTEES**

35. [2010-0631](#) Communication from Director of Public Works/City Engineer regarding a request from Dicken's Grill, 9646 W. Greenfield Avenue, to place part of a concrete deck with wood rails for outdoor dining into the right-of-way of S. 97th St.

**PUBLIC WORKS COMMITTEE****New Matters for Introduction**

36. [R-2010-0238](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner Jolinos Properties, LLC (d/b/a Mis Suenos Mexican Restaurant) for property located at 7335 West Greenfield Avenue.  
**Sponsors:** Public Works Committee
37. [2010-0644](#) Communication from the Director of Public Works/City Engineer relative to the Department's Policies and Procedures related to Bulk Collections and associated charges.

**Public Hearing Items (Public Works Committee)**

38. [R-2010-0236](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of W. Lapham St. from S. 73 St. to S. 76 St. and portions of intersecting streets by concrete reconstruction with miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main, water main relay, building services and utility adjustments.  
**Sponsors:** Public Works Committee

39. [R-2010-0237](#) Final Resolution authorizing public improvement by concrete reconstruction with miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main, water main relay, building services and utility adjustments in W. Lapham St. from S. 73 St. to S. 76 St. and portions of intersecting streets and levying special assessments against benefited properties.
- Sponsors:** Public Works Committee

## **SAFETY & DEVELOPMENT COMMITTEE**

### **New Matters for Introduction**

40. [O-2010-0047](#) An Ordinance to amend Subsection 2.38(3) and Subsection 12.13(12) of the West Allis Revised Municipal Code relating to appeals of Plan Commission decisions being considered by the Common Council and to amend Subsection 2.39(2) relative to the function and duties of the Board of Appeals.
- Sponsors:** Safety & Development Committee
41. [O-2010-0048](#) An Ordinance to amend Subsection 12.40(1)(ii) and 12.41(1)(dd) relative to sporting good stores. To repeal Subsection 12.41(1)(q) relative to indoor gun ranges in the C-2, Neighborhood Commercial District. To repeal and recreate Subsection 12.48(3)(a) relative to firearm ranges in Park Districts and to amend Subsection 12.43(2)(m) of the Revised Municipal Code to permit gun, firearm and/or ammunition sales; sporting good stores with gun, firearm and/or ammunition sales; and, indoor ranges as a special use within the C-4 Regional Commercial District.
- Sponsors:** Safety & Development Committee
42. [R-2010-0244](#) Resolution authorizing staff to negotiate, on behalf of the City of West Allis, the possible acquisition of the property located at 9\*\* S. 70 St.
- Sponsors:** Safety & Development Committee
43. [R-2010-0245](#) Resolution Granting an Ingress/Egress Easement between the City of West Allis, WAWI Development, LLC and the School District of West Allis-West Milwaukee.
- Sponsors:** Safety & Development Committee
44. [2010-0645](#) Communication from Trapp & Hartman, S.C., regarding WAWI Development, LLC, easement on vacated Walker Street.

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

45. [R-2010-0242](#) Resolution relative to determination of Special Use Permit for proposed addition to sell private passenger vehicles at Heiser Chevrolet, an existing business located at 10200 W. Arthur Ave.  
**Sponsors:** Safety & Development Committee
46. [2010-0596](#) Special Use Permit for proposed addition to sell and lease private passenger vehicles at Heiser Chevrolet, an existing business located at 10200 W. Arthur Ave.
47. [R-2010-0241](#) Resolution relative to determination of Special Use Permit for proposed commercial truck sales and repair to take place at 11139 W. Becher St.  
**Sponsors:** Safety & Development Committee
48. [2010-0616](#) Special Use Permit for proposed commercial truck sales and repair to take place at 11139 W. Becher St.
49. [R-2010-0243](#) Resolution approving an amendment to the Community Development Block Grant (CDBG) Program for the creation of S. 70 St. Development Project.  
**Sponsors:** Safety & Development Committee

## LICENSE & HEALTH COMMITTEE

### New Matters for Introduction

50. [2010-0638](#) 2010-2011 Class B Beer License application no. 1731 of Gulzar, Inc., Gulbaz Gill, Agent, d/b/a Mr. Gyros Grill & Cafe located at 10535 W. Greenfield Ave. (new-nonexisting premises).
51. [2010-0639](#) 2010-2011 Class C Wine License application no. 1732 of Gulzar, Inc., Gulbaz Gill, Agent, d/b/a Mr. Gyros Grill & Cafe located at 10535 W. Greenfield Ave. (new-nonexisting premises).
52. [2010-0655](#) Summons and Complaint in the matter of the complaint against M & W Hospitality, Inc., Mario P. Morgese, Agent for the premises located at 1900 S. 60 St., d/b/a Mario's (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093).
53. [2010-0549](#) 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: August 1, 2010).



54. [2010-0624](#) 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: September 24, 2010).
55. [2010-0643](#) 2010-2011 Tavern Operator License application no. 11-561 of Dawn M. Buss.
56. [O-2010-0045](#) An Ordinance to Create 6.07 Banning Synthetic Marijuana.  
**Sponsors:** Vincent Vitale
57. [2010-0652](#) Thomas Dexter, International Autos at 2400 S. 108 St. communication regarding the addition of address 10606 W. Arthur Ave. to the current Used Vehicle Dealer License no. 10-32.
58. [2010-0611](#) 2010-2011 Secondhand Jewelry Dealer License application.
59. [2010-0656](#) 2010-2011 Dance Hall License application no. 1728 and Instrumental Music License application no. 1727 of International Development LLC, Joshua J. Johnson, Agent, d/b/a Hero's located at 9105 W. Lincoln Ave.
60. [2010-0642](#) Tavern Operator License applications.

### **ADVISORY COMMITTEE**

#### **New Matters for Introduction**

61. [2010-0651](#) Communications from Wisconsin Historical Society regarding Notice of Entry in the National Register and/or State Register of Historic Places for Alexander Herschel and Pauline G. McMicken House at 1508 S. 80 St., Kegel's Inn at 5901-5905 W. National Ave., and Koelsch Funeral Home at 7622 W. Greenfield Ave.
62. [2010-0654](#) Appointments by Mayor Devine of youth members to the West Allis Youth Commission.
63. [2010-0657](#) Notification of appointment of Mr. Gerry Matter to the West Allis Community Improvement Foundation, Inc.

**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.

**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.