



City of West Allis

Meeting Agenda

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

Mayor Dan Devine, Chair
Alderson Thomas G. Lajsic, Council President
Aldersons: Gary T. Barczak, Michael J. Czapski, Kevin Haass,
Michael P. May, Cathleen M. Probst, Rosalie L. Reinke,
Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel

Tuesday, November 3, 2015

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-2015-0222](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 79 St. from W. Greenfield Ave. to W. National Ave., S. 85 St. from W. Washington St. to W. Greenfield Ave. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

2. [R-2015-0228](#) Resolution relative to determination of Special Use Permit for The Choice Restaurant and Bar, a proposed restaurant and bar facility to be located at 9638 W. National Ave.

Sponsors: Safety & Development Committee

3. [2015-0735](#) 2016 City of West Allis Mayor's Recommended Budget.

Attachments: [2016 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:

*Common Council Chambers
Administration & Finance, Safety & Development, Advisory*

*Room 128
Public Works, License & Health*

G. MAYOR'S REPORT

1. Recent events attended
2. Awards/commendations
3. Upcoming events

H. ALDERPERSON'S REPORT

1. Recent events attended
2. Awards/commendations
3. Upcoming events

I. APPROVAL OF MINUTES

4. [2015-0768](#) Minutes (Draft) of the Common Council regular meeting of October 20, 2015.

Attachments: [10-20-15 CC Minutes.draft](#)

J. ITEMS NOT REFERRED TO COMMITTEE

5. [2015-0749](#) Summons and Complaint in the matter of Federal National Mortgage Association vs. Deann M. Curtis, LLC, et al. regarding foreclosure of mortgage, Case No. 15CV008162.

K. STANDING COMMITTEE REPORTS**ADMINISTRATION & FINANCE COMMITTEE**

Special meeting of Administration & Finance held on October 26, 2015.

6. [2015-0648](#) Communication from City Administrator regarding request to fill the vacant position of Electrical Mechanic I in the Department of Public Works, Building/Inventory and Electrical Services Division-Electrical Section.

Attachments: [Request to fill Electrical Mechanic I position](#)

Unanimously recommended to be approved.

LICENSE & HEALTH COMMITTEE

Regular meeting held on October 27, 2015.

7. [2015-0718](#) Police Department Report involving The New 6500 Bar, 6500 W. Greenfield Ave., My Place, LLC, Lisa M. Branson, Agent, Incident Date: September 29, 2015.

Unanimously recommended to be placed on file.

8. [2015-0720](#) Police Department Report regarding September 27, 2015 Alcohol Compliance Check involving thirteen (13) West Allis businesses, resulting with one (1) selling alcohol to an underage person without requesting identification (Layton Food & Gas LLC, Tarlok Bhatia, Agent, d/b/a Becher Liquor & Beer, premises located at 2077 S. 78 St.).

Unanimously recommended to be placed on file.

9. [2015-0745](#) Police Department Report involving The New 6500 Bar, 6500 W. Greenfield Ave. of My Place, LLC, Lisa M. Branson, Agent, regarding Noise complaints, Incident Dates: September 12, 2015, September 13, 2015 and October 3, 2015.

Unanimously recommended to be placed on file.

10. [2015-0615](#) 2015-2016 Adult-Oriented Establishment Operator Permit application no. 2241 of Jonekka E. Glenn.

Unanimously recommended to be denied based on three (3) nonappearances.

11. [2015-0658](#) 2015-2016 Adult-Oriented Establishment Operator Permit application no. 2245 of Cordney E. Wren.

Unanimously recommended to be denied based on two (2) nonappearances.

12. [2015-0724](#) Appointment of new agent, Jason J. Powelski, by J. Beans Pub, LLC, d/b/a J. Beans Pub LLC located at 9033 W. National Avenue. (2015-2016 Class B Tavern License no. 1934, Dance Hall License no. 1935, and Instrumental Music License no. 2000).

Unanimously recommended to be approved subject to necessary requirements.

13. [2015-0754](#) 2015-2016 Class B Tavern License application no. 2265, Dance Hall License application no. 2267 and Tavern Entertainment License-Other Entertainment application no. 2266 of NC Machi Property Management, LLC, Clement R. Vaia, Agent, d/b/a Dr. Morgan's, for the premises located at 2110 S. 60 St. (new-existing location).

Unanimously recommended to be approved subject to necessary requirements.

14. [2015-0552](#) 2015-2016 Class B Tavern License application no. 2237 of Vapor World, Inc., Viren Patel, Agent, d/b/a Vapor Bar, 7532 W. Oklahoma Avenue (new-nonexisting).
Unanimously recommended to be denied based on nonappearance.
15. [2015-0726](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-356 of Orlando Yracheta.
Unanimously recommended to be approved.
16. [2015-0728](#) 2015-2017 Operator's License (bartender/sales clerk) no. 17-349 of John H. Kabacinski.
Unanimously recommended to be approved.
17. [2015-0689](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-352 for Erica J. Schluez.
Unanimously recommended to be approved.
18. [2015-0747](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-363 of Jose M. Frandsen.
Unanimously recommended to be approved.
19. [2015-0727](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-357 of Carl R. Williams.
Recommended to be approved by the following vote:
Ayes: 3 - Alderpersons Barczak, Czaplewski & Haass
Noes: 2 - Alderpersons Roadt & Weigel

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

20. [R-2015-0225](#) Resolution Authorizing the City Attorney to Review the Annual BID Operating Plan and Waiving any Potential Conflict of Interest.
Sponsors: Administration & Finance Committee
21. [R-2015-0224](#) Resolution relative to accepting the sole source proposal of Baycom for upgrading the Police Department 911 System for a total cost of \$203,700.
Sponsors: Administration & Finance Committee
Attachments: [1296 911 System Sole Source Letter](#)
[1296 Admin-Fiscal Note](#)

22. [R-2015-0226](#) Resolution to transfer up to \$300,000 from the Capital Accumulation Account to the Fire Department Equipment Account (100-2201-522.70-03) for the purchase of a new fire engine.
- Sponsors:* Administration & Finance Committee
- Attachments:* [FireDept Communication re Fire Engine Purchase](#)
[Fire Engine Proposal Summary](#)
23. [R-2015-0229](#) Resolution approving a West Allis Neighborhood Association Small Grant Program Organizational Grant to Conrad Gardens Neighborhood Association in the amount of \$500.
- Sponsors:* Ald. Haass and Ald. May
- Attachments:* [Organizational Grant App - Exhibit A](#)
[Boundary Map - Exhibit B](#)
[Neighborhood Grant Contract](#)
24. [2015-0760](#) Communication from City Administrator regarding request to fill the vacant position of Clerk I- Clerk II in the Engineering Department.
- Attachments:* [VACPOSREQ.Eng ClkI.110315](#)
25. [2015-0761](#) Communication from Director of Information Technology and Communications requesting approval to downgrade IT Supervisor position and fill as a Programmer/Analyst.
- Attachments:* [Request to replace IT Supervisor position](#)
26. [2015-0751](#) Finance Director/Comptroller submitting report for the September 2015 indicating City of West Allis checks issued in the amounts of \$3,757,107.86.
- Attachments:* [September 2015 Report](#)
27. [2015-0765](#) Communication from City Administrator transmitting Traffic Violation and Accident Reports for the period July 1, 2015 through September 30, 2015.
- Attachments:* [MCCAccidRpt.Qtr3 2015](#)

City Attorney Claim Report

28. [2001-0101](#) First, Blondis, Albrecht, Bangert & Novotnak, S.C. Notice of Injury on behalf of Tamara and Trevor Potkay, 12326 W. Holt Ave., injuries were allegedly sustained on September 30, 2000.
- City Attorney recommended to be placed on file.*
29. [2001-0126](#) Summons and Complaint in the matter of Tamara H. Potkay and Trevor R. Potkay v. the City of West Allis, et al., Case No. 01-C-0601.
- City Attorney recommended to be placed on file.*

30. [2005-0620](#) Summons and Complaint in the matter of HALL STEEL CORP. V. CITY OF WEST ALLIS, ET AL.
City Attorney recommended to be placed on file.
31. [2010-0133](#) Calvin Nguedjio communication regarding damages allegedly sustained from July 2009 to November 2009.
City Attorney recommended to be placed on file.
32. [2012-0425](#) Ann Costello communication regarding personal injury allegedly sustained at 7246 W. Greenfield Ave. on March 27, 2012.
City Attorney recommended to be placed on file.
33. [2015-0156](#) Ann Costello communication relative to personal injuries allegedly sustained at approximately S. 73 St. and W. Greenfield Ave. on March 27, 2012.
Attachments: [Costello](#)
City Attorney recommended to be placed on file.
34. [2015-0645](#) Kevin Brode communication relative to vehicle damages allegedly sustained at 10830 W. Lapham St. on July 12, 2015.
Attachments: [Claim Brode 9-1-15](#)
City Attorney recommended to be placed on file.
35. [2015-0753](#) Summons and Complaint in the matter of Shelter Mortgage Company, LLC vs. Audrey M. Beltran, et al. regarding foreclosure of mortgage, Case No. 12CV009307.
City Attorney recommended to be placed on file.
36. [2015-0617](#) Randal R. Holmes communication regarding request for reimbursement of special assessment and interest payments for roadwork completed October 2010 on W. Rogers St. from S. 76 St. to S. 67 St.
Attachments: [Holmes claim](#)
City Attorney recommended denial.
37. [2015-0686](#) Notice of Claim and Notice of Injury submitted on behalf of Mary K. Sawczuk relative to injuries and damages allegedly sustained on May 20, 2015.
Attachments: [Mary K. Stawski.10-6-15](#)
City Attorney recommended denial.
38. [2015-0687](#) Notice of Claim and Notice of Injury submitted on behalf of Jennifer L. Doyle relative to injuries and damages allegedly sustained on May 20, 2015.
Attachments: [J. Doyle Claim 10-6-15](#)
City Attorney recommended denial.

Public Hearing Items (Administration & Finance Committee)

39. [2015-0735](#) 2016 City of West Allis Mayor's Recommended Budget.
Attachments: [2016 City of West Allis Mayor's Recommended Budget](#)
40. [O-2015-0051](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2016.
Sponsors: Administration & Finance Committee
Attachments: [Attachments to Appropriations Ordinance](#)

PUBLIC WORKS COMMITTEE

New Matters for Introduction

41. [R-2015-0227](#) Resolution granting a Permanent Easement by the City of West Allis to Wisconsin Gas LLC to install a pipeline on the Property located at 6215 West National Avenue.
Sponsors: Public Works Committee
Attachments: [WR3783295-6229 W National Ave-Gas Easement exhibit a](#)
42. [2015-0752](#) Downtown West Allis Business Improvement District communication regarding the Downtown West Allis Christmas On The Avenue scheduled for Saturday, December 5, 2015 from 1:30 p.m. to 3:30 p.m.

Previous Matters for Consideration

43. [2015-0741](#) Communication from Alderperson Michael May regarding the proposed implementation of a Neighborhood Traffic Management Program (NTMP) for the City of West Allis.
Attachments: [Ald. May communication](#)

Public Hearing Items (Public Works Committee)

44. [R-2015-0222](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 79 St. from W. Greenfield Ave. to W. National Ave., S. 85 St. from W. Washington St. to W. Greenfield Ave. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
Sponsors: Public Works Committee

45. [R-2015-0223](#) Final Resolution authorizing public improvement by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 79 St. from W. Greenfield Ave. to W. National Ave., S. 85 St. from W. Washington St. to W. Greenfield Ave. and portions of intersecting streets and levying special assessments against benefited properties.

Sponsors: Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

46. [2015-0766](#) Request by Mr. John H. Shore of Davis Kuelthau Attorneys at Law on behalf of the West Allis-West Milwaukee School District for an extension of time to record the proposed Certified Survey Map to subdivide the Roosevelt School property into two lots, at 932 S. 60 St.

Attachments: [Communication-Extension of Time CSM](#)

47. [2015-0767](#) Special Use Permit to establish the BD Cooking Company, a proposed limited food production facility, to be located at 7109 W. National Ave.

Previous Matters for Consideration

48. [O-2015-0041](#) Ordinance to amend the official West Allis Zoning Map by rezoning a portion of the property located at 932 S. 60 St. from RB-2 Residence District to C-3 Community Commercial District.

Sponsors: Safety & Development Committee

Public Hearing Items (Safety & Development Committee)

49. [R-2015-0228](#) Resolution relative to determination of Special Use Permit for The Choice Restaurant and Bar, a proposed restaurant and bar facility to be located at 9638 W. National Ave.

Sponsors: Safety & Development Committee

50. [2015-0738](#) Special Use Permit for The Choice Restaurant and Bar, a proposed restaurant and bar facility to be located at 9638 W. National Ave.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

51. [2015-0756](#) 2015-2016 Used Vehicle Dealer License no. 2268 of Ryan Motors, Inc., Gary A. Swiger, Agent, d/b/a Ryan Motors, Inc., for the premises located at 7821 W. Greenfield Ave.

52. [2015-0763](#) 2015-2016 Used Vehicle Dealer License no. 2270 of EZ Motorcars, LLC, Edmond A. Eykmans, Agent, d/b/a EZ Motorcars, for the premises located at 7606 W. Beloit Rd.
53. [2015-0762](#) 2015-2016 Special Instrumental Music Permit application no. 5 of Boz's Inc., Shawn R. Lange, Agent, d/b/a Boz's Sports Bar, 1325 S. 70 St., on Saturday, December 12, 2015 from 9:00 p.m. to 1:00 a.m. First (1st) application for 2015-2016 license year.
54. [2015-0758](#) Operator's License (bartender/sales clerk) applications.
55. [2015-0757](#) Summons and Complaint in the matter of the complaint against Outlet Auto, LLC, David Gardison, Agent, for the premises located at 5730 W. Lincoln Ave., d/b/a Outlet Auto Sales, LLC (2015-2016 Used Vehicle Dealer 2069).
- Attachments:* [Summons Outlet Auto Sales, LLC](#)
[Complaint Outlet Auto Sales, LLC](#)
56. [2015-0704](#) 2015-2016 Used Vehicle Dealer License no. 2069 of Outlet Auto LLC, David Gardison, Agent, d/b/a Outlet Auto LLC, for the premises located at 5730 W. Lincoln Ave., issued on June 1, 2015.

Previous Matters for Consideration

57. [2015-0729](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-355 of Melissa K. Czerwinski

ADVISORY COMMITTEE

New Matters for Introduction

58. [2015-0759](#) Appointments by Mayor Devine of Youth Members to the West Allis Youth Commission.
59. [2015-0764](#) Appointment by Mayor Devine of Angela Mork as a member of the Historical Commission of the City of West Allis, her term to expire December 31, 2018.

N. 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.