



City of West Allis

Meeting Minutes

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, February 17, 2009

7:00 PM

City Hall - 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 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Roadt.

D. PUBLIC HEARINGS

1. [R-2009-0043](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, storm sewer, sanitary sewer, building services, utility adjustments and storm underdrain.

Sponsors: Public Works Committee

Attachments: [R-2009-0043.pdf](#)

*East/West Alley between S. 60 St., S. 61 St., W. Grant St. & W. Lincoln Ave.
North/South Alley between S. 72 St., S. 73 St., W. Becher St. & W. Rogers St.
North/South Alley between S. 89 St., S. 90 St., W. Vincent St. & W. Orchard St.
North/South Alley between S. 80 St., S. 81 St., W. Grant St. & W. Lincoln Ave.
North/South Alley between S. 78 St., S. 79 St., W. Rogers St. & W. Becher St.
North/South and East/West Alley between S. 55 St., S. 56 St., W. Lincoln Ave. & W. Hayes Ave.
North/South and East West Alley between S. 66 St., S. 67 St., W. Beloit Rd. & W. Lincoln Ave.
North/South and East West Alley between S. 71 St., S. 72 St., W. Lincoln Ave. & W. Stuth Ave.
North/South and East West Alley between S. 77 St., S. 78 St., W. Hicks St. & W. Rogers St.
North/South and East West Alley between S. 54 St., S. 55 St., W. Lincoln Ave. & W. Hayes Ave.
North/South Alley between S. 59 St., S. 60 St., W. Mobile St. & W. Grant St.
North/South and East/West Alley between S. 56 St., S. 57 St., W. Beloit Rd. & W. Burnham St.
North/South Alley between S. 56 St., S. 57 St., W. Lapham St. & W. Mitchell St.
North/South Alley between S. 57 St., S. 58 St., W. Walker St. & W. Mineral St.*

Explanation by Michael Lewis, City Engineer

The Clerk's Office received the following communication:

David Siebnellar communication in support of the reconstruction North/South Alley between S. 59 St., S. 60 St., W. Mobile St. and W. Grant St.

Appearances:

Jeff Wolfe, 2227 S. 66 St., asked how the improvement would benefit his property, and stated that the alley is a nuisance. He said that he does not use the alley, and is unable to get to the alley. Mr. Wolfe said that he has his own driveway, and commented on the snow plowed onto his slab and the slab being run over for access to the alley.

John O'Hara, 2319 S. 55 St., supported the project, and inquired about protection from flooding if sewer line problems occur. He inquired about possible reimbursement for using an alternate garage, the impact on the fence, and the percentage for the apartments. He objected to the ratio for payment.

Greg Tomasetti, 2224 S. 81 St., requested the project be held due to the economy. He addressed the interest rate and individuals being on a fixed income. He asked about stimulus use and the process to look for a solution.

Clark Winkler, 1444 S. 90 St., asked about the closure time frame, approaches and the start of the project. He addressed his concerns in regard to parking.

John O'Hara, 2319 S. 55 St., asked if the project could be completed in phases.

Kathy Mauermann, 2133 S. 59 St., commented on the time it has previously taken to complete a project and the small amount of people working on a project.

Bob Larson, 6608 W. Lincoln Ave., asked if any contracts have been signed, and commented on the excellent work of another contractor. He did not oppose the project, and addressed fixed incomes, the notification process, and asked if utility trailers are permissible on the street.

J.T. Koselmann, 8105 W. Appleton Ave., addressed an accident on W. Buchanan and W. Beloit Rd.

Stacey Kukor, 1490 S. 90 St., stated that she has no need for or access to the alley. She objected to being assessed as much as her neighbor, and asked for payment process clarification.

Diane Daley, 2152 S. 60 St., supported the proposal, and asked about billing and the S. 60 St. reconstruction.

Jason Bower, 1610 S. 57 St., inquired about parking on the street, and addressed the five-year payment plan with interest.

Michelle Finn and Rebecca Hollister, 7827-29 W. Rogers St., addressed their concerns regarding the process of assessment. They indicated that they do not utilize the alley. They said that they have a garage, and that the assessment process is not fair nor does it look at usage. They indicated that the alley is a nuisance, and it is rarely plowed. They addressed their retaining wall concerns. They inquired about the percentages.

John O'Hara, 2319 S. 55 St., inquired about how late the project will go.

2. [R-2009-0052](#) Resolution relative to determination of Special Use Permit for proposed MATC classrooms to be located within a portion of the existing office building located at 1205 S. 70 St. (Tax Key No. 440-0256-002)

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Tom Stein, on behalf of Patricia Radtke, 11412 W. National Ave., asked about state sponsored projects. He inquired about a percentage break when no access exists. He addressed a petition submitted by 100% of residents on the street opposed to the project.

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 commented on the Neighborhood Meetings conducted by the West Allis Police Department. He saluted Athlete of the Week, Jeff Barczak at Edgewood College.

Alderpersons Comments

None.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of February 3, 2009

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2009-0105](#) Report of the Municipal Judge for the month of January 2009, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$71,555.14.

Attachments: [2009-0105.pdf](#)

4. [2009-0097](#) Sook Ja Kim Notice of Claim regarding vehicle damage allegedly sustained at the intersection of W. Beloit Rd. and S. Buchanan Pl. on December 23, 2008.

5. [2009-0100](#) Herbert Office communication regarding property damage allegedly sustained at 6712 W. Hayes Avenue on January 9, 2009.

Attachments: [2009-0100.pdf](#)

6. [2009-0104](#) Robert Thumme communication regarding vehicle damage allegedly sustained at 2165 S. 88 Street on January 8, 2009.

Attachments: [2009-0104.pdf](#)

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 8:01 p.m. Upon returning from recess at 8:44 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

7. [R-2009-0050](#) Resolution relative to approving Service Agreement between City of West Allis and Concentra Medical Centers for Occupational Health Services relating to Hearing Conservation and Respiratory Protection guidelines.

Sponsors: Administration & Finance Committee

Attachments: [OCCUP HLTH SRVCS AGMT.Concentra.pdf](#)

8. [R-2009-0051](#) Resolution approving Memorandum of Understanding between Wisconsin State Fair Park Board and the City of West Allis for the continuation of the provision of basic municipal services for the years of 2010 through 2014.

Sponsors: Administration & Finance Committee

Attachments: [MOU.StFair BMS 2010.2014.pdf](#)

9. [R-2009-0036](#) Resolution Relative to Approving 2008 - Transfers, Carryovers, Open Purchase Orders, Capital Accumulation Charges and Negative Department Balances.

Sponsors: Administration & Finance Committee

Attachments: [2008 Carryovers.pdf](#)

10. [R-2009-0055](#) Initial Resolution Authorizing \$1,800,000 General Obligation Bonds of the City of West Allis for Sanitary Sewer Improvements.

Sponsors: Administration & Finance Committee

11. [R-2009-0056](#) Initial Resolution Authorizing \$1,000,000 General Obligation Bonds of the City of West Allis for Water System Improvements.
Sponsors: Administration & Finance Committee
13. [R-2009-0058](#) Initial Resolution Authorizing \$1,300,000 General Obligation Bonds of the City of West Allis for Community Development Projects in Tax Incremental District No. 7.
Sponsors: Administration & Finance Committee
15. [R-2009-0059](#) Initial Resolution Authorizing \$5,505,000 General Obligation Bonds of the City of West Allis for Refunding Purposes.
Sponsors: Administration & Finance Committee
19. [R-2009-0060](#) Resolution Directing Publication of Notice to Electors.
Sponsors: Administration & Finance Committee
Attachments: [ADMR368.ExA.pdf](#)
20. [2009-0112](#) Comptroller/Manager of Finance submitting the report for the month of November, 2008 indicating the City of West Allis checks issued in the amount of \$4,002,782.78.
21. [2009-0113](#) Comptroller/Manager of Finance submitting the report for the month of December, 2008 indicating the City of West Allis checks issued in the amount of \$2,773,250.51.
22. [2009-0110](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the 4th quarter, including October 31, 2008, November 30, 2008 and December 31, 2008 (preliminary) for review and approval.
Attachments: [2009-0110 Oct 08.pdf](#)
[2009-0110 Nov 08.pdf](#)
[2009-0110 Dec 08 \(prelim\).pdf](#)
23. [2009-0111](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the quarter ending September 30, 2008 for review and approval.
Attachments: [July 08.pdf](#)
[Aug 08.pdf](#)
[Sept 08.pdf](#)

City Attorney Claim Report

24. [2008-0666](#) Mainline Sewer and Water, Inc. communication regarding vehicle damage allegedly sustained on W. McGeoch Ave. at W. Oconto Pl. on September 22, 2008.

25. [2008-0735](#) Tim Higgins communication requesting a refund of towing charges which allegedly occurred on October 29, 2008.
26. [2009-0002](#) Barbara M. Loeffler communication regarding vehicle damage allegedly sustained at S. 68 St. and W. Lincoln Ave. on December 12, 2008.
27. [2009-0042](#) Thomas O'Grosky, Jr. communication regarding vehicle damage allegedly sustained at the 400 block on South 76 Street on January 9, 2009.
28. [2009-0059](#) Jennifer Grieve communication regarding vehicle damage allegedly sustained at approximately South 70 Street and I-94 on January 3, 2009.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

12. [R-2009-0057](#) Initial Resolution Authorizing \$1,745,000 General Obligation Bonds of the City of West Allis for Community Development Projects in Tax Incremental District No. 5.

Sponsors: Administration & Finance Committee

14. [R-2009-0054](#) Resolution relative to authorizing the borrowing of up to \$1,300,000 from the Wisconsin State Trust Fund at an interest rate of 4.5 percent for a term of 10 years for TIF #7 for financing an ingress/egress corridor which will include paving, concrete curbs and gutters, lighting, sidewalks, underground utilities, building and site demolition, and site improvements including property acquisition, environmental remediation and demolition of properties and no other purposes.

Sponsors: Administration & Finance Committee

16. [R-2009-0061](#) Resolution Providing for the Sale of \$2,945,000 General Obligation Corporate Purpose Bonds of the City of West Allis.

Sponsors: Administration & Finance Committee

17. [R-2009-0062](#) Resolution Providing for the Sale of \$7,105,000 Taxable General Obligation Corporate Purpose Bonds of the City of West Allis.

Sponsors: Administration & Finance Committee

18. [R-2009-0063](#) Resolution Providing for the Sale of \$6,885,000 General Obligation Promissory Notes of the City of West Allis.

Sponsors: Administration & Finance Committee

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 1 - Roadt

PUBLIC WORKS COMMITTEE

30. [R-2009-0030](#) Final Resolution authorizing public improvement by minor asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair and utility adjustments to various streets, and asphalt resurfacing of the alley pavement in two alleys and levying special assessments against benefited properties.

Sponsors: Public Works Committee

31. [2009-0092](#) Petition requesting the City postpone the proposed improvements to the North/South Alley between South 94 and 95 Streets, W. Dakota St. and W. Manitoba St.; and North/South and East/West Alley between S. 94 Street, S. 95 Street, W. Manitoba St. and W. Oklahoma Ave.

Attachments: [Petition.pdf](#)

32. [2009-0114](#) Petition opposing the Wollmer repaving/surfacing project.

Attachments: [Wollmer Petition.pdf](#)

33. [R-2009-0045](#) Resolution accepting work of C.W. Purpero, Inc. for the installation of sanitary sewer relays, sanitary spot relays, sanitary spot lining, sanitary sewer lining and storm sewer lining in various locations in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2008 Project No. 3.

Sponsors: Public Works Committee

34. [R-2009-0046](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner Out of Eden LLC for property located at 1439-41 South 70th Street.

Sponsors: Public Works Committee

35. [R-2009-0047](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of the alley between S. 71 St., S. 72 St., W. Cleveland Ave. and W. Harrison Ave. (portions in West Allis) by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.

Sponsors: Public Works Committee

Public Hearing Items (Public Works Committee)

36. [R-2009-0043](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, storm sewer, sanitary sewer, building services, utility adjustments and storm underdrain.

Sponsors: Public Works Committee

Attachments: [R-2009-0043.pdf](#)

*East/West Alley between S. 60 St., S. 61 St., W. Grant St. & W. Lincoln Ave.
 North/South Alley between S. 72 St., S. 73 St., W. Becher St. & W. Rogers St.
 North/South Alley between S. 89 St., S. 90 St., W. Vincent St. & W. Orchard St.
 North/South Alley between S. 80 St., S. 81 St., W. Grant St. & W. Lincoln Ave.
 North/South Alley between S. 78 St., S. 79 St., W. Rogers St. & W. Becher St.
 North/South and East/West Alley between S. 55 St., S. 56 St., W. Lincoln Ave. & W. Hayes Ave.
 North/South and East West Alley between S. 66 St., S. 67 St., W. Beloit Rd. & W. Lincoln Ave.
 North/South and East West Alley between S. 71 St., S. 72 St., W. Lincoln Ave. & W. Stuth Ave.
 North/South and East West Alley between S. 77 St., S. 78 St., W. Hicks St. & W. Rogers St.
 North/South and East West Alley between S. 54 St., S. 55 St., W. Lincoln Ave. & W. Hayes Ave.
 North/South Alley between S. 59 St., S. 60 St., W. Mobile St. & W. Grant St.
 North/South and East/West Alley between S. 56 St., S. 57 St., W. Beloit Rd. & W. Burnham St.
 North/South Alley between S. 56 St., S. 57 St., W. Lapham St. & W. Mitchell St.
 North/South Alley between S. 57 St., S. 58 St., W. Walker St. & W. Mineral St.*

37. [R-2009-0044](#) Final Resolution authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer, sanitary sewer, building services, utility adjustments and storm underdrain in various alleys in the City of West Allis and levying special assessments against benefited properties.

Sponsors: Public Works Committee

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

29. [R-2009-0029](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of various streets and two alleys.

Sponsors: Public Works Committee

*S. Wollmer Rd. from W. National Ave. to S. Root River Parkway,
S. 72 St. from W. Kinnickinnic River Parkway to W. Bennett Ave.,
W. Bennett Ave. from S. 72 St. to East City Limits
North/South Alley between S. 94 St., S. 95 St., W. Dakota St. and W. Manitoba St., and
North/South and East/West Alley between S. 94 St., S. 95 St., W. Manitoba St. and W.
Oklahoma Ave.*

Aye: 8 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Roadt, Vitale, and Weigel

No: 2 - Reinke, and Sengstock

SAFETY & DEVELOPMENT COMMITTEE

38. [R-2009-0053](#) Resolution authorizing the Director of Development to execute a Grant Agreement between the City of West Allis and the Wisconsin Department of Natural Resources addressing the property at 1928 S. 62 St. (Plating Engineering Site)

Sponsors: Safety & Development Committee

Attachments: [Environmental Brownfield Assessment - Proceed Order 8 \(6-10-15\)](#)

39. [2009-0094](#) Special Use Permit to establish The Orchard, an instructional training facility for dance, martial arts, aerobics, music, business and trades within a portion of the existing mixed use building located at 1500 S. 73 St., 7223 W. Orchard St. and 15** S. 73 St. (Tax Key Nos. 453-0212-000 and 453-0211-000)

Held in Safety & Development Committee during recess.

40. [2009-0095](#) Special Use Permit to establish I-94 Productions, a multi-media recording studio within a portion of the existing Westwood/Rupena's Shopping Center located at 7709 W. Beloit Rd. (Tax Key No. 515-0046-000)

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

41. [R-2009-0052](#) Resolution relative to determination of Special Use Permit for proposed MATC classrooms to be located within a portion of the existing office building located at 1205 S. 70 St. (Tax Key No. 440-0256-002)

Sponsors: Safety & Development Committee

42. [2008-0726](#) Special Use Permit for proposed MATC classrooms to be located within a portion of the existing office building located at 1205 S. 70 St. (Tax Key No. 440-0256-002)

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

43. [2009-0079](#) 2008-2009 Combination Class A Liquor License appl. no. 1494 of Audi Brothers, LLC, Omer J. Audi, Agent, d/b/a Super Bottle Depot, for premises at 1357 S. 76 St. (new-existing location).
44. [2009-0096](#) 2008-2009 Precious Metal & Gem Dealer License application no. 1498 of Mid Continental Gem Imports, Inc., Marie R. Mesrobian, Agent, d/b/a Mid Continental Gems for premises located at 1514 S. 84 Street.
45. [2009-0099](#) 2008-2009 Adult-Oriented Establishment Operator Permit applications.
License application no. 1497 granted.
46. [2009-0103](#) 2008-2009 Used Vehicle Dealer License application no. 1499 of Ryan Motors, Inc., Anthony W. Ryan, Jr., Agent, d/b/a Ryan Motors at 7606 W. Beloit Road.
47. [2009-0108](#) 2009-2010 Used Vehicle Dealer License renewal application(s).
License application nos. 26, 33, 41, 187, 247, 251, 1042 and 1044 granted.
48. [2009-0106](#) 2008-2009 Class B Tavern Special Event Permit application no. 9 of OAR, LLC, Michael O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 838; 2008-2009 Dance Hall License no. 840; and Instrumental Music License no. 841) for a St. Patrick's Weekend and St. Patrick's Day Party to be held March 14-17, 2009 from 12:00 p.m.-11:00 p.m. with outdoor music ending at 9:00 p.m., Sunday-Tuesday, March 15-17, 2009. (Tents along back and side of building.)
Held in License & Health Committee during recess.
49. [2009-0107](#) 2008-2009 and 2008-2010 Tavern Operator License applications.
*2008-2009 License application nos. 631-632 and 634-635 granted.
2008-2010 License application nos. 301-302 and 305 granted.*
50. [2009-0093](#) 2008-2010 Tavern Operator License application no. 10-300 of Kelly A. Wirth.
Held in License & Health Committee during recess.
51. [2009-0098](#) 2008-2009 Tavern Operator License application no. 09-633 of Dawn M. Buss.
Held in License & Health Committee during recess.
52. [2009-0101](#) 2008-2010 Tavern Operator License application no. 10-303 of Brian C. Roeder.
Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

ADVISORY COMMITTEE

53. [R-2009-0034](#) Resolution Relative to Adopting a New Policy for Inclusion in the City's Policies & Procedures Manual Relative to the Recruitment, Selection, Appointment and Confirmation of Board and Commission Members.

Sponsors: Ald. Reinke

Attachments: [406-Policies & Procedures-B&C Members.pdf](#)

54. [2009-0102](#) Legislative Committee minutes for February 10, 2009.

Attachments: [LEG CMTE MINS 021009.pdf](#)

55. [2009-0109](#) Appointment by Mayor Devine of Cassie Knodl to the West Allis Youth Commission.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

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

Ald. Sengstock congratulated Paul Ziehler on his Administrator of the Year Award.

O. ADJOURNMENT

to adjourn at 8:51 p.m., with the next regularly scheduled meeting to be held on March 3, 2009, at 7:00 p.m

*/s/ Monica Schultz
Deputy Clerk*



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.