



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, March 17, 2009

7:13 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:13 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. Vitale.

D. PUBLIC HEARINGS

None.

E. CITIZEN PARTICIPATION

Brian Preiss, on behalf of the West Allis - West Milwaukee Community Coalition to reduce substance abuse and use, announced the Spring into Action Celebration scheduled for April 2nd at Knights of Columbus.

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 addressed the Neighborhood Meeting scheduled for March 18, 2009. He congratulated Jessica Geraci for winning the all-around gymnastics state title. He announced the Youth Commission School Board Forum scheduled on Thursday, March 19th at 7:00 p.m. at West Allis City Hall. Mayor Devine participated in Read Across America Week, and announced the Youth Commission's Arts Night in April.

Alderspersons Comments

Ald. Weigel described the area that will be the focus of the Neighborhood Meeting scheduled for March 18th. He reported on his participation in a sustainability focus group that was hosted by UWM graduate students.

Ald. Reinke announced that the Celebrations Committee is planning its July 4th celebration and is looking for marching bands for the parade.

H. AGENDA APPROVAL

to approve the agenda with the addition of 6a as noted on the supplemental agenda

I. APPROVAL OF MINUTES

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

J. ITEMS NOT REFERRED TO COMMITTEE

1. [2009-0172](#) Report of the Municipal Judge for the month of February 2009, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$94,742.05.

Attachments: [2009-0172.pdf](#)

2. [2009-0153](#) Gray & Associates, L.L.P. Amended Summons & Complaint in the matter of Taylor, Bean & Whitaker Mortgage Corp., Ocala, FL v. the City of West Allis, et al. regarding foreclosure of mortgage.
3. [2009-0158](#) Ziklag Global Investments, Inc. communication requesting a refund of the parking lot construction \$41,000 payment relative to the Paradise Theater Building located at 6227-6229 W. Greenfield Avenue.
4. [2009-0160](#) Rozga Plumbing & Heating Corporation communication regarding sewer lateral repair in the amount of \$8,556.70 on December 27, 2008 at 6215 W. Beloit Road
5. [2009-0173](#) Summons and Complaint in the matter of The Equitable Bank, S.S.B. vs. City of West Allis, et al.

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 7:19 p.m. Upon returning from recess at 8:07 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 AND PUBLIC WORKS COMMITTEE

6. [2009-0174](#) Request by the Director of Public Works to upgrade the Water Utility's SCADA System with budgeted Water Utility monies to fund the upgrade.

Attachments: [scada.ltr.pdf](#)

- 6a. [R-2009-0088](#) Resolution authorizing the Director of Public Works to enter into an agreement with Kamp/Synergy LLC to upgrade the Water Utility's SCADA control system at a cost of \$30,600.

Sponsors: Public Works Committee

ADMINISTRATION & FINANCE COMMITTEE

7. [O-2009-0011](#) An Ordinance to amend Ordinance No. O-2008-0009 establishing the salary ranges of certain employees in the Administrative & Clerical Service of the City of West Allis for the years 2008-2010 (Crime Analyst I, Property Room Technician, Neighborhood Services Inspector, Network PC Programmer Analyst).

Sponsors: Administration & Finance Committee

8. [R-2009-0078](#) Resolution relative to approving the 2008 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.

Sponsors: Narlock

9. [R-2009-0081](#) Resolution relative to accepting the proposal of Library Furniture International, Inc. for furnishing Audio-Visual Shelving for a total net sum of \$23,662.00.

Sponsors: Administration & Finance Committee

Attachments: [Audio Visual Shelving sole source letter.pdf](#)

10. [R-2009-0082](#) Resolution Awarding the Sale of \$2,945,000 General Obligation Corporate Purpose Bonds.

Sponsors: Administration & Finance Committee

Attachments: [ADMR.2945K EXHS.pdf](#)
[2,945,000 GO OB CORP FINAL.pdf](#)

11. [R-2009-0083](#) Resolution Authorizing the Issuance and Sale of \$6,885,000 General Obligation Promissory Notes.
- Sponsors:* Administration & Finance Committee
- Attachments:* [ADMR.6885K EXHS.pdf](#)
[6,885,000 GO Prom Notes FINAL.pdf](#)
12. [R-2009-0084](#) Resolution Awarding the Sale of \$7,105,000 Taxable General Obligation Corporate Purpose Bonds.
- Sponsors:* Administration & Finance Committee
- Attachments:* [ADMR.7105K EXHS.pdf](#)
[7,105,000 Taxable GO Corp FINAL.pdf](#)
13. [R-2009-0070](#) Resolution to approve a Demonstration Commercial Facade Improvement Project Contract by and between the City of West Allis and Suzanne G. Ball, property owner and member of 88 Keys LLC for the property located at 7211 W. Greenfield Ave. in an amount not to exceed \$15,000.
- Sponsors:* Narlock

City Attorney Claim Report

14. [2008-0189](#) Notice of Claim and Request for Lien submitted by William R. Cummings, Reinhart, Boerner, Van Duren, S.C. on behalf of Advanced Waste Services, Inc., in the amount of \$96,107.50 relative to Champion Environmental Services, Inc.
15. [2008-0563](#) Notice of Claim submitted by WE Energies regarding damages allegedly sustained in the area of S. 70 St. and S. 71 St. on W. National Ave. on or about August 5, 2008.
16. [2009-0041](#) Lana Bainer communication regarding vehicle damage allegedly sustained at 7635 W. Dakota Street on December 19, 2008.
17. [2009-0070](#) Nicholas Yets communication regarding vehicle damage allegedly sustained at 1722 S. 73 St. on January 9, 2009.

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
No: 0

PUBLIC WORKS COMMITTEE

18. [R-2009-0087](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Dakota St. from S. 72 St. to 135 feet east of S. 72 St. (portions in West Allis, combined project with City of Milwaukee) by minor asphalt resurfacing with miscellaneous walk.

Sponsors: Public Works Committee

19. [R-2009-0085](#) Resolution to approve bid of Reesman's Excavating & Grading, Inc. for street construction, sanitary sewer relay, storm sewer relay, storm sewer, water main relay, building services & utility adjustments in S. 73rd Street from West Walker Street to the north City limits, S. 74th Street from West Washington Street to the north City limits, and S. 78th Street from W. Greenfield Avenue to W. National Avenue within the City of West Allis, in the amount of \$1,571,656.30.

Sponsors: Public Works Committee

Attachments: [2009-3 Bid Results.pdf](#)

20. [R-2009-0079](#) Resolution relative to accepting the proposal of Davies Water for furnishing and delivering fire hydrants for a total sum of \$81,738.18.

Sponsors: Public Works Committee

Attachments: [1025 Fire Hydrant Tabulation.pdf](#)

21. [2009-0146](#) Request from the Director of Public Works to purchase a pneumatic drill to assist in the repair of water cuts.

Attachments: [pneumatic drill.ltr.pdf](#)

22. [2009-0179](#) Communication from the City Engineer regarding the proposed 2010-2014 Capital Improvement Paving Program.

Attachments: [2010-2014 Paving Program.pdf](#)

[2010-2014 Paving Memo.pdf](#)

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

23. [R-2009-0086](#) Resolution establishing a Comprehensive Plan Steering Committee to guide the City's Comprehensive Plan update process.

Sponsors: Safety & Development Committee

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

No: 0

24. [2009-0177](#) Communication from Michael May, Professional Traffic Engineer and Citizen in support of the City of West Allis Bike and Pedestrian Plan.
- Attachments:* [M. May communication Bike Plan.pdf](#)
- Held in Safety & Development Committee during recess.*
25. [2009-0138](#) Special Use Permit to establish CK Auto Repair, an auto repair facility within an existing mixed-use building located at 723 S. 84th St. submitted by Chor Yang. (Tax Key No. 442-0316-000)
- Held in Safety & Development Committee during recess.*
26. [2009-0156](#) Special Use Permit for a proposed outdoor dining area to Paulie's Pub and Eatery located at 8031 W. Greenfield Ave. (Tax Key Nos. 452-0254-000, 452-0256-000 and 452-0257-000)
- Held in Safety & Development Committee during recess.*
27. [2009-0175](#) Special Use Permit to establish the Utopic Therapeutic Massage and Skin Care Spa, to be located within a portion of the existing commercial space at 9422 W. National Ave. (Tax Key No. 479-0674-001)
- Held in Safety & Development Committee during recess.*
28. [2009-0176](#) Special Use Permit to extend Havana Lounge and Cigar into the abutting commercial space east of their existing location at 9505 W. Greenfield Ave. (Tax Key No. 450-0042-001)
- Held in Safety & Development Committee during recess.*

LICENSE & HEALTH COMMITTEE

29. [2009-0147](#) 2008-2009 Class B Tavern License application no. 1500, of Susan C. Jesion, d/b/a 6500 Bar & Grill for premises located at 6500 W. Greenfield Ave. (new-existing location).
30. [O-2009-0006](#) An Ordinance to Create Subsection 9.18(7)(t) of the Revised Municipal Code Relating to the Prohibition of Sale of Tickets Around the State Fair Park.
- Sponsors:* Ald. Weigel
31. [O-2009-0012](#) An Ordinance to Amend Subsections 9.02(21)(h) and (j) of the Revised Municipal Code Relating to the Fees for an Operator's License and a Temporary Operator's License
- Sponsors:* Ald. Czaplewski
32. [O-2009-0003](#) An Ordinance to Amend Section 9.032 of the Revised Municipal Code Relating to Live Music Licenses for Taverns.
- Sponsors:* Ald. Czaplewski

33. [O-2009-0004](#) An Ordinance to Create Section 9.031 of the Revised Municipal Code Relating to Karaoke Music in Taverns.
Sponsors: Ald. Czaplewski
34. [2009-0161](#) Time Warner Cable communication regarding several changes being made in the channel lineup effective April 15, 2009; the addition of Gospel Music channel to the digital line up; and a free preview of MLB Extra Innings from March 9-13, 2009.
Attachments: [2009-0161.pdf](#)
35. [2009-0180](#) Findings and Recommendations in the Matter of the Complaint Against Lenny's Inc., Leonard Malan, Agent, d/b/a Lenny's for premises located at 6309 W. National Avenue.
Attachments: [Malan.pdf](#)
[Lenny's.pdf](#)
[Malan.response.pdf](#)
36. [2009-0137](#) Summons and Complaint in the matter of the complaint against Lenny's, Inc., Leonard E. Malan, Agent for the premises located at 6309 W. National Ave., d/b/a Lenny's (2008-2009 Class B Tavern License no. 458).
37. [2009-0026](#) Police Department Report involving Lenny's, 6309 W. National Ave. (2008-2009 Class B Tavern License no. 458, Dance Hall License no. 506 and Cigarette License no. 1357 of Lenny's, Inc., Leonard E. Malan, Agent, Incident Date: December 12, 2008).
38. [2009-0142](#) 2009 Direct Sellers/Solicitors Permit application no. 30 of Ryan G. York.
Held in License & Health Committee during recess.
39. [2009-0143](#) 2009 Direct Sellers/Solicitors Permit application no. 33 of Eric D. Rohloff.
Held in License & Health Committee during recess.
40. [2009-0144](#) 2009 Direct Sellers/Solicitors Permit application no. 37 of April Mitchell-Bobo III.
Held in License & Health Committee during recess.
41. [2009-0150](#) 2008-2009 Second Hand Dealer License appl. no. 1503 of James Cervantes, d/b/a God's Will for premises at 6323 W. Greenfield Ave.
42. [2009-0178](#) 2008-2009 Second Hand Dealer License appl. no. 1505 of Antonio Acosta, d/b/a History to Save for premises at 8633 W. Greenfield Ave.
43. [2009-0151](#) 2009-2010 Used Vehicle Dealer License renewal application(s).
License application nos. #238, 254, 256, 272, 276, 278, and 1203 granted.
44. [2009-0159](#) 2008-2009 Used Vehicle Dealer License application no. 1504 of Sonia Baez, d/b/a Robson Motors at 6747 W. Lincoln Ave.
45. [2009-0152](#) 2009-2010 Mobile Home Park License renewal application(s).
License application nos. 287, 289-290, and 1164 granted.

46. [2009-0154](#) 2008-2010 Package Goods Operator License application(s).
License application no. 1506 granted.
47. [2009-0155](#) 2008-2009 Special Class B Beer and Wine License application(s).
License application nos. 22 & 23 granted.
48. [2009-0157](#) 2008-2009 and 2008-2010 Tavern Operator License applications.
*2008-2009 License application no. 642 granted.
2008-2010 License application nos. 309-310 granted.*
49. [2009-0170](#) Police Department Report regarding February 15, 2009 Tobacco Compliance Check involving twenty-four (24) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2008-2009 Cigarette License no. 480 of Speedway Superamerica, LLC, Lee R. Sattler, Agent, d/b/a Speedway #4152 at 5712 W. Burnham St.).
Held in License & Health Committee during recess.
50. [2009-0171](#) Police Department report regarding tavern violations/calls for service for the month of February 2009.
Attachments: [2009-0171.pdf](#)
51. [2009-0165](#) Police Department Report involving Walk-Her-Inn, 900 S. 74 St. (2008-2009 Class B Tavern License no.491, Cigarette and Tobacco License no. 492, and Dance Hall License no. 493 of Dennis M. Gerth, Incident Date: February 15, 2009).
Held in License & Health Committee during recess.
52. [2009-0163](#) Police Department Report involving Mario's, 1900 S. 60 St. (2008-2009 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: January 31, 2009).
53. [2009-0166](#) Police Department Report involving Lynch's, 2300 S. 108 St. (2008-2009 Class B Tavern License no. 489, Dance Hall License no. 616, Instrumental Music License no. 617 and Cigarette License no. 490 of D&N Lynch, Inc., Joseph E. Lynch, Agent, Incident Date: February 19, 2009).

54. [2009-0167](#) Police Department Report involving Burnham Bowl, 6016 W. Burnham St. (2008-2009 Class B Tavern License no. 764, Dance Hall License no. 766, Instrumental Music License no. 767, and Bowling Alley License no. 964 of Blaine Enterprises, Inc, Claudia A. Martorano, Agent, Incident Date: February 21, 2009).
Held in License & Health Committee during recess.
55. [2009-0168](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: January 16, 2009).
Held in License & Health Committee during recess.
56. [2009-0169](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: February 17, 2009).
Held in License & Health Committee during recess.
57. [2009-0164](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2008-2009 Class B Tavern License no. 454, Dance Hall License no. 504, Instrumental Music License no. 1068 and Cigarette License no. 455 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, Incident Date: February 14, 2009)
Held in License & Health Committee during recess.
58. [2009-0141](#) 2008-2009 Tavern Operator License application no. 09-641 of Brian J. Lorenson.
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

59. [2009-0162](#) Legislative Committee minutes for March 10, 2009.

Attachments: [LEG CMTE MINS 031009.pdf](#)
[LEG CMTE MINS 031009.Attachment.pdf](#)

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

Mayor Devine wished everyone a Happy St. Patrick's Day.

O. ADJOURNMENT

to adjourn at 8:14 p.m., with the next regularly scheduled meeting to be held on April 7, 2009, at 7:00 p.m

*/s/ Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



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.