



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, November 3, 2009

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2009-0247](#) Resolution relative to determination of Special Use Permit for proposed New Number One Restaurant, to be located within the River Bend Shopping Center at 7536 W. Oklahoma Ave.
Sponsors: Safety & Development Committee

2. [R-2009-0243](#) Resolution relative to determination of Special Use Permit for proposed candy store, to be located within the existing multi-tenant commercial building at 7911 W. Becher St.
Sponsors: Safety & Development Committee

3. [R-2009-0245](#) Resolution relative to the determination of Special Use Permit to establish auto repair at Romero's Auto Sale, an existing business located at 5600 W. Burnham St.
Sponsors: Safety & Development Committee

4. [2009-0636](#) 2010 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 20, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

- 5. [2009-0693](#) Notice of Claim submitted on behalf of Michael R. & Shelly M. Rawski regarding damages allegedly sustained at 3150 S. 48 St. on June 26, 2009.
- 6. [2009-0700](#) Word of Grace Bible Church communication regarding property damage allegedly sustained on June 19, 2009 at 2660 S. 88 St.
- 7. [2009-0717](#) Notice of Injury submitted on behalf of William M. Melloch regarding injuries and damages allegedly sustained on W. Beloit Rd. at or near the intersection of S. 66 St. on August 13, 2009.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on October 27, 2009.

8. [2009-0667](#) 2009-2010 Tavern Operator License application no. 10-395 of Ronald D. Quartullo.
Unanimously recommended to be denied based on the police report.
9. [2009-0668](#) 2009-2011 Tavern Operator License application no. 11-389 of Benjamin W. Evenson.
Unanimously recommended to be approved.
10. [2009-0571](#) Summons and Complaint in the matter of the complaint against Mr. Gyros Café & Grill, LLC, James P. Wood, Agent, d/b/a Mr. Gyros relative to Food-Related Permit.
Unanimously recommended to issue a Findings and Recommendations to Revoke and not renew.
11. [2009-0677](#) 2009-2011 Tavern Operator License application no. 11-396 of Kelley J. DeLisle.
Unanimously recommended to be approved.
12. [2009-0389](#) 2009-2010 Class B Tavern License application no. 1546 of Jason J. Dakins, d/b/a Buggsys, premises located at 6851 W. Beloit Rd. (new-existing location).
Unanimously recommended to be placed on file.
13. [2009-0594](#) Police Department Report involving GW's Jaws, 9033 W. National Avenue, (2009-2010 Class B Tavern License no. 629, Dance Hall License no. 633 and Instrumental Music License no. 634 of GW's Jaws LLC, Eunice A. Weber, Agent, Incident Date: August 2, 2009).
Unanimously recommended to be placed on file.
14. [2009-0595](#) Police Department Reporting involving Barneks, 7411 W. Becher St., (2009-2010 Class B Tavern License no. 1060, and Dance Hall license no. 1062 of Dale J. Zbieranek, Incident Date: August 8, 2009).
Unanimously recommended to be placed on file.

15. [2009-0600](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2009-2010 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: August 30, 2009).
- Recommended to be placed on file by the following vote:*
Ayes: 4 - Alderpersons Czaplewski, Roadt, Weigel and Sengstock
Present: 1 - Alderperson Barczak
16. [2009-0656](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Ave. (2009-2010 Class B Tavern License no. 717, and Dance Hall License no. 719 of Henry Enterprises Ltd., James F. Henry, Agent, Incident Date: September 27, 2009.)
- Recommended to be placed on file by the following vote:*
Ayes: 4 - Alderpersons Barczak, Czaplewski, Roadt and Weigel
Present: 1 - Alderperson Sengstock
17. [2009-0657](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Avenue (Janel A. Deprey, 2009-2011 Tavern Operator License no. 11-107, Incident Date: September 27, 2009).
- Recommended to be placed on file by the following vote:*
Ayes: 4 - Alderpersons Barczak, Czaplewski, Roadt and Weigel
Present: 1 - Alderperson Sengstock
18. [2009-0659](#) Police Department Report regarding September 16, 2009 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with two (2) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 935 and Cigarette License no. 1030 of Mohinder S. Dhillon, d/b/a Dhillon Beer & Liquor, 5832 W. Burnham St.).
- Unanimously recommended to be placed on file.*
19. [2009-0559](#) Communication from Jill Huennekens regarding her termination as Bar Manager at 6500 W. Greenfield Ave., d/b/a 6500 Bar & Grill (2009-2010 Class B Tavern License no. 1500, Susan C. Jesion, licensee).
- Unanimously recommended to be placed on file.*
20. [2009-0643](#) 2009-2010 Instrumental Music License application no. 1597 (2009-2010 Class B Tavern License no. 1500), of Susan C. Jesion, d/b/a 6500 Bar & Grill for premises located at 6500 W. Greenfield Ave.
- Recommended to be approved by the following vote:*
Ayes: 3 - Alderpersons Czaplewski, Roadt and Sengstock
Noes: 2 - Alderpersons Barczak and Weigel

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS**ADMINISTRATION & FINANCE and PUBLIC WORKS COMMITTEES****New Matters for Introduction**

21. [R-2009-0242](#) Resolution relative to accepting the proposal of Utility Sales & Service, Inc. for furnishing and delivering one (1) aerial truck for a total net sum of \$68,000.00.
Sponsors: Administration & Finance Committee and Public Works Committee
22. [R-2009-0248](#) Resolution to approve the Memorandum of Understanding to pay the City's share of fees associated with the cooperative hiring of Short Elliott Hendrickson Inc. to advance joint concerns and protect common interests in regard to the City of Milwaukee Water Works application to the Wisconsin Public Service Commission to increase its water rates.
Sponsors: Administration & Finance Committee

ADMINISTRATION & FINANCE COMMITTEE**New Matters for Introduction**

23. [O-2009-0031](#) Ordinance to repeal and recreate Sections 5.03(7)(a) and 5.03(7)(b) of the City of West Allis Revised Municipal Code regarding Ambulance Fees.
Sponsors: Administration & Finance Committee
24. [O-2009-0034](#) Ordinance to amend Section 2.19(3) of the City of West Allis Revised Municipal Code relative to the addition of the method of changing the salary of the Municipal Judge.
Sponsors: Administration & Finance Committee
25. [O-2009-0035](#) Ordinance to amend Section 2.15 of the City of West Allis Revised Municipal Code relative to the addition of Section 2.15(5) regarding the method of changing the salary of the City Attorney.
Sponsors: Administration & Finance Committee
26. [R-2009-0239](#) Resolution relative to the contribution of \$1,000 to the West Allis Charities as contributing sponsorship of the 2009 Christmas Parade.
Sponsors: Administration & Finance Committee

27. [R-2009-0240](#) Resolution regarding 2010 Budget and the use of \$1.3 million of City reserves as it relates to the 2011 City Budget.
Sponsors: Administration & Finance Committee
28. [R-2009-0241](#) Resolution Amending an Investment Policy and Designating Public Depositories.
Sponsors: Administration & Finance Committee
29. [R-2009-0246](#) Resolution to approve a Demonstration Commercial Facade Improvement Project Contract by and between the City of West Allis and Michael R. and Carolyn Hottinger, property owners for the property located at 7730-32 W. National Ave. in an amount up to \$21,000.
Sponsors: Administration & Finance Committee
30. [2009-0701](#) Comptroller/Manager of Finance submitting the report for the month of July, 2009 indicating City of West Allis checks issued in the amount of \$2,651,986.87.
31. [2009-0702](#) Comptroller/Manager of Finance submitting the report for the month of August, 2009 indicating City of West Allis checks issued in the amount of \$3,092,384.34.
32. [2009-0703](#) Comptroller/Manager of Finance submitting the report for the month of September, 2009 indicating city of West Allis checks issued in the amount of \$3,587,135.58
33. [2009-0704](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Internal Financial Reports as of October 30, 2009.
34. [2009-0705](#) 2011 Salary/Benefit Adjustments Report for Non-Represented City Employees.

City Attorney Claim Report

35. [2003-0579](#) Communication submitted by Dawn Goldsmith regarding an alleged incident at 9501 W. Cleveland Ave. on May 8, 2003.
City Attorney recommended denial.
36. [2006-0546](#) Lola M. Boyle communication regarding personal injury allegedly sustained at 90th Street and Lincoln Avenue on August 3, 2006.
City Attorney recommended denial.

Public Hearing Items (Administration & Finance Committee)

37. [2009-0636](#) 2010 City of West Allis Mayor's Recommended Budget.

38. [O-2009-0030](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2010.

Sponsors: Administration & Finance Committee

PUBLIC WORKS COMMITTEE

New Matters for Introduction

39. [R-2009-0238](#) Resolution relative to accepting the proposals of Neher Electric Supply Co and All Lighting Inc. for furnishing and delivering Street Lamps for a total sum of \$31,591.92.

Sponsors: Public Works Committee

40. [2009-0726](#) Communication from City Engineer regarding the Zoo Interchange Project and Potential Impact on 76th Street.

41. [2009-0698](#) Communication from George Brucker, 937 S. 91 St. regarding concerns about the catch basin, upheaval of the ground, pipe fractures and water leakage, on an adjoining lot owned by the City of West Allis.

42. [2009-0697](#) Kerry J. Gudlin, 2184 S. 90 St., communication requesting a two-hour parking restriction on the north side of W. Grant St., east of S. 90 St.

43. [2009-0699](#) Communication from Downtown West Allis BID thanking the Mayor and Common Council for their support of the 19th Annual Downtown West Allis Classic Car Show which was held on Sunday, October 4, 2009.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

44. [R-2009-0244](#) Resolution authorizing the Director of Development to execute an amendment to the Community Development Block Grant- Emergency Assistance Program (CDBG-EAP) Agreement between the City of West Allis and the State of Wisconsin Department of Commerce for accepting an additional \$400,000 of assistance.

Sponsors: Safety & Development Committee

45. [R-2009-0249](#) Resolution to approve an Intergovernmental Agreement by and between the City of West Allis and a Regional Housing Consortium for the administration of Neighborhood Stabilization Program funds from Wisconsin Department of Commerce.
- Sponsors:** Safety & Development Committee

Previous Matters for Consideration

46. [O-2009-0027](#) An Ordinance to create Sections 14.34 and 14.58, to amend Sections 14.55, 14.56 and 14.57 and to repeal and recreate Section 14.85 of the City of West Allis Revised Municipal Code regarding Electric Services, Contractor Licensing Requirements and Permit Fees.
- Sponsors:** Safety & Development Committee
47. [R-2009-0202](#) Resolution to create Tax Incremental District Number Eleven, City of West Allis, Wisconsin, and describe the boundaries thereof, pursuant to Section 66.1105(4) (gm) of the Wisconsin Statutes.
- Sponsors:** Safety & Development Committee
48. [R-2009-0203](#) Resolution approving the Project Plan for Tax Incremental District Number Eleven, City of West Allis, Wisconsin.
- Sponsors:** Safety & Development Committee
49. [2009-0602](#) Communication from the Planning Manager relative to the Plan Commission's favorable recommendation of the Project Plan for Tax Incremental District Number Eleven.
50. [2009-0603](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation of the Project Plan for Tax Incremental District Number Eleven.

Public Hearing Items (Safety & Development Committee)

51. [R-2009-0247](#) Resolution relative to determination of Special Use Permit for proposed New Number One Restaurant, to be located within the River Bend Shopping Center at 7536 W. Oklahoma Ave.
- Sponsors:** Safety & Development Committee
52. [2009-0639](#) Special Use Permit for proposed New Number One Restaurant to be located within the River Bend Shopping Center, 7536 W. Oklahoma Ave.

53. [R-2009-0243](#) Resolution relative to determination of Special Use Permit for proposed candy store, to be located within the existing multi-tenant commercial building at 7911 W. Becher St.
Sponsors: Safety & Development Committee
54. [2009-0665](#) Special Use Permit for proposed candy store, to be located within the existing multi-tenant commercial building at 7911 W. Becher St.
55. [R-2009-0245](#) Resolution relative to the determination of Special Use Permit to establish auto repair at Romero's Auto Sale, an existing business located at 5600 W. Burnham St.
Sponsors: Safety & Development Committee
56. [2009-0666](#) Special Use Permit to establish auto repair at Romero's Auto Sale, an existing business located at 5600 W. Burnham St.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

57. [O-2009-0032](#) An Ordinance to Amend Subsection 9.01(2)(b) of the West Allis Revised Municipal Code Relating to Number of Alcohol Licenses.
Sponsors: License & Health Committee
58. [O-2009-0033](#) Ordinance to create Section 9.33 relative to record check fees for license applicants and to amend various license fees of Chapter 9 of the West Allis Revised Municipal Code.
Sponsors: License & Health Committee
59. [2009-0719](#) Findings and Recommendations in the Matter of the Complaint Against Mr. Gyros Cafe & Grill, LLC, James Wood relative to Food-Related Permit.
60. [2009-0694](#) Mega Marts, LLC communication regarding notice of change of liquor agent at the Pick 'n Save #6883 located at 11111 W. Greenfield Ave. (2009-2010 Combination Class A Liquor License no. 1205).
61. [2009-0695](#) Appointment of new agent, Thomas Kramer, by Mega Marts, LLC, d/b/a Pick 'n Save #6847 located at 2625 S. 108 St. (2009-2010 Combination Class A Liquor License no. 1089).
62. [2009-0207](#) 2009-2010 Special Class B Beer and Wine License application(s).
63. [2009-0707](#) 2009-2010 and 2009-2011 Tavern Operator License applications.

64. [2009-0708](#) 2009-2010 Tavern Operator License application no. 10-402 of Dylan F. Roloff.
65. [2009-0709](#) 2009-2010 Tavern Operator License application no. 10-407 of Barbara J. Davison.
66. [2009-0710](#) 2009-2011 Tavern Operator License application no. 11-398 of Erin B. Hennessy.
67. [2009-0711](#) 2009-2011 Tavern Operator License application no. 11-401 of Jeanette R. Lemieux.
68. [2009-0712](#) 2009-2010 Tavern Operator License application no. 10-405 of Ruben E. Sanchez.
69. [2009-0713](#) 2009-2011 Tavern Operator License application no. 11-402 of Michelle Marie Monty.
70. [2009-0714](#) 2009-2010 Package Goods Operator License application no. 1603 of Walter G. Schneider, IV.
71. [2009-0715](#) 2009-2010 Package Goods Operator License application no. 1601 of Nicole M. Bartlett.
72. [2009-0716](#) 2009-2010 Package Goods Operator License application no. 1602 of Kayla E. Anderson.

Previous Matters for Consideration

73. [2009-0599](#) Police Department Report involving Flappers, 7527 W. Becher St. (2009-2010 Class B Tavern License no. 797, and Dance Hall License no. 799 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: August 15, 2009).

ADVISORY COMMITTEE

New Matters for Introduction

74. [O-2009-0029](#) An Ordinance to repeal and recreate Section 2.08 of the West Allis Revised Municipal Code relative to elections, ballots and voting systems, electors, election officials, selection and duties, canvassing, nominations, primaries, post-election actions, direct legislation, election dates and notices, campaign financing, and prohibited election practices.
- Sponsors:** Rosalie L. Reinke

75. [R-2009-0237](#) Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 901 Relative to Agenda for Council Meetings.
Sponsors: Rosalie L. Reinke
76. [2009-0696](#) Petition submitted by residents of Ermenc Park Estates in support of the use of Nathan Hale High School as a venue for various community events, school district events and other sanctioned events.
77. [2009-0720](#) Reappointment by Mayor Devine of Paule Kolff as a member of the West Allis Commission on Aging, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her three-year term to expire November 1, 2012.
78. [2009-0721](#) Reappointments by Mayor Devine to the West Allis Commission on Aging of Patricia Wikenhauser and LeAnn Launstein, their three-year terms to expire November 1, 2012.
79. [2009-0722](#) Appointment by Mayor Devine of Mary Johnson as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2011.
80. [2009-0723](#) Appointment by Mayor Devine of Tami James as a member of the West Allis Community Celebrations Committee, her three-year term to expire December 31, 2012.
81. [2009-0724](#) Reappointments by Mayor Devine to the West Allis Property Maintenance Code Appeals Board of Steve Feuling, Carol Garrison, and Charles Unger, their two-year terms to expire September 1, 2011.
82. [2009-0725](#) Notification by Mayor Devine of reappointments to the Downtown West Allis Business Improvement District of Gloria Hawkins, Brent Holmes, James Mejchar, and Douglas Persich, their three-year terms to expire October 10, 2012.
83. [2009-0706](#) Legislative Committee minutes for October 27, 2009.

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.