



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, October 4, 2011

7:18 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:18 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-2011-0213](#) Resolution relative to determination of Special Use Permit for Iglesia de Dios, a proposed religious institution to be located at 5401 W. Burnham St.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

2. [R-2011-0211](#) Resolution relative to determination of Special Use Permit for J.J. Chen's Eatery, a restaurant to be located at 10722 W. Oklahoma Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

3. [R-2011-0209](#) Resolution to approve the Year 2012 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

Sponsors: Administration & Finance Committee

Explanation by Patrick Schloss, Manager of Community Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Joe Kempen, 807 S. 105 St., Police and Fire Commission President, commented on budgeting challenges, retirements, and balancing public safety and costs.

Robert Braun, 2160 S. 86 St., commented on police resources and the feeding of squirrels.

William McCarver, 2223 S. 72 St., commented on feeding the birds and squirrels.

Cathi Probst, 1959 S. 79 St., addressed the contract for parking at Mykonos during State Fair.

Diane Sobczak, 10702 W. Oklahoma Ave. (business), asked the Council to reconsider the number of temporary banners allowed in one year, and asked for an extension with special consideration.

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

None.

Alderspersons Comments

Ald. Weigel reported on the Business Improvement District's Classic Car Show.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of September 20, 2011

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2011-0573](#) Notice of Injury submitted by Warshafsky, Rotter, Tarnoff & Bloch, S.C. on behalf of Jeffrey Albanese regarding injuries allegedly sustained on June 29, 2011 near 9644 W. Schlinger Avenue.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

5. [2011-0568](#) Summons and Complaint in the matter of the complaint against International Development, LLC, Joshua J. Johnson, Agent, for the premises located at 9105 W. Lincoln Ave., d/b/a Hero's Sports Pub & Grill (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727).

Attachments: [2011-0568.pdf](#)

6. [2011-0514](#) Police Department Reports involving Hero's Sports Pub & Grill, 9105 W. Lincoln Ave. (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727 of International Development, LLC, Joshua J. Johnson, Agent, Incident Dates: July 8, 2011, July 10, 2011, two (2) on July 24, 2011 and August 14, 2011).
7. [2011-0550](#) Police Department Reports involving Hero's Sports Pub & Grill, 9105 W. Lincoln Ave. (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727 of International Development, LLC, Joshua J. Johnson, Agent, Incident Dates: July 16, July 20, July 24, July 30, July 31, August 6, August 7, August 27, and August 28, 2011).
8. [2011-0546](#) 2011-2013 Tavern Operator License application no. 13-384 of Dustin J. Daley.
9. [2011-0547](#) 2011-2013 Tavern Operator License application no. 13-388 of James E. Adams.
10. [2011-0507](#) Police Department Report involving Walk-Her-Inn, 900 S. 74 St. (2011-2012 Class B Tavern License no. 1538 and Dance Hall License no. 1540, Diane D. Plumeri, Incident Date: July 9, 2011).
11. [2011-0508](#) Police Department Report involving Flappers, 7527 W. Becher St. (2011-2012 Class B Tavern License no. 797 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: July 2, 2011).
12. [2011-0509](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2011-2012 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: July 1, 2011).
13. [2011-0510](#) Police Department Report involving Ubie's Double Vision, 5501 W. Burnham St. (2011-2012 Class B Tavern License no. 853, Dance Hall License no. 854 and Instrumental Music License no. 855 of Ubie's Double Vision, LLC, Robert A. Uebelacker, Agent, Incident Date: July 9, 2011).

14. [2011-0513](#) Police Department Report involving Taqueria Buenavista, 6000 W. Burnham St., (2011-2012 Class B Beer License no. 1590, Enicacio Sanchez, Incident Date: June 14, 2011).
15. [2011-0551](#) Police Department Report involving The Drunken Duck, 5906 W. Burnham Ave., (2011-2012 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment, LLC, Lindsey Anne Guillermo, Agent, Incident Date: August 11, 2011).
16. [2011-0552](#) Police Department Report involving The Alibi Tavern, 6540 W. Grant St. (2011-2012 Class B Tavern License no. 1663 of Alibi Taverns, LLC, Patrick R. Kosidowski, Agent, Incident Date: August 13, 2011).
17. [2011-0557](#) Police Department Report involving Lois's Derby, 1430 S. 81 St. (2011-2012 Class B Tavern License no. 682 and Dance Hall License no. 684, Lois McHugh, Incident Date: August 15, 2011).
18. [2011-0562](#) Police Department Reports involving Wild Bill's Saloon, 1454 S. 92 St. (2011-2012 Class B Tavern License no. 789 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Dates: August 28, and August 31, 2011).
19. [2011-0455](#) Police Department Report regarding June 27, 2011 Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification. (2010-2011 Cigarette License no. 497 of Walgreens Co., Paul Mould, Agent, d/b/a Walgreens #4774, at 8333 W. Greenfield Ave.)

Passed The Block Vote

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

No: 0

20. [2011-0544](#) 2011-2012 Tavern Operator License application no. 12-328 of Colleen M. Santner.

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

No: 1 - Czaplewski

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:49 p.m. Upon returning from recess at 8:47 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

21. [R-2011-0208](#) Resolution Relative to Amending the City of West Allis Policies & Procedures Manual No. 1452, Workplace Violence Sections 1.0 Purpose, 2.0 Organizations and Person Affected, 5.2, 5.2.1 and 5.2.2 General Policies - Prohibited Conduct and 5.3.3 General Policies - Complaint and Investigation Procedure under Human Resources.

Sponsors: Administration & Finance Committee

Attachments: [Microsoft Word - Amend P&P1452-5.2 Gen Policies-Prohibited Conduct-Clean.pdf](#)

22. [2011-0574](#) Communication from the City Attorney regarding request to fill the vacant position of part-time Legal Secretary in the City Attorney's Office.

Attachments: [ltr-CC-SecretaryPosition.pdf](#)
[VACPOSREQ.LegalSecy 100411.pdf](#)

23. [2011-0586](#) Fire Chief notification of Transfer of Funds of \$170,000 from Salary to Capital budget.

Attachments: [Fire Chief communication.pdf](#)

27. [R-2011-0209](#) Resolution to approve the Year 2012 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

Sponsors: Administration & Finance Committee

City Attorney Claim Report

24. [2010-0039](#) Summons and Complaint in the matter of Chase Home Finance, LLC vs. City of West Allis, et al.

25. [2010-0606](#) Cross-Claim in the matter of Tri City National Bank vs. Wheatco Enterprises, LLC, et al, regarding foreclosure of mortgage, Case No. 10-CV-006264.
26. [2010-0659](#) Amended Summons and Complaint in the matter of U.S. Bank National Association vs. Maria Del Rosio Garcia, et al, regarding foreclosure of mortgage, Case No. 10-CV-005780.

Passed The Block Vote

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

No: 0

PUBLIC WORKS COMMITTEE

28. [R-2011-0212](#) Resolution to approve bid of Musson Brothers, Inc. for sump pump installation and sanitary lateral rehabilitation on private property in the location from S. 72nd Street to S. 76th Street and West Beloit Rd. to W. Jackson Dr.

Sponsors: Public Works Committee

Attachments: [2011-18 BID RESULTS.pdf](#)

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

29. [O-2011-0070](#) An Ordinance to Establish Parking Restrictions on the North Side of the 7000 Block of W. National Ave., from S. 70 St. to S. 71 St.

Sponsors: Kopplin

30. [2011-0587](#) Petition submitted by residents of 2184-2200 S. 90 Street requesting a 2-hour parking restriction on the north side of Grant Street to the corner of 90 Street and Grant St. (approximately 60 feet).

31. [O-2011-0071](#) An Ordinance to Establish Parking Restrictions on the North Side of the West 65 Feet of the 8900 Block of W. Grant St.

Sponsors: Lajsic

32. [2011-0571](#) Diane E. Sobczak communication requesting the amount of temporary banners allowed in a year be increased.

Attachments: [Diane Sobczak communication.pdf](#)

33. [2011-0579](#) Special Use Permit for Serenity Martial Arts, a proposed business to be located at 1412 S. 72 St. within the mixed use building at 7139-7149 W. Greenfield Ave. and 1410-1412 S. 72 St.

Held in Safety & Development Committee during recess.

34. [R-2011-0213](#) Resolution relative to determination of Special Use Permit for Iglesia de Dios, a proposed religious institution to be located at 5401 W. Burnham St.

Sponsors: Safety & Development Committee

35. [2011-0577](#) Special Use Permit for Iglesia de Dios, a proposed religious institution to be located at 5401 W. Burnham St.

36. [R-2011-0211](#) Resolution relative to determination of Special Use Permit for J.J. Chen's Eatery, a restaurant to be located at 10722 W. Oklahoma Ave.

Sponsors: Safety & Development Committee

37. [2011-0585](#) Special Use Permit for J.J. Chen's Eatery, a restaurant to be located at 10722 W. Oklahoma Ave.

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

38. [2011-0583](#) Stipulation In the Matter of the Complaint Against International Development, LLC, Joshua Jay Johnson, Agent, d/b/a Hero's Sports Pub & Grill at 9105 W. Lincoln Ave.

Attachments: [2011-0583.pdf](#)

39. [2011-0581](#) 2011-2012 Class B Beer and Wine License application(s).

License application nos. 7, 8 and 9 granted with alcohol sales and service ending at 11 p.m.

40. [2011-0575](#) Tavern Operator License applications.

2011-2012 License application nos. 331-333, 336-338, and 340 granted.

2011-2013 License application nos. 393 and 395-402 granted.

41. [2011-0580](#) 2011-2012 Tavern Operator License application no. 12-334 of Amber D. Trucke.

42. [2011-0578](#) 2011-2012 Tavern Operator License application no. 12-330 of Megan S. Noonan.
44. [2011-0572](#) 2011-2012 Class B Tavern License appl. no. 1812 of Stumble Inn Pub, LLC, Jason Collins, Agent, d/b/a Stumble Inn Pub located at 6404 W. National Avenue (new-existing location).
45. [2011-0584](#) Communication from Assistant City Attorney regarding non-payment of personal property taxes, real estate taxes and NSF fees for West Allis Liquor & Tobacco.
Held in License & Health Committee during recess.
46. [2011-0565](#) Police Department Report regarding August 29, 2011 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with one (1) selling alcohol to an underage person without requesting identification (2011-2012 Combination Class A Liquor License no. 1080 of Dilneet Corporation, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave.).
Held in License & Health Committee during recess.
47. [2011-0545](#) 2011-2012 Tavern Operator License application no. 12-329 of Sarah R. Powless.
based on two (2) nonappearances
48. [2011-0576](#) Summons and Complaint in the matter of the complaint against Susan M. Morgese 2011-2013 Tavern Operator License renewal application no. 13-160.
Attachments: [2011-0576.pdf](#)
[2011-0576 Oct. 4 Summons.pdf](#)
49. [2011-0325](#) 2011-2013 Tavern Operator License renewal application no. 13-160 of Susan M. Morgese.
50. [2011-0469](#) 2011-2012 Class B Tavern License application no. 1802 of Corvina Wine Company, LLC, Joseph C. La Susa, Agent, d/b/a Corvina Wine Company for premises located at 6038 W. Lincoln Ave. (new-nonexisting location).
Held in License & Health Committee during recess.

Passed The Block Vote

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

No: 0

43. [2011-0582](#) 2011-2013 Tavern Operator License application no. 13-394 of Andrew J. Jacobsen.

Aye: 7 - Barczak, Kopplin, Lajsic, Narlock, Roadt, Sengstock, and Vitale

No: 3 - Czapslewski, Reinke, and Weigel

ADVISORY COMMITTEE

51. [2011-0588](#) Notification by Mayor Devine of reappointments to the Downtown West Allis Business Improvement District of Jackie Ellington, Don Falk, Stephanie Halfmann, and Tom Miller, their terms to expire October 10, 2014.
52. [2011-0589](#) Notification of reappointments to the West Allis Community Improvement Foundation, Inc.
53. [2011-0590](#) Reappointment by Mayor Devine of Sr. Paula Marie Jarosz as a member of the West Allis Block Grant Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her two-year term to expire September 1, 2013.
54. [2011-0591](#) Reappointment by Mayor Devine of Frederick Kuolt as a member of the West Allis Block Grant Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his two-year term to expire September 1, 2013.
55. [2011-0592](#) Reappointments by Mayor Devine to the West Allis Block Grant Committee of Michael May and Harold Mester, their two-year terms to expire September 1, 2013.
56. [2011-0593](#) Reappointment by Mayor Devine of John Klose, Jr. as a member of the West Allis Board of Review, his five-year term to expire August 21, 2016.
57. [2011-0594](#) Reappointment by Mayor Devine of Phyllis Steiner as a member of the West Allis Board of Review, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her five-year term to expire August 21, 2016.
58. [2011-0595](#) Reappointments by Mayor Devine to the West Allis Property Maintenance Code Appeals Board of Steve Feuling, Carol Garrison, and Don Kosiboski, their two-year terms to expire September 1, 2013.

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, 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

None.

O. ADJOURNMENT

to adjourn at 9:00 p.m., with the next regularly scheduled meeting to be held on October 18, 2011, 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.