



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, February 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-2009-0029](#) 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.*

2. [R-2009-0040](#) Resolution relative to determination of Special Use Permit to establish 88 Keys Piano Martini Lounge restaurant/bar, to be located at 7211 W. Greenfield Ave. (Tax Key No. 453-0089-000).

Sponsors: Safety & Development Committee

3. [R-2009-0033](#) Resolution relative to determination of Special Use Permit for proposed hours of operation extension for First Class Child Care, an existing business located at 7625 W. Becher St. (Tax Key No. 477-0748-000).

Sponsors: Safety & Development Committee

- 4. [R-2009-0042](#) Resolution relative to determination of Special Use Permit to establish Jing Well Acupuncture and Natural Medicine Spa, to be located within a portion of the multi-tenant commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002).

Sponsors: Safety & Development Committee

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

Alderspersons Comments

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of January 20, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

- 5. [2009-0065](#) Report of the Municipal Judge for the month of December 2008, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$80,171.38.

- 6. [2009-0063](#) Jeffrey Jasniewski communication regarding vehicle damage allegedly sustained at 2133 S. 88 St. on December 24, 2008.

7. [2009-0069](#) Notice of Injury submitted on behalf of Gene S. Schulak regarding injuries allegedly sustained at 5408 W. Electric Ave. on October 1, 2008.
8. [2009-0070](#) Nicholas Yets communication regarding vehicle damage allegedly sustained at 1722 S. 73 St. on January 9, 2009.
9. [2009-0071](#) Stephanie Wisneski communication regarding vehicle damage allegedly sustained at the 9400 block of W. Mitchell St. on December 28, 2008.
10. [2009-0072](#) Tim Knapp communication regarding vehicle damage allegedly sustained at the intersection of S. 60 St. and W. Greenfield Ave. on January 14, 2009.
11. [2009-0073](#) Summons and Complaint in the matter of Ridgestone Bank vs. City of West Allis, et al.
12. [2009-0074](#) Dianne Kerzner communication regarding vehicle damage allegedly sustained at the 1100 block of S. 71 St. on January 22, 2009.
13. [2009-0082](#) Linda Neuhaus communication requesting a refund of towing charges which allegedly occurred on December 30, 2008.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on January 27, 2009. (Ald. Sengstock excused).

14. [2009-0021](#) 2008-2009 Tavern Operator License application no. 09-621 of Jessica A. Charris.

*Recommended to be approved by the following vote:
Ayes: 3 - Alderpersons Barczak, Roadt & Weigel
Noes: 1 - Alderperson Czaplewski*
15. [2009-0051](#) 2008-2010 Tavern Operator License application no. 10-295 of Meghan E. Silas.

Unanimously recommended to be denied based on the police report.
16. [2009-0052](#) 2008-2010 Tavern Operator License application no. 10-296 of Brooke A. Neumann.

Unanimously recommended to be denied based on the police report.

17. [2008-0750](#) Police Department Report regarding November 12, 2008 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2008-2009 Cigarette License no. 477 of Speedway Superamerica, LLC, Heather R. Walker, Agent, d/b/a Speedway #2090 at 9130 W. Oklahoma Ave.).
Unanimously recommended to be placed on file.
18. [2009-0032](#) Police Department Report regarding December 23, 2008 Alcohol Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 936 and Cigarette License no. 1077 of Town Beer & Liquor, Inc., Joseph A. Kovacich, Agent, d/b/a Town Beer & Liquor, 903 S. 84 St.).
Unanimously recommended to be placed on file.
19. [2009-0033](#) Police Department Report regarding December 23, 2008 Alcohol Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2008-2009 Class A Beer License no. 907 and Cigarette License no. 1013 of INXS Beverages, LLC, Suraj Ozman, Agent, d/b/a Walsh's Beer & Liquor, 10910 W. Greenfield Ave.).
Unanimously recommended to be placed on file.
20. [2009-0034](#) Police Department Report regarding December 23, 2008 Alcohol Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 1398 and Cigarette License no. 1399 of Swami & Sai, LLC, Rajesh G. Patel, Agent, d/b/a VJ's Food Mart, 9206 W. Schlinger Ave.).
Unanimously recommended to be placed on file.
21. [2009-0029](#) Police Department Report involving Thirsty's Saloon & Eatery, 6833 W. National Ave. (2008-2009 Class B Tavern License no. 1096, Dance Hall License no. 1098, Instrumental Music License no. 1247 and Cigarette License no. 1097 of FB Beverages, LLC, Lori L. Szuslik, Member, Incident Date: December 18, 2008).
Unanimously recommended to be placed on file.
22. [2009-0027](#) Police Department Report involving Koozy's Bar & Grille, 1657 S. 108 St. (2008-2009 Class B Tavern License no. 1421, Dance Hall License no. 1422 and Cigarette License no. 1423 of DNA of Sheboygan Falls, Inc., Demetri S. Itsines, Agent, Incident Date: December 16, 2008).
Unanimously recommended to be placed on file.

23. [2008-0747](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2008-2009 Class B Tavern License no. 1427, Dance Hall License no. 1428, Instrumental Music License no. 1430 and Cigarette License no. 1429 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: November 15, 2008).
Unanimously recommended to be placed on file.
24. [2009-0024](#) Police Department Report involving Brass Monkey, 11904 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1238 and Instrumental Music License no. 1328 of Ron's Drivein, LLC, Ronald L. Thelen, Agent, Incident Date: December 1, 2008).
Unanimously recommended to be placed on file.
25. [2009-0025](#) Police Department Report involving Rocco's Bar & Grill, 1309 S. 60 St. (2008-2009 Class B Tavern License no. 1361, Dance Hall License no. 1363 and Cigarette License no. 1362 of Rocco A. Landgraff, Incident Date: December 3, 2008).
Unanimously recommended to be placed on file.
26. [2009-0030](#) Police Department Report involving Mugshotz, 1902 S. 68 St. (2008-2009 Class B Tavern License no. 1380, Dance Hall License no. 1382, Instrumental Music License no. 1383 and Cigarette License no. 1381 of Mugshotz, Inc., Gregory J. Steffek, Agent, Incident Date: December 24, 2008).
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

27. [R-2009-0039](#) Resolution relative to accepting the proposal of Opdyke Truck & Equipment Sales for furnishing and delivering one (1) knuckleboom crane for a total net sum of \$34,100.00.
Sponsors: Administration & Finance Committee and Public Works Committee

ADMINISTRATION & FINANCE COMMITTEE

28. [R-2009-0036](#) Resolution Relative to Approving 2008 - Transfers, Carryovers, Open Purchase Orders, Capital Accumulation Charges and Negative Department Balances.
Sponsors: Administration & Finance Committee

29. [2009-0067](#) Comptroller/Manager of Finance submitting the report for the month of September, 2008 indicating City of West Allis checks issued in the amount of \$3,757,535.12.
30. [2009-0068](#) Comptroller/Manager of Finance submitting the report for the month of October, 2008 indicating City of West Allis checks issued in the amount of \$4,050,429.42.
31. [2009-0080](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period October 1, 2008 through December 31, 2008.

PUBLIC WORKS COMMITTEE

32. [R-2009-0037](#) Resolution to approve bid of Green Bay Pipe & T.V., LLC, for closed circuit TV inspection of sanitary and storm sewers in various locations within the City of West Allis, in the amount of \$88,805.00.
Sponsors: Public Works Committee
33. [R-2009-0038](#) Resolution to approve bid of D.C. Burbach, Inc. for alley reconstruction in various locations in the City of West Allis, in the amount of \$440,355.40.
Sponsors: Public Works Committee
34. [R-2009-0027](#) Resolution Granting a Revised Privilege for Encroachment (Major) to Cugino's Entertainment LLC (d/b/a Heartbreakers) for property located at 9440-42 West National Avenue.
Sponsors: Public Works Committee
35. [R-2009-0041](#) Resolution to accept the transfer of ownership, by Quit Claim Deed, of a Community Development Authority of the City of West Allis property located at 14** S. 62 St. (Tax Key Nos. 454-0074-000 and 454-0075-000) to the City of West Allis-Parking Utility.
Sponsors: Public Works Committee
36. [2009-0084](#) Communication from City Engineer Regarding the Proposed Detour Route During the 60th Street Reconstruction.
37. [2009-0089](#) Communication from City Engineer Regarding Parking Restrictions along 60th Street from north city limits to Mineral Street.
38. [2009-0085](#) Communication from City Engineer Regarding the Proposed Bike Trail and Closing the S. 57th Street Railroad Crossing.
39. [2009-0086](#) Communication from City Engineer Regarding the Proposed Cul-de-Sac for Rogers Street.

Public Hearing Items (Public Works Committee)

40. [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
41. [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

SAFETY & DEVELOPMENT COMMITTEE

42. [O-2008-0056](#) Ordinance to create Section 12.24 and amend Section 12.06 of the Revised Municipal Code to create restrictions for the installation of wind energy systems.
Sponsors: Thomas G. Lajsic
43. [O-2009-0002](#) An Ordinance to Create Section 18.09(2)(a)7 of the West Allis Revised Municipal Code Relating to Failure to Remove Snow/Ice as an Indicator of Abandoned Dwelling.
Sponsors: Thomas G. Lajsic
44. [R-2009-0031](#) Resolution to approve Amendment Number Three to the Project Plan for Tax Incremental District Number Seven, City of West Allis, Wisconsin.
Sponsors: Safety & Development Committee
45. [2009-0060](#) Communication from the Planning Manager relative to the Plan Commission's favorable recommendation of Amendment Number Three to the Project Plan for Tax Incremental District Number Seven.
46. [2009-0061](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation of Amendment Number Three to the Project Plan for Tax Incremental District Number Seven.
47. [R-2009-0035](#) Resolution to rescind Resolution No. R-2008-0195 and to approve the Certified Survey Map for proposed lot consolidation of a single-family residence and vacant lot at 2922 and 29** S. Waukesha Rd., submitted by John Krenz, owner (Tax Key Nos. 521-9931-000 and 521-9930-000).
Sponsors: Safety & Development Committee

48. [2009-0076](#) Certified Survey Map for proposed lot consolidation of a single-family residence and a vacant lot at 2922 and 29** S. Waukesha Rd., submitted by John Krenz, owner. (Tax Key Nos. 521-9931-000 and 521-9930-000).

Public Hearing Items (Safety & Development Committee)

49. [R-2009-0040](#) Resolution relative to determination of Special Use Permit to establish 88 Keys Piano Martini Lounge restaurant/bar, to be located at 7211 W. Greenfield Ave. (Tax Key No. 453-0089-000).
Sponsors: Safety & Development Committee
50. [2009-0013](#) Special Use Permit to establish 88 Keys Piano Martini Lounge restaurant/bar, to be located at 7211 W. Greenfield Ave. (Tax Key No. 453-0089-000).
51. [R-2009-0033](#) Resolution relative to determination of Special Use Permit for proposed hours of operation extension for First Class Child Care, an existing business located at 7625 W. Becher St. (Tax Key No. 477-0748-000).
Sponsors: Safety & Development Committee
52. [R-2009-0042](#) Resolution relative to determination of Special Use Permit to establish Jing Well Acupuncture and Natural Medicine Spa, to be located within a portion of the multi-tenant commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002).
Sponsors: Safety & Development Committee
53. [2009-0075](#) Special Use Permit to establish Jing Well Acupuncture and Natural Medicine Spa, to be located within a portion of the multi-tenant commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002).

LICENSE & HEALTH COMMITTEE

54. [2009-0077](#) 2008-2009 Tavern Operator License application no. 09-626 of Eric M. Cates.
55. [2009-0064](#) 2008-2009 Class B Tavern License appl. no. 1490, Dance Hall License appl. no. 1492, Instrumental Music License appl. no. 1491 and Cigarette License appl. no. 1493 of Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill premises located at 1753 S. 68 St. (new-existing).
56. [2009-0028](#) Police Department Report involving Scotty's Pub, 6500 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1254, Dance Hall License no. 1255 and Cigarette License no. 1256 of Iris Girl, LLC, Peter D. Crivello, Agent, Incident Date: December 18, 2008).

57. [O-2009-0003](#) An Ordinance to Amend Section 9.032 of the Revised Municipal Code Relating to Live Music Licenses for Taverns.
Sponsors: Michael J. Czaplewski
58. [O-2009-0004](#) An Ordinance to Create Section 9.031 of the Revised Municipal Code Relating to Karaoke Music in Taverns.
Sponsors: Michael J. Czaplewski
59. [2009-0066](#) Time Warner Cable communications regarding the addition of BRAVO HD, CNBC HD and Chiller TV beginning January 15, 2009, and Primetime on Demand on February 18, 2009.
60. [2009-0078](#) 2008-2009 and 2008-2010 Tavern Operator License applications.
61. [2009-0083](#) New Agent, Lori A. Laatsch, 2008-2009 Precious Metal & Gem Dealer License application no. 353 of David Derzon Co., Inc., d/b/a David Derzon Coin Co. for premises located at 2069 S. 108 St.

ADVISORY COMMITTEE

62. [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: Rosalie L. Reinke
63. [2009-0081](#) Legislative Committee minutes for January 27, 2009.
64. [2009-0087](#) Appointment by Mayor Devine of Dr. Mark Roberts as a member of the West Allis Board of Health, his two-year term to expire January 1, 2011.
65. [2009-0088](#) Reappointments by Mayor Devine to the West Allis Community Celebrations Committee of Kathleen Dagenhardt, Mark Ellington, Mary Cay Freiberg, Pat Hladilek, and Jim Mejchar, their three-year terms to expire December 31, 2011.
66. [2009-0090](#) Reappointments by Mayor Devine to the West Allis Economic Development (Partnership) Committee of Gerald Matter and William Zick, their three-year terms to expire January 1, 2012.
67. [2009-0091](#) Reappointments by Mayor Devine to the West Allis Fair Housing Board of Steve Anich and Russell Retzack, their three-year terms to expire February 1, 2012.

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.