



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Aldersperson Thomas G. Lajsic, Council President

Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Michael P. May,

Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,

James W. Sengstock, Vincent Vitale, and Martin J. Weigel

Tuesday, February 5, 2013

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

- [R-2013-0016](#)

Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of N/S alley between S. 74 St.-S. 75 St.: W. Washington St. to W. Madison St.; E/W alley between S. 74 St.-S. 75 St.: W. Greenfield Ave. to W. Orchard St.; E/W and 60 ft. of N/S alley between S. 71 St.-S. 72 St.: W. Greenfield Ave. to W. Orchard St.; E/W alley between S. 75 St.-S. 76 St.: W. Madison St. to W. Greenfield Ave.; E/W and 24 ft. of N/S alley between S. 73 St.-S. 74 St.: W. Greenfield Ave. to W. Orchard St.; N/S and E/W alley between S. 57 St.-S. 58 St.: W. National Ave. to W. Greenfield Ave.; N/S alley between S. 62 St.- S.63 St.: W. Mineral St. to W. Washington St.; N/S alley between S. 60 St.- S.61 St.: W. Hayes Ave. to W. Arthur Ave.; N/S and E/W alley between S. 56 St.- S.57 St.: W. National Ave. to W. Greenfield Ave.; N/S and E/W alley between S. 70 St.-S. 71 St.: W. National Ave. to W. Mitchell St.; N/S alley between S. 69 St.-S. 70 St.: W. Burnham St. to W. Rogers St.; N/S and E/W alley between S. 74 St.-S. 75 St.: W. Rogers St. to W. Becher St.; N/S alley between S. 73 St.-S. 74 St.: Union Pacific Railroad to W. Hicks St.; N/S and E/W alley between S. 85 St.-S. 88 St.: W. Mitchell St. to W. Maple St. by the removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, building services and storm underdrain.

Sponsors: Public Works Committee

- [R-2013-0024](#)

Resolution relative to determination of Special Use Permit to establish a Marco's Pizza restaurant within a portion of the multi-tenant commercial building located at 1715-1723 S. 76 St. submitted by Melissa Klockzien of Family Video.

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

Alderpersons Comments

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of January 15, 2013.

J. ITEMS NOT REFERRED TO COMMITTEE

- 3. [2013-0040](#) Notice of Injury submitted on behalf of Robert W. Maurina and Amy Jo Maurina relative to injury allegedly sustained at 8901 W. Lincoln Ave. on November 28, 2012.
- 4. [2013-0041](#) Notice of Claim submitted on behalf of Chad W. Myers relative to injury allegedly sustained at 1226 S. 104 St. on October 14, 2012.
- 5. [2013-0049](#) Justin Kowalski communication regarding damages allegedly sustained on December 22, 2012.

6. [2013-0072](#) Sajid Bashir communication requesting corrected personal property taxes for 2012, Choudry Oil, Account no. 536048.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on January 22, 2013. (Ald. Sengstock excused and Ald. Czaplewski joined meeting in progress.).

7. [2012-0648](#) Police Department Report relative to poker tournaments being held at three (3) Class B Tavern licensed establishments. (The Drunken Duck, 5906 W. Burnham St.; Fiddler's Green, 6108 W. Burnham St.; and Callanan's Parkway Pub, 11505 W. National Ave.)
Unanimously recommended to be placed on file.
8. [2012-0646](#) Police Department Report involving Big Dogs Sports Grill LLC, 9427 W. Greenfield Ave., (2012-2013 Class B Tavern License no. 1784, Dance Hall License no. 1785, and Instrumental Music License no. 1786 of Big Dogs Sports Grill LLC, Gary M. Jackowski, Agent, Noise Complaint, Incident Date: November 24, 2012).
Unanimously recommended to be placed on file.
9. [2013-0004](#) 2012-2013 Tavern Operator License application no. 13-581 of Amanda J. Hennessey.
Unanimously recommended to be approved.
10. [2013-0025](#) 2012-2014 Tavern Operator License application no. 14-235 of Kelly A. Patchin.
Unanimously recommended to be approved.
11. [2013-0017](#) 2012-2014 Package Goods Operator License application no. 1930 of Steven J. Pavlons.
Unanimously recommended to be approved.
12. [2012-0645](#) Police Department Report involving Burnham Bowl, 6016 W. Burnham St. (2012-2013 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: October 26, 2012).
Unanimously recommended to be placed on file.

13. [2013-0038](#) 2012-2013 Used Vehicle Dealer License application no. 1933 of McAdams Car Co., Inc., David R. Matuszczak, Agent, d/b/a McAdams Car Co., Inc., for premises located at 7623 W. Greenfield Ave.
Unanimously recommended to be placed on file.

L. MOTION FOR RECONSIDERATION

14. [2012-0589](#) Michael Giangreco communication regarding grass removal charges sustained at 8735 W. Mitchell St. on June 21, 2012 .

M. COMMON COUNCIL RECESS

N. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

15. [2013-0065](#) Communication from the Assistant City Engineer regarding a proposal to establish a Private Property Inflow/Infiltration Reduction Fund.

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

16. [R-2013-0018](#) Resolution approving an Emergency Medical Services Agreement for Paramedic Services between Milwaukee County Department of Health and Human Services and the City of West Allis for 2013-2016.
Sponsors: Administration & Finance Committee
17. [R-2013-0019](#) Resolution relative to accepting the sole source proposal of Business Interiors by Staples for furnishing and installing a Mohawk Information/Reference Desk System for a total net sum of \$17,535.66.
Sponsors: Administration & Finance Committee
18. [2013-0058](#) Communication from City Administrative Officer requesting transfer of \$1,000 from the Contingency Fund to the General Expense Celebrations Account to pay for marching bands for the 2013 Memorial Day Parade.

19. [2013-0059](#) Communication from City Administrative Officer regarding request from Health Commissioner to waive residency for the appointment of Director of Community Health Services.
20. [2013-0060](#) Communication from City Administrative Officer regarding request to fill the upcoming vacant position of Assistant Assessor in the City Assessor's Office.
21. [2013-0064](#) Communication from City Administrative Officer regarding Hay Classification System Revaluation Analysis for Four (4) Fire Department Positions.
22. [2013-0045](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period October 1, 2012 through December 31, 2012.
23. [2013-0063](#) Communication from City Administrative Officer transmitting 2012-2014 Salary/Benefit Adjustments Report for Non-Represented City Employees.

City Attorney Claim Report

24. [2009-0001](#) Attorney Steven M. Cain, Houseman & Feind, LLP, Notice of Claim and Injury submitted on behalf of Brad H. Krause.
City Attorney recommended to be placed on file.
25. [2010-0671](#) Summons and Complaint in the matter of Brad H. Krause vs. City of West Allis Police Department, Case No. 10-C-0718.
City Attorney recommended to be placed on file.
26. [2010-0193](#) Duane Brewer communication regarding property damage allegedly sustained in 2007 at 2186 S. 86 St.
City Attorney recommended to be placed on file.
27. [2011-0415](#) Summons and Complaint in the matter of JP Morgan Chase Bank, National Association vs. Nablusco, Inc., et al, regarding foreclosure of mortgage, Case No. 11CV009612.
City Attorney recommended to be placed on file.
28. [2012-0119](#) Summons and Complaint in the matter of Westbury Bank vs Orlando Santiago, et al, Case No. 12CV002750.
City Attorney recommended to be placed on file.

29. [2012-0348](#) Jeffrey Elgeti communication regarding vehicle damages allegedly sustained at approximately S. 76 Street and W. Cleveland Ave. on June 12, 2012.
City Attorney recommended to be paid and placed on file.
30. [2012-0407](#) Amended Summons and Complaint in the matter of U.S. Bank National Association, vs Jennie L. Farrington, et al, regarding foreclosure of mortgage, Case No. 12-CV-002804.
City Attorney recommended to be placed on file.
31. [2013-0007](#) Jim and Dawn Luther communication regarding vehicle damages allegedly sustained north of W. Lincoln Ave. on S. 124 St. on December 18, 2012.
City Attorney recommended denial.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

32. [R-2013-0015](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 1944 South 84th Street in the Total Amount of \$9,894.72.
Sponsors: Public Works Committee
33. [R-2013-0020](#) Resolution extending the professional services contract with AECOM to provide consulting services relative to stormwater plan reviews in compliance with DNR NR151 & NR216 and MMSD's Chapter 13 rules for a sum not to exceed \$10,000.
Sponsors: Public Works Committee
34. [R-2013-0021](#) Resolution relative to extending the agreement with Ayres Associates Inc. for methane and groundwater sampling at the Lincoln Avenue landfill site for an estimated sum of \$10,100.00.
Sponsors: Public Works Committee
35. [2013-0036](#) Communication from Principal Engineer, Peter Daniels, regarding the letter sent by Mayor Dan Devine to WisDOT opposing the potential closure of the 68th Street and 60th Street access ramps onto I-94 as part of the I-94 East West Corridor Study
36. [2013-0069](#) Communication from Director of Public Works/City Engineer on behalf of Alderman Michael May regarding supplying water for an ice rink at La Follette Park.

37. [2013-0070](#) Communication from Director of Public Works/City Engineer on behalf of Alderman Vince Vitale regarding a proposal to help deal with health issues related to rodents.
38. [2013-0071](#) Communication from Director of Public Works/City Engineer on behalf of Alderman Martin Weigel regarding a policy proposal relating to pedestrian signs.

Public Hearing Items (Public Works Committee)

39. [R-2013-0016](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of N/S alley between S. 74 St.-S. 75 St.: W. Washington St. to W. Madison St.; E/W alley between S. 74 St.-S. 75 St.: W. Greenfield Ave. to W. Orchard St.; E/W and 60 ft. of N/S alley between S. 71 St.-S. 72 St.: W. Greenfield Ave. to W. Orchard St.; E/W alley between S. 75 St.-S. 76 St.: W. Madison St. to W. Greenfield Ave.; E/W and 24 ft. of N/S alley between S. 73 St.-S. 74 St.: W. Greenfield Ave. to W. Orchard St.; N/S and E/W alley between S. 57 St.-S. 58 St.: W. National Ave. to W. Greenfield Ave.; N/S alley between S. 62 St.- S.63 St.: W. Mineral St. to W. Washington St.; N/S alley between S. 60 St.- S.61 St.: W. Hayes Ave. to W. Arthur Ave.; N/S and E/W alley between S. 56 St.- S.57 St.: W. National Ave. to W. Greenfield Ave.; N/S and E/W alley between S. 70 St.-S. 71 St.: W. National Ave. to W. Mitchell St.; N/S alley between S. 69 St.-S. 70 St.: W. Burnham St. to W. Rogers St.; N/S and E/W alley between S. 74 St.-S. 75 St.: W. Rogers St. to W. Becher St.; N/S alley between S. 73 St.-S. 74 St.: Union Pacific Railroad to W. Hicks St.; N/S and E/W alley between S. 85 St.-S. 88 St.: W. Mitchell St. to W. Maple St. by the removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, building services and storm underdrain.

Sponsors: Public Works Committee

40. [R-2013-0017](#) Final Resolution authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, building services and storm underdrain in N/S alley between S. 74 St.-S. 75 St.: W. Washington St. to W. Madison St.; E/W alley between S. 74 St.-S. 75 St.: W. Greenfield Ave. to W. Orchard St.; E/W and 60 ft. of N/S alley between S. 71 St.-S. 72 St.: W. Greenfield Ave. to W. Orchard St.; E/W alley between S. 75 St.-S. 76 St.: W. Madison St. to W. Greenfield Ave.; E/W and 24 ft. of N/S alley between S. 73 St.-S. 74 St.: W. Greenfield Ave. to W. Orchard St.; N/S and E/W alley between S. 57 St.-S. 58 St.: W. National Ave. to W. Greenfield Ave.; N/S alley between S. 62 St.- S.63 St.: W. Mineral St. to W. Washington St.; N/S alley between S. 60 St.- S.61 St.: W. Hayes Ave. to W. Arthur Ave.; N/S and E/W alley between S. 56 St.- S.57 St.: W. National Ave. to W. Greenfield Ave.; N/S and E/W alley between S. 70 St.-S. 71 St.: W. National Ave. to W. Mitchell St.; N/S alley between S. 69 St.-S. 70 St.: W. Burnham St. to W. Rogers St.; N/S and E/W alley between S. 74 St.-S. 75 St.: W. Rogers St. to W. Becher St.; N/S alley between S. 73 St.-S. 74 St.: Union Pacific Railroad to W. Hicks St.; N/S and E/W alley between S. 85 St.-S. 88 St.: W. Mitchell St. to W. Maple St. and levying special assessments against benefited properties.

Sponsors: Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

41. [R-2013-0026](#) Resolution approving the selection of Single Source, Inc. and Terra Venture Advisors for professional real estate consulting services related to acquisition, relocation, and other real estate activities for sites located throughout the City.
Sponsors: Safety & Development Committee
42. [R-2013-0027](#) Resolution approving a January 2013 Amendment to Summit Place Business Park amended and Restated Development Agreement.
Sponsors: Safety & Development Committee
43. [R-2013-0022](#) Resolution to amend the Cooperation Agreement between the City of West Allis and the Community Development Authority of the City of West Allis for Tax Incremental District Number Seven (Summit Place), City of West Allis, Wisconsin.
Sponsors: Safety & Development Committee
44. [R-2013-0023](#) Resolution approving an amendment to the Project Plan for Tax Incremental District Number Seven (Summit Place), City of West Allis, Wisconsin.
Sponsors: Safety & Development Committee
45. [2013-0067](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation to support the additional financing and amendment to the Project Plan for Tax Incremental District Number Seven.
46. [R-2013-0025](#) Resolution approving an amendment to the Project Plan for Tax Incremental District Number Three (Quad/Graphics), City of West Allis, Wisconsin.
Sponsors: Safety & Development Committee
47. [2013-0068](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation to support the allocation amendment to the Project Plan for Tax Incremental District Number Three.
48. [2013-0073](#) Communication received by a Walker's West Tattoo Company, a prospective tattoo shop in the Downtown West Allis.

Previous Matters for Consideration

49. [R-2013-0001](#) Resolution relative to determination of Special Use Permit for a proposed auto repair facility, JK Automotive, to be located at 714 S. 60 St.
Sponsors: Safety & Development Committee
50. [2012-0655](#) Special Use Permit for a proposed auto repair facility, JK Automotive, to be located at 714 S. 60 St.

Public Hearing Items (Safety & Development Committee)

51. [R-2013-0024](#) Resolution relative to determination of Special Use Permit to establish a Marco's Pizza restaurant within a portion of the multi-tenant commercial building located at 1715-1723 S. 76 St. submitted by Melissa Klockzien of Family Video.
Sponsors: Safety & Development Committee
52. [2012-0656](#) Special Use Permit to establish Marco's Pizza restaurant within a portion of the multi-tenant commercial building located at 1715-1723 S. 76 St., submitted by Melissa Klockzien of Family Video.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

53. [2013-0043](#) Tavern Operator License applications.
54. [2013-0047](#) 2012-2013 Special Instrumental Music Permit application no. 6 of Lele's Whiskey Corner, LLC, Erwin C. Magritz, Agent, d/b/a Remedy Bar, 1309 S. 60 St. (2012-2013 Class B Tavern License no. 1733) for an event on Saturday, March 9, 2013.
55. [2013-0048](#) 2012-2013 Class B Tavern Special Event Permit application no. 11 of OAR, LLC, Michael C. O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2012-2013 Class B Tavern License no. 838, Dance Hall License no. 840, and Instrumental Music License no. 841) for a St. Patrick's Day Party to be held Sunday, March 17, 2013 from 8:00 a.m.-9:00 p.m. (Tents to be placed in parking lot for extra seating).
56. [2013-0042](#) 2012-2013 Special Class B Beer and Wine License application(s).
57. [2013-0046](#) 2012-2013 Secondhand Article Dealer License application no. 1937 of Lorraine Gerbase, d/b/a Nu 2 U at Lore's, for premises located at 7419 W. Becher St.

58. [2013-0061](#) 2012-2013 Tavern Operator License application no. 13-594 of Michelle M.M. Moore.
59. [2013-0062](#) 2012-2014 Tavern Operator License application no. 14-237 of Kelly A. Theoharis.
60. [2013-0044](#) 2012-2013 Class B Tavern License application no. 1934 and Dance Hall License application no. 1935, J. Beans Pub, LLC, Jill M. Lisowski, Agent, d/b/a J. Beans Pub, LLC for premises located at 9033 W. National Ave. (new-existing location).
61. [2013-0050](#) 2012-2013 Cigarette License application no. 1932 of Universal Cellular, LLC, Ahmad M. Azzam, Agent, d/b/a Universal Cellular, LLC for premises located at 5932 W. Burnham St.
62. [2013-0053](#) Summons and Complaint in the matter of the complaint against D's Too, Inc., Pauline M. Ziegler, Agent, for the premises located at 11078 W. National Ave. d/b/a D's Too (2012-2013 Class B Beer License no. 1706).
63. [2013-0052](#) Summons and Complaint in the matter of the complaint against Aryan's Mart & Beer, LLC, Sandeep Kumar Verma, Agent, for the premises located at 1568 S. 81 St., d/b/a Aryan's Liquor & Beer (2012-2013 Class A Liquor License no. 1586 and Cigarette License no. 1558).

Previous Matters for Consideration

64. [2013-0018](#) Communication from Assistant City Attorney regarding building code violations at 1568 S. 81 St., Aryan's Mart & Beer, LLC, Sandeep K. Verma, Agent, d/b/a Aryan's Liquor & Beer.
65. [2013-0016](#) 2012-2014 Tavern Operator License application no. 14-232 of Jessica M. Rojo.
66. [2013-0009](#) 2012-2013 Tavern Operator License application no. 13-586 of Danielle D. Musta.
67. [2013-0023](#) Police Department Report involving The Hideout, 6201 W. Mitchell St., (2012-2013 Class B Tavern License no. 1840 and Dance Hall License no. 1841 of Hideout West Allis, Inc., Daniel R. Seiy, Agent, Incident Date: December 7, 2012).

ADVISORY COMMITTEE

New Matters for Introduction

68. [O-2013-0003](#) An Ordinance to Create Section 3.06 of the West Allis Revised Municipal Code Relating to Requiring Attendance of Committee, Board, and Commission Members.
Sponsors: Advisory Committee
69. [2013-0039](#) Chief of Police communication requesting permission to destroy certain records.
70. [2013-0057](#) Reappointment by Mayor Devine of Kathleen Sullivan-Witek as a member of the West Allis Capital Improvement Committee, her three-year term to expire January 10, 2016.

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

P. 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.