



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, December 15, 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-2009-0257](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 60 St. from North Corporate Limits to W. Lincoln Ave., W. Greenfield Ave. from S. 60 St. to S. 62 St. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, miscellaneous driveway repair, narrowing of pavement, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
Sponsors: Public Works Committee

2. [O-2009-0039](#) Ordinance to amend Sections 12.43 and 12.45 of the Revised Municipal Code relative to permitting commercial truck sales/repair as a Special Use in the M-1 Manufacturing District and amending outdoor storage site planning criteria.
Sponsors: Safety & Development Committee

3. [R-2009-0268](#) Resolution relative to determination of Special Use Permit for Fitness 19, a proposed fitness center to be located within the Towne Centre shopping center at 6706 W. Greenfield Ave.
Sponsors: Safety & Development Committee

4. [R-2009-0267](#) Resolution relative to determination of Special Use Permit for Sacude Fitness, a proposed dance studio to be located at 9413 W. Greenfield Ave.
Sponsors: Safety & Development Committee

- 5. [R-2009-0270](#) Resolution relative to determination of Special Use Permit for Expert Car Care, a proposed auto repair facility, to be located at 6803 W. National Ave.
Sponsors: Safety & Development Committee

- 6. [R-2009-0269](#) Resolution relative to determination of Special Use Permit for J's China Gourmet, a proposed restaurant to be located within the Agnos State Fair Court multi-tenant commercial building, located at 1470 S. 84 St.
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 December 1, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

7. [2009-0795](#) Report of the Municipal Judge for the month of November 2009, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$87,003.13.
8. [2009-0797](#) Summons and Complaint in the matter of Waterstone Bank SSB vs. City of West Allis, et al.
9. [2009-0803](#) Russell R. Jacobsen communication regarding vehicle damage allegedly sustained at 2190 South 60 Street on December 8, 2009.

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

10. [O-2009-0040](#) An Ordinance to create Section 2.29 of the City of West Allis Revised Municipal Code regarding the establishment of the position of Director of Public Works/City Engineer.
Sponsors: Administration & Finance Committee
11. [2009-0804](#) Communication from Mayor Devine recommending the appointment of Michael Lewis to the new position of Director of Public Works/City Engineer.
12. [R-2009-0272](#) Resolution approving the amended Employment Contract with the City Engineer, Michael G. Lewis, to include responsibilities of Director of Public Works.
Sponsors: Administration & Finance Committee
13. [R-2009-0265](#) Resolution Amending the Investment Policy in the Following Areas: Delegation of Authority, Authorized Financial Institutions, Investment Entities and Programs and a new section entitled "Custodians/Trust Companies"
Sponsors: Administration & Finance Committee

14. [R-2009-0266](#) Resolution relative to a one-year extension (for 2010) of the Intergovernmental Cooperation Agreement between the City of West Allis (Fire Department) and the Milwaukee Metropolitan Sewerage District for Tunnel Rescue Team and Services in the amount of \$356,534.
- Sponsors:** Administration & Finance Committee

PUBLIC WORKS COMMITTEE

New Matters for Introduction

15. [R-2009-0264](#) Resolution Granting a Privilege for Encroachment (Major) to Suzanne Ball (d/b/a 88 Keys Piano Martini Lounge) for property located at 7211-13 West Greenfield Avenue.
- Sponsors:** Public Works Committee
16. [2009-0790](#) Southeastern Wisconsin Regional Planning Commission communication providing a copy of SEWRPC Technical Report No. 39, Water Quality Conditions and Sources of Pollution in the Greater Milwaukee Watersheds; a request to endorse the water quality management plan update; and a request to participate in The Southeastern Wisconsin Watersheds Trust (SWWT).
17. [2009-0800](#) Communication from City Engineer Regarding 60th Street Reconstruction Project-Traffic Signals at Mineral Street.

Public Hearing Items (Public Works Committee)

18. [R-2009-0257](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 60 St. from North Corporate Limits to W. Lincoln Ave., W. Greenfield Ave. from S. 60 St. to S. 62 St. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, miscellaneous driveway repair, narrowing of pavement, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
- Sponsors:** Public Works Committee
19. [R-2009-0258](#) Final Resolution authorizing public improvement by concrete reconstruction with miscellaneous walk, miscellaneous driveway repair, narrowing of pavement, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 60 St. from North Corporate Limits to W. Lincoln Ave., W. Greenfield Ave. from S. 60 St. to S. 62 St. and portions of intersecting streets and levying special assessments against benefited properties.
- Sponsors:** Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE**New Matters for Introduction**

20. [R-2009-0271](#) Resolution approving the Cooperation Agreement by and between the Community Development Authority of the City of West Allis and the City of West Allis for Tax Incremental District Eleven - 84th & Greenfield Redevelopment Area.
- Sponsors:** Safety & Development Committee

Previous Matters for Consideration

21. [O-2009-0036](#) An Ordinance to Establish Parking Restrictions on the West Side of the North 35 Feet of the 1400 Block of S. 65 St.
- Sponsors:** Vincent Vitale

Public Hearing Items (Safety & Development Committee)

22. [O-2009-0039](#) Ordinance to amend Sections 12.43 and 12.45 of the Revised Municipal Code relative to permitting commercial truck sales/repair as a Special Use in the M-1 Manufacturing District and amending outdoor storage site planning criteria.
- Sponsors:** Safety & Development Committee
23. [R-2009-0268](#) Resolution relative to determination of Special Use Permit for Fitness 19, a proposed fitness center to be located within the Towne Centre shopping center at 6706 W. Greenfield Ave.
- Sponsors:** Safety & Development Committee
24. [2009-0745](#) Special Use Permit for Fitness 19, a proposed fitness center to be located within the Towne Centre shopping center at 6706 W. Greenfield Ave.
25. [R-2009-0267](#) Resolution relative to determination of Special Use Permit for Sacude Fitness, a proposed dance studio to be located at 9413 W. Greenfield Ave.
- Sponsors:** Safety & Development Committee
26. [2009-0747](#) Special Use Permit for Sacude Fitness, a proposed dance studio to be located at 9413 W. Greenfield Ave.

27. [R-2009-0270](#) Resolution relative to determination of Special Use Permit for Expert Car Care, a proposed auto repair facility, to be located at 6803 W. National Ave.
Sponsors: Safety & Development Committee
28. [2009-0784](#) Special Use Permit for Expert Car Care, a proposed auto repair facility, to be located at 6803 W. National Ave.
29. [R-2009-0269](#) Resolution relative to determination of Special Use Permit for J's China Gourmet, a proposed restaurant to be located within the Agnos State Fair Court multi-tenant commercial building, located at 1470 S. 84 St.
Sponsors: Safety & Development Committee
30. [2009-0785](#) Special Use Permit for J's China Gourmet, a proposed restaurant to be located within the Agnos State Fair Court multi-tenant commercial building, located at 1470 S. 84 St.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

31. [2009-0779](#) Time Warner Cable communication relative to their 2009 Annual Notice.
32. [2009-0793](#) Video/Cable Communications Coordinator communication regarding recommendations for 3rd quarter Operating Funds to the West Allis Community Communications Corporation (WACCC) for the Public Access Channel.
33. [2009-0792](#) Video/Cable Communications Coordinator communication regarding recommendations for 3rd quarter funding for the WA/WM School District educational access operations.
34. [2009-0796](#) 2009-2010 Special Class B Beer and Wine License application(s).
35. [2009-0798](#) 2009-2010 Adult-Oriented Establishment Operator Permit application(s).
36. [2009-0799](#) 2009-2010 and 2009-2011 Tavern Operator License applications.
37. [2009-0791](#) Police Department report regarding tavern violations/calls for service for the month of November 2009.

38. [2009-0786](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2009-2010 Class B Tavern License no. 827, Dance Hall License no. 829 and Instrumental Music License no. 830 of Harry O's, Inc., Harry Strahlendorf, Agent, Incident Date: November 4, 2009).
39. [2009-0787](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2009-2010 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: November 10, 2009).
40. [2009-0788](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2009-2010 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC, Stephen S. Silber, Agent, Incident Date: October 25, 2009).
41. [2009-0789](#) Police Department Report involving Mario's, 1900 S. 60 St. (2009-2010 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: November 14, 2009).
42. [2009-0801](#) 2009-2011 Tavern Operator License application no. 11-414 of Angela C. Gutbrod.
43. [2009-0802](#) 2009-2011 Tavern Operator License application no. 11-416 of Tanya M. Mena.
44. [2009-0777](#) 2009-2010 Combination Class A Liquor License application no. 1609 of Sarbjit Singh Sidhu, d/b/a Walsh's Beer & Liquor, for premises at 10910 W. Greenfield Avenue (new-existing location).
45. [2009-0778](#) 2009-2010 Class B Tavern License application no. 1608 of Frank J. Bevsek Funeral Home, Inc., Steven Lazarczyk, Agent, d/b/a Bevsek-Verbick Funeral Home premises located at 10210 W. Lincoln Avenue (new-nonexisting location).
46. [2009-0774](#) 2009-2010 Tavern Operator License application no. 10-411 of Joseph R. Sosa.
47. [2009-0775](#) 2009-2011 Tavern Operator License application no. 11-409 of Clifford D. Fitz.
48. [2009-0776](#) 2009-2011 Tavern Operator License application no. 11-411 of Susan M. Giganti.
49. [2009-0781](#) 2009-2010 Tavern Operator License application no. 10-410 of Gurnaib S. Sran.
50. [2009-0782](#) 2009-2010 Tavern Operator License application no. 10-413 of Cortney A. Oettinger.

Previous Matters for Consideration

51. [2009-0669](#) 2009-2011 Tavern Operator License application no. 11-393 of James L. Bultynck.
52. [2009-0711](#) 2009-2011 Tavern Operator License application no. 11-401 of Jeanette R. Lemieux.
53. [2009-0730](#) Police Department Report involving Sportz Medicine, 7731 W. Becher St. (2009-2010 Class B Tavern License no. 1453 and Dance Hall License no. 1455 of Sportz Medicine, LLC, Mark R. Holbert, Agent, Incident Date: October 12, 2009).
54. [2009-0731](#) Police Department Report involving Magoos Sports Pub & Grill, 8911 W. National Ave. (2009-2010 Class B Tavern License no. 637, Dance Hall License no. 640 and Instrumental Music License no. 644 of Magoos of West Allis, LTD., Thomas J. Beckmann, Agent, Incident Date: October 16, 2009).
55. [2009-0733](#) Police Department Report involving Crazy Horse, 9440 W. National Ave. (2009-2010 Class B Tavern License no. 1301, Tavern Special Entertainment License no. 1302 and Dance Hall License no. 1303 of Cugino's Entertainment, LLC, Dominic T. LaLicata, Agent, Incident Date: October 30, 2009).
56. [2009-0732](#) 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: October 21, 2009).

ADVISORY COMMITTEE**New Matters for Introduction**

57. [2009-0780](#) City Administrative Officer, Clerk/Treasurer communication requesting permission to destroy certain records.
58. [2009-0783](#) Mayor Devine and City Administrative Officer, Clerk/Treasurer communication regarding appointment of election inspectors for 2010-2011.
59. [2009-0794](#) Legislative Committee minutes for December 8, 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.