



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, December 15, 2009

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Council President Sengstock at 7:00 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-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

Explanation by Michael Lewis, City Engineer.

Appearances:

Paul Karczewski, 2246 S. 60 St., requested the street not be narrowed, commented on numerous accidents, and addressed concerns regarding safety, line of vision and parked cars.

Jane Benesh, 2144 S. 60 St., requested the street not be narrowed, commented on the notice of assessment and cost/funding for the project, and addressed concerns regarding traffic and parked cars.

Anthony Corona Italeb, LLC, 2179-81 S. 60 St. and 2183-85 S. 60 St., commented on street parking, street width, assessment amount, and bids for the project.

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
- Explanation by John Stibal, Director of Development.*
- Appearances: None.*
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
- Explanation by John Stibal, Director of Development.*
- Appearances: None.*
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
- Explanation by John Stibal, Director of Development.*
- Appearances: None.*
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
- Explanation by John Stibal, Director of Development.*
- Appearances: None.*
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
- Explanation by John Stibal, Director of Development.*
- Appearances: None.*

E. CITIZEN PARTICIPATION

None.

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. Reinke said that the gifts for the veterans are due December 16th, and wrapping will take place on Friday with follow-up delivery and distribution.

Ald. Sengstock thanked Ald Reinke for her work on this project.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

Attachments: [Municipal Report. November 2009.pdf](#)

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.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:36 p.m. Upon returning from recess at 8:20 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
Mayor Devine presiding.

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE 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.

Attachments: [Municipal Report. November 2009.pdf](#)

11. [2009-0804](#) Communication from Mayor Devine recommending the appointment of Michael Lewis to the new position of Director of Public Works/City Engineer.

Attachments: [CC.LewisAppt 121509.pdf](#)

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

Attachments: [JOB DESCRIP.Dir PW-City Eng 1209.pdf](#)
[Emp Cont - Amended.MLewis](#)

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

Attachments: [Microsoft Word - 2009 dec 15 Investment Policy Legistar.pdf](#)
[Dec 15 Letter.pdf](#)

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

Passed The Block Vote

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

No: 0

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

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

No: 3 - Czaplewski, Kopplin, and Weigel

PUBLIC WORKS COMMITTEE

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

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

No: 0

Present: 1 - Barczak

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).

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

No: 0

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

Passed The Block Vote

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

No: 1 - Vitale

17. [2009-0800](#) Communication from City Engineer Regarding 60th Street Reconstruction Project-Traffic Signals at Mineral Street.

Attachments: [Mineral Traffic Signals.rtf](#)

to put the traffic signals back into the project.

Aye: 8 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, and Vitale

No: 2 - Sengstock, and Weigel

SAFETY & DEVELOPMENT COMMITTEE

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: Ald. 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

Pending Plan Commission Approval

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.

Passed The Block Vote

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

No: 0

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

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

No: 1 - Roadt

LICENSE & HEALTH COMMITTEE

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).
License application no. 7 granted.
35. [2009-0798](#) 2009-2010 Adult-Oriented Establishment Operator Permit application(s).
License application no. 1607 granted.
36. [2009-0799](#) 2009-2010 and 2009-2011 Tavern Operator License applications.
*2009-2010 License application nos. 414 and 415 granted.
2009-2011 License application nos. 412-413, 415, and 417 granted.*
37. [2009-0791](#) Police Department report regarding tavern violations/calls for service for the month of November 2009.

Attachments: [Report.November 2009.pdf](#)
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).
Held in License & Health Committee during recess.
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).
Held in License & Health Committee during recess.
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, Jacob M. Silber, Agent, Incident Date: October 25, 2009).
Held in License & Health Committee during recess.

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).
Held in License & Health Committee during recess.
42. [2009-0801](#) 2009-2011 Tavern Operator License application no. 11-414 of Angela C. Gutbrod.
Held in License & Health Committee during recess.
43. [2009-0802](#) 2009-2011 Tavern Operator License application no. 11-416 of Tanya M. Mena.
Held in License & Health Committee during recess.
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.
Held in License & Health Committee during recess.
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).

Passed The Block Vote

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

No: 0

ADVISORY COMMITTEE

57. [2009-0780](#) City Administrative Officer, Clerk/Treasurer communication requesting permission to destroy certain records.

Attachments: [Clerk.Destruction of Records.pdf](#)

58. [2009-0783](#) Mayor Devine and City Administrative Officer, Clerk/Treasurer communication regarding appointment of election inspectors for 2010-2011.

Attachments: [Mayor Devine communication 2009-0783.pdf](#)

[Republican Party of Milw County comm 2009-0783.pdf](#)

[Election Officials for the year 2010-2011.pdf](#)

59. [2009-0794](#) Legislative Committee minutes for December 8, 2009.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, 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

Mayor Devine wished everyone a happy and safe holiday season.

Council President Sengstock commented on the fluid operations of the City, and complimented the department heads for their dedication, commitment, and building very workable relationships. He stated that services have been maintained, and thanked employees of the City. He wished everyone a happy holiday season and healthy 2010.

O. ADJOURNMENT

to adjourn at 8:46 p.m., with the next regularly scheduled meeting to be held on January 5, 2010, at 7:00 p.m

*/s/ Monica Schultz
Deputy City Clerk*



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.