



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Alderperson James W. Sengstock, Council President

*Alderpersons: 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, April 6, 2010

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2010-0102](#) Resolution relative to determination of Special Use Permit for proposed pole replacement and installation of high-speed wireless equipment to be located at Reservoir Park, 9621 W. Lapham St.
Sponsors: Safety & Development Committee

2. [R-2010-0101](#) Resolution relative to determination of Special Use Permit for proposed building addition to O'Connor's Perfect Pint located at 8423 W. Greenfield Ave.
Sponsors: Safety & Development Committee

3. [R-2010-0094](#) A Resolution Determining the Necessity of and Authorizing the Issuance and Sale of Variable Rate Demand Limited Obligation Revenue Bonds, Series 2010 (Cleveland Gear Company, Inc., Milwaukee Machine Works Division Project) of the City of West Allis, Wisconsin, in an Aggregate Principal Amount not to Exceed \$6,000,000; Authorizing the Execution and Delivery of a Loan Agreement in Connection Therewith; Authorizing the Execution and Delivery of a Trust Indenture to Secure Such Series 2010 Bonds; Authorizing Execution of a Tax Regulatory Agreement and a Bond Placement Agreement with Respect to said Series 2010 Bonds; and Authorizing a Private Placement Memorandum and Other Documents in Connection with the Issuance of the Series 2010 Bonds.
Sponsors: Administration & Finance 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 113

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 March 16, 2010.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2010-0179](#) Quarterly Report of Matters Pending Before Committee Prior to November 1, 2009.
5. [2010-0181](#) WE Energies communication regarding damages allegedly sustained on March 10, 2010 at 6216 W. Mitchell St.
6. [2010-0186](#) Robert J. Bakos communication requesting a refund of towing charges which allegedly occurred at 1803 S. 64 St. on or about March 5, 2010.
7. [2010-0192](#) Duane Brewer communication regarding property damage allegedly sustained at 2186 S. 86 St.
8. [2010-0193](#) Duane Brewer communication regarding property damage allegedly sustained in 2007 at 2186 S. 86 St.

K. STANDING COMMITTEE REPORTS**LICENSE & HEALTH COMMITTEE**

Regular meeting held on March 23, 2010. (Ald. Sengstock excused).

9. [2010-0125](#) Communication from Assistant City Attorney regarding non-payment of personal property taxes, for Children's Creative Corner and Mr. Gyros, and outstanding judgement for Mr. Gyros.
Unanimously recommended to be placed on file.

10. [2010-0166](#) Director of Building Inspections and Neighborhood Services communication regarding G2 Properties, LLC, David Glazer, Agent, Mobile Home Park License, d/b/a Fairview Trailer Park at 1021 S. 84 St.
Unanimously recommended to be placed on file.

11. [2010-0167](#) Director of Building Inspections and Neighborhood Services communication regarding D&G Investments, Thaddeus J. Derynda and Bernie Gallas (Partners), Mobile Home Park License, d/b/a Mobile Estates of West Allis at 10401 W. Greenfield Ave.
Unanimously recommended to be placed on file.

12. [2010-0168](#) Communication from Assistant City Attorney regarding non-payment of personal property taxes for Scardina Bakery and Delicatessen.
Unanimously recommended to be placed on file.

13. [2010-0169](#) Director of Building Inspections and Neighborhood Services communication regarding violations of the Conditional Business Occupancy Permit of LAM Enterprises, Loretta A. Matovich, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St.
Unanimously recommended to be placed on file.

14. [2010-0140](#) 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: February 14, 2010).
Unanimously recommended to be placed on file.

15. [2010-0142](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 938 and Cigarette License no. 1037 of Jas & Sant Corporation, Talwinder Soos, Agent, d/b/a County Beer & Liquor, 979 S. 60 St.).
Unanimously recommended to be placed on file.
16. [2010-0143](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1080 and Cigarette License no. 1081 of Dilneet Corporation, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave.).
Unanimously recommended to be placed on file.
17. [2010-0144](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1494 and Cigarette License no. 1495 of Audi Brothers, LLC, Omer J. Audi, Agent, d/b/a Super Bottle Depot, 1357 S. 76 St.).
Unanimously recommended to be placed on file.
18. [2010-0145](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1598 and Cigarette License no. 1599 of Olympia Liquor & Food, Inc., Manjit Singh Dhillon, Agent, d/b/a Olympia Food & Liquor, 9034 W. Greenfield Ave.).
Unanimously recommended to be placed on file.
19. [2010-0146](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1609 and Cigarette License no. 1617 of Sarbjit Singh Sidhu, Agent, d/b/a Walsh's Beer & Liquor, 10910 W. Greenfield Ave.).
Unanimously recommended to be placed on file.
20. [2010-0159](#) Police Department Report regarding February 5, 2010 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2009-2010 Cigarette License no. 1358 of Jasleen Enterprises, LLC, Ajinder Singh, Agent, d/b/a Jasleen Citgo at 8323 W. Becher St.).
Unanimously recommended to be placed on file.

21. [2010-0160](#) Police Department Report regarding February 5, 2010 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2009-2010 Cigarette License no. 468 of Choudry Oil, Inc., Sajid Bashir, Agent, d/b/a Marathon at 2315 S. 76 St.).

Unanimously recommended to be placed on file.

22. [2010-0161](#) Police Department Report regarding February 5, 2010 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2009-2010 Cigarette License no. 509 of Jimmy Enterprises, Inc., Joginder Singh, Agent, d/b/a Shell Gas Station at 2310 S. 76 St.).

Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

23. [R-2010-0095](#) Resolution to approve an amendment to the Bond Agreement by and between the City of West Allis (the "City"), Swordfish, LLC and Milwaukee Plate Glass Company (each and collectively the "Borrower") U.S. Bank National Association (the "Trustee") and M&I Marshall & Ilsley Bank (the "Original Purchaser").
Sponsors: Administration & Finance Committee
24. [R-2010-0096](#) Resolution relative to the approval of two agreements with Ehlers and Associates, Inc. for Arbitrage Consulting Services and Arbitrage Monitoring Services.
Sponsors: Administration & Finance Committee
25. [R-2010-0097](#) Resolution relative to accepting the proposal of JSO Technology LLC for providing Palo Alto Router/Firewall subscription service for a total net sum of \$21,462.50.
Sponsors: Administration & Finance Committee
26. [2010-0182](#) Comptroller/Manager of Finance submitting the report for the month of December, 2009 indicating City of West Allis checks issued in the amount of \$5,141,787.28.
27. [2010-0183](#) Comptroller/Manager of Finance submitting the report for the month of January, 2010 indicating City of West Allis checks issued in the amount of \$2,954,060.31.

28. [2010-0184](#) Comptroller/Manager of Finance submitting the report for the month of February, 2010 indicating City of West Allis checks issued in the amount of \$2,226,923.61.

City Attorney Claim Report

29. [2009-0742](#) Amended Summons and Complaint in the matter of Chase Home Finance LLC vs. City of West Allis, et al.
City Attorney recommended to be placed on file.
30. [2010-0038](#) Dawn DesJardins communication regarding personal property damage allegedly sustained at 834 S. 74 Street on December 24, 2009.
City Attorney recommended to be paid and placed on file.
31. [2010-0110](#) Rosa Gallardo communication requesting a refund of towing charges that occurred January 7, 2010.
City Attorney recommended to be paid and placed on file.

Public Hearing Items (Administration & Finance Committee)

32. [R-2010-0094](#) A Resolution Determining the Necessity of and Authorizing the Issuance and Sale of Variable Rate Demand Limited Obligation Revenue Bonds, Series 2010 (Cleveland Gear Company, Inc., Milwaukee Machine Works Division Project) of the City of West Allis, Wisconsin, in an Aggregate Principal Amount not to Exceed \$6,000,000; Authorizing the Execution and Delivery of a Loan Agreement in Connection Therewith; Authorizing the Execution and Delivery of a Trust Indenture to Secure Such Series 2010 Bonds; Authorizing Execution of a Tax Regulatory Agreement and a Bond Placement Agreement with Respect to said Series 2010 Bonds; and Authorizing a Private Placement Memorandum and Other Documents in Connection with the Issuance of the Series 2010 Bonds.
Sponsors: Administration & Finance Committee

PUBLIC WORKS AND SAFETY & DEVELOPMENT COMMITTEES

New Matters for Introduction

33. [R-2010-0091](#) Resolution authorizing the Director of Development to submit a Section 42 Tax Credit application to the Wisconsin Housing and Economic Development Authority (WHEDA) for the Beloit Road Senior Housing Complex.
Sponsors: Safety & Development Committee and Public Works Committee

PUBLIC WORKS COMMITTEE**New Matters for Introduction**

34. [R-2010-0093](#) Resolution relative to accepting the proposal of GRAEF for providing Engineering Consulting Services for an estimated sum of \$125,620.00.
Sponsors: Public Works Committee
35. [R-2010-0100](#) Resolution authorizing the Director of Public Works/City Engineer to contract with Westrum Leak Detection for water system leak detection services.
Sponsors: Public Works Committee
36. [2010-0191](#) Downtown West Allis, Inc. requesting permission to use the public parking lot south of Greenfield Ave. between 73rd and 72nd Streets, parking restrictions, and the use of signs and supplies from the Department of Public Works for their 3rd Annual Downtown West Allis BID Merchants Appreciation Picnic on Wednesday, May 19, 2010 from 11:00 a.m. - 1:00 p.m.
37. [2010-0199](#) Communication from the Director of Public Works/City Engineer on behalf of Alderman Vince Vitale to discuss the traffic light at S. 60th Street and W. Lapham Street.

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES**New Matters for Introduction**

38. [2010-0194](#) Special Use Permit for proposed outdoor dining deck additon to the Jock Stop, a tavern/restaurant located at 7930 W. National Ave.

Public Hearing Items (Safety & Development and License & Health Committees)

39. [R-2010-0101](#) Resolution relative to determination of Special Use Permit for proposed building addition to O'Connor's Perfect Pint located at 8423 W. Greenfield Ave.
Sponsors: Safety & Development Committee
40. [2010-0152](#) Special Use Permit for proposed building addition to O'Connor's Perfect Pint, located at 8423 W. Greenfield Ave.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

41. [O-2010-0010](#) An Ordinance to amend subsection 13.01(3) by adding subparagraph (e); to repeal and recreate subsections 13.01(3)(a), 13.01(8)and(9), 13.05(1)(a), 13.05(2)(b), and 13.06(16); to delete subsection 13.05(2)(d) and re-letter (e) through (h); and to repeal and recreate Section 13.255 of the City of West Allis Revised Municipal Code, Chapter 13, Building Code relative to codes adopted, permit requirements and permit fees.
Sponsors: Thomas G. Lajsic
42. [O-2010-0011](#) An Ordinance To Repeal And Recreate Section 16.62 of The City of West Allis Revised Municipal Code Relative To Plumbing Permit Fees.
Sponsors: Safety & Development Committee
43. [O-2010-0012](#) An Ordinance to Create Section 9.07 of the West Allis Revised Municipal Code Relating to Misuse of 911.
Sponsors: Thomas G. Lajsic
44. [2010-0206](#) Communication from the Director of Building Inspections & Neighborhood Services regarding a final staff report on landlord and neighborhood quality issues.
45. [2010-0200](#) Communication from the Director of Building Inspections & Neighborhood Services regarding administrative charges for processing a nuisance abandoned property.
46. [2010-0195](#) Special Use Permit for proposed collocation of high-speed wireless equipment to be attached to existing monopole located at 1813 S. 66 St.
47. [2010-0196](#) Special Use Permit for proposed light pole replacement and installation of high-speed wireless equipment to be located at McCarty Park, 8214 W. Cleveland Ave.

Public Hearing Items (Safety & Development Committee)

48. [R-2010-0102](#) Resolution relative to determination of Special Use Permit for proposed pole replacement and installation of high-speed wireless equipment to be located at Reservoir Park, 9621 W. Lapham St.
Sponsors: Safety & Development Committee
49. [2010-0151](#) Special Use Permit for proposed pole replacement and installation of high-speed wireless equipment to be located at Reservoir Park, 9621 W. Lapham St.

LICENSE & HEALTH COMMITTEE**New Matters for Introduction**

50. [2010-0180](#) 2009-2010 Class B Tavern Special Event Permit application no. 10 of Gregory S. Barczak, d/b/a 88 Keys Piano Martini Lounge, 7211 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 1530, Instrumental Music License no. 1532 and Dance Hall License no. 1531), for West Allis Ala Carte from 12:00 p.m. to 5:00 p.m. (tent on S. 72nd Street, south of W. Greenfield Ave.) to be held on June 6, 2010.
51. [2010-0190](#) Mega Marts, LLC communication regarding notice of change of liquor agent at the Pick 'n Save #6883 located at 11111 W. Greenfield Ave. (2009-2010 Combination Class A Liquor License no. 1205).
52. [2010-0170](#) 2010-2011 Special Class B Beer and Wine License application.
53. [2010-0177](#) 2009-2010 and 2009-2011 Tavern Operator License applications.
54. [2010-0207](#) 2010-2011 Arcade License renewal application.
55. [2010-0171](#) 2010-2011 Secondhand Article Dealer License renewal application(s).
56. [2010-0172](#) 2010-2011 Secondhand Jewelry Dealer License renewal application(s).
57. [2010-0174](#) 2010-2011 Pawn Dealer License renewal application(s).
58. [2010-0175](#) 2010-2011 Trailer and Truck Rental License renewal application(s).
59. [2010-0176](#) 2010-2011 Used Vehicle Dealer License renewal application(s).
60. [2010-0187](#) 2010-2011 Mobile Home Park License renewal application(s).
61. [2010-0201](#) Police Department report regarding tavern violations/calls for service for the month of March 2010.
62. [2010-0202](#) Police Department Report involving Ubie's Double Vision, 5501 W. Burnham St. (2009-2010 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: March 3, 2010.).

63. [2010-0205](#) Police Department Report involving Night Court, 7127 W. National Ave. (2009-2010 Class B Tavern License no. 1594 of Parops, LLC, Hans T. Anderson, Agent, Incident Date: March 23, 2010).
64. [2010-0203](#) 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: March 3, 2010).
65. [2010-0204](#) Police Department Report involving Las Palmas, 1901 S. 60 St. (2009-2010 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, Incident Date: March 15, 2010).
66. [2010-0185](#) 2009-2011 Tavern Operator License application no. 11-451 of Brittany L. Armbruster.
67. [2010-0188](#) 2009-2011 Tavern Operator License application no. 11-453 of Cathy A. Barwick.
68. [2010-0189](#) Stipulation In the Matter of the Complaint Against M & W Hospitality, Inc., Mario P. Morgese, Agent, d/b/a Mario's at 1900 S. 60 St.
69. [2010-0173](#) 2009-2010 Class B Beer License application no. 1631 of Smokers Pub, LLC, Lisa L. Ali, Agent, d/b/a Smokers Pub located at 10708 W. Oklahoma Ave. (new-nonexisting location).
70. [2010-0178](#) 2009-2010 Class B Tavern License application no. 1629, Instrumental Music License application no. 1630 and Dance Hall License application no. 1632 of MC 4288, LLC, Marie Cunningham, Agent, d/b/a Second Chance Saloon located at 5906 W. Burnham St. (new-existing location).

Previous Matters for Consideration

71. [2010-0158](#) 2009-2011 Tavern Operator License application no. 11-446 of Chastity M. Fischer.
72. [2010-0070](#) Summons and Complaint in the matter of the complaint against M & W Hospitality, Inc., Mario P. Morgese, Agent for the premises located at 1900 S. 60 St., d/b/a Mario's (2009-2010 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093).
73. [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).

74. [2010-0138](#) Police Department Report involving Yester Years Pub & Grill, 9427 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 760, Dance Hall License no. 763, and Instrumental Music License no. 761 of Yester Years Pub & Grill, Inc., Karen D. Schoenfeld, Agent, Incident Date: January 19, 2010).
75. [2010-0139](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Agent, Incident Date: January 30, 2010).

ADVISORY COMMITTEE

New Matters for Introduction

76. [2010-0197](#) Appointment by Mayor Devine of Brenda Schmid as a member of the West Allis Community Celebrations Committee (Director of Public Works/City Engineer Designee).
77. [2010-0198](#) Legislative Committee minutes for March 23, 2010.

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.