



City of West Allis

Meeting Agenda

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

Mayor Dan Devine, Chair

Alderson Thomas G. Lajszic, Council President

*Aldersons: Gary T. Barczak, Michael J. Czapski, Michael P. May,
Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,
James W. Sengstock, Vincent Vitale, and Martin J. Weigel*

Tuesday, April 2, 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

1. [R-2013-0081](#) Resolution relative to determination of Special Use Permit for Jessyca's Body Shop, a proposed personal training business, to be located at 10617 W. Oklahoma Ave.
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 113
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 March 19, 2013.

J. ITEMS NOT REFERRED TO COMMITTEE

- 2. [R-2013-0079](#) Resolution of Commendation for Steven J. Hook.
Sponsors: Thomas G. Lajsic

- 3. [2013-0157](#) Patricia G. Nefstead communication regarding damages allegedly sustained at 2549 S. 88 St. on February 2, 2013.

- 4. [2013-0180](#) Michael Welter communication regarding injuries allegedly sustained between 2430 S. 80 St. and 2436 S. 80 St. on February 20, 2013.

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

Regular meeting held on March 25, 2013.

- 5. [R-2013-0068](#) Resolution relative to approving 2012 Transfers, Carryovers, Open Purchase Orders, Capital Accumulation Charges, and Negative Department Balances.
Sponsors: Administration & Finance Committee
Unanimously recommended to be adopted.

- 6. [2013-0106](#) Communication from City Administrative Officer transmitting 2014-2018 Multi-Year Budget Forecasting Report.
Unanimously recommended to accept and place on file.

LICENSE & HEALTH COMMITTEE

Regular meeting held on March 26, 2013.

7. [O-2013-0014](#) Ordinance to Repeal and Recreate Subsection 9.02(4) of the City of West Allis Revised Municipal Code Relating to Description of Premises and Plan of Operation; to Create Subsection 9.02(4m) of the Revised Municipal Code Relating to the Truth of Statements Made in Alcohol Beverage License Applications; to Amend Subsection 9.02(10) of the Revised Municipal Code Relating to the Numbering, Expiration, and Posting of Licenses; to Repeal and Recreate Subsection 9.02(16) of the Revised Municipal Code Relating to Operator's Licenses; and to Repeal and Recreate Subsection 9.02(20) of the Revised Municipal Code Relating to the Suspension, Revocation, and Nonrenewal of Alcohol Beverage Licenses.
Sponsors: License & Health Committee
Unanimously recommended to be passed as amended.
8. [R-2013-0063](#) Resolution Creating a Detailed Table of Contents for Section 9.02 of the City of West Allis Revised Municipal Code Relating to Alcoholic Beverages.
Sponsors: License & Health Committee
Unanimously recommended to be adopted.
9. [2013-0155](#) 2012-2013 Tavern Operator License application no. 13-605 of Vicente Lozano.
Unanimously recommended to be approved.
10. [2013-0129](#) 2012-2014 Tavern Operator License application no. 14-246 of Brianna R. Pitterle.
Unanimously recommended to be approved.
11. [2013-0016](#) 2012-2014 Tavern Operator License application no. 14-232 of Jessica M. Rojo.
Unanimously recommended to be approved.
12. [2013-0148](#) Police Department Report involving Jilly Beans, 9524 W. Greenfield Ave. (2012-2013 Class B Tavern License no. 1701, Dance Hall License no. 1702, and Instrumental Music License no. 1700 of Sportz Medicine, LLC, John J. Biwer, Agent, Incident Date: February 20, 2013).
Unanimously recommended to be placed on file.
13. [2013-0062](#) 2012-2014 Tavern Operator License application no. 14-237 of Kelly A. Theoharis.
Unanimously recommended to be denied based on two (2) nonappearances.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE**New Matters for Introduction**

14. [O-2013-0019](#) An Ordinance to repeal Salary Ordinance No. O-2013-0006 and re-establish the salaries of certain Miscellaneous Employees of the City of West Allis for 2013-2014.
Sponsors: Administration & Finance Committee
15. [R-2013-0077](#) Resolution relative to approving the 2012 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.
Sponsors: Administration & Finance Committee
16. [R-2013-0082](#) Resolution approving a loan amendment regarding the release of collateral by and between the City of West Allis and Home Sealed LLC.
Sponsors: Administration & Finance Committee
17. [2013-0181](#) Communication from City Administrative Officer recommending modification to Policy No. 1454, Work Hours and Schedules, and Policy No. 1424, Premium Pay, regarding Incentive Day for Refuse Pickup on Saturdays and Sundays.
18. [2013-0182](#) Communication from City Administrative Officer recommending modification of Policy No. 1424, Premium Pay, regarding Emergency Call Back Procedures for Sundays and Holidays; and Policy No. 1422, Departmental Review of Employee Performance, regarding changing the year for performance evaluations from January 1 to December 31, to October 1 to September 30.
19. [2013-0185](#) Communication from City Administrative Officer regarding request to fill vacant position of Maintenance Repairer in the Department of Public Works, Water Division.

City Attorney Claim Report

20. [2011-0179](#) Department of Workforce Development communication regarding the Housing Discrimination Complaint of Portia Wright ERD Case No. CR201100938.
City Attorney recommended to be paid and placed on file.

21. [2013-0072](#) Sajid Bashir communication requesting corrected personal property taxes for 2012, Choudry Oil, Account no. 536048.
City Attorney recommended denial.
22. [2013-0108](#) Inho Lee communication regarding vehicle damages allegedly sustained at Highway 100 and W. National Ave. on February 8, 2013.
City Attorney recommended denial.

PUBLIC WORKS and SAFETY & DEVELOPMENT COMMITTEES

New Matters for Introduction

23. [O-2013-0017](#) An Ordinance to Create Subsections 11.165(6) and 11.165(7) of the West Allis Revised Municipal Code Relating to Privileges in Streets and Creating a Penalty for Violation.
Sponsors: Public Works Committee and Safety & Development Committee
24. [R-2013-0071](#) Resolution relative to deleting the City of West Allis Policies & Procedures Manual No. 860, Sale of City Owned Land Without Bids (Less than \$500 Value), under City Attorney - Real Estate Agent.
Sponsors: Public Works Committee and Safety & Development Committee
25. [R-2013-0072](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 855, Moving City Owned Buildings and No. 857, Razing Buildings Not Public.
Sponsors: Public Works Committee and Safety & Development Committee
26. [R-2013-0073](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 851, Condemnation Proceedings for Acquisition of Right of Way; No. 852, Easements; No. 853, Eliminating Vehicle Access; No. 854, Filling Drainage Ditches; and No. 856, Razing City Owned Buildings.
Sponsors: Public Works Committee and Safety & Development Committee
27. [R-2013-0074](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 850, Acquisition of a Vacant Parcel of Property; No. 858, Relocation Assistance; No. 859, Sale of City Owned Land Without Bids (More Than \$500 in Value); and No. 861, Small Property Purchases.
Sponsors: Public Works Committee and Safety & Development Committee

28. [R-2013-0075](#) Resolution Relative to Adopting a New Policy for Inclusion in the City's Policies & Procedures Manual Relative to the Granting of Encroachments.
Sponsors: Public Works Committee and Safety & Development Committee

PUBLIC WORKS COMMITTEE

New Matters for Introduction

29. [R-2013-0076](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 1025 South 57th Street in the Total Amount of \$3,098.84.
Sponsors: Public Works Committee
30. [R-2013-0078](#) Resolution Authorizing and Directing the Director of Public Works/City Engineer to Pay For Sanitary Sewer Lateral Repairs at 2318 South 66th Street in the Total Amount of \$7,523.04.
Sponsors: Public Works Committee
31. [R-2013-0080](#) Resolution to approve bid of State Contractors, Inc. for the installation of concrete curb and gutter, concrete pavement, miscellaneous walk repair, driveway replacement, sanitary sewer, sanitary sewer relay, storm sewer relay, water main relay, building services and utility adjustments in West Grant Street from South 76th Street to South 84th Street in the City of West Allis in the amount of \$1,239,878.50.
Sponsors: Public Works Committee
32. [2013-0156](#) We Energies communication reaffirming their policy to the City regarding use of and trespassing on their property or rights-of-way and the concern for illegal dumping of yard and household materials on their property.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

33. [2013-0184](#) Special Use Permit for Mexi-Italian Cafe, an expansion of an existing restaurant, located at 1126 S. 70 St.
34. [2013-0186](#) Special use application for a commercial printing business to occupy a portion of the mixed use property located at 9500 W. Schlinger Ave.

Public Hearing Items (Safety & Development Committee)

35. [R-2013-0081](#) Resolution relative to determination of Special Use Permit for Jessyca's Body Shop, a proposed personal training business, to be located at 10617 W. Oklahoma Ave.
Sponsors: Safety & Development Committee
36. [2013-0150](#) Special Use Permit for Jessyca's Body Shop, a proposed personal training business, to be located at 10617 W. Oklahoma Ave.

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

37. [O-2013-0018](#) Ordinance to Repeal Section 9.09 of the City of West Allis Revised Municipal Code Relating to Carnival Permits.
Sponsors: License & Health Committee
38. [2013-0166](#) 2013-2014 Amusement Distributor's License application(s).
39. [2013-0167](#) 2013-2014 Phonograph Distributor's License application(s).
40. [2013-0162](#) 2013-2014 Mobile Home Park License application(s).
41. [2013-0163](#) 2013-2014 Secondhand Article Dealer License application(s).
42. [2013-0164](#) 2013-2014 Secondhand Jewelry Dealer License application(s).
43. [2013-0178](#) 2013-2014 Trailer and Truck Rental License application(s).
44. [2013-0165](#) 2013-2014 Used Vehicle Dealer License application(s).
45. [2013-0170](#) Package Goods Operator License application(s).
46. [2013-0168](#) Tavern Operator License applications.
47. [2013-0179](#) 2012-2013 Special Class B Beer and Wine License application(s).

48. [2013-0169](#) 2012-2013 Class B Tavern Special Event Permit application no. 13 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 a Brewer tailgate party 3:00 p.m. to 7:00 p.m. to be held on April 6, 2013. (Small tent with temporary fencing).
49. [2013-0175](#) 2012-2013 Cigarette License application no. 1951 of Spring West, LLC, Ajit S. Walia, Agent, d/b/a Mobil-Pantry 41 #105 for premises located at 10537 W. Greenfield Ave.
50. [2013-0171](#) 2012-2013 Tavern Operator License application no. 13-610 of Shawn A. Kazubowski.
51. [2013-0172](#) 2012-2013 Tavern Operator License application no. 13-608 of Rebecca C. Kroes.
52. [2013-0173](#) 2012-2014 Tavern Operator License application no. 14-258 of Richard H. Schilling.
53. [2013-0174](#) 2012-2014 Tavern Operator License application no. 14-259 of Vickie L. Van Eperen.
54. [2013-0137](#) 2012-2013 Class B Tavern License application no. 1956 of Stallis Palace, LLC, Rachel L. Wesenberg, Agent, d/b/a Stallis Palace, for premises located at 8812 W. Greenfield Ave. (new-existing location).

Previous Matters for Consideration

55. [2013-0130](#) 2012-2014 Tavern Operator License application no. 14-248 of Rachael C. Tovar.

ADVISORY COMMITTEE

New Matters for Introduction

56. [O-2013-0016](#) An Ordinance to Repeal & Recreate Section 3.04 of the West Allis Revised Municipal Code Relating to Agenda Items and the Order of Business.
Sponsors: Advisory Committee

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.