



# 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*

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Tuesday, February 1, 2011

7:00 PM

City Hall Common Council Chambers

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### REGULAR MEETING

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#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [R-2011-0023](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, building services, utility adjustments and storm underdrain.

**Sponsors:** Public Works Committee

*N/S and E/W alley between S. 76 St. - S. 77 St.: W. Pierce St. to W. Walker St.*

*N/S alley between S. 73 St. - S. 74 St.: W. Walker St. to 314' north of W. Walker St.*

*N/S alley between S. 74 St. - S. 75 St.: W. Madison St. to W. Greenfield Ave.*

*N/S and E/W alley between S. 76 St. - S. 77 St.: W. Lapham St. to W. National Ave.*

*N/S alley between S. 74 St. - S. 75 St.: W. Hicks St. to W. Rogers St.*

*N/S alley between S. 92 St. - S. 93 St.: W. Montana Ave. to W. Dakota St.*

*N/S and E/W alley between S. 68 St. - S. 69 St.: W. National Ave. to W. Mitchell St.*

*N/S and E/W alley between S. 58 St. - S. 59 St.: W. Grant St. to W. Lincoln Ave.*

*N/S and E/W alley between S. 56 St. - S. 57 St.: W. Burnham St. to W. Rogers St.*

*N/S alley between S. 57 St. - S. 58 St.: W. Mobile St. to W. Grant St.*

*N/S and E/W alley between S. 56 St. - S. 57 St.: W. Rogers St. to W. Mobile St.*

*N/S and E/W alley between S. 57 St. - S. 58 St.: W. Rogers St. to W. Mobile St.*

*N/S and E/W alley between S. 58 St. - S. 59 St.: W. National Ave. to W. Greenfield Ave.*

*N/S and E/W alley between S. 56 St. - S. 57 St.: W. Washington St. to W. National Ave.*

*N/S alley between S. 56 St. - S. 57 St.: W. Mineral St. to W. Washington St.*

#### 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

2. [O-2010-0048](#) An Ordinance to amend Subsection 12.40(1)(ii) and 12.41(1)(dd) relative to sporting good stores. To repeal Subsection 12.41(1)(q) relative to indoor gun ranges in the C-2, Neighborhood Commercial District. To repeal and recreate Subsection 12.48(3)(a) relative to firearm ranges in Park Districts and to amend Subsection 12.43(2)(m) of the Revised Municipal Code to permit gun, firearm and/or ammunition sales; sporting good stores with gun, firearm and/or ammunition sales; and, indoor ranges as a permitted use within the C-4 Regional Commercial District.  
**Sponsors:** Safety & Development Committee

## H. AGENDA APPROVAL

## I. APPROVAL OF MINUTES

*Minutes of the Common Council regular meeting of January 18, 2011.*

## J. ITEMS NOT REFERRED TO COMMITTEE

3. [2011-0053](#) Summons and Complaint in the matter of BAC Home Loans Servicing, L.P., vs. Guadalupe Saez, et al, regarding foreclosure of mortgage, Case No. 11CV000287.

4. [2011-0054](#) Summons and Complaint in the matter of ARCH BAY HOLDINGS, LLC, SERIES 2010C, vs. Steven J. Duvall and Jane Doe, et al, regarding foreclosure of mortgage, Case No. 11CV000198.
5. [2011-0068](#) Second Amended Summons and Complaint in the matter of Harris N.A. successor in interest to Community Bank Group vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 09CV10237.

## **K. STANDING COMMITTEE REPORTS**

### **LICENSE & HEALTH COMMITTEE**

*Regular meeting held on January 25, 2011. (Ald. Barczak & Ald. Sengstock excused).*

6. [2011-0016](#) 2010-2011 Tavern Operator License application no. 11-592 of Charles F. Malak.  
  
*Recommended to be approved by the following vote:  
Ayes: 2 - Alderpersons Roadt & Weigel  
Noes: 1 - Alderperson Czaplewski*
7. [2011-0055](#) 2010-2011 Tavern Operator License application no. 11-595 of Rachel T. Jaworski.  
  
*Unanimously recommended to be approved.*
8. [2010-0705](#) Police Department Report involving Night Court, 7127 W. National Ave. (2010-2011 Class B Tavern License no. 1594 of Parops, LLC, Hans T. Anderson, Agent, Incident Date: November 11, 2010).  
  
*Unanimously recommended to be placed on file.*
9. [2010-0706](#) Police Department Report involving Jonny Hammers, 6300 W. Lincoln Ave. (2010-2011 Class B Tavern License no. 1415, Dance Hall License no. 1417 and Instrumental Music License no. 1418, of Jonny Hammers, LLC, Jon Robert Cervantes, Agent, Incident Date: November 6, 2010).  
  
*Unanimously recommended to be placed on file.*
10. [2011-0022](#) Police Department Report involving Stacey's, 6711 W. Beloit Rd. (2010-2011 Class B Tavern License no. 817 and Dance Hall License no. 819 of Stacey's, Inc., Carol L. McMahon, Agent, Incident Date: November 25, 2010).  
  
*Unanimously recommended to be placed on file.*

11. [2011-0026](#) Police Department Report involving Sportz Medicine, 7731 W. Becher St. (2010-2011 Class B Tavern License no. 1453 and Dance Hall License no. 1455 of Sportz Medicine, LLC, Mark R. Holbert, Agent, Incident Date: December 18, 2010).  
*Unanimously recommended to be placed on file.*
12. [2011-0025](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2010-2011 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC., Jacob M. Silber, Agent, Incident Date: December 19, 2010).  
*Unanimously recommended to be placed on file.*
13. [2011-0030](#) Police Department Report regarding violations of the Wisconsin Indoor Clean Air Act Smoking Ban for the month of December 2010 involving six (6) West Allis businesses (2010-2011 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC., Jacob M. Silber, Agent, d/b/a The Network, 9541 W. Cleveland Ave., Incident Date: December 7, 2010, 3rd Offense).  
*Unanimously recommended to be placed on file.*
14. [2011-0029](#) Police Department Report regarding December 11, 2010 Tobacco Compliance Check involving ten (10) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification. (2010-2011 Cigarette License no. 1400 of Rahan, LLC, Mohammad Rafiq, Agent, d/b/a Hwy 100 Mobil at 3061 S. 108 St.)  
*Unanimously recommended to be placed on file.*
15. [2010-0486](#) Communication from Assistant City Attorney regarding Smokin' Joe's failure to complete the landscaping and screening plan for the property at 6139 W. Beloit Rd.  
*Unanimously recommended to be placed on file.*
16. [2011-0009](#) 2010-2011 Tavern Operator License application no. 11-589 of Donald P. Anderson.  
*Unanimously recommended to be approved.*

**L. COMMON COUNCIL RECESS****M. NEW AND PREVIOUS MATTERS****ADMINISTRATION & FINANCE COMMITTEE****New Matters for Introduction**

17. [R-2011-0024](#) Resolution relative to accepting the sole source proposal of Milwaukee 2-Way, Inc. for providing radio equipment maintenance services for a total net sum of \$24,200.00.  
**Sponsors:** Administration & Finance Committee
18. [R-2011-0028](#) Resolution relative to accepting the proposal of Business Interiors by Staples for furnishing Audio-Visual Gondola Shelving for a total net sum of \$31,413.50.  
**Sponsors:** Administration & Finance Committee
19. [2011-0065](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period October 1, 2010 through December 31, 2010.

### City Attorney Claim Report

20. [2005-0234](#) Dan & Diane Takula communication regarding property damage allegedly sustained at 2403 S. 63 St.  
*City Attorney recommended denial.*
21. [2009-0380](#) Summons & Complaint, in the matter of Waterstone Bank SSB f/k/a Wauwatosa Savings Bank, vs. the City of West Allis, et al., regarding Foreclosure of Mortgage 30404, Case No. 09CV008407.  
*City Attorney recommended to be placed on file.*
22. [2009-0797](#) Summons and Complaint in the matter of Waterstone Bank SSB vs. City of West Allis, et al.  
*City Attorney recommended to be placed on file.*
23. [2010-0301](#) Notice of Injury and Claim for Damages submitted on behalf of Jason Somers regarding injuries and damages allegedly sustained on S. 108 St. near W. Orchard St. on January 7, 2010.  
*City Attorney recommended to be paid and placed on file.*
24. [2010-0319](#) Summons and Complaint in the matter of Waterstone Bank SSB vs. 1126 E. Morgan LLC, regarding foreclosure of mortgage, Case No. 10CV006973.  
*City Attorney recommended to be placed on file.*
25. [2010-0640](#) Amended Summons and Complaint in the matter of Eagle Mortgage & Loan, LLC, vs. Joseph Hoffman, et al, regarding foreclosure of mortgage, Case No. 09CV013554.  
*City Attorney recommended to be placed on file.*

26. [2010-0661](#) Notice of Claim and Notice of Injury of Kenneth and Melissa Kesy regarding injuries and damages allegedly sustained at South 60 Street and West Lincoln Avenue on August 11, 2010.  
*City Attorney recommended denial.*
27. [2010-0662](#) Tom Brusky communication regarding vehicle damages allegedly sustained at W. Beloit Road and S. Orleans Ave. on October 29, 2010.  
*City Attorney recommended denial.*

## **PUBLIC WORKS COMMITTEE**

### **New Matters for Introduction**

28. [R-2011-0021](#) Resolution authorizing and directing the City Engineer to change the name of a portion of South Lovers Lane between West Theodore Trecker Way and the North Corporate Limits to South 108th Street.  
**Sponsors:** Public Works Committee
29. [R-2011-0022](#) Resolution granting a Storm Sewer Easement by Sufian & Mervat Assad, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1174, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.  
**Sponsors:** Public Works Committee
30. [R-2011-0026](#) Resolution Relative to the Vacation and Discontinuance of a Public Alley off of South 81st Street and South of West Greenfield Avenue.  
**Sponsors:** Public Works Committee
31. [R-2011-0027](#) Resolution Relative to the Notice of Hearing for the Vacation and Discontinuance of a Public Alley off of South 81st Street and South of West Greenfield Avenue.  
**Sponsors:** Public Works Committee
32. [2011-0060](#) 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.
33. [2011-0063](#) Communication from Diane Carey regarding the bill received for planned alley work adjacent to her property.

### **Public Hearing Items (Public Works Committee)**

34. [R-2011-0023](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, building services, utility adjustments and storm underdrain.  
**Sponsors:** Public Works Committee
35. [R-2011-0025](#) Final Resolution authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, building services, utility adjustments and storm underdrain in various alleys in the City of West Allis and levying special assessments against benefited properties.  
**Sponsors:** Public Works Committee

## **SAFETY & DEVELOPMENT COMMITTEE**

### **New Matters for Introduction**

36. [R-2011-0030](#) Resolution authorizing a professional services contract with Cardinal Capital Management, Inc. to co-develop with the Community Development Authority of the City of West Allis for a Section 42 tax credit application and renovation of the Beloit Senior Housing Complex.  
**Sponsors:** Safety & Development Committee
37. [2011-0057](#) Special Use Permit for proposed demolition of the existing New Samaria apartment building and construction of a new 50-unit multi-family apartment building to be located at 6640-6700 W. Beloit Rd.
38. [2011-0058](#) Special Use Permit for Milwaukee Plumbing and Piping, Inc. offices to be located on the first floor of a mixed use building located at 11300-02 W. Greenfield Ave.

### **Previous Matters for Consideration**

39. [R-2011-0002](#) Resolution relative to determination Special Use Permit to establish a community based residential facility, adult and child day care, and classrooms within the Parkway School Building located at 2930 S. Root River Parkway.  
**Sponsors:** Safety & Development Committee
40. [2011-0005](#) Special Use Permit application to establish a community based residential facility, adult and child day care, and classrooms within the Parkway School Building located at 2930 S. Root River Parkway.

41. [2011-0008](#) Petition in opposition to request by Close to Home Senior Living, LLC for conditional use permits associated with reuse of Parkway School building/property located at 2930 S. Root River Parkway.

## LICENSE & HEALTH COMMITTEE

### New Matters for Introduction

42. [2011-0061](#) 2010-2012 Tavern Operator License application no. 12-265 of Anne M. Neitman.
43. [2011-0064](#) 2010-2011 Tavern Operator License application no. 11-598 of Joseph S. Kaminski.
44. [2011-0052](#) 2010-2011 Class B Tavern License application no. 1746 and Dance Hall License application no. 1747 of Janice S. Fazen, d/b/a Dog House, premises located at 1641 S. 68 St. (new-existing premises).
45. [O-2011-0005](#) An Ordinance to Create a new 7.126(4)(b), Renumber existing (b) to (c), Amend (8), Repeal SubSection 7.16(5) and Amend 7.16(4) of the West Allis Revised Municipal Code Relating to Dangerous Dogs.  
**Sponsors:** Michael J. Czaplewski
46. [2011-0062](#) Tavern Operator License applications.
47. [2011-0056](#) 2010-2011 Class B Tavern Special Event Permit application no. 12 of OAR, LLC, Michael O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2010-2011 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 March 17, 2011 from 10:00 a.m.-11:00 p.m. (Tents to be placed in lot).
48. [2011-0067](#) 2010-2011 Special Class B Beer and Wine License application(s).

## ADVISORY COMMITTEE

### New Matters for Introduction

49. [R-2011-0029](#) Resolution establishing the City of West Allis Legislative Package for the 2011-2012 State of Wisconsin Legislative Session.  
**Sponsors:** Advisory Committee
50. [2011-0066](#) Legislative Committee minutes for January 25, 2011.



**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.