



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, October 6, 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-2009-0225](#) Resolution relative to determination of Special Use Permit for proposed West Allis Center for Early Education, a proposed daycare center to be located at 8306 W. Lincoln Ave.
Sponsors: Safety & Development Committee

2. [R-2009-0228](#) Resolution relative to determination of Special Use Permit for proposed expansion of Don's Auto Body, an auto repair facility located at 2201 S. 116 St.
Sponsors: Safety & Development Committee

3. [R-2009-0213](#) Resolution to approve the Year 2010 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).
Sponsors: Advisory 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 September 15, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [R-2009-0211](#) Resolution of Commendation for Michael F. Pertmer.
Sponsors: Common Council
5. [2009-0641](#) Report of the Municipal Judge for the month of August 2009, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$107,483.40.
6. [2009-0637](#) Quarterly Report of Matters Pending Before Committee Prior to July 1, 2009.
7. [2009-0625](#) McNally Law Offices, S.C. communication submitted on behalf of Deandrew Smith regarding injuries allegedly sustained on August 21, 2009.
8. [2009-0626](#) John Mueller communication regarding a sewer backup allegedly sustained at 2377 S. 93 Street on September 11, 2009.

9. [2009-0627](#) Snyder & Elk. S.C. communication submitted on behalf of Janet L. Jensen regarding personal injury allegedly sustained on August 15, 2009.
10. [2009-0628](#) American Family Insurance Group Notice of Claim on behalf of William Melloch for injuries allegedly sustained at the intersection of South 66 Street and West Beloit Road on August 13, 2009.
11. [2009-0632](#) Diane C. Phillips communication regarding injury allegedly sustained at 908 S. 76 Street on September 17, 2009.

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

12. [2009-0647](#) Report from City Administrative Officer regarding organizational structure of the City with respect to the Public Works Department and the Engineering Department.

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

13. [R-2009-0210](#) Resolution to approve a comprehensive Signage Assistance Project Contract by and between the City of West Allis and Patrick Morgan for the property located at 7911-21 W. Becher St. in an amount not to exceed \$500.00.
Sponsors: Administration & Finance Committee
14. [R-2009-0214](#) Resolution Amending an Investment Policy and Designating Public Depositories.
Sponsors: Administration & Finance Committee
15. [R-2009-0215](#) Resolution relative to accepting the proposal of Badger Lighting & Signs for furnishing and installing a double-sided monument sign for a total sum of \$27,760.70.
Sponsors: Administration & Finance Committee

16. [2009-0645](#) Communication from Mayor Devine appointing Mr. Thomas Harmatys as Acting Director of Public Works.
17. [2009-0644](#) Communication from City Administrative Officer regarding request to fill an upcoming vacant position of Certified Equipment Mechanic in the Public Works Fleet Services Division.
18. [2009-0636](#) 2010 City of West Allis Mayor's Recommended Budget.
19. [2009-0646](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Internal Financial Reports as of October 2, 2009.

City Attorney Claim Report

20. [2003-0574](#) Alan D. Eisenberg communication submitted on behalf of David J. Kelly regarding damages allegedly sustained on August 2, 2003.
City Attorney recommended denial.
21. [2008-0668](#) Doreen McLaughlin communication regarding damages allegedly sustained at South 59 Street on September 30, 2008.
City Attorney recommended denial.
22. [2009-0503](#) Kenneth Waara communication regarding vehicle damage allegedly sustained at the intersection of S. 76 St. and W. Grant St. on June 18, 2009.
City Attorney recommended to be placed on file.
23. [2009-0505](#) Pearl A. Steberger communication regarding vehicle damage allegedly sustained at 1012 S. 64 St.
City Attorney recommended denial.
24. [2009-0529](#) Jon Kopp communication regarding vehicle damage allegedly sustained at S. 78 St. and W. Greenfield Ave. on June 21, 2009.
City Attorney recommended denial.
25. [2009-0562](#) Mark A. Berginz communication submitted on behalf of Christine M. Spallato regarding vehicle damage allegedly sustained on the east side of S. 95 St. on August 13, 2009.
City Attorney recommended denial.

PUBLIC WORKS COMMITTEE**New Matters for Introduction**

26. [R-2009-0219](#) Resolution to approve bid of Globe Contractors, Inc. for installation of sanitary sewer relay and building services in the Union Pacific ROW from S. 95th St. to 165' W. of S. 95 St. and S. 95th St. from Union Pacific Railroad ROW to W. Rogers St. in the City of West Allis, in the amount of \$130,481.00.
- Sponsors:** Public Works Committee
27. [R-2009-0220](#) Resolution to approve bid of Snorek Construction, Inc. for sidewalk repair in the general area bounded by S. 100 St., S. 124 St., W. Fairview Ave. to the Union Pacific Railroad in the amount of \$78,601.00.
- Sponsors:** Public Works Committee
28. [R-2009-0221](#) Resolution authorizing and directing the City Engineer to sign an Encroachment Agreement with the Union Pacific Railroad Company for use of their right-of-way for a sanitary sewer.
- Sponsors:** Public Works Committee
29. [R-2009-0222](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 68 St. from W. Lincoln Ave. to South Corporate Limits and W. National Ave. from S. 70 St. to Union Pacific Railroad by major asphalt resurfacing with miscellaneous walk repair and utility adjustments.
- Sponsors:** Public Works Committee
30. [R-2009-0224](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Rogers St. from S. 67 Pl. to S. 76 St. and S. 67 Pl. from W. Rogers St. to W. Becher Pl. by concrete reconstruction with miscellaneous walk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
- Sponsors:** Public Works Committee
31. [R-2009-0226](#) Resolution ordering preliminary plans and specifications together with a 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 and storm underdrain.
- Sponsors:** Public Works Committee

32. [R-2009-0227](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of various streets in the City of West Allis by minor asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair, water main relay, building services and utility adjustments.
Sponsors: Public Works Committee
33. [R-2009-0229](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Beloit Rd. from S. 84 St. to W. Oklahoma Ave. and portions of intersecting streets by major asphalt resurfacing with miscellaneous walk repair, miscellaneous driveway repair, sanitary sewer relay and utility adjustments.
Sponsors: Public Works Committee
34. [R-2009-0230](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 99 St. from W. Cleveland Ave. to W. Oklahoma Ave. and portions of intersecting streets by concrete pavement repair and utility adjustments.
Sponsors: Public Works Committee
35. [R-2009-0231](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of general area bounded S. 76 St., S. 108 St., W. Cleveland Ave. and W. Oklahoma Ave. by miscellaneous sidewalk repair and miscellaneous driveway repair.
Sponsors: Public Works Committee
36. [2009-0624](#) Communication from the Director of Public Works relative to a high water bill complaint at 2107 South 84 Street.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

37. [R-2009-0216](#) Resolution relative to determination of Special Use Permit to establish a church and educational facility, d/b/a Desatar Ministries within the existing building located at 2213 S. 54 St.
Sponsors: Safety & Development Committee

38. [R-2009-0212](#) Resolution relative to denial of Special Use Permit to establish a church and educational facility, d/b/a Desatar Ministries within the existing building located at 2213 S. 54 St.
Sponsors: Safety & Development Committee
39. [2009-0623](#) Special Use Permit to establish a church and educational facility, d/b/a Desatar Ministries within the existing building located at 2213 S. 54 St.
40. [R-2009-0209](#) Resolution approving the Offer to Purchase of approximately one acre of surplus City owned property located on the northeast segment of the property at 11301 W. Lincoln Ave. for \$75,000.
Sponsors: Safety & Development Committee
41. [R-2009-0218](#) Resolution relative to authorizing the submittal of federal grant applications by the Director of Development and the subsequent appropriation of necessary local matching funds for the U.S. Environmental Protection Agency's Brownfield Assessment Grant Program and Brownfield Revolving Loan Grant Program.
Sponsors: Safety & Development Committee
42. [R-2009-0223](#) Resolution to authorize the submittal of state grant applications by the Director of Development and the subsequent appropriation of necessary local matching funds for a Round 11 Brownfield Site Assessment Grant.
Sponsors: Safety & Development Committee
43. [2009-0639](#) Special Use Permit for proposed New Number One Restaurant to be located within the River Bend Shopping Center, 7536 W. Oklahoma Ave.
44. [2009-0629](#) Special Use Permit for Hawg City Grill, a proposed restaurant and catering facility at 5935 W. Beloit Rd.

Previous Matters for Consideration

45. [R-2009-0194](#) Resolution relative to determination of Special Use Permit to establish a processing and production facility for alcohol/spirits (no on site sales) located at 2078 S. 56 St. (Tax Key No. 474-0264-003)
Sponsors: Safety & Development Committee
46. [2009-0549](#) Special Use Permit to establish a processing and production facility for alcohol/spirits (no on site sales) located at 2078 S. 56 St. (Tax Key No. 474-0264-003)

Public Hearing Items (Safety & Development Committee)

47. [R-2009-0225](#) Resolution relative to determination of Special Use Permit for proposed West Allis Center for Early Education, a proposed daycare center to be located at 8306 W. Lincoln Ave.
Sponsors: Safety & Development Committee
48. [2009-0605](#) Special Use Permit for proposed West Allis Center for Early Education, a proposed daycare center to be located at 8306 W. Lincoln Ave.
49. [R-2009-0228](#) Resolution relative to determination of Special Use Permit for proposed expansion of Don's Auto Body, an auto repair facility located at 2201 S. 116 St.
Sponsors: Safety & Development Committee
50. [2009-0606](#) Special Use Permit for proposed expansion of Don's Auto Body, an auto repair facility located at 2201 S. 116 St.

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

51. [2009-0634](#) 2009-2010 Class B Tavern License application no. 1594 of PAROPS LLC, Hans T. Anderson, Agent, d/b/a Night Court premises located at 7127 W. National Ave. (new-existing location).
52. [2009-0642](#) Time Warner Cable communication regarding new theme based channel line-ups to be completed October 13, 2009.
53. [2009-0630](#) Findings and Recommendations in the Matter of the Complaint against Doyle Foodservices, Inc., Thomas C. Doyle, Agent, d/b/a Tommasino Italia for premises located at 7335 W. Greenfield Ave. (2009-2010 Class B Tavern License application no. 887).
54. [2009-0631](#) 2009-2010 Special Class B Beer and Wine License application(s).
55. [2009-0633](#) 2009-2010 Adult-Oriented Establishment Operator Permit application(s).
56. [2009-0643](#) 2009-2010 Instrumental Music License License no. 1597 (2009-2010 Class B Tavern License application no. 1500), of Susan C. Jesion, d/b/a 6500 Bar & Grill for premises located at 6500 W. Greenfield Ave.

57. [2009-0648](#) 2009-2010 Secondhand Article Dealer License appl. no. 1596 of Jason R. Koehler, d/b/a Affordable Power Equipment for premises at 6129 W. Beloit Road.
58. [2009-0640](#) 2009-2010 and 2009-2011 Tavern Operator License applications.

ADVISORY COMMITTEE

New Matters for Introduction

59. [2009-0635](#) Legislative Committee minutes for September 22, 2009.
60. [2009-0649](#) Reappointment by Mayor Devine of Frederick Kuolt as a member of the West Allis Block Grant Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his two-year term to expire September 1, 2011.
61. [2009-0650](#) Reappointments by Mayor Devine to the West Allis Block Grant Committee of Sr. Paula Marie Jarosz, Michael May, Debra Plantiko, and Rebecca Murray, their two-year terms to expire September 1, 2011.
62. [2009-0651](#) Reappointment by Mayor Devine of David Wied as a member of the West Allis Community Celebrations Committee.
63. [2009-0652](#) Reappointments by Mayor Devine of members of the West Allis Youth Commission.

Public Hearing Items (Advisory Committee)

64. [R-2009-0213](#) Resolution to approve the Year 2010 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).
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.