



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, October 6, 2009

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine 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. Czaplewski.

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

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances:

Edward Wachowicz, 2308 S. 83 St., inquired about the parking spaces and play area, and commented on snowplowing concerns.

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

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances: None.

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

Attachments: [YR 2010 OPERATING PLAN Downtown WA BID.pdf](#)

Explanation by Patrick Schloss, Manager of Community Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Jenny Jezo, 11710 W. Hayes Ave., stated that she was speaking on behalf of her neighbors on S. 117 and S. 118 Streets regarding the preservation and integrity of the neighborhood. She addressed the violation of rights for the neighborhood; and referenced Petitions #1, #2 and #3 for the School Board and City. She commented on agricultural vehicles parked at Nathan Hale High School, removal of parking restriction signs, traffic pattern changes, parking restriction signage near Central High School, objection to paying sanctions and repairs relative to the street, and nuisance and quality of life matters. She addressed campaign material relative to the April 2008 election. She requested: abolish the summer activities at Nathan Hale High School's parking lot; abolish the parking permit fees and require the students to park in the lot; and abolish the traffic pattern at Nathan Hale and restore it back to the way it was. She acknowledged and thanked Ald. Sengstock for signage, and requested a no thru traffic sign and local access only sign similar to what is used by Menards. She opposed the upcoming assessment relative to the future improvement of the street, and addressed site plans for the school. She requested an affirmative answer prior to next Council meeting, and commented on recognizing benefits now and in the future.

John Korich, 2509 S. 117 St., stated his concerns with regard to the safety of the children and snowplowing near Nathan Hale High School.

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

Mayor Devine attended the ribbon cutting at the Towne Center; he announced the Run/Walk at the Milwaukee Mile hosted by the Community Alliance Against Drugs; and he reminded residents about the wireless hot spots throughout the City for Wi-Fi.

Alderspersons Comments

Ald. Sengstock explained that debate with the public is not allowed during the Common Council meeting.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

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

6. [2009-0637](#) Quarterly Report of Matters Pending Before Committee Prior to July 1, 2009.

Attachments: [Quarterly Report 07-01-09.pdf](#)

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 & Ek. 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.

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 7:29 p.m. Upon returning from recess at 8:12 p.m., and the roll call being taken, there were:

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

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.

Attachments: [RPT.DPW ENG OrgStruct.pdf](#)

Held in Administration & Finance Committee during recess.

ADMINISTRATION & FINANCE COMMITTEE

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

Attachments: [Amending Investment Oct 6.pdf](#)

16. [2009-0645](#) Communication from Mayor Devine appointing Mr. Thomas Harmatys as Acting Director of Public Works.

Attachments: [Appt of THarmatys as Acting PWDDir.pdf](#)

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.

Attachments: [CertifEquipMech Position.pdf](#)

18. [2009-0636](#) 2010 City of West Allis Mayor's Recommended Budget.

Attachments: [Budget Blue Pages.2010 Rec.pdf](#)

Held in Administration & Finance Committee during recess.

19. [2009-0646](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Internal Financial Reports as of October 2, 2009.

Attachments: [Prelim Sept 2009.pdf](#)

[Final Aug 2009.pdf](#)

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.
21. [2008-0668](#) Doreen McLaughlin communication regarding damages allegedly sustained at South 59 Street on September 30, 2008.
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.
23. [2009-0505](#) Pearl A. Steberger communication regarding vehicle damage allegedly sustained at 1012 S. 64 St.
24. [2009-0529](#) Jon Kopp communication regarding vehicle damage allegedly sustained at S. 78 St. and W. Greenfield Ave. on June 21, 2009.
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.

Passed The Block Vote

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

No: 0

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

Attachments: [1051 Centennial Sign tabulation.pdf](#)

Aye: 8 - Barczak, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Weigel

No: 2 - Czaplewski, and Vitale

PUBLIC WORKS COMMITTEE

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
- Attachments:* [2009-16 Bid Results.pdf](#)
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
- Attachments:* [2009-17 Bid Results.pdf](#)
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
- Attachments:* [RES-UPRR Encroachment.pdf](#)
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.

Attachments: [water bill adjustment trem1.pdf](#)

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

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
- Held in Safety & Development Committee during recess.*
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.
- Held in Safety & Development Committee during recess.*
44. [2009-0629](#) Special Use Permit for Hawg City Grill, a proposed restaurant and catering facility at 5935 W. Beloit Rd.
- Held in Safety & Development Committee during recess.*
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.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
No: 0

LICENSE & HEALTH COMMITTEE

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.
- Attachments:* [Time Warner Cable comm.pdf](#)
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).
- Attachments:* [Doyle comm.pdf](#)
[Facts & Findings.Doyle Foodservices, Inc..pdf](#)
54. [2009-0631](#) 2009-2010 Special Class B Beer and Wine License application(s).
License application no. 4 granted.

55. [2009-0633](#) 2009-2010 Adult-Oriented Establishment Operator Permit application(s).
License application no. 1595 granted.
56. [2009-0643](#) 2009-2010 Instrumental Music License application no. 1597 (2009-2010 Class B Tavern License no. 1500), of Susan C. Jesion, d/b/a 6500 Bar & Grill for premises located at 6500 W. Greenfield Ave.
Held in License & Health Committee during recess.
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.
Held in License & Health Committee during recess.
58. [2009-0640](#) 2009-2010 and 2009-2011 Tavern Operator License applications.
2009-2010 License application nos. 394, 396-400 granted.
2009-2011 License application nos. 390-392 granted.

Passed The Block Vote

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

No: 0

ADVISORY COMMITTEE

59. [2009-0635](#) Legislative Committee minutes for September 22, 2009.
Attachments: [LEG CMTE MINS 092209.pdf](#)
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 Item (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

Attachments: [YR 2010 OPERATING PLAN Downtown WA BID.pdf](#)

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

Ald. Sengstock announced the November 17, 2009 Common Council regular meeting will begin at 5 p.m.

O. ADJOURNMENT

to adjourn at 8:24 p.m., with the next regularly scheduled meeting to be held on October 20, 2009, at 7:00 p.m

*/s/ Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



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.