



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Meeting Agenda

### Common Council

*Mayor Dan Devine, Chair*

*Alderson Thomas G. Lajsic, Council President*

*Aldersons: Gary T. Barczak, Michael J. Czaplewski, Michael P. May,*

*Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,*

*James W. Sengstock, Vincent Vitale, and Martin J. Weigel*

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Tuesday, November 5, 2013

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-2013-0254](#) Resolution relative to determination of Special Use Permit for Michels Corporation for a batch plant and associated trucking operations on a portion the Quad Graphics site located at 555 S. 108 St. and 11000 W. Theodore Trecker Way.  
**Sponsors:** Safety & Development Committee
2. [R-2013-0253](#) Resolution relative to determination of Special Use Permit for Anchor Bank, an existing bank to be demolished and reconstructed with a drive-through at 7401 W. Greenfield Ave.  
**Sponsors:** Safety & Development Committee
3. [O-2013-0049](#) Ordinance to amend Section 12.42 C-3 Community Commercial District to permit Indoor Auto Sales as a special use within the C-3 Community Commercial District.  
**Sponsors:** Safety & Development Committee
4. [2013-0606](#) 2014 City of West Allis Mayor's Recommended Budget.

#### 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. MAYOR'S REPORT**

- 1. Recent events attended**
  
- 2. Awards/commendations**
  
- 3. Upcoming events**

**H. ALDERPERSON'S REPORT**

- 1. Recent events attended**
  
- 2. Awards/commendations**
  
- 3. Upcoming events**

**I. APPROVAL OF MINUTES**

*Minutes of the Common Council regular meeting of October 15, 2013.*

**J. ITEMS NOT REFERRED TO COMMITTEE**

- 5. [2013-0622](#)** Summons and Complaint in the matter of Bank of America, N.A. vs Andrew Peterson, et al, regarding foreclosure of mortgage, Case No. 13-CV-009542.

**K. STANDING COMMITTEE REPORTS****ADMINISTRATION & FINANCE COMMITTEE**

*Regular meeting held on October 28, 2013.*

6. [2013-0535](#) Comptroller/Manager of Finance submitting the City of West Allis Comprehensive Annual Financial Report for the year ended December 31, 2012 for review and approval.
- Unanimously recommended to be approved and placed on file.*

**LICENSE & HEALTH COMMITTEE**

*Regular meeting held on October 22, 2013.*

7. [2013-0603](#) Police Department Report regarding September 9, 2013 Tobacco Compliance Check involving twenty (20) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2013-2014 Cigarette License no. 1769 of Speedway LLC, Daniel B. Polzin, Agent, d/b/a Speedway #4457 at 715 S. 108 St.).
- Unanimously recommended to be placed on file.*
8. [2013-0590](#) 2013-2014 Class B Beer License renewal application no. 805 of Capri Restaurant, Inc., Sheila Hinek, Agent, d/b/a Capri Restaurant located at 8340 W. Beloit Rd.
- Unanimously recommended to be approved subject to necessary requirements.*
9. [2013-0575](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-324 of Micaela A. Spredeman.
- Unanimously recommended to be approved.*
10. [2013-0591](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-326 of Julie L. Peltonen.
- Unanimously recommended to be approved.*
11. [2013-0605](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-357 for Ashley M. Ambos.
- Unanimously recommended to be approved.*
12. [2013-0543](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-314 of Cornelius S. Williams.
- Unanimously recommended to be approved.*

13. [2013-0592](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-352 of Stephen A. Glazer.
- Recommended to be approved by the following vote:*  
*Ayes: 4 - Alderpersons Barczak, Czaplewski, Roadt & Sengstock*  
*Noes: 1 - Alderperson Weigel*
14. [2013-0573](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-350 of Courtney B. Boehler.
- Recommended to be approved by the following vote:*  
*Ayes: 4 - Alderpersons Barczak, Czaplewski, Roadt & Sengstock*  
*Noes: 1 - Alderperson Weigel*
15. [2013-0607](#) Request to amend premises of The Buzzard's Nest, located at 6000 W. Mitchell Street, for an outdoor extension (2013-2014 Class B Tavern License no. 1965, Instrumental Music License no. 1967, and Dance Hall License no. 1966).
- Recommended to be approved by the following vote:*  
*Ayes: 4 - Alderpersons Czaplewski, Roadt, Sengstock & Weigel*  
*Noes: 1 - Alderperson Barczak*

## L. MOTION FOR RECONSIDERATION

16. [2013-0589](#) Findings and Recommendations in the Matter of the Complaint Against Dilneet Corporation, d/b/a West Allis Liquor & Tobacco for premises located at 7218 W. Greenfield Ave. (2013-2014 Class A Liquor License renewal application no. 1081, Cigarette License renewal application no. 1081 and 2013-2014 Food-related renewal Permit).

## M. COMMON COUNCIL RECESS

## N. NEW AND PREVIOUS MATTERS

### ADMINISTRATION & FINANCE COMMITTEE

#### New Matters for Introduction

17. [O-2013-0045](#) An Ordinance to Repeal & Recreate Section 2.05 of the West Allis Revised Municipal Code Relating to Vacancies in Elective Offices and Certain Appointed Offices within the City.
- Sponsors:** Administration & Finance Committee

18. [R-2013-0247](#) Resolution approving a Memorandum of Understanding between the City of West Allis and Milwaukee County for the provision of a property tax billing, collection, and settlement software solution provided by GCS.  
**Sponsors:** Administration & Finance Committee
19. [R-2013-0244](#) Resolution relative to deleting the City of West Allis Policies & Procedures Manual Nos. 1701 through 1704 under Fire Department.  
**Sponsors:** Administration & Finance Committee
20. [R-2013-0245](#) Resolution relative to amending the City of West Allis Policies & Procedures Manual No. 1459 (Traffic Violation and Accident Investigation and Reporting) under Human Resources.  
**Sponsors:** Administration & Finance Committee
21. [2013-0621](#) Communication from West Allis Police & Fire Commission regarding the Fire Department budget, equipment and staff.
22. [2013-0626](#) Communication from City Administrative Officer transmitting Traffic Violation and Accident Reports for the period July 1, 2013 through September 30, 2013.

### **City Attorney Claim Report**

23. [2008-0029](#) John Miller Carroll Notice of Injury and Claim for Damages on behalf of Heidi L. Swan.  
*City Attorney recommended to be placed on file.*
24. [2013-0370](#) Amended Summons and Complaint in the matter of Wells Fargo Bank, N.A., vs Joseph J. Garcia, et al, regarding foreclosure of mortgage, Case No.13-CV-00877.  
*City Attorney recommended to be placed on file.*
25. [2013-0562](#) Tiffany Simmons communication regarding vehicle damages allegedly sustained at W. Beloit Road between S. 69th and S. 70 Streets on September 5, 2013.  
*City Attorney recommended to be paid and placed on file.*

### **Public Hearing Items (Administration & Finance Committee)**

26. [2013-0606](#) 2014 City of West Allis Mayor's Recommended Budget.

27. [O-2013-0044](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2014.
- Sponsors:** Administration & Finance Committee

## **PUBLIC WORKS and LICENSE & HEALTH COMMITTEES**

### **Previous Matters for Consideration**

28. [O-2013-0005](#) An Ordinance to Amend Subsections 7.05(1)(t), 7.05(3)(a)1 and 7.05(4)(a)1 of the West Allis Revised Municipal Code Relating to Changing the Definition of “Residential Container” and to Require that all Residential Waste be Placed in Containers Purchased Through the City.
- Sponsors:** Vincent Vitale

## **PUBLIC WORKS COMMITTEE**

### **New Matters for Introduction**

29. [O-2013-0048](#) An Ordinance to Amend Subsection 11.165(1) of the West Allis Revised Municipal Code Relating to Privileges in Streets and the City Engineer's Determination as to when a Permit is Required.
- Sponsors:** Public Works Committee
30. [R-2013-0246](#) Resolution Relative to Amending the City's Policies & Procedures Manual No. 2822 Relative to the Granting of Encroachments.
- Sponsors:** Public Works Committee
31. [R-2013-0241](#) Resolution accepting work of Triad Construction, Inc. for the building of a new garage located on the existing Fire Station No. 2 property located at 2040 South 67 Place in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2013 Project No. 8.
- Sponsors:** Public Works Committee
32. [R-2013-0252](#) Resolution relative to accepting the proposals of Neher Electric and Werner Electric for furnishing and delivering Street Lamps for a total sum of \$33,553.92.
- Sponsors:** Public Works Committee

33. [R-2013-0251](#) Resolution authorizing the Director of Public Works/City Engineer to amend an existing agreement with Ring & Duchateau for engineering services related to replacing and upgrading the emergency generator system at City Hall in an amount not to exceed \$25,000.  
**Sponsors:** Public Works Committee
34. [R-2013-0242](#) Resolution amending the existing professional services contract with AECOM to provide consulting services relative to stormwater plan reviews in compliance with DNR NR151 & NR216 and MMSD's Chapter 13 rules for an additional sum not to exceed \$10,000.  
**Sponsors:** Public Works Committee
35. [R-2013-0250](#) Resolution to approve the Memorandum of Understanding by and between the County of Milwaukee and the City of West Allis relative to stormwater.  
**Sponsors:** Public Works Committee
36. [R-2013-0249](#) Resolution authorizing the Director of Public Works/City Engineer to contract with Westrum Leak Detection for water system leak detection services in an amount not to exceed \$13,000.  
**Sponsors:** Public Works Committee
37. [R-2013-0243](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into State/Municipal Agreements to provide Emergency Vehicle Preemption (EVP) for state-maintained traffic signals located at the STH 100 intersection with Lapham Street and at Lincoln Avenue with IH-894 Southbound ramp.  
**Sponsors:** Public Works Committee
38. [2013-0625](#) Downtown West Allis Business Improvement District communication regarding the Downtown West Allis Christmas On The Avenue scheduled for Saturday, December 7, 2013 from 1:30 p.m. to 3:30 p.m.
39. [2013-0634](#) Communication from Director of Public Works/City Engineer regarding recommendations for dropping some major salt routes.
40. [2013-0635](#) Communication from Director of Public Works/City Engineer regarding recommendations for placing of salt/sand barrels.
41. [2013-0636](#) Communication from Director of Public Works/City Engineer regarding proposal from Advanced Disposal about repairs to the transfer station.

**Previous Matters for Consideration**

42. [R-2013-0083](#) Final Resolution authorizing public improvement by the installation of a new traffic signal system to include Emergency Vehicle Preemption (EVP) and pedestrian phasing at the intersection of W. National Avenue and S. 84th Street.  
**Sponsors:** Public Works Committee
43. [2013-0213](#) Communication from Principal Engineer, Peter Daniels, regarding the proposed lighting of the Dakota Street Pedestrian Bridge over I-894.

## **SAFETY & DEVELOPMENT COMMITTEE**

### **New Matters for Introduction**

44. [O-2013-0042](#) An Ordinance to Establish Parking Restrictions on the East Side of the 800 Block of S. 60 Street.  
**Sponsors:** Michael J. Czaplewski
45. [O-2013-0043](#) An Ordinance to Repeal Parking Restrictions on the West Side of the South 240 feet of the 1900 Block of S. 54 Street.  
**Sponsors:** Vincent Vitale
46. [O-2013-0046](#) An Ordinance to Amend Subsections 13.19(4) and 13.19(5) of the West Allis Revised Municipal Code Relating to Bond Insurance Requirements for Moving Buildings and to Delete Subsection 13.255(10)(b) Relating to Moving Buildings Over Public Way for Permit Fees.  
**Sponsors:** Safety & Development Committee
47. [O-2013-0050](#) Ordinance to amend Section 10.20 of the Revised Municipal Code relative to riding bicycles on sidewalks.  
**Sponsors:** Martin J. Weigel and Safety & Development Committee
48. [R-2013-0248](#) Resolution to rescind Resolution No. R-2013-0120 and to approve the Certified Survey Map to combine the residential lot located at 713 S. 98 St. (Tax Key No. 443-0396-004) with the adjoining vacant lot to the north (Tax Key No. 443-0396-003), submitted by Matthew Ribbeck, property owner.  
**Sponsors:** Safety & Development Committee
49. [2013-0627](#) Special Use Permit for Treasure Hunter's Dream, a proposed second-hand article retail store, to be located at 6768 W. Lincoln Ave.



50. [2013-0628](#) Special Use Permit for Fast Forward Fitness, a proposed athletic/personal training facility, to be located at 7326-28 W. Greenfield Ave.

### **Public Hearing Items (Safety & Development Committee)**

51. [R-2013-0254](#) Resolution relative to determination of Special Use Permit for Michels Corporation for a batch plant and associated trucking operations on a portion the Quad Graphics site located at 555 S. 108 St. and 11000 W. Theodore Trecker Way.

**Sponsors:** Safety & Development Committee

52. [2013-0476](#) Special Use Permit for Michels Corporation for a proposed batch plant to mix and produce concrete along with associated trucking operations to be located within a portion of the Quad Graphics site at 555 S. 108 St.

53. [R-2013-0253](#) Resolution relative to determination of Special Use Permit for Anchor Bank, an existing bank to be demolished and reconstructed with a drive-through at 7401 W. Greenfield Ave.

**Sponsors:** Safety & Development Committee

54. [2013-0608](#) Special Use Permit for Anchor Bank, an existing bank to be demolished and reconstructed with a drive-through at 7401 W. Greenfield Ave.

55. [O-2013-0049](#) Ordinance to amend Section 12.42 C-3 Community Commercial District to permit Indoor Auto Sales as a special use within the C-3 Community Commercial District.

**Sponsors:** Safety & Development Committee

### **LICENSE & HEALTH COMMITTEE**

#### **New Matters for Introduction**

56. [O-2013-0047](#) Ordinance to Repeal and Recreate Section 7.035 of the City of West Allis Revised Municipal Code Relating to Excessive Noise and Vibration to Noise Control Regulation

**Sponsors:** License & Health Committee

57. [2013-0624](#) 2014 Gun Range License renewal application.

58. [2013-0613](#) 2013-2014 Special Class B Beer and Wine License application(s).

59. [2013-0571](#) Operator's License (bartender/sales clerk) applications.

60. [2013-0623](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-335 for Sandra L. Strucel-Dzioba.
61. [2013-0615](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-366 for Anthony W. Bushberger.
62. [2013-0620](#) 2013-2015 Operator's License (bartender/sales clerk) application no. 15-365 for Cayla A. Lamoore.
63. [2013-0618](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-319 for Jessica L. Shaffer.
64. [2013-0616](#) 2013-2014 Special Instrumental Music Permit appl. no. 3 of Boz's, Inc., Shawn R. Lange, Agent, d/b/a Boz's Sports Bar, 1325 S. 70 St. (2013-2014 Class B Tavern License no. 448) for an event on Saturday, November 30, 2013.
65. [2013-0617](#) 2013-2014 Special Instrumental Music Permit appl. no. 5 of 3M Management, LLC, Melissa M. Martin, Agent, d/b/a M&M's Sports Bar, 1900 S. 60 St. (2013-2014 Class B Tavern License no. 1931) for an event on Saturday, November 16, 2013.
66. [2013-0619](#) 2013-2014 Class B Tavern License application no. 2013 of AKO Holdings, LLC, Allen E. Kohal, Agent, d/b/a O'Reilly's, premises located at 1101 S. 60 St. (new-existing location).
67. [2013-0632](#) Stipulation In the Matter of the Complaint Against The 6500 Bar, LLC, Susan C Jesion, Agent, 6500 Bar & Grill for the premises located at 6500 W. Greenfield Ave.
68. [2013-0633](#) Communication from the Attorney representing Dilneet Corporation, Rupinder K. Randhawa, Agent, requesting reconsideration of the revocation and non-renewal of the licenses and permits for West Allis, Liquor & Tobacco, premises located at 7218 W. Greenfield Ave.

### **Previous Matters for Consideration**

69. [2012-0003](#) Summons and Complaint in the matter of the complaint against Dilneet Corporation, Rupinder K. Randhawa, Agent, for the premises located at 7218 W. Greenfield Ave., d/b/a West Allis Liquor & Tobacco (2011-2012 Class A Liquor License no. 1080 and Cigarette License no. 1081).
70. [2012-0575](#) Summons and Complaint in the matter of the complaint against Dilneet Corporation, Rupinder K. Randhawa, Agent, for the premises located at 7218 W. Greenfield Ave., d/b/a West Allis Liquor & Tobacco (2012-2013 Class A Liquor License application no. 1080 and Cigarette License application no. 1081).

71. [2013-0561](#) Department of Revenue Field Report regarding Wisconsin State Seller's Permit for Dilneet Corporation ( 2013-2014 Combination Class A Liquor License application no. 1080, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave.).
72. [2013-0570](#) Summons and Complaint in the matter of the complaint against 6500 Bar, LLC, Susan C. Jesion, Agent, for the premises located at 6500 W. Greenfield Ave., d/b/a 6500 Bar & Grill (2013-2014 Class B Tavern License no. 1642, Dance Hall License no. 1644 and Instrumental Music License no. 1643).
73. [2013-0503](#) Police Department Report involving 6500 Bar & Grill, 6500 W. Greenfield Ave. (2013-2014 Class B Tavern License no. 1642, Dance Hall License no. 1644 and Instrumental Music License no. 1643 of 6500 Bar, LLC, Susan C. Jesion, Agent, Incident Date: July 12, 2013).
74. [2013-0598](#) Police Department Report involving GR's National Pub, 6827 W. National Ave. (2013-2014 Class B Tavern License no. 1613, Dance Hall License no. 1615 and Instrumental Music License No. 1614 of Guy M. Robb, LLC, Guy M. Robb, Agent, Incident Date: August 30, 2013).
75. [2013-0599](#) Police Department Report involving 88 Keys Piano Martini Lounge, 7211 W. Greenfield Ave. (2013-2014 Class B Tavern License no. 1530 and Instrumental Music License No. 1532 of Gregory S. Barczak, Incident Date: September 13, 2013).
76. [2013-0600](#) Police Department Report involving Double Barrel Saloon, 1100 S. 60 St. (2013-2014 Class B Tavern License no. 1524, Dance Hall License no. 1526 and Instrumental Music License no. 1525, of SYRE Enterprises, LLC, Andrew M. Lomax, Agent, Incident Date: September 15, 2013).
77. [2013-0601](#) Police Department Report involving McGuire's Bar, 6235 W. National Ave. (2013-2014 Class B Tavern License no. 820 and Dance Hall License no. 822, McGuire's Bar, Inc., Daniel M. McGuire, Agent, Incident Date: September 21, 2013).
78. [2013-0602](#) Police Department Reports involving Quenchers, 7731 W. Becher St. (2013-2014 Class B Tavern License no. 1453, Dance Hall License no. 1455 and Instrumental Music License no. 1774 of Sportz Medicine, LLC, John J. Biber, Agent, Incident Date: September 22, 2013).

**ADVISORY COMMITTEE**

**New Matters for Introduction**

- 79. [2013-0629](#) Reappointment by Mayor Devine of Deborah Tiegs as a member of the West Allis Commission on Aging, her three-year term to expire November 1, 2016.
  
- 80. [2013-0630](#) Reappointment by Mayor Devine of Gerald Matter as a member of the West Allis Community Development Authority, his four-year term to expire October 1, 2017.
  
- 81. [2013-0631](#) Reappointment by Mayor Devine of Don Kosiboski as a member of the West Allis Property Maintenance Code Appeals Board, his two-year term to expire September 1, 2015.

**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.