



City of West Allis

Meeting Agenda

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

Mayor Dan Devine, Chair
Alderson Thomas G. Lajsic, Council President
Aldersons: Gary T. Barczak, Michael J. Czaplowski, Kevin Haass,
Michael P. May, Cathleen M. Probst, Rosalie L. Reinke,
Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel

Tuesday, March 17, 2015

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-2015-0064](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 104 St. from 382 feet north of W. Dakota St. to W. Montana Ave. and portions of intersecting streets by concrete reconstruction, miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer relay, building services and utility adjustments.

Sponsors: Public Works Committee

2. [R-2015-0058](#) Resolution relative to determination of Special Use Permit for proposed WAWM School District 4K school/educational center and recreational activities at the Recreation 4K Center, located at 2450 S. 68 St.

Sponsors: Safety & Development Committee

3. [R-2015-0059](#) Resolution relative to determination of Special Use Permit for proposed WAWM School District 4K school/educational center and recreational activities located at Parkway School, 2930 S. Root River Parkway.

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 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

4. [2015-0193](#) Minutes (Draft) of the Common Council regular meeting of March 3, 2015.

Attachments: [030315 CC Minutes.draft](#)

J. ITEMS NOT REFERRED TO COMMITTEE

5. [2015-0174](#) Report of the Municipal Judge for the month of February 2015, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$187,470.76.

Attachments: [Municipal Judge Report - February 2015](#)

6. [2015-0167](#) Konstantakis Law Office, LLC communication submitted on behalf of Danny P. Sarandos relative to personal injuries allegedly sustained on November 30, 2014.

Attachments: [Konstantakis.DSarandos.personal inj](#)

7. [2015-0168](#) American Family Insurance communication submitted on behalf of David Stanbro relative to damages allegedly sustained on February 21, 2015. Claim # 00-225-104955-6337.

Attachments: [Am Fam.David Stanbro.damages.](#)

8. [2015-0169](#) Summons and Complaint in the matter of State Farm Mutual Automobile Insurance Company vs City of West Allis regarding property damages, Case No. 15CV001747.

Attachments: [S & C State Farm vs City of West Allis](#)

9. [2015-0170](#) Summons and Complaint in the matter of Wells Fargo Bank, N.A. vs. James R. Miller, et al. regarding foreclosure of mortgage, Case No. 15CV001582.

Attachments: [Wells Fargo S & C J. Miller](#)

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND SAFETY & DEVELOPMENT COMMITTEES

New Matters for Introduction

10. [R-2015-0066](#) A Resolution to accept Wisconsin DOT Grant Funding for the purchase of an Off Road Ambulance.

Sponsors: Ald. Vitale

Attachments: [Zoo TMP West Allis FD ATV](#)

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

11. [R-2015-0056](#) Resolution relative to reauthorization of Worker's Compensation Self-Insurance for the three-year period (2015-2017).

Sponsors: Administration & Finance Committee

12. [R-2015-0060](#) Resolution relative to approving the 2014 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.

Sponsors: Administration & Finance Committee

Attachments: [DEV-R-795-3-17-15-Exhibit 1](#)

13. [R-2015-0061](#) Resolution approving Subgrantee Agreements and Interdepartmental Agreements by and between the City of West Allis and various Community Development Block Grant recipients and City Departments for support of administrative, public service, housing rehabilitation, economic development, and public facilities activities and projects funded by 2015 Community Development Block Grant funds.

Sponsors: Administration & Finance Committee

Attachments: [Exhibit A Annual Action Plan 2015](#)
[Exhibit B Subgrantee Agreement Master 2015](#)

14. [2015-0195](#) Communication from City Administrator regarding request to fill the vacant position of Librarian II at the Public Library.

Previous Matters for Consideration

15. [R-2015-0045](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into a State/Municipal Agreement with the Wisconsin Department of Transportation for \$399,360 in funding awarded from the Transportation Alternatives Program (TAP) to procure a bike share system with approximately 9 stations and 90 bikes.

Sponsors: Administration & Finance Committee

Attachments: [2995-01-06-76 WallisBikeShare SMA](#)

PUBLIC WORKS COMMITTEE

New Matters for Introduction

16. [O-2015-0019](#) An Ordinance to Amend Subsection 11.17(1) of the West Allis Revised Municipal Code Relating to Penalties for Violating the Provisions of Chapter 11.

Sponsors: Public Works Committee

17. [R-2015-0055](#) Resolution relative to accepting the proposals of various nurseries for furnishing and delivering 606 trees for spring planting for a total sum of \$50,679.00.

Sponsors: Public Works Committee

Attachments: [1251 Trees Spring 2015](#)

18. [R-2015-0057](#) Resolution to approve bid of LaLonde Contractors, Inc. for the installation of concrete curb and gutter, concrete pavement, miscellaneous walk repair, driveway replacement, sanitary sewer relay, storm sewer, storm sewer relay, water main relay, building services and utility adjustments in S. 77th St. from W. Greenfield Ave. to W. National Ave. and S. 77th St. from W. Madison St. to 300' South of W. Madison St. within the City of West Allis in the amount of \$1,304,017.80.

Sponsors: Public Works Committee

Attachments: [2015-4 BID RESULTS](#)

19. [R-2015-0062](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner BFS WI LLC for property located at 7127-29 West National Avenue (Tax Key No. 453-0612-000).
- Sponsors:* Public Works Committee
20. [R-2015-0063](#) Resolution granting a Sewer Easement by the Community Development Authority of the City of West Allis (“Grantor”) to the City of West Allis (“Grantee”) for the property described on Engineering Drawing, dated March 9, 2015, which is attached hereto as Exhibit “A” and made a part hereof.
- Sponsors:* Public Works Committee
- Attachments:* [1960 S. 67th Place Sewer Easement Exhibit 3-11-15 Agreement Easement at Lime Pit](#)
21. [R-2015-0068](#) A resolution authorizing the Director of Public Works/City Engineer to accept the proposals for the purchase of equipment and other related items to provide emergency back-up service to the Department of Public Work’s Yard in an amount not to exceed \$35,000.
- Sponsors:* Public Works Committee
- Attachments:* [Generator Quote Summary](#)

Public Hearing Items (Public Works Committee)

22. [R-2015-0064](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 104 St. from 382 feet north of W. Dakota St. to W. Montana Ave. and portions of intersecting streets by concrete reconstruction, miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer relay, building services and utility adjustments.
- Sponsors:* Public Works Committee
23. [R-2015-0065](#) Final Resolution authorizing public improvement by concrete reconstruction, miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer relay, building services and utility adjustments in S. 104 St. from 382 feet north of W. Dakota St. to W. Montana Ave. and portions of intersecting streets and levying special assessments against benefited properties.
- Sponsors:* Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE**New Matters for Introduction**

24. [O-2015-0020](#) Ordinance to Amend Subsection 6.027(5) of the City of West Allis Revised Municipal Code Relating to Citation Authority for Sex Offender Residency Violations.
- Sponsors:* Safety & Development Committee
25. [R-2015-0067](#) Resolution of Recognition of the McCartyDale Neighborhood Association.
- Sponsors:* Ald. Probst
- Attachments:* [McCartyDale Neighborhood Assoc. \(3-17-15\)](#)
26. [2015-0197](#) Communication from the Manager of Planning and Zoning relative to the Safety and Development Committee's procedure for considering the rezoning amendment proposal for the property located at 6502 W. Burnham St.
- Attachments:* [6501 Burnham - cc letter \(3-17-15\)](#)
27. [2015-0192](#) Communication from the Plan Commission to the Common Council advising of the Plan Commission's recommendation to deny the rezoning request for property located at 6502 W. Burnham St.
- Attachments:* [Rezone Request \(Denial\) - 6502 W Burnham 3-17-15 cc](#)
28. [2015-0198](#) Request for an ordinance to amend the official West Allis Zoning Map by rezoning property located at 6502 W. Burnham St. from RB-2 Residence District to C-2 Neighborhood Commercial District. Submitted by Abdul Motlani, property owner. (Tax Key No. 454-0321-000)
29. [2015-0202](#) Special Use Permit for Tiaras and Capes, a proposed children's party business, to be located at 5528 W. Burnham St.

Public Hearing Items (Safety & Development Committee)

30. [R-2015-0058](#) Resolution relative to determination of Special Use Permit for proposed WAWM School District 4K school/educational center and recreational activities at the Recreation 4K Center, located at 2450 S. 68 St.
- Sponsors:* Safety & Development Committee
31. [2015-0137](#) Special Use Permit for proposed WAWM School District 4K school/educational center and recreational activities at the Recreation 4K Center, located at 2450 S. 68 St.

32. [R-2015-0059](#) Resolution relative to determination of Special Use Permit for proposed WAWM School District 4K school/educational center and recreational activities located at Parkway School, 2930 S. Root River Parkway.

Sponsors: Safety & Development Committee

33. [2015-0138](#) Special Use Permit for proposed WAWM School District 4K school/educational center and recreational activities located at Parkway School, 2930 S. Root River Parkway.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

34. [2015-0165](#) 2014-2015 Secondhand Article Dealer License application(s).
35. [2015-0200](#) 2015-2016 Secondhand Article Dealer License application(s).
36. [2015-0177](#) 2015-2016 Mobile Home Park License application(s).
37. [2015-0178](#) 2015-2016 Used Vehicle Dealer License application(s).
38. [2015-0173](#) 2014-2015 Special Class B Beer and Wine License application(s).
39. [2015-0172](#) Carnival Permit application no. 3 of Downtown West Allis, Inc. for West Allis Ala Carte, Greenfield Avenue between S. 70 - 76 Streets, on June 7, 2015.
40. [2015-0190](#) Operator's License (bartender/sales clerk) applications.
41. [2015-0179](#) Police Department Report regarding tavern violations/calls for service for the month of February 2015.

Attachments: [License and Health Committee Letter February 2015](#)

42. [2015-0180](#) Police Department Report involving Kokopelli's Pub-N-Grub, 6001 W. Madison St., (2014-2015 Class B Tavern License no. 618, Dance Hall License no. 620 and Instrumental Music License no. 621) of Kokopelli's, Inc., Antonette M. Zirnhelt, Agent, Incident Date: February 4, 2015.
43. [2015-0181](#) Police Department Report involving Jonny Hammers, 6300 W. Lincoln Ave. (2014-2015 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: February 7, 2015.

44. [2015-0182](#) Police Department Report involving Jimmy B's Trail's End, 7216 W. Lincoln Ave. (2014-2015 Class B Tavern License no. 745 and Dance Hall License no. 746) of Jimmy B's Trail's End, Inc., Kevin F. Bagurdes, Agent, Incident Date: February 8, 2015.
45. [2015-0183](#) Police Department Report involving Jimmy B's Trail's End, 7216 W. Lincoln Ave. (2014-2015 Class B Tavern License no. 745 and Dance Hall License no. 746) of Jimmy B's Trail's End, Inc., Kevin F. Bagurdes, Agent, Incident Date: February 12, 2015.
46. [2015-0184](#) Police Department Report involving Heart Breakers, 9440 W. National Ave. (2014-2015 Class B Tavern License no. 2100, Tavern Entertainment - Special License no. 2099, and Dance Hall License no. 2098) of Milwaukee Entertainment LLC, Tiffany M. Stevens, Agent, Incident Date: February 8, 2015.
47. [2015-0185](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083) of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: February 12, 2015.
48. [2015-0186](#) Police Department Report involving Barneks, 7411 W. Becher St. (2014-2015 Class B Tavern License no. 1060 and Dance Hall License no. 1062) of Dale J. Zbieranek, Incident Date: February 13, 2015.
49. [2015-0187](#) Police Department Report involving The New 6500 Bar, 6500 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 2065, Dance Hall License no. 2067 and Instrumental Music License no. 2066) of My Place, LLC, Lisa M. Branson, Agent, Incident Date: February 22, 2015.
50. [2015-0188](#) Police Department Report involving West Allis Liquor & Tobacco, 7218 W. Greenfield Avenue (2014-2015 Combination Class A Liquor License application no. 2091) of Dilmil, Inc., Sukhdeep Randhawa, Agent, Incident Date: February 11, 2015.
51. [2015-0141](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-577 for Sophia L. Ludwig.
52. [2015-0191](#) 2014-2016 Operator's License (bartender/sales clerk) application no. 16-274 for Shane E. Ragland.
53. [2015-0189](#) Summons and Complaint in the matter of the complaint against Sonya R. Bautista, 2013-2015 Operator's License (bartender/sales clerk) no. 15-204.

Attachments: [S & C S. Bautista](#)
[Affidavit of Service - S. Bautista](#)

54. [2015-0126](#) Police Department Report regarding violation of the Wisconsin Indoor Clean Air Act Smoking Ban (5632 W. Burnham St., Sonya R. Bautista, Bartender License no. 15-204, Incident Date: February 3, 2015).

Attachments: [57 bar smoking ban violation](#)

55. [2015-0175](#) Findings and Recommendations in the Matter of the Variance Permit Extension Request of Motor Castings Company.
- Attachments:* [Findings of Face - Motor Casting Variance Permit Ext.](#)
[Affidavit - Motor Castings](#)
56. [2015-0046](#) Request from Joseph Kempen, President, Motor Castings Company located at 1323 S. 65 St. for a three year extension of the Noise Variance.
- Attachments:* [Motor Castings Communication](#)
[Comm. Motor Castings Hearing 2/17/15](#)
57. [2015-0176](#) Findings and Recommendations in the Matter of the complaint against 3M Management, LLC, 1900 S. 60 Street (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063 and Instrumental Music License no. 2064).
- Attachments:* [Findings of Fact - 3M Mgmt LLC](#)
58. [2015-0203](#) Response of 3M Management LLC, d/b/a M&M's Sportsbar, to the Findings and Recommendation of the License & Health Committee and Motion to Modify the Recommendation.
- Attachments:* [Response of 3M Management LLC](#)

Previous Matters for Consideration

59. [2015-0132](#) Summons and Complaint in the matter of the complaint against 3M Management, LLC, Melissa M. Martin, Agent, for the premises located at 1900 S. 60 St., d/b/a M&M's Sports Bar (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063, Instrumental Music License no. 2064 and Local Food Permit).
- Attachments:* [M&M's Summons 3-3-15](#)
[M&M's Complaint 3-3-15](#)
[M&M's Affidavit of Service 2-24-15](#)
60. [2015-0096](#) Department of Revenue Field Report from January 23, 2015 regarding 3M Management, LLC, (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063 and Instrumental Music License no. 2064, Melissa M. Martin, Agent, d/b/a M&M's Sports Bar, 1900 S. 60 St.).
- Attachments:* [DOR Field Report 3M Mngmnt 1-23-15](#)
[DOR 3M Mngmnt photograph 1-23-15](#)
[DOR 3M Mngmnt photographs 1-23-15](#)
[DOR Property Receipts 3M Mngmnt 1-23-15](#)

61. [2015-0106](#) Police Department Report involving M & M's Sports Bar, 1900 S. 60 St. (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063, and Instrumental Music License no. 2064) of 3M Management, LLC, Melissa M. Martin, Agent, Incident Date: January 23, 2015).
62. [2015-0071](#) Request from Melissa Martin, to amend the Plan of Operation for M&M's Sports Bar, to allow a Tavern Entertainment License and a DJ and karaoke for the current Instrumental Music License.

ADVISORY COMMITTEE

New Matters for Introduction

63. [2015-0196](#) Appointment by Mayor Devine of Judith Schmidt as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2016.
64. [2015-0199](#) Appointment by Mayor Devine of Brianna Olson as a member of the West Allis Block Grant Committee, her term to expire September 1, 2016.
65. [2015-0201](#) Reappointments by Mayor Devine to the West Allis Plan Commission of Wayne Clark and Ronald Rieboldt, their three-year terms to expire April 30, 2018.

N. 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.