



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. Czapski, Michael P. May,
Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt, James W. Sengstock,
Vincent Vitale, and Martin J. Weigel*

Tuesday, May 15, 2012

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. [O-2012-0016](#) Ordinance to amend the official West Allis Zoning Map by rezoning the property located at 10015 W. Greenfield Ave. from M-1 Manufacturing to C-3 Community Commercial District.
Sponsors: Safety & Development Committee

2. [R-2012-0105](#) Resolution relative to determination of Special Use Permit for outdoor dining / extension of premise at Tomken's, an existing restaurant/tavern located at 8001 W. Greenfield Ave.
Sponsors: Safety & Development Committee

3. [R-2012-0106](#) Resolution relative to determination of Special Use Permit for Orange Leaf Yogurt, a proposed restaurant with outdoor dining, to be located at 10922 W. National Avenue.
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. MISCELLANEOUS BUSINESS

Mayor's Report

Alderpersons Comments

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of May 1, 2012.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2012-0253](#) Report of the Municipal Judge for the month of April 2012, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$133,011.36.

5. [2012-0240](#) Summons & Complaint, in the matter of Deutsche Bank National Trust Company vs. Tammy L. Dennis et al., regarding Foreclosure of Mortgage, Case No. 30404.

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

Regular Meeting held on May 7, 2012.

- 6. [2011-0152](#) City of West Allis Engineering Technician and Aides' Association communication regarding opening of contract negotiations for 2012-2013.
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

- 7. [O-2012-0014](#) An Ordinance to Repeal & Recreate Section 1.09 of the West Allis Revised Municipal Code Relating to Destruction and Preservation of Public Records.
Sponsors: Administration & Finance Committee
- 8. [O-2012-0015](#) An Ordinance to amend Section 2.76(6.5)(d)2 of the City of West Allis Revised Municipal Code relative to the amount of time employees in the Executive, Managerial, Deputy/Assistant Service have to establish residency in the City.
Sponsors: Administration & Finance Committee
- 9. [R-2012-0104](#) Resolution approving the transfer of \$50,000 from the Contingency Fund to the City Clerk/Treasurer's Office budget for the conducting of the two recall elections.
Sponsors: Administration & Finance Committee
- 10. [2012-0256](#) Communication from City Administrative Officer regarding request for refund of personal property taxes for The Fifth Third Leasing Company.
- 11. [2012-0257](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period January 1, 2012 through March 31, 2012.

City Attorney Claim Report

12. [2009-0325](#) Joseph Mason communication regarding injuries of Sheilia Mason allegedly sustained at 6414 W. Greenfield Avenue on March 11, 2009.
City Attorney recommended to be placed on file.
13. [2011-0111](#) Civil Summons and Complaint in the matter of Michael C. and Jessie L. Brees vs. Acuity, a Mutual Insurance Company, et al., Case No. 11CV002029.
City Attorney recommended to be paid and placed on file.
14. [2011-0239](#) Summons and Complaint in the matter of Wells Fargo Bank vs. Tina D. Cameron, et al, regarding foreclosure of mortgage, Case No. 11CV004829.
City Attorney recommended to be placed on file.
15. [2011-0406](#) Summons and Complaint in the matter of U.S. Bank National Association vs. Jill M. Brezovar, et al, regarding foreclosure of mortgage, Case No. 11-CV-009883.
City Attorney recommended to be placed on file.
16. [2011-0695](#) Amended Summons and Complaint in the matter of Bank of America, N.A. vs. Jeffrey D. Sullivan, et al, regarding foreclosure of mortgage, Case No. 11-CV-8303.
City Attorney recommended to be placed on file.

PUBLIC WORKS & SAFETY AND DEVELOPMENT COMMITTEES

New Matters for Introduction

17. [R-2012-0108](#) Resolution relative to the Notice of Hearing for the Vacation and Discontinuance for a small portion of City street right-of-way on W. Greenfield Ave. and S. Six Points Crossing (S. 66 St.) at the southeast corner of the intersection of W. Greenfield Ave. and S. Six Points Crossing, for an existing mixed use building that encroaches into City right-of-way located at 6501-6525 W. Greenfield Ave.
Sponsors: Safety & Development Committee
18. [R-2012-0109](#) Resolution relative to the Vacation and Discontinuance of a small portion of City street right-of-way on W. Greenfield Ave. and S. Six Points Crossing (S. 66 St.) at the southeast corner of the intersection of W. Greenfield Ave. and S. Six Points Crossing, for an existing mixed use building that encroaches into City right-of-way located at 6501-6525 W. Greenfield Ave.
Sponsors: Safety & Development Committee

19. [2012-0259](#) Request by Toldt Development, Inc. for the Vacation and Discontinuance of portions of street right-of-way for a small portion of City right-of-way on W. Greenfield Ave. and S. Six Points Crossing (S. 66 St.) at the southeast corner of the intersection of W. Greenfield Ave. and S. Six Points Crossing, for an existing mixed use building that encroaches into City right-of-way located at 6501-6525 W. Greenfield Ave.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

20. [O-2012-0012](#) An Ordinance to Repeal Parking Restrictions on the West Side of the North 108' of the 1400 Block of S. 94 St.
Sponsors: Gary T. Barczak
21. [R-2012-0107](#) Resolution to approve bid of LaLonde Contractors, Inc. for the removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay, utility adjustments and storm underdrain in various locations within the City of West Allis, in the amount of \$645,144.53.
Sponsors: Public Works Committee
22. [2012-0255](#) Communication from the Public Service Commission of Wisconsin notifying the City of West Allis of the proposed new natural gas pipeline being built in roadways of West Allis.

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES

Public Hearing Items (Safety & Development and License & Health Committee)

23. [R-2012-0105](#) Resolution relative to determination of Special Use Permit for outdoor dining / extension of premise at Tomken's, an existing restaurant/tavern located at 8001 W. Greenfield Ave.
Sponsors: Safety & Development Committee
24. [2012-0165](#) Special Use Permit for outdoor dining / extension of premise at Tomken's, an existing restaurant/tavern located at 8001 W. Greenfield Ave.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

25. [2012-0227](#) Communication(s) opposing a special use permit for JRS Jewelry located at 2749 S. 108 St.
26. [2012-0200](#) Special Use Permit for E and R Auto Repair, a proposed auto repair business to be located at 1910 S. 73 St.

Previous Matters for Consideration

27. [R-2012-0089](#) Resolution relative to determination of Special Use Permit for the proposed collocation of US Cellular antennas to be located on the existing lattice tower at 1865 S. 66 St.
Sponsors: Safety & Development Committee
28. [2012-0164](#) Special Use Permit for the proposed collocation of US Cellular antennas to be located on the existing lattice tower at 1865 S. 66 St.
29. [2012-0117](#) Special Use Permit for Cross Colors Auto Body a proposed auto repair shop to be located at 6110 W. Lincoln Ave.

Public Hearing Items (Safety & Development Committee)

30. [O-2012-0016](#) Ordinance to amend the official West Allis Zoning Map by rezoning the property located at 10015 W. Greenfield Ave. from M-1 Manufacturing to C-3 Community Commercial District.
Sponsors: Safety & Development Committee
31. [R-2012-0106](#) Resolution relative to determination of Special Use Permit for Orange Leaf Yogurt, a proposed restaurant with outdoor dining, to be located at 10922 W. National Avenue.
Sponsors: Safety & Development Committee
32. [2012-0270](#) Special Use Permit for Orange Leaf Yogurt, a proposed restaurant with outdoor dining, to be located at 10922 W. National Ave.

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

33. [O-2012-0013](#) An Ordinance to Amend Subsection 9.01(2)(b) of the West Allis Revised Municipal Code Relating to the Quota for Intoxicating Liquor Licenses to be Granted.
Sponsors: Thomas G. Lajsic and James W. Sengstock
34. [2012-0225](#) Communication from Kevin McFaddan appealing the variance granted to Motor Castings.
35. [2012-0228](#) Communication from the Director of Building Inspections and Neighborhood Services regarding sign maintenance at 9105 W. Lincoln Ave, d/b/a The Draft, The Draft, LLC, Paula K. Johnson, Agent (2011-2012 Class B Tavern License #1821, Instrumental Music License #1822, and Dance Hall License #1823).
36. [2012-0268](#) 2011-2012 and 2012-2013 Adult-Oriented Establishment Operator Permit application(s).
37. [2012-0236](#) 2012-2013 Amusement Distributor's License application(s).
38. [2012-0250](#) 2012-2013 Arcade License application(s).
39. [2012-0251](#) 2012-2013 Trailer and Truck Rental License application(s).
40. [2012-0229](#) 2012-2013 Pawn Dealer License application(s).
41. [2012-0252](#) 2012-2013 Phonograph Distributor's License application(s).
42. [2012-0230](#) 2012-2013 Salvage & Recycling Center License application(s).
43. [2012-0235](#) 2012-2013 Secondhand Article Dealer License application(s).
44. [2012-0234](#) 2012-2013 Secondhand Jewelry Dealer License application(s).
45. [2012-0224](#) 2012-2014 Package Goods Operator License application(s).
46. [2012-0231](#) 2011-2012 Special Instrumental Music Permit application no. 5 of Boz's, Inc., Shawn R. Lange, Agent, d/b/a Boz's Sports Bar, 1325 S. 70 St. (2011-2012 Class B Tavern License no. 448 and Dance Hall License no. 496) for an event on Saturday, June 23, 2012.
47. [2012-0254](#) 2012-2013 Special Class B Beer and Wine License application(s).
48. [2012-0223](#) Tavern Operator License applications.

49. [2012-0238](#) 2011-2012 Special Instrumental Music Permit application no. 6 of Henry Enterprises, Ltd., James F. Henry, Agent, d/b/a Jim's Oval Bar, 9141 W. National Ave. (2011-2012 Class B Tavern License no. 716 and Dance Hall License no. 719) for an event on Saturday, June 2, 2012.
50. [2012-0264](#) 2011-2012 Class B Tavern Special Event Permit application no. 3 of Henry Enterprises, Ltd., James F. Henry, Agent, d/b/a Jim's Oval Bar, 9141 W. National Ave. (2011-2012 Class B Tavern License application no. 717 and Dance Hall License application no. 719) for a Poker Run - Ride for the Memory for Alzheimer's Assoc. of S.W. Wisconsin, June 2, 2012 from 9:00 a.m. to 10:00 p.m. (Tent in parking lot and food)
51. [2012-0265](#) 2012-2013 Class B Tavern Special Event permit application no. 1 of Henry Enterprises, Ltd., James F. Henry, Agent, d/b/a Jim's Oval Bar, 9141 W. National Ave. (2012-2013 Class B Tavern License application no. 717 and Dance Hall License application no. 719) for a Breast Cancer Poker Run held on August 26, 2012 from 10:00 a.m. to 11:00 p.m. (Tent in parking lot and food).
52. [2012-0232](#) 2011-2012 Class B Tavern Special Event Permit application no. 13 of Guy M. Robb, LLC, Guy M. Robb, Agent, d/b/a GR's National Pub, 6827 W. National Ave., (2011-2012 Class B Tavern License no. 1613, Instrumental Music License no. 1614 and Dance Hall License No. 1615) for the Annual Golf Outing on Saturday, June 30, 2012 from noon - 8:00 p.m. (Taped off area from south end of garage to fence and food).
53. [2012-0233](#) 2012-2013 Class B Tavern Special Event Permit application no. 3 of D&N Lynch, Inc., Joseph Lynch, Agent, d/b/a Lynch's, 2300 S. 108 St., (2012-2013 Class B Tavern License application no. 489, Instrumental Music License application no. 617 and Dance Hall License application no. 616) for Lynchfest, July 20, 2012 from 6:00 p.m. to 11:00 p.m. and July 21, 2012 from 9:00 a.m. to 11:00 p.m. (Tents, food and music).
54. [2012-0219](#) 2012-2013 Class A Beer License renewal application(s).
55. [2012-0220](#) 2012-2013 Combination Class A Liquor License renewal application(s).
56. [2012-0241](#) 2012-2013 Class B Beer License renewal application(s).
57. [2012-0242](#) 2012-2013 Class C Wine License renewal application(s).
58. [2012-0269](#) 2012-2013 Class B Tavern, Dance Hall, Instrumental Music, and Tavern Entertainment-Other Entertainment License renewal applications.

59. [2012-0248](#) Police Department report regarding tavern violations/calls for service for the month of April 2012.
60. [2012-0243](#) Police Department Report involving “Stevens”...1022 Pub & Sports Grill, 1022 S. 60 St. (2011-2012 Class B Tavern License no. 1829 and Instrumental Music License no. 1830 of 1022 S.A., LLC, Said Sami Nasser, Agent, Incident Date: April 11, 2012). License formally known as D & D Sports Bar & Grill.
61. [2012-0244](#) Police Department Report involving Boz's Sports Bar, 1325 S. 70 St. (2011-2012 Class B Tavern License no. 448, and Dance Hall License no. 496 of Boz's, Inc., Shawn R. Lange, Agent, Incident Date: April 1, 2012).
62. [2012-0245](#) Police Department Report involving Crazy Horse, 9440 W. National Ave. (2011-2012 Class B Tavern License no. 1301, Tavern Special Entertainment License no. 1302 and Dance Hall License no. 1303 of Cugino's Entertainment, LLC, Dominic T. LaLicata, Agent, Incident Date: April 2, 2012.)
63. [2012-0246](#) Police Department Report involving Jonny Hammers, 6300 W. Lincoln Ave. (2011-2012 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: April 12, 2012).
64. [2012-0247](#) Police Department Report involving Whammy Bar, 6139 W. Beloit Rd., (2011-2012 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: April 22, 2012).
65. [2012-0221](#) 2012-2013 Combination Class A License renewal application no. 928, of Majdecki Foods, Inc., Thomas E. Martwick, Agent, d/b/a Sentry Foods #2806 for premises located at 10282 W. National Ave. (new agent).
66. [2012-0222](#) 2012-2013 Combination Class A License renewal application no. 1089, of Mega Marts, LLC, Lori L. Ebert, Agent, d/b/a Pick 'n Save #6847 for premises located at 6760 W. National Ave. (new agent).
67. [2012-0261](#) 2012-2013 Class B Tavern License renewal application no. 1301, Tavern Entertainment-Special renewal application no. 1302, and Dance Hall renewal application no. 1303 of Cugino's Entertainment, LLC, Dominic T. Lalicata, Agent, d/b/a Crazy Horse for premises located at 9440 W. National Ave.
68. [2012-0262](#) 2012-2013 Class B Tavern License renewal application no. 1738, Dance Hall License renewal application no. 1740, and Instrumental Music License renewal application no. 1739 of Danny's Entertainment, Inc., Daniel R. Seiy, Agent, d/b/a Danny's Lounge, premises location at 1900 S. 60 St.

69. [2012-0260](#) 2012-2013 Class B Tavern License application no. 1840 and Dance Hall License application no. 1841 of Hideout West Allis, Inc., Daniel Seiy, Agent, d/b/a The Hideout, premises located at 6201 W. Mitchell St. (new-existing location).
70. [2012-0263](#) 2012-2013 Class B Tavern License renewal application no. 773 and Dance Hall License renewal application no. 774 of Jerry C. Ulrich, d/b/a Scooter's Tap, for premises located at 9000 W. National Ave.
71. [2012-0267](#) 2012-2013 Cigarette License renewal application no. 1764 of Speedway LLC., Jon R. Lindstrom, Agent, d/b/a Speedway #2090 for premises located at 9130 W. Oklahoma Ave.
72. [2012-0186](#) 2011-2013 Tavern Operator License application no. 13-475 of Adam M. Lese.
73. [2012-0197](#) 2012-2014 Tavern Operator License renewal application no. 14-76 of Kelly A. Schey.
74. [2012-0218](#) 2012-2014 Tavern Operator License renewal application no. 14-72 of Sherry C. Rejman.
75. [2012-0266](#) 2012-2014 Tavern Operator License renewal application no. 14-106 of Steven P. Peot.
76. [2012-0258](#) 2012-2014 Tavern Operator License renewal application no. 14-81 of Melissa A. Soens.
77. [2012-0249](#) 2012-2013 Class B Tavern License application no. 1842 of Wisconsin CVS Pharmacy LLC, Rickey L. McConnell, Agent d/b/a CVS/Pharmacy #5676, premises located at 7552 W. Oklahoma Ave. (new-nonexisting location).

Previous Matters for Consideration

78. [2012-0204](#) Summons and Complaint in the matter of the complaint against Wild Bill's Saloon, LLC, William P. Savage, Agent, for the premises located at 1454 S. 92 Street, d/b/a Wild Bill's Saloon (2011-2012 Class B Tavern License no. 789).
79. [2012-0023](#) Police Department Report involving Wild Bill's Saloon, 1454 S. 92 St. (2011-2012 Class B Tavern License no. 789 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Date: December 7, 2011).

- 80. [2012-0192](#) 2011-2012 Class B Tavern Special Event Permit application no. 12 of Sobczak & Sitkowski, LLC, Cynthia Sobczak, Agent, d/b/a Steakhouse 100, 7246 W. Greenfield Ave. (2011-2012 Class B Tavern License no. 848) for Third Thursday Arts Crawl from 5:00 p.m. to 9:00 p.m. to be held on May 17, June 21, April 14, July 19, August 16 and September 20, 2012. (S. 70 St to S. 76 St. on Greenfield Ave.).

ADVISORY COMMITTEE

None.

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.