



City of West Allis

Meeting Minutes

Common Council

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

Tuesday, February 4, 2014

7:00 PM

City Hall Common 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 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Czaplewski.

D. PUBLIC HEARINGS

1. [R-2014-0014](#)

Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alley between S. 87 St. - S. 88 St.; W. National Ave. and W. Becher St. by removal and reconstruction of the concrete alley pavement, storm sewer relay, utility adjustments and storm underdrain.

Sponsors: Public Works Committee

Explanation by Peter Daniels, Principal Engineer.

Appearances:

Mark Faber, 8725 W. National Ave., addressed concerns about timing of the street and the alley, and said that only a couple of places need attention. He opposed the project.

Stephen Dent, 8708 W. Becher St., described his property, alley, and water flow. He said that his concrete can't be cut, and commented on damage to his property.

Jim Schumacher, 2043 S. 87 St., said that 25% of the neighbors do not want the project done.

Maria Andaluz, 2053 S. 87 St., said that the entire work is not necessary, and only one area needs to be fixed.

Christopher Mettke, 8370 W. Becher St., said that the entire alley doesn't need repair.

2. [R-2014-0016](#) Resolution relative to determination of Special Use Permit for proposed extension of hours for Toppers Pizza, located at 1676 S. 108 St.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Adam Oldenburg, for Toppers Pizza, commented on their customer base, service, and good record.

3. [R-2014-0017](#) Resolution relative to determination of Special Use Permit for Cozy Corner Resale and Consignment, a proposed second-hand article retail store, to be located at 9100 W. National Ave.

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

None.

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. MAYOR'S REPORT

Mayor Devine announced the CAAD's Winterfest at Nathan Hale High School. He encouraged residents to look at the available library programming. He commented on Movoto's blog ranking West Allis #25 on America's most exciting suburbs list.

H. ALDERPERSON'S REPORT

Ald. Weigel reported on the Youth Commission Forum.

Ald. Reinke congratulated the Youth Commission on the candidate forum, and reminded the Aldermanic District 5 residents to vote on February 18th.

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of Januray 21, 2014

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2014-0051](#) Report of the Municipal Judge for the month of December 2013, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$126, 018.97.

Attachments: [Mun. Judge report Dec. 2013.pdf](#)

5. [2014-0075](#) Summons and Complaint in the matter of PyraMax Bank FSB vs Barbara H. Porter, et al, regarding foreclosure of mortgage, Case No. 14CV000595.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

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 7:34 p.m. Upon returning from recess at 8:55 p.m., and the roll call being taken, there were:

Present 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

6. [O-2014-0009](#) An Ordinance to amend Salary Ordinance No. O-2013-0007 establishing the salary ranges of certain employees in the Executive Service, the Managerial Service, the Deputy Service, and the Confidential, Professional and Supervisory Service (PC Network Specialist - P.D.).

Sponsors: Administration & Finance Committee

7. [O-2014-0010](#) An Ordinance to amend Salary Ordinance No. O-2013-0010 establishing the salaries of certain Administrative & Clerical Employees (Records Management System Specialist).

Sponsors: Administration & Finance Committee

8. [R-2014-0019](#) Resolution to approve a Commercial Facade Improvement Project Contract by and between the City of West Allis and Steven W. Dunn, on behalf of Steven W. and Sharon L. Dunn Living Trust, for property occupied by Dunn's Sporting Goods located at 6034 W. National Ave. in an amount of up to \$2,687.
- Sponsors:* Administration & Finance Committee
9. [2012-0106](#) Summons and Complaint in the matter of Wells Fargo Home Mortgage vs Natalie A. Biedenbender, et al, Case No. 12CV002518.
10. [2012-0296](#) Lagmann, Inc., Notice of Circumstances Giving Rise to Claim and Claim on behalf of Eileen Jezo.
11. [2013-0076](#) Summons and Complaint in the matter of Wells Fargo Bank, N.A., vs Dorothy J. Delmar, et al, regarding foreclosure of mortgage, Case No. 13CV000636.
12. [2013-0369](#) Amended Summons and Complaint in the matter of Wells Fargo Bank, N.A., vs Louis D. Kern, Sr., et al, regarding foreclosure of mortgage, Case No.13-CV-002999.
13. [2013-0525](#) Summons and Complaint in the matter of Trust of Eileen Jezo, Jenny Jezo vs City of West Allis, et al, Case No. 13CV004940.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

PUBLIC WORKS COMMITTEE

14. [R-2014-0013](#) Resolution accepting work of Butters-Fetting Co., Inc. to replace the condensing unit at the Health Department located at 7120 West National Avenue and the air conditioning unit at the Senior Center located at 7001 West National Avenue in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2013 Project No. 7.
- Sponsors:* Public Works Committee
15. [R-2014-0018](#) Resolution to approve bid of Blaze Landscape Contracting, Inc., for the demolition of the residential structures located at 11300 West Cleveland Avenue in the City of West Allis, in the amount of \$8,500.00.
- Sponsors:* Public Works Committee
- Attachments:* [2014-1 BID RESULTS.pdf](#)
16. [R-2014-0021](#) Resolution relative to accepting the proposal of Neenah Foundry Co. for furnishing and delivering cast iron manhole frames and covers for a total sum of \$204,012.00.
- Sponsors:* Public Works Committee

17. [R-2014-0022](#) Resolution authorizing the Director of Public Works/City Engineer to initiate a Rain Barrel Program, with funding from the Stormwater Management Funds in the amount of \$5,000, for providing rain barrels to participating West Allis property owners.

Sponsors: Public Works Committee

Attachments: [R-2014-0022.pdf](#)

18. [R-2014-0014](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alley between S. 87 St. - S. 88 St.; W. National Ave. and W. Becher St. by removal and reconstruction of the concrete alley pavement, storm sewer relay, utility adjustments and storm underdrain.

Sponsors: Public Works Committee

19. [R-2014-0015](#) Final Resolution authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer relay, utility adjustments and storm underdrain in North/South and East/West alley between S. 87 St. - S. 88 St.; W. National Ave. and W. Becher St. and levying special assessments against benefited properties.

Sponsors: Public Works Committee

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

20. [O-2014-0002](#) An Ordinance to Delete Subsections 13.21(25), 13.215(24), and 13.28(13) of the West Allis Revised Municipal Code Relating to Penalties for Violation.

Sponsors: Safety & Development Committee

21. [O-2014-0003](#) An Ordinance to Amend Section 17.10 of the West Allis Revised Municipal Code Relating to Citation Authority.

Sponsors: Safety & Development Committee

22. [O-2014-0004](#) An Ordinance to Amend Subsection 13.26(2) of the West Allis Revised Municipal Code Relating to Penalties for Violation of Chapter 13 of the Revised Municipal Code.
- Sponsors:* Safety & Development Committee
23. [O-2014-0005](#) An Ordinance to Amend Subsection 2.19(8)(b) of the West Allis Revised Municipal Code Relating to Creating Bond Amounts for Violations of the Zoning Code.
- Sponsors:* Safety & Development Committee
24. [O-2014-0006](#) An Ordinance to Repeal & Recreate Section 7.16 of the West Allis Revised Municipal Code Relating to Penalties for Violation of Chapter 7.
- Sponsors:* Safety & Development Committee
25. [R-2014-0020](#) Resolution relative to approving a lease agreement between Owen W. Klatte and Angie Glocka and the City of West Allis to continue operation of a peony farm on city-owned land located at 119** W. Oklahoma Ave.
- Sponsors:* Safety & Development Committee
- Attachments:* [Peony Farm Lease 2014 - Exhibit A.pdf](#)
26. [R-2014-0023](#) Resolution to rescind Resolution R-2013-0280 and to approve the Certified Survey Map to consolidate property located at 11111 W. Lapham St. and 111** W. Mitchell St. to one lot of record for ABC Supply, an existing business, submitted by James Jendusa, d/b/a Jendusa Design and Engineering (Tax Key No. 448-9979-010 and 448-9979-011).
- Sponsors:* Safety & Development Committee
27. [2014-0069](#) Communication from Ralf Kelm requesting a 60-day extension of time on filing the Certified Survey Map to consolidate three lots of record located at 1501, 1445 and 14** S. 113 St. into one parcel, approved on December 17, 2013 (Tax Key Nos. 448-9990-000, 448-9989-005 and 448-9989-007).
- Attachments:* [CSM 60 day extension request \(2-4-14\).pdf](#)
28. [2014-0070](#) Communication from the Department of Building Inspections and Neighborhood Services relative to non-compliance with adopted special use conditions for Elite Environmental/CWT of Wisconsin located at 356-360 S. Curtis Road.
- Attachments:* [Com. BINS Elite 4-15-14.pdf](#)
- Held in Safety & Development Committee during recess.*
29. [2014-0068](#) Special Use Permit for proposed multi-family residential development to be located at 66** W. National Ave.
- Held in Safety & Development Committee during recess.*
30. [2013-0609](#) Special Use Permit for King Spa, a proposed massage and wellness center to be located at 3036 S. 92 St.

31. [2013-0628](#) Special Use Permit for Fast Forward Fitness, a proposed athletic/personal training facility, to be located at 7326-28 W. Greenfield Ave.
32. [R-2014-0016](#) Resolution relative to determination of Special Use Permit for proposed extension of hours for Toppers Pizza, located at 1676 S. 108 St.

Sponsors: Safety & Development Committee

and Placed on File

33. [2014-0019](#) Special Use Permit for proposed extension of hours for Toppers Pizza, an existing restaurant located at 1676 S. 108 St.
34. [R-2014-0017](#) Resolution relative to determination of Special Use Permit for Cozy Corner Resale and Consignment, a proposed second-hand article retail store, to be located at 9100 W. National Ave.

Sponsors: Safety & Development Committee

35. [2014-0021](#) Special Use Permit for Cozy Corner Resale and Consignment, a proposed secondhand retail store to be located at 9100 W. National Ave.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

LICENSE & HEALTH COMMITTEE

36. [O-2014-0007](#) An Ordinance to Amend Subsections 9.30(1)(a), (2), (3)(c), (7)(a)-(j), (17), (19), (26)(a), (26)(b)6 and 10, (27) and (28)(a) of the West Allis Revised Municipal Code Relating to Tattoo and Body Piercing Establishments.

Sponsors: License & Health Committee

37. [O-2014-0008](#) Ordinance to Repeal and Recreate Section 7.154 of the West Allis Revised Municipal Code Relating to Public Physical Conditioning Establishments.

Sponsors: License & Health Committee

- 37a. [2014-0077](#) Amended Findings and Recommendations in the Matter of the Complaint Against Scardina Bakery & Delicatessen, Inc., d/b/a Scardina Bakery & Delicatessen, for premises located at 5901 W. Beloit Rd. (2013-2014 Food Permit renewal application).

Attachments: [Amended F&R - Scardina's.pdf](#)
[Scardina - County letter](#)

Held in License & Health Committee during recess.

38. [2014-0067](#) 2013-2014 Used Vehicle Dealer License application(s).
License application no. 2026 granted.
39. [2014-0057](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-356 for Jacob T. Peterson.
Held in License & Health Committee during recess.
40. [2014-0058](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-360 for Angelica M. Rodriguez.
Held in License & Health Committee during recess.
41. [2014-0063](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-362 for Roxanne Wagner.
Held in License & Health Committee during recess.
42. [2014-0064](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-361 for Carrie L. Starich.
Held in License & Health Committee during recess.
43. [2014-0065](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-358 for Ariel D. Pfeifer.
Held in License & Health Committee during recess.
44. [2014-0060](#) Operator's License (bartender/sales clerk) applications.
*2013-2014 License application no.363 granted.
2013-2015 License application nos. 392-395 granted.*
45. [2014-0066](#) 2013-2014 Adult-Oriented Establishment Operator Permit application no. 2025 of Andrea J. Buhler.
Held in License & Health Committee during recess.
46. [2014-0059](#) 2013-2014 Special Instrumental Music Permit appl. no. 8 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 February 22, 2014 (Third event application).
47. [2014-0056](#) 2013-2014 Class B Tavern License application no. 2021 of 5 WILS, LLC, Jason M. Wilson, Agent, d/b/a Mago's Sports Pub, premises located at 8911 W. National Ave. (new-existing location).
48. [2014-0054](#) 2013-2014 Class B Beer License application no. 2022 of Capri Restaurant Group, LLC, Christopher A. Paul, Agent, d/b/a Capri di Nuovo, for premises located at 8340 W. Beloit Rd. (new-existing location).

49. [2014-0055](#) 2013-2014 Class C Wine License application no. 2023 of Capri Restaurant Group, LLC, Christopher A. Paul, Agent, d/b/a Capri di Nuovo, for premises located at 8340 W. Beloit Rd. (new-nonexisting location).
50. [2014-0052](#) 2013-2014 Class B Beer License application no. 2019 of Fusion Cafe 100, LLC, Xiu Ying Liu, Agent, d/b/a Fusion Cafe, for premises located at 1427 S. 108 St. (new-nonexisting location).
51. [2014-0053](#) 2013-2014 Class C Wine License application no. 2020 of Fusion Cafe 100, LLC, Xiu Ying Liu, Agent, d/b/a Fusion Cafe, for premises located at 1427 S. 108 St. (new-nonexisting location).

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

ADVISORY COMMITTEE

52. [2014-0072](#) Notification by Mayor Devine of an appointment to the Downtown West Allis Business Improvement District of Jennifer Larson, her term to expire October 10, 2016.
53. [2014-0073](#) Reappointments by Mayor Devine to the West Allis Fair Housing Board of Rick Bassler, Richard Narlock, and Sandra Piotrowski, their three-year terms to expire February 1, 2017.
54. [2014-0074](#) Reappointment by Mayor Devine of Joseph Kempen as a member of the West Allis Suggestion Award 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 January 1, 2016.

Passed The Block Vote

Aye: 9 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

No: 0

Mayor Devine commented on February 4th being World Cancer Awareness Day.

N. ADJOURNMENT

to adjourn at 9:04 p.m., with the next regularly scheduled meeting to be held on February 18, 2014, 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.