



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

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, February 2, 2010

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2010-0025](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the 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

North/South Alley between S. 61 St., S. 62 St., 226 ft. north of W. Mineral St. & W. Mineral St.

North/South Alley between S. 57 St., S. 58 St., W. Mineral St. & W. Washington St.

North/South Alley between S. 61 St., S. 62 St., W. Mineral St. & W. Washington St.

North/South Alley between S. 57 St., S. 58 St., W. Washington St. & W. Scott St.

North/South and East/West Alley between S. 57 St., S. 58 St., W. Burnham St. & W. Rogers St.

North/South and East/West Alley between S. 55 St., S. 56 St., W. Rogers St. & W. Mobile St.

North/South Alley between S. 58 St., S. 59 St., W. Mobile St. & W. Grant St.

North/South and East/West Alley between S. 64 St., S. 65 St., W. Grant St. & W. Lincoln Ave.

East/West Alley between S. 69 St., W. Stuth Pl., W. Lincoln Ave. & W. Beloit Rd.

East/West Alley between W. Stuth Pl., S. 71 St., W. Lincoln Ave. & W. Stuth Pl.

North/South Alley between S. 74 St., S. 75 St., W. Becher St. & W. Grant St.

North/South Alley between S. 85 St., S. 86 St., W. Washington St. & W. Greenfield Ave.

North/South Alley between S. 73 St., S. 74 St., W. Washington St. & W. Madison St.

East/West Alley between S. 72 St., S. 73 St., W. Madison St. & W. Greenfield Ave.

East/West Alley between S. 105 St., S. 106 St., W. Oklahoma Ave. & W. Euclid Ave.

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 January 19, 2010.

J. ITEMS NOT REFERRED TO COMMITTEE

2. [2010-0037](#) Second Amended Summons and Complaint in the matter of Fox River State Bank vs. A.B. Petroleums, LLC, et al., regarding foreclosure of mortgage, Case No. 09-CV-16639.
3. [2010-0048](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000154.
4. [2010-0049](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000155.
5. [2010-0050](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000156.
6. [2010-0051](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman et al., regarding foreclosure of mortgage, Case No. 10CV000157.

7. [2010-0052](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000158.
8. [2010-0053](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000159.
9. [2010-0054](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000160.
10. [2010-0055](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000245.
11. [2010-0056](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, a/k/a Joseph A. Hoffman, a/k/a Joe A. Hoffman, a/k/a Joseph Hoffman, Jr., et al., regarding foreclosure of mortgage, Case No. 10CV000246.
12. [2010-0057](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, a/k/a Joseph A. Hoffman, a/k/a Joe A. Hoffman, a/k/a Joseph Hoffman, Jr., et al., regarding foreclosure of mortgage, Case No. 10CV000248.
13. [2010-0058](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000249.
14. [2010-0059](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000280.
15. [2010-0060](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000281.
16. [2010-0061](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000282.
17. [2010-0062](#) Summons and Complaint in the matter of Metro Capital Funding, LLC vs. Joseph Hoffman, et al., regarding foreclosure of mortgage, Case No. 10CV000283.
18. [2010-0075](#) Peter LaLonde communication regarding vehicle damage allegedly sustained on HWY 41/45(N) at Freistadt Rd. on October 22, 2009.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on January 26, 2010. (Ald. Sengstock excused).

19. [2009-0802](#) 2009-2011 Tavern Operator License application no. 11-416 of Tanya M. Mena.
Unanimously recommended to be approved.
20. [2010-0033](#) 2009-2011 Tavern Operator License application no. 11-423 of Hector E. Guillermo.
Unanimously recommended to be approved.
21. [2009-0658](#) Police Department Report regarding September 16, 2009 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with two (2) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1080 and Cigarette License no. 1081 of Dilneet Corporation, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave.).
Unanimously recommended to be placed on file.
22. [2009-0786](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2009-2010 Class B Tavern License no. 827, Dance Hall License no. 829 and Instrumental Music License no. 830 of Harry O's, Inc., Harry Strahlendorf, Agent, Incident Date: November 4, 2009).
Unanimously recommended to be placed on file.
23. [2009-0787](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2009-2010 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: November 10, 2009).
Unanimously recommended to be placed on file.
24. [2009-0788](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2009-2010 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC, Jacob M. Silber, Agent, Incident Date: October 25, 2009).
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

Previous Matters for Consideration

25. [2010-0042](#) Communication from Director of Public Works/City Engineer regarding purchasing an emergency generator for the 97th Street Water Reservoir.

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

26. [O-2010-0009](#) An Ordinance to Repeal and Recreate Section 1.12 of the West Allis Revised Municipal Code Relating to Hotel and Motel Room Tax.
Sponsors: Kurt E. Kopplin
27. [R-2010-0027](#) Resolution relative to accepting the proposal of Milwaukee 2-Way, Inc. for providing radio equipment maintenance services for a total net sum of \$17,725.97.
Sponsors: Administration & Finance Committee
28. [2010-0080](#) West Allis Police & Fire Commission letter supporting the West Allis Fire Department in response to unfavorable comments made by Milwaukee Fire Fighters Union President.
29. [2010-0089](#) Communication from the Downtown West Allis Business Improvement District requesting an amendment to their Fiscal Year 2010 Community Development Block Grant project application.
30. [2010-0079](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period October 1, 2009 through December 31, 2009.
31. [2010-0078](#) Communication from City Administrative Officer regarding request to fill a vacant Truck Driver position in the Sanitation and Street Division.
32. [2010-0088](#) Communication from City Administrative Officer regarding request to fill a Custodian III vacancy at the Public Library.

City Attorney Claim Report

33. [2007-0502](#) Summons & Complaint in the matter of Walgreen Co. vs. City of West Allis.
City Attorney recommended to be placed on file.
34. [2009-0803](#) Russell R. Jacobsen communication regarding vehicle damage allegedly sustained at 2190 South 60 Street on December 8, 2009.
City Attorney recommended to be paid and placed on file.

PUBLIC WORKS COMMITTEE**New Matters for Introduction**

35. [R-2010-0028](#) Resolution relative to accepting the proposal of Ayres Associates Inc. for methane and groundwater sampling at the Lincoln Avenue landfill site for an estimated sum of \$10,100.00.
Sponsors: Public Works Committee
36. [2010-0076](#) Communication from Director of Public Works/City Engineer regarding administrative charge for snow removal and grass cutting.
37. [2010-0066](#) Communication from Downtown West Allis Business Improvement District requesting to close Greenfield Avenue, and assistance with parking restrictions and signs for West Allis Ala Carte on Sunday, June 6, 2010.
38. [2010-0090](#) Communication from Director of Public Works/City Engineer regarding Downtown West Allis Improvement District's 2010 West Allis Ala Carte event.
39. [2010-0086](#) Communication from Director of Public Works/City Engineer on the appointment of Thomas Harmatys as the Assistant Director of Public Works.

Public Hearing Items (Public Works Committee)

40. [R-2010-0025](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the 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
41. [R-2010-0026](#) Final Resolution authorizing public improvement by removal and reconstruction of the concrete alley pavement, storm sewer, storm sewer relay and storm underdrain in various alleys in the City of West Allis and levying special assessments against benefited properties.
Sponsors: Public Works Committee

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

42. [O-2010-0008](#) An Ordinance to Create Subsection 12.16(13)(e) of the West Allis Revised Municipal Code Relating to Grounds for Termination of a Special Use.
Sponsors: Safety & Development Committee
43. [R-2010-0024](#) Resolution declaring West Allis Ala Carte scheduled for June 6, 2010 between Noon and 6:00 p.m. as a Community Event.
Sponsors: Safety & Development Committee
44. [R-2010-0029](#) Resolution authorizing the Director of Development to enter into a Lease Agreement for the placement of temporary banner(s) on the former Pressed Steel Tank smoke stack located at 14** S. Six Points Crossing.
Sponsors: Safety & Development Committee
45. [R-2010-0030](#) Resolution amending a Purchase and Sale Agreement and Development Agreement between the Community Development Authority of the City of West Allis and West Allis Development, LLC, for properties within the Six Points/Farmers Market Redevelopment Area specifically along the north side of W. Greenfield Ave. between S. 63 St. and S. 64 St.
Sponsors: Safety & Development Committee
46. [2010-0069](#) Communication from City of New Berlin's Department of Community Development informing the City of West Allis of their 2020 Comprehensive Plan along with two amendments for their Plan Commission Public Hearing in New Berlin on March 1, 2010.
47. [2010-0073](#) Communication from City of Brookfield's Department of Community Development informing the City of West Allis of their 2035 Comprehensive Plan adopted by their Common Council on December 1, 2009.

Previous Matters for Consideration

48. [R-2010-0017](#) Resolution to impose a moratorium on stores that sell tobacco or openly display, sell or make available for sale instruments used for inhaling tobacco, or that sell sex or marital aides.
Sponsors: Martin J. Weigel

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

49. [O-2010-0007](#) An Ordinance to Create Section 9.02(3m)(c)(1) and 9.02(3m)(c)(1)(a) of the West Allis Revised Municipal Code Relating to Class C Licenses.
Sponsors: License & Health Committee
50. [2010-0074](#) Mega Marts, LLC communication regarding notice of change of liquor agent at the Pick 'n Save #6846 located at 2625 S. 108 St. (2009-2010 Combination Class A Liquor License no. 1087).
51. [2010-0067](#) 2009-2010 Class B Tavern Special Event Permit application no. 9 of OAR, LLC, Michael O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 838, Dance Hall License no. 840, and Instrumental Music License no. 841) for a St. Patrick's Day Party to be held March 17, 2010 from 10:00 a.m.-11:00 p.m. (Tents outside back door and side of building).
52. [2010-0064](#) 2009-2010 Amusement Distributor's License application.
53. [2010-0063](#) 2009-2010 and 2009-2011 Tavern Operator License applications.
54. [2010-0071](#) 2009-2010 Tavern Operator License application no. 10-421 of Adam P. Nelson.
55. [2010-0072](#) 2009-2011 Tavern Operator License application no. 11-429 of Kathleen M. Bump.

ADVISORY COMMITTEE

New Matters for Introduction

56. [2010-0065](#) Chief of Police communication requesting permission to destroy certain records.
57. [2010-0077](#) Legislative Committee minutes for January 26, 2010.
58. [2010-0081](#) Reappointment by Mayor Devine of Terry Kelly as a member of the West Allis Commission on Aging, her three-year term to expire November 1, 2012.
59. [2010-0082](#) Reappointment by Mayor Devine of Kathleen Wiedel as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2011.
60. [2010-0084](#) Reappointments by Mayor Devine to the West Allis Board of Health, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, of Frank Bialek, Linda Grulke, and Diane Strack, their two-year terms to expire January 1, 2012.

61. [2010-0085](#) Reappointment by Mayor Devine of Devan Gracyalny as a member of the Historical Commission of the City of West Allis, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his five-year term to expire December 31, 2014.
62. [2010-0087](#) 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, 2012.
63. [2010-0083](#) Reappointments by Mayor Devine to the West Allis Board of Health of Ald. Rosalie Reinke and Ald. Dan Roadt, their two-year terms to expire January 1, 2012.

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.