



City of West Allis

Meeting Minutes

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

The meeting was called to order by Mayor Devine at 7:00 p.m.

B. ROLL CALL

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Weigel.

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

Explanation by Peter Daniels, Principal Engineer.

The Clerk's Office received one (1) letter with concerns of using asphalt for the repairs.

Appearances:

William Vogel, 1001 S. 61 St., said that he doesn't use the alley, and described past problems associated with garage approaches. He commented on changes in elevation of the alley, and the possibility of garages taking on water.

Alan and Kathy Staut, 1205 S. 85 St., addressed how the asphalt from a past project deteriorated quickly, and they submitted a petition signed by twenty (20) neighbors who opposed a new alley. They stated that the alley is a dead end alley, and only a few use it.

David Hamilton, 3128 S. 106 St., said the alley doesn't run all the way through. He described his 1998 plans for his garage to face the alley, and they were denied. He said he was informed the alley was meant for the apartments, and the alley is of no use to him.

Kristi Bonaparte, 2124 S. 59 St., said that the alley does not need to be improved. She commented that this would be the third year of dealing with construction in the area. She

addressed her concerns with regard to water in her basement.

Vivian Demos, 2156-58 S. 59 St., commented on the amount of construction in her area, and addressed her concerns relative to the taking of three to four feet which would almost end up at the foundation of her house. She addressed her concerns about the potential for foundation damage, and asked about the time frame for the project.

Larry Seese, 2129 S. 74 St., said that he does not have a garage, and his house is three feet from the alley. He stated his concerns about possible damage to his house. He said that he does not use the alley, and asked why he has to pay for it.

Gary Schlipp, 974 S. 62 St., said that he does not use the alley, and commented on the amount charged to a corner lot. He stated that his neighbors don't care about the alley, the snowplows dig it up, and asked why pay to fix it.

David Knight, 2075-2109 S. 55 St. and 2074-2116 S. 56 St., asked about cost relative to approaches. He requested a map and description for the area effected by the project, and asked if there is a payment plan available for commercial properties.

David Dahlman, 5726 W. Rogers, asked for clarification on the percentage of payment for the long and short sides of the lot.

Judi Holter, 1028 S. 62 St., asked about the rates.

Brian Williams, 2036 S. 56 St., asked if he could park his boat on the street.

Ron O'Connor, 2140 S. 75 St., asked if a sewer analysis was done, and inquired about drainage, the reason for the project, and the process for bids.

E. CITIZEN PARTICIPATION

Peter Rohde, Union President, 2055 S. 103 Ct., commented on the letter from the West Allis Police and Fire Commission, and responded to David Seager's comments recently made on a radio program.

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. MISCELLANEOUS BUSINESS

Mayor's Report

Mayor Devine announced CAAD's Winter Fest to be held at Nathan Hale High School on February 6th, and said that the West Allis / West Milwaukee Chamber of Commerce will be having their annual dinner and award ceremony on February 19th recognizing their citizen and business of the year.

Alderpersons Comments

Ald. Barczak responded to David Seager's comments recently made on a radio program.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

19. [2009-0802](#) 2009-2011 Tavern Operator License application no. 11-416 of Tanya M. Mena.
20. [2010-0033](#) 2009-2011 Tavern Operator License application no. 11-423 of Hector E. Guillermo.

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.).
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).
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).
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).

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:38 p.m. Upon returning from recess at 8:12 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

M. NEW AND PREVIOUS MATTERS**ADMINISTRATION & FINANCE COMMITTEE**

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

Attachments: [COMM-Emergency Generator 1-19-10.pdf](#)

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:* 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.
- Attachments:* [WA PFC letter supporting WAFD.012510.pdf](#)
[2010-0080.pdf](#)
[2010-0080.Rohde ltr.pdf](#)
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.
- Attachments:* [MCCAccidRpt.Qtr4 2009.pdf](#)
31. [2010-0078](#) Communication from City Administrative Officer regarding request to fill a vacant Truck Driver position in the Sanitation and Street Division.
- Attachments:* [VACPOSREQ.TrkDrvr SS 020110.pdf](#)
32. [2010-0088](#) Communication from City Administrative Officer regarding request to fill a Custodian III vacancy at the Public Library.
- Attachments:* [VACPOSREQ.Cust3 Lib 020210.pdf](#)

City Attorney Claim Report

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

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

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

Attachments: [ayres-lincoln landfill 2010.pdf](#)

36. [2010-0076](#) Communication from Director of Public Works/City Engineer regarding administrative charge for snow removal and grass cutting.

Attachments: [COMM-Administrative charge for snow removal and grass cutting.pdf](#)

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.

Attachments: [2010-0066.pdf](#)

38. [2010-0090](#) Communication from Director of Public Works/City Engineer regarding Downtown West Allis Improvement District's 2010 West Allis Ala Carte event.

Attachments: [COMM-Ala Cart Communication information.pdf](#)

39. [2010-0086](#) Communication from Director of Public Works/City Engineer on the appointment of Thomas Harmatys as the Assistant Director of Public Works.

Attachments: [COMM-Tom Harmatys appointment.pdf](#)

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

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

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
- Attachments:* [ATTO-Create Subsec12.16\(13\)\(e\)-Termination Spec Use.rtf](#)
- Held in Safety & Development Committee during recess.*
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.
- Attachments:* [2010-0069.pdf](#)
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.
- Attachments:* [2010-0073.pdf](#)
48. [R-2010-0017](#) Resolution to impose a moratorium in the C-1, Downtown Central Business District, on tobacco stores that openly display, make available for sale instruments used for inhaling tobacco, that sell sex or marital aides.
- Sponsors:* Ald. Weigel

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

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).

Attachments: [2010-0074.pdf](#)

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.-10:00 p.m. (Tents outside back door and side of building).

Outdoor event ending at 10:00 p.m.

52. [2010-0064](#) 2009-2010 Amusement Distributor's License application.

License application no. 1626 granted.

53. [2010-0063](#) 2009-2010 and 2009-2011 Tavern Operator License applications.

*2009-2010 license application nos. 422-423 granted and
2009-2011 license application nos. 428, 430-431 granted.*

54. [2010-0071](#) 2009-2010 Tavern Operator License application no. 10-421 of Adam P. Nelson.

Held in License & Health Committee during recess.

55. [2010-0072](#) 2009-2011 Tavern Operator License application no. 11-429 of Kathleen M. Bump.

Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

ADVISORY COMMITTEE

56. [2010-0065](#) Chief of Police communication requesting permission to destroy certain records.

Attachments: [2010-0065.pdf](#)

57. [2010-0077](#) Legislative Committee minutes for January 26, 2010.

Attachments: [LEG CMTE MINS 012610.pdf](#)

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.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

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.

Aye: 8 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Sengstock, Vitale, and Weigel

No: 0

Present: 2 - Reinke, and Roadt

N. OTHER MATTERS RELATING TO THE AFFAIRS AND GOVERNMENT OF THE CITY WHICH MAY PROPERLY BE BROUGHT BEFORE THE COMMON COUNCIL

None.

O. ADJOURNMENT

to adjourn at 8:20 p.m., with the next regularly scheduled meeting to be held on February 16, 2010, 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.