



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair

*Alderspersons: Suzzette Grisham, Kimberlee Grob, Kevin Haass,
Chad Halvorsen, Danna Kuehn, Patty Novak, Marissa Nowling,
Daniel J. Roadt, Ray Turner and Martin J. Weigel*

Tuesday, May 7, 2024

7:00 PM

City Hall, Common Council Chambers
7525 W. Greenfield Ave.

REGULAR MEETING

A. CALL TO ORDER

Mayor Devine called the meeting to order at 7:00 p.m.

B. ROLL CALL

Present 11 - Mayor Devine, Ald. Grisham, Ald. Grob, Ald. Haass, Ald. Halvorsen, Ald. Kuehn, Ald. Novak, Ald. Nowling, Ald. Roadt, Ald. Turner, Ald. Weigel

C. PLEDGE OF ALLEGIANCE

Led by Ald. Haass.

D. PRESENTATIONS

1. [2024-0267](#) Presentation by EPA consultants regarding lead service laterals.
Nick Cohen, Senior Environmental Planner - Horsley Witten Group, presented.
Discussion Purpose Only
2. [2024-0226](#) Update from Assessor's Office on 2024 Citywide revaluation.
City Assessor Williams presented.
Discussion Purpose Only

E. PUBLIC HEARINGS

3. [O-2024-0012](#) Ordinance to amend zoning code to prohibit the retail sale of dogs, cats and rabbits.
Sponsors: Alderperson Kuehn and Alderperson Grisham
Manager of Planning & Zoning Schaer presented.
Molly Weinfurter, 1105 S. 117th St., and Donna Strow, 11129 W. National Ave., spoke.

4. [R-2024-0221](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of various streets by concrete reconstruction.

Sponsors: Public Works Committee

City Engineer Dejewski and Assistant City Engineer Hutter presented.

Dennis Pomeroy, 1202 S. 118th St., and Tracy Schley, 11729 W. Madison St., spoke.

Adopt

5. [2024-0200](#) Conditional Use Permit for Tsunami Express Carwash, a proposed Car Wash with accessory drive-through service, at 10928 W. Oklahoma Ave.

Manager of Planning & Zoning Schaer presented.

6. [2024-0230](#) Conditional Use Permit for Panera Bread, a proposed restaurant, at 3020 S. 108th St.

Manager of Planning & Zoning Schaer presented.

7. [2024-0241](#) Special Event Permit and Zoning exception request for Novak Manor, a proposed temporary event space, located at 9730 W. Montana Ave.

Manager of Planning & Zoning Schaer presented.

The following individuals spoke regarding Novak Manor:

Dylan Krivoshein, 9705 W. Montana Ave.

Gary Fleischman, 9704 W. Montana Ave.

Mary Trudell, 9800 W. Montana Ave.

Tracy Stefanski, 1982 S. 75th St.

Jamie Donald, 1423 Greenway Ter., Waukesha.

AmyRose Murphy, 1520 S. 76th St.

F. PUBLIC PARTICIPATION

The Common Council may receive information from members of the public during this 30-minute period. Each speaker must announce to the council his or her name and address, sign in at the podium, and limit comments to one statement of no more than 5 minutes. The council cannot take action on topics raised by speakers and will not discuss topics with speakers.

Wendy Neuok, 1601 S. 100th St. asked the Council to consider allowing residents to have chickens.

AmyRose Murphy, 1520 S. 76th St. spoke about the pumps at the reservoir.

G. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

Mayor Devine announced that the following Standing Committees would meet during recess: Administration, Economic Development, Public Safety and Public Works.

H. MAYOR'S REPORT

Mayor Devine mentioned on April 26th, himself and Ald. Halvorsen and Nowling visited Jefferson Elementary to celebrate Arbor Day. He also mentioned it is National Nurses Week and Teacher Appreciation week.

I. ALDERPERSONS' REPORT

Ald. Halvorsen encouraged people to attend the 40th anniversary of the Suburban Singers Community Choir on Friday, May 10th at Dottke High School.
Ald. Nowling reminded people to sign up for alerts through the City website.

J. APPROVAL OF MINUTES

8. [2024-0252](#) April 23, 2024 Common Council Minutes.

Ald. Haass moved to approve, Ald. Grisham seconded, motion carried.

K. STANDING COMMITTEE REPORTS

None.

L. ITEMS NOT REFERRED TO COMMITTEE (CONSENT AGENDA)**Passed The Block Vote**

Ald. Haass moved to approve the Consent Agenda, items #9 - #39, motion carried by roll call vote:

Aye: 10 - Ald. Grisham, Ald. Grob, Ald. Haass, Ald. Halvorsen, Ald. Kuehn, Ald. Novak, Ald. Nowling, Ald. Roadt, Ald. Turner, Ald. Weigel

No: 0

9. [2024-0249](#) Change of Agent for a Class B Tavern License for Applebee's Neighborhood Grill + Bar at 2865 S. 108th St. New Agent: David Oestreich.
Granted
10. [2024-0255](#) Claim by NewRez LLC d/b/a Shellpoint Mortgage Servicing vs. Connie M. Vianes, et al. regarding a foreclosure of mortgage (2023CV009240) for property at 2902 S. 124th St.
Referred to City Attorney
11. [2024-0270](#) Claim by Larry Heacox regarding alleged property damage at S. 61st St. and W. Washington St. on November 24th, 2023.
Referred to City Attorney
12. [2023-0509](#) Claim by Paula John for alleged property damage at the 2200 block of S. 77th St. on July 26, 2023.
Placed on File
13. [2024-0048](#) Claim by James Matthias for alleged property damage at 77th St. and Rogers St., on January 13, 2024.
Placed on File
14. [2023-0540](#) Claim by Alexis Rutishauser for alleged damage on August 11, 2023 in Handicap Parking - Lot C - Wisconsin State Fair.
Referred to City Attorney

15. [2023-0583](#) Claim by Yvonne Stewart for alleged vehicle damage on May 23, 2023, on W. National Ave. in West Allis.
Referred to City Attorney
16. [2023-0552](#) Claim by Becky and Salvatore Sivilotti for alleged citation error at 1417 S. 86th St. on August 5, 2023.
Referred to City Attorney
17. [2019-0136](#) Summons and Complaint in the matter of Wells Fargo Bank, N.A., vs Brian T. Williams, et al, regarding foreclosure of mortgage, Case No. 2019CV001026.
Placed on File
18. [2024-0089](#) Claim by State Farm Insurance on behalf of Sarah Afridi regarding alleged property damage on March 3, 2023.
Referred to City Attorney
19. [2024-0091](#) Claim by Christian Boughter regarding alleged property damage at S. 62nd St. and W. Washington St. on November 24, 2023.
Referred to City Attorney
20. [2024-0151](#) Claim by Richard Horvath for alleged property damage at 10315 W. Greenfield Ave. on August 9, 2023.
Referred to City Attorney
21. [2024-0054](#) Claim by Raistlin Jacobs for alleged property damage at 1653 S. 62nd St., on January 12, 2024.
Referred to City Attorney
22. [2023-0731](#) Claim by Matt Keup regarding alleged property damage at 1643 S. 63rd St. on October 26th, 2023.
Referred to City Attorney
23. [2023-0665](#) Claim by Isaiah McVey regarding alleged property damage on 61st St. on August 18, 2023.
Referred to City Attorney
24. [2023-0708](#) Claim by Isaiah McVey for alleged injuries on KK Parkway on August 18, 2023.
Referred to City Attorney
25. [2024-0142](#) Claim by Daniel Sheehan for alleged property damage at the 1028 S. 61st St. on February 28, 2024.
Referred to City Attorney
26. [2024-0118](#) Claim by Douglas & Jean Stephany for alleged property damage at 1330 S. 113th St., on January 12, 2024.
Referred to City Attorney

27. [2023-0700](#) Claim by Mary Thomas regarding alleged personal injury on 9218 W. Lincoln Ave. on September 9, 2023.
Referred to City Attorney
28. [2024-0274](#) Claim by Robert Guilliani regarding alleged property damage on 75th and Beloit Ave. on January 23, 2024.
Referred to City Attorney
29. [2024-0258](#) Temporary Extension of a Class B Permit request for Broken Starr, hosting a one-day event on June 15, 2024 from 2 p.m. - 10 p.m., to be held at 1100 S. 60th St. Applicant: John Starr.
Granted
30. [2024-0254](#) Re-appointments by Mayor Devine of Paul Budiac & William Johnson to the Board of Appeals for a 3-year term to expire May 7, 2027.
Approved
31. [2024-0259](#) Re-appointments by Mayor Devine of Ald. Weigel and Ald. Kuehn to the Community Development Authority for a 4-year term to expire May 7, 2028.
Approved
32. [2024-0272](#) Re-appointment by Mayor Devine of John Stibal to the Fair Housing Board for a three-year term to expire May 7, 2027.
Approved
33. [2024-0275](#) Appointment by Mayor Devine of Ald. Weigel to the West Allis Administrative Appeals Review Board for a 2-year term to expire on May 7, 2026.
Approved
34. [2024-0278](#) Appointments by Mayor Devine of Holly Schmidtke, Ray Turner, Barb Janusiak, Linda Grulke and Jessica Katzenmeyer to the Southwest Suburban Board of Health with a term to expire on May 7, 2026.
Approved
35. [2024-0261](#) Temporary Public Entertainment Premises Permit request for Downtown West Allis, Inc., hosting a one-day event (A La Carte) on June 2, 2024 from 11 a.m. - 5 p.m., to be held on Greenfield Ave. between 70th and 76th St. Applicant: Dianne Eineichner.
Granted
36. [2024-0273](#) Temporary Public Entertainment Premises Permit request for Downtown West Allis, Inc., hosting a one-day event (Classic Car Show) on October 6, 2024 from 9 a.m. - 4 p.m., to be held on Greenfield Ave. between 70th and 76th St. Applicant: Dianne Eineichner.
Granted

37. [2024-0271](#) Finance Director/Comptroller submitting report for April 2024 indicating City of West Allis checks issued in the amount of \$3,448,534.70.
Placed on File
38. [R-2024-0223](#) Resolution declaring several community events.
Adopted
39. [R-2024-0226](#) Resolution declaring the West Allis Downtown “Say Cheese! Crawl” scheduled for Wednesday, July 31st, 2024 and “Fall Soup Crawl” on Saturday, November 2nd, 2024 as Community Events.
Adopted

M. COMMON COUNCIL RECESS

Ald. Haass moved that the Council recess until completion of the Standing Committee meetings, Ald. Grisham seconded, motion carried.

The Council recessed at 9:19 p.m. and returned at 10:24 p.m.

N. NEW AND PREVIOUS MATTERS

ADMINISTRATION COMMITTEE

Committee convened at 9:53 p.m.

Passed The Block Vote

Ald. Weigel moved to approve items #40 - #41, motion carried by roll call vote:

Aye: 10 - Ald. Grisham, Ald. Grob, Ald. Haass, Ald. Halvorsen, Ald. Kuehn, Ald. Novak, Ald. Nowling, Ald. Roadt, Ald. Turner, Ald. Weigel

No: 0

40. [R-2024-0220](#) Resolution to approve a PILOT agreement between the City and Rogers Memorial Hospital for property located at 2424 S. 102nd St.
Committee Action:
Ald. Novak moved to adopt, Ald. Grob seconded, motion carried.
Council Action: Adopted

41. [2023-0508](#) Claim by Deon Duke for alleged physical injury at S. 75th and Lincoln Ave. on June 2, 2023.

Ald. Kuehn moved to convene into Closed Session at 9:54 p.m., Ald. Nowling seconded, motion carried by roll call vote:

Aye: 5 - Kuehn, Nowling, Weigel, Grob and Novak

No: 0

Ald. Kuehn moved to re-convene into Open Session at 10:21 p.m., Nowling seconded, motion carried by roll call vote:

Aye: 5 - Kuehn, Nowling, Weigel, Grob and Novak

No: 0

Committee Action: Refer to City Attorney

Ald. Grob moved to adjourn at 10:21 p.m., Ald. Novak seconded, motion carried.

Council Action: Referred to City Attorney

PUBLIC WORKS COMMITTEE

Committee convened at 9:23 p.m.

Passed The Block Vote

Ald. Roadt moved to approve items #42 - #46, motion carried by roll call vote:

42. [O-2024-0016](#) Ordinance to exclude community-based residential facilities and adult family homes from city refuse and recycling collection.

Sponsors: Alderperson Haass

Committee Action:

Ald. Haass moved to pass, Ald. Grisham seconded, motion carried.

Council Action: Passed

43. [R-2024-0230](#) Resolution to approve bid of LaLonde Contractors, Inc. for Street Construction in W. Walker St. from S. 60th St. to S. 56th St. in the City of West Allis in the amount of \$777,170.47.

Sponsors: Public Works Committee

Committee Action:

Ald. Grisham moved to adopt, Ald. Haass seconded, motion carried.

Council Action: Adopted

44. [R-2024-0227](#) Resolution on the Vacation and discontinuance of part of an alley located north of W. Hicks St. between S. 73 St. and S. 74 St.

Committee Action:

Ald. Grisham moved to adopt, Ald. Turner seconded, motion carried.

Council Action: Adopted

45. [R-2024-0221](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of various streets by concrete reconstruction.

Sponsors: Public Works Committee

Committee Action:

Ald. Grisham moved to adopt, Ald. Turner seconded, motion carried.

Council Action: Adopted

46. [R-2024-0222](#) Final Resolution authorizing public improvement concrete construction, concrete reconstruction and/or asphalt resurfacing in various locations and levying special assessments against benefited properties.

Sponsors: Public Works Committee

Committee Action:

Ald. Grisham moved to adopt, Ald. Halvorsen seconded, motion carried.

Ald. Grisham moved to adjourn at 9:33 p.m., Ald. Haass seconded, motion carried.

Council Action: Adopted

ECONOMIC DEVELOPMENT COMMITTEE

Committee convened at 9:23 p.m.

54. [2024-0241](#) Special Event Permit and Zoning exception request for Novak Manor, a proposed temporary event space, located at 9730 W. Montana Ave.

Committee Action:

Ald. Weigel moved to approve, Ald. Nowling seconded, motion carried with Ald. Novak abstaining.

Council Action: Approved with the following roll call vote:

Aye: 9 - Ald. Grisham, Ald. Haass, Ald. Halvorsen, Ald. Kuehn, Ald. Grob, Ald. Nowling, Ald. Roadt, Ald. Turner and Ald. Weigel

Abstain: 1 - Ald. Novak

Passed The Block Vote

Ald. Kuehn moved to approve items #47 - #53, motion carried by roll call vote:

Aye: 10 - Ald. Grisham, Ald. Grob, Ald. Haass, Ald. Halvorsen, Ald. Kuehn, Ald. Novak, Ald. Nowling, Ald. Roadt, Ald. Turner, Ald. Weigel

No: 0

47. [R-2024-0228](#) Resolution amending the boundaries of the Conrad Gardens Neighborhood Association.

Committee Action:

Ald. Nowling moved to refer to Committee of the Whole, Ald. Weigel seconded, motion carried.

Council Action: Referred to Committee of the Whole

48. [R-2024-0229](#) Resolution to amend the loan terms of an existing Economic Development Loan with Lula Mae Aesthetic Boutique, LLC.

Committee Action:

Ald. Weigel moved to adopt, Ald. Nowling seconded, motion carried.

Council Action: Adopted

49. [2024-0244](#) New Class B Tavern and Public Entertainment Licenses for Bourbon Bar and Grilled, d/b/a Bourbon Bar And Grilled, 6300 W. Lincoln Ave. Agent: Manuel Godoy Gonzalez. (ALC-24-4)

Committee Action:

Ald. Nowling moved to hold until May 21, 2024 Council meeting, Ald. Novak seconded, motion carried.

Council Action: Held until May 21, 2024

50. [2024-0266](#) Class B Tavern Seasonal Temporary Premise Extension request for Nico's Pizza, 9638 W. National Ave., from May 1st, 2024 through September 29th, 2024. (TEMP-24-7)

Committee Action:

Ald. Weigel moved to grant with the condition of outdoor music limited to only Memorial Day through Labor Day, Ald. Grob seconded, motion carried.

Council Action: Grant

Public Hearing Items (Economic Development Committee)

51. [O-2024-0012](#) Ordinance to amend zoning code to prohibit the retail sale of dogs, cats and rabbits.

Sponsors: Alderperson Kuehn and Alderperson Grisham

Committee Action:

Ald. Nowling moved to pass, Ald. Grob seconded, motion carried.

Council Action:

Passed

52. [2024-0200](#) Conditional Use Permit for Tsunami Express Carwash, a proposed Car Wash with accessory drive-through service, at 10928 W. Oklahoma Ave.

Committee Action:

Ald. Weigel moved to approve, Ald. Grob seconded, motion carried.

Council Action:

Approved

53. [2024-0230](#) Conditional Use Permit for Panera Bread, a proposed restaurant, at 3020 S. 108th St.

Committee Action:

Ald. Nowling moved to approve, Ald. Grob seconded, motion carried.

Ald. Weigel moved to adjourn at 9:52 p.m., Ald. Nowling seconded, motion carried.

Council Action:

Approved

PUBLIC SAFETY COMMITTEE

Committee convened at 9:33 p.m.

Passed The Block Vote

Ald. Grisham moved to approve items #55 - #60, motion carried by roll call vote:

Aye: 10 - Ald. Grisham, Ald. Grob, Ald. Haass, Ald. Halvorsen, Ald. Kuehn, Ald. Novak, Ald. Nowling, Ald. Roadt, Ald. Turner, Ald. Weigel

No: 0

55. [2024-0276](#) Appointment by Mayor Devine of Sagar Tolani to the West Allis Police & Fire Commission with a term to expire on May 1, 2025.

Committee Action:

Ald. Haass moved to approve, Ald. Turner seconded, motion carried.

Council Action: Approved

56. [2024-0162](#) New Operator's License (Bartender/Class D Operator) application for Rosie Lopez. (BART-1069)

Committee Action:

Ald. Haass moved to deny due to non-appearance and record, Ald. Turner seconded, motion carried.

Council Action: Denied

57. [2024-0234](#) New Operator's License (Bartender/Class D Operator) application for Kyle Mullins. (BART-1105)

Committee Action:

Ald. Haass moved to grant, Ald. Halvorsen seconded. Motion carried.

Council Action: Granted

58. [2024-0235](#) New Operator's License (Bartender/Class D Operator) application for Gabriella Jacobs. (BART-1098)

Committee Action:

Ald. Halvorsen moved to grant, Ald. Turner seconded. Motion carried.

Council Action: Granted

59. [2024-0245](#) New Operator's License (Bartender/Class D Operator) application for Taylor Mitsche. (BART-1114)

Committee Action:

Ald. Roadt moved to deny due to non-appearance and record, Ald. Halvorsen seconded, motion carried.

Council Action: Denied

60. [2024-0251](#) New Operator's License (Bartender/Class D Operator) application for Alexis Mesa. (BART-1125)

Committee Action:

Ald. Haass moved to deny due to non-appearance and record, Ald. Halvorsen seconded, motion carried.

Ald. Grisham moved to adjourn at 9:33 p.m., Ald. Haass seconded, motion carried.

Council Action: Denied

O. ADJOURNMENT

Ald. Haass moved to adjourn at 10:28 p.m., Ald. Grisham seconded, motion carried.

Next scheduled meeting is May 21, 2024 at 7:00 p.m.



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.