



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, September 15, 2009

7:16 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:16 p.m.

B. ROLL CALL

Present 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

Excused 1 - Sengstock

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Barczak.

D. PUBLIC HEARINGS

1. [2009-0623](#) Special Use Permit to establish a church and educational facility, d/b/a Desatar Ministries within the existing building located at 2213 S. 54 St.

Explanation by Steve Schaer, Planning and Zoning Manager.

The Clerk's office received two letters with concerns relative to the Special Use Permit.

Appearances: Robert Braun, 2160 S. 86 St., addressed concerns regarding rules for starting up a church.

E. CITIZEN PARTICIPATION

Scott Williams, 2523 S. 93 St., addressed a letter he received regarding a flood damage grant. He commented on his application, contractor estimates, action based on promised assistance, and possible nullification of his eligibility. He requested intervention before the grant is taken away from him.

Carl Knight, 2867 S. 96 St., protested the adult material at Family Video, and asked for accountability.

Violet Braun, 2160 S. 86 St., read a Proclamation from Joyce Radtke relative to strong values, public morality standards and Pornographic Awareness Week.

Mike Duvall, 5614 W. Mitchell, addressed using flood money to help taxpayers before the redevelopment project across from State Fair. He requested reassessment of the property. He commented on pumping into the sewer system, and slowing the water down that enters the system. He asked about relief for homeowners.

Patricia Brady, 10050 W. Beloit Rd., addressed the Family Video Store, and the possible

violation of an agreement. She described her experience at the store, read a letter, and addressed harmful influences.

Robert Braun, 2160 S. 86 St., described a meeting from 2003 where it was agreed the adult video section of Family Video would not be opened. He asked if local government would enforce the agreement. He commented on the location of restrooms in the store, and addressed access for children. He said that more churches are needed.

Tom Pellokey, 12915 E. Brook Pl., quoted the bible in reference to Family Video.

Joseph Kogelmann, 8105 W. Appleton Ave., addressed right and wrong, and requested enforcement of the agreement with Family Video.

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 the next West Allis Police Department Neighborhood Meeting scheduled for the 16th. He addressed the Arts a'Fair event, and the Youth Commission starting up again.

Alderspersons Comments

Ald. Reinke described the ceremony for property beautification, and commended those that take pride in their community and honor the city.

Ald. Roadt commented on TIF districts.

Ald. Lajsic addressed remarks regarding TIF Districts. He commented on the current state of the tax base, beautiful development projects, elimination of blight, creation of jobs, TIF payoffs, high bond rating, and said he will continue to support these efforts.

Ald. Weigel announced the public hearing for the Hank Aaron State Trail.

Ald. Vitale concurred with Ald. Lajsic and the redevelopment of the City.

Ald. Barczak stated that he looks forward to resolutions and solutions.

H. AGENDA APPROVAL

that the agenda with item #9 as a joint referral to include Administration and Finance Committee be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of September 1, 2009

J. ITEMS NOT REFERRED TO COMMITTEE

- 2. [2009-0584](#) Kathy Peters communication regarding property damage allegedly sustained at 1526 S. 92 Street on June 18, 2009.
- 3. [2009-0619](#) Alexandra Hodermann communication regarding property damage allegedly sustained at 814 S. 98 Street on June 18-19, 2009.
- 4. [2009-0620](#) Latitude Subrogation Services, LLC communication submitted on behalf of J & B Construction Co. Inc. regarding vehicle damage allegedly sustained at 2100 block of S. 97 Street on July 29, 2009.

Passed The Block Vote

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 8:10 p.m. Upon returning from recess at 8:40 p.m., and the roll call being taken, there were:

- Present** 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel
- Excused** 1 - Sengstock

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

- 5. [R-2009-0201](#) Resolution allocating Homeless Prevention and Rapid Re-Housing Recovery Funds to the Community Development Authority of the City of West Allis to perform housing related activities.

Sponsors: Administration & Finance Committee

6. [2009-0604](#) Milwaukee Ductile Iron, Inc. Plant, a subsidiary of Metal Technologies, Inc., communications regarding notification of permanent terminations relative to their work site at 1706 S. 68 Street.

Attachments: [Milwaukee Ductile comm. #1.pdf](#)

[Milwaukee Ductile comm. #2.pdf](#)

7. [2009-0621](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Internal Financial Reports as of September 8, 2009.

8. [R-2009-0190](#) Resolution approving the Summary of Negotiated Settlement between the City of West Allis and the West Allis Professional Fire Fighters' Association, Local 1004, for 2011.

Sponsors: Administration & Finance Committee

Attachments: [SNS.Fire 2011.pdf](#)

Passed The Block Vote

Aye: 9 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

9. [R-2009-0204](#) Resolution relative to accepting the proposal from Istate Truck Center for furnishing and delivering two (2) new 2005 American Lafrance Condor truck chassis at a cost of \$68,000 each.

Sponsors: Public Works Committee

10. [R-2009-0207](#) Resolution amending previously approved Relocation Order dated November 11, 2008, Pursuant to Secs. 62.22 and 32.05(1) of the Wisconsin Statutes, for the Laying Out, Relocation and Improvement of S. 60th Street (West Lincoln Avenue to the North Corporate Limits) and W. Greenfield Avenue (South 60 Street to South 62 Street).

Sponsors: Public Works Committee

Attachments: [RES-60 St. Relocation Order 9-10-09.pdf](#)

[Relocation Order.pdf](#)

11. [R-2009-0205](#) Resolution authorizing and directing the City Engineer to pay for services related to sanitary sewer lateral repairs at 2981 South 90th Street in the amount of \$332.64.

Sponsors: Public Works Committee

Attachments: [RES-Lateral Repairs-2981 S. 90 St. Invoice.pdf](#)

12. [R-2009-0206](#) Resolution to approve bid of Cornerstone Pavers, LLC for concrete patching, asphalt patching, manhole adjustments and catch basin repairs in various locations within the City of West Allis, in the amount of \$325,296.60.

Sponsors: Public Works Committee

Attachments: [2009-15 Bid Result.pdf](#)

13. [2009-0617](#) Communication from City Engineer Regarding 2010 Capital Improvement Program.

Attachments: [Capital Projects - 2010.pdf](#)
[Comm-2010 Capital Improvement.pdf](#)
[2010cip.pdf](#)

14. [2009-0622](#) Communication from City Engineer regarding 2010 Special Assessment Rates.

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

15. [R-2009-0200](#) Resolution approving boundaries and the Redevelopment Plan for the proposed 84th and Greenfield Redevelopment Project Area located in the vicinity of S. 84 St. and W. Greenfield Ave. and declaring such area to be a blighted area in need of a redevelopment project.

Sponsors: Safety & Development Committee

Attachments: [Dev-R-566-9-15-09-TIF 11 Exhibit A.doc](#)

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

No: 1 - Roadt

16. [R-2009-0202](#) Resolution to create Tax Incremental District Number Eleven, City of West Allis, Wisconsin, and describe the boundaries thereof, pursuant to Section 66.1105(4)(gm) of the Wisconsin Statutes.

Sponsors: Safety & Development Committee

Held in Safety & Development Committee during recess.

17. [R-2009-0203](#) Resolution approving the Project Plan for Tax Incremental District Number Eleven, City of West Allis, Wisconsin.

Sponsors: Safety & Development Committee

Held in Safety & Development Committee during recess.

18. [2009-0602](#) Communication from the Planning Manager relative to the Plan Commission's favorable recommendation of the Project Plan for Tax Incremental District Number Eleven.

Attachments: [SSchaer comm #11.pdf](#)

Held in Safety & Development Committee during recess.

19. [2009-0603](#) Communication from the Director of Development relative to the Community Development Authority's favorable recommendation of the Project Plan for Tax Incremental District Number Eleven.

Attachments: [JStibal comm #11.pdf](#)

Held in Safety & Development Committee during recess.

20. [2009-0582](#) Communication from Robert Braun requesting consideration to revoke the operating license of Family Video Store #355 located at 1715 S. 76 Street.

Attachments: [Communication relative to Family Video Store.pdf](#)

21. [2009-0579](#) New Berlin Comprehensive Plan Public Hearing Notice scheduled for October 7, 2009 at 6 p.m. at New Berlin City Hall.

Attachments: [New Berlin Comprehensive Plan Communication.pdf](#)

22. [2009-0605](#) Special Use Permit for proposed West Allis Center for Early Education, a proposed daycare center to be located at 8306 W. Lincoln Ave.

Held in Safety & Development Committee during recess.

23. [2009-0606](#) Special Use Permit for proposed expansion of Don's Auto Body, an auto repair facility located at 2201 S. 116 St.

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

24. [2009-0623](#) Special Use Permit to establish a church and educational facility, d/b/a Desatar Ministries within the existing building located at 2213 S. 54 St.

Held in Safety & Development Committee during recess.

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

25. [2009-0612](#) 2009-2011 Tavern Operator license application no. 11-379 of Rebecca L. Finney.

Held in License & Health Committee during recess.

26. [2009-0616](#) 2009-2010 and 2009-2011 Tavern Operator License applications.

2009-2010 License application nos. 386-388, 390-393 granted.

2009-2011 License application nos. 376-377, 380, 382-383, 385-388 granted.

27. [2009-0618](#) 2009-2010 Secondhand Article Dealer License appl. no. 1592 of The Computer Market, Inc., John Roman, Agent, d/b/a Computer Market for premises at 2267 S. 108 Street.

28. [2009-0580](#) 2009-2010 Special Class B Beer and Wine License application(s).

License application nos. 1-3 granted.

29. [2009-0585](#) 2009-2010 Class B Tavern Special Event Permit appl. no. 8 of Gregory L. Tans, d/b/a Sir Gregory's Pub, 7534 W. Beloit Rd. (2009-2010 Class B Tavern License no. 832 and Dance Hall License no. 834), for a fundraiser from 1:00 p.m. to 8:00 p.m. (tent on east side of building) to be held on September 27, 2009.
30. [2009-0593](#) Police Department report regarding tavern violations/calls for service for the month of August 2009.

Attachments: [Police Dept. report for August 2009.pdf](#)

31. [2009-0595](#) Police Department Reporting involving Barneks, 7411 W. Becher St., (2009-2010 Class B Tavern License no. 1060, and Dance Hall license no. 1062 of Dale J. Zbieranek, Incident Date: August 8, 2009).
Held in License & Health Committee during recess.
32. [2009-0594](#) Police Department Report involving GW's Jaws, 9033 W. National Avenue, (2009-2010 Class B Tavern License no. 629, Dance Hall License no. 633 and Instrumental Music License no. 634 of GW's Jaws LLC, Eunice A. Weber, Agent, Incident Date: August 2, 2009).
Held in License & Health Committee during recess.
33. [2009-0599](#) Police Department Report involving Flappers, 7527 W. Becher St. (2009-2010 Class B Tavern License no. 797, and Dance Hall License no. 799 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: August 15, 2009).
Held in License & Health Committee during recess.
34. [2009-0600](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2009-2010 Class B Tavern License no. 454, Dance Hall License no. 504, and Instrumental Music License no. 1068 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, Incident Date: August 30, 2009).
Held in License & Health Committee during recess.
35. [2009-0586](#) Summons and Complaint in the matter of the complaint against Doyle Foodservices, Inc., Thomas C. Doyle, Agent, d/b/a Tommasino Italia for premises located at 7335 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 887).

Attachments: [Doyle COMPLAINT.pdf](#)
[Doyle SUMMONS.pdf](#)

Approval of complaint allegations, not to renew license, and preparation of Findings and Recommendations.

Nonappearance by Thomas C. Doyle.

36. [2009-0461](#) 2009-2010 Class B Tavern License renewal application no. 887 of Doyle Foodservices, Inc., Thomas C. Doyle, Agent, d/b/a Tommasino Italia for premises located at 7335 W. Greenfield Ave.
37. [2009-0589](#) Summons and Complaint in the matter of the complaint against H.K. Petroleums, LLC, Zubair Arshad, Agent, d/b/a H.K. Petroleums, LLC at 5926 W. Beloit Rd (2009-2010 Cigarette License no. 1222).

Attachments: [H.K. Petro COMPLAINT.pdf](#)
[H.K. Petro SUMMONS.pdf](#)

38. [2009-0402](#) Police Department Report regarding May 21, 2009 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with two (2) selling tobacco to an underage person without requesting identification (2008-2009 Cigarette License no. 1222 of H.K. Petroleums, LLC, Zubair Arshad, Agent, d/b/a H.K. Petroleums, LLC at 5926 W. Beloit Rd.).
39. [2009-0583](#) 2009-2010 Class B Beer License appl. no. 1590 of Enicacio Sanchez, d/b/a Taqueria Buenavista located at 6000 W. Burnham St. (new-nonexisting location).
41. [2009-0591](#) 2009-2011 Tavern Operator License application no. 11-378 of Brianna J. Loker.
42. [2009-0592](#) 2009-2010 Tavern Operator License application no. 10-385 of Dennis B. Robinson.
43. [2009-0611](#) 2009-2010 Tavern Operator License application no. 10-389 of John A. Werner.
44. [2009-0615](#) 2009-2011 Tavern Operator License application no. 11-384 of Colin R. Karlik.
45. [2009-0614](#) 2009-2010 Adult-Oriented Establishment Operator Permit application no. 1591 of Kory J. Jacobson.
46. [2009-0588](#) Police Department Report involving Happy Tap, 6801 W. Beloit Rd. (Janice F. Schirripa, 2008-2010 Tavern Operator License no. 10-211, Incident Date: July 10, 2009).
47. [2009-0607](#) Findings and Recommendations in the Matter of the Complaint Against Paul Ray Investments, LLC, Todd W. Hall & Paul Ray, d/b/a Papa John's Pizza relative to Food-Related Permit.
- Attachments:* [Hall & Ray 2009-0607.pdf](#)
[Findings of Fact Hall & Ray.pdf](#)
48. [2009-0608](#) Findings and Recommendations in the Matter of the Complaint Against Jeffrey Farrington, 2009-2011 Tavern Operator License renewal application no. 11-313.
- Attachments:* [Farrington 2009-0608.pdf](#)
[Finding of Fact.Farrington.pdf](#)
49. [2009-0596](#) 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: August 15, 2009).
50. [2009-0597](#) 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: August 25, 2009).
51. [2009-0598](#) 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: August 26, 2009).

52. [2009-0601](#) 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: August 30, 2009).
53. [2009-0546](#) 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: July 25, 2009).
54. [2009-0393](#) Police Department Report involving Wild Bill's Saloon, 1454 S. 92 St. (2008-2009 Class B Tavern License no. 789 and Cigarette License no. 790 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Date: May 3, 2009).
55. [2009-0542](#) Police Department Report involving Mario's, 1900 S. 60 St. (2009-2010 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: July 17, 2009).
56. [2009-0488](#) Police Department Report involving Mario's, 1900 S. 60 St. (2008-2009 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: June 13, 2009).
57. [2009-0545](#) Police Department Report involving Happy Tap, 6801 W. Beloit Rd. (2009-2010 Class B Tavern License no. 641, Dance Hall License no. 645 and Cigarette Music License no. 643, Alan J. Bunzel, Incident Date: July 10, 2009).
58. [2009-0537](#) Police Department Report involving 57 Bar, 5632 W. Burnham St. (2009-2010 Class B Tavern License no. 1310 and Instrumental Music License no. 1515 of JK Lau Investments, LLC, Jeffrey K. Lau, Agent, Incident Date: June 26, 2009).
59. [2009-0559](#) Communication from Jill Huennekens regarding her termination as Bar Manager at 6500 W. Greenfield Ave., d/b/a 6500 Bar & Grill (2009-2010 Class B Tavern License no. 1500, Susan C. Jesion, licensee).

Attachments: [2009-0559.pdf](#)

Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

No: 0

40. [2009-0590](#) 2009-2011 Tavern Operator License application no. 11-381 of Dawn M. Gonyo.

Aye: 8 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

No: 0

Present: 1 - Barczak

60. [2009-0577](#) 2009-2011 Tavern Operator License application no. 11-367 of Randall C. Hopf.

A motion was made by Ald. Czaplewski, seconded by Ald. Barczak, that this matter be Denied based on record and false swearing. The motion failed by the following vote:

Votes: Aye: 4 - Ald. Barczak, Ald. Kopplin, Ald. Reinke and Ald. Weigel

No: 5 - Ald. Czaplewski, Ald. Lajsic, Ald. Narlock, Ald. Roadt and Ald. Vitale.

Aye: 5 - Czaplewski, Lajsic, Narlock, Roadt, and Vitale

No: 4 - Barczak, Kopplin, Reinke, and Weigel

ADVISORY COMMITTEE

New Matters for Introduction

61. [2009-0609](#) Notification of reappointment of Joyce O'Donnell to the West Allis Community Improvement Foundation, Inc.

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Vitale, and Weigel

No: 0

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 8:57 p.m., with the next regularly scheduled meeting to be held on October 6, 2009, 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.