



# 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*

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Tuesday, June 16, 2009

7:00 PM

City Hall - Council Chambers

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### REGULAR MEETING

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#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [R-2009-0131](#) Resolution adopting the final submitted City of West Allis Bicycle and Pedestrian Master Plan prepared by the Bicycle Federation of Wisconsin.  
**Sponsors:** Safety & Development Committee

#### 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

**Alderspersons Comments****H. AGENDA APPROVAL****I. APPROVAL OF MINUTES**

*Minutes of the Common Council regular meeting of June 2, 2009.*

**J. ITEMS NOT REFERRED TO COMMITTEE**

2. [2009-0380](#) Summons & Complaint, in the matter of Waterstone Bank SSB f/k/a Wauwatosa Savings Bank, vs. the City of West Allis, et al., regarding Foreclosure of Mortgage 30404, Case No. 09CV008407.
3. [2009-0403](#) Kelly Loehe communication regarding vehicle damage allegedly sustained at 8739 W. Orchard Street on May 29, 2009.
4. [2009-0404](#) Sharon Harris communication regarding personal injuries allegedly sustained at South 90 Street and West National Avenue on February 24, 2009.
5. [2009-0416](#) Summons & Complaint, in the matter of Mitchell Bank vs. the City of West Allis, et al., regarding Foreclosure of Mortgage 30404, Case No. 09CV008156.

**K. STANDING COMMITTEE REPORTS**

*None.*

**L. Motion for reconsideration of the votes that were moved and seconded on June 2, 2009 regarding the following Ordinance:**

6. [O-2009-0016](#) An Ordinance to Create Section 9.034 of the West Allis Revised Municipal Code Relating to Tavern Entertainment License - Other Entertainment.  
**Sponsors:** Richard F. Narlock

**M. COMMON COUNCIL RECESS****N. NEW AND PREVIOUS MATTERS****ADMINISTRATION & FINANCE COMMITTEE**

**New Matters for Introduction**

7. [R-2009-0150](#) Resolution relative to accepting the proposal of Schleis Floor Covering for delivering and installing Interface Commercial floor covering for a total sum of \$92,316.00.  
**Sponsors:** Administration & Finance Committee
8. [2009-0381](#) Milwaukee Ductile Iron, Inc. Plant, a subsidiary of Metal Technologies, Inc., communication regarding notification of the closing of their work site at 1706 S. 68 Street to commence on July 31, 2009.
9. [2009-0421](#) Director of Development communication relative to Wisconsin Department of Commerce grant offer to the City of West Allis in an amount up to \$4,162,000 for Community Development Block Grant Emergency Assistance Program.

**City Attorney Claim Report**

10. [2008-0114](#) Action Law Offices, S.C. communication on behalf of Edwin Lund regarding injuries and damages allegedly sustained at Pershing Elementary School on February 24, 2006.  
*City Attorney recommended denial.*
11. [2008-0115](#) Action Law Offices, S.C. communication on behalf of Elizabeth Lund regarding injuries and damages allegedly sustained at Pershing Elementary School on February 24, 2006.  
*City Attorney recommended denial.*
12. [2009-0043](#) Progressive Universal communication on behalf of Thomas Pecard regarding injuries and vehicle damage allegedly sustained at the intersection of South 70 Street and West Washington Street on December 6, 2008.  
*City Attorney recommended to be placed on file.*
13. [2009-0072](#) Tim Knapp communication regarding vehicle damage allegedly sustained at the intersection of S. 60 St. and W. Greenfield Ave. on January 14, 2009.  
*City Attorney recommended to be placed on file.*

**PUBLIC WORKS COMMITTEE****New Matters for Introduction**

14. [R-2009-0138](#) Resolution to approve bid of Capitol Pavers, Inc. for alley reconstruction in various locations in the City of West Allis, in the amount of \$1,210,956.00.  
**Sponsors:** Public Works Committee
15. [R-2009-0148](#) Resolution acknowledging the Common Council's support of the efficient financial management and operation of the City's Sanitary Sewer Utility and authorizing the Director of Public Works to submit the Compliance Maintenance Annual Report (CMAR) to the Wisconsin Department of Natural Resources.  
**Sponsors:** Public Works Committee
16. [R-2009-0149](#) Resolution relative to accepting the proposal of North American Salt Co. for furnishing and delivering 5,750 tons of deicing road salt for a total sum of \$310,500.00.  
**Sponsors:** Public Works Committee
17. [2009-0411](#) Communication from City Engineer Regarding Drainage Problem at 1041 South 96th Street.
18. [2009-0426](#) Communication from City Engineer Regarding 60th Street Reconstruction Project-Traffic Signals at Mineral and Lapham Streets.

## **SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES**

### **Previous Matters for Consideration**

19. [R-2009-0147](#) Resolution relative to determination of Special Use Permit for proposed addition to Fortune Restaurant, an existing business located at 2945 S. 108 St. (Tax Key No. 520-9965-033).  
**Sponsors:** Safety & Development Committee

## **SAFETY & DEVELOPMENT COMMITTEE**

### **New Matters for Introduction**

20. [O-2009-0019](#) An Ordinance to Create Section 6.017 of the West Allis Revised Municipal Code Relating to Abandoned Shopping Carts.  
**Sponsors:** Martin J. Weigel

21. [R-2009-0151](#) Resolution authorizing the Director of Development to enter into a contract with AECOM for Phase I and Phase II environmental consulting service for the property located at 116th and W. Morgan (City Compost Site) in the amount of \$57,600.  
**Sponsors:** Safety & Development Committee
22. [2009-0419](#) Request to amend the official West Allis Zoning Map by rezoning properties located at 1909, 11, 11A S. 68 St. and 19\*\* S. 68 St. from M-1 Manufacturing District to RB-2 Residence District. (Tax Key Nos. 476-0017-000 and 476-0016-000)
23. [2009-0414](#) Special Use Permit to establish God's Will Resale Shop located at 6323 W. Greenfield Ave. (Tax Key No. 454-0179-001)
24. [2009-0415](#) Special Use Permit to establish All Roadz Towing, a towing company to be located at 2137 S. 54 St. (Tax Key No. 454-0030-000)
25. [2009-0417](#) Special Use Permit for proposed Blessed Generations Child Educational Center daycare, to be located at 1700 S. 60 St. (Tax Key No. 454-0030-000)

#### Previous Items to be Considered for Dismissal

26. [O-2004-0027](#) An Ordinance to Establish Parking Restrictions on Both Sides of the South 100 Ft. of the 2200 Block of S. 107 St.  
**Sponsors:** James W. Sengstock
27. [O-2005-0047](#) An Ordinance to Establish Parking Restrictions on the North Side of the 11700, 11800, 11900, 12000, 12100 and 12200 Blocks of W. Oklahoma Ave., from Root River Parkway Dr. to 370 ft. E of S. 124 St.  
**Sponsors:** James W. Sengstock
28. [O-2007-0020](#) An Ordinance to Establish Parking Restrictions on the North Side of the 11700, 11800, 11900, 12000, 12100 and 12200 Blocks of W. Oklahoma Ave., from Root River Parkway Dr. to 370 ft. E of S. 124 St.  
**Sponsors:** James W. Sengstock
29. [2004-0721](#) Petition for a stop sign between S. 63 St., S. 66 St. and W. Mitchell St., so the children do not get hit by speeding drivers, submitted by surrounding residents.
30. [2006-0433](#) Petition submitted by residents of the 1400 block of 72nd St. for the removal of Daytime parking restrictions.

31. [2007-0552](#) Petition submitted by landowners of Ermenc Park Estates requesting No Trucking signs on the south end of east side of S. 117th St. and 1 Hour Parking signs on the east side of S. 117th St.

### Public Hearing Items (Safety & Development Committee)

32. [R-2009-0131](#) Resolution adopting the final submitted City of West Allis Bicycle and Pedestrian Master Plan prepared by the Bicycle Federation of Wisconsin.  
**Sponsors:** Safety & Development Committee
33. [2009-0420](#) City of West Allis Health Commissioner communication recommending adoption of the draft City of West Allis Bicycle and Pedestrian Master Plan.
34. [2009-0177](#) Communication from Michael May, Professional Traffic Engineer and Citizen in support of the City of West Allis Bike and Pedestrian Plan.
35. [2009-0315](#) SC Management Company, Inc. communication on behalf of Summit Place supporting the West Allis Bike and Pedestrian Plan and the Cross-Town Connector.

### LICENSE & HEALTH COMMITTEE

#### New Matters for Introduction

36. [O-2009-0018](#) An Ordinance to Create Subsection 9.18(7)(t) of the Revised Municipal Code Relating to the Prohibition of Sale of Tickets Around the Wisconsin State Fair Park.  
**Sponsors:** Martin J. Weigel
37. [2009-0412](#) Communication from City Administrative Officer transmitting a Common Council letter regarding Motion #743-31 amendment, Beer and Wine Provided by a Non-Profit During Fundraising Events, relative to the State Budget that would be directed to the Governor, Joint Committee on Finance and area legislators.
38. [2009-0423](#) 2009-2010 and 2009-2011 Tavern Operator License applications.
39. [2009-0422](#) 2009-2010 Class B Tavern Special Event Permit appl. no. 4 of Stephen A. Nennig, d/b/a Steven's Steak House, 9140 W. National Ave., (2009-2010 Class B Tavern License no. 655, Dance Hall License no. 656) for Pig Roast, on August 22, 2009 from 1:00 p.m. to 11:00 p.m. (parking lot with tent, and pig cooking pit).
40. [2009-0408](#) 2009-2010 Class B Tavern, Dance Hall, Instrumental Music, and Bowling Alley License renewal applications.

41. [2009-0406](#) 2009-2010 Combination Class A Liquor License renewal application(s).
42. [2009-0405](#) 2009-2010 Class A Beer License renewal application(s).
43. [2009-0424](#) 2009-2010 Class B Beer License renewal applications.
44. [2009-0425](#) 2009-2010 Class C Wine License renewal application(s).
45. [2009-0384](#) 2009-2010 Class B Tavern License application no. 1545 of Tomkens, Inc., Michelle A. Felton, Agent, d/b/a Tomkens, for premises located at 8001 W. Greenfield Ave. (new-existing location).
46. [2009-0410](#) 2009-2010 Used Vehicle Dealer application(s).
47. [2009-0383](#) 2009-2010 Second Hand Dealer License renewal application(s).
48. [2009-0409](#) 2009-2010 Precious Metal & Gem Dealer License application(s).
49. [2009-0382](#) 2009-2010 Pawn Dealer License renewal application(s).
50. [2009-0391](#) 2009-2011 Tavern Operator License renewal application no. 11-254 of Roxanne M. Goodman.
51. [2009-0385](#) 2009-2010 Class B Tavern License application no. 1538, Dance Hall License application no. 1540 and Cigarette License application no. 1539 of Diane D. Plumeri, d/b/a Walk-Her-Inn, premises located at 900 S. 74 St. (new-existing location).
52. [2009-0386](#) 2009-2010 Class B Tavern License renewal application no. 1511 of Dennis M. Gerth, d/b/a Walk-Her-Inn, premises located at 900 S. 74 St.
53. [2009-0387](#) 2009-2010 Class B Tavern License application no. 1549, Dance Hall License application no. 1550, Instrumental Music License application no. 1551 and Cigarette License application no. 1552 of Yiannis, Inc., George Glavas, Agent, d/b/a Petra Restaurant/Papa Giorgio for premises located at 1657 S. 108 St. (new-existing location).
54. [2009-0388](#) 2009-2010 Class B Tavern License application no. 1541, Dance Hall License application no. 1543, Instrumental Music License application no. 1544 and Cigarette License application no. 1542 of A-R-H Enterprises, LLC, Hugo Jose Juarez, Agent, d/b/a Las Palmas for premises located at 1901 S. 60 St. (new-existing location).

55. [2009-0389](#) 2009-2010 Class B Tavern License application no. 1546 of Jason J. Dakins, d/b/a Bugsys, premises located at 6851 W. Beloit Rd. (new-existing location).
56. [2009-0390](#) 2009-2010 Class B Tavern License application no. 1553 of Angela M. Mallak, d/b/a Thirst Aid Station for premises located at 5600 W. Lincoln Ave. (new-existing location).
57. [2009-0392](#) Police Department report regarding tavern violations/calls for service for the month of May 2009.
58. [2009-0407](#) 2009-2010 Class B Tavern license renewal application no. 857, Dance Hall license renewal application no. 859 and Instrumental Music license renewal application no. 860 of Weigel's Hillcrest, Inc., Martin J. Weigel, Agent, d/b/a Benno's Genuine Bar & Grill, for premises located at 7413 W. Greenfield Ave.
59. [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).
60. [2009-0394](#) Police Department Report involving Shawna's Pub and Grub, 1101 S. 60 St. (2008-2009 Class B Tavern License no. 1334, Dance Hall License no. 1335, Instrumental Music License no. 1392 and Cigarette License no. 1336 of Wheatco Enterprises, LLC, Shawna M. Fischer, Agent, Incident Date: May 12, 2009).
61. [2009-0395](#) Police Department Report involving Shawna's Pub and Grub, 1101 S. 60 St. (2008-2009 Class B Tavern License no. 1334, Dance Hall License no. 1335, Instrumental Music License no. 1392 and Cigarette License no. 1336 of Wheatco Enterprises, LLC, Shawna M. Fischer, Agent, Incident Date: May 21, 2009).
62. [2009-0396](#) Police Department Report involving Magoos Sports Pub & Grill, 8911 W. National Ave. (2008-2009 Class B Tavern License no. 637, Dance Hall License no. 640, Instrumental Music License no. 644 and Cigarette License no. 639 of Magoos of West Allis, LTD., Thomas J. Beckmann, Agent, Incident Date: May 16, 2009).
63. [2009-0397](#) Police Department Report involving Jock Stop Sports Bar, 7930 W. National Ave. (2008-2009 Class B Tavern License no. 880 and Dance Hall License no. 882 of JOCH ENTERPRISES, LLC, Christopher John Bitz, Agent, Incident Date: May 17, 2009).
64. [2009-0398](#) Police Department Report involving Boz's Sports Bar, 1325 S. 70 St. (2008-2009 Class B Tavern License no. 448, Dance Hall License no. 496 and Cigarette License no. 449 of Boz's, Inc., Shawn R. Lange, Agent, Incident Date: May 22, 2009).



65. [2009-0399](#) Police Department Report involving Paulie's Pub & Eatery, 8031 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1403, Dance Hall License no. 1405, Instrumental Music License no. 1406 and Cigarette License no. 1404 of Budiatic Enterprises, LLC, Kristine M. Budiatic, Agent, Incident Date: May 30, 2009).
66. [2009-0400](#) 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.
67. [2009-0401](#) 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. 469 of Maas Petroleum, Inc., Jeffrey E. Maas, Agent, d/b/a Maas Petro Mart at 5930 W. Greenfield Ave.).
68. [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.).
69. [2009-0427](#) 2009-2010 Used Vehicle Dealer License application no. 1535 of Southway Auto Sales, LLC., Jon J. Petrie, Agent, d/b/a Southway Auto Sales, LLC., at 6030 W. Greenfield Ave.
70. [2009-0428](#) 2009-2011 Tavern Operator License application no. 11-272 of Todd E. Jacobs.

**Previous Matters for Consideration**

71. [2009-0263](#) 2009-2011 Tavern Operator License renewal application no. 11-029 of Samantha J. Martin.
72. [2009-0367](#) 2009-2011 Tavern Operator License renewal application no. 11-228 of Gary D. Johnson.
73. [2009-0368](#) 2009-2010 Tavern Operator License application no. 10-337 of Timothy L. Perlberg.
74. [2009-0369](#) 2009-2011 Tavern Operator License application no. 11-203 of Ryan E. Higgins.
75. [2009-0370](#) 2009-2011 Tavern Operator License application no. 11-215 of Timothy R. Berres.
76. [2009-0375](#) 2009-2010 Package Goods Operator License application no. 1527 of Richard A. Witter.

77. [2009-0366](#) 2009-2010 Adult-Oriented Establishment Operator Permit application no. 1529 of Michael J. McCormack.
78. [2009-0286](#) 2009 Direct Sellers/Solicitors Permit application no. 45 of Andrew R. Stauff.
79. [2009-0341](#) 2009-2010 Cigarette License renewal application no. 466 of Mohammed M. Ali, d/b/a Smokers Pub for premises located at 10708 W. Oklahoma Ave.
80. [2009-0255](#) 2009-2010 Class B Tavern License application no. 1509 of Night Court Inc., Gregory J. Kaiser, Agent, d/b/a Night Court premises located at 7127 W. National Ave. (new-existing location).
81. [2009-0350](#) 2009-2010 Class B Tavern License renewal application no. 1402 of SPDB, LLC., Douglas P. Brown, Agent, d/b/a Night Court for premises located at 7127 W. National Avenue.
82. [2008-0633](#) 2008-2009 Class B Tavern License renewal application no. 662 of William Miller, Inc., Thomas L. Miller, Agent, d/b/a Shakey's Pizza & Buffet premises located at 9638 W. National Ave.
83. [2009-0352](#) 2009-2010 Class C Wine License application no. 1528 of Capri Restaurant, Inc., Robert Hinek, Agent, d/b/a Capri Restaurant located at 8340 W. Beloit Rd. (new-nonexisting)
84. [2009-0185](#) Summons and Complaint in the matter of the complaint against Susan M. Domena, for the premises located at 1100 S. 60 St., d/b/a Top Gun Saloon (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426).
85. [2009-0133](#) Summons and Complaint in the matter of the complaint against Iris Girl, LLC, Peter D. Crivello, Agent for the premises located at 6500 W. Greenfield Ave., d/b/a Scotty's Pub (2008-2009 Class B Tavern License no. 1254).
86. [2009-0028](#) Police Department Report involving Scotty's Pub, 6500 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1254, Dance Hall License no. 1255 and Cigarette License no. 1256 of Iris Girl, LLC, Peter D. Crivello, Agent, Incident Date: December 18, 2008).
87. [2008-0236](#) 2008-2009 Tavern Operator License application no. 9-492 of John R. Monty.

## ADVISORY COMMITTEE

## New Matters for Introduction

88. [2009-0413](#) Legislative Committee minutes for June 9, 2009.

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

**P. 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.