



# City of West Allis

## Meeting Agenda

### Common Council

*Mayor Jeannette Bell, Chair*

*Aldersperson James W. Sengstock, Council President*

*Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Linda A. Dobrowski,*

*Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke,*

*Vincent Vitale, and Martin J. Weigel*

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Tuesday, January 16, 2007

7:00 PM

City Hall - Council Chambers

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#### REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2007-0003](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 83 St. from W. Arthur Ave. to McCarty Park by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, water main relay, and utility adjustments

*Sponsors:* Public Works Committee

2. [R-2007-0005](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 82 St. from W. Arthur Ave. to McCarty Park by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, and utility adjustments.

*Sponsors:* Public Works Committee

3. [R-2007-0007](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 80 St. from 287' south of W. Lincoln Ave. to W. Hayes Ave. by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, sanitary sewer relay, and utility adjustments.

*Sponsors:* Public Works Committee

4. [R-2007-0009](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of W. Montana Ave. from S. 99 St. to 147.58 feet west of S. 99 St. by rural section asphalt resurfacing of the pavement and utility adjustments.

*Sponsors:* Public Works Committee

5. [R-2006-0355](#) Resolution Relative to Vacation and Discontinuance of a Part of the Public Right-of-Way North of West Greenfield Avenue Between South 63rd Street and South 64th Street.

*Sponsors:* Public Works 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 January 2, 2007.*

J. ITEMS NOT REFERRED TO COMMITTEE

6. [2007-0025](#) Ryan Tranchita communication regarding vehicle damage allegedly sustained at 102nd Street south of Lincoln Avenue on January 2, 2007.
7. [2007-0027](#) Marilyn A. Murph communication regarding vehicle damage allegedly sustained at the intersection of S. 63 St. and Burnham Road on December 12, 2006.
8. [2007-0028](#) Balestrieri Environmental & Development, Inc. communication regarding payment for work performed at the West Allis Farmer's Market in the amount of \$14,532.36.

K. STANDING COMMITTEE REPORTS

*None.*

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

**ADMINISTRATION & FINANCE COMMITTEE**

9. [O-2007-0001](#) An Ordinance to amend Ordinance No. 2006-0029 establishing the salary ranges of certain employees in the Labor Service of the City of West Allis for the years 2006-2007 (Yard Attendant).

Sponsors: Administration & Finance Committee

10. [O-2007-0002](#) An Ordinance to amend Ordinance No. 2006-0081 establishing the salary ranges of certain employees in the Health Department of the City of West Allis for the years 2006-2007 (Public Health Specialist and Community Health Nutritionist).
- Sponsors:* Administration & Finance Committee
11. [R-2007-0015](#) Resolution relative to accepting the proposal of FFF Enterprises Inc. for furnishing and delivering 300 vials of Flu Vaccine for a total sum of \$35,160.00.
- Sponsors:* Administration & Finance Committee
12. [R-2007-0018](#) Resolution to Approve the Contract Between the City of West Allis and Boardman Law Firm, LLP Regarding the Case of City of Milwaukee v. AT&T, et al.
- Sponsors:* Administration & Finance Committee
13. [R-2007-0019](#) Resolution approving an increase in the sanitary sewer user charge - MMSD portion.
- Sponsors:* Administration & Finance Committee
14. [R-2007-0020](#) Resolution re-approving the same sanitary sewer user charge - City portion
- Sponsors:* Administration & Finance Committee
15. [R-2007-0021](#) Resolution approving an increase in the solid waste fund user charge.
- Sponsors:* Administration & Finance Committee
16. [R-2007-0022](#) Resolution approving an increase in the stormwater management system user charge.
- Sponsors:* Administration & Finance Committee
- Attachments:* [R-2007-0022 signed](#)
17. [2007-0018](#) Communication from Assistant City Attorney regarding the Paid in Full and Write-off of Outstanding Public Works and Delinquent Personal Property Tax Accounts for reasons of being non-collectible, past the statute of limitations, no longer in business or located in the City, etc.
18. [2007-0036](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the period ending November 30, 2006.
19. [2007-0039](#) Communication from the City Attorney regarding the employment of Delbert Dettmann as part-time Real Estate Agent I, as well as, Dettmann & Associates, LLC as Relocation Specialist.

### City Attorney Claim Report

20. [2001-0132](#) Summons & Complaint, submitted by Hersh Law Offices, in the matter of Countrywide Home Loans, Inc., f/k/a America's Wholesale Lender vs. the City of West Allis, et al., regarding Foreclosure of Mortgage 30404, Case No. 01CV007230.
21. [2006-0244](#) Summons and Complaint in the matter of ROBERT F. BARKOW V. CITY OF WEST ALLIS, ET AL.

**PUBLIC WORKS COMMITTEE**

22. [R-2006-0372](#) Resolution to approve an agreement for traffic signals at Root River Parkway and West National Avenue by and between the City of West Allis and Milwaukee County.
- Sponsors:* Public Works Committee
23. [R-2007-0013](#) 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 \$9,600.00.
- Sponsors:* Public Works Committee
24. [R-2007-0016](#) Resolution relative to accepting the proposal of Lakeside Oil Co. for furnishing and delivering diesel and unleaded fuel for an estimated cost of \$307,000.00.
- Sponsors:* Public Works Committee
25. [R-2007-0017](#) Resolution accepting work of Tri-North Builders, Inc. for the remodeling of Fire Station No. 2, 2040 South 67th Place and authorizing and directing settlement of said contract in accordance with contract terms of 2005 Project No. 3.
- Sponsors:* Public Works Committee

## Public Hearing Items (Public Works Committee)

26. [R-2007-0003](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 83 St. from W. Arthur Ave. to McCarty Park by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, water main relay, and utility adjustments
- Sponsors:* Public Works Committee
27. [R-2007-0004](#) Final Resolution authorizing public improvement by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, water main relay, and utility adjustments in S. 83 St. from W. Arthur Ave. to McCarty Park and levying special assessments against benefited properties.
- Sponsors:* Public Works Committee
28. [R-2007-0005](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 82 St. from W. Arthur Ave. to McCarty Park by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, and utility adjustments.
- Sponsors:* Public Works Committee
29. [R-2007-0006](#) Final Resolution authorizing public improvement by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, and utility adjustments in S. 82 St. from W. Arthur Ave. to McCarty Park and levying special assessments against benefited properties.
- Sponsors:* Public Works Committee
30. [R-2007-0007](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule

of proposed assessments for improvement of S. 80 St. from 287' south of W. Lincoln Ave. to W. Hayes Ave. by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, sanitary sewer relay, and utility adjustments.

*Sponsors:* Public Works Committee

31. [R-2007-0008](#) Final Resolution authorizing public improvement by major asphalt resurfacing of the pavement, miscellaneous sidewalk repair, miscellaneous driveway repair, sanitary sewer relay, and utility adjustments in S. 80 St. from 287' south of W. Lincoln Ave. to W. Hayes Ave. and levying special assessments against benefited properties.

*Sponsors:* Public Works Committee

32. [R-2007-0009](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of W. Montana Ave. from S. 99 St. to 147.58 feet west of S. 99 St. by rural section asphalt resurfacing of the pavement and utility adjustments.

*Sponsors:* Public Works Committee

33. [R-2007-0010](#) Final Resolution authorizing public improvement by rural section asphalt resurfacing of the pavement and utility adjustments in W. Montana Ave. from S. 99 St. to 147.58 feet west of S. 99 St. and levying special assessments against benefited properties.

*Sponsors:* Public Works Committee

34. [R-2006-0355](#) Resolution Relative to Vacation and Discontinuance of a Part of the Public Right-of-Way North of West Greenfield Avenue Between South 63rd Street and South 64th Street.

*Sponsors:* Public Works Committee

## SAFETY & DEVELOPMENT COMMITTEE

35. [2007-0019](#) Special Use Permit Application for proposed Walgreen's Pharmacy with a drive thru to be located at 6001 - 6111 W. Greenfield Ave. (454-0050-004, 454-0060-000, 454-0061-000, 454-0003-000)

36. [2007-0020](#) Special Use Permit Application for proposed martial art school to be located within a mixed use building located at 9108 W. National Ave. (478-0281-000)

37. [2007-0034](#) Special Use Permit Application for proposed banquet hall addition to Steakhouse 100 located at 7240-46 W. Greenfield Ave. (440-0344-000 and 440-0345-000)

38. [2007-0035](#) Special Use Permit Application for an increase in the seating capacity at the Paradise Theater, located at 6229 W. Greenfield Ave. (454-0001-000)

39. [2007-0038](#) Special Use Permit Application for First Source Worldwide a proposed chemical distribution and manufacturing facility to be located within the existing building at 11725 W. Fairview Ave. (413-9999-032)

## LICENSE & HEALTH COMMITTEE

40. [2007-0014](#) 2006-2007 Combination Class A Liquor License appl. no. 1205 of Mega Marts, LLC,

- Steven A. Guttuso, Agent, d/b/a Pick 'n Save, premises located at 11111 W. Greenfield Ave. (new-existing location).
41. [2007-0016](#) Time Warner Cable communications regarding the increase of the FCC Regulatory Fee effective March 2007; addition of Time Warner Sports channel 32 effective January 3, 2007; and the discontinuance of the America's Store Network effective February 3, 2007.
42. [2007-0021](#) Police Department report regarding tavern violations/calls for service for the month of December 2006.
43. [2007-0022](#) Police Department Report regarding December 7, 2006 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification.
44. [2007-0023](#) Police Department Report regarding December 7, 2006 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2006-2007 Combination Class A Liquor License no. 1110 and Cigarette License no. 1111 of R. Khoury, LLC, Rosette A. Khoury, Agent, d/b/a Becher Beer & Liquor, 2079 S. 69 St.).
45. [2007-0024](#) Police Department Report regarding December 7, 2006 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2006-2007 Combination Class A Liquor License no. 934 and Cigarette License no. 1029 of Layton Food & Gas, LLC, Tarlock Bhatia, Agent, d/b/a Becher Liquor & Beer, 2077 S. 78 St.)
46. [2007-0026](#) Police Department Report regarding December 7, 2006 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2006-2007 Combination Class A Liquor License no. 938 and Cigarette License no. 1037 of JAS & SANT, Corp., Talwinder Soos, Agent, d/b/a County Beer & Liquor, 979 S. 60 St.)
47. [2007-0030](#) Police Department Report regarding December 7, 2006 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2006-2007 Combination Class A Liquor License no. 920 and Cigarette License no. 1001 of Rupena's, Inc., John W. Rupena, Agent, d/b/a Rupena's Foods, 7641 W. Beloit Rd.).
48. [2007-0031](#) Police Department Report involving Charmed, 6328 W. Mitchell St.(2006-2007 Class B Tavern License no. 802 and Cigarette License no. 803 of Gutzmer & Associates, LLC, Kathleen L. Gutzmer, Agent, Incident Date: December 8, 2006).
49. [2007-0032](#) Police Department Report involving Mario's, 1900 S. 60 St.(2006-2007 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: December 16, 2006).
50. [2007-0033](#) Police Department Report involving Shepherd's Hideaway, 8924 W. Schlinger Ave. (2006-2007 Class B Tavern License no. 806, Dance Hall License no. 808, Instrumental

- Music License no. 809 and Cigarette License no. 807 of Shepherd's Sports Lounge, Inc., Christina M. Knueppel, Agent, Incident Date: December 24, 2006).
51. [2007-0037](#) Police Department Report involving Magoo's Sports Pub & Grill, 8911 W. National Ave.(2006-2007 Class B Tavern License no. 637, Dance Hall License no. 640, Instrumental Music License no. 644 and Cigarette License no. 639 of Magoo's of West Allis, LTD., Thomas J. Beckmann, Agent, Incident Date: December 30, 2006).
52. [2007-0015](#) 2006-2007 Special Class B Beer License application(s).
53. [2007-0029](#) 2006-2007 Used Vehicle Dealer License application(s).
54. [2007-0046](#) 2006-2007 & 2006-2008 Tavern Operator License applications.
55. [2007-0017](#) 2006-2008 Tavern Operator License application no. 303 of Robin L. Zanotti.
56. [2007-0040](#) 2006-2007 Tavern Operator License application no. 616 of Jose M. Martinez.
57. [2007-0043](#) 2006-2008 Tavern Operator License application no. 300 of James R. Ondishko.
58. [2007-0045](#) 2006-2007 Tavern Operator License application no. 618 of Allen R. Krause.

#### **ADVISORY COMMITTEE**

59. [2007-0041](#) Reappointment by Mayor Bell of Debra Plantiko as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2008.
60. [2007-0042](#) Reappointments by Mayor Bell to the West Allis Board of Health of William Greaves, MD, Barbara Janusiak, Justin Hern, and Mary Cay Freiberg, their two-year terms to expire January 1, 2009.
61. [2007-0044](#) Notification by Mayor Bell of appointments to the Downtown West Allis Business Improvement District of Matt McCormick, Mary Shanahan-Spanic, and Anthony Nemecek, their three-year terms to expire October 10, 2009.

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.

#### **NOTICE OF POSSIBLE QUOROM**

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

#### **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.