



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Aldersperson Thomas G. Lajsic, Council President

Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Michael P. May,

Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt,

James W. Sengstock, Vincent Vitale, and Martin J. Weigel

Tuesday, May 7, 2013

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2013-0102](#) Resolution relative to determination of Special Use Permit to amend the hours of operation for Pizza Pit, an existing restaurant within a portion of the existing fuel station, located at 6819-21 W. Lincoln Ave.
Sponsors: Safety & Development Committee

2. [R-2013-0106](#) Resolution relative to determination of Special Use Permit for Lupitas Mexican Kitchen, an expansion of an existing restaurant, located at 1126 S. 70 St.
Sponsors: Safety & Development Committee

3. [O-2013-0022](#) Ordinance to amend Section 12.41(2) of the Revised Municipal Code relative to permitting secondhand article stores as a special use and to amend Section 12.43(2) relative to including pawn shops and secondhand jewelry dealers as a special use subject to a 3,500-ft separation clause.
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. MAYOR'S REPORT

- 1. Recent events attended**

- 2. Awards/commendations**

- 3. Upcoming events**

H. ALDERPERSON'S REPORT

- 1. Recent events attended**

- 2. Awards/commendations**

- 3. Upcoming events**

- 4. Discussion relative to background checks for anyone wishing to purchase a gun.**

- 5. Discussion relative to cruising/loitering and the quality of life in the City of West Allis.**

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of April 16, 2013.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2013-0221](#) David Walensa communication regarding vehicle damages allegedly sustained on W. National Ave. about W. Cleveland Ave. on December 21, 2012.
5. [2013-0222](#) Todd Gross communication regarding vehicle damages allegedly sustained eastbound on W. Lincoln Ave. about S. 98 St. on April 4, 2013.
6. [2013-0224](#) Notice of Circumstances of Claim submitted on behalf of Thomas Fliss regarding injuries and damages allegedly sustained at 1107 S. 58 St., on January 27, 2013.
7. [2013-0225](#) Allstate Property & Casualty Insurance Company communication submitted on behalf of Donna Wilson regarding vehicle damages allegedly sustained at 2471 S. 79 St., on March 5, 2013.

K. STANDING COMMITTEE REPORTS**LICENSE & HEALTH COMMITTEE**

Regular meeting held on April 23, 2013. (Ald. Sengstock excused).

8. [2013-0172](#) 2012-2013 Tavern Operator License application no. 13-608 of Rebecca C. Kroes.
Unanimously recommended to be approved.
9. [2013-0173](#) 2012-2014 Tavern Operator License application no. 14-258 of Richard H. Schilling.
Unanimously recommended to be approved.
10. [2013-0191](#) 2012-2014 Tavern Operator License application no. 14-261 of Anne M. Zube.
Unanimously recommended to be approved.
11. [2013-0175](#) 2012-2013 Cigarette License application no. 1951 of Spring West, LLC, Ajit S. Walia, Agent, d/b/a Mobil-Pantry 41 #105 for premises located at 10537 W. Greenfield Ave.
Unanimously recommended to be approved.
12. [2013-0147](#) Police Department Report involving Las Palmas, 1901 S. 60 St. (2012-2013 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, Incident Date: February 4, 2013).
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE and PUBLIC WORKS COMMITTEES

Previous Matters for Consideration

- 13. [R-2013-0083](#) Final Resolution authorizing public improvement by the installation of a new traffic signal system to include Emergency Vehicle Preemption (EVP) and pedestrian phasing at the intersection of W. National Avenue and S. 84th Street.
Sponsors: Public Works Committee

- 14. [2013-0213](#) Communication from Principal Engineer, Peter Daniels, regarding the proposed lighting of the Dakota Street Pedestrian Bridge over I-894.

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

- 15. [O-2013-0023](#) An Ordinance to amend Salary Ordinance No. O-2013-0010 establishing the salaries of certain Administrative & Clerical Employees for the Years 2012/2013 and 2014 (Neighborhood Services Liaison).
Sponsors: Administration & Finance Committee

- 16. [R-2013-0110](#) Resolution relative to the approval of an Agreement between the City of West Allis and Employee Benefits Corporation (EBC) for providing administrative services for the City's Section 125 Employees Flexible Benefits Plan.
Sponsors: Administration & Finance Committee

- 17. [R-2013-0109](#) Resolution regarding the transfer of \$7,500 from the City's Contingency Fund to the Police & Fire Commission 2013 Budget for expenses related to the recruitment and selection of a new Fire Chief.
Sponsors: Administration & Finance Committee

18. [R-2013-0103](#) Resolution relative to accepting the sole source proposal of Core Vision IT Solutions LLC for providing Palo Alto Firewall Subscription Service for a total net sum of \$17,388.00.
Sponsors: Administration & Finance Committee
19. [R-2013-0105](#) Resolution relative to accepting the proposal of Journal Community Publishing for providing legal notice publication service for a total sum of \$14,000.00.
Sponsors: Administration & Finance Committee
20. [R-2013-0112](#) Resolution relative to a request to the State Legislature to change State Levy Limits for Municipalities for the Purpose of Cash Financing for Road Construction.
Sponsors: Michael P. May and Daniel J. Roadt
21. [2013-0259](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period January 1, 2013 through March 31, 2013.

City Attorney Claim Report

22. [2011-0567](#) Mr. Robert C. Braun Notice of Claim for Damages and Demand for Relief relative to an incident on September 3, 2011 in front of West Allis City Hall.
City Attorney recommended to be placed on file.
23. [2012-0056](#) Summons and Complaint in the matter of Bank of America, N.A., vs Robert A. Harvey, et al, regarding foreclosure of mortgage, Case No. 12CV010847.
City Attorney recommended to be placed on file.
24. [2012-0169](#) Summons and Complaint in the matter of Robert Braun vs. City of West Allis, et al., Case No. 12CV003790.
City Attorney recommended to be placed on file.
25. [2012-0594](#) Summons and Complaint in the matter of Robert Braun vs. City of West Allis, et al., Case No. 12 CV 348.
City Attorney recommended to be placed on file.
26. [2013-0103](#) Andrew Slack communication regarding vehicle damages allegedly sustained on S. 68 St. between National Avenue and Mitchell Street on February 4, 2013.
City Attorney recommended to be paid and placed on file.

27. [2013-0145](#) Germantown Mutual Insurance Company submitted on behalf of Katherine O'Rourke regarding vehicle damages allegedly sustained at S. 117 Street and W. Lincoln Avenue on February 22, 2013. Claim No. 1300607.

City Attorney recommended denial.

28. [2013-0146](#) Notice of Injury and Claim for Damages submitted by Robin Krueger regarding injuries and damages allegedly sustained at Froedtert Memorial Hospital on November 8, 2012.

City Attorney recommended denial.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

29. [R-2013-0097](#) Resolution to approve bid of Green Bay Pipe & TV, LLC for the closed circuit TV inspection of sanitary and storm sewers at various locations in the City of West Allis in the amount of \$60,767.00.

Sponsors: Public Works Committee

30. [R-2013-0107](#) Resolution approving contracting with CableCom LLC to provide and install single-mode fiber optic cable for an amount not to exceed \$25,000.

Sponsors: Public Works Committee

31. [R-2013-0111](#) Resolution relative to accepting the proposal of Graybar Electric Supply for furnishing aluminum street lighting poles for a total sum of \$34,308.05.

Sponsors: Public Works Committee

32. [R-2013-0104](#) Resolution relative to accepting the proposal of Sherwin Industries, Inc. for furnishing and delivering one (1) 102 Gallon Melter Applicator with Compressor for a total sum of \$49,816.71.

Sponsors: Public Works Committee

33. [R-2013-0108](#) Resolution to approve bid of J&A Pohl, Inc. for the installation of concrete curb and gutter, concrete pavement, miscellaneous walk repair, driveway replacement, sanitary sewer relay, sanitary sewer, storm sewer relay, storm sewer, water main relay, building services and utility adjustments in South 87th Street from West Greenfield Avenue to West Lapham Street in the City of West Allis in the amount of \$1,043,719.70.

Sponsors: Public Works Committee

34. [R-2013-0100](#) Resolution authorizing staff to petition the Public Service Commission for a PWAC Rate Adjustment.
Sponsors: Public Works Committee
35. [2013-0223](#) Downtown West Allis, Inc. requesting permission to use the public parking lot south of Greenfield Ave. between 73rd and 72nd Streets, parking restrictions, the use of signs, and supplies from the Department of Public Works for their Annual Downtown West Allis BID Merchants Appreciation Picnic on Wednesday, May 22, 2013 from 11:00 a.m. - 1:00 p.m.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

36. [R-2013-0114](#) Resolution authorizing the Community Development Authority of the City of West Allis to enter into a Memorandum of Understanding with Cardinal Capital Management, Inc. relative to the sale of land located at 9** S. 70 St. (Tax Key No. 440-0259-008)
Sponsors: Safety & Development Committee
37. [R-2013-0113](#) Resolution authorizing the Community Development Authority of the City of West Allis to enter into a Purchase & Sale and Development Agreement with Cardinal Capital Management, Inc. for the property located at 9** S. 70 Street (Tax Key Number 440-0259-008).
Sponsors: Safety & Development Committee
38. [R-2013-0101](#) Resolution approving a Certified Survey Map to consolidate two existing residential properties located at 1803 and 1807 S. 92 St. into one lot of record, to establish a Planned Development for a high density residential use, submitted by Chris Miller, 92 Street Commons, LLC. (Tax Key No. 451-0282-001 and 451-0283-001).
Sponsors: Safety & Development Committee
39. [2013-0255](#) Certified Survey Map to consolidate two existing residential properties located at 1803 and 1807 S. 92 St. into one lot of record, to establish a Planned Development for a high density residential use, submitted by Chris Miller, 92 Street Commons, LLC. (Tax Key No. 451-0282-001 and 451-0283-001)
40. [2013-0257](#) Communication from Stephen Perry Smith Architects, Inc. on behalf of 92 Street Commons, LLC., requesting an ordinance to amend the official West Allis Zoning Map by creating a Residential Planned Development District overlay zoning (PDD-1) for residentially zoned land located at 1803 and 1807 S. 92 St.

41. [2013-0220](#) Petition submitted requesting two hour parking restrictions between the hours of 8:00 a.m. to 4:00 p.m., Monday thru Friday, at the 8900 block of the southside of W. Grant St.
42. [O-2013-0021](#) An Ordinance to Establish Parking Restrictions on the South Side of the West 65 Feet of the 8900 Block of West Grant Street.
Sponsors: Thomas G. Lajsic
43. [2013-0253](#) Special Use Permit for Treble Maker Studios, a proposed music studio, to be located within the existing multi-tenant building at 5317 W. Burnham St.
44. [2013-0254](#) Special Use Permit for MGS Group, LLC a proposed training center offering personal defense, safety and security classes, to be located within a portion of the existing commercial building at 2465-2473 S. 84 St.

Public Hearing Items (Safety & Development Committee)

45. [R-2013-0102](#) Resolution relative to determination of Special Use Permit to amend the hours of operation for Pizza Pit, an existing restaurant within a portion of the existing fuel station, located at 6819-21 W. Lincoln Ave.
Sponsors: Safety & Development Committee
46. [2013-0209](#) Special Use Permit to amend the hours of operation for Pizza Pit, an existing restaurant within a portion of the existing fuel station, located at 6819-21 W. Lincoln Ave.
47. [R-2013-0106](#) Resolution relative to determination of Special Use Permit for Lupitas Mexican Kitchen, an expansion of an existing restaurant, located at 1126 S. 70 St.
Sponsors: Safety & Development Committee
48. [2013-0184](#) Special Use Permit for Mexi-Italian Cafe, an expansion of an existing restaurant, located at 1126 S. 70 St.
49. [O-2013-0022](#) Ordinance to amend Section 12.41(2) of the Revised Municipal Code relative to permitting secondhand article stores as a special use and to amend Section 12.43(2) relative to including pawn shops and secondhand jewelry dealers as a special use subject to a 3,500-ft separation clause.
Sponsors: Safety & Development Committee

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

50. [2013-0251](#) Communication from William P. Savage, Agent of Wild Bill's Saloon, LLC, 2012-2013 Class B Tavern License no. 789 premises located at 1454 S. 92 St., regarding d/b/a name change from Wild Bill's Saloon to Game Day Sports Club.
51. [2013-0215](#) 2013-2014 Secondhand Article Dealer License application(s).
52. [2013-0216](#) 2013-2014 Secondhand Jewelry Dealer License application(s).
53. [2013-0217](#) 2013-2014 Amusement Distributor's License application(s).
54. [2013-0218](#) 2013-2014 Phonograph Distributor's License application(s).
55. [2013-0245](#) 2013-2014 Adult-Oriented Establishment License renewal application.
56. [2013-0243](#) 2013-2014 Adult-Oriented Establishment Operator Permit application(s).
57. [2013-0256](#) 2012-2013 Special Class B Beer and Wine License application(s).
58. [2013-0233](#) 2012-2013 Class B Tavern Special Event Permit application no. 15 of Janice Susan, LLC, Janice S. Fazen, Agent, d/b/a Dog House, 1641 S. 68 St. (2012-2013 Class B Tavern License no. 1759, Instrumental Music License no. 1761 and Dance Hall License no. 1760) for Golf Outing/Birthday Party, Saturday, June 8, and Sunday June 9, 2013, from 6:00 a.m. to 10:00 p.m. (Tents and food in backyard fenced in area.). First permit application.
59. [2013-0244](#) 2012-2013 Class B Tavern Special Event Permit application no. 16 of Gregory S. Barczak, d/b/a 88 Keys Piano Martini Lounge, 7211 W. Greenfield Ave. (2012-2013 Class B Tavern License no. 1530 and Instrumental Music License no. 1532), for West Allis Ala Carte, from 12:00 p.m. to 6:00 p.m., on June 2, 2013. (beer tent on S. 72nd Street, south of W. Greenfield Ave.). First permit application.
60. [2013-0219](#) Tavern Operator License applications.
61. [2013-0227](#) 2013-2014 Combination Class A Liquor License renewal application(s).
62. [2013-0226](#) 2013-2014 Class B Tavern, Dance Hall and Instrumental Music renewal applications.
63. [2013-0234](#) 2013-2014 Class B Beer License renewal application(s).

64. [2013-0235](#) 2013-2014 Class C Wine License renewal application(s).
65. [2013-0229](#) 2013-2014 Class B Tavern License application no. 1963 of Apple Hospitality Group, LLC, Geoff S. Krueger, Agent, d/b/a Applebee's Neighborhood Grill & Bar, for premises located at 2865 S. 108 St. (new-existing location).
66. [2013-0228](#) 2013-2014 Combination Class A Liquor License renewal application no. 933 of Sam's East, Inc., Michael R. Lindahl, Agent, d/b/a Sam's Club 6303, for premises located at 1540 S. 108 St. (new agent).
67. [2013-0237](#) 2013-2014 Tavern Operator License application no. 14-264 of Sarah M. Reeves.
68. [2013-0238](#) 2013-2014 Tavern Operator License application no. 14-265 of Lisa A. Payne-Hennen.
69. [2013-0239](#) 2013-2015 Tavern Operator License renewal application no. 15-005 of Ashlee J. Leonard.
70. [2013-0240](#) 2013-2015 Tavern Operator License renewal application no. 15-008 of Tiffany B. Dobeck.
71. [2013-0246](#) 2013-2015 Tavern Operator License application no. 15-60 of Isabel M. Castillo.
72. [2013-0247](#) 2013-2015 Tavern Operator License renewal application no. 15-77 of Julaine Kartz.
73. [2013-0248](#) 2013-2015 Tavern Operator License renewal application no. 15-36 of Debra J. Doss.
74. [2013-0249](#) 2013-2015 Tavern Operator License renewal application no. 15-58 of Theresa A. Marks.
75. [2013-0250](#) 2013-2015 Tavern Operator License application no. 15-53 of Roberto Herrera, Jr.
76. [2013-0252](#) 2013-2014 Cigarette License renewal application no. 468 of Choudry Oil, Inc., Sajid Bashir, Agent, d/b/a Mobil for premises located at 2315 S. 76 St. and 2013-2014 Cigarette License renewal application no. 1835 of Choudry Oil, Inc., Sajid Bashir, Agent, d/b/a Philip 66 for premises located at 7202 W. Lincoln Ave.
77. [2013-0230](#) 2012-2013 Class B Tavern License application no. 1965, Dance Hall License application no. 1966, and Instrumental Music License application no. 1967, of The Buzzard's Nest, LLC, Holly A. Schaeffer, Agent, d/b/a Thumb's Up Pub, for premises located at 6000 W. Mitchell St. (new-existing location).

78. [2013-0231](#) 2012-2013 Class B Tavern License application no. 1968 and Instrumental Music License application no. 1969 of Sharon L. Butterfield, d/b/a Rockstars Saloon, for premises located at 5826 W. Burnham St. (new-existing location).
79. [2013-0236](#) 2012-2013 Tavern Operator License application no. 13-618 of Vincent R. Fleischman.

Previous Matters for Consideration

80. [2013-0190](#) 2012-2013 Tavern Operator License application no. 13-616 of Jonathan H. Itokazu.
81. [2013-0171](#) 2012-2013 Tavern Operator License application no. 13-610 of Shawn A. Kazubowski.
82. [2013-0174](#) 2012-2014 Tavern Operator License application no. 14-259 of Vickie L. Van Eperen.

ADVISORY COMMITTEE

New Matters for Introduction

83. [2013-0258](#) Appointment by Mayor Devine of Mr. Terry Tauschmann as a member of the West Allis Commission on Aging, his three-year term to expire November 1, 2016.
84. [2013-0260](#) Reappointments by Mayor Devine to the West Allis Plan Commission of James Hoerig and Jim Lisinski, their three-year terms to expire April 30, 2016.

N. 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.