



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*

Tuesday, June 1, 2010

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-2010-0131](#) Resolution relative to determination of Special Use Permit to establish educational services at Right Click Computer Services, an established business located at 8008 W. National Ave.
Sponsors: Safety & Development Committee
2. [R-2010-0135](#) Resolution relative to determination of Special Use Permit to establish an outdoor deck at Shamrocks located at 6851 W. Beloit Rd.
Sponsors: Safety & Development Committee
3. [R-2010-0132](#) Resolution relative to determination of Special Use Permit to include a beer-serving establishment to the existing cigar business, Smoker's Pub, located within the Oak Ridge Square Shopping Center at 10708 W. Oklahoma Ave.
Sponsors: Safety & Development Committee
4. [R-2010-0136](#) Resolution relative to determination of Special Use Permit to establish outdoor dining at HD Hideout, an existing tavern located at 6201 W. Mitchell St.
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 May 18, 2010.

J. ITEMS NOT REFERRED TO COMMITTEE

- 5. [2010-0329](#) Report of the Municipal Judge for the month of March 2010, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$185,730.27.
- 6. [2010-0338](#) Summons and Complaint in the matter of Rosemary Zielinski vs. Gloria Hilliard, et al, regarding foreclosure of mortgage, Case No. 10CV007558.
- 7. [2010-0349](#) Summons and Complaint in the matter of Legacy Bank vs Kenneth F. Palme, et al, regarding foreclosure of mortgage, Case No. 10CV001394.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on May 25, 2010. (Ald. Sengstock excused).

8. [O-2010-0013](#) An Ordinance to Amend Subsection 9.05(2)(b) of the West Allis Revised Municipal Code Relating to Dance Halls.
Sponsors: Michael J. Czaplewski
Unanimously recommended for passage as amended.
9. [O-2010-0014](#) An Ordinance to Repeal SubSection 7.126(5)(d)(1) and Recreate Using Number (2) and Renumbering (3) to (2) of the West Allis Revised Municipal Code Relating to Dangerous Dogs.
Sponsors: Michael J. Czaplewski
Unanimously recommended for passage.
10. [2010-0257](#) 2010-2011 Tavern Operator License application no. 11-478 of Jason A. Krzyzanowski.
Unanimously recommended to be approved.
11. [2010-0267](#) 2010-2011 Tavern Operator License application no. 11-475 of Simone N. Mervosh.
Unanimously recommended to be approved.
12. [2010-0294](#) 2010-2012 Tavern Operator License renewal application no. 12-89 of Jatinder P. Singh.
Unanimously recommended to be approved.
13. [2010-0295](#) 2010-2012 Tavern Operator License renewal application no. 12-92 of Michelle L. Scott.
Unanimously recommended to be approved.
14. [2010-0315](#) 2010-2011 Tavern Operator License renewal application no. 11-486 of Nicole L. Balistreri.
Unanimously recommended to be approved.
15. [2010-0324](#) 2010-2011 Tavern Operator License application no. 11-493 of Adam L. Malmquist.
Unanimously recommended to be approved.
16. [2010-0289](#) 2010-2011 Class B Tavern License renewal application no. 1361, Dance Hall License renewal application no. 1657 and Instrumental Music License renewal application no. 1656 of Rocco A. Landgraf, d/b/a Rocco's Bar & Grill for premises located at 1309 S. 60 St.
Unanimously recommended to be approved subject to necessary requirements.

17. [2010-0290](#) 2010-2011 Class B Tavern License renewal application no. 1574, Dance Hall License renewal application no. 1576 and Instrumental Music License renewal application no. 1575 of DRND Corporation, Debra M. Nadboralski, Agent, d/b/a D & D's Bar & Grill for premises located at 1022 S. 60 St.
Unanimously recommended to be approved subject to necessary requirements.
18. [2010-0291](#) Police Department Report involving G R's National Pub, 6827 W. National Ave. (2009-2010 Class B Tavern License no. 1613, Dance Hall License no. 1615, and Instrumental Music License no. 1614 of Guy M. Robb, LLC, Guy M. Robb, Agent, Incident Date: April 11, 2010).
Unanimously recommended to be placed on file.
19. [2010-0312](#) 2010-2011 Class B Tavern License renewal application no. 1613, Instrumental Music License renewal application no. 1614 and Dance Hall License renewal application no. 1615 of Guy M. Robb, LLC, Guy M. Robb, Agent, d/b/a G R's National Pub, premises located at 6827 W. National Ave.
Unanimously recommended to be approved subject to necessary requirements.
20. [2010-0326](#) 2010-2011 Tavern Operator License application no. 11-492 of Linda A. Korth.
Unanimously recommended to be denied based on the police report.
21. [2010-0297](#) Police Department Report involving Kwik Pantry, 6716 W. Lincoln Ave. (2009-2010 Combination Class A License no. 1502 of Bryan SRA, LLC, Ram S. Joseph, Agent, Incident Date: April 23, 2010).
Unanimously recommended to be placed on file.
22. [2010-0292](#) 2010-2011 Combination Class A Liquor License renewal application no. 1502 of Bryan SRA, LLC, Ram S. Joseph, Agent, d/b/a Kwik Pantry, for premises at 6716 W. Lincoln Ave.
Unanimously recommended to be approved subject to necessary requirements.
23. [2010-0236](#) 2009-2011 Tavern Operator License application no. 11-461 of Ricky R. Amborn.
*Recommended to be approved by the following vote:
Ayes: 3 - Alderpersons Barczak, Czaplewski & Roadt
Noes: 1 - Alderperson Weigel*

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

New Matters for Introduction

24. [O-2010-0019](#) An Ordinance to create Section 1.08(2)(d) of the City of West Allis Revised Municipal Code to provide for change in due date for February payment of Manufactured/Mobile Home Community/Municipal Monthly Permit Fee.
Sponsors: Administration & Finance Committee
25. [O-2010-0020](#) An Ordinance to create Section 5.18 of the City of West Allis Revised Municipal Code regarding reimbursement of Fire Department costs for services in excess of Fire Department capabilities.
Sponsors: Administration & Finance Committee
26. [R-2010-0137](#) Resolution relative to approving an agreement between RDS Services LLC and the City of West Allis for early retiree reinsurance program services.
Sponsors: Administration & Finance Committee
27. [2010-0339](#) Gail M. Kirk communication regarding billing concerns with West Allis Memorial Hospital and participating preferred providers for an incident on January 7, 2010.

City Attorney Claim Report

28. [2007-0456](#) Michael Schrupa communication regarding injuries allegedly sustained at 56th and Greenfield Ave. on April 11, 2007.
City Attorney recommended denial.
29. [2009-0196](#) Amended Summons & Complaint in the matter of U.S. Bank National Association vs. the City of West Allis, et al., Case No. 07-CV-013644.
City Attorney recommended to be placed on file.
30. [2009-0561](#) Amended Summons and Complaint in the matter of Deutsche Bank National Trust Company vs. City of West Allis, et al.
City Attorney recommended to be placed on file.
31. [2010-0037](#) Second Amended Summons and Complaint in the matter of Fox River State Bank vs. A.B. Petroleums, LLC, et al., regarding foreclosure of mortgage, Case No. 09-CV-16639.
City Attorney recommended to be placed on file.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

32. [R-2010-0133](#) Resolution to approve bid of Payne & Dolan, Inc. for asphalt resurfacing of the pavement including the cracking and seating of the pavement with miscellaneous driveway and sidewalk repair, water main relay, sanitary spot relay, storm sewer relay and utility adjustments in S. 117th Street from W. Lincoln Ave. to W. Cleveland Ave., S. 86th St. from W. Lincoln Ave. to South of W. Hayes Ave. and S. 85th St. from W. Lincoln Ave. to W. Hayes Ave. in the City of West Allis, in the amount of \$650,264.70.
- Sponsors:** Public Works Committee
33. [R-2010-0138](#) Resolution Authorizing the Director of Public Works/City Engineer to enter into an agreement with Kahle Builders, LLC in the amount of not to exceed \$32,000 to finish window replacement at the Public Works Yards.
- Sponsors:** Public Works Committee
34. [2010-0340](#) Communication from Bob Donegan regarding concerns with the aesthetics and maintenance of the City's fire hydrants.

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES**Public Hearing Items (Safety & Development and License & Health Committees)**

35. [R-2010-0135](#) Resolution relative to determination of Special Use Permit to establish an outdoor deck at Shamrocks located at 6851 W. Beloit Rd.
- Sponsors:** Safety & Development Committee
36. [2010-0228](#) Special Use Permit for Shamrocks, a proposed tavern with an outdoor deck to be located at 6851 W. Beloit Rd.
37. [R-2010-0132](#) Resolution relative to determination of Special Use Permit to include a beer-serving establishment to the existing cigar business, Smoker's Pub, located within the Oak Ridge Square Shopping Center at 10708 W. Oklahoma Ave.
- Sponsors:** Safety & Development Committee
38. [2010-0266](#) Special Use Permit to include a beer-serving establishment to the existing cigar business, Smoker's Pub, located within the Oak Ridge Square Shopping Center at 10708 W. Oklahoma Ave.

39. [R-2010-0136](#) Resolution relative to determination of Special Use Permit to establish outdoor dining at HD Hideout, an existing tavern located at 6201 W. Mitchell St.
Sponsors: Safety & Development Committee
40. [2010-0313](#) Special Use Permit for extension of premises and to establish outdoor dining at HD Hideout, an existing tavern located at 6201 W. Mitchell St.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

41. [O-2010-0018](#) An Ordinance to Repeal Subsections 12.13(3)(a)3 and 12.13(3)(b)4 of the West Allis Revised Municipal Code Relating to Architectural Review and Site Review for New Single Family Residential Construction.
Sponsors: Richard F. Narlock
42. [O-2010-0021](#) An Ordinance to Repeal and Recreate Subsections 13.28(10)(i)2. and 13.28(10)(j)2. of the West Allis Revised Municipal Code Relating to Off-Street Parking During the Wisconsin State Fair Week.
Sponsors: Gary T. Barczak
43. [R-2010-0134](#) Resolution authorizing the Director of Development to execute an amendment to the Community Development Block Grant- Emergency Assistance Program (CDBG-EAP) Agreement between the City of West Allis and the State of Wisconsin Department of Commerce for accepting an additional \$2,251,000 of assistance.
Sponsors: Safety & Development Committee

Previous Matters for Consideration

44. [O-2000-0002](#) Ordinance relative to repealing and recreating subsection 5.10(9) of the Revised Municipal Code relating to open burning.
Sponsors: Vincent Vitale
45. [R-2010-0126](#) Resolution relative to determination of Special Use Permit for proposed daycare facility to be located at 5801 W. National Ave.
Sponsors: Safety & Development Committee
46. [2010-0270](#) Special Use Permit for proposed daycare facility to be located at 5801 W. National Ave.

Public Hearing Items (Safety & Development Committee)

47. [R-2010-0131](#) Resolution relative to determination of Special Use Permit to establish educational services at Right Click Computer Services, an established business located at 8008 W. National Ave.
Sponsors: Safety & Development Committee
48. [2010-0314](#) Special Use Permit to establish educational services at Right Click Computer Services, an established business located at 8008 W. National Ave.

LICENSE & HEALTH COMMITTEE**New Matters for Introduction**

49. [2010-0331](#) 2010-2011 Amusement Distributor's License application(s).
50. [2010-0332](#) 2010-2011 Secondhand Article Dealer License application(s).
51. [2010-0350](#) 2010-2011 Used Vehicle Dealer License application(s).
52. [2010-0334](#) 2010-2012 Package Goods Operator License application(s).
53. [2010-0333](#) 2010-2011 Adult-Oriented Establishment Operator Permit application(s).
54. [2010-0337](#) Tavern Operator License applications.
55. [2010-0330](#) 2009-2010 Special Class B Beer and Wine License application(s).
56. [2010-0346](#) 2010-2011 Combination Class A Liquor License renewal application.
57. [2010-0347](#) 2010-2011 Class A Beer License renewal application.
58. [2010-0345](#) 2010-2011 Wholesale Beer License renewal application.
59. [2010-0344](#) 2010-2011 Class B Tavern License renewal application no. 663, Dance Hall License renewal application no. 665, Instrumental Music License renewal application no. 664 and Bowling Alley License renewal application no. 962 of AMF Bowling Centers, Inc., Jonathan M. Dufek, Agent, d/b/a AMF West Allis Lanes for premises located at 10901 W. Lapham St. (new agent).

60. [2010-0335](#) 2010-2011 Class B Tavern, Dance Hall, Bowling Alley and Instrumental Music License renewal applications.
61. [2010-0336](#) 2010-2011 Class B Tavern License renewal application no. 760, Instrumental Music License renewal application no. 761 and Dance Hall License renewal application no. 763 of Yester Years Pub & Grill, Inc., Karen D. Schoenfeld, Agent, d/b/a Yester Years Pub and Grill, premises located at 9427 W. Greenfield Ave.
62. [2010-0341](#) Communication from Belinda Joy Lathan requesting the liquor license for Yester Years Pub and Grill not be renewed.
63. [2010-0342](#) 2010-2011 Class B Tavern License renewal application no. 1223 of J.P.'s Hat Trix, LLC, Pamela Ann Yanny, Agent, d/b/a J.P.'s Hat Trix, premises located at 5826 W. Burnham St.
64. [2010-0343](#) 2010-2011 Class B Tavern License application no. 1663 of Alibi Tavern, LLC, Patrick R. Kosidowski, Agent, d/b/a The Alibi Tavern, premises located at 6540 W. Grant St. (new-existing location).

Previous Matters for Consideration

65. [2010-0317](#) 2010-2011 Class B Tavern License renewal application no. 1594 of PAROPS LLC, Hans T. Anderson, Agent, d/b/a Night Court, premises located at 7127 W. National Ave.
66. [2010-0286](#) 2010-2011 Class B Beer License application no. 1651 of Smokers Pub, LLC, Lisa L. Ali, Agent, d/b/a Smokers Pub, premises located at 10708 W. Oklahoma Ave. (new-nonexisting location).
67. [2010-0173](#) 2009-2010 Class B Beer License application no. 1631 of Smokers Pub, LLC, Lisa L. Ali, Agent, d/b/a Smokers Pub located at 10708 W. Oklahoma Ave. (new-nonexisting location).
68. [2010-0327](#) Communication from the Director of Building Inspections & Neighborhood Services requesting review of the liquor license issued to Shawna's Pub, 1101 S. 60 St., for violations of occupancy and building codes.
69. [2010-0293](#) Police Department Report involving Shawna's Pub and Grub, 1101 S. 60 St. (2009-2010 Class B Tavern License no. 1579, and Dance Hall License no. 1580 of LAM Enterprises, LLC, Loretta A. Matovich, Agent, Incident Date: April 5, 2010).

70. [2010-0310](#) 2010-2011 Class B Tavern license renewal application no. 1447, PM Pub & Grub, Inc., Dorene Monty, Agent, d/b/a PM Pub & Grub for premises located at 6533 W. Mitchell Street. (new agent).
71. [2010-0296](#) Police Department Report involving Jimmy B's Trailsend, 7216 W. Lincoln Ave. (2009-2010 Class B Tavern License no. 745 and Dance Hall License no. 746 of Jimmy B's Trailsend, Inc., Kevin F. Bagurdes, Agent, Incident Date: April 17, 2010).
72. [O-2010-0015](#) An Ordinance to Repeal and Recreate Section 7.032 of the West Allis Revised Municipal Code Relating to Prohibiting Smoking in Certain Areas.
Sponsors: License & Health Committee
73. [O-2010-0016](#) An Ordinance to Repeal and Recreate Section 7.032 of the West Allis Revised Municipal Code Relating to Prohibiting Smoking in Certain Areas.
Sponsors: License & Health Committee

ADVISORY COMMITTEE

New Matters for Introduction

74. [2010-0328](#) City Attorney's Communication Requesting Approval for Destruction of Public Records in the City Attorney's Office.
75. [2010-0348](#) Legislative Committee minutes for May 25, 2010.

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.

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.