



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, December 1, 2009

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2009-0250](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 68 St. from W. Lincoln Ave. to South Corporate Limits, and W. National Ave. from S. 70 St. to Union Pacific Railroad by major asphalt resurfacing with miscellaneous walk repair and utility adjustments.

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 November 17, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

2. [2009-0764](#) Notice of Injury and Claim for Damages submitted on behalf of Deandrew Smith regarding injuries and damages allegedly sustained on W. National Ave. and W. Cleveland Ave. on August 21, 2009.

3. [2009-0766](#) American Family Insurance Group communication submitted on behalf of Chasity E. & Yohan Quiles regarding damages allegedly sustained on October 28, 2009.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on November 24, 2009.

4. [2009-0757](#) 2009-2011 Tavern Operator License application no. 11-406 of Katy M. Fink.
Unanimously recommended to be approved.

5. [2009-0612](#) 2009-2011 Tavern Operator license application no. 11-379 of Rebecca L. Finney.
Unanimously recommended to be approved.

6. [2009-0709](#) 2009-2010 Tavern Operator License application no. 10-407 of Barbara J. Davison.
Unanimously recommended to be approved.

7. [2009-0710](#) 2009-2011 Tavern Operator License application no. 11-398 of Erin B. Hennessy.
Unanimously recommended to be approved.

8. [2009-0712](#) 2009-2010 Tavern Operator License application no. 10-405 of Ruben E. Sanchez.
Unanimously recommended to be denied based on the police report.
9. [2009-0713](#) 2009-2011 Tavern Operator License application no. 11-402 of Michelle Marie Monty.
Unanimously recommended to be approved.
10. [2009-0714](#) 2009-2010 Package Goods Operator License application no. 1603 of Walter G. Schneider, IV.
Unanimously recommended to be approved.
11. [2009-0715](#) 2009-2010 Package Goods Operator License application no. 1601 of Nicole M. Bartlett.
Unanimously recommended to be approved.
12. [2009-0716](#) 2009-2010 Package Goods Operator License application no. 1602 of Kayla E. Anderson.
Unanimously recommended to be approved.
13. [2009-0734](#) Police Department Report regarding October 11, 2009 Alcohol Compliance Check involving eleven (11) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1299 and Cigarette License no. 1300 of Jay's Liquor, Inc., Jigar U. Chaudhari, Agent, d/b/a Riverbend Liquor, 7506 W. Oklahoma Ave.).
Unanimously recommended to be placed on file.
14. [2009-0735](#) Police Department Report regarding October 11, 2009 Alcohol Compliance Check involving eleven (11) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2009-2010 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.).
Unanimously recommended to be placed on file.
15. [2009-0736](#) Police Department Report regarding October 11, 2009 Alcohol Compliance Check involving eleven (11) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2009-2010 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.).
Unanimously recommended to be placed on file.

16. [2009-0729](#) 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: October 4, 2009).

Unanimously recommended to be placed on file.

17. [2009-0708](#) 2009-2010 Tavern Operator License application no. 10-402 of Dylan F. Roloff.

Recommended to be approved by the following vote:

Ayes: 4 - Alderpersons Czaplewski, Roadt, Sengstock & Weigel

Excused: 1 - Alderperson Barczak

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

New Matters for Introduction

18. [R-2009-0263](#) Resolution relative to accepting the proposal of Ewald Automotive Group for furnishing and delivering three (3) vehicles for a total sum of \$59,902.00 and the transferring of \$59,902.00 from the Contingency Fund to the Public Works Dept Automotive Capital Account.

Sponsors: Administration & Finance Committee and Public Works Committee

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

19. [R-2009-0255](#) Resolution Relative to Revising the Family and Medical Leave Act Policy for Inclusion in the City of West Allis Policies & Procedures Manual.

Sponsors: Administration & Finance Committee

20. [R-2009-0256](#) Resolution Relative to Revising the Electronic Communication Policy for Inclusion in the City of West Allis Policies & Procedures Manual.

Sponsors: Administration & Finance Committee

21. [R-2009-0259](#) Resolution approving Subgrantee Agreements by and between the City of West Allis and various Community Development Block Grant recipients and City Departments for support of administrative, public service, housing rehabilitation, economic development, public improvement, redevelopment activities and projects funded by 2010 Community Development Block Grant funds.
Sponsors: Administration & Finance Committee
22. [R-2009-0261](#) Resolution relative to transferring \$102,720.00 from the Contingency Fund to the Police Dept. Automotive Capital Account for purchasing five (5) Police Squads from Holz Motors.
Sponsors: Administration & Finance Committee
23. [R-2009-0262](#) Resolution relative to accepting the proposal of Ehlers & Associates for furnishing Financial Advising Services for the period 1/1/10 through 12/31/12 for an estimated sum of \$81,000.00.
Sponsors: Administration & Finance Committee
24. [2009-0772](#) Communication from City Administrative Officer regarding donating obsolete computers to the Community Alliance Against Drugs.
25. [2009-0761](#) Communication from the City Attorney regarding the settlement of the Michelle L. Moran v. Standard Insurance Company of Wisconsin, et al. case (#08-CV-007979).
26. [2009-0762](#) Communication from the City Attorney regarding the settlement of the Carol Novak, et al. v. Nick Vujnovich, et al. case (#07-CV-002592).
27. [2009-0763](#) Communication from the Assistant City Attorney regarding the settlement of the Todd Clementi, et al. v. David Ulbrich, et al. case (#08-CV-014816).

City Attorney Claim Report

28. [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.
City Attorney recommended to be paid and placed on file.
29. [2009-0663](#) Theresa Wolf communication regarding vehicle damage allegedly sustained at 6501 W. Becher Place on September 30, 2009.
City Attorney recommended denial.

30. [2009-0700](#) Word of Grace Bible Church communication regarding property damage allegedly sustained on June 19, 2009 at 2660 S. 88 St.

City Attorney recommended denial.

PUBLIC WORKS AND SAFETY & DEVELOPMENT COMMITTEES

Previous Matters for Consideration

31. [2009-0697](#) Kerry J. Gudlin, 2184 S. 90 St., communication requesting a two-hour parking restriction on the north side of W. Grant St., east of S. 90 St.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

32. [R-2009-0252](#) Resolution Granting a Privilege for Encroachment (Major) to Michael T. Smith (d/b/a Cleveland Avenue Automotive) for property located at 8440 West Cleveland Avenue.

Previous Matters for Consideration

33. [2009-0744](#) Lisa Eaton communication requesting a playground be provided near the 2800 block of S. Waukesha Road.

Public Hearing Items (Public Works Committee)

34. [R-2009-0250](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 68 St. from W. Lincoln Ave. to South Corporate Limits, and W. National Ave. from S. 70 St. to Union Pacific Railroad by major asphalt resurfacing with miscellaneous walk repair and utility adjustments.

Sponsors: Public Works Committee

35. [R-2009-0251](#) Final Resolution authorizing public improvement by major asphalt resurfacing with miscellaneous walk repair and utility adjustments in S. 68 St. from W. Lincoln Ave. to South Corporate Limits, and W. National Ave. from S. 70 St. to Union Pacific Railroad and levying special assessments against benefited properties.

Sponsors: Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE**New Matters for Introduction**

36. [O-2009-0037](#) An Ordinance to Create Section 6.017 of the West Allis Revised Municipal Code Relating to Abandoned Shopping Carts.
Sponsors: Martin J. Weigel
37. [O-2009-0036](#) An Ordinance to Establish Parking Restrictions on the West Side of the North 180 Feet of the 1400 Block of S. 65 St.
Sponsors: Vincent Vitale
38. [2009-0770](#) Communication from City of New Berlin's Department of Community Development informing the City of West Allis of their 2020 Comprehensive Plan to be discussed at their Common Council meeting in New Berlin on December 8, 2009.
39. [2009-0767](#) Communication from Kurt D. Wachholz, District Administrator, West Allis-West Milwaukee, et al. School District, requesting signage relative to traffic control near Irving Elementary School at the intersection of S. 104 St. and W. Grant St.

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

40. [2009-0768](#) Communication from Kurt D. Wachholz, District Administrator, West Allis-West Milwaukee, et al. School District, relative to smoking in City parks during Youth Recreation Events.
41. [2009-0765](#) 2009-2010 and 2009-2011 Tavern Operator License applications.

ADVISORY COMMITTEE**New Matters for Introduction**

42. [R-2009-0253](#) Resolution authorizing change of the polling place for the Twenty-Fifth Ward of the Fourth Aldermanic District from Central High School to the Village at Manor Park.
Sponsors: Rosalie L. Reinke

43. [R-2009-0254](#) Resolution authorizing change of the polling place for the Ninth Ward of the Second Aldermanic District from Lincoln Intermediate School to Heritage West Allis.
Sponsors: Rosalie L. Reinke
44. [2009-0769](#) Reappointment by Mayor Devine of Don Kosiboski as a member of the West Allis Property Maintenance Code Appeals Board, his two-year term to expire September 1, 2011.
45. [2009-0771](#) Legislative Committee minutes for November 24, 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.

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.