



City of West Allis

Meeting Minutes

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

7:02 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:02 p.m.

B. ROLL CALL

Present 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

Excused 1 - Roadt

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Reinke.

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

Explanation by Michael Lewis, City Engineer.

Appearances: None.

E. CITIZEN PARTICIPATION

None.

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

Mayor Devine announced that the following Committees would meet during recess: Administration & Finance, Public Works, Safety & Development, License & Health, and Advisory.

G. MISCELLANEOUS BUSINESS

Mayor's Report

Mayor Devine announced that the Chamber of Commerce will be hosting their annual holiday charity benefit at Steakhouse 100. He described the Celebrations Committee's "Remember the Veterans Project." Mayor Devine announced that Candy Cane Lane is now in full swing.

Alderspersons Comments

Ald. Sengstock commented on a recent article that named West Allis as the best place in the Milwaukee area to raise children.

H. AGENDA APPROVAL

that the agenda with supplemental item no. 39a be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

4. [2009-0757](#) 2009-2011 Tavern Operator License application no. 11-406 of Katy M. Fink.
5. [2009-0612](#) 2009-2011 Tavern Operator license application no. 11-379 of Rebecca L. Finney.
6. [2009-0709](#) 2009-2010 Tavern Operator License application no. 10-407 of Barbara J. Davison.
7. [2009-0710](#) 2009-2011 Tavern Operator License application no. 11-398 of Erin B. Hennessy.

8. [2009-0712](#) 2009-2010 Tavern Operator License application no. 10-405 of Ruben E. Sanchez.
Denied based on the police report.
9. [2009-0713](#) 2009-2011 Tavern Operator License application no. 11-402 of Michelle Marie Monty.
10. [2009-0714](#) 2009-2010 Package Goods Operator License application no. 1603 of Walter G. Schneider, IV.
11. [2009-0715](#) 2009-2010 Package Goods Operator License application no. 1601 of Nicole M. Bartlett.
12. [2009-0716](#) 2009-2010 Package Goods Operator License application no. 1602 of Kayla E. Anderson.
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.).
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.).
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.).
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).

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

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

Aye: 8 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

Present: 1 - Barczak

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:12 p.m. Upon returning from recess at 7:54 p.m., and the roll call being taken, there were:

Present 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

Excused 1 - Roadt

M. NEW AND PREVIOUS MATTERS**ADMINISTRATION & FINANCE COMMITTEE**

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

Attachments: [2009-210 Bid Tabulation.pdf](#)

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

Attachments: [FMLA Policy - 2009 revisions.pdf](#)

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

Attachments: [Electronic Communication Policy - 2009 revisions.pdf](#)

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
- Attachments:* [Exhibit B - Subgrantee Agreement\(12-1-09\).doc](#)
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.
- Attachments:* [MCC.CAAD CompReq 120109.pdf](#)
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).
- Attachments:* [Microsoft Word - CC-M Moran Case-Closed.pdf](#)
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).
- Attachments:* [Microsoft Word - Corr-Carol Novak Close-out.pdf](#)
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).
- Attachments:* [Microsoft Word - Clementi - letter to CC closing file - dog bite incident.pdf](#)

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.
- and Paid**
29. [2009-0663](#) Theresa Wolf communication regarding vehicle damage allegedly sustained at 6501 W. Becher Place on September 30, 2009.

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

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

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.

Attachments: [2009-0697.pdf](#)

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.

Attachments: [ATTR-Encroachment-Cleveland Avenue Automotive.rtf](#)

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

Attachments: [L. Eaton communication.pdf](#)

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

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

36. [O-2009-0037](#) An Ordinance to Create Section 6.017 of the West Allis Revised Municipal Code Relating to Abandoned Shopping Carts.

Sponsors: Ald. Weigel

Held in Safety & Development Committee during recess.

37. [O-2009-0036](#) An Ordinance to Establish Parking Restrictions on the West Side of the North 35 Feet of the 1400 Block of S. 65 St.

Sponsors: Ald. Vitale

Held in Safety & Development Committee during recess.

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.

Attachments: [2009-0770.pdf](#)

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.

Attachments: [2009-0767.pdf](#)

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

- 39a. [2009-0773](#) Summons and Complaint in the matter of the Complaint against Tong and Michael Sherman, d/b/a Beijing Foot & Body Massage, located at 2727 S. 108 St., regarding their Special Use Permit.

Held in Safety & Development Committee during recess.

LICENSE & HEALTH COMMITTEE

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.

Attachments: [2009-0768.pdf](#)

Held in License & Health Committee during recess.

41. [2009-0765](#) 2009-2010 and 2009-2011 Tavern Operator License applications.

*2009-2010 license application nos. 412 granted and
2009-2011 license application nos. 407-408 & 410 granted.*

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

ADVISORY COMMITTEE

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: Ald. 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: Ald. 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.

Attachments: [LEG CMTE MINS 112409.pdf](#)

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

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

Ald. Reinke reported on the success of the Christmas Parade and Tree Lighting.

Ald. Sengstock thanked Ald. Reinke for chairing the Celebrations Committee.

O. ADJOURNMENT

to adjourn at 8:01 p.m., with the next regularly scheduled meeting to be held on December 15, 2009, at 7:00 p.m

*/s/ Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



All meetings of the {bdName} 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.