



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Alderperson James W. Sengstock, Council President

*Alderpersons: 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, January 4, 2011

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-2011-0002](#) Resolution relative to determination Special Use Permit to establish a community based residential facility, adult and child day care, and classrooms within the Parkway School Building located at 2930 S. Root River Parkway.
Sponsors: Safety & Development Committee

2. [R-2011-0003](#) Resolution relative to determination of Special Use Permit to establish Panda Express, a fast-food restaurant with drive-through facilities, to be located at 2575 S. 108 St.
Sponsors: Safety & Development Committee

3. [O-2010-0051](#) An Ordinance to create Subsection 12.43(2)(n) and to amend Subsection 12.45(2) relative to permitting pawn shop businesses as a special use within the C-4, Regional Commercial District and to amend Subsection 12.41(2)(ee) relative to second hand jewelry and/or second hand article and/or junk shop establishments in the C-2, Neighborhood Commercial District.
Sponsors: Safety & Development Committee

4. [O-2011-0001](#) Ordinance to amend the official West Allis Zoning Map by rezoning a portion of property located at 2563 - 2675 S. 108 St. from M-1 Manufacturing District to C-4 Regional Commercial District.
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

Alderpersons Comments

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of December 21, 2010.

J. ITEMS NOT REFERRED TO COMMITTEE

- 5. [2011-0003](#) Richard S. Sass requesting payment in the amount of \$1,000.00 in regard to remodeling electrical work at 931 S. 115 St.
- 6. [2011-0004](#) Linda Osborn communication regarding damages allegedly sustained on December 1, 2010 at 2187 S. 92 St.

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

- 7. [2011-0006](#) Communication from the City Attorney regarding the closure of the Timothy Pollard v. West Allis Police Department, Ct. of Appeals Case #09-AP-003052.

City Attorney Claim Report

- 8. [2006-0692](#) Summons & Complaint in the matter of Allco Credit Union vs. City of West Allis, et al.
City Attorney recommended to be placed on file.
- 9. [2009-0073](#) Summons and Complaint in the matter of Ridgestone Bank vs. City of West Allis, et al.
City Attorney recommended to be placed on file.
- 10. [2010-0649](#) Edward J. Schmidt, Jr. communication regarding vehicle damage allegedly sustained at Reservoir Park located at 1725 S. 96 Street on October 27, 2010.
City Attorney recommended to be paid and placed on file.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

- 11. [R-2011-0001](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into a State/Municipal Agreement for services described herein with the Wisconsin Department of Transportation for the costs associated with resurfacing of Interstate I-94.
Sponsors: Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

12. [O-2011-0002](#) An Ordinance to Create Section 6.02(23) of the West Allis Revised Municipal Code Relating to Trespassing on Private Property.
Sponsors: Safety & Development Committee
13. [2011-0002](#) Kurt Wachholz, Superintendent of Schools, communication in favor of ordinance changes regarding sporting goods stores and indoor gun ranges.

Public Hearing Items (Safety & Development Committee)

14. [R-2011-0002](#) Resolution relative to determination Special Use Permit to establish a community based residential facility, adult and child day care, and classrooms within the Parkway School Building located at 2930 S. Root River Parkway.
Sponsors: Safety & Development Committee
15. [2011-0005](#) Special Use Permit application to establish a community based residential facility, adult and child day care, and classrooms within the Parkway School Building located at 2930 S. Root River Parkway.
16. [2011-0008](#) Petition in opposition to request by Close to Home Senior Living, LLC for conditional use permits associated with reuse of Parkway School building/property located at 2930 S. Root River Parkway.
17. [R-2011-0003](#) Resolution relative to determination of Special Use Permit to establish Panda Express, a fast-food restaurant with drive-through facilities, to be located at 2575 S. 108 St.
Sponsors: Safety & Development Committee
18. [2010-0694](#) Special Use Permit to establish Panda Express, a fast-food restaurant with drive-through facilities, to be located at 2575 S. 108 St.
19. [O-2010-0051](#) An Ordinance to create Subsection 12.43(2)(n) and to amend Subsection 12.45(2) relative to permitting pawn shop businesses as a special use within the C-4, Regional Commercial District and to amend Subsection 12.41(2)(ee) relative to second hand jewelry and/or second hand article and/or junk shop establishments in the C-2, Neighborhood Commercial District.
Sponsors: Safety & Development Committee

20. [O-2011-0001](#) Ordinance to amend the official West Allis Zoning Map by rezoning a portion of property located at 2563 - 2675 S. 108 St. from M-1 Manufacturing District to C-4 Regional Commercial District.
- Sponsors:** Safety & Development Committee

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

21. [2011-0009](#) 2010-2011 Tavern Operator License application no. 11-589 of Donald P. Anderson.
22. [2011-0015](#) Tavern Operator License applications.
23. [2011-0001](#) 2010-2011 Class B Tavern License application no. 1743 of Beer Garden Entertainment, LLC, Lindsey Quillermo, Agent, d/b/a The Drunken Duck, premises located at 5906 W. Burnham St. (new-existing location).

Previous Matters for Consideration

24. [2010-0715](#) 2010-2012 Tavern Operator License application no. 12-255 of Angela M. Tate.
25. [2010-0716](#) 2010-2011 Tavern Operator License application no. 11-576 of Katie M. Musurlian.
26. [2010-0165](#) 2010-2011 Mobile Home Park License renewal application no. 290 of D&G Investments, Thaddeus J. Derynda and Bernie Gallas (Partners), d/b/a Mobile Estates of West Allis located at 10401 W. Greenfield Ave.
27. [2010-0655](#) Summons and Complaint in the matter of the complaint against M & W Hospitality, Inc., Mario P. Morgese, Agent for the premises located at 1900 S. 60 St., d/b/a Mario's (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093).
28. [2010-0549](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 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: August 1, 2010).
29. [2010-0624](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 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: September 24, 2010).

30. [2010-0684](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 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 31, 2010).
31. [2010-0707](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 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: November 21, 2010).

ADVISORY COMMITTEE

New Matters for Introduction

32. [2011-0007](#) Appointment by Mayor Devine of Mariah Beasley to the West Allis Youth Commission.
33. [2011-0010](#) Reappointment by Mayor Devine of Sue Titschler as a member of the Commission on Aging, her three-year term to expire November 1, 2013.
34. [2011-0011](#) Reappointments by Mayor Devine to the West Allis Beautification Committee of Charlene Dempsey and Virginia Stuller, their two-year terms to expire December 31, 2012.
35. [2011-0012](#) Reappointment by Mayor Devine of Patricia Wolfe as a member of the West Allis Beautification Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her two-year term to expire December 31, 2012.
36. [2011-0013](#) Reappointment by Mayor Devine of Mary Cay Freiberg as a member of the West Allis Board of Health, her two-year term to expire January 1, 2013.
37. [2011-0014](#) Reappointment by Mayor Devine of Barbara Janusiak as a member of the West Allis Board of Health, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her two-year term to expire January 1, 2013.

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.