



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, January 4, 2011

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:00 p.m.

B. ROLL CALL

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Weigel.

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

Explanation by John Stibal, Director of Development.

Appearances:

Karen Jasniewski, 2908 S. 114 St., stated her concerns with regard to parking, dropping off children all at once, and traffic.

Gerald Matter, 11426 W. Montana Ave., stated his concerns relative to the residential zoning classification. The use should be for daytime and early evening, but not around the clock. He said this proposal does not fit in a residential neighborhood.

Donald Reichartz, 2903 S. 114 St., commented on his concerns relative to the total number of people, and garbage smell and removal. He asked if there was a maximum amount of people for the second shift, and questioned the other location and support from Carroll College.

Mike Evans, 2860 S. Root River Pkwy, relayed his concerns regarding increased traffic and lighting, and asked about the possibility of sidewalks.

Richard Metzger, 2929 S. Wollmer Rd., addressed his concerns regarding the daycare operation, traffic, and safety of the children. He requested peace and quiet during the second shift and on weekends.

Richard Templin, 2820 S. 114 St., shared similar concerns. He commented on the underestimation of parking. He said the variance from the standard is a mistake, and that

there are a number of issues relative to dropping off young children such as the condensed time frame and where to enter and exit. He commented on the hours of operation. He requested that alternatives be evaluated, and that the background of the organization be looked at.

Carol Sperka, 2825 S. 114 St., addressed her concerns regarding the daycare program, the possibility of sidewalks, shared a similar viewpoint with her neighbors, and said that there is no need for it since other nearby facilities exist. Her main concern related to the hours of operation. She inquired about the age of the children and the adult programs. She requested clarification and definition of the population that is going to be served. She commented on the impact of the facility on the neighborhood, and asked that other options be looked at similar to LaFollette Apartments or the old library on S. 75 St.

Karin Gale, 2831 S. 114 St., stated that the community needs adult day care for those with disabilities, and Irving is not sufficient. She said that similar concerns have existed in the past with other senior living facilities. She said the daycare drop off has some issues. She requested open mindedness and making a well-informed decision, and commented on being concerned with what else could be placed in the facility.

Becky Murray, 2875 S. 93 St., said she was interested and thrilled when she found out this facility was interested in locating in West Allis. She said the facility would be dream come true for young adults with disabilities and for parents who work longer hours, and she requested the proposal be approved.

Item nos. 2 & 4 were taken together.

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

Explanation by John Stibal, Director of Development.

Appearances: None.

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

Explanation by John Stibal, Director of Development.

Appearances: None.

- 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

Explanation by John Stibal, Director of Development.

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 congratulated the Community Alliance Against Drugs on their successful New Year's Eve program.

Alderspersons Comments

Ald. Reinke commented on the Veterans Giving Tree Program. She thanked those who helped wrap gifts, and she thanked the community for their support.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:54 p.m. Upon returning from recess at 8:33 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

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.

Attachments: [Microsoft Word - ltr-cc-dismiss case-T Pollard.pdf](#)

City Attorney Claim Report

8. [2006-0692](#) Summons & Complaint in the matter of Allco Credit Union vs. City of West Allis, et al.
9. [2009-0073](#) Summons and Complaint in the matter of Ridgestone Bank vs. City of West Allis, et al.
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.

and Placed on File

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

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

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

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.

Attachments: [2011-0002.pdf](#)

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

Held in Safety & Development Committee during recess.

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.

Attachments: [2011-0005.1.pdf](#)
[2011-0005.2.pdf](#)
[2011-0005.3.pdf](#)
[2011-0005.4.PDF](#)
[2011-0005.5.pdf](#)
[2011-0005.6.pdf](#)

Held in Safety & Development Committee during recess.

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.

Attachments: [2011-0008.pdf](#)

Held in Safety & Development Committee during recess.

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

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

21. [2011-0009](#) 2010-2011 Tavern Operator License application no. 11-589 of Donald P. Anderson.
Held in License & Health Committee during recess.
22. [2011-0015](#) Tavern Operator License applications.
*2010-2011 License application nos. 590-591 granted and
2010-2012 License application no. 263 granted.*
23. [2011-0001](#) 2010-2011 Class B Tavern License application no. 1743 of Beer Garden Entertainment, LLC, Lindsey A. Quillermo, Agent, d/b/a The Drunken Duck, premises located at 5906 W. Burnham St. (new-existing location).
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).

Attachments: [2010-0655 Summons.pdf](#)
[2010-0655 Complaint.pdf](#)
[2010-0655 Summons 11-16-10.pdf](#)

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).

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
No: 0

ADVISORY COMMITTEE

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.

Passed The Block Vote

Aye: 10 - Barczak, Czuplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, 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

None.

O. ADJOURNMENT

to adjourn at 8:38 p.m., with the next regularly scheduled meeting to be held on January 18, 2011, 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.