



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, April 7, 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-2009-0090](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 88 St. from W. Becher St. to W. Grant St.; S. Orleans Ave. from S. 88 St. to W. Stuth Ave.; and North/South Alley between S. 71 St., S. 72 St., W. Cleveland Ave. and W. Harrison Ave. (portions in West Allis, combined project with City of Milwaukee).

Sponsors: Public Works Committee

2. [O-2009-0007](#) Ordinance to amend Subsection 12.13(17) of the Revised Municipal Code relative to amending certain Plan Commission review fees and to create Subsection 12.13(17)(p) relative to implementing a Certified Survey Map re-approval submittal fee within the Planning Application Review Fee Schedule.

Sponsors: Safety & Development Committee

3. [R-2009-0101](#) Resolution relative to determination of Special Use Permit to establish the Utopic Therapeutic Massage and Skin Care Spa, to be located within a portion of the existing commercial space at 9422 W. National Ave. (Tax Key No. 479-0674-001)

Sponsors: Safety & Development Committee

4. [R-2009-0100](#) Resolution relative to the determination of Special Use Permit to establish CK Auto Repair, an auto repair facility within an existing mixed-use building located at 723 S. 84 St. (Tax Key No. 442-0316-000)

Sponsors: Safety & Development Committee

5. [R-2009-0106](#) Resolution relative to determination of Special Use Permit to extend Little Havana Lounge and Cigars into the abutting commercial space east of their existing location at 9505 W. Greenfield Ave. (Tax Key No. 450-0042-001)

Sponsors: Safety & Development Committee

6. [R-2009-0104](#) Resolution relative to determination of Special Use Permit for a proposed outdoor dining area to Paulie's Pub and Eatery located at 8031 W. Greenfield Ave. (Tax Key Nos. 452-0254-000, 452-0256-000 and 452-0257-000)

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 113

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 March 17, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

7. [2009-0182](#) Gil & Tina Maronek communication regarding vehicle damage allegedly sustained near the intersection of S. 70 St. and W. Main St., on March 9, 2009.

8. [2009-0186](#) Summons and Complaint in the matter of Countrywide Home Loans Servicing LP vs. City of West Allis, et al.
9. [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.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on March 24, 2009. (Ald. Barczak and Sengstock excused).

10. [2009-0144](#) 2009 Direct Sellers/Solicitors Permit application no. 37 of April Mitchell-Bobo III.
Unanimously recommended to be approved.
11. [2009-0142](#) 2009 Direct Sellers/Solicitors Permit application no. 30 of Ryan G. York.
Unanimously recommended to be approved.
12. [2009-0143](#) 2009 Direct Sellers/Solicitors Permit application no. 33 of Eric D. Rohloff.
Unanimously recommended to be approved.
13. [2009-0115](#) 2008-2010 Tavern Operator License application no. 10-304 of Julaine S. Ostrowski.
Unanimously recommended to be denied based on two (2) nonappearances and the police report.
14. [2009-0128](#) Police Department Report involving J.P.'s Hat Trix, 5826 W. Burnham St. (2008-2009 Class B Tavern License no. 1223 and Cigarette License no. 1224 of J.P.'s Hat Trix, Pamela A. Yanny, Agent, Incident Date: January 5, 2009).
Unanimously recommended to be placed on file.
15. [2009-0129](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2008-2009 Class B Tavern License no. 786, Dance Hall License no. 788 and Cigarette License no. 787 of The Network, LLC, Stephen S. Silber, Agent, Incident Date: January 28, 2009).
Unanimously recommended to be placed on file.

16. [2009-0130](#) Police Department Report involving Las Palmas, 1901 S. 60 St. (2008-2009 Class B Tavern License no. 1345, Dance Hall License no. 1346, Instrumental Music License no. 1347 and Cigarette License no. 1348 of Las Palmas, LLC, Carmen D. Lewis Yun, Agent, Incident Date: January 12, 2009).
Unanimously recommended to be placed on file.
17. [2009-0165](#) Police Department Report involving Walk-Her-Inn, 900 S. 74 St. (2008-2009 Class B Tavern License no.491, Cigarette and Tobacco License no. 492, and Dance Hall License no. 493 of Dennis M. Gerth, Incident Date: February 15, 2009).
Unanimously recommended to be placed on file.
18. [2009-0167](#) Police Department Report involving Burnham Bowl, 6016 W. Burnham St. (2008-2009 Class B Tavern License no. 764, Dance Hall License no. 766, Instrumental Music License no. 767, and Bowling Alley License no. 964 of Blaine Enterprises, Inc, Claudia A. Martorano, Agent, Incident Date: February 21, 2009).
Unanimously recommended to be placed on file.
19. [2009-0164](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2008-2009 Class B Tavern License no. 454, Dance Hall License no. 504, Instrumental Music License no. 1068 and Cigarette License no. 455 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, Incident Date: February 14, 2009)
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

20. [R-2009-0102](#) Resolution relative to accepting the proposal of Kempler Industries Inc. for furnishing one (1) used hydraulic press brake for a total net sum of \$18,500.00.
Sponsors: Administration & Finance Committee and Public Works Committee

ADMINISTRATION & FINANCE COMMITTEE

21. [R-2009-0096](#) Resolution relative to acquiring flu vaccine for 2009/10 from FFF Enterprises, Inc. and GSK for a total net sum of \$12,950.00.
Sponsors: Administration & Finance Committee

22. [R-2009-0097](#) Resolution relative to reauthorization of Worker's Compensation Self-Insurance for the three-year period (2009-2011).
Sponsors: Administration & Finance Committee
23. [R-2009-0103](#) Resolution relative to Agreement between City of West Allis and Motorsports LLC Paramedic Ambulance/Fire Engine Stand-By Milwaukee Mile Events for 2009.
Sponsors: Administration & Finance Committee
24. [R-2009-0099](#) Resolution approving an Economic Development Loan to 88 Keys LLC under the Department of Housing and Urban Development Community Development Block Grant Program in an amount not to exceed \$40,000.
Sponsors: Administration & Finance Committee
25. [2007-0442](#) West Allis Fire Fighters IAFF Local 1004 communication regarding opening of contract negotiations.
26. [2009-0195](#) United Steelworkers communication requesting support of the Buy American Resolution relative to the American Recovery and Reinvestment Act.

City Attorney Claim Report

27. [2009-0014](#) Progressive Universal communication on behalf of Patricia Corey regarding vehicle damage allegedly sustained at 7700 W. Becher St. on December 26, 2008.
28. [2009-0097](#) Sook Ja Kim Notice of Claim regarding vehicle damage allegedly sustained at the intersection of W. Beloit Rd. and S. Buchanan Pl. on December 23, 2008.

PUBLIC WORKS COMMITTEE

29. [R-2009-0094](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 70 St. to S. 84 St., North City Limits to Union Pacific Railroad by miscellaneous sidewalk repair.
Sponsors: Public Works Committee
30. [R-2009-0105](#) Resolution to approve bid of Capitol Pavers, Inc. for street construction, sanitary sewer relay, sanitary sewer, storm sewer relay, storm sewer, water main relay, water main, building services and utility adjustments in West Grant Street from S. 68th Street to South 76th Street in the City of West Allis, in the amount of \$1,018,457.47.
Sponsors: Public Works Committee

31. [R-2009-0107](#) Resolution accepting work of LaLonde Contractors, Inc. for the street reconstruction and underground utility work in South 122nd Street from West Oklahoma Avenue to West Holt Avenue and South 121st Street from approximately 250' North of W. Burdick Ave. to W. Ohio Avenue in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2003 Project No. 12.
Sponsors: Public Works Committee
32. [R-2009-0092](#) Resolution to approve Amendment of Sanitary Sewer Easement by and between the City of West Allis ("the City"), Sunset Investors WA, LLC ("Sunset") and R&K of Wisconsin, LLC ("R&K").
Sponsors: Public Works Committee
33. [R-2009-0093](#) Resolution to approve Amendment of Utility Easement by and between the City of West Allis ("the City"), Sunset Investors WA, LLC ("Sunset") and R&K of Wisconsin, LLC ("R&K").
Sponsors: Public Works Committee
34. [R-2009-0089](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner Mark Holbert (d/b/a Sportz Medicine LLC) for property located at 7731 West Becher Street.
Sponsors: Public Works Committee
35. [2009-0208](#) Communication from City Engineer Regarding Painting of Bike Lanes Along 116th Street.
36. [2009-0209](#) Communication from City Engineer Regarding 60th Street Reconstruction Project-Railroad Tracks.
37. [2009-0197](#) Downtown West Allis, Inc. requesting permission to use the public parking lot south of Greenfield Avenue between 73 and 72 Streets, parking restrictions, and the use of signs and supplies from the Department of Public Works for their 2nd Annual Downtown West Allis BID Merchants Appreciation Picnic on Wednesday, May 20, 2009 from 11:00 a.m. - 1:00 p.m.
38. [2009-0192](#) Communication from the Director of Public Works relative to screening recyclables prior to collection.
39. [2009-0193](#) Communication from the Director of Public Works relative to submittal of NR 216 Discharge Permit Report to the Wisconsin Department of Natural Resources.

Public Hearing Items (Public Works Committee)

40. [R-2009-0090](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 88 St. from W. Becher St. to W. Grant St.; S. Orleans Ave. from S. 88 St. to W. Stuth Ave.; and North/South Alley between S. 71 St., S. 72 St., W. Cleveland Ave. and W. Harrison Ave. (portions in West Allis, combined project with City of Milwaukee).
Sponsors: Public Works Committee
41. [R-2009-0091](#) Final Resolution authorizing public improvement by new concrete construction and concrete reconstruction in S. 88 St. from W. Becher St. to W. Grant St.; S. Orleans Ave. from S. 88 St. to W. Stuth Ave.; and North/South Alley between S. 71 St., S. 72 St., W. Cleveland Ave. and W. Harrison Ave. (portions in West Allis, combined project with City of Milwaukee) and levying special assessments against benefited properties.
Sponsors: Public Works Committee
42. [2009-0206](#) Petition submitted by residents of the 2100 block of S. 88 St. opposing the street reconstruction project.

SAFETY & DEVELOPMENT COMMITTEE

43. [R-2009-0095](#) Resolution authorizing the Director of Development to execute a \$75,000 matching Comprehensive Planning Grant Agreement between the City of West Allis and the Wisconsin Department of Administration.
Sponsors: Safety & Development Committee
44. [R-2009-0098](#) Resolution to support Governor Doyle's "25 X 25" Goals for Energy Independence.
Sponsors: Safety & Development Committee

Public Hearing Items (Safety & Development Committee)

45. [O-2009-0007](#) Ordinance to amend Subsection 12.13(17) of the Revised Municipal Code relative to amending certain Plan Commission review fees and to create Subsection 12.13(17)(p) relative to implementing a Certified Survey Map re-approval submittal fee within the Planning Application Review Fee Schedule.
Sponsors: Safety & Development Committee
46. [R-2009-0101](#) Resolution relative to determination of Special Use Permit to establish the Utopic Therapeutic Massage and Skin Care Spa, to be located within a portion of the existing commercial space at 9422 W. National Ave. (Tax Key No. 479-0674-001)
Sponsors: Safety & Development Committee

47. [2009-0175](#) Special Use Permit to establish the Utopic Therapeutic Massage and Skin Care Spa, to be located within a portion of the existing commercial space at 9422 W. National Ave. (Tax Key No. 479-0674-001)
48. [R-2009-0100](#) Resolution relative to the determination of Special Use Permit to establish CK Auto Repair, an auto repair facility within an existing mixed-use building located at 723 S. 84 St. (Tax Key No. 442-0316-000)
Sponsors: Safety & Development Committee
49. [2009-0138](#) Special Use Permit to establish CK Auto Repair, an auto repair facility within an existing mixed-use building located at 723 S. 84th St. submitted by Chor Yang. (Tax Key No. 442-0316-000)
50. [R-2009-0106](#) Resolution relative to determination of Special Use Permit to extend Little Havana Lounge and Cigars into the abutting commercial space east of their existing location at 9505 W. Greenfield Ave. (Tax Key No. 450-0042-001)
Sponsors: Safety & Development Committee
51. [2009-0176](#) Special Use Permit to extend Little Havana Lounge and Cigars into the abutting commercial space east of their existing location at 9505 W. Greenfield Ave. (Tax Key No. 450-0042-001)
52. [R-2009-0104](#) Resolution relative to determination of Special Use Permit for a proposed outdoor dining area to Paulie's Pub and Eatery located at 8031 W. Greenfield Ave. (Tax Key Nos. 452-0254-000, 452-0256-000 and 452-0257-000)
Sponsors: Safety & Development Committee
53. [2009-0156](#) Special Use Permit for a proposed outdoor dining area to Paulie's Pub and Eatery located at 8031 W. Greenfield Ave. (Tax Key Nos. 452-0254-000, 452-0256-000 and 452-0257-000)

LICENSE & HEALTH COMMITTEE

54. [2009-0185](#) Summons and Complaint in the matter of the complaint against Susan M. Domena, for the premises located at 1100 S. 60 St., d/b/a Top Gun Saloon (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426).
55. [2009-0168](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: January 16, 2009).

56. [2009-0169](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: February 17, 2009).
57. [2009-0141](#) 2008-2009 Tavern Operator License application no. 09-641 of Brian J. Lorenson.
58. [O-2009-0013](#) An Ordinance to Amend Subsection 7.04 (3)(b) and (c) of the West Allis Revised Municipal Code Relating to Food Establishment Permit Fees.
Sponsors: Rosalie L. Reinke
59. [2009-0181](#) Appointment of agent by Crawdaddy's Restaurant, Inc., d/b/a Crawdaddy's Restaurant, 6414 W. Greenfield Ave., of James J. Brinks (2008-2009 Class B Tavern Liquor License no. 742).
60. [2009-0188](#) 2008-2009 Special Class B Beer and Wine License application(s).
61. [2009-0184](#) 2007-2009, 2008-2009 and 2008-2010 Tavern Operator License applications.
62. [2009-0183](#) 2009-2010 Precious Metal & Gem Dealer License renewal application(s).
63. [2009-0187](#) 2009-2010 Second Hand Dealer License renewal application(s).
64. [2009-0189](#) 2009-2010 Used Vehicle Dealer License renewal application(s).
65. [2009-0190](#) 2009-2010 Trailer & Truck Rental License renewal application(s).
66. [2009-0191](#) 2009-2010 Pawn Dealer License renewal application(s).
67. [2009-0194](#) 2009-2010 Salvage & Recycling Center License renewal application(s).
68. [2009-0148](#) 2008-2009 Class A Beer License application no. 1501 of JSO Enterprises, LLC, Kuldeep Oberoi, Agent, d/b/a Bobby Food & Liquor Mart for premises located at 2079 S. 69 St. (new-existing location).
69. [2009-0149](#) 2008-2009 Combination Class A Liquor License application no. 1502 of Bryan SRA, LLC, Ram S. Joseph, Agent, d/b/a Kwik Pantry, for premises at 6716 W. Lincoln Ave. (new-nonexisting location).
70. [2009-0199](#) 2008-2009 Tavern Operator License application no. 09-647 of Andrew A. Heard.

71. [2009-0200](#) 2008-2010 Tavern Operator License application no. 10-313 of Sherry A. Rom.
72. [2009-0204](#) 2008-2010 Tavern Operator License application no. 10-317 of Katherine L. Van Dorf.

ADVISORY COMMITTEE

73. [2009-0201](#) Legislative Committee minutes for March 24, 2009.
74. [2009-0202](#) Reappointment by Mayor Devine to the West Allis Capital Improvement Committee of Donna Krahn and Jo-Anne Koshere, their three-year terms to expire January 10, 2012.
75. [2009-0203](#) Reappointment by Mayor Devine of Judith Schmidt as a member of the West Allis Commission on Aging, her three-year term to expire November 1, 2011.
76. [2009-0205](#) Reappointment by Mayor Devine of Ald. Vincent Vitale as a member of the West Allis Economic Development (Partnership) Committee, his three-year term to expire January 1, 2012.

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.