



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Alderson Thomas G. Lajsic, Council President

*Aldersons: Gary T. Barczak, Michael J. Czapski, Michael P. May,
Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt, James W. Sengstock,
Vincent Vitale, and Martin J. Weigel*

Tuesday, December 4, 2012

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-2012-0225](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of W. Grant St. from S. 76 St. to S. 84 St. and portions of intersecting streets by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
Sponsors: Public Works Committee

2. [R-2012-0230](#) Resolution relative to determination of Special Use Permit for Xperience Fitness to be located within the West Allis Towne Centre at 6706 W. Greenfield Ave.
Sponsors: Safety & Development Committee

3. [R-2012-0232](#) Resolution relative to determination of Special Use Permit for Oscar's Frozen Custard to establish a drive-thru addition to the existing restaurant located at 2362 S. 108 St.
Sponsors: Safety & Development Committee

4. [R-2012-0231](#) Resolution relative to determination of Special Use Permit amendment to expand the hours of operation for Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.
Sponsors: Safety & Development Committee

- 5. [R-2012-0229](#) Resolution relative to determination of Special Use Permit for Leadership, Literacy and Technology Development Center, a proposed childcare center, to be located at 9243 W. National Ave.

Sponsors: Safety & Development Committee

- 6. [R-2012-0233](#) Resolution relative to determination of Special Use Permit to establish Bari Pizzeria restaurant located within a portion of the mixed use property at 5919 W. Burnham St.

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 November 20, 2012.

J. ITEMS NOT REFERRED TO COMMITTEE

7. [R-2012-0228](#) Resolution of Commendation for Mike Jungbluth.
Sponsors: Thomas G. Lajsic
8. [2012-0623](#) MSPRC communication regarding repayment to the Medicare program for the year 2012.
9. [2012-0624](#) Swan & Associates communication submitted on behalf of Shirley Glore regarding injuries allegedly sustained at 7421 W. National Ave. on March 3, 2012.
10. [2012-0625](#) Notice of Injury submitted on behalf of Wayne Walton regarding injuries allegedly sustained at 8830 W. National Ave. on October 12, 2012.

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

11. [O-2012-0044](#) An Ordinance to create Subsection 5.03(8) of the City of West Allis Revised Municipal Code regarding the establishment of a crash billing fee.
Sponsors: Michael P. May and Rosalie L. Reinke
12. [O-2012-0045](#) An Ordinance to establish the salaries of certain officers and employees in the Fire Department for 2012, 2013, and 2014.
Sponsors: Administration & Finance Committee
13. [R-2012-0234](#) Resolution approving the Summary of Negotiated Settlement between the City of West Allis and the West Allis Professional Fire Fighters' Association, Local 1004, for 2012-2014.
Sponsors: Administration & Finance Committee

14. [R-2012-0236](#) 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 2013 Community Development Block Grant funds.
Sponsors: Administration & Finance Committee
15. [R-2012-0224](#) Resolution relative to accepting the sole source proposal of Bentley Systems, Inc. for providing CAD Software Maintenance for a total net sum of \$11,156.00.
Sponsors: Administration & Finance Committee
16. [R-2012-0235](#) Resolution relative to accepting the sole source proposal of Motorola Solutions for providing radio equipment for a total net sum of \$70,115.50.
Sponsors: Administration & Finance Committee
17. [2012-0627](#) Communication from City Administrative Officer regarding request to fill an upcoming vacant position of Custodian III at the West Allis Public Library.
18. [2012-0622](#) Hostess Brands, Inc. communication regarding Extension of Conditional Notice Pursuant to the Worker Adjustment and Restraining Notification Act.
19. [2012-0633](#) Acting Comptroller/Manager of Finance submitting the reports for the 4th Quarter of 2011, indicating City of West Allis checks issued in the amount of \$3,032,013.40 for October, \$3,007,279.14 for November and \$2,884,997.02 for December.
20. [2012-0632](#) Acting Comptroller/Manager of Finance submitting the reports for the 1st Quarter of 2012 indicating City of West Allis Checks issued in the amount of \$2,220,815.63 for January, \$2,246,067.41 for February and \$2,389,096.96 for March.
21. [2012-0628](#) Acting Comptroller/Manager of Finance submitting the reports for the 2nd Quarter of 2012 indicating City of West Allis checks issued in the amount of \$2,356,264.57 for April, \$3,426,673.83 for May and \$3,553,096.06 for June.
22. [2012-0626](#) Acting Comptroller/Manager of Finance submitting the reports for the 3rd Quarter of 2012 indicating City of West Allis checks issued in the amount of \$3,317,858.89 for July, \$3,523,678.82 for August, and \$3,853,160.86 for September.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

23. [R-2012-0223](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into a contract amendment to the three party professional services contract between the City of West Allis, the Wisconsin Department of Transportation and Bloom Companies, LLC for the preparation of final plans on the Crosstown Connector Bike and Pedestrian Trail and for preparation of an Alternatives Analysis to provide a bike trail crossing of the Union Pacific Railroad, in an amount not to exceed \$2,160.82 to the City.
- Sponsors:** Public Works Committee

Public Hearing Items (Public Works Committee)

24. [R-2012-0225](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of W. Grant St. from S. 76 St. to S. 84 St. and portions of intersecting streets by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
- Sponsors:** Public Works Committee
25. [R-2012-0226](#) Final Resolution authorizing public improvement by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in W. Grant St. from S. 76 St. to S. 84 St. and portions of intersecting streets and levying special assessments against benefited properties.
- Sponsors:** Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

26. [2012-0629](#) Special Use Permit for a proposed restaurant to be located within the Renaissance Faire office building, located at 801 S. 60 St.
27. [2012-0630](#) Special Use Permit for proposed auto accessory store, Superior Window Tinting of Milwaukee, to be located at 723 S. 84 St.
28. [2012-0631](#) Special Use Permit for proposed auto accessory store, Superior Accessories, to be located at 729 S. 84 St.
29. [2012-0636](#) 2011 Southeastern Wisconsin Regional Planning Commission Annual Report.

Public Hearing Items (Safety & Development Committee)

30. [R-2012-0230](#) Resolution relative to determination of Special Use Permit for Xperience Fitness to be located within the West Allis Towne Centre at 6706 W. Greenfield Ave.
Sponsors: Safety & Development Committee
31. [2012-0582](#) Special Use Permit for Xperience Fitness to be located within the West Allis Towne Centre at 6706 W. Greenfield Ave.
32. [R-2012-0232](#) Resolution relative to determination of Special Use Permit for Oscar's Frozen Custard to establish a drive-thru addition to the existing restaurant located at 2362 S. 108 St.
Sponsors: Safety & Development Committee
33. [2012-0603](#) Special Use Permit for Oscar's Frozen Custard to establish a drive-thru addition to the existing restaurant located at 2362 S. 108 St.
34. [R-2012-0231](#) Resolution relative to determination of Special Use Permit amendment to expand the hours of operation for Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.
Sponsors: Safety & Development Committee
35. [2012-0609](#) Special Use Permit amendment to expand the hours of operation for Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.
36. [R-2012-0229](#) Resolution relative to determination of Special Use Permit for Leadership, Literacy and Technology Development Center, a proposed childcare center, to be located at 9243 W. National Ave.
Sponsors: Safety & Development Committee
37. [2012-0585](#) Special Use Permit for Leadership, Literacy and Technology Development Center, a proposed childcare center, to be located at 9243 W. National Ave.
38. [R-2012-0233](#) Resolution relative to determination of Special Use Permit to establish Bari Pizzeria restaurant located within a portion of the mixed use property at 5919 W. Burnham St.
Sponsors: Safety & Development Committee
39. [2012-0604](#) Special Use Permit to establish Bari Pizzeria restaurant located within a portion of the mixed use property at 5919 W. Burnham St.

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

40. [2012-0635](#) Tavern Operator License applications.
41. [2012-0634](#) 2012-2014 Tavern Operator License application no. 14-228 of Michael J. Van der Linden.
42. [2012-0621](#) 2012-2013 Class B Tavern License application no. 1918, Dance Hall License application no. 1920, and Instrumental Music License application no. 1919, of LP. BBQ. LLC, Lauri Ann Purcell, Agent, d/b/a The BlueBQ & Brew @ Tanner Paull, premises located at 6922 W. Orchard St. (new-existing location).

Previous Matters for Consideration

43. [2012-0592](#) 2012-2013 Tavern Operator License application no. 13-569 of Brett A. Bennett.
44. [2012-0607](#) 2012-2014 Tavern Operator License application no. 14-222 of Michael J. Wartgow.
45. [2012-0613](#) 2012-2014 Tavern Operator License application no. 14-225 of Jennifer A. Sweeney.
46. [2012-0539](#) 2012-2013 Tavern Operator License application no. 13-553 of Collins K. Costin.
47. [2012-0543](#) 2012-2013 Tavern Operator License application no. 13-554 of Tiffany Z. Linkowski.
48. [2012-0614](#) 2012-2013 Class B Tavern License application no. 1911 and Dance Hall License no. 1912, Melissa M. Martin, d/b/a M & M Sports Bar for premises located at 1900 S. 60 St. (new-existing location).
49. [2012-0595](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2012-2013 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC., Jacob M. Silber, Agent, Incident Date: October 21, 2012).
50. [2012-0576](#) Summons and Complaint in the matter of the complaint against Noble Restaurants, LLC, John M. Werner, Agent, for the premises located at 6922 W. Orchard St., d/b/a Tanner Paull (2012-2013 Class B Tavern License no. 1850, Dance Hall License no. 1851 and Instrumental Music License no. 1852).

51. [2012-0400](#) Communication from Assistant City Attorney regarding Noble Restaurants, LLC, d/b/a Tanner Paull, John M. Werner, Agent, for premises located at 6922 W. Orchard St. relative to O-2012-0020.

ADVISORY COMMITTEE

New Matters for Introduction

52. [2012-0637](#) Reappointments by Mayor Devine to the West Allis Commission on Aging of Terry Kelly and Patricia Wikenhauser, their three-year terms to expire November 1, 2015.
53. [2012-0638](#) Appointment by Mayor Devine of William Green as a member of the West Allis Commission on Aging, his term to expire November 1, 2013.
54. [2012-0639](#) Appointment by Mayor Devine of William Green as a member of the City of West Allis Economic Development (Partnership) Committee, his three-year term to expire January 1, 2016.

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.