



# City of West Allis

## Meeting Agenda

### Common Council

7525 W. Greenfield Ave.  
West Allis, WI 53214

*Mayor Dan Devine, Chair*

*Alderson Thomas G. Lajsic, Council President*

*Aldersons: Gary T. Barczak, Michael J. Czaplowski, Kevin Haass,*

*Michael P. May, Cathleen M. Probst, Rosalie L. Reinke,*

*Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel*

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Tuesday, July 5, 2016

7:00 PM

City Hall Common Council Chambers

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#### REGULAR MEETING

#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [O-2016-0032](#) Ordinance to amend subsections 12.06, 12.40 and 12.42 of the Revised Municipal Code relative to Tobacco Retailers definitions and requirements.

*Sponsors:* Ald. Probst

2. [R-2016-0186](#) Resolution relative to determination of Special Use Permit to re-establish occupancy for a mixed-use commercial and residential building located at 6416-18 W. National Ave.

*Sponsors:* Safety & Development Committee

3. [R-2016-0180](#) Resolution relative to the determination of Special Use Permit for Bright Minds Family Child Care, a proposed daycare, to be located at 8802 W. Becher St.

*Sponsors:* Safety & Development Committee

4. [R-2016-0182](#) Resolution relative to determination of Special Use Permit for Endless Autosport, an existing automobile accessory/part sales store, proposing to establish a vehicle repair and service business, to be located within an existing building at 10923 W. Mitchell 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 210 (Development conference room)  
Advisory, Public Works, Safety & Development*

*Room 128  
License & Health, Administration & Finance*

**G. MAYOR'S REPORT**

1. Recent events attended
2. Awards/commendations
3. Upcoming events

**H. ALDERPERSON'S REPORT**

1. Recent events attended
2. Awards/commendations
3. Upcoming events

**I. APPROVAL OF MINUTES**

5. [2016-0396](#) Minutes (Draft) of the Common Council regular meeting of June 21, 2016.

Attachments: [062116 CC Minutes.draft](#)

**J. ITEMS NOT REFERRED TO COMMITTEE**

6. [2016-0448](#) Jake Napientek communication relative to property damages allegedly sustained on May 25, 2016.

Attachments: [Napientek Claim](#)

**K. STANDING COMMITTEE REPORTS****LICENSE & HEALTH COMMITTEE**

*Regular meeting held on June 28, 2016.*

7. [2016-0438](#) 2016-2017 Class B Tavern license renewal application no. 2080, and Dance Hall license renewal application no. 2081 of Steffek LLC, Neal A. Steffek, Agent, d/b/a The Drunk Uncle, for premises located at 1902 S. 68 St.  
*Unanimously recommended to be approved subject to necessary requirements.*
8. [2016-0421](#) 2016-2017 Used Vehicle Dealer License application no. 2300 of Trailblazing Auto Sales, LLC, David Ainsworth, Agent, d/b/a Trailblazing Auto Sales, for the premises located at 5730 W. Lincoln Avenue.  
*Unanimously recommended to be approved subject to necessary requirements.*
9. [2016-0405](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-472 of Angela J. Hernandez.  
*Unanimously recommended to be approved.*
10. [2016-0406](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-479 of Donna K. Jenkins.  
*Unanimously recommended to be approved.*
11. [2016-0407](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-142 of Elizabeth A. Stanczyk.  
*Unanimously recommended to be approved.*
12. [2016-0274](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-452 of Jordann M. Fricker.  
*Unanimously recommended to be approved.*
13. [2016-0351](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-466 of Connor J. Hutchinson.  
*Unanimously recommended to be approved.*
14. [2016-0350](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-464 of Sean A. Hurab.  
*Unanimously recommended to be placed on file.*

15. [2016-0355](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-120 of Renata Serceki.  
*Unanimously recommended to be denied based on two (2) nonappearances.*
16. [2016-0356](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-121 of Jaget Jeet Randhawa.  
*Unanimously recommended to be denied based on an incomplete application and the police report.*
17. [2016-0272](#) Summons and Complaint in the matter of the complaint against J.K. Lau Investments, LLC, Jeffrey K. Lau, Agent, for the premises located at 5632 W. Burnham St., d/b/a 57 Bar (2015-2016 Class B Tavern License no. 2071 and Food Related Permit). (Dated: 5-16-16).  
*Unanimously recommended to be approved and placed on file.*
18. [2016-0156](#) Summons and Complaint in the matter of the complaint against J.K. Lau Investments, LLC, Jeffrey K. Lau, Agent, for the premises located at 5632 W. Burnham St., d/b/a 57 Bar (2015-2016 Class B Tavern License no. 2071, and Food Related Permit). (Dated: 3-14-16).  
*Attachments:* [Summons 57 Bar 3-22-16](#)  
[Complaint 57 Bar 3-22-16](#)  
*Unanimously recommended to be placed on file.*
19. [2016-0011](#) Communication from Assistant City Attorney regarding failure to follow the terms of the payment agreement for delinquent 2014 personal property taxes signed on February 24, 2015, for 5632 W. Burnham St., 57 Bar, Jeffrey K. Lau, Agent, dated December 14, 2015.  
*Attachments:* [Atty. comm. re:delq ppt](#)  
*Unanimously recommended to be placed on file.*
20. [2015-0622](#) Communication from Assistant City Attorney regarding failure to follow the terms of the payment agreement for delinquent 2014 personal property taxes signed on February 24, 2015, for 5632 W. Burnham St., 57 Bar, Jeffrey K. Lau, Agent, dated August 14, 2015.  
*Attachments:* [Atty. comm. 57 Bar nonpayment of PPTs](#)  
*Unanimously recommended to be placed on file.*

21. [O-2016-0002](#) Ordinance to Create Subsections 7.032(1)(f)-(j), (3)(b)-(c), (4)(f), (5)(b) and (11) of the West Allis Revised Municipal Code Relating to Smoking Prohibition in Certain Areas.

***Sponsors:*** Ald. Reinke and Ald. Vitale

***Attachments:*** [Assoc Mortality Long-Term Exposures Fine & Ultrafine Particles, Species & Sources](#)  
[California EPA Chemicals Known Cause Cancer-Reproductive Toxicity](#)  
[E-Cigarettes & Smoke-free Laws](#)  
[E-Cigarettes Threaten Public Health Advances-Article](#)  
[E-Cigarettes-An Overview](#)  
[E-Cigs Damage DNA in Lab Study-Article](#)  
[Flavoring Chemicals in E-Cigarettes](#)  
[Harmful Chemicals Electronic Cigarettes](#)  
[State Health Officer's Report on E-Cigarettes](#)  
[WMA Statement E-Cigarettes & Other Electronic Nicotine Delivery Systems](#)  
[Use E-Cigarettes Impairs Indoor Air Quality \(A\)](#)  
[Nicotine in E-Cigarettes, Tobacco Linked to Heart Disease \(A\)](#)  
[E-Cigarettes in the Indoor Environment \(A\)](#)  
[E-Cigarette Factsheet\\_A Growing Concern](#)  
[Vaporizers E-Cig & ENDS](#)  
[Retailer Overview of FDA](#)  
[ATTO-Create SubSec 7 032\(1\)\(f\)-\(j\) \(3\)\(b\)-\(c\) \(11\) SmokeProhibAreas Update 6-7-16](#)  
[ATTO-Create SubSec 7 032\(1\)\(f\)-\(j\) \(3\)\(b\)-\(c\) \(11\) SmokeProhibAreas Update July 5-16](#)

*A motion was made by Ald. Haass, seconded by Ald. May to approve.*

*The motion failed by the following vote:*

*Ayes: 2 - Alderpersons Haass and May*

*Noes: 3 - Alderpersons Czaplewski, Roadt and Weigel*

*A motion was made by Ald. Weigel, seconded by Ald. Roadt to be disapproved.*

*The motion passed by the following vote:*

*Ayes: 3 - Alderpersons Czaplewski, Roadt & Weigel*

*Noes: 2 - Alderpersons Haass & May*

## L. COMMON COUNCIL RECESS

## M. NEW AND PREVIOUS MATTERS

## ADMINISTRATION & FINANCE COMMITTEE

### New Matters for Introduction

22. [R-2016-0181](#) Resolution appointing Bond Trust Services Corporation to serve as fiscal agent for the City of West Allis in connection with outstanding obligations.
- Sponsors:* Administration & Finance Committee
- Attachments:* [Attachments to resolution](#)
23. [R-2016-0183](#) Initial Resolution authorizing \$4,430,000 General Obligation Bonds of the City of West Allis for community development projects in Tax Incremental Districts No. 11 and No. 14.
- Sponsors:* Administration & Finance Committee
24. [R-2016-0184](#) Resolution directing publication of Notice to Electors.
- Sponsors:* Administration & Finance Committee
- Attachments:* [Exhibit A to Resolution](#)
25. [R-2016-0185](#) Resolution providing for the sale of \$4,430,000 Taxable General Obligation Community Development Bonds of the City of West Allis.
- Sponsors:* Administration & Finance Committee
- Attachments:* [Pre-Sale Report for CWA Taxable Bonds](#)
26. [R-2016-0179](#) Resolution authorizing the Finance Department to sign a renewal agreement with Tri City National Bank for extension of banking services until June 30, 2017.
- Sponsors:* Administration & Finance Committee
- Attachments:* [Renewal Agreement for banking services](#)
27. [R-2016-0178](#) Resolution authorizing the City Administrator to enter into a Service Agreement with the Wisconsin State Fair Park Board on behalf of the West Allis Fire Department for the coordination of services for the Wisconsin State Fair.
- Sponsors:* Administration & Finance Committee
- Attachments:* [Agreement re Fire Services for Wis. State Fair](#)
28. [R-2016-0196](#) Resolution approving a West Allis Neighborhood Association Small Grant Program Focus Grant to Rosehill Neighborhood Association in the amount of \$1,500.
- Sponsors:* Ald. May
- Attachments:* [Focus Grant Application](#)
29. [R-2016-0188](#) Resolution relative to accepting the proposal of Gerber Leisure Products for furnishing and delivering Landscape Structures, Inc. playground equipment for Reservoir Park for a total sum of \$131,143.00.
- Sponsors:* Administration & Finance Committee

30. [R-2016-0192](#) Resolution authorizing the Director of Public Works/City Engineer to transfer \$211,335.54 from the Reserve for Capital Replacement Fund to the Capital Improvement Fund for the design and installation of emergency generating systems at City Hall and other City buildings.
- Sponsors:* Administration & Finance Committee
31. [2016-0450](#) Communication regarding annual Health Risk Assessments (HRAs) and related issues.
- Attachments:* [Communication regarding HRAs and related issues](#)
32. [2016-0453](#) Communication from City Administrator regarding Health and Wellness Coordinator position.
- Attachments:* [Communication re Health and Wellness Coord Position](#)
33. [2016-0454](#) Communication from City Administrator requesting approval to fill upcoming vacant position of Sanitation and Street Superintendent in the Department of Public Works, Sanitation and Street Division.
- Attachments:* [Request to fill Sanitation & Street Suptd Position](#)

## PUBLIC WORKS COMMITTEE

### New Matters for Introduction

34. [R-2016-0187](#) Resolution relative to accepting the proposal of Cascade Cart Solutions for furnishing and delivering recycling carts for a sum of \$1,093,229.95.
- Sponsors:* Public Works Committee
- Attachments:* [1333 Recycling Cart Quote](#)
35. [R-2016-0177](#) Resolution relative to accepting the proposal of Compass Minerals for furnishing and delivering 3000 tons of deicing road salt for a total sum of \$180,270.00.
- Sponsors:* Public Works Committee
36. [R-2016-0197](#) Resolution to approve bid of Bluemel's Maintenance Services, Inc. for the construction of a new playground area at Reservoir Park located at 9621 West Lapham Street in the City of West Allis in the amount of \$339,355.50.
- Sponsors:* Public Works Committee
37. [R-2016-0195](#) Resolution to approve bid of WIL-Surge Electric, Inc. for the installation of a new standby generator and transfer switch at West Allis City Hall located at 7525 West Greenfield Avenue in the City of West Allis in the amount of \$94,893.00.
- Sponsors:* Public Works Committee

38. [R-2016-0189](#) Resolution to approve bid of Payne & Dolan, Inc. for the asphalt resurfacing of the pavement including pavement milling, installation of concrete curb and gutter, miscellaneous driveway and sidewalk repair, pavement marking, sanitary sewer spot repair, storm sewer relay, and utility adjustments in S. 72nd St. from W. Beloit Rd. to W. Kinnickinnic River Parkway in the City of West Allis in the amount of \$454,688.00.

*Sponsors:* Public Works Committee

## SAFETY & DEVELOPMENT COMMITTEE

### New Matters for Introduction

39. [R-2016-0194](#) Resolution to amend the Cooperation Agreement between the City of West Allis and the Community Development Authority of the City of West Allis for Tax Incremental District Number Seven (Summit Place), City of West Allis, Wisconsin.

*Sponsors:* Safety & Development Committee

*Attachments:* [Cooperation Agreement - TIF 7](#)

40. [R-2016-0193](#) Resolution approving an amendment to the Project Plan for Tax Incremental District Number Seven (Summit Place), City of West Allis, Wisconsin.

*Sponsors:* Safety & Development Committee

*Attachments:* [Project Plan Amendment #6 - TIF 7](#)

41. [2016-0458](#) Communication from the Executive Director of the Community Development Authority relative to approving the Project Plan for Tax Increment District Number Fifteen (The Market) and Amendment Number Six to the Project Plan for Tax Incremental District Number Seven (Summit Place).

*Attachments:* [CDA - Recommendation Letter](#)

42. [R-2016-0190](#) Resolution to approve the Project Plan and to approve the proposed boundaries for Tax Incremental District Number Fifteen - The Market, City of West Allis.

*Sponsors:* Safety & Development Committee

*Attachments:* [Project Plan - TIF 15](#)

43. [R-2016-0191](#) Resolution to approve the Cooperation Agreement for Tax Incremental District Number Fifteen - The Market, City of West Allis, Wisconsin.

*Sponsors:* Safety & Development Committee

*Attachments:* [Cooperation Agreement - TIF 15](#)

44. [2016-0457](#) Communication from the Planning Manager relative to the Plan Commission's favorable recommendation of the Project Plan for Tax Incremental District Number Fifteen (The Market).

*Attachments:* [Plan Commission Recommendation Ltr](#)



45. [2016-0452](#) Communication from Robert Chandler, appealing the Plan Commission's denial of the Site, Landscaping & Architectural Plan for property located at 6416-18 W. National Avenue, from the June 22, 2016 Plan Commission meeting.

*Attachments:* [Request for Appeal Letter](#)

### Public Hearing Items (Safety & Development Committee)

46. [O-2016-0032](#) Ordinance to amend subsections 12.06, 12.40 and 12.42 of the Revised Municipal Code relative to Tobacco Retailers definitions and requirements.
- Sponsors:* Ald. Probst
47. [R-2016-0186](#) Resolution relative to determination of Special Use Permit to re-establish occupancy for a mixed-use commercial and residential building located at 6416-18 W. National Ave.
- Sponsors:* Safety & Development Committee
48. [2016-0412](#) Special Use Permit for re-occupancy of a mixed-use commercial and residential building located at 6416-18 W. National Ave.
49. [R-2016-0180](#) Resolution relative to the determination of Special Use Permit for Bright Minds Family Child Care, a proposed daycare, to be located at 8802 W. Becher St.
- Sponsors:* Safety & Development Committee
50. [2016-0410](#) Special Use Permit for Bright Minds Family Child Care, a proposed Daycare, to be located at 8802 W. Becher St.
51. [R-2016-0182](#) Resolution relative to determination of Special Use Permit for Endless Autosport, an existing automobile accessory/part sales store, proposing to establish a vehicle repair and service business, to be located within an existing building at 10923 W. Mitchell St.
- Sponsors:* Safety & Development Committee
52. [2016-0411](#) Special Use Permit for Endless Autosport, an existing automobile accessory/part sales store, proposing to establish a vehicle repair and service business, to be located within an existing building at 10923 W. Mitchell St.

### LICENSE & HEALTH COMMITTEE

#### New Matters for Introduction

53. [2016-0455](#) 2016-2017 Secondhand Article Dealer License application(s).
54. [2016-0456](#) 2016-2017 Manufactured and Mobile Home Community License application(s).

55. [2016-0445](#) 2016-2017 Class B Tavern renewal applications.
56. [2016-0446](#) 2016-2017 Special Class B Beer and Wine License application(s).
57. [2016-0447](#) 2016-2017 Class B Tavern Special Event Permit application no. 7 of Janice Susan, LLC, Janice S. Fazen, Agent, d/b/a Dog House, 1641 S. 68 St. for Golf Outing to be held on Saturday, July 17, 2016 from 7:00 a.m. to 8:00 p.m. (Cook Out and tent in backyard). First (1st) application for 2016-2017 license year.
58. [2016-0451](#) 2016-2017 Entertainment Club License application no. 2346 of Fred Bell, LLC, Fred D. Bell, Agent, d/b/a Just For Today Recovery Club, for the premises located at 1900 S. 60 St.
59. [2016-0331](#) Operator's License (bartender/sales clerk) applications.
60. [2016-0449](#) Communication from Stephen C. Bonnell regarding Papa's Pub, LLC, Dale J. Kristbaum, Agent, d//b/a Papa's Pub, premises located at 1101 S. 60 St., relinquishing the 2015-2016 Class B Tavern License no. 2156 to Lincoln Opportunity Fund, LLC.

*Attachments:* [Lincoln Oppourtunity Fund re:Papa's Pub](#)

61. [2016-0444](#) 2016-2017 Combination Class A Liquor License application no. 2338 of Parthenon Foods, Inc., Danny C. Sarandos, Agent, d/b/a Parthenon Foods, for the premises located at 8415 W. Greenfield Ave., (new-nonexisting location).
62. [2016-0442](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-484 of Robin D. Cwiklinski-Kertscher.
63. [2016-0443](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-159 of Brian A. O'Brion.

#### **Previous Matters for Consideration**

64. [2016-0439](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-151 of Cynthia L. Tice.
65. [2016-0429](#) 2016-2017 Food Peddler Pemit no. 2332 of Joseph Brown.

66. [O-2016-0011](#) Ordinance to Create Section 9.36 of the West Allis Revised Municipal Code Relating to Electronic Smoking Device Sales.

***Sponsors:*** Ald. Reinke

***Attachments:*** [New CDC Study Calls to Poison Centers](#)  
[E-Cigarette Use Among Middle & High School Students](#)  
[Smokers use E-Cigarettes to get high](#)  
[Undercover-Dangerous synthetic drugs sold to teens](#)  
[Police Warn New Way to Use Drugs Plain Sight](#)  
[Vaping Latest Scourge in Drug Abuse](#)  
[E-Cigarettes in the Indoor Environment \(A\)](#)  
[Harmful Chemicals Electronic Cigarettes \(A\)](#)  
[WMA Statement E-Cigarettes & Other Electronic Nicotine Delivery Systems \(A\)](#)  
[E-Cigarettes-An Overview \(A\)](#)  
[Flavoring Chemicals in E-Cigarettes \(A\)](#)  
[State Health Officer's Report on E-Cigarettes \(A\)](#)  
[E-Cigarettes Threaten Public Health Advances-Article \(A\)](#)  
[E-Cigs Damage DNA in Lab Study-Article \(A\)](#)  
[Summary Results-Lab Analysis E-Cigarettes Conducted by FDA \(A\)](#)  
[E-Cigarettes & Smoke-free Laws \(A\)](#)  
[Use E-Cigarettes Impairs Indoor Air Quality \(A\)](#)  
[Assoc Mortality Long-Term Exposures Fine & Ultrafine Particles, Species & Sources \(A\)](#)  
[E-Cigarette Factsheet\\_ A Growing Concern](#)  
[ATTO-Create Sec 9 36 E Smoke Sales Update 6-7-16 Mark Up](#)  
[Vaporizers E-Cig & ENDS](#)  
[Retailer Overview of FDA](#)  
[ATTO-Create Sec 9 36 E Smoke Sales Update July 5](#)

67. [2016-0403](#) Police Department Report involving Stallis Palace, 8812 W. Greenfield Ave. of Stallis Palace, LLC, Rachel L. Wesenberg, Agent, Incident Date: May 15, 2016.

## ADVISORY COMMITTEE

*None.*

## N. 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.