



# 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*

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Tuesday, December 6, 2011

7:00 PM

City Hall Common Council Chambers

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#### 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. Barczak.*

##### D. PUBLIC HEARINGS

###### 1. [R-2011-0237](#)

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. Washington St. from S. 70 St. to S. 77 St. and portions of intersecting streets, and W. Madison St. from S. 76 St. to S. 77 St. by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

**Sponsors:** Public Works Committee

*Explanation by Peter Daniels, Principal Engineer.*

*Appearances:*

*T. Windorski, 1101 S. 72 St., said the payment plan is burdensome, and asked if there are options based on income level.*

*Steven Brendemihl, 1101 S. 71 St., addressed his concerns and questions regarding traffic, garage entry/exit, parking, storm lateral, and sewer lines on S. 71 St.*

## E. CITIZEN PARTICIPATION

*Dale Slowik, Tanner Paull, thanked the city for the Veteran's Day celebration, and said that the Post is open.*

## 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 thanked everyone involved in the Christmas parade, and said that Candy Cane Lane is up and running.*

**Alderspersons Comments**

*Ald. Roadt commented on Candy Cane Lane.*

*Ald. Weigel thanked the citizens, businesses, and employees for bringing the Christmas parade together. He commented on the Paradise Theater progress.*

## H. AGENDA APPROVAL

*that the agenda as submitted be accepted*

## I. APPROVAL OF MINUTES

*to approve the minutes of the regular meeting of November 15, 2011*

## J. ITEMS NOT REFERRED TO COMMITTEE

2. [2011-0695](#) Amended Summons and Complaint in the matter of Bank of America, N.A. vs. Jeffrey D. Sullivan, et al, regarding foreclosure of mortgage, Case No. 11-CV-8303.
3. [2011-0698](#) Randall and Gail Hierl communication regarding damages allegedly sustained in November 2011 at 2209-2211 S. 75 St.

**Passed The Block Vote**

## 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 7:26 p.m. Upon returning from recess at 8:31 p.m., and the roll call being taken, there were:*

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

## M. NEW AND PREVIOUS MATTERS

**ADMINISTRATION & FINANCE COMMITTEE**

5. [R-2011-0241](#) Resolution Terminating All Provisions of Collective Bargaining Agreements.
- Sponsors:* Administration & Finance Committee
6. [2011-0706](#) Acting Comptroller/Manager of Finance submitting the report for the month of July, 2011 indicating City of West Allis checks issued in the amount of \$3,610,981.11.
7. [2011-0707](#) Acting Comptroller/Manager of Finance submitting the report for the month of August, 2011 indicating City of West Allis checks issued in the amount of \$2,714,597.82.
8. [2011-0708](#) Acting Comptroller/Manager of Finance submitting the report for the month of September, 2011 indicating City of West Allis checks issued in the amount of \$4,040,615.38.
9. [2011-0711](#) Communication from City Administrative Officer regarding request to fill vacant position of Secretary I in the Public Works/Engineering Department (Engineering Office).
- Attachments:* [VACPOSREQ.SecyEng 120611.pdf](#)
10. [2011-0712](#) Communication from City Administrative Officer regarding request to fill vacant position of Plumber in the Public Works/Engineering Department (Public Works Division).

*Attachments:* [VACPOSREQ.PlumberPW 120611.pdf](#)

#### Passed The Block Vote

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

**No:** 0

#### PUBLIC WORKS COMMITTEE

4. [R-2011-0242](#) Resolution authorizing the appropriate city officials, including the City Administrative Officer, City Attorney and Director of Public Works/City Engineer, to enter into an architectural services agreement for the municipal court renovations at the police court center in an amount not to exceed \$20,000 from the Land & Building fund.
- Sponsors:* Public Works Committee and Administration & Finance Committee
11. [R-2011-0236](#) Resolution authorizing and directing the City Engineer to enter into a State/Municipal Agreement for a Highway Improvement Project with the Wisconsin Department of Transportation for the design, construction and other related work for the resurfacing of W. Greenfield Avenue from S. 124th Street to S. 106th Street.
- Sponsors:* Public Works Committee
- Attachments:* [R-2011-0236 Attachment.pdf](#)
12. [R-2011-0243](#) Resolution approving a quotation from Stepp equipment company for repairs to the solid waste compactor at the Yard in an amount not to exceed \$19,000.

**Sponsors:** Public Works Committee

13. [2011-0705](#) Communication from the Principal Engineer regarding parking restrictions along W. Greenfield Avenue (STH 59) from S. 124th Street to S. 106th Street.

**Attachments:** [COMM-2011-0705.pdf](#)  
[COMM-Project ID 2230-14-70.pdf](#)  
[COMM-Project ID 2230-15-70.pdf](#)

14. [R-2011-0237](#) 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. Washington St. from S. 70 St. to S. 77 St. and portions of intersecting streets, and W. Madison St. from S. 76 St. to S. 77 St. by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

**Sponsors:** Public Works Committee

15. [R-2011-0238](#) Final Resolution authorizing public improvement by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in W. Washington St. from S. 70 St. to S. 77 St. and portions of intersecting streets, and W. Madison St. from S. 76 St. to S. 77 St. and levying special assessments against benefited properties.

**Sponsors:** Public Works Committee

#### Passed The Block Vote

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

**No:** 0

#### SAFETY & DEVELOPMENT COMMITTEE

16. [2011-0710](#) Special Use Permit for proposed retail wine and wine tasting business, Corvina Wine Company, to be located within the ground floor commercial portion of an existing mixed-use building at 6036-38 W. Lincoln Ave. and 2272 S. 61 St.

*Held in Safety & Development Committee during recess.  
Held in License & Health Committee during recess.*

19. [2011-0699](#) Special Use Permit for a proposed International Auto Audi Dealership to be located at 10606 W. Arthur Ave.

*Held in Safety & Development Committee during recess.*

20. [2011-0700](#) Special Use Permit for a proposed expansion of hours for Taco Bell, an existing restaurant with a drive-thru facility located at 11011 W. National Ave.

**Attachments:** [J. Frederick letter of opposition Taco Bell hours.pdf](#)

*Held in Safety & Development Committee during recess.*

21. [2011-0701](#) Special Use Permit for a proposed children's daycare facility located within a portion of the Good Shepherds School building at 1337 S. 100 St.

*Held in Safety & Development Committee during recess.*

22. [2011-0704](#) Special Use Permit for StaffWorks, an employment agency, proposing to locate its offices and operations within a portion of the former CD Baird building located at 5325 W. Rogers St. submitted by Joe Brisk, StaffWorks.

*Held in Safety & Development Committee during recess.*

17. [O-2011-0082](#) An Ordinance to Establish Parking Restrictions on Both Sides of the 10000 through 12300 Blocks of W. Greenfield Ave.

**Sponsors:** Safety & Development Committee

*A motion was made by Ald. Barczak to refer this item back to Committee. Seconded by Ald. Narlock and carried unanimously.*

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

**No:** 0

18. [2011-0696](#) Communication from the Downtown West Allis Business Improvement District relative to recommending John Ibish and Paul Grant starting "New Retail Sales and Silent Film Showings" in the basement of the 7546 W. Greenfield Ave. property.

**Attachments:** [2011-0696.pdf](#)

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

**No:** 0

## LICENSE & HEALTH COMMITTEE

25. [2011-0702](#) Communication from Assistant City Attorney regarding failure to follow payment agreement for delinquent personal property tax and real estate tax for West Allis Liquor & Tobacco located at 7218 W. Greenfield Ave. on December 5, 2011.

**Attachments:** [COMM re WA Liq. & Tob. 12-5-11.pdf](#)

*Referred for Summons and Complaint by the License & Health Committee during recess.*

23. [2011-0694](#) 2011-2012 Used Vehicle Dealer License application(s).

*License application no. 1817 granted.*

24. [2011-0690](#) Tavern Operator License applications.

*2011-2013 License application nos. 421 & 423 granted.*

26. [2011-0676](#) 2011-2012 Tavern Operator License application no. 12-348 of David E. Schurman.

*Denied based on the police report.*

28. [2011-0659](#) Police Department Report involving Jilly Beans, 9524 W. Greenfield Ave. (2011-2012 Class B Tavern License no. 1701 and Dance Hall License no. 1702 of Sportz Medicine, LLC, John J. Biwer, Agent, Incident Date: September 21, 2011).

29. [2011-0661](#) Police Department Report involving The Drunken Duck, 5906 W. Burnham Ave., (2011-2012 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment, LLC, Lindsey Anne Guillermo, Agent, Incident Dates: September 27, 2011, October 11, 2011 & October 15, 2011).
30. [2011-0663](#) Police Department Reports involving Wild Bill's Saloon, 1454 S. 92 St. (2011-2012 Class B Tavern License no. 789 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Dates: October 2, 2011 & October 8, 2011).
31. [2011-0665](#) Police Department Report involving Flappers, 7527 W. Becher St. (2011-2012 Class B Tavern License no. 797 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: October 8, 2011 & October 13, 2011).
32. [2011-0672](#) Police Department Report regarding violation of selling synthetic marijuana involving Cigarette Depot, 1520 S. 84 St. (2011-2012 Cigarette License no. 1807 of HND, Inc., Dineshkumar P. Patel, Agent, Incident Date: October 17, 2011).

**Passed The Block Vote**

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

**No:** 0

27. [2011-0697](#) Police Department Report involving Double Barrel Saloon, 1100 S. 60 St., (Mathew S. Webb, Bartender License no. 12-196, Incident Date: September 13, 2011).
- Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
- No: 1 - Barczak

### ADVISORY COMMITTEE

33. [R-2011-0239](#) Resolution relative to placing on the City of West Allis April 3, 2012 Spring Election ballot a referendum on corporate personhood and money as speech.

**Sponsors:** Advisory Committee

**Attachments:** [Petition Pages 1-99.pdf](#)  
[Petition Pages 100-199.pdf](#)  
[Petition Pages 200-299.pdf](#)  
[Petition Pages 300-399.pdf](#)  
[Petition Pages 399-490.pdf](#)  
[Petition Tally Sheet.pdf](#)

*Held in Advisory Committee during recess.*

34. [2011-0709](#) Mayor Devine and City Administrative Officer, Clerk/Treasurer communication regarding appointment of election inspectors for 2012-2013.
- Attachments:** [Appointment of Election Inspectors.2012-2013.pdf](#)

35. [2011-0714](#) 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, 2014.

### Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, 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

*Paul Ziehler, City Administrative Officer, Clerk/Treasurer, commented on the tax rate.*

### O. ADJOURNMENT

*to adjourn at 8:42 p.m., with the next regularly scheduled meeting to be held on December 20, 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.