



# 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. Czaplewski, 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, May 5, 2015

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. [R-2015-0122](#) 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. Hayes Ave. from S. 92 St. to S. 95 St., S. 95 St. from W. Lincoln Ave. to W. Hayes Ave. and portions of intersecting streets by minor asphalt resurfacing with miscellaneous sidewalk repair, miscellaneous driveway repair, building services and utility adjustments.

*Sponsors:* Public Works Committee

2. [R-2015-0120](#) Resolution relative to determination of Special Use Permit for the relocation of the existing Goodwill store, a secondhand thrift retailer, to be located at 10909 W. Oklahoma Ave.

*Sponsors:* Safety & Development Committee

3. [O-2015-0029](#) Ordinance to amend Sections 12.06, 12.40, 12.41, 12.42, 12.43 and 12.45 of the Revised Municipal Code relative to defining and permitting secondhand retail uses.

*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. 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**

4. [2015-0307](#) Minutes (Draft) of the Common Council regular meeting of April 21, 2015.

Attachments: [042115 CC Minutes.draft](#)

**J. ITEMS NOT REFERRED TO COMMITTEE**

5. [2015-0273](#) Summons and Complaint in the matter of John Bednarz Jr. and Alison Bednarz vs. Wisconsin Auto Title Loans, Inc., et al, Case No. 15-cv-458.

Attachments: [Litigation Hold Notice](#)  
[Civil Action Summons](#)

6. [2015-0294](#) Summons and Complaint in the matter of Deutsche Bank National Trust Company, c/o Ocwen Loan Servicing, LLC vs. Arlene A. Manske, et al. regarding foreclosure of mortgage, Case No. 15CV003281.

Attachments: [Manske Foreclosure](#)

7. [2015-0295](#) Progressive, Artisan and Truckers Casualty, Co. communication submitted on behalf of Maxine Taylor relative to vehicle damages allegedly sustained at S. 38 St and W. Auer Ave. on March 20, 2015.

*Attachments:* [Maxine Taylor veh. claim](#)

## K STANDING COMMITTEE REPORTS

*None.*

## L. COMMON COUNCIL RECESS

## M. NEW AND PREVIOUS MATTERS

### ADMINISTRATION & FINANCE COMMITTEE

#### New Matters for Introduction

8. [R-2015-0118](#) Resolution relative to accepting the sole source proposal of Core Vision IT Solutions LLC for providing Palo Alto Firewall Subscription Service for a total net sum of \$8,710.00.

*Sponsors:* Administration & Finance Committee

*Attachments:* [Palo Alto Firewall Subscription Request](#)

9. [R-2015-0124](#) Resolution to approve entering into an Intergovernmental Agreement with Milwaukee County for Trunked Radio System Access, for a sum not to exceed \$7,000 in 2015.

*Sponsors:* Administration & Finance Committee

*Attachments:* [Intergovernmental Agreement re Public Safety Radio System](#)  
[ITC Director Memo Explaining IGA](#)

10. [R-2015-0125](#) Resolution requesting approval to enter into a contract with E-Docs American Corporation for the imaging of City Attorney Office historical files, for a sum not to exceed \$20,000.

*Sponsors:* Administration & Finance Committee

*Attachments:* [ITC Director Memo Explaining Request](#)

11. [R-2015-0126](#) Resolution requesting the transfer of \$10,000 from the City's Contingency Fund to the Police & Fire Commission 2015 Budget for expenses related to the recruitment and selection of a new Police Chief.

*Sponsors:* Administration & Finance Committee

*Attachments:* [Police & Fire Commission Letter re Police Chief recruitment](#)

12. [2015-0308](#) Communication from City Administrator regarding request to fill an upcoming vacant position of Record Clerk I in the Department of Public Works, Water Division.

*Attachments:* [Request to fill Record Clerk I Position in Water Div.](#)

13. [2015-0287](#) City Administrator report on IT Steering Committee meetings.

*Attachments:* [IT Steering Committee Meeting Minutes 04/08/2015](#)

### City Attorney Claim Report

14. [2013-0622](#) Summons and Complaint in the matter of Bank of America, N.A. vs Andrew Peterson, et al, regarding foreclosure of mortgage, Case No. 13-CV-009542.

*City Attorney recommended to be placed on file.*

15. [2014-0484](#) Summons and Complaint in the matter of PPS-WI Fund, LLC vs. Lazaro Rodriguez, et al, regarding foreclosure of mortgage. Case Code 30404. Case No. 14CV006271.

*City Attorney recommended to be placed on file.*

16. [2014-0775](#) Summons and Complaint, Small Claims, in the matter of Daniel Drew vs. City of West Allis regarding property damage - auto. Case No. 14SC032551.

*Attachments:* [Waterstone Bank vs Daniel Drew](#)

*City Attorney recommended to be placed on file.*

### PUBLIC WORKS COMMITTEE

#### New Matters for Introduction

17. [R-2015-0116](#) Resolution authorizing and directing the City Engineer to enter into a State/Municipal Agreement for a Water Main Improvement Project with the Wisconsin Department of Transportation for the design, construction and other related work for the relocation of two water mains underneath Interstate Highway 894 at W. Lincoln Avenue and at W. Becher Street.

*Sponsors:* Public Works Committee

*Attachments:* [R-2015-0116](#)

18. [R-2015-0119](#) Resolution to amend the Policies and Procedures Section 2202, Building and Sign Division of the Department of Public Works, to include a procedure for the public to request the placement or replacement of a “No Parking Within 4 Feet of Drive” or “No Parking Between Driveways” sign, as approved by the City Engineer, for a fee of \$150.

*Sponsors:* Public Works Committee

**Previous Matters for Consideration**

19. [O-2015-0028](#) An Ordinance to Amend Subsection 7.12(9) of the West Allis Revised Municipal Code Relating to Banning Dogs at City Parks and Playgrounds.
- Sponsors:* Ald. Lajsic
20. [R-2015-0106](#) Resolution relative to accepting the proposal of Purple Cow Organics, LLC, for providing yard waste management services for a five year period for an estimated sum of \$1,022,000.
- Sponsors:* Public Works Committee
- Attachments:* [1262 Yard Waste Mgm Serv](#)
21. [2015-0226](#) Communication from Director of Public Works/City Engineer introducing a proposed Park policy.
- Attachments:* [COMM-2015-0226 policy and memo](#)
22. [2015-0229](#) Communication from Director of Public Works/City Engineer regarding application for Park Use Permit.
- Attachments:* [COMM - Park Use Permit](#)

**Public Hearing Items (Public Works Committee)**

23. [R-2015-0122](#) 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. Hayes Ave. from S. 92 St. to S. 95 St., S. 95 St. from W. Lincoln Ave. to W. Hayes Ave. and portions of intersecting streets by minor asphalt resurfacing with miscellaneous sidewalk repair, miscellaneous driveway repair, building services and utility adjustments.
- Sponsors:* Public Works Committee
24. [R-2015-0123](#) Final Resolution authorizing public improvement by minor asphalt resurfacing with miscellaneous sidewalk repair, miscellaneous driveway repair, building services and utility adjustments in W. Hayes Ave. from S. 92 St. to S. 95 St., S. 95 St. from W. Lincoln Ave. to W. Hayes Ave. and portions of intersecting streets and levying special assessments against benefited properties.
- Sponsors:* Public Works Committee

**SAFETY & DEVELOPMENT COMMITTEE****New Matters for Introduction**

25. [R-2015-0121](#) Resolution of Recognition of the Orchard Hills Neighborhood Association.
- Sponsors:* Ald. Haass
- Attachments:* [Recognition Application](#)  
[Boundaries](#)  
[Bylaws](#)
26. [R-2015-0129](#) Resolution to extend the previously imposed Moratorium on Secondhand Article Dealers, as defined in Section 9.15 of the Revised Municipal Code.
- Sponsors:* Safety & Development Committee
27. [2015-0309](#) Request submitted by David Murray of Allied Pools for an Ordinance to amend the official West Allis Zoning Map by rezoning property located at 1800 S. 108 St. from M-1 Manufacturing District to C-4 Regional Commercial District.

**Previous Matters for Consideration**

28. [2015-0223](#) Special Use Permit for Treat Yourself!, a proposed gourmet popcorn and confections store, to be located at 7326 W. Greenfield Ave.
29. [2015-0005](#) Summons and Complaint in the matter of the Complaint against John Scherff, d/b/a Central Wastewater Treatment of Wisconsin, LLC, located at 360 S. Curtis Rd., regarding their Special Use Permit.
- Attachments:* [CWT of WI, LLC Summons 1-6-15](#)  
[CWT of WI, LLC Complaint 1-6-15](#)  
[CWT of WI, LLC Exhibits 1-6-15](#)  
[CWT Affidavit of Service](#)

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

30. [R-2015-0120](#) Resolution relative to determination of Special Use Permit for the relocation of the existing Goodwill store, a secondhand thrift retailer, to be located at 10909 W. Oklahoma Ave.
- Sponsors:* Safety & Development Committee
31. [2015-0269](#) Special Use Permit for the relocation of the existing Goodwill store, a secondhand thrift retailer, to be located at 10909 W. Oklahoma Ave.
32. [O-2015-0029](#) Ordinance to amend Sections 12.06, 12.40, 12.41, 12.42, 12.43 and 12.45 of the Revised Municipal Code relative to defining and permitting secondhand retail uses.
- Sponsors:* Safety & Development Committee

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

33. [2015-0304](#) 2015-2016 Class B Tavern License application no. 2191 of 9801 LLC, Hasan S. Salem, Agent, d/b/a 9801 LLC, for premises located at 9801 W. Dakota St. (new-nonexisting location).
34. [2015-0285](#) 2015-2016 Class B Tavern License renewal application no. 1541 and new Dance Hall License application no. 2190, of ARH Enterprises, LLC, Hugo Jose Juarez, Agent, d/b/a Las Palmas for premises located at 1901 S. 60 St.
35. [2015-0284](#) 2015-2016 Class B Tavern, Dance Hall and Instrumental Music License renewal applications.
36. [2015-0283](#) 2015-2016 Combination Class A Liquor License renewal applications.
37. [2015-0280](#) 2015-2016 Class A Beer License renewal applications.
38. [2015-0281](#) 2015-2016 Class B Beer License renewal applications.
39. [2015-0282](#) 2015-2016 Class C Wine License renewal applications.
40. [2015-0297](#) 2015-2016 Special Class B Beer and Wine License application(s).
41. [2015-0277](#) 2015-2016 Class B Tavern Special Event Permit application no. 3 of The Buzzard's Nest, LLC, Lawrence E. Pryor, Agent, d/b/a The Buzzard's Nest, 6000 W. Mitchell St., (2015-2016 Class B Tavern License renewal application no. 1965, Instrumental Music License renewal application no. 1967 and Dance Hall License renewal application no. 1966) for "Nest Fest" to be held on Saturday, July 11, 2015 from 11:00 a.m. to 8:00 p.m. (Food and outdoor music). First (1st) application for 2015-2016 license year.
42. [2015-0302](#) 2014-2015 Class B Tavern Special Event Permit application no. 23 of D&N Lynch, Inc., Joseph E. Lynch, Agent, d/b/a Lynch's, 2300 S. 108 St., (2014-2015 Class B Tavern License application no. 489, Instrumental Music License application no. 617 and Dance Hall License application no. 616) for Fund Raiser for Liver Foundation to be held on Saturday, June 20, 2015 from 10:00 a.m. to 10:00 p.m. (Food, tent and outdoor music). Fifth (5th) application for 2014-2015 license year.
43. [2015-0278](#) 2014-2015 Special Event Instrumental Music Permit application no. 22 of Potocic Enterprises, Ltd., William L. Potocic, Agent, d/b/a State Fair Inn, 8101 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 700) for an event on Saturday, June 6, 2015 from 6:00 p.m. to 10:00 p.m. First (1st) application for 2014-2015 license year.
44. [2015-0279](#) Operator's License (bartender/sales clerk) applications.

45. [2015-0289](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-300 for Ramanlal Patel.
46. [2015-0290](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-292 for Rey A. Khan.
47. [2015-0291](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-003 for Christina I. Lopez.
48. [2015-0292](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-011 for Ashlee A. Broehm-Jacobson.
49. [2015-0293](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-303 for Ranjit Singh.
50. [2015-0276](#) 2015-2016 Adult-Oriented Establishment License renewal application.
51. [2015-0299](#) 2014-2015 Adult-Oriented Establishment Operator Permit application(s).
52. [2015-0301](#) 2015-2016 Amusement Distributor's License application(s).
53. [2015-0306](#) 2015-2016 Phonograph Distributor's License application(s).
54. [2015-0305](#) 2015-2016 Used Vehicle Dealer License application(s).
55. [2015-0298](#) 2015-2016 Pawn Dealer License application(s).
56. [2015-0274](#) 2015-2016 Secondhand Article Dealer License application(s).
57. [2015-0275](#) 2015-2016 Secondhand Jewelry Dealer License application(s)
58. [2015-0303](#) 2015-2016 Secondhand Jewelry Dealer License renewal application no. 1877 of M.J.C. Inc., Michael J. Czaplowski, Agent, d/b/a Jewelry by M.J.C., for premises located at 10923 W. Lincoln Ave.
59. [2015-0313](#) Stipulation In the Matter of the Complaint Against Morgan Murphy Enterprises, LLC, Mary Jo Burbach, Registered Agent, dba Tap 58, for the premises located at 5732 W. Mitchell St.

### Previous Matters for Consideration

60. [2015-0075](#) Summons and Complaint in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burbach, Registered Agent, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

**Attachments:** [Summons Morgan Murphy Enterprises 03-24-15](#)  
[Complaint Morgan Murphy Enterprises, LLC 03-24-15](#)  
[Affidavit of Service Morgan Murphy Enterprises, LLC](#)



61. [2015-0034](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083 of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: December 18, 2014).
62. [2015-0103](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083 of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: January 10, 2015).
63. [2015-0104](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083 of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: January 18, 2015).
64. [2015-0185](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083) of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: February 12, 2015.
65. [2015-0081](#) Communication from Health Commissioner providing an update on Morgan Murphy Enterprises, LLC, Mary Jo Burbach, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License) dated January 29, 2015.

*Attachments:* [MEMORANDUM-Tap58, January 29, 2015](#)

## ADVISORY COMMITTEE

### New Matters for Introduction

66. [2015-0300](#) Appointment by Mayor Devine of Mr. Lynn Franke to the Office of Weed Commissioner for the City of West Allis for the year 2015.
67. [2015-0310](#) Reappointment by Mayor Devine of Judy Shabman as a member of the West Allis Civil Service Commission, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her five-year term to expire May 1, 2020.
68. [2015-0311](#) Reappointment by Mayor Devine of Jean Wolfgang as a member of the West Allis Board of Appeals, her three-year term to expire May 1, 2018.
69. [2015-0312](#) Reappointment by Mayor Devine of Jim Mejchar as a member of the West Allis Community Celebrations Committee, his three-year term to expire December 31, 2017.

## 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.