

City of West Allis Meeting Minutes

Common Council

Mayor Dan Devine, Chair

Alderperson James W. Sengstock, Council President

Alderpersons: 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, May 19, 2009

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:00 p.m.

B. ROLL CALL

9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel Present

Excused

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Lajsic.

Mayor Devine welcomed Troop 580 from Mount Hope.

D. PUBLIC HEARINGS

O-2009-0015 1.

Ordinance to amend the official West Allis Zoning Map by rezoning properties located at 8229, 8233, 8239 and 8243 W. Lapham St. and 1608 S. 83 St. and 1616-18 S. 83 St. from M-1 Manufacturing District to RB-2 Residence District. (Tax Key Nos. 452-0505-000, 452-0504-000, 452-0503-000, 452-0502-000, 452-0501-000)

Sponsors: Safety & Development Committee

Explanation by John Stibal, Director of Development.

Appearances:

Barbara Kroupa, 8233 W. Lapham St., would like to see the homes stay and not torn down, and inquired about no trucking regulations. She requested the zoning be changed.

Joyce and Shawne Ollins, 8229 W. Lapham St., want to refinance, and requested the change for zoning.

E. CITIZEN PARTICIPATION

None.

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 announced the Neighborhood Meeting scheduled for May 20th, and addressed the Memorial Day celebration activities.

Alderpersons Comments

Ald. Reinke reported on the activities of the Community Celebrations Committee. She announced that coupon books will be given to veterans for Memorial Day.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the special meeting of May 1, 2009 and regular meeting of May 5, 2009

J. ITEMS NOT REFERRED TO COMMITTEE

2. 2009-0309 Report of the Municipal Judge for the month of April 2009, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$111,312.93.

Attachments: 2009-0309.pdf

- 3. 2009-0283 Treml Sales & Services communication regarding property damage allegedly sustained at 2107 S. 84 Street on April 8, 2009.
- **4.** 2009-0324 Spoerl Trucking, Inc. communication regarding vehicle damage allegedly sustained on January 6, 2009.
- 5. 2009-0325 Joseph Mason communication regarding injuries of Sheilia Mason allegedly sustained at 6414 W. Greenfield Avenue on March 11, 2009.

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 7:13 p.m. Upon returning from recess at 8:02 p.m., and the roll call being taken, there were:

Present 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

Excused 1 - Barczak

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

6. Resolution to approve an Amendment to the Plan Management Agreement for

Administrative Services between the City of West Allis and Humana Health Insurance

Company/Humana Dental Insurance Company, effective March 1, 2009.

Sponsors: Administration & Finance Committee

Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

7. Resolution ordering preliminary plans and specifications together with a schedule of

proposed assessments for improvement of S. 60 St. from the North City Limits to W. Lincoln Ave. and portions of intersecting streets by concrete reconstruction with miscellaneous walk, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

8. Resolution Authorizing and Directing the City Engineer to Pay For Sanitary Sewer

Lateral Repairs at 2542 South 83rd Street in the Amount of \$1,661.83.

Sponsors: Public Works Committee

Attachments: RES-2009-0134.pdf

9. Resolution to approve bid of Payne & Dolan, Inc. for street construction, alley

construction, storm sewer relay, storm sewer spot relay, water main relay and utility adjustments in various locations within the City of West Allis, in the amount of

\$1,236,759.80.

Sponsors: Public Works Committee

Attachments: 2009-6 Bid Results.pdf

10. 2009-0281 Communication from American Sewer Service, Inc. appealing their disqualification

from bidding.

Attachments: COMM-American Sewer Disqualification.pdf

Passed The Block Vote

Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES

11. 2009-0335 Special Use Permit for proposed addition to Fortune Restaurant, an existing business

located at 2945 S. 108 St. (Tax Key No. 520-9965-033)

Held in Safety & Development and License & Health Committees during recess.

SAFETY & DEVELOPMENT COMMITTEE

12. 2009-0315 SC Management Company, Inc. communication on behalf of Summit Place

supporting the West Allis Bike and Pedestrian Plan and the Cross-Town Connector.

Attachments: 2009-0315.pdf

Held in Safety & Development Committee during recess.

13. 2009-0334 Special Use Permit to establish a Dance Studio within a portion of the existing mixed

use building located at 7701 W. Greenfield Ave. submitted by Debra J.

Hamilton-Barutha d/b/a Blush II. (Tax Key No. 452-0027-000)

Held in Safety & Development Committee during recess.

14. 2009-0336 Special Use Permit for proposed day care facility d/b/a Community Relations-Social

Development Commission Head Start of West Allis within a portion of the Whitnall

Summit Place property located at 6682 W. Greenfield Ave. (Tax Key No.

439-0001-031)

Held in Safety & Development Committee during recess.

15. 2006-0467 Petition for a button activated Stop light on 87th and National for the elderly and

disabled residents of Sunrise Apartments.

16. 2006-0495 Supplemental Petition for a button activated Stop light on 87th and National for the

elderly and disabled residents of Sunrise Apartments.

17. 2008-0346 Petition requesting stop or yield signs on South 88 Street.

Attachments: Petition.88 Street yield or stop sign.pdf

Public Hearing Item (Safety & Development Committee)

18. Ordinance to amend the official West Allis Zoning Map by rezoning properties

located at 8229, 8233, 8239 and 8243 W. Lapham St. and 1608 S. 83 St. and

1616-18 S. 83 St. from M-1 Manufacturing District to RB-2 Residence District. (Tax

Key Nos. 452-0505-000, 452-0504-000, 452-0503-000, 452-0502-000,

452-0501-000)

Sponsors: Safety & Development Committee

Passed The Block Vote

Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

19. 2009-0292 2008-2009 Class B Tavern License application no. 1524, Instrumental Music

License application no.1525 and Dance Hall License application no. 1526, of SYRE Enterprises, LLC, Andrew M. Lomax, Agent, d/b/a Double Barrel Saloon for

premises located at 1100 S. 60 St. (new-existing location).

20. 2009-0317 Downtown West Allis, Inc. communication requesting the Common Council enact

and enforce an ordinance prohibiting drug paraphernalia within the Downtown West

Allis Business Improvement District's boundaries.

Attachments: 2009-0317.pdf

21. 2009-0333 Time Warner Cable communication regarding possibly ceasing programming if

agreements aren't renewed for Style, Sportsman Channel, BBC VOD, GSN, GAC, Shop NBC, Weather Channel, WLS, WTMJ, WGBA, and WBAY; and reminding

that DTV transition commences June 13, 2009.

Attachments: 2009-0333.pdf

22. 2009-0318 2008-2009 Class B Tavern Special Event Permit appl. no. 12 of Cosmo LoMagro,

d/b/a Cosmo Factory, 9524 W. Greenfield Ave., (2008-2009 Class B Tavern License application no. 646 and Dance Hall License application no. 648) for a

graduation party, June 14, 2009 from 12:00 p.m. to 11:00 p.m.

23. 2009-0323 2008-2009 Class B Tavern Special Event Permit application no. 11 of

Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill, 1753 S. 68 St. (2008-2009 Class B Tavern License no. 1490, Instrumental Music License no. 1491, Dance Hall License no. 1492 and Cigarette License no. 1493) for a Spring Into Summer Party, to be held June 13, 2009, from 12:00 p.m. to 11:00 p.m.

(Fenced in parking lot behind Dopp's).

24.	2009-0298	2009-2010 Class B Tavern License renewal application no. 1301, Dance Hall License renewal application no. 1303, and Tavern Entertainment renewal application no.1302 of Cugino's Entertainment LLC, Dominic T. Lalicata, d/b/a Crazy Horse for premises located at 9440 W. National Avenue.
25.	2009-0289	2009-2010 Class B Tavern License renewal application no. 1310 and Instrumental Music License application no. 1515 of JK Lau Investments, LLC, Jeffrey K. Lau, Agent, d/b/a 57 Bar, premises located at 5632 W. Burnham St. (new Instrumental Music License).
26.	2009-0287	2009-2010 Class B Tavern License application no. 1370 of Pegasus of West Allis, LLC., Sotirios Touloukis, Agent, d/b/a Pegasus Restaurant at 7727 W. Greenfield Ave. (new agent).
27.	2009-0288	2009-2010 Class B Tavern License renewal application no. 635, Dance Hall License renewal application no. 638 and Instrumental Music License renewal application no. 1378 of Columbus Club of West Allis, Inc., John J. Schmitz, Agent, d/b/a Columbus Club of West Allis for premises located at 1800 S. 92 St. (new agent)
28.	2009-0326	2009-2010 Combination Class A Liquor License renewal application no. 933 of Sam's East, Inc., William A. Campbell II, Agent, d/b/a Sam's Club 6303, premises located at 1540 S. 108 Street (new agent).
29.	2009-0327	2009-2010 Combination Class A Liquor License renewal application no. 1205 and Cigarette License renewal application no. 1206, of Mega Marts, LLC, James C. Heltemes, Agent, d/b/a Pick 'n Save #6883, premises located at 11111 W. Greenfield Avenue (new agent).
30.	2009-0303	2009-2010 Class B Tavern, Dance Hall, Instrumental Music, and Bowling Alley License renewal applications.
		License application nos. 443, 448, 453, 458, 481, 489, 610, 626, 637, 641, 650, 655, 657, 663, 666, 669, 671, 674, 690, 694, 700, 702, 717, 726, 733, 742, 748, 768, 772, 776, 791, 794, 797, 806, 810, 815, 817, 820, 827, 853, 863, 880, 1082, 1091, 1095, 1159, 1174, 1223, 1264, 1312, 1339, 1361, 1427, 1447, and 1453 and corresponding Dance Hall, Instrumental Music, and Bowling Alley License applications granted.
31.	2009-0330	2009-2010 Class B Beer License renewal applications.
		License application nos. 805, 831, 843, and 902 granted.
32.	2009-0329	2009-2010 Combination Class A Liquor License renewal applications.
		License application nos. 921, 932, 938, 1087, 1089, 1113, and 1464 granted.

33.	2009-0328	2009-2010 Class A Beer License renewal application(s).
		License application nos. 907 and 1077 granted.
34.	2009-0331	2009-2010 Class C Wine License renewal application(s).
		License application no. 844 granted.
35.	2009-0332	2009-2010 Wholesale Beer License renewal application.
		License application no. 918 granted.
36.	<u>2009-0316</u>	2008-2009 Special Class B Beer and Wine License application(s).
		License application no. 29 granted.
37.	2009-0338	2009-2010 and 2009-2011 Tavern Operator License applications.
		2009-2010 License application nos. 328-331, 333, and 340 granted. 2009-2011 License application nos. 112-114, 122-167, 169-174, 176-179, 181-188, 191-201, 204-205, 207-211, and 213-214 granted.
38.	2009-0321	2009-2010 Adult-Oriented Establishment Operator Permit applications.
		License application nos. 532 and 1093 granted.
39.	2009-0310	2009-2010 Amusement Distributor's License renewal application(s).
		License application nos. 439 and 1243 granted.
40.	2009-0312	2009-2010 Arcade License renewal application(s).
		License application no. 405 granted.
41.	2009-0311	2009-2010 Second Hand Dealer License renewal application(s).
		License application nos. 327, 332, and 345 granted.
42.	2009-0313	2009-2010 Used Vehicle Dealer appl(s).
		License application nos. 1499 and 1518 granted.
43.	2009-0297	Police Department report regarding tavern violations/calls for service for the month of April 2009.
	Attachments:	<u>2009-0297.pdf</u>
44.	2009-0306	Police Department Report involving Jock Stop Sports Bar, 7930 W. National Ave. (2008-2009 Class B Tavern License no. 880 and Dance Hall License no. 882 of JOCII ENTERPRISES, LLC, Christopher John Bitz, Agent, Incident Date: April 16, 2009)
45.	2009-0290	2009-2010 Class B Tavern License renewal application no. 454, Dance Hall License renewal application no. 504 and Instrumental Music License renewal application no. 1068 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, d/b/a Painted Parrot, premises located at 8028 W. National Ave.

46.	2009-0291	2009-2010 Class B Tavern License application no. 1530, of Gregory S. Barczak, d/b/a 88 Keys Piano Martini Lounge for premises located at 7211 W. Greenfield Ave.
55.	2009-0340	2009-2011 Tavern Operator License renewal application no. 11-212 of Frank R. Zoboroski.
71.	2009-0282	2008-2009 Entertainment Club License application no. 1520 of Sumn Outta Nutn, LLC, Ted F. Robertson, Agent, premises located at 2213 S. 54 St.
		Denied based on noise, evasion of rules and regulations, drugs outside, holding a party without occupancy and a license, and the indication that the applicant does not have control of the premises.
47.	2009-0285	2009-2010 Adult-Oriented Establishment Operator Permit renewal application no. 1497 of David A. Bugni.
		Held in License & Health Committee during recess.
48.	<u>2009-0286</u>	2009 Direct Sellers/Solicitors Permit application no. 45 of Andrew R. Stauff.
		Held in License & Health Committee during recess.
49.	2009-0271	2009-2011 Tavern Operator License renewal application no. 11-049 of Jeffrey R. Gaudynski, Sr.
		Held in License & Health Committee during recess.
50.	2009-0284	2009-2011 Tavern Operator License renewal application no. 11-099 of Brian G. DePons.
		Held in License & Health Committee during recess.
51.	2009-0296	2009-2011 Tavern Operator License renewal application no. 11-168 of Alexander J. Lovas.
		Held in License & Health Committee during recess.
52.	2009-0319	2009-2011 Tavern Operator License renewal application no. 11-175 of James M. Lynch.
		Held in License & Health Committee during recess.
53.	2009-0322	2009-2011 Tavern Operator License renewal application no. 11-189 of Peter A. Harris.
		Held in License & Health Committee during recess.
54.	2009-0320	2009-2011 Tavern Operator License renewal application no. 11-180 of Theodore M. Galaszewski.
		Held in License & Health Committee during recess.
56.	2009-0341	2009-2010 Cigarette License renewal application no. 466 of Smoker's Pub, LLC, Mohammed M. Ali, Agent, d/b/a Smokers Pub for premises located at 10708 W. Oklahoma Ave.
		Held in License & Health Committee during recess.

57.	2009-0293	2009-2010 Class B Tavern License application no. 1511 of Deborah S. Gerth, d/b/a Walk-Her-Inn, premises located at 900 S. 74 St. (new-existing location).
		Held in License & Health Committee during recess.
58.	2009-0294	2009-2010 Class B Tavern License renewal application no. 784 of Randall W. Katzuba, d/b/a Randy's Neighbor's Inn, premises located at 6922 W. Becher St.
		Held in License & Health Committee during recess.
59.	2009-0299	Police Department Report regarding April 17, 2009 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2008-2009 Class A Beer License no. 910 and Cigarette License no. 1015 of Bryan SRA, LLC, Ram S. Joseph, Agent, d/b/a Kwik Pantry, 6716 W. Lincoln Ave.).
		Held in License & Health Committee during recess.
60.	2009-0300	Police Department Report regarding April 17, 2009 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 935 and Cigarette License no. 1030 of Mohinder S. Dhillon, d/b/a Dhillon Beer & Liquor, 5832 W. Burnham St.).
		Held in License & Health Committee during recess.
61.	2009-0301	Police Department Report regarding April 17, 2009 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 1351 and Cigarette License no. 1354 of Bunty's Liquor, LLC, Beant Singh, Agent, d/b/a Cleveland Discount Liquor, 8423 W Cleveland Ave.).
		Held in License & Health Committee during recess.
62.	2009-0295	2009-2010 Combination Class A Liquor License renewal application no. 1351 of Bunty's Liquor, LLC, Beant Singh, Agent, d/b/a Cleveland Discount Liquor, premises located at 8423 W. Cleveland Ave.
		Held in License & Health Committee during recess.
63.	2009-0302	Police Department Report regarding April 17, 2009 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 928 and Cigarette License no. 1024 of Majdecki Foods, Inc., Theodore R. Majdecki, Agent, d/b/a Sentry Foods #2806, 10282 W National Ave.
		Held in License & Health Committee during recess.

64.	2009-0275	2009-2010 Combination Class A Liquor License renewal application no. 928 of Majdecki Foods, Inc., Theodore R. Majdecki, Agent, d/b/a Sentry Foods #2806, premises located at 10282 W. National Ave.
		Held in License & Health Committee during recess.
65.	2009-0304	Police Department Report involving Bunkers, 7420 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1431 of Bunkers, LLC, Scott J. Bunker, Agent, Incident Date: April 1, 2009)
		Held in License & Health Committee during recess.
66.	2009-0305	Police Department Report involving Dopp's Bar & Grill, 1753 S. 68 St. (2008-2009 Class B Tavern License no. 1490, Dance Hall License no. 1492, Instrumental Music License no. 1491 and Cigarette License no. 1493 of Doppelgangers, Inc., Tammy L. Dopp, Agent, Incident Date: April 11, 2009)
		Held in License & Health Committee during recess.
67.	2009-0339	2009-2010 Class B Tavern License renewal application no. 1490, Instrumental Music License renewal application no. 1491, Dance Hall License renewal application no. 1492, and Cigarette License renewal application no. 1493 of Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill, 1753 S. 68 St.
		Held in License & Health Committee during recess.
68.	2009-0307	Police Department Report involving Mugshotz, 1902 S. 68 St. (2008-2009 Class B Tavern License no. 1380, Dance Hall License no. 1382 and Instrumental Music License no. 1383 of Mugshotz, Inc., Gregory J. Steffek, Agent, Incident Date: April 16, 2009)
		Held in License & Health Committee during recess.
69.	2009-0308	Police Department Report involving Bugsys, 6851 W. Beloit Rd., (2008-2009 Class B Tavern License no. 454, Dance Hall License no. 504, Instrumental Music License no. 1068 and Cigarette License no. 455 of MJJB, LLC, Brad Mark Roessger, Agent, Incident Date: April 28, 2009) Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

70. 2009-0204 2008-2010 Tavern Operator License application no. 10-317 of Katherine L. Van Dorf.

Aye: 8 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Vitale

No: 0

Present: 1 - Weigel

ADVISORY COMMITTEE

72. Resolution relative to the 2010 U.S. Census and the establishment of a City of West Allis Complete Count Committee.

Sponsors: Advisory Committee

73. 2009-0342 Reappointment by Mayor Devine of Dolores Grunke 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, 2014.

74. 2009-0343

Reappointment by Mayor Devine of Richard Sujecki as a member of the West Allis Electrical Review Board, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, his two-year term to expire May 31, 2011.

75. 2009-0344 Reappointment by Mayor Devine of Wayne Clark as a member of the West Allis Plan Commission, his three-year term to expire April 30, 2012.

76. 2009-0345 Reappointment by Mayor Devine of Michael May to the West Allis Plan Commission, his three-year term to expire April 30, 2012.

77. 2009-0337 Legislative Committee minutes for May 12, 2009.

Attachments: LEG CMTE MINS 051209.pdf

Passed The Block Vote

Aye: 9 - 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

Council President Sengstock announced the Common Council will meet during July and August on July 7, 2009 and August 4, 2009; wished Ald. Vitale well with his surgery; and extended condolences to John Stibal.

O. ADJOURNMENT

to adjourn at 8:08 p.m., with the next regularly scheduled meeting to be held on June 2, 2009, 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.