



City of West Allis

Meeting Minutes

Common Council

Mayor Jeannette Bell, Chair

Alderson James W. Sengstock, Council President

*Aldersons: Gary T. Barczak, Michael J. Czaplewski, Linda A. Dobrowski,
Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke,
Vincent Vitale, and Martin J. Weigel*

Tuesday, August 7, 2007

7:06 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Bell at 7:06 p.m.

B. ROLL CALL

Present 8 - Czaplewski, Dobrowski, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

Excused 2 - Barczak, and Kopplin

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Sengstock.

D. PUBLIC HEARINGS

1. [R-2007-0152](#) Resolution Relative to Discontinuance and Vacation of a 386' long x 18' wide Portion of the City Right-of-Way Along the South Side of West National Avenue Between South 78th Street and South 80th Street.

Sponsors: Public Works Committee

Explanation of the proposed vacation and discontinuance by John Stibal, Director of Development.

Appearances: None.

A second roll call was taken to reflect Ald. Kopplin present at this time.

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

Excused 1 - Barczak

2. [R-2007-0190](#) Resolution relative to determination of Special Use Permit for proposed demolition and reconstruction of the existing McDonald's restaurant and playland, located at 10915 and 109** W. National Ave. (Tax Key Nos. 520-9961-002 and 520-9961-003)

Sponsors: Safety & Development Committee

Explanation of the proposed special use by John Stibal, Director of Development.

Appearances: None.

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3. [R-2007-0201](#) Resolution relative to determination of Special Use Permit for proposed Paint 'N Place auto repair and body shop establishment to be located within the vacant building at 1811 S. 84 St. (Tax Key No. 452-0442-001)
- Sponsors:** Safety & Development Committee
- Explanation of the proposed special use by John Stibal, Director of Development.*
- Appearances:*
Lorelei Beauprey, 8406 W. Maple St., addressed her concerns regarding odor and noise.
- Rita Gail Burseth, 8414 W. Maple St., addressed her concerns regarding increased traffic patterns, hours of operation, noise, venting of fumes, staffing, and recycling and disposal of waste products. She inquired about possible tours of the facility, and noted less vandalism, less graffiti, and asked about additional contributions for decreasing crime and increasing safety.*
- The Clerk's office received one (1) letter opposed to the proposed special use.*
4. [R-2007-0200](#) Resolution relative to determination of Special Use Permit for an internal tavern expansion for Harry O's within the existing mixed-use building located at 6741-43 W. Lincoln Ave. (Tax Key Number 490-0367-000)
- Sponsors:** Safety & Development Committee
- Explanation of the proposed special use by John Stibal, Director of Development.*
- Appearances: None.*
5. [R-2007-0203](#) Resolution relative to determination of Special Use Permit for proposed private school, d/b/a the Institute of Advanced Technique, to be located within a portion of the existing commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002)
- Sponsors:** Safety & Development Committee
- Explanation of the proposed special use by John Stibal, Director of Development.*
- Appearances: None.*
6. [R-2007-0198](#) Resolution relative to determination of Special Use Permit for proposed Gyros Are Us restaurant, to be located within the existing multi-tenant commercial strip mall at 10722 W. Oklahoma Ave. (Tax Key No. 519-9994-000)
- Sponsors:** Safety & Development Committee
- Explanation of the proposed special use by John Stibal, Director of Development.*
- Appearances: None.*
7. [R-2007-0199](#) Resolution relative to determination of Special Use Permit for a mixed use to include a professional office d/b/a Donnelly Chiropractic within the existing building located at 7301-03 W. National Ave. and 1707 S. 73 St. (Tax Key No. 453-0550-000)
- Sponsors:** Safety & Development Committee

Explanation of the proposed special use by John Stibal, Director of Development.

Appearances: None.

8. [R-2007-0206](#) Resolution relative to determination of Special Use Permit for proposed multi-family elderly housing complex, to be located on the former Laidlaw Transit, Inc. bus company site and on the former Neis Hardware site at 7725, 7741, 79**, 7939-43 W. National Ave. and 1810 S. 80 St. (Tax Key Nos. 452-0599-001, 452-0598-001, 452-0597-003, 452-0597-002, 452-0597-001, 452-9999-007, 452-0596-000)

Sponsors: Safety & Development Committee

Explanation of the proposed special use by John Stibal, Director of Development.

Appearances:

Charles Goodrich, 1733 S. 77 St., supported the idea of elderly housing for the site. He addressed his concerns regarding increased traffic on W. National Ave. and deliveries.

Bill Franson, 1556 S. 80 St., inquired about who will care and pay for the infrastructure and maintenance.

9. [2007-0513](#) On an amendment to the Community Development Block Grant Action Plan, B-05-MC-55-0011, increasing the Rogers Park Playground Improvement Project by \$43,000 for a total of \$58,000. Funds for the project will be made available with a reduction of \$43,000 to the Contingency Fund; and an amendment to the Community Development Block Grant Action Plan, B-07-MC-55-0011, creating a Community Centennial Plaza Park Project at 7525 W. Greenfield Ave. with a budget not to exceed \$100,000. Funds for the project will be made available with a reduction of \$100,000 from the Contingency Fund.

Explanation of the proposed amendments by John Stibal, Director of Development.

Appearances: None.

10. [O-2007-0027](#) Ordinance to repeal subsection 12.40(1)(nn) and to amend Section 12.41 of the Revised Municipal Code relative to permitting tattoo and/or body piercing establishments as a special use.

Sponsors: Safety & Development Committee

Explanation of the proposed Ordinance by John Stibal, Director of Development.

Appearances: None.

11. [O-2007-0026](#) Ordinance to amend Section 12.41 of the Revised Municipal Code relative to permitting pawn shops, junk shops and used clothing, furniture and/or appliance stores as a special use and to amend Sections 12.40 and 12.41 relative to permitting antique stores.

Sponsors: Safety & Development Committee

Explanation of the proposed Ordinance by John Stibal, Director of Development.

Appearances:

Andrea Roschke, Michael Best & Friedrich, 100 E. Wisconsin Ave., represents the owner of Owl Imports, and stated that Owl Imports has a prospective tenant, the Wisconsin Evangelical Lutheran Synod, who would be precluded from applying based on the proposed ordinance. She asked for regulation through a Special Use instead of absolute prohibition. She explained the Synod has a history of operations in other municipalities. They would have seminar rooms, classrooms, administrative offices, and new retail and resale. The Operator, plan of operation, percentage of sales, and fixturing could be addressed through a Special Use, and the use could be determined on a case by case basis. She requested an amendment to the ordinance to not prohibit the sales in the C-1 District, and handle them as a special use instead.

Rev. John Ibisch, President of Milwaukee Federation of Wels Churches, 2949 N. Mayfair Rd., said he would like to have a West Allis address. The location he is interested in is 100' inside the Business Improvement District. He described their proposal and indicated that it will not be a bargain store. He is interested in moving the corporate headquarters into the building, offering a fine line of products similar to what Owl Imports has, add a section of Christian books, and offering a mixture of new retail and recycled quality materials in C-1 Central Business District. He said Milwaukee Federation is prepared to improve the appearance of the building, and is willing to comply with the City's conditions. This would be a new hybrid store, and would coincide with the image West Allis is creating.

Dave Parbs, 1542 S. 79 St., addressed vacancies in the area, and requested Milwaukee Federation be offered an opportunity to locate downtown.

Joni Rupnow, 1211 S. 75 St., supported the Milwaukee Federation's business proposal.

Mark Bergemann, 901 S. 97 St., supported the new center proposed. He visions the proposal operating under a special use.

Lesley Bergemann, 901 S. 97 St., supported the amendment to the ordinance to allow for a special use for the Milwaukee Federation to apply for a permit. The business would serve the community, and she would be proud to see it and shop at.

The Clerk's office received one (1) letter in opposition and one (1) letter in favor of the proposed Ordinance.

12. [O-2007-0023](#)

Ordinance to amend Section 12.13 of the Revised Municipal Code relative to creating additional restrictions on the development of large retail sites by creating a Big Box Ordinance and to amend Section 12.42 relative to permitting large retail developments as a Special Use in the C-3 Community Commercial District.

Sponsors: Safety & Development Committee

Explanation of the proposed Ordinance by John Stibal, Director of Development.

Appearances: None.

13. [O-2007-0014](#)

Ordinance to amend Section 12.13(3) of the Revised Municipal Code relative to site and architectural review requirements.

Sponsors: Safety & Development Committee

Explanation of the proposed Ordinance by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Bill Franson, 1556 S. 80 St., commented on street parking during State Fair, and asked for 15 designated spots annually for parking.

Steve Naimon, owner of Owl Imports, 7546 W. Greenfield Ave., addressed the amount of property taxes that he's paid over the years, stated his intent to close the business, and said he wouldn't do anything to lower the standards of his property.

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

Mayor Bell 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*Public Events:*

Met with students in a Summer Reading program at Nathan Hale High School.

Attended the National Night Out at the Farmers Market and the neighborhood parties.

Gave a welcome to West Allis at the Opening Ceremony of State Fair.

Gave a tour of City Hall to a Demolay group.

Intergovernmental:

Attended the Alliance of Cities summer meeting.

Announcements:

Settlers Weekend on August 25th and 26th at the Historic Site on 84th St. and National Avenue.

The fourth Annual Arts A'Fair at City Hall on September 15th.

Alderspersons Comments

Ald. Weigel addressed several projects underway including the former bus company/Neis property moving forward, Pressed Steel Tank coming down, and people moving into the Six Points project. He applauded the Development Department and City staff, Plan Commission and Community Development Authority. He addressed a July 29 article on design and architecture. Ald. Weigel reported on his attendance at a few meetings. He attended a meeting with Lt. Benish regarding a downtown business watch group, and another meeting regarding the Crosstown Connector bike path. He attended and reported on National Night Out, and also reported on a neighborhood meeting with City of Milwaukee Ald. Michael Murphy regarding big box development.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, that the agenda as submitted be accepted. The motion carried.

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of July 3, 2007

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, to approve the minutes of the regular meeting of July 3, 2007. The motion carried.

J. ITEMS NOT REFERRED TO COMMITTEE

14. [2007-0506](#) Report of the Municipal Judge for the month of June 2007, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$117,704.51.
This Matter was Placed on File on a Block Vote.
15. [2007-0509](#) List of individuals, businesses, and locations in West Allis selected by the West Allis Beautification Committee to receive Proclamation of Commendation.
Attachments: [BEAU1.doc](#)
This Matter was Placed on File on a Block Vote.
16. [2007-0450](#) Vaitys Law, LLC communication on behalf of Eugene D. Harris regarding injuries allegedly sustained at 82nd and National Ave. on March 23, 2007.
This Matter was Referred for Legal Action to the City Attorney on a Block Vote.
17. [2007-0456](#) Michael Schrubba communication regarding injuries allegedly sustained at 56th and Greenfield Ave. on April 11, 2007.
This Matter was Referred for Legal Action to the City Attorney on a Block Vote.
18. [2007-0457](#) Heather Hauenstein communication regarding vehicle damage allegedly sustained on W. National Ave. at the Hwy 45 Southbound entrance ramp on June 30, 2007.
This Matter was Referred for Legal Action to the City Attorney on a Block Vote.
19. [2007-0497](#) WE Energies communication regarding property damage allegedly sustained at 7402 W. Lincoln Ave. on July 12, 2007.
This Matter was Referred for Legal Action to the City Attorney on a Block Vote.
20. [2007-0505](#) David M. Fercho communication regarding vehicle damage allegedly sustained at 1328 S. 97 St. on January 25, 2007.
This Matter was Referred for Legal Action to the City Attorney on a Block Vote.
21. [2007-0502](#) Summons & Complaint in the matter of Walgreen Co. vs. City of West Allis.
This Matter was Referred for Legal Action to the City Attorney on a Block Vote.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, that the Council recess until completion of Committee meetings. The motion carried.

Thereupon, the Council took a recess at 8:07 p.m. Upon returning from recess at 8:53 p.m., and the roll call being taken, there were:

Present 9 - Czaplewski, Dobrowski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel
Excused 1 - Barczak

M. NEW AND PREVIOUS MATTERS

COMMITTEE OF THE WHOLE

22. [2007-0510](#) Communication from Mayor Bell transmitting Final Report of Strategic Planning Exercise.

Attachments: [CC LTR.2007 STRATPLNG RPT.doc](#)
[BREAKOUT GROUPS 2007 REPORT.doc](#)
[ACTION PLANS 07.GROUP 1.doc](#)
[ACTION PLANS 07.GROUP 2.doc](#)
[ACTION PLANS 07.GROUP 3.doc](#)
[ACTION PLANS 07.GROUP 4.doc](#)
[ACTION PLANS 07.GROUP 5.doc](#)

Held.

23. [2007-0511](#) Communication from City Administrative Officer transmitting results of 2006 Priority Setting Session on City Services.

Attachments: [MCC.2006 PriorityStngSessn.doc](#)
[CWA SERVICES.PRIORITY SETTING SESSION 061206 Ranking.doc](#)

Held.

ADMINISTRATION & FINANCE COMMITTEE

25. [R-2007-0196](#) Resolution approving an Economic Development Loan to Charles D. Blodgett, d/b/a The Chiropractic & Wellness Group, S.C. under the Department of Housing and Urban Development Community Development Block Grant Program in an amount not to exceed \$60,000.

Sponsors: Administration & Finance Committee

A motion was made by Ald. Czaplewski, seconded by Ald. Kopplin, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Dobrowski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 0

Present: 1 - Czaplewski

24. [O-2007-0030](#) An Ordinance repealing and recreating Subsection 9.24(7) of the Revised Municipal Code relative to amending the charges for storage of vehicles on Police Department or other City property and establishing an administrative fee for Police Department services related to towing of vehicles.

Sponsors: Administration & Finance Committee

This Matter was Passed on a Block Vote.

26. [R-2007-0188](#) Resolution approving a new (continuation) Agreement for Professional (Legal) Services between the City of West Allis and Quarles & Brady.

Sponsors: Administration & Finance Committee

Attachments: [BOND COUNSEL.ProfServsAgmt 080707.doc](#)

This Matter was Adopted on a Block Vote.

27. [R-2007-0205](#) Resolution relative to accepting the proposal and approving the agreement of Frank Haack & Associates, Inc. for furnishing Employee Health Benefit Consulting Services for the period January 1, 2007 through December 31, 2009.

Sponsors: Administration & Finance Committee

Attachments: [HAACK.AGENCY FEE AGMT 080707.doc](#)

[HAACK.AFA 080707.Attch A.doc](#)

[HAACK.AFA 080707.Attch B.doc](#)

This Matter was Adopted on a Block Vote.

28. [R-2007-0183](#) Resolution to transfer \$89,000 from the Contingency Fund to replace a refuse packer truck damaged in an accident, with repayment in 2008.

Sponsors: Administration & Finance Committee

This Matter was Adopted on a Block Vote.

29. [2007-0500](#) Communication from the Director of Public Works to transfer \$89,000 from the Contingency Fund to replace a refuse packer truck damaged in an accident, with repayment in 2008.

Attachments: [refuse packer contingency fund transfer.ltr.doc](#)

This Matter was Placed on File on a Block Vote.

30. [2007-0477](#) Milwaukee District Council 48, Local 80, AFSCME, AFL-CIO communication regarding opening of contract negotiations for Clerical Unit.

Held in Administration & Finance Committee during recess.

31. [2007-0478](#) Milwaukee District Council 48, Local 80, AFSCME, AFL-CIO communication regarding opening of contract negotiations for Public Works Unit.

Held in Administration & Finance Committee during recess.

32. [2007-0507](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the quarter ending June 30, 2007 for review and approval.

Sponsors: Administration & Finance Committee

This Matter was Placed on File on a Block Vote.

33. [2007-0474](#) Communication from Assistant City Attorney regarding the Paid in Full and Write-off of Outstanding Public Works Accounts for reasons of being non-collectible, past the statute of limitations, no longer in business or located in the City, etc.

This Matter was Approved on a Block Vote.

34. [2007-0508](#) Communication from Mayor Bell requesting permission and exception be granted to allow artists to sell items at Arts a'Fair event.

Attachments: [CC LTR.Arts AFair Sales 080707.doc](#)

This Matter was Approved on a Block Vote.

City Attorney Claim Report

35. [2007-0191](#) Patricia R. Oertel communication regarding vehicle damage allegedly sustained on March 29, 2007.

This Matter was Placed on File on a Block Vote.

36. [2007-0217](#) State Farm communication submitted on behalf of Martin R. Sievert, regarding vehicle damage allegedly sustained at S. Wildwood Dr. and W. National Ave on March 29, 2007.

This Matter was Placed on File on a Block Vote.

37. [2007-0293](#) Daniel J. Ody communication regarding property damage allegedly sustained at 5811 W. Walker St. in March 2007.

This Matter was Denied on a Block Vote.

38. [2007-0303](#) Janelle Wallner communication regarding vehicle damage allegedly sustained at 116th St. and Rogers St. on May 4, 2007.

This Matter was Denied on a Block Vote.

Public Hearing Items (Administration & Finance Committee)

39. [R-2007-0180](#) Resolution approving the amendment to the Community Development Block Grant Action Plan, B-05-MC-55-0011, increasing the Rogers Park Playground Improvement Project by \$43,000 for a total of \$58,000. Funds for the project will be made available with a reduction of \$43,000 to the Contingency Fund.

Sponsors: Administration & Finance Committee

This Matter was Adopted on a Block Vote.

40. [R-2007-0185](#) Resolution approving the amendment to the Community Development Block Grant Action Plan, B-07-MC-55-0011, creating a Community Centennial Plaza Park Project at 7525 W. Greenfield Avenue with a budget not to exceed \$100,000. Funds for the project will be made available with a reduction of \$100,000 from the Contingency Fund.

Sponsors: Administration & Finance Committee

This Matter was Adopted on a Block Vote.

Passed The Block Vote

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

No: 0

PUBLIC WORKS COMMITTEE

41. [R-2007-0181](#) Resolution authorizing and directing the City Engineer to pay for storm sewer repairs along South Curtis Road in the amount of \$20,643.70.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

42. [R-2007-0202](#) Resolution to approve bid of Globe Contractors, Inc. for sanitary sewer, sanitary sewer relay, sanitary spot relay, and storm sewer relay in various locations in sanitary sewer basins WE 15, WE 16, WE 17 & WE 23, in the amount of \$642,663.00.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

43. [R-2007-0204](#) Resolution to approve bid of Payne & Dolan, Inc. for street construction, parking lot construction, storm sewer, sanitary sewer repair, and miscellaneous utility adjustments in W. Mitchell St. from S. 106 St. to S. 108 St., S. 106 St. from W. Mitchell St. to Dead End South, W. Lapham St. from S. 108 St. to 235' west of S. 108 St., and Fire Station No. 3 at 10830 W. Lapham St., in the amount of \$289,247.10.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

44. [R-2007-0187](#) Resolution to approve the West Allis Water Utility's June 1, 2007 PWAC Rate Adjustment

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

45. [R-2007-0189](#) Resolution approving a Purchase & Sale and Development Agreement by and between the City of West Allis and LG River Tower Associates, LLC.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

46. [R-2007-0192](#) Resolution relative to accepting the proposal of Lakeside Oil Co. for furnishing and delivering diesel and unleaded fuel for an estimated cost of \$261,000.00.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

47. [R-2007-0197](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner June Mondry (d/b/a Junebugs) for property located at 6231 West Mitchell Street.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

48. [2007-0480](#) We Energies communication reaffirming their policy to the City regarding use of and trespassing on their property or rights-of-way.

This Matter was Placed on File on a Block Vote.

49. [2007-0494](#) Communication from City Engineer regarding installation of right turn only curb island at W. Mitchell Street and STH 100.

This Matter was Placed on File on a Block Vote.

50. [2007-0503](#) Downtown West Allis Business Improvement District communication regarding the Downtown West Allis Christmas On The Avenue scheduled for Saturday, December 1, 2007 from 11:00 a.m. to 4:00 p.m., request for permission to use the City Hall Courtyard for ice-sculpting, and notice of the Holiday Stroll with request for benches for parade seating to accommodate Breakfast with Santa participants.

This Matter was Approved on a Block Vote.

Public Hearing Items (Public Works Committee)

51. [R-2007-0152](#) Resolution Relative to Discontinuance and Vacation of a 386' long x 18' wide Portion of the City Right-of-Way Along the South Side of West National Avenue Between South 78th Street and South 80th Street.

Sponsors: Public Works Committee

This Matter was Adopted on a Block Vote.

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

52. [R-2007-0155](#) Resolution to Approve Large Retail Development Requirements.

Sponsors: Safety & Development Committee

Attachments: [Large Retail Developments Attachment.doc](#)

This Matter was Adopted on a Block Vote.

54. [R-2007-0186](#) Resolution authorizing the Purchase and Sale Agreement between the Community Development Authority of the City of West Allis and PyraMax Bank, F.S.B. for land located at the Southwest corner of W. National Ave. and S. 81 St. within Tax Incremental District Number Nine - Pioneer Neighborhood Redevelopment Area.

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

55. [R-2007-0179](#) Resolution approving a Certified Survey Map for proposed consolidation of two parcels to accommodate construction of PyraMax Bank with a drive-thru lane, to be located at 8001 W. National Ave., submitted by Lawson Rennie, The Redmond Company. (Tax Key Nos. 452-0523-000 and 452-0522-000)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

56. [2007-0475](#) Certified Survey Map for proposed consolidation of two parcels to accommodate construction of PyraMax Bank with a drive-thru lane, to be located at 8001 W. National Ave., submitted by Lawson Rennie, The Redmond Company. (Tax Key Nos. 452-0523-000 and 452-0522-000)

This Matter was Placed on File on a Block Vote.

57. [R-2007-0184](#) Resolution to dissolve Tax Incremental District Number Eight, City of West Allis, Wisconsin (2154 South 54th Street), and authorizing the City Administrative Officer-Clerk/Treasurer to distribute excess increment to overlying taxing districts.

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

58. [2007-0472](#) David Jorgensen of VJS Development Group, LLC communication requesting a 150 day extension of time in accordance with Chapter 236 of the Wisconsin State Statutes to record the Certified Survey Map for proposed lot split of 9.12 acres of land from the southeast corner of the State Fair Park property at 7722 W. Greenfield Ave. (Tax Key No. 441-0105-001)

This Matter was Approved on a Block Vote.

59. [2007-0512](#) Request by the Department of Development for a 30 day extension of time to record the Certified Survey Map for proposed lot split of an industrial parcel at 2100 S. 54 St., submitted by William Luterbach, James Luterbach Construction Co., and Brian Nahey, Carnes Company Inc. (Tax Key No. 474-0005-001).

This Matter was Approved on a Block Vote.

60. [2007-0495](#) Request for an alley vacation for a portion of City right of way on the east side of the Oscar's Custard property at 2362 S. 108 St., submitted by James Taylor, owner, Oscar's Custard. (Tax Key No. 485-0016-002)

Held in Safety & Development Committee during recess.

61. [2007-0465](#) Special Use Permit for proposed Walking in the Spirit (WITS) Christian Academy daycare, to be located within the existing church building at 6420 W. Mitchell St. (Tax Key No. 454-0262-004)

Held in Safety & Development Committee during recess.

62. [2007-0476](#) Special Use Permit to establish a vehicle service and repair business within a portion of the existing multi-tenant commercial/industrial building located at 2042 S. 114 St. (Tax Key No. 481-9994-003)

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

63. [R-2007-0190](#) Resolution relative to determination of Special Use Permit for proposed demolition and reconstruction of the existing McDonald's restaurant and playland, located at 10915 and 109** W. National Ave. (Tax Key Nos. 520-9961-002 and 520-9961-003)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

64. [2007-0197](#) Special Use Permit for proposed demolition and reconstruction of the existing McDonald's restaurant and playland, located at 10915 and 109** W. National Ave. (Tax Key Nos. 520-9961-002 and 520-9961-003)

This Matter was Placed on File on a Block Vote.

65. [R-2007-0111](#) Resolution approving a Certified Survey Map for proposed combination of certain properties at the McDonald's restaurant site at 10915 and 109** W. National Ave., submitted by Rich Neubauer, McDonald's Corporation. (Tax Key Nos. 520-9961-002 and 520-9961-003)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

66. [2007-0194](#) Certified Survey Map for proposed combination of certain properties at the McDonald's restaurant site at 10915 and 109** W. National Ave., submitted by Rich Neubauer, McDonald's Corporation. (Tax Key Nos. 520-9961-002 and 520-9961-003)

This Matter was Placed on File on a Block Vote.

67. [R-2007-0201](#) Resolution relative to determination of Special Use Permit for proposed Paint 'N Place auto repair and body shop establishment to be located within the vacant building at 1811 S. 84 St. (Tax Key No. 452-0442-001)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

68. [2007-0393](#) Special Use Permit for proposed Paint 'N Place auto repair and body shop establishment to be located within the vacant building at 1811 S. 84 St. (Tax Key No. 452-0442-001)

This Matter was Placed on File on a Block Vote.

69. [R-2007-0200](#) Resolution relative to determination of Special Use Permit for an internal tavern expansion for Harry O's within the existing mixed-use building located at 6741-43 W. Lincoln Ave. (Tax Key Number 490-0367-000)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

70. [2007-0353](#) Special Use Permit for an internal tavern expansion for Harry O's within the existing mixed use building located at 6741-43 W. Lincoln Ave. (Tax Key Number 490-0367-000).

This Matter was Placed on File on a Block Vote.

71. [R-2007-0203](#) Resolution relative to determination of Special Use Permit for proposed private school, d/b/a the Institute of Advanced Technique, to be located within a portion of the existing commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

72. [2007-0468](#) Special Use Permit for proposed private school, d/b/a the Institute of Advanced Technique, to be located within a portion of the existing commercial building located at 8410 W. Cleveland Ave. (Tax Key No. 487-0250-002)

This Matter was Placed on File on a Block Vote.

73. [R-2007-0198](#) Resolution relative to determination of Special Use Permit for proposed Gyros Are Us restaurant, to be located within the existing multi-tenant commercial strip mall at 10722 W. Oklahoma Ave. (Tax Key No. 519-9994-000)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

74. [2007-0464](#) Special Use Permit for proposed Gyro Grill restaurant, to be located within the existing multi-tenant commercial strip mall at 10722 W. Oklahoma Ave. (Tax Key No. 519-9994-000)

This Matter was Placed on File on a Block Vote.

75. [R-2007-0199](#) Resolution relative to determination of Special Use Permit for a mixed use to include a professional office d/b/a Donnelly Chiropractic within the existing building located at 7301-03 W. National Ave. and 1707 S. 73 St. (Tax Key No. 453-0550-000)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

76. [2007-0470](#) Special Use Permit for a mixed use to include a professional office d/b/a Donnelly Chiropractic within the existing building located at 7301-03 W. National Ave. and 1707 S. 73 St. (Tax Key No. 453-0550-000)

This Matter was Placed on File on a Block Vote.

77. [R-2007-0206](#) Resolution relative to determination of Special Use Permit for proposed multi-family elderly housing complex, to be located on the former Laidlaw Transit, Inc. bus company site and on the former Neis Hardware site at 7725, 7741, 79**, 7939-43 W. National Ave. and 1810 S. 80 St. (Tax Key Nos. 452-0599-001, 452-0598-001, 452-0597-003, 452-0597-002, 452-0597-001, 452-9999-007, 452-0596-000)

Sponsors: Safety & Development Committee

This Matter was Adopted on a Block Vote.

78. [2007-0466](#) Special Use Permit for proposed multi-family elderly housing complex, to be located on the former Laidlaw Transit, Inc. bus company site and on the former Neis Hardware site at 7725, 7741, 79**, 7939-43 W. National Ave. and 1810 S. 80 St. (Tax Key Nos. 452-0599-001, 452-0598-001, 452-0597-003, 452-0597-002, 452-0597-001, 452-9999-007, 452-0596-000)

This Matter was Placed on File on a Block Vote.

79. [O-2007-0027](#) Ordinance to repeal subsection 12.40(1)(nn) and to amend Section 12.41 of the Revised Municipal Code relative to permitting tattoo and/or body piercing establishments as a special use.

Sponsors: Safety & Development Committee

This Matter was Passed on a Block Vote.

81. [O-2007-0023](#) Ordinance to amend Section 12.13 of the Revised Municipal Code relative to creating additional restrictions on the development of large retail sites by creating a Big Box Ordinance and to amend Section 12.42 relative to permitting large retail developments as a Special Use in the C-3 Community Commercial District.

Sponsors: Safety & Development Committee

This Matter was Passed on a Block Vote.

82. [O-2007-0014](#) Ordinance to amend Section 12.13(3) of the Revised Municipal Code relative to site and architectural review requirements.

Sponsors: Safety & Development Committee

Held in Safety & Development Committee during recess.

Passed The Block Vote

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

No: 0

53. [R-2007-0195](#) Resolution authorizing the Purchase and Sale Agreement between the Community Development Authority of the City of West Allis and MSP Real Estate Inc. for land located between S. 77 St. and S. 80 St. along the south side of W. National Ave. within Tax Incremental District Number Nine - Pioneer Neighborhood Redevelopment Area.

Sponsors: Safety & Development Committee

A motion was made by Ald. Lajsic, seconded by Ald. Dobrowski, that this matter be Adopted.

The motion carried by the following vote:

Aye: 8 - Czaplewski, Dobrowski, Kopplin, Lajsic, Reinke, Sengstock, Vitale, and Weigel

No: 1 - Narlock

80. [O-2007-0026](#) Ordinance to amend Section 12.41 of the Revised Municipal Code relative to permitting pawn shops, junk shops and used clothing, furniture and/or appliance stores as a special use and to amend Sections 12.40 and 12.41 relative to permitting antique stores.

Sponsors: Safety & Development Committee

A motion was made by Ald. Lajsic, seconded by Ald. Narlock, that this matter be Passed. The motion carried by the following vote:

Aye: 8 - Czaplewski, Dobrowski, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 1 - Kopplin

LICENSE & HEALTH COMMITTEE

83. [2007-0413](#) 2007-2009 Tavern Operator License application no. 302 of Christopher Bo Huber.
This Matter was Approved on a Block Vote.
84. [2007-0446](#) 2007-2009 Tavern Operator License application no. 325 of David A. Gracz.
This Matter was Approved on a Block Vote.
86. [2007-0455](#) 2007-2009 Tavern Operator License application no. 276 of Jennifer L. Breitbach.
Held.
89. [2007-0499](#) 2007-2009 Tavern Operator License application no. 350 of Simone N. Mervosh.
This Matter was Approved on a Block Vote.
90. [2007-0471](#) 2007-2009 Tavern Operator License application no. 331 of Camaron M. Andler.
This Matter was Approved on a Block Vote.
92. [2007-0487](#) 2007-2009 Tavern Operator License application no. 360 of Michael B. Johnson.
Held.
93. [2007-0486](#) 2007-2009 Tavern Operator License application no. 321 of Shirlane E. Baker.
This Matter was Approved on a Block Vote.
94. [2007-0488](#) 2007-2009 Tavern Operator License application no. 340 of Ryan D. Gajevic.
This Matter was Approved on a Block Vote.
95. [2007-0489](#) 2007-2009 Tavern Operator License application no. 354 of Teresa M. Gonzalez.
This Matter was Approved on a Block Vote.
96. [2007-0491](#) 2007-2009 Tavern Operator License application no. 357 of Matthew W. Everett.
Denied based on the police report.
This Matter was Denied on a Block Vote.
97. [2007-0492](#) 2007-2009 Tavern Operator License application no. 358 of Nicole A. Lockett.
This Matter was Approved on a Block Vote.
98. [2007-0496](#) 2007-2009 Tavern Operator License application no. 359 of Amanda M. Altamore.
Held.
99. [2007-0490](#) 2007-2009 Tavern Operator License application no. 355 of John E. Canales.
This Matter was Approved on a Block Vote.
100. [2007-0428](#) 2007-2008 Tavern Operator License application no. 353 of Jignesh K. Patel.
This Matter was Approved on a Block Vote.
101. [2007-0431](#) 2007-2008 Tavern Operator License application no. 355 of Wendy L. Reineck.
This Matter was Approved on a Block Vote.

102. [2007-0453](#) 2007-2008 Tavern Operator License application no. 358 of Brenda R. Zehner.
This Matter was Approved on a Block Vote.
103. [2007-0469](#) 2007-2008 Tavern Operator License application no. 363 of Sandra L. Strucel-Dzioba.
This Matter was Approved on a Block Vote.
104. [2007-0426](#) 2007-2008 Tavern Operator License application no. 350 of Theresa M. Strecok.
This Matter was Approved on a Block Vote.
105. [2007-0483](#) 2007-2008 Tavern Operator License application no. 362 of Maria F. Stanbery.
This Matter was Approved on a Block Vote.
106. [2007-0484](#) 2007-2008 Tavern Operator License application no. 366 of Joseph M. Rubin.
This Matter was Approved on a Block Vote.
107. [2007-0369](#) 2007 Direct Sellers/Solicitors Permit application no. 26 of Kristy L. Keatts.
Denied based on nonappearance and the police report.
This Matter was Denied on a Block Vote.
108. [2007-0493](#) 2007-2008 Package Goods Operator License renewal application no. 1297 of Jonathon A. Fuentes.
Held.
109. [2007-0467](#) 2007-2008 Combination Class A Liquor License application no. 1299 of Jay's Liquor, Inc., Jigar U. Chaudhari, Agent, d/b/a Riverbend Liquor for premises located at 7506 W. Oklahoma Ave. (new-existing)
Satisfy necessary requirements within thirty (30) days.
This Matter was Approved subject to the necessary requirement(s) on a Block Vote.
110. [2007-0463](#) 2007-2008 Class B Tavern License application no. 1283 of MJJB, LLC, Brad Mark Roessger, Agent, d/b/a Bugsys for premises located at 6851 W. Beloit Rd. (new-existing location).
Satisfy necessary requirements within thirty (30) days.
This Matter was Approved subject to the necessary requirement(s) on a Block Vote.
113. [2007-0410](#) Police Department Report involving Lenny's, 6309 W. National Ave. (2006-2007 Class B Tavern License no. 458 and Dance Hall License no. 506, Lenny's Inc., Leonard E. Malan, Agent, Incident Date: May 30, 2007).
This Matter was Placed on File on a Block Vote.
114. [2007-0409](#) Police Department Report involving Magoos Sports Pub & Grub, 8911 W. National Ave. (2006-2007 Class B Tavern License no. 637, Dance Hall License no. 640, Instrumental Music License no. 644 and Cigarette License no. 639 of Magoos of West Allis, LTD., Thomas J. Beckmann, Agent, Incident Date: May 12, 2007).
This Matter was Placed on File on a Block Vote.

115. [2007-0425](#) Police Department Report involving Mario's, 1900 S. 60 St.(2006-2007 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: March 7, 2007).
- This Matter was Placed on File on a Block Vote.**
116. [2007-0407](#) Police Department Report involving Mario's, 1900 S. 60 St.(2006-2007 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: May 5, 2007).
- This Matter was Placed on File on a Block Vote.**
117. [2007-0408](#) Police Department Report involving Mario's, 1900 S. 60 St.(2006-2007 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: May 19, 2007).
- This Matter was Placed on File on a Block Vote.**
118. [2007-0462](#) 2007-2008 Class B Tavern License application no. 1279, Dance Hall License application no. 1280 and Instrumental Music License application no. 1281 of Amigo Real Estate LLC, Elva E. Martinez, Agent, d/b/a Mr. Churro for premises located at 5801 W. Beloit Rd. (new-existing location).
- Satisfy necessary requirements within thirty (30) days.*
- This Matter was Approved subject to the necessary requirement(s) on a Block Vote.**
119. [2007-0461](#) 2007-2008 Class B Tavern license renewal application no. 1278, of Sobczak & Sitowski, LLC, Cynthia J. Sobczak, Agent, d/b/a Steakhouse 100 Banquet Room, for premises located at 7240 W. Greenfield Ave.
- Held in License & Health Committee during recess.*
120. [R-2007-0191](#) Resolution Relative to Adopting a Conditional Class B Liquor License Policy for all City Departments/Divisions for Inclusion in the City of West Allis Policies & Procedures Manual.
- Sponsors:** Kopplin
- Attachments:** [CC07.doc](#)
[Conditional Class B Liquor License Policyv3draft changes.doc](#)
[Conditional Class B Liquor License PolicyFinal.doc](#)
- Held in License & Health Committee during recess.*
121. [2007-0481](#) Time Warner Cable communications regarding the addition of WVTV HD, WCGV HD, ESPN Deportes, WisconsinEye and ESPN U; Cornerstone to be replaced by the Jewelry Channel; channel moves of ESPN Classic, the Golf Channel and ACN; possible discontinuance of Sleuth, Universal HD and USA; and an update on discussions with the Big Ten Network.

This Matter was Placed on File on a Block Vote.

122. [2007-0504](#) Communciation from Stanley Russell requesting closed captioning be provided on the West Allis cable channel.

This Matter was Placed on File on a Block Vote.

123. [2006-0630](#) Communication from the Director of Building Inspections and Zoning regarding the Used Vehicle Dealer license at 5600 W. Burnham Street, d/b/a/Davon's 3 Price.

This Matter was Placed on File on a Block Vote.

124. [2006-0106](#) Summons and Complaint in the matter of the complaint against Franklyn J. Perko for the premises located at 5401 W. Burnham St., d/b/a Perko's (2005-2006 Class B Tavern License renewal application no. 116).

This Matter was Placed on File on a Block Vote.

125. [2005-0431](#) 2005-2006 Class B Tavern license renewal application no. 116 of Franklyn J. Perko, d/b/a Perko's, premises located at 5401 W. Burnham St.

This Matter was Placed on File on a Block Vote.

126. [2004-0446](#) 2004-2005 Class B Tavern License appl. no. 127 of Franklyn J. Perko, d/b/a Perko's, 5401 W. Burnham St. (new-nonexisting location)

This Matter was Placed on File on a Block Vote.

127. [2006-0652](#) Appointment of new agent by Stella's Bar & Grill, Inc., d/b/a Stella's, 6851 W. Beloit Rd. of Linda M. Deleon (2006-2007 Class B Tavern License no. 747 and Dance Hall License no. 750).

This Matter was Placed on File on a Block Vote.

128. [2007-0445](#) 2007-2009 Tavern Operator License application no. 200 of Marcus J. Meisner.

This Matter was Approved on a Block Vote.

129. [2007-0452](#) 2007-2008 and 2007-2009 Tavern Operator License applications.

*2007-2008 license application nos. 349, 359-361, 364 & 367 granted and
2007-2009 license application nos. 320, 322, 330, 332, 335-339, 341-346, 348-349, 351-353,
356, 361-363 & 365-368 granted.*

This Matter was Approved on a Block Vote.

130. [2007-0482](#) 2007-2008 Package Goods Operator License application(s).

License application nos. 1284-1296 & 1298 granted.

This Matter was Approved on a Block Vote.

131. [2007-0479](#) Appointment of new agent by WHG West Allis, LLC, d/b/a Applebees Neighborhood Grill & Bar, 2865 S. 108 St., of Jeff Arman (2007-2008 Class B Tavern license application no. 443).

This Matter was Approved on a Block Vote.

132. [2007-0460](#) 2007-2008 Special Instrumental Music Permit appl. no. 2 of Havana Lounge, LLC, Brian J. Blocher, Agent, d/b/a Havana Lounge, 9505 W. Greenfield Ave. (2007-2008 Class B Tavern License application no. 1210) for an event on Saturday, August 25, 2007.

This Matter was Approved on a Block Vote.

Passed The Block Vote

87. [2007-0458](#) 2007-2009 Tavern Operator License renewal application no. 329 of Deborah A. Daniels.

A motion was made by Ald. Kopplin, seconded by Ald. Sengstock, that this matter be Referred to the License & Health Committee. The motion carried.

85. [2007-0454](#) 2007-2009 Tavern Operator License renewal application no. 274 of Shelly M. Beaster.

A motion was made by Ald. Kopplin to approve, seconded by Ald. Narlock. The motion failed by the following vote:

Ayes: 4 - Ald. Dobrowski, Lajsic, Narlock and Sengstock

Noes: 5 - Ald. Czaplewski, Kopplin, Reinke, Vitale and Weigel.

Denied based on the police report.

A motion was made by Ald. Kopplin, seconded by Ald. Czaplewski, that this matter be Denied. The motion carried by the following vote:

Aye: 8 - Czaplewski, Dobrowski, Kopplin, Lajsic, Reinke, Sengstock, Vitale, and Weigel

No: 1 - Narlock

88. [2007-0459](#) 2007-2009 Tavern Operator License application no. 334 of Susan M. Morgese.

A motion was made by Ald. Kopplin, seconded by Ald. Narlock, that this matter be Approved. The motion carried by the following vote:

Aye: 6 - Dobrowski, Lajsic, Narlock, Reinke, Sengstock, and Vitale

No: 3 - Czaplewski, Kopplin, and Weigel

91. [2007-0485](#) 2007-2009 Tavern Operator License renewal application no. 333 of Nicole A. Kingery.

A motion was made by Ald. Kopplin, seconded by Ald. Vitale, that this matter be Approved. The motion carried by the following vote:

Aye: 8 - Dobrowski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel

No: 1 - Czaplewski

111. [2007-0473](#) 2007-2008 Class B Tavern License application no. 1301, Dance Hall License application no. 1303 and Tavern Entertainment License application no. 1302 of Cugino's Entertainment, LLC, Dominic T. Lalicata, Agent, d/b/a Heartbreakers, premises located at 9440 W. National Ave. (new-existing location).

Satisfy necessary requirements within thirty (30) days.

This Matter was Approved subject to the necessary requirement(s) on a Block Vote.

112. [2007-0501](#) 2007-2008 Class B Tavern License application no. 1305, Dance Hall License application no. 1307 and Tavern Entertainment License application no. 1306 of Cugino's Entertainment, LLC, Dominic T. Lalicata, Agent, d/b/a Heartbreakers, premises located at 9442 W. National Ave. (new-existing location).

Satisfy necessary requirements within thirty (30) days.

This Matter was Approved subject to the necessary requirement(s) on a Block Vote.

Passed The Block Vote

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

No: 0

ADVISORY COMMITTEE

133. [R-2007-0182](#) Resolution relative to adding two (2) new citizen members to the West Allis Community Celebrations Committee.

Sponsors: Advisory Committee

This Matter was Adopted on a Block Vote.

134. [2007-0498](#) Legislative Committee minutes for July 24, 2007.

Attachments: [072407 LEGCMTE MIN.doc](#)
[072407 LEGCMTE MIN.SB214 Attachmtdoc.doc](#)

This Matter was Placed on File on a Block Vote.

Passed The Block Vote

Aye: 9 - Czaplewski, Dobrowski, Kopplin, Lajsic, Narlock, Reinke, 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

None.

O. ADJOURNMENT

to adjourn at 9:25 p.m., with the next regularly scheduled meeting to be held on September 4, 2007, at 7:00 p.m

A motion was made by Ald. Sengstock, seconded by Ald. Narlock, to adjourn at 9:25 p.m., with the next regularly scheduled meeting to be held on September 4, 2007, at 7:00 p.m. The motion carried.

*/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.