



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Meeting Agenda

### 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*

Tuesday, November 16, 2010

7:00 PM

City Hall Common Council Chambers

### REGULAR MEETING

#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [O-2010-0048](#) An Ordinance to amend Subsection 12.40(1)(ii) and 12.41(1)(dd) relative to sporting good stores. To repeal Subsection 12.41(1)(q) relative to indoor gun ranges in the C-2, Neighborhood Commercial District. To repeal and recreate Subsection 12.48(3)(a) relative to firearm ranges in Park Districts and to amend Subsection 12.43(2)(m) of the Revised Municipal Code to permit gun, firearm and/or ammunition sales; sporting good stores with gun, firearm and/or ammunition sales; and, indoor ranges as a permitted use within the C-4 Regional Commercial District.  
**Sponsors:** Safety & Development Committee
  
2. [O-2010-0040](#) An Ordinance to repeal and recreate subsection 12.13(3)(a)3 and subsection 12.13(3)(b)4 of the West Allis Revised Municipal Code relating to Architectural Review and Site Standards for New Single Family Residential Construction.  
**Sponsors:** Safety & Development Committee
  
3. [O-2010-0047](#) An Ordinance to amend Subsection 2.38(3) and Subsection 12.13(12) of the West Allis Revised Municipal Code relating to appeals of Plan Commission decisions being considered by the Common Council and to amend Subsection 2.39(2) relative to the function and duties of the Board of Appeals.  
**Sponsors:** Safety & Development Committee
  
4. [O-2010-0038](#) An Ordinance To Amend Section 12.19(3)(d) of the West Allis Revised Municipal Code relative to the minimum construction standards for Off-Street Parking and Loading Facilities.

**Sponsors:** Safety & Development Committee

5. [R-2010-0253](#) Resolution relative to determination of Special Use Permit for the proposed relocation of the Cousins Subs restaurant within the Oakridge Shopping Center, an existing multi-tenant commercial strip mall located at 10700 W. Oklahoma Ave.

**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. MISCELLANEOUS BUSINESS**

### **Mayor's Report**

### **Alderspersons Comments**

## **H. AGENDA APPROVAL**

## **I. APPROVAL OF MINUTES**

*Minutes of the Common Council regular meeting of November 3, 2010.*

## **J. ITEMS NOT REFERRED TO COMMITTEE**

6. [2010-0668](#) Report of the Municipal Judge for the month of October 2010, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$110,102.99.

7. [2010-0649](#) Edward J. Schmidt, Jr. communication regarding vehicle damage allegedly

sustained at Reservoir Park located at 1725 S. 96 Street on October 27, 2010.

8.     [2010-0659](#)           Amended Summons and Complaint in the matter of U.S. Bank National Association vs. Maria Del Rosio Garcia, et al, regarding foreclosure of mortgage, Case No. 10-CV-005780.
  
9.     [2010-0660](#)           Summons and Complaint in the matter of BAC Home Loans Servicing, L.P. vs. Christine J. Towers, et al, regarding foreclosure of mortgage, Case No. 10CV018697.
  
10.    [2010-0661](#)           Notice of Claim and Notice of Injury of Kenneth and Melissa Kesy regarding injuries and damages allegedly sustained at South 60 Street and West Lincoln Avenue on August 11, 2010.
  
11.    [2010-0662](#)           Tom Brusky communication regarding vehicle damages allegedly sustained at W. Beloit Road and S. Orleans Ave. on October 29, 2010.
  
12.    [2010-0663](#)           Raymond Meyer communication regarding vehicle damage allegedly sustained at the intersection of S. 102 and S. 103 Streets on October 19, 2010.
  
13.    [2010-0667](#)           Shana S. Sprewer housing discrimination complaint against the City of West Allis.
  
14.    [2010-0671](#)           Summons and Complaint in the matter of Brad H. Krause vs. City of West Allis Police Department, Case No. 10-C-0718.
  
15.    [2010-0679](#)           Amended Summons and Complaint in the matter of CitiMortgage, Inc. vs. Todd P. Roller, et al, regarding foreclosure of mortgage, Case No. 10-CV-011581.

#### **K.    STANDING COMMITTEE REPORTS**

*None.*

#### **L.    COMMON COUNCIL RECESS**

#### **M.    NEW AND PREVIOUS MATTERS**

##### **ADMINISTRATION & FINANCE and PUBLIC WORKS COMMITTEES**

##### **New Matters for Introduction**

16.    [R-2010-0248](#)           Resolution authorizing the Director of Public Works/City Engineer to contract with Illingworth-Kilgust Mechanical for furnishing and installing a replacement water

heater at the Police Department Headquarters in the amount of \$8,590.

**Sponsors:** Public Works Committee

## **ADMINISTRATION & FINANCE COMMITTEE**

### **New Matters for Introduction**

17. [R-2010-0258](#) Resolution approving the transfer of \$25,000 from the Contingency Fund to the Municipal Court Computer Equipment Software Account for the acquisition and implementation of the TiPss court software package and related hardware.  
**Sponsors:** Administration & Finance Committee
18. [R-2010-0251](#) Resolution relative to transferring up to \$84,600.00 from the Contingency Fund to the Police Department Automotive Capital Account for purchasing four (4) Police Squads from Holz Motors.  
**Sponsors:** Administration & Finance Committee
19. [R-2010-0252](#) Resolution approving Subgrantee Agreements by and between the City of West Allis and various Community Development Block Grant recipients and City Departments for support of administrative, public service, housing rehabilitation, economic development, public improvement, redevelopment activities and projects funded by 2011 Community Development Block Grant funds.  
**Sponsors:** Administration & Finance Committee
20. [R-2010-0254](#) Resolution Implementing GASB statement #54, Fund Balance Reporting and Governmental Fund Type Definitions.  
**Sponsors:** Administration & Finance Committee
21. [2010-0683](#) Fire Chief communication relative to notification of 2011 approved Advanced Life Support Billing Rates.
22. [2010-0664](#) Communication from the Christmas Funding, Planning and Programming Subcommittee of the West Allis Celebrations Committee requesting consideration for funding for the 2010 Christmas Parade.
23. [2010-0677](#) Communication from City Administrative Officer regarding request to fill vacant position of Administrative Supervisor at the West Allis Health Department.

### **Previous Matters for Consideration**

24. [2010-0590](#) 2011 City of West Allis Mayor's Recommended Budget.

25. [O-2010-0046](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2011.  
**Sponsors:** Administration & Finance Committee

### City Attorney Claim Report

26. [2009-0627](#) Snyder & Elk. S.C. communication submitted on behalf of Janet L. Jensen regarding personal injury allegedly sustained on August 15, 2009.  
*City Attorney recommended to be paid and placed on file.*
27. [2009-0717](#) Notice of Injury submitted on behalf of William M. Melloch regarding injuries and damages allegedly sustained on W. Beloit Rd. at or near the intersection of S. 66 St. on August 13, 2009.  
*City Attorney recommended to be paid and placed on file.*
28. [2010-0572](#) Crystalina Montano communication regarding vehicle damages allegedly sustained on September 14, 2010 at approximately South 84th Street and West National Avenue.  
*City Attorney recommended to be paid and placed on file.*

### PUBLIC WORKS COMMITTEE

#### New Matters for Introduction

29. [R-2010-0246](#) Resolution Authorizing and Directing the Appropriate City Officials to Acquire Temporary Limited Easements, Permanent Easements and Property for the Reconstruction of W. National Avenue from S. 84th Street to S. 92nd Street.  
**Sponsors:** Public Works Committee
30. [R-2010-0249](#) Resolution authorizing the Director of Public Works/City Engineer to enter into an agreement with Donohue & Associates for engineering services related to installing an emergency generator at the Police Department Headquarters amount of \$19,500.  
**Sponsors:** Public Works Committee
31. [R-2010-0250](#) Resolution authorizing the Director of Public Works/City Engineer to contract with Masonry Restoration Incorporated instead of The Garland Company, Inc. for emergency roof repairs at Fire Station No. 2 in the amount of \$12,425.  
**Sponsors:** Public Works Committee
32. [R-2010-0255](#) Resolution to approve bid of Mainline Sewer & Water, Inc. for the sediment

removal in the west branch of Root River at South 124th Street in the City of West Allis, in the amount of \$103,180.00.

**Sponsors:** Public Works Committee

### Previous Matters for Consideration

33. [2010-0644](#) Communication from the Director of Public Works/City Engineer relative to the Department's Policies and Procedures related to Bulk Collections and associated charges.

### SAFETY & DEVELOPMENT COMMITTEE

#### New Matters for Introduction

34. [O-2010-0050](#) An Ordinance to Establish Parking Restrictions on the West Side of the South 300 Feet of the 2400 Block of S. 88 St. and the North 120 Feet of the 2500 Block of S. 88 St.  
**Sponsors:** Daniel J. Roadt
35. [O-2010-0049](#) An Ordinance to Repeal and Recreate Subsection 13.21(12)(e) of the West Allis Revised Municipal Code Relating to Political Signs.  
**Sponsors:** Thomas G. Lajsic
36. [R-2010-0257](#) Resolution relative to approval of the project activities proposed for the Energy Efficiency & Conservation Block Grant (EECBG) totaling \$576,200 awarded by the U.S. Department of Energy.  
**Sponsors:** Safety & Development Committee
37. [R-2010-0256](#) Resolution to authorize the Director of Development to prepare plans, studies, and applications necessary for the improvement of Beloit Road Senior Housing and the submittal of a Section 42 Tax Credit Application.  
**Sponsors:** Safety & Development Committee
38. [2010-0673](#) Special Use Permit for M&T's Auto, a proposed auto repair and detailing business to be located at 2109 S. 55 St.
39. [2010-0674](#) Special Use Permit for a proposed educational institution to be operated by Oconomowoc Residential Programs, Inc. within the existing school building of St. Augustine's Church located at 6753-6763 W. Rogers St.
40. [2010-0669](#) Carlton Peterson communication relative to the West Allis Revised Municipal Code

section 9.34, Property Owner Registration.

41. [2010-0676](#) Petition to revoke the Business Occupancy Permit of Shorty's Shooting Sports, located at 2192 S. 60 Street.

### Previous Matters for Consideration

42. [O-2010-0018](#) An Ordinance to Repeal Subsections 12.13(3)(a)3 and 12.13(3)(b)4 of the West Allis Revised Municipal Code Relating to Architectural Review and Site Review for New Single Family Residential Construction.

**Sponsors:** Richard F. Narlock

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

43. [O-2010-0048](#) An Ordinance to amend Subsection 12.40(1)(ii) and 12.41(1)(dd) relative to sporting good stores. To repeal Subsection 12.41(1)(q) relative to indoor gun ranges in the C-2, Neighborhood Commercial District. To repeal and recreate Subsection 12.48(3)(a) relative to firearm ranges in Park Districts and to amend Subsection 12.43(2)(m) of the Revised Municipal Code to permit gun, firearm and/or ammunition sales; sporting good stores with gun, firearm and/or ammunition sales; and, indoor ranges as a permitted use within the C-4 Regional Commercial District.

**Sponsors:** Safety & Development Committee

44. [O-2010-0040](#) An Ordinance to repeal and recreate subsection 12.13(3)(a)3 and subsection 12.13(3)(b)4 of the West Allis Revised Municipal Code relating to Architectural Review and Site Standards for New Single Family Residential Construction.

**Sponsors:** Safety & Development Committee

45. [O-2010-0047](#) An Ordinance to amend Subsection 2.38(3) and Subsection 12.13(12) of the West Allis Revised Municipal Code relating to appeals of Plan Commission decisions being considered by the Common Council and to amend Subsection 2.39(2) relative to the function and duties of the Board of Appeals.

**Sponsors:** Safety & Development Committee

46. [O-2010-0038](#) An Ordinance To Amend Section 12.19(3)(d) of the West Allis Revised Municipal Code relative to the minimum construction standards for Off-Street Parking and Loading Facilities.

**Sponsors:** Safety & Development Committee

47. [R-2010-0253](#) Resolution relative to determination of Special Use Permit for the proposed relocation of the Cousins Subs restaurant within the Oakridge Shopping Center, an existing multi-tenant commercial strip mall located at 10700 W. Oklahoma Ave.

**Sponsors:** Safety & Development Committee

48. [2010-0617](#) Special Use Permit for proposed relocation of a Cousins Subs restaurant, to be located within the Oakridge Shopping Center, an existing multi-tenant commercial strip mall at 10700 W. Oklahoma Ave. submitted by Joe Ferguson, Cousins Submarines, Inc.

## **LICENSE & HEALTH COMMITTEE**

### **New Matters for Introduction**

49. [2010-0670](#) Tavern Operator License applications.
50. [2010-0672](#) 2010-2011 Used Vehicle Dealer License application(s).
51. [2010-0665](#) 2010-2011 Tavern Operator License application no. 11-565 of Jay J. Kay.
52. [2010-0675](#) 2010-2011 Tavern Operator License application no. 11-568 of Gregory S. Dowden.
53. [2010-0666](#) 2010-2011 Adult-Oriented Establishment Operator Permit application no. 1729 of Kelsey E. Zilles.
54. [2010-0658](#) 2010-2011 Class B Tavern License application no. 1733 of Lele's Whiskey Corner, LLC, Jeffrey William Kacheris, Agent, d/b/a Remedy, located at 1309 S. 60 Street. (new-existing premises).

### **Previous Matters for Consideration**

55. [2010-0643](#) 2010-2011 Tavern Operator License application no. 11-561 of Dawn M. Buss.
56. [2010-0638](#) 2010-2011 Class B Beer License application no. 1731 of Gulzar, Inc., Gulbaz Gill, Agent, d/b/a Mr. Gyros Grill & Cafe located at 10535 W. Greenfield Ave. (new-nonexisting premises).
57. [2010-0639](#) 2010-2011 Class C Wine License application no. 1732 of Gulzar, Inc., Gulbaz Gill, Agent, d/b/a Mr. Gyros Grill & Cafe located at 10535 W. Greenfield Ave. (new-nonexisting premises).
58. [2010-0655](#) Summons and Complaint in the matter of the complaint against M & W Hospitality, Inc., Mario P. Morgese, Agent for the premises located at 1900 S. 60 St., d/b/a Mario's (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093).



59. [2010-0549](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 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: August 1, 2010).
60. [2010-0624](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 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: September 24, 2010).

### **ADVISORY COMMITTEE**

#### **New Matters for Introduction**

61. [2010-0680](#) Reappointment by Mayor Devine of David Wied as a member of the West Allis Community Celebrations Committee, as the West Allis Charities Representative.
62. [2010-0681](#) Reappointment by Mayor Devine of Paule Kolff as a member of the West Allis Block Grant Committee, her two-year term to expire September 1, 2012.
63. [2010-0682](#) Reappointments by Mayor Devine to the West Allis Commission on Aging of Rita Roth and Deborah Tieg, their three-year terms to expire November 1, 2013.

### **N. OTHER MATTERS RELATING TO THE AFFAIRS AND GOVERNMENT OF THE CITY WHICH MAY PROPERLY BE BROUGHT BEFORE THE COMMON COUNCIL**

### **O. 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.