



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, June 2, 2009

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2009-0147](#) Resolution relative to determination of Special Use Permit for proposed addition to Fortune Restaurant, an existing business located at 2945 S. 108 St. (Tax Key No. 520-9965-033).
Sponsors: Safety & Development Committee

2. [R-2009-0144](#) Resolution relative to determination of 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)
Sponsors: Safety & Development Committee

3. [R-2009-0145](#) Resolution relative to determination of 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)
Sponsors: Safety & Development Committee

4. [R-2009-0146](#) Resolution approving an amendment to the Community Development Block Grant Action Plan, B-08-MC-55-0011 creating the Pedestrian Improvement Project between S. 70 St. and S. 76 St along W. Greenfield Ave.
Sponsors: Administration & Finance 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 May 19, 2009 and special meeting of May 26, 2009.

J. ITEMS NOT REFERRED TO COMMITTEE

- 5. [2009-0361](#) Amended Summons and Complaint in the matter of First Business Bank-Milwaukee vs. City of West Allis, et al.

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

Special meeting held on May 26, 2009.

6. [R-2009-0071](#) Resolution approving refinancing terms of the Economic Development Loan with Rokamco Distributing, Inc. located at 5420 W. Electric Ave.
- Sponsors:** Vincent Vitale
- Unanimously recommended to be placed on file.*

LICENSE & HEALTH COMMITTEE

Regular meeting held on May 26, 2009.

7. [2009-0319](#) 2009-2011 Tavern Operator License renewal application no. 11-175 of James M. Lynch.
- Unanimously recommended approval.*
8. [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.
- Unanimously recommended to be placed on file.*
9. [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.
- Unanimously recommended approval subject to necessary requirements.*
10. [2009-0251](#) 2009-2010 Tavern Operator License application no. 10-323 of Joshua J. Barrett.
- Unanimously recommended denial based on the police report.*
11. [2009-0273](#) 2009-2011 Tavern Operator License renewal application no. 11-083 of Nora L. Galagan.
- Unanimously recommended approval.*
12. [2009-0274](#) 2009-2011 Tavern Operator License renewal application no. 11-086 of Kimberly L. Miller.
- Unanimously recommended approval.*
13. [2009-0271](#) 2009-2011 Tavern Operator License renewal application no. 11-049 of Jeffrey R. Gaudynski, Sr.
- Unanimously recommended approval.*

14. [2009-0284](#) 2009-2011 Tavern Operator License renewal application no. 11-099 of Brian G. DePons.
Unanimously recommended approval.
15. [2009-0296](#) 2009-2011 Tavern Operator License renewal application no. 11-168 of Alexander J. Lovas.
Unanimously recommended approval.
16. [2009-0322](#) 2009-2011 Tavern Operator License renewal application no. 11-189 of Peter A. Harris.
Unanimously recommended approval.
17. [2009-0285](#) 2009-2010 Adult-Oriented Establishment Operator Permit renewal application no. 1497 of David A. Bugni.
Unanimously recommended approval.
18. [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).
Unanimously recommended to be placed on file.
19. [2009-0320](#) 2009-2011 Tavern Operator License renewal application no. 11-180 of Theodore M. Galaszewski.
Unanimously recommended approval.
20. [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.
Unanimously recommended approval subject to necessary requirements.
21. [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.).
Unanimously recommended to be placed on file.
22. [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.
Unanimously recommended approval subject to necessary requirements.

23. [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.).
Unanimously recommended to be placed on file.
24. [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.).
Unanimously recommended to be placed on file.
25. [2009-0268](#) 2009-2010 Combination Class A Liquor License renewal appl. no. 935 of Mohinder S. Dhillon, d/b/a Dhillon Beer & Liquor, premises located at 5832 W. Burnham St.
Unanimously recommended approval subject to necessary requirements.
26. [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)
Unanimously recommended to be placed on file.
27. [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.
Unanimously recommended approval subject to necessary requirements.
28. [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)
Unanimously recommended to be placed on file.
29. [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)
Unanimously recommended to be placed on file.

30. [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)

Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

31. [2009-0346](#) Comptroller/Manager of Finance submitting the report for the month of January, 2009 indicating City of West Allis checks issued in the amount of \$1,858,844.62.
32. [2009-0347](#) Comptroller/Manager of Finance submitting the report for the month of February, 2009 indicating City of West Allis checks issued in the amount of \$1,819,065.23.

Public Hearing Items (Administration & Finance Committee)

33. [R-2009-0146](#) Resolution approving an amendment to the Community Development Block Grant Action Plan, B-08-MC-55-0011 creating the Pedestrian Improvement Project between S. 70 St. and S. 76 St along W. Greenfield Ave.

Sponsors: Administration & Finance Committee

City Attorney Claim Report

34. [2008-0667](#) Ronald Crown communication regarding vehicle damage allegedly sustained at West Oklahoma Avenue and South 100 Street on September 12, 2008.

City Attorney recommended denial.

35. [2009-0100](#) Herbert Office communication regarding property damage allegedly sustained at 6712 W. Hayes Avenue on January 9, 2009.

City Attorney recommended denial.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

36. [R-2009-0140](#) Resolution authorizing and directing the City Engineer to enter into three State/Municipal Agreements for a Highway Improvement Project with the Wisconsin Department of Transportation for the construction cost associated with resurfacing of:
- S. 68 Street from W. Lincoln Avenue to the South Corporate Limits;
S. 76 Street from W. Cleveland Avenue to W. Oklahoma Avenue; and
W. National Avenue from the Union Pacific Railroad to S. 70 Street.
- Sponsors:** Public Works Committee
37. [R-2009-0142](#) Resolution relative to accepting the proposal of R.A. Smith National for providing Engineering Consulting Services for a total sum of \$91,100.00.
- Sponsors:** Public Works Committee
38. [R-2009-0139](#) Resolution Granting a Privilege for Encroachment (Major) to Teamtam LLC (Tammy Dopp, sole member, and d/b/a Dopp's Bar & Grill) for property located at 1753 South 68th Street.
- Sponsors:** Public Works Committee
39. [2009-0349](#) Communication from Pat Morris of 2001 South 105 Street regarding concerns about City tree planting.

SAFETY & DEVELOPMENT and LICENSE & HEALTH COMMITTEES

Public Hearing Items

40. [R-2009-0147](#) Resolution relative to determination of Special Use Permit for proposed addition to Fortune Restaurant, an existing business located at 2945 S. 108 St. (Tax Key No. 520-9965-033).
- Sponsors:** Safety & Development Committee
41. [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)

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

42. [R-2009-0143](#) Resolution relative to approval of the City of West Allis Grant Application for the \$576,200 that was appropriated to the City of West Allis in the form of an Energy Efficiency and Conservation Block Grant (EECBG).
- Sponsors:** Safety & Development Committee

Previous Matters for Consideration

43. [R-2004-0195](#) Resolution relative to authorizing the revocation of the Special Use Permit for outdoor sales and display at The Home Depot, USA, Inc. located at 11071 W. National Ave.

Public Hearing Items (Safety & Development Committee)

44. [R-2009-0144](#) Resolution relative to determination of 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)
- Sponsors:** Safety & Development Committee
45. [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)
46. [R-2009-0145](#) Resolution relative to determination of 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)
- Sponsors:** Safety & Development Committee
47. [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)

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

48. [O-2009-0016](#) An Ordinance to Create Section 9.034 of the West Allis Revised Municipal Code Relating to Tavern Entertainment License - Other Entertainment.
Sponsors: Richard F. Narlock
49. [O-2009-0017](#) An Ordinance to Amend Subsections 9.033(1), (2)(c), (2)(d), (7)(c)4, (9)(a) and Renumbering (16) to (12) of the West Allis Revised Municipal Code Relating to Tavern Entertainment License - Special Entertainment.
Sponsors: Richard F. Narlock
50. [2009-0362](#) Video/Cable Communications Coordinator communication regarding recommendations for 1st Quarter Operating Funds to the West Allis Community Communications Corporation (WACCC) for the Public Access Channel.
51. [2009-0363](#) Video/Cable Communications Coordinator communication regarding first quarter funding for the Educational Access Channel.
52. [2009-0358](#) 2008-2009, 2009-2010 and 2009-2011 Tavern Operator License applications.
53. [2009-0359](#) 2008-2010 Package Goods Operator License application(s).
54. [2009-0364](#) 2008-2009 Special Instrumental Music Permit application no. 8 of Town Beer & Liquor, Inc., Gerald M. Kovacich, Agent, d/b/a Town Beer & Liquor, 907 S. 84 St. (2008-2009 Class B Tavern License no. 752) for an event on Saturday, June 5, 2009.
55. [2009-0376](#) 2009-2010 Special Instrumental Music Permit application no. 1 of Dale J. Zbieranek, Agent, d/b/a Barneks, 7411 W. Becher St. (2009-2010 Class B Tavern License application no. 1060 and Dance Hall License application no. 1062) for an event on Saturday, July 18, 2009.
56. [2009-0365](#) 2009-2010 Class B Tavern Special Event Permit application no. 3 of Mugshotz, Inc., Gregory J. Steffek, Agent, d/b/a Mugshotz, 1902 S. 68 St., (2009-2010 Class B Tavern License application no. 1380, Instrumental Music License application no. 1383, Dance Hall License application no. 1382 and Cigarette License application no. 1381) for Golf Outing, August 1, 2009 from 5:00 p.m. to 11:00 p.m.
57. [2009-0355](#) 2009-2010 Class B Tavern, Dance Hall and Instrumental Music License renewal applications.
58. [2009-0354](#) 2009-2010 Combination Class A Liquor License renewal application.
59. [2009-0353](#) 2009-2010 Class A Beer License renewal application.

60. [2009-0351](#) 2009-2010 Class B Tavern License renewal application no. 786 of The Network, LLC, Jacob M. Silber, Agent, d/b/a The Network for premises located at 9541 W. Cleveland Avenue. (new agent).
61. [2009-0378](#) 2009-2010 Amusement Distributor's License renewal application(s).
62. [2009-0379](#) 2009-2010 Phonograph Distributor's License renewal application(s).
63. [2009-0357](#) 2009-2010 Second Hand Dealer License renewal application(s).
64. [2009-0356](#) 2009-2010 Used Vehicle Dealer application(s).
65. [2009-0374](#) 2009-2010 Precious Metal & Gem Dealer License application(s).
66. [2009-0360](#) 2009-2010 Precious Metal & Gem Dealer License renewal application no. 359 of M.J.C. Inc., 10923 W. Lincoln Ave.
67. [2009-0367](#) 2009-2011 Tavern Operator License renewal application no. 11-228 of Gary D. Johnson.
68. [2009-0368](#) 2009-2010 Tavern Operator License application no. 10-337 of Timothy L. Perlberg.
69. [2009-0375](#) 2009-2010 Package Goods Operator License application no. 1527 of Richard A. Witter.
70. [2009-0366](#) 2009-2010 Adult-Oriented Establishment Operator Permit application no. 1529 of Michael J. McCormack.
71. [2009-0369](#) 2009-2011 Tavern Operator License application no. 11-203 of Ryan E. Higgins.
72. [2009-0370](#) 2009-2011 Tavern Operator License application no. 11-215 of Timothy R. Berres.
73. [2009-0352](#) 2009-2010 Class C Wine License application no. 1528 of Capri Restaurant, Inc., Monica M. Hinek, Agent, d/b/a Capri Restaurant located at 8340 W. Beloit Rd. (new nonexisting)
74. [2009-0350](#) 2009-2010 Class B Tavern License renewal application no. 1402 of SPDB, LLC., Douglas P. Brown, Agent, d/b/a Night Court for premises located at 7127 W. National Avenue.

ADVISORY COMMITTEE

New Matters for Introduction

75. [2009-0372](#) Reappointment by Mayor Devine of Mr. Lynn Franke to the Office of Weed Commissioner of the City of West Allis for the year 2009.
76. [2009-0373](#) Reappointment by Mayor Devine of Lee Krajcik as a member of the West Allis Electrical Review Board, his two-year term to expire May 31, 2011.
77. [2009-0377](#) Appointments by Mayor Devine to the 2030 City of West Allis Comprehensive Plan Steering Committee, terms to expire upon Common Council adoption of the Plan or by January 1, 2010.
78. [2009-0371](#) Legislative Committee minutes for May 26, 2009.

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.