



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair

Aldersperson James W. Sengstock, Council President

Alderspersons: Gary T. Barczak, Michael J. Czapski, Kurt E. Kopplin, Thomas G. Lajsiak, 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

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

B. ROLL CALL

Present 9 - Barczak, Czapski, Kopplin, Lajsiak, Narlock, Reinke, Roadt, Sengstock, and Weigel

Excused 1 - Vitale

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Reinke.

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

Explanation by John Stibal, Director of Development.

Appearances: None.

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

Explanation by John Stibal, Director of Development.

Appearances: None.

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

Explanation by John Stibal, Director of Development.

Appearances: None.

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

Explanation by John Stibal, Director of Development.

Appearances: None.

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 thanked everyone who helped put together the Memorial Day activities and who participated in the ceremony. Mayor Devine announced West Allis Ala Carte scheduled for June 7, 2009.

Alderspersons Comments

Ald. Kopplin thanked Borgwardt Funeral Home for continuing the tradition of putting out flags for the Memorial Day weekend.

Ald. Barczak reported on an amendment to the State's budget relative to non-profit organizations not requiring alcohol licensing. Ald. Barczak stated that the License & Health Committee is challenging when it comes to controlling all licenses. He addressed the legislators about deregulating this type of activity.

Ald. Reinke reported on the delivery of coupon books to the veterans. She extended an invitation to all for the Ala Carte activities.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of May 19, 2009 and the 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

6. [R-2009-0071](#) Resolution approving refinancing terms of the Economic Development Loan with Rokamco Distributing, Inc. located at 5420 W. Electric Ave.

Sponsors: Ald. Vitale

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

No: 0

LICENSE & HEALTH COMMITTEE

7. [2009-0319](#) 2009-2011 Tavern Operator License renewal application no. 11-175 of James M. Lynch.
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.
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.
10. [2009-0251](#) 2009-2010 Tavern Operator License application no. 10-323 of Joshua J. Barrett.

Denied based on the police report.

11. [2009-0273](#) 2009-2011 Tavern Operator License renewal application no. 11-083 of Nora L. Galagan.
12. [2009-0274](#) 2009-2011 Tavern Operator License renewal application no. 11-086 of Kimberly L. Miller.
13. [2009-0271](#) 2009-2011 Tavern Operator License renewal application no. 11-049 of Jeffrey R. Gaudynski, Sr.
14. [2009-0284](#) 2009-2011 Tavern Operator License renewal application no. 11-099 of Brian G. DePons.
15. [2009-0296](#) 2009-2011 Tavern Operator License renewal application no. 11-168 of Alexander J. Lovas.
16. [2009-0322](#) 2009-2011 Tavern Operator License renewal application no. 11-189 of Peter A. Harris.
17. [2009-0285](#) 2009-2010 Adult-Oriented Establishment Operator Permit renewal application no. 1497 of David A. Bugni.
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).
19. [2009-0320](#) 2009-2011 Tavern Operator License renewal application no. 11-180 of Theodore M. Galaszewski.
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.
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.).
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.

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.).
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.).
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.
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)
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.
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)
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)
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)

Passed The Block Vote

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:23 p.m. Upon returning from recess at 8:05 p.m. and the roll call being taken, there were:

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

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

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

Attachments: [2009-0100.pdf](#)

Passed The Block Vote

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Weigel
No: 0

PUBLIC WORKS COMMITTEE

39. [2009-0349](#) Communication from Pat Morris of 2001 South 105 Street regarding concerns about City tree planting.
Attachments: [morris tree replacement.pdf](#)
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
Attachments: [1043 Eng Consulting Serv tabulation.pdf](#)
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

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

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
Held in Safety & Development Committee during recess.
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)

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

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)

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

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: 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 (13) of the West Allis Revised Municipal Code Relating to Tavern Entertainment License - Special Entertainment.

Sponsors: Narlock

Passed The Block Vote

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

No: 0

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.

Attachments: [2009-0362.pdf](#)

51. [2009-0363](#) Video/Cable Communications Coordinator communication regarding first quarter funding for the Educational Access Channel.

Attachments: [2009-0363.pdf](#)

52. [2009-0358](#) 2008-2009, 2009-2010 and 2009-2011 Tavern Operator License applications.

2008-2009 License application no. 202.

2009-2010 License application nos. 332, 334-336 and 338-339 granted.

2009-2011 License application nos. 115-121, 216-227 and 229-249 granted.

53. [2009-0359](#) 2008-2010 Package Goods Operator License application(s).

License application no. 1522 granted.

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.
Class B Tavern License application nos. 646, 680, 686, 709, 723, 738, 760, 789, 832, 838, 862, 869, 1197 and 1500 and corresponding Dance Hall, Instrumental Music and Bowling Alley License applications granted.
58. [2009-0354](#) 2009-2010 Combination Class A Liquor License renewal application.
License application nos. 920, 1019 and 1299 granted.
59. [2009-0353](#) 2009-2010 Class A Beer License renewal application.
License application no. 905 granted.
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).
License application no. 1411 granted.
62. [2009-0379](#) 2009-2010 Phonograph Distributor's License renewal application(s).
License application no. 1413 granted.
63. [2009-0357](#) 2009-2010 Second Hand Dealer License renewal application(s).
License application nos. 324 and 326 granted.
64. [2009-0356](#) 2009-2010 Used Vehicle Dealer application(s).
License application nos. 1533 and 1535 granted.
65. [2009-0374](#) 2009-2010 Precious Metal & Gem Dealer License application(s).
License application no. 1534 granted.

Passed The Block Vote

66. [2009-0360](#) 2009-2010 Precious Metal & Gem Dealer License renewal application no. 359 of M.J.C. Inc., 10923 W. Lincoln Ave.
Aye: 8 - Barczak, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Weigel
No: 0
Present: 1 - Czuplewski
67. [2009-0367](#) 2009-2011 Tavern Operator License renewal application no. 11-228 of Gary D. Johnson.
Held in License & Health Committee during recess.

68. [2009-0368](#) 2009-2010 Tavern Operator License application no. 10-337 of Timothy L. Perlberg.
Held in License & Health Committee during recess.
69. [2009-0375](#) 2009-2010 Package Goods Operator License application no. 1527 of Richard A. Witter.
Held in License & Health Committee during recess.
70. [2009-0366](#) 2009-2010 Adult-Oriented Establishment Operator Permit application no. 1529 of Michael J. McCormack.
Held in License & Health Committee during recess.
71. [2009-0369](#) 2009-2011 Tavern Operator License application no. 11-203 of Ryan E. Higgins.
Held in License & Health Committee during recess.
72. [2009-0370](#) 2009-2011 Tavern Operator License application no. 11-215 of Timothy R. Berres.
Held in License & Health Committee during recess.
73. [2009-0352](#) 2009-2010 Class C Wine License application no. 1528 of Capri Restaurant, Inc., Robert Hinek, Agent, d/b/a Capri Restaurant located at 8340 W. Beloit Rd. (new-nonexisting)
Held in License & Health Committee during recess.
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.
Held in License & Health Committee during recess.

ADVISORY COMMITTEE

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.
78. [2009-0371](#) Legislative Committee minutes for May 26, 2009.

Attachments: [LEG CMTE MINS 052609.pdf](#)

Passed The Block Vote

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

No: 0

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.

Attachments: [CCLTR.CompPlanCmte 060209.pdf](#)
[ComprehPlanSteeringCmte.060209.pdf](#)

Aye: 8 - Barczak, Czaplewski, Kopplin, Narlock, Reinke, Roadt, Sengstock, and Weigel

No: 0

Present: 1 - Lajsic

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 8:12 p.m., with the next regularly scheduled meeting to be held on June 16, 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.