



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Meeting Agenda

### Common Council

*Mayor Dan Devine, Chair*

*Aldersperson Thomas G. Lajsic, Council President*

*Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Michael P. May,  
Cathleen M. Probst, Rosalie L. Reinke, Daniel J. Roadt, James W. Sengstock,  
Vincent Vitale, and Martin J. Weigel*

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Tuesday, November 20, 2012

7:00 PM

City Hall Common Council Chambers

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### REGULAR MEETING (AMENDED)

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#### A. CALL TO ORDER

#### B. ROLL CALL

#### C. PLEDGE OF ALLEGIANCE

#### D. PUBLIC HEARINGS

1. [R-2012-0215](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 57 St. from north of W. Walker St. to W. National Ave. and portions of intersecting streets by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer, storm sewer relay, sanitary sewer, sanitary sewer relay, water main relay and building services.

**Sponsors:** Public Works Committee

2. [R-2012-0221](#) Resolution relative to determination of a Special Use Permit for the Chinese Relaxation Center, a proposed massage business, to be located within a portion of the Plaza 100 shopping center at 2727 S. 108 St.

**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 5, 2012.*

**J. ITEMS NOT REFERRED TO COMMITTEE**

- 3. [2012-0610](#) Report of the Municipal Judge for the month of October 2012, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$130,611.09.
- 4. [2012-0594](#) Summons and Complaint in the matter of Robert Braun vs. City of West Allis, et al., Case No. 12 CV 348.
- 5. [2012-0600](#) Joseph Grunke communication regarding vehicle damages allegedly sustained at W. Greenfield Ave. and S. 116 St. on October 31, 2012.
- 6. [2012-0602](#) Summons and Complaint in the matter of Bank of America, N.A., vs Jerome Garcia, et al, regarding foreclosure of mortgage, Case No. 12-CV-011119.

**K. STANDING COMMITTEE REPORTS**

**ADMINISTRATION & FINANCE COMMITTEE**

*Regular Meeting held on November 14, 2012.*

- 7. [2012-0552](#) 2013 City of West Allis Mayor's Recommended Budget.  
*Unanimously recommended for approval as amended.*

- 8. [O-2012-0042](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2013.  
**Sponsors:** Administration & Finance Committee  
*Unanimously recommended for passage as amended.*

**LICENSE & HEALTH COMMITTEE**

*Regular Meeting held on October 29, 2012. (Ald. Weigel excused.)*

- 9. [2012-0502](#) Summons and Complaint in the matter of the complaint against Danny's Entertainment, Inc., Daniel R. Seiy, Agent, for the premises located at 1902 S. 60 Street, d/b/a Danny's Lounge (2012-2013 Class B Tavern License no. 1738, Dance Hall License no. 1740 and Instrumental Music License no. 1739).  
*Unanimously recommended to issue a Findings and Recommendation.*
- 10. [2012-0453](#) Police Department Report involving Danny's Lounge, 1900 S. 60 St. (2012-2013 Class B Tavern License no. 1738, Dance Hall License no. 1740 and Instrumental Music License no. 1739 of Danny's Entertainment, Inc, Daniel R. Seiy, Agent, Incident Dates: July 1, 2012, July 14, 2012, August 18, 2012 & August 22, 2012).  
*Unanimously recommended to be placed on file.*

**L. COMMON COUNCIL RECESS**

**M. NEW AND PREVIOUS MATTERS**

**ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES**

**Previous Matters for Consideration**

- 11. [2011-0655](#) Communication from Director of Public Works/City Engineer Discussing Funding Options for the Cross-Town Bike Trail.

**ADMINISTRATION & FINANCE COMMITTEE**

**New Matters for Introduction**

12. [O-2012-0043](#) An Ordinance to amend Ordinance No. O-2008-0009 establishing the salary ranges of certain employees in the Administrative & Clerical Service of the City of West Allis for the years 2008-2010 (PC Network Technician I and PC Network Technician II).
- Sponsors:** Administration & Finance Committee
13. [2012-0599](#) Communication from Manager, Purchasing/Central Services relative to disposal of City's old Fujitsu phone system.

### City Attorney Claim Report

14. [2012-0168](#) Ron Kuzia communication regarding 2011 Statement of Personal Property for Blueprints, Inc., tax ID #534513 on March 30, 2012.
- City Attorney recommended to be paid and placed on file.*
15. [2012-0299](#) Amended Summons and Complaint in the matter of Bank of America, N.A., vs Dawn M. Clark, et al, regarding foreclosure of mortgage, Case No. 11CV15233.
- City Attorney recommended to be placed on file.*
16. [2012-0475](#) Jerry Bellin communication regarding vehicle damages allegedly sustained at 2209 S. 62 St. on August 25, 2012.
- City Attorney recommended denial.*
17. [2012-0522](#) Allstate Roanoke National Subrogation Claim Center Subrogation Claim Notice submitted on behalf of Jerry Bellin regarding vehicle damages allegedly sustained on August 25, 2012 at 2208 S. 62 St.
- City Attorney recommended denial.*

### PUBLIC WORKS COMMITTEE

#### New Matters for Introduction

18. [R-2012-0218](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into a State/Municipal Agreement for services described herein with the Wisconsin Department of Transportation for the costs associated with reconstruction of the Zoo Interchange
- Sponsors:** Public Works Committee

19. [R-2012-0220](#) Resolution authorizing the Director of Public Works/City Engineer to amend an existing agreement with Ring & Duchateau for engineering services related to replacing and upgrading the heating, ventilating and air conditioning systems at the Health Department and Senior Center buildings in an amount not to exceed \$32,000.  
**Sponsors:** Public Works Committee
20. [R-2012-0222](#) Resolution authorizing and directing the Director of Public Works/City Engineer to enter into State/Municipal Agreements to provide Emergency Vehicle Preemption (EVP) for state-maintained traffic signals located at Greenfield Avenue (STH 59) intersections  
**Sponsors:** Public Works Committee
21. [2012-0601](#) Downtown West Allis Business Improvement District communication regarding the Downtown West Allis Christmas On The Avenue scheduled for Saturday, December 1, 2012 from 1:30 p.m. to 3:30 p.m.

#### **Previous Matters for Consideration**

22. [2010-0570](#) Communication from Director of Public Works/City Engineer regarding request from Veolia Environmental Services asking for an increase in landfill fees and other issues related to the City's garbage disposal contract.
23. [2011-0174](#) Communication from the Principal Engineer-Design Services regarding parking restrictions along W. National Avenue from S. 84th Street to S. 92nd Street.

#### **Public Hearing Items (Public Works Committee)**

24. [R-2012-0215](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 57 St. from north of W. Walker St. to W. National Ave. and portions of intersecting streets by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer, storm sewer relay, sanitary sewer, sanitary sewer relay, water main relay and building services.  
**Sponsors:** Public Works Committee
25. [R-2012-0216](#) Final Resolution authorizing public improvement by concrete reconstruction, new driveway approaches, miscellaneous sidewalk repair, storm sewer, storm sewer relay, sanitary sewer, sanitary sewer relay, water main relay and building services in S. 57 St. from north of W. Walker St. to W. National Ave. and portions of intersecting streets and levying special assessments against benefited properties.  
**Sponsors:** Public Works Committee

**SAFETY & DEVELOPMENT AND LICENSE & HEALTH COMMITTEES****Previous Matters for Consideration**

26. [O-2012-0035](#) Ordinance to Create Section 9.35 of the City of West Allis Revised Municipal Code Requiring Prepayment for All Fuel at Commercial Gas Stations.  
**Sponsors:** Safety & Development Committee

**SAFETY & DEVELOPMENT COMMITTEE****New Matters for Introduction**

27. [2012-0603](#) Special Use Permit for Oscar's Frozen Custard to establish a drive-thru addition to the existing restaurant located at 2362 S. 108 St.
28. [2012-0604](#) Special Use Permit to establish Bari Pizzeria restaurant located within a portion of the mixed use property at 5919 W. Burnham St.
29. [2012-0609](#) Special Use Permit amendment to expand the hours of operation for Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.

**Previous Matters for Consideration**

30. [O-2012-0031](#) Ordinance to amend the Official West Allis Zoning Map by rezoning a portion of the property at 9306 W. Greenfield Ave. from RA-3 Residence District to C-2 Neighborhood Commercial District.  
**Sponsors:** Safety & Development Committee

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

31. [R-2012-0221](#) Resolution relative to determination of a Special Use Permit for the Chinese Relaxation Center, a proposed massage business, to be located within a portion of the Plaza 100 shopping center at 2727 S. 108 St.  
**Sponsors:** Safety & Development Committee

32. [2012-0559](#) Special Use Permit for Chinese Relaxation Center, a proposed massage business, to be located within a portion of the Plaza 100 shopping center at 2727 S. 108 St.

## LICENSE & HEALTH COMMITTEE

### New Matters for Introduction

33. [2012-0606](#) Stipulation In the Matter of the Complaint Against Danny's Entertainment, Inc., Daniel Seiy, Agent, d/b/a Danny's Lounge for the premises located at 1900 S. 60 St.
34. [2012-0605](#) Findings and Recommendations in the Matter of the Complaint Against Danny's Entertainment, Inc. relative to the Class B Tavern License, Dance Hall License and Instrumental Music License.
35. [2012-0598](#) 2013 Gun Range License renewal application.
36. [2012-0612](#) Tavern Operator License applications.
37. [2012-0617](#) 2012-2013 Instrumental Music License application no. 1917 (2012-2013 Class B Tavern License application no. 1876), of The Shop, LLC, Kelly Ann Huennekens, Agent, d/b/a The Shop, premises located at 8812 W. Greenfield Ave.
38. [2012-0597](#) Police Department report regarding tavern violations/calls for service for October 2012.
39. [2012-0596](#) Police Department Report involving Walk-Her-Inn, 900 S. 74 St. (2012-2013 Class B Tavern License no. 1538 and Dance Hall License no. 1540, Diane D. Plumeri, Incident Date: October 26, 2012).
40. [2012-0595](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2012-2013 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC., Jacob M. Silber, Agent, Incident Date: October 21, 2012).
41. [2012-0616](#) 2012-2013 Class A Beer License application no. 1909, of Beechers Quick Stop Shop, LLC, Michael J. Jonas, Agent, d/b/a The Corner Spot for premises located at 2079 S. 69 St. (new-nonexisting).
42. [2012-0611](#) 2012-2013 Instrumental Music License application no. 1914 and 2012-2013 Dance Hall License application no. 1915 (2012-2013 Class B Tavern License application no. 1908), of PNS Owner's Group, LLC, Michael J. Polacheck, Agent, d/b/a Painted Parrot for the premises located at 8028 W. National Ave.

43. [2012-0614](#) 2012-2013 Class B Tavern License application no. 1911 and Dance Hall License no. 1912, Melissa M. Martin, d/b/a M & M Sports Bar for premises located at 1900 S. 60 St. (new-existing location).
44. [2012-0613](#) 2012-2014 Tavern Operator License application no. 14-225 of Jennifer A. Sweeney.
45. [2012-0607](#) 2012-2014 Tavern Operator License application no. 14-222 of Michael J. Wartgow.
46. [2012-0615](#) 2012-2013 Class B Tavern License application no. 1913 of Doublebs, LLC, Richard T. Manchester, Agent, d/b/a Double B's for premises located at 7420 W. Greenfield Ave. (new-existing location).

### Previous Matters for Consideration

47. [O-2012-0039](#) An Ordinance to Repeal & Recreate Subsection 7.121(2) of the West Allis Revised Municipal Code Relating to the Keeping of More Than Two Dogs as it Relates to Service Dogs.  
**Sponsors:** Michael P. May
48. [2012-0535](#) Police Department Report involving Danny's Lounge, 1900 S. 60 St. (2012-2013 Class B Tavern License no. 1738, Dance Hall License no. 1740 and Instrumental Music License no. 1739 of Danny's Entertainment, Inc., Daniel R. Seiy, Agent, Incident Date: September 5, 2012).

### ADVISORY COMMITTEE

### New Matters for Introduction

49. [2012-0618](#) Appointment by Mayor Devine of Judy Hutto as a member of the West Allis Beautification Committee, her term to expire December 31, 2013.
50. [2012-0619](#) Reappointment by Mayor Devine of Bekki Schmitt as a member of the West Allis Commission on Aging, her three-year term to expire November 1, 2015.
51. [2012-0620](#) Reappointment by Mayor Devine of Patricia Wolfe as a member of the Historical Commission of the City of West Allis, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her five-year term to expire December 31, 2017.

### 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.