



City of West Allis

Meeting Minutes

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*

Tuesday, November 20, 2012

7:00 PM

City Hall Common 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 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Czaplewski.

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

Explanation by Peter Daniels, Principal Engineer.

Sharon Huizenga, 1116 S. 57 St., commented on sewage in the basement and lateral replacement.

Frank Kinateder, 810-12 S. 57 St., asked about sump pump installation, and commented on the state of the street.

Ernest Pagels, Jr., 1703 S. 115 Ct., asked about payment from homeowner's insurance.

Raye Robinson, 5704 W. Walker, asked about sidewalk work and the impact on the trees.

Darryl Pitcher, 5630 W. National Ave., commented on paying for assessments.

Patricia Clark, 903 S. 57 St., asked about a no basement situation.

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

Explanation by John Stibal, Director of Development.

Ernest Pagels, Jr., 1703 S. 115 Ct., asked about behavior and enforcement.

E. CITIZEN PARTICIPATION

Diane Brandt, Chamber of Commerce Executive Director, announced the Holiday Charity Benefit and business sponsors.

Ernest Pagels, Jr., 1703 S. 115 Ct., asked about aldermanic representation, traffic and speeding near the Police Station, request that the flashing light at Nathan Hale be 24 hours, and request for a traffic light at 124 & Lincoln.

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 congratulated Police Chief Mike Jungbluth on his retirement, and he congratulated Acting Chief Padgett on his appointment. He announced Christmas on the Avenue scheduled for December 1st, and he thanked the sponsors and the committee for putting together the event.

Alderpersons Comments

Ald. Vitale commented on the budget and union negotiations, and the cost and titles of management at the Fire Department.

Ald. Probst announced the next listening sessions for the Second Aldermanic District on December 6th and January 3rd.

Ald. May announced Stuff the Bus with Milwaukee County and the Shop Local Initiative and Proclamation of the Mayor.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the 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.

Attachments: [MJR October 2012.pdf](#)

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.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

7. [2012-0552](#) 2013 City of West Allis Mayor's Recommended Budget.

Attachments: [2013 Rec Budget.pdf](#)

A motion was made by Ald. Roadt, seconded by Ald. Vitale, to amend the budget by eliminating the promotional and branding consultant listed in account 100-5001-517-30-04. The motion failed by the following vote:

Ayes: 3 - Ald. Czaplewski, Ald. Roadt, and Ald. Vitale.

Noes: 7 - Ald. Barczak, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Sengstock, and Ald. Weigel

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

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

Attachments: [ADMO.AppropOrd.Atchmt2.pdf](#)

[ADMO.AppropOrd.Atchmt3.pdf](#)

[ADMO.AppropOrd.Atchmt1.pdf](#)

[ADMO.AppropOrd.Atchmt4.pdf](#)

A motion was made by Ald. May, seconded by Ald. Roadt, to amend the amendment by maintaining double time for time worked in excess of twelve (12) hours per day for holidays and Sundays; time and one half for the rest of the days worked in excess of twelve (12) hours. The motion passed by the following vote:

Ayes: 6 - Ald. Czaplewski; Ald. May; Ald. Roadt; Ald. Vitale; Ald. Vitale; and Mayor Devine.

Noes: 5 - Ald. Barczak; Ald. Lajsic; Ald. Probst; Ald. Reinke; Ald. Sengstock.

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

LICENSE & HEALTH COMMITTEE

License & Health Committee reported out after recess.

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).

Attachments: [Summons Danny's Lounge.pdf](#)
[Complaint Danny's Lounge.pdf](#)

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).

Attachments: [Chief Jungbluth Comm. regarding 1900 S. 60 St...pdf](#)

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:43 p.m. Upon returning from recess at 8:31p.m., and the roll call being taken, there were:

Present 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

M. NEW AND PREVIOUS MATTERS**ADMINISTRATION & FINANCE COMMITTEE**

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.

Attachments: [Fujitsu disposal letter.pdf](#)

and Placed on File

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.

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.

16. [2012-0475](#) Jerry Bellin communication regarding vehicle damages allegedly sustained at 2209 S. 62 St. on August 25, 2012.
and Placed on File

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.

and Placed on File

Passed The Block Vote

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

PUBLIC WORKS COMMITTEE

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

Attachments: [R-2012-0218 Agreement.pdf](#)

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

Attachments: [Ring & Duchateau agreement.pdf](#)
[Ring & Duchateau signed agreement](#)

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

Attachments: [R-2012-0222-1.pdf](#)
[R-2012-0222-2.pdf](#)
[R-2012-0222-3.pdf](#)
[R-2012-0222-4.pdf](#)
[R-2012-0222-5.pdf](#)

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.

Attachments: [WA Bid letter.Christmas 2012.pdf](#)

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.

Attachments: [COMM-Veolia fee increase.pdf](#)

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.

Attachments: [COMM-2011-0174.pdf](#)

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

Passed The Block Vote

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

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

Attachments: [COMM-Cross Town Bike Trail Funding Options.pdf](#)

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

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.

Held in Safety & Development Committee during recess.

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.

Held in Safety & Development Committee during recess.

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.

Held in Safety & Development Committee during recess.

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

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.

Passed The Block Vote

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

LICENSE & HEALTH COMMITTEE

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

Attachments: [Gas Drive-Offs.pdf](#)

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

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: May

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

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).

Attachments: [Summons Danny's Lounge.pdf](#)
[Complaint Danny's Lounge.pdf](#)

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).

Attachments: [Chief Jungbluth Comm. regarding 1900 S. 60 St...pdf](#)

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.

Attachments: [Stipulation Danny's Lounge.11-20-12.pdf](#)

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.

Attachments: [Findings & Rec. Danny's Lounge.11-20-12.pdf](#)

and Placed on File

35. [2012-0598](#) 2013 Gun Range License renewal application.

License application no. 25 granted.

36. [2012-0612](#) Tavern Operator License applications.

*2012-2013 License applications no. 571-578 granted
2012-2014 License application no. 224 granted.*

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.

Attachments: [Police Report October 2012.pdf](#)

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).

Held in License & Health Committee during recess.

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).
based on municipal quota
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).
Held in License & Health Committee during recess.
44. [2012-0613](#) 2012-2014 Tavern Operator License application no. 14-225 of Jennifer A. Sweeney.
Held in License & Health Committee during recess.
45. [2012-0607](#) 2012-2014 Tavern Operator License application no. 14-222 of Michael J. Wartgow.
Held in License & Health Committee during recess.
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).
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).

Passed The Block Vote

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. Weigel

No: 0

ADVISORY COMMITTEE

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.

Passed The Block Vote

Aye: 10 - Ald. Barczak, Ald. Czaplewski, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Sengstock, Ald. Vitale, and Ald. 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 8:39 p.m., with the next regularly scheduled meeting to be held on December 4, 2012, 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.