



# City of West Allis

## Meeting Minutes

### Common Council

*Mayor Dan Devine, Chair*

*Alderson Thomas G. Lajsic, Council President*

*Aldersons: Gary T. Barczak, Michael J. Czaplowski, 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, October 2, 2012

7:00 PM

City Hall Common Council Chambers

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#### REGULAR MEETING

##### A. CALL TO ORDER

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

##### B. ROLL CALL

**Present** 8 - Ald. Barczak, Ald. Czaplowski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale,  
and Ald. Weigel

**Excused** 2 - Ald. Lajsic, and Sengstock

##### C. PLEDGE OF ALLEGIANCE

*The Pledge of Allegiance was led by Ald. Vitale.*

##### D. PUBLIC HEARINGS

1. [R-2012-0196](#) Resolution relative to determination of Special Use Permit for a proposed expansion of hours for the existing gas station/convenience store located at 7920 W. National Ave.

**Sponsors:** Safety & Development Committee

*Explanation by Steve Schaer, Manager of Planning and Zoning.*

*Appearances:*

*Harjeet S. Walia, 7920 W. National Ave., business owner commented on his operation.*

*Gerald Popp, 1639 S. 79 St., addressed traffic concerns.*

*Danielle Littleton, 1645 S. 79 St., said that the proposal is not a safe option with the hours of operation.*

*Harjeet S. Walia, 7920 W. National Ave., commented on staffing.*

2. [R-2012-0198](#) Resolution relative to Special Use Permit to establish Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.
- Sponsors:** Safety & Development Committee
- Explanation by Steve Schaer, Manager of Planning and Zoning.*
- Appearances: None.*
3. [R-2012-0197](#) Resolution relative to determination of Special Use Permit for Wings Academy Taekwondo, a proposed martial arts school, to be located within the multi-tenant commercial building located at 1520 S. 84 St.
- Sponsors:** Safety & Development Committee
- Explanation by Steve Schaer, Manager of Planning and Zoning.*
- Appearances: None.*
4. [2012-0507](#) Communication from the Director of Development relative to the proposed location(s) for the West Allis Skate Park.
- Attachments:** [Site Selection Overview and Recommendation.pdf](#)
- Explanation by Bart Griepentrog, Planner I.*
- Appearances:*
- Barbara Vesaas, 1455 S. 70 St., supported the park and the suggested location. She addressed bathroom concerns.*
- Tom McNeil, 7213 W. Greenfield Ave., concerned about liability and supervision, and supported the park.*
- Andy Freeburg, 2160 S. 67 Pl., commented on his personal experience with skate parks, and commented on the location.*
5. [R-2012-0193](#) Resolution to approve the Year 2013 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).
- Sponsors:** Administration & Finance Committee
- Attachments:** [2013 BID Operating Plan.pdf](#)
- Explanation by Patrick Schloss, Manager of Community Development.*
- Appearances:*
- Barbara Vesaas, 1455 S. 70 St., Unit 102, asked about special assessments, and commented on taxes.*

#### E. CITIZEN PARTICIPATION

*Barb Vesaas, 1455 S. 70 St., requested less street lights (traffic signals), and asked about*

*improvements.*

*Cindy Moore, 14735 W. Fleetwood Ln, New Berlin, introduced herself as a candidate running for Assembly District 15.*

#### 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 reported on the following:  
West Allis Police Department K9 Unit golf outing benefit;  
Modern Woodmen's donation to urban forestry;  
Mikayla's Mile, a Special Olympics fundraiser at the Milwaukee Mile;  
and the book island literacy event at Vet's Park.*

*Mayor Devine announced the Classic Car Show, the CAAD's Run/Walk, and Domestic Violence Awareness Month.*

##### **Alderspersons Comments**

*Ald. May commented on the following: the CAAD's Run/Walk; the construction on Greenfield Ave.; and the Friends of LaFollette Park Clean-up.  
Ald. Reinke commented on Domestic Violence Awareness Month.*

#### H. AGENDA APPROVAL

*that the agenda as submitted be accepted*

#### I. APPROVAL OF MINUTES

*to approve the minutes of the regular meeting of September 18, 2012*

#### J. ITEMS NOT REFERRED TO COMMITTEE

6. [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.
7. [2012-0523](#) Terrance Dulek Notice of Claim relative to an incident on or about May 19, 2012 near 8750 W. National Ave.

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

**K. STANDING COMMITTEE REPORTS****LICENSE & HEALTH COMMITTEE**

8. [2012-0504](#) Communication from Assistant City Attorney regarding non-payment of 2011 real estate taxes for 5630 W. Lincoln Ave., DDT Bobblehedz, Inc.
9. [2012-0405](#) 2012-2013 Secondhand Jewelry Dealer License application no. 1892 of Rey Jewelry, LLC, Reymundo J. Ramos, Jr., Agent, d/b/a Rey Jewelry, for premises located at 5835 W. National Ave.  
*Reconsideration of the vote that was moved and seconded on September 18, 2012 was placed on file.*
10. [2012-0461](#) 2012-2013 Class B Tavern Special Event Permit application no. 8 of Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill, 1753 S. 68 St. (2012-2013 Class B Tavern License no. 1490, Instrumental Music License no. 1491 and Dance Hall License no. 1492) for End of Summer Cookout, to be held Saturday, October 13, 2012, from Noon to 11:00 p.m. (Fenced in parking lot behind Dopp's).
11. [2012-0470](#) 2012-2013 Combination Class A License application no. 1898, of Shahzad Enterprise, LLC, Muhammad Shahzad, Agent, d/b/a Aryan's Liquor Store for premises located at 1568 S. 81 St. (new-existing).  
*Denied based on there already being a license at this location and the current license holder not willing to surrender the license.*
12. [2012-0511](#) 2012-2013 Secondhand Article Dealer License application no. 1890 of Compcell, LLC, Jamal J. Rahman, Agent, d/b/a Compcell, for premises located at 5701 W. National Ave.  
*The Committee directed the Clerk's office to refund the license fee.*
13. [2012-0480](#) 2012-2013 Tavern Operator License application no. 13-528 of Brett J. Farnham.
14. [2012-0481](#) 2012-2013 Tavern Operator License application no. 13-534 of Brenda M. Ledbetter.

15. [2012-0483](#) 2012-2014 Tavern Operator License application no. 14-204 of Jason M. Steel.
16. [2012-0484](#) 2012-2014 Tavern Operator License application no. 14-209 of Gerald J. Sewalish.
17. [2012-0485](#) 2012-2013 Tavern Operator License application no. 13-538 of Yvonne R. Morrison.
18. [2012-0486](#) 2012-2013 Tavern Operator License application no. 13-539 of Nikkia D. Johnson.
19. [2012-0493](#) 2012-2013 Tavern Operator License application no. 13-544 of Christopher J. Hause.

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

21. [2012-0482](#) 2012-2013 Tavern Operator License application no. 13-535 of Aaron L. Bitzan.

**Aye:** 6 - Ald. Barczak, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, and Ald. Vitale

**No:** 2 - Ald. Czaplewski, and Ald. Weigel

22. [2012-0517](#) 2012-2013 Tavern Operator License application no. 13-545 of Alma N. Estrada.

**Aye:** 7 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, and Ald. Vitale

**No:** 1 - Ald. Weigel

**L. MOTION FOR RECONSIDERATION**

24. [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:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

*A motion was made by Ald. May, seconded by Ald. Barczak, that this matter be referred back to the Safety & Development Committee.*

*A motion was made by Ald. May, seconded by Ald. Weigel, to amend the referral to include the License & Health Committee as a joint referral. The motion carried unanimously.*

**M. COMMON COUNCIL RECESS**

*that the Council recess until completion of Committee meetings*

*Thereupon, the Council took a recess at 8:21 p.m. Upon returning from recess at 9:47 p.m., and the roll call being taken, there were:*

**Present** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**Excused** 2 - Ald. Lajsic, and Sengstock

N. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

28. [R-2012-0199](#) Resolution to approve a Commercial Facade Improvement Project Contract by and between the City of West Allis and Heifetz 1 LLC., property owners for the property located at 7045 W. Greenfield in an amount not to exceed \$25,000.

**Sponsors:** Administration & Finance Committee

29. [2012-0538](#) Communication from Fire Department regarding the purchase of 4 Stryker Power-PRO Cots and 2 Stryker Stair-PRO Stair Chairs.

**Attachments:** [MCC.FireEquip 100212.pdf](#)

30. [2012-0542](#) Communication from City Administrative Officer in regards to health insurance benefit level changes for implementation with the March 1, 2013 Plan Year.

**Attachments:** [MCC.HlthIns Benefit Changes.pdf](#)

31. [R-2012-0193](#) Resolution to approve the Year 2013 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

**Sponsors:** Administration & Finance Committee

**Attachments:** [2013 BID Operating Plan.pdf](#)

27. [R-2012-0191](#) Resolution relative to continuing the contract with Cities & Villages Mutual Insurance Company (CVMIC) for furnishing Worker's Compensation Third Party Administrative Services at a cost not to exceed \$23,500.00 for the years 2012, 2013, and 2014.

**Sponsors:** Administration & Finance Committee

**Attachments:** [ADMR437.Attachment.pdf](#)

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

**PUBLIC WORKS COMMITTEE**

25. [R-2012-0192](#) Resolution relative to accepting the sole source proposal of Bruce Municipal Equipment for furnishing and delivering one (1) Regenerative Air Street Sweeper for a total net sum of \$194,223.00.

**Sponsors:** Administration & Finance Committee and Public Works Committee

**Attachments:** [1171 Air Sweeper sole source.pdf](#)

26. [R-2012-0194](#) Resolution to approve bid of Burkhart Construction Corp. for the Municipal Court Remodel and other improvements located at 11301 W. Lincoln Avenue in the City of West Allis in the amount of \$130,000.00.

**Sponsors:** Public Works Committee

**Attachments:** [2012-14 BID RESULTS.pdf](#)

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

32. [R-2012-0195](#) Resolution authorizing the Director of Public Works/City Engineer to participate in the development of a watershed based Municipal Storm Sewer System (MS4) discharge permit for the Menomonee River watershed.

**Sponsors:** Public Works Committee

**Attachments:** [R-2012-0195 attachment.pdf](#)

33. [2012-0541](#) Communication from the Director of Development relative to the City of West Allis Plan Commission recommendation for a porous surface parking lot south of the Farmers Market.

**Attachments:** [CC ltr - Porous Parking Lot 10-2-12.pdf](#)

34. [2012-0540](#) Communication from the Director of Public Works/City Engineer appointing James Leu as Superintendent of Fleet Services.

**Attachments:** [2012-0540.pdf](#)

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

35. [2012-0507](#) Communication from the Director of Development relative to the proposed location(s) for the West Allis Skate Park.

**Attachments:** [Site Selection Overview and Recommendation.pdf](#)

*Held in Public Works Committee during recess.*



**SAFETY & DEVELOPMENT COMMITTEE**

36. [2012-0525](#) Special Use Permit to establish Strikers, a proposed soccer practice gymnasium, within a portion of the existing property located at 430-450 S. Curtis Rd.

**Attachments:** [Poblocki Paving communication.pdf](#)

*Held in Safety & Development Committee during recess.*

37. [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

*Held in Safety & Development Committee during recess.*

38. [R-2012-0196](#) Resolution relative to determination of Special Use Permit for a proposed expansion of hours for the existing gas station/convenience store located at 7920 W. National Ave.

**Sponsors:** Safety & Development Committee

39. [2012-0501](#) Special Use Permit for a proposed expansion of hours for the existing gas station/convenience store located at 7920 W. National Ave.

**Passed The Block Vote**

**Aye:** 7 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 1 - Ald. Reinke

40. [R-2012-0198](#) Resolution relative to Special Use Permit to establish Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.

**Sponsors:** Safety & Development Committee

41. [2012-0500](#) Special Use Permit to establish Urban Joe's Cafe, a proposed coffee shop/restaurant, with outdoor dining, to be located at 7028 W. Greenfield Ave.

42. [R-2012-0197](#) Resolution relative to determination of Special Use Permit for Wings Academy Taekwondo, a proposed martial arts school, to be located within the multi-tenant commercial building located at 1520 S. 84 St.

**Sponsors:** Safety & Development Committee

43. [2012-0503](#) Special Use Permit for Wings Academy Taekwondo, a proposed martial arts school, to be located within the multi-tenant commercial building located at 1520 S. 84 St.

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

**LICENSE & HEALTH COMMITTEE**

20. [2012-0488](#) 2012-2013 Class B Tavern License application no. 1902 of Tap 58, LLC, Ronald K. Harstvedt, Agent, d/b/a Tap 58, premises located at 5732 W. Mitchell St. (new-existing location).
23. [2012-0492](#) 2012-2013 Tavern Operator License application no. 13-543 of Jessica L. Lesniewski.  
*Denied based on applicant outright lying to the Committee.*
44. [2012-0521](#) Tavern Operator License applications.  
*2012-2013 License application nos. 550 & 552 granted.  
2012-2014 License application nos. 213-214 granted.*
45. [2012-0519](#) 2012-2013 Class B Tavern Special Event Permit application no. 9 of Sportz Medicine, LLC, John J. Biwer, Agent, d/b/a Quencher's, 7731 W. Becher St. (2012-2013 Class B Tavern License no. 1453, Instrumental Music License no. 1774 and Dance Hall License no. 1455) for a Reunion, to be held Saturday, October 13, 2012, from 10:00 a.m. to 11:00 p.m. (Fenced in side yard with tents).
46. [2012-0520](#) 2012-2013 Class B Tavern Special Event Permit application no. 10 of Kip's Inn, Inc., Cristine M. Ruid, Agent, d/b/a Kip's Inn, 837 S. 108 St. (2012-2013 Class B Tavern License no. 768, Instrumental Music License no. 771 and Dance Hall License no. 1652) for a Packer Party, to be held Sunday, October 7, 2012, from 11:00 a.m. to 6:00 p.m. (Tent outside south entrance).
47. [2012-0524](#) 2012-2013 Special Class B Beer and Wine License application(s).  
*License application nos. 10-13 granted.*
48. [2012-0526](#) Police Department report regarding tavern violations/calls for service for July 29, 2012 and the months of August and September.  
**Attachments:** [PD Report calls Aug. & Sept. 2012.pdf](#)
49. [2012-0527](#) Police Department Report regarding September 19, 2012 Tobacco Compliance Check involving fifteen (15) West Allis businesses, resulting with none selling tobacco to an underage person without requesting identification.  
**Attachments:** [PD Tob Compliance ck. Sept. 19 2012.pdf.pdf](#)
50. [2012-0530](#) Police Department Report involving Kokopelli's Pub & Grub, 6001 W. Madison St., (2012-2013 Class B Tavern License no. 618, Dance Hall License no. 620 and Instrumental Music License no. 621 of Kokopelli's, Inc., Antonette M. Zirnhelt, Agent, Incident Date: August 21, 2012).

51. [2012-0531](#) Police Department Report involving Remedy Bar, 1309 S. 60 St. (2012-2013 Class B Tavern License no. 1733 of Lele's Whiskey Corner, LLC, Erwin C. Magritz, Agent, Incident Date: August 21, 2012).
52. [2012-0533](#) Police Department Report involving The Draft, 9105 W. Lincoln Ave. (2012-2013 Class B Tavern License no. 1821, Dance Hall License no. 1823 and Instrumental Music License no. 1822 of The Draft LLC, Paula K. Johnson, Agent, Incident Date: September 2, 2012).
53. [2012-0534](#) Police Department Report involving 57 Bar, 5632 W. Burnham St. (2012-2013 Class B Tavern License no. 1310 and Instrumental Music License no. 1515 of JK Lau Investments, LLC, Jeffrey K. Lau, Agent, Incident Date: September 4, 2012).
54. [2012-0537](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2012-2013 Class B Tavern License no. 827, Dance Hall License no. 829 and Instrumental Music License no. 1846, of Harry O's, Inc., Harry J. Strahlendorf, Agent, Incident Date: September 22, 2012).
- The Committee directed the Clerk's office to send the licensee a letter notifying them of the noise complaint.*
55. [2012-0528](#) Police Department Report involving Magoos Sports Pub & Grill, 8911 W. National Ave. (2012-2013 Class B Tavern License no. 637 of Magoos of West Allis, LTD., Thomas J. Beckmann, Agent, Incident Date: July 29, 2012).
- Held in License & Health Committee during recess.*
56. [2012-0529](#) Police Department Report involving Dog House, 1641 S. 68 St. (2012-2013 Class B Tavern License no. 1759, Dance Hall License no. 1760 and Instrumental Music License no. 1761 of Janice Susan, LLC, Janice Susan Fazen, Agent, Incident Date: August 18, 2012).
- Held in License & Health Committee during recess.*
57. [2012-0532](#) Police Department Report involving Xtrme Sports Bar, 6404 W. National Ave., (2012-2013 Class B Tavern License no. 1858 of Xtreme Sports Bar, LLC, Abraham J. Guitierrez, Agent, Incident Date: August 23, 2012).
- Held in License & Health Committee during recess.*
58. [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).
- Held in License & Health Committee during recess.*
59. [2012-0536](#) Police Department Report involving Korbelly's, 7408 W. Walker St. (2012-2013 Class B Tavern License no. 794 and Dance Hall License no. 796, Korbelly's, Inc., Ralph E. Abelt, Agent, Incident Date: September 5, 2012).
- Held in License & Health Committee during recess.*
60. [2012-0539](#) 2012-2013 Tavern Operator License application no. 13-553 of Collins K. Costin.

*Held in License & Health Committee during recess.*

62. [2012-0518](#) 2012-2014 Tavern Operator License application no. 14-212 of John R. Starr.

61. [2012-0491](#) 2012-2013 Tavern Operator License application no. 13-541 of John M. Bolle.

*Denied based on two (2) nonappearances.*

**Passed The Block Vote**

**Aye:** 8 - Ald. Barczak, Ald. Czaplewski, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

**No:** 0

**ADVISORY COMMITTEE**

*None.*

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

*None.*

**P. ADJOURNMENT**

*to adjourn at 9:59 p.m., with the next regularly scheduled meeting to be held on October 16, 2012, at 7:00 p.m*

*/s/ Monica Schultz, Deputy City Clerk*



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.