



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, May 3, 2011

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

None.

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 April 19, 2011.

J. ITEMS NOT REFERRED TO COMMITTEE

1. [2011-0238](#) Summons and Complaint in the matter of Melissa M. Kesy vs. City of West Allis, et al., Case No. 11CV005433.
2. [2011-0239](#) Summons and Complaint in the matter of Wells Fargo Bank vs. Tina D. Cameron, et al, regarding foreclosure of mortgage, Case No. 11CV004829.
3. [2011-0266](#) Summons and Complaint in the matter of National City Real Estate Services, LLC vs. Jacalyn J. Allen, et al, regarding foreclosure of mortgage, Case No. 11CV005051.

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

Regular meeting held on April 26, 2011. (Ald. Barczak & Ald. Sengstock excused).

4. [2011-0136](#) 2010-2011 Tavern Operator License application no. 11-610 of Edward L. Kowalski.
Unanimously recommended to be denied based on the police report.
5. [2011-0137](#) 2010-2011 Tavern Operator License application no. 11-614 of Jessie G. Plymesser.
Unanimously recommended to be denied based on the police report.
6. [2011-0138](#) 2010-2011 Tavern Operator License application no. 11-611 of Paul Hernandez.
Unanimously recommended to be denied based on the police report.
7. [2011-0233](#) 2011 Direct Sellers/Solicitors Permit application no. 13 of Jimmie F. Lloyd.
Unanimously recommended to be approved.
8. [2011-0157](#) 2010-2012 Tavern Operator License application no. 12-277 of Andrew M. Tocco.
Unanimously recommended to be approved.

9. [2011-0180](#) 2010-2011 Tavern Operator License application no. 11-625 of Robert Garcia.
Unanimously recommended to be approved.
10. [2011-0181](#) 2010-2012 Tavern Operator License application no. 12-283 of Tami M. Nowak.
Unanimously recommended to be approved.
11. [2011-0228](#) Police Department Report regarding violation of the Wisconsin Indoor Clean Air Act Smoking Ban (Wild Bill's Saloon, 1454 S. 92 St., Samantha L. Littmann, Bartender License no. 11-515, Incident Date: March 7, 2011).
Unanimously recommended to be placed on file.
12. [2011-0204](#) Police Department Report regarding violations of the Wisconsin Indoor Clean Air Act Smoking Ban for the month of March 2011 involving five (5) West Allis businesses (2010-2011 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC., Jacob M. Silber, Agent, d/b/a The Network, 9541 W. Cleveland Ave., Incident Date: March 22, 2011, 2nd Offense).
Unanimously recommended to be placed on file.
13. [2011-0126](#) Police Department Report involving Night Court, 7127 W. National Ave. (2010-2011 Class B Tavern License no. 1594 of Parops, LLC, Hans T. Anderson, Agent, Incident Date: February 13, 2011).
Unanimously recommended to be placed on file.
14. [2011-0128](#) Police Department Report involving The Spot, 6426 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 956, Tavern Entertainment-Special License no. 959, and Dance Hall License no. 958, Edward D. Bomback & Lonnie D. Bald, Partners, Incident Date: February 20, 2011).
Unanimously recommended to be placed on file.
15. [2011-0188](#) Police Department Report involving G R's National Pub, 6827 W. National Ave. (2010-2011 Class B Tavern License no. 1613, Dance Hall License no. 1615, and Instrumental Music License no. 1614 of Guy M. Robb, LLC, Guy M. Robb, Agent, Incident Date: March 4, 2011).
Unanimously recommended to be placed on file.
16. [2011-0189](#) Police Department Report involving Crazy Horse, 9440 W. National Ave. (2010-2011 Class B Tavern License no. 1301, Tavern Special Entertainment License no. 1302 and Dance Hall License no. 1303 of Cugino's Entertainment, LLC, Dominic T. LaLicata, Agent, Incident Date: March 6, 2011).
Unanimously recommended to be placed on file.

17. [2011-0191](#) Police Department Report involving 57 Bar, 5632 W. Burnham St. (2010-2011 Class B Tavern License no. 1310 and Instrumental Music License no. 1515 of JK Lau Investments, LLC, Jeffrey K. Lau, Agent, Incident Date: March 3, 2011).
Unanimously recommended to be placed on file.
18. [2011-0193](#) Police Department Report involving Callanan's Parkway Pub, 11505 W. National Ave. (2010-2011 Class B Tavern License no. 1620, Instrumental Music License no. 1621, and Dance Hall License no. 1622 of Calhoun BBQ, Inc., Joseph Lee Griese, Agent, Incident Date: March 18, 2011).
Unanimously recommended to be placed on file.
19. [2011-0194](#) Police Department Report involving Double Barrel Saloon, 1100 S. 60 St. (2010-2011 Class B Tavern License no. 1524, Dance Hall License no. 1526 and Instrumental Music License no. 1525, of SYRE Enterprises, LLC, Andrew M. Lomax, Agent, Incident Date: March 19, 2011)
Unanimously recommended to be placed on file.
20. [2011-0192](#) Police Department Report involving Mugshotz, 1902 S. 68 St. (2010-2011 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: March 13, 2011)
Unanimously recommended to be placed on file.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

New Matters for Introduction

21. [R-2011-0121](#) Resolution awarding the sale of \$5,635,000 General Obligation Corporate Purpose Bonds, Series 2011.
Sponsors: Administration & Finance Committee
22. [R-2011-0120](#) Resolution relative to accepting the proposal of Journal Community Publishing for providing legal notice publication service for an estimated sum of \$14,000.00.
Sponsors: Administration & Finance Committee

23. [R-2011-0123](#) Resolution relative to the acquisition of the TiPPS Software Parking Program at the approximate cost of \$14,000 and the transfer of a portion of the funding from the Contingency Fund for said purpose.
Sponsors: Administration & Finance Committee
24. [R-2011-0122](#) Resolution directing City Departments to study and prepare a report analyzing the differences between City of West Allis ordinances and State law with respect to building, electrical, plumbing, fire, and health regulations.
Sponsors: Richard F. Narlock
25. [2011-0229](#) Comptroller/Manager of Finance submitting the report for the month of January, 2011 indicating City of West Allis checks issued in the amount of \$3,199,690.97
26. [2011-0230](#) Comptroller/Manager of Finance submitting the report for the month of February, 2011 indicating City of West Allis checks issued in the amount of \$2,065,990.65
27. [2011-0231](#) Comptroller/Manager of Finance submitting the report for the month of March, 2011 indicating City of West Allis checks issued in the amount of \$2,072,961.22
28. [2011-0250](#) Proposed Reorganization of the Department of Building Inspections and Neighborhood Services.
29. [2011-0262](#) Request from the City Health Commissioner for a budget transfer from the Health Department personnel accounts to the capital equipment account.
30. [2011-0253](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period January 1, 2011 through March 31, 2011.

City Attorney Claim Report

31. [2009-0416](#) Summons & Complaint, in the matter of Mitchell Bank vs. the City of West Allis, et al., regarding Foreclosure of Mortgage 30404, Case No. 09CV008156.
City Attorney recommended to be placed on file.
32. [2009-0494](#) Summons & Complaint, in the matter of Mitchell Bank vs. the City of West Allis, et al., Case No. 09CV008156.
City Attorney recommended to be placed on file.
33. [2010-0403](#) Summons and Complaint in the matter of Wells Fargo Bank vs. Maria G. Garcia, et al., regarding foreclosure of mortgage, Case No. 10CV009347.
City Attorney recommended to be placed on file.

34. [2010-0679](#) Amended Summons and Complaint in the matter of CitiMortgage, Inc. vs. Todd P. Roller, et al, regarding foreclosure of mortgage, Case No. 10-CV-011581.
City Attorney recommended to be placed on file.
35. [2011-0037](#) Summons and Complaint in the matter of Landmark Credit Union vs. John Milakovich, et al, regarding foreclosure of mortgage, Case No. 11CV000307.
City Attorney recommended to be placed on file.
36. [2011-0119](#) Esad Hajdarevic communication regarding property damage allegedly sustained on February 2, 2011 at 2426 S. 109 St.
City Attorney recommended denial.
37. [2011-0130](#) Miquel Rivera communication regarding vehicle damages allegedly sustained on February 21, 2011 at 2112 S. 58 St.
City Attorney recommended to be placed on file.
38. [2011-0147](#) Matthew S. Rupena communication requesting corrected personal property taxes for 2009 and 2010 for Rupena's Inc.
City Attorney recommended denial.

PUBLIC WORKS COMMITTEE

New Matters for Introduction

39. [O-2011-0012](#) An Ordinance to Amend Subsection 11.19(3) of the West Allis Revised Municipal Code Relating to Post-Construction Stormwater Management.
Sponsors: Public Works Committee
40. [R-2011-0117](#) Resolution accepting work of Cornerstone Pavers, LLC for concrete patching, manhole adjustments and catch basin repairs at various locations in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2010 Project No. 9.
Sponsors: Public Works Committee
41. [2011-0261](#) Downtown West Allis Business Improvement District (BID) requesting permission to promote Downtown West Allis...Lunch On The Avenue, an activity every Wednesday in the month of June from 10:00 am to 2 pm, and to have the use of 5 No Parking signs.

SAFETY & DEVELOPMENT COMMITTEE

New Matters for Introduction

42. [O-2011-0013](#) An Ordinance to Establish a 3-Way Stop (Northbound, Southbound and Westbound) at the Intersection of S. 72 St. and W. Harrison Ave.
Sponsors: Thomas G. Lajsic and Daniel J. Roadt
43. [O-2011-0014](#) An Ordinance to Establish Parking Restrictions on the West Side of the 600 Block of S. 94 Pl., from 120 Ft. North of W. Schlinger Ave. to 238 Ft. North of W. Schlinger Ave.
Sponsors: Richard F. Narlock
44. [2011-0237](#) City of New Berlin Notice of Public Hearing before the Plan Commission of the City of New Berlin scheduled for May 2, 2011 no sooner than 6:01 p.m., to receive comments with respect to the New Berlin City Center Planned Unit Development Ordinance #2122 amendments and the City's adopted 2020 Comprehensive Plan Chapter 10, Land Use Plan and Chapter 15, Neighborhood E - National Avenue East Corridor amendments.
45. [2011-0254](#) Communication from the Director of Development transmitting the Joint Review Board's favorable decision with respect to authorizing Tax Incremental District Number Twelve and Tax Incremental District Number Thirteen.
46. [2011-0263](#) Special Use Permit for proposed cafe within the former Paradise Theater located at 6217 W. Greenfield Ave.
47. [2011-0267](#) Request for an Extension of time to complete previously approved special use for Yester Years Pub and Grill to expand the bar and create an outdoor dining area located at 9427 W. Greenfield Ave., submitted by Karen Schoenfeld, Yester Years.

Previous Matters for Consideration

48. [2011-0225](#) Special Use Permit to establish Epikos Church, a religious institution, to be located within the former Paradise Theater located at 6217 W. Greenfield Ave.

LICENSE & HEALTH COMMITTEE**New Matters for Introduction**

49. [2011-0242](#) 2011-2012 Arcade License application.

50. [2011-0240](#) 2011-2012 Amusement Distributor's License application(s).
51. [2011-0241](#) 2011-2012 Phonograph Distributor's License application(s).
52. [2011-0264](#) 2011-2012 Mobile Home Park License application(s).
53. [2011-0243](#) 2011-2012 Salvage & Recycling Center License application(s).
54. [2011-0244](#) 2011-2012 Secondhand Article Dealer License application(s).
55. [2011-0252](#) 2011-2012 Used Vehicle Dealer License application(s).
56. [2011-0247](#) 2011-2012 Adult-Oriented Establishment Operator Permit application(s).
57. [2011-0249](#) 2010-2011 Special Class B Beer and Wine License application(s).
58. [2011-0248](#) 2010-2011 Special Instrumental Music Permit appl. no. 1 of Dale J. Zbieranek, Agent, d/b/a Barneks, 7411 W. Becher St. (2010-2011 Class B Tavern License no. 1060 and Dance Hall License no. 1062) for an event on Saturday, May 21, 2011.
59. [2011-0265](#) 2010-2011 Class B Tavern Special Event Permit application no. 15 of Ron's Pub, Inc., Ronald P. Daniels, d/b/a Ron's Pub, Inc., 2110 S. 60 St. (2010-2011 Class B Tavern License no. 450, Instrumental Music License no. 500 and Dance Hall License no. 499) for a customer moving away party, to be held Saturday, June 25, 2011, from 2:00 p.m. to 11:00 p.m. (Fenced and gated back yard).
60. [2011-0245](#) 2011-2012 Combination Class A Liquor License renewal application(s).
61. [2011-0246](#) 2011-2012 Class B Tavern License renewal applications.
62. [2011-0236](#) 2011-2012 Class B Tavern License application no. 1759, Dance Hall License application no. 1760 and Instrumental Music License application no. 1761 of Janice Susan, LLC, Janice Susan Fazen, agent, d/b/a Dog House, premises located at 1641 S. 68 St. (new-existing location).
63. [2011-0219](#) Tavern Operator License applications.
64. [2011-0255](#) 2010-2011 Tavern Operator License application no. 11-631 and 2011-2013 Tavern Operator License application no. 13-30 of Donna S. Burke.
65. [2011-0256](#) 2011-2013 Tavern Operator License application no. 13-31 of Thomas C. Jarmuz.

66. [2011-0257](#) 2011-2013 Tavern Operator License application no. 13-32 of Katelyn S. Haas.
67. [2011-0258](#) 2011-2013 Tavern Operator License renewal application no. 13-29 of Peter W. Grubor.
68. [2011-0259](#) 2011-2013 Tavern Operator License renewal application no. 13-34 of Narinder K. Dhillon.
69. [2011-0260](#) 2011-2013 Tavern Operator License renewal application no. 13-74 of Jane S. Keehn-Radke.

ADVISORY COMMITTEE

Previous Matters for Consideration

70. [2011-0224](#) Appointment by Mayor Devine of Harold Mester as a member of the West Allis Police & Fire Commission, his five-year term to expire May 1, 2016.

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.