



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair

Alderman James W. Sengstock, Council President

Aldermen: 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

7:11 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:11 p.m.

B. ROLL CALL

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Sengstock.

D. PUBLIC HEARINGS

None.

E. CITIZEN PARTICIPATION

Paul Hernandez, 2207 S. 56 St., commented on his bartender license application.

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 announced Municipal Clerk's week and upcoming events.

Aldermen Comments

None.

H. AGENDA APPROVAL

that the agenda with committee referral change of agenda item no. 24 from Administration & Finance to Safety & Development be accepted

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of April 19, 2011

J. ITEMS NOT REFERRED TO COMMITTEE

1. [2011-0238](#) Summons and Complaint in the matter of Melissa M. Kesey 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.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

4. [2011-0136](#) 2010-2011 Tavern Operator License application no. 11-610 of Edward L. Kowalski.
Denied based on the police report.
5. [2011-0137](#) 2010-2011 Tavern Operator License application no. 11-614 of Jessie G. Plymesser.
Denied based on the police report.
6. [2011-0138](#) 2010-2011 Tavern Operator License application no. 11-611 of Paul Hernandez.
Denied based on the police report.
7. [2011-0233](#) 2011 Direct Sellers/Solicitors Permit application no. 13 of Jimmie F. Lloyd.
8. [2011-0157](#) 2010-2012 Tavern Operator License application no. 12-277 of Andrew M. Tocco.
9. [2011-0180](#) 2010-2011 Tavern Operator License application no. 11-625 of Robert Garcia.
10. [2011-0181](#) 2010-2012 Tavern Operator License application no. 12-283 of Tami M. Nowak.
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).

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).
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).
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. Bombback & Lonnie D. Bald, Partners, Incident Date: February 20, 2011).
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).
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).
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).

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).
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)
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)

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
No: 0

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:18 p.m. Upon returning from recess at 8:10 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

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

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

Attachments: [1125 Legal Notice Publication Serv.pdf](#)

23. [R-2011-0123](#) Resolution relative to the acquisition of the TiPPS Software Parking Program at the approximate cost of \$18,000 and the transfer of a portion of the funding from the Contingency Fund for said purpose.

Sponsors: Administration & Finance Committee

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](#) Communication from Ted Atkinson, Director of Building and Neighborhood Services regarding proposed Reorganization of the Department of Building Inspections and Neighborhood Services.

Attachments: [Director of BINS Comm..pdf](#)

Held in Administration & Finance Committee during recess.

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.

Attachments: [MCCAccidRpt.Qtr1 2011.pdf](#)

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.
32. [2009-0494](#) Summons & Complaint, in the matter of Mitchell Bank vs. the City of West Allis, et al., Case No. 09CV008156.
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.
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.
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.
36. [2011-0119](#)
37. [2011-0130](#) Miquel Rivera communication regarding vehicle damages allegedly sustained on February 21, 2011 at 2112 S. 58 St.

and Placed on File

38. [2011-0147](#) Matthew S. Rupena communication requesting corrected personal property taxes for 2009 and 2010 for Rupena's Inc.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

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.

Attachments: [2011-0261.pdf](#)

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT 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:* Narlock
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:* Lajsic and Ald. Roadt
- Held in Safety & Development Committee during recess.*
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:* 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.
- Attachments:* [2011-0237.pdf](#)
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.
- Attachments:* [JRB recomm ltr-4-28-11\(cc mtg\).doc](#)
46. [2011-0263](#) Special Use Permit for proposed cafe within the former Paradise Theater located at 6217 W. Greenfield Ave.
- Held in Safety & Development Committee during recess.*
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.
- and Placed on File**
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.
- Held in Safety & Development Committee during recess.*

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

49. [2011-0242](#) 2011-2012 Arcade License application.
License application nos. 405 & 1628 granted.
50. [2011-0240](#) 2011-2012 Amusement Distributor's License application(s).
License application nos. 430, 436-437, 439, 1069, 1321 & 1772 granted.
51. [2011-0241](#) 2011-2012 Phonograph Distributor's License application(s).
License application nos. 413, 420-421 & 1056 granted.
52. [2011-0264](#) 2011-2012 Mobile Home Park License application(s).
License application no. 1164 granted.
53. [2011-0243](#) 2011-2012 Salvage & Recycling Center License application(s).
License application nos. 351-352 granted.
54. [2011-0244](#) 2011-2012 Secondhand Article Dealer License application(s).
License application nos. 306, 327, 329, 332 & 1730 granted.
55. [2011-0252](#) 2011-2012 Used Vehicle Dealer License application(s).
License application nos. 1499 granted.
56. [2011-0247](#) 2011-2012 Adult-Oriented Establishment Operator Permit application(s).
License application nos. 532, 543-544, 998, 1158, 1198, 1358, 1420, 1445, 1529, 1618, 1709, 1714, 1736 & 1745 granted.
57. [2011-0249](#) 2010-2011 Special Class B Beer and Wine License application(s).
License application no. 35 granted.
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).
License application nos. 934-936 & 1598 granted.
61. [2011-0246](#) 2011-2012 Class B Tavern, Dance Hall, Instrumental Music and Tavern Entertainment License renewal applications.
Class B Tavern License application nos. 444, 450, 458, 472, 723, 732, 751, 861, 1060, 1301, 1611 & 1738 and corresponding Dance Hall and Instrumental Music License applications granted.
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.
2011-2012 License application nos. 288, 290-291 & 293-294 granted and 2011-2013 License application nos. 2-9, 11-17, 19-28, 33, 36-53, 57-69, 71-73, 75-104, 106-126, 129-149 & 152-153 granted
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.
Held in License & Health Committee during recess.
65. [2011-0256](#) 2011-2013 Tavern Operator License application no. 13-31 of Thomas C. Jarmuz.
Held in License & Health Committee during recess.
66. [2011-0257](#) 2011-2013 Tavern Operator License application no. 13-32 of Katelyn S. Haas.
Held in License & Health Committee during recess.
67. [2011-0258](#) 2011-2013 Tavern Operator License renewal application no. 13-29 of Peter W. Grubor.
Held in License & Health Committee during recess.
68. [2011-0259](#) 2011-2013 Tavern Operator License renewal application no. 13-34 of Narinder K. Dhillon.
Held in License & Health Committee during recess.

69. [2011-0260](#) 2011-2013 Tavern Operator License renewal application no. 13-74 of Jane S. Keehn-Radke.

Held in License & Health Committee during recess.

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel

No: 0

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.

Ald. Reinke congratulated Mr. Mester on his appointment and Mr. Mester thanked the Mayor and Common Council for the opportunity.

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and 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 8:17 p.m., with the next regularly scheduled meeting to be held on May 17, 2011, 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.