



City of West Allis

Meeting Minutes

Common Council

Mayor Dan Devine, Chair

Alderson James W. Sengstock, Council President

Aldersons: 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, October 19, 2010

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Narlock.

D. PUBLIC HEARINGS

1. [O-2010-0043](#) Ordinance to amend the official West Allis Zoning Map by rezoning two properties located at 91** W. Conrad Lane from C-3 Community Commercial District to M-1 Manufacturing District.

Sponsors: Safety & Development Committee

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances: None.

2. [O-2010-0042](#) Ordinance to amend the official West Allis Zoning Map by rezoning the Lincoln Ave. Clinic property located at 11211 W. Lincoln Ave. from M-1 Manufacturing District to C-3 Community Commercial District.

Sponsors: Safety & Development Committee

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances: None.

3. [R-2010-0233](#) Resolution relative to determination of Special Use Permit for proposed collocation of 3 panel antennas on the existing water tower located at 11515 W. Rogers St.

Sponsors: Safety & Development Committee

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances: None.

4. [R-2010-0235](#) Resolution relative to determination of Special Use Permit for Robert Thomas Jr. African Methodist Episcopal Church, a proposed religious institution to be located at 5433 W. Burnham St.

Sponsors: Safety & Development Committee

The Clerk's Office received one (1) letter of opposition on the Special Use Permit.

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances:

Robert Braun, 2160 S. 86 St., opposed levying taxes on a church, and supported the proposal. He asked that religious groups be encouraged to operate in West Allis.

5. [R-2010-0234](#) Resolution relative to determination of Special Use Permit for proposed outdoor deck extension of premise to Dickens Grille, located at 9646 W. Greenfield Ave.

Sponsors: Safety & Development Committee

Explanation by Steve Schaer, Manager of Planning and Zoning.

Appearances: None.

E. CITIZEN PARTICIPATION

Robert Braun, 2160 S. 86 St., supported the gun shop locating on S. 60 St.

Michelle Diament, addressed her concerns with regard to the location for a new gun shop.

Sandra Tadyak, 5840 W. Kinnickinnic River Pkwy, commented on the circulation of a petition opposed to the location for a new gun shop.

Hesham Shehata, 2255 S. 59 St., opposed the location for a new gun shop opening on S. 60 St.

Brian Vissers, West Allis - West Milwaukee School District representative, 9333 W. Lincoln Ave., highlighted Superintendent Wachholz's communication and concerns of the School Board, principal and parents with regard to the location for a new firearms store across from Longfellow School. He indicated that federal licensing has not been approved at this time, and asked the City to work with the business owner on a relocation plan or change the West Allis ordinance with regard to gun shops.

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 the following: the candidate forum relative to the 5th District State Senate seat; the Downtown West Allis Meet 'n Treat; Halloween in the Park sponsored by the Community Alliance Against Drugs and the West Allis Police Department; and the Job Fair scheduled for November 4th.

Alderspersons Comments

Ald. Vitale addressed the location of a new gun shop and indicated that a proposed ordinance will be introduced at a future meeting. He opposed the location for the store, and said that the City is doing as much as possible regarding the location for these types of uses.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

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

No: 0

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of October 5, 2010

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

No: 0

J. ITEMS NOT REFERRED TO COMMITTEE

6. [2010-0610](#) Report of the Municipal Judge for the month of September 2010, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$101,032.90.

Attachments: [Municipal Judge Report Sept 10.pdf](#)

7. [2010-0606](#) Cross-Claim in the matter of Tri City National Bank vs. Wheatco Enterprises, LLC, et al, regarding foreclosure of mortgage, Case No. 10-CV-006264.

8. [2010-0607](#) Amended Summons and Complaint in the matter of U.S. Bank National Association vs. Judy Lee Fritsch, et al, regarding foreclosure of mortgage, Case No. 30404.

9. [2010-0628](#) Amended Summons and Complaint in the matter of Waterstone Bank SSB vs. Diane M. Klein, et al, regarding foreclosure of mortgage, Case No. 10-CV-008316.
10. [2010-0629](#) Small Claims Summons and Complaint in the matter of Mark Warner vs City of West Allis.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

Thereupon, the Council took a recess at 7:46 p.m. Upon returning from recess at 8:48 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

11. [R-2010-0223](#) Resolution relative to accepting the proposal of Bruce Municipal Equipment for furnishing and installing one (1) Truck Mount Asphalt Patcher for a total net sum of \$39,965.00.

Sponsors: Administration & Finance Committee and Public Works Committee

Attachments: [1103 Asphalt Patcher sole source letter.pdf](#)

12. [2010-0632](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period July 1, 2010 through September 30, 2010.

Attachments: [MCCAccidRpt.Qtr3 2010.pdf](#)

13. [2010-0633](#) Communication from City Administrative Officer regarding request to fill vacant position of Safety & Training Coordinator in the Department of Administration & Finance, Human Resources Division.

Attachments: [VACPOSREQ.STCoord 101910.pdf](#)

Passed The Block Vote

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

No: 0

PUBLIC WORKS AND SAFETY & DEVELOPMENT COMMITTEES

14. [2010-0631](#) Communication from Director of Public Works/City Engineer regarding a request from Dicken's Grill, 9646 W. Greenfield Avenue, to place part of a concrete deck with wood rails for outdoor dining into the right-of-way of S. 97th St.

No action taken in Public Works Committee during recess.

Held in Safety & Development Committee during recess.

PUBLIC WORKS COMMITTEE

15. [R-2010-0222](#) Resolution authorizing the Director of Public Works/City Engineer to apply for the 2011 Urban Forestry Grant on behalf of the City of West Allis.
- Sponsors:* Public Works Committee
- Attachments:* [urban forestry grant application.pdf](#)
16. [R-2010-0219](#) Resolution accepting work of CG Schmidt Construction for the parking garage addition to the City of West Allis Police Court Center and authorizing and directing settlement of said contract in accordance with contract terms of 2008 Project No. 8.
- Sponsors:* Public Works Committee
17. [R-2010-0220](#) Resolution accepting work of Snorek Construction, Inc. for the replacement or repair of concrete sidewalk in the general area bounded by S. 100 St. and S. 124 St.; W. Fairview Ave. to the Union Pacific Railroad in West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2009 Project No. 17.
- Sponsors:* Public Works Committee
18. [R-2010-0221](#) Resolution accepting work of Globe Contractors, Inc. for the installation of sanitary sewer relay and building service in Union Pacific Railroad right of way from S. 95th St. to 165' W. of S. 95 St. and S. 95 St. from Union Pacific Railroad right of way to W. Rogers St. in West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2009 Project No. 16.
- Sponsors:* Public Works Committee
19. [R-2010-0226](#) Resolution granting a Storm Sewer Easement by Jeremy J. Callaway and Jennifer L. Callaway (nee Jennifer L. Nagy), ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1172, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.
- Sponsors:* Public Works Committee

20. [R-2010-0227](#) Resolution granting a Storm Sewer Easement by Jacqueline M. Campagna, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1172, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.
- Sponsors:* Public Works Committee
21. [R-2010-0229](#) Resolution granting a Storm Sewer Easement by Lawrence E. Herbst and Barbara J. Herbst, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1173, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.
- Sponsors:* Public Works Committee
22. [R-2010-0230](#) Resolution granting a Storm Sewer Easement by Kenneth Kaltenbach and Alana Kaltenbach, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1171, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.
- Sponsors:* Public Works Committee
23. [R-2010-0231](#) Resolution granting a Storm Sewer Easement by Nathan D. Sales and Tina M. Kaniasty, ("Grantors"), to the City of West Allis ("Grantee") for the property shown and described on Engineering Drawing File No. Y-1171, dated September 7, 2010, which is attached hereto as Exhibit "A" and made a part hereof.
- Sponsors:* Public Works Committee
24. [2010-0635](#) Communication from Director of Public Works/City Engineer requesting permission to obtain a storm water easement for the installation of a storm sewer and catch basin at 2946 S. 72 St.

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

27. [O-2010-0037](#) Ordinance to amend Subsection 13.21(2) Definitions and to repeal and recreate Subsection 13.21(13)(b) Master Sign Program of the West Allis Revised Municipal Code relative to the Master Sign Program Application process.
- Sponsors:* Safety & Development Committee
28. [O-2010-0038](#) An Ordinance To Amend Section 12.19(3)(d) of the West Allis Revised Municipal Code relative to the minimum construction standards for Off-Street Parking and Loading Facilities.
- Sponsors:* Safety & Development Committee
- Held in Safety & Development Committee during recess.*

29. [O-2010-0040](#) An Ordinance to repeal and recreate subsection 12.13(3)(a)3 and subsection 12.13(3)(b)4 of the West Allis Revised Municipal Code relating to Architectural Review and Site Standards for New Single Family Residential Construction.
- Sponsors:* Safety & Development Committee
- Held in Safety & Development Committee during recess.*
30. [O-2010-0044](#) An Ordinance to Amend Subsection 6.02(9)(b) to remove 16 & 17 and renumber using 18 & 19 of the West Allis Revised Municipal Code Relating to Loitering in Public Places.
- Sponsors:* Ald. Czaplewski
32. [O-2010-0041](#) An Ordinance to Establish Parking Restrictions on the South Side of the West 35 Feet of the 6100 Block of W. Burnham St.
- Sponsors:* Ald. Vitale
33. [R-2010-0225](#) Resolution to terminate the existing Moratorium within the C-4, Regional Commercial District, on vehicle sales, rental and leasing, including repair, rebuilding and parts, and outdoor display and storage.
- Sponsors:* Safety & Development Committee
34. [2010-0630](#) Request of a 6-month extension of time for the Special Use Permit for proposed restaurant operations (to go along with the existing gas station) for the property located at 6819 W. Lincoln Ave.
35. [2010-0616](#) Special Use Permit for proposed commercial truck sales and repair to take place at 11139 W. Becher St.
- Held in Safety & Development Committee during recess.*
36. [2010-0617](#) Special Use Permit for proposed relocation of a Cousins Subs restaurant, to be located within the Oakridge Shopping Center, an existing multi-tenant commercial strip mall at 10700 W. Oklahoma Ave. submitted by Joe Ferguson, Cousins Submarines, Inc.
- Held in Safety & Development Committee during recess.*
37. [2010-0636](#) Communication from Kurt D. Wachholz, District Administrator, School District of West Allis-West Milwaukee, et al., requesting to ban the sale of synthetic marijuana in the City of West Allis.
- Attachments:* [2010-0636.Wachholz.communication ban.pdf](#)
[Jane Kelly communication.pdf](#)

38. [2010-0637](#) Communication from Kurt D. Wachholz, District Administrator, School District of West Allis-West Milwaukee, et al., requesting a relocation plan for the proposed location of a firearms store located at the corner of S. 60 and Grant Streets.
- Attachments:* [Wachholz.2010-0637.pdf](#)
39. [O-2010-0043](#) Ordinance to amend the official West Allis Zoning Map by rezoning two properties located at 91** W. Conrad Lane from C-3 Community Commercial District to M-1 Manufacturing District.
- Sponsors:* Safety & Development Committee
40. [O-2010-0042](#) Ordinance to amend the official West Allis Zoning Map by rezoning the Lincoln Ave. Clinic property located at 11211 W. Lincoln Ave. from M-1 Manufacturing District to C-3 Community Commercial District.
- Sponsors:* Safety & Development Committee
41. [R-2010-0233](#) Resolution relative to determination of Special Use Permit for proposed collocation of 3 panel antennas on the existing water tower located at 11515 W. Rogers St.
- Sponsors:* Safety & Development Committee
42. [2010-0567](#) Special Use Permit Application for proposed collocation of 3 panel antennas on the existing water tower located at 11515 W. Rogers St.
43. [R-2010-0235](#) Resolution relative to determination of Special Use Permit for Robert Thomas Jr. African Methodist Episcopal Church, a proposed religious institution to be located at 5433 W. Burnham St.
- Sponsors:* Safety & Development Committee
44. [2010-0569](#) Special Use Permit for Robert Thomas Jr. African Methodist Episcopal Church, a proposed religious institution to be located at 5433 W. Burnham St.

Passed The Block Vote

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

No: 0

26. [2010-0568](#) Special Use Permit for proposed outdoor deck extension of premise to Dickens Grille, located at 9646 W. Greenfield Ave.
Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
No: 1 - Barczak
31. [O-2010-0039](#) An Ordinance to Establish an All Way Stop at the Intersection of S. 77 St. and W. Cleveland Ave.
Sponsors: Ald. Roadt
Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Vitale, and Weigel
No: 1 - Roadt

LICENSE & HEALTH COMMITTEE

25. [R-2010-0234](#) Resolution relative to determination of Special Use Permit for proposed outdoor deck extension of premise to Dickens Grille, located at 9646 W. Greenfield Ave.
Sponsors: Safety & Development Committee
Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, Vitale, and Weigel
No: 1 - Barczak
45. [2010-0623](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2010-2011 Class B Tavern License no. 454, Dance Hall License no. 504, and Instrumental Music License no. 1068 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, Incident Date: September 16, 2010).
46. [2010-0618](#) Police Department Report involving Paulie's Pub & Eatery, LLC, 8031 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1403, Dance Hall License no. 1405 and Instrumental Music License no. 1406 of Paulie's Pub & Eatery, LLC, Kristine M. Budiac, Agent, Incident Date: August 20, 2010).
Held in License & Health Committee during recess.
47. [2010-0619](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2010-2011 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: August 21, 2010).
Held in License & Health Committee during recess.

48. [2010-0620](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2010-2011 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: September 4, 2010).
Held in License & Health Committee during recess.
49. [2010-0621](#) Police Department Report involving Tap City, 7207 W. National Ave. (2010-2011 Class B Tavern License no. 650, Instrumental Music License no. 1510, and Dance Hall License no. 652 of Tap City, Inc., Russell J. Kleist, Agent, Incident Date: September 10, 2010).
50. [2010-0622](#) Police Department Report involving Havana Lounge & Cigar, 9505 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1210 and Instrumental Music License no. 1508 of Havana Lounge LLC, Brian L. Blocher, Agent, Incident Date: September 11, 2010).
Held in License & Health Committee during recess.
51. [2010-0624](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: September 24, 2010).
Held in License & Health Committee during recess.
52. [2010-0625](#) Police Department Report involving Magoo's Sports Pub & Grill, 8911 W. National Ave. (2010-2011 Class B Tavern License no. 637 and Instrumental Music License no. 644 of Magoo's of West Allis, Ltd., Thomas J. Beckmann, Agent, Incident Date: September 26, 2010).
Held in License & Health Committee during recess.
53. [2010-0626](#) Police Department Report involving The Network, 9541 W. Cleveland Ave. (2010-2011 Class B Tavern License no. 786, and Dance Hall License no. 788 of The Network, LLC., Jacob M. Silber, Agent, Incident Date: September 23, 2010).
54. [2010-0608](#) 2010-2011 Class B Tavern License application no. 1722 of Madington, LLC, Greg M. Hansuld, Agent, d/b/a Bulldog 60, premises located at 1101 S. 60 Street. (new-existing location).
Held in License & Health Committee during recess.
55. [2010-0612](#) 2010-2011 Tavern Operator License application no. 11-560 of Jessica L. LaRocque.
Held in License & Health Committee during recess.
56. [2010-0613](#) 2010-2011 Tavern Operator License application no. 11-559 of Lettitia M. Kujawa.
Held in License & Health Committee during recess.
57. [2010-0615](#) 2010-2012 Tavern Operator License application no. 12-245 of Timothy E. Wergin.
Held in License & Health Committee during recess.

58. [2010-0627](#) Police Department report regarding tavern violations/calls for service for the month of September 2010.

Attachments: [Police Rept September 2010.pdf](#)

59. [2010-0609](#) 2010-2011 Special Class B Beer and Wine License application(s).

License applications 15 & 16 granted.

60. [2010-0614](#) Tavern Operator License applications.

2010-2011 License applications nos. 557-558 granted.

2010-2012 License applications nos. 242, 244 & 246 granted.

Passed The Block Vote

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

No: 0

ADVISORY COMMITTEE

61. [2010-0634](#) Appointments by Mayor Devine to the West Allis Christmas Funding, Planning, and Programming Subcommittee of the City of West Allis Community Celebrations Committee.

Attachments: [XMAS PARADE SUBCMTE.pdf](#)

Aye: 9 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Roadt, Sengstock, and Vitale

No: 0

Present: 1 - Weigel

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

Mayor Devine announced the 27th Annual Community Breakfast of Thanks & Giving being held on November 22, 2010 at Klemmer's Banquet Center, donations to benefit West Allis food pantries.

O. ADJOURNMENT

to adjourn at 8:57 p.m., with the next regularly scheduled meeting to be held on Wednesday, November 3, 2010, at 7:00 p.m

/s/ Monica Schultz, Deputy 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.