



City of West Allis

Meeting Minutes

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

Mayor Dan Devine, Chair

Alderson Thomas G. Lajsic, Council President

*Aldersons: Gary T. Barczak, Michael J. Czaplewski, Kevin Haass,
Michael P. May, Cathleen M. Probst, Rosalie L. Reinke,
Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel*

Tuesday, January 20, 2015

7:04 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Devine at 7:04 p.m.

B. ROLL CALL

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Probst.

D. PUBLIC HEARINGS

1. [R-2015-0017](#) 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. 77 St. from W. Greenfield Ave. to W. National Ave. by concrete reconstruction with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

Explanation by Peter Daniels, Principal Engineer.

Appearances: Mike Hammernik, 1452 S. 77 St., commented on lead pipes.

Deborah Johnson, 1437 S. 77 St., commented on sidewalk, storm drains, and contractor doing projects for homeowners.

Mark Madus, 1548 S 77 St., questioned the timeline of the project.

Public Hearing Held.

E. CITIZEN PARTICIPATION

None.

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. MAYOR'S REPORT

Mayor Devine announced a public involvement meeting regarding the Wisconsin Department of Transportation's Highway 100 corridor study.

H. ALDERPERSON'S REPORT

Ald Probst reminded citizens to clear the snow around fire hydrants. She announced that she'll be reading at Jefferson Elementary School for "Read Across America" and the Community Alliance Against Drugs will be holding Winter Fest.

I. APPROVAL OF MINUTES

2. [2015-0055](#) Minutes (Draft) of the Common Council regular meeting of January 6, 2015.

Attachments: [010615 CC Minutes.Draft](#)

A motion was made by Ald. Lajsic, seconded by Ald. Reinke, that this matter be Approved. The motion carried unanimously.

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2015-0020](#) Summons and Complaint in the matter of Wisconsin Housing and Economic Development Authority vs. Michael A. Flood and Aloma J. Flood, et al regarding foreclosure of mortgage, Case No. 14CV010671.

Attachments: [WHEDA vs Flood](#)

A motion was made by Ald. May, seconded by Ald. Probst, that this matter be Referred for Legal Action to the City Clerk. The motion carried unanimously.

K. STANDING COMMITTEE REPORTS

None.

L. MOTION FOR RECONSIDERATION

4. [2014-0769](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-531 for Desiree Mariah Henningfield.

This matter was Reconsidered and Referred back on a Block Vote to the License & Health Committee.

- 4a. [2014-0077](#) Amended Findings and Recommendations in the Matter of the Complaint Against Scardina Bakery & Delicatessen, Inc., d/b/a Scardina Bakery & Delicatessen, for premises located at 5901 W. Beloit Rd. (2013-2014 Food Permit renewal application).

Attachments: [Amended F&R - Scardina's.pdf](#)

This matter was Reconsidered and Referred back on a Block Vote to the License & Health Committee.

Passed The Block Vote

A motion was made by Ald. Czaplowski, seconded by Ald. Barczak, to approve all the actions on the preceding items on a Block Vote. The motion carried unanimously.

M. COMMON COUNCIL RECESS

A motion was made by Ald. Lajsic, seconded by Ald. Reinke, that the Council recess until completion of Committee meetings. The motion carried unanimously.

Thereupon, the Council took a recess at 7:23 p.m. Upon returning from recess at 8:39 p.m., and the roll call being taken, there were:

Present 10 - Ald. Barczak, Ald. Czaplowski, Ald. Haass, Ald. Lajsic, Ald. May, Ald. Probst, Ald. Reinke, Ald. Roadt, Ald. Vitale, and Ald. Weigel

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

5. [O-2015-0005](#) An Ordinance to amend Salary Ordinance No. O-2014-0091 establishing the salaries of Certain Administrative and Clerical Employees for 2015 (Lead Neighborhood Services/Building Inspector, Building Inspector Plan Reviewer).

Sponsors: Administration & Finance Committee

This matter was Passed on a Block Vote.

6. [O-2015-0006](#) An Ordinance to amend Salary Ordinance No. O-2014-0088 establishing the salary ranges of certain positions in the Executive Service, the Managerial Service, the Deputy Service, and the Confidential, Professional and Supervisory Service of the City of West Allis for the year 2015 (Director of Building Inspections and Neighborhood Services, Librarian IV).

Sponsors: Administration & Finance Committee

Attachments: [Salary Sheets](#)

This matter was Passed on a Block Vote.

7. [R-2015-0053](#) Resolution relative to accepting the proposal of N & S Towing, Inc. for providing vehicle towing and storage services for the City of West Allis.

Sponsors: Administration & Finance Committee

Attachments: [VEHICLE TOWING AGREEMENT](#)
[1079 Appendix A Towing Contract](#)

Held in Administration & Finance Committee during recess.

8. [2013-0688](#) Amended Summons and Complaint in the matter of CitiMortgage, Inc. vs Steven T. Curtis, et al, regarding foreclosure of mortgage, Case No.13-CV-008628.

This matter was Placed on File on a Block Vote.

9. [2014-0535](#) American Family Mutual Insurance Company communication submitted on behalf of Gina M. Estrada relative to vehicle damages allegedly sustained on W. Oklahoma Ave. at S. 106 St. on July 23, 2014.

This matter was Placed on File on a Block Vote.

10. [2014-0637](#) Notice of Circumstances of Claim on behalf of Gina Estrada relative to injuries and vehicle damages allegedly sustained while traveling eastbound on W. Oklahoma Ave. at the intersection of S. 106 St. on July 23, 2014.

Attachments: [Claim-Gina Estrada](#)
[Claim-Gina Estrada #2](#)

This matter was Placed on File on a Block Vote.

11. [2014-0744](#) Carla S. Kelter communication regarding invoice #2014-33 dated January 6, 2014, for snow removal charges done on December 27, 2013 and December 28, 2013.

This matter was Denied on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Vitale, seconded by Ald. Probst, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

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

No: 0

PUBLIC WORKS COMMITTEE

12. [R-2015-0051](#) Resolution Approving an Extension of the Ground Lease Agreement by and between the City of West Allis and the United States Postal Service for Parking in the off-street Municipal Parking Lot.

Sponsors: Public Works Committee

Attachments: [R-2015-0051 Commission Agreement](#)

[R-2015-0051 Conflict of Interest](#)

[R-2015-0051 W-9](#)

[R-2015-0051 Lease](#)

This matter was Adopted on a Block Vote.

13. [R-2015-0052](#) Resolution relative to accepting the proposal of Gutermann for furnishing and delivering one Correlator Water Leak Detection System for a total net sum of \$26,500.00.

Sponsors: Public Works Committee

Attachments: [1261 Correlator Water Leak Det Sys](#)

[1261 Water Leak Detection Letter](#)

This matter was Adopted on a Block Vote.

14. [R-2015-0017](#) 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. 77 St. from W. Greenfield Ave. to W. National Ave. by concrete reconstruction with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

This matter was Adopted on a Block Vote.

15. [R-2015-0018](#) Final Resolution authorizing public improvement by concrete reconstruction with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 77 St. from W. Greenfield Ave. to W. National Ave. and levying special assessments against benefited properties.

Sponsors: Public Works Committee

This matter was Adopted on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Barczak, seconded by Ald. Reinke, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

16. [R-2015-0008](#) Resolution authorizing the Director of Development to enter into a professional environmental services contract to complete a Phase 2 Environmental Site Assessment for the property located at 7030 W. National Ave. in the amount not to exceed \$10,000.00.

Sponsors: Safety & Development Committee

This matter was Adopted on a Block Vote.

17. [2015-0036](#) Special Use Permit for Within Reason Resale and Consignment, a proposed second-hand article retail store, to be located at 1588 S. 81 St.

Held in Safety & Development Committee during recess.

18. [2015-0037](#) Special Use Permit for Cream City Clay, a proposed pottery studio with classes, to be located at 7105 W. Greenfield Ave.

Held in Safety & Development Committee during recess.

19. [2015-0038](#) Special Use Permit for the Wisconsin Humane Society for a proposed spay and neuter clinic to be located at 9400 W. Lincoln Ave.

Held in Safety & Development Committee during recess.

20. [2015-0041](#) Special Use Permit for a proposed church, Metropolitan Church of Christ, to be located at 9413 W. Greenfield Ave.

Held in Safety & Development Committee during recess.

21. [2015-0043](#) Special Use Permit for a proposed auto dealership for Maserati/Alfa Romeo, to be located at 10221 W. Arthur Ave.

Held in Safety & Development Committee during recess.

22. [O-2015-0001](#) Ordinance to amend Subsections 12.06, 12.40 (1)(y) and (z), 12.40(2)(r), 12.41(1)(v), (x), 12.41(2)(cc), 12.42(1)(h) and (i), of the Revised Municipal Code relative to defining and permitting medical clinics, mental health services, hospitals, and medical service facilities.

Sponsors: Ald. Czaplewski

This matter was Passed as Amended on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Lajsic, seconded by Ald. Vitale, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

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

No: 0

LICENSE & HEALTH COMMITTEE

4. [2014-0769](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-531 for Desiree Mariah Henningfield.

This matter was Approved on a Block Vote.

- 4a. [2014-0077](#) Amended Findings and Recommendations in the Matter of the Complaint Against Scardina Bakery & Delicatessen, Inc., d/b/a Scardina Bakery & Delicatessen, for premises located at 5901 W. Beloit Rd. (2013-2014 Food Permit renewal application).

Attachments: [Amended F&R - Scardina's.pdf](#)

Held in License & Health Committee during recess.

23. [O-2015-0004](#) An Ordinance to Amend Subsection 9.15(3)(b) and 9.15(7)(c)1 of the West Allis Revised Municipal Code Relating to Pawn Shops, Secondhand Stores, Secondhand Jewelry Dealers.

Sponsors: Ald. Czaplewski

This matter was Passed on a Block Vote.

24. [2015-0046](#) Request from Joseph Kempen, President, Motor Castings Company located at 1323 S. 65 St. for a three year extension of the Noise Variance.

Attachments: [Motor Castings Communication](#)

Held in License & Health Committee during recess.

25. [2015-0035](#) Appointment of new agent, Tony Bender, by National Entertainment Network LLC, d/b/a National Entertainment Network, LLC. (2014-2015 Amusement Distributor's License no. 1772).

This matter was Approved subject to the necessary requirement(s) on a Block Vote.

26. [2015-0052](#) 2014-2015 Instrumental Music License application no. 2168 of 5 WILS, LLC, Jason M. Wilson, Agent, d/b/a Magoo's Sports Pub, 8911 W. National Avenue (2014-2015 Class B Tavern License no. 2021).
This matter was Approved on a Block Vote.
27. [2015-0048](#) 2014-2015 Instrumental Music License application no. 2167 of OAR, LLC, Michael C. O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Avenue (2014-2015 Class B Tavern License no. 838 and Dance Hall License no. 840).
This matter was Approved on a Block Vote.
28. [2015-0047](#) 2014-2015 Class B Tavern Special Event Permit application no. 19 of OAR, LLC, Michael C. O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 838, Dance Hall License no. 840, and Instrumental Music License application no. 2167) for a St. Patrick's Day Party to be held Tuesday, March 17, 2015 from 8:00 a.m.- 10:00 p.m. (Tents to be placed in parking).
This matter was Approved on a Block Vote.
29. [2015-0039](#) Operator's License (bartender/sales clerk) applications.
2014-2015 License application nos. 554-555 and 559-560 granted.
2014-2016 License application no. 256 granted.
This matter was Approved on a Block Vote.
30. [2015-0049](#) Police Department Report regarding December 16, 2014 Tobacco Compliance Check involving twelve (12) West Allis business, resulting with none selling tobacco to an underage person without requesting identification.
Attachments: [Police Department Report December 2014](#)
This matter was Placed on File on a Block Vote.
31. [2015-0050](#) Police Department Report regarding December 17, 2014 Tobacco Compliance Check involving fourteen (14) West Allis business, resulting with none selling tobacco to an underage person without requesting identification.
Attachments: [Police Department Report December 2014](#)
This matter was Placed on File on a Block Vote.
32. [2015-0021](#) Police Department report regarding tavern violations/calls for service for the month of December 2014.
Attachments: [Police Dept. Report December 2014](#)
This matter was Placed on File on a Block Vote.

33. [2015-0022](#) Police Department Report involving 7-West Bistro & Ultra Lounge, 7211 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 2139, Dance Hall License no. 2140, and Instrumental Music License no. 2141 of Wisconsin Beverage & Entertainment Partners, LLC, Edward A. Brown, Jr., Agent, Incident Date: December 7, 2014).
- This matter was Placed on File on a Block Vote.**
34. [2015-0023](#) Police Department Report involving 7-West Bistro & Ultra Lounge, 7211 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 2139, Dance Hall License no. 2140, and Instrumental Music License no. 2141 of Wisconsin Beverage & Entertainment Partners, LLC, Edward A. Brown, Jr., Agent, Incident Date: December 22, 2014).
- This matter was Placed on File on a Block Vote.**
35. [2015-0031](#) Police Department Report involving Stallis Palace, 8812 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 1956 of Stallis Palace, LLC, Rachel L. Wesenberg, Agent, Incident Date: December 20, 2014).
- This matter was Placed on File on a Block Vote.**
36. [2015-0025](#) Police Report involving The Drunken Duck, 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment LLC, Lindsey Anne Guillermo, Agent, Incident Date: December 14, 2014).
- This matter was Placed on File on a Block Vote.**
37. [2015-0024](#) Police Department Report involving Dopp's Bar & Grill, 1753 S. 68 St. (2014-2015 Class B Tavern License application no. 1490, Dance Hall License application no. 1492 and Instrumental Music License application no. 1491 of Doppelgangers, Inc., Tammy L. Dopp, Agent, Incident Date: December 27, 2014).
- Held in License & Health Committee during recess.*
38. [2015-0034](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083 of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: December 18, 2014).
- Held in License & Health Committee during recess.*
39. [2015-0033](#) Police Report involving Studz Pub, 6833 W. National Ave. (2014-2015 Class B Tavern License no. 1867 of DTR Enterprises, LLC, Dean T. Ratas, Agent, Incident Date: December 20, 2014).
- Held in License & Health Committee during recess.*
40. [2015-0032](#) Police Report involving Studz Pub, 6833 W. National Ave. (2014-2015 Class B Tavern License no. 1867 of DTR Enterprises, LLC, Dean T. Ratas, Agent, Incident Date: December 14, 2014).
- Held in License & Health Committee during recess.*

41. [2015-0030](#) Police Department Report involving Sir Gregory's Pub, 7534 W. Beloit Rd. (2014-2015 Class B Tavern License no. 832 and Dance Hall License no. 834 of Sir Gregory's Pub, LLC , Gregory L. Tans, Agent, Incident Date: December 3, 2014).
Held in License & Health Committee during recess.
42. [2015-0029](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: December 25, 2014).
Held in License & Health Committee during recess.
43. [2015-0028](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: December 2, 2014).
Held in License & Health Committee during recess.
44. [2015-0027](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Ave. (2014-2015 Class B Tavern License no. 717 and Dance Hall License no. 719 of Henry Enterprises Ltd., James F. Henry, Agent, Incident Date: December 30, 2014).
Held in License & Health Committee during recess.
45. [2015-0026](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Ave. (2014-2015 Class B Tavern License no. 717 and Dance Hall License no. 719 of Henry Enterprises Ltd., James F. Henry, Agent, Incident Date: December 22, 2014.)
Held in License & Health Committee during recess.
46. [2015-0040](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-558 for Christopher P. Czaplowski.
Held in License & Health Committee during recess.
47. [2015-0042](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-557 for Caleb S. Fox.
Held in License & Health Committee during recess.
48. [2015-0044](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-556 for Ian J. Laurich.
Held in License & Health Committee during recess.

49. [2015-0053](#) Communication from Health Commissioner providing an update on Morgan Murphy Enterprises, LLC, Mary Jo Burbach, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [Health Commissioner communication](#)

This matter was Placed on File on a Block Vote.

50. [2015-0045](#) Findings and Recommendations in the Matter of the Complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burbach, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [F & R Tap 58](#)

This matter was Approved on a Block Vote.

51. [2015-0014](#) Summons and Complaint in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burbach, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [Morgan Murphy Enterprises Summons](#)
[Morgan Murphy Enterprises Complaint](#)
[Morgan Murphy Enterprises, LLC Affidavit of Service](#)

This matter was Placed on File on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Czaplewski, seconded by Ald. Barczak, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

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

No: 0

ADVISORY COMMITTEE

52. [2015-0051](#) Appointments by Mayor Devine of Youth Members (Kraus, Rindahl, Sanchez, Schneeberg) to the West Allis Youth Commission.

Attachments: [Letter re new appointments to Youth Commission](#)

This matter was Approved on a Block Vote.

53. [2015-0056](#) Appointment by Mayor Devine of one new Youth Member (Timothy Biewer-Heisler) to the West Allis Youth Commission.

Attachments: [Biewer-Heisler Appointment Letter](#)

This matter was Approved on a Block Vote.

54. [2015-0057](#) Appointment by Mayor Devine of Marsha Lawson as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2016.

Attachments: [Lawson Appointment Letter](#)

This matter was Approved on a Block Vote.

55. [2015-0060](#) Appointment by Mayor Devine of Amy Van Deuren as an Adult Advisor-School Superintendent's Designee to the West Allis Youth Commission.

Attachments: [VanDeuren Appointment Letter](#)

This matter was Approved on a Block Vote.

56. [2015-0058](#) Reappointment by Mayor Devine of Patricia Wolfe as a member of the West Allis Beautification Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her two-year term to expire December 31, 2016.

Attachments: [Wolfe Appointment Letter](#)

This matter was Approved on a Block Vote.

57. [2015-0059](#) Reappointments by Mayor Devine to the West Allis Board of Health of Dr. Mark Roberts and Mary Cay Freiberg, their two-year terms to expire January 1, 2017.

Attachments: [Freiberg Appointment Letter](#)
[Roberts Appointment Letter](#)

This matter was Approved on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Reinke, seconded by Ald. May, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

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

No: 0

O. ADJOURNMENT

A motion was made by Ald. Lajsic, seconded by Ald. Vitale, to adjourn at 8:45 p.m., with the next regularly scheduled meeting to be held on February 3, 2015, at 7:00 p.m. The motion carried unanimously.

*/s/Monica Schultz
City Clerk*