



City of West Allis

Meeting Agenda

Common Council

Mayor Dan Devine, Chair

Aldersperson Thomas G. Lajszic, Council President

Alderspersons: Gary T. Barczak, Michael J. Czapski, Eric Euteneier, Kevin Haass,

Michael P. May, Rosalie L. Reinke,

Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel

Tuesday, March 19, 2019

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2019-0184](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 80 Street from W. Grant Street to W. Lincoln Avenue and S. 87 Street from W. Harrison Avenue to Dead End by concrete reconstruction, new concrete sidewalk, new driveway approaches, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
2. [O-2019-0007](#) Ordinance to amend Section 12.16(14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council.
3. [O-2019-0008](#) Ordinance to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 Land Use) from "Public and Semi-Public" to "Commercial" land use classification for property located at 1000 S. 72 St.
4. [O-2019-0009](#) Ordinance to amend the Official West Allis Zoning Map by rezoning the property located at 8** S. 72 St. and 1000 S. 72 St. from P-1, Park District to C-3, Community Commercial District.

E. CITIZEN PARTICIPATION

The Common Council may receive information from members of the public during this 30-minute period. Each speaker must announce to the council his or her name and address, sign in at the podium, and limit comments to one statement of no more than 5 minutes. The council cannot take action on topics raised by speakers and will not discuss topics with speakers.

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 G12 (Art Gallery)
Advisory, Public Works, Safety & Development*

*Room 128
License & Health, Administration & Finance*

The general public may contact the Committee Chair relative to an agenda item of interest that could be discussed or acted on during the recess meetings simultaneously occurring in different conference rooms. Additionally, if a member has interest in multiple agenda items which are scheduled for discussion or action during the recess meetings simultaneously occurring, s/he should contact the chair of the committee to inform of such interest.

G. MAYOR'S REPORT

This item is a report from the Mayor to the public regarding recent events attended, awards and commendations, and upcoming events. No discussion or action shall take place by members of the Council unless otherwise listed below.

H. ALDERPERSON'S REPORT

This item is a report from individual Alderpersons to the public regarding recent events attended, awards and commendations, and upcoming events. No discussion or action shall take place by members of the Council unless otherwise listed below.

I. APPROVAL OF MINUTES

5. [2019-0190](#) Minutes (draft) of the Common Council Regular meeting of March 5, 2019.

J. ITEMS NOT REFERRED TO COMMITTEE

6. [2019-0181](#) Report of the Municipal Judge for the month of February 2019, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$122,409.97.
7. [2019-0150](#) Claim by Andres Vallejo regarding Petition for Return of Property, date property taken 11-12-2017. Case Number 18-007841.
8. [2019-0183](#) Claim by Joshua Rodriguez regarding damage to vehicle at 935 S. 111 St. on January 19, 2019.

K. STANDING COMMITTEE REPORTS

None.

L. RECONSIDERATION OF A MOTION

9. [R-2019-0186](#) Reconsideration of resolution approving the City of West Allis' reacquisition rights for three parcels that are comprised of McKinley Park (Tax Keys: 440-0213-002, 440-0213-003, 440-0004-001).

Motion "Adopt as Amended".

M. COMMON COUNCIL RECESS**N. NEW AND PREVIOUS MATTERS****ADMINISTRATION & FINANCE and PUBLIC WORKS COMMITTEES**

10. [2019-0187](#) Communication from City Administrator requesting approval to fill the Facilities Superintendent position in the Department of Public Works, Building/Inventory and Electrical Division.

ADMINISTRATION & FINANCE COMMITTEE**New Matters for Introduction**

11. [O-2019-0006](#) Ordinance to amend the City of West Allis Salary Schedule adding the position of Utility Locator and amending the Building & Sign Maintenance/Inventory Superintendent to Facilities Superintendent.
12. [O-2019-0010](#) Ordinance to Amend Subsection 2.19(8)(b) of the West Allis Revised Municipal Code Relating to Deposit Amounts for Violation of West Allis Revised Municipal Code Sections 13.28(9) and 13.28(10).
13. [R-2019-0204](#) Resolution relative to accepting the sole source proposal of Assessment Technologies of Wisconsin, LLC for providing a Market Drive software upgrade for a total net sum of \$10,702.99.
14. [R-2019-0210](#) Resolution approving the Rescission of Property Taxes.
15. [2019-0185](#) Communication from City Administrator requesting approval to fill two vacant Truck Driver positions in the Department of Public Works, Sanitation and Street Division.
16. [2019-0186](#) Communication from City Administrator requesting approval to fill a vacant Electrical Mechanic position as a Utility Locate Technician in the Department of Public Works, Building/Inventory and Electrical Division.
17. [2019-0188](#) Communication from Health Commissioner/City Sealer requesting approval to fill an Environmentalist position pursuant to the 2019 Budget position update request.

18. [2019-0180](#) Finance Director/Comptroller submitting report for February 2019 indicating City of West Allis checks issued in the amount of \$3,614,278.86.

City Attorney Claim Report

19. [2018-0903](#) UPI, LLC Claim relative to vehicle damages allegedly sustained on September 28, 2018.

City Attorney recommendation to be Placed on File

20. [2018-0735](#) Erica and David Shackton Notice of Claim regarding personal property damages allegedly sustained at 2000 S. 72 Street on July 3, 2018 and August 6, 2018.

City Attorney recommendation to be Placed on File

21. [2018-0842](#) Rosa Gallardo Notice of Claim regarding vehicle damages allegedly sustained at 2009 S. 70 Street on September 2, 2018.

City Attorney recommendation to be Placed on File

22. [2019-0189](#) Claim by Raymond Ciszewski regarding damage to property at 2487 S 99 Street.

City Attorney recommendation for Disallowance.

23. [2018-0930](#) Kenneth Eron Notice of Claim regarding vehicle damages allegedly sustained at 824 S. 120 Street on October 20, 2018.

City Attorney recommendation for Disallowance.

24. [2018-0649](#) Robert Kuhn Notice of Claim and Claim for Damages, relative to an incident allegedly sustained at the intersection of S. 67 Pl. and W. Beloit Rd. on or about October 10, 2017.

City Attorney recommendation to be Placed on File.

25. [2018-0769](#) Claim submitted on behalf of William Staffaroni relative to personal injuries and damages allegedly sustained at S. 72 St. and W. Lincoln Ave., on August 3, 2017.

City Attorney recommendation to be Placed on File.

26. [2018-0977](#) Peter Troia Notice of Claim regarding vehicle damages allegedly sustained at Root River Pkwy and W. Oklahoma Ave. on April 6, 2017.

City Attorney recommendation for Disallowance.

27. [2019-0079](#) Claim by Alyssa Bailey-Surges regarding Notice of Injury and Claim for Damages at S. 82 Street and W. Becher Street on October 25, 2018.

City Attorney recommendation for Disallowance.

For agenda items 26-27, the committee may convene in closed session pursuant to the provisions of section 19.85(1)(g) of the state statutes for the purpose of conferring with the city attorney who will render oral or written advice concerning strategy to be adopted with respect to litigation in which the city is or is likely to become involved. This committee may reconvene in open session after completion of the closed session to consider the balance of the agenda.

PUBLIC WORKS COMMITTEE**New Matters for Introduction**

28. [2019-0184](#) Communication from the City Engineer regarding the bid opening for the reconstruction of W. National Avenue from S. 92nd Street to S. 95th Street.

Public Hearing Items (Public Works Committee)

29. [R-2019-0184](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 80 Street from W. Grant Street to W. Lincoln Avenue and S. 87 Street from W. Harrison Avenue to Dead End by concrete reconstruction, new concrete sidewalk, new driveway approaches, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
30. [R-2019-0185](#) Final Resolution authorizing public improvement by concrete reconstruction, new concrete sidewalk, new driveway approaches, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 80 Street from W. Grant Street to W. Lincoln Avenue and S. 87 Street from W. Harrison Avenue to Dead End and levying special assessments against benefited properties.

SAFETY & DEVELOPMENT COMMITTEE**New Matters for Introduction**

31. [R-2019-0214](#) Resolution to approve development agreement between the City of West Allis and developers (West Quarter East, LLC and West Quarter West, LLC) regarding South 70th Street Corridor development project, to replace any prior agreements.
- For the above agenda item, the committee may convene in closed session pursuant to the provisions of Wis. Stat. Section 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties or the investing of public funds. The committee may reconvene in open session after completion of the closed session to consider the balance of the agenda.*
32. [R-2019-0182](#) Resolution approving a Community Engagement & Park Study for the McKinley Park/Fairview Park Neighborhood with Ayres Associates in an amount not to exceed \$10,000.
33. [2019-0170](#) Special Use Permit for Jose Vidrios Auto Repair, a proposed auto repair business to be located within the existing mixed use building at 5606 W. Burnham St.
34. [2019-0173](#) Special Use Permit for Columbus Club of West Allis, an existing Catholic fraternal organization to be located at 7633 W Beloit Rd.
35. [2019-0191](#) Summons and Compliant against Jervel Williams, d/b/a Mister Bar-B-Que for the potential revocation of the Special Use Permit R-2017-0204.

Public Hearing Items (Safety & Development Committee)

36. [O-2019-0007](#) Ordinance to amend Section 12.16(14) of the Revised Municipal Code relative to setting a consistent timeframe for appeals of special use decisions by the Common Council.
37. [O-2019-0008](#) Ordinance to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 Land Use) from "Public and Semi-Public" to "Commercial" land use classification for property located at 1000 S. 72 St.
38. [O-2019-0009](#) Ordinance to amend the Official West Allis Zoning Map by rezoning the property located at 8** S. 72 St. and 1000 S. 72 St. from P-1, Park District to C-3, Community Commercial District.
39. [2019-0115](#) Request for an Ordinance to amend the Official West Allis Zoning Map by rezoning the property located at 8** S. 72 St. and 1000 S. 72 St. from P-1, Park District to C-3, Community Commercial District, submitted by Cobalt Partners (Tax Key No. 440-0213-003).

LICENSE & HEALTH COMMITTEE

New Matters for Introduction

40. [2019-0129](#) Communication to amend the premises located at 1902 S. 68 St., (2018-2019 Class B Tavern License no. 2080, Steffek LLC, Neal Steffek, Agent, d/b/a The Drunk Uncle).
41. [2019-0179](#) License applications.

Operator's License (bartender/sales clerk) 2018-2019 and 2018-2020 applications:

*Alioto, Lynn A.; Anderson, Michelle L;
Conway, Joseph J.; Evans, Roseann Marie
Ismail, Barkat Ali; Kipmse, Daniel T.;
Medcalf, Abigail; Morrison, Kyle J.; Murphy, Stephanie K.;
Patel, Bhogilala; Presti, Melissa L.;
Ramirez, Ana M.; Reikowski, Jarid S.; Ronney, Breanna M.;
Salameh, Ramzi A.; Shaffer, Samantha L.; Sirovina, Rachel M.
Sity, Carla J.; Sokol-Roberts, Patrick K.; Solórzano, Diana;
Strautmann, Gerhard D.;
Teichert, Hope T.; Unger, Gregg T.; and
Vasiljevic, Dragan; Wilhelm, Amber R.*

Adult-Oriented Establishment Operator Permit Application:

Leon-Moreno, Stephanie, 2267A S 15th Place, Milwaukee, 53215

Amusement Distributor and Phonograph Distributor License application(s):

*Lakeside Music, LLC, d/b/a Sam's Amusement Company, 930 Washington Rd., Kenosha, 53140
Joseph Modl & Scott Krahn Partnership, d/b/a Northern Novelty, 504 N. Ponderosa Dr.,
Hartland, 53029*

Used Vehicle Dealer Renewal License application(s):

*Badger Lease & Auto Sales, Inc., Steven J. Wiedmeyer, Manager, 9601 W. Greenfield Ave.
Heiser Chevrolet, Inc., Brian C. Crandall, Manager, 10200 W. Arthur Ave.
Hi-Ridge, Inc., d/b/a Ridge Auto Sales, Scott A. Farkas, Agent, 5735 W. National Avenue
National Motors LLC, Hamdallah A. Rahman, Manager, 5610 W. National Avenue
Selig Leasing Co., Inc., d/b/a Selig Leasing Co., Inc., Stephen S. Schaefer, Manager, 2510 S.*

108 St., 53227

- 42. [2019-0154](#) Police Department Report regarding tavern violations/calls for service for the month of February 2019.
- 43. [2019-0155](#) Police Department Reports regarding February 2019 Wisconsin Clean Air Act Smoking Ban Tobacco; and Alcohol/Tavern, and compliance checks resulting with sixteen (16) tavern checks performed with no violations being reported.
- 44. [2019-0156](#) Police Department Report involving Rockstars Saloon, 5826 W. Burnham St., of Sharon L. Butterfield, Incident Date: February 8, 2019.
- 45. [2019-0157](#) Police Department Report involving Cocktails & Dreams, 2201 S. 55 St., of Dick & Gloria's Cocktails & Dreams, Inc., Incident Date: February 9, 2019.
- 46. [2019-0158](#) Police Department Report involving Remedy Bar, 1309 S. 60 St., of LeLe's Whiskey Corner, LLC, Erwin C. Magritz, Agent, Incident Date: February 17, 2019.
- 47. [2019-0159](#) Police Department Report involving Remedy Bar, 1309 S. 60 St., of LeLe's Whiskey Corner, LLC, Erwin C. Magritz, Agent, Incident Date: February 23, 2019.
- 48. [2019-0160](#) Police Department Report involving Barcode, 2110 S. 60 St., of BS Dollar, LLC, Sally A. Dollar, Agent, Incident Date: February 10, 2019.
- 49. [2019-0161](#) Police Department Report involving O'Connor's Perfect Pint, 8423 W. Greenfield Ave., of OAR LLC, Michael C. O'Connor, Agent, Incident Date: February 10, 2019.
- 50. [2019-0162](#) Police Department Report involving Just J's, 9033 W. National Ave., of Jayders, LLC, Jason J. Powelski, Agent, Incident Date: February 19, 2019.
- 51. [2019-0163](#) Police Department Report involving Limanski's Pub, 8900 W. Greenfield Ave., of CRG Investments LLC, Kathy L. Goedde, Agent, Incident Date: February 20, 2019.
- 52. [2019-0164](#) Police Department Report involving Jonny Hammers, 6300 W. Lincoln Ave., Jonny Hammers LLC, Jon Robert Cervantes, Agent, Incident Date: February 20, 2019.
- 53. [2019-0165](#) Police Department Report involving Kokopelli's Pub-N-Grub, 6001 W. Madison St., of Kokopelli, Inc., Antonette M. Zirnhelt, Agent, Incident Date: February 22, 2019.
- 54. [2019-0166](#) Police Department Report involving One More, 7534 W. Beloit Rd., of The 5 Spot, LLC, Christina I. Lopez, Agent, Incident Date: February 23, 2019.
- 55. [2019-0169](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave., of Harry O's, Inc., Harry J. Strahlendorf, Agent, Incident Date: February 25, 2019.
- 56. [2019-0167](#) Police Department Report involving Bug N Out, 5630 W. Lincoln Ave., Amy Elizabeth Burns. Incident Date: February 23, 2019. (Provisional Tavern Operator's License of Melissa Presti issued January 15, 2019.)
- 57. [2019-0171](#) Schedule for Successor of Agent Matthew J. Meyer, Mega Marts, LLC, d/b/a Pick 'N Save #6846, located at 2625 S. 108 St.
- 58. [2019-0182](#) 2018-2019 Operator's License (bartender/sales clerk) application no. 19-584 of Derek J. Czarnecki.

59. [2019-0168](#) 2018-2019 Class B Tavern License application no. 2663 of Wandering Arrow, LLC, Thi Cao, Agent, d/b/a Wild Roots, for the premises located at 6807 W. Becher St. (new-existing location).

Previous Matters for Consideration

60. [2019-0058](#) 2018-2019 Operator's License (bartender/sales clerk) application no. 19-564 of Joseph J. Busalacchi.

ADVISORY COMMITTEE

New Matters for Introduction

61. [R-2019-0213](#) Resolution of Support relative to LRB 19-0761 Relating to Violation of the Law Relating to the Practice of Massage Therapy or Bodywork Therapy, Providing a Penalty, and Providing a Criminal Penalty, and a Request of the State Legislature to Include in the State Statute Chapter 460 a Penalty to Businesses for Offenses.

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.

NOTICE OF POSSIBLE QUORUM

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

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.