



City of West Allis

Meeting Agenda

Common Council

Mayor Jeannette Bell, Chair

Alderson Paul M. Murphy, Council President

Aldersons: Gary T. Barczak, Michael J. Czaplowski, Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke, James W. Sengstock, Lester Trudell, Jr., and Vincent Vitale

Wednesday, April 2, 2003

7:30 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [2003-0188](#) On the improvement of W. Lapham St. from S. 84 St. to S. 92 St. and portions of intersecting streets by concrete reconstruction of the pavement including miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, building services and utility adjustments.
2. [O-2003-0028](#) Ordinance amending Section 12.40(1)(p) and Section 12.40(3) of the Revised Municipal Code to allow home improvement, furnishing, appliance and accessory sales as a permitted use and to make various changes to the required conditions within the C-1 Central Business District.
3. [2003-0189](#) On the approval of the Consolidated Plan Community Development Block Grant for 2002-Consolidated Annual Performance and Evaluation Report, B-02-MC-55-0011.
4. [2003-0190](#) On the amendment to the Community Development Block Grant Action Plan, B-95 through B-02-MC-55-0011, increasing the budgeted amount for the Renovation of South 70 Street Parking Lot Project by \$126,234.88. Funds for this increase will be made available with a reduction of \$102,905.58 from the Contingency Fund and a reduction of \$23,329.30 from the Economic Development Financing/Loan Program; also amendments increasing the budgeted amount for the Liberty Heights Pool Replacement Project by \$98,533.57. Funds for this increase will be made available with a reduction of \$98,533.57 from the Contingency Fund and increasing the budgeted amount for the Greenfield Avenue Streetscape Project by \$301,122.22. Funds for this increase will be made available with a reduction of \$301,122.22 to the Contingency Fund.

E. CITIZEN PARTICIPATION

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

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

Agenda Approval**Approval of Minutes**

Minutes of the regular Council meeting of March 18, 2003.

H. ITEMS NOT REFERRED TO COMMITTEE

I. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

The following matters were unanimously recommended to be placed on file unless otherwise indicated by the License & Health Committee during its regular meeting held on March 25, 2003.

5. [2003-0139](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 10, Dance Hall License no. 9, Instrumental Music License no. 3 and Cigarette License no. 39 of Butch's Co., Inc., Bernard E. Schettle, Agent, d/b/a Butch's Tavern on the Green, 11904 W. Greenfield Ave.).

6. [2003-0141](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 33, Dance Hall License no. 29 and Instrumental Music License no. 10 of AMF Bowling Centers, Inc., William J. Pallaske, Agent, d/b/a AMF West Allis Lanes, 10901 W. Lapham St.).
7. [2003-0149](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 108 of The Ground Round, Inc., Cynthia A. Kirchner, Agent, d/b/a The Ground Round, 2911 S. 108 St.).
8. [2003-0150](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 8, Dance Hall License no. 7, Instrumental Music License no. 2 and Cigarette License no. 37 of Yester Years Pub & Grill, Inc., Karen D. Schoenfeld, Agent, d/b/a Yester Years Pub & Grill, 9427 W. Greenfield Ave.).
9. [2003-0151](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 125, Dance Hall License no. 90 and Cigarette License no. 136 of Cosmo R. Lomagro, d/b/a Cosmo's Factory, 9524 W. Greenfield Ave.).
10. [2003-0152](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 11, Dance Hall License no. 10, Instrumental Music License no. 4 and Cigarette License no. 40 of Larry M. Beilfuss, d/b/a Larry Michael's Club & Cafe, 8900 W. Greenfield Ave.).
11. [2003-0153](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 7, Dance Hall License no. 6, Instrumental Music License no. 1 and Cigarette License no. 36 of Margarita Paradise, LLC, Amil A. Alarcon, Agent, d/b/a Margarita Paradise Mexican Restaurant, 11112 W. National Ave.).
The following license was unanimously recommended for denial:
12. [2003-0175](#) 2002-2003 Tavern Operator License appl. no. 867 of Charles A. Reed.

The following license was unanimously recommended for approval:

13. [2003-0176](#) 2002-2003 Tavern Operator License appl. no. 876 of Steven R. Walker.

J. COMMON COUNCIL RECESS

K. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE and PUBLIC WORKS COMMITTEE

- 13a. [2003-0214](#) Police Satellite Station Task Force recommendation for east side Police Satellite Facility.

ADMINISTRATION & FINANCE COMMITTEE

14. [R-2003-0116](#) Resolution Relative to Adopting a Policy to Comply with the Privacy Rules of the Health Insurance Portability and Accountability Act.
15. [R-2003-0120](#) Resolution approving Subgrantee Agreement by and between the City of West Allis and Interfaith-West Central, for support of the Frail Elderly Home Services Project funded by 2003 Community Development Block Grant Funds in the sum of approximately \$49,500.
16. [R-2003-0121](#) Resolution approving Subgrantee Agreement by and between the City of West Allis and the West Allis-West Milwaukee School District, et al., for support of the Family Resource Center, a family counseling project, funded by 2003 Community Development Block Grant Funds in the sum of approximately \$42,000.
17. [R-2003-0122](#) Resolution approving Subgrantee Agreement by and between the City of West Allis and the West Allis-West Milwaukee School District, et al., for support of the After School Juvenile Crime Prevention Program, funded by 2003 Community Development Block Grant Funds in the sum of approximately \$14,000.
18. [R-2003-0123](#) Resolution approving Subgrantee Agreement by and between the City of West Allis and the Wisconsin Women's Business Initiatives Corporation, for support of a Micro Enterprise Development Assistance Project, funded by 2003 Community Development Block Grant Funds in the sum of approximately \$64,600.

19. [R-2003-0126](#) Resolution approving Subgrantee Agreement by and between the City of West Allis and the Downtown West Allis Business Improvement District for support activities that provide services to merchants and property owners to create or retain employment opportunities, funded by 2003 Community Development Block Grant Funds in the sum of approximately \$45,000.
- 19a. [R-2003-0131](#) Resolution authorizing the issuance and sale of General Obligation Promissory Notes, Series 2003, of the City of West Allis.

City Attorney Claim Report

20. [1995-0008](#) Communication from Arby Construction, Inc., regarding expenses incurred at 2033 S. 84 St., on August 15, 1995, as a result of a water leak.
21. [1995-0010](#) "Notice of injury and claim for damages" submitted by Stern & Ramthun on behalf of their client Steven T. Robinson for injuries and damages allegedly sustained on June 10, 1995.
22. [1997-0009](#) Demand submitted by Matthew Carl Bradford Davis, 17125-C W. Bluemound Rd., Brookfield, for more definite statement to determine the nature and cause of proceedings.
23. [2000-0009](#) Written Notice of the Circumstances of the Claim (or Injury) of Kearney & Trecker Corporation and Giddings & Lewis, LLC against the City of West Allis, Wisconsin.
24. [2000-0019](#) Written Notice of the Circumstances of the Second Claim (or Injury) of Kearney & Trecker Corporation and Giddings & Lewis, LLC against the City of West Allis.
25. [2003-0072](#) Mirko and Branka Simic, 4175 S. 51 St., #1, Milwaukee, communication regarding vehicle damage allegedly sustained in the 1900 block of S. 75 St., on January 2, 2003.

Public Hearing Items (Administration & Finance Committee)

26. [R-2003-0124](#) Resolution relative to approving the 2002 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.
27. [R-2003-0125](#) Resolution approving the transfer of funds within the Community Development Block Grant Program to the Liberty Heights Pool Replacement Project, the Greenfield Avenue Streetscape Project, and the South 70 Street Parking Lot Renovation Project.

PUBLIC WORKS COMMITTEE

28. [R-2003-0117](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of W. Lapham St. from S. 84 St. to S. 92 St. and portions of intersecting streets by concrete reconstruction of the pavement including miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, building services and utility adjustments.
29. [R-2003-0118](#) Resolution Constituting a Relocation Order, Pursuant to Secs. 62.22 and 32.05(1) of the Wisconsin Statutes, for the Laying Out, Relocation and Improvement of the Intersection of West National Avenue and West Oklahoma Avenue to Root River Parkway.
30. [R-2003-0119](#) Resolution Approving Acquisition of Certain Lands and Interests for the Laying Out, Relocation and Improvement of the Intersection of West National Avenue and West Oklahoma Avenue to Root River Parkway.
31. [R-2003-0127](#) Resolution to approve bid for streetscaping in W. Greenfield Ave. from S. 70 St. to S. 76 St., in the amount of \$440,420.00.
32. [R-2003-0128](#) Resolution to approve bid for retaining wall and streetscaping in S. 70 St. from W. Walker St. to W. Washington St., in the amount of \$175,222.00.
33. [R-2003-0129](#) Resolution to approve bid for alley reconstruction in various locations in the City of West Allis, in the amount of \$807,854.10.
34. [R-2003-0130](#) Resolution to approve bid for installation of two new pump motors in the City of West Allis Water Utility Reservoir Pumping Station located at 1725 S. 96 St., in the amount of \$77,407.00.
35. [2003-0208](#) Communication from City Engineer requesting a Grant of Privilege to William T. Bohn, 979 S. 61 Street for the installation of a wooden fence on the south side of the above property.
36. [2003-0210](#) Communication from City Engineer regarding Illegal Encroachment/Use of City Unimproved Alley located between S. 82 St. and S. 83 St., W. Lapham St. and W. National Ave.

SAFETY & DEVELOPMENT COMMITTEE

37. [O-2003-0020](#) An Ordinance To Repeal And Recreate Sections 14.28 and 14.75(2) Of The West Allis Revised Municipal Code Relating To The Exemption of Certain Electrical Work from Permits for One and Two Family.

Sponsors: Murphy

38. [R-2003-0111](#)
39. [2003-0199](#) Request by Timm Sullivan, d/b/a Zajal and Jypsy's Game Castle, for an Ordinance to amend Section 12.40(2) of the Revised Municipal Code to allow a retail activity center

as a special use within the C-1 Central Business District.

40. [2003-0103](#) Special Use application submitted by Bryant Chaffee d/b/a Chaffee Funeral Livery Service, Inc. to establish a crematory within the existing building located at 11430 W. Lincoln Ave.
41. [2003-0198](#) Special Use Application submitted by Timm Sullivan, d/b/a Zajal and Jypsy's Game Castle, to establish a retail activity center located within the existing building at 7017 W. Greenfield Ave.
42. [2003-0200](#) Special Use Application submitted by Stan McIntyre of the Southside Baptist Church to establish a Christian School within the existing building located at 1501 S. 73 St.
43. [2003-0201](#) Special Use Application submitted by Greg Bredin, DBI, Inc., on behalf of C.U. Fleet Department, to construct a service bay addition to the existing building located at 2222 S. 114 St.
44. [2003-0211](#) Special Use Application submitted by Mary Beth Motisi on behalf of McDonald's Corporation to establish extended seasonal hours of operation (24 hours) May through September for the restaurant located at 8301 W. Greenfield Ave.

Public Hearing Items (Safety & Development Committee)

45. [O-2003-0028](#) Ordinance amending Section 12.40(1)(p) and Section 12.40(3) of the Revised Municipal Code to allow home improvement, furnishing, appliance and accessory sales as a permitted use and to make various changes to the required conditions within the C-1 Central Business District.

LICENSE & HEALTH COMMITTEE

46. [2003-0187](#) Time Warner Cable communication informing the City of an addition of WITI HD on channel 506 on the Digital Broadcast Basic tier, replacement of Nick Toons with The Disney Channel's west coast feed and the moving of channel 103 to channel 105 and channel 106 to channel 110.

47. [2003-0193](#) Time Warner Cable communication informing the City that beginning May 1, 2003, HBO and Showtime will be available exclusively as Time Warner Digital Cable Services, which will bring viewers additional channels and crisper pictures and customers will be given a Digital Converter.
48. [2003-0206](#) Time Warner Cable giving notice to the City that it seeks renewal of its cable television franchise pursuant to the provisions of 47 U.S.C. 546 and requests commencement of renewal proceedings pursuant to 47 U.S.C. 546(a).
49. [2003-0148](#) Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) fifteen West Allis taverns, resulting with (8) eight selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 117 of WHG West Allis, LLC, Lyn R. Magnarini-Sweet, Agent, d/b/a Applebee's Neighborhood Grill & Bar, 2865 S. 108 St.)
50. [2003-0204](#) Police Department Report involving Kitz's Pub, 5501 W. Burnham St. (2002-2003 Class B Tavern License no. 126, Dance Hall License no. 91, Instrumental Music License no. 42 and Cigarette License no. 141 of Kitz's Pub, LLC, Michael J. Kitzerow, Agent. (Incident Date: March 18, 2003).
51. [2003-0205](#) Police Department Report involving Kicks Nightclub, 1900 S. 60 St. (2002-2003 Class B Tavern License no. 71, Dance Hall License no. 56 and Instrumental Music License no. 22 of Palrena, Inc., Wayne J. Paluch, Agent. (Incident Date: February 16, 2003).
52. [2003-0025](#) 2002-2003 Combination Class A Liquor License appl. no. 27 of Lifetime Credit Union, Wm A. Kuter, Agent, for premises at 95** W. National Ave. (new - existing location).
53. [2003-0160](#) 2002-2003 Combination Class A Liquor License no. 11 and Cigarette License no. 68 of Abdul M. Khan, application for transfer of licenses from 9513 W. National Ave., d/b/a K-C Beverage, to 10711 W. Oklahoma Ave., d/b/a Martha's Vineyard.
54. [2003-0161](#) 2002-2003 Combination Class A Liquor License appl. no. 29 of WA Cheese & Sausage Shoppe, Inc., Mark S. Lutz, Agent, d/b/a West Allis Cheese & Sausage Shoppe for premises at 6832 W. Becher St. (new - nonexisting location).
55. [2003-0183](#) 2003-2004 Mobile Home Park License applications.
56. [2003-0184](#) 2003-2004 Pawn Dealer License applications.
57. [2003-0185](#) 2003-2004 Precious Metal & Gem Dealer License applications.

- 58. [2003-0197](#) 2003-2004 Precious Metal & Gem Dealer License appl. no. 1 of David Derzon Co., Inc., David Derzon, President, for property at 2069 S. 108 St.
- 59. [2003-0186](#) 2003-2004 Second Hand Dealer License applications.
- 60. [2003-0191](#) 2003 Taxicab Driver License applications.
- 61. [2003-0192](#) 2003-2004 Used Vehicle Dealer License applications.
- 62. [2003-0212](#) 2002-2003 Amusement Distributor's License application.
- 63. [2003-0182](#) 2002-2003 Tavern Operator License applications.
- 64. [2003-0194](#) 2002-2003 Tavern Operator License appl. no. 893 of Daniel A. Brown.
- 65. [2003-0195](#) 2002-2003 Tavern Operator License appl. no. 897 of Michael A. Tarantino.
- 66. [2003-0196](#) 2002-2003 Tavern Operator License appl. no. 899 of Juan A. Gonzalez.
- 67. [2003-0203](#) 2002-2003 Tavern Operator License appl. no. 901 of Angela M. Brown.
- 68. [2003-0207](#) 2002-2003 Tavern Operator License appl. no. 904 of Renee M. Horvath.

ADVISORY COMMITTEE

- 69. [2003-0145](#) John Fazen, McKinley Field House employee, request to name their two baseball fields after Jim (Chach) Sagorac and Jack Simon.
- 70. [2003-0202](#) Communication from Mayor Bell transmitting Customer Service Survey report for 2002.
- 71. [2003-0209](#) Legislative Committee Minutes for March 25, 2003.

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

M. 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 QUOROM

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.