



City of West Allis

Meeting Agenda

Common Council

Mayor Jeannette Bell, Chair

Aldersperson James W. Sengstock, Council President

Alderspersons: Gary T. Barczak, Michael J. Czaplewski, Linda A. Dobrowski,

Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke,

Vincent Vitale, and Martin J. Weigel

Tuesday, April 5, 2005

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [2005-0177](#) On the 2004-2005 Class B Tavern License appl. no. 135 of Fujiyama, LLC, Ren Feng, Agent, d/b/a Fujiyama Sushi & Hibachi, for premises located at 2912-20 S. 108 St. (new-nonexisting location) in regards to exceeding the quota.
2. [2005-0083](#) Special use application to establish a bartending academy/school within the existing multi-tenant commercial property located at 8626 W. National Ave. (Tax Key number 478-9994-001).

E. CITIZEN PARTICIPATION

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 118

Administration & Finance, Safety & Development, Advisory

Room 113

Public Works, License & Health

G. MISCELLANEOUS BUSINESS

Mayor's Report**Alderspersons Comments**

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of March 15, 2005.

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2005-0172](#) Eisenberg, Weigel, Carlson, Blau & Clemens, S.C. and Kondos & Kondos Law Center Summons and Complaint in the matter of Roberto Herrera and Star S. Herrera vs. the City of West Allis, et al.
4. [2005-0185](#) Denise Maglio, Grafton, communication regarding vehicle damage allegedly sustained while traveling on W. Greenfield Ave. at S. 95 St., on March 18, 2005.

K. STANDING COMMITTEE REPORT

LICENSE & HEALTH COMMITTEE

Regular meeting held on March 22, 2005. (Ald. Sengstock excused).

5. [2005-0142](#) Police Department communication regarding tavern violations, tobacco compliance checks, and police calls for service for the month of February 2005.
Unanimously recommended to be placed on file.
6. [2005-0090](#) Police Department Report involving My Bar, 6404 W. National Ave. (2004-2005 Class B Tavern License no. 130, Dance Hall License no. 88, and Cigarette License no. 145 of Alberto Sendejo, Incident Date: January 23, 2005.)
Unanimously recommended to be placed on file.

7. [2005-0149](#) Police Department Report involving Magoo's Pub & Grill, 8911 W. National Ave. (2004-2005 Class B Tavern License no. 90, Dance Hall License no. 61, Instrumental Music License no. 34 and Cigarette License no. 85 of Magoo's of West Allis, Ltd., Thomas J. Beckmann, Agent, Incident Date: February 19, 2005.)
Unanimously recommended to be placed on file.
8. [2005-0151](#) Police Department Report involving Tap City, 7207 W. National Ave. (2004-2005 Class B Tavern License no. 73, Dance Hall License no. 52, Instrumental Music License no. 26 and Cigarette License no. 51 of Tap City, Inc., Incident Date: February 20, 2005.)
Unanimously recommended to be placed on file.
9. [2005-0153](#) Police Department Report regarding February 10, 2005 Tobacco Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 133 of Bryan Sra, LLC, Ram Joseph, Agent, 6716 W. Lincoln Ave.)
Unanimously recommended to be placed on file.
10. [2005-0156](#) Police Department Report regarding February 10, 2005 Tobacco Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 69 of Southtown Standard, Inc., Nancy L. Fabinski, Agent, 10731 W. Oklahoma Ave.)
Unanimously recommended to be placed on file.
11. [2005-0159](#) Police Department Report regarding February 10, 2005 Tobacco Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 150 of Akash Petroleum, Virendra S. Verma, Agent, 10537 W. Greenfield Ave.)
Unanimously recommended to be placed on file.
12. [2005-0168](#) David Melstrand, Menomonee Falls, communication opposing the licensing of the Adult-Oriented Establishments at 2727 S. 108 St. and 9800 W. Greenfield Ave.
Unanimously recommended to be placed on file.
13. [2004-0731](#) 2004-2005 Adult-Oriented Establishment License appl. no. 1 of Kathleen Rothen for premises located at 2727 S. 108 St.
Unanimously recommended for denial based on zoning restrictions.
14. [2004-0741](#) 2004-2005 Adult-Oriented Establishment Operator License appl. no. 1 of Kathleen Rothen.
Unanimously recommended denial based on no Adult-Oriented Establishment.
15. [2005-0115](#) 2004-2005 Adult-Oriented Establishment Operator License applications.
Unanimously recommended for approval.
16. [2005-0116](#) 2004-2005 Adult-Oriented Establishment License appl. 2 of Tee & Bee Inc., d/b/a Super Video & Variety, for premises located at 9800 W. Greenfield Ave.

Unanimously recommended for approval subject to necessary requirements.

17. [2005-0138](#) Appointment of new agent by 1016 Kos, Inc., d/b/a Pallas Family Restaurant, 1657 S. 108 Street of Nicholas Itsines Jr. (2004-2005 Class B Tavern License no. 124 and Dance Hall License no. 84).

Unanimously recommended for approval subject to necessary requirements.

18. [2005-0059](#) 2004-2006 Tavern Operator License appl. no. 318 of Wayne J. Paluch.

Unanimously recommended for denial based on the police report.

19. [2005-0104](#) 2004-2005 Tavern Operator License appl. no. 568 of Stacy L. Amstadt.

Unanimously recommended for approval.

20. [2005-0109](#) 2004-2005 Tavern Operator License appl. no. 569 of Lauren D. Kopas.

Unanimously recommended for approval.

21. [2005-0124](#) 2004-2005 Tavern Operator License application no. 576 of Rebecca M. Bertler.

Unanimously recommended for approval.

22. [2005-0125](#) 2004-2005 Tavern Operator License application no. 575 of Randall C. Hopf.

Unanimously recommended for approval.

23. [2005-0137](#) 2004-2006 Tavern Operator License application no. 335 of Thomas J. Romano.

Unanimously recommended for approval.

24. [2005-0143](#) 2004-2005 Tavern Operator License application no. 579 of Julie R. Coy.

Unanimously recommended for approval.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

25. [R-2005-0112](#) Resolution relative to accepting the proposal of Keiser Corporation to provide Fitness Equipment for a total net sum of \$12,960.18.
26. [R-2005-0114](#) Resolution relative to requesting that Milwaukee County appropriate \$1,500,000 for the Milwaukee County Federated Library System for the County-wide Reciprocal Borrowing System for calendar years 2006, 2007, and 2008.
27. [R-2005-0115](#) Resolution relative to requesting that Milwaukee County agree to implementing the County-wide Library Reciprocal Borrowing Collection/Redistribution Method for the Milwaukee County Federated Library System's County-wide Reciprocal Borrowing System for calendar years 2006, 2007, and 2008.
28. [R-2005-0116](#) Resolution relative to requesting the State of Wisconsin to increase the amount of funding in the State 2005-07 Biennium Budget for State Library System Aid.
29. [2005-0176](#) Communications from the Cities of Wauwatosa and Greenfield and the Village of Brown Deer informing the City of West Allis of their public hearings on April 5, 2005, April 20, 2005 and April 25, 2005, respectively, with regard to continuing membership or withdrawal from the Milwaukee County Federated Library System at the end of the year 2005.
30. [R-2005-0121](#) Resolution relative to approving the 2004 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program.
31. [R-2005-0128](#) Initial Resolution Authorizing the Borrowing of not to Exceed \$12,500,000; Providing for the Issuance and Sale of General Obligation Securities Therefore; and Levying a Tax in Connection Therewith.
32. [R-2005-0130](#) Initial Resolution Authorizing the Borrowing of not to Exceed \$5,000,000 for Sanitary Sewer Improvements; Providing for the Issuance and Sale of General Obligation Securities Therefore; and Levying a Tax in Connection Therewith.
33. [R-2005-0131](#) Initial Resolution Authorizing the Borrowing of not to Exceed \$3,500,000 for Water System Improvements; Providing for the Issuance and Sale of General Obligation Securities Therefore; and Levying a Tax in Connection Therewith.

34. [R-2005-0132](#) Initial Resolution Authorizing the Borrowing of not to Exceed \$3,000,000 for Six Points Redevelopment Projects; Providing for the Issuance and Sale of General Obligation Securities Therefore; and Levying a Tax in Connection Therewith.
35. [R-2005-0133](#) Initial Resolution Authorizing the Borrowing of not to Exceed \$750,000 for Lime Pit Redevelopment Project; Providing for the Issuance and Sale of General Obligation Securities Therefore;and Levying a Tax in Connection Therewith.
36. [R-2005-0134](#) Initial Resolution Authorizing the Borrowing of not to Exceed \$500,000 for Wehr Steel Redevelopment Project; Providing for the Issuance and Sale of General Obligation Securities Therefore; and Levying a Tax in Connection Therewith.

City Attorney Claim Report

37. **2002-0051** Habush Habush & Rottier S.C. communication submitted on behalf of Janice L. Taloff regarding injury allegedly sustained at 7143 W. Greenfield Ave.
38. [1999-0013](#) Communication submitted by Kasdorf, Lewis & Swietlik, S.C., 1551 S. 108 St., regarding damage allegedly sustained to their plumbing system on March 18, 1999.
39. [2004-0001](#) Action Law Offices, S.C. communication on behalf of their client, Steven Erdmann, 4330 S. Calhoun Rd., New Berlin, regarding injuries and property damage allegedly sustained while traveling eastbound on W. Oklahoma Ave. at S. Root River Pkwy. on November 18, 2003.
40. [2004-0353](#) Attorney John C. Possi communication on behalf of Millers First Insurance Company and its insured, Sherry Erdmann, regarding vehicle damage allegedly sustained on November 18, 2003, at or about W. Oklahoma Ave. and S. Root River Pkwy.
41. [2004-0444](#) Small Claims Summons and Complaint in the matter of Sentry Insurance vs. City of West Allis, et al.
42. [2004-0663](#) Mueller, Goss & Possi, S.C. communication regarding a Summons & Complaint in the matter of Millers First Classified Ins. Co. vs. City of West Allis, et al., for property damage - auto.
43. [2005-0079](#) Jay K. Luell communication regarding vehicle damage allegedly sustained in the 1400 block of S. 97 St. on January 22, 2005.

PUBLIC WORKS COMMITTEE

44. [R-2005-0090](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 56 St. from 475' north of W. Walker St. to W. National Ave. and portions of intersecting streets by concrete reconstruction of the pavement with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
45. [R-2005-0110](#) Resolution authorizing and directing the City Engineer to pay for sanitary sewer lateral repairs at 1559 South 57th Street in the amount of \$33,613.58.
46. [R-2005-0111](#) Resolution relative to accepting the proposal of R.N.O.W., Inc. for furnishing and installing one (1) Dual Chamber Refuse Collection Body for a total sum of \$90,697.00.

Attachments: [877 Refuse Collection Body.doc](#)

47. [R-2005-0113](#) Resolution authorizing the Director of Public Works to enter into an Intergovernmental Cooperation Agreement for Use and Distribution of Proceeds for Wisconsin Department of Natural Resources "2006" Recycling Efficiency Incentive Grants.
48. [R-2005-0117](#) Resolution relative to the Notice of Hearing for the Vacation and Discontinuance of Public Off-Street Parking North of West Cleveland Avenue between South 84th Street and South 85th Street.
49. [R-2005-0118](#) Resolution Relative to Vacation and Discontinuance of Public Off-Street Parking North of West Cleveland Avenue between South 84th Street and South 85th Street.
50. [R-2005-0120](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner Timothy L. Rinka for property located at 7718-7718A West National Avenue.
51. [R-2005-0122](#) Resolution relative to accepting the proposal of Monroe Truck Equipment for furnishing and installing two (2) 2005 Crysteel dump bodies for a total sum of \$64,523.00.

Attachments: [878 Truck Bodies.doc](#)

52. [R-2005-0124](#) Final Resolution authorizing public improvement by concrete reconstruction of the pavement including miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 70 St. from W. Mitchell St. to W. Burnham St. and levying special assessments against benefited properties.

53. [R-2005-0125](#) Final Resolution authorizing public improvement by major asphalt resurfacing of the pavement including miscellaneous walk repair, miscellaneous driveway repair and utility adjustments in W. Lincoln Ave. from S. 96 St. to S. 108 St. and portions of intersecting streets and levying special assessments against benefited properties.
54. [R-2005-0126](#) Resolution authorizing and directing the City Engineer to pay for sanitary sewer lateral repairs at 1404 South 57th Street in the amount of \$10,615.98.
55. [R-2005-0127](#) Resolution authorizing change orders in the total amount of \$10,825 to the Professional Service Contract of Kapur and Associates for Environmental and Design Services related to the partial demolition and reconstruction of the City's municipal waste incinerator building.
56. [2005-0175](#) We Energies communication reaffirming their policy to the City regarding use of and trespassing on their property or rights-of-way.
57. [2005-0184](#) Communication from the Director of Public Works that all the reporting requirements mandated by the NR216 permit for the period ending March 31, 2005 have been met and are embodied in a report submitted to the Department of Natural Resources.
58. [2005-0174](#) Downtown West Allis Business Improvement District communication extending their appreciation to the City of West Allis for the support of their Downtown activities in 2004, and announcing Sidewalk Sale/Community Days on Fridays, June 10, July 8 and August 19, 2005, to be held from 10:00 a.m. to 6:00 p.m. and requesting "No Parking" signs, street closures, barricades, stage flats, picnic tables and benches for those events.
59. [2005-0191](#) Crawdaddy's Restaurant, Inc., John Vukelic, Agent, d/b/a Crawdaddy's, 6414 W. Greenfield Ave. requesting permission to utilize the pocket park located on the corner of S. 64 St. and W. Greenfield Ave., to celebrate their 10th anniversary on Sunday, May 15, 2005, including music, food and fun.

SAFETY & DEVELOPMENT COMMITTEE

60. [O-2004-0052](#) Ordinance to amend the official West Allis Zoning Map by establishing a Planned Development District Commercial PDD-2 overlay for property located at 1710 S. 108 St. (Crestwood Bakery Property) pursuant to Sec. 12.61 of the West Allis Revised Municipal Code (Tax Key Number 449-9981-011)
61. [R-2004-0353](#) Resolution approving a Planned Development District-Commercial PDD-2 between the City of West Allis and Shecterle Commercial Properties 2, LLC to establish a Planned Development Agreement for new construction of various retail commercial uses at 1710 S. 108 St., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code.

Attachments: [PDD-Crestwood Commons-EXHIBIT A-12-21-04.rtf](#)
[PDD-CrestwoodCommons-Agrmt 12-21-04.rtf](#)
[PDD-CrestwoodCommonsExh C-12-21-04.rtf](#)

62. [2004-0702](#) Request by Shecterle Enterprises, Inc. to establish a Planned Development District Commercial PDD-2 overlay district and Planned Development Agreement for the

redevelopment of approximately 5.45 acres of land (Crestwood Bakery property) located at 1710 S. 108 St. for a commercial/retail development.
(Tax Key No. 449-9981-011).

63. [O-2005-0017](#) An Ordinance to Establish Parking Restrictions on the following West Allis Municipal Parking Lots: 63 Northeast, 64 Northeast and 64 Northwest.

Sponsors: Ald. Czaplewski and Ald. Vitale

64. [2005-0173](#) Police Chief communication regarding City of West Allis crime statistics and major crime report for the month of February 2005.
65. [2005-0194](#) Request by Shelby Visintin, d/b/a Sini Sini, LLC, for an ordinance amendment to Section 12.40 relative to permitting tanning and toning facilities within the C-1 Central Business District.
66. [2005-0193](#) Special use application to establish a tanning and toning salon within a portion of the existing mixed-use property located at 7038-40-42 W. Greenfield Ave.
(Tax Key number 440-0230-000).

Public Hearing Items (Safety & Development Committee)

67. [R-2005-0129](#) Resolution relative to determination of Special Use Application to establish a bartending academy/ school within the existing multi-tenant commercial property located at 8626 W. National Ave. (Tax Key No. 478-9994-001).
68. [2005-0083](#) Special use application to establish a bartending academy/school within the existing multi-tenant commercial property located at 8626 W. National Ave.
(Tax Key number 478-9994-001).

LICENSE & HEALTH COMMITTEE

69. [2005-0183](#) Police Department communications regarding 2004-2005 Adult-Oriented Establishment appl. no. 1 of Kathleen M. Rothen, d/b/a Katie's Korner, 2727 S. 108 St. and 2005 Taxicab Driver License appl. no. 45 of Maheshinder S. Biring.
70. [2005-0111](#) 2005 Taxicab Driver License appl. no. 45 of Maheshinder S. Biring.
71. [2005-0170](#) 2005-2006 Used Vehicle Dealer License applications.

72. [2005-0171](#) 2005-2006 Mobile Home Park License renewal appl. no. 4 of Melvyn G. Feder, d/b/a Fairview Homes, located at 1021 S. 84 St. and 1022 S. 85 St.
73. [2005-0198](#) 2005-2006 Mobile Home Park License renewal appl. no. 5 of Thaddeus Derynda and Bernie Gallas, partners, (D&G Investments), d/b/a Mobile Estates of West Allis, located at 10401 W. Greenfield Ave.
74. [2005-0181](#) 2005-2006 Mobile Home Park License appl. no. 6 of James Davis, 1021 S. 84 St. and 1022 S. 85 St.
75. [2005-0178](#) 2004-2005 and 2005-2006 Second Hand Dealer License applications.
76. [2005-0179](#) 2005-2006 Pawn Dealer License applications.
77. [2005-0180](#) 2004-2005 and 2005-2006 Precious Metal & Gem Dealer License applications.
78. [2005-0187](#) 2005-2006 Amusement Distributor's License application(s).
79. [2005-0189](#) 2005 Taxicab Driver License applications.
80. [2005-0190](#) 2005-2006 Salvage & Recycling Center License applications.
81. [2005-0192](#) Appointment of new agent by Roaring Fork, LLC, d/b/a Q Doba Mexican Grill, 2831 S. 108 St. of David A. De Marco (2004-2005 Class B Beer License no. 6).
82. [2005-0199](#) Appointment of new agent by Stellas Bar & Grill, Inc., d/b/a Stellas, 6851 W. Beloit Rd., of Alejandro Deleon (2004-2005 Class B Tavern License no. 44 and Dance Hall License no. 31).
83. [2005-0196](#) 2004-2006 Package Goods Operator License applications.
84. [2005-0197](#) 2004-2005 Special Class B Beer and Wine License application(s).
85. [2005-0169](#) 2004-2005 Tavern Operator License appl. no. 583 of Michael D. Kulas.
86. [2005-0188](#) 2004-2005 Tavern Operator License appl. no. 592 of Joy A. Fintak.
87. [2005-0200](#) 2004-2005 Tavern Operator License appl. no. 594 of Christopher A. Baudo.
88. [2005-0201](#) 2004-2006 Tavern Operator License appl. no. 341 of Jessica L. Schmidt.
89. [2005-0195](#) 2004-2005 and 2004-2006 Tavern Operator License applications.
90. [2005-0202](#) Time Warner Cable communication regarding the statement of gross revenues from within the City of West Allis, Wisconsin, of Time Warner Cable of Southeastern Wisconsin, L.P. and the related audit opinion of Ernst & Young for the year ended December 31, 2004.

Public Hearing Item (License & Health Committee)

91. [2005-0004](#) 2004-2005 Class B Tavern License appl. no. 135 of Fujiyama, LLC, Ren Feng, Agent, d/b/a Fujiyama Sushi & Hibachi for premises located at 2912-20 S. 108 St. (new-nonexisting location).

ADVISORY COMMITTEE

92. [R-2005-0123](#) Resolution opposing President Bush's proposed changes and reductions in CDBG funding and Section 8 Rental Assistance Program.
93. [2005-0182](#) Legislative Committee minutes for March 22, 2005.

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

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 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.