



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

L. Reinke, Lester Trudell, Jr.,

Vincent Vitale, and Martin J. Weigel

Tuesday, December 16, 2003

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2003-0358](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 76 St. east service drive from W. Cleveland Ave. to S. Van Dyke Pl. by new asphalt construction of the pavement, new concrete curb and gutter, new driveway approaches, storm sewer, building services and utility adjustments.
2. [O-2003-0077](#) Ordinance amending Section 12.45(2) of the Revised Municipal Code relative to the addition of a special use for medical laboratories and manufacturing facilities in the M-1 Manufacturing District
3. & [O-2003-0078](#) An Ordinance to amend the official West Allis Zoning Map by rezoning the underlying zoning of 10601 W. Greenfield Ave. from M-1 Manufacturing District to C-3
4. Community Commercial District and to establish a Planned Development District Commercial PDD-2 overlay for 10601 and 10635 W. Greenfield Ave., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code as requested by Shecterle Commercial Properties 2, LLC and Akash Real Estate, Inc. to establish a retail/commercial Planned Development
- [2003-0716](#) Request to establish a Planned Development Agreement Commercial between the City of West Allis and both Shecterle Commercial Properties 2, LLC and Akash Real Estate, Inc. to establish a Planned Development Agreement for new construction of various retail commercial uses at 10601 and 10635 W. Greenfield Ave., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code
5. [2003-0670](#) Special Use Application submitted by Mr. Will Lepasca d/b/a Wisconsin Medical

Cyclotron, LLC to establish a cyclotron facility within a portion of the existing building at 11236 W. Lapham St.

6. [2003-0681](#) Special Use application submitted by Brian Santner, d/b/a Lunch Bunch Grill, to establish a restaurant within the existing building located at 6200 W. Burnham St.
7. [2003-0699](#) Special use application submitted by Sheri L.Pape d/b/a Small Treasures Children's Center to establish a daycare facility at the existing building located at 7330 W. Lincoln Ave.

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 Common Council regular meeting of December 2, 2003.

H. ITEMS NOT REFERRED TO COMMITTEE

8. [2003-0762](#) Report of the Municipal Judge for the month of November, 2003, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$60,770.60, and the sum of \$63,275.00 in payment of parking violations sent directly to the City Clerk/Treasurer's office.
9. [2003-0738](#) Law Offices of Pitts & Pitts communication on behalf of their client, Patricia A. Parker, regarding injuries and damages allegedly sustained at 8100 W. Greenfield Ave. on August 2, 2003.
10. [2003-0750](#) Amended Summons and Complaint in the matter of WASHINGTON MUTUAL BANK v. CITY OF WEST ALLIS DEPARTMENT OF DEVELOPMENT, HOUSING DIVISION, ET AL.
11. [2003-0752](#) Habush, Habush & Rottier communication on behalf of their client, Nicole Kaltenbach, regarding injuries and damages allegedly sustained on November 20, 2003.

- 12. [2003-0753](#) Summons and Complaint in the matter of TOM HOLZRICHTER, d/b/a THE BEST WOOD JUDGE FIREWOOD, TREE & LANDSCAPING SERVICE V. CITY OF WEST ALLIS.
- 13. [2003-0769](#) Sandra Graham, 2032 S. 96 St., communication regarding alleged injury allegedly sustained near 2074 S. 96 St. on October 27.

I. STANDING COMMITTEE REPORTS

None.

J. COMMON COUNCIL RECESS

K. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

14. [O-2003-0080](#) An Ordinance to amend Ordinance No. 6626 establishing the salary ranges of certain officers and employees in the Fire Department for 2002, 2003, 2004, and 2005 (amending 2004 and 2005).
15. [R-2003-0359](#) Resolution relative to adopting a Limited English Proficiency Policy for inclusion in the City of West Allis Policies & Procedures Manual.
16. [R-2003-0363](#) Resolution relative to authorizing the borrowing of up to \$13,000,000.00 from the Wisconsin State Trust Fund at an interest rate of 5.25 percent for a term of 20 years for the purpose of paying off a portion of the City of West Allis' unfunded Wisconsin Retirement System prior service pension liability.
17. [R-2003-0364](#) Resolution relative to extending the contract of Frank Haack & Associates, Inc. for furnishing Employee Health Benefit Consulting Services for the period January 1, 2004 through December 31, 2004 for the total sum of \$33,000.00.
18. [R-2003-0372](#) Resolution to rescind Resolution Nos. R-2003-0216, R-2003-0217, R-2003-0218, R-2003-0219, R-2003-0220, and R-2003-0221 all relating to the issuance and sale of general obligation securities and the levying of a tax in connection therewith.

19. [R-2003-0373](#) Resolution approving a Demonstration Landscaping Grant by and between the City of West Allis and Pan-O-Gold Baking Co., located at 11224 West Rogers St., in an amount not to exceed \$30,000 funded through Community Development Block Grant Program
20. [R-2003-0374](#) Resolution approving a Demonstration Job Creation - Forgivable Loan Program to attract businesses to the Downtown West Allis Business Improvement District under the Economic Development Loan Program funded by the Community Development Block Grant Program in an amount not to exceed \$50,000.
21. [2003-0722](#) West Allis Police Department, Administrative Officers Association, communication regarding upgrading their wage and compensation package to reflect the package that was extended to the members of the West Allis Professional Police Association.
22. [2003-0744](#) Tad Powalisz, Local 80 President, AFSCME, communication regarding "me too" offer made to the West Allis Firefighters Union as part of their contractual settlement in 2002.

Attachments: [2003-0744](#)

23. [2003-0749](#) Fire Chief Hook communication requesting similar salary adjustment for the Fire Department's administrative staff in consideration of the recent Common Council decision to support a good faith understanding between the City of West Allis and the West Allis Professional Fire Fighters, IAFF local 1004.

Attachments: [2003-0749](#)

24. [2003-0742](#) Pressed Steel Tank Co., Inc., 1445 S. 66 St., communications regarding the anticipation of five (5) permanent layoffs on or about January 31, 2004.
25. [2003-0746](#) Communication from Timothy T. Seider, Mayor of the City of Greenfield, regarding the potential for the City of West Allis to provide temporary Health Department administrative services to the City of Greenfield.
26. [2003-0757](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the period ended October 31, 2003.
27. [2003-0763](#) Report for the month of September, 2003 indicating City of West Allis checks issued in the amount of \$7,404,863.09 including Investment of Funds.
28. [2003-0691](#) Communication from City Administrative Officer requesting exception to hiring freeze for Manager of Purchasing/Central Services.

29. [2003-0755](#) Communication from City Administrative Officer requesting approval of job description and salary range classification for Community Development Manager.

City Attorney Claim Report

30. [2001-0095](#) Daniel P. Kondos, S.C. Law Offices, Notice of Injury on behalf of their client, Robert Bence, regarding injury allegedly sustained on November 28, 2000, at the Canadian Pacific Railroad bridge-S. 70 St. near W. Dickinson St.
31. **2002-0210** Summons & Complaint in the matter of Wisconsin Housing and Economic Development Authority vs. City of West Allis Housing Division, Code No. 30404, Foreclosure of Mortgage.
32. [2003-0540](#) Summons and Complaint in the matter of HOMEQ SERVICING CORPORATION, F/K/A TMS MORTGAGE INC., D/B/A THE MONEY STORE VS. THE CITY OF WEST ALLIS HOUSING DIVISION, ET AL., Case No. 03CV006583, Code No. 30404.

33. [2003-0047](#) Amended Summons and Amended Complaint in the matter of THE BANK OF NEW YORK, TRUST U/A v. CITY OF WEST ALLIS DEPARTMENT OF DEVELOPMENT, HOUSING DIVISION, ET AL.
34. [2003-0604](#) Richard McCullough communication regarding a solar pool cover allegedly removed during refuse collection at 2045 S. 72 St. on September 10, 2003.
35. [2003-0619](#) Faye Hancock communication regarding vehicle damage which allegedly occurred while parked in her space at the Beloit Road Housing Complex, 7335 W. Dreyer Pl., on or about September 12, 2003 (including possible car rental reimbursement).
36. [2003-0621](#) Jack Brees, 2989 S. Waukesha Rd., communication regarding alleged vehicle damage while backing out of his driveway on August 25, 2003.

37. [2003-0636](#) Acuity, A Mutual Insurance Company, communication on behalf of their insured Yolanda Gamazon, regarding vehicle damage in the amount of \$995.35, which allegedly occurred at S. 124 St. & W. National Ave. on July 24, 2003.
38. [2003-0659](#) George R. Kasica, N165 W20901 Glencoe Ln., Jackson, WI communication regarding vehicle damage allegedly sustained by hitting debris in the street at S. 77 St. and W. Oklahoma Ave., on October 8, 2003, in the amount of \$238.73.

PUBLIC WORKS COMMITTEE

39. [R-2003-0356](#) Resolution accepting work of Statewide Heating & Cooling for installation of two new pump motors in the City of West Allis Water Utility Reservoir Pumping Station and authorizing and directing payment of said contract in accordance with contract terms of 2003 Project No. 5.
40. [R-2003-0357](#) Final Resolution authorizing public improvement by major asphalt resurfacing of the pavement with miscellaneous walk repair, storm sewer relay, sanitary sewer relay and utility adjustments in S. 70 St. from approximately 58 ft. south of W. Washington St. on the west side to W. Greenfield Ave. and levying special assessments against benefited properties.
41. [R-2003-0375](#) Resolution relative to accepting the proposal of McNeilus Co. for furnishing and delivering cart tipper assemblies for a total sum of \$37,500.00.
42. [R-2003-0376](#) Resolution relative to accepting the proposal of Traffic & Parking Control Co. for furnishing LED traffic signal lamps for a total sum of \$26,196.90.
43. [2003-0764](#) Communication from City Engineer regarding Morgan Avenue street reconstruction joint project with the City of Greenfield.
44. [2003-0765](#) Communication from City Engineer regarding letter from WisDOT on S. 109th Street and W. Arthur Avenue.

Public Hearing Items (Public Works Committee)

45. [R-2003-0358](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 76 St. east service drive from W. Cleveland Ave. to S. Van Dyke Pl. by new asphalt construction of the pavement, new concrete curb and gutter, new driveway approaches, storm sewer, building services and utility adjustments.

SAFETY & DEVELOPMENT COMMITTEE

46. [2003-0760](#) Communication from the Director of Building Inspections & Zoning regarding the Exterior Property Maintenance Inspection Program in the 1st and 2nd Aldermanic District.
47. [2003-0751](#) Special Use application submitted by Mega of Milwaukee LLC, Konstantinos F. Maltezos new owner of Mega Restaurant, amend the existing special use resolution for

Mega Restaurant 7727 W. Greenfield Ave. and 14** S. 78 St. by extending the hours of operation to 24 hours within the existing restaurant.

Public Hearing Items (Safety & Development Committee)

48. [O-2003-0077](#) Ordinance amending Section 12.45(2) of the Revised Municipal Code relative to the addition of a special use for medical laboratories and manufacturing facilities in the M-1 Manufacturing District
49. [O-2003-0078](#) An Ordinance to amend the official West Allis Zoning Map by rezoning the underlying zoning of 10601 W. Greenfield Ave. from M-1 Manufacturing District to C-3 Community Commercial District and to establish a Planned Development District Commercial PDD-2 overlay for 10601 and 10635 W. Greenfield Ave., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code as requested by Shecterle Commercial Properties 2, LLC and Akash Real Estate, Inc. to establish a retail/commercial Planned Development
50. [R-2003-0368](#) Resolution approving a Planned Development District-Commercial PDD-2 between the City of West Allis and both Shecterle Commercial Properties 2, LLC and Akash Real Estate, Inc. to establish a Planned Development Agreement for new construction of various retail commercial uses at 10601 and 10635 W. Greenfield Ave., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code

51. [2003-0716](#) Request to establish a Planned Development Agreement Commercial between the City of West Allis and both Shecterle Commercial Properties 2, LLC and Akash Real Estate, Inc. to establish a Planned Development Agreement for new construction of various retail commercial uses at 10601 and 10635 W. Greenfield Ave., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code
52. [R-2003-0369](#) Resolution relative to determination of Special Use Application submitted by Will Lepaska, d/b/a Wisconsin Medical Cyclotron, LLC, to establish a pharmaceutical manufacturing facility to be located at 11236 W. Lapham St. (West Allis Tech Center)
53. [2003-0670](#) Special Use Application submitted by Mr. Will Lepaska d/b/a Wisconsin Medical Cyclotron, LLC to establish a cyclotron facility within a portion of the existing building at 11236 W. Lapham St.

54. [R-2003-0371](#) Resolution relative to determination of Special Use Application submitted by Brian Santner, d/b/a Lunch Bunch Grill, to establish a restaurant with outdoor dining and a catering service, to be located at 6200 W. Burnham St.
55. [2003-0681](#) Special Use application submitted by Brian Santner, d/b/a Lunch Bunch Grill, to establish a restaurant within the existing building located at 6200 W. Burnham St.
56. [R-2003-0370](#) Resolution relative to determination of special use application submitted by Sheri L. Pape, d/b/a Small Treasures Children's Center, Inc., to establish a day care facility at 7330 W. Lincoln Ave.
57. [2003-0699](#) Special use application submitted by Sheri L.Pape d/b/a Small Treasures Children's Center to establish a daycare facility at the existing building located at 7330 W. Lincoln Ave.

LICENSE & HEALTH COMMITTEE

58. [2003-0729](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2003-2004 Class B Tavern License no. 51, Dance Hall License no. 37 and Cigarette License no. 69 of Harry O's, Inc., Harry J. Strahlendorf, Agent, Incident Date: November 5, 2003).
59. [2003-0730](#) Police Department Report involving Egg Roll House, 1507 S. 108 St. (2003-2004 Class B Tavern License no. 8 of Alan M. Toy, Incident Date: October 13, 2003).
60. [2003-0747](#) 2003-2004 Tavern Operator License appl. no. 787 of Corina M. Utphall.
61. [2003-0748](#) 2003-2005 Tavern Operator License appl. no. 41 of Cathy A. Dunwiddie.
62. [2003-0768](#) 2003-2005 Tavern Operator License appl. no. 44 of Keith A. Gaffney.

63. [2003-0739](#) Time Warner Cable communication announcing a new High Definition package which debuted on November 24, 2003 including iNHD on channel 545 and iNHD2 on channel 546.
64. [2003-0740](#) Time Warner Cable communication regarding the collection of additional franchise fees being paid to the City of West Allis on non-subscriber revenue beginning January 1, 2004.
65. [2003-0741](#) Time Warner Cable communication regarding new services to their standard and digital channel line-ups and introduction of their new Digital Cable Packages effective December 10, 2003 and rate changes effective January 2004.
66. [2003-0761](#) Communication from the Community Development Authority of the City of West Allis relative to Tavern Licenses - Dlapa's M&R Bar, 6407 W. Greenfield Avenue
67. [2003-0556](#) Summons and Complaint in the matter of the complaint against Palrena, Inc., Wayne J. Paluch, Agent, d/b/a Kicks Night Club, 1900 S. 60 St. (2003-2004 Class B Tavern License no. 77).
68. [2003-0401](#) Police Department Report involving Kicks Night Club, 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: May 24, 2003).
69. [2003-0743](#) 2003-2004 Phonograph Distributor's License applications.
70. [2003-0745](#) 2004 Taxicab Driver License applications.
71. [2003-0756](#) 2003-2004 Special Class B Beer and Wine License application(s).
72. [2003-0759](#) 2003-2004 and 2003-2005 Tavern Operator License applications.

ADVISORY COMMITTEE

73. [2003-0758](#) Requesting approval for destruction of public records in the City Engineer's Office.
74. [2003-0766](#) Reappointment by Mayor Bell, under the limitation on consecutive terms, of Mr. Joseph Kempen as the Citizen Representative of the Suggestion Award Committee, his two-year term to expire January 1, 2006.
75. [2003-0767](#) Reappointment by Mayor Bell of Rebecca Murray as a member of the West Allis Block Grant Committee, her two-year term to expire September 1, 2005.
76. [2003-0754](#) Legislative Committee Minutes for December 9, 2003.

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

- M. [2003-0767](#) Reappointment by Mayor Bell of Rebecca Murray as a member of the West Allis Block Grant Committee, her two-year term to expire September 1, 2005.



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.