



# 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, January 18, 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. [R-2005-0011](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of the general area bounded by W. Burnham St., W. Cleveland Ave., S. 84 St. and S. 92 St. by replacement or repair of concrete sidewalk at random locations.

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 128*

*Public Works, License & Health*

## G. MISCELLANEOUS BUSINESS

**Mayor's Report****Alderspersons Comments**

## H. AGENDA APPROVAL

## I. APPROVAL OF MINUTES

*Minutes of the regular Common Council meeting of January 4, 2005.*

## J. ITEMS NOT REFERRED TO COMMITTEE

2. [2005-0037](#) Report of the Municipal Judge for the month of December, 2004, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$87,487.80, all fines, costs and fees in the sum of \$86,709.40 collected in the Municipal Court and the sum of \$68,737.50 in payment of parking violations sent directly to the City Clerk/Treasurer's office.
3. [2005-0020](#) Stephen Panlener communication regarding property damage allegedly sustained at 1344 S. 63 St.
4. [2005-0041](#) Lawrence Ratayczak communication regarding property damage allegedly sustained, 91 Street reconstruction.

## K. STANDING COMMITTEE REPORTS

**SAFETY & DEVELOPMENT COMMITTEE**

*Regular meeting held on January 11, 2005.*

5. [R-2005-0006](#) Resolution relative to determination of Special Use Application to establish a restaurant/cafe, Paradise Cafe, Inc., within a portion of the Paradise Theater Building located at 6220 W. National Ave. (Tax Key Number 454-0001-000).

**Attachments:** [EXHIBIT A.doc](#)

*Unanimously recommended for adoption.*

6. [2004-0700](#) Special Use application to establish a restaurant/cafe located at 6220 W. National Ave., within a portion of the Paradise Theater Building (occupant Paradise Cafe, Inc). (Tax Key No. 454-0001-000).

*Unanimously recommended to be placed on file.*

7. [R-2005-0007](#) Resolution relative to determination of Special Use Application to establish a church, Paradise Family Life Center, within the former Paradise Theater located at 6229 W. Greenfield Ave. (Tax Key Number 454-0001-000).

**Attachments:** [EXHIBIT A.doc](#)

*Unanimously recommended for adoption as amended.*

8. [2004-0701](#) Special Use application to establish a church at 6229 W. Greenfield Ave. within the former Paradise Theater (occupant Paradise Family Life Center). (Tax Key No. 454-0001-000).

*Unanimously recommended to be placed on file.*

9. [R-2005-0010](#) Resolution relative to determination of a Transitional Use Applications for proposed expansion of the Pegasus Restaurant's commercial parking lot located at 7727 W. Greenfield Ave. to a vacant residential lot located at 14\*\* S. 78 St. (Tax Key Nos. 452-0052-002 and 452-0048-000)

*Recommended for adoption by the following vote:*

*Ayes: Alderpersons Barczak, Lajsic and Vitale - 3*

*Noes: Alderpersons Reinke and Weigel - 2*

10. [2004-0679](#) Transitional use application for proposed expansion of the Pegasus Restaurant commercial parking lot located at 7727 W. Greenfield Ave. to a vacant residential lot located at 14\*\* S. 78 St. (tax key numbers 452-0052-002 and 452-0048-000).

*Recommended to be placed on file by the following vote:*

*Ayes: Alderpersons Barczak, Lajsic and Vitale - 3*

*Noes: Alderpersons Reinke and Weigel - 2*

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

#### **ADMINISTRATION & FINANCE COMMITTEE**

11. [R-2005-0013](#) Resolution relative to accepting the proposal of Frank Haack & Associates, Inc. for furnishing Employee Health Benefit Consulting Services for the period January 1, 2005 through December 31, 2005 for a total sum of \$30,000.00.

12. [R-2005-0017](#) Resolution relative to adopting a Fair Labor Standards Act - Safe Harbor Provisions Policy for inclusion in the City of West Allis Policies & Procedures Manual.
- Attachments:* [PRS75.Attachment.pdf](#)  
[PRS75.doc](#)
13. [R-2005-0023](#) 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 2005 Community Development Block Grant Funds in the sum of approximately \$70,000.
14. [R-2005-0024](#) 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 and to remove conditions of blight from the District, funded by 2005 Community Development Block Grant Funds in the sum of approximately \$40,000.
15. [R-2005-0025](#) 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 2005 Community Development Block Grant Funds in the sum of approximately \$44,500.
16. [R-2005-0026](#) Resolution approving Subgrantee Agreement by and between the City of West Allis and the West Allis-West Milwaukee Family Resource Center, a family counseling project, funded by 2005 Community Development Block Grant Funds in the sum of approximately \$37,700.
17. [R-2005-0027](#) Resolution Approving an Increase in the Sanitary Sewer User Charge-City Portion.
18. [R-2005-0028](#) Resolution Approving an Increase in the Sanitary Sewer User Charge-MMSD Portion.
19. [R-2005-0030](#) Resolution Approving an Increase in the Stormwater Management System User Charge.
20. [R-2005-0029](#) Resolution to transfer \$14,500 from the Contingency Fund to the Public Works Department budget for boulevard maintenance.
- Attachments:* [ADMR269 Attach.pdf](#)
21. [2005-0048](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the period ended November 30, 2004 for review and approval.

**City Attorney Claim Report**

22. [1998-0004](#) Notice of Circumstances of Claims and Claims pursuant to May 11, 1994, Asset Purchase agreement between the City of West Allis and Quad/Graphics covering the former Giddings & Lewis facility located in West Allis.

**PUBLIC WORKS COMMITTEE**

23. [O-2005-0006](#) An Ordinance to repeal Section 2.52 of the City of West Allis Revised Municipal Code relative to the Committee on Recycling.
24. [R-2004-0328](#) Resolution Relative to Vacation and Discontinuance of an Alley North of West Orchard Street Between South 91st Street and South 92nd Street.
25. [R-2005-0012](#) Resolution relative to accepting the proposal of Lakeside Oil Co. for furnishing and delivering diesel and unleaded fuel for an estimated cost of \$355,000.00.
26. [R-2005-0014](#) Resolution relative to accepting the proposal of Ewald Hartford Ford for furnishing seven (7) trucks for a total sum of \$138,853.00.
27. [R-2005-0015](#) Resolution accepting work of LaLonde Contractors, Inc. for concrete reconstruction of the pavement, including miscellaneous walk repair and miscellaneous driveway repair in W. Walker St. from S. 72 St. to S. 77 St. in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2004 Project No. 1.
28. [R-2005-0016](#) Resolution accepting work of Capitol Pavers, Inc. for the removal and reconstruction of the concrete alley pavement, storm sewer, utility adjustments and storm underdrain in various alleys in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2004 Project No. 10.
29. [R-2005-0018](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
30. [R-2005-0019](#) Resolution to approve bid of EnviroTech Remediation Services Inc. for asbestos abatement in the waste incinerator building located at 5100 W. Rogers St., in the amount of \$37,000.

31. [R-2005-0020](#) Resolution to approve bid of Thomas & Egenhoefer Inc. for selective demolition, construction and renovation in the waste incinerator building located at 5100 W. Rogers St., in the amount of \$247,661.00.
32. [R-2005-0021](#) Resolution Granting a Privilege for Encroachment (Major) to new Owner Thomas A. Miller for property located at 8201 West Greenfield Avenue upon approval of City Engineer.

### Public Hearing Items (Public Works Committee)

33. [R-2005-0011](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of the general area bounded by W. Burnham St., W. Cleveland Ave., S. 84 St. and S. 92 St. by replacement or repair of concrete sidewalk at random locations.

### SAFETY & DEVELOPMENT COMMITTEE

34. [O-2005-0007](#) An Ordinance to Repeal and Recreate Section 6.015 of the West Allis Revised Municipal Code Relating to Removal of Abandoned Vehicles and Amend Section 2.19(8)(b) of the West Allis Revised Municipal Code Relating to the Deposit Amount for Violations of Section 6.015

*Sponsors:* Safety & Development Committee

35. [O-2005-0008](#) An Ordinance to Create Section 18.002, Repeal and Recreate Section 18.03(2), Amend Section 18.04(1), Create Section 18.04(6), and Amend Section 18.05 of the West Allis Revised Municipal Code Relating to the Designation of and Recovery of Costs for a Chronic Nuisance Premises

*Sponsors:* Ald. Czaplewski

36. [R-2005-0022](#) Resolution endorsing the application of Dominion Development & Acquisition, LLC, a general partner of West Allis Housing Associates, for Low-Income Housing Tax Credits for the substantial renovation of the existing Section Eight, 41-unit Westside Meadows property located at 1440-50 S. 116 St.
- 36a. [2005-0049](#) Police Chief communication regarding City of West Allis crime statistics and major crime report.
37. [2005-0019](#) Petition submitted by residents to approve the proposed Transitional use application for proposed expansion of the Pegasus Restaurant commercial parking lot located at 7727 W. Greenfield Ave. to a vacant residential lot located at 14\*\* S. 78 St.
38. [2005-0043](#) Special Use application for a proposed classroom and gymnasium building addition to Heritage Christian School, located at 1300 S. 109 St. (tax key no. 445-0715-002).
39. [2005-0018](#) Request for an ordinance to amend the official West Allis Zoning map by rezoning the southern portion of a split zoned property located at 8531 W. Lincoln Ave. (Krueger Dental office) from RB-2 Residential to C-2 Neighborhood Commercial District to create a contiguous commercially zoned property

(tax key no. 487-0031-001).

## LICENSE & HEALTH COMMITTEE

40. [2005-0022](#) Police Department communication regarding Police records, calls for service to liquor stores.
41. [2005-0038](#) Police Department communication regarding Alcohol/Tavern incidents for 2004.
42. [2005-0039](#) Police Department communication regarding tavern violations/calls for service for the month of December 2004.
43. [2005-0042](#) Time Warner Cable communication announcing the transition of the Discovery Wings Digital Channel 142 to the Military Channel effective January 10, 2005.
44. [2005-0025](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 6 of Pak Enterprises, Inc., Mohammed Rafiq, Agent, 3061 S. 108 St.).
45. [2005-0026](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 13 of Mohammed M. Ali, 10708 W. Oklahoma Ave.).
46. [2005-0027](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 1 of Weis Oil, Inc. Richard F. Weis, Agent, 12004 W. Greenfield Ave.).
47. [2005-0028](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) 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.).

48. [2005-0029](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 153 of Taj & Navi Corp., Talwinder Soos, Agent, 5909 W. Lincoln Ave.).
49. [2005-0030](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 7 of Marshall IGD, Inc., Michael Mc Ardle, Agent, 1520 S. 84 St.).
50. [2005-0031](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 10 of Jimmy Enterprises, Inc., Jo Ginder Singh, Agent, 2310 S. 76 St.).
51. [2005-0032](#) Police Department Report involving Lapham Beer & Food, 1568 S. 81 St. (2004-2005 Class A Beer License no. 9 and Cigarette License no. 154 of Villager Food Mart, LLC, Manjeet Sidhu, Agent, Incident Date: December 26, 2004.)
52. [2005-0033](#) Police Department Report involving Boz's Sports Bar, 1325 S. 70 St. (2004-2005 Class B Tavern License no. 3, Dance Hall License no. 2 and Cigarette License no. 17 of Boz's, Inc., Shawn R. Lange, Agent, Incident Date: December 11, 2004.)
53. [2005-0034](#) Police Department Report involving Yester Years Pub & Grill, 9427 W. Greenfield Ave. (2004-2005 Class B Tavern License no. 63, Dance Hall License no. 44, Instrumental Music License no. 23, and Cigarette License no. 47 of Yester Years Pub & Grill, Inc. Karen D. Schoenfeld, Agent, Incident Date: December 17, 2004.)
54. [2005-0035](#) Police Department Report involving Dog House, 1641 S. 68 St. (2004-2005 Class B Tavern License no. 91, Dance Hall License no. 62 and Cigarette License no. 86 of Dog House, Inc., Thomas L. Lipp, Sr., Agent, Incident Date: December 19, 2004.)
55. [2005-0036](#) Police Department Report involving Night Court, 7127 W. National Ave. (2004-2005 Class B Tavern License no. 114, and Cigarette License no. 109 of Night Court Inc., Gregory J. Kaiser, Agent, Incident Date: December 17, 2004.)
56. [2005-0014](#) 2005 Taxicab Driver License applications.
57. [2005-0015](#) 2005 Taxicab Driver License application no. 25 of Shahbaz Imran.



58. [2005-0017](#) 2004-2005 Class B Tavern License application no. 137 and Dance Hall License application no. 93 of Rocco A. Landgraf d/b/a Rocco's Bar & Grill for premises located at 5906 W. Burnham St. (new-existing location)
59. [2005-0021](#) Appointment of new agent by WHG West Allis, LLC, d/b/a Applebees Neighborhood Grill & Bar, 2865 S. 108 St. of Henry Mickevicius (2004-2005 Class B Tavern License no. 2).
60. [2005-0040](#) 2004-2005 Special Class B Beer and Wine License application(s).
61. [2005-0013](#) 2004-2005 and 2004-2006 Tavern Operator License applications.
62. [2005-0016](#) 2004-2005 Tavern Operator License application no. 544 of Melinda M. Krukar.
63. [2005-0023](#) 2004-2006 Tavern Operator License appl. no. 314 of Trista A. Ruehl.
64. [2005-0024](#) 2004-2005 Tavern Operator License appl. no. 547 of Evon F. Graham.
65. [2005-0044](#) 2004-2006 Tavern Operator License application no. 315 of Danyel J. Rhinehart.
66. [2005-0045](#) 2004-2006 Tavern Operator License application no. 316 of James R. Ondishko.
67. [2005-0050](#) 2004-2006 Tavern Operator License application no. 317 of Jennifer L. Wardius.

#### ADVISORY COMMITTEE

68. [O-2005-0005](#) An Ordinance to repeal Section 2.45 of the City of West Allis Revised Municipal Code relative to the Community Safety and Injury Prevention Committee.
69. [2005-0046](#) Appointment by Mayor Bell of Mark Panlener as a member of the West Allis Economic Development (Partnership) Committee, his three-year term to expire January 1, 2008.

*Attachments:* [PANLENER.ED.doc](#)

70. [2005-0047](#) Appointment by Mayor Bell of Natalie Liberto as a member of the West Allis Youth Commission, her term to expire September 30, 2005.

*Attachments:* [YCOMM APPTLTR.Liberto0105.doc](#)

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.