



City of West Allis

Meeting Minutes

Common Council

Mayor Jeannette Bell, Chair

Aldersperson James W. Sengstock, Council President

Alderspersons: Gary T. Barczak, Michael J. Czapski, Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie L. Reinke, Lester Trudell, Jr., Vincent Vitale, and Martin J. Weigel

Tuesday, September 16, 2003

7:13 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Bell at 7:13 p.m.

B. ROLL CALL

Present 10 - Barczak, Czapski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Barczak.

D. PUBLIC HEARINGS

1. [2003-0580](#)

On an Amendment to the Community Development Block Grant Action Plan, B-03-MC-55-0011, creating the City of West Allis Health Department Handicap Accessibility project with a budget not to exceed \$6,500.00. Funds for the project will be made available with a reduction \$6,500.00 to the 2003 Contingency Fund.

Explanation of the proposed Amendment by Patrick Schloss, Acting Economic Development Manager.

*Appearances:
None.*

E. CITIZEN PARTICIPATION

Joel Papham, 1215 S. 76 St., stated that he is involved in veterans' issues, and remarked that September 19th is a national recognition day for POW/MIA. He stated that it is a day to remember the 88,000 individuals who are MIA since World War I and the 140,000 Americans who have spent time in captivity as prisoners of war. He requested that the POW/MIA flag be flown on September 19th.

Carl Ebenhoch, 3148 S. 108 St., stated his concerns regarding car wash noise levels at 10731 W. Oklahoma Ave.

Joe Turk, 3145 S. 107 St., stated his concerns regarding car wash noise levels at 10731 W. Oklahoma Ave.

Kristin Schelwat of Godfrey & Kahn, 780 N. Water St., Milwaukee, stated concerns over traffic flow and safety, and requested the matter be held pending further traffic studies conducted by an outside firm or the City Engineer's office regarding the proposed car wash at 10731 W.

Oklahoma Ave.

Richard Fabinski, owner of the service station at 10731 W. Oklahoma Ave., indicated that he has been at that location for twenty-two (22) years and tries to be a good neighbor. He stated that the car wash has been around since 1981 when he took over the property, and the entrance door is closed to contain the noise from the blow dryer. Mr. Fabinski mentioned that the car wash noise is ambient, and the traffic noise is higher. He further commented that due to the remodeling, the car wash bay will be lengthened by twenty (20) feet, the dryer will be further away, and the noise will be directed towards the traffic on W. Oklahoma Ave. Mr. Fabinski is willing to work with the neighbors.

Gene Klurfeld, 10030 N. Vintage Dr., Mequon, owner of the property just east of the service station. He does not oppose re-design and business moving forward, but he did comment on the neighborly concerns regarding noise and traffic.

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

Mayor Bell announced that the following Committees would meet during recess: Administration & Finance, Public Works, Safety & Development, License & Health, and Advisory.

G. MISCELLANEOUS BUSINESS

Ald. Sengstock spoke, and on behalf of Ald. Reinke, regarding their thoughts on the proposed car wash at 10731 W. Oklahoma Ave. He indicated that Mr. Fabinski has run a good business at the car wash. They understand that the neighbors are concerned about noise. However, it becomes very costly to run studies. They are concerned about the proposed car wash operating on a twenty-four (24) hour basis and will address this at the committee meeting. The doors will need to be closed to the south to assist in containing noise. He asked that the business and neighbors work together. There have been no complaints regarding the business, and the business is a good corporate resident.

Agenda Approval

that the agenda with sponsor change of agenda item no. 10 to Ald. Trudell be accepted.

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, that the agenda with sponsor change of agenda item no. 10 to Ald. Trudell be accepted. The motion carried.

Approval of Minutes

to approve the minutes of the regular meeting of September 2, 2003

A motion was made by Ald. Sengstock, seconded by Ald. Kopplin, to approve the minutes of the regular meeting of September 2, 2003. The motion carried.

H. ITEMS NOT REFERRED TO COMMITTEE

2. [2003-0592](#) Report of the Municipal Judge for the month of August, 2003, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$77,581.60, all fines, costs and fees in the sum of \$76,226.80 collected in the Municipal Court, \$1354.80 collected by the City Clerk/Treasurer's office thru credit card, and \$85,707.00 in payment of parking violations sent directly to the City Clerk/Treasurer's office.
This Matter was Placed on File on a Block Vote.
3. [2003-0574](#) Alan D. Eisenberg communication submitted on behalf of David J. Kelly regarding damages allegedly sustained on August 2, 2003.

This Matter was Referred for Legal Action to the City Attorney on a Block Vote.

4. [2003-0579](#) Communication submitted by Dawn Goldsmith regarding an alleged incident at 9501 W. Cleveland Ave. on May 8, 2003.

This Matter was Referred for Legal Action to the City Attorney on a Block Vote.

Passed The Block Vote

I. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

5. [R-2003-0243](#) Resolution to approve entering into an Intergovernmental Agreement for Trunked Radio System Access.

This Matter was Adopted on a Block Vote.

6. [2003-0542](#) Audited Financial Statement package for the year ended December 31, 2002

This Matter was Approved on a Block Vote.

7. [R-2003-0247](#) Resolution approving an Action Plan for the Fiscal Year 2004 for the Community Development Block Grant (CDBG) Programs.

CDBG program approved as amended

This Matter was Adopted on a Block Vote.

8. [2003-0562](#) Communication from City Administrative Officer requesting approval of job descriptions and salary range classifications for Deputy Police Chief-Operations, Deputy Police Chief-Support Services, and Cable Communications Coordinator.

The positions of Deputy Police Chief-Operations and Deputy Police Chief-Support Services were approved. The position of Cable Communications Coordinator was placed on file.

This Matter was Approved as Amended on a Block Vote.

9. [2003-0565](#) Communication from City Administrative Officer on status report update on business software replacement project with HTE Government Software Solutions.

This Matter was Placed on File on a Block Vote.

Passed The Block Vote

Aye: 10 - Barczak, Czapslewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

No: 0

J. COMMON COUNCIL RECESS

that the Council recess until completion of Committee meetings

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, that the Council recess until completion of Committee meetings. The motion carried.

Thereupon, the Council took a recess at 7:38 p.m. Upon returning from recess at 8:22 p.m., and the roll call being taken, there were:

Present 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

K. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

10. [R-2003-0258](#) Resolution approving a Memorandum of Understanding to Participate in the Milwaukee County/Waukesha County Consortium for Emergency Public Health Preparedness.

Sponsors: Trudell

This Matter was Adopted on a Block Vote.

11. [R-2003-0259](#) Resolution relative to accepting the proposal of Synergy Broadcast Systems for furnishing a Video Server Playback System for a total net sum of \$108,760.00.

This Matter was Adopted on a Block Vote.

12. [R-2003-0262](#) Resolution authorizing the Agreement for the PPO Medical Plan Change Document for 2004.

This Matter was Adopted on a Block Vote.

13. [R-2003-0270](#) Resolution relative to accepting the proposal of CDW-G to provide a computer file server for GIS for a total sum of \$9,024.10.

This Matter was Adopted As Amended on a Block Vote.

14. [R-2003-0271](#) Resolution relative to accepting the proposal of Sungard HTE, Inc. for furnishing software licenses and training for implementation of an enterprise business software system for use by all City Departments.

This Matter was Adopted As Amended on a Block Vote.

15. [2003-0570](#) Pressed Steel Tank Co., Inc., 1445 S. 66 St., communication regarding approximately one (1) layoff on or about October 31, 2003.

This Matter was Placed on File on a Block Vote.

16. [2003-0581](#) Communication from Municipal Judge regarding amended bail schedule.

This Matter was Approved on a Block Vote.

Public Hearing Items (Administration & Finance Committee)

- 16a. [R-2003-0273](#) Resolution approving an amendment to the 2003 Community Development Block Grant Action Plan for the creation of a City of West Allis Health Department Handicap Accessibility Project with a budget not to exceed Six Thousand Five Hundred Dollars (\$6,500.00) appropriated by a reduction in the Community Development Block Grant 2003 Contingency Funds.

This Matter was Adopted on a Block Vote.

City Attorney Claim Report

17. [1997-0004](#) Notice of injury and claim submitted by the Legal Aid Society of Milwaukee, Inc., on behalf of their client Dawn Goldsmith.
This Matter was Denied on a Block Vote.
18. [1997-0005](#) Communication submitted by Leslie Ball, 2772 S. 76 St., West Allis, regarding sewer backup damages at 2772 S. 76 St., on June 21, 1997.
This Matter was Denied on a Block Vote.
19. [1997-0006](#) Communication from All American Graphics regarding damages to their property on June 20 & 21, 1997, at 6317 W. Greenfield Ave.
This Matter was Denied on a Block Vote.
20. [1997-0007](#) Communication submitted by Kershek Law Offices on behalf of their clients, Brett Dobrient, Joe & Sophie Geboy and Sharron McCarten, for injuries and damages sustained by them as a result of alleged defects in the West Allis sewerage and drainage system.
This Matter was Denied on a Block Vote.
21. [1997-0008](#) Notice of claim submitted by Finn, Maloney & Haines, S.C., on behalf of their client Daniel G. Lange for property damage at 8601-03 W. Greenfield Ave. on or about June 21, 1997.
This Matter was Denied on a Block Vote.
22. [2000-0012](#) Megal Development Corporation Notice of Claim, Circumstances of Claim and Claim against the City of West Allis.
This Matter was Denied on a Block Vote.
23. [2000-0037](#) Frederick Sherman, 10121 W. Bungalow Parkway, claim regarding injury allegedly sustained on July 2, 2000, while walking on S. 103 St. between W. Schlinger Ave and W. Bungalow Parkway.
This Matter was Denied on a Block Vote.
24. [2003-0441](#) Safeco Insurance Company of America communication on behalf of their insured, Mary Ting, Policy No. OX5662005, Claim No. 128389891007, regarding property damage in the amount of \$2,231.52, which allegedly occurred on February 8, 2003.
This Matter was Denied on a Block Vote.
25. [2003-0450](#) Gerald Sturdevant communication regarding vehicle damage allegedly sustained at 5511 W. Burnham St. on June 21, 2003.
This Matter was Allowed on a Block Vote.
26. [2003-0481](#) Wojciech Dabrowski communication regarding damage to sewer lateral allegedly sustained at 1511 S. 58 St. in 1999.
This Matter was Allowed on a Block Vote.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

No: 0

PUBLIC WORKS COMMITTEE

27. [R-2003-0260](#) Resolution Approving the Water Tower Lease Agreement by and between the City of West Allis and Nextel Communications.

This Matter was Adopted on a Block Vote.

28. [R-2003-0263](#) Resolution to approve bid of Capitol Pavers, Inc. for removal and reconstruction of the concrete alley pavement, storm sewer utility adjustments and storm underdrain in N/S alley between S. 64 St., S. 65 St., W. Madison St. & W. Greenfield Ave. AND construction of a concrete parking lot, modular block wall, decorative fence and landscaping in the parking lot between S. 64 St. and S. 65 St., north of W. Greenfield Ave., in the amount of \$148,193.60.

This Matter was Adopted on a Block Vote.

29. [R-2003-0266](#) Resolution to approve an agreement with WE Energies on cost sharing the removal of railroad/trolley tracks on W. Lapham Street.

This Matter was Adopted on a Block Vote.

30. [R-2003-0269](#) Resolution to approve bid of C.W. Pupero, Inc. for demolition, sediment stabilization and stormwater basin project for the AC Reorganization Trust Utility Corridor Stormwater Basin Project located north of W. Washington St. and east of S. 70 St., in the amount of \$1,303,002.53.

Attachments: [R-2003-0269 signed](#)

This Matter was Adopted on a Block Vote.

31. [2003-0578](#) Communication from the Director of Public Works relative to the development of bocce ball courts at either Vet's Park or Klentz Park.

This Matter was Approved on a Block Vote.

32. [2003-0589](#) Communication from City Engineer regarding the Public Hearing Schedule for 2004 Capital Improvement Program.

This Matter was Placed on File on a Block Vote.

33. [2003-0590](#) Communication from City Engineer regarding Five Year Capital Improvement Program Including Proposed 2004 Program.

This Matter was Approved on a Block Vote.

34. [2003-0593](#) Communication from City Engineer regarding Fire Station No. 1 brick work.

This Matter was Placed on File on a Block Vote.

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

No: 0

SAFETY & DEVELOPMENT COMMITTEE

37. [O-2003-0064](#) An Ordinance to Create Subsections 7.15(5), (6) and (7) of the West Allis Revised Municipal Code Relating to Rooming Houses. (Sponsored by Ald. Czaplewski)

Sponsors: Ald. Czaplewski

Held in Safety & Development Committee during recess.

38. [R-2003-0251](#) Resolution relative to determination of Special Use Application submitted by the Southside Baptist Church, to establish an elementary school within the existing building located at 1501 S. 73 St.

Held in Safety & Development Committee during recess.

39. [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.

Held in Safety & Development Committee during recess.

40. [R-2003-0252](#) Resolution relative to determination of Special Use Application submitted by Keller Structures on behalf of Richard Fabinski, d/b/a Southtown Amoco to demolish the existing gas station and construct a new gas station, convenience store and car wash at 10731 W. Oklahoma Ave.

This Matter was Adopted As Amended on a Block Vote.

41. [2003-0524](#) Special Use Application submitted by Keller Structures on behalf of Richard Fabinski, d/b/a Southtown Amoco, to demolish the existing gas station and construct a new gas station, convenience store and car wash at 10731 W. Oklahoma Ave.

This Matter was Placed on File on a Block Vote.

42. [R-2003-0272](#) Resolution to rescind Resolution No. R-2003-0241 and to approve the Certified Survey Map submitted by L.I.S. on behalf of the West Allis Community Development Authority for property located at the southeast corner of S. 65 St. and W. Greenfield Ave.

This Matter was Adopted on a Block Vote.

43. [2003-0596](#) Certified Survey Map submitted by L.I.S. on behalf of the West Allis Community Development Authority for property located at the southeast corner of S. 65 St. and W. Greenfield Ave.

This Matter was Placed on File on a Block Vote.

44. [2003-0576](#) Eleanor Mathews, requesting a variance to Section 9.21(4)(c)(3) of the Revised Municipal Code to erect a 13 ft. wide shelter roof to a mobile home at 10315 W. Greenfield Ave., #835.

This Matter was Approved on a Block Vote.

45. [2003-0572](#) Transitional use application submitted by Efstathios Sidirokastritis d/b/a Greek Island Restaurant (formerly Mega), 7727 W. Greenfield Ave. to construct a commercial parking lot on residentially zoned property located at 1420 S. 78 St.

Held in Safety & Development Committee during recess.

46. [2003-0582](#) Special Use application submitted by DBI, Inc. on behalf of Peter Brake d/b/a Badger Truck Center to expand the existing commercial heavy truck sales and service center located at 10915 W. Rogers St. (tax key no. 481-9997-005 and 481-9997-004)

Held in Safety & Development Committee during recess.

47. [2003-0595](#) Special Use application submitted by Cynthia A. Bickler d/b/a Club Canine to establish a dog daycare and grooming facility at 9100 W. Greenfield Ave.

Held in Safety & Development Committee during recess.

Passed The Block Vote

Aye: 10 - Barczak, Czaplowski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

No: 0

LICENSE & HEALTH COMMITTEE

48. [2003-0536](#) 2003-2004 Tavern Operator License appl. no. 717 of Christopher J. Kolff.

Denied based on two (2) nonappearances.

This Matter was Denied on a Block Vote.

49. [2003-0550](#) 2003-2004 Tavern Operator License no. 739 of Jesse L. Digman.

This Matter was Approved on a Block Vote.

50. [2003-0583](#) 2003-2004 Tavern Operator License appl. no. 743 of Jennifer L. Guyant.

This Matter was Approved on a Block Vote.

52. [2003-0575](#) Time Warner Cable communication announcing the Discovery HD Theater Channel on Channel 541 effective immediately.

This Matter was Placed on File on a Block Vote.

53. [2002-0251](#) 2002-2003 Used Vehicle Dealer License appl. no. 37 of West Allis Service, Inc., 7920 W. National Ave.

This Matter was Placed on File on a Block Vote.

54. [2002-0252](#) 2001-2002 Used Vehicle Dealer License appl. no. 45 of West Allis Service, Inc., 7920 W. National Ave.

This Matter was Placed on File on a Block Vote.

55. [2003-0571](#) 2003 Taxicab Driver License application(s).

License appl. no. 66 granted.

This Matter was Approved on a Block Vote.

56. [2003-0573](#) 2003-2004 Instrumental Music License appl. no. 47 of Eunice A. Weber, d/b/a GW's, 9033 W. National Ave. (2003-2004 Class B Tavern License no. 116).

This Matter was Approved on a Block Vote.

57. [2003-0584](#) 2003-2004 Precious Metal & Gem Dealer License renewal application(s).
License appl. no. 8 granted.
This Matter was Approved on a Block Vote.
58. [2003-0585](#) 2003-2004 Special Class B Beer and Wine License applications.
License appl. nos. 4 - 16 granted.
This Matter was Approved on a Block Vote.
59. [2003-0509](#) 2003-2004 Tavern Operator License appl. no. 581 of Judith L. Carbine.
Denied based on two (2) nonappearances.
This Matter was Denied on a Block Vote.
60. [2003-0577](#) 2003-2004 & 2003-2005 Tavern Operator License Applications.
2003-2004 License appl. nos. 720, 741-742, 751, 753-757 & 759-764 granted, and 2003-2005 License appl. nos. 1-3 granted.
This Matter was Approved on a Block Vote.

Passed The Block Vote

51. [2003-0594](#) 2003-2004 Tavern Operator License appl. no. 758 of Larry J. McGinnis.
A motion was made by Ald. Barczak, seconded by Ald. Sengstock, that this matter be Approved. The motion carried by the following vote:
Aye: 9 - Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel
No: 0
Present: 1 - Barczak

ADVISORY COMMITTEE

61. [R-2003-0261](#) Resolution to approve the Year 2004 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Preliminary)
This Matter was Adopted on a Block Vote.
62. [2003-0588](#) Notification by Mayor Bell of Ald. Martin Weigel to serve as the Common Council President's Designee on the West Allis Youth Commission.
This Matter was Approved on a Block Vote.
63. [2003-0597](#) Notification of reappointment of Joyce O'Donnell to the West Allis Community Improvement Foundation, Inc.
This Matter was Approved on a Block Vote.
64. [2003-0587](#) Appointment by Mayor Bell of Mr. Dan Devine as a member of the West Allis Economic Development (Partnership) Committee, his three-year term to expire January 1, 2007.
This Matter was Approved on a Block Vote.

65. [2003-0586](#) Legislative Committee Minutes for September 9, 2003.

This Matter was Placed on File on a Block Vote.

Passed The Block Vote

Aye: 10 - Barczak, Czaplewski, Kopplin, Lajsic, Narlock, Reinke, Sengstock, Trudell, Vitale, and Weigel

No: 0

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

Mayor Bell publicly recognized Chellsie Memmel, a fifteen (15) year old West Allis resident, for her gymnastic accomplishments and putting West Allis on the map. In August she won six (6) medals while competing in the Pan American Games and World Championships. Mayor Bell said that we are proud of Chellsie and her family.

In addition, Mayor Bell stated on October 7th at 6:30 p.m., the Common Council will have their photograph taken.

M. ADJOURNMENT

to adjourn at 8:33 p.m., with the next regularly scheduled meeting to be held on October 7, 2003 at 7:00 p.m

A motion was made by Ald. Sengstock, seconded by Ald. Barczak, to adjourn at 8:33 p.m., with the next regularly scheduled meeting to be held on October 7, 2003 at 7:00 p.m. The motion carried.

*/s/Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer*



All meetings of the {bdName} 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.

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.