



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, May 2, 2006

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-2006-0092](#) Resolution Relative to Vacation and Discontinuance of an Alley North of West Greenfield Avenue Between South 63rd Street and South 64th Street.
2. [R-2006-0117](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of : S. 52 St.: W. Lincoln Ave. to W. Rita Dr., S. 54 St.: W. Lincoln Ave. to W. Rita Dr., S. 55 St.: W. Lincoln Ave. to W. Hayes Ave., S. 56 St.: W. Lincoln Ave. to W. Hayes Ave., S. 57 St.: W. Lincoln Ave. to W. Rita Dr., S. 58 St.: W. Lincoln Ave. to W. Fillmore Dr., S. 59 St.: W. Lincoln Ave. to W. Arthur Ave., W. Fillmore Dr.: S. 57 St. to W. Arthur Ave. and portions of intersecting streets by interim asphalt resurfacing of the pavement and utility adjustments.

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**Alderpersons Comments**

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of April 18, 2006.

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2006-0244](#) Summons and Complaint in the matter of ROBERT F. BARKOW V. CITY OF WEST ALLIS, ET AL.
4. [2006-0252](#) John Mumper communication regarding vehicle damage allegedly sustained at S. 60 St. and W. Lincoln Ave. on April 8, 2006.
5. [2006-0269](#) Mary B. Phalen communication regarding vehicle damage allegedly sustained at S. 60 St. and W. Burnham St. on April 20, 2006.

K. STANDING COMMITTEE REPORTS

LICENSE & HEALTH COMMITTEE

Regular meeting held on April 25, 2006. (Ald. Sengstock excused)

6. [O-2006-0015](#) An Ordinance to Repeal Subsection 9.11(4)(e), Amend Subsections 9.11(4)(c) and 9.11(7)(a) of the Revised Municipal Code Relating to Licensing for Taxicabs.
- Sponsors:*** Ald. Vitale
Unanimously recommended for disapproval.
7. [O-2006-0018](#) An Ordinance to Amend Subsections 9.30(5), (7) and (25) of the West Allis Revised Municipal Code Relating to Tattoo and Body Piercing Establishments.
- Sponsors:*** Ald. Reinke
Unanimously recommended for passage.
8. [O-2006-0019](#) An Ordinance to Repeal and Recreate Section 7.135 of the West Allis Revised Municipal Code Relating to Public Swimming Pools.
- Sponsors:*** Ald. Reinke
Unanimously recommended for passage as amended.
9. [O-2006-0020](#) An Ordinance to Repeal and Recreate Section 7.04 of the West Allis Revised Municipal Code Relating to Food Establishments.
- Sponsors:*** Ald. Reinke
Attachments: [ATTO-Repeal&RecreateSec7.04FoodEstablishments.doc](#)
Unanimously recommended for passage as amended.
10. [O-2006-0021](#) An Ordinance to Repeal and Recreate Section 7.145 of the West Allis Revised Municipal Code Relating to Hotels, Motels and Tourist Rooming Houses and Bed and Breakfast Establishments.
- Sponsors:*** Ald. Reinke
Unanimously recommended for passage as amended.
11. [2006-0214](#) Police Department Report involving Charmed, 6328 W. Mitchell St.(2005-2006 Class B Tavern License no. 42, Dance Hall License no. 31 and Cigarette License no. 82 of Gutzmer & Associates, LLC, Kathleen L. Gutzmer, Agent, Incident Date: March 27, 2006).
- Unanimously recommended to be placed on file.*

12. [2006-0215](#) Police Department Report involving Mario's Tavern, 1900 S. 60 St.(2005-2006 Class B Tavern License no. 68, Dance Hall License no. 50 and Instrumental Music License no. 21 of Mario P. Morgese, Agent, Incident Date: March 29, 2006).
Unanimously recommended to be placed on file.
13. [2006-0125](#) 2005-2006 Adult-Oriented Establishment Operator License application no. 27 of Donald R. Brown.
Unanimously recommended for denial.
14. [2006-0160](#) 2006 Direct Sellers/Solicitors License application no. 1 of Joseph B. Clement.
Unanimously recommended for denial.
15. [2006-0203](#) 2004-2006 Package Goods application no. 53 of Kimberly A. Delamar.
Unanimously recommended for approval.
16. [2006-0234](#) 2006 Taxicab Driver License application no. 48 of Shahbaz Imran.
Unanimously recommended for denial.
17. [2006-0236](#) 2006-2007 Used Vehicle Dealer License application no. 976 of McAdams Car Co. Inc., 2081 S. 56 St.
Unanimously recommended for approval subject to necessary requirements.
18. [2006-0237](#) 2014-2015 Special Class B Beer and Wine License
Unanimously recommended for approval.
19. [2006-0183](#) 2005-2007 Tavern Operator License application no. 485 of Diana M. Klump.
Unanimously recommended for approval.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

20. [R-2006-0131](#) Resolution relative to accepting the proposal of the Milwaukee Journal Sentinel for furnishing publication services for an estimated sum of \$20,000.00.
Attachments: [919 Legal Notice Publication Serv.doc](#)
21. [R-2006-0132](#) Resolution to transfer \$28,665 from the Contingency Fund to the Public Works Department's Equipment Account for the purchase of safety equipment.
22. [R-2006-0133](#) Resolution to transfer \$126,500 from the Contingency Fund to the Public Works Department's Equipment Account for the early purchase of the two 2007 heavy-duty tandem dump truck chassis.
23. [2006-0265](#) Communication from City Administrative Officer transmitting Traffic Violation and Accident Reports for the period January 1, 2006 through March 31, 2006

Attachments: [MCCAccidRpt.06 Q1.doc](#)
[Accident Rpt.Fire Qtr1 2006.doc](#)
[Accident Rpt.Police Qtr1 2006.doc](#)
[Accident Rpt.PW Qtr1 2006.doc](#)

City Attorney Claim Report

24. [2000-0006](#) Mary Cowley's, 833 Robertson St., Wauwatosa, claim regarding vehicle damage allegedly sustained at the intersection of W. Greenfield Ave. and S. 67 St. on December 21, 1999.
25. [2000-0014](#) Nancy A. Christensen, 832 S. 76 St., claim for damages allegedly sustained from a sewer backup at her home on April 21-22, 2000.
26. [2005-0744](#) Criterion Claim Solutions, Inc. communication submitted on behalf of Custom Express regarding vehicle damage allegedly sustained on August 5, 2005 at 9508 W. Schlinger Ave.

PUBLIC WORKS COMMITTEE

27. [O-2006-0024](#) An Ordinance to Amend Subsections 10.105(2)(b)(i) and (iv) and to Amend the Lettering Sequence of Subsection 10.105(2) of the West Allis Revised Municipal Code Relating to Night Parking Permits.

Sponsors: Ald. Vitale

28. [R-2006-0130](#) Resolution Granting a Privilege for Encroachment (Major) to New Owners Mark and Cathy Jorgensen (d/b/a Mc Drywall LLC) for property located at 7301 West National Avenue.
29. [R-2006-0134](#) Resolution Authorizing Acquisition and/or a Water Main Easement for Certain Lands and Interests Located in the City of West Allis, WI, to Install, Operate and Maintain a Water Main along the North Side of West Mitchell Street Between South 88th to South 90th Streets.

Attachments: [Parcel Cost Est-W Mitchell 88-90 Sts.doc](#)

30. [2006-0257](#) Communication from the Director of Public Works regarding submittal of City of West Allis 2005 NR 216 Report to the Wisconsin Department of Natural Resources.

Attachments: [NR 216 Discharge Permit.ltr.rtf](#)

31. [2006-0264](#) Request from West Park Place to block off South 74 Street from West Greenfield Avenue to the alley on Thursday, June 15, 2006 (Western Days parade).

Public Hearing Items (Public Works Committee)

32. [R-2006-0092](#) Resolution Relative to Vacation and Discontinuance of an Alley North of West Greenfield Avenue Between South 63rd Street and South 64th Street.
33. [R-2006-0117](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of : S. 52 St.: W. Lincoln Ave. to W. Rita Dr., S. 54 St.: W. Lincoln Ave. to W. Rita Dr., S. 55 St.: W. Lincoln Ave. to W. Hayes Ave., S. 56 St.: W. Lincoln Ave. to W. Hayes Ave., S. 57 St.: W. Lincoln Ave. to W. Rita Dr., S. 58 St.: W. Lincoln Ave. to W. Fillmore Dr., S. 59 St.: W. Lincoln Ave. to W. Arthur Ave., W. Fillmore Dr.: S. 57 St. to W. Arthur Ave. and portions of intersecting streets by interim asphalt resurfacing of the pavement and utility adjustments.
34. [R-2006-0118](#) Final Resolution authorizing public improvement by interim asphalt resurfacing of the pavement and utility adjustments in : S. 52 St.: W. Lincoln Ave. to W. Rita Dr., S. 54 St.: W. Lincoln Ave. to W. Rita Dr., S. 55 St.: W. Lincoln Ave. to W. Hayes Ave., S. 56 St.: W. Lincoln Ave. to W. Hayes Ave., S. 57 St.: W. Lincoln Ave. to W. Rita Dr., S. 58 St.: W. Lincoln Ave. to W. Fillmore Dr., S. 59 St.: W. Lincoln Ave. to W. Arthur Ave., W. Fillmore Dr.: S. 57 St. to W. Arthur Ave. and portions of intersecting streets and levying special assessments against benefited properties.

SAFETY & DEVELOPMENT COMMITTEE

35. [O-2006-0023](#) Ordinance to amend Section 12.15 of the Revised Municipal Code regarding requiring two (2) appointed alternate Board of Appeals members.
36. [R-2006-0135](#) Resolution amending the Cooperation Agreement by and between the Community Development Authority and the City of West Allis for Tax Incremental District Number Nine - Pioneer Neighborhood.

Attachments: [Coop Agmt-amended-TIF9- 5-2-06.doc](#)

37. [R-2006-0136](#) Resolution to dissolve Tax Incremental District Number Four, City of West Allis, Wisconsin (S. 113 St. and W. Greenfield Ave.), and authorizing the City Administrative Officer-Clerk/Treasurer to distribute excess increment to overlying taxing districts
- 37a. [R-2006-0137](#) Resolution amending a Purchase and Sale Agreement and Development Agreement between the Community Development Authority of the City of West Allis and Toldt Development, Inc., for properties within the Six Points/Farmers Market Redevelopment Area.

38. [R-2006-0127](#) Resolution approving Certified Survey Map to create a multi-family residential lot on a property located at 1415 S. 92 St., also further encompassing 1405-35 S. 92 St., 14** S. 92 St., and 1414 S. 93 St., submitted by Ken Becker, d/b/a H.O.L.I.E., Inc. and Bob Schultz, 3rd Coast Design Concept, LLC. (Tax Key Nos. 450-0001-003, 450-0093-001, 450-0094-000, 450-0095-000, 450-0096-000, 450-0097-000, and 450-0102-000)
39. [2006-0240](#) Certified Survey Map to create a multi-family residential lot on a property located at 1415 S. 92 St., also further encompassing 1405-35 S. 92 St., 14** S. 92 St., and 1414 S. 93 St., submitted by Ken Becker, d/b/a H.O.L.I.E., Inc. and Bob Schultz, 3rd Coast Design Concept, LLC. (Tax Key Nos. 450-0001-003, 450-0093-001, 450-0094-000, 450-0095-000, 450-0096-000, 450-0097-000, and 450-0102-000)
40. [2006-0270](#) Communication requesting an Ordinance to amend the official West Allis Zoning Map by establishing a Planned Development District Residential PDD-1 rezoning overlay and to consider a Planned Development Agreement by and between the City of West Allis, H.O.L.I.E., Inc., and St. Aloysius for an elderly housing addition to the existing convent building on the St. Aloysius campus located at 1415 S. 92 St., also further encompassing 1405-35 S. 92 St., 14** S. 92 St., and 1414 S. 93 St., pursuant to Sec. 12.60 of the Revised Municipal Code. (Tax Key Nos. 450-0001-003, 450-0093-001, 450-0094-000, 450-0095-000, 450-0096-000, 450-0097-000, and 450-0102-000)

LICENSE & HEALTH COMMITTEE

41. [2006-0255](#) Time Warner Cable communication regarding AT&T-SBC's plan to offer video services.
42. [2006-0256](#) Building Inspections and Zoning Director communication regarding Liquor License and Building Occupancy Permit Violations at the Day's Inn Motel at 10900 W. Mitchell Street and the Pallas Restaurant at 1657 S. 108
43. [2006-0243](#) 2006-2007 Combination Class A Liquor License renewal applications.
44. [2006-0242](#) List of 2006-2007 Class B Tavern, Dance Hall, and Instrumental Music License renewal applications.
45. [2006-0245](#) 2006-2007 Class B Tavern License application no. 1031, Instrumental Music License application no. 1032, Dance Hall License application no.1033 and Pool Table License application no. 1035 of Sandra L. Cass, d/b/a Needle Inn, for premises located at 7100 W. National Ave. (new-existing location)
46. [2006-0263](#) 2006-2007 Class B Tavern License renewal application no. 810 and Dance Hall License renewal application no. 812 of Dog House, Inc., Thomas L. Lipp, Agent, d/b/a The Dog House, for premises located at 1641 S. 68 St.
47. [2006-0246](#) 2006-2007 Second Hand Dealer License application(s).
48. [2006-0247](#) 2005-2006 Adult-Oriented Establishment License renewal appl. no. 521 of Tee & Bee Inc., d/b/a Super Video & Variety, for premises located at 9800 W. Greenfield Ave.

49. [2006-0248](#) 2006 Taxicab Driver License application(s).
50. [2006-0249](#) 2006-2007 Used Vehicle Dealer License application(s).
51. [2006-0117](#) 2006-2007 Used Vehicle Dealer License renewal application no. 272 of Caritas For Children, Inc., 7400 W. National Ave.
52. [2006-0253](#) 2006-2007 Amusement Distributor's License renewal applications.
53. [2006-0254](#) 2006-2007 Phonograph Distributor's License renewal applications.
54. [2006-0259](#) 2006-2008 Package Goods License application(s).
55. [2006-0260](#) 2005-2006 Special Class B Beer & Wine application(s).
56. [2006-0250](#) 2005-2006 and 2005-2007 Tavern Operator License applications.
57. [2006-0251](#) 2006-2008 Tavern Operator License applications.
58. [2006-0261](#) 2006-2008 Tavern Operator License renewal application no. 17 of Steven T. Robinson.
59. [2006-0262](#) 2005-2007 Tavern Operator License application no. 492 of Jacqueline D. Michel.

ADVISORY COMMITTEE

60. [2006-0258](#) City Administrative Officer, Clerk/Treasurer communication requesting permission to destroy certain records.
61. [2006-0266](#) Reappointments by Mayor Bell to the West Allis Board of Appeals of David Elertson and Joseph Rieland, their three-year terms to expire May 1, 2009.
62. [2006-0267](#) Appointment by Mayor Bell of Mary Schum as a member of the West Allis Beautification Committee, her term to expire December 31, 2007.
63. [2006-0268](#) Reappointment by Mayor Bell of Mary Cay Freiberg as a member of the West Allis Civil Service Commission, her five-year term to expire May 1, 2011.

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.