



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, June 3, 2003

7:30 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [O-2003-0040](#) Ordinance to amend Section 12.40(2)(p) of the Revised Municipal Code to permit indoor recreation facilities as a special use in the C-1 Central Business District
- 2a. [O-2003-0042](#) Ordinance to amend the Official West Allis Zoning Map by rezoning certain land located at 11024 W. Oklahoma Ave. from C-4 Regional Commercial District to PDD-1 Planned Development District-Residential
- 2b. [R-2003-0181](#) Resolution approving a Planned Development Agreement between the City of West Allis and Windsong Village, L.L.C. pursuant to Sec. 12.61 of the West Allis Revised Municipal Code
3. [2003-0198](#) Special Use Application submitted by Timm Sullivan, d/b/a Zajal and Jypsy's Game Castle, to establish a retail activity center located within the existing building at 7017 W. Greenfield 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 regular Common Council and Caucus meetings of May 20, 2003.

H. ITEMS NOT REFERRED TO COMMITTEE

4. [2003-0387](#) Kasdorf, Lewis & Swietlik, S.C., Notice of the Circumstances of the Claim on behalf of their client, Greg Nawrocki, 5533 W. National Ave., Milwaukee and ACUITY, A Mutual Insurance Company, regarding a water main break on January 27, 2003.

I. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

The following resolution was unanimously recommended for adoption, as amended, by the Committee during its regular meeting held on May 28, 2003:

5. [R-2003-0167](#) Resolution relative to the establishment of a hiring freeze for the City of West Allis.

Sponsors: Lajsic and Sengstock

The following resolutions were unanimously recommended for adoption:

6. [R-2003-0168](#) Resolution Relative to Updating Committees of the Common Council Policy for Inclusion in the City of West Allis Policies & Procedures Manual.
7. [R-2003-0169](#) Resolution Relative to Updating Meetings Policy for Inclusion in the City of West Allis Policies & Procedures Manual.
8. [R-2003-0170](#) Resolution Relative to Updating Rules of Procedure Policy for Inclusion in the City of West Allis Policies & Procedures Manual.

LICENSE & HEALTH COMMITTEE

The following reports were unanimously recommended to be placed on file by the Committee during its regular meeting held on May 27, 2003:

9. [2003-0065](#) Police Department Report involving Metropolis, 6330 W. Greenfield Ave. (2002-2003 Class B Tavern License no. 19, Dance Hall License no. 17 and Cigarette License no. 47 of B Corp., Ian J. Pesch, Agent, Incident Date: January 18, 2003).
10. [2003-0066](#) Police Department Report involving Metropolis, 6330 W. Greenfield Ave. (2002-2003 Class B Tavern License no. 19, Dance Hall License no. 17 and Cigarette License no. 47 of B Corp., Ian J. Pesch, Agent, Incident Date: January 17, 2003).
11. [2003-0098](#) Police Department Report involving Metropolis, 6330 W. Greenfield Ave. (2002-2003

Class B Tavern License no. 19, Dance Hall License no. 17 and Cigarette License no. 47 of B Corp., Ian J. Pesch, Agent, Incident date: January 31, 2003).

The following licenses were unanimously recommended for approval subject to necessary requirements:

12. [2003-0301](#) 2003-2004 Class B Tavern License appl. no. 66, Instrumental Music License appl. no. 28 and Dance Hall License appl. no. 49 of Brian E. Malec for premises at 6330 W. Greenfield Ave., d/b/a The Rock Shop (new - existing location).
13. [2003-0303](#) 2003-2004 Class B Tavern License appl. no. 78 and Dance Hall License appl. no. 57 of Phylo's, LLC, Philip J. Lehmann, Agent, for premises at 1501 S. 70 St., d/b/a Phylo's (new - existing location).
14. [2003-0304](#) 2003-2004 Combination Class A Liquor License appl. no. 10 of Alan J. and Barbara E. Kingsreiter, partners, for premises at 2077 S. 78 St., d/b/a Community Beer & Liquor (new - existing location).
15. [2003-0306](#) 2003-2004 Class B Tavern License renewal appl. no. 42 of WHG West Allis, LLC, Scott A. Graves, Agent, for premises at 2865 S. 108 St., d/b/a Applebee's Neighborhood Grill & Bar (new agent).

The following license was recommended for approval subject to necessary requirements by the following vote:

Ayes: Alderpersons Barczak, Sengstock and Vitale - 3

Noes: Alderpersons Kopplin and Trudell - 2

16. [2003-0345](#) 2003-2004 Class B Tavern License renewal appl. no. 50 of Keith A. Emmrich and Dawn M. Emmrich, partners, for premises at 5826 W. Burnham St., d/b/a Stingrays.

The following license was unanimously recommended for approval subject to necessary requirements:

17. [2003-0348](#) 2003-2004 Second Hand Dealer License appl. no. 20 of Gamestop, Inc., Chad E. Gilbert (new manager), d/b/a Gamestop #569 (formerly Funcoland #569) 6838 W. Greenfield Ave.

The following license was unanimously recommended for approval:

18. [2003-0259](#) 2003-2004 Tavern Operator License appl. no. 54 of Sharon M. Alexander.

The following license was recommended for approval by the following vote:

Ayes: Alderpersons Sengstock, Kopplin, Trudell and Vitale - 4

Noes: Alderperson Barczak - 1

19. [2003-0263](#) 2003-2004 Tavern Operator License appl. no. 118 of Thomas D. Wirsbinsky.

The following licenses were unanimously recommended for approval:

20. [2003-0276](#) 2003-2004 Tavern Operator License appl. no. 156 of Leanne M. Plencner.
21. [2003-0279](#) 2003-2004 Tavern Operator License appl. no. 205 of Heidi A. Kunick.
22. [2003-0282](#) 2003-2004 Tavern Operator License appl. no. 223 of Emily K. Marshall-Walenta.
23. [2003-0287](#) 2003-2004 Tavern Operator License appl. no. 294 of Manuel E. Contramaestre.

The following license was unanimously recommended for denial based on the police report:

24. [2003-0330](#) 2003-2004 Tavern Operator License appl. no. 389 of Jenine M. Wynn.

The following license was unanimously recommended for approval:

25. [2003-0331](#) 2003-2004 Tavern Operator License appl. no. 439 of Nicole L. Gegelman.

The following license was recommended for approval by the following vote:

Ayes: Alderpersons Sengstock, Kopplin, Trudell and Vitale - 4

Noes: Alderperson Barczak - 1

26. [2003-0352](#) 2003-2004 Tavern Operator License appl. no. 469 of Debra Peters.

J. COMMON COUNCIL RECESS

K. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

27. [O-2003-0039](#) An Ordinance to Amend Subsection 3.01(1) of the Revised Municipal Code Relating to Common Council Meetings.

Sponsors: Barczak

28. [R-2003-0070](#) Resolution to Approve the Second Amendment to Lease By and Between West Allis Memorial Hospital, Inc., and Aurora Health Care, Inc., and the City of West Allis.
29. [2003-0396](#) Post-Audited Financial Statements - Not Finalized for the Period Ended December 31, 2002.
30. [2003-0397](#) Unaudited Financial Statement Package For the Period Ended January 31, 2003.
31. [2003-0398](#) Unaudited Financial Statement Package For the Period Ended February 28, 2003.
32. [2003-0390](#) Communication from City Administrative Officer relative to the 2004-2013 Ten Year Capital Improvement Program.

City Attorney Claim Report

33. [2003-0227](#) Ron Oseland communication regarding vehicle damage allegedly sustained at 3142 S. 122 St. on March 5, 2003.

PUBLIC WORKS COMMITTEE

34. [R-2003-0177](#) Resolution relative to accepting the proposal of Central Ready Mix for furnishing concrete and slurry for the estimated total amount of \$47,379.00.
35. [R-2003-0178](#) Resolution relative to Rescinding Resolution No. R-2003-0165 Relating to the Notice of Hearing for the Vacation and Discontinuance of a Portion of the Alley East of South 65th Street Between West Greenfield Avenue and West National Avenue.

36. [R-2003-0179](#) Resolution Relative to Updating Removal of City Street Trees for Driveway Approaches Policy for Inclusion in the City of West Allis Policies & Procedures Manual.
37. [R-2003-0180](#) Resolution relative to the Notice of Hearing for the Vacation and Discontinuance of a Portion of the Alley East of South 65th Street Between West Greenfield Avenue and West National Avenue.
38. [2003-0388](#) United Way of Greater Milwaukee requests permission to install banners on utility poles during their 2003 Community Campaign, September 4 through December 9, 2003, or for as long as we are able to schedule them.

SAFETY & DEVELOPMENT COMMITTEE

39. [O-2003-0041](#) Ordinance to amend Section 12.40(2)(q) of the Revised Municipal Code to permit radio and television stations as a special use in the C-1 Central Business District.
40. [2003-0399](#) Communication submitted by the West Allis Business Improvement District on behalf of the West Allis Community Cable Center in support of the proposed ordinance to amend Section 12.40(2)(q) of the Revised Municipal Code to permit Radio and Television stations as a special use within the C-1 Central Business District.
41. [R-2003-0068](#) Resolution approving the Certified Survey Map submitted by Rudolph Borchardt on behalf of Whitnall Summit Co. for the property at 6610 W. Greenfield Ave. (Tax Key No. 439-0001-030).
42. [2003-0102](#) Certified Survey Map submitted by Rudolph Borchardt on behalf of Whitnall Summit Co. for the property at 6610 W. Greenfield Ave. (Tax Key No. 439-0001-030).
43. [R-2003-0183](#) Resolution amending a professional services contract with Landscape Architects, Inc. for the South 70 Street Gateway Design in an amount not to exceed \$3,500.
44. [2003-0281](#) Request for extension of one-year Planned Development District Commercial and Industrial (PDD-2) between the City of West Allis and Albertson's Jewel Express, located at 11013 and 11111-17 W. Greenfield Avenue.
45. [2003-0389](#) Special Use application submitted by Taco Bell of America to demolish the existing Taco Bell Restaurant and construct a new Taco Bell/Long John Silver's Restaurant at 1361 S. 60 St. (Tax Key No. 439-0359-003).
46. [2003-0393](#) Special Use application submitted by the West Allis Community Communications Corporation to establish a television station within the existing building located at 7210 W. Greenfield Ave. (Tax Key 440-0349-000).
47. [2003-0395](#) Special Use application submitted by Ramco-Gershenson, Inc., on behalf of Capital Fitness, Inc., to establish a health club facility at the West Allis Towne Centre within the former Builder Square located at 6740 W. Greenfield Ave. (Tax Key 439-0001-008).

Public Hearing Items (Safety & Development Committee)

48. [O-2003-0040](#) Ordinance to amend Section 12.40(2)(p) of the Revised Municipal Code to permit

- indoor recreation facilities as a special use in the C-1 Central Business District
49. [O-2003-0042](#) Ordinance to amend the Official West Allis Zoning Map by rezoning certain land located at 11024 W. Oklahoma Ave. from C-4 Regional Commercial District to PDD-1 Planned Development District-Residential
50. [R-2003-0181](#) Resolution approving a Planned Development Agreement between the City of West Allis and Windsong Village, L.L.C. pursuant to Sec. 12.61 of the West Allis Revised Municipal Code
51. [2003-0316](#) Request by Windsong Village, LLC to amend the official West Allis Zoning Map by overlay by rezoning property located at 11024 W. Oklahoma Ave. from C-4 Regional Commercial District to PDD-1 Planned Development District-Residential.
52. [R-2003-0182](#) Resolution relative to determination of Special Use Application submitted by Timm Sullivan, d/b/a Zajal and Jypsy's Game Castle, to establish an indoor recreation activity center in the existing building located at 7017 W. Greenfield Ave.
53. [2003-0198](#) Special Use Application submitted by Timm Sullivan, d/b/a Zajal and Jypsy's Game Castle, to establish a retail activity center located within the existing building at 7017 W. Greenfield Ave.
54. [2003-0199](#) Request by Timm Sullivan, d/b/a Zajal and Jypsy's Game Castle, for an Ordinance to amend Section 12.40(2) of the Revised Municipal Code to allow a retail activity center as a special use within the C-1 Central Business District.

LICENSE & HEALTH COMMITTEE

55. [O-2003-0038](#) An Ordinance to Amend Subsections 9.02(16)(a) and (b) of the Revised Municipal Code Relating to the Period of Validity of Operator's Licenses and to Amend the Fee Therefore in Subsection 9.02(21)(h) of the Revised Municipal Code.
- Sponsors:* Lajsic
56. [2003-0378](#) Time Warner Cable communication announcing America's first Hispanic children's network on channel 991, replacing HTVN and as of July 1, 2003 iNDEMAND will be dropping two of their pay per view channels and replacing two of their pay per view channels with one High Definition iNDEMAND channel to debut on September 1, 2003.
57. [2003-0375](#) Police Department Report involving Deja-Vu, 6328 W. Mitchell St. (2002-2003 Class B Tavern License no. 6, Dance Hall License no. 5 and Cigarette License no. 35 of David A. Johnson) Incident Date: May 10, 2003.
58. [2003-0368](#) 2003-2004 Trailer and Truck Rental License applications.
59. [2003-0369](#) 2003-2004 Amusement Distributor's License applications.
60. [2003-0370](#) 2003-2004 Arcade License application(s).
61. [2003-0371](#) 2003-2004 Phonograph Distributor's License applications.

62. [2003-0372](#) 2003-2004 Special Class B Beer and Wine License applications.
63. [2003-0373](#) 2003 Taxicab Driver License applications.
64. [2003-0374](#) 2003 Taxicab Driver License appl. no. 48 of Jason R. Mayer.
65. [2003-0302](#) 2003-2004 Class B Tavern License appl. no. 71 and Dance Hall License appl. no. 52 of Bencor, Inc., David M. Bennett, Agent, for premises at 1902 S. 68 St., d/b/a Bennett's (new - existing location).
66. [2003-0376](#) 2003-2004 Class B Tavern License appl. no. 98 and Dance Hall License appl. no. 71 of R-Bar Corporation, Alberto Sendejo, Agent, d/b/a My Bar, 6404 W. National Ave. (new-existing location).
67. [2003-0377](#) 2003-2004 Class B Tavern License appl. no. 108, Dance Hall License appl. no. 79 and Instrumental Music License appl. no. 37 of Rookies Sports Bar & Grill, Inc., Steven S. Bjeloshevich, Agent, d/b/a Rookies Sports Bar & Grill, 6833 W. National Ave. (new-existing location).
68. [2003-0380](#) 2003-2004 Package Goods Operator License applications.
69. [2003-0382](#) 2003-2004 Class A Beer License renewal application.
70. [2003-0383](#) 2003-2004 Class B Beer License renewal applications.
71. [2003-0384](#) 2003-2004 Class C Wine License renewal applications.
72. [2003-0385](#) 2003-2004 Combination Class A Liquor License renewal application.
73. [2003-0386](#) List of 2003-2004 Class B Tavern, Dance Hall, Instrumental Music and Bowling Alley License renewal applications.
74. [2003-0249](#) 2003-2004 Tavern Operator License appl. no. 63 of Linda M. Reinke.
75. [2003-0280](#) 2003-2004 Tavern Operator License appl. no. 213 of Thomas A. Weber.
76. [2003-0284](#) 2003-2004 Tavern Operator License appl. no. 267 of Josef C. Zirnheldt.
77. [2003-0379](#) 2002-2003 Tavern Operator License applications and 2003-2004 Tavern Operator License applications.
78. [2003-0381](#) 2003-2004 Tavern Operator License appl. no. 509 of Brian L. Page.

ADVISORY COMMITTEE

79. [2003-0391](#) Notification by Mayor Bell of Common Council President's service on various Committees/Commissions/Boards.
80. [2003-0394](#) Communication from City Administrative Officer/Clerk-Treasurer requesting permission to destroy certain records.

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

M. 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.