



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, August 2, 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. [2005-0514](#) Special use application to establish a catering and banquet facilities, operated by Rupena's, within Summit Place located at 6737 W. Washington St. (Tax Key Number 439-0001-031).
- 2 & [O-2005-0037](#) Ordinance to amend the official West Allis Zoning Map by rezoning the underlying zoning of properties located in the vicinity of S. 65 - S. 66 St. and W. Greenfield Ave. from M-1 Manufacturing District to C-3 Community Commercial District pursuant to Section 12.05 of the Revised Municipal Code and to establish a Planned Development District Residential PDD-1 overlay for said properties pursuant to Section 12.60 of the Revised Municipal Code.
3. [R-2005-0224](#) Resolution relative to determination of a Planned Development Agreement by and between the City of West Allis and Toldt Development, Inc. for new construction of a mixed-use planned development to include residential and commercial uses and other site and architectural improvements on properties located in the vicinity of S. 65 - S. 66 St. and W. Greenfield Ave. pursuant to Sec. 12.60 of the Revised Municipal Code.

Attachments: [PDD-ToldtAgrmt-8-2-05.doc](#)
[PDD-Toldt-Exhibit C-8-2-05.doc](#)
[PDD-Toldt-Exhibit D-8-2-05.doc](#)

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 July 5, 2005 and the special meeting of July 7, 2005.

J. ITEMS NOT REFERRED TO COMMITTEE

4. [2005-0551](#) Report of the Municipal Judge for the month of June, 2005, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$100,556.00, all fines, costs and fees in the sum of \$99,794.80 collected in the Municipal Court and the sum of \$88,996.95 in payment of parking violations sent directly to the City Clerk/Treasurer's office.
5. [2005-0519](#) Amended Summons and Complaint in the matter of GMAC MORTGAGE CORPORATION v. CITY OF WEST ALLIS DEPARTMENT OF DEVELOPMENT, HOUSING DIVISION, ET AL.
6. [2005-0511](#) Ron Terkel communication regarding vehicle damage allegedly sustained while parked on McGeoch Ave., on June 20, 2005.
7. [2005-0520](#) David S. Johnson, 1236 S. 72 St., communication regarding injuries and damages allegedly sustained on March 16, 2005 at S. 75 St. and Madison St.
8. [2005-0529](#) David J. Danielson communication regarding vehicle damage allegedly sustained at S. 88 St. and W. Lincoln Ave., on July 18, 2005.
9. [2005-0513](#) Enrique Aguilera communication regarding vehicle damage allegedly sustained while parked at 8125 W. Rogers St., on June 30, 2005.

10. [2005-0563](#) Koch & McCann, S.C. communication submitted on behalf of Reginald D. Abbott, III regarding damages allegedly sustained at 1325 S. 70 St. on April 29, 2003.
11. [2005-0565](#) Amended Summons and Complaint in the matter of CITIBANK, N.A., v. CITY OF WEST ALLIS DEPARTMENT OF DEVELOPMENT, HOUSING DIVISION, ET AL.

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

12. [R-2005-0112](#) Resolution relative to accepting the proposal of Keiser Corporation to provide Fitness Equipment for a total net sum of \$12,960.18.
13. [2005-0564](#) Communication from the Health Commissioner regarding the purchase of fitness equipment for the Senior Center
14. [R-2005-0200](#) Resolution relative to adopting a Personal Use of City Resources Policy for all City Departments for inclusion in the City of West Allis Policies & Procedures Manual.
Attachments: [PRS77.doc](#)
15. [R-2005-0215](#) Resolution declaring official intent to reimburse expenditures for the Six Points/Farmers Market Redevelopment Project (T.I.F. 5)
Attachments: [Dev-R-392-attachments.rtf](#)
16. [R-2005-0185](#) Resolution authorizing the Director of Development to submit a financial assistance application which seeks eligibility to participate in the Wisconsin Land Recycling Loan Program for a maximum amount of \$7,105,130 to finance possible remediation activities in the Six Points/Farmers Market Redevelopment Area.
Attachments: [DEV-R-391-Attachment-ExhA.doc](#)
17. [R-2005-0214](#) Resolution relative to the transfer of up to \$20,000.00 from the Contingency Fund to the Fire Department's overtime account regarding expenses that are expected in providing fire and emergency medical services at the 2005 Wisconsin State Fair.
18. [R-2005-0217](#) Resolution relative to authorizing the borrowing of up to \$3,100,000.00 from the Wisconsin State Trust Fund at an interest rate of 4.5 percent for a term of 20 years for the purpose of redevelopment of TIF #7 including remodeling of building and parking and no other purpose.
19. [R-2005-0225](#) Resolution to approve Commercial Facade Improvement Project Contract by and between the City of West Allis and Scott Heifetz, d/b/a Heifetz II, LLC, for the property

at 7211-13 W. Greenfield Ave. in an amount not to exceed \$7,300.

Attachments: [7211-13 W. Greenfield Ave. - Heifetz \(8-2-05\).doc](#)

20. [2005-0535](#) West Allis Memorial Hospital, Inc.'s financial statements for the year ended December 31, 2004 and Independent Auditors' report.
21. [2005-0533](#) Communications from West Allis Community Improvement Foundation and Centennial Celebration Executive Board regarding appreciation of City's contribution to the 2006 City of West Allis Centennial Celebration Fund.
22. [2005-0544](#) Communication from Assistant City Attorney regarding the Write-off and Paid In Full of Outstanding Public Works and Delinquent Personal Property Tax Accounts for reasons of being non-collectible, past the statute of limitations, no longer in business or located in the City, etc.

City Attorney Claim Report

23. [2005-0140](#) Steven C. McDaris communication regarding vehicle damage allegedly sustained at 7440 W. Greenfield Ave. on February 28, 2005.
24. [2005-0421](#) Louis Luty communication regarding vehicle damage allegedly sustained while parked at 1751 S. 73 St., on June 9, 2005.
25. [2005-0341](#) Ryan Mulhall communication regarding vehicle damage allegedly sustained at S. 92nd St. and W. Dakota Ave. on May 9, 2005.

PUBLIC WORKS COMMITTEE

26. [R-2005-0213](#) Resolution authorizing change orders in the total amount of \$6,915.04 to the Professional Service Contract of Kapur and Associates for Environmental and Design Services related to the partial demolition and reconstruction of the City's municipal waste incinerator building, with funding from the Land and Building fund.
27. [R-2005-0216](#) Resolution authorizing and directing the City Engineer to pay for sanitary sewer lateral repairs at 831 South 103rd Street in the amount of \$2,895.20.
28. [R-2005-0218](#) Resolution to approve bid of Zignego Company, Inc. for street construction, water main relay, sanitary sewer relay, storm sewer, building services and utility adjustments in S. 70 St., from W. Mitchell St. to W. Burnham St.; S. 72 St. from W. National Ave. to W. Burnham St.; and W. Burnham St. (north side) from S. 71 St. to S. 73 St., in the amount of \$1,283,000.00.
29. [R-2005-0219](#) Resolution to approve bid of Stark Asphalt for street construction in W. Lincoln Ave. from S. 96 St. to S. 108 St., in the amount of \$777,161.60.
30. [R-2005-0220](#) Resolution to approve bid of Northern Pipe Equipment, Inc. for closed circuit TV inspection of sanitary and storm sewers in various locations within the City of West Allis, in the amount of \$17,527.50.
31. [R-2005-0221](#) Resolution to approve bid of American Sewer Services, Inc. for sanitary sewer relay and adjustments in W. Greenfield Ave. from S. 76 St. to S. 80 St., in the amount of \$381,959.00.
32. [R-2005-0222](#) Resolution authorizing change orders in the total amount of \$40,000 for 2004 Project No. 26, Selective Demolition, Construction and Renovation of the Waste Incinerator Building, 5100 West Rogers Street, with funding from the Land and Building fund.
33. [2005-0518](#) Communications opposing the proposed changes to Livingston Terrace.
34. [2005-0543](#) James and Trae Artabasy communication regarding 2000 assessment for Morgan Ave. improvements.
35. [2005-0545](#) Communication from City Engineer responding to Mr. James & Mrs. Trae Artabasy's questions about 2000 Special Assessment.
36. [2005-0530](#) Request by Cornerstone Christian Life Tabernacle United Pentecostal Church to use Liberty Heights Park on August 27th between noon and 3:00 p.m. for a "Rock-a-Block" event to encourage West Allis families and youth to live a socially harmonious life, and the event will offer food, music and activities for children.
37. [2005-0552](#) Communication from Whitnall Summit requesting authorization to draw water from the Storm Water Detention basin for the purposes of watering vegetation in the immediate area.

SAFETY & DEVELOPMENT COMMITTEE

38. [O-2005-0038](#) An Ordinance to establish parking restrictions on the west 120 feet of the north side of the 7400 block of W. Orchard St.
Sponsors: Ald. Weigel
39. [O-2005-0039](#) An Ordinance to amend Subsection 6.02(3)(a) of the West Allis Revised Municipal Code relating to Violations Involving Misuse of 911 Service
40. [O-2005-0040](#) An Ordinance to amend Chapter 10, Sections 10.001, 10.01(1), (2)(a) and (3) of the West Allis Revised Municipal Code relating to Adopting by Reference Offenses Involving All-Terrain Vehicles.
41. [R-2005-0211](#) Resolution to approve an Amendment to the Project Plan for Tax Incremental District Number Five, City of West Allis, Wisconsin
Attachments: [6pts-TID Plan 7.06.05.doc](#)
42. [2005-0524](#) Communication from the Executive Director relative to the Community Development Authority of the City of West Allis' favorable recommendation of the Amendment to the Project Plan for Tax Incremental District Number Five.
43. [2005-0527](#) Communication from the Director of Development relative to the Plan Commission's favorable recommendation of the Amendment to the Project Plan for Tax Incremental District Number Five.
44. [R-2005-0212](#) Resolution to approve an Amendment to the Project Plan for Tax Incremental District Number Eight, City of West Allis, Wisconsin
Attachments: [TIF 8 Amend. One 7-5-05.doc](#)
45. [2005-0525](#) Communication from the Executive Director relative to the Community Development Authority of the City of West Allis' favorable recommendation of the Amendment to the Project Plan for Tax Incremental District Number Eight.
46. [2005-0528](#) Communication from the Director of Development relative to the Plan Commission's favorable recommendation of the Amendment to the Project Plan for Tax Incremental District Number Eight.

47. [2005-0531](#) Mae Bushman request for a variance to Section 9.21(4)(c)3 of the Revised Municipal Code to erect a shelter roof at 10211 W. Greenfield Ave., Lot #55.
48. [2005-0560](#) Request to amend the official West Allis Zoning Map by rezoning certain property located at 632 S. 94 Pl. from C-3 Community Commercial District to M-1 Manufacturing District, submitted by Steve and Aaron Schwid, Aaron's Lawn Care Service.
49. [2005-0517](#) Police Chief communication regarding City of West Allis crime statistics and major crime report for the month of June 2005.
50. [2005-0562](#) Petition from residents opposed to heavy trucking through the alley between S. 76 St. and S. 77 St. from W. Orchard St. to W. Greenfield Ave.
51. [2005-0522](#) Communication from Dale Dobroth of Sidcor/Real Estate in support of the City's uniform Pylon Sign Ordinance.

Public Hearing Items (Safety & Development Committee)

52. [R-2005-0174](#) Resolution relative to determination of Special Use Application to establish catering and banquet facilities, operated by Rupena's within Summit Place located at 6737 W. Washington St. (Tax Key Number 439-0001-0131).
53. [2005-0514](#) Special use application to establish a catering and banquet facilities, operated by Rupena's, within Summit Place located at 6737 W. Washington St. (Tax Key Number 439-0001-031).
54. [O-2005-0037](#) Ordinance to amend the official West Allis Zoning Map by rezoning the underlying zoning of properties located in the vicinity of S. 65 - S. 66 St. and W. Greenfield Ave. from M-1 Manufacturing District to C-3 Community Commercial District pursuant to Section 12.05 of the Revised Municipal Code and to establish a Planned Development District Residential PDD-1 overlay for said properties pursuant to Section 12.60 of the Revised Municipal Code.
55. [R-2005-0224](#) Resolution relative to determination of a Planned Development Agreement by and between the City of West Allis and Toldt Development, Inc. for new construction of a mixed-use planned development to include residential and commercial uses and other site and architectural improvements on properties located in the vicinity of S. 65 - S. 66 St. and W. Greenfield Ave. pursuant to Sec. 12.60 of the Revised Municipal Code.

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[PDD-Toldt-Exhibit C-8-2-05.doc](#)
[PDD-Toldt-Exhibit D-8-2-05.doc](#)

56. [2005-0516](#) Request for a Planned Development Agreement by and between the City of West Allis and Toldt Development, Inc. for new construction of a mixed use planned development to include residential and commercial uses and other site and architectural improvements on properties located in the vicinity of S. 65- S. 66 St. and W. Greenfield Ave. pursuant to Sec. 12.60 of the Revised Municipal Code.

LICENSE & HEALTH COMMITTEE

57. [2005-0221](#) Police Department Report involving Painted Parrot, 8028 W. National Ave. (2004-2005 Class B Tavern License no. 12, Dance Hall License no. 10, Instrumental Music License no. 10, and Cigarette License no. 119 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, Incident Date: March 12, 2005.)
58. [2005-0537](#) Police Department Report involving Stars and Stripes, 7920 W. National Ave., (2004-2005 Cigarette License no. 2 of West Allis Service, Inc., Mark A. Frankowski, Agent, Incident Date: June 15, 2005).
59. [2005-0538](#) Police Department Report involving Jesion's Needle Inn, 7100 W. National Ave., (2004-2005 Class B Tavern License no. 132, Dance Hall License no. 91, Instrumental Music License no. 52 and Cigarette no. 157 of Transfer Cafe, LLC, James Yohanen, Agent, Incident Date: June 29, 2005).
60. [2005-0540](#) Police Department Report involving HD Hideout, 6201 W. Mitchell St., (2004-2005 Class B Tavern License no. 37 and Dance Hall License no. 29, Carol A. Jackson, Agent, Incident Date: June 1, 2005).
61. [2005-0541](#) Police Department Report involving Overload Tavern, 6827 W. National Ave., (2004-2005 Class B Tavern License no. 27, Dance Hall License no. 20, Instrumental Music License no. 13 and Cigarette License no. 29 of Overload, LLC, Gigi M. Wissing, Agent, Incident Date: June 7, 2005).
62. [2005-0542](#) Police Department Report involving Fred's Never Inn, But Sue Is, 5819 W. National Ave., (2004-2005 Class B Tavern License no. 71 and Dance Hall License no. 50, Susan M. Igl, Agent, Incident Date: June 2, 2005).
63. [2005-0549](#) 2005-2006 Class B Tavern License application no.133 of John D. Kalman, d/b/a Stallis, premises located at 5819 W. National Ave. (new-existing location).
64. [2005-0490](#) 2005-2006 Class B Tavern License application no. 126, Dance Hall License application no. 87 and Intrumental Music License application no. 44 of Amigo Real Estate LLC, Elva E. Martinez, Agent, d/b/a Mr. Churro for premises located at 5801 W. Beloit Rd. (new-existing location)

65. [2005-0512](#) 2005-2006 Class B Tavern License application no. 134, Dance Hall License application no. 90 and Instrumental Music License application no. 45 of Joseph Jeffords, d/b/a Smokin' Joe's for premises located at 6139 W. Beloit Rd. (new-existing location)
66. [2005-0548](#) 2005-2006 Class B Tavern License application no.132 and Dance Hall License no. 89, of Iris Inc., LLC, Peter D. Crivello, Agent, d/b/a Scotty's West Allis, premises located at 6500 W. Greenfield Ave. (new-existing location).
67. [2005-0546](#) 2005-2006 Class B Tavern License renewal application no. 131 of Scott R. Jesion, d/b/a Scotty's for premises located at 6500 W. Greenfield Ave.
68. [2005-0550](#) 2005-2006 Class B Beer License application no. 11 of MTM Enterprise, Dale M. Klepp, Agent, d/b/a Nothing But Noodles, premises located at 2923 S. 108 St.(new-nonexisting).
69. [2004-0538](#) 2004-2005 Class B Beer License appl. no. 11 of MTM Enterprises, Dale M. Klepp, Agent, d/b/a Nothing but Noodles, for premises located at 2923 S. 108 St. (new - nonexisting location).
70. [2005-0561](#) 2005-2006 Adult-Oriented Establishment Operator Permit License application no 18 of Kathleen R. DePratt.
71. [2005-0534](#) 2005-2006 Tavern Operator License application no. 388 of Ona B. Sandbom.
72. [2005-0536](#) 2005-2007 Tavern Operator License application no. 359 of Neal A. Adams.
73. [2005-0547](#) 2005-2007 Tavern Operator License renewal application no. 363 of Michelle M. Fischer.
74. [2005-0553](#) 2005-2006 Tavern Operator License application no. 395 of Mary J. Schalk.
75. [2005-0554](#) 2005-2006 Tavern Operator License application no. 394 of Lorri L. Nieves.
76. [2005-0539](#) Communication from Assistant City Attorney regarding proximity of "Class B" Tavern License application submitted by K. Krishna, LLC for the premises located at 10711 W. Oklahoma Ave. to Calvary United Methodist Church located at 3177 S. 108 St.
77. [2005-0515](#) L. Williams communications regarding Top Gun Saloon at 1100 S. 60 St.
78. [2005-0521](#) Police Department report regarding tavern violations/calls for service for the month of June 2005.
79. [2005-0566](#) 2005-2006 Class B Tavern License renewal application no. 129 of Bencor Inc., David M. Bennett, Agent, d/b/a Bennett's, for premises located at 1416 S. 66 St.
80. [2005-0507](#) 2005-2006 Amusement Distributor's License application.
81. [2005-0508](#) 2005-2006 Phonograph Distributor's License application.
82. [2005-0509](#) 2005-2006 Second Hand Dealer License applications.

83. [2005-0510](#) 2005 Taxicab Driver License application(s).
84. [2005-0523](#) 2005-2006 and 2005-2007 Tavern Operator License applications.
85. [2005-0526](#) 2005-2006 Package Goods Operator License application.

ADVISORY COMMITTEE

86. [2005-0555](#) Appointment by Mayor Bell of Ms. Ellen Karrels as a member of the West Allis Library Board, her three-year term to expire July 1, 2008.
Attachments: [KARRELS.LIBRARY.doc](#)
87. [2005-0556](#) Appointment by Mayor Bell of Mr. Winard Coley as a member of the West Allis Board of Review, his five-year term to expire August 21, 2010.
Attachments: [COLEY.BDRVW.doc](#)
88. [2005-0558](#) Appointment by Mayor Bell of William Greaves, M.D., as the Health Department Medical Advisor to the West Allis Board of Health, his term to expire January 1, 2007.
Attachments: [GREAVES.HEALTH.doc](#)
89. [2005-0559](#) Appointment by Mayor Bell of Mr. Justin Hern as the Village of West Milwaukee Representative to the West Allis Board of Health, his term to expire January 1, 2007.
Attachments: [HERN.HEALTH.doc](#)
90. [2005-0557](#) Notification by Mayor Bell of the formation of a Juvenile Crime Enforcement Coalition.
Attachments: [JUVENILE.COAL 05.doc](#)
91. [2005-0532](#) Legislative Committee minutes for July 12, 2005.
Attachments: [071205 LEGCMTE MIN.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.