



City of West Allis

Meeting Minutes

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, November 16, 2004

5:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Bell at 5:00 p.m.

B. ROLL CALL

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

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ald. Lajsic.

D. PUBLIC HEARINGS

1. [O-2004-0046](#) An ordinance to amend the official West Allis Zoning Map by rezoning properties located at 3190 S. Wollmer Rd. (Tax Key No. 523-9987-001) and 31** S. Wollmer Rd. (Tax Key No. 523-9987-002) from C-4 Regional Commercial/RA-1 Residence District to RC-1 Residence District, requested by Michael Hoffman, Developer.

Attachments: [O-2004-0046 Affidavit](#)

Explanation of the proposed Ordinance by John Stibal, Director of Development.

Appearances:

Eileen Allen, represented Mary Schutz, 3210 S. Wollmer Rd., opposes the proposal due to noise, safety, traffic and overcrowding, and requests Wollmer Rd. be preserved as a residential neighborhood.

Lizette Mullen, 3177 S. Wollmer Rd., opposes the proposal because of noise, safety, traffic, and headlight beams from the driveway entering her house, and that the project is too big for the area.

Brian Schuk, 3191 S. Wollmer Rd., opposes the proposal and stated his concerns regarding traffic, parking and the design of the structure. He also questioned the landscaping for the building. He stated his concerns regarding the impact on his property values, and requested an ad hoc committee for the Wollmer Rd. residents.

Mike Dobson, 3213 S. Wollmer Rd., stated that a house should not be torn down for another building.

Jerry Hamberger, 3225 S. Wollmer Rd., opposes the density of the building.

Attorney Timothy Andringa, 1601 E. Racine Ave., Waukesha, represented property owner Kasco of Wisconsin, LLP, commented on the City's comprehensive zoning plan. He stated that a single-family residence is not a reasonable use for this property, and that there is a substantial difference between condominiums and apartment complexes. Mr. Andringa mentioned that there is no evidence that the City's infrastructure cannot support this type of rezoning. He said that change in zoning is consistent with the change in this area over time, and that the issue is not density. He requested the Common Council adopt the recommendation of the Plan Commission. He further stated that condominium ownership should be treated no differently than residential ownership.

Dennis Kasian, 3109 S. Wollmer Rd., is a partner in the owner, and stated that the master plan has called for high density in the area. The plan meets the zoning requirements. He further described the character of the neighborhood and the neighboring multi-family units. He commented on the land use and increased tax base.

Mike Hoffman, W230 S4361 Milky Way Rd., developer, stated that the building will be attractive. He mentioned that there is pride in ownership of the condominium owners, and that they invest in and improve the units. He also stated that the units he has built before has not doubled the number of cars present.

Lizette Mullen, 3177 S. Wollmer Rd., questioned the view from the condos, and commented on high density units on main thoroughfares.

2. [2004-0612](#)

Special Use Application for proposed Capoeira Martial Arts Studio, to be located at 5835 W. National Ave.

Explanation of the proposed Special Use by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Brian Preiss, Executive Director, Downtown West Allis Business Improvement District and Downtown West Allis, Inc., 7231 W. Greenfield Ave., announced the Downtown West Allis Holiday Stroll scheduled for December 4th from 10:00 a.m. to 2:00 p.m.

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

Mayor's Report

Mayor's report to be included with the next scheduled regular meeting.

Alderspersons Comments

Ald. Weigel referred to the "Best of" Issue of the Shepherd Express, and stated that West Allis has a lot to be proud of including the best Cajun and Caribbean restaurants, the best Farmers Market, and the best elected suburban official, Mayor Bell.

H. AGENDA APPROVAL

that the agenda as submitted be accepted

A motion was made by Ald. Sengstock, seconded by Ald. Lajsic, that the agenda as submitted be accepted. The motion carried.

I. APPROVAL OF MINUTES

to approve the minutes of the regular meeting of November 3, 2004

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, to approve the minutes of the regular meeting of November 3, 2004. The motion carried.

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2004-0677](#) Report of the Municipal Judge for the month of October, 2004, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$85,969.44, all fines, costs and fees in the sum of \$85,722.04 collected in the Municipal Court and the sum of \$81,548.00 in payment of parking violations sent directly to the City Clerk/Treasurer's office.

This Matter was Placed on File on a Block Vote.

4. [2004-0683](#) Samster, Konkel & Safran, LLC communication submitted on behalf of Douglas Sopa and Maureen Klitz-Sopa regarding injuries and damages allegedly sustained at S. 86 St. and W. Lincoln Ave. on January 28, 2002.

This Matter was Referred for Legal Action on a Block Vote.

Passed The Block Vote

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

5. [O-2004-0045](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2005.

This Matter was Passed on a Block Vote.

6. [2004-0604](#) 2005 City of West Allis Mayor's Recommended Budget.

This Matter was Approved on a Block Vote.

Passed The Block Vote

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

No: 0

L. 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 5:44 p.m. Upon returning from recess at 6:00 p.m., and the roll call being taken, there were:

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

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

7. [2004-0689](#) Communication from School District of West Allis-West Milwaukee regarding the City's use of the Parkway Recreation Facility during Fire Department building construction.

Held in Administration & Finance and Public Works Committees during recess.

ADMINISTRATION & FINANCE COMMITTEE

8. [R-2004-0320](#) Resolution Adopting the National Incident Management System by the City of West Allis.

This Matter was Adopted on a Block Vote.

9. [R-2004-0322](#) Resolution to transfer up to \$20,000 from the Contingency Fund to the Fire Department Equipment Account (100-2201-522.70-05) for the emergency purchase of replacement defibrillators.

This Matter was Adopted on a Block Vote.

10. [R-2004-0326](#) Resolution authorizing the Director of Development to issue a Request for Proposal for a hotel for State Fair Park.

This Matter was Adopted on a Block Vote.

11. [2004-0665](#) Communication from the City Attorney regarding the City's Affirmative Action Plan

Attachments: [Affirmative Action Plan.pdf](#)

Held in Administration & Finance Committee during recess.

12. [2004-0672](#) Downtown West Allis Business Improvement District communication regarding their 2003 Annual Financial Report.

This Matter was Placed on File on a Block Vote.

13. [2004-0675](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the period ended September 30, 2004 for review and approval.

This Matter was Placed on File on a Block Vote.

14. [2004-0676](#) Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the period ended October 31, 2004 for review and approval.

This Matter was Placed on File on a Block Vote.

City Attorney Claim Report

15. **2001-0091** Helen Kowalski communication regarding injury allegedly sustained at 7001 W. National Ave. on October 30, 2001.

This Matter was Denied on a Block Vote.

16. **2001-0092** Anthony Pratt communication regarding request for return of property.

This Matter was Denied on a Block Vote.

17. **2002-0004** Anthony Pratt, Green Bay, communication regarding a refund of \$2,500.00 for the loss of his vehicle which was allegedly seized on March 30, 1998, Reg. No. 155862.

This Matter was Denied on a Block Vote.

18. [2000-0010](#) Robert Kelsey claim regarding garage and soil damage allegedly sustained at 2481 S. 95 St.

This Matter was Denied on a Block Vote.

19. [2004-0585](#) Arnold Hochtritt communication regarding vehicle damage which allegedly occurred at 84 St. and Lapham St. on September 14, 2004

This Matter was Denied on a Block Vote.

Passed The Block Vote

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

No: 0

PUBLIC WORKS COMMITTEE

- 19a. [R-2004-0312](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner Thomas C. Doyle (d/b/a Doyle's Milwaukee Inn) for property located at 7335 West Greenfield Avenue.

This Matter was Adopted As Amended on a Block Vote.

20. [2004-0688](#) Downtown West Allis Business Improvement District (BID) requesting "No Parking" signs and possible relocation of ice sculptures for their Annual Downtown West Allis Holiday Stroll on Saturday December 4, 2004, from 10:00 a.m. to 2:00 p.m.

This Matter was Approved on a Block Vote.

Passed The Block Vote

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

No: 0

SAFETY & DEVELOPMENT COMMITTEE

21. [R-2004-0321](#) Resolution to authorize the submittal of three state grant applications by the Director of Development and the subsequent appropriation of necessary local matching funds for a Brownfield Site Assessment Grant

This Matter was Adopted on a Block Vote.

22. [R-2004-0324](#) 2005-2006 Class B Tavern Special Event Permit application no. 5 of OAR, LLC, Michael O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2005-2006 Class B Tavern License no. 104) for a half way to St. Patrick's Day Party to be held on Friday, September 16, 2005, from 5:00 p.m. to 11:00 p.m. (Fenced in parking lot with tent and stage)
- This Matter was Adopted on a Block Vote.**
23. [R-2004-0323](#) Resolution approving the Certified Survey Map submitted by Tri-Corp Housing Inc. for a property split to develop two single family residential lots on property located at 18** S. 65 St. (tax key number 454-0357-000).
- Held in Safety & Development Committee during recess.*
24. [2004-0682](#) Certified Survey Map submitted by Tri-Corp Housing Inc. for a property split to develop two single family residential lots on property located at 18** S. 65 St. (tax key number 454-0357-000).
- Held in Safety & Development Committee during recess.*
25. [2004-0690](#) Police Chief communication regarding City of West Allis crime statistics and major crime report.
- This Matter was Placed on File on a Block Vote.**
26. [2004-0691](#) Police Chief communication regarding evaluation of Crossing Guard location at W. Lincoln Ave. and I-894 on ramp.
- This Matter was Placed on File on a Block Vote.**
27. [2004-0678](#) Special use application for proposed G.M. and G.E. Credit Union to be located at 1606 S. 84 St. within a portion of the existing retail center located at 1606-1650 S. 84 St. (tax key number 452-0431-001).
- Held in Safety & Development Committee during recess.*
28. [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).
- Held in Safety & Development Committee during recess.*
29. [2004-0680](#) Special use application to establish a day care facility within a portion of the Mary Queen of Heaven building located at 2360 S. 106 St. (tax key number 485-0036-002).
- Held in Safety & Development Committee during recess.*
30. [2004-0684](#) Special use application to expand the drive through hours of operation to 24 hours daily and to add an additional point of sale location within the existing drive through lane at the existing McDonald's Restaurant located at 8301 W. Greenfield Ave. (tax key number 451-0644-004).
- Held in Safety & Development Committee during recess.*

31. [2004-0692](#) Special Use application to establish a vocational school within a portion of the existing Summit Place One office building located at 6737 W. Washington St. (tax key number 439-0001-030) and the proposed Summit Place Two building to be located on the west side of S. 70 St. at 909 S. 70 St. (tax key number 440-0259-008).

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

32. [O-2004-0046](#) An ordinance to amend the official West Allis Zoning Map by rezoning properties located at 3190 S. Wollmer Rd. (Tax Key No. 523-9987-001) and 31** S. Wollmer Rd. (Tax Key No. 523-9987-002) from C-4 Regional Commercial/RA-1 Residence District to RC-1 Residence District, requested by Michael Hoffman, Developer.

Attachments: [O-2004-0046 Affidavit](#)

Held in Safety & Development Committee during recess.

33. [2004-0697](#) Petition submitted by residents to deny the proposed zoning amendment submitted by Michael Hoffman of Creekside Meadows, LLC, to amend the official West Allis Zoning Map by rezoning certain land located at 3190 S. Wollmer Rd. and 31** S. Wollmer Rd. from C-4 Regional Commercial District and RA-1 Residence District to RC-1 Multi-family Residence District.

Held in Safety & Development Committee during recess.

34. [R-2004-0325](#) Resolution for Special Use Permit for proposed Brasil Arts & Fitness to be located at 5835 W. National Ave., currently a vacant tenant space.

This Matter was Adopted on a Block Vote.

35. [2004-0612](#) Special Use Application for proposed Capoeira Martial Arts Studio, to be located at 5835 W. National Ave.

This Matter was Placed on File on a Block Vote.

Passed The Block Vote

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

No: 0

LICENSE & HEALTH COMMITTEE

36. [2004-0670](#) Time Warner Cable communication regarding changes to be made to their basic, standard and digital channel line-ups on December 1, 2004 and rate changes to take effect December 2004 and January 2005.

This Matter was Placed on File on a Block Vote.

37. [2004-0681](#) Police Department communication regarding Tavern Contacts/Violations as of November 1, 2004.

Held in License & Health Committee during recess.

38. [2004-0693](#) Mega of Milwaukee, LLC communication regarding change of business trade name of Agnos Mega Restaurant to Pegasus Restaurant located at 7727 W. Greenfield Ave.
This Matter was Approved on a Block Vote.
39. [2004-0685](#) Police Department Reports involving GW's Jaws, 9033 W. National Ave. (2004-2005 Class B Tavern License no. 24, Dance Hall License no. 18, Instrumental Music License no. 12 and Cigarette License no. 120 of GW's Jaws, LLC, Eunice A. Weber, Agent, Incident Date: October 4, 2004.)
Held in License & Health Committee during recess.
40. [2004-0686](#) Police Department Reports involving The Doctor's Office, 1309 S. 60 St. (2004-2005 Class B Tavern License no. 58, Dance Hall License no. 42, and Instrumental Music License no. 21 of Lawrence J. Robe, Jr., Incident Date: October 16, 2004.)
Held in License & Health Committee during recess.
41. [2004-0687](#) Police Department Reports involving Tap City, 7207 W. National Ave. (2004-2005 Class B Tavern License no. 73, Dance Hall License no. 52, Instrumental Music License no. 26 and Cigarette License no. 51 of Tap City, Inc., Russell J. Kleist, Agent, Incident Date: October 2, 2004.)
Held in License & Health Committee during recess.
42. [2004-0669](#) 2004-2005 Class B Tavern License appl. no. 133 of Mario P. Morgese, d/b/a Mario's for premises at 1900 S. 60 St. (new-existing location).
Held in License & Health Committee during recess.
43. [2004-0694](#) 2004-2005 Instrumental Music License appl. no. 52 and Dance Hall License appl. no. 91 of Transfer Cafe, LLC, James Yohanan, Agent for premises at 7100 W. National Ave. (04-05 Class B Tavern License no. 132).
Instrumental Music License appl. no. 52 and Dance Hall License appl. no 91 approved.
This Matter was Approved on a Block Vote.
44. [2004-0668](#) 2005 Taxicab Operator License applications.
License appl. no. 6 granted.
This Matter was Approved subject to the necessary requirement(s) on a Block Vote.
45. [2004-0674](#) 2004 and 2005 Taxicab Driver's License applications.
2004 License appl. no. 80 granted, 2005 License appl. nos. 10-11 granted and 2005 License appl. no. 12 held.
This Matter was Approved on a Block Vote.
46. [2004-0666](#) 2004-2005 Tavern Operator License appl. no. 519 of Wanda L. Kinder.
Held in License & Health Committee during recess.
47. [2004-0667](#) 2004-2005 Tavern Operator License appl. no. 520 of Roberta C. Arnold.
Held in License & Health Committee during recess.

48. [2004-0673](#) 2004-2005 Tavern Operator License appl. no. 523 of Rosalina Gutierrez.
Held in License & Health Committee during recess.
49. [2004-0671](#) 2004-2005 and 2004-2006 Tavern Operator License applications.
2004-2005 License appl. nos. 521-522 & 524-526 granted and 2004-2006 License appl. nos. 293-300 granted.
This Matter was Approved on a Block Vote.

Passed The Block Vote**ADVISORY COMMITTEE**

None.

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

Ald. Reinke announced the Celebrations Committee is hosting an Open House on December 4th for the Downtown Christmas Stroll and they are looking for Christmas drawings by children or youth for display in the Art Gallery. Drawings may be submitted to the Mayor's Office up until December 4th.

O. ADJOURNMENT

Ald. Sengstock, on behalf of the Mayor and Common Council, extended wishes to the residents of the City of West Allis for a thankful Thanksgiving, and commented on the appreciation for our freedom.

A motion was made by Ald. Sengstock, seconded by Ald. Vitale, to adjourn at 6:06 p.m., with the next regularly scheduled meeting to be held on December 7, 2004 at 7:00 p.m. The motion carried unanimously.

*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.