



# 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*

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Tuesday, February 15, 2005

7:00 PM

City Hall - Council Chambers

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#### REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [2005-0077](#) On the improvement of fourteen (14) alleys by removal and reconstruction of the concrete pavement, storm sewer, storm sewer relay, building services, utility adjustments and storm underdrain.
2. [O-2005-0011](#) An ordinance to amend the official West Allis Zoning Map by rezoning certain properties located at 10243-47 W. National Ave. from RA-2 Residence District to C-3 Community Commercial District (Tax Key No. 485-9989-004)
3. [2004-0730](#) Special Use application to establish a mixed use (residential above commercial) within the existing building located at 6533 W. Mitchell St.
4. [2005-0058](#) Special Use application to establish the Becher Street Pump gas station and convenience store to be located at 8323 W. Becher St.  
(tax key number 477-0533-000).
5. [2005-0062](#) Special Use application on behalf of the Center for the Deaf and Hard of Hearing for proposed offices and classrooms to be established at 10243-47 W. National Ave.  
(tax key number 485-9989-004).

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 113  
Public Works, License & Health*

G. MISCELLANEOUS BUSINESS

**Mayor's Report**

**Alderspersons Comments**

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

*Minutes of the Common Council regular meeting of February 1, 2005.*

J. ITEMS NOT REFERRED TO COMMITTEE

6. [2005-0095](#) Report of the Municipal Judge for the month of January, 2005, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$90,834.90, all fines, costs and fees in the sum of \$90,045.10 collected in the Municipal Court and the sum of \$73,699.00 in payment of parking violations sent directly to the City Clerk/Treasurer's office.
7. [2005-0070](#) Mark Stelmack communication regarding vehicle damage allegedly sustained in the 1400 block of S. 56 St. on January 22, 2005.
8. [2005-0078](#) American Family Insurance Group communication on behalf of their insured John Donovan, regarding vehicle damage which allegedly occurred January 22, 2005.
9. [2005-0079](#) Jay K. Luell communication regarding vehicle damage allegedly sustained in the 1400 block of S. 97 St. on January 22, 2005.
10. [2005-0084](#) Summons and Complaint in the matter of Thomas G. Cullen vs. City of West Allis, et al., Case No. 05-C-0134.

K. STANDING COMMITTEE REPORTS

*None.*

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

**ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES**

11. [R-2005-0070](#) Resolution relative to accepting the proposal of Aring Equipment Co., Inc. for furnishing

and delivering one (1) used Volvo Wheel Loader for a total net sum of \$98,478.00.

## **ADMINISTRATION & FINANCE COMMITTEE**

12. [R-2005-0064](#) Resolution Relative to Approving 2004 Transfers, Carryovers, Open Purchase Orders and Capital Accumulation Changes.
13. [R-2005-0066](#) Resolution relative to the transfer of up to \$165,000 from the Land & Building Fund to the Capital Projects Fund for the paving and grading expenditures at the Waste Incinerator Building Demolition.

## **City Attorney Claim Report**

14. [2005-0041](#) Lawrence Ratayczak communication regarding property damage allegedly sustained, 91 Street reconstruction.
15. [2000-0016](#) Church Mutual Insurance Company's Notice of Claim and Claim against the City of West Allis and Church Mutual Insurance Company's Answer, Affirmative Defenses, Cross-Claim for Contribution and/or Indemnification, and Cross-Claim for Declaratory Judgment.
16. [2003-0254](#) Progressive Insurance communication on behalf of Joseph Bucio regarding vehicle damage allegedly sustained on April 3, 2003, Claim #030.445.471, in the amount of \$765.54.
17. **2002-0130** Robert C. Braun, 2160 S. 86 St., communication regarding damages allegedly sustained on November 19, 2001, at Nathan Hale High School, pursuant to sec. 893.80 Wis. Stat. and notice of intent to seek relief.
18. **2002-0235** Summons and Verified Complaint of Civil Rights Violations Seeking Declaratory Decree with Injunctive and Monetary Relief and Jury Trial Demanded in the matter of Robert C. Braun v. City of West Allis, et al. with Notice of Motion and Motion to Consolidate Cases.

## **PUBLIC WORKS COMMITTEE**

19. [R-2005-0059](#) Resolution accepting work of Milwaukee General Construction Co., Inc. for concrete reconstruction of the pavement, including miscellaneous walk repair and miscellaneous driveway repair, sanitary sewer relay, storm sewer, building services, and utility adjustments in S. 91 St. from W. National Ave. to W. Lincoln Ave. in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2004 Project No. 19.
20. [R-2005-0060](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Lincoln Ave. from S. 96 St. to S. 108 St. and portions of intersecting streets by major asphalt resurfacing of the pavement with miscellaneous walk repair, miscellaneous driveway repair and utility adjustments.

21. [R-2005-0061](#) Final Resolution authorizing public improvement by concrete reconstruction of the pavement with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 74 St. from W. Greenfield Ave. to W. National Ave. and portions of intersecting streets and levying special assessments against benefited properties.
22. [R-2005-0062](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 70 St. from W. Mitchell St. to W. Burnham St. by concrete reconstruction of the pavement including miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
23. [R-2005-0063](#) Resolution relative to accepting the proposals of Peterbilt of WI and Truck Country of WI for furnishing and delivering three (3) truck cab & chassis for a total sum of \$200,237.00.
- Attachments:* [872 Truck Cab & Chassis.doc](#)
24. [R-2005-0065](#) Resolution authorizing and directing the City Engineer to pay for Sanitary Sewer Lateral Repairs at 2135 S. 110th St. in the amount of \$3,936.16.
25. [R-2005-0067](#) Resolution authorizing Department Heads to reduce insurance requirements when it is determined to be in the best interest of the City.
26. [R-2005-0068](#) Resolution directing and authorizing City Officials to sign Distribution Easement with WE-Energies.
27. [R-2005-0071](#) Resolution to approve License Agreement by and between the City of West Allis and Mary Queen of Heaven Church located at 2360 S. 106 St.
- Attachments:* [Mary Queen of H-Lic. Agrmt 1-19-05.doc](#)
28. [R-2005-0072](#) Resolution to approve bid of Capitol Pavers, Inc. for street construction in W. Orchard St. from S. 76 St. to S. 82 St.; and storm sewer and utility adjustments in S. 95 St. from W. Lincoln Ave. to W. Hayes Ave., in the amount of \$870,551.30.

### **Public Hearing Items (Public Works Committee)**

29. [R-2005-0045](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 69 St., S. 70 St., W. Becher St. and W. Grant St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
30. [R-2005-0046](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 57 St., S. 58 St., W. Lapham St. and W. Mitchell St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
31. [R-2005-0047](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alleys between S. 70 St., S. 71 St., W. Orchard St. and W. National Ave. by removal and

- reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
32. [R-2005-0048](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 64 St., S. 65 St., W. Washington St. and W. Madison St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
33. [R-2005-0049](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 56 St., S. 57 St., W. Mobile St. and W. Grant St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
34. [R-2005-0050](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 58 St., S. 59 St., W. Beloit Rd. and W. Rogers St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
35. [R-2005-0051](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alleys between S. 56 St., S. 57 St., W. Grant St. and W. Lincoln Ave. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
36. [R-2005-0052](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of East/West alley between S. 59 St., S. 60 St., W. National Ave. and W. Greenfield Ave. (east alley only) by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
37. [R-2005-0053](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alleys between S. 55 St., S. 56 St., W. Burnham St. and W. Rogers St. (excluding south east/west leg) by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
38. [R-2005-0054](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 57 St., S. 58 St., W. Greenfield Ave. and W. Lapham St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
39. [R-2005-0055](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South alley between S. 71 St., S. 72 St., W. Becher St. and W. Grant St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
40. [R-2005-0056](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule

of proposed assessments for improvement of North/South alley between S. 71 St., S. 72 St., W. Burnham St. and W. Rogers St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.

41. [R-2005-0057](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alleys between S. 77 St., S. 78 St., W. Becher St. and W. Grant St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.
42. [R-2005-0058](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of North/South and East/West alleys between S. 63 St., S. 64 St., W. Beloit Rd. and W. Grant St. by removal and reconstruction of the concrete alley pavement, storm sewer, building services, utility adjustments and storm underdrain.

### **SAFETY & DEVELOPMENT COMMITTEE**

43. [O-2005-0013](#) An Ordinance to Repeal and Recreate Section 14.59 of the Revised Municipal Code Regarding Shop Maintenance Electrical License.
44. [R-2005-0073](#) Resolution to amend a Commercial Facade Improvement Project Contract, approved under Resolution No. R-2004-0191, by and between the City of West Allis and Daniel McGuire for the property at 6233-35-37 W. National Ave. in an amount not to exceed \$2,189
45. [2005-0094](#) Petition for Installation of Stop Signs at the intersection of S. 96th St. and W. Mitchell St.
46. [2005-0080](#) Special use to establish the Douville Manor bed and breakfast within the existing residential home, former Douville family residence, located at 8323 W. Burnham St. (tax key 477-0472-001).
47. [2005-0082](#) Special use application to establish a training center for SBC at 313 S. Curtis Rd. (tax key number 413-9993-014).
48. [2005-0083](#) Special use application to establish a bartending academy/school within the existing multi-tenant commercial property located at 8626 W. National Ave. (Tax Key number 478-9994-001).

### **Public Hearing Items (Safety & Development Committee)**

49. [O-2005-0011](#) An ordinance to amend the official West Allis Zoning Map by rezoning certain properties located at 10243-47 W. National Ave. from RA-2 Residence District to C-3 Community Commercial District (Tax Key No. 485-9989-004)
50. [2004-0739](#) Request submitted by Columbia-St. Mary's to amend the official West Allis Zoning Map pursuant to Sec. 12.14 of the Revised Municipal Code by rezoning the property located at 10243 W. National Ave. from RA-2 Residence District to C-4 Regional Commercial District (tax key number 485-9989-004).

51. [R-2005-0075](#) Resolution relative to determination of Special Use Application for a proposal to occupy the second floor apartment unit and to establish a mixed use building (PM Pub) located at 6531-33 W. Mitchell St. (Tax Key No. 454-0295-001)
52. [2004-0730](#) Special Use application to establish a mixed use (residential above commercial) within the existing building located at 6533 W. Mitchell St.
53. [R-2005-0076](#) Resolution relative to determination of Special Use Application submitted by Becher Street Pump to establish a gas station and convenience store to be located at 8323 W. Becher St. (Tax Key No. 477-0533-000)
54. [2005-0058](#) Special Use application to establish the Becher Street Pump gas station and convenience store to be located at 8323 W. Becher St. (tax key number 477-0533-000).
55. [2005-0098](#) Amy Blitzer communication and petition opposed to the application for the Becher Street Pump gas station and convenience store located at 8323 W. Becher Street.
56. [R-2005-0074](#) Resolution relative to determination of Special Use Application on behalf of the Center for the Deaf and Hard of Hearing for proposed offices and classrooms to be established at 10243 W. National Ave. (Tax Key No. 485-9989-004)

*Attachments:* [ZON-R-490-amd-chart-6-7-05.DOC](#)

57. [2005-0062](#) Special Use application on behalf of the Center for the Deaf and Hard of Hearing for proposed offices and classrooms to be established at 10243-47 W. National Ave. (tax key number 485-9989-004).

## LICENSE & HEALTH COMMITTEE

58. [2005-0076](#) Time Warner Cable communication regarding change of name of their Digital Cable Channel 114 from FOX Sports World to FOX Soccer Channel effective February 7, 2005.
59. [2005-0093](#) Police Department communication regarding tavern violations/calls for service for the month of January 2005.
60. [2005-0088](#) Police Department Report involving Paulie's, 8031 W. Greenfield Ave.(2004-2005 Class B Tavern License no. 23, Dance Hall License no. 17, Instrumental Music License no. 11, and Cigarette License no. 94 of Budiac Enterprises, LLC, Kristine M. Budiac, Agent, Incident Date: January 16, 2005.)
61. [2005-0089](#) Police Department Report involving Mary's on the Corner, 7033 W. Becher St. (2004-2005 Class B Tavern License no. 50, Dance Hall License no. 36, Instrumental Music License no. 18, and Cigarette License no. 41 of Mary's on the Corner, Inc., Mary Lou Gardipee, Agent, Incident Date: January 16, 2005.)
62. [2005-0090](#) Police Department Report involving My Bar, 6404 W. National Ave. (2004-2005 Class B Tavern License no. 130, Dance Hall License no. 88, and Cigarette License no. 145 of Alberto Sendejo, Incident Date: January 23, 2005.)

63. [2005-0091](#) 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: January 8, 2005.)
64. [2005-0092](#) Police Department Report involving Shepherd's Hideaway, 8924 W. Schlinger Ave. (2004-2005 Class B Tavern License no. 17, Dance Hall License no. 15, Instrumental Music License no. 9, and Cigarette License no. 121 of Shepherd's Sports Lounge, Inc., Christina M. Knueppel, Agent, Incident Date: January 25, 2005.)
65. [2005-0072](#) 2004-2006 Package Goods application no. 40 of Jodi R. Starzman.
66. [2005-0087](#) 2004-2005 Tavern Operator License application no. 561 of Rachel T. Cerfus.
67. [2005-0073](#) 2004-2005 Precious Metal & Gem Dealer License application(s).
68. [2005-0074](#) 2005-2006 Used Vehicle Dealer License applications.
69. [2005-0081](#) 2005 Taxicab Driver License application(s).
70. [2005-0085](#) 2005-2006 Mobile Home Park License application(s).
71. [2005-0086](#) 2004-2005 Special Class B Beer and Wine License application(s).
72. [2005-0075](#) 2004-2005 and 2004-2006 Tavern Operator License applications.



**ADVISORY COMMITTEE**

73. [1997-0010](#) Appointments by Mayor Bell to the Community Safety and Injury Prevention Committee of Carol Garrison, Kim Strauss, Michael Salfer and Rodney Sippel.

74. [2005-0096](#) Communication from Mayor Bell transmitting the Customer Service Survey Report for 2004 and request to reevaluate the program.

**Attachments:** [CCLTR CUSTSURVY REPORT 0205.doc](#)  
[2004 Customer Service Survey Report.doc](#)

75. [2005-0097](#) Legislative Committee minutes for February 8, 2005.

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.