



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, February 1, 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. [R-2005-0033](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 74 St. from W. Greenfield Ave. to W. National Ave. and portions of intersecting streets by concrete reconstruction with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services 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**Alderspersons Comments**

H. AGENDA APPROVAL

I. APPROVAL OF MINUTES

Minutes of the Common Council regular meeting of January 18, 2005.

J. ITEMS NOT REFERRED TO COMMITTEE

2. [2005-0054](#) Vince Scardina, 5901 W. Beloit Rd. communication regarding property damage allegedly sustained at 5935 W. Beloit Rd.
3. [2005-0055](#) Gray & End, L.L.P., Milwaukee, amended Summons & Complaint in the matter of Mortgage Electronic Registration Systems, Inc. v. the City of West Allis, et al., regarding foreclosure of mortgage.
4. [2005-0056](#) Andrew Bastian, 924 S. 105 St., communication regarding vehicle damage allegedly sustained while parked in front of 1929 S. 55 St., on January 11, 2005.
5. [2005-0066](#) Cramer, Multhauf & Hammes, LLP, Waukesha communication regarding Petition For and Writ of Certiorari in the matter of State Ex. Rel. Kasco of Wisconsin LLP and Creekside Meadows, LLC vs. the City of West Allis.

K. STANDING COMMITTEE REPORTS

ADMINISTRATION & FINANCE COMMITTEE

Regular meeting held on January 24, 2005.

6. [2004-0665](#) Communication from the City Attorney regarding the City's Affirmative Action Plan

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

Unanimously recommended to be placed on file.

LICENSE & HEALTH COMMITTEE

Regular meeting held on January 25, 2005. (Ald. Sengstock excused)

7. [2004-0732](#) Police Department communication regarding Tavern Contacts/Violations as of December 1, 2004.
Unanimously recommended to be placed on file.
8. [2004-0760](#) Police Department communication regarding Contacts with License Holders relating to problems that occurred within taverns during the month of November.
Unanimously recommended to be placed on file.
9. [2005-0039](#) Police Department communication regarding tavern violations/calls for service for the month of December 2004.
Unanimously recommended to be placed on file.
10. [2004-0511](#) Police Department Report involving Stacey's, 6711 W. Beloit Rd. (2004-2005 Class B Tavern License no. 94, Dance Hall License no. 65 and Cigarette License no. 80 of Stacey's, Inc., Carol L. McMahon, Agent, Incident Date: July 27, 2004).
Unanimously recommended to be placed on file.
11. [2004-0738](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2004-2005 Class B Tavern License no. 55, Dance Hall License no. 40, Instrumental Music License no. 20, and Cigarette License no. 44 of Harry O's, Inc., Harry J. Strahlendorf, Agent, Incident Date: November 26, 2004.)
Unanimously recommended to be placed on file.
12. [2004-0647](#) Police Department Report regarding September 8, 2004, Tobacco Compliance Check involving seven (7) West Allis businesses, resulting with four (4) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 13 of Mohammed M. Ali, 10708 W. Oklahoma Ave.).
Unanimously recommended to be placed on file.
13. [2005-0026](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 13 of Mohammed M. Ali, 10708 W. Oklahoma Ave.).
Unanimously recommended to be placed on file.

14. [2005-0027](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 1 of Weis Oil, Inc. Richard F. Weis, Agent, 12004 W. Greenfield Ave.).
Unanimously recommended to be placed on file.
15. [2005-0028](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 133 of Bryan SRA, LLC, Ram Joseph, Agent, 6716 W. Lincoln Ave.).
Unanimously recommended to be placed on file.
16. [2005-0029](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 153 of Taj & Navi Corp., Talwinder Soos, Agent, 5909 W. Lincoln Ave.).
Unanimously recommended to be placed on file.
17. [2005-0030](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 7 of Marshall IGD, Inc., Michael Mc Ardle, Agent, 1520 S. 84 St.).
Unanimously recommended to be placed on file.
18. [2005-0031](#) Police Department Report regarding December 13, 2004, Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with seven (7) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 10 of Jimmy Enterprises, Inc., Jo Ginder Singh, Agent, 2310 S. 76 St.).
Unanimously recommended to be placed on file.
19. [2005-0032](#) Police Department Report involving Lapham Beer & Food, 1568 S. 81 St. (2004-2005 Class A Beer License no. 9 and Cigarette License no. 154 of Villager Food Mart, LLC, Manjeet Sidhu, Agent, Incident Date: December 26, 2004.)
Unanimously recommended to be placed on file.

20. [2005-0033](#) Police Department Report involving Boz's Sports Bar, 1325 S. 70 St. (2004-2005 Class B Tavern License no. 3, Dance Hall License no. 2 and Cigarette License no. 17 of Boz's, Inc., Shawn R. Lange, Agent, Incident Date: December 11, 2004.)
Unanimously recommended to be placed on file.
21. [2005-0036](#) Police Department Report involving Night Court, 7127 W. National Ave. (2004-2005 Class B Tavern License no. 114, and Cigarette License no. 109 of Night Court Inc., Gregory J. Kaiser, Agent, Incident Date: December 17, 2004.)
Unanimously recommended to be placed on file.
22. [2004-0731](#) 2004-2005 Adult-Oriented Establishment License appl. no. 1 of Kathleen Rothen for premises located at 2727 S. 108 St.
Qualified as an Adult Oriented Establishment and unanimously recommended for denial based on zoning.
23. [2004-0741](#) 2004-2005 Adult-Oriented Establishment Operator License appl. no. 1 of Kathleen Rothen.
Unanimously recommended for denial based on no Adult Oriented Establishment.
24. [2005-0006](#) 2004-2005 Class B Tavern License appl. no. 136, Dance Hall License appl. no. 92 and Instrumental Music License appl. no. 53 of Rodeo Grill, LLC, Mark S. Silber, Agent, d/b/a Flappers for premises located at 7527 W. Becher St. (new-existing location).
Unanimously recommended for approval subject to necessary requirements.
25. [2005-0015](#) 2005 Taxicab Driver License application no. 25 of Shahbaz Imran.
Unanimously recommended for denial based on the police report.
26. [2005-0017](#) 2004-2005 Class B Tavern License application no. 137 and Dance Hall License application no. 93 of Rocco A. Landgraf d/b/a Rocco's Bar & Grill for premises located at 5906 W. Burnham St. (new-existing location)
Unanimously recommended for approval subject to necessary requirements.
27. [2005-0021](#) Appointment of new agent by WHG West Allis, LLC, d/b/a Applebees Neighborhood Grill & Bar, 2865 S. 108 St. of Henry Mickevicius (2004-2005 Class B Tavern License no. 2).
Unanimously recommended for approval.
28. [2005-0016](#) 2004-2005 Tavern Operator License application no. 544 of Melinda M. Krukar.
Unanimously recommended for approval.
29. [2005-0023](#) 2004-2006 Tavern Operator License appl. no. 314 of Trista A. Ruehl.
Unanimously recommended for approval.
30. [2005-0024](#) 2004-2005 Tavern Operator License appl. no. 547 of Evon F. Graham.
Unanimously recommended for approval.
31. [2005-0044](#) 2004-2006 Tavern Operator License application no. 315 of Danyel J. Rhinehart.

Unanimously recommended for approval.

32. [2005-0050](#) 2004-2006 Tavern Operator License application no. 317 of Jennifer L. Wardius.

Unanimously recommended for approval.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

33. [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.
34. [2005-0068](#) Communication from City Engineer regarding a status report on Fire Department Facilities and an update on Fire Station No. 2.

ADMINISTRATION & FINANCE COMMITTEE

35. [O-2005-0009](#) An Ordinance to Repeal and Recreate Section 2.10(9) of the Revised Municipal Code Relating to City Clerk/Treasurer.
36. [R-2005-0032](#) A Resolution to Amend and Reaffirm the City of West Allis' Affirmative Action Plan.
Attachments: [Aff Action Plan-Rev 1-26-05.doc](#)
37. [R-2005-0038](#) Resolution relative to adopting a Flammable and Combustible Liquids Policy for all City Departments for inclusion in the City of West Allis Policies & Procedures Manual.
Attachments: [PRS76.doc](#)
38. [R-2005-0039](#) Resolution relative to updating Policy on Required Approvals for Budget Changes for inclusion in the City of West Allis Policies & Procedures Manual.
Attachments: [ADM08.doc](#)
39. [R-2005-0041](#) Resolution relative to approving Service Agreement between City of West Allis and Work Injury Care Center for Occupational Health Services.
40. [R-2005-0044](#) Resolution relative to accepting the proposal of HTE VAR, LLC for furnishing maintenance on the IBM I Series Server for a total net sum of \$14,975.00.
41. [2005-0065](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period October 1, 2004 through December 31, 2004.
Attachments: [MCCAccidRpt.04 Q4.doc](#)
[Accident Rpt.PW Qtr4 2004.doc](#)
[Accident Rpt.Police Qtr4 2004.doc](#)
[Accident Rpt.Fire Qtr4 2004.doc](#)

City Attorney Claim Report

- 42. [2004-0570](#) Jeff West communication regarding personal property damage which allegedly occurred on September 5, 2004.
- 43. [2004-0726](#) Robert E. Schmidt, Jr., Apartments Unlimited, 2226 State Road 580 Clearwater, FL, communication regarding property damage allegedly sustained at 3301 S. 100 St., Apt. 37, Greenfield, on October 8, 2004.
- 44. [2004-0749](#) Phillip R. Graybar communication regarding vehicle damage allegedly sustained at 11301 W. Lincoln Ave. on December 13, 2004.

PUBLIC WORKS AND SAFETY & DEVELOPMENT COMMITTEES

- 45. [2005-0063](#) Vincent Balistreri communication regarding purchasing the easeway that is north of his lot at 1901 S. 93 St. for \$250.00.

PUBLIC WORKS COMMITTEE

- 46. [R-2005-0019](#) Resolution to approve bid of EnviroTech Remediation Services Inc. for asbestos abatement in the waste incinerator building located at 5100 W. Rogers St., in the amount of \$37,000.
- 47. [R-2005-0020](#) Resolution to approve bid of Thomas & Egenhoefer Inc. for selective demolition, construction and renovation in the waste incinerator building located at 5100 W. Rogers St., in the amount of \$247,661.00.
- 48. [R-2005-0031](#) Resolution accepting work of Super Excavators, Inc. for the installation of sanitary sewer (micro-tunneled) in easements 277 feet south of W. Greenfield Avenue from S. 82 Street to S. 84 Street in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2003 Project No. 33.

49. [R-2005-0034](#) Final Resolution authorizing public improvement by replacement or repair of concrete sidewalk at random locations in the general area bounded by W. Burnham St., W. Cleveland Ave., S. 84 St. and S. 92 St. and levying special assessments against benefited properties.
50. [R-2005-0035](#) Resolution accepting work of Super Excavators, Inc. for the installation of sanitary sewer relay in W. Greenfield Ave. from 90 ft. west of S. 108 St. to S. 116 St. in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2004 Project No. 4.
51. [R-2005-0036](#) Resolution accepting work of United Sewer & Water, Inc. for the installation of sanitary sewer relay in S. 82 St. from 290 ft. north of W. Orchard St. to W. Orchard St., W. Orchard St. from S. 80 St. to S. 82 St., and S. 80 St. from W. Greenfield Ave. to W. Orchard St. in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2004 Project No. 11.
52. [R-2005-0040](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 119 St. from W. Ohio Ave. to W. Morgan Ave. and portions of intersecting streets by concrete reconstruction of the pavement including miscellaneous walk repair on the east side only, new driveway approaches, storm sewer, building services and utility adjustments.
53. [R-2005-0042](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 123 St. from 395' south of W. Euclid Ave. to W. Ohio Ave. and portions of intersecting streets by concrete reconstruction of the pavement, new driveway approaches, storm sewer, building services and utility adjustments.
54. [R-2005-0043](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 56 St. from 475' north of W. Walker St. to W. National Ave. and portions of intersecting streets 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.

Public Hearing Item (Public Works Committee)

55. [R-2005-0033](#) Resolution to confirm and adopt the report of the City Engineer containing the schedule of proposed assessments for improvement of S. 74 St. from W. Greenfield Ave. to W. National Ave. and portions of intersecting streets by concrete reconstruction with miscellaneous walk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

SAFETY & DEVELOPMENT COMMITTEE

56. [O-2005-0008](#) An Ordinance to Create Section 18.002, Repeal and Recreate Section 18.03(2), Amend Section 18.04(1), Create Section 18.04(6), and Amend Section 18.05 of the

West Allis Revised Municipal Code Relating to the Designation of and Recovery of Costs for a Chronic Nuisance Premises

Sponsors: Ald. Czaplewski

57. [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)
58. [2005-0008](#) Special Use application for a proposed expansion (additional tanning beds) to the existing Je Je's Nails Etc., salon located within a mixed use building at 6801 W. Becher St. (tax key number 476-0154-000).
59. [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).
60. [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).
61. [2005-0018](#) Request for an ordinance to amend the official West Allis Zoning map by rezoning the southern portion of a split zoned property located at 8531 W. Lincoln Ave. (Krueger Dental office) from RB-2 Residential to C-2 Neighborhood Commercial District to create a contiguous commercially zoned property (tax key no. 487-0031-001).

LICENSE & HEALTH COMMITTEE

62. [2004-0620](#) 2004-2005 Class B Tavern License appl. no. 131 of 8201 W. Greenfield Ave., LLC, Thomas A. Miller, Agent, d/b/a Mykonos for premises at 8201 W. Greenfield Ave. (new-existing location).
63. [2005-0051](#) Police Department Report regarding December 31, 2004, Tobacco Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 134 of Shree Hari, LLC, Rajesh Patel, Agent, 8530 W Greenfield Ave.).

64. [2005-0052](#) Police Department Report regarding December 31, 2004, Tobacco Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 143 of David A. Gammon, Fuel Center Supervisor, d/b/a Jewel Express Gas, 11013 W Greenfield Ave.).
65. [2005-0053](#) Police Department Report regarding December 31, 2004, Tobacco Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2004-2005 Cigarette License no. 150 of Akash Petroleum, Inc., Virendra S. Verma, Agent, 10537 W Greenfield Ave.).
66. [2005-0060](#) 2004-2005 Used Vehicle Dealer License application(s).
67. [2005-0064](#) 2004-2006 Package Goods Operator License applications.
68. [2005-0059](#) 2004-2006 Tavern Operator License appl. no. 318 of Wayne J. Paluch.
69. [2005-0061](#) 2004-2005 and 2004-2006 Tavern Operator License applications.

ADVISORY COMMITTEE

70. [O-2005-0010](#) An Ordinance to amend Section 2.54(2) of the City of West Allis Revised Municipal Code relative to changing the membership of the City's Legislative Committee.
71. [R-2005-0037](#) Resolution to rescind Resolution No. 26751 and to adopt updated Mission Statement, Vision Statement, and Long Range Goals for 2004-2008 for the City of West Allis.
- Attachments:* [MSVS.doc](#)
[LRGOALS 2004.08.doc](#)
72. [2005-0069](#) Communication from City Administrative Officer regarding new City logo and slogan.
73. [2005-0067](#) Appointment by Mayor Bell of Warner Schmidt as a member of the West Allis Youth Commission, his term expiring September 30, 2005.
- Attachments:* [YCOMM APPTLTR.Schmidt0205.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.