



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, October 5, 2004

7:05 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2004-0296](#) Resolution to approve the Year 2005 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).
2. [2004-0573](#) Special use application to establish a Nick 'n Willies restaurant within the Shoppes on 100 site located at 2927 S. 108 St.
3. [2004-0574](#) Special use application to establish a Starbucks cafe/restaurant with a drive-through on the site of the Shoppes on 100 commercial property located at 2939 S. 108 St.
4. [2004-0575](#) Special use application to establish a Cousins restaurant with a drive-through to be located at 2871 S. 108 St.
5. [2004-0576](#) Special use application to establish a Spa and fitness center to be located within the Summit Place building located at 6737 W. Washington St.
6. [2004-0578](#) Special use application for a convenience store addition to the existing gas station located at 7605 W. Greenfield Ave.
7. [O-2004-0040](#) Ordinance amending Section 12.43(2) of the Revised Municipal Code to permit check cashing, money order and cash advance service establishments as a special use in the C-4 Regional Commercial District
8. [O-2004-0041](#) Ordinance to amend Section 12.06 of the Revised Municipal Code to make various changes to the definitions section effecting clinic and mixed use.

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 September 21, 2004.

J. ITEMS NOT REFERRED TO COMMITTEE

None.

K. STANDING COMMITTEE REPORT

LICENSE & HEALTH COMMITTEE

Regular meeting held on September 28, 2004.

9. [2004-0481](#) Poulos, Sengstock, Budny & Ludwig, S. C. communications on behalf of Priya Corporation regarding 2004-2005 Combination Class A Liquor License appl. no. 17 of Priya Corporation, Kavita S. Khullar, Agent, d/b/a Martha's Vineyard, for premises located at 10711 W. Oklahoma Ave. and 2003-2004 Combination Class A Liquor License Transfer appl. no. 15 of Abdul M. Khan, d/b/a K-C Beverages, from 10711 W. Oklahoma Ave. to 1514-1516 S. 84 St.

Unanimously recommended to be placed on file.

10. [2004-0501](#) Poulos, Sengstock, Budny & Ludwig, S. C. communications on behalf of Priya Corporation regarding 2004-2005 Combination Class A Liquor License appl. no. 17 of Priya Corporation, Kavita S. Khullar, Agent, d/b/a Martha's Vineyard, for premises located at 10711 W. Oklahoma Ave. and 2003-2004 Combination Class A Liquor License Transfer appl. no. 15 of Abdul M. Khan, d/b/a K-C Beverages, from 10711 W. Oklahoma Ave. to 10702 W. Oklahoma Ave., Suite A and a request for a hearing.

Unanimously recommended to be placed on file.

11. [2003-0613](#) Priya Corporation request to revoke the liquor license for Abdul M. Khan, 10711 W. Oklahoma Ave. (2003-2004 Combination Class A Liquor License no. 15 and Cigarette License no. 99, d/b/a Martha's Vineyard).

Unanimously recommended to be placed on file.

12. [2003-0614](#) 2003-2004 Combination Class A Liquor License appl. no. 23 of Priya Corporation, Kavita S. Khullar, Agent, d/b/a Martha's Vineyard, 10711 W. Oklahoma Ave. (new-existing location).

Unanimously recommended to be placed on file.

13. [2004-0350](#) 2004-2005 Combination Class A Liquor License appl. no. 17 of Priya Corporation, Kavita S. Khullar, Agent, d/b/a Martha's Vineyard, for premises located at 10711 W. Oklahoma Ave. (new-existing location).
- Findings:*
This proposed establishment will have a greater economic impact on the community in that it will provide quality products above and beyond those that can be found at a customary liquor store and will improve the tax base by providing for a building to be occupied by the type of business for which it was renovated, by the current owner.
- Recommended for approval subject to necessary requirements by the following vote:*
Ayes: Ald. Dobrowski, Narlock and Czaplewski - 3
Noes: Ald. Kopplin - 1
Present: Ald. Sengstock - 1
14. [2004-0544](#) Department of Building Inspections & Zoning communication regarding Thaddeus Derynda and Bernie Gallas, partners (D&G Investments), d/b/a Mobile Estates of West Allis, located at 10401 W. Greenfield Ave., operating without a Mobile Home Park License.
- Unanimously recommended to be placed on file and the Building Inspections Department should report back in ninety (90) days.*
15. [2004-0298](#) 2004-2005 Class B Tavern renewal application no. 39 of Puddles, Inc., Caroline F. Kuptz, Agent, d/b/a Close Encounters for premises at 1700 S. 92nd Street
- Unanimously recommended to be placed on file.*
16. [2004-0560](#) 2004-2005 Second Hand Dealer License applications.
- Unanimously recommended for approval.*
17. [2004-0564](#) 2004-2005 Class B Tavern License appl. no. 130, and Dance Hall License appl. no. 88 of Alberto Sendejo, d/b/a My Bar, for premises at 6404 W. National Ave. (New-existing location)
- Unanimously recommended for approval subject to necessary requirements.*
18. [2004-0568](#) 2004 Taxicab Driver License appl. no. 70 of Marwan H. Mahajni
- Unanimously recommended for denial based on the police report and nonappearance.*
19. [2004-0523](#) 2004-2005 Tavern Operator License appl. no. 477 of Linda N. Busko.
- Unanimously recommended for denial based on the police report and nonappearance.*
20. [2004-0555](#) 2004-2005 Tavern Operator License appl. no. 492 of Erica L. Hommel.
- Unanimously recommended for denial based on the police report.*
21. [2004-0556](#) 2004-2006 Tavern Operator License appl. no. 261 of Agya P. Sidhu.
- Unanimously recommended for approval.*
22. [2004-0557](#) 2004-2006 Tavern Operator License appl. no. 263 of Michael A. Schindler.
- Unanimously recommended for approval.*

23. [2004-0558](#) 2004-2006 Tavern Operator License appl. no. 264 of Roxanne R. Reichert.
Unanimously recommended for denial based on the police report.
24. [2004-0567](#) 2004-2005 Tavern Operator License appl. no. 494 of Admir Aganovic.
Unanimously recommended for approval.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

25. [R-2004-0300](#) Resolution relative to an agreement between the City of West Allis and the Village of Greendale regarding rental of weights and measures equipment.
26. [2004-0590](#) Chief of Police communication regarding the use of \$16,000 in overtime for additional enforcement efforts on Highway 100.
27. [2004-0591](#) State of Wisconsin, Departments of Justice and Natural Resources communications in regards to Notice of Violation, Notice of Claim and Sewer Overflows Litigation.
28. [2004-0602](#) Comptroller/Manager of Finance submitting the City of West Allis Audited Financial Statement Package for the period ended December 31, 2003.
29. [2004-0604](#) 2005 City of West Allis Mayor's Recommended Budget.

City Attorney Claim Report

30. [2004-0466](#) Lisa Photenbauer communication regarding vehicle damage allegedly sustained on July 10, 2004 at 740 S. 111 Street.

PUBLIC WORKS COMMITTEE

31. [R-2004-0286](#) Final Resolution authorizing public improvement by asphalt reconstruction of the pavement with miscellaneous sidewalk repair, new driveway approaches, sanitary sewer relay, building services and utility adjustments in W. Greenfield Ave. (STH 59) from I-894 to S. 92 St. and portions of intersecting streets and levying special assessments against benefited properties.
32. [R-2004-0288](#) Resolution Authorizing and Directing the City Engineer and City Attorney to Reduce the Business Automobile Liability Insurance Requirements for Fluxdesign from \$1,000,000 to \$500,000. (Sponsored by Ald. Narlock).
33. [R-2004-0289](#) Resolution Authorizing and Directing the Mayor to Submit a Letter to the Milwaukee Metropolitan Sewerage District Agreeing to Conditions for Sewer Service for the Six Points Development Area.
34. [R-2004-0292](#) Resolution Granting an Easement to Whitnall Summit Company LLC to install a new Skywalk on the south side of West Washington Street (6737 West Washington Street) to the north side of West Washington Street (6650 West Washington Street).

SAFETY & DEVELOPMENT COMMITTEE

35. [R-2004-0265](#) Resolution relative to determination of Special Use Application submitted by Scott DeBell, architect, Woolpert, LLP, for proposed addition to Target, located at 2600 S. 108 St.
36. [2004-0435](#) Special use application submitted by Scott DeBell on behalf of the Target Corporation for an expansion to the existing building/use and various site improvements at the existing Target property located at 2600 S. 108 St.
37. [2004-0611](#) Special Use Application to establish a Subway restaurant to be located at 1717 S. 76 St. (453-0433-001).
38. [2004-0612](#) Special Use Application for proposed Capoeira Martial Arts Studio, to be located at 5835 W. National Ave.
39. [R-2004-0287](#) Resolution adopting the Milwaukee County Pre-Disaster Mitigation Plan.
40. [R-2004-0299](#) Resolution approving the Summit Place Business Park Amended and Restated Development Agreement.

41. [2003-0555](#) Petition submitted by neighbors of the Damato Family, 1540 S. 83 St., regarding numerous complaints and would like criminal charges issued and be forced to move.
42. [2004-0588](#) Petition from residents to get either one crossing guard to cross their children from the north side to the south side of W. Lincoln Ave. from S. 99 St. to S. 102 St., or at the I-894 on & off ramps and then across W. Lincoln Ave., since budget cuts eliminated crossing guards there.
43. [2004-0024](#) Robert Braun, 2160 S. 86 St., communication against the opening of Family Video at 7619 W. National Ave. and regarding an article in the Waukesha Freeman involving Family Video opening in Waukesha.
44. [2004-0595](#) Police Chief communication regarding City of West Allis crime statistics and major crime report.
45. [2004-0592](#) Martin W. Kowatsch request for a variance to Section 9.21(1)(k) and (m) of the Revised Municipal Code to erect a storage shed at 10401 W. Greenfield Ave., #49.

Public Hearing Items (Safety & Development Committee)

46. [O-2004-0040](#) Ordinance amending Section 12.43(2) of the Revised Municipal Code to permit check cashing, money order and cash advance service establishments as a special use in the C-4 Regional Commercial District
47. [O-2004-0041](#) Ordinance to amend Section 12.06 of the Revised Municipal Code to make various changes to the definitions section effecting clinic and mixed use.
48. [R-2004-0293](#) Resolution relative to determination of Special Use Application to establish a Nick-N-Willy's restaurant within the Shoppes on 100 site located at 2927 S. 108 St.
49. [2004-0573](#) Special use application to establish a Nick 'n Willies restaurant within the Shoppes on 100 site located at 2927 S. 108 St.
50. [R-2004-0294](#) Resolution relative to determination of Special Use Application to establish a Starbucks café/restaurant with a drive-through on the site of the Shoppes on 100 commercial property located at 2939 S. 108 St.
51. [2004-0574](#) Special use application to establish a Starbucks cafe/restaurant with a drive-through on the site of the Shoppes on 100 commercial property located at 2939 S. 108 St.
52. [R-2004-0291](#) Resolution relative to determination of Special Use Application to establish a Cousins Restaurant with a drive-through to be located at 2871 S. 108 St.
53. [2004-0575](#) Special use application to establish a Cousins restaurant with a drive-through to be located at 2871 S. 108 St.
54. [R-2004-0290](#) Resolution relative to determination of Special Use Application to establish a spa and fitness center to be located within the Summit Place Building located at 6737 W. Washington St.
55. [2004-0576](#) Special use application to establish a Spa and fitness center to be located within the Summit Place building located at 6737 W. Washington St.

56. [R-2004-0295](#) Resolution relative to determination of Special Use Application for a convenience store addition to the existing gas station located at 7605 W. Greenfield Ave.
57. [2004-0578](#) Special use application for a convenience store addition to the existing gas station located at 7605 W. Greenfield Ave.

LICENSE & HEALTH COMMITTEE

58. [2004-0565](#) 2004-2005 Class B Tavern License appl. no. 129, of Puddles, Inc., Caroline F. Kuptz, Agent, d/b/a Close Encounters, for premises located at 7100 W. National Ave. (New-existing location)
59. [2004-0566](#) Application for transfer of 2003-2004 Class B Tavern License no. 60, of Puddles, Inc., Caroline F. Kuptz, Agent, d/b/a Close Encounters from 1700 S. 92 St. to 7100 W. National Ave. (existing location)
60. [2004-0606](#) Communications from various residents opposed to granting Priya Corporation, d/b/a Martha's Vineyard, 10711 W. Oklahoma Ave., a Class A Liquor License which would exceed the quota.
61. [2004-0594](#) Police Department communication regarding calls for service to taverns/licensed premises from July 31, 2004 through September 1, 2004.
62. [2004-0607](#) Video/Cable Communications Coordinator communication regarding recommendations for 3rd Quarter Operating Funds to the West Allis Community Communications Corporation (WACCC) for the Public Access Channel.
63. [2004-0609](#) Video/Cable Communications Coordinator communication regarding recommendations for 3rd Quarter Operating Funds to the West Allis/West Milwaukee School District for the Educational Access Channel.
64. [2004-0586](#) 2004-2005 Used Vehicle Dealer License applications.
65. [2004-0587](#) 2004-2005 Second Hand Dealer License applications.
66. [2004-0603](#) 2004 Taxicab Driver License applications.
67. [2004-0605](#) 2004 Taxicab Driver License appl. no. 73 of Randall Roberson.
68. [2004-0593](#) 2004-2005 and 2004-2006 Tavern Operator License applications.
69. [2004-0597](#) 2004-2006 Tavern Operator License appl. no. 271 of Karen M. Wickman.
70. [2004-0598](#) 2004-2006 Tavern Operator License appl. no. 272 of Cathrine A. Schaumberg.
71. [2004-0599](#) 2004-2005 Tavern Operator License appl. no. 499 of Kevin W. Kelsey.
72. [2004-0600](#) 2004-2006 Tavern Operator License appl. no. 277 of Cristal F. Nokes.
73. [2004-0601](#) 2004-2006 Tavern Operator License appl. no. 270 of Mohinder Singh.

74. [2004-0613](#) 2004-2005 Tavern Operator License appl. no. 505 of Susan K. Jones.

ADVISORY COMMITTEE

75. [2004-0608](#) Reappointment by Mayor Bell of Karin Gale as a member of the West Allis Community Development Authority, her four-year term to expire October 1, 2008.
76. [2004-0610](#) Reappointment by Mayor Bell of Kevin Haass and Michael Pranghofer as members of the West Allis Property Maintenance Code Appeals Board, their two-year terms to expire September 1, 2006.

Public Hearing Item (Advisory Committee)

77. [R-2004-0296](#) Resolution to approve the Year 2005 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

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.