



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, December 21, 2004

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1 & [O-2004-0052](#) Ordinance to amend the official West Allis Zoning Map by establishing a Planned
2 Development District Commercial PDD-2 overlay for property located at 1710 S. 108
St. (Crestwood Bakery Property) pursuant to Sec. 12.61 of the West Allis Revised
Municipal Code (Tax Key Number 449-9981-011)

[R-2004-0353](#) Resolution approving a Planned Development District-Commercial PDD-2 between the
City of West Allis and Shecterle Commercial Properties 2, LLC to establish a Planned
Development Agreement for new construction of various retail commercial uses at 1710
S. 108 St., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code.

Attachments: [PDD-Crestwood Commons-EXHIBIT A-12-21-04.rtf](#)

[PDD-CrestwoodCommons-Agrmt 12-21-04.rtf](#)

[PDD-CrestwoodCommonsExh C-12-21-04.rtf](#)

3. [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).

4. [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).

5. [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).

6. [2004-0698](#) Special use application to expand a tavern use within the existing building located at 6139 W. Beloit Rd. (occupant Smokin' Joe's) formerly Patti's R&R. (Tax Key No. 475-0328-000).
7. [2004-0699](#) Special Use application to establish a Japanese sushi and hibachi restaurant within retail space located at 2916 S. 108 St. SouthTown Plaza(occupant Fuji Yama restaurant). (Tax Key No. 519-0339-018).

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 December 7, 2004.

J. ITEMS NOT REFERRED TO COMMITTEE

8. [2004-0727](#) LeRoy Jones communication regarding vehicle damage allegedly sustained at S. 65 St. and W. Mitchell St. on December 1, 2004.
9. [2004-0728](#) Lonnie Bald and Ed Bomback communication regarding property damage allegedly sustained at 1300 S. 65 St. on November 1, 2004.
10. [2004-0749](#) Phillip R. Graybar communication regarding vehicle damage allegedly sustained at 11301 W. Lincoln Ave. on December 13, 2004.

K. STANDING COMMITTEE REPORTS

None.

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE COMMITTEE

11. [R-2004-0346](#) Resolution relative to accepting the proposal of Bentley Systems, Inc. for providing MicroStation Select Subscription Service for a total net sum of \$8,621.00.

City Attorney Claim Report

12. [1999-0005](#) Notice of Injury Claim and Notice of Circumstances of Claim submitted by Attorney Thomas J. McClure, on behalf of Joshua V. Fortier, regarding injury on November 25, 1998.
13. [1999-0006](#) Amended Notice of Circumstances of Claim submitted by Attorney Thomas J. McClure on behalf of Joshua V. Fortier v. City of West Allis regarding injury on November 25, 1998.
14. [2003-0623](#) Guenther Huebner communication regarding his vehicle allegedly being removed from his property at 5665 S. Martin Rd., New Berlin, on August 7, 2003.
15. [2004-0268](#) O'Dess and Associates, S.C. communication regarding a Summons & Complaint in the matter of Beneficial Wisconsin, Inc., vs. City of West Allis Housing Division, et al., for a Foreclosure of Mortgage.

PUBLIC WORKS COMMITTEE

16. [R-2004-0345](#) Resolution relative to accepting the proposal of Milwaukee 2-Way, Inc. for providing radio equipment maintenance contract services for a total net sum of \$28,193.91.
17. [R-2004-0348](#) Resolution relative to accepting the proposal of Owen Ayres & Associates Inc. for methane and groundwater sampling at the Lincoln Ave. landfill site for an estimated sum of \$8,700.00.

SAFETY & DEVELOPMENT COMMITTEE

18. [R-2004-0355](#) Resolution outlining reasons for denial relative to the Ordinance (O-2004-0046) to amend the official zoning map by rezoning certain properties located at 3190 and 31** S. Wollmer Rd. from C-4 Regional Commercial and RA-1 Residence District to RC-1 Residence District, requested by Michael Hoffman, Developer
19. [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](#)

20. [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.
21. [2004-0761](#) Petition submitted by residents to approve 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. from C-4 Regional Commercial District and RA-1 Residence District to RC-1 Multi-family Residence District.
22. [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).
23. [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).
24. [R-2004-0344](#) Resolution approving the terms and conditions of a Development Agreement by and between the City of West Allis and Edward and Penny Wistl, d/b/a Wistl Management for the property located at 7200-06 W. Greenfield Ave. and 1375 S. 72 St.
25. [2004-0762](#) Police Chief communication regarding City of West Allis crime statistics and major crime report.

26. [2004-0167](#) Special use application for new construction of a Subway restaurant with drive-thru on undeveloped lots located at 22** S. 108 St. (Tax Key Numbers 480-0280-000 and 480-0278-001) submitted by Michael Orville, owner.
27. [2004-0730](#) Special Use application to establish a mixed use (residential above commercial) within the existing building located at 6533 W. Mitchell St.
28. [2004-0744](#) Special use application to re-establish a mixed use (commercial - residential) within the existing building at 8121-25 W. National Ave. (tax key number 452-0601-000).
29. [2004-0747](#) Special use application for a recycling center to be located at 1875 S. 66 St.
30. [2004-0748](#) Special Use application to construct a Lifetime Credit Union on a vacant lot located at 9515 W. National Ave. (tax key number 486-0099-001).
31. [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).

Public Hearing Items (Safety & Development Committee)

32. [O-2004-0052](#) Ordinance to amend the official West Allis Zoning Map by establishing a Planned Development District Commercial PDD-2 overlay for property located at 1710 S. 108 St. (Crestwood Bakery Property) pursuant to Sec. 12.61 of the West Allis Revised Municipal Code (Tax Key Number 449-9981-011)
33. [R-2004-0353](#) Resolution approving a Planned Development District-Commercial PDD-2 between the City of West Allis and Shecterle Commercial Properties 2, LLC to establish a Planned Development Agreement for new construction of various retail commercial uses at 1710 S. 108 St., pursuant to Sec. 12.61 of the West Allis Revised Municipal Code.

Attachments: [PDD-Crestwood Commons-EXHIBIT A-12-21-04.rtf](#)
[PDD-CrestwoodCommons-Agrmt 12-21-04.rtf](#)
[PDD-CrestwoodCommonsExh C-12-21-04.rtf](#)

34. [2004-0702](#) Request by Shecterle Enterprises, Inc. to establish a Planned Development District Commercial PDD-2 overlay district and Planned Development Agreement for the redevelopment of approximately 5.45 acres of land (Crestwood Bakery property) located at 1710 S. 108 St. for a commercial/retail development. (Tax Key No. 449-9981-011).
35. [R-2004-0356](#) Resolution relative to determination of Special Use Application for proposed G.M. and G.E. Credit Union with a drive-through 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 No. 452-0431-001).
36. [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).
37. [R-2004-0352](#) Resolution relative to determination of Special Use Application to establish a day care and pre-school facility within a portion of the Mary Queen of Heaven building located at 2360 S. 106 St.
38. [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).
39. [R-2004-0350](#) Resolution relative to determination of 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.
40. [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).
41. [R-2004-0351](#) Resolution relative to determination of Special Use Application for Smokin' Joe's tavern to expand a tavern use within the existing building located at 6139 W. Beloit Rd., formerly Patti's R & R.
42. [2004-0698](#) Special use application to expand a tavern use within the existing building located at 6139 W. Beloit Rd. (occupant Smokin' Joe's) formerly Patti's R&R. (Tax Key No. 475-0328-000).
43. [R-2004-0354](#) Resolution relative to determination of Special Use Application to establish a Japanese sushi and hibachi restaurant within retail space located at 2916 S. 108 St. in the Southtown Plaza Shopping Center (Tax Key No. 519-0339-018)
44. [2004-0699](#) Special Use application to establish a Japanese sushi and hibachi restaurant within retail space located at 2916 S. 108 St. SouthTown Plaza(occupant Fuji Yama restaurant). (Tax Key No. 519-0339-018).

LICENSE & HEALTH COMMITTEE

45. [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).
46. [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).
47. [2004-0695](#) 2004-2005 Class A Liquor License appl. no. 28 of Villager Food Mart, LLC, Manjeet K. Sidhu, Agent, d/b/a Beacher Beer & Liquor for premises at 2077 S. 78 St. (new-existing location).
48. [2004-0696](#) 2004-2005 Class B Tavern License appl. no. 134 of Puddles Hall, LLC, Timothy G. Capper, Agent, d/b/a Tavern on the Green for premises at 11904 W. Greenfield Ave.(new-existing location).

49. [2004-0644](#) 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. 54 of T. J. Petroleum, LLC, Zubair Arshad, Agent, 6819 W. Lincoln Ave.).
50. [2004-0315](#) 2004-2005 Class B Tavern License renewal appl. no. 20 of The Breaking Point Inc., Dale L. Reinders, Agent, d/b/a The Breaking Point for premises located at 6415 W. Greenfield Ave.(new agent)
51. [2004-0400](#) 2004-2005 Class B Tavern License renewal appl. no. 103 of Brian E. Malec for premises at 6330 W. Greenfield Ave., d/b/a The Rock Shop.
52. [2004-0667](#) 2004-2005 Tavern Operator License appl. no. 520 of Roberta C. Arnold.
53. [2004-0673](#) 2004-2005 Tavern Operator License appl. no. 523 of Rosalina Gutierrez.
54. [2004-0708](#) 2004-2006 Tavern Operator License appl. no. 301 of Catherine A. Paepcke.
55. [2004-0715](#) 2004-2005 Tavern Operator License appl. no. 530 of Andrea D. Kaplanek.
56. [2004-0733](#) 2004-2005 Tavern Operator License appl. no. 536 of John C. Douglas.
57. [2004-0742](#) 2004- 2005 Tavern Operator License appl. no. 541 of Michael G. Hubbard.
58. [O-2004-0051](#) An Ordinance to Repeal Section 9.01(1) and to Renumber and Amend Sections 9.01(2), (3), (4) and (5) of the Revised Municipal Code relating to Quotas for Class A Liquor Licenses and Create Section 9.02(2.5) of the Revised Municipal Code relating to Public Participation for Liquor Licenses.
59. [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).

60. [O-2004-0050](#) An Ordinance to Amend Section 9.28(1)(b), (e), (q) & (r) of the West Allis Revised Municipal Code Relating to Adult Oriented Establishments.
- Sponsors:* Narlock
61. [2004-0732](#) Police Department communication regarding Tavern Contacts/Violations as of December 1, 2004.
62. [2004-0760](#) Police Department communication regarding Contacts with License Holders relating to problems that occurred within taverns during the month of November.
63. [2004-0734](#) Police Department Report involving Kesler's, 6901 W. Beloit Rd.(2004-2005 Class B Tavern License no. 122, Dance Hall License no. 82, Instrumental Music License no. 45 of Kent L. Keske, Incident Date: November 22, 2004.)
64. [2004-0735](#) Police Department Report involving Charmed, 6328 W. Mitchell St.(2004-2005 Class B Tavern License no. 1, Dance Hall License no. 1, and Cigarette License no. 122 of Gutzmer & Assoc., LLC, Kathleen L. Gutzmer, Agent, Incident Date: November 7, 2004.)
65. [2004-0736](#) Police Department Report involving The Spot, 6426 W. Greenfield Ave.(2004-2005 Class B Tavern License no. 116, Dance Hall License no. 77, and Cigarette License no. 110 of Lonnie D. Bald & Edward D. Bomback, Partners, Incident Date: November 27, 2004.)
66. [2004-0737](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Ave.(2004-2005 Class B Tavern License no. 13, Dance Hall License no. 13, and Cigarette License no. 25 of Henry Enterprises Ltd., James F. Henry, Agent, Incident Date: November 22, 2004.)
67. [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.)
68. [2004-0729](#) 2004-2005 Special Class B Beer and Wine License application(s).
69. [2004-0731](#) 2004-2005 Adult-Oriented Establishment License appl. no. 1 of Kathleen Rothen for premises located at 2727 S. 108 St.
70. [2004-0741](#) 2004-2005 Adult-Oriented Establishment Operator License appl. no. 1 of Kathleen Rothen.
71. [2004-0740](#) 2004 and 2005 Taxicab Driver applications.
72. [2004-0743](#) 2004-2005 Tavern Operator License appl. no. 538 of Brent Breed.
73. [2004-0746](#) 2004-2005 and 2004-2006 Tavern Operator License applications.

ADVISORY COMMITTEE

74. [2004-0763](#) City Administrative Officer, Clerk/Treasurer communication regarding appointment of election officials (poll workers) for 2005-2006.
75. [2004-0745](#) City Administrative Officer, Clerk/Treasurer communication requesting permission to destroy certain records.
76. [2004-0750](#) Reappointments by Mayor Bell to the West Allis Beautification Committee of Dawn Martin, Debra Plantiko and Patricia Wolfe, their two-year terms to expire December 31, 2006.
- Attachments:* [MARTIN BEAUT.doc](#)
[PLANTIKO BEAUT.doc](#)
[WOLFE BEAU.doc](#)
77. [2004-0751](#) Reappointment by Mayor Bell, under the limit on consecutive terms, of Karen Timonen to the West Allis Beautification Committee, her two-year term to expire December 31, 2006.
- Attachments:* [TIMONEN.BEAU.doc](#)
78. [2004-0752](#) Appointment by Mayor Bell of Ald. Vincent Vitale to the West Allis Block Grant Committee, his two-year term to expire September 1, 2006.
- Attachments:* [VITALE.BLOCK.doc](#)
79. [2004-0753](#) Reappointments by Mayor Bell to the West Allis Capital Improvement Committee of Marianna Markowetz and Patricia Wolfe, their three-year terms to expire January 10, 2008.
- Attachments:* [MARKOWETZ CIP.doc](#)
[WOLFE CIP.doc](#)
80. [2004-0754](#) Reappointment by Mayor Bell, under the limit on consecutive terms, of Robert Kitchen to the West Allis Capital Improvement Committee, his three-year term to expire January 10, 2008.
- Attachments:* [KITCHEN CIP.doc](#)
81. [2004-0755](#) Reappointment by Mayor Bell of Ald. Rosalie Reinke to the West Allis Community Celebrations Committee, her two-year term to expire December 31, 2006.
- Attachments:* [REINKE.CELEB.doc](#)
82. [2004-0756](#) Reappointment by Mayor Bell of Rick Kettner to the West Allis Economic Development (Partnership) Committee, his three-year term to expire January 1, 2008.
- Attachments:* [KETTNER ED.doc](#)
83. [2004-0757](#) Appointment by Mayor Bell of John Klose, Jr. to the West Allis Economic Development (Partnership) Committee, his three-year term to expire January 1, 2008.
- Attachments:* [KLOSE.ED.doc](#)

84. [2004-0758](#) Reappointment by Mayor Bell of Barbara Janusiak to the West Allis Board of Health, her two-year term to expire January 1, 2007.

Attachments: [JANUSIAK.HLTH.doc](#)

85. [2004-0759](#) Reappointment by Mayor Bell of Devan Gracyalny to the Historical Commission of the City of West Allis, his five-year term to expire December 31, 2009.

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.