



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, December 7, 2004

7:05 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Mayor Bell at 7:05 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. Narlock.

D. PUBLIC HEARING

1. [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).

Explanation of the proposed special use by John Stibal, Director of Development.

Appearances: None.

E. CITIZEN PARTICIPATION

Appearances:

Russell Retzack, 3028 S. 83 St., requested an ordinance to ban smoking in restaurants.

Judy Dow, 3026 S. 83 St., commented on no smoking in restaurants.

Richard Siebenaller, 8719 W. Orchard St., commented on City Hall being closed for the holiday on December 31st and the effect on making a property tax payment.

Brian Preiss, Executive Director, Downtown West Allis Business Improvement District and Downtown West Allis, Inc., 7231 W. Greenfield Ave., reported on the Holiday Stroll from December 4th. He thanked the West Allis Police Department and the City for the No Parking signs and clean-up after the event. He thanked the businesses that participated. Mr. Preiss provided a status update of the businesses in the BID. On behalf of the West Allis-West Milwaukee Chamber of Commerce, he commented on the success of the Business Safety Seminar. He further announced grand openings and ribbon cuttings of Nick 'n Willy's Pizza, Guardian Credit Union, and Artistic Tanning.

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

Gave an oral report about attendance at the Congress of Cities in Indianapolis.

Alderspersons Comments

Ald. Reinke reported on the Art Gallery Open House. She thanked the children who participated by submitting their drawings. She thanked the praise team from Mount Calvary Pentecostal Church for singing at the event. She thanked the Celebrations Committee members for their assistance in making the project a success. Ald. Reinke indicated that the display will be present during the holiday season.

Ald. Weigel reported on his attendance at the grand opening at Whitnall Summit, and commented on the respect for the Development Department. He stated that the Chamber of Commerce gala was a success. Ald. Weigel commented on the Expo Center and payments for municipal services.

Ald. Barczak commented on Roundy's "We Care Because We Care" program in which all customers are asked for identification when purchasing alcoholic beverages or cigarettes. He indicated that their policy falls in well with the City's Weed & Seed Program. Ald. Barczak commended Roundy's.

H. AGENDA APPROVAL

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, that the agenda as submitted be accepted, except Item no. 35 should be referred to the Safety & Development Committee, instead of the Public Works Committee. The motion carried unanimously.

I. APPROVAL OF MINUTES

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, to approve the minutes of the regular meeting of November 16, 2004. The motion carried unanimously.

J. ITEMS NOT REFERRED TO COMMITTEE

2. [2004-0716](#) Lanier, Pleas & Hopkins Law Offices, Ltd. communication on behalf of their client, Enetrea Newell, regarding an incident with the West Allis Police Department on September 23, 2004.

This Matter was Referred for Legal Action to the City Attorney on a Block Vote.

3. [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.

This Matter was Referred for Legal Action to the City Attorney on a Block Vote.

Passed The Block Vote

K. STANDING COMMITTEE REPORT

LICENSE & HEALTH COMMITTEE

4. [2004-0681](#) Police Department communication regarding Tavern Contacts/Violations as of November 1, 2004.
This Matter was Placed on File on a Block Vote.
5. [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.)
This Matter was Placed on File on a Block Vote.
6. [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.)
This Matter was Placed on File on a Block Vote.
7. [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.)
This Matter was Placed on File on a Block Vote.
8. [2004-0627](#) 2004 Taxicab Driver License appl. no. 75 of Yadhwindar Singh.
This Matter was Approved on a Block Vote.
9. [2004-0707](#) 2005 Taxicab Driver License appl. no. 12 of Ahmed Khan.
This Matter was Approved on a Block Vote.
10. [2004-0429](#) 2004-2006 Tavern Operator License appl. no. 212 of Christine Stauss-Kurnik.
Denied based on (2) nonappearances.
This Matter was Denied on a Block Vote.
11. [2004-0616](#) 2004-2006 Tavern Operator License appl. no. 283 of Judy A. Younk.
This Matter was Approved on a Block Vote.
12. [2004-0639](#) 2004-2006 Tavern Operator License appl. no. 284 of Toni M. Steldt.
This Matter was Approved on a Block Vote.
13. [2004-0660](#) 2004-2006 Tavern Operator License appl. no. 290 of Elizabeth L. Post.
This Matter was Approved on a Block Vote.
14. [2004-0664](#) 2004-2005 Tavern Operator License appl. no. 516 of Amy K. Brafford.
This Matter was Approved on a Block Vote.

15. [2004-0666](#) 2004-2005 Tavern Operator License appl. no. 519 of Wanda L. Kinder.

This Matter was Approved on a Block Vote.

Passed The Block Vote

L. COMMON COUNCIL RECESS

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, that the Council recess until completion of Committee meetings. The motion carried unanimously.

Thereupon, the Council took a recess at 7:25 p.m. Upon returning from recess at 8:10 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

17. [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

18. [O-2004-0048](#) An Ordinance to Amend Section 13.255 of the Revised Municipal Code Regarding Permit Fees.

Attachments: [LEGOrd-BIZI2004_Permit Fees_attchmnt.doc](#)
[Ord-Bizi2004_2 Permit Fees_Attachment.doc](#)

This Matter was Passed on a Block Vote.

19. [O-2004-0049](#) An Ordinance to Amend Section 13.255(4) of the Revised Municipal Code Regarding Sign Permit Fees.

Attachments: [Ord-BIZI2004_3 Sign Permit Fees - Attachment.doc](#)
[LEGOrd-BIZI2004_3 Sign Prmt Fees-Attach.doc](#)

This Matter was Passed on a Block Vote.

20. [R-2004-0330](#) Resolution relative to accepting the proposal of Microtek Systems, Inc. for furnishing a backup system and intrusion detection system for a total net sum of \$28,374.00.

This Matter was Adopted on a Block Vote.

21. [R-2004-0336](#) Resolution to Transfer \$110,520 from the Contingency Fund to the Police Department Automotive Account for Advance Purchase of New Squad Cars and the Refurbishing of Used Cars.

This Matter was Adopted on a Block Vote.

22. [R-2004-0337](#) Resolution relative to renewal of the agreement with Wisconsin Community Services, Inc. for West Allis Mediation Center for 2005.

Attachments: [MEDCTR1.doc](#)
[MEDCTR2.doc](#)
[MEDCTR3.doc](#)

This Matter was Adopted on a Block Vote.

23. [R-2004-0343](#) Resolution relative to renewal of the agreement with the Village of West Milwaukee for Public Health Services for 2005.

Attachments: [WMILW1.doc](#)
[WMILW2.doc](#)
[WMILW3.doc](#)

This Matter was Adopted on a Block Vote.

24. [2004-0717](#) SuperValu communication announcing the final phase of a permanent shutdown at Crestwood Bakery, 1710 S. 108 St., on January 29, 2005, affecting fifty-one (51) employees.

This Matter was Placed on File on a Block Vote.

City Attorney Claim Report

25. **2002-0053** American International Recovery, Inc., communication submitted on behalf of their insured, Sarie Hashash, regarding vehicle damage allegedly sustained at the intersection of W. Becher St. and S. 92 St. on November 10, 1998.

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

16. [2004-0711](#) Communication from the Director of Public Works relative to maintenance of all or a portion of County boulevards.

This Matter was Approved on a Block Vote.

26. [R-2004-0327](#) Resolution rejecting all bids received as shown on the attached bid report for asbestos abatement/razing/renovations at the waste incinerator building, 5100 W. Rogers St. - 2004 Project No. 23.

This Matter was Adopted on a Block Vote.

27. [R-2004-0328](#) Resolution Relative to Vacation and Discontinuance of an Alley North of West Orchard Street Between South 91st Street and South 92nd Street.

Held in Public Works Committee during recess.

28. [R-2004-0329](#) Resolution Granting a License Agreement 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).

Attachments: [License Agrmnt-Summit Place Bridge.doc](#)

This Matter was Adopted on a Block Vote.

29. [R-2004-0331](#) Resolution accepting work of LaLonde Contractors Inc. for the construction of an asphalt parking lot, concrete curb and gutter, storm sewer and landscaping between S. 62 Street and S. 63 Street, north of W. Orchard Street in the City of West Allis and authorizing and directing payment of said contract in accordance with contract terms of 2004 Project No. 3.

This Matter was Adopted on a Block Vote.

30. [R-2004-0332](#) Resolution accepting work of Arrow-Crete Construction LLC, for the installation of a retaining wall and streetscaping in S. 70 Street from W. Walker Street to W. Washington Street in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2003 Project No. 3.

This Matter was Adopted on a Block Vote.

31. [R-2004-0333](#) Resolution accepting work of James Luterbach Construction Co., Inc. for the remodeling/conversion of the existing West Allis Veteran's Park Pavilion to a Police Satellite Station and authorizing and directing payment of said contract in accordance with contract terms of 2004 Project No. 9.

This Matter was Adopted on a Block Vote.

32. [R-2004-0334](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of the general area bounded by W. Burnham St., W. Cleveland Ave., S. 84 St. and S. 92 St. by replacement or repair of concrete sidewalk at random locations.

This Matter was Adopted on a Block Vote.

33. [R-2004-0335](#) Resolution accepting work of Zignego Company, Inc. for concrete reconstruction of the pavement, including miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, building services and utility adjustments in W. Lapham Street from S. 84 Street to S. 92 Street in the City of West Allis and authorizing and directing settlement of said contract in accordance with contract terms of 2003 Project No. 27

This Matter was Adopted on a Block Vote.

34. [R-2004-0338](#) Resolution to approve bid of Capitol Pavers, Inc. for street construction in W. Morgan Ave. from S. 108 St. to S. 113 St., in the amount of \$314,283.15.

This Matter was Adopted on a Block Vote.

36. [2004-0719](#) West Allis Wesleyan Church, 2465 S. 108 St., requesting permission to hold a live Nativity in front of their church, including one (1) donkey, one (1) sheep and two (2) goats, on Friday, December 3, 2004 and Saturday, December 4, 2004, from 9:00 a.m. to 12:00 noon.

This Matter was Approved on a Block Vote.

37. [2004-0722](#) Joint request for an alley vacation by property owners, Don Lawrence of 9116 W. Orchard St. and Gerald Croker of 1490 S. 92 St., to vacate a section of unimproved alley located between their properties north of W. Orchard St. between S. 91 St. and S. 92 St.

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

SAFETY & DEVELOPMENT COMMITTEE

35. [2004-0721](#) Petition for a stop sign between S. 63 St., S. 66 St. and W. Mitchell St., so the children do not get hit by speeding drivers, submitted by surrounding residents.

Held in Safety & Development Committee during recess.

40. [O-2004-0047](#) An Ordinance to Establish Parking Restrictions on the East Side of S. 76 St., from W. Oklahoma Ave. North to the Driveway (River Bend Entrance).

Sponsors: Dobrowski and Lajsic

This Matter was Passed on a Block Vote.

41. [R-2004-0271](#) Resolution approving Wehr Steel Development Agreement by and among the Community Development Authority of the City of West Allis and Venturedyne, Ltd. and Carnes Company, Inc. for the former Wehr Steel site located at 2154 S. 54 St.

Held in Safety & Development Committee during recess.

42. [R-2004-0341](#) Resolution approving a six-month extension of time for Lifetime Credit Union to obtain a building permit and to commence construction of a new financial institution with a drive through located on vacant property at 95** W. National Ave.

This Matter was Adopted on a Block Vote.

43. [R-2004-0342](#) Resolution amending a Purchase and Sale Agreement by and between the Community Development Authority of the City of West Allis and Fluid Technology, Inc., d/b/a Wisconsin Tank Company for the property located at 1445 S. 66 St.

This Matter was Adopted on a Block Vote.

44. [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.

Held in Safety & Development Committee during recess.

45. [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).

Held in Safety & Development Committee during recess.

46. [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).

Held in Safety & Development Committee during recess.

47. [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).

Held in Safety & Development Committee during recess.

48. [2004-0720](#) Special use application submitted by Nothing But Noodles to establish a restaurant within a portion of the Shoppes on 100 retail center located at 2923 S. 108 St. (tax key numbers 520-9965-026 and 520-9965-037).

Held in Safety & Development Committee during recess.

49. [2004-0700](#) Special Use application to establish a restaurant/cafe located at 6220 W. National Ave., within a portion of the Paradise Theater Building (occupant Paradise Cafe, Inc). (Tax Key No. 454-0001-000).

Held in Safety & Development Committee during recess.

50. [2004-0701](#) Special Use application to establish a church at 6229 W. Greenfield Ave. within the former Paradise Theater (occupant Paradise Family Life Center). (Tax Key No. 454-0001-000).

Held in Safety & Development Committee during recess.

Public Hearing Items (Safety & Development Committee)

51. [R-2004-0339](#) Resolution relative to determination of Special Use Application to establish a vocational school within a portion of the existing Summit Place Office Building located at 6737 W. Washington St.

This Matter was Adopted on a Block Vote.

52. [R-2004-0340](#) Resolution relative to determination of Special Use Application to establish a vocational school, including administrative offices and a library, within a portion of the proposed Summit Place Two building to be located on the west side of S. 70 St. at 909 S. 70 St. (Tax Key No. 440-0259-008)

This Matter was Adopted on a Block Vote.

53. [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).

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

54. [2004-0704](#) 2004 Special Event Direct Seller's Permit appl. no. 59 of George R. Block.
Denied based on the police report and nonappearance.
This Matter was Denied on a Block Vote.
55. [2004-0705](#) 2004 Special Event Direct Seller's Permit appl. no. 61 of David W. Truby.
Denied based on the police report and nonappearance.
This Matter was Denied on a Block Vote.
56. [2004-0706](#) 2004 Special Event Direct Seller's Permit appl. no. 65 of Fredrick J. Glatz.
Denied based on the police report and nonappearance.
This Matter was Denied on a Block Vote.
57. [2004-0712](#) Police Department communication regarding Contacts with License Holders relating to problems that occurred within taverns during the month of October.
This Matter was Placed on File on a Block Vote.
58. [2004-0718](#) Time Warner Cable communication announcing that CNNfn, Digital Cable Channel 100, will no longer be available effective December 15, 2004, but will be replaced with CNN International on Digital Cable Channel 100.
This Matter was Placed on File on a Block Vote.
59. [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).
Held in License & Health Committee during recess.
60. [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).
Held in License & Health Committee during recess.
61. [2004-0703](#) 2004-2005 Special Class B Beer and Wine License applications.
License appl. no. 22 granted.

This Matter was Approved on a Block Vote.

62. [2004-0709](#) NAMI Greater Milwaukee, d/b/a Royal Iris Resale, request for transfer of license from 1622 S. 84 St. to 6004-6006 W. Lincoln Ave. (2004-2005 Second Hand Dealer License appl. no. 43).

This Matter was Approved subject to the necessary requirement(s) on a Block Vote.

63. [2004-0713](#) 2004 and 2005 Taxicab Driver License applications.

2004 License appl. no. 81 and 2005 License appl. nos. 13-16 granted.

This Matter was Approved on a Block Vote.

64. [2004-0714](#) 2004-2006 Package Goods Operator License application(s).

License appl. no. 37 granted.

This Matter was Approved on a Block Vote.

65. [2004-0708](#) 2004-2006 Tavern Operator License appl. no. 301 of Catherine A. Paepcke.

Held in License & Health Committee during recess.

66. [2004-0715](#) 2004-2005 Tavern Operator License appl. no. 530 of Andrea D. Kaplanek.

Held in License & Health Committee during recess.

67. [2004-0710](#) 2004-2005 and 2004-2006 Tavern Operator License applications.

2004-2005 License appl. nos. 527-529 & 531-532 and 2004-2006 License appl. nos. 302-308 granted.

This Matter was Approved on a Block Vote.

Passed The Block Vote

ADVISORY COMMITTEE

68. [2004-0725](#) Appointment by Mayor Bell of Sandra Baetje as a member of the West Allis Block Grant Committee, her two-year term to expire September 1, 2006.

A motion was made by Ald. Reinke, seconded by Ald. Vitale, that this matter be Approved. The motion carried by the following vote:

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

No: 0

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

None.

O. ADJOURNMENT

A motion was made by Ald. Sengstock, seconded by Ald. Reinke, to adjourn at 8:15 p.m., with the next regularly scheduled meeting to be held on December 21, 2004, at 7:00 p.m. The motion carried unanimously.

*/s/ 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.