



# 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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Wednesday, November 3, 2004

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. [2004-0628](#) Special Use application to establish a Cold Stone Creamery cafe/restaurant within the Shoppes on 100 site located at 2935 S. 108 St. (tax key number 520-9965-026).
2. [2004-0629](#) Special Use application for an expansion to Golden Gyros restaurant located at 7233 W. Lincoln Ave. (tax key number 489-0239-001).
3. [2004-0611](#) Special Use Application to establish a Subway restaurant to be located at 1717 S. 76 St. (453-0433-001).
4. [2004-0577](#) Special use application for the expansion of baking operations at Grebe's Bakery located at 5132 W. Lincoln Ave.
5. [2004-0655](#) Special Use application for construction of storage garages at Nathan Hale High School located at 2606 S. 117 St. (tax key 483-9999-002).
6. [2004-0604](#) 2005 City of West Allis Mayor's Recommended Budget.

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 October 19, 2004.*

## J. ITEMS NOT REFERRED TO COMMITTEE

7. [2004-0640](#) Report of the Municipal Judge for the month of September, 2004, consisting of all fines, costs and fees collected by the City of West Allis in the sum of \$91,663.70, all fines, costs and fees in the sum of \$91,787.70 collected in the Municipal Court and the sum of \$79,441.00 in payment of parking violations sent directly to the City Clerk/Treasurer's office.
8. [2004-0663](#) Mueller, Goss & Possi, S.C. communication regarding a Summons & Complaint in the matter of Millers First Classified Ins. Co. vs. City of West Allis, et al., for property damage - auto.

## K. STANDING COMMITTEE REPORT

**ADMINISTRATION & FINANCE COMMITTEE**

*Regular meeting held on October 25, 2004. (Ald. Weigel excused)*

9. [2004-0602](#) Comptroller/Manager of Finance submitting the City of West Allis Audited Financial Statement Package for the period ended December 31, 2003.  
*Unanimously recommended for approval.*

**LICENSE & HEALTH COMMITTEE**

*Regular meeting held on October 26, 2004. (Ald. Narlock excused)*

10. [2004-0645](#) 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. 133 of Bryan SRA, LLC, Ram Joseph, Agent, 6716 W. Lincoln Ave.).  
*Unanimously recommended to be placed on file.*
11. [2004-0646](#) 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. 149 of Aquil A. Malik, 6000 W. National Ave.).  
*Unanimously recommended to be placed on file.*
12. [2004-0624](#) Police Department communication regarding Tavern Contacts/Violations as of October 1, 2004.  
*Unanimously recommended to be placed on file.*
13. [2004-0621](#) Appointment of new agent by The Colony Inc., d/b/a The Colony, 5801 W. Beloit Rd. of William W. Collins (2004-2005 Class B Tavern License no. 30, Dance Hall License no. 22, Instrumental Music License no. 15 and Cigarette License no. 31).  
*Unanimously recommended for approval.*

*(Ald. Narlock present at this time.)*

14. [2004-0643](#) Police Department Reports involving Steel Horse, 6215 W. National Ave. (2004-2005 Class B Tavern License no. 77, Dance Hall License no. 55, Instrumental Music License no. 30 and Cigarette License no. 53 of Frank L. Altenbach, Incident Dates: September 19, 2004 & September 24, 2004).  
*Unanimously recommended to be placed on file.*
15. [2004-0648](#) Police Department communication regarding Steel Horse, 6215 W. National Ave., Frank L. Altenbach (2004-2005 Class B Tavern License no. 72) regarding incidents on September 19, 2004 and September 24, 2004.  
*Unanimously recommended to be placed on file.*
16. [2004-0619](#) 2004-2005 Class B Tavern License appl. no. 132 of Transfer Cafe, LLC, James Yohanan, Agent, d/b/a Needle Inn for premises at 7100 W. National Ave.(new-existing location).  
*Unanimously recommended for approval subject to necessary requirements.*
17. [2004-0554](#) 2004-2005 Tavern Operator License appl. no. 481 of Andrea N. Lacoss.  
*Unanimously recommended for denial based on (2) nonappearances.*
18. [2004-0597](#) 2004-2006 Tavern Operator License appl. no. 271 of Karen M. Wickman.  
*Unanimously recommended for denial based on the police report.*
19. [2004-0598](#) 2004-2006 Tavern Operator License appl. no. 272 of Cathrine A. Schaumberg.  
*Unanimously recommended for approval.*
20. [2004-0600](#) 2004-2006 Tavern Operator License appl. no. 277 of Cristal F. Nokes.  
*Unanimously recommended for approval.*
21. [2004-0601](#) 2004-2006 Tavern Operator License appl. no. 270 of Mohinder Singh.  
*Unanimously recommended for approval.*
22. [2004-0613](#) 2004-2005 Tavern Operator License appl. no. 505 of Susan K. Jones.  
*Unanimously recommended for approval.*
23. [2004-0615](#) 2004-2005 Tavern Operator License appl. no. 508 of Jeffery M. Hodge.  
*Unanimously recommended for approval.*
24. [2004-0631](#) Various communications regarding Priya Corp.'s change of legal representation and letters of recommendation.  
*Unanimously recommended to be placed on file.*

L. COMMON COUNCIL RECESS

M. NEW AND PREVIOUS MATTERS

**ADMINISTRATION & FINANCE COMMITTEE**

25. [2004-0650](#) Communication from City Administrative Officer transmitting Traffic Violation & Accident Reports for the period July 1, 2004 through September 30, 2004.

**City Attorney Claim Report**

26. [2000-0011](#) Summons & Complaint in the matter of Amanda Kendziora, et al. V. City of West Allis, Et.al. Case No. 00-CV-001333, Case Code 30101 & 30107.
27. **2002-0177** Attorney David E. Stewart communication submitted on behalf of Waste Management of Wisconsin, Inc. regarding Notice of Intention to File Claim for Lien.
28. [2003-0063](#) Summons and Complaint in the matter of WASTE MANAGEMENT OF WISCONSIN, INC. v. CITY OF WEST ALLIS, ET AL.
29. [2001-0141](#) Robert P. Kassa, Jacksonville, FL, communication on behalf of his daughter, Kylie C. Kassa, regarding personal injury, due to a fall on the sidewalk, allegedly sustained in front of 1491 S. 94 St., on June 18, 2001.
30. [2003-0266](#) Daniel P. Kondos, S.C. Law Offices communication on behalf of their client, Jessica Chairez, regarding Notice of Injury which allegedly occurred near S. 76 St. and W. National Ave., on March 19, 2003.
31. [2003-0423](#) Summons and Complaint in the matter of WASTE MANAGEMENT OF WISCONSIN, INC. V. CITY OF WEST ALLIS.
32. [2004-0528](#) Mavis E. Mater, 2152 N. 56 St., Milwaukee, communication regarding personal injuries allegedly sustained on S. 70 St. north of W. Greenfield Ave., on July 28, 2004.
33. [2004-0553](#) Steven J. Marefka, 2328 S. 72 St., communication regarding vehicle damage allegedly sustained while parked at 6300 W. McGeoch Ave. on August 31, 2004.

**Public Hearing Items (Administration & Finance Committee)**

34. [O-2004-0045](#) Ordinance appropriating the necessary funds for the operation and administration of the City of West Allis for calendar year 2005.
35. [2004-0604](#) 2005 City of West Allis Mayor's Recommended Budget.

**PUBLIC WORKS COMMITTEE**

36. [R-2004-0312](#) Resolution Granting a Privilege for Encroachment (Major) to New Owner Thomas C. Doyle (d/b/a Doyle's Milwaukee Inn) for property located at 7335 West Greenfield Avenue.

**SAFETY & DEVELOPMENT COMMITTEE**

37. [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.
38. [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.
39. [2004-0578](#) Special use application for a convenience store addition to the existing gas station located at 7605 W. Greenfield Ave.
40. [2003-0582](#) Special Use application submitted by DBI, Inc. on behalf of Peter Brake d/b/a Badger Truck Center to expand the existing commercial heavy truck sales and service center located at 10915 W. Rogers St. (tax key no. 481-9997-005 and 481-9997-004)
41. [2003-0671](#) Special Use Application submitted by Laura Jones d/b/a Jones Outlet to establish a restaurant within the existing building at 8018 W. Becher St.
42. [2004-0055](#) Special Use Application to establish a restaurant and banquet facility within the existing building located at 5401 W. Burnham St., submitted by Ruben Herrera, d/b/a Taqueria Jalisco Restaurant.
43. [R-2004-0310](#) Resolution approving the Project Plan for Tax Incremental District Number Eight, City of West Allis, Wisconsin

44. [R-2004-0311](#) Resolution to create Tax Incremental District Number Eight, City of West Allis, Wisconsin, and describe the boundaries thereof, pursuant to Section 66.1105(4)(gm) of the Wisconsin Statutes
45. [2004-0636](#) Communication from John Stibal, Director, Department of Development, regarding resolution approving Project Plan for Tax Incremental District Number Eight, City of West Allis, Wisconsin.
46. [2004-0637](#) Communication from John Stibal, Director, Department of Development, regarding resolution designating the boundaries for Tax Incremental District Number Eight, City of West Allis, Wisconsin.
47. [R-2004-0313](#) Resolution approving Certified Survey Map to divide the existing property located at 12110 W. Greenfield Ave.
48. [2004-0630](#) Certified Survey Map to divide the existing property located at 12110 W. Greenfield Ave. (tax key number 446-0493-000).
49. [R-2004-0319](#) Resolution relative to authorizing the submittal of federal grant applications by the Director of Development and the subsequent appropriation of necessary local matching funds for the U.S. Environmental Protection Agency's Brownfield Cleanup Grant Program and Brownfield Revolving Loan Grant Program.
50. [2004-0653](#) Police Chief communication regarding City of West Allis crime statistics and major crime report.

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

51. [R-2004-0317](#) Resolution relative to determination of Special Use Application for an expansion to Grebe's Bakery located at 5132-5202 and 5000-50-5100-10-16 W. Lincoln Ave.
52. [2004-0577](#) Special use application for the expansion of baking operations at Grebe's Bakery located at 5132 W. Lincoln Ave.
53. [R-2004-0314](#) Resolution relative to determination of Special Use Application to establish a Subway Restaurant to be located at 1717 S. 76 St.
54. [2004-0611](#) Special Use Application to establish a Subway restaurant to be located at 1717 S. 76 St. (453-0433-001).
55. [R-2004-0315](#) Resolution relative to determination of Special Use Application to establish a Cold Stone Creamery restaurant within the Shoppes on 100 site located at 2935 S. 108 St.
56. [2004-0628](#) Special Use application to establish a Cold Stone Creamery cafe/restaurant within the Shoppes on 100 site located at 2935 S. 108 St. (tax key number 520-9965-026).
57. [R-2004-0318](#) Resolution relative to determination of Special Use Application for an expansion to Golden Gyros Restaurant located at 7233 W. Lincoln Ave.
58. [2004-0629](#) Special Use application for an expansion to Golden Gyros restaurant located at 7233 W. Lincoln Ave. (tax key number 489-0239-001).

59. [R-2004-0316](#) Resolution relative to determination of Special Use Application submitted by the School District of West Allis-West Milwaukee, et al. for construction of storage garages to be located at 2606 S. 117 St. at Nathan Hale High School
60. [2004-0655](#) Special Use application for construction of storage garages at Nathan Hale High School located at 2606 S. 117 St. (tax key 483-9999-002).

#### LICENSE & HEALTH COMMITTEE

61. [2004-0654](#) Cecelia Bort, 12202 W. Greenfield Ave., communication 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.
62. [2004-0657](#) Time Warner Cable communication regarding the adjustment of their "Returned Check Charge" from \$20.00 to \$30.00 effective December 1, 2004.
63. [2004-0632](#) 2004-2005 Special Class B Beer and Wine License applications.
64. [2004-0652](#) 2004-2005 Special Instrumental Music Permit appl. no. 1 of Keith A. & Dawn M. Emmrich, partners, d/b/a Stingrays, 5826 W. Burnham St. (2004-2005 Class B Tavern License no. 18) for an event on Saturday, November 20, 2004.
65. [2004-0651](#) 2004 and 2005 Taxicab Driver's License applications.
66. [2004-0661](#) 2005 Taxicab Operator License applications.
67. [2004-0662](#) 2004-2005 Second Hand Dealer License applications.
68. [2004-0638](#) 2004-2005 and 2004-2006 Tavern Operator License applications.
69. [2004-0639](#) 2004-2006 Tavern Operator License appl. no. 284 of Toni M. Steldt.
70. [2004-0656](#) 2004-2006 Tavern Operator License appl. no. 287 of Rhiannon M. Van Bennekom.
71. [2004-0660](#) 2004-2006 Tavern Operator License appl. no. 290 of Elizabeth L. Post.
72. [2004-0664](#) 2004-2005 Tavern Operator License appl. no. 516 of Amy K. Brafford.

#### ADVISORY COMMITTEE

73. [2004-0658](#) Reappointments by Mayor Bell to the West Allis Commission on Aging of Shirley Johnson, Rita Roth, and Sue Titschler, their three-year terms to expire November 1, 2007.
74. [2004-0659](#) Appointment by Mayor Bell of Mr. Edward Lisinski as a member of the Historical Commission of the City of West Allis, his term to expire December 31, 2006.

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.