



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, Kurt E. Kopplin, Thomas G. Lajsic, Richard F. Narlock, Rosalie

L. Reinke, Lester Trudell, Jr.,

Vincent Vitale, and Martin J. Weigel

Tuesday, October 7, 2003

7:00 PM

City Hall - Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [2003-0602](#) On the matters contained in the Year 2004 Operating Plan for the Downtown West Allis Business Improvement District and the schedule of proposed special assessments to be levied under the plan.
2. [O-2003-0063](#) An ordinance to amend the official West Allis Zoning Map by rezoning certain lands located at 33** S. 113 St. from RA-1 Residence District to RC-1 Residence District (Tax Key No. 523-9960-004).
3. [2003-0572](#) Transitional use application submitted by Efstathios Sidirokastritis d/b/a Greek Island Restaurant (formerly Mega), 7727 W. Greenfield Ave. to construct a commercial parking lot on residentially zoned property located at 1420 S. 78 St.

E. CITIZEN PARTICIPATION

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

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

Agenda Approval**Approval of Minutes**

Minutes of the regular Common Council meeting of September 16, 2003.

H. ITEMS NOT REFERRED TO COMMITTEE

4. [2003-0600](#) Communications and all other matters referred to various Committees prior to June 1, 2003.
5. [2003-0603](#) Linda A. Niebuhr and Patricia A. Kraemer, 1021 S. 103 St., communication on behalf of Kerry M. Kraemer, 2429 S. 94 St., regarding injuries which allegedly occurred on or about August 29, 2003.
6. [2003-0604](#) Richard McCullough communication regarding a solar pool cover allegedly removed during refuse collection at 2045 S. 72 St. on September 10, 2003.
7. [2003-0619](#) Faye Hancock communication regarding vehicle damage which allegedly occurred while parked in her space at the Beloit Road Housing Complex, 7335 W. Dreyer Pl., on or about September 12, 2003 (including possible car rental reimbursement).
8. [2003-0620](#) American Family Insurance Group communication on behalf of their insured Xay Xana Yang, 871 S. 75 St., regarding vehicle damage which allegedly occurred when Mr. Yang was backing in his driveway on September 5, 2003, their Claim No. 00-601-350759-0422, in the amount of \$2,174.93.
9. [2003-0621](#) Jack Brees, 2989 S. Waukesha Rd., communication regarding alleged vehicle damage while backing out of his driveway on August 25, 2003.
10. [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.

I. STANDING COMMITTEE REPORTS

None

J. COMMON COUNCIL RECESS

K. NEW AND PREVIOUS MATTERS

ADMINISTRATION & FINANCE AND PUBLIC WORKS COMMITTEES

11. [R-2003-0299](#) Resolution relative to accepting the proposal of Schmidt Engineering & Equipment, Inc. for furnishing one (1) used 1992 1400 ton per hour snow blower for a total net sum of \$38,500.00.

ADMINISTRATION & FINANCE COMMITTEE

12. [O-2003-0066](#) An Ordinance to Amend Ordinance No. 6634 Establishing the Salary Ranges of Certain Employees in the Executive Service, the Managerial Service, the Deputy Service, and the Confidential, Professional, and Supervisory Service of the City of West Allis for the Years 2002-2005 (Deputy Police Chief-Operations and Deputy Police Chief-Support Services).
13. [O-2003-0068](#) An Ordinance to Create Subsection 2.19(9) of the West Allis Revised Municipal Code Relating to Fees for Warrants (Sponsored by Ald. Czaplewski).
14. [O-2003-0069](#) An Ordinance to Amend Subsection 2.19(8) of the West Allis Revised Municipal Code Relating to Stipulations.
15. [R-2003-0294](#) Resolution relative to the Amendment of the Flexible Benefits Plan adopted by the City of West Allis.
16. [R-2003-0295](#) Resolution to approve Facade Demonstration Project Contract, in the sum of \$800.00, by and between the City of West Allis and Ronald A. Tousignant for the property located at 6031 West National Avenue.
17. [2003-0601](#) Pressed Steel Tank Co., Inc., 1445 S. 66 St., communications regarding the anticipation of one (1) permanent layoff on or about November 15, 2003, eleven (11) permanent layoffs on or about November 30, 2003, and a change in termination dates of thirty (30) previously notified employees to be on or about October 24, 2003 and October 31, 2003.

18. [2003-0608](#) Report for the month of March, 2003 indicating CWA checks issued in the amount of \$14,794,115.84 including Investment of Funds.
19. [2003-0610](#) Report for the month of April, 2003 indicating City of West Allis checks issued in the amount of \$19,903,762.02 including Investment of Funds and settlement with other taxing units.
20. [2003-0612](#) Report for the month of May, 2003 indicating City of West Allis checks issued in the amount of \$9,286,039.85 including Investment of Funds.
21. [2003-0615](#) Report for the month of June, 2003 indicating City of West Allis checks issued in the amount of \$18,928,620.28 including Investment of Funds and settlement with other taxing units.
22. [2003-0616](#) Report for the month of July, 2003 indicating City of West Allis checks issued in the amount of \$17,098,509.20 including the Investment of Funds.
23. [2003-0617](#) Communication from Comptroller/Manager of Finance submitting the City of West Allis Unaudited Financial Statement Package for the period ended August 31, 2003 for review and approval.
24. [2003-0628](#) 2004 City of West Allis Mayor's Recommended Budget.

City Attorney Claim Report

- 25. [2001-0009](#) Summons and Complaint in the matter of Ralph F. Schmidt, Sr. v. City of West Allis, et al.
- 26. **2001-0039** Rose Fischer, 1709 Blake Ave., South Milwaukee, communication regarding personal injury, due to a fall, allegedly sustained between the sidewalk and the street near 1432 S. 65 St., on August 28, 2001.
- 27. **2002-0214** Welcenbach & Widmann, S.C. communication submitted on behalf of Rose and Timothy Fischer regarding injuries and damages allegedly sustained at 1432 S. 65 St. on August 28, 2001.
- 28. [2003-0267](#) Summons & Complaint in the matter of Rose Fischer and Timothy Fischer vs. City of West Allis and First Health, Case No. 03CV002975, submitted by Welcenbach & Widmann, S.C.
- 29. [1995-0009](#) Communication submitted by Kachelski & Straub on behalf of their client Paul Sibila for personal injuries allegedly sustained involving an arrest on May 23, 1995, at his residence at 1113 S. 73 St.
- 30. [2001-0120](#) Summons and Complaint submitted by Kachelski, Atta & Straub, S.C., in the matter of Paul D. Sibila v. the City of West Allis, et al., and Case No. 01-C-0514.
- 31. [2000-0015](#) Brennan, Ramirez & Sesini, Notice of Injury and Claim for Damages, on behalf of Cristy L. Voelker, allegedly sustained on or about May 4, 2000, at the intersection of S. 76 St. and W. Madison Ave.
- 32. [2002-0200](#) Summons and Complaint in the matter of Bank One, N.A. vs. City of West Allis Community Development Authority, et al.
- 33. **2002-0236** Writ of Certiorari to the City of West Allis in the matter of Charles E. Benidt v. City of West Allis.
- 34. [2003-0387](#) Kasdorf, Lewis & Swietlik, S.C., Notice of the Circumstances of the Claim on behalf of their client, Greg Nawrocki, 5533 W. National Ave., Milwaukee and ACUITY, A Mutual Insurance Company, regarding a water main break on January 27, 2003.
- 35. [2003-0461](#) Alison Taurel communication regarding vehicle damage allegedly sustained on S. 77 St. during the week of June 23, 2003.
- 36. [2003-0526](#) Derek Hug, 1721 S. 62 St., communication regarding misplaced personal property between the West Allis Police Department and the Milwaukee County Jail on July 20, 2003.

PUBLIC WORKS COMMITTEE

- 37. [R-2003-0274](#) Resolution accepting work of KPH Construction Corp. for asbestos abatement at 3000 S. 124 St. and 2984 S. 106 St. in the City of West Allis and authorizing and directing payment of said contract in accordance with contract terms of 2003 Project No. 21.

38. [R-2003-0275](#) Resolution accepting work of Badger Wrecking, Inc. for razing at 3000 S. 124 St. and 2984 S. 106 St. in the City of West Allis and authorizing and directing payment of said contract in accordance with contract terms of 2003 Project No. 18.
39. [R-2003-0276](#) Resolution accepting work of Balestrieri Environmental & Development, Inc. for asbestos abatement at Fire Station # 1, 7332 W. National Ave. and Fire Station #3, 10830 W. Lapham St. in the City of West Allis and authorizing and directing payment of said contract in accordance with contract terms of 2003 Project No. 13.
40. [R-2003-0277](#) Resolution accepting work of Capitol Pavers Inc. for street construction in S. 124 St. from W. Oklahoma Ave./W. National Ave. to W. Morgan Ave. and authorizing and directing payment of said contract in accordance with contract terms of 2003 Project No. 15.
41. [R-2003-0278](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 70 St. from W. Washington St. to W. Greenfield Ave. and portions of intersecting streets by major asphalt resurfacing of the pavement with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer relay, sanitary sewer relay and utility adjustments.
43. [R-2003-0280](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 76 St. east service drive from W. Cleveland Ave. to S. Van Dyke Pl. by new asphalt construction of the pavement, new concrete curb and gutter, new driveway approaches, storm sewer, building services and utility adjustments.

44. [R-2003-0281](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of S. 65 St. from W. Revere Pl. to W. Beloit Rd.; S. 66 St. from W. Revere Pl. to W. Beloit Rd.; S. Livingston Terr. from S. 67 Pl. to W. Grant St.; W. Revere Pl. from S. 65 St. to S. Livingston Terr.; W. Oconto Pl. from W. McGeoch Ave. to S. 65 St.; and W. Grant St. from S. 66 St. to S. 67 Pl. and portions of intersecting streets by interim asphalt resurfacing and utility adjustments.
45. [R-2003-0282](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Rogers St. from S. 53 St. to S. 60 St. and portions of intersecting streets by concrete reconstruction of the pavement with miscellaneous sidewalk repair, new driveway approaches, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.
46. [R-2003-0283](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of W. Orchard St. from S. 76 St. to S. 82 St. and portions of intersecting streets by concrete reconstruction of the pavement with miscellaneous sidewalk repair, new driveway approaches, storm sewer, storm sewer relay, sanitary sewer relay, water main, water main relay, building services and utility adjustments.
47. [R-2003-0284](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of various alleys in the City of West Allis by removal and reconstruction of the concrete alley pavement, new concrete alley pavement, storm sewer, storm sewer relay, building services, utility adjustments and storm underdrain.
48. [R-2003-0285](#) Resolution ordering preliminary plans and specifications together with a schedule of proposed assessments for improvement of several alleys in the City of West Allis by asphalt resurfacing of the alley pavement and utility adjustments.

49. [R-2003-0292](#) Resolution Authorizing Entering into an Intergovernmental Cooperation Agreement for Use and Distribution of Proceeds for Wisconsin Department of Natural Resources "Round Two" Recycling Efficiency Incentive Grants.
50. [R-2003-0298](#) Resolution Authorizing and Directing the City Engineer and Other Appropriate City Officials to Obtain Permanent Limited Easements for the Installation of Sanitary Sewer Between 84th Street and 82nd Street South of West Greenfield Avenue.

SAFETY & DEVELOPMENT COMMITTEE

- 50a. [O-2003-0064](#) An Ordinance to Create Subsections 7.15(5), (6) and (7) of the West Allis Revised Municipal Code Relating to Rooming Houses. (Sponsored by Ald. Czaplewski)
51. [O-2003-0065](#) An Ordinance to Amend Subsection 10.18(5) of the Revised Municipal Code Relating to Penalties for Cruising (Sponsored by Ald. Narlock).
52. [R-2003-0251](#) Resolution relative to determination of Special Use Application submitted by the Southside Baptist Church, to establish an elementary school within the existing building located at 1501 S. 73 St.
53. [2003-0200](#) Special Use Application submitted by Stan McIntyre of the Southside Baptist Church to establish a Christian School within the existing building located at 1501 S. 73 St.
54. [2003-0598](#) Mike and Laura Eaton, 7705 W. Rogers St., communication against the granting of an occupancy permit to Family Video, 7619 W. National Ave.

Public Hearing Items (Safety & Development Committee)

55. [O-2003-0063](#) An ordinance to amend the official West Allis Zoning Map by rezoning certain lands located at 33** S. 113 St. from RA-1 Residence District to RC-1 Residence District (Tax Key No. 523-9960-004).
56. [2003-0523](#) Request by Tim Bruch of Tag Builders to amend the official West Allis map by rezoning certain lands located at 33** S. 113 St. tax key no. 523-9960-004 from RA-1 Residence District to RC-1 Residence District.
57. [R-2003-0297](#) Resolution relative to denial of a Transitional Use Application submitted by Efstathios Sidirokastritis, d/b/a Greek Island Restaurant, formerly Mega Restaurant, located at 7727 W. Greenfield Ave. to construct a commercial parking lot on residentially zoned property at 1420 S. 78 St.

Attachments: [R-2003-0297 signed](#)

58. [2003-0572](#) Transitional use application submitted by Efstathios Sidirokastritis d/b/a Greek Island Restaurant (formerly Mega), 7727 W. Greenfield Ave. to construct a commercial parking lot on residentially zoned property located at 1420 S. 78 St.
59. [2003-0627](#) Petition submitted by residents in favor of proposal to expand the Greek Island Restaurant parking lot at 7727 W. Greenfield Ave., submitted by Efstathios Sidirokastritis, d/b/a Greek Island Restaurant.

60. [2003-0635](#) Affidavit submitted by Efstathios Sidirokrastitis on behalf of Peter Agnos owner of Mega Restaurant property located at 7727 W. Greenfield Ave. and 1420 S. 78 St. relative to proposed construction of a commercial parking lot on residentially zoned property located at 1420 S. 78 St.

LICENSE & HEALTH COMMITTEE

61. [2003-0625](#) 2003-2005 Tavern Operator License appl. no. 14 of Janeen L. Kay.
62. [2003-0614](#) 2003-2004 Combination Class A Liquor License appl. no. 23 of Priya Corporation, Kavita S. Khullar, Agent, d/b/a Martha's Vinyard, 10711 W. Oklahoma Ave. (new-existing location).
63. [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).
64. [2003-0626](#) 2003-2005 Tavern Operator License appl. no. 15 of Paul D'Acquisto.
65. [2003-0599](#) Time Warner Cable communication announcing the addition of two new channels to their Digital Sports Package, NBA TV, on channel 116 and FUEL on channel 117, on October 1, 2003, with a new rate of \$4.95 per month for a total of 10 channels.
66. [2003-0611](#) Video/Cable Communications Coordinator communication regarding the Franchise Fee Audit Report.
67. [2002-0258](#) Police Department Report regarding October 29, 2002 Tavern Compliance Check involving twenty-one (21) West Allis taverns, resulting with nine (9) selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 120 and Cigarette License no. 139 of Niehoff Restaurants, Inc., Robert C. Niehoff, Jr., Agent, d/b/a Becher Street Bar & Grill, 7527 W. Becher St.)
68. [2003-0605](#) 2003-2004 Used Vehicle Dealer License application(s).
69. [2003-0606](#) 2003-2004 Special Class B Beer and Wine License applications.
70. [2003-0622](#) 2003-2004 Second Hand Dealer License application(s).
71. [2003-0624](#) 2003 Taxicab Driver License application(s).
72. [2003-0607](#) 2003-2004 and 2003-2005 Tavern Operator License applications.

ADVISORY COMMITTEE

73. [R-2003-0296](#) Resolution relative to clarifying membership of the West Allis Community Celebrations Committee.
74. [2003-0629](#) Reappointment by Mayor Bell of Frederick Kuolt to the West Allis Block Grant Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of Boards and Commissions, his two-year term to expire September

1, 2005.

- 75. [2003-0630](#) Appointment by Mayor Bell of David Wied as a member of the West Allis Community Celebrations Committee, serving as the West Allis Charities Representative.
- 76. [2003-0631](#) Appointment by Mayor Bell of Gerald Matter as a member of the West Allis Economic Development (Partnership) Committee, his term to expire January 1, 2006.
- 77. [2003-0632](#) Reappointments by Mayor Bell to the West Allis Property Maintenance Code Appeals Board of Carol Garrison, Don Kosiboski, and Charles Unger, their two-year terms to expire September 1, 2005.
- 78. [2003-0634](#) Reappointments by Mayor Bell to the West Allis Block Grant Committee of Jean Cantwell and Michael Salfer, their two-year terms to expire September 1, 2005.

Public Hearing Item (Advisory Committee)

- 79. [R-2003-0293](#) Resolution to approve the Year 2004 Operating Plan for the Downtown West Allis Business Improvement District and to adopt the Special Assessment Method as stated therein (Final).

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

M. 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 QUORUM

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.