

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
TUESDAY, MARCH 1, 2011, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Mayor Bolender called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Jakubczyk, Ald. Bukiewicz, Ald. Scaffidi, Ald. Toman, Ald. Gehl, and Ald. Michalski. Also present were: City Attorney Lawrence Haskin, City Administrator Gerald Peterson, Acting City Engineer/Building Commissioner Michael Simmons, Community Development Director Douglas Seymour, Finance Director Mark Wyss (arrived at 7:08 p.m.), Parks, Recreation and Forestry Director Douglas Schachtner, City Forester Rebecca Lane, Water and Sewer Utility General Manager Steven Yttri, and Deputy City Clerk Christa Miller.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to approve the minutes of the 2/14/2011 meeting as published. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.
4. **INFORMATIONAL: PRESENTATION OF WISCONSIN'S URBAN FORESTRY COUNCIL AWARD, INNOVATIONS IN URBAN FORESTRY, PRESENTED BY MR. JOHN GALL OF THE WISCONSIN URBAN FORESTRY COUNCIL.**

Presentation of the Wisconsin's Urban Forestry Council Award, *Innovations in Urban Forestry*, was presented to City Forester, Rebecca Lane, by Mr. John Gall of the Wisconsin Urban Forestry Council.

5. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 11-02, PROCLAMATION OF APPRECIATION TO RAYMOND L. BURNSIDE, RETIRING COMMISSIONER OF OAK CREEK WATER AND SEWER UTILITY COMMISSION.**

Ald. Gehl, seconded by Ald. Scaffidi, moved to adopt Council Proclamation No. 11-02, a Proclamation of Appreciation to Raymond L. Burnside, retiring Commissioner of the Oak Creek Water and Sewer Utility Commission. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

Note: Items 6 and 7 were taken in one motion.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11100-030111, RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 8283-101591; AUTHORIZING ISSUANCE AND SALE OF APPROXIMATELY \$6,500,000 WATERWORKS SYSTEM REFUNDING REVENUE BONDS; AND PROVIDING FOR PAYMENT OF SAID BONDS AND OTHER DETAILS AND COVENANTS WITH RESPECT THERETO.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Resolution No. 11100-030111, a resolution amending and supplementing Resolution No. 8283-101591; authorizing the issuance and sale of approximately \$6,500,000 Waterworks System Refunding Revenue Bonds; and providing for the payment of said bonds and other details and covenants with respect thereto. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11101-030111, RESOLUTION AUTHORIZING WATERWORKS SYSTEM REVENUE BONDS AND ISSUANCE AND SALE OF APPROXIMATELY \$6,000,000 WATERWORKS SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2011, IN ANTICIPATION THEREOF.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Resolution No. 11101-030111, a resolution authorizing Waterworks System Revenue Bonds and the issuance and sale of approximately \$6,000,000 Waterworks System Revenue Bond Anticipation Notes, Series 2011, in anticipation thereof. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

8. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to approve the 2011 Vendor Summary Report in the amount of \$644,968.26. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

9. **COUNCIL AUTHORIZES STAFF TO TAKE PRELIMINARY STEPS TO AMEND PROJECT PLAN FOR TIF DISTRICT NO. 6.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to authorize staff to take preliminary steps to amend the project plan for Tax Increment Financing District No. 6, which may include: street improvements, sanitary sewer, stormwater management, water main extensions, street lighting, potential cash grants made by the City to owners or lessees or developers of land located within the District (development incentives), related organizational and administrative costs, and any other eligible project costs permitted by the Tax Incremental Finance law. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, no; and Ald. Michalski, aye.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 11102-030111, APPROVING A CERTIFIED SURVEY MAP FOR PROPERTY AT 1830 E. ELM RD. (BRIAN AND TRACY KOTECKI).**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11102-030111, approving a certified survey map for the property at 1830 E. Elm Rd. (Brian and Tracy Kotecki). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

11. **COUNCIL GRANTS OPERATOR'S LICENSES.**

Ald. Jakubczyk, seconded by Ald. Scaffidi, moved to grant an Operator's license to:

- Kim M. McCormick, 10414 S. Katie Dr., Oak Creek (Norine's).
- Brian R. Holten, 10500 S. Shangrila Ct., Oak Creek (Applebee's).

On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

12. **CLOSED SESSION HELD.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 7:27 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. Section 19.85 (1)(e) to discuss strategy regarding a proposed Agreement with WisPark,

LLC for investment in mutually agreeable development projects pursuant to an Agreement with WE Energies dated April 2, 2003.

- b. Section 19.85 (1)(e) to formulate strategy regarding negotiations with Local 133 (AFSCME) in response to AFSCME's proposal of 2/23/2011.

On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

13.-14. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Michalski, seconded by Ald. Scaffidi, moved to reconvene into Open Session at 8:43 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye. (Action taken with Item 15.)

15. PRESENTED AND ADOPTED: RESOLUTION NO. 11103-030111, A RESOLUTION APPROVING AN AGREEMENT WITH WISPARK, LLC.

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Resolution No. 11103-030111, a Resolution Approving an Agreement with WisPark, LLC. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, no; Ald. Gehl, aye; and Ald. Michalski, aye. Motion, with second agreeing, was amended to include that with regard to the WisPark agreement, repayment of the loan for the existing due diligence costs be made on or before 3/31/2011. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

16. COUNCIL APPROVES AGREEMENTS FOR DUE DILIGENCE ACTIVITIES REGARDING LAKEVIEW VILLAGE.

Ald. Michalski, seconded by Ald. Bukiewicz, moved to approve agreements for due diligence activities regarding Lakeview Village as follows:

- a. Environ International Corporation for environmental engineering,
- b. The law firm of Godfrey & Kahn for continuing legal services, and
- c. John Antaramian of Emerging Communities Corporation for consulting services.

On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

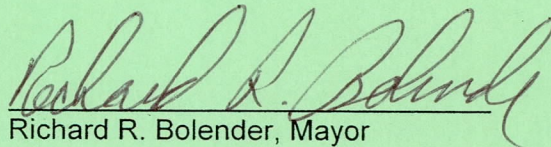
ADJOURNMENT.

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 8:45 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ATTEST:



Pamela S. Bauer, CMC, City Clerk



Richard R. Bolender, Mayor