

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
TUESDAY, MARCH 15, 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 7:17 p.m.), City Public Health Officer Judith Price, City Sanitarian Dave Cammilleri, and Deputy City Clerk Christa Miller.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Michalski, seconded by Ald. Scaffidi, moved to approve the minutes of the 3/1/2011 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. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 11-01, CONGRATULATIONS TO SEAN MARSHALL FOR RECEIVING THE EAGLE SCOUT AWARD.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Council Proclamation No. 11-01, Congratulations to Sean Marshall for receiving the Eagle Scout Award. 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.

5. **PUBLIC HEARING HELD TO CONSIDER A REQUEST BY PAUL DOWNS AND MARK GREEN (HANNA TRAILER SUPPLY, INC.) TO AMEND CONDITIONAL USE PERMIT FOR PROPERTY AT 7575 S. HOWELL AVE. TO ALLOW FOR DISPLAY OF TRAILERS, RECREATIONAL VEHICLES AND CAMPERS ON 6,000 SQUARE FOOT DISPLAY PAD NORTH OF EXISTING BUILDING.**

A public hearing was held to consider a request by Paul Downs and Mark Green (Hanna Trailer Supply, Inc.) to amend the conditional use permit for the property at 7575 S. Howell Ave. to allow for the display of trailers, recreational vehicles and campers on a 6,000 square foot display pad north of the existing building (see Item 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2618, AMENDING CONDITIONAL USE PERMIT FOR PROPERTY AT 7575 S. HOWELL AVE. TO INCLUDE PERMANENT OUTDOOR DISPLAY OF TRAILERS AND RECREATIONAL VEHICLES (HANNA TRAILER SUPPLY, INC.)**

Ald. Jakubczyk, seconded by Ald. Michalski, moved to adopt Ordinance No. 2618, amending the conditional use permit for the property at 7575 S. Howell Ave. to include the permanent outdoor display of trailers and recreational vehicles (Hanna Trailer Supply, Inc.). 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. **PUBLIC HEARING HELD TO CONSIDER A CONDITIONAL USE PERMIT REQUEST BY ROCHELLE BAST (RITEWAY BUS SERVICE) TO ALLOW FOR OUTDOOR STORAGE OF VEHICLES AT 6970 S. 6TH ST.**

A public hearing was held to consider a conditional use permit request by Rochelle Bast to allow for the outdoor storage of vehicles at 6970 S. 6th St. (see Item 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2619, AUTHORIZING A CONDITIONAL USE PERMIT FOR OUTDOOR STORAGE OF VEHICLES AND PRIVATE BUS SERVICE STORAGE YARD FOR PROPERTY AT 6970 S. 6TH ST. (RITEWAY BUS SERVICE).**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2619, authorizing a conditional use permit for the outdoor storage of vehicles and a private bus service storage yard for the property at 6970 S. 6th St. (Riteway Bus Service). 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2620, CREATING SECTION 2.23 (A)(5) AND REPEALING SECTION 2.77 OF OAK CREEK MUNICIPAL CODE REGARDING THE FINANCE COMMITTEE.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Ordinance No. 2620, to create Section 2.23(a)(5) and to repeal Section 2.77 of the Oak Creek Municipal Code regarding the Finance Committee. 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.

10. **COUNCIL CONCURS WITH MAYOR'S APPOINTMENT OF DAVID SIMPSON TO WATER & SEWER UTILITY COMMISSION.**

Ald. Gehl, seconded by Ald. Michalski, moved to concur with the Mayor's appointment of David Simpson, 9820 S. Deerpath Dr., to the Water & Sewer Utility Commission to complete a 5-year term expiring 9/2012, due to the resignation of Raymond Burnside. 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. **INFORMATIONAL: TEMPORARY CLOSURE OF BENDER PARK BOAT LAUNCH PER ALDERMAN TOMAN.**

Ald. Toman provided the Council with information regarding the temporary closure of the Bender Park boat launch.

12. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Michalski, seconded by Ald. Gehl, moved to approve the 2011 Vendor Summary Report in the amount of \$423,724.36. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11105-031511, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MILWAUKEE COUNTY RELATIVE TO CITY'S CONTINUED PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR PROGRAM YEARS 2012, 2013, AND 2014.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11105-031511, authorizing the execution of an agreement with Milwaukee County relative to the City's continued participation in the Community Development Block Grant Program (CDBG) for the program years 2012, 2013, and 2014. 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.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11104-031511, RESOLUTION ACCEPTING THE 2010 ANNUAL REPORT FOR OAK CREEK'S WPDES STORM WATER (NR 216) PERMIT.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11104-031511, a resolution accepting the 2010 Annual Report for Oak Creek's WPDES Storm Water (NR 216) permit. 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.

15. **COUNCIL ENTERS INTO REVISED AGREEMENT WITH WISCONSIN DOT FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FEDERAL FUNDING FOR PROPOSED IMPROVEMENTS TO PUETZ ROAD / 13TH STREET INTERSECTION (PROJECT NO. 07025).**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to enter into a revised agreement with the Wisconsin Department of Transportation (WDOT) for Highway Safety Improvement Program (HSIP) federal funding for the proposed improvements to the Puetz Road / 13th Street Intersection (Project No. 07025). 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 INSTALLATION OF STOP SIGNS ON S. MICHELLE DR. AT ELM RD., S. JESSICA DR. AT E. ELM RD., AND S. CHRISTINA CT. AT E. ELM RD.**

Ald. Gehl, seconded by Ald. Scaffidi, moved to concur with the recommendation of the Traffic and Safety Commission to approve the installation of stop signs on S. Michelle Dr. at E. Elm Rd., S. Jessica Dr. at E. Elm Rd., and S. Christina Ct. at E. Elm Rd. 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.

17. **COUNCIL APPROVES PURCHASE OF REPLACEMENT TACTICAL BODY ARMOUR FOR FIFTEEN (15) EMERGENCY RESPONSE UNIT AND TACTICAL EMERGENCY MEDIC MEMBERS AT A TOTAL COST OF \$22,500.**

Ald. Scaffidi, seconded by Ald. Gehl, moved to approve the Police Department's purchase of replacement tactical body armour for fifteen (15) Emergency Response Unit and Tactical Emergency Medic members at a total cost of \$22,500. 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.

18. **COUNCIL REVIEWS CURRENT FEES AND CITY COSTS FOR HEALTH DEPARTMENT LICENSE FEES AND REFERS MATTER BACK TO STAFF FOR PREPARATION OF RESOLUTION AND ACTION AT 4/4/2011 COUNCIL MEETING.**

The Council reviewed the current fees and City costs for Health Department license fees and referred the matter back to staff for preparation of a resolution for action at the 4/4/2011 Council meeting.

19. **COUNCIL CONSIDERS RECOMMENDATION OF LICENSE COMMITTEE REGARDING CURRENT FEES AND CITY COSTS FOR CLERK'S OFFICE LICENSE FEES, AND REFERS MATTER BACK TO STAFF FOR PREPARATION OF RESOLUTION AND ACTION AT 4/4/2011 COUNCIL MEETING.**

The Council concurred with the recommendation of the License Committee regarding current fees and City costs for Clerk's Office license fees, and referred the matter back to staff for preparation of a resolution for action at the 4/4/2011 Council meeting.

20. **COUNCIL APPROVES CHANGE OF AGENT ON CLASS A COMBINATION LICENSE FOR MEGA MARTS, LLC DBA PICK 'N SAVE #6862, 8770 S. HOWELL AVE., FROM BRIDGET A. LEHRKE TO DAVID KOENIG, 10300 S. GEORGE DR., OAK CREEK.**

Ald. Jakubczyk, seconded by Ald. Gehl, moved to approve a change of agent on the Class A Combination license for Mega Marts, LLC, doing business as Pick 'n Save #6862, 8770 S. Howell Ave., from Bridget A. Lehrke to David Koenig, 10300 S. George Dr., Oak Creek. 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.

21. **CLOSED SESSION HELD.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:11 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. Section 19.85 (1)(e) to discuss possible acquisition of property at 2121 W. Drexel Ave. for the widening and reconstruction of W. Drexel Ave.

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.

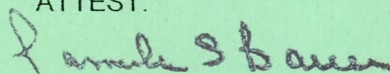
22.-23. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to reconvene into Open Session at 8:28 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. No action was taken.

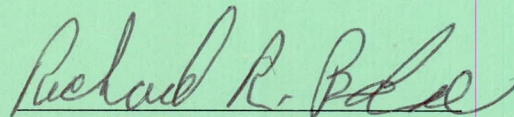
ADJOURNMENT.

Ald. Michalski, seconded by Ald. Scaffidi, moved to adjourn this meeting at 8:29 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