

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
MONDAY, APRIL 4, 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, City Forester Rebecca Lane, Zoning Administrator/Planner Peter Wagner, Utility Engineer Michael Sullivan, Finance Director Mark Wyss, City Public Health Officer Judith Price, City Sanitarian Dave Cammilleri, Public Health Nurse Susan Wojcinski, and City Clerk Pamela Bauer.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to approve the minutes of the 3/15/2011 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. 11-03, CONGRATULATIONS TO CHRISTOPHER PETER KRAIDICH FOR RECEIVING THE EAGLE SCOUT AWARD.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to adopt Council Proclamation No. 11-03, congratulations to Christopher Peter Kraidich 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11106-040411, RESOLUTION OF APPRECIATION TO ROSS TALIS, RETIRING CITY LIBRARIAN.**

Ald. Toman, seconded by Ald. Michalski, moved to adopt Resolution No. 11106-040411, a Resolution of Appreciation to Ross Talis, Retiring City Librarian. 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.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11089-120710, ESTABLISHING HEALTH DEPARTMENT LICENSE, INSPECTION AND RE-INSPECTION FEES (HELD 12/21/10 AND 3/15/11).**

Ald. Jakubczyk, seconded by Ald. Michalski, moved to adopt Resolution No. 11089-120710, a resolution establishing Health Department License, Inspection and Re-Inspection Fees (held 12/21/10 and 3/15/11). 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.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11095-010411, ESTABLISHING CLERK'S OFFICE LICENSE FEES (HELD 1/4/11 AND 3/15/11).**

Ald. Jakubczyk, seconded by Ald. Michalski, moved to adopt Resolution No. 11095-010411, a resolution establishing Clerk's Office license fees (held 1/4/11 and 3/15/11). 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.

8. **PRESENTED AND ADOPTED: RESOLUTION NO. 11083-040411, RESOLUTION ESTABLISHING RECYCLING CENTER USER AND OTHER STREET DEPARTMENT FEES.**

Ald. Michalski, seconded by Ald. Toman, moved to adopt Resolution No. 11083-040411, a resolution establishing Recycling Center user and other Street Department fees, with a \$20 prorated annual fee for 2011 and a \$25 annual fee for 2012. Motion, with second agreeing, was amended to adopt Resolution No. 11083-040411 and to establish the annual Recycling Center user fees at \$25, with the annual fee for 2011 being prorated to \$20. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, no; Ald. Toman, aye; Ald. Gehl, no; and Ald. Michalski, aye.

9. **INFORMATIONAL: STATUS OF LIBRARY IMPACT FEES.**

City Administrator Gerald Peterson provided information on the status of Library Impact Fees.

10. **INFORMATIONAL: SUMMARIZED FINANCIAL STATEMENTS FOR CERTAIN OPERATING FUNDS FOR CITY OF OAK CREEK, FOR PERIOD ENDED 12/31/10.**

Finance Director Mark Wyss provided information of summarized financial statements for certain operating funds for the City of Oak Creek, for the period ended December 31, 2010.

11. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2011 Vendor Summary Report in the amount of \$1,595,661.66. 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. **COUNCIL APPROVES PURCHASE OF ONE (1) CURRENT MODEL SKID LOADER WITH HIGH-FLOW SNOW BLOWER FROM MILLER BRADFORD AND RISBERG IN AMOUNT OF \$47,240.**

Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to approve the recommendation of the Street Superintendent to purchase one (1) current model skid loader with a high-flow snow blower from Miller Bradford and Risberg in the amount of \$47,240.00. 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. **COUNCIL APPROVES PURCHASE OF ONE (1) 2011 5 YARD DUMP TRUCK WITH PLOW EQUIPMENT AND SPREADER FROM LAKESIDE INTERNATIONAL AND MADISON TRUCK IN AMOUNT OF \$117,374.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to approve the recommendation of the Street Superintendent to purchase one (1) 2011 5-yard dump truck complete with plow equipment and spreader from Lakeside International and Madison Truck in the amount of \$117,374.00. 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.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11107-040411, APPROVING AMENDMENT NO. 1 TO PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 6.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11107-040411, approving Amendment No. 1 to the project plan for Tax Incremental District No. 6. 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.

15. **COUNCIL AUTHORIZES WAIVER OF FEES FOR STANDBY ELECTRICAL POWER PROJECT AT WATER TREATMENT PLANT.**

Ald. Toman, seconded by Ald. Scaffidi, moved to authorize the waiver of fees for the standby electrical power project at the water treatment plant. 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 AWARDS FIRST 2011 TREE PURCHASE BID TO JOHNSON'S NURSERY IN AMOUNT OF \$43,612 (PROJECT NO. 11014).**

Ald. Michalski, seconded by Ald. Scaffidi, moved to award the first 2011 tree purchase bid to Johnson's Nursery in the amount of \$43,612.00 (Project No. 11014). 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 GRANTS OPERATOR'S LICENSES.**

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

- Nicole Marie Gadzalinski, 3947 E. Maple St., Oak Creek (Ryan Road Mobil)
- Norbert Michael Polacheck, 1425 Marquette Ave., South Milwaukee (Community Center)
- Bryan L. LaFave, S85 W18562 Denice Ct N., Muskego (Jim Dandy's)
- Sharon Lynn Bauer, 1635 Rawson Ave., South Milwaukee (Classic Lanes)
- Robin K. Koch, 2631 Sunrise Rd., Racine (Ryan Road Mobil)
- Nicole T. Rodriguez, 2651 N. Weil St., Apt. G., Milwaukee (Fairfield Inn & Suites)
- Jamie Dorothy Koch, 8332 S. Newbury Dr., Oak Creek (Buffalo Wild Wings)

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 GRANTS TRANSIENT MERCHANT LICENSE TO MAZEN ALSHARIF FOR GOLDEN GATE ICE CREAM.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to grant a Transient Merchant license to Mazen Alsharif, 4838 S. 14th St., Milwaukee, selling pre-packaged ice cream products for Golden Gate Ice Cream. 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.

19. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO EDWARD P. WILLING, II, FOR EMS ENERGY MARKETING SERVICES / AT&T.**

Ald. Jakubczyk, seconded by Ald. Gehl, moved to grant a Transient Merchant license to Edward P. Willing, II, 5754 Winstar Ln., Racine, selling U-Verse, TV, Internet, and phone services for EMS Energy Marketing Services / AT&T. 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.

20. **CLOSED SESSION HELD.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:32 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. Section 19.85 (1)(g) to consider litigation strategy regarding Milwaukee County Circuit Court Case Number 09CV8918 – Andrew Zielinski v. City of 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.

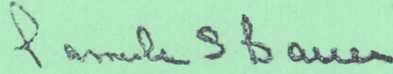
21.-22. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to reconvene into Open Session 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. No action was taken.

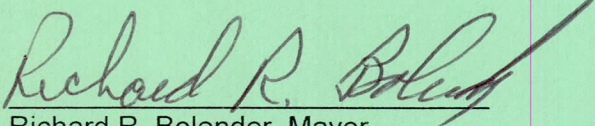
ADJOURNMENT.

Ald. Michalski, seconded by Ald. Scaffidi, moved to adjourn this meeting at 8:46 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