



**CITY OF OAK CREEK**  
**COMMON COUNCIL MEETING**  
**AGENDA**

Common Council  
Chambers  
8640 S. Howell Ave.  
PO Box 27  
Oak Creek, WI 53154  
(414) 768-6500

**TUESDAY, APRIL 19, 2011**  
**AT 7:00 P.M.**

VISIT OUR WEBSITE AT [WWW.OAKCREEKWI.ORG](http://WWW.OAKCREEKWI.ORG) FOR THE AGENDA  
AND ACCOMPANYING COMMON COUNCIL REPORTS.

**COUNCIL MEETINGS CAN BE SEEN LIVE ON GOVERNMENT ACCESS CHANNELS 25 AND 99**

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**Swearing-In Ceremony:** City Clerk Pamela Bauer will swear in 1<sup>st</sup> District Alderperson Daniel Jakubczyk, 3<sup>rd</sup> District Alderperson Stephen Scaffidi, and 5<sup>th</sup> District Alderperson Kenneth A. Gehl.

1. Call Meeting to Order
2. Pledge of Allegiance
3. Election of Common Council President.
4. Common Council President Aldermanic Appointments:
  - a. Personnel Committee (minimum of 2) – 3
  - b. Capital Improvements Committee – 3
  - c. License Committee -3
  - d. Plan Commission Representatives – 2
  - e. Board of Health Representative – 1
  - f. Emergency Government Committee Representative – 1 (plus Council President)
  - g. Parks, Recreation and Forestry Commission – 1
  - h. Cable Advisory Committee – 1
  - i. Traffic and Safety Commission – 1
5. Mayor's Aldermanic Appointments
  - a. Library Board - 1
  - b. Community Development Authority (CDA) -2
  - c. Community Center Board of Directors - 1
  - d. ad hoc Bender Park Committee - 2
  - e. Small Claims Committee – 1
  - f. Water & Sewer Utility Commission – 1
  - g. Finance Committee - 3

**\*\*NOTE:** It is anticipated that the Mayor's (re)appointments to various boards and commissions will be on the 5/3/11 Council agenda.

Recognition

6. **Council Proclamation:** Consider Council Proclamation 11-04, gratitude to Clifford Nelson for dedicated service to the City of Oak Creek as a member of the Traffic and Safety Commission (by Committee of the Whole).

7. **Council Proclamation:** Consider Council Proclamation 11-05, gratitude to Holly J. Slomski for dedicated service to the City of Oak Creek as a member of the Board of Health (by Committee of the Whole).

Public Hearings (beginning at 7:00 p.m.)

*Citizen input, comments and suggestions are requested on the specific item(s) identified below. Action by the Council may occur at the same meeting if so included in the agenda.*

8. **Conditional Use Permit:** Consider a conditional use permit for the property at 8051 S. Howell Ave. to allow for an auto service center for Tires Plus Total Car Care (2<sup>nd</sup> District).
9. **Ordinance:** Consider ordinance No. 2621, authorizing the issuance of a conditional use permit for an automotive service center for Tires Plus for a portion of the property at 8051 S. Howell Ave. (2<sup>nd</sup> District).
10. **Conditional Use Permit Amendment:** Consider a request by Oak Creek Elderly, LLC, to amend the existing conditional use permit (Ordinance No. 2515) for the property at 8841 S. 13<sup>th</sup> Street to allow for an increase in the number of assisted living units from 44 units to 51 units (6<sup>th</sup> District).
11. **Ordinance:** Consider ordinance No. 2622, amending the conditional use permit for the property at 8841 S. 13<sup>th</sup> St. to increase the total allowable number of dwelling units from 44 to 51 (Oak Creek Elderly, LLC) (6<sup>th</sup> District)

New Business

**MAYOR & COMMON COUNCIL**

12. **Motion:** Consider a motion to concur with the Mayor's appointment of Aida T. Olen, 1110 W. Mockingbird Ln. to the Board of Health for a 3-year term to expire 4/2014 (to fill an existing vacancy) (by Committee of the Whole).
13. **Resolution:** Consider Resolution No. 11114-041911, a Resolution approving Tax Incremental District No. 10 Finance Development Agreement (Bucyrus Wisconsin Property LLC) (1<sup>st</sup> District).
14. **Informational:** Summarized Financial Statements period ending March 31, 2011.
15. **Motion:** Consider a motion to approve the 2011 Vendor Summary Report in the amount of \$406,022.88 (by Committee of the Whole).

**POLICE**

16. **Motion:** Consider a motion to approve the Police Department's purchase of replacement body armor for twenty (20) officers from Advantage Police Supply, at a total cost of \$15,000 (by Committee of the Whole).

**COMMUNITY DEVELOPMENT**

17. **Resolution:** Consider Resolution No. 11111-041911, approving a certified survey map for the property at 8051 & 8081 S. Howell Ave. (Giuffre XX, LLC)(2<sup>nd</sup> District).
18. **Resolution:** Consider Resolution No. 11112-041911, in support of the Milwaukee Metropolitan Sewerage District's acquisition of the property at 8920 S. Wildwood Drive (2<sup>nd</sup> District).

### **WATER & SEWER UTILITY**

19. **Resolution:** Consider Resolution No. 11109-041911, a preliminary resolution declaring intent to exercise special assessment powers for the installation of water main and sanitary sewer in E. Fitzsimmons Rd. from Chicago Rd. to 900 feet west, and to establish a public hearing date for May 17, 2011 (4<sup>th</sup> District).

### **ENGINEERING**

20. **Motion:** Consider a motion to award the Nicholson Storm Sewer Improvement contract to the lowest responsive, responsible bidder, Dolson, Inc., at an estimated cost of \$60,013.70 (Project No. 10015) (5<sup>th</sup> District).
21. **Motion:** Consider a motion to award the 2011 Road Improvements unit price contract to the lowest responsive, responsible bidder, Payne & Dolan, Inc., at an estimated cost of \$616,321.28 (Project Nos. 11028 through 11038) (Various Districts).
22. **Resolution:** Consider Resolution No. 11108-041911, a resolution of necessity for acquisition of lands for public street purpose, temporary easements for grading, and authorizing negotiation for such acquisition and condemnation, if necessary, for properties located at 8610 S. 13<sup>th</sup> St. (829-9995-006), and 8675 S. 13<sup>th</sup> St. (830-9985), being part of Project No. 07025, W. Puetz Rd. Reconstruction (2<sup>nd</sup> and 6<sup>th</sup> Districts).
23. **Motion:** Consider a motion to enter into an agreement with Milwaukee County (County) for the proposed improvements to the Puetz Road / 13<sup>th</sup> Street Intersection (Project No. 07025) (2<sup>nd</sup> and 6<sup>th</sup> Districts).
24. **Resolution:** Consider Resolution No. 11113-041911, a resolution authorizing the rehabilitation of Minnesota Avenue (2<sup>nd</sup> District).

### **LICENSE COMMITTEE**

The License Committee did not meet prior to the 4/19/2011 Common Council meeting. Tentative recommendations are being made as follows:

25. **Motion:** Consider a motion to grant an Operator's license to the following: (favorable police records received):
  - Yvetta Llanas, 3129 W. Mangold Ave., Greenfield (PDQ)
  - Lisandra V. Rodriguez, 1123 Park Ave., South Milwaukee (Ryan Road Mobil)
  - Leah S. Carlson, 8871 S. Oak Park Dr., Oak Creek (Erv's Mug)
26. **Motion:** Consider a motion to approve a change of agent on the Class A Combination license for Oak Creek Oasis, LLC, doing business as Oak Creek Oasis, 9510 S. 27<sup>th</sup> Street, from Tammy Beech to Sarah A. Middleton, 3320 6 Mile Rd., Racine (favorable police record received).

27. **Motion:** Consider a *motion* to approve a Transient Merchant license to Schwan's Home Service, 9740 S. 58<sup>th</sup> St., Franklin, selling pre-packaged frozen foods and the following salespersons (favorable police record received):
- \* Ricky J. Dobrenski, 9850 S. 89<sup>th</sup> St., Franklin
  - \* April L. Fuchs, 9020 Corliss Ave., Sturtevant
  - \* Dale E. Willms, 5936 Douglas Ave., Racine
  - \* Susan D. McDaniel, 5932 85<sup>th</sup> St., Pleasant Prairie
  - \* Russell J. Hein, 3628 Hwy H, Franksville
28. **Motion:** Consider a *motion* to *take action* on the Transient Merchant application submitted by Field Hadley, 1955 S. 55<sup>th</sup> St., West Allis, selling pre-packaged frozen foods for Schwan's Home Service.

## **MISCELLANEOUS**

29. Consider a *motion* to convene into Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes to discuss the following:
- a. Section 19.85 (1)(g) to consider the Excessive Assessment claims of Farm & Fleet of Janesville, Inc., and Cobalt Investments, LLC, dba Cummins NPower.
  - b. Section 19.85 (1)(e) to discuss possible acquisition of property at 2121 W. Drexel Avenue for the widening and reconstruction of W. Drexel Avenue.
30. **Motion:** Consider a *motion* to reconvene into Open Session.
31. **Motion:** Consider a *motion* to take action, if required.

## ***Adjournment.***

### **Public Notice**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 S. Howell Avenue, Oak Creek, Wisconsin 53154.

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.