



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, JUNE 7, 2011
AT 7:00 P.M.

VISIT OUR WEBSITE AT WWW.OAKCREEKWI.ORG FOR THE AGENDA
AND ACCOMPANYING COMMON COUNCIL REPORTS.

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

1. Call Meeting to Order
2. Pledge of Allegiance
3. Approval of Minutes: 5/17/2011.

Recognition

4. **Resolution:** Consider Resolution No. 11123-060711, Resolution of Commendation to Brian M. Satula, retiring Fire Chief. (by Committee of the Whole).
5. **Council Proclamation:** Consider Council Proclamation 11-06, to Ann M. Lampe for dedicated service to the City of Oak Creek as a member of the Parks, Recreation & Forestry Commission (by Committee of the Whole).
6. **Council Proclamation:** Consider Council Proclamation 11-07, Congratulations to Frank A. Carini, 2011 Oak Creek Citizen of the Year (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.

7. **Informational:** Petition of City Clerk Pamela S. Bauer dated 5/31/11 for nonrenewal of the license to serve fermented malt beverages and intoxicating liquor as submitted by Nora Lynn Kozlowski, 8390 S. Yorkshire Dr., Oak Creek, based on the fact she is a habitual offender.
8. **Hearing:** Hearing on the Petition for Nonrenewal of the License to Serve Fermented Malt Beverages and Intoxicating Liquors as submitted by Nora Lynn Kozlowski, 8390 S. Yorkshire Dr., Oak Creek.
9. **Motion:** Consider a motion to take appropriate action as the Council deems necessary after the hearing on the non-renewal of the Operator's (bartender) license application submitted by Nora Lynn Kozlowski, 8390 S. Yorkshire Dr., Oak Creek (by Committee of the Whole).

Old Business

10. **Resolution:** Consider Resolution No. 11119-051711, final resolution authorizing sanitary sewer, water main, and lateral improvements, approving preliminary plans, and levying special assessments against benefited properties on both sides of E. Fitzsimmons Road from S. Chicago Rd. to 3762 E. Fitzsimmons Rd. (Project No. 11102) (4th District) (Held 5/17/11).

New Business

MAYOR & COMMON COUNCIL

11. **Informational:** Mayor's appointment to chair the Finance Committee.
12. **Informational:** Public Mass Dispensing Medicine Drill, Wednesday, June 15, 2011, from 9:30 a.m. to 11:00 a.m., at the Street Department, 800 W. Puetz Rd.
13. **Ordinance:** Consider Ordinance No. 2627, repealing and recreating Section 2.48(a) of the Oak Creek Municipal Code, Residency Requirements, eliminating residency requirements for department managers except the City Administrator, Fire Chief and Police Chief (by Committee of the Whole).
14. **Resolution:** Consider Resolution No. 11127-060711, establishing various fees, permits and charges charged by the City of Oak Creek (by Committee of the Whole).
15. **Motion:** Consider a motion to approve the 2011 Vendor Summary Report in the amount of \$410,546.94 (by Committee of the Whole).

PARKS, RECREATION & FORESTRY

16. **Motion:** Consider a motion to approve the expenditure of \$9,500 from parkland fees for the installation of replacement windows by Arwin Window Systems Incorporated in the Henry Miller Park pavilion (by Committee of the Whole).

FIRE

17. **Informational:** Reimbursement from the State of Wisconsin and the Federal Emergency Management Agency (FEMA) for disaster expenses resulting from a blizzard that occurred over the period of February 1 to February 3, 2011, in the amount of \$107,199.03.
18. **Motion:** Consider a motion to enter into both a Memorandum of Understanding and a Statement of Understanding with the American Red Cross for response and recovery during times of need and disaster (by Committee of the Whole).

COMMUNITY DEVELOPMENT

19. **Resolution:** Consider Resolution No. 11124-060711, approving a certified survey map for the property at 9905 S. Shepard Avenue (Tri City Bank) (5th District).
20. **Resolution:** Consider Resolution No. 11125-060711, approving a certified survey map for the property at 7001 S. Howell Avenue (Mike and Pamela Mehta) (1st District).

21. **Resolution:** Consider Resolution No. 11126-060711, designating the boundaries of Redevelopment District No. 2 and making a finding that the area within the district be blighted (2nd District).
22. **Resolution:** Consider a motion to file Resolution No. 10947-021609, which would have accepted the donation of the property at 8071 S. Willow Drive from MK/S-EP LLC (2nd District).

LICENSE COMMITTEE

The License Committee met on 5/27/2011. Minutes are attached and recommendations are being made as follows:

23. **Motion:** Consider a motion to grant Renewal alcoholic beverage licenses for the period July 1, 2011 through June 30, 2012, with issuance subject to conditions that may be noted in bold for each applicant, as follows:

CLASS A BEER

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Speedway LLC Marcos A. Acevedo, Agent (Speedway #4462)	8667 S. Howell Ave.	550 W. Warnimont Ave. Milwaukee
Sandra R. Strasser Rosemarie M. Bartel (Sandy's Port of Call)	10075 S. Chicago Rd.	4303 S. 51st St., Franksville 913 W. Ryan Rd., Oak Creek
Ryan Road Oil Greg Puetz, Agent (Ryan Road Mobil)	9444 S. Chicago Rd.	3369 E. Woodview Ave. Oak Creek
Ryan Road LLC James Gedig, Agent (Ryan Road Shell)	2170 W. Ryan Rd.	7240 S. North Cape Rd. Franklin
Pilot Travel Centers, LLC George Kutschma, Agent (Pilot Travel Center #040)	2031 W. Ryan Rd.	N2239 Wilmot Rd. Lake Geneva
Rawson Citgo, LLC Adail M. Hamdan, Agent (Rawson 66)	150 W. Rawson Ave.	4481 W. Victory Creek Franklin
Himalayan Corp. Ramkrishna Subedi, Agent (Oak Creek Mobil)	1200 W. Rawson Ave.	5032 N. 106 th St. Milwaukee

CLASS B BEER

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Oak Pro II, LLC Jason J. Hager, Agent (Fairfield Inn & Suites)	6460 S. 13 th St.	542 Overland Trail Grafton
Panda Gourmet, LLC Xia Xiong Liang, Agent (Panda Gourmet)	8880 S. Howell Ave.	327 E. Arbor Cir. W Oak Creek
St. Matthew Congregation Michael Sullivan, Agent (St. Matthew Parish)	9303 S. Chicago Rd.	10855 S. Harrian Ln. Oak Creek

St. Stephen's Congregation Joseph Tripoli, Agent (St. Stephen's Congregation)	1441 W. Oakwood Rd.	4612 S. Quincy Ave. Milwaukee
El Fogon Tacos and Beer, Inc. Filiberto Landa, Agent (El Fogon Tacos and Beer)	8701 S. Howell Ave.	417 E. Arbor Cir. Oak Creek
Phil Sun Kyung Phil ki Hsin, Agent (Yen Hwa Chinese)	2345 W. Ryan Rd.	8690 W. Elm Ct. Franklin
Milwaukee Area Technical College Richard Busalacchi, Agent (MATC Oak Creek Campus)	6665 S. Howell Ave.	6070 Oriole Ln. Greendale
CMAK, LLC Paul Frenn, Agent (Bert's) <i>*subject to receipt of lease from Milwaukee County Parks Department</i>	4503 E. Ryan Rd.	9217 W. Hadley Milwaukee

CLASS C WINE

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Panda Gourmet, LLC Xia Xiong Liang, Agent (Panda Gourmet)	8880 S. Howell Ave.	327 E. Arbor Cir. W Oak Creek
El Fogon Tacos and Beer, Inc. Filiberto Landa, Agent (El Fogon Tacos and Beer)	8701 S. Howell Ave.	417 E. Arbor Cir. Oak Creek
Phil Sun Kyung Phil ki Hsin, Agent (Yen Hwa Chinese)	2345 W. Ryan Rd.	8690 W. Elm Ct. Franklin
Milwaukee Area Technical College Richard Busalacchi, Agent (MATC Oak Creek Campus)	6665 S. Howell Ave.	6070 Oriole Ln. Greendale

CLASS A COMBINATION

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Butcher Block Meat Market, LLC Douglas Alan Shulta, Agent (Butcher Block Meat Market)	9340 S. Chicago Rd.	1975 S. 93 rd St. West Allis
Order & Save Distributor Inc. Sukhdev S. Khalsa, Agent (Convenience Plus)	9110 S. Chicago Rd.	10759 S. Christina Ct. Oak Creek
Gary's Corporation of Oak Creek Gary F. Hintz, Agent (Gary's Beer & Liquor)	9555 S. Howell Ave.	10065 S. McGraw Dr. Oak Creek
PDQ Food Stores, Inc. Ken Kysely, Agent (PDQ Store #355)	6300 27 th St.	W289 N7951 Park Dr. Hartland
Sheikh M. Nazar (Smiles Liquor & Food Mart)	7872 S. Howell Ave.	8055 S. 20 th St. Oak Creek

Open Pantry Food Marts of Wisconsin, Inc. James L. Schutz, Agent (Open Pantry Food Mart #615)	1225 W. Rawson Rd.	4045 S. Adell Ave. New Berlin
Mega Marts LLC Jason J. Mancusi, Agent (Pick 'n Save #6348)	6462 S. 27 th St.	12600 W. National Ave. New Berlin
Mega Marts LLC Adam J. Rogge, Agent (Pick 'n Save #6862)	8770 S. Howell Ave.	6603 W. Cold Spring Rd. Greenfield
Aldi Inc. (Wisconsin) Chris J. Bard, Agent (Aldi #01)	6810 S. 27 th St.	2222 E. Bellevue Pl. Milwaukee
Ultra Mart Foods, LLC Stephanie L. Nowatzki, Agent (Pick 'n Save #6387)	2320 W. Ryan Rd.	2066 S. 84 th St. West Allis
Target Corporation Louisa Ann Wertzler, Agent (Target Store T-1925)	8989 S. Howell Ave.	4876 S. 21 St. Milwaukee
Charles Potter, Inc. Charles Richard Potter, Agent (Potter's Piggly Wiggly)	2201 E. Rawson Ave.	2580 Gaywood Ct. Brookfield
Woodman's Food Market, Inc. David J. Keeseey, Agent (Woodman's Food Market)	8131 S. Howell Ave.	5301 26 th St. Kenosha
Kwik Trip, Inc. Stacy Ann Anderson, Agent (Kwik Trip #422)	9535 S. 13 th St.	6437 S. Howell Ave. Oak Creek
Oak Creek Oasis LLC Sarah Middleton, Agent (Oak Creek Oasis Mobil)	9510 S. 27 th St.	3320 6 Mile Rd. Racine
Love's Travel Stops & Country Stores, Inc. Nathan Eckhardt, Agent (Love's Travel Stop #432)	9650 S. 20 th St.	8020 S. Wildwood Dr. Oak Creek

CLASS B COMBINATION

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
120 Rawson, Inc. Brett Mazzone, Agent (The Saloon)	120 E. Rawson Ave.	1121 N. Waverly Pl. Milwaukee
Pedone Restaurant & Catering Carlo F. Pedone, Agent (Trattoria diCarlo & Catering)	8169 S. Howell Ave.	109 Accipiter Ct. Burlington
Luther's Bars Inc. Anthony L. Luther, Agent (Kelly's Bleachers O.C.) * <i>Issuance subject to receipt of occupancy permit</i>	10276 S. 27 th St.	5410 W. Presidio Ln. Milwaukee
Struga, Inc. Driton Etemi, Agent (Prime Table Restaurant)	7864 S. Howell Ave.	1623 Menomonee Ave. South Milwaukee
Cellar on Oakwood LLC	812 W. Oakwood Rd.	8655 S. Stonefield Dr.

Shirley Miksa, Agent (The Cellar) Treasurer Hold DOR Hold		Oak Creek
Bricklers Restaurant LLC Adil Abazi, Agent (Jeff's Restaurant & Bar)	1000 E. Rawson Ave.	2536 W. Warnimont Ave. Milwaukee
St. Ledger Enterprises Inc. James J. St. Ledger, Agent (Oak Hills Golf)	10360 S. Howell Ave.	1806 Forest Hill South Milwaukee
Diane D. Spingola (Diane's Second Chance Saloon)	9430 S. 27 th St.	9430 S. 27 th St. Oak Creek
John P. Sagan (Cozy Inn)	9509 S. Chicago Rd.	2410 E. Elm Rd. Oak Creek
Oelschlaeger-Dallman American Legion Post #434 Robert LaBrosse, Agent (Oelschlaeger-Dallman American Legion Post)	9327 S. Shepard Ave.	8771 S. Chicago Rd. Oak Creek
Greco's Pub & Eatery LLC Ann M. Greco, Agent (Greco's Pub & Eatery)	10166 S. 27 th St.	11532 Janet Ct. Franklin
Brian's Restaurant LLC Luljeta Abazi, Agent (Brian's Restaurant)	924 E. Rawson Ave.	601 E. Jordan Ln. Oak Creek
Jazz Management Corp. Edwin H. Behling, Agent (Jazzbro's Sports Zone)	8510 S. Chicago Rd.	501 Sherman Ave. South Milwaukee
Hide Away Corp Bernard Jock, Agent (Bender Park Pub) Treasurer Hold	9117 S. 5 th Ave.	9117 S. 5 th Ave. Oak Creek
Melrose Eatery, Inc. Konstantinos Spyropoulos, Agent (Melrose Eatery)	6840 S. 27 th St.	3965 S. Sunnyslope Rd. New Berlin
WHG Oak Creek, LLC Mark Dillon, Agent (Applebee's Neighborhood Grill & Bar)	7135 S. 13 th St.	N18 W30018 Crooked Creek Rd. Pewaukee
Woodland Golf, Inc. Mary Ellen Joncas, Agent (Woodland Golf)	3025 E. Elm Rd.	3003 E. Elm Rd. Oak Creek
Comfort South Jason J. Hager, Agent (Comfort Suites)	6362 S. 13 th St.	542 Overland Trail Grafton
Zeqiri Corp. Lirim Zeqiri, Agent (Market Place Café)	3570 E. Puetz Rd.	3270 Normandy Dr. Oak Creek
Jim Dandy's Karen D. Iwinski, Agent (Jim Dandy's)	8900 S. 27 th St.	9676 Fox Run Oak Creek
OCCC Services Inc. Richard Duchniak, Agent (Oak Creek Community Center)	8580 S. Howell Ave.	1035 E. Stonegate Dr. Oak Creek
1750 LLC Michael P. LaSusa, Agent (Michael LaSusa's)	8955 S. 5 th Ave.	3960 E. Maple St. Oak Creek
EAK, Inc.	130 W. Ryan Rd.	1515 W. Iona Terr.

Danielle M. Baerwald, Agent (Erv's Mug)		Milwaukee
Debra J. Hall (South Bound)	9504 S. Chicago Rd.	9510 S. Chicago Rd. Oak Creek
Norine's on Oakwood, Ltd. Darren R. Travis, Agent (Norine's On Oakwood, Ltd.)	823 W. Oakwood Rd.	3727 E. Elm Rd. Oak Creek
Oak Creek Bowling Center, Inc. Alan R. Passehl, Agent (Classic Lanes Oak Creek)	7501 S. Howell Ave.	5715 3 Mile Rd. Franksville
Butch's Co., Inc. Mary Anne Schettle, Agent (Butch's on 27 th St.)	7126 S. 27 th St.	16001 W. Riveria Dr. New Berlin

RESERVE CLASS B COMBINATION

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Blazing Wings, Inc. Dan Collicott, Agent (Buffalo Wild Wings Grill & Bar)	8171 S. Howell Ave.	2607 Olive St. Racine
KMDG LLC Dennis Giannopoulos, Agent (Branded Steer)	1229 W. College Ave.	1243 Kerechun Rd. Hubertus
LaTerraza Restaurante LLC Jose D. Alvarez, Agent (LaTerraza Restaurante)	9454 S. Howell Ave.	9454 S. Howell Ave. Oak Creek
Arizona Grille, Inc. George Dalamangas, Agent (Arizona Grille) Treasurer Hold	8950 S. 27 th St.	S68 W13910 Bristlecone Ln Muskego
Lotus Restaurant LLC King Yee, Agent (Lotus)	9011 S. Howell Ave.	8219 S. Four Oaks Ct. Franklin

WHOLESALE BEER

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Fat Boy Beverage Co. Jack W. Piotrowski, Agent (Fay Boy Beverage Co.)	9770 S. 20 th St.	2851 S. Stratton Dr. West Allis
Gary's Corporation of Oak Creek Gary F. Hintz, Agent (Gary's Beer & Liquor)	9555 S. Howell Ave.	10065 S. McGraw Dr. Oak Creek

24. **Motion:** Consider a *motion* to *hold* action on the original license for Class B Combination for PSW Enterprises LLC, Linda Swenson, Agent, doing business as Oak Creek Diner, 6874 S. 13th St.
25. **Motion:** Consider a *motion* to approve a renewal application for Amusement Operator and Amusement Devices license to (bolded item received after license committee met):
 - Red's Novelty Ltd, 1921 S. 74th St., West Allis
 - Wisconsin P & P Amusement, 12565 W. Lisbon Rd., Brookfield

- Sam's Amusement Company, 930 Washington Pond, Kenosha
- Games Are Us, Inc., 4905 S. Woodlawn Pl., Greenfield
- S&P Equipment, 5025 S. Packard Ave., Cudahy
- **Anime Fan Zone, 932 E. Rawson Ave., Oak Creek**

26. **Motion:** Consider a *motion* to approve a change of agent for the 2010-2011 Class A Combination license for Aldi, Inc., (Wisconsin) doing business as Aldi #01, 6810 S. 27th Street, from John P. McEvilla to Chris J. Bard, 2222 E. Belleview Pl., Milwaukee (favorable police report received).

The following items were received after license committee met:

27. **Motion:** Consider a *motion* to grant an Operator's license to the following salespersons (favorable police records received):
- Sharyn B. Honerlaw, 2709 13th Ave., South Milwaukee (Pick 'n Save)
 - Chelsea M. Logemann, 4640 S. 51st St., Greenfield (Pick 'n Save)
 - Lilley E. Loker, 7035 Meadowlark Ct., Racine (Jim Dandy's)
 - Lynn M. Myszewski, 6662 S. 21st St., Oak Creek (Pick 'n Save)
 - Tiffany J. Smith, 4232 47th Ave., Kenosha (Gary's Beer & Liquor)
 - John J. Steele, 3910 Jerelin Dr., Franklin (Jim Dandy's)
 - Mary C. Tanberg, 3032 W. College Ave., Greenfield (Open Pantry)

MISCELLANEOUS

28. 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)(e) to discuss possible acquisition of property at 2121 W. Drexel Avenue for the widening and reconstruction of W. Drexel Avenue.
 - b. Section 19.85 (1)(e) to discuss the City's negotiating position regarding collective bargaining agreements with all bargaining units.
29. **Motion:** Consider a *motion* to reconvene into Open Session.
30. **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.