

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING  
TUESDAY, AUGUST 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 (arrived at 7:12 p.m.), Ald. Bukiewicz, Ald. Toman, Ald. Gehl, and Ald. Michalski. Ald. Scaffidi was excused. Also present were: Assistant City Attorney Melissa Karls, City Administrator Gerald Peterson, Finance Director Mark Wyss, City Engineer/Acting Building Commissioner Michael Simmons, Police Chief John Edwards, Community Development Director Douglas Seymour, Utility Engineer Michael Sullivan, City Assessor Martin Kuehn, IT Manager Caesar Geiger, 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. Michalski, moved to approve the minutes of the 7/19/2011 meeting as published. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye (Ald. Jakubczyk was not present for the vote).
4. **PRESENTED AND ADOPTED: RESOLUTION NO. 11134-080111, RESOLUTION OF COMMENDATION TO DANIEL L. DURAND.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11134-080111, Resolution of Commendation to Daniel L. Durand. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

5. **PRESENTATION BY REPRESENTATIVES OF TYLER TECHNOLOGIES / CLT DIVISION REGARDING CITYWIDE REVALUATION.**

A presentation regarding the citywide revaluation was made by Mark Link, State Manager, and Martin Kuehn, City Assessor, both with Tyler Technologies Appraisal and Tax Division.

6. **HELD TO 9/20/2011 COUNCIL MEETING: RESOLUTION NO. 11130-070511, FINAL RESOLUTION AUTHORIZING SANITARY SEWER AND LATERAL IMPROVEMENTS, APPROVING PRELIMINARY PLANS, AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES ON BOTH SIDES OF S. 5<sup>TH</sup> AVE. FROM PUETZ RD. TO 1,000 FEET NORTH (PROJECT NO. 11103).**

Action on Resolution No. 11130-070511, a final resolution authorizing sanitary sewer and lateral improvements, approving preliminary plans, and levying special assessments against benefitted properties on both sides of S. 5<sup>th</sup> Ave. from Puetz Rd. to 1,000 feet north (Project No. 11103) was held to the 9/20/2011 Council meeting at the request of Ald. Toman.

7. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2011 Vendor Summary Report in the amount of \$768,025.78. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

8. **PUBLIC HEARING HELD REGARDING ALLOCATION OF CITY'S 2012 CDBG FUNDS TO PROJECTS FOUND TO BE ELIGIBLE; PUBLIC HEARING HELD OPEN TO 8/16/2011 COUNCIL MEETING; COUNCIL ACTION HELD TO 8/16/2011 MEETING.**

A public hearing was held on the allocation of the City's 2012 CDBG funds to projects found to be eligible as shown on the Council report. The public hearing was held open to the 8/16/2011 Council meeting, and Council action on the allocation of the City's 2012 CDBG funds was also directed held to that meeting.

9. **COUNCIL CONCURS WITH RECOMMENDATION OF TRAFFIC AND SAFETY COMMISSION AND APPROVES INSTALLATION OF 15'-1" HEIGHT RESTRICTION SIGN AT RAILROAD BRIDGE ON W. DREXEL AVE., AND CHANGES "NO OUTLET" SIGN TO "DEAD END" SIGN ON W. FAIRFIELD CT.**

Ald. Gehl, seconded by Ald. Michalski, moved to concur with the recommendation of the Traffic and Safety Commission and approve the installation of 15'-1" height restriction sign at the railroad bridge on W. Drexel Ave., and to change the "NO OUTLET" sign to "DEAD END" sign on W. Fairfield Ct. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

10. **COUNCIL AWARDS W. PELTON DR. CULVERT REPLACEMENT CONTRACT TO WILLKOMM EXCAVATING & GRADING AT ESTIMATED COST OF \$46,620 (PROJECT NO. 10017).**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to award the W. Pelton Dr. Culvert Replacement contract to Willkomm Excavating & Grading at an estimated cost of \$46,620 (Project No. 10017). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

11. **COUNCIL AWARDS SHEPARD HILLS SUBDIVISION STORM SEWER IMPROVEMENTS CONTRACT TO STATE CONTRACTORS AT ESTIMATED COST OF \$39,958.50 (PROJECT NO. 11018).**

Ald. Gehl, seconded by Ald. Michalski, moved to award the Shepard Hills Subdivision Storm Sewer Improvements contract to State Contractors at an estimated cost of \$39,958.50 (Project No. 11018). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

12. **COUNCIL GRANTS OPERATORS LICENSES.**

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

- Barbara A. Winberg, 6834 53<sup>rd</sup> St., Kenosha (Big Mouth Frog)
- Sherry M. Foley, 8818 S. 79<sup>th</sup> St., Franklin (Gary's Beer & Liquor)
- Brenda A. Trolinger, 2415 Nicholson Ave., South Milwaukee (Big Mouth Frog)

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

13. **COUNCIL GRANTS TEMPORARY CLASS B BEER AND WINE LICENSE, WITH WAIVER OF FEES, TO OAK CREEK LIONS CLUB, INC. FOR OAK CREEK LIONS FESTIVAL, 9/2/11-9/5/11.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant a Temporary Class B Beer and Wine license, with a waiver of fees, to the Oak Creek Lions Club, Inc., for the Oak Creek Lions Festival for the period from 9/2/11 through 9/5/11. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Gehl, aye; and Ald. Michalski, aye. Ald. Toman abstained from voting.

14. **COUNCIL APPROVES CHANGE OF AGENT ON CLASS B BEER LICENSE FOR OAK PRO II, DBA FAIRFIELD INN & SUITES, 6460 S. 13<sup>TH</sup> ST., FROM JASON HAGER TO NICOLE M. TAYLOR, 450 W. SWAN CL., OAK CREEK.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to approve a change of agent on the Class B Beer license for Oak Pro II, dba Fairfield Inn & Suites, 6460 S. 13<sup>th</sup> St., from Jason Hager to Nicole M. Taylor, 450 W. Swan Cl., Oak Creek. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

15. **COUNCIL APPROVES CHANGE OF AGENT ON CLASS A COMBINATION LICENSE FOR ULTRA MART FOODS LLC, DBA PICK 'N SAVE #6387, 2320 W. RYAN RD. FROM STEPHANIE NOWATZKI TO EVAN J. ANDERSON, 3703 S. 56<sup>TH</sup> ST., GREENFIELD.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to approve a change of agent on the Class A Combination license for Ultra Mart Foods LLC, dba Pick 'n Save #6387, 2320 W. Ryan Rd. from Stephanie Nowatzki to Evan J. Anderson, 3703 S. 56<sup>th</sup> St., Greenfield. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

16. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO JOHN Z. JONES, 1513 S. 10<sup>TH</sup> ST., MILWAUKEE, WI, SELLING ENERGY EFFICIENT HOME IMPROVEMENT PRODUCTS FOR RELIANCE HOME EXTERIORS.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant a transient merchant license to John Z. Jones, 1513 S. 10<sup>th</sup> St., Milwaukee, WI, selling energy efficient home improvement products for Reliance Home Exteriors. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

17. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO THE WINDOW STORE HOME IMPROVEMENT, INC., AND APPROVES SALESPERSONS.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant a transient merchant license for The Window Store Home Improvement, Inc., 16335 W. Lincoln Ave., New Berlin, to solicit sales for home improvement products and to approve the following salespersons:

- Thomas L. Rutland, 2166 S. 78<sup>th</sup> St., West Allis
- Zeke A. Whittier, 2213 S. 64<sup>th</sup> St., West Allis
- Martin J. Petroviak, 1613A E. Belleview Pl., Milwaukee

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

16. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Michalski, moved to convene in Closed Session at 7:45 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. Section 19.85 (1)(g) to discuss potential settlement with Integrated Technologies regarding the in-car video system and the interview room system.
- b. Section 19.85 (1)(c)(e) to discuss the City's implementation of wage and benefit modifications effective January 1, 2012, and the effect of those decisions on the bargaining strategy with the police and fire unions.

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

18. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to reconvene into Open Session at 8:40 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

19. **COUNCIL AGREES TO SETTLEMENT WITH INTEGRATED TECHNOLOGIES REGARDING IN-CAR VIDEO SYSTEM AND INTERVIEW ROOM SYSTEM.**

Ald. Michalski, seconded by Ald. Toman, moved to approve a settlement of the lawsuit with Integrated Technologies regarding the in-car video system and interview room system to accept a payment by Geoffrey Krohn to the City of Oak Creek in the amount of \$2,500.00 by no later than August 10, 2011, and that the City shall retain all right, title and interest in the equipment and shall be free to resell the equipment. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

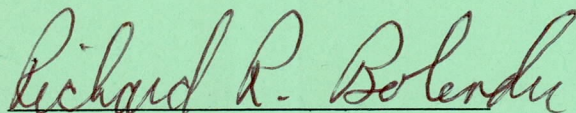
**ADJOURNMENT.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 8:41 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ATTEST:



Pamela S. Bauer, CMC, City Clerk



Richard R. Bolender, Mayor