

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
TUESDAY, AUGUST 16, 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, and Ald. Michalski. Ald. Gehl was excused. Also present were: City Attorney Lawrence Haskin, City Administrator Gerald Peterson, City Engineer/Acting Building Commissioner Michael Simmons, City Treasurer Barbara Guckenberger, Community Development Director Douglas Seymour, Public Health Officer Judith Price and City Clerk Pamela Bauer.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to approve the minutes of the 8/1/2011 meeting as published. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

4. **PUBLIC HEARING HELD REGARDING ALLOCATION OF CITY'S 2012 CDBG FUNDS TO PROJECTS FOUND TO BE ELIGIBLE.**

A public hearing was held to provide the residents an opportunity to suggest projects which would be completed during 2012 with money from the U.S. Department of Housing and Urban Development through the 2012 Community Development Block Grant (CDBG) Program and the reallocation of unexpended funding, if any, from previous years. This public hearing was held open from the 8/1/2011 Council meeting.

5. **COUNCIL ALLOCATES CITY'S 2012 CDBG FUNDS TO PROJECTS.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to allocate the City's 2012 CDBG funds to the projects that are found to be eligible as follows: Public Service Projects: The Salvation Army--\$4,721.25; Interfaith Older Adult Programs--\$4,721.25. Non-Public Service Projects: Salvation Army gymnasium seating and storage --\$48,407.50. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

6. **COUNCIL CONCURS WITH MAYOR'S REAPPOINTMENTS TO BOARDS/ COMMISSIONS.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to concur with the Mayor's reappointments to the following boards/commissions:

- a. Board of Health
Linda Struhar, 3-year term expiring 9/14
- b. Traffic & Safety Commission
Michael J. Helgeson, 3-year term expiring 9/14

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

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

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to approve the 2011 Vendor Summary Report in the amount of \$410,537.45. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

8. **COUNCIL CONCURS WITH FINANCE COMMITTEE TO EXTEND BANKING SERVICES CONTRACT WITH TRI CITY NATIONAL BANK FOR ADDITIONAL THREE (3) YEAR PERIOD, 11/15/11-11/15/14.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to concur with the recommendation of the Finance Committee to extend the banking services contract with Tri City National Bank, originally effective 11/15/08, for an additional three (3)-year period, effective 11/15/11 through 11/15/14. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11138-081611, AUTHORIZING THE RESCISSION OF 2009 GENERAL PROPERTY TAXES TO UNITED STATES POSTAL SERVICE.**

Ald. Jakubczyk, seconded by Ald. Michalski, moved to adopt Resolution No. 11138-081611, authorizing the rescission of the 2009 general property taxes to the United States Postal Service. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

10. **DIRECTED HELD: RESOLUTION NO. 11140-081611, APPROVING MEMORANDUM OF UNDERSTANDING WITH UNITED STATES POSTAL SERVICE AND COBALT PARTNERS, LLC.**

Council action on Resolution No. 11140-081611, approving a Memorandum of Understanding with the United States Postal Service and Cobalt Partners, LLC was directed held.

11. **DIRECTED HELD TO 9/6/2011: CONSIDER WHETHER TO DIRECT STAFF TO PREPARE APPROPRIATE RESOLUTION TO REFUND TAXES TO STEVE BOCEK FOR PROPERTIES AT 9708 AND 9734 S. HOWELL AVE.**

Council action on whether or not to direct staff to prepare the appropriate resolution to refund taxes to Steve Bocek for properties at 9708 and 9734 S. Howell Ave. was directed held to the 9/6/2011 Council meeting.

12. **PRESENTED AND ADOPTED: CHARTER ORDINANCE NO. 14, RELATING TO TERM OF OFFICE OF CITY CLERK AND CITY TREASURER FOR CITY OF OAK CREEK.**

Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to adopt Charter Ordinance No. 14, relating to the term of the office of the City Clerk and the City Treasurer for the City of Oak Creek, changing the term of office for each from two to three years. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

13. **DIRECTED HELD: FINANCE DIRECTOR'S QUARTERLY REPORT TO COUNCIL – SUMMARIZED FINANCIAL STATEMENTS DATED 6/30/11.**

The Finance Director's Quarterly Report to the Council – Summarized Financial Statements dated 6/30/11 was directed held to the 9/6/11 Council meeting.

14. **COUNCIL APPROVES PROPOSED ANNUAL AGREEMENT FOR SCHOOL RESOURCE OFFICER SERVICES FOR 2011-12 SCHOOL YEAR.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to approve the proposed annual Agreement for School Resource Officer Services for the 2011-12 school year. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 11139-081611, APPROVING MEMORANDUM OF UNDERSTANDING WITH WISCONSIN DEPARTMENT OF TRANSPORTATION REGARDING COMPENSATION FOR DESIGN, REAL ESTATE ACQUISITION, AND CONSTRUCTION OF 650 LINEAL FEET OF W. DREXEL AVE. FROM STH 241 (S. 27TH ST.) TO START OF WESTBOUND LEFT-TURN TAPER (PROJECT NO. 06010).**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11139-081611, approving a Memorandum of Understanding (MOU) with the Wisconsin Department of Transportation (WisDOT) regarding the compensation for design, real estate acquisition, and construction of 650 lineal feet of W. Drexel Ave. from STH 241 (S. 27th St.) to the start of the westbound left-turn taper (Project No. 06010). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 11141-081611, APPROVING CERTIFIED SURVEY MAP FOR PROPERTIES AT 6300 S. 27TH ST., 2541, 2419, AND 2401 W. COLLEGE AVE (ROMAN/SUSAN LEWANDOWSKI G.S. TRUST).**

Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to adopt Resolution No. 11141-081611, approving a certified survey map for the properties at 6300 S. 27th St., 2541, 2419, and 2401 W. College Ave. (Roman/Susan Lewandowski G.S. Trust). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11142-081611, APPROVING CERTIFIED SURVEY MAP FOR PROPERTY AT 8871 S. 5TH AVE. (KAEREK HOMES).**

Ald. Toman, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11142-081611, approving a certified survey map for the property at 8871 S. 5th Ave. (Kaerek Homes). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 11143-081611, APPROVING CERTIFIED SURVEY MAP FOR PROPERTY AT 9160 S. PENNSYLVANIA AVE. (CARY AND LORI SCHMIDT).**

Ald. Scaffidi, seconded by Ald. Michalski, moved to adopt Resolution No. 11143-081611, approving a certified survey map for the property at 9160 S. Pennsylvania Ave. (Cary and Lori Schmidt). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

19. **COUNCIL AUTHORIZES STAFF TO TAKE STEPS TO AMEND BOUNDARIES FOR TAX INCREMENT FINANCING (TIF) DISTRICT NO. 4 TO INCLUDE PROPERTY AT 7365 S. HOWELL AVE.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to authorize staff to take steps to amend the boundaries for Tax Increment Financing (TIF) District No. 4 to include the property at 7365 S. Howell Ave. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

20. **COUNCIL DENIES OPERATOR LICENSE TO KATHRYN M. OBERMEIER, 8441 RIVER TERRACE DR., FRANKLIN FOR BEING A HABITUAL OFFENDER.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to deny an Operator's license to Kathryn M. Obermeier, 8441 River Terrace Dr., Franklin (Diane's Second Chance) for being a habitual offender. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

21. **COUNCIL DENIES OPERATOR LICENSE TO CANDACE L. PLATZER, 2408 SPRINGDALE RD., WAUKESHA FOR FALSIFICATION OF APPLICATION.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to deny an Operator's license to Candace L. Platzer, 2408 Springdale Rd., Waukesha (The Saloon) for falsification of application. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

22. **COUNCIL DENIES TRANSIENT MERCHANT LICENSE TO JAMES MCGHEE, 8415 STICKNEY AVE., WAUWATOSA FOR FALSIFICATION OF APPLICATION.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to deny a Transient Merchant license to James McGhee, 8415 Stickney Ave., Wauwatosa selling home improvement products for Reliance Home Exteriors for falsification of application. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

23. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO MARQUES ZAPATA, 520 W. ORCHARD ST., MILWAUKEE.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to grant a Transient Merchant license to Marques Zapata, 520 W. Orchard St., Milwaukee, selling home improvement products for Reliance Home Exteriors. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

24. **COUNCIL HOLDS ACTION ON 2011 RENEWAL APPLICATION FOR MOBILE HOME PARK LICENSE SUBMITTED BY FIFTH AVENUE DEVELOPMENT GROUP, INC., DBA SUNRISE SHORES, 8481 S. FIFTH AVENUE.**

The Council held action on the 2011 renewal application for Mobile Home Park license submitted by Fifth Avenue Development Group, Inc., dba Sunrise Shores, 8481 S. Fifth Ave.

25. **COUNCIL HOLDS ACTION ON 2011 RENEWAL APPLICATION FOR MOBILE HOME PARK LICENSE SUBMITTED BY JOSEPH & ELLEN DENTICE FOR OAK CREEK ESTATES, LLC, DBA OAK CREEK ESTATES, 2137-2301 W. COLLEGE AVE.**

The Council held action on the 2011 renewal application for Mobile Home Park license submitted by Joseph & Ellen Dentice for Oak Creek Estates, LLC, dba Oak Creek Estates, 2137-2301 W. College Ave.

26. **COUNCIL GRANTS 2011-2012 RESERVE CLASS B COMBINATION LICENSE TO HUSH, LLC, CHRISTINA S. CLAUSEN, AGENT DBA BOOTZ SALOON & GRILL, 8950 S. 27TH ST.; ISSUANCE SUBJECT TO RECEIPT OF OCCUPANCY PERMIT, SANITARIAN APPROVAL AND PAYMENT OF FEES.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to grant a 2011-2012 Reserve Class B Combination license to Hush, LLC, Christina S. Clausen, Agent, dba Bootz Saloon & Grill, 8950 S. 27th St., with issuance subject to receipt of an occupancy permit, Sanitarian approval and payment of all fees, and approval of an outdoor event for one day only, 8/19/11, from 8:00 p.m. to 10:00 p.m. to be held on the southwest corner of the parking lot facing north. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

27. **COUNCIL GRANTS ATHLETIC EVENTS, PARADES AND RELATED EVENT PERMIT TO JOSH RUSTON, CHICAGO RUNNING AND EVENTS MANAGEMENT, INC. FOR THE WRIGLEY FIELD ROAD TOUR ON 8/27/11.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to grant an Athletic Events, Parades and Related Event Permit to Josh Ruston, Chicago Running and Events Management, Inc. for The Wrigley Field Road Tour on 8/27/11. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

28. **COUNCIL GRANTS OPERATORS LICENSES.**

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

- Stephanie Marie Couillard, 8054 S. Wildwood Dr. (Classic Lanes)
- Krysta Marie Cherechinsky, 7528 S. Chapel Dr. (Mobil – 27th and Ryan)
- Kelly Anne Weber, 1837 16th Ave., Kenosha (Willkomm's Mobil)
- Kristen Marie Knitter, 222 S. 3rd St., Milwaukee (Fairfield Inn)

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

29. **COUNCIL GRANTS CHANGE OF AGENT ON CLASS B COMBINATION LICENSE ISSUED TO COMFORT SOUTH, INC. DBA COMFORT SUITES, 6362 S. 13TH ST., FROM JASON HAGER TO TERESA D'AMATO, 3865 PILGRIM RD., BROOKFIELD.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to grant a change of agent on the Class B Combination license issued to Comfort South, Inc. dba Comfort Suites, 6362 S. 13th St., from Jason Hager to Teresa D'Amato, 3865 Pilgrim Rd., Brookfield, WI. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

30. **CLOSED SESSION HELD.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:00 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. 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, fire and utility unions.

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

31. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Scaffidi, seconded by Ald. Michalski, moved to reconvene into Open Session at 8:27 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

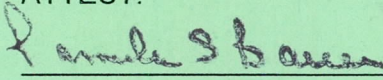
32. **COUNCIL APPROVES BENEFIT MODIFICATIONS FOR IMPLEMENTATION 1/1/2012.**

Ald. Toman, seconded by Ald. Michalski, moved to confirm the Personnel Committee's recommendation to approve the revised benefit modifications proposed for implementation effective 1/1/2012. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

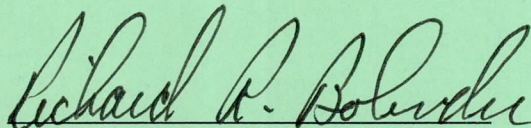
ADJOURNMENT.

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 8:27 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; and Ald. Michalski, aye.

ATTEST:



Pamela S. Bauer, CMC, City Clerk



Richard R. Bolender, Mayor