

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING  
TUESDAY, NOVEMBER 15, 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 Engineer/Acting Building Commissioner Michael Simmons, Finance Director Mark Wyss (arrived at 7:18 p.m.), Acting Fire Chief Thomas Rosandich, Police Chief John Edwards, City Treasurer Barbara Guckenberger, Water & Sewer Utility Accounting Supervisor Annette Stenzel, Community Development Director Douglas Seymour, and Acting City Clerk Christa Miller.
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 11/1/2011 meeting as published. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

4. **INFORMATIONAL: MAYORAL PROCLAMATION FOR PANCREATIC CANCER AWARENESS MONTH.**

The Mayoral Proclamation for Pancreatic Cancer Awareness Month was informational.

5. **PUBLIC HEARING HELD TO CONSIDER A PROPOSAL SUBMITTED BY S.K. MEHTA AMENDING OFFICIAL MAP FOR SE ¼ OF SECTION 5 AFFECTING PROPERTIES AT 200 W. RAWSON AVE. AND 6995 AND 7001 S. HOWELL AVE.**

A public hearing was held to consider a proposal submitted by S.K. Mehta to amend the official map for the Southeast ¼ of Section 5 affecting the properties at 200 W. Rawson Ave. and 6995 and 7001 S. Howell Ave. (See item 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO 2640 AMENDING SECTION 6.01 OF MUNICIPAL CODE OF CITY OF OAK CREEK RELATING TO CHANGE IN OFFICIAL MAP FOR SOUTHEAST ONE-QUARTER (1/4) OF SECTION FIVE (5) (S.K. MEHTA).**

Ald. Jakubczyk, seconded by Ald. Scaffidi, moved to adopt Ordinance No. 2640 amending Section 6.01 of the Municipal Code of the City of Oak Creek relating to a change in the official map for the Southeast One-Quarter (1/4) of Section Five (5) (S.K. Mehta). 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.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11168-111511, AUTHORIZING ISSUANCE AND SALE OF UP TO \$5,889,583 WATERWORKS SYSTEM REVENUE BONDS, SERIES 2011, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11168-111511, authorizing the issuance and sale of up to \$5,889,583 Waterworks System Revenue Bonds, Series 2011, and providing for other details and covenants with respect thereto. 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.

8. **COUNCIL CONCURS WITH MAYOR'S APPOINTMENT OF DALE RICHARDS, 1320 W. LOIS LN., TO WATER & SEWER UTILITY COMMISSION TO COMPLETE FIVE-YEAR TERM EXPIRING 9/2012.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to concur with the Mayor's appointment of Dale Richards, 1320 W. Lois Ln., to the Water & Sewer Utility Commission to complete a five-year term expiring 9/2012. 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.

9. **COUNCIL CONCURS WITH MAYOR'S REAPPOINTMENTS TO COMMUNITY DEVELOPMENT AUTHORITY.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to concur with the Mayor's reappointments to the Community Development Authority as follows:

- Kathryn Michuda, 3-year term expiring 12/2014
- Gerard Hammernik, 3-year term expiring 12/2014

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.

10. **COUNCIL ESTABLISHES COMBINED MEETING DATES FOR 2012.**

Ald. Scaffidi, seconded by Ald. Michalski, moved to establish combined meeting dates for 2012. 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.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11173-111511, DESIGNATING OFFICIAL HOLIDAYS FOR 2012.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11173-111511, designating official holidays for 2012. 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.

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Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11173-111511, designating official holidays for 2012. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2638, AS REVISED, FIXING SALARY, WAGES, AND ALLOWANCES FOR ELECTED CITY CLERK AND CITY TREASURER OFFICES FOR THREE-YEAR TERM 5/1/12-4/30/15.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to adopt Ordinance No. 2638, as revised, fixing the salary, wages and allowances for Elected City Clerk and City Treasurer Offices for the three-year term 5/1/12-4/30/15. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2639, AS REVISED, FIXING SALARY, WAGES AND ALLOWANCES FOR ELECTED MUNICIPAL JUDGE OFFICE AND POSITION FOR FOUR-YEAR TERM 5/1/12-4/30/16.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to adopt Ordinance No. 2639, as revised, fixing the salary, wages and allowances for Elected Municipal Judge Office for the four-year term 5/1/12-4/30/16. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, no; Ald. Gehl, aye; and Ald. Michalski, no.

14. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Scaffidi, seconded by Ald. Gehl, moved to approve the 2011 Vendor Summary Report in the amount of \$632,527.42. 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.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 11169-111511, ACCEPTING WORKMANSHIP AND AUTHORIZING FINAL PAYMENT TO WILLKOMM EXCAVATING & GRADING (PROJECT NO. 10017).**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11169-111511, accepting the workmanship and authorizing final payment to Willkomm Excavating & Grading (Project No. 10017). This project involved the installation of box culvert improvements in West Pelton Dr. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11170-111511, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY) PERMANENT AND TEMPORARY EASEMENTS FOR W. DREXEL AVE. RECONSTRUCTION PROJECT FROM S. 27<sup>TH</sup> ST (STH 241) TO I-94 AND SEND PAYMENTS IN AMOUNTS OF AWARD OF DAMAGES TO AFFECTED PROPERTY OWNERS (PROJECT NO. 06010).**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11170-111511, acquiring fee property (right-of-way) permanent and temporary easements for W. Drexel Ave. reconstruction project from S. 27<sup>th</sup> St. (STH 241) to I-94 and to send payments in the amounts of the Award of Damages to the affected property owners (Project No. 06010). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11171-111511, AUTHORIZING PROJECT TO RELOCATE PORTION OF SANITARY SEWER WATER MAIN FOR W. DREXEL AVE. RECONSTRUCTION PROJECT (PROJECT NO. 06010).**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11171-111511, authorizing a project to relocate a portion of the sanitary sewer and water main for the W. Drexel Ave. reconstruction project (Project No. 06010). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11172-111511, AUTHORIZING ENGINEERING DEPARTMENT TO ADVERTISE REQUEST FOR PROPOSALS FOR CONSTRUCTION MANAGEMENT SERVICES ON W. DREXEL AVE. RECONSTRUCTION PROJECT (PROJECT NO. 06010).**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11172-111511, authorizing the Engineering Department to advertise a request for proposals for construction management services on the W. Drexel Ave. reconstruction project (Project No. 06010). 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 OPERATORS LICENSES.**

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

- Timothy J. DeBonis, 4619 Lora St., Racine (Pick 'n Save)
- Andrew J. Drier, 2930 Crestview Park Dr., Racine (Classic Lanes)
- Todd Fortier, 5300 Biscayne Ave., Racine (Speedway)
- Kristin N. Gale, 6210 W. Forest Home Ave., Milwaukee (Open Pantry)
- Christine H. Hellrung, 10421 S. 4<sup>th</sup> Ave., Oak Creek (Erv's Mug)
- Kaitlyn M. Hince, 190 E. Lisa Dr., Oak Creek (Ryan Road Mobil)
- Kathryn M. Neimeyer, 1636 Summerset Dr., Racine (Pick 'n Save)
- Jon G. Piasecki, 2225 E. Morgan Ave., Milwaukee (Pick 'n Save)
- Adam M. Rossman, 4900 W. Cold Spring Rd., Greenfield (Bootz Saloon)
- Chloe M. Santiago, 8871 S. Oak Park Dr., Oak Creek (Bootz Saloon)
- Allison J. Vraa, 1229 Edgewood Ave., South Milwaukee (Buffalo Wild Wings)
- John D. Wynne, 3332A South Whitnall Ave., Milwaukee (Oasis Mobil)

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. **COUNCIL GRANTS 2011 RENEWAL MOBILE HOME PARK LICENSE TO FIFTH AVENUE DEVELOPMENT GROUP, LLC (FIFTH AVENUE MOBILE HOME PARK), JAMES A. REITZNER, 8481 S. FIFTH AVE.**

Ald. Gehl, seconded by Ald. Scaffidi, moved to grant a 2011 renewal Mobile Home Park license to Fifth Avenue Development Group, LLC (Fifth Avenue Mobile Home Park), James A. Reitzner, 8481 S. Fifth Ave. 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. COUNCIL GRANTS 2011 RENEWAL MOBILE HOME PARK LICENSE TO JOSEPH AND ELLEN DENTICE FOR OAK CREEK ESTATES, 2137-2301 W. COLLEGE AVE.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to grant a 2011 renewal Mobile Home Park license to Joseph and Ellen Dentice for Oak Creek Estates, 2137-2301 W. College Ave. 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.

**22. COUNCIL GRANTS CHANGE OF AGENT ON CLASS B BEER; CLASS C WINE LICENSE, GRANTED BUT NOT YET ISSUED TO, WILLKOMM FOODS, LLC DBA THE DISH, 9540 S. 27<sup>TH</sup> ST., FROM JANE A. STUDEBAKER-HARLAN TO VAL P. SECOR, 5822 80<sup>TH</sup> ST., KENOSHA.**

Ald. Gehl, seconded by Ald. Scaffidi, moved to grant a change of agent on the Class B Beer; Class C Wine license granted, but not yet issued to, Willkomm Foods, LLC dba The Dish, 9540 S. 27<sup>th</sup> St., from Jane A. Studebaker-Harlan to Val P. Secor, 5822 80<sup>th</sup> St., Kenosha. 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.

**23. 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 wage and benefit modifications effective January 1, 2012.
- b. Section 19.85 (1)(c)(e) to discuss strategy regarding Police negotiations.

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.

**24. COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to reconvene into Open Session at 9:34 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.

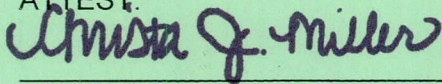
**25. COUNCIL APPROVES CHANGES TO BENEFIT PLAN FOR IMPLEMENTATION 1/1/2012.**

Ald. Scaffidi, seconded by Ald. Toman, moved to respond to the Management Team's proposal for modifications to the benefits plan as follows: 1) adopt a PTO schedule as proposed by the Management Team; 2) approve grandfathering individuals who have an excess of 30 days of vacation time, to a cap of 33 days; 3) reject the proposal for an additional three days funeral leave; 4) approve carry-over of up to 10 days of PTO; and 5) reject the use of banked sick time for one-day increments. 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.

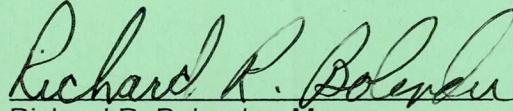
**ADJOURNMENT.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 9:37 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:



Christa J. Miller, Acting City Clerk



Richard R. Bolender, Mayor