

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
TUESDAY, DECEMBER 20, 2011, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Acting Mayor Stephen Scaffidi called the meeting to order at 7:00 p.m. Acting Mayor Scaffidi announced his intention to vote on Item No. 3. On roll call, the following alderpersons were present: Ald. Jakubczyk, Ald. Bukiewicz, Ald. Toman, Ald. Gehl, and Ald. Michalski. Also present were: City Attorney Lawrence Haskin, Assistant City Attorney Melissa Karls, City Administrator Gerald Peterson, City Engineer/Acting Building Commissioner Michael Simmons, Finance Director Mark Wyss, Acting Fire Chief Thomas Rosandich, Battalion Chief/Training Joseph Pulvermacher, Battalion Chief Thomas Jonson, Battalion Chief Rodney Palmer, Police Chief John Edwards, Police Captain Michael Bolender, Community Development Director Douglas Seymour, Street Superintendent Michael Lampe, City Public Health Officer Judith Peters, and Acting City Clerk Christa Miller.

2. The meeting began with the Pledge of Allegiance being said by all present.

3. **PRESENTED AND ADOPTED: RESOLUTION NO. 11191-122011, RESOLUTION OF CONDOLENCE UPON DEATH OF MAYOR RICHARD R. BOLENDER.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11191-122011, Resolution of Condolence Upon the Death of Mayor Richard R. Bolender. 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. **ALLAN M. FOECKLER APPOINTED MAYOR.**

City Attorney Lawrence Haskin explained the options and the procedure for appointment to fill the vacancy in the office of Mayor as a result of the death of the Honorable Richard R. Bolender. The Council discussed the method of selection for filling the vacancy: appoint a current member of the Common Council, to solicit applications/resumes from any interested person interested in serving as Mayor for the unexpired term; or to appoint a member of the public without the benefit of an application/interview process. Acting Mayor Scaffidi opened the floor for nominations.

Ald. Jakubczyk nominated Dale Richards. Ald. Bukiewicz nominated Acting Mayor Scaffidi. Ald. Toman nominated Allan M. Foeckler. Ald. Gehl nominated Acting Mayor Scaffidi. Ald. Michalski nominated Allan M. Foeckler.

Ald. Michalski, seconded by Ald. Gehl, moved to close the nominations. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

Upon voting by verbal vote, there were three votes for Allan M. Foeckler and two votes for Acting Mayor Scaffidi. With that, Allan M. Foeckler was appointed as Mayor.

Ald. Bukiewicz, seconded by Ald. Michalski, moved to confirm the appointment of Allan M. Foeckler as Mayor, to complete the term of office which expires 4/16/12 and set an effective date of Thursday, December 22, 2011. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

5. **COUNCIL CONCURS WITH PERSONNEL COMMITTEE AND APPROVES PERSONNEL MANUAL EFFECTIVE JANUARY 1, 2012, AND ACKNOWLEDGES IT APPLIES TO ALL CITY EMPLOYEES AS DESCRIBED IN MANUAL.**

Ald. Toman, seconded by Ald. Michalski, moved to concur with the recommendation of the Personnel Committee to approve the Personnel Manual effective January 1, 2012, and acknowledge that it applies to all City employees as described in the manual. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2642, ESTABLISHING SALARY RANGES, WAGE, AND ALLOWANCES FOR PART-TIME PERSONNEL FOR YEAR 2012.**

Ald. Toman, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2642, establishing the salary ranges, wage, and allowances for part-time personnel for the year 2012. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

7. **COUNCIL AWARDS CITY'S INSURANCE RENEWALS FOR 1/1/12-1/1/13.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to award the City's insurance renewals for 1/1/2012-1/1/2013 as follows:

For: General Liability, Automobile Liability, Law Enforcement Liability and Public Officials Liability (bodily injury, property damage, personal injury, public officials' errors and omissions)

To: CVMIC

For: Employment Practices Liability

To: RSUI INDEMNITY COMPANY (through CVMIC)

For: Property: Buildings, Contents and Property in the Open, Contractors Equipment, Monies/Securities, Builders Risk, and Special Use Animal Coverage

To: LOCAL GOVERNMENT PROPERTY INSURANCE FUND (LGPIF)

For: Boiler & Machinery

To: ZURICH (through CVMIC)

For: Blanket Bond: Employee Dishonesty with Faithful Performance; Forgery or Alteration; Theft, Disappearance & Destruction; Computer Fraud; Robbery & Safe Burglary; Money Orders and Counterfeit Currency; Credit Card Forgery

To: HARTFORD FIRE INSURANCE COMPANY (THE HARTFORD) (through CVMIC)

For: Automobile Physical Damage

To: MAX SPECIALTY INSURANCE COMPANY (through CVMIC)

For: Workers' Compensation

To: CVMIC

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. **INFORMATIONAL: SUMMARIZED FINANCIAL STATEMENTS FOR CERTAIN OPERATING FUNDS FOR CITY OF OAK CREEK, FOR PERIOD ENDED 9/30/11.**

Finance Director Mark Wyss provided information of summarized financial statements for certain operating funds for the City of Oak Creek, for the period ended September 30, 2011.

9. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Michalski, seconded by Ald. Gehl, moved to approve the 2011 Vendor Summary Report in the amount of \$496,259.38. 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 APPROVES REPLACEMENT EXTRICATION EQUIPMENT NEEDED FOR MOTOR VEHICLE CRASHES AND INDUSTRIAL RESCUE OPERATIONS.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to approve the replacement of extrication equipment needed for motor vehicle crashes and industrial rescue operations. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11190-122011, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY), PERMANENT AND TEMPORARY EASEMENTS FOR W. DREXEL AVE. RECONSTRUCTION PROJECT FROM S. 27TH ST. (STH 241) TO I-94 AND SEND PAYMENTS IN THE AMOUNTS OF AWARD OF DAMAGES TO AFFECTED PROPERTY OWNERS (PROJECT NO. 06010).**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11190-122011, acquiring fee property (right-of-way), permanent and temporary easements for W. Drexel Ave. reconstruction project from S. 27th 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. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

12. **CLOSED SESSION HELD.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to convene in Closed Session at 8:04 p.m., pursuant to Wisconsin State Statutes Section 19.85 (1) (c) to discuss COBRA benefits for a former firefighter. 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 RECONVENES INTO OPEN SESSION.**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to reconvene into Open Session at 8:17 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.

14. **COUNCIL GRANTS ADDITIONAL EXTENSION OF COBRA BENEFITS THROUGH 12/31/2012 FOR FORMER FIREFIGHTER.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to grant an additional extension of COBRA benefits through 12/31/2012 for a former firefighter, subject to consent from the stop-loss carrier. Motion, with second agreeing, was amended to grant an additional extension of COBRA benefits through 12/31/2012 for a former firefighter, subject to consent from the stop-loss carrier and subject to review upon receipt of determination by the State of Wisconsin. 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. Jakubczyk, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 8:18 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:

Christa J. Miller, Acting City Clerk

Stephen Scaffidi, Acting Mayor