

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
MONDAY, FEBRUARY 20, 2012, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Mayor Allan Foeckler called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Jakubczyk, Ald. Bukiewicz, Ald. Toman, Ald. Scaffidi, Ald. Gehl, and Ald. Michalski. Also present were: City Attorney Lawrence Haskin (arrived at 7:35 p.m.), City Administrator Gerald Peterson, City Engineer/Acting Building Commissioner Michael Simmons, Finance Director Mark Wyss, Acting Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, Library Director Jill Lininger, Street Superintendent Michael Lampe, 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. Michalski, moved to approve the minutes of the 1/30/2012 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11209-011712, ACKNOWLEDGING AND FILING 2012 CALENDAR YEAR SALARY GRADE PLAN AND BENEFITS FOR LIBRARY PERSONNEL.**

Ald. Toman, seconded by Ald. Gehl, moved to adopt Resolution No. 11209-011712, acknowledging and filing the 2012 calendar year salary grade plan and benefits for library personnel. 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.

5. **COUNCIL APPROVES LIBRARY'S PURCHASE OF ONE (1) 3M RESENSITIZER FOR \$1,315.69.**

Ald. Toman, seconded by Ald. Scaffidi, moved to approve the Library's purchase of one (1) 3M Resensitizer for \$1,315.69. 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.

6. **COUNCIL AUTHORIZES STAFF TO TAKE PRELIMINARY STEPS TO CREATE TIF DISTRICT NO. 11 TO INCLUDE PROPERTIES AT 7929 S. HOWELL AVE. ("DELPHI" PROPERTY) AND 500 W. FOREST HILL AVE.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to authorize staff to take preliminary steps to create Tax Increment Financing District No. 11 to include the properties at 7929 S. Howell Ave. (the "Delphi" property) and 500 W. Forest Hill 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.

7. **COUNCIL APPROVES REORGANIZATION OF PARKS, RECREATION AND FORESTRY FUNCTIONS.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to concur with the City Administrator's recommendation for reorganization of Parks, Recreation and Forestry functions. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2647, AMENDING ORDINANCE NO. 2641 ESTABLISHING THE SALARY AND ALLOWANCES FOR POSITIONS AS A RESULT OF DEPARTMENT REORGANIZATIONS.**

Ald. Toman, seconded by Ald. Michalski, moved to adopt Ordinance No. 2647, amending Ordinance No. 2641, establishing the salary and allowances for positions as a result of department reorganizations recommended by the City Administrator. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11219-022012, OPPOSING SENATE BILL 438.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to adopt Resolution No. 11219-022012, opposing Senate Bill 438 and directs the Acting City Clerk to mail a copy to Senator Larson, Representative Honadel and the League of Wisconsin Municipalities. 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 AUTHORIZES AGREEMENT WITH SPYGLASS GROUP TO PERFORM TELECOM AUDIT SERVICES.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to authorize the agreement with the Spyglass Group to perform telecom audit services. 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. **COUNCIL DIRECTS POLICE AND FIRE COMMISSION TO COMMENCE THE PROCESS TO APPOINT A FIRE CHIEF.**

Ald. Scaffidi, seconded by Ald. Jakubczyk, moved to direct the Police and Fire Commission to commence the process to appoint a Fire Chief. 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: RESOLUTION NO. 11221-022012, AMENDING RESOLUTION NO. 11127-060711, A RESOLUTION ESTABLISHING VARIOUS FEES, PERMITS, AND CHARGES CHARGED BY CITY OF OAK CREEK, EFFECTIVE 3/1/2012.**

Ald. Scaffidi, seconded by Ald. Michalski, moved to adopt Resolution No. 11221-022012, amending Resolution No. 11127-060711, a resolution establishing various fees, permits, and charges charged by the City of Oak Creek, effective March 1, 2012. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, no; and Ald. Michalski, aye.

13. **COUNCIL DESIGNATES SUNDAY, OCTOBER 28, 2012, FROM 4:00 P.M. TO 6:00 P.M. AS OFFICIAL CITY OF OAK CREEK "TRICK OR TREAT".**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to concur with the Celebrations Commission and designate Sunday, October 28, 2012, from 4:00 p.m. to 6:00 p.m. as the official City of Oak Creek "Trick or Treat". 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.

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

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2011 Vendor Summary Report in the amount of \$68,934.18 and the 2012 Vendor Summary Report in the amount of \$501,544.05. 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. **COUNCIL APPROVES PURCHASE OF ONE (1) 2012, FORD F450 TRUCK WITH 12'6" HEAVY DUTY FLAT PLATFORM WITH DUMPING HOIST FROM LOWEST BIDDER, BADGER TRUCK CENTER, FOR BID PRICE OF \$39,449.**

Ald. Scaffidi, seconded by Ald. Michalski, moved to concur with the recommendation of the Street Superintendent and approve the purchase of one (1) 2012 Ford F450 truck with a 12' 6" heavy duty flat platform with dumping hoist from the lowest bidder, Badger Truck Center, for a bid price of \$39,440 (Project No. 12046). 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. **COUNCIL APPROVES PURCHASE OF ONE (1) 2012, 56,000 GVW TANDEM AXLE DUMP TRUCK, COMPLETE WITH PLOW EQUIPMENT AND SPREADER FROM BIDDER, LAKESIDE INTERNATIONAL AND CASPER TRUCK, IN AMOUNT OF \$121,099.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to concur with the recommendation of the Street Superintendent and approve the purchase of one (1) 2012, 56,000 GVW Tandem Axle Dump Truck, complete with plow equipment and spreader from the bidder, Lakeside International and Casper Truck in the amount of \$121,099 (Project No. 12047). 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. **COUNCIL APPROVES PURCHASE OF ONE (1) 2012, 5-YARD DUMP TRUCK, COMPLETE WITH PLOW EQUIPMENT AND SPREADER FROM BIDDER, LAKESIDE INTERNATIONAL AND CASPER TRUCK, IN AMOUNT OF \$120,041.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to concur with the recommendation of the Street Superintendent and approve the purchase of one (1) 2012, 5-yard Dump Truck, complete with plow equipment and spreader from the bidder, Lakeside International and Casper Truck, in the amount of \$120,038 (Project No. 12048). 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. **COUNCIL APPROVES PURCHASE OF ONE (1) 2012 SERVICE VAN / SIGN TRUCK FROM BIDDER, EWALD BUICK, IN AMOUNT OF \$31,041.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to concur with the recommendation of the Street Superintendent and approve the purchase of one (1) 2012 Service Van / Sign Truck from the bidder, Ewald Buick, in the amount of \$31,041 (Project No. 12049). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11220-022012, APPROVING LAKEFRONT REDEVELOPMENT ACTION PLAN.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11220-022012, approving the Lakefront Redevelopment Action Plan. 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 ENTERS INTO AGREEMENT WITH WISCONSIN DEPARTMENT OF TRANSPORTATION (WDOT) TO INITIATE CONSTRUCTION OF NEW ACCESS ROAD TO LAKEFRONT REDEVELOPMENT SITES.**

Ald. Scaffidi, seconded by Ald. Michalski, moved to enter into an agreement with the Wisconsin Department of Transportation (WDOT) to initiate the construction of a new access road to the Lakefront Redevelopment sites. On roll call, the vote was as follows: Ald. Jakubczyk, no; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

21. **PRESENTED AND ADOPTED: RESOLUTION NO. 11217-022012, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY) AND TEMPORARY EASEMENTS FOR S. PENNSYLVANIA AVE. RECONSTRUCTION PROJECT FROM E. RAWSON AVE. (CTH BB) TO E. COLLEGE AVE. (CTH ZZ) AND SEND PAYMENTS IN AMOUNTS OF AWARD OF DAMAGES TO AFFECTED PROPERTY OWNERS (PROJECT NO. 08021).**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11217-022012, acquiring fee property (right-of-way) and temporary easements for the S. Pennsylvania Ave. reconstruction project from E. Rawson Ave. (CTH BB) to E. College Ave. (CTH ZZ) and to send payments in the amounts of the Award of Damages to the affected property owners (Project No. 08021). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11218-022012, VERSION "B", AUTHORIZING ROAD IMPROVEMENT PROJECTS.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to adopt Resolution No. 11218-022012, Version "B", authorizing the road improvement projects as listed on the summary report. 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. **COUNCIL APPROVES INSTALLATION OF STOP SIGN ON S. GRIMM DR. AT E. STARGRASS LN., AND DENIES INSTALLATION OF SIGNS ON S. 20TH ST. AT W. WOOD AVE.**

Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to concur with the recommendation of the Traffic and Safety Commission to approve the installation of a stop sign on S. Grimm Dr. at E. Stargrass Ln., and to deny the installation of signs on S. 20th St. at W. Wood Ave. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, no; and Ald. Michalski, aye.

24. **COUNCIL GRANTS OPERATORS LICENSES.**

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

- Pedro J. Del Valle, 1125 S. 36th St., Milwaukee (Applebee's)
- Heidi A. Sholund, 8318 6 Mile Rd., Caledonia (Norine's)
- Miranda M. Vogelmann, 2880 W. Southway Dr., Franklin (Open Pantry)

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 GRANTS CLASS B BEER, CLASS C WINE LICENSE TO THE NOODLE SHOP CO., DBA NOODLES & COMPANY, BROOKE A. RHODEBECK, AGENT, 8609 S. HOWELL AVE., SUBJECT TO RECEIPT OF OCCUPANCY PERMIT AND PAYMENT OF FEES.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant a Class B Beer, Class C Wine license to The Noodle Shop, Co., dba Noodles & Company, Brooke A. Rhodebeck, Agent, 8609 S. Howell Ave., subject to receipt of occupancy permit and payment of fees. 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.

26. **COUNCIL GRANTS CLASS A COMBINATION LICENSE TO RAWSON CITGO, LLC DBA RAWSON 66, ADAIL M. HAMDAN, AGENT, 150 W. RAWSON AVE., SUBJECT TO RECEIPT OF FEES.**

Ald. Gehl, seconded by Ald. Michalski, moved to grant a Class A Combination license to Rawson Citgo, LLC dba Rawson 66, Adail M. Hamdan, Agent, 150 W. Rawson Ave., subject to receipt of fees. 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.

27. **CLOSED SESSION HELD.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:29 p.m., pursuant to Wisconsin State Statutes Section 19.85 (1)(e) to discuss a possible exchange of the property owned by the City at 8640 S. Howell Ave. with the Oak Creek/Franklin Joint School District for approximately 50 acres on Oakwood and Howell and the possible exchange of approximately 50 acres on Oakwood and Howell with Wispark, LLC and/or OWD, LLC for approximately 7 acres at the Delphi site at 7929 S. Howell 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.

28.-29. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to reconvene into Open Session at 9:19 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. No action was taken.

ADJOURNMENT.

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 9:20 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

Allan M. Foeckler, Mayor