

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
TUESDAY, MARCH 6, 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, City Administrator Gerald Peterson, City Engineer/Acting Building Commissioner Michael Simmons, Finance Director Mark Wyss, Community Development Director Douglas Seymour, Street, Parks and Forestry Superintendent Michael Lampe, City Forester Rebecca Lane, 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 2/7/2012 and 2/20/2012 meetings 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. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENT TO SECTION 17.0308 OF MUNICIPAL CODE, LISTING TWO-FAMILY DWELLINGS EXISTING PRIOR TO NOVEMBER 20, 1995, AS CONDITIONAL USE IN RS-4, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT.**

A public hearing was held to consider a proposed amendment to Section 17.0308 of the Municipal Code, which would list two-family dwellings existing prior to November 20, 1995, as a conditional use in the Rs-4, Single Family Residential Zoning District (See Item No. 4 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2646, CREATING SECTION 17.0308(C)(10) ADDING A CONDITIONAL USE TO RS-4, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT ALLOWING TWO-FAMILY DWELLING UNITS IN EXISTENCE PRIOR TO NOVEMBER 20, 1995.**

Ald. Toman, seconded by Ald. Scaffidi, moved to adopt Ordinance No. 2646, creating Section 17.0308(c)(10), which adds a conditional use to the Rs-4, Single Family Residential zoning district that would allow for two-family dwelling units that were in existence prior to November 20, 1995, and to direct staff to apply for conditional use permits for those individual properties on behalf of those property owners that ask that this action be taken, with the understanding that the fee would not be assessed against the property owner. This would also allow for reduced dimensional lot requirements for these existing duplexes. 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. **DISCUSSION HELD REGARDING FOURTH QUARTER FINANCIAL STATEMENTS.**

A discussion was held regarding fourth quarter financial statements.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11222-030612, APPROVING RELEASE OF RECORDED EASEMENT WITH LIBERTY PROPERTY LIMITED PARTNERSHIP AT 2440 W. CORPORATE PRESERVE DR.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to adopt Resolution No. 11222-030612, approving a release of recorded easement with Liberty Property Limited Partnership at 2440 W. Corporate Preserve Drive. 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 APPROVES HEALTH PLAN DESIGN CHANGES FOR 2013 AND DIRECTS FINANCE AND/OR PERSONNEL COMMITTEE TO MEET WITH HEALTH INSURANCE STUDY COMMITTEE TO REVIEW CITY'S HEALTH PLAN BENEFITS, COSTS, AND SUSTAINABILITY ISSUES.**

Ald. Scaffidi, seconded by Ald. Gehl, moved to approve health plan design changes for 2013 and directs the Finance and/or Personnel Committee to meet with the Health Insurance Study Committee to review the City's health plan benefits, costs, and sustainability issues. Motion, with second agreeing, was then amended to approve the proposed plan design change to increase the deductible by \$500.00 with reimbursement to employees by participation in the Wellness Program according to the Empowered Health Program provided by Burkwald & Associates and direct the Finance and/or Personnel Committee to meet with the Health Insurance Study Committee to review the City's health plan benefits, costs, and sustainability issues. 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 AUTHORIZES SICK TIME PAYOUTS FOR ELIGIBLE EMPLOYEES UPON ATTAINING 5 YEARS SERVICE WITH CITY.**

Ald. Michalski, seconded by Ald. Scaffidi moved to authorize sick time payouts for eligible employees upon attaining 5 years service with the City as recommended by the Personnel Committee. 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. **DIRECTED HELD: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH BUELOW VETTER BUIKEMA OLSON & VLIET, LLC AS RECOMMENDED BY PERSONNEL COMMITTEE.**

Council action to approve a professional services agreement with Buelow Veter Buikema Olson & Vliet, LLC as recommended by the Personnel Committee was directed held.

11. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to approve the 2012 Vendor Summary Report in the amount of \$517,567.75. 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. **COUNCIL AUTHORIZES STREET, PARKS AND FORESTRY SUPERINTENDENT USE OF MONIES FROM CEP/CIP PROJECTS TO OBTAIN QUOTES FOR PURCHASE OF CHIPPER AND MOWER FOR DEPARTMENTS.**

Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to authorize the Street, Parks and Forestry Superintendent use of monies from CEP/CIP projects to obtain quotes for purchase of a Chipper and Mower for the different departments. 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. **COUNCIL AWARDS SPRING BARERoot TREE PURCHASE TO MCKAY NURSERY IN AMOUNT OF \$9,990.00.**

Ald. Scaffidi, seconded by Ald. Michalski, moved to award the Spring bareroot tree purchase to McKay Nursery in the amount of \$9,990.00. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11223-030612, URGING MILWAUKEE COUNTY TO RECONSTRUCT OR REHABILITATE SOUTH 13TH ST (CTY HWY V) FROM COUNTY LINE TO RAWSON AVE.**

Ald. Scaffidi, seconded by Ald. Michalski, adopted Resolution No. 11223-030612, urging Milwaukee County to reconstruct or rehabilitate South 13th Street (County Highway V) from the County line to Rawson 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.

15. **COUNCIL GRANTS OPERATORS LICENSES.**

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

- Stephanie M. Sehrbrock, 10125 5 Mile Rd., Franksville (Kwik Trip)
- Amanda J. Voith, 3864 E. Plankinton Ave., Cudahy (Buffalo Wild Wings)
- Kathleen M. Cheske, 4454 S. 50th St., Greenfield (Pick 'n Save)
- Meera J. Patel, 1501 W. Birdsong Dr., Oak Creek, (Buffalo Wild Wings)

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. **CLOSED SESSION HELD.**

Ald. Scaffidi, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:19 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. 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.
- b. Section 19.85 (1)(c)(e) to consider Police negotiations as it relates to Fire negotiations final offer.

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.-18. COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.

Ald. Toman, seconded by Ald. Scaffidi, moved to reconvene into Open Session at 9:13 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. Toman, moved to adjourn this meeting at 9:14 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