

PROCEEDINGS, SPECIAL COMMON COUNCIL MEETING
TUESDAY, APRIL 17, 2012, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

ACTING CITY CLERK SWEARS IN NEWLY-ELECTED OFFICIALS.

Acting City Clerk Christa Miller swore in to office Mayor Stephen Scaffidi, City Clerk Catherine Roeske, 2nd District Alderperson Daniel Bukiewicz, 4th District Alderperson Michael Toman, and 6th District Alderperson Thomas Michalski.

1. Mayor Scaffidi 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. 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, Acting Fire Chief Thomas Rosandich, City Librarian Jill Lininger, Finance Director Mark Wyss, Streets, Parks and Forestry 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. Bukiewicz, seconded by Ald. Jakubczyk, moved to approve the minutes of the 3/20/12 and 4/3/12 meetings as published. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

4. **ALD. TOMAN ELECTED COMMON COUNCIL PRESIDENT.**

City Attorney Lawrence Haskin explained the procedure for election of a Common Council President. The Mayor then opened the floor for nominations. Ald. Jakubczyk nominated Ald. Toman. Ald. Bukiewicz nominated Ald. Gehl. Ald. Jakubczyk, seconded by Ald. Michalski, 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. On a vote by paper ballot, Ald. Toman received 3 votes and Ald. Gehl received 2 votes. Ald. Toman was elected Common Council President.

5. **PRESENTED AND ADOPTED: RESOLUTION NO. 11239-041712, RESOLUTION OF APPRECIATION TO MAYOR ALLAN M. FOECKLER.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11239-041712, Resolution of Appreciation to Mayor Allan M. Foeckler. 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: COUNCIL PROCLAMATION NO. 12-07 TO DAVID LAEHN FOR DEDICATED SERVICE TO CITY OF OAK CREEK AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Council Proclamation No. 12-07 to David Laehn for dedicated service to the City of Oak Creek as a member of the Celebrations Commission. 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. PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 12-08 TO LINDA SODEMANN FOR DEDICATED SERVICE TO CITY OF OAK CREEK AS MEMBER OF CELEBRATIONS COMMISSION.

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Council Proclamation No. 12-08 to Linda Sodemann for dedicated service to the City of Oak Creek as a member of the Celebrations Commission. 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. PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 12-09 TO JEROME SCHMITT FOR DEDICATED SERVICE TO CITY OF OAK CREEK AS MEMBER OF BOARD OF ZONING APPEALS / BOARD OF HOUSING APPEALS.

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Council Proclamation No. 12-09 to Jerome Schmitt for dedicated service to the City of Oak Creek as a member of the Board of Zoning Appeals / Board of Housing Appeals. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

9. COUNCIL APPROVES METHOD AND SCHEDULE OF REPLACEMENT FOR 3RD DISTRICT ALDERMANIC VACANCY AND ESTABLISHES RESPONSE TO 3RD DISTRICT CONSTITUENT CONCERNS UNTIL POSITION IS FILLED.

Ald. Bukiewicz, seconded by Ald. Toman, moved to approve the resume/interview method be utilized; authorize Mayor Scaffidi to respond to 3rd District constituent concerns until the position is filled; and to not hold a special election on November 6, 2012, to fill the unexpired term of Stephen Scaffidi. All applicants must reside within the 3rd Aldermanic District; the public will be notified by all means possible; the deadline for submittal of a resume and/or letter of interest will be Thursday, May 10, 2012, at 12:00 noon; and a Special Council meeting held Monday, May 14, 2012, at 6:30 p.m. to interview candidates and vote on an appointment. 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 AUTHORIZES STAFF TO SEEK QUALIFICATIONS FROM FIRMS TO PROVIDE OWNERS REPRESENTATIVE (“OR”) SERVICES IN CONNECTION WITH CONSTRUCTION OF CITY HALL, LIBRARY AND FIRE STATION #1.

Ald. Toman, seconded by Ald. Michalski, moved to authorize staff to seek qualifications from firms to provide Owners Representative (“OR”) services in connection with construction of a City Hall, Library, and Fire Station #1. 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. MAYOR MAKES ALDERMANIC COMMITTEE APPOINTMENTS.

The Mayor’s aldermanic appointments are as follows:

- a. Library Board – 1
 - Ald. Toman
- b. Community Development Authority (CDA) -2
 - Ald. Gehl
 - Ald. Michalski
- c. Community Center Board of Directors – 1

- d.
 - Ald. Bukiewiczad hoc Bender Park Committee – 2
 - Ald. Toman
 - Ald. Gehl
- e. Small Claims Committee – 1
 - Ald. Jakubczyk
- f. Water & Sewer Utility Commission – 1
 - Ald. Gehl
- g. Finance Committee – 3
 - Ald. Gehl
 - Ald. Michalski
 - Ald. Bukiewicz

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. **COUNCIL CONCURS WITH MAYOR'S (RE)APPOINTMENTS TO VARIOUS COMMITTEES.**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to concur with the Mayor's (re)appointments as follows:

- a. Celebrations Commission – 3-year term to expire 4/2015
Tina Koenig
- b. Civil Service Commission – 5-year term to expire 4/2017
James Potter
- c. Finance Committee – 1 year term to expire 4/2013
Sigmund Tomkalski
- d. Library Board – 3-year term to expire 6/2015
Dennis Havey
Pamela Aiken
- e. Parks, Recreation and Forestry Commission – 3-year term to expire 4/2015
Janet Fleugel
Daniel Jahn
Michael Theys
- f. Plan Commission – 3 year term to expire 4/2015
Patrick Correll
Dawn Carrillo
- g. Police & Fire Commission – 5-year term to expire 4/2017
Robert Anderson
- h. Board of Review – 5-year term to expire 5/2017
Patricia McCleary Groth
- i. Board of Zoning/Housing Appeals – 3-year term to expire 4/2015
Stacy Henne
Melissa Hakes
Christopher Guzikowski, 1128 W. Riverside Dr. (new appointment)
- j. Weed Commissioner – 1-year term to expire 4/2013
Street Superintendent

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

Note: Prior to motion and seconding, reappointment for Cal Nowak for the Plan Commission was withdrawn by Mayor Scaffidi.

13. **DIRECTED HELD: COMMON COUNCIL PRESIDENT'S ALDERMANIC APPOINTMENTS.**

The Common Council President's aldermanic appointments as follows were directed held:

- a. Personnel Committee (minimum of 2) – 3
- b. Capital Improvements Committee – 3
- c. License Committee -3
- d. Plan Commission Representatives – 2
- e. Board of Health Representative – 1
- f. Emergency Government Committee Representative – 1 (plus Council President)
- g. Parks, Recreation and Forestry Commission – 1
- h. Cable Advisory Committee – 1
- i. Traffic and Safety Commission – 1

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

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2012 Vendor Summary Report in the amount of \$1,222,487.36. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

15. **PRESENTED AND HELD UNTIL AFTER PUBLIC HEARING SCHEDULED FOR 6/5/12: RESOLUTION NO. 11238-041712, VACATING SOUTH KNIGHTS PLACE RIGHT-OF-WAY AND DIRECTS ITEM TO PLAN COMMISSION.**

Ald. Bukiewicz, seconded by Ald. Michalski, moved to hold Resolution No. 11238-041712, , vacating the South Knights Place right-of-way, until after the required public hearing to be held on June 5, 2012 and directs the item to the Plan Commission. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 11240-041712, SELECTING FIRM OF HNTB FOR HIGHWAY 100/W. RYAN RD. STREETScape DESIGN WORK AND AUTHORIZES MAYOR AND CITY CLERK TO EXECUTE CONTRACT NOT TO EXCEED \$32,850 FOR THAT PURPOSE.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Resolution No. 11240-041712, selecting a firm of HNTB for Highway 100/W. Ryan Rd. Streetscape Design work and authorizing the Mayor and City Clerk to execute a contract not to exceed \$32,850 for that purpose. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11237-041712, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH OAK CREEK-FRANKLIN SCHOOL DISTRICT FOR THEIR FOOTBALL FIELD REPLACEMENT PROJECT LOCATED AT 340 E. PUETZ RD. (TAX KEY NO. 827-9026).**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Resolution NO. 11237-041712, approving a storm water management practices maintenance agreement with the Oak Creek-Franklin School District for their football field replacement project located at 340 E. Puetz Rd. (Tax Key No. 827-9026).

18. **COUNCIL ENTERS INTO AGREEMENT WITH MILWAUKEE COUNTY AND CITY OF MILWAUKEE FOR STREET LIGHTING ALONG RECENTLY RECONSTRUCTED COLLEGE AVE (CTH ZZ) FROM HOWELL TO PENNSYLVANIA AVE.**

Ald. Jakubczyk, seconded by Ald. Michalski, moved to enter into an agreement with Milwaukee County and the City of Milwaukee for street lighting along the recently reconstructed College Ave. (CTH ZZ) from Howell to Pennsylvania Avenues. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

19. **COUNCIL AWARDS CONTRACT FOR ABENDSCHEIN PARK PHASE 2 DESIGN SERVICES TO YAGGY COLBY ASSOCIATES FOR NOT-TO-EXCEED AMOUNT OF \$69,538 (PROJECT NO. 11013).**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to award the contract for Abendschein Park Phase 2 design services to Yaggy Colby Associates for a not-to-exceed amount of \$69,538 (Project No. 11013). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

20. **COUNCIL GRANTS OPERATORS LICENSES.**

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

- Amanda R. Bare, 8873 S. Oak Park Dr. (Greco's)
- Zachary R. Olsen, 7945 S. Verdev Dr. (Greco's)
- Eduardo J. Martinez, 8610 S. Stone Creek Dr. (Ryan Road Mobil)
- Molly K. Schmidt, 3810 S. 21st St., Milwaukee (Pilot)
- Robert Brennan, 4725 W. Kiley Ave., Milwaukee (Pilot)

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

21. **COUNCIL GRANTS ORIGINAL 2011-2012 CLASS B COMBINATION LICENSE TO MONTIEL, LLC, FRANCISCO MONTIEL, AGENT, DBA GRECO'S PUB & EATERY, 10166 S. 27TH ST., OAK CREEK, SUBJECT TO RECEIPT OF OCCUPANCY PERMIT, CITY SANITARIAN APPROVAL AND PAYMENT OF FEES.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant an Original 2011-2012 Class B Combination license to Montiel, LLC, Francisco Montiel, Agent, dba Greco's Pub & Eatery, 10166 S. 27th St., Oak Creek, subject to receipt of occupancy permit, City Sanitarian approval and Payment of fees. 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. Toman, seconded by Ald. Gehl, moved to adjourn this meeting at 8:04 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, Mayor