

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, MAY 1, 2012, 7:00 P.M.

CITY OF OAK CREEK  
MILWAUKEE COUNTY

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, City Administrator Gerald Peterson, City Engineer/Acting Building Commissioner Michael Simmons, Acting Fire Chief Thomas Rosandich, Finance Director Mark Wyss, Building Inspector Edward Ciechanowski, Community Development Director Douglas Seymour, Acting City Clerk Christa Miller and City Clerk Catherine Roeske.

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

3. **COUNCIL ADOPTS MAYORAL PROCLAMATION FOR BUDDY POPPY DAYS – MAY 10-12, 2012, MEYER-DZIEDZIC VFW POST 8482.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to adopt Mayoral Proclamation for Buddy Poppy Days – May 10-12, 2012, Meyer-Dziedzic VFW Post 8482. 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. **COUNCIL ADOPTS MAYORAL PROCLAMATION FOR POPPY DAYS, MAY 17-19, 2012, OELSCHLAEGGER-DALLMANN AMERICAN LEGION POST 434 AND AUXILIARY.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to adopt Mayoral Proclamation for Poppy Days, May 17-19, 2012, Oelschlaeger-Dallmann American Legion Post 434 and Auxiliary. Poppy Princess Mackenna Budney was present. 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. **INFORMATIONAL: MAYORAL PROCLAMATION, PRESENTATION FOR BUILDING SAFETY MONTH, MAY 2012.**

Edward Ciechanowski, Building Inspector provided the Council with a presentation for Building Safety Month. Ald. Toman, seconded by Ald. Michalski, moved to adopt Mayoral Proclamation for Building Safety Month, May, 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.

6. **PUBLIC HEARING HELD FOR THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, 720 E WISCONSIN AVE., FOR LANDFILL LICENSE FOR PROPERTY LOCATED AT NORTHEAST QUADRANT OF SOUTH 27<sup>TH</sup> STREET AND WEST DREXEL AVE.**

A public hearing was held to consider a request from The Northwestern Mutual Life Insurance Company, 720 E. Wisconsin Ave., for a landfill license for the property located at the northeast quadrant of South 27<sup>th</sup> St. and W. Drexel Ave. Filling operations would be contained within the 1320 feet north of Drexel Ave. and 700 feet east of 27<sup>th</sup> St. (see Item 7

for action on this hearing).

**7. COUNCIL GRANTS LANDFILL LICENSE TO THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, 720 E WISCONSIN AVE., FILL AREA ENCOMPASSING PORTIONS OF 7860 AND 7816 S. 27<sup>TH</sup> ST. AT NE CORNER OF DREXEL AVE./S. 27<sup>TH</sup> ST.**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to grant a landfill license to The Northwestern Mutual Life Insurance Company, 720 E. Wisconsin Ave., for a fill area encompassing portions of 7860 and 7816 S. 27<sup>th</sup> St. at the northeast corner of Drexel Ave. / S. 27<sup>th</sup> St. 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. COUNCIL PRESIDENT MAKES ALDERMANIC COMMITTEE APPOINTMENTS.**

Common Council President Ald. Toman made his aldermanic appointments as follows:

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

**9. PRESENTED AND ADOPTED: RESOLUTION NO. 11241-050112, AUTHORIZING ISSUANCE AND SALE OF \$6,000,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2012A.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Resolution No. 11241-050112, authorizing the issuance and sale of \$6,000,000 General Obligation Promissory Notes, Series 2012A. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11242-050112, AUTHORIZING ISSUANCE AND SALE OF \$4,600,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2012B.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11242-050112, authorizing the issuance and sale of \$4,600,000 General Obligation Promissory Notes, Series 2012B. 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. **INFORMATIONAL: SUMMARIZED FINANCIAL STATEMENTS FOR THE PERIOD ENDED MARCH 31, 2012.**

Finance Director Mark Wyss provided information of summarized financial statements for the period ended March 31, 2012.

12. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Toman, seconded by Ald. Michalski, moved to approve the 2012 Vendor Summary Report in the amount of \$893,856.45. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11243-050112, AMENDING PROJECT PLAN FOR TAX INCREMENT FINANCING (TIF) DISTRICT NO. 4 TO PROVIDE \$210,000 IN DEVELOPER ASSISTANCE TO NDT SPECIALISTS FOR UTILITY AND SITE PREPARATION WORK TO SUPPORT DEVELOPMENT OF 16,000 SQUARE FT. INDUSTRIAL BUILDING AT 7365 S. HOWELL AVE.**

Ald. Jakubczyk, seconded by Ald. Michalski, moved to adopt Resolution No. 11243-050112, amending the Project Plan for Tax Increment Financing (TIF) District No. 4 to provide \$210,000 in developer assistance to NDT Specialists for utility and site preparation work to support the development of a 16,000 square foot industrial building at 7365 S. Howell Ave. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11245-050112, APPROVING CERTIFIED SURVEY MAP FOR PROPERTY AT 9006 S. 5<sup>TH</sup> AVE.**

Ald. Toman, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11245-050112, approving a certified survey map for the property at 9006 S. 5<sup>th</sup> Ave. 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 ADOPTED: RESOLUTION NO. 11246-050112, APPROVING UPDATED BLIGHT STUDY AS PART OF CITY OF OAK CREEK REDEVELOPMENT DISTRICT NO. 1 AND MAKING FINDING OF AREA WITHIN TO BE BLIGHTED.**

Ald. Toman, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11246-050112, approving an updated blight study as part of the City of Oak Creek Redevelopment District No. 1, and making a finding of the area within to be blighted. 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. 11247-050112, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH STEEL WAREHOUSE OF WI, INC. FOR PROPOSED BUILDING ADDITION PROJECT LOCATED AT 535 W. FOREST HILL AVE. (TAX KEY NOS. 813-9002, 813-9003, 813-9008, 828-9021).**

Ald. Bukiewicz, seconded by Ald. Michalski, moved to adopt Resolution No. 11247-050112, approving a storm water management practices maintenance agreement with the Street Warehouse of WI, Inc. for their proposed building addition project located at 535 W. Forest Hill Ave. (Tax Key Nos. 813-9002, 813-9003, 813-9008, 828-9021). 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. 11244-050112, APPROVING THE STEEL WAREHOUSE OF WI, INC. DEVELOPMENT AGREEMENT FOR DESIGN AND INSTALLATION OF PUBLIC IMPROVEMENTS AT 535 W. FOREST HILL AVE. (TAX KEY NOS. 813-9002, 813-9003, 813-9008, 828-9021).**

Ald. Bukiewicz, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11244-050112, which would approve The Steel Warehouse of WI, Inc. development agreement for the design and installation of public improvements at 535 W. Forest Hill Ave. (Tax Key Nos. 813-9002, 813-9003, 813-9008, 828-9021). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

18. **COUNCIL AUTHORIZES ENGINEERING DEPARTMENT TO ENTER INTO CONTRACT NEGOTIATIONS WITH STRAND ASSOCIATES, INC. FOR DESIGN OF S. 5<sup>TH</sup> AVE. RELOCATION FROM STH 32 TO E. RYAN RD. (PROJECT NO. 12026).**

Ald. Toman, seconded by Ald. Bukiewicz, moved to authorize the Engineering Department to enter into contract negotiations with Strand Associates, Inc. for the design of the S. 5<sup>th</sup> Ave. relocation from STH 32 to E. Ryan Rd. (Project No. 12026). On roll call, the vote was as follows: Ald. Jakubczyk, no; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

19. **COUNCIL AWARDS 2012 ROAD IMPROVEMENTS UNIT PRICE CONTRACT TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER, BLACK DIAMOND GROUP, INC. AT ESTIMATED COST OF \$761,727.90 (PROJECT NO. 12030).**

Ald. Gehl, seconded by Ald. Michalski, moved to award the 2012 Road Improvements unit price contract to the lowest responsive, responsible bidder, Black Diamond Group, Inc., at an estimated cost of \$761,727.90 (Project No. 12030). 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 DENIES OPERATOR'S LICENSE TO KATIE E. VAA, 9861 S. AUSTIN ST., OAK CREEK (JIM DANDY'S) FOR FALSIFICATION OF APPLICATION.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to deny an Operator's license to Katie E. Vaa, 9861 S. Austin St., Oak Creek (Jim Dandy's) for falsification of application. 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 OPERATOR'S LICENSE TO MICHAEL J. NOONAN, 8620 S. RIVERTON RD., OAK CREEK (ERV'S MUG).**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant an Operator's license to Michael J. Noonan, 8620 S. Riverton Rd., Oak Creek (Erv's Mug). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

22. **COUNCIL GRANTS ONE-DAY OUTDOOR EVENT, 5/19/12, TO HUSH, LLC, CHRISTINA S. CLAUSEN, AGENT, DBA BOOTZ SALOON & GRILL, 8950 S. 27<sup>TH</sup> ST., FROM NOON TO 10:00 P.M. TO BE HELD ON SOUTHWEST CORNER OF PARKING LOT FACING NORTH, WITH LIVE MUSIC.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant a one-day outdoor event, 5/19/12, to Hush, LLC, Christina S. Clausen, Agent, dba Bootz Saloon & Grill, 8950 S. 27<sup>th</sup> St., from noon to 10:00 p.m. to be held on the southwest corner of the parking lot facing north, with live music (security will be provided, music will end at 10:00 p.m., no hard liquor will be served outside, hands will be stamped once ID's are checked). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

23. **COUNCIL GRANTS OPERATORS LICENSES.**

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

- Kathryn M. Rielly, 10250 64<sup>th</sup> Ave., Pleasant Prairie (The Dish)
- Cari A. Noha, 1217 Augusta St., Racine (Norine's)
- Marta M. leaf, 6027 W. Lapham St., West Allis (Legion)

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

24. **COUNCIL GRANTS ORIGINAL 2011-12 RESERVE CLASS B COMBINATION LICENSE TO EL FOGON TACOS AND BEER, INC., FILIBERTO LANDA, AGENT, DBA EL FOGON TACOS AND BEER, 8701 S. HOWELL AVE.**

Ald. Gehl, seconded by Ald. Jakubczyk, moved to grant an Original 2011-2012 Reserve Class B Combination license to El Fogon Tacos and Beer, Inc., Filiberto Landa, Agent, dba El Fogon Tacos and Beer, 8701 S. Howell Ave., with issuance subject to 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 8:17 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.

ATTEST:

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Catherine A. Roeske, City Clerk

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Stephen Scaffidi, Mayor