

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, AUGUST 21, 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. Ruetz, Ald. Toman, Ald. Gehl, and Ald. Michalski. Also present were: City Attorney Lawrence Haskin, City Administrator Gerald Peterson, Community Development Director Douglas Seymour, Finance Director/Comptroller Mark Wyss, City Engineer/Acting Building Commissioner Michael Simmons, Fire Chief Thomas Rosandich, City Librarian Jill Lininger, and City Clerk Catherine Roeske.

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

3. Ald. Bukiewicz, seconded by Ald. Michalski, moved to approve the minutes of the 7/17/12 meetings as published. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

4. **PRESENTED AND ADOPTED: RESOLUTION NO. 11280-082112, RESOLUTION OF CONDOLENCE TO MEMBERS OF OAK CREEK SIKH COMMUNITY.**

Ald. Toman, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11280-082112, a Resolution of Condolence to members of the Oak Creek Sikh Community. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

5. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 12-14, RECOGNITION TO WISCONSIN ASSOCIATION OF THE DEAF, DEAF AWARENESS FEST 2012.**

Ald. Toman, seconded by Ald. Gehl, moved to adopt Council Proclamation No. 12-14, Recognition to the Wisconsin Association of the Deaf, Deaf Awareness Fest 2012. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

6. **CONGRATULATIONS TO CARMELLA BELLANTE ON HER 100<sup>TH</sup> BIRTHDAY.**

The Mayoral Proclamation of Congratulations to Carmella Bellante on her 100<sup>th</sup> Birthday was informational.

7. **DIRECTED HOLD TO 9/4/12 COUNCIL MEETING: PRESENTATION OF MAYOR'S LANDSCAPE AWARDS.**

The presentation of the Mayor's Landscape Awards was directed held to the 9/4/12 Council meeting.

8. **PUBLIC HEARING HELD TO CONSIDER REZONING PROPERTY AT 9900 S. 13<sup>TH</sup> ST. FROM A-1, LIMITED AGRICULTURE TO M-1, MANUFACTURING (CAPSTONE QUADRANGLE).**

A public hearing was held to consider rezoning the property at 9900 S. 13<sup>th</sup> St. from A-1, Limited Agriculture to M-1, Manufacturing (Capstone Quadrangle) (see item 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2659, ORDINANCE TO REZONE PROPERTY AT 9900 S. 13<sup>TH</sup> ST. FROM A-1, LIMITED AGRICULTURE TO M-1, MANUFACTURING (CAPSTONE QUADRANGLE).**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Ordinance No. 2659, an ordinance to rezone the property at 9900 S. 13<sup>th</sup> St. from A-1, Limited Agriculture to M-1, Manufacturing (Capstone Quadrangle). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

10. **PRESENTATION ON STATUS UPDATE ON LIBRARY CAPITAL CAMPAIGN PLANNING STUDY.**

Jodi Sweeney, President of the Sweeney Group, provided the Council with a status update on the Library Capital Campaign Planning Study.

11. **PRESENTATION UPDATE FROM STEVEN CHAMBERLAIN, OWNERS REPRESENTATIVE, ON CITY HALL, LIBRARY AND FIRE STATION PROJECTS.**

Steven Chamberlain, Owners Representative on the City Hall, Library and Fire Station projects provided the Council with a update presentation.

12. **PRESENTATION BY REPRESENTATIVES OF BAKER TILLY VIRCHOW KRAUSE, LLP ON 2011 AUDIT.**

The presentation by representatives of Baker Tilly Virchow Krause, LLP on the 2011 audit was informational.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 11271-080612, ACCEPTING 2011 FINANCIAL STATEMENT AND AUDITORS' REPORT AS PREPARED AND PRESENTED BY BAKER TILLY VIRCHOW KRAUSE, LLP.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11271-080612, accepting the 2011 Financial Statement and Auditors' Report as prepared and presented by Baker Tilly Virchow Krause, LLP. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

14. **COUNCIL PROVIDES CONCEPTUAL SUPPORT FOR REVISED PROJECT PLAN FOR TIF DISTRICT #10, WHICH WOULD PROVIDE \$2,750,000 IN DEVELOPER ASSISTANCE TO SYNERG LLC, CONTINGENT UPON FINAL COMPLETION OF WRITTEN DEVELOPMENT AGREEMENT BY 11/1/12.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to provide conceptual support for the revised project plan for Tax Increment Financing District #10 that would provide \$2,750,000 in developer assistance to SynerG LLC, contingent upon final completion of a written development agreement by November 1, 2012. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

15. **DISCUSSION TO CHANGE STARTING TIME OF COMMON COUNCIL MEETINGS.**

A discussion was held to consider changing the starting time of Common Council meetings.

16. **INFORMATIONAL: SUMMARIZED FINANCIAL STATEMENTS FOR THE PERIOD ENDED JUNE 30, 2012.**

Finance Director Mark Wyss provided information of summarized financial statements for the period ended June 30, 2012.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11270-080612, ESTABLISHING THREE-YEAR FINANCIAL PLAN.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Resolution No. 11270-080612, establishing a Three-Year Financial Plan. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

18. **COUNCIL APPOINTS MAYOR SCAFFIDI AND CITY ADMINISTRATOR PETERSON TO CITY'S REPRESENTATIVES ON ONE WEST DREXEL.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to appoint Mayor Stephen Scaffidi and City Administrator Gerald Peterson to be the City's representatives on One West Drexel. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 11279-082112, APPROVING ACCESS EASEMENT AGREEMENT BY AND AMONG CITY, THE STATE OF WI, AND OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT.**

Ald. Ruetz, seconded by Ald. Michalski, moved to adopt Resolution No. 11279-082112, approving an Access Easement Agreement by and among the City of Oak Creek, the State of Wisconsin, and the Oak Creek-Franklin Joint School District. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

20. **INFORMATIONAL: EXCHANGE OF LANDS AMONG MILWAUKEE COUNTY, NORTHWESTERN MUTUAL AND CITY.**

The exchange of lands among Milwaukee County, Northwestern Mutual and the City of Oak Creek was informational.

21. **COUNCIL APPROVES APPOINTMENT OF ELECTION OFFICIALS FOR TWO-YEAR PERIOD OF 8/1/12 THROUGH 12/31/13.**

Ald. Michalski, seconded by Ald. Gehl, moved to approve the appointment of election officials for a two-year period of August 1, 2012 through December 31, 2013. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

**22. COUNCIL CONCURS WITH MAYOR'S REAPPOINTMENTS TO VARIOUS COMMITTEES.**

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

- a. Board of Health – 3-year term to expire 9/2015  
Sandy Schneider  
Nicholas Kampa
- b. Traffic & Safety Commission – 3-year term to expire 9/2015  
David Schneider

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

**23. COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2012 Vendor Summary Report in the amount of \$1,144,072.73. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

**24. COUNCIL AUTHORIZES STAFF TO NEGOTIATE EXCLUSIVELY WITH SAVAGE COMMUNICATIONS, LLC, TO PROVIDE MARKETING AND BRANDING SERVICES FOR CITY.**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to authorize staff to negotiate exclusively with Savage Communications, LLC, to provide marketing and branding services for the City. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, no.

**25. PRESENTED AND ADOPTED: RESOLUTION NO. 11276-082112, APPROVING CERTIFIED SURVEY MAP FOR PROPERTY AT 9441 S. NICHOLSON RD.**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11276-082112, approving a certified survey map for the property at 9441 S. Nicholson Rd. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

**26. PRESENTED AND ADOPTED: RESOLUTION NO. 11277-082112, APPROVING CERTIFIED SURVEY MAP FOR PROPERTY AT 7929 S. HOWELL AVE. (ONE WEST DREXEL, LLC).**

Ald. Bukiewicz, seconded by Ald. Michalski, moved to adopt Resolution No. 11277-082112, approving a certified survey map for the property at 7929 S. Howell Ave., (One West Drexel, LLC). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

27. **PRESENTED AND ADOPTED: RESOLUTION NO. 11275-082112, AUTHORIZING ENGINEERING DEPARTMENT TO ADVERTISE RFP FOR DESIGN SERVICES ON BRIDGES LOCATED ON W. MARQUETTE AVE. (P-40-0557), S. 6<sup>TH</sup> ST. (P-40-0556) AND S. NICHOLSON RD. (B-40-0018) (PROJECT NOS. 12017, 12018, & 12019).**

Ald. Michalski, seconded by Ald. Jakubczyk, moved to adopt Resolution No. 11275-082112, authorizing the Engineering Department to advertise a request for proposals for design services on the bridges located on W. Marquette Ave. (P-40-0557), S. 6<sup>th</sup> St. (P-40-0558) and S. Nicholson Rd. (B-40-0018). (project Nos. 12017, 12018, & 12019). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

28. **COUNCIL DENIES INSTALLATION OF 3-WAY STOP SIGNS AT S. SHARON DR. AND E. STONEFIELD DR. AND APPROVES REMOVAL OF “NO PARKING BETWEEN SIGNS” SIGNS AT 155 W. OAK LEAF DR.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to concur with the recommendation of the Traffic and Safety Commission and denies the request for installation of 3-way stop signs at S. Sharon Dr. and E. Stonefield Dr., and approves the removal of “No Parking Between Signs” signs at 155 W. Leaf Dr. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

29. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO DANIEL J. HARDING, 325 ESTBERG AVE., WAUKESHA, WI 53186, SELLING HOME IMPROVEMENT PRODUCTS FOR THE HOME IMPROVEMENT STORE.**

Ald. Jakubczyk, seconded by Ald. Bukiewicz, moved to grant a Transient Merchant license to Daniel J. Harding, 325 Estberg Ave., Waukesha, WI 53186, selling home improvement products for The Home Improvement Store. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

30. **COUNCIL GRANTS OPERATOR’S LICENSE TO STEVEN W. LINDSTROM, 4541 S. PINE AVE., MILWAUKEE.**

Ald. Jakubczyk, seconded by Ald. Gehl, moved to grant an Operator’s license to Steven W. Lindstrom, 4541 S. Pine Ave., Milwaukee (Speedway). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

31. **CLOSED SESSION HELD.**

Ald. Toman, seconded by Ald. Ruetz, moved to convene in Closed Session at 8:57 p.m., pursuant to Wisconsin State Statutes Section 19.85(1)(e) to discuss a proposed Term Sheet between the City of Oak Creek and Wispark for the properties at Drexel Town Square. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

32. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Toman, seconded by Ald. Gehl, moved to reconvene into Open Session at 9:30 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

33. **PRESENTED AND ADOPTED: RESOLUTION NO. 11278-082112, APPROVING TERM SHEET BY AND BETWEEN CITY AND WISPARK LLC.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11278-082112, approving a Term Sheet by and between the City and Wispark LLC. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

**ADJOURNMENT.**

Ald. Toman, seconded by Ald. Gehl, moved to adjourn this meeting at 9:30 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Ruetz, 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