

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, APRIL 16, 2013, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

CITY CLERK SWEARS IN NEWLY-ELECTED OFFICIALS.

City Clerk Catherine Roeske swore in to office 1st District Alderperson Steven Kurkowski, 3rd District Alderperson James Ruetz, and 5th District Alderperson Kenneth Gehl.

1. Mayor Scaffidi called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Bukiewicz, Ald. Ruetz, Ald. Toman, Ald. Gehl, and Ald. Michalski. Also present were: City Attorney Lawrence Haskin, City Administrator Gerald Peterson, Interim Finance Director Denise Vandebush, Street Division Supervisor David Laehn, Water & Sewer Utility General Manager Michael Sullivan, City Librarian Jill Lininger, Fire Chief Thomas Rosandich, IT Manager Caesar Geiger, Community Development Director Douglas Seymour, City Engineer/Acting Building Commissioner Michael Simmons and City Clerk Catherine Roeske.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. The Mayor announced the Community Cleanup that runs from Saturday, April 20 - April 27.
4. Ald. Toman, seconded by Ald. Bukiewicz, moved to approve the minutes of the 4/1/13 meeting as published. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

5. **ALD. GEHL 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. Toman nominated Ald. Gehl. Ald. Michalski nominated Ald. Toman. Ald. Kurkowski nominated Ald. Bukiewicz. Ald. Toman, seconded by Ald. Ruetz, moved to close nominations. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye. On a vote by paper ballot, Ald. Bukiewicz received 2 votes, Ald. Toman received 2 votes and Ald. Gehl received 2 votes. After a second vote was taken, Ald. Bukiewicz received 2 votes, Ald. Toman received 2 votes and Ald. Gehl received 2 votes. After a third vote was taken, Ald. Bukiewicz received 2 votes; Ald. Toman received 1 vote and Ald. Gehl received 3 votes. After a fourth vote was taken, Ald. Bukiewicz received 2 votes and Ald. Gehl received 4 votes. Ald. Gehl was elected Common Council President.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11350-041613, RESOLUTION OF APPRECIATION TO DANIEL JAKUBCZYK AS 1ST DISTRICT ALDERPERSON.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11350-041613, Resolution of Appreciation to Daniel Jakubczyk as 1st District Alderperson. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

7. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION 13-07, TO ELLEN LICHTER FOR DEDICATED SERVICE TO CITY AS MEMBER OF POLICE & FIRE COMMISSION.**

Ald. Michalski, seconded by Ald. Ruetz, moved to adopt Council Proclamation 13-07, to Ellen Lichte for dedicated service to the City of Oak Creek as a member of the Police & Fire Commission. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENT TO SECTION 17.0709(B)(1) OF MUNICIPAL CODE TO ALLOW A MAXIMUM TEMPORARY SIGN HEIGHT OF EIGHT FEET AND CREATE SECTION 17.0709(B)(7) TO ALLOW DISPLAY OF TEMPORARY FEATHER OR TEARDROP SIGNS.**

A public hearing was held to consider the proposed amendment to Section 17.0709(b)(1) of the Municipal Code to allow a maximum temporary sign height of eight feet and create Section 17.0709(b)(7) to allow the display of temporary feather or teardrop signs (see Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2673, AMENDING SECTION 17.0709(B)(1) ALLOWING TEMPORARY SIGN HEIGHT OF EIGHT (8) FEET AND CREATING SECTION 17.0709 (B)(7) ALLOWING DISPLAY OF TEMPORARY FEATHER OR TEARDROP SIGNS.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Ordinance No. 2673, amending Section 17.0709(b)(1) to allow a temporary sign height of eight (8) feet and creating Section 17.0709(b)(7) allowing the display of temporary feather or teardrop signs. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

10. **PRESENTATION OF CITY HALL, LIBRARY AND FIRE STATION PROJECT.**

Bray Architects, Sustainable Engineering Group LLC, and Owner's Representative, Steve Chamberlin, provided the Council with an update on the City Hall, Library and Fire Station project.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11349-041613, AUTHORIZING ISSUANCE AND SALE OF UP TO \$2,598,203 WATERWORKS SYSTEM REVENUE BONDS, SERIES 2013, AND PROVIDING OTHER DETAILS AND COVENANTS WITH RESPECT THERETO, AND APPROVAL OF RELATED \$2,886,893 FINANCIAL ASSISTANCE AGREEMENT FOR WATER TREATMENT PLANT STANDBY ELECTRICAL GENERATION PROJECT.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11349-041613, authorizing the issuance and sale of up to \$2,598,203 Waterworks System Revenue Bonds, Series 2013 and providing for other details and covenants with respect thereto, and approval of related \$2,886,893 financial assistance agreement for the Water Treatment Plant Standby Electrical Generation project. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

12. **COUNCIL APPROVES SELECTION OF NEW CITY LOGO AS PART OF MARKETING AND BRANDING INITIATIVE.**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to approve the selection of a new City logo as part of the marketing and branding initiative authorized in October, 2012. On roll call, the vote

was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

13. **COUNCIL CONFIRMS MAYOR’S APPOINTMENT OF BRIDGET M. SOUFFRANT AS FINANCE DIRECTOR EFFECTIVE MAY 6, 2013, WITH CONDITIONS AND PROVISIONS LISTED IN EMPLOYMENT OFFER DATED APRIL 3, 2013; ADOPTS ORDINANCE NO. 2675, ESTABLISHING SALARY FOR THIS POSITION EFFECTIVE MAY 6, 2013.**

Ald. Gehl, seconded by Ald. Toman, moved to confirm the Mayor’s appointment of Bridget M. Souffrant as Finance Director effective May 6, 2013, and adopting Ordinance No. 2675, establishing salary for this position effective May 6, 2013. Motion, with seconding agreeing, amended the title of the position to Finance Director. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

14. A. **PRESENTED AND ADOPTED: ORDINANCE NO. 2674, PROVIDING FOR LUMP-SUM GENERAL FUND PERFORMANCE BASED PAYMENT TO CERTAIN NON-UNION GENERAL MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS.**

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Ordinance No. 2674, approving a lump sum general fund performance based payment to certain non-union general management personnel and other City offices and positions, with corrections as noted by the City Administrator. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

- B. **PRESENTED AND ADOPTED: RESOLUTION NO. 11352-041613, PROVIDING FOR LUMP-SUM GENERAL FUND PERFORMANCE BASED PAYMENT TO CERTAIN NON-UNION GENERAL LIBRARY PERSONNEL.**

Ald. Toman, seconded by Ald. Michalski, moved to adopt Resolution No. 11352-041613, providing for a lump-sum general fund performance based payment to certain non-union general library personnel. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

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

Ald. Gehl, seconded by Ald. Bukiewicz, moved to concur with the Mayor’s (re)appointments as follows, with the Weed Commissioner position returning to the Streets, Parks and Forestry Superintendent, once one has been appointed:

- a. Celebrations Commission – 3-year term to expire 4/2016
Carolyn Bukiewicz
- b. Civil Service Commission – 5-year term to expire 4/2018
Jesus Carrillo
- c. Finance Committee – 1 year term to expire 4/2014
Sigmund Tomkalski
- d. Library Board – 3-year term to expire 6/2016
Sharon Armstrong
Patricia Parks

- e. Plan Commission – 3 year term to expire 4/2016
Walter Dickmann
Chaucey Chandler
- f. Police & Fire Commission – 5-year term to expire 4/2018 (new appointment)
Scott Koenig – 7499 S. Quincy Ave.
- g. Board of Zoning/Housing Appeals – 3-year term to expire 4/2016
Thomas Lewison
Marta Weirich
- j. Weed Commissioner – 1-year term to expire 4/2014 (new appointment)
Zoning Administrator Peter Wagner

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

16. MAYOR MAKES ALDERMANIC COMMITTEE APPOINTMENTS.

Ald. Michalski, seconded by Ald. Gehl, moved to concur with the Mayor's aldermanic appointments as follows:

- a. Library Board – 1
 - Ald. Toman
- b. Community Development Authority (CDA) -2
 - Ald. Gehl
 - Ald. Ruetz
- c. Community Center Board of Directors – 1
 - Ald. Bukiewicz
- d. ad hoc Bender Park Committee – 2
 - Ald. Toman
 - Ald. Gehl
- e. Small Claims Committee – 1
 - Ald. Kurkowski
- 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.

17. DIRECTED HELD TO 5/7/13 COUNCIL MEETING: COMMON COUNCIL PRESIDENT'S ALDERMANIC APPOINTMENTS.

- 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

18. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2013 Vendor Summary Report in the amount of \$321,971.10. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

19. **DIRECTED HELD: INFORMATION ON EMERALD ASH BORER, PRESENTED BY CITY FORESTER REBECCA LANE.**

Information on the Emerald Ash Borer, presented by City Forester Rebecca Lane was directed held.

20. **COUNCIL AWARDS GEOTECHNICAL ENGINEERING SERVICES FOR PROPOSED LIBRARY, CITY HALL, AND FIRE STATION #1 CONSTRUCTION TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER, GILES ENGINEERING, AT ESTIMATED COST OF \$27,065 (PROJECT NO. 12040).**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to award the geotechnical engineering services for the proposed Library, City Hall, and Fire Station #1 construction to the lowest responsive, responsible bidder, Giles Engineering, at an estimated cost of \$27,065 (Project No. 12040). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

21. **DIRECTED HELD TO 5/7/13 COUNCIL MEETING: CONSIDER A MOTION TO AUTHORIZE ADDITIONAL WORK INVOLVING STORM SEWER INSTALLATION BY THE CONTRACTOR FOR E.I. DUPONT DENEMOURS ON DUPONT PROPERTY (9180 S. 5TH AVE.) AT COST OF \$67,000 (PROJECT NO. 12029).**

City Attorney Lawrence Haskin directed that the item to consider a motion to authorize additional work involving storm sewer installation by the contractor for E.I. DuPont DeNemours on the DuPont property (9180 S. 5th Ave.) at a cost of \$67,000, be held until the 5/7/2013 Council meeting.

22. **PRESENTED AND ADOPTED: RESOLUTION NO. 11351-041613, APPROVING AGREEMENT FOR OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS AT S. 13TH ST. (CTH V) AND W. DREXEL AVE WITH MILWAUKEE COUNTY (PROJECT NO. 11010).**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11351-041613, approving an agreement for the operation and maintenance of traffic signals at S. 13th St. (CTH V) and W. Drexel Ave. with Milwaukee County (Project No. 11010). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

23. **COUNCIL GRANTS OPERATOR'S LICENSES.**

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

- John Rath, 3165 N. 88th St., Milwaukee (Jim Dandy's)
- David Lewandowski, 3632 E. Ryan Rd., Oak Creek (Ryan Road Mobil)

- Mathiew R. Fox, 4020 Washington Rd., Kenosha (Applebee's)
On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

24 **COUNCIL GRANTS ORIGINAL 2012-13 CLASS B COMBINATION LICENSE TO TRACY RAE'S LLC DBA TRACY RAE'S, TRACY R. JOHANNECK-UTPHALL, AGENT, 823 W. OAKWOOD RD.**

Ald. Gehl, seconded by Ald. Michalski, moved to grant an original 2012-13 Class B Combination license to Tracy Rae's LLC dba Tracy Rae's, Tracy R. Johanneck-Utphall, Agent, 823 W. Oakwood Rd. with issuance subject to receipt of occupancy permit. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

25. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO ADAM PELOWSKI, 3393 W. YORKSHIRE CIR., FRANKLIN, SELLING PRE-PACKAGED FROZEN FOODS FOR SCHWAN'S HOME SERVICE.**

Ald. Gehl, seconded by Ald. Michalski, moved to grant a transient merchant license to Adam Pelowski, 393 W. Yorkshire Cir., Franklin, selling pre-packaged frozen foods for Schwan's Home Service. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

26. **COUNCIL GRANTS ATHLETIC EVENTS, PARADES, AND RELATED EVENT PERMIT TO GEORGE HONEIN, EVENT COORDINATOR FOR ST. MARY & ST. ANTONIOUS COPTIC ORTHODOX CHURCH FOR 5K RUN ON 7/20/13 WITH INCLUSION OF GUARDS AT INTERSECTION OF OAK LEAF TRAIL AND NICHOLSON RD.**

Ald. Gehl, seconded by Ald. Michalski, moved to grant an Athletic Events, Parades and Related Event Permit to George Honein, Event Coordinator for St. Mary's & St. Antonious Coptic Orthodox Church for a 5K run on 7/20/13, with an inclusion of crossing guards at the intersection of the Oak Leaf Trail and Nicholson Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ADJOURNMENT.

Ald. Michalski, seconded by Ald. Ruetz, moved to adjourn this meeting at 8:56 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Stephen Scaffidi, Mayor