

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, JULY 16, 2013, 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. Bukiewicz, Ald. Ruetz, Ald. Gehl, and Ald. Michalski. Ald. Kurkowski and Ald. Toman were excused. Also present were: Assistant City Attorney Melissa Karls, City Administrator Gerald Peterson, City Engineer/Acting Building Commissioner Michael Simmons, Development Engineering Brian Johnston, IT Manager Caesar Geiger, City Librarian Jill Lininger, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, and Deputy City Clerk Christa Miller.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Bukiewicz, seconded by Ald. Ruetz, moved to approve the minutes of the 7/2/13 meeting as published. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.
4. **PUBLIC HEARING HELD TO CONSIDER REQUEST TO REZONE PROPERTY AT 255 E. CENTENNIAL DR. FROM B-4 PUD, HIGHWAY BUSINESS PLANNED UNIT DEVELOPMENT TO I-1 INSTITUTIONAL.**

A public hearing was held to consider a request to rezone the property at 255 E. Centennial Dr. from B-4 PUD, Highway Business Planned Unit Development, to I-1 Institutional (see item No. 5 for action on this hearing).
5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2690, REZONING PROPERTY AT 255 E. CENTENNIAL DR. FROM B-4 PUD, HIGHWAY BUSINESS PLANNED UNIT DEVELOPMENT TO I-1, INSTITUTIONAL.**

Ald. Ruetz, seconded by Ald. Gehl, moved to adopt Ordinance No. 2690, rezoning the property at 255 E. Centennial Dr. from B-4 PUD, Highway Business Planned Unit Development, to I-1, Institutional. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.
6. **PRESENTATION OF LIBRARY AND CITY HALL PLAN UPDATE AND SITE ADJUSTMENTS.**

Community Development Director Douglas Seymour provided the Council with Library and City Hall plan updates and site adjustments.
7. **DIRECTED HELD TO 8/5/13 COUNCIL MEETING: REVISIONS TO EXISTING MEMORANDUM OF UNDERSTANDING FACILITIES, MAINTENANCE, AND FEES BETWEEN THE CITY AND OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to hold action on the revisions to the existing Memorandum of Understanding Facilities, Maintenance, and Fees between the City of Oak Creek and the Oak Creek-Franklin Joint School District to the 8/5/2013 Council meeting. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

8. COUNCIL ALLOCATES CITY'S 2014 CDBG FUNDS TO PROJECTS.

Ald. Ruetz, seconded by Ald. Michalski, moved to allocate the City's 2014 CDBG funds to the projects that are found to be eligible as follows: Public Service Projects: The Salvation Army--\$4,997.03; Interfaith Older Adult Programs--\$4,997.03. Non-Public Service Projects: Entrepreneurial / job creation project with WWBIC - \$46,638.89. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

9. COUNCIL APPROVES PURCHASE OF WINSCRIBE SOFTWARE FROM WORD SYSTEMS, INC., IN AMOUNT OF \$10,000.

Ald. Michalski, seconded by Ald. Gehl, moved to approve the purchase of Winscribe software from Word Systems, Inc. in the amount of \$10,000. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

10. COUNCIL APPROVES VENDOR SUMMARY REPORT.

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2013 Vendor Summary Report in the amount of \$707,578.21. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

11. PRESENTED AND ADOPTED: RESOLUTION NO. 11380-071613, APPROVING CSM FOR PROPERTY AT 2338 & 2410 W. OAKWOOD RD.

Ald. Michalski, seconded by Ald. Ruetz, moved to adopt Resolution No. 11380-071613, approving a certified survey map for the property at 2338 & 2410 W. Oakwood Rd. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

12. PRESENTED AND ADOPTED: RESOLUTION NO. 11377-071613, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH ALDI INC. FOR WAREHOUSE EXPANSION PROJECT LOCATED AT 9342 S. 13TH ST. (TAX KEY NOS. 876-9995, 876-9997-002, 876-9999-02).

Ald. Michalski, seconded by Ald. Gehl, moved to adopt Resolution No. 11377-071613, approving a storm water management practices maintenance agreement with Aldi Inc. for their warehouse expansion project located at 9342 S. 13th St. (Tax Key Nos. 876-9995, 876-9997-002, 876-9999-02). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

13. PRESENTED AND ADOPTED: RESOLUTION NO. 11378-071613, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY) AND TEMPORARY EASEMENTS FOR S. HOWELL AVE. WI DOT MAINTENANCE PROJECT FROM OAKWOOD RD. TO GRANGE AVE. AND TO SEND PAYMENT IN AMOUNT OF AWARD OF DAMAGES TO AFFECTED PROPERTY OWNERS (PROJECT NO. 12025).

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11378-071613, acquiring fee property (right-of-way) and temporary easements for the S. Howell Ave. Wisconsin Department of Transportation maintenance project from Oakwood Rd. to Grange Ave. and to send a payment in the amount of the Award of Damages to the affected property owners (Project No. 12025). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl,

aye; and Ald. Michalski, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11379-071613, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH ENVIRONMENTAL ALTERNATIVE FUELS, LLC FOR EVO CNG COMPRESSED NATURAL GAS FILLING STATION PROJECT LOCATED AT 7155 S. 1ST ST. (TAX KEY NO. 765-9036).**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11379-071613, approving a storm water management practices maintenance agreement with Environmental Alternative Fuels, LLC for their EVO CNG Compressed Natural Gas Filling Station project located at 7155 S. 1st St. (Tax Key No. 765-9036). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 11381-071613, PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT AUTHORITY UNDER SECTION 3.200 OF MUNICIPAL CODE FOR COMPLETION OF BELMONT GROVE SUBDIVISION (PROJECT NO. 03057).**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11381-071613, a preliminary resolution declaring intent to exercise special assessment authority under Section 3.200 of the Municipal Code for completion of Belmont Grove Subdivision (Project No. 03057). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 11382-071613, PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT AUTHORITY UNDER SECTION 3.200 OF MUNICIPAL CODE FOR COMPLETION OF KENDER LANE CERTIFIED SURVEY MAP (PROJECT NO. 05061).**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11382-071613, a preliminary resolution declaring intent to exercise special assessment authority under Section 3.200 of the Municipal Code for completion of Kender Lane Certified Survey Map (Project No. 05061). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11383-071613, ADDING COLONIAL WOODS SUBDIVISION ASPHALT COMPLETION TO 2013 ANNUAL PAVING PROJECT (PROJECT NO. 06060).**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11383-071613, adding Colonial Woods Subdivision asphalt completion to the 2013 annual paving project (Project No. 06060). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 11384-071613, PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT AUTHORITY UNDER SECTION 3.200 OF MUNICIPAL CODE FOR COMPLETION OF WILLOW CREEK SUBDIVISION (PROJECT NO. 04056).**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11384-071613, a preliminary resolution declaring intent to exercise special assessment authority under Section

3.200 of the Municipal Code for completion of Willow Creek Subdivision (Project No. 04056). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, no; and Ald. Michalski, aye.

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

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

- Patrick K. Klepacz, 9237 S. 80th St., Franklin (Diane's Second Chance)
- Melissa A. Koehler, 8040 S. 20th St., Oak Creek (Ryan Road Shell)
- Christopher M. Hendrickson, 1808 W. Meyer Ln., Oak Creek (Kwik Trip)
- Janel M. Stepp, 9047 S. Chicago Ct., Oak Creek (Tracy Rae's)
- Morgan E. Rossetto, 3017 E. Grange Ave., Cudahy (Applebee's)

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

20. **COUNCIL GRANTS ATHLETIC EVENTS, PARADES AND RELATED EVENT PERMIT TO NAVDEEP GILL, EVENT COORDINATOR FOR CHARDHI KALA – SIKH TEMPLE OF WISCONSIN MEMORIAL 6K RUN/WALK ON 8/3/13.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant an Athletic Events, Parades and Related Event Permit to Navdeep Gill, Event Coordinator for Chardhi Kala – Sikh Temple of Wisconsin Memorial 6K Run/Walk on 8/3/13. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

21. **COUNCIL GRANTS ORIGINAL CLASS A COMBINATION LICENSE TO ORDER & SAVE DISTRIBUTORS, INC. DBA OAK CREEK MARATHON, SUKHDEV KHALSA, AGENT, 9502 S. HOWELL AVE.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant an original Class A Combination license to Order & Save Distributors, Inc. dba Oak Creek Marathon, Sukhdev Khalsa, Agent, 9502 S. Howell Ave. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

22. **COUNCIL GRANTS TEMPORARY CLASS B BEER AND WINE LICENSE, WITH WAIVER OF FEES, TO OAK CREEK LIONS CLUB, INC. FOR OAK CREEK LIONS FESTIVAL FOR THE PERIOD 8/30/13 THROUGH 9/2/13.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant a Temporary Class B Beer and Wine license, with a waiver of fees, to the Oak Creek Lions Club, Inc. for the Oak Creek Lions Festival for the period from 8/30/13 through 9/2/13. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

23. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:54 p.m., pursuant to Wisconsin State Statutes, Section 19.85(1)(c)(e) to discuss negotiating strategy with Rick Barrett, Wired Development and OWD/Wispark LLC regarding the Tax Incremental Financing Agreement and other issues as it relates to Drexel Town Square. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

24. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to reconvene into Open Session at 9:15 p.m. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

25. **COUNCIL AUTHORIZES RETAINING GRUEN AND GRUEN ASSOCIATES FOR AN AMOUNT NOT TO EXCEED \$30,000 TO CONDUCT FINANCIAL REVIEWS FOR TIF ASSISTANCE FROM RICK BARRETT, BARRETT VISIONARY AND BLAIR WILLIAMS, WIRED DEVELOPMENT, AS IT RELATES TO DREXEL TOWN SQUARE.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to authorize retaining Gruen and Gruen Associates for an amount not to exceed \$30,000 to conduct financial reviews for Tax Incremental Financing assistance from Rick Barrett, Barrett Visionary, and Blair Williams, Wired Development, as it relates to Drexel Town Square. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ADJOURNMENT.

Ald. Ruetz, seconded by Ald. Gehl, moved to adjourn this meeting at 9:18 p.m. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Stephen Scaffidi, Mayor