

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, DECEMBER 17, 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. Kurkowski, Ald. Bukiewicz, Ald. Ruetz, 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, Environmental Engineer Sue Winnen, IT Manager Caesar Geiger, City Librarian Jill Lininger, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, Finance Director/Comptroller Bridget Souffrant, 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. Ruetz, moved to approve the minutes of the 12/3/13 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.
4. **PRESENTATION OF CITY HALL, LIBRARY AND FIRE STATION PROJECT PROVIDED.**

Bray Architects, Owner's Representative Steve Chamberlin, and Community Development Director Douglas Seymour provided the Council with an update on the City Hall, Library and Fire Station project.
5. **PRESENTATION BY SMITHGROUP JJR ON SHORELINE STABILIZATION REPORT.**

SmithGroup JJR provided the Council with information on their shoreline stabilization report. Staff recommendation on how to proceed, given various options identified in the report, will be provided in early 2014 after additional grant information becomes available.
6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11440-121713, AUTHORIZING ISSUANCE AND SALE OF \$10,000,000 GENERAL OBLIGATION PROMISSORY NOTES.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11440-121713, a resolution Authorizing the Issuance and Sale of \$10,000,000 General Obligation Promissory notes. 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. **COUNCIL UPDATED ON LAKE VISTA REDEVELOPMENT.**

The Council was provided with an update on the Lake Vista Redevelopment.
8. **PRESENTED AND ADOPTED: RESOLUTION NO. 11438-121713, APPROVING PARTIAL RELEASE OF DEVELOPMENT AGREEMENT, PARTIAL RELEASE OF RIGHT OF FIRST REFUSAL AND PARTIAL RELEASE OF RESTRICTIVE COVENANT FOR MEIJER PARCEL AT DREXEL TOWN SQUARE.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11438-121713, approving the partial release of the Development Agreement, partial release of the Right of First Refusal and partial release of the Restrictive Covenant for the Meijer parcel at Drexel Town Square. 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.
9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11443-121713, ESTABLISHING STORM SEWER EASEMENT AT DREXEL TOWN SQUARE.**
- Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11443-121713, establishing a storm sewer easement at Drexel Town Square (Tax Key No. 813-9023-005). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11444-121713, APPROVING CONSENT TO DECLARATION OF ACCESS EASEMENT BY ONE WEST DREXEL, LLC.**
- Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11444-121713, approving a Consent to a Declaration of Access Easement by One West Drexel, LLC (“OWD”). 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.
11. **COUNCIL APPROVES MARKETING SERVICE CONTRACT WITH CONNECT THE DOTS LLC.**
- Ald. Ruetz, seconded by Ald. Kurkowski, moved to approve a marketing service contract with Connect the Dots LLC with clarification that the percentage of “Success Fee” on page 2 is based on the City’s portion of the taxes collected. 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 APPOINTMENT OF ELECTION OFFICIALS FOR TWO-YEAR PERIOD 1/1/14-12/31/15.**
- Ald. Bukiewicz, seconded by Ald. Kurkowski, moved to approve the appointment of Election Officials for the two-year period 1/1/14-12/31/15. 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 CONCURS WITH MAYOR’S APPOINTMENTS TO VARIOUS COMMITTEES.**
- Ald. Gehl, seconded by Ald. Toman, concurred with the Mayor’s appointments as follows:
- a. Board of Health – 3-year term to expire 9/2016
Aida Olen
 - b. Traffic & Safety Commission – 3-year term to expire 9/2016
Robert Pritchett
 - c. Water & Sewer Utility Commission – 5 year term to expire 9/2018
Fred Siefert
- 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. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**
- Ald. Gehl, seconded by Ald. Bukiewicz, moved to approve the 2013 Vendor Summary Report in the amount of \$889,330.30. 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 APPROVES NECESSARY MAINTENANCE AND REPAIRS OF FIRE DEPARTMENT'S LADDER TRUCK.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the necessary maintenance and repairs of the Fire Department's ladder truck. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11437-121713, UPDATED CITY PARK AND OPEN SPACE PLAN.**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11437-121713, an updated City Park and Open Space Plan. 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.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11442-121713, ADDING TERRITORY TO TID 11 AND AMENDING PROJECT PLAN FOR TID NO. 11.**

Ald. Bukiewicz, seconded by Ald. Michalski, moved to adopt Resolution No. 11442-121713, adding territory to Tax Increment Financing District 11 and amending the Project Plan for Tax Increment District No. 11. 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.

18. **DIRECTED HELD UNTIL AFTER REQUIRED PUBLIC HEARING ON FEBRUARY 4, 2014: RESOLUTION NO. 11441-121713, VACATING PORTION OF E. FOREST HILL AVE. RIGHT-OF-WAY.**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to hold Resolution No. 11441-121713, vacation of a portion of E. Forest Hill Ave. right-of-way until after the required public hearing scheduled for February 4, 2014. 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. **COUNCIL GRANTS OPERATOR LICENSE TO KERRY L. SKRZYPCZAK, 1024 MONROE ST., SOUTH MILWAUKEE.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant an Operator license to Kerry L. Skrzypczak, 1024 Monroe St., South Milwaukee. 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.

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

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

- Megan M. Pavelchik, 2427 S. Lenox St., Milwaukee (7-Eleven)
- Stacy Humsik, 2200 E. Oak Ridge Ln., Oak Creek (Jim Dandy'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.

21. **COUNCIL GRANTS RENEWAL ADULT ENTERTAINMENT BUSINESS LICENSE FOR 2014 LICENSING YEAR TO SJB LLC, STEPHANIE HIGGINS, AGENT, DBA THE NEW SPICE II, 7070 S. 27TH ST.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant a renewal adult entertainment business license for the 2014 licensing year to SJB LLC, Stephanie Higgins, agent, DBA The New Spice II, 7070 S. 27th St., with issuance subject to payment of 2013 personal property taxes and inspection department approval. 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.

22. **COUNCIL GRANTS EMPLOYEE LICENSES FOR 2014 LICENSING YEAR FOR ADULT ENTERTAINMENT BUSINESS FOR THE NEW SPICE II.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant an Employee license for the 2014 licensing year for an adult entertainment business for The New Spice II to the following:

- Mary E. Staat, employee
- Calvin H. Wiley, employee

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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11445-121713, APPROVING TERMINATION OF EASEMENT AGREEMENT BY AND AMONG ONE WEST DREXEL LLC, WOODMAN'S FOOD MARKETS, INC., GIUFFRE XX, LLC, LANDMARK CREDIT UNION, HOWELL OAKS III, LLC, RIVER VALLEY OAK CREEK, LLC, AND THE CITY.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11445-121713, approving the Termination of Easement Agreement by and among One West Drexel, LLC ("OWD"), Woodman's Food Markets, Inc. ("Woodman's"), Giuffre XX, LLC ("Giuffre"), Landmark Credit Union ("Landmark"), Howell Oaks III, LLC ("Howell"), River Valley Oak Creek, LLC ("River Valley"), and the City of Oak Creek ("City"). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11446-121713, RELEASING DEVELOPER, GIUFFRE XX, LLC C/O WILLOWTREE DEVELOPMENT FROM TERMS AND CONDITIONS OF DEVELOPMENT AGREEMENT FOR TIRES PLUS DEVELOPMENT AGREEMENT.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11446-121713, releasing the Developer, Giuffre XX, LLC d/o WillowTree Development from the terms and conditions of their development agreement for the Tires Plus Development Agreement (Project No. 11052)(Tax Key No. 813-9021). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11447-121713, APPROVING SANITARY SEWER AND WATER MAIN EASEMENTS BY AND BETWEEN ONE WEST DREXEL AND THE CITY.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11447-121713, approving Sanitary Sewer and Water Main Easements by and Between One West Drexel ("OWD") and the City of Oak Creek ("City"). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11439-121713, APPROVING THE FIRST AMENDMENT TO AGREEMENT BY AND BETWEEN CITY OF OAK CREEK AND WISCONSIN ENERGY CORPORATION DATED 4/2/03.**

Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11439-121713, approving the First Amendment to the Agreement by and between the City of Oak Creek and Wisconsin Energy Corporation dated April 2, 2003. 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. Kurkowski, seconded by Ald. Ruetz, moved to adjourn this meeting at 9:51 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