

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, JANUARY 7, 2014, 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, Police Chief John Edwards, Fire Chief Thomas Rosandich, Assistant Fire Chief Michael Kressuk, 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. Michalski, moved to approve the minutes of the 12/17/13 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. **HELD: PUBLIC HEARING FOR PROPOSED STREET VACATION AND DISCONTINUATION OF PORTION OF PUBLIC STREET RIGHT-OF-WAY IN CITY (GLEN OAKS DRIVE).**

The public hearing for a proposed street vacation and discontinuation of a portion of a public street right-of-way in the City of Oak Creek (Glen Oaks Drive) was held.
5. **HELD: RESOLUTION NO. 11434-111913, VACATING AND DISCONTINUING A PART OF PUBLIC STREET IN CITY (GLEN OAKS DRIVE IN NE AND SE ¼ OF SECTION 32-5-22).**

Action on Resolution No. 11434-111913, vacating and discontinuing a part of a public street in the City of Oak Creek (Glen Oaks Drive in the NE and SE ¼ of Section 32-5-22) was held.
6. **PUBLIC HEARING HELD TO CONSIDER CUP AMENDMENT SUBMITTED BY STEVE KAUKL, WOODMAN'S FOOD MARKET, INC. FOR HOURS OF OPERATION OF EXISTING GASOLINE SERVICE STATION AT 8151 S. HOWELL AVE.**

A public hearing was held to consider a conditional use permit amendment submitted by Steve Kaukl, Woodman's Food Market, Inc., for the hours of operation of the existing gasoline service station located at 8151 S. Howell Ave. (see Item No. 7 for action on this hearing).
7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2702, AMENDING ORDINANCE NO. 2383 ALLOWING OPERATION OF GAS PUMPS 24-HOURS PER DAY ON PROPERTY LOCATED AT 8151 S. HOWELL AVE.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Ordinance No. 2702, amending Ordinance No. 2383, allowing the operation of gas pumps 24 hours per day on property located at 8151 S. Howell Ave. 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. **COUNCIL WAIVES 25% EMPLOYEE PREMIUM CONTRIBUTION FOR LIFE INSURANCE FOR PREVIOUSLY REPRESENTED CLERK-MATRON'S AND MEET-AND-CONFER SERGEANTS.**

Ald. Gehl, seconded by Ald. Michalski, moved to concur with the Personnel Committee's recommendation to waive 25% employee premium contribution for life insurance for previously represented Clerk-Matron's and meet-and-confer Sergeants. 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. **COUNCIL ELIMINATES OPTION FOR REGULAR PART-TIME EMPLOYEES TO PARTICIPATE IN CITY'S SECTION 125 PLAN.**

Ald. Michalski, seconded by Ald. Gehl, moved to concur with the Personnel Committee's recommendation to eliminate the option for regular part-time employees to participate in the City's Section 125 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.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 11448-010714, INITIAL RESOLUTION REGARDING INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING FOR SUZY'S CREAM CHEESECAKES, INC.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Resolution No. 11448-010714, an initial Resolution regarding Industrial Development Revenue Bond financing for Suzy's Cream Cheesecakes, Inc. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11449-010714, AMENDING RESOLUTION NO. 11442-121713, ADDING TERRITORY TO TIF DISTRICT NO. 11 AND AMENDING PROJECT PLAN FOR TIF DISTRICT NO. 11.**

Ald. Gehl, seconded by Ald. Ruetz, moved to adopt Resolution No. 11449-010714, amending Resolution No. 11442-121713, adding territory to Tax Increment Financing District No. 11 and to amend 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.

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

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the 2013 Vendor Summary Report in the amount of \$366,812.99 and the 2014 Vendor Summary Report in the amount of \$108,766.61, for a total of all claims of \$475,579.60. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2704, ALTERNATE A, REPEALING AND RECREATING SECTION 11.20(F) AND CREATES SECTION 11.20(G)(2) OF OAK CREEK MUNICIPAL CODE REGARDING REGULATION OF BOW AND ARROW AND CROSSBOW HUNTING.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2704, Alternate A, repealing and recreating Section 11.20(f) and to create Section 11.20(g)(2) of the Oak Creek Municipal Code regarding regulation of bow and arrow and crossbow hunting. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2703, AMENDING ORDINANCE NO. 2700, FIXING SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR NON-UNION GENERAL MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR 2014; ESTABLISHES BATTALION CHIEF POSITION AS EXEMPT.**

Ald. Michalski, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2703, amending Ordinance No. 2700 fixing the salary ranges, salary, wages and allowances for non-union general management personnel and other city offices and positions for the year 2014 and establishing the Battalion Chief position as exempt. 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 PURCHASE OF COLOR SERIES LARGE FORMAT PLOTTER/ SCANNER/COPIER FROM WEST ALLIS BLUEPRINT IN AMOUNT OF \$7,895.00.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to approve the purchase of a Color Series large format plotter/scanner/copier from West Allis Blueprint in the amount of \$7,895.00 (CEP accounts 4013000370 and 4013000170). 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. **COUNCIL APPROVES CONTRACT AMENDMENT WITH STRAND ASSOCIATIONS INC FOR ADDITIONAL DESIGN SERVICES FOR SOUTH 5TH AVE. RELOCATION, NOT TO EXCEED \$21,878.13.**

Ald. Toman, seconded by Ald. Michalski, moved to approve a contract amendment with Strand Associates Inc. for additional design services for South 5th Avenue Relocation, not to exceed \$21,878.13. (Project No. 12026). 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. **COUNCIL DIRECTS ENGINEERING DEPARTMENT TO PROCEED WITH STOP CONTROL INTERSECTION TYPE FOR S. 5TH AVE RELOCATION PROJECT.**

Ald. Kurkowski, seconded by Ald. Michalski, moved to direct the Engineering Department to proceed with Option No. 1, the Stop Control intersection type for the S. 5th Ave. Relocation Project (Project No. 12026). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Ruetz, no; Ald. Toman, aye; Ald. Gehl, no; and Ald. Michalski, aye.

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

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

- John Mitchell, 2111 W. Oakwood Rd., Oak Creek (Kwik Trip)

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 2014 LANDFILL LICENSES.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant 2014 Landfill licenses to:

- Mark Nicholson, Apple Tower Development, Inc., 8380, 8400 & 8432 S. 27th St. & 8351 S. 20th St.
- Elizabeth J. Kopplin, 6931 S. Howell Ave., Oak Creek
- Phillip Purpero, C.W. Purpero, Inc., 813 W. College Ave., Oak Creek

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. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 8:17 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- a. Section 19.85 (1)(e) to discuss the terms of a development agreement, including a TIF incentive grant, for Oakview Business Park.

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.-22. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN**

Ald. Gehl, seconded by Ald. Michalski, moved to reconvene into Open Session at 8:49 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. No action was taken.

ADJOURNMENT.

Ald. Michalski, seconded by Ald. Gehl, moved to adjourn this meeting at 8:50 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