

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, JANUARY 21, 2014, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Council President Ald. Gehl called the meeting to order at 7:00 p.m. in the absence of Mayor Scaffidi. Council President Gehl announced his intention to vote on all agenda items. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Bukiewicz, Ald. Ruetz, Ald. Toman, Ald. Gehl, and Ald. Michalski. Also present were: Assistant City Attorney Melissa Karls, City Administrator Gerald Peterson, City Engineer / Acting Building Commissioner Michael Simmons, Fire Chief Thomas Rosandich, Assistant Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, Finance Director/Comptroller Bridget Souffrant, IT Manager Caesar Geiger, 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 1/7/14 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. **PUBLIC HEARING HELD TO CONSIDER CUP BY DAVE DEVRIES, SET ENVIRONMENTAL, INC. FOR ENVIRONMENTAL CONTRACTOR'S YARD WITH OUTDOOR STORAGE LOCATED AT 9730 S. 20TH ST.**

A public hearing was held to consider a conditional use permit application by Dave DeVries, SET Environmental, Inc., for an environmental contractor's yard with outdoor storage located at 9730 S. 20th St. (see item 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2705, APPROVING CUP FOR ENVIRONMENTAL CONTRACTOR'S YARD WITH OUTDOOR STORAGE LOCATED AT 9730 S. 20TH ST.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2705, approving a conditional use permit for an environmental contractor's yard with outdoor storage located at 9730 S. 20th St. 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.

6. **PRESENTATION BY BRAY ARCHITECTS, OWNERS REPRESENTATIVE AND COMMUNITY DEVELOPMENT DIRECTOR WAS HELD TO 2/4/14 COUNCIL MEETING.**

The presentation by Bray Architects, Owner's Representative Steve Chamberlain and the Community Development Director Douglas Seymour to update the Council on the City Hall, Library and Fire Station project was held until the 2/4/2014 Council meeting.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11451-012114, RESOLUTION OF APPRECIATION TO SANDRA K. DEFORD, RETIRING ADMINISTRATIVE SUPPORT ASSISTANT.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11451-012114, a Resolution of Appreciation to Sandra K. DeFord, retiring Administrative Support Assistant. 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 APPROVES LICENSE AGREEMENTS WITH SESAC, BMI, AND ASCAP FOR REBROADCAST OF MUSIC BY LICENSED PERFORMERS.

Ald. Ruetz, seconded by Ald. Kurkowski, moved to approve the license agreement with SESAC (Society of European Stage Authors and Composers), BMI (Broadcast Music Inc.), and ASCAP for the rebroadcast of music by licensed performers. 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 APPROVES VENDOR SUMMARY REPORT.

Ald. Toman, seconded by Ald. Gehl, moved to approve the 2013 Vendor Summary Report in the amount of \$391,575.24 and the 2014 Vendor Summary Report in the amount of \$316,471.34, for a total of all claims of \$708,046.58. 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. 11450-012114, ACKNOWLEDGING AND FILING 2014 CALENDAR YEAR SALARY GRADE PLAN AND BENEFITS FOR LIBRARY PERSONNEL.

Ald. Toman, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11450-012114, acknowledging and filing the 2014 calendar year salary grade plan and benefits for 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.

11. COUNCIL APPROVES PURCHASE OF ONE STRYKER POWER-PRO XT COT FROM STRYKER MEDICAL IN AMOUNT OF \$15,518.

Ald. Kurkowski, seconded by Ald. Michalski, moved to approve the purchase of one Stryker Power-Pro XT cot from Stryker Medical in the amount of \$15,518. 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 GRANTS OPERATOR'S LICENSES.

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

- Travis Hayden, 65 E. Field Stone Cir., Oak Creek (Noodles & Co.)

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 GRANTS 2014 DOG KENNEL LICENSES.

Ald. Ruetz, seconded by Ald. Gehl, moved to grant a 2014 Dog Kennel license to:

- Bradley Osgood, Brentwood Animal Hospital, 318 W. Ryan Rd.
- Sue Ann McCotter, Club K-9 dba Central Bark Doggy Day Care, 1075b W. Northbranch Dr.

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 GRANTS 2014 MOBILE HOME PARK LICENSE.

Ald. Ruetz, seconded by Ald. Gehl, moved to grant a 2014 Mobile Home Park license to:

- Oak Creek Estates, LLC dba Oak Creek Estates, 2137-2301 W. College Ave.
- Fifth Avenue Development Group, LLC dba Sunrise Shores Mobile Home Park, 8481 S. Fifth 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.

15. CLOSED SESSION HELD.

Ald. Gehl, seconded by Ald. Bukiewicz, moved to convene in Closed Session at 7:27 p.m., pursuant to Wisconsin State Statutes Section 19.85 (1)(g) to discuss potential litigation against Thomas W. and Karen W. Jungck regarding the installation of the final lift of asphalt and other improvements in the Emerald Meadows Addition #2 Subdivision. 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 RECONVENES INTO OPEN SESSION.

Ald. Ruetz, seconded by Ald. Michalski, moved to reconvene into Open Session at 7:53 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.

17. COUNCIL AUTHORIZES CITY ATTORNEY TO FILE LAWSUIT AGAINST THOMAS W. AND KAREN W. JUNGCK FOR VIOLATION OF DEVELOPMENT AGREEMENT.

Ald. Toman, seconded by Ald. Michalski, moved to authorize the City Attorney to file a lawsuit against Thomas W. and Karen W. Jungck for violation of the development agreement by and between the City for the development of Emerald Meadows Addition #2 Subdivision, dated October 8, 2004, requiring the developer to complete the final lift of asphalt and other improvements or alternatively, money damages in the amount of \$277,106.00. 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 7:55 p.m. On roll all, 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