

PROCEEDINGS, COMMON COUNCIL MEETING  
MONDAY, FEBRUARY 17, 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. Toman, Ald. Gehl, and Ald. Michalski. Ald. Ruetz was excused. Also present were: City Attorney Lawrence Haskin, City Administrator Gerald Peterson, City Engineer / Acting Building Commissioner Michael Simmons, Fire Chief Thomas Rosandich, City Librarian Jill Lininger, Development Director Douglas Seymour, Finance Director/Comptroller Bridget Souffrant, IT Manager Caesar Geiger, City Public Health Officer Judith Price, Streets, Parks & Forestry Supervisor David Laehn and City Clerk Catherine Roeske.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to approve the minutes of the 2/4/14 meeting as published. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.
4. **PUBLIC HEARING HELD TO CONSIDER PROPOSED DISCONTINUATION AND STREET VACATION OF PUBLIC STREET RIGHT-OF-WAY (GLEN OAKS DR.).**

A public hearing was held to consider a proposed discontinuation and street vacation of a public street right of way in the City of Oak Creek (Glen Oaks Dr.) (see item 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: RESOLUTION NO. 11434-111913, VACATING AND DISCONTINUING PORTION OF PUBLIC STREET IN CITY (GLEN OAKS DR.)**  
  
Ald. Gehl, seconded by Ald. Michalski, moved to adopt Resolution No. 11434-111913, vacating and discontinuing a portion of a public street in the City of Oak Creek (Glen Oaks Dr.). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.
6. **PUBLIC HEARING HELD TO CONSIDER CREATION OF SECTION 17.0317(C)(39) AND AMENDMENT OF SECTION 17.01402 OF MUNICIPAL CODE TO ALLOW FOR INDOOR COMMERCIAL RECREATION FACILITIES AS CONDITIONAL USES IN M-1, MANUFACTURING DISTRICT.**

A public hearing was held to consider the creation of Section 17.0317(c)(39) and the amendment of Section 17.01402 of the Municipal Code to allow for indoor commercial recreation facilities as conditional uses in the M-1, Manufacturing District (see item 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2711, AMENDING SECTION 17.0317(C) AND SECTION 17.1402 OF MUNICIPAL CODE TO ALLOW FOR INDOOR COMMERCIAL RECREATION FACILITIES AS CONDITIONAL USES IN M-1 MANUFACTURING ZONING DISTRICT.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2711, amending Section 17.0317(c) and Section 17.1402 of the Municipal Code to allow for indoor commercial recreation facilities as conditional uses in the M-1 Manufacturing Zoning District. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER A CUP APPLICATION BY JERRY MORTIER, THE REDMOND CO., FOR DUNKIN' DONUTS RESTAURANT WITH DRIVE-THROUGH LOCATED AT 8750 S. HOWELL AVE.**

A public hearing was held to consider a conditional use permit application by Jerry Mortier, The Redmond Co., for a Dunkin' Donuts restaurant with drive-through located at 8750 S. Howell Ave. (see Item 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2710, APPROVING CUP FOR RESTAURANT WITH DRIVE-THROUGH FACILITY AT 8750 S. HOWELL AVE.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2710, approving a conditional use permit for a restaurant with drive-through facility at 8750 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, no; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

10. **PUBLIC HEARING HELD TO CONSIDER PROPOSED INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING FOR HOWELL AVENUE OAK CREEK LLC PROJECT (SUZY'S CREAM CHEESECAKES, INC.).**

A public hearing was held to consider a proposed Industrial Development Revenue Bond financing for Howell Avenue Oak Creek LLC project (Suzy's Cream Cheesecakes, Inc.) (see item 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11453-021714, FINAL RESOLUTION RELATING TO INDUSTRIAL DEVELOPMENT REVENUE BOND (IDRB) FINANCING FOR SUZY'S CREAM CHEESECAKES, INC.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11453-021714, a final resolution relating to Industrial Development Revenue Bond (IDRB) financing for Suzy's Cream Cheesecakes, Inc. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 11452-021714, RESOLUTION OF APPRECIATION TO SUSAN WOJCINSKI, RETIRING DEPUTY HEALTH OFFICER/NURSING SUPERVISOR.**

Ald. Bukiewicz, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11452-021714, a Resolution of Appreciation to Susan Wojcinski, retiring Deputy Health Officer/Nursing Supervisor. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

13. **COUNCIL AUTHORIZES BRAY ARCHITECTS TO BID CONSTRUCTION FOR NEW CITY HALL/LIBRARY BUILDING, FIRE STATION #1, AND COMMUNICATIONS TOWER WHEN CITY REVIEW TEAM DETERMINES THAT LEGAL REVIEWS, TECHNICAL REVIEWS, PLAN REFINEMENTS AND IDENTIFICATION OF CONSTRUCTION DEDUCTS AND ADD ALTERNATES IS FULLY COMPLETE.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to authorize Bray Architects to bid construction for a new City Hall/Library building, Fire Station #1, and communications tower when the City review team determines that its legal reviews, technical reviews, plan refinements and the identification of construction deducts and add alternates is fully complete. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

14. **COUNCIL APPROVES REALLOCATION OF CIP AGENDA/MEETING SOFTWARE FUNDS TO DOCUMENT SCANNING COSTS.**

Ald. Gehl, seconded by Ald. Michalski, moved to approve the reallocation of CIP Agenda/ Meeting software funds to Document Scanning costs. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

15. **PRESENTED AND ADOPTED: ORDINANCE NO. 2712, CREATING SECTION 2.75 OF MUNICIPAL CODE REGARDING LANDSCAPE AND BEAUTIFICATION COMMITTEE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2712, creating Section 2.75 of the Oak Creek Municipal Code regarding the Landscape and Beautification Committee, in concurrence with the Mayor's recommendation. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

16. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the 2013 Vendor Summary Report in the amount of \$100,845.81 and the 2014 Vendor Summary Report in the amount of \$349,039.03, for a total of all claims of \$449,884.84. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

17. **COUNCIL APPROVES PURCHASE OF ONE (1) 2014, SINGLE AXLE DUMP TRUCK WITH PLOW EQUIPMENT AND SPREADER FROM LAKESIDE INTERNATIONAL IN THE AMOUNT OF \$123,784 (WITH TRADE-IN).**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to approve the purchase of one (1) 2014, single axle dump truck with plow equipment and spreader from Lakeside International in the amount of \$123,784 (with trade-in). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

18. **PRESENTED AND ADOPTED: ORDINANCE NO. 2709, AMENDING SECTION 2 OF ORDINANCE NO. 2700, RELATING TO SALARY FOR PUBLIC HEALTH SPECIALIST, EFFECTIVE 3/7/14.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2709, amending Section 2 of Ordinance 2700, relating to the salary for the Public Health Specialist. Motion, with second agreeing, added that Ordinance No. 2709 would be amended to show an effective date of 3/4/14. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald.

Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 11456-021714, RESOLUTION ESTABLISHING VARIOUS FEES, PERMITS, AND CHARGES CHARGED BY CITY, EFFECTIVE 3/1/14.**

Ald. Bukiewicz, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11456-021714, a Resolution Establishing Various Fees, Permits, and Charges charged by the City of Oak Creek to be effective 3/1/14. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, no; and Ald. Michalski, aye.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 11454-021714, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY) AND TEMPORARY EASEMENTS FOR DREXEL TOWN SQUARE PROJECT AND SEND PAYMENT IN AMOUNT OF AWARD OF DAMAGES TO AFFECTED PROPERTY OWNER.**

Ald. Bukiewicz, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11454-021714, acquiring fee property (right-of-way), and temporary easements, for the Drexel Town Square project and to send a payment in the amount of the Award of Damages to the affected property owner (Project No. 13040). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

21. **PRESENTED AND ADOPTED: RESOLUTION NO. 11455-021714, APPROVING CSM FOR PROPERTIES AT 9859 AND 9867 S. CHICAGO RD. WITH CONDITION THAT TECHNICAL CORRECTIONS ARE MADE PRIOR TO RECORDING.**

Ald. Toman, seconded by Ald. Michalski, moved to adopt Resolution No. 11455-021714, approving a certified survey map for the properties at 9859 and 9867 S. Chicago Rd., with the condition that all technical corrections are made prior to recording. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

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

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

- Brandon Sandoval, 6230 S. 51<sup>st</sup> St., Greendale (PDQ)
- Richard Schussman, 1995 E. Hickory Dr., Oak Creek (PDQ)
- Nicole Stage, 2836 S. 33<sup>rd</sup> St., Milwaukee (Applebee's)
- Tracey Karns, 2945 S. 44<sup>th</sup> St., Milwaukee (Aldi)

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

23. **COUNCIL GRANTS 2014 SECONDHAND ARTICLE DEALER LICENSE TO THERESA TANG, TANGS GAMERS PARADISE DBA GORILLA GAMES, 8880 S. HOWELL AVE., #1200.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant a 2014 Secondhand Article Dealer license to Theresa Tang, Tangs Gamers Paradise dba Gorilla Games, 8880 S. Howell Ave., #1200. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 8:27 p.m. On roll all, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ATTEST:

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Catherine A. Roeske, City Clerk

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Stephen Scaffidi, Mayor