

PROCEEDINGS, COMMON COUNCIL MEETING
WEDNESDAY, NOVEMBER 5, 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. Guzikowski. Ald. Ruetz was excused. Also present were City Attorney Lawrence Haskin, City Administrator Gerald Peterson, Finance Director / Comptroller Bridget Souffrant, Community Development Director Douglas Seymour, IT Manager Caesar Geiger, Fire Chief Thomas Rosandich, City Treasurer Barbara Guckenberger, City Engineer / Acting Building Commissioner Michael Simmons, City Librarian Jill Lininger, Utility Engineer Ronald Pritzlaff, 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. Guzikowski, moved to approve the minutes of the 10/21/14 meeting as published. On roll call, the vote was as follows: Al. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski.
4. **MAYORAL PROCLAMATION: MARCHING KNIGHTS OF OAK CREEK HIGH SCHOOL.**

The Mayoral Proclamation for the Marching Knights of Oak Creek High School was informational.
5. **PRESENTATION BY OWNERS REPRESENTATIVE ON BUILDING CONSTRUCTION FOR CITY HALL, LIBRARY AND FIRE STATION PROJECTS.**

Owner's Representative Steve Chamberlain presented an update to the Council on the City Hall, Library and Fire Station projects.
6. **COUNCIL HOLDS ACTION ON APPROVAL OF HEALTH PLAN DESIGN CHANGES FOR 2015 UNTIL 11/18/14 MEETING.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to hold action on the approval of health plan design changes for 2015 until the 11/18/14 Common Council meeting to allow the City Administrator time to provide the Council with more information on the proposed two tier deductible system. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, no; Ald. Gehl, no; and Ald. Guzikowski, aye.
7. **COUNCIL AUTHORIZES CITY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS VENDORS IN THE AMOUNT OF \$995,555 FOR FURNITURE PURCHASES AFTER REVIEW AND CONCURRENCE OF CONTRACT FORM BY THE CITY ATTORNEY'S OFFICE.**

Ald. Bukiewicz, seconded by Ald. Guzikowski, moved to authorize the City Administrator to execute contracts with various vendors, as detailed, in the amount of \$995,555 for furniture purchases, after review and concurrence of the contract form by the City Attorney's office. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2740, REPEALING AND RECREATING SECTION 11.20(G) AND CREATING 11.20(H) OF MUNICIPAL CODE REGARDING REGULATION OF FIREARMS, EXPLOSIVES AND OTHER MISSILES AND CREATING SECTION 11.23(E) OF MUNICIPAL CODE REGARDING SALE AND DISCHARGE OF FIREWORKS RESTRICTED.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2740, repealing and recreating Section 11.20(g) and creating 11.20(h) of the Municipal Code regarding Regulation of Firearms, Explosives and other Missiles and creating Section 11.23(e) of the Municipal Code regarding the Sale and Discharge of Fireworks Restricted. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11554-110514, ACCEPTING QUIT CLAIM DEED FROM WISCONSIN ELECTRIC POWER COMPANY DBA WE ENERGIES.**

Ald. Toman, seconded by Ald. Gehl, moved to adopt Resolution No. 11554-110514, accepting a quit claim deed from Wisconsin Electric Power Company dba WE Energies. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 11550-110514, ACCEPTING 2012 FINANCIAL STATEMENT AND AUDITOR'S REPORT AS PREPARED AND PRESENTED BY BAKER TILLY VIRCHOW KRAUSE, LLP.**

Ald. Bukiewicz, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11550-110514, accepting the 2012 Financial Statement and Auditor's Report as prepared and presented by Baker Tilly Virchow Krause, LLP. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11551-110514, ACCEPTING 2013 FINANCIAL STATEMENT AND AUDITOR'S REPORT AS PREPARED AND PRESENTED BY BAKER TILLY VIRCHOW KRAUSE, LLP.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11551-110514, accepting the 2013 Financial Statement and Auditor's Report as prepared and presented by Baker Tilly Virchow Krause, LLP. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **COUNCIL APPROVES PROFESSIONAL SERVICE AGREEMENT WITH SMITHGROUPJJR FOR LAKE VISTA PLANNING, PROGRAMMING, AND CONCEPTUAL DESIGN IN AMOUNT NOT TO EXCEED \$61,000, AUTHORIZES CITY ADMINISTRATOR TO SIGN AGREEMENT.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve a professional service agreement with SmithGroupJJR for Lake Vista Planning, Programming, and Conceptual design in an amount not to exceed \$61,000, and authorize the City Administrator to sign the agreement, subject to approval by the City Attorney's office. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **COUNCIL APPROVES PROFESSIONAL SERVICE AGREEMENT WITH SMITHGROUPJJR FOR LAKE VISTA SCHEMATIC DESIGN OF LAKEFRONT CONNECTION TO BENDER PARK IN AMOUNT NOT TO EXCEED \$17,800, AUTHORIZES CITY ADMINISTRATOR TO SIGN AGREEMENT.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to approve a professional service agreement with SmithGroupJJR for Lake Vista Schematic Design of Lakefront Connection to Bender Park in an amount not to exceed \$17,800, and authorize the City Administrator to sign the agreement, subject to approval by the City Attorney's office. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **COUNCIL APPROVES PROFESSIONAL SERVICE AGREEMENT WITH SMITHGROUPJJR FOR LAKE VISTA COMMUNITY PARK AND PLAYGROUND CONSTRUCTION DOCUMENTS IN AMOUNT NOT TO EXCEED \$100,500, AUTHORIZES CITY ADMINISTRATOR TO SIGN AGREEMENT.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to approve a professional service agreement with SmithGroupJJR for Lake Vista Community Park and Playground construction documents in amount not to exceed \$100,500, and authorize the City Administrator to sign the agreement, subject to approval by the City Attorney's office. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **COUNCIL APPROVES PROFESSIONAL SERVICE AGREEMENT WITH SMITHGROUPJJR FOR LAKE VISTA TERRACE AND ACCESS TO LAKE CONSTRUCTION DOCUMENTS IN AMOUNT NOT TO EXCEED \$120,000, AUTHORIZES CITY ADMINISTRATOR TO SIGN AGREEMENT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a professional service agreement with SmithGroupJJR for Lake Vista Terrace and Access to Lake construction documents at an amount not to exceed \$120,000 and authorize the City Administrator to sign the agreement, subject to approval by the City Attorney's office. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **INFORMATIONAL: COUNCIL DISCUSSION REGARDING 2015 REGULAR COMBINED COMMON COUNCIL MEETING DATES.**

The Council discussed the proposed 2015 regular combined Common Council meeting dates and directed the July 21, 2015 meeting date be vacated.

17. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 2014 Vendor Summary Report in the amount of \$3,248,760.24. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 11552-110514, ACCEPTING WAIVER OF SPECIAL ASSESSMENT NOTICES AND HEARINGS FOR WATER LATERAL INSTALLATION AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES AND ESTABLISH INTEREST RATE OF 4%.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11552-110514, accepting Waiver of Special Assessment Notices and Hearings for water lateral installation, and levying special assessments against benefited properties and establish an interest rate of 4%. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **COUNCIL APPROVES PURCHASE OF FIBER OPTIC CABLE AND MISCELLANEOUS FIBER EQUIPMENT FROM POWER AND TELEPHONE SUPPLY IN AMOUNT OF \$42,600.45.**

Ald. Bukiewicz, seconded by Ald. Guzikowski, moved to approve the purchase of fiber optic cable and miscellaneous fiber equipment from Power and Telephone Supply in the amount of \$42,600.45. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. **PRESENTED AND ADOPTED: RESOLUTION 11549-110514, ACCEPTING THE WORKMANSHIP AND AUTHORIZING FINAL PAYMENT TO ADVANCE CONSTRUCTION FOR PROJECT NO. 09024 (INSTALLATION OF DRAINAGE IMPROVEMENTS FROM PUETZ RD. TO NORTH OF FOREST HILL AVE.)**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11549-110514, accepting the workmanship and authorizing final payment to Advance Construction, for Project No. 09024 (installation of drainage improvements from Puetz Rd. to north of Forest Hill Ave). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. **COUNCIL RENEWS MARKETING SERVICE CONTRACT WITH CONNECT-THE-DOTS LLC FOR A ONE-YEAR PERIOD COMMENCING NOVEMBER 1, 2014.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to renew the marketing service contract with Connect-The-Dots, LLC for a one-year period commencing November 1, 2014. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. **PRESENTED AND ADOPTED: ORDINANCE NO. 2741, CREATING SECTION 2.77 OF MUNICIPAL CODE TO ESTABLISH A TOURISM COMMISSION.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2741, creating Section 2.77 of the Municipal Code to establish a tourism commission. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **PRESENTED AND ADOPTED: ORDINANCE NO. 2742, REPEALING AND RECREATING SECTION 3.40(D) 1 AND 3 AND CREATING SECTION 3.40(D) 6 AND 7 OF THE CODE RELATING TO ROOM TAX FOR HOTELS AND MOTELS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2742, repealing and recreating Section 3.40(d) 1 and 3 and creating Section 3.40(d) 6 and 7 of the Municipal Code relating to room tax for hotels and motels. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

24. **PRESENTED AND ADOPTED: RESOLUTION NO. 11555-110514, APPROVING CSM FOR PROPERTY AT 7941 S. HOWELL AVE.**

Ald. Bukiewicz, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11555-110514, approving a certified survey map for the property at 7941 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

25. **PRESENTED AND ADOPTED: RESOLUTION NO. 11556-110514, APPROVING CSM FOR PROPERTY AT 7941 S. HOWELL AVE.**

Ald. Bukiewicz, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11556-110514, approving a certified survey map for the property at 7941 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

26. **COUNCIL GRANTS OPERATOR'S LICENSE TO MICHAEL S. WRIGHT, 626 E. KILBOURN AVE., MILWAUKEE (ALDI).**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Michael S. Wright, 626 E. Kilbourn Ave., Milwaukee (Aldi). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

27. **COUNCIL GRANTS OPERATOR'S LICENSE TO JEANNETTE LUCERO ALVAREDO, 5077 W. COLD SPRING RD., GREENFIELD (APPLEBEE'S).**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Jeannette Lucero Alvaredo, 5077 W. Cold Spring Rd., Greenfield (Applebee's). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

28. CLOSED SESSION HELD.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene in Closed Session at 9:03 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. Section 19.85(1)(c)(e) to discuss negotiation strategy for the Personnel Committee, Staff, and the City's Labor Attorney in upcoming labor negotiations with the Police and Fire unions.
- b. Section 19.85 (1)(e) to consider proposed Tax Incremental District No. 11 Finance Development Agreements between the City of Oak Creek and DTS B3 LLC and the City of Oak Creek and DTS C3 LLC (Drexel Town Square).
- c. Section 19.85(1)(c) to discuss 2015 pay adjustments for specified regular part-time and full time non-represented employees.

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

29. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 10:19 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

30. PRESENTED AND ADOPTED: RESOLUTION NO. 11553-110514, APPROVING TID NO. 11 DEVELOPMENT AGREEMENTS WITH DTS B3 LLC AND DTS C3 LLC (DREXEL TOWN SQUARE).

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11553-110514, approving Tax Incremental District No. 11 Development Agreements with DTS B3 LLC and DTS C3 LLC (Drexel Town Square). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adjourn this meeting at 10:20 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Stephen Scaffidi, Mayor