

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, DECEMBER 16, 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. Guzikowski. Also present were City Attorney Lawrence Haskin, City Administrator Gerald Peterson, Finance Director / Comptroller Bridget Souffrant, Community Development Director Douglas Seymour, Zoning Administrator / Planner Peter Wagner, Fire Chief Thomas Rosandich, City Engineer / Acting Building Commissioner Michael Simmons, Streets, Parks & Forestry Director Ted Johnson, City Forester Rebecca Lane, City Librarian Jill Lininger, City Public Health Officer Judith Price, Human Resource Manager Mary Casey, 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. Kurkowski, moved to approve the minutes of the 12/2/14 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. Guzikowski. Ald. Ruetz abstained from voting.
4. **PRESENTED AND ADOPTED; RESOLUTION NO. 11576-121614, A RESOLUTION OF APPRECIATION TO E. I. DU PONT DE NEMOURS (“DUPONT”) AND EPEC POLYMERS, INC. (“EPEC”).**

Ald. Gehl, seconded by Ald. Toman, moved to adopt Resolution No. 11576-121614, a Resolution of Appreciation to E. I. Du Pont De Nemours (“DuPont”) and EPEC Polymers, Inc. (“EPEC”). 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. Guzikowski, aye.

5. **DIRECTED HELD TO 1/20/15 COUNCIL MEETING: PUBLIC HEARING TO CONSIDER REQUEST BY MATTHEW LYONS, AZURA, LLC TO REZONE PROPERTY AT 8870 S. MAYHEW DR., B-4, HIGHWAY BUSINESS TO RM-1, MULTI-FAMILY RESIDENTIAL WITH CUP FOR COMMUNITY-BASED RESIDENTIAL FACILITY WITH CAPACITY FOR MORE THAN 15 PERSONS.**

The public hearing to consider a request by Matthew Lyons, Azura LLC to rezone the property at 8870 S. Mayhew Dr., B-4, Highway Business to Rm-1, Multi-family residential with a Conditional Use for a Community-Based Residential Facility with a capacity for more than 15 persons was directed held to the 1/20/15 Common Council meeting.

6. **PRESENTATION BY SMITHGROUP JJR ON LAKE VISTA PARK CONCEPT PLAN.**

SmithGroup JJR provided the Council with a presentation on the Lake Vista Park Concept Plan.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11578-121614, ACCEPTING LAKE VISTA ACTIVE AND PASSIVE RECREATION (COMMUNITY PARK & PLAYGROUND / TERRACE & ACCESS TO LAKE) CONCEPT PLAN.**

Ald. Toman, seconded by Ald. Kurkowski moved to adopt Resolution No. 11578-121614, accepting the Lake Vista Active and Passive Recreation (Community Park & Playground / Terrace & Access to Lake) Concept 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. Guzikowski, aye.

8. **PRESENTED AND ADOPTED: RESOLUTION NO. 11570-121614, APPROVING SECOND AMENDMENT TO TAX INCREMENTAL DISTRICT NO. 7 FINANCE DEVELOPMENT AGREEMENT BETWEEN CITY AND LIBERTY PROPERTY LIMITED PARTNERSHIP.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 11570-121614, approving the second amendment to the Tax Incremental District No. 7 Finance Development Agreement between the City and Liberty Property Limited Partnership. 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. Guzikowski, aye.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11571-121614, APPROVING TIF DISTRICT NO. 6 FINANCE DEVELOPMENT AGREEMENT WITH CENTERPOINT PROPERTIES TRUST.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 11571-121614, approving the Tax Incremental District No. 6 Finance Development Agreement with CenterPoint Properties Trust. 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. Guzikowski, aye.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 11573-121614, APPROVING FIRST AMENDMENT TO TAX INCREMENTAL DISTRICT NO. 11 FINANCE DEVELOPMENT AGREEMENT (OAK CREEK HOTEL GROUP, LLC).**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11573-121614, approving the First Amendment to the Tax Incremental District No. Finance Development Agreement (Oak Creek Hotel Group, LLC). 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. Guzikowski, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11574-121614, APPROVING FIRST AMENDMENT TO TAX INCREMENTAL DISTRICT NO. 8 FINANCE DEVELOPMENT AGREEMENT (STELLA & CHEWY'S, LLC).**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11574-121614, approving the First Amendment to the Tax Incremental District No. 8 Finance Development Agreement (Stella & Chewy's, LLC). 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. Guzikowski, aye.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 2014 Vendor Summary Report in the amount of \$2,484,593.12. 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. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: ORDINANCE NO. 2743, FIXING SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR NON-UNION, GENERAL, MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR 2015.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2743, fixing the Salary Ranges, Salary, Wages, and Allowances for Non-Union, General, Management Personnel and Other City Offices and Positions for the Year 2015. 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. Guzikowski, aye.

14. **PRESENTED AND ADOPTED: ORDINANCE NO. 2739, FIXING SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR PART TIME PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR 2015.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2739, fixing the Salary Ranges, Salary, Wages, and Allowances for Part Time Personnel and Other City Offices and Positions for the Year 2015. 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. Guzikowski, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 11577-121614, ACKNOWLEDGING AND FILING 2015 CALENDAR YEAR SALARY GRADE PLAN AND BENEFITS FOR LIBRARY PERSONNEL.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11577-121614, acknowledging and filing the 2015 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. Guzikowski, aye.

16. **COUNCIL AWARDS PRAIRIE SEED AND PLANT PURCHASE TO TAYLOR CREEK RESTORATION NURSERIES IN AMOUNT OF \$6,075.42.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to award the prairie seed and plant purchase to Taylor Creek Restoration Nurseries in the amount of \$60,075.42. 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. Guzikowski, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11572-121614, ACCEPTING WORKMANSHIP AND AUTHORIZING FINAL PAYMENT TO PAYNE & DOLAN, INC. FOR INSTALLATION OF STREET IMPROVEMENTS IN W. PUETZ RD. (PROJECT NO. 13028).**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11572-121614, accepting the workmanship and authorizing final payment to Payne & Dolan, Inc., for installation of street improvements in W. Puetz Rd. (Project No. 13028). 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. Guzikowski, aye.

18. **COUNCIL AWARDS 2015-16 PRIVATE PROPERTY MAINTENANCE CONTRACT TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER, ROBIE'S GRADING, FOR UNIT BID PRICE OF \$102.00/TON.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to award the 2015-2016 Private Property Maintenance contract to the lowest responsive, responsible bidder, Robie's Grading, for the unit bid price of \$102.00/ton. 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. Guzikowski, aye.

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

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

- Donald A. Baldwin, 4740 S. 43rd St., Greenfield (Classic Lanes)
- Sara M. Frievault, 2432 13th Ave., South Milwaukee (Bootz Saloon)

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. Guzikowski, aye.

20. **COUNCIL GRANTS 2015 RENEWAL DOG KENNEL LICENSES.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant 2015 renewal Dog Kennel licenses to the following, with issuance subject to payment of personal property taxes:

- Bradley Osgood, Brentwood Animal Hospital, 318 W. Ryan Rd.
- Deborah M. Lipstreuer, Puppy Playground, LLC, 8411 S. Liberty Ln.
- Sue Ann McCotter, Club K-9, LLC 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. Guzikowski, aye.

21. **COUNCIL GRANTS 2015 SECONDHAND ARTICLE DEALER LICENSES.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant 2015 Secondhand Article Dealer Licenses to the following, with issuance subject to payment of personal property taxes:

- Laura E. Moss for ecoATM, Inc. ecoATM has a kiosk inside of Woodman's Food Market, 8151 S. Howell Ave.
- Theresa J. Tang for Tangs Gamers Paradise LLC dba Gorilla Games, 8880 S. Howell Ave., Suite 1200.

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. Guzikowski, aye.

22. **COUNCIL GRANTS 2015 RENEWAL ADULT ENTERTAINMENT BUSINESS LICENSE 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 2015 Renewal Adult Entertainment Business License to SBJ, LLC, Stephanie Higgins, agent, doing business as The New Spice II, 7070 S. 27th Street with issuance subject to payment of 2014 personal property taxes. 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. Guzikowski, aye.

23. **COUNCIL GRANTS 2015 EMPLOYEE LICENSES FOR ADULT ENTERTAINMENT BUSINESS FOR THE NEW SPICE II.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant an Employee license for the 2015 licensing year for an adult entertainment business for The New Spice II to:

- 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. Guzikowski, aye.

24-25. **CLOSED SESSION SCHEDULED TO CONSIDER A PROPOSED TAX INCREMENTAL DISTRICT NO. 11 FINANCE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY AND HSA COMMERCIAL REAL ESTATE (DREXEL TOWN SQUARE) NOT HELD.**

The closed session scheduled to consider a proposed Tax Incremental District No. 11 Finance Development Agreement by and between the City of Oak Creek and HSA Commercial Real Estate was not held.

26. **DIRECTED HELD: RESOLUTION NO. 11575-121614, APPROVING TID NO. 11 FINANCE DEVELOPMENT AGREEMENT WITH HSA COMMERCIAL REAL ESTATE.**

Resolution No. 11575-121614, approving the Tax Incremental District No. 11 Finance Development Agreement with HSA Commercial Real Estate was directed held.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adjourn this meeting at 8:23 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. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Stephen Scaffidi, Mayor