

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, JANUARY 20, 2015, 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, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Finance Director/Comptroller Bridget Souffrant, Water & Sewer Utility General Manager Michael Sullivan, Utility Engineer Ron Pritzlaff, Streets, Parks & Forestry Director Ted Johnson, Fire Chief Thomas Rosandich, 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. Ruetz, moved to approve the minutes of the 1/6/15 meeting as published. On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Ruetz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski. Ald. Kurkowski abstained from voting.

4. **PRESENTED AND ADOPTED: RESOLUTION NO. 11583-012015, RESOLUTION OF APPRECIATION TO JAMES G. ANTISDEL, RETIRING POLICE LIEUTENANT.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11583-012015, Resolution of Appreciation to James G. Antisdel, retiring Police Lieutenant. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11584-012015, RESOLUTION OF COMMENDATION TO DAVID LAEHN, RETIRING STREETS, PARKS & FORESTRY SUPERVISOR.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Resolution No. 11584-012015, Resolution of Commendation to David Laehn, retiring Streets, Parks & Forestry Supervisor. 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.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY MATTHEW LYONS, AZURA, LLC, TO REZONE PROPERTY AT 8870 S. MAYHEW DR. B-4, HIGHWAY BUSINESS TO RM-1, MULTIFAMILY RESIDENTIAL WITH CONDITIONAL USE FOR COMMUNITY-BASED RESIDENTIAL FACILITY WITH CAPACITY FOR MORE THAN 15 PERSONS.**

A public hearing was held 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, Multifamily Residential with a conditional use for a Community-Based Residential Facility with a capacity for more than 15 persons. (See item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2747, APPROVING REZONING PORTION OF PROPERTY AT 8870 S. MAYHEW DR. (TO BECOME 8760 S. MAYHEW DR.) FROM B-4, HIGHWAY BUSINESS TO RM-1, MULTIFAMILY RESIDENTIAL WITH CONDITIONAL USE FOR COMMUNITY BASED RESIDENTIAL FACILITY WITH CAPACITY OF MORE THAN 15 RESIDENTS.**

Ald. Ruetz, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2747, approving the rezoning of a portion of the property at 8870 S. Mayhew Dr. (to become 8760 S. Mayhew Dr.) from B-

4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use for a Community Based Residential Facility with a capacity of more than 15 residents. 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY OAK CREEK WATER AND SEWER UTILITY TO REZONE PROPERTIES AT 9175 AND 9235 S. 5TH AVE. AND 3975 E. AMERICAN AVE. FROM B-2 COMMUNITY BUSINESS TO I-1, INSTITUTIONAL WITH A CONDITIONAL USE FOR WATER TREATMENT FACILITY WATER STORAGE AND HIGH SERVICE DISTRIBUTION PUMP FACILITIES.**

A public hearing was held to consider a request by the Oak Creek Water and Sewer Utility to rezone the properties at 9175 and 9235 S. 5th Ave. and 3975 E. American Ave. from B-2, Community Business to I-1, Institutional with a Conditional Use for water treatment facility water storage and high service distribution pump facilities. (See Item No. 9 for action on this hearing.).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2748, APPROVING REZONING OF PROPERTIES AT 9175 S. 5TH AVE., 9235 S. 5TH AVE., AND 3975 E. AMERICAN AVE. FROM B-2, COMMUNITY BUSINESS TO I-1, INSTITUTIONAL WITH CONDITIONAL USE FOR WATER STORAGE AND HIGH SERVICE DISTRIBUTION PUMP FACILITIES.**

Ald. Toman, seconded by Ald. Gehl, moved to adopt Ordinance No. 2748, approving the rezoning of the properties at 9175 S. 5th Ave., 9235 S. 5th Ave., and 3975 E. American Ave. from B-2, Community Business to I-1, Institutional with a Conditional Use for water storage and high service distribution pump facilities. 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. 11588-012015, PARTNERSHIP FOR PROSPERITY: AN AGENDA FOR COMPETITIVE 21ST CENTURY WISCONSIN.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11588-012015, Partnership for Prosperity: an Agenda for a Competitive 21st Century Wisconsin. 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. 11585-012015, A RESOLUTION REGARDING FORMER DU PONT AND EPEC PROPERTIES.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11585-012015, a Resolution regarding the former Du Pont and EPEC Properties. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11590-012015, A RESOLUTION REGARDING THE CITY OF OAK CREEK SOCIAL MEDIA USER RESPONSIBILITIES POLICY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11590-012015, a Resolution regarding the City of Oak Creek Social Media User Responsibilities Policy. 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. 2749, AMENDING SECTION 2 OF ORDINANCE NO. 2743, RELATING TO SALARY FOR POSITION OF ASSISTANT DIRECTOR OF STREETS, PARKS AND FORESTRY.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2749, amending Section 2 of Ordinance No. 2743, relating to the salary for the position of Assistant Director of Streets, Parks and Forestry. 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. **COUNCIL AUTHORIZES FINANCE DEPARTMENT TO PURCHASE CITIZENS REQUEST FOR ACTION MODULE FOR CURRENT BS&A SOFTWARE, CREATING WEB PORTAL FOR CITIZENS TO PLACE AND TRACK WORK REQUESTS.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to authorize the Finance Department to purchase the citizens request for action module for current BS&A Software, creating a web portal for citizens to place and track work requests. 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. **COUNCIL APPROVES LICENSE AGREEMENT WITH SESAC (SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS), BMI (BROADCAST MUSIC INC.) AND ASCAP FOR THE RE-BROADCAST OF MUSIC BY LICENSED PERFORMERS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the license agreements with SESAC (Society of European Stage Authors and Composers), BMI (Broadcast Music Inc.) and ASCAP for the re-broadcast 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. Guzikowski, aye.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 2014 Vendor Summary Report in the amount of \$1,817,032.81 and the 2015 Vendor Summary Report in the amount of \$417,306.09, for a combined total of \$2,234,338.90. 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. **COUNCIL APPROVES CONTRACT AMENDMENT WITH ALFRED BENESCH & COMPANY FOR ACTUAL COST NOT-TO-EXCEED \$23,047.85, FOR ADDITIONAL DESIGN SERVICES FOR BRIDGES ON S. NICHOLSON RD. AND W. MARQUETTE AVE. (PROJECT NO. 13022).**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to approve a contract amendment with Alfred Benesch & Company for an actual cost not-to-exceed \$23,047.85, for additional design services for bridges on S. Nicholson Rd. and W. Marquette Ave. (Project No. 13022). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11589-012015, APPROVING STATE/MUNICIPAL AGREEMENT (SMA) WITH WISCONSIN DOT FOR NON-INFRASTRUCTURE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) – SAFE ROUTES TO SCHOOL (SRTS) PLANNING PROJECT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11589-012015, approving the State/Municipal Agreement (SMA) with the Wisconsin Department of Transportation (WisDOT) for a Non-Infrastructure Transportation Alternatives Project (TAP) – Safe Routes to School (SRTS) Planning Project. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11586-012015, APPROVING CSM FOR PROPERTY AT 7867 S. PENNSYLVANIA AVE.**

Ald. Kurkowski, seconded by Ald. Ruetz, moved to adopt Resolution No. 11586-012015, approving a certified survey map for the property at 7867 S. Pennsylvania 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. Guzikowski, aye.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 11587-012015, APPROVING CSM FOR PROPERTIES AT 3775 AND 3785 E. ELM RD.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11587-012015, approving a certified survey map for the properties at 3775 and 3785 E. Elm Rd. 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 OPERATOR'S LICENSES.**

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

- Jodi L. Boutain, 2400 9th Ave., South Milwaukee (Classic Lanes)
- Angela F. McCord, 6420 W. Morgan Ave., Milwaukee (Applebee's)

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 SPECIAL EVENT RUN/WALK PERMIT TO CRYSTAL MORROW, EVENT COORDINATOR FOR THE BALM SHELTER, ON MAY 16, 2015.**

Ald. Ruetz, seconded by Ald. Gehl, moved to grant a Special Event Run/Walk Permit to Crystal Morrow, Event Coordinator for The Balm Shelter, on May 16, 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.

23. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene in Closed Session at 9:00 p.m., pursuant to Wisconsin State Statutes Section 19.85(1)(e) to consider Memoranda of Understanding with Cobalt Partners LLC for properties at 13th and Drexel adjoining I-94 and at Pennsylvania and College Avenues. 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. COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.

Ald. Gehl, seconded by Ald. Kurkowski, moved to reconvene into Open Session at 9:41 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. No action was taken.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 9:41 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