

PROCEEDINGS, COMMON COUNCIL MEETING  
MONDAY, FEBRUARY 16, 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, 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. Guzikowski moved to approve the minutes of the 2/3/15 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. **2014 CITY OF OAK CREEK HEALTH CENTER RESULTS PROVIDED.**  
  
Judy Malaro-Gavigan, Director of Business Relations for Wheaton Franciscan Healthcare, provided the Council with the 2014 City of Oak Creek Health Center results.
5. **COUNCIL MAKES FINAL DETERMINATION AS TO SECURITY CONFIGURATION OF CITY HALL PUBLIC SERVICE COUNTER.**  
  
Final determinations were made regarding the security configuration of the City Hall public service counter. See Item 23 for action on this item.
6. **DIRECTED HELD: MOTION TO ENTER INTO AN AGREEMENT WITH VEOLIA WATER MILWAUKEE, LLC, FOR STORM WATER BEST MANAGEMENT PRACTICES FOR MONITORING SERVICES AT DREXEL TOWN SQUARE.**  
  
Council action on a motion to enter into an agreement with Veolia Water Milwaukee, LLC for Storm Water Best Management Practices for monitoring services at Drexel Town Square was directed held.
7. **DIRECTED HELD: ORDINANCE NO. 2752, AN ORDINANCE TO REPEAL AND RECREATE SECTION 6.23 OF MUNICIPAL CODE REGARDING OBSTRUCTIONS AND ENCROACHMENTS.**  
  
Council action on Ordinance No. 2752, an Ordinance to Repeal and Recreate Section 6.23 of the Municipal Code regarding Obstructions and Encroachments was directed held.
8. **DIRECTED HELD: ORDINANCE NO. 2753, AN ORDINANCE TO CREATE SECTION 6.26 OF MUNICIPAL CODE REGARDING SIDEWALK AREA DINING FACILITIES.**  
  
Council action on Ordinance No. 2753, an Ordinance to create Section 6.26 of the Municipal Code regarding Sidewalk Area Dining Facilities was directed held.
9. **DIRECTED HELD: ORDINANCE NO. 2754, AN ORDINANCE APPROVING A LEASE WITH ONE WEST DREXEL, LLC FOR AIR-SPACE RIGHTS OVER MAIN STREET FOR GATEWAY SIGN FOR DTS.**  
  
Council action on Ordinance No. 2754, an Ordinance Approving a Lease with One West Drexel, LLC for Air Space Rights over Main Street for a Gateway Sign for Drexel Town Square was directed held.

10. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 2014 Vendor Summary Report in the amount of \$193,391.36 and the 2015 Vendor Summary Report in the amount of \$272,690.63, for a combined total of \$466,081.99. 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. **COUNCIL ENTERS INTO DESIGN AND CONSTRUCTION SERVICES CONTRACT WITH CONSULTING ENGINEERING FIRM SEH FOR ABENDSCHEIN PARK PHASE 3, FOR NOT-TO-EXCEED AMOUNT OF \$43,626.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to enter into a design and construction services contract with the consulting engineering firm SEH for Abendschein Park Phase 3, for a not-to-exceed amount of \$43,626 (Proj. No. 15015). 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. 11594-021615, APPROVING CSM FOR PROPERTY AT 7902 S. 6<sup>TH</sup> ST.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11594-021615, approving a certified survey map for the property at 7902 S. 6<sup>th</sup> Street, pending technical corrections. 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: RESOLUTION NO. 11595-021615, APPROVING CSM FOR PROPERTY AT 601 W. DREXEL AVE.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11595-021615, approving a certified survey map for the property at 601 W. Drexel Ave., pending technical corrections. 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: RESOLUTION NO. 11596-021615, APPROVING CSM FOR PROPERTY AT 601 W. DREXEL AVE.**

Ald. Bukiewicz, seconded by Ald. Ruetz, moved to adopt Resolution No. 11596-021615, approving a certified survey map for the property at 601 W. Drexel Ave., pending technical corrections. 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 GRANTS OPERATORS LICENSE TO DAVID ZIOLKOWSKI, 4943 S. 65<sup>TH</sup> CT., GREENFIELD (BUFFALO WILD WINGS).**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant an Operator's license to David Ziolkowski, 4943 S. 65<sup>th</sup> Ct., Greenfield (Buffalo Wild Wings). 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 GRANTS 2015 LANDFILL LICENSE TO 9648 S. CHICAGO RD., LLC AND 9666 S. CHICAGO RD., LLC, JOHN O'MALLEY, O'MALLEY INVESTMENTS, AGENT, 5200 W. LOOMIS RD., GREENDALE, FOR PROPERTY AT 9648 AND 9666 S. CHICAGO RD.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant a 2015 Landfill license to 9648 S. Chicago Rd., LLC and 9666 S. Chicago Rd., LLC, John O'Malley, O'Malley Investments, Agent, 5200 W. Loomis Rd., Greendale, for the property located at 9648 and 9666 S. Chicago 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.

17. **COUNCIL GRANTS 2014-15 CLASS A COMBINATION LICENSE TO CHRISTOPHER HOFFMANN, AGENT FOR MEIJER STORES LIMITED PARTNERSHIP DBA MEIJER STORE #263, 171 W. TOWN SQUARE WAY.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant a 2014-15 Class A Combination license to Christopher Hoffmann, Agent for Meijer Stores Limited Partnership dba Meijer Store #263, 171 W. Town Square Way, with issuance subject to Sanitarian inspection and issuance of Occupancy Permit. 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 GRANTS 2014-15 CLASS A COMBINATION LICENSE TO CHRISTOPHER HOFFMANN, AGENT FOR MEIJER STORES LIMITED PARTNERSHIP DBA MEIJER STORE #263 - GAS STATION, 8031 S. HOWELL AVE.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant a 2014-15 Class A Combination license to Christopher Hoffmann, Agent for Meijer Stores Limited Partnership dba Meijer Store #263 – Gas Station, 8031 S. Howell Ave., with issuance subject to Sanitarian inspection and issuance of Occupancy Permit. 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 CHANGE OF AGENT TO KWIK TRIP, INC., DBA KWIK TRIP #422, 9535 S. 13<sup>TH</sup> ST. TO RICHARD MCCORD, 2663 S. HOWELL AVE.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant a change of agent to Kwik Trip, Inc. dba Kwik Trip #422, 9535 S. 13<sup>th</sup> St., from Stacy Anderson to Richard McCord, 2663 S. Howell 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. **COUNCIL GRANTS CHANGE OF AGENT TO MEGA MARTS, LLC DBA PICK 'N SAVE #6387, 2320 W. RYAN RD. TO PETER DUCHAC, 3525 WRIGHT AVE., RACINE.**

Ald. Ruetz, seconded by Ald. Kurkowski, moved to grant a change of agent to Mega Marts, LLC dba Pick 'n Save #6387, 2320 W. Ryan Rd., from Jacquelyn Kober to Peter Duchac, 3525 Wright Ave., Racine. 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. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Toman, moved to convene in Closed Session at 7:29 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- a. Section 19.85 (1)(c) to discuss the performance evaluation, wages and benefits for the City Administrator.
- b. Section 19.85 (1)(d) to consider a strategy for security measures at city owned buildings as it relates to crime prevention.

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 RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:19 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.

23. **COUNCIL MAKES FINAL DETERMINATION AS TO SECURITY CONFIGURATION OF CITY HALL CITY PUBLIC SERVICE COUNTER, CHOOSES EXHIBIT 3.B.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to make the final determination as to the security configuration of the City Hall public service counter as recommended in Exhibit 3.B., subject to height adjustment as recommended by Staff. 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.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adjourn this meeting at 9:22 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:

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Catherine A. Roeske, City Clerk

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Stephen Scaffidi, Mayor