

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, MARCH 3, 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. Toman, Ald. Gehl and Ald. Guzikowski. Ald. Ruetz was excused. Also present were City Attorney Lawrence Haskin, City Administrator Gerald Peterson, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, City Treasurer Barbara Guckenberger, City Librarian Jill Lininger, Human Resource Manager Mary Casey, Police Captain Steven Anderson, Fire Chief Thomas Rosandich, Director of Streets, Parks and Forestry Ted Johnson, Assistant Director of Streets, Parks and Forestry Ralph Kneusel, 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. Kurkowski, moved to approve the minutes of the 2/16/15 meeting as published. On roll call, the vote was as follows: Ald. Guzikowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski.

4. **PUBLIC HEARING HELD TO CONSIDER REQUEST TO AMEND SECTION 17.0403(E) OF MUNICIPAL CODE TO REDUCE PARKING SETBACK TO STREET RIGHTS-OF-WAY FROM 40 FEET TO 30 FEET IN M-1, MANUFACTURING DISTRICT.**

A public hearing was held to consider a request to amend Section 17.0403(e) of the Municipal Code to reduce the parking setback to street rights-of-way from 40 feet to 30 feet in the M-1, Manufacturing District. (See item 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2756, AMENDING SECTION 17.0403(E) OF MUNICIPAL CODE TO REDUCE PARKING SETBACK TO RIGHTS-OF-WAY FROM 40 FEET TO 30 FEET IN M-1 MANUFACTURING DISTRICT.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2756, amending Section 17.0403(e) of the Municipal Code to reduce the parking setback to rights-of-way from 40 feet to 30 feet in the M-1 Manufacturing District. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY MICHAEL D. DENASHA, MD HOLDINGS, INC., TO AMEND SECTION 11, TIME OF COMPLIANCE OF EXISTING CUP FOR PROPERTY LOCATED AT 7350 S. 6<sup>TH</sup> ST., EXTENDING COMPLIANCE DEADLINE TO 12/31/15.**

A public hearing was held to consider a request by Michael D. Denasha, MD Holdings, Inc., to amend Section 11, Time and Compliance of the existing Conditional Use Permit for the property located at 7350 S. 6<sup>th</sup> St., extending the compliance deadline to December 31, 2015. (See item 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2755, AMENDING ORDINANCE NO. 2670, EXTENDING SECTION 11, TIME OF COMPLIANCE TO A DEADLINE OF 12/31/15, FOR PROPERTY LOCATED AT 7350 S. 6<sup>TH</sup> ST.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2755, amending Ordinance No. 2670, to extend Section 11, Time of Compliance to a deadline of December 31, 2015, for the property located at 7350 S. 6<sup>th</sup> St. 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY STEVE CZYCZ, AUTUMN CREEK II CQS, LLC, FOR CUP FOR CBRF WITH CAPACITY OF AT LEAST 9, BUT NOT MORE THAN 20, BEDS ON THE PROPERTY AT 1326 W. WILLOW DR.**

A public hearing was held to consider a request by Steve Czycz, Autumn Creek II CQS, LLC, for a conditional use permit for a Community Based Residential Facility with a capacity of at least 9, but not more than 20, beds on the property at 1326 W. Willow Dr. (See item 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2758, APPROVING CUP FOR CBRF WITH FACILITY OF AT LEAST NINE (9), BUT NO MORE THAN TWENTY (20), PERSONS LOCATED AT 1326 W. WILLOW DR.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Ordinance No. 2758, approving a conditional use permit for a Community Based Residential Facility (CBRF) with a capacity of at least nine (9) but no more than twenty (20), persons located at 1326 W. Willow Dr. 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY SARA BURMEISTER, OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT TO REZONE PROPERTY LOCATED AT 2200 W. DREXEL AVE., FROM P-1, PARK DISTRICT TO I-1, INSTITUTIONAL.**

A public hearing was held to consider a request by Sara Burmeister, Oak Creek-Franklin Joint School District to rezone the property located at 2200 W. Drexel Ave., from P-1, Park District to I-1, Institutional. (See item 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 2757, REZONING PORTION OF PROPERTY LOCATED AT 2200 W. DREXEL AVE., FROM P-1, PARK DISTRICT TO I-1, INSTITUTIONAL.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Ordinance No. 2757, rezoning a portion of property at 2200 W. Drexel Ave., from P-1, Park District to I-1, Institutional. 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 ENTERS INTO AGREEMENT WITH VEOLIA WATER MILWAUKEE, LLC FOR STORM WATER BEST MANAGEMENT PRACTICES FOR MONITORING SERVICES AT DREXEL TOWN SQUARE, IN AMOUNT NOT TO EXCEED \$64,031.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to enter into an agreement with Veolia Water Milwaukee, LLC for Storm Water Best Management Practices for monitoring services at Drexel Town Square, in an amount not to exceed \$64,031. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2752, REPEALING AND RECREATING SECTION 6.23 OF MUNICIPAL CODE REGARDING OBSTRUCTIONS AND ENCROACHMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2752, an Ordinance to Repeal and Recreate Section 6.23 of the Municipal Code regarding Obstructions and Encroachments. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2753, REPEALING AND RECREATING SECTION 6.26 OF MUNICIPAL CODE REGARDING SIDEWALK AREA DINING FACILITIES.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2753, an Ordinance to create Section 6.26 of the Municipal Code regarding Sidewalk Area Dining Facilities. 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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2754, APPROVING A LEASE WITH ONE WEST DREXEL, LLC FOR AIR SPACE RIGHTS OVER MAIN STREET FOR GATEWAY SIGN FOR DREXEL TOWN SQUARE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2754, approving a lease with One West Drexel LLC for Air Space Rights over Main Street for a Gateway Sign for 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.

16. **OWNER'S REPRESENTATIVE, STEVE CHAMBERLIN, PROVIDES COUNCIL WITH CITY BUILDING CONSTRUCTION UPDATE.**

Steve Chamberlin, Owner's Representative, provided the Council with a City building construction update.

17. **COUNCIL AUTHORIZES CITY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS VENDORS AS DETAILED IN AMOUNT OF \$360,000 FOR FURNITURE PURCHASES AFTER REVIEW AND CONCURRENCE OF CONTRACT FORM BY CITY ATTORNEY'S OFFICE AND TO DIRECT CITY ADMINISTRATOR TO IDENTIFY SOURCES FOR FUNDING OF EXECUTED CONTRACTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the City Administrator to execute contracts with various vendors, as detailed, in the amount of \$360,000 for furniture purchases after review and concurrence of the contract form by the City Attorney's office and to direct the City Administrator to identify sources for funding of executed contracts. 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. **COUNCIL APPROVES CITY'S PARTICIPATION IN DESIGN AND CONSTRUCTION OF REVISED AND IMPROVED INTERSECTION AT 20<sup>TH</sup> STREET AND DREXEL AVE. IN THE AMOUNT OF \$150,000.**

Ald. Bukiewicz, seconded by Ald. Guzikowski, moved to approve the City's participation in the design and construction of a revised and improved intersection at 20<sup>th</sup> Street and Drexel Avenue, in the amount of \$150,000. 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 ALLOCATION OF PART-TIME CUSTODIAN HOURS TO TWO CURRENTLY VACANT BUDGETED POSITIONS TO ACHIEVE FULL-TIME STATUS.**

Ald. Toman, seconded by Ald. Gehl, moved to approve the allocation of part-time custodian hours to two currently vacant budgeted positions to achieve full-time status. 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: ORDINANCE NO. 2751, AMENDING SECTION 3 OF ORDINANCE NO. 2743, WHICH SETS THE SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR POLICE LIEUTENANTS AND POLICE SERGEANTS IN AMOUNT OF 2.0%, EFFECTIVE 1/1/15.**

Ald. Toman, seconded by Ald. Bukiewicz, moved to adopt Ordinance No. 2751, amending Section 3 of Ordinance No. 2743, which sets the salary ranges, salary, wages and allowances for Police Lieutenants and Police Sergeants in the amount of 2.0%, effective 1/1/15. 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 ADOPTS SUPPLEMENTAL MERIT COMPENSATION AWARD ADMINISTRATIVE POLICY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt the Supplemental Merit Compensation Award Administrative Policy. 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. **LIST OF GRANTS THE CITY HAS RECEIVED, BEEN AWARDED OR HAS APPLIED FOR WAS INFORMATIONAL.**

The list of grants that the City has received, been awarded, and/or applied for was informational.

23. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 2015 Vendor Summary Report in the amount of \$1,412,836.82. 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. 11598-030315, APPROVING CSM FOR PROPERTIES AT 7433 S. 10<sup>TH</sup> ST., 7380 S. 13<sup>TH</sup> ST., 7444 S. 13<sup>TH</sup> ST., AND 7460 S. 13<sup>TH</sup> ST.**

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11598-030315, approving a certified survey map for the properties at 7433 S. 10<sup>th</sup> St., 7380 S. 13<sup>th</sup> St., 7444 S. 13<sup>th</sup> St., and 7460 S. 13<sup>th</sup> St. 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. **COUNCIL APPROVES POLICE DEPARTMENT'S PURCHASE OF FIFTEEN (15) ZOLL AUTOMATED EXTERNAL DEFIBRILLATORS (AED'S) FOR PATROL SQUADS AND POLICE STATION FROM YOUR SAFETY COMPANY AT TOTAL COST OF \$17,925.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to approve the Police Department's purchase of fifteen (15) Zoll Automated External Defibrillator's (AED's) for the patrol squads and police station from Your Safety Company at a total cost of \$17,925. 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 AUTHORIZES STREETS, PARKS & FORESTRY TO ENTER INTO LEASE AGREEMENT WITH 1<sup>ST</sup> SOURCE BANK TO LEASE LOADER.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize Streets, Parks and Forestry to enter into a lease agreement with 1<sup>st</sup> Source Bank to lease a loader replacing the loader that is currently broken beyond repair. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11597-030315, RESOLUTION GOVERNING BODY EXTRACT OF MINUTES IN CONJUNCTION WITH MASTER LEASE AGREEMENT FOR PURCHASE OF LOADER.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11597-030315, a Resolution of Governing Body Extract of Minutes in conjunction with the Master Lease Agreement for the purchase of a loader. 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. **COUNCIL APPROVES PURCHASE OF ONE (1) 2015, SINGLE AXLE DUMP TRUCK WITH PLOW EQUIPMENT, SPREADER, AND PRE-WETT SYSTEM FROM LAKESIDE INTERNATIONAL IN AMOUNT OF \$138,000.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to approve the recommendation of the Director of Streets, Parks and Forestry to purchase one (1) 2015, single axle dump truck with plow equipment, spreader and pre-wett system from Lakeside International in the amount of \$138,000. 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 APPROVES PURCHASE OF ONE 4 CUBIC YARD TRUCK MOUNTED ASPHALT HEATER FROM ENVIRO TECH EQUIPMENT COMPANY IN AMOUNT OF \$65,731.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to approve the recommendation of the Director of Streets, Parks and Forestry to purchase (1) 4 cubic yard Truck Mounted Asphalt Heater from Enviro Tech Equipment Company in the amount of \$65,731. 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. **COUNCIL APPROVES PURCHASE OF ONE 2015 AERIAL LIFT TRUCK FROM UTILITY SALES AND SERVICE IN THE AMOUNT OF \$91,563.**

Ald. Guzikowski, seconded by Ald. Kurkowski, moved to approve the recommendation of the Director of Streets, Parks and Forestry to purchase one (1) 2015 Aerial Lift Truck from Utility Sales and Services in the amount of \$91,563, with no trade-in. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

31. **COUNCIL GRANTS OPERATOR'S LICENSE TO ERICA REPINSKI, 4030A S. HOWELL AVE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Erica Repinski, 4030A S. Howell Ave., (The Cellar). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

32. **COUNCIL GRANTS 2014-15 CLASS B BEER / CLASS C WINE LICENSE TO BLERIM ZEJNELI, A&B EXPEDITED FREIGHT, LLC DBA MIRAGE MEDITERRANEAN RESTAURANT, 9454 S. HOWELL AVE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant a 2014-15 Class B Beer / Class C Wine

license to Blerim Zejneli, A&B Expedited Freight, LLC dba Mirage Mediterranean Restaurant, 9454 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.

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

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

- Demetrius M. Westbrook, 4117 W. Green Bay Ave., Milwaukee (Aldi)
- Alexandria M. Vallejo, 1916 W. Timber Ridge Ln., Oak Creek (Bootz).

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

**34. COUNCIL GRANTS CHANGE OF AGENT TO MEGA MARTS, DBA PICK 'N SAVE #6862, 8770 S. HOWELL AVE., FROM JOHN PIASECKI TO ANTHONY C. CIARDO, 303 MEADOW VIEW CT., WATERFORD.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant a change of agent to Mega Marts, dba Pick 'n Save #6862, 8770 S. Howell Ave., from Jon Piasecki to Anthony C. Ciardo, 303 Meadow View Ct., Waterford. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**35. COUNCIL GRANTS 2015 MOBILE HOME PARK LICENSE TO TCSC, LLC, DBA HY-VIEW MOBILE HOME COURT, 2331 W. COLLEGE AVE.**

Ald. Kurkowski, seconded by Ald. Kurkowski, moved to grant a 2015 Mobile Home Park license to TCSC, LLC dba Hy-View Mobile Home Court, 2331 W. College 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.

**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. 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