

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, APRIL 21, 2015, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

NEWLY-ELECTED OFFICIALS SWORN IN.

Deputy City Clerk Christa Miller swore in to office City Clerk Catherine Roeske and City Treasurer Barbara Guckenberger.

City Clerk Catherine Roeske swore in to office Mayor Stephen Scaffidi, 1st District Alderperson Steven Kurkowski, 3rd District Alderperson Mark Verhalen, and 5th District Alderperson Kenneth Gehl.

1. Mayor Scaffidi called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Verhalen, Ald. Toman, Ald. Gehl and Ald. Guzikowski. Ald. Bukiewicz was excused. Also present were City Attorney Lawrence Haskin, Assistant City Attorney Melissa Karls, City Administrator Gerald Peterson, City Engineer / Acting Building Commissioner Michael Simmons Fire Chief Thomas Rosandich, Director of Streets, Parks and Forestry Ted Johnson, Director/Comptroller Bridget Souffrant, City Planner Kari Papelbon, Zoning Administrator/Planner Peter Wagner, City Treasurer Barbara Guckenberger, Human Resource Manager Mary Casey, Deputy City Clerk Christa Miller and City Clerk Catherine Roeske.
2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the minutes of the 4/6/15 meeting as published. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.
4. **ALD. GEHL ELECTED COMMON COUNCIL PRESIDENT.**

City Attorney Lawrence Haskin explained the procedure for election of a Common Council President. The Mayor opened the floor for nominations. Ald. Verhalen nominated Ald. Bukiewicz. Ald. Kurkowski nominated Ald. Gehl. Ald. Guzikowski, seconded by Ald. Toman, moved to close nominations. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. On a vote by paper ballot, Ald. Bukiewicz received 2 votes and Ald. Gehl received 3 votes. Ald. Gehl was elected Common Council President.

5. **PRESENTED AND ADOPTED: RESOLUTION NO. 11611-042115, RESOLUTION OF APPRECIATION TO JAMES RUETZ AS 3RD DISTRICT ALDERPERSON.**

Ald. Gehl, seconded by Ald. Verhalen, moved to adopt Resolution No. 11611-042115, Resolution of Appreciation to James Ruetz as 3rd District Alderperson. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 15-03, CONGRATULATIONS TO JARVIS IYASU MEYER FOR RECEIVING EAGLE SCOUT AWARD.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to adopt Council Proclamation No. 15-03, Congratulations to Jarvis Iyasu Meyer for receiving the Eagle Scout Award. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY RJ BAST, GO RITEWAY, TO REZONE PROPERTIES AT 7433 S. 10TH ST., 7380 S. 13TH ST., 7444 S. 13TH ST., 7460 S. 13TH ST., AND 7480 S. 13TH ST., FROM B-4 HIGHWAY BUSINESS, AND RS-3, SINGLE FAMILY RESIDENTIAL, TO M-1, MANUFACTURING WITH CUP AMENDMENT TO EXPAND CURRENT BUS OPERATIONS.**

A public hearing was held to consider a request by R J Bast, Go Riteway, to rezone the properties at 7433 S. 10th St., 7380 S. 13th St., 7444 S. 13th St., 7460 S. 13th St., and 7480 S. 13th St., from B-4 Highway Business, and Rs-3, Single Family Residential, to M-1, Manufacturing with a Conditional Use Amendment to expand the current bus operations. (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2762, APPROVING REZONING PROPERTIES AT 7433 S. 10TH ST., 7380 S. 13TH ST., 7444 S. 13TH ST., 7460 S. 13TH ST., AND 7480 S. 13TH ST., FROM B-4, HIGHWAY BUSINESS AND RS-3, SINGLE FAMILY RESIDENTIAL, TO M-1, MANUFACTURING WITH CUP AMENDMENT FOR PRIVATE BUS, VAN AND SEDAN STORAGE AND MAINTENANCE YARD.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2762, approving the rezoning of the properties at 7433 S. 10th St., 7380 S. 13th St., 7444 S. 13th St., and 7480 S. 13th St., from B-4, Highway Business, and Rs-3, Single Family Residential, to M-1, Manufacturing with a Conditional Use Amendment for a Private Bus, Van and Sedan Service Storage and Maintenance Yard. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **PRESENTATION BY SMITHGROUP JJR ON LAKE VISTA PARK; COUNCIL APPROVES LAKE VISTA ACTIVE AND PASSIVE RECREATION (COMMUNITY PARK & PLAYGROUND/TERRACE & ACCESS TO LAKE) 50% CONSTRUCTION PLANS.**

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

Ald. Toman, seconded by Ald. Guzikowski, moved to approve the Lake Vista Active and Passive Recreation (Community Park & Playground / Terrace & Access to Lake) 50% Construction Plans. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Verhalen abstained from voting.

10. **PRESENTED AND ADOPTED: ORDINANCE NO. 2763, TO REPEAL AND RECREATE SECTION 6.23 OF MUNICIPAL CODE REGARDING OBSTRUCTIONS AND ENCROACHMENTS, CREATE SECTION 6.27 OF MUNICIPAL CODE REGARDING PERMISSIBLE OBSTRUCTIONS, PROJECTIONS AND ENCROACHMENTS, CREATE SECTION 6.28 OF MUNICIPAL CODE REGARDING PERMITS, AND CREATE SECTION 6.29 OF MUNICIPAL CODE REGARDING AWNINGS, CANOPIES AND SUN SHADES.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to adopt Ordinance No. 2763, an Ordinance to Repeal and Recreate Section 6.23 of the Municipal Code regarding Obstructions and Encroachments, to create Section 6.27 of the Municipal Code regarding Permissible Obstructions, Projections, and Encroachments, to create Section 6.28 of the Municipal Code regarding Permits and to create Section 6.29 of the Municipal Code regarding Awnings, Canopies and Sun Shades. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **COUNCIL APPROVES PURCHASE OF 47 LED POLE-MOUNTED HOLIDAY DECORATIONS, BRACKETS, AND ELECTRICAL SUPPLIES, IN AMOUNT NOT TO EXCEED \$39,792.72.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Community Development Authority's recommendation and approved the purchase of 47 LED pole-mounted holiday decorations, brackets, and electrical supplies, in an amount not to exceed \$39,792.72. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **COUNCIL AUTHORIZES CITY ADMINISTRATOR TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH GRAEF FOR GRANT ADMINISTRATION ASSISTANCE FOR IDLE INDUSTRIAL SITE REDEVELOPMENT GRANT RECEIVED BY CITY FOR HSA/FROEDERT PROJECT AT DREXEL TOWN SQUARE, IN AMOUNT NOT TO EXCEED \$12,000.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the City Administrator to sign a professional services agreement with Graef for grant administration assistance for the Idle Industrial Site Redevelopment Grant received by the City for the HSA/Froedert project at Drexel Town Square, in an amount not to exceed \$12,000. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **DIRECTED HELD TO 8/3/15 COUNCIL MEETING: MOTION TO PROVIDE CITY OF ST. FRANCIS WITH CREDIT IN AMOUNT OF \$34,936, FIRST QUARTER 2015 CONTRACTUAL PAYMENTS DUE THE CITY OF OAK CREEK FOR DISPATCH SERVICES.**

Ald. Toman, seconded by Ald. Verhalen, moved to hold action to provide the City of St. Francis with a credit in the amount of \$34,936 for first quarter 2015 contractual payments due the City of Oak Creek for dispatch services until the 8/3/15 Council meeting, allowing second quarter numbers to be reviewed. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **COUNCIL CONCURS WITH MAYOR'S (RE)APPOINTMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Mayor's (re)appointments as follows:

- a. Celebrations Commission – 3 year term to expire 4/2018
 - Kevin Archambeau
 - Kristen Archambeau
 - Tina Koenig
- b. Finance Committee – 1 year term to expire 4/2016
 - Zach Olson
- c. Parks, Recreation & Forestry Commission – 3 year term to expire 4/2018
 - Janet Fluegel
 - Michael Theys
 - Daniel D. Jahn
- d. Plan Commission – 3 year term to expire 4/2018
 - Patrick Correll
 - Dawn Carillo
 - Fred Siepert
- e. Police and Fire Commission – 5 year term to expire 4/2020
 - Robert Bosetti
- f. Landscape and Beautification Committee – 2 year term to expire 4/2017
 - Janet Gadzalinski – 10540 S. Shangrila Court**

- g. Zoning Board of Appeals/Housing Board of Appeals – 3 year term to expire 4/2018
Donald Scott Hauke – 195 W. Puetz Road
Zach Johnson – 6455 S. 20th Street
Daniel Jakubczyk
Melissa (Mimi) Hakes

- h. Weed Commissioner – 1 year term to expire 4/2016
Streets, Parks & Forestry Director

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

15. MAYOR MAKES ALDERMANIC COMMITTEE APPOINTMENTS.

Mayor's Aldermanic Appointments

- a. Library Board – 1
 - Ald. Guzikowski
- b. Community Development Authority (CDA) – 2
 - Ald. Gehl
 - Ald. Kurkowski
- c. Community Center Board of Directors – 1
 - Ald. Bukiewicz
- d. Small Claims Committee – 1
 - Ald. Verhalen
- e. Landscape and Beautification Committee – 1
 - Ald. Guzikowski
- f. Tourism Commission – 1
 - Ald. Kurkowski
- g. Finance Committee – 3
 - Ald. Toman
 - Ald. Gehl
 - Ald. Bukiewicz
- h. Water and Sewer Utility Commission – 1
 - Ald. Gehl
- i. Milwaukee County Airport Noise Committee – 1
 - Ald. Verhalen

16. DIRECTED HELD TO 5/5/15 COUNCIL MEETING: COMMON COUNCIL PRESIDENT'S ALDERMANIC APPOINTMENTS.

The Common Council President's Aldermanic appointments were directed held to the 5/5/15 Council meeting.

- a. Personnel Committee (minimum of 2) – 3
- b. Capital Improvements Committee – 3
- c. License Committee - 3
- d. Plan Commission Representatives – 2
- e. Board of Health Representative – 1
- f. Emergency Government Committee Representative – 1 (plus Council President)
- g. Parks, Recreation and Forestry Commission – 1
- h. Traffic and Safety Commission – 1
- i. Finance Committee – 3

17. **COUNCIL DESIGNATES SATURDAY, OCTOBER 31, 2015, FROM 5 PM TO 7 PM AS OFFICIAL CITY OF OAK CREEK "TRICK OR TREAT".**

Ald. Gehl, seconded by Ald. Kurkowski, moved to concur with the recommendation of the Celebrations Commission and designates Saturday, October 31, 2015, from 5:00 p.m. to 7:00 p.m. as the official City of Oak Creek "Trick or Treat". On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the 2015 Vendor Summary Report in the amount of \$2,099,009.10. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **DIRECTED HELD: RESOLUTION NO. 11599-042115, APPROVING CSM FOR PROPERTIES AT 9175, 9235, AND 9325 S. 5TH AVE., AND 3975 E. AMERICAN AVE.**

Action on Resolution No. 11599-042115, approving a certified survey map for the properties at 9175, 9235 and 9325 S. 5th Ave., and 3975 E. American Ave., was directed held.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 11612-042115, APPROVING CSM FOR PROPERTY AT 10751 S. NICHOLSON RD.**

Ald. Gehl, seconded by Ald. Verhalen, moved to adopt Resolution No. 11612, 042115, approving a certified survey map for the property at 10751 S. Nicholson Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. **COUNCIL AWARDS LAKE VISTA DRIVE AND PATH PROJECT UNIT PRICE CONTRACT TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER, WILLKOMM EXCAVATING & GRADING, AT ESTIMATED COST OF \$2,447,808.75 (PROJECT NO. 14024).**

Ald. Toman, seconded by Ald. Kurkowski, moved to award the Lake Vista Drive and Path project unit price contract to the lowest responsive, responsible bidder, Willkomm Excavating & Grading, at an estimated cost of \$2,447,808.75. (Project No. 14024). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Verhalen abstained from voting.

22. **PRESENTED AND ADOPTED: RESOLUTION NO. 11609-042115, APPROVING OAKFIELD VILLAGE ADDITION #2 SUBDIVISION DEVELOPMENT AGREEMENT FOR DESIGN AND INSTALLATION OF PUBLIC IMPROVEMENTS AT 400 E. LILY DRIVE (TAX KEY NOS. 814-0256-000 & 814-9011-001) (PROJECT NOS. 15050 & 15051).**

Ald. Kurkowski, seconded by Ald. Gehl, moved to adopt Resolution No. 11609-042115, approving the Oakfield Village Addition #2 subdivision development agreement for the design and installation of public improvements at 400 E. Lily Drive (Tax Key Nos. 814-0256-000 & 814-9011-001) (Project Nos. 15050 & 15051). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 11610-042115, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH LILY DRIVE DEVELOPMENT LLC, FOR OAKFIELD VILLAGE ADDITION NO. 2 SUBDIVISION. (TAX KEY NOS. 814-0256 & 814-9011-001) (PROJECT NO. 15051).**

Ald. Kurkowski, seconded by Ald. Gehl, moved to adopt Resolution No. 11610-042115, approving a storm water management practices maintenance agreement with Lily Drive Development LLC, for their Oakfield Village Addition No. 2 Subdivision (Tax Key Nos. 814-0256 & 814-9011-001) (Project No. 15051). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

24. **COUNCIL DENIES OPERATOR'S LICENSE TO ANDREW J. DRIER, 9506 S. RYAN GREEN CT., FRANKLIN, DUE TO FALSIFICATION OF APPLICATION.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to deny an Operator's license to Andrew J. Drier, 9506 S. Ryan Green Ct., Franklin, due to falsification of application (Classic Lanes). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

25. **COUNCIL DENIES OPERATOR'S LICENSE TO LINDA I. MILLER, 4524 S. 23RD ST., MILWAUKEE, DUE TO FALSIFICATION OF APPLICATION.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to deny an Operator's license to Linda I. Miller, 4524 s. 23rd St., Milwaukee, due to falsification of application (Pick 'n Save). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

26. **COUNCIL GRANTS OPERATOR'S LICENSE TO THANNER S. KLING, 8963 S. 84TH ST., FRANKLIN.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Thanner S. Kling, 8963 S. 84th St., Franklin (Speedway). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

27. **COUNCIL GRANTS OPERATOR'S LICENSE TO SAMANTHA M. GUY, 2528 S. 11TH ST., MILWAUKEE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Samantha M. Guy, 2528 S. 11th St., Milwaukee (7-Eleven). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

28. **COUNCIL GRANTS OPERATOR'S LICENSE TO BONNIE A. MILLER, 5118 W. BURNHAM ST., WEST MILWAUKEE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Bonnie A. Miller, 5118 W. Burnham St., West Milwaukee (Ryan Road Shell). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

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

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

- Angela M. Michalowski, 6930 S. 20th St., Oak Creek (The Cellar)
- Jing Yee Jasmin, 10365 S. Willow Creek Dr., Oak Creek (Fairfield Inn & Suites)
- Daron D. Wolf, 9600 W. Kaul Ave., Milwaukee (Fairfield Inn & Suites)
- Michael Scalf, 6020 Charles St. Racine (Noodles)

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

30. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO SALESPERSONS FOR TRUGREEN, N8 W22550 JOHNSON DR., WAUKESHA, WI.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant a Transient Merchant license to the following salespersons for TruGreen, N8 W22550 Johnson Dr., Waukesha, WI.

- Amy Henderson, 9145 S. Patricia Blvd., Oak Creek
- Shawn Collins, 3628 S. 6 ½ Mile Rd., Caledonia

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

31. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO THE WINDOW STORE, 2706 S. 163RD ST., NEW BERLIN, WI, AND SALESPERSONS.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant a Transient Merchant license to The Window Store, 2706 S. 163rd St., New Berlin, WI, and to the following salespersons:

- Jeffrey VandenBoom, 10549 Beacon Hill Ct. East, Franklin
- Randy Gregorek, 1010 E. Groveland Dr., Oak Creek
- Keith Harvey, 4163 County Rd G., Caledonia

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

32. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO MILWAUKEE TURF CARE, LLC DBA WEED MAN, 11011 W. FOREST HOME AVE., HALES CORNERS, WI, AND SALESPERSONS.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant a Transient Merchant license to Milwaukee Turf Care, LLC dba Weed Man, 11011 W. Forest Home Ave., Hales Corners, WI and to the following salespersons:

- Nathan Eberhardt, 3287 S. 69th St., Milwaukee
- Dante Lopez, 3325 W. Lynndale Ave., Greenfield
- Jordan Johnson, 4267 S. 78th St., Greenfield
- Cameron Lompre, 3240 S. 44th St., Greenfield
- Justice Cardenas, 7210 W. Verona Ct., Milwaukee

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

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adjourn this meeting at 9:00 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Verhalen; Ald. Toman, aye; Ald. Gehl, aye;

and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Stephen Scaffidi, Mayor