

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, MAY 5, 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. Verhalen, Ald. Toman, Ald. Gehl and Ald. Guzikowski. 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, 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. Kurkowski, seconded by Ald. Guzikowski, moved to approve the minutes of the 4/21/15 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. Ald. Bukiewicz abstained from voting.

4. **INFORMATIONAL: MAYORAL PROCLAMATION, POPPY DAYS, MAY 8-10, 2015, OELSCHLAEGER-DALLMANN AMERICAN LEGION POST 434 AND AUXILIARY.**

The Mayoral Proclamation for Poppy Days, May 8-10, 2015, Oelschlaeger-Dallmann American Legion Post 434 and Auxiliary was informational. Poppy Princess Anneliese Oswald was present.

5. **INFORMATIONAL: MAYORAL PROCLAMATION, BUDDY POPPY DAYS, MAY 15-17, 2015, MEYER-DZIEDZIC VFW POST 8482.**

The Mayoral Proclamation for Buddy Poppy Days, May 15-17, 2015, Meyer-Dziedzic VFW Post 8482 was informational.

6. **COUNCIL PRESIDENT MAKES ALDERMANIC COMMITTEE APPOINTMENTS.**

Common Council President, Ald. Gehl, made his Aldermanic Committee Appointments, as follows:

- a. Personnel Committee (minimum of 2) – 3
 - Ald. Bukiewicz
 - Ald. Gehl
 - Ald. Toman, chair
- b. Capital Improvements Committee – 3
 - Ald. Gehl, chair
 - Ald. Guzikowski
 - Ald. Toman
- c. License Committee -3
 - Ald. Gehl
 - Ald. Kurkowski, chair
 - Ald. Verhalen
- d. Plan Commission Representatives – 2
 - Ald. Bukiewicz
 - Ald. Guzikowski
- e. Board of Health Representative – 1
 - Ald. Kurkowski

- f. Emergency Government Committee Representative – 1 (plus Council President)
 - Ald. Kurkowski
- g. Parks, Recreation and Forestry Commission – 1
 - Ald. Bukiewicz
- h. Traffic and Safety Commission – 1
 - Ald. Verhalen
- i. Finance Committee – 3
 - Ald. Bukiewicz
 - Ald. Gehl, chair
 - Ald. Toman

7. PRESENTATION BY OWNER’S REPRESENTATIVE, STEVE CHAMBERLIN, ON CITY HALL, LIBRARY AND FIRE STATION PROJECTS.

Steve Chamberlin, Owner’s Representative, provided the Council with an update presentation on the City Hall, Library and Fire Station projects.

8. PRESENTED AND ADOPTED: RESOLUTION NO. 11615-050515, AUTHORIZING ISSUANCE AND SALE OF \$8,900,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2015B.

Ald. Gehl, seconded by Ald. Toman, moved to adopt Resolution No. 11615-050515, authorizing the issuance and sale of \$8,900,000 Taxable General Obligation Promissory Notes, Series 2015B. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, no; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. COUNCIL CONFIRMS MAYOR’S APPOINTMENT OF ATTORNEY MELISSA KARLS AS CITY ATTORNEY, EFFECTIVE 7/1/15.

Ald. Gehl, seconded by Ald. Guzikowski, moved to confirm the Mayor’s appointment of Attorney Melissa Karls as City Attorney, effective 7/1/15, pursuant to Oak Creek Municipal Code Section 2.44(a), replacing retiring City Attorney Lawrence Haskin. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. COUNCIL CONCURS WITH MAYOR’S REAPPOINTMENTS.

Ald. Gehl, seconded by Ald. Kurkowski, moved to concur with the Mayor’s reappointments as follows:

Board of Review – 5 year term to expire 5/2020

- Bradley Evans
- Dennis McNulty
- Frank Haybeck
- Janice Wilinski

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

11. COUNCIL APPROVES VENDOR SUMMARY REPORT.

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the 2015 Vendor Summary Report in the amount of \$873,109.63. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **COUNCIL REJECTS BIDS FOR 2015 MEADOW VIEW AND MILLER PARK PATHWAY/TRAIL IMPROVEMENTS.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to reject the bids for the 2015 Meadow View and Miller Park pathway / trail improvements (Project No. 15012 & 15013). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 11614-050515, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH KWIK TRIP, INC. FOR PROPOSED KWIK TRIP #290 STORE LOCATED AT 7880 S. 10TH ST.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11614-050515, approving a storm water management practices maintenance agreement with Kwik Trip, Inc. for the proposed Kwik Trip #290 store located at 7880 S. 10th St., (Tax Key No. 783-9073). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11616-050515, RESOLUTION OF NECESSITY FOR ACQUISITION OF LANDS FOR PUBLIC STREET PURPOSE, PERMANENT EASEMENTS FOR VISION CORNERS, TEMPORARY EASEMENTS FOR GRADING, HIGHWAY EASEMENTS FOR MAINTAINING ROADWAY, AND AUTHORIZING NEGOTIATION FOR SUCH ACQUISITION AND CONDEMNATION, IF NECESSARY, FOR 5TH AVENUE RELOCATION PROJECT FROM INTERSECTION OF STH 100 (RYAN) / STH 32 (CHICAGO) TO 5TH AVENUE / RYAN ROAD.**

Ald. Toman, seconded by Ald. Gehl, moved to adopt Resolution No. 11616-050515, a resolution of necessity for acquisition of lands for public street purpose, permanent easements for vision corners, temporary easements for grading, highway easements for maintaining roadway, and authorizing negotiations for such acquisition and condemnation, if necessary, for 5th Avenue relocation project from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5th Avenue/Ryan Road (Project No. 12026). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

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

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

- Ben Malicki, 3513 116th St., Franksville (Piggly Wiggly)
- Michael Baron, 1212 Blake Ave., South Milwaukee (Kwik Trip)
- Kanisha Reeves, 8349 S. Newbury Dr., Oak Creek (Applebee's)
- Samantha Saggio, 4361 S. Pennsylvania Ave., St. Francis (Buffalo Wild Wings)
- Nicole Swiatowski, 728 Lakeview Ave., South Milwaukee (The Cellar)
- Christina Martin, 3876 E. Maple St., Oak Creek (Ryan Road Mobil)

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

16. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO SUSY SUAREZ-LEMCKE, 115 16TH AVE., SOUTH MILWAUKEE, FOR EDWARD JONES.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant a Transient Merchant license to Susy Suarez-Lemcke, 115 16th Ave., South Milwaukee, for Edward Jones, 116 E. Drexel Ave., Oak Creek, selling financial services. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. **COUNCIL GRANTS TRANSIENT MERCHANT LICENSE TO AUSTIN EMANUELE, 9232 W. ALLERTON AVE., GREENFIELD, FOR MILWAUKEE TURF CARE, LLC DBA WEED MAN.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant a Transient merchant license to Austin Emanuele, 9232 W. Allerton Ave., Greenfield, for Milwaukee Turf Care, LLC dba Weed Man, 11011 W. Forest Home Ave., Hales Corners, WI, selling lawn care services. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18-19. **CLOSED SESSION NOT HELD.**

Closed Session was not held pursuant to Wisconsin State Statutes. Common Council remained in open session..

- a. Section 19.85 (1)(g) to consider a Notice of Injury submitted on behalf of Lawrence Ashbaugh regarding an injury sustained on November 10, 2014.
- b. Section 19.85 (1)(g) to consider a Notice of Circumstances Giving Rise to Claim and Claim submitted by Kari S. Mann regarding a claim for relief.

See Items 20 and 21 for action on these items.

20. **COUNCIL AUTHORIZES ISSUANCE OF NOTICE OF DISALLOWANCE REGARDING NOTICE OF INJURY SUBMITTED ON BEHALF OF LAWRENCE ASHBAUGH REGARDING INJURY SUSTAINED ON NOVEMBER 10, 2014.**

Ald. Gehl, seconded by Ald. Toman, to authorize the issuance of a Notice of Disallowance regarding the Notice of Injury submitted on behalf of Lawrence Ashbaugh regarding an injury sustained on November 10, 2014. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. **COUNCIL AUTHORIZES ISSUANCE OF NOTICE OF DISALLOWANCE REGARDING NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM AND CLAIM SUBMITTED BY KARI S. MANN REGARDING CLAIM FOR RELIEF.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the issuance of a Notice of Disallowance regarding the Notice of Circumstances Giving Rise to Claim and Claim submitted by Kari S. Mann regarding a claim for relief. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 8:04 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Stephen Scaffidi, Mayor