

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, SEPTEMBER 15, 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 Melissa Karls, City Administrator Gerald Peterson, City Engineer / Acting Building Commissioner Michael Simmons, Fire Chief Thomas Rosandich, Police Captain Steve Anderson, Director/Comptroller Bridget Souffrant, Community Development Director Douglas Seymour, Information Technology Manager Caesar Geiger, Streets, Parks & Forestry Superintendent Ted Johnson, Administrative Support Supervisor Sherry Grant, 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. Gehl, moved to approve the minutes of the 9/1/15 meeting as published. 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.

4. **PUBLIC HEARING HELD TO CONSIDER AMENDMENT TO THE GENERAL DEVELOPMENT PLAN AND REGULATING PLAN FOR DTS MIXED USE PLANNED DEVELOPMENT DISTRICT.**

A public hearing was held to consider an amendment to the General Development Plan and Regulating plan for the Drexel Town Square Mixed Use Planned Development District located at 7901, 7940, 7951, 7971, 8001, 8031 and 8040 S. 6<sup>th</sup> St., 7901 S. Delco Dr., 8031 and 8041 S. Howell Ave., 7902, 7935, 7978, and 7979 S. Main St., 7980 S. Market St., and 120, 130, 140, 150, 151, 160, 171, 320, 350 and 361 W. Town Square Way. (See item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2772, AMENDING GENERAL DEVELOPMENT PLAN AND REGULATING PLAN FOR DTS MIXED USE PLANNED DEVELOPMENT DISTRICT AT 7901, 7940, 7951, 7971, 8001, 8031, AND 8040 S. 6<sup>TH</sup> ST., 7901 S. DELCO DRIVE., 8031 AND 8041 S. HOWELL AVE., 7902, 7935, 7978 AND 7979 S. MAIN STREET, 7980 S. MARKET ST., AND 120, 130, 140, 150, 151, 160, 171, 320, 350 AND 361 W. TOWN SQUARE WAY.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Ordinance No. 2772, amending the General Development Plan and Regulating Plan for the Drexel Town Square Mixed Use Planned Development District at 7901, 7940, 7951, 7971, 8001, 8031 and 8040 S. 6<sup>th</sup> St., 7901 S. Delco Drive, 8031 and 8041 S. Howell Ave., 7902, 7935, 7978 and 7979 S. Main Street, 7980 S. Market Street, and 120, 130, 140, 150, 151, 160, 171, 320, 350 and 361 W. Town Square Way. 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.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11644-091515, AUTHORIZING ISSUANCE AND SALE OF \$10,500,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2015C.**

Ald. Gehl, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11644-091515, authorizing the issuance and sale of \$10,500,000 Taxable General Obligation Promissory Notes, Series 2015c. 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. The original Taxable General Obligation Promissory Note amount of \$10,525,000 taxable general obligation promissory notes, was amended to \$10,500,000 prior to Common Council review and adoption.

**7. COUNCIL APPROVES AGREEMENT BETWEEN CITY AND LABOR ASSOCIATION OF WISCONSIN, INC.**

Ald. Toman, seconded by Ald. Gehl, moved to approve the agreement between the City of Oak Creek and the Labor Association of Wisconsin, Inc. 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.

**8. PRESENTED AND ADOPTED: ORDINANCE NO. 2773, AMENDING ORDINANCE NO. 2743, ADJUSTING WAGES FOR EMPLOYEES REPRESENTED BY LAW.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2773, amending Ordinance No. 2743, adjusting the wages for employees represented by the Labor Association of Wisconsin. 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.

**9. COUNCIL AUTHORIZES IT DEPARTMENT TO RETAIN PROFESSIONAL SERVICES OF RUEKERT & MIELKE, INC., AT AMOUNT UP TO \$25,250 FOR CREATION AND HOSTING OF GIS WEB MAPPING APPLICATION.**

Ald. Toman, seconded by Ald. Gehl, moved to concur with the recommendation of the Personnel Department and authorize the Information Technology Department to retain the professional services of Ruekert & Mielke, Inc., in an amount up to \$25,250, for the creation and hosting of a GIS Web Mapping application. 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 RESCINDS 9/1/15 AUTHORIZATION TO PURCHASE THREE SHARP MX-3140 COPIERS FROM GORDON FLESCH IN AMOUNT OF \$22,236.00 AND AUTHORIZES PURCHASE OF THREE SHARP MX-3140 COPIERS FROM OFFICE COPYING EQUIPMENT, LTD., IN AMOUNT OF \$19,152.**

a. Ald. Gehl, seconded by Ald. Toman, moved to rescind the September 1, 2015 authorization to purchase three Sharp MX-3140 copiers from Gordon Flesch Company, Inc., in the amount of \$22,236.00. 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.

b. Ald. Gehl, seconded by Ald. Toman, moved to authorize the purchase of three Sharp MX-3140 copiers from Office Copying Equipment, Ltd., in the amount of \$19,152. 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. PRESENTED AND ADOPTED: RESOLUTION NO. 11647-091515, APPROVING SEWER PROJECT COOPERATION AGREEMENT BY AND BETWEEN CITY AND BEAZER EAST., INC.**

Ald. Toman, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11647-091515, approving a Sewer Project Cooperation Agreement by and between the City of Oak Creek and Beazer East, Inc. 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 AUTHORIZES ONE ADDITIONAL FULL-TIME ADMINISTRATIVE SUPPORT POSITION, WITHIN APPROVED 2015 BUDGET.**

Ald. Toman, seconded by Ald. Gehl, moved to concur with the recommendation of the Personnel Committee and authorize one additional full time Administrative Support position, within the approved 2015 budget. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, no; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**13. COUNCIL CONCURS WITH MAYOR'S REAPPOINTMENTS.**

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

- a. Board of Health – 3 year term to expire 9/2018  
Jose M. Avila
- b. Water & Sewer Utility Commission – 5 year term to expire 9/2020  
Gerald Wille

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. COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the Vendor Summary Report in the amount of \$3,145,111.22. 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 APPROVES PROPOSED ANNUAL AGREEMENT FOR SCHOOL RESOURCE OFFICER SERVICES FOR 2015-16 SCHOOL YEAR.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the proposed annual Agreement for School Resource Officer Services for the 2015-16 school year. 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 APPROVES POLICE DEPARTMENT'S PURCHASE OF 16 MOTOROLA APX7000 PORTABLE RADIOS WITH PROGRAMMING AND ACCESSORIES FROM BAYCOM, INC., AT TOTAL COST OF \$58,348.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the Police Department's purchase of 16 Motorola APX7000 portable radios with programming and accessories from Baycom, Inc., at a total cost of \$58,348.00. 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 APPROVES POLICE DEPARTMENT'S PURCHASE OF 10-PRINT LIVESCAN FINGERPRINT SYSTEM FOR DEPARTMENT BOOKING AREA FROM ID NETWORKS, INC., AT COST OF \$17,990.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the Police Department's purchase of a 10-print Livescan Fingerprint System for the Department's booking area from ID Networks, Inc., at a cost of \$17,990. 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. **COUNCIL ALLOWS WITHDRAWAL OF BID OF KPH ENVIRONMENTAL CORP. AND AWARDS THE CITY BUILDINGS HAZARDOUS MATERIALS ABATEMENT CONTRACT TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, PARSS, IN AMOUNT OF \$291,798.**

Ald. Gehl, seconded by Ald. Toman, moved to accept withdrawal of bid of KPH Environmental Corp. and to not forfeit the bid bond. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Verhalen abstained from the vote.

Ald. Gehl, seconded by Ald. Bukiewicz, moved to award the City Buildings Hazardous Materials Abatement contract to the lowest responsive, responsible bidder, PARSS, in the amount of \$291,798. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Verhalen abstained from the vote.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 11645-091515, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY), PERMANENT EASEMENTS, TEMPORARY EASEMENTS AND HIGHWAY EASEMENTS FOR S. 5<sup>TH</sup> AVE. RELOCATION PROJECT FROM INTERSECTION OF STH 100 (RYAN)/STH 32 (CHICAGO) TO 5<sup>TH</sup> AVE./RYAN ROAD, AND, TO SEND PAYMENT IN AMOUNT OF AWARD OF DAMAGES TO AFFECTED PROPERTY OWNERS.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11645-091515, acquiring fee property (right-of-way), permanent easements, temporary easements and highway easements for the S. 5<sup>th</sup> Avenue relocation project from the intersection of STH 100 (Ryan) / STH 32 (Chicago) to 5<sup>th</sup> Avenue / Ryan Road, and, to send payment in the amount of the Award of Damages to the affected property owners (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.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 11646-091515, RESOLUTION OF NECESSITY FOR ACQUISITION OF LANDS FOR PERMANENT EASEMENTS FOR SCOUR PROTECTION, TEMPORARY EASEMENTS FOR GRADING AND AUTHORIZING NEGOTIATION FOR SUCH ACQUISITION AND CONDEMNATION, IF NECESSARY, FOR THE S. NICHOLSON ROAD BRIDGE PROJECT OVER OAK CREEK.**

Ald. Verhalen, seconded by Ald. Bukiewicz, moved to adopt Resolution No. 11646-091515, a resolution of necessity for acquisition of lands for permanent easements for scour protection, temporary easements for grading and authorizing negotiation for such acquisition and condemnation, if necessary, for the S. Nicholson Road bridge project over Oak Creek (Project No. 13022). 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 APPROVES INSTALLATION OF “NO PARKING ANY TIME” SIGNS BETWEEN DRIVEWAYS LOCATED AT 8592 AND 8594 S. JASON CT. AND MODIFICATION TO EASTBOUND PAVEMENT MARKINGS ON E. DREXEL AVE. FROM 450’ EAST OF S. HOWELL AVE. TO S. VERDEV DR.**

- a. Ald. Verhalen, seconded by Ald. Kurkowski, moved to approve the installation of “NO PARKING ANY TIME” signs between driveways located at 8592 and 8594 S. Jason Court. 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.
- b. Ald. Verhalen, seconded by Ald. Bukiewicz, moved to approve the modification to eastbound pavement markings on E. Drexel Avenue from 450 feet east of S. Howell Avenue to S. Verdev Drive. 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.

22. **COUNCIL GRANTS OPERATOR’S LICENSES.**

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

- Paige E. Heller, 801 Michigan Ave., South Milwaukee (Kwik Trip)
- Brittany M. Hoffmann, 131 S. 74<sup>th</sup> St., Milwaukee (Kwik Trip)
- Mary K. Bauer, 2900 E. Holmes Ave., Cudahy (Kwik Trip)
- Regina L. Dronso, 8721 S. Country Dr., Oak Creek (Kwik Trip)
- Jarod T. Hauke, 8714 W. Mallard Court, Franklin (Kwik Trip)
- Alexander J. Schmidt, 8525 S. Woodvale Dr., Oak Creek (Kwik Trip)
- Jonathan M. Alles, 7050 Heathmeadow Ct., Greendale (Kwik Trip)
- Kenneth D. Churchill, 2700 S. Anthony Ln., Racine (Kwik Trip)

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.

23. **COUNCIL GRANTS CHANGE OF AGENT TO THE NOODLE SHOP CO. – COLORADO, INC. DBA NOODLES & CO., FROM GRANT EHLERT TO JASON W. DELMORE, W237 S8060 HIGHLAND DR., BIG BEND.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant a change of agent to The Noodle Shop Co. – Colorado. Inc., dba Noodles & Co., from Grant Ehlert to Jason W. Delmore, W237 S8060 Highland Dr., Big Bend. 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.

24. **COUNCIL GRANTS CHANGE OF AGENT TO APPLE HOSPITALITY GROUP, LLC DBA APPLEBEE’S NEIGHBORHOOD GRILL & BAR, 7135 S. 13<sup>TH</sup> ST., FROM JACOB WOODS TO RYAN SELL, 3711 W. BIRCHWOOD AVE., MILWAUKEE.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant a change of agent to Apple Hospitality Group, LLC dba Applebee’s Neighborhood Grill & Bar, 7135 S. 13<sup>th</sup> St., from Jacob Woods to Ryan Sell, 3711 W. Birchwood Ave., Milwaukee. 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.

25. **COUNCIL GRANTS RESERVE CLASS B COMBINATION LICENSE TO THE CHAR GRILL INC., DBA THE CHARCOAL GRILL & ROTISSERIE, JEFFREY MARSH, AGENT, 111 W. RYAN ROAD, SUBJECT TO SANITARIAN AND INSPECTION DEPARTMENT APPROVALS AND ISSUANCE OF OCCUPANCY PERMIT.**

Ald. Kurkowski, seconded by Ald. Verhalen, moved to grant a Reserve Class B Combination license to The Char Grill, Inc., dba The Charcoal Grill & Rotisserie, Jeffrey Marsh, Agent, 111 W. Ryan Road, with issuance subject to Sanitarian and Inspection Department approvals and issuance of an Occupancy permit. 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 9:23 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:

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Catherine A. Roeske, City Clerk

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Stephen Scaffidi, Mayor