

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, OCTOBER 6, 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, Director/Comptroller Bridget Souffrant, Community Development Director Douglas Seymour, Information Technology Manager Caesar Geiger, Water & Sewer Utility General Manager Michael Sullivan, Utility Engineer Ronald Pritzlaff, Police Chief John Edwards, and Public Health Officer Judith Price, 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. Bukiewicz, 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. **WAUKESHA WATER GREAT LAKES DIVERSION APPLICATION UPDATE PRESENTATION.**

The Council was presented an update on the Waukesha Water Great Lakes Division Application by Dan Duchniak.
5. **COUNCIL RETAINS SERVICES OF ATTORNEY LAWRENCE HASKIN OF HASKIN & KARLS AS OUTSIDE COUNSEL TO CITY AT HOURLY RATE OF \$150, IN AMOUNT NOT TO EXCEED 2015 APPROVED BUDGET AND FUTURE BUDGETS ESTABLISHED FOR THESE SERVICES.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to retain the services of Attorney Lawrence Haskin of Haskin & Karls as outside counsel to the City at an hourly rate of \$150, in an amount not-to-exceed the 2015 approved budget as well as any future budgets established for these services. 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.
6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11653-100615, APPROVING AMENDMENT TO TID NO. 11 FINANCE DEVELOPMENT AGREEMENT (HSA PROJECT).**

Ald. Bukiewicz, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11653-100615, approving an amendment to the Tax Incremental District No. 11 Finance Development Agreement (HSA Project). 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.
7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11652-100615, RELATING TO INDUSTRIAL DEVELOPMENT REVENUE BOND (IDRB) FOR SUZY'S CREAM CHEESECAKES, INC.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11652-100615, relating to Industrial Development Revenue Bond (IDRB) financing for Suzy's Cream Cheesecakes, 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. **COUNCIL AWARDS CONTRACT TO TOWER MRL, INC. FOR CONSTRUCTION AND INSTALLATION OF 145' COMMUNICATION TOWER AT FIRE STATION 1 (255 E. CENTENNIAL DR.), IN AMOUNT OF \$176,445.69.**

Ald. Verhalen, seconded by Ald. Bukiewicz, moved to award a contract to MRL, Inc., for the construction and installation of a 145' communication tower at Fire Station 1 (255 E. Centennial Dr.), in the amount of \$176,445.69. 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 APPROVES ONE-TIME GIFTING OF NON-VALUE CITY HALL / LIBRARY SUPPLIES TO LOCAL NON-PROFIT AGENCIES.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a one-time gifting of non-value City Hall / Library supplies to local non-profit agencies. 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 (RE)APPOINTMENTS.**

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

- a. Board of Health – 3 year term to expire 9/2018
Gary Hintz
- b. Board of Housing / Zoning appeals – 3 year term to expire 4/2018
Thomas Bauer

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 Vendor Summary Report in the amount of \$3,521,619.95. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11651-100615, ACQUIRING PROPERTY AT 3953 E. AMERICAN AVE.**

Ald. Toman, seconded by Ald. Gehl, moved to adopt Resolution No. 11651-100615, acquiring property at 3953 E. American Ave. 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. **COUNCIL AWARDS CITY BUILDINGS & SITE DEMOLITION CONTRACT TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER, GUNDERSON EXCAVATING, INC. FOR A TOTAL LUMP SUM BID PRICE OF \$268,000.**

Ald. Gehl, seconded by Ald. Verhalen, moved to award the City Buildings & Site Demolition contract to the lowest responsive, responsible bidder, Gunderson Excavating, Inc., for a total lump sum bid price of \$268,000. (Project No. 15002B). 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.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11649-100615, GRANTING TO WE ENERGIES A 20' X 50' PERMANENT ELECTRIC EASEMENT AT 8040 S. 6TH ST.**

Ald. Bukiewicz, seconded by Ald. Verhalen, moved to adopt Resolution No. 11649-100615, granting to WE Energies a 20' x 50' permanent electric easement at 8040 S. 6th St. (Tax Key No. 813-9034-000) (Project No. 13051). 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11650-100615, ACCEPTING WORKMANSHIP AND AUTHORIZING FINAL PAYMENT FOR ALL-WAYS CONTRACTORS, PROJECT NO. 14033. THIS PROJECT INVOLVED INSTALLATION OF STORM SEWER IMPROVEMENTS IN W. OAKWOOD RD.**

Ald. Guzikowski, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11650-100615, accepting the workmanship and authorizing final payment for All-ways Contractors, for Project No. 14033. This project involved the installation of storm sewer improvements in W. Oakwood Rd. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11648-100615, ACQUIRING FEE PROPERTY (RIGHT-OF-WAY) PERMANENT EASEMENTS, TEMPORARY EASEMENTS AND HIGHWAY EASEMENTS FOR THE S. 5TH AVE. RELOCATION PROJECT FROM INTERSECTION OF STH 100 (RYAN) / STH 32 (CHICAGO) TO 5TH AVENUE / 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. 11648-100615, acquiring fee property (right-of-way) permanent easements, temporary easements and highway easements for the S. 5th Avenue relocation project from the intersection of STH 100 (Ryan) / STH 32 (Chicago) to 5th Avenue / Ryan Road, and to send a 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.

17. **COUNCIL GRANTS OPERATOR'S LICENSE TO TIFFANY N. WOODSON, 1721 W. LINCOLN AVE., MILWAUKEE, WI.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant an Operator's license to Tiffany N. Woodson, 1721 W. Lincoln Ave., Milwaukee, WI, 53215 (Walgreen). 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 GRANTS OPERATOR'S LICENSE TO CHRISTOPHER J. KEMPEN, 1760 SHUMANN DR., UNION GROVE, WI.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to grant an Operator's license to Christopher J. Kempken, 1760 Shumann Dr., Union Grove, WI 53182 (Booz Saloon). On roll call, the vote was as follows: Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Kurkowski abstained from voting.

19. **COUNCIL GRANTS OPERATOR’S LICENSE TO BARBARA A. LESCHKE, 1427 MADISON AVE., SOUTH MILWAUKEE, WI.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to grant an Operator’s license to Barbara A. Leschke, 1427 Madison Ave., South Milwaukee, WI 53172 (Kwik Trip – 10th St.). 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. **COUNCIL GRANTS OPERATOR’S LICENSES.**

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

- Angela M. Spingola, 4169 S. 5th Place, Milwaukee (Diane’s Second Chance Saloon)
- Jennifer L. McCoy, 472 E. Plainfield Ave., Milwaukee (All in the Family)
- Hector Islas, 11914 W. Lynx Ave., Milwaukee (All in the Family)
- Margarito Martinez, 1841 Parkland Ct., Racine (Woodman’s)
- Lizette Gonzalez, 4460 W. Sumac Pl., Milwaukee (Woodman’s)
- Minna K. Taylor, 5606 Badger Ct., Greendale (Applebee’s)
- April R. Yates, 3225 17th St., Racine (Noodles & Co.)
- Sophie B. Sarnstrom, 3869 E. Barnard Ave., Cudahy (Noodles & Co.)
- Vivian E. Gonzalez, 1961 S. 68th St., West Allis (Kwik Trip – 10th St.)
- Candida Christman, 9350 S. Orchard Park Cir., Oak Creek (Kwik Trip)
- Alison J. Rossing, 746 N. Polk St., Oconomowoc (Kwik Trip)
- Mandi R. Knowles, 8835 S. Oak Park Dr., Oak Creek (Kwik Trip)
- Paula A. Nevarez, 9760 S. Austin St., Oak Creek (Legion Post 434)
- Amber O. Leahy, 27240 Camp Lake Rd., Trevor (South Shore Cinema)
- Amy Jaap, 214 E. Holt Ave., Milwaukee (no employer at this time)
- Janel M. Stepp, 9047 S. Chicago Ct., Oak Creek (Tracy Rae’s)

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 GRANTS CLASS A LIQUOR – CIDER ONLY LICENSE TO SPEEDWAY LLC DBA SPEEDWAY #4462, MARCOS ACEVEDO, AGENT, 8667 S. HOWELL AVE.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant a Class A Liquor – Cider only license to Speedway LLC dba Speedway #4462, Marcos Acevedo, Agent, 8667 S. Howell Ave. 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. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene in Closed Session at 8:56 p.m., pursuant to Wisconsin State Statutes Section 19.85 (1)(c)(e)(g) to discuss a medical termination for Health Department Registered Sanitarian, David Cammilleri. 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 RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to reconvene into Open Session at 9:09 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.

24. **COUNCIL APPROVES MEDICAL TERMINATION OF HEALTH DEPARTMENT REGISTERED SANITARIAN DAVID CAMMILLERI, EFFECTIVE 10/7/2015.**

Ald. Toman, seconded by Ald. Guzikowski, concurs with the recommendation of the Personnel Committee and approves the medical termination of Health Department Registered Sanitarian David Cammilleri, effective 10/7/2015. 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. Guzikowski, moved to adjourn this meeting at 9:10 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