

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, JANUARY 17, 2017, 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, Police Chief Steven Anderson, Communications Coordinator Leslie Flynn, Information Technology Manager Caesar Geiger, Streets, Parks & Forestry Director Ted Johnson, City Librarian Jill Lininger, Fire Chief Thomas Rosandich, Human Resource Manager Becky Schermer, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Finance Director/Comptroller Bridget Souffrant, City Administrator Andrew Vickers, and Deputy City Clerk Christa Miller.

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 1/3/17 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 REQUEST SUBMITTED BY MIKE YUNGERMAN, OPUS DEVELOPMENT COMPANY, LLC, FOR CUP ALLOWING FREIGHT TERMINAL ON PROPERTY AT 500 W. OPUS DR.**

A public hearing was held to consider a request submitted by Mike Yungerman, Opus Development Company, LLC, for a conditional use permit allowing a freight terminal on the property at 500 W. Opus Dr. (See Item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2837, APPROVING CUP FOR FREIGHT TERMINAL WITH TWO 20,000-GALLON UNDERGROUND FUEL TANKS, OUTDOOR DOLLY STORAGE FOR PROPERTY AT 500 W. OPUS DR.**

Ald. Bukiewicz, seconded by Ald. Verhalen, moved to adopt Ordinance No. 2837, approving a conditional use permit for a freight terminal with two (2) 20,000-gallon underground fuel tanks and outdoor dolly storage for the property at 500 W. Opus Drive. Motion, with second agreeing, added that this item should be referred back to the Plan Commission to prepare and approve the Conditions and Restrictions and to direct the matter to be referred back to the Common Council for their 3/7/17 meeting for a revision to Ordinance No. 2837 to incorporate those Conditions and Restrictions. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Bukiewicz, aye; Ald. Verhalen, aye; Ald. Toman, aye; Ald. Gehl, no; and Ald. Guzikowski, no.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11781-010317, ACKNOWLEDGING AND FILING 2017 CALENDAR YEAR SALARY GRADE PLAN AND BENEFITS FOR LIBRARY PERSONNEL.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 11781-010317, acknowledging and filing the 2017 calendar year salary grade plan and benefits for library personnel. 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: ORDINANCE NO. 2838, AMENDING ORDINANCE NO. 2836, FIXING SALARY RANGES AND ALLOWANCES FOR NON-UNION, GENERAL, MANAGEMENT PERSONNEL, AND OTHER CITY OFFICES AND POSITIONS FOR 2017.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2838, amending Ordinance No. 2836, fixing the salary ranges and allowances for non-union, general, management personnel, and other City offices and positions for the year 2017. 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 AUTHORIZES IT DEPARTMENT TO ENTER INTO AGREEMENT WITH TITAN PUBLIC SAFETY SOLUTIONS FOR (TIPSS) COURT SOFTWARE, IN AMOUNT OF \$56,272.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the Information Technology Department to enter into an agreement with Titan Public Safety Solutions for (TiPSS) court software in the amount of \$56,272 (two-year payment program - \$27,997 in 2017 and \$28,275 in 2018). 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 MUSIC LICENSE AGREEMENTS WITH SESAC, BMI, AND ASCAP.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve music license agreements with SESAC (Society of European Stage Authors and Composers), BMI (Broadcast Music Inc.), and ASCAP, for the rebroadcast of music by licensed performers at a combined total of \$1,441.80. 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 APPROVES VENDOR SUMMARY REPORT**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 2016 Vendor Summary Report in the amount of \$362,059.96 and the 2017 Vendor Summary Report in the amount of \$617,590.04 for a combined total of \$979,650. 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 GRANTS FIRE DEPARTMENT APPROVAL TO APPLY FOR SAFER ACT GRANT FOR THREE (3) FIREFIGHTERS.**

Ald. Bukiewicz, seconded by Ald. Verhalen, moved to grant the Fire Department approval to apply for a SAFER Act Grant. Motion, with second agreeing, authorized the Fire Department to apply for three (3) firefighters. 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 APPROVES PURCHASE OF 2016 SCHWARZE A9 SWEEPER ON KENWORTH K370 CHASSIS FROM R NOW, INC., IN AMOUNT OF \$240,029.50.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the purchase of a 2016 Schwarze A9 Sweeper on a Kenworth K370 Chassis from R Now, Inc., in the amount of \$240,029.50. 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. 11787-011717, DESIGNATING PUBLIC RIGHT OF WAY ADJACENT TO PROPERTY AT 2200 W. DREXEL AVE. AS S. IKEA WAY.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to adopt Resolution No. 11787-011717, designating the public right of way adjacent to the property at 2200 W. Drexel Avenue as S. IKEA Way. 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.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11766-011717, ACCEPTING WORKMANSHIP AND AUTHORIZING FINAL PAYMENT TO WILLKOMM EXCAVATING & GRADING.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11766-011717, accepting the workmanship and authorizing final payment to Willkomm Excavating & Grading (Project No. 14024). 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 DENIES OPERATOR'S LICENSE TO TYLER DRAGOO, 263 E. PINE HOLLOW LN., OAK CREEK.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to deny an Operator's license to Tyler Dragoo, 263 E. Pine Hollow Ln., Oak Creek, for conviction of a controlled substance and falsification of 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.

16. **COUNCIL ACCEPTS WITHDRAWAL OF RENEWAL ADULT ENTERTAINMENT BUSINESS LICENSE FOR 2017 LICENSE YEAR, FOR SJB LLC, STEPHANIE HIGGINS, AGENT, DBA THE NEW SPICE II, 7070 S. 27TH ST., AND REFUNDS 2017 LICENSE FEE PAID.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to accept the withdrawal of the Renewal Adult Entertainment Business license for the 2017 licensing year, for SJB LLC, Stephanie Higgins, Agent, dba The New Spice II, 7070 S. 27th St., and to refund the 2017 license fee paid. 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.**

Ald. Kurkowski, seconded by Ald. Verhalen, moved to grant an Operator's license to the following:

- Jacqueline M. LaFave, 643 E. Potter Ave., Milwaukee (Ryan Road Mobil)
- Heidi S. Steigerwald, 2092 S. 102nd St., West Allis (7-Eleven)
- James T. Mack, 7506 S. 69th St., Franklin (Kwik Trip)
- Blanca E. Solis-Aguirre, 7639 W. Morgan Ave., Milwaukee (Bel Air Cantina)
- Brenton J. Schreiner, 462 N. Milwaukee St., Fredonia (Aldi)

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 CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:49 p.m., pursuant to Wisconsin State Statutes Section 19.85(1)(e) to discuss the terms of a finance

development agreement with Emerald Row LLC for TIF loan and grant assistance for Phase II of the Emerald Row development. 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.

19.-20. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 9:24 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. No action was taken.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Bukiewicz, moved to adjourn this meeting at 9:24 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