

OFFICIAL PROCEEDINGS  
OF THE COMMON COUNCIL  
Regular Meeting

South Milwaukee  
September 6, 2011

The Regular Meeting of the Common Council was called to order by Mayor Zepecki at 7:00 p.m. On roll, all were present.

The meeting was prefaced by the Pledge of Allegiance.

The Mayor asked if there were any deletions to the agenda. There were none. Bartoshevich/Brooks moved to bring item one under Finance Committee to the front of the agenda. All voted aye, motion carried.

Bartoshevich/Brooks moved to dispense with the reading of the minutes of the August 16, 2011 meeting and approve them as drafted. All voted aye, motion carried.

Under President of the Council, Bartoshevich/Pieper moved to set the date for trick-or-treating in the City of South Milwaukee for Sunday, October 30, 2011 between the hours of 2:00 p.m. and 4:00 p.m. On roll, all voted aye except Brooks and Stoner who voted no. Motion carried.

Bartoshevich/Brooks moved to forward the letter received at the August 16, 2011 Common Council meeting under citizens comments from Gregory Meka regarding Divine Mercy properties being sold to the city engineer to respond about code compliance to Divine Mercy and the Archdiocese. All voted aye, motion carried.

Under Finance Committee, Wendi Unger of Baker Tilley Virchow Krause, LLP reviewed the 2010 audit and report for the Common Council. Stoner/Navarro moved to accept the 2010 audit and report. All voted aye, motion carried.

Stoner/Navarro moved to approve the financial reports for the various funds for the period ending July 31, 2011. All voted aye, motion carried.

Stoner/Navarro moved to approve the Schedule of Vouchers for the period ending August 31, 2011 in the amount of \$1,666,573.27. On roll, all voted aye. Motion carried.

Stoner/Navarro moved to authorize a contract with Engineered Security Systems to purchase and install Police Department live feed surveillance camera system in an amount not to exceed \$17,000 with funds from the Capital Account. On roll, all voted aye, motion carried.

Under Human Resources, Bartoshevich/Brooks moved to approve PSO Karla Immel's request to carry over up to 80 hours of compensatory time into 2012 for use during a FMLA-qualified leave. All voted aye, motion carried.

Bartoshevich/Brooks moved to approve Police Officer Robert Wentz's tuition reimbursement request for 2012 pursuant to Article XVII of the current labor agreement. All voted aye, motion carried.

Under Legislation & Permits Committee, Pieper/Bukowski moved to approve the newspaper distribution box permit for the 2011-2012 period for the Journal/Sentinel, Inc. and authorize the City Clerk to issue the permit upon receipt of all necessary fees and documentation. All voted aye, motion carried.

Pieper/Bukowski moved for the Suspension of the Rules for the adoption of an ordinance. On roll, all voted aye. Motion carried. Pieper/Bukowski moved to adopt Ordinance No. 2026 to repeal and recreate Chapter 1 of the Municipal Code relative to establishment of district and ward boundary lines, and give the ordinance its first, second, and third readings and publish a summary ordinance in the official newspaper as required by law. On roll, all voted aye. Motion carried.

Pieper/Brooks moved for the Suspension of the Rules for the adoption of an ordinance. On roll, all voted aye. Motion carried. Pieper/Bukowski moved to adopt Ordinance No. 2027 to amend Section 24.01 (a) of the Municipal Code to update references to Wis. Stat Chapter 961, and give it its first, second, and third readings, and publish a summary ordinance in the official newspaper as required by law. On roll, all voted aye. Motion carried.

Pieper/Brooks moved for the Suspension of the Rules for the adoption of an ordinance. On roll, all voted aye. Motion carried. Pieper/Bukowski moved to adopt Ordinance No. 2028 to create Section 24.34 of the Municipal Code prohibiting possession or synthetic cannabinoids, and give the ordinance its first, second, and third readings and publish a summary ordinance in the official newspaper as required by law. Pieper/Bukowski amended the motion to include a fine of not less than \$250 and not more than \$500. On roll, all voted aye. Motion carried.

Pieper/Brooks moved to adopt Resolution No. 11-19 creating a liquor license reservation program. All voted aye, motion carried.

Under Public Works and Public Property, Brooks/Bartoshevich moved to adopt Resolution No. 11-20 declaring emergency work within ravine southerly of Wastewater Treatment Facility to stabilize slopes and construct storm sewer outfall protection, and authorize a contract with Earth X, LLC. All voted aye, motion carried.

Under Plan Commission, Bartoshevich/Brooks moved to adopt Resolution No. 11-21 approving a Certified Survey Map to separate 675 College Ave. (former church rectory) and 695 College Avenue (Divine Mercy School) to divide former rectory (single-family home) and school into two lots; Lot 1 having an area of 21,794 sq. ft. (0.5 Ac) and Lot 2 having an area of 452,299 sq. ft. (10.39 Ac). All voted aye, motion carried.

Bartoshevich reminded the Council that the next Plan Commission meeting is scheduled for September 26, 2011 at 6:00 p.m.

Stoner/Navarro moved to go into closed session pursuant to Section 19.85 (1)(e) of the Wisconsin Statutes for the purpose of discussing negotiations related to the proposed sale of TID 2 property known as 222 N. Chicago Avenue and discussing a proposed development agreement related to the development of the same property including possible development and remediation assistance to Gatlin Development and/or Walmart. Bartoshevich/Stoner moved to invite CDA members, City Engineer Kyle Vandercar, and attorney representation to join them in closed session. All voted aye, motion carried.

Stoner/Navarro moved to return to open session and take any necessary action on those items discussed in closed session which may include approval of the terms of the sale and development agreement and discussion of a possible schedule for public hearings and further meetings to fulfill the obligations undertaken in the agreements and may include a bond sale to finance part of the assistance proposed. All voted aye, motion carried.

Brooks/Van Dusen moved to have a public information meeting on September 12, 2011 with the Council voting on the matter on September 20, 2011. On roll, Brooks, Van Dusen and Maass voted aye, Pieper, Bartoshevich, Navarro, Stoner, and Bukowski voted no. Motion failed.

Bartoshevich/Navarro moved to authorize the proper city officials to execute the proposed development agreement subject to city engineer and environmental consultant review and acceptance of remediation action plans and estimates. On roll, Pieper, Bartoshevich, Navarro, Stoner, and Bukowski voted aye, Brooks and Maass voted no, and Van Dusen voted present. Motion carried.

Bartoshevich/Stoner moved to introduce a resolution to vacate and discontinue 11<sup>th</sup> Avenue right-of-way between Carroll Avenue and Davis Avenue pursuant to Section 66.1103 of the Wisconsin Statutes, and schedule a public hearing for October 18, 2011 at 6:30 p.m. All voted aye except Brooks who voted no. Motion carried.

There being no further business, Stoner/Navarro moved to adjourn the meeting at 9:26 p.m. All voted aye, motion carried.

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THOMAS ZEPECKI, Mayor  
JAMES SHELENSKE, City Clerk

Approved: September 20, 2011