

**MINUTES OF THE MEETING OF THE COMMON COUNCIL OF THE CITY OF  
CUDAHY, HELD AT THE CUDAHY MUNICIPAL BUILDING, 5050 S. LAKE DR.  
MILWAUKEE COUNTY, WISCONSIN  
*Tuesday, March 15, 2011***

**ROLL CALL**

Mayor Anthony Day called the meeting to order at 7:00 PM. The following answered, "present" to the roll call: Council Members Mikolajczak, Schissel, Otto, and Litkowiec. Alderperson Bartoshevich was absent and excused. Also in attendance: Clerk/Treasurer Broderick, Director of Office Ser. Toms-Neary, Captain Kraker and City Attorney Eberhardy.

**MEETING STATEMENT**

The proper open meeting statement was read at this time.

**City of Cudahy residents that would like to speak on any item on this agenda.**

Joe Rapant of 3717 E. Morris spoke regarding Board of Public Works minutes and agenda; Ordinance No. 2289.2; Ordinance No. 2334.2 and Ordinance No. 2358.

**ADOPTION OF MINUTES:**

**MOTION MADE BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve the following minutes as listed: Motion carried unanimously.

1. Minutes of the meeting of the Common Council held March 1, 2011.
2. Minutes of the Personnel Committee held March 1, 2011.
3. Minutes of the Rules, Laws & License Committee held January 5, 2011.
4. Minutes of the Board of Public Works held December 13, 2010.
5. Minutes of the Cudahy Family Library held February 5, 2011.

**VETO**

1. Presentation by City Clerk of Mayor's Veto of Ordinance No. 2294.3 entitled "An Ordinance Fixing the Salary for the Cudahy Municipal Judge". The Mayor explained that the increase in the judge's salary was not part of the 2011 budget and would support the ordinance if the increase would be effect January 1, 2012 so it can be budgeted.
2. Discussion and appropriate action regarding Mayor's Veto of Ordinance No. 2294.3. **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to override the veto. On the roll call vote, Alderpersons Mikolajczak, Schissel, Otto and Litkowiec voted "no". Motion failed.

**CORRESPONDENCE:**

1. Notification dated March 10, 2011 from Police Officer Gregory Karas regarding his retirement effective May 29, 2011 was placed on file.

## **OLD BUSINESS**

1. Discussion and appropriate action regarding Ordinance No. 2294.3 entitled "An Ordinance Fixing the Salary for the Cudahy Municipal Judge" **MOTION BY ALD. OTTO, SECOND BY ALD. MIKOLAJCZAK** to amend Ordinance No. 2294.3 making it effective January 1, 2012. On the roll call vote, motion carried unanimously. **MOTION BY ALD. OTTO, SECOND BY ALD. MIKOLAJCZAK** to approve Ordinance No. 2294.3 as amended. On the roll call vote, motion carried unanimously.

## **NEW BUSINESS**

1. Discussion and appropriate action regarding "Claims for Excessive Assessment" by Walgreens Co. City Attorney Eberhardy explained that Walgreens is challenging their assessment by the City of \$2,750,000. They are saying that the assessment should be no higher than \$2,019,510 for each building which is a \$740,000 difference of opinion. He stated that the Board of Review upheld the assessment of the City Assessor and he believes the City Assessor made the correct decision on assessment. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to deny the claim. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding approval of cooperation agreement between Milwaukee County and the City of Cudahy for the years 2012 through 2014 regarding Community Development Block Grant Funds. **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. SCHISSEL** to approve. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding request of Permit Fee Waiver for construction in the Police Department. **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. MIKOLAJCZAK** to approve. Motion carried unanimously.

## **MAYOR UPDATE**

- The April 5, 2011 Common Council meeting will be changed to Wednesday, April 6, 2011 due to election.
- Update on South Shore Forum for Economic Development

## **ORDINANCES**

1. Discussion and appropriate action regarding Ordinance No. 2289.2 entitled "An Ordinance to Amend Ordinance 2289 to Adjust Base Salary for Engineering Intern/Co-Op Student Employees of the City of Cudahy". **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. SCHISSEL** to approve. On the roll call vote, motion carried unanimously.

2. Discussion and appropriate action regarding Ordinance No. 2292.4 entitled "An Ordinance to Amend Ordinance 2292.3 Concerning the Wages and Salaries for City of Cudahy Non-Union Part-Time Community Service Officers, Maintenance Inspector Community Service Officer, Part Time Assistant Maintenance Inspector/Community Service Officer and Court Liaison Officers". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding Ordinance No. 2292.5 entitled "An Ordinance to Amend Ordinance 2292.4 Concerning the Wages and Salaries for City of Cudahy Non-Union Part-Time Community Service Officers, Maintenance Inspector Community Service Officer, Part Time Assistant Maintenance Inspector/Community Service Officer and Court Liaison Officers". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve. On the roll call vote, motion carried unanimously.
4. Discussion and appropriate action regarding Ordinance No. 2334.2 entitled "An Ordinance Fixing the Salaries and Providing Fringe Benefits for Certain Non-Union Employees of the City of Cudahy for 2011". Alderperson requested that Ordinance No. 2334.2 be referred back to the Personnel Committee to incorporate state mandated changes in the ordinance. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Ordinance No. 2334.2. On the roll call vote, Alderperson Mikolajczak and Alderperson Otto voted "no". Alderperson Schissel and Alderperson Litkowiec voted "aye" resulting in a tie. Mayor Day voted "aye" breaking tie. Motion passed.
5. Discussion and appropriate action regarding Ordinance No. 2358 entitled "An Ordinance to Create a Base Salary for City of Cudahy Department of Public Works Seasonal Employees". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Ordinance No. 2358. On the roll call vote, motion carried unanimously.
6. Discussion and appropriate action regarding an ordinance providing for a non-precedential retiree exception concerning the current Chief Inspector in the City of Cudahy. Motion to approve was made and rescinded by Ald. Litkowiec. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. OTTO** to refer ordinance back to Personnel Committee. On the roll call vote, motion carried unanimously.

## **RESOLUTIONS**

1. Discussion and appropriate action regarding Resolution No. 6655 entitled "A Resolution Allowing the Claim of Andrew Crivello". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Resolution 6655. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding Resolution No. 6656 entitled "A Resolution Allowing the Claim of Gerald Butzler". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve. Motion carried unanimously.

## **LICENSES**

### **CLASS B COMBINATION**

1. Discussion and appropriate action regarding license application of Kari Durr, Agent for Castillo's Restaurant Inc.; 5656 S. Packard Ave. for a Class B Combination Liquor License. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve. Motion carried unanimously.

### **PARADE PERMIT**

1. Discussion and appropriate action regarding license application of Hubie Krawczyk for Charity Run (Races Against Childhood Cancer) through City scheduled for June 12, 2011 and request for permit fee waiver. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve parade permit and fee waiver. Motion carried unanimously.
2. Discussion and appropriate action regarding license application of United Performing Arts for bicycle race through City scheduled for June 5, 2011. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve. Motion carried unanimously.

### **TEMPORARY EXTENSION OF CLASS "B" PREMISES**

1. Discussion and appropriate action regarding request for temporary extension of premises for Robert Hoefs (On the Limiter – 3479 E. Plankinton Ave.) for May 29, 2011. (Rock and Ride for the Troops). **MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve. Motion carried unanimously.

### **PEDDLER LICENSE**

1. Discussion and appropriate action regarding application for Peddler License of Eric S. Anderson to solicit for The Window Store Home Improvements. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. SCHISSEL** to approve. On the roll call vote, motion carried unanimously.

### **HEARING FROM CUDAHY RESIDENTS WHO WISH TO SPEAK ON ANY SUBJECT:**

- Joseph Rapant of 3717 E. Morris Avenue spoke regarding abandoned, boarded up and homes in disarray, gang graffiti, pot holes and bumps and Ice Port core samples.

### **ADJOURN**

**MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. SCHISSEL** to adjourn at 7:52 P.M. Motion carried unanimously.

Passed and approved this 6<sup>th</sup> day of April, 2011.

Anthony Day, Mayor

ATTEST: Dennis Broderick, Clerk/Treasurer