

**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, June 7, 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, Otto, Litkowiec and Bartoshevich. Alderperson Schissel was absent and excused. Also in attendance: Clerk/Treasurer Broderick, DPW Director Lange, Captain Kraker, Superintendent of Water Miller, Dir. of Office Services Toms-Neary and City Attorney Eberhardy.

MEETING STATEMENT

The proper open meeting statement was read at this time.

PUBLIC HEARING

Replacement of sanitary sewer laterals on Packard Avenue at the following location: All properties serviced by a lateral on Packard Avenue from Holmes Avenue to Cudahy Avenue. The Mayor called for public comment three times and hearing none closed the public hearing at 7:03 P.M.

PUBLIC COMMENT

- Suzanne McKinney of 6260 S. Lake Drive spoke regarding health inspections of taverns and restaurants.
- County Supervisor Patricia Jursik of 4535 S. Sheridan Drive spoke regarding the Milwaukee County redistricting plan and gave background of decisions made.

ADOPTION OF MINUTES:

MOTION MADE BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC to approve the following minutes as listed: On the roll call vote, Alderpersons Mikolajczak, Otto and Litkowiec voted "aye". Alderperson Bartoshevich abstained. Motion carried.

1. Minutes of the meeting of the Common Council held May 17, 2011.
2. Minutes of the Personnel Meeting held May 17, 2011.
3. Minutes of the Traffic & Safety Commission held May 18, 2011.
4. Minutes of the Rules, Laws & Ordinance Committee held May 4, 2011.'
5. Minutes of the Board of Public Works held March 28, 2011.
6. Minutes of the Community Development Authority held April 26, 2011.
7. Minutes of the Board of Appeals held May 18, 2011.
8. Minutes of the Board of Review held May 16, 2011.
9. Minutes of the Board of Health held March 22, 2011.

APPROVAL OF CLAIMS

1. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. OTTO** to approve claims ending May 31, 2011 in the amount of \$388,371.94. On the roll call vote, motion carried unanimously.

NEW BUSINESS

1. Discussion and appropriate action regarding Community Development authority recommendation 2011-06-07-01 for the Common Council to approve an Amendment dated May 27, 2011 to the Endpoint Solutions April 21, 2011 contract for site remediation of the former Iceport Site. DPW Director Lange explained that the DNR was OK with the plan to level contaminated piles and then bury it in the lower level area and cap it with 18" of clean clay. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve amendment. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action to approve the levying of special assessments for Sanitary Lateral Replacement, Packard Avenue – Holmes to Cudahy". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding Board of Public Works recommendation to award the 2011 Asphalt Paving improvements contract to Payne & Dolan in the amount of \$434,977.00. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. On the roll call vote, motion carried unanimously.
4. Discussion and appropriate action regarding Board of Public Works recommendation to approve a request from Samano's Restaurant for a 6' x 14' encroachment into the Plankinton Avenue right of way. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. On the roll call vote, motion carried unanimously.

MAYOR UPDATE

- The Mayor gave an update on summer events which will include Movie Nights, 4th of July, Bike Race, Fall Harvest and Tree Lighting Ceremony.

ORDINANCES

1. Discussion and appropriate action regarding Ordinance No. 2362 entitled "An Ordinance Amending City of Cudahy Code of Ordinances Section 6.123 Pertaining to Snow Emergency Declarations and Parking". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve Ordinance No. 2362. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding Ordinance No. 2306.2 entitled "An Ordinance Fixing the Wages, Salaries and Fringe Benefits of the City of Cudahy Police Department Command Officers Commencing January 1, 2010". **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. BARTOSHEVICH** to approve Ordinance No. 2306.2. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding Ordinance No. 2350.2 entitled "An Ordinance Fixing the Salary and Fringe Benefits of the Captain of Police in the City of Cudahy Police Department for 2011". **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. BARTOSHEVICH** to approve Ordinance No. 2350.2. On the roll call vote, motion carried unanimously.

RESOLUTIONS

1. Discussion and appropriate action regarding Resolution No. 6677 entitled "A Resolution of the Common Council of the City of Cudahy, Wisconsin Adopting Criteria for Use in Redistricting" **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6677. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding Resolution No. 6678 entitled "A Resolution to Establish a Stormwater Utility Charge Within the City of Cudahy" **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6678. On the roll call vote, motion carried unanimously.

LICENSES & PERMITS

NEW CLASS B COMBINATION LIQUOR LICENSES

1. Discussion and necessary action regarding application of Sherice M. Krueger of 3606 E. Kimberly Avenue for 3479 E. Plankinton Ave pending fire, building and health inspections. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. On the roll call vote, motion carried unanimously.
2. Discussion and necessary action regarding application of Adam Espinoza of 1947 S. 5th Street for 5132 S. Packard Ave. pending police background check, fire, building and health inspections. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. On the roll call vote, motion carried unanimously.

Renewal of Sidewalk Café

1. Discussion and necessary action regarding application of Samano's Inc. for renewal of Sidewalk Café License located at 3431 E. Plankinton Avenue and request for waiver or proration of fees for 2011-2012 license year. Wendy Helgeson, a representative from Samano's, asked for a waiver or reduction in fees based on the \$250.00 fee paid last year. It took so long to move through all of the committees for approval for the 2010 licensing year, they were only able to utilize the sidewalk café area for a period of about 3 weeks. **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to approve sidewalk café license for Samano's and to pro-rate the fees for 2011-2012 from \$250.00 to \$60.00. On the roll call vote, motion carried unanimously.

Temporary Extension of Premises

1. Discussion and necessary action regarding request of Robert Sleger for temporary extension of premises at South Shore Inn, 5483 S. Lake Dr. for July 4, 2011. **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. MIKOLAJCZAK** to approve. Motion carried unanimously.
2. Discussion and necessary action regarding request of Joseph Paladino for temporary extension of premises at Joe's Club Bagdad, 3776 E. Layton Avenue for July 9, 2011. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve. Motion carried unanimously.

3. Discussion and necessary action regarding request of Anthony J. Koscinski Sr. for temporary extension of premises at Tat's Pub & Grill, 4671 S. Lake Drive for July 4, 2011 and September 10, 2011. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. Motion carried unanimously.

Temporary Class B Picnic License

1. Discussion and necessary action regarding request of Cudahy Lions Club for Temporary Class B Picnic License for July 4, 2011 and for Sweet Apple Wood Festivities July 29 through July 31, 2011 and request for waiver of fees. **MOTION BY BARTOSHEVICH, SECOND BY ALD. MIKOLAJCZAK** to approve license and waiver of fees. On the roll call vote, motion carried unanimously.

RENEWAL "CLASS B" COMBINATION LIQUOR LICENSE

1. Discussion and necessary action regarding renewal of Class B Combination Liquor License:
South woods Restaurant - Larry D. Burss 5404 S. Pennsylvania
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve. On the roll call vote, motion carried unanimously.

2. Discussion and necessary action regarding renewal of Class B Combination Liquor Licenses **PENDING BACKGROUND CHECK, FIRE, BUILDING AND HEALTH INSPECTIONS:**

Andrea's Restaurant - Ferki Bekteshi 5921 S. Packard Ave.

Coaches Corner - Daniel J. Kaminski 5832 S. Packard Ave.

Gasthaus - Wayne Stenglein, Agent 3450 E. Layton Ave.

Glide Inn - Linda & Daniel Singer 5110 S. Packard Ave.

KCD's - Gary Ward 3557 E. Squire Ave.

Light Palace - John M. Schulz 5880 S. Packard Ave.

Papa Luigi's - Salvatore Purpora, Agent 3475 E. Layton Ave.

Samano's - Wendy E Helgeson 3431 E. Plankinton Ave.

Sheridan's - Lee Barczak 5133 S. Lake Dr.

South Shore Inn - Robert Sleger, Agent - 5483 S. Lake Dr.

Joe's Club Bagdad - Joseph Paladino, Agent - 3776 E. Layton Ave.

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check, fire, building and health inspections. On the roll call vote, motion carried unanimously.

3. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK, FIRE, BUILDING AND HEALTH INSPECTIONS AND REMOVAL OF DEPARTMENT OF REVENUE HOLD**
Ilija's Place - Zoric Djurdjica, Agent 3701 E. Squire Ave. **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. MIKOLAJCZAK** to approve pending background check, fire, building and health inspections and payment to Department of Revenue. On the roll call vote, motion carried unanimously.

4. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK AND FIRE INSPECTION**
City Lounge – Joseph G. Halser IV, Agent 3455 E. Layton Ave.
Rollie’s Tap – Toni L. Eder 5406 S. Packard Ave.
The Country Club – Lynn & Frank Hornak 5928 S. Packard Ave.
Tsing Tao Chinese Restaurant – Cindy Thong, Agent 5765 S. Packard
Wayne’s on Packard – DeWayne Quinn, Agent 4854 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check and fire inspection. On the roll call vote, motion carried unanimously.

5. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK**
Goose & Jan’s – August Morchinek 4906 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check. On the roll call vote, motion carried unanimously.

6. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK AND BUILDING INSPECTION**
Fili’s Family Restaurant – Filogonio Medina, Agent 4753 S. Packard
On the Limiter – Robert A. Hoefs 5152-54 S. Packard Ave.
Reggie & Gerry’s – Geraldine Zeniecki 4883 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check and building inspection. On the roll call vote, motion carried unanimously.

7. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING FIRE AND BUILDING INSPECTIONS**
Overtime Sports Saloon – Dennis Bratel 3558 E. Barnard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending fire and building inspections. On the roll call vote, motion carried unanimously.

8. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK AND HEALTH INSPECTION**
Gerry’s In – Geraldine Buchholz 4767 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check and health inspection. On the roll call vote, motion carried unanimously.

9. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK, BUILDING AND HEALTH INSPECTIONS**

Brothers Sports Bar – Susan Lynn Hampel 5142 S. Packard Ave.

Dusty's – Pamela J. Graf 4858 S. Packard Ave.

Joe's K Ranch – Jerald Kotarak, Agent 4840 S. Whitnall Ave.

Pulaski Inn – Brian K. Swessel, Agent 3900 E. Pulaski Ave.

Time Outt – Josefina Dombrowski, Agent 4871 S. Packard Ave.

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to

approve pending background check, building and health inspections. On the roll call vote, motion carried unanimously.

10. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK, FIRE AND HEALTH INSPECTIONS**

Hammer Down – William Burg, Agent 5260 S. Packard Ave.

Sparky's – Robert Larson 5244 S. Packard Ave.

TAT's Pub & Grill – Anthony Koscinski, Agent 4671 S. Lake Dr.

Texx's Victory Hall – John Fucile, Agent 3665 E. Grange Ave.

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to

approve pending background check, fire and health inspections. On the roll call vote, motion carried unanimously.

11. Discussion and necessary action regarding renewal of Class B Combination Liquor License **PENDING BACKGROUND CHECK, FIRE AND BUILDING INSPECTION**

Construction Site – David Bursiek, Agent 3778 E. Pulaski

Joe's Club Bagdad – Joseph Paladino, Agent 3776 E. Layton Ave.

Restaurante La Salsa – Francisco Montenegro, Agent 3470 E. Layton

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to

approve pending background check, fire and building inspections. On the roll call vote, motion carried unanimously.

RENEWAL CLASS A COMBINATION LIQUOR LICENSE

1. Discussion and appropriate action regarding renewal of Class A Combination Liquor License **PENDING BACKGROUND CHECK, FIRE, BUILDING AND HEALTH INSPECTIONS**

Aldi's Inc. #72 – Katie Bubash, Agent 5656 S. Packard Ave.

Mega Marts LLC (PicknSave) Cynthia Powers, Agent 5851 S. Packard

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to

approve pending background check, fire, building and health inspections. On the roll call vote, motion carried unanimously.

2. Discussion and appropriate action regarding renewal of Class A Combination Liquor License **PENDING BACKGROUND CHECK AND FIRE INSPECTION**

Charlies Discount Tobacco & Liquor - Khalil J. Audi, Agent 3604 E. College Ave.

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to

approve pending background check and fire inspection. On the roll call vote, motion carried unanimously.

3. Discussion and appropriate action regarding renewal of Class A Combination Liquor License **PENDING BACKGROUND CHECK AND HEALTH INSPECTION CVS Pharmacy** - Marty Pedranzan, Agent 5740 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending background check and health inspection. On the roll call vote, motion carried unanimously.
4. Discussion and appropriate action regarding renewal of Class A Combination Liquor License **PENDING BACKGROUND CHECK, BUILDING AND HEALTH INSPECTION Skyline Catering Inc.**- Ernest C. Wunsch, Agent 5601 S. Pennsylvania **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending background check, building and health inspections. On the roll call vote, motion carried unanimously.
5. Discussion and appropriate action regarding renewal of Class A Combination Liquor License **PENDING BACKGROUND CHECK, FIRE AND HEALTH INSPECTION Walgreens #9839** – Robin Harmon, Agent 6241 S. Packard Ave.
Walgreens #09066 – John Leitel, Agent 3201 E. Layton Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check, fire and health inspections. On the roll call vote, motion carried unanimously.

RENEWAL CLASS B MALT

1. Discussion and appropriate action regarding renewal of Class B Malt License **PENDING BACKGROUND CHECK, FIRE AND BUILDING INSPECTION Cudahy Sportsmens Club** – Roy J. Leda, Agent 5350 S. Sheridan Dr. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending background check, fire and building inspections. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding renewal of Class B Malt License **PENDING BACKGROUND CHECK, FIRE, BUILDING AND HEALTH INSPECTION Packard Café** – Qazim Abasovski 5018 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending background check, fire, health and building inspections. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding renewal of Class B Malt License **PENDING BACKGROUND CHECK AND FIRE INSPECTION Treasure Garden** - Zhud Hui Liang 4905 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending background check, and fire inspection. On the roll call vote, motion carried unanimously.

RENEWAL USED AUTO/SALVAGE DEALERS

1. Discussion and appropriate action regarding renewal of Used Auto Dealer License
Accessibility Home Medical - Jon F. Tevz 1995 E. Norse Ave.
Nice Used Cars CK Auto - Mark A. Radtke 5048 S. Packard
CK Auto Kenneth D. Churchill III 4740 S. Pennsylvania Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve. On the roll call vote, motion carried unanimously.

2. Discussion and appropriate action regarding renewal of Used auto Dealer License
PENDING BACKGROUND CHECK
Authentic Automotive - Melonie L. Plimpton 4969 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check. On the roll call vote, motion carried unanimously.

3. Discussion and appropriate action regarding renewal of Used Auto Dealer License
PENDING FIRE INSPECTION
Customs Unlimited Inc.- Jeffery Kruse 3650 E. Adams Ave.
Exec Sales - Mark D. Nicholson 6183 S. Packard Ave.
Fine Auto Sales - Fouad Abduljalil 5117 S. Packard Ave.
Heritage Automotive Inc. - James H. Gessler 3441 E. Ramsey Ave.
Sunbelt Motors LLC - Joseph H. Marhal 6183 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending fire inspection. On the roll call vote, motion carried unanimously.

4. Discussion and appropriate action regarding renewal of Used Auto Dealer License
PENDING BACKGROUND CHECK AND BUILDING INSPECTION
Unos Auto Sales & Service - Marco Guerrero 4949 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check and building inspection. On the roll call vote, motion carried unanimously.

5. Discussion and appropriate action regarding renewal of Used Auto Dealer License
PENDING FIRE AND BUILDING INSPECTION
Southside Auto Mart - Lawrence N. Morris 5090 S. Pennsylvania
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending fire and building inspections. On the roll call vote, motion carried unanimously.

6. Discussion and appropriate action regarding renewal of Used Auto Dealer License
PENDING BAKCGROUND CHECK, FIRE AND BUILDING INSPECTION
Ewald's Venus Ford - Craig E. Ewald 2727 E. Layton Ave.
Pavelich Motors - George Pavelich 2801 E. Layton Ave.
SNO Auto Sales LLC - Khairi Alhassan 5800 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending background check, fire and building inspections. On the roll call vote, motion carried unanimously.

7. Discussion and appropriate action regarding renewal of Salvage Yard License
PENDING FIRE AND BUILDING INSPECTION
Pelman Iron & Metal Co. Inc. - Harry I. Pelman 5510 S. Whitnall
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve pending fire and building inspections. On the roll call vote, motion carried unanimously.

PEDDLER LICENSE

1. Discussion and appropriate action regarding renewal of peddler license for Nancy A. Finch for direct sales of toys & novelties (4th of July).
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding renewal of peddler license for Cudahy Lions Club and request waiver of fees.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve license and waiver of fees. On the roll call vote, motion carried unanimously.

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

- a. Jerry Wenglewski of 3770 E. Carpenter Ave. regarding property maintenance citywide.
- b. Dan Stanislawski of 4590 S. Nicholson spoke regarding pot holes.
- c. Suzanne McKinney of 6260 S. Lake Drive spoke regarding health inspections, emergency plan for hot weather and the judge's salary.

ADJOURN

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to adjourn at 8:15 P.M. Motion carried unanimously.

Passed and approved this 28th day of June, 2011.

Anthony Day, Mayor

ATTEST: Dennis Broderick, Clerk/Treasurer