

**MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF  
CUDAHY, HELD AT THE CUDAHY MUNICIPAL BUILDING, 5050 S. LAKE DR.  
MILWAUKEE COUNTY, WISCONSIN  
TUESDAY, DECEMBER 18, 2012**

**CERTIFICATION OF OPEN MEETING LAW REQUIREMENTS AND APPROVAL OF THE AGENDA**

The proper open meeting statement was read at this time.

**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, Schissel, and Bartoshevich. City Clerk Broderick and City Attorney Eberhardy were also in attendance.

**PUBLIC HEARINGS & PRESENTATIONS**

The public hearing was called to order at 7:02 P.M.

Public Hearing to review a proposed land aggregation, plat of survey and petition to rezone the subject parcel at 5461 S. Whitnall Avenue from M-1 Limited Manufacturing to RD-2 Single and Two Family Residential zoning to accommodate the proposed land aggregation.

Public Comment: The Mayor called three times for public comment and there were none.

The public hearing closed at 7:04 P.M.

**PUBLIC COMMENT**

There were none.

**CONSENT AGENDA ITEMS**

**MOTION MADE BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve the items listed on the consent agenda with noted changes. On the roll call vote, motion carried unanimously.

1. Minutes of the Regular meeting of the Common Council held December 4, 2012.
2. Minutes of the meetings of the Rules, Laws & License Committee held November 13, 2012 and November 20, 2012.
3. Minutes of the Board of Public Works held October 22, 2012.

**OLD BUSINESS**

1. Discussion and appropriate action regarding approval of Ordinance No. 2299.2 entitled "An Ordinance Concerning Dog and Cat Licensing and Regulation". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to amend Ordinance No. 2299.2 section 4 regarding impounding of dogs other than pitbulls and/or cats as they are addressed in a separate section. On the roll call vote, motion carried unanimously. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve Ordinance No. 2299.2 as amended. On the roll call vote, motion carried unanimously.

## **NEW BUSINESS**

1. Discussion and appropriate action regarding request of WE Energies rezoning at 5461 S. Whitnall Avenue from M-1 Limited Manufacturing to RD-2 Single and Two Family Residential zoning to accommodate the proposed land aggregation. **MOTION BY ALD. LITKOWIEC, SECOND BY ALD. OTTO** to approve. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding request of Bassam S. Salim for Used Auto License for 5800 S. Packard Ave. (Sam's Auto Sales, LLC). **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 request from property owner at 3800 E. Pulaski Avenue to allow a 5.1' encroachment upon City right of way for fence. **MOTION BY ALD. OTTO, SECOND BY ALD. SCHISSEL** to approve. On the roll call vote, Alderpersons Schissel, Litkowiec and Otto voted "aye". Alderpersons Mikolajczak and Bartoshevich voted "no". Motion carried.

## **DEPARTMENT MANAGER OR ELECTED OFFICIAL UPDATES**

### **Mayor**

- Update concerning filing of Railroad Complaint regarding condition of crossings.

### **DPW Director**

- Annual review of the City Snow & Ice Control Policy.
- Summary of Snow Plow field exercise.
- Update on new public works employees.

## **INTRODUCTION/PASSAGE OF ORDINANCES**

### **PASSAGE OF ORDINANCES**

1. Discussion and appropriate action regarding Ordinance No. 2374.1 entitled "An Ordinance Fixing the Salaries of Certain Non-Union Employees of the City of Cudahy for 2013". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Ordinance No. 2374.1. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding Ordinance No. 2373.1 entitled "An Ordinance Fixing the Salaries and Providing Fringe Benefits for Department Heads of the City of Cudahy for 2013". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Ord. 2373.1 as amended. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding Ordinance No. 2379 entitled "An Ordinance Creating Section 12.37 of the City of Cudahy Municipal Code Requiring Prepayment for All Fuel at Automobile Service Stations". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve Ord. 2379. On the roll call vote, motion carried unanimously.
4. Ordinance No. 2381 entitled "An Ordinance to Remove 2 Hour Parking Restrictions on Plankinton Avenue from S. Kinnickinnic to S. Packard". **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. MIKOLAJCZAK** to approve Ord. 2381. On the roll call vote, motion carried unanimously.

## **PASSAGE OR RESOLUTIONS**

1. Discussion and appropriate action regarding Resolution No. 6756 entitled "A Resolution Supporting the League of Wisconsin Municipalities' Top Priorities in the Upcoming 2013-2014 Legislative Session". **MOTION BY ALD. OTTO, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6756. On the roll call vote, motion carried unanimously.
2. Discussion and appropriate action regarding Resolution No. 6757 entitled "A Resolution Denying the Claim of Beverly Hecker". **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6757. On the roll call vote, motion carried unanimously.
3. Discussion and appropriate action regarding Resolution No. 6758 entitled "a Resolution Allowing the Claim of Charles & Lisa Selden". **MOTION BY ALD. OTTO, SECOND BY ALD. SCHISSEL** to approve Resolution No. 6758. On the roll call vote, motion carried unanimously.

### **\*PUBLIC COMMENT** (on any subject items).

Dick Bartoshevich of 5962 S. Robert Avenue spoke regarding nuisance property near the McDonalds on Packard.

## **ADJOURN**

**MOTION BY ALD. OTTO, SECOND BY ALD. SCHISSEL** to adjourn at 7:50 P.M. Motion carried unanimously.

Passed and approved this 2<sup>nd</sup> day of January, 2013.

Anthony Day, Mayor

ATTEST: Dennis Broderick, Clerk/Treasurer