

**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
WEDNESDAY, FEBRUARY 20, 2013 AT 7:00 P.M.**

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

Public hearing to review a petition to rezone the subject parcels at 4701, 5007, 5049, 5049 (REAR), 5069 South Pennsylvania Avenue and the parcel at 2251 East Layton Avenue from a base zoning of M-1 Limited Manufacturing to B-5 Highway Business District to harmonize the zoning map with the City of Cudahy's adopted land use map and to facilitate the marketing and promotion of the subject land for development by market-driven uses most likely to occur at the subject location. The request and exhibit(s) are submitted by the Economic Development Director and held on file in the office of the Economic Development Director and available for public viewing during ordinary office hours.

Public Hearing was opened at 7:01 P.M. Director of Economic Development Biernat gave an overview of the rezoning. Mayor Day asked three times if there were any residents interested in public comment and there were none. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to close public hearing at 7:08 P.M. Motion carried unanimously.

PUBLIC COMMENT

None

CONSENT AGENDA ITEMS

MOTION MADE BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC 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 February 5, 2013.
2. Minutes of the Finance Committee held February 5, 2013.
3. Minutes of the Personnel Committee held February 5, 2013.
4. Minutes of the Design Review Board meeting held January 8, 2013.
5. Minutes of the Board of Health held November 27, 2012.
6. Claims in the amount of \$551,355.10 ending December 31, 2012.

NEW BUSINESS

1. Discussion and necessary action regarding request of Cudahy School District for Permit Fee Waiver of \$4,045 HVAC doubled fee, high school boiler room. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. SCHISSEL** to approve waiver. On the roll call vote, Alderpersons Mikolajczak, Schissel and Bartoshevich voted "aye". Alderperson Litkowiec abstained. Motion carried.
2. Discussion and necessary action regarding Parade Permit Application of United Performing Arts Fund for Bike ride through City on June 2, 2013. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve. Motion carried unanimously.
3. Discussion and necessary action regarding request of Joseph A. Wagner for Combination Class B Liquor license for 3800 E. Layton Avenue. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending all inspections and background checks. On the roll call vote, motion carried unanimously.
4. Discussion and necessary action regarding request of Jennifer Hauglie for Combination Class B Liquor License for 5152 S. Packard Avenue. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve pending all inspections and background checks. On the roll call vote, motion carried unanimously.
5. Discussion and necessary action regarding permission for outside counsel to represent our firefighters at deposition (concerning Smithfield Food, et. al. v. US) and Finance Committee's recommendation to engage Attorney Don Piper for an amount not to exceed \$5,000. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve. On the roll call vote, motion carried unanimously.

DEPARTMENT MANAGER OR ELECTED OFFICIAL UPDATES

Alderman Mikolajczak: Update on State Mining Bill. Ald. Mikolajczak recommended that the City prepare a resolution supporting the mining bill as it will affect local business positively.

INTRODUCTION/PASSAGE OF ORDINANCES & RESOLUTIONS

PASSAGE OR ORDINANCES

1. Discussion and necessary action regarding Ordinance No. 2384 entitled "An Ordinance to Amend the City of Cudahy Code of Ordinances Pertaining to Changes in the State Electrical Code". City Attorney Eberhardy gave an explanation of the changes to the statutes relating to electrical and administrative fees and thanked Chief Inspector Zsebe for his hard work on this topic. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Ord. 2384. On the roll call vote, motion carried unanimously.

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

Randy Hollenbeck of 2839 E. Holmes spoke regarding Packard Plaza.

Mitar Knezic of 2606 E. Carpenter Avenue spoke regarding flooding issues.

ADJOURN

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to adjourn at 7:48 P.M. Motion carried unanimously.

Passed and approved this 5th day of March, 2013.

Anthony Day, Mayor

ATTEST: Dennis Broderick, Clerk/Treasurer