

**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, MARCH 19, 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, Schissel, Otto, Litkowiec and Bartoshevich. Deputy City Clerk Toms-Neary, DPW Director Lange, Water Super Miller, Dir. of Econ. Dev. Biernat, Comptroller Williamson and City Attorney Eberhardy were also in attendance.

PUBLIC HEARINGS & PRESENTATIONS

None

PUBLIC COMMENT (agenda items)

- Steven Presnell of 7908 E. Long Lake Dr., Wind Lake commented regarding new business #5 regarding appointment of City of Cudahy Plumbing Supervisor.
- Greg Loferski of 2533 E. Donald Ave., Cudahy commented regarding new business #5 regarding appointment of City of Cudahy Plumbing Supervisor.

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 March 5, 2013.
2. Minutes of the Joint Special Meeting of the Common Council and the Community Development Authority held March 5, 2013.
3. Minutes of the Personnel Committee held March 5, 2013.
4. Minutes of the Claims Committee held March 4, 2013.
5. Minutes of the Board of Public Works held January 28, 2013.
6. Minutes of the Design Review Board held February 12, 2013.
7. Minutes of the Special Meeting of the Design Review Board held February 26, 2013.
8. Minutes of the Joint Plan Commission and Design Review Board held February 12, 2013.
9. Minutes of the Water Utility Commission held February 21, 2013.
10. Minutes of the Board of Canvass held February 25, 2013.
11. Minutes of the Recount of the February 19, 2013 Primary Election for Wards 13,14 & 15 held March 1, 2013.

NEW BUSINESS

1. Discussion and necessary action regarding request of Cudahy Water Utility for permit fee waiver for installation of services stairs. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. Motion carried unanimously.
2. Discussion and necessary action regarding recommendation of the Board of Public Works regarding changes to the scheduling of Spring Clean-Up. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. Motion carried unanimously.
3. Discussion and necessary action regarding recommendation of the Board of Public Works to change Winter Drop-Off Site days of operation to only Saturday from December 1 to April 1. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. SCHISSEL** to approve. Motion carried unanimously.
4. Discussion and necessary action regarding recommendation from the Board of Public Works to make an amendment to the Waste Management Contract to extend until December 2013. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. On the roll call vote, motion carried unanimously.
5. Discussion and necessary action regarding appointment of Paul C. Larzelere as City of Cudahy Plumbing Supervisor. Lengthy discussion ensued. **MOTION BY ALD. OTTO, SECOND BY ALD. SCHISSEL** to approve. On the roll call vote, Alderpersons Schissel, Otto and Litkowiec voted "aye". Alderpersons Mikolajczak and Bartoshevich voted "no". Motion carried.

DEPARTMENT MANAGER OR ELECTED OFFICIAL UPDATES

City Attorney Eberhardy gave an update on the railroad crossings at Layton and Ramsey.

INTRODUCTION/PASSAGE OF ORDINANCES & RESOLUTIONS

PASSAGE OR ORDINANCES

1. Discussion and necessary action regarding approval of Ordinance No. 2374.2 entitled "Ordinance To Amend Ordinance 2374.1 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 necessary action regarding approval of Ordinance No. 2385 entitled "An Ordinance to Change Zoning of the Parcels at 4701-5001 S. Pennsylvania Avenue and 2251 E. Layton Avenue from a Base Zoning of M-1 Limited Manufacturing to B-5 Highway Business District". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve Ordinance No. 2385. On the roll call vote, motion carried unanimously.
3. Discussion and necessary action regarding approval of Ordinance No. 2383 entitled "An Ordinance Amending Cudahy Municipal Code Subsection 8.07(5) to Establish Administrative Appeal Process for Snow Removal" **MOTION BY ALD. MIKOLAJCZAK,**

SECOND BY ALD. OTTO to approve Ordinance No. 2383. On the roll call vote, motion carried unanimously.

4. Discussion and necessary action regarding approval of Ordinance No. 2384.2 entitled "An Ordinance to Amend Ordinance No. 2384 Providing for Different Effective Date Pertaining to Changes in State Electrical Code". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Ordinance No. 2384.2. On the roll call vote, motion carried unanimously.

PASSAGE OF RESOLUTIONS

1. Discussion and necessary action regarding approval of Resolution No. 6066.2 entitled "Resolution Dissolving Tax Key Numbers 631-0089 and 631-0090 on Sweet Apple-Wood Lane". **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6066.2. On the roll call vote, motion carried unanimously.

2. Discussion and necessary action regarding approval of Resolution No. 6066.3 entitled "Resolution Dissolving Tax Key Number 631-0114-008 on Sweet Apple-Wood Lane". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6066.3. On the roll call vote, motion carried unanimously.

3. Discussion and necessary action regarding approval of Resolution No. 6768 entitled "Resolution Approving Certified Survey Map in the Northwest One-Quarter (1/4) Section Twenty-Six (26), Township Six (6) North, Range Twenty-Two (22) East". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6768. On the roll call vote, motion carried unanimously.

4. Discussion and necessary action regarding Resolution No. 6769 entitled "A Resolution Congratulating Ernie Wunsch Upon Receiving the '2012 Business Person of the Year' Award from the Cudahy Chamber of Commerce". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. BARTOSHEVICH** to approve Resolution No. 6769. On the roll call vote, motion carried unanimously.

5. Discussion and necessary action regarding Resolution No. 6770 entitled "A Resolution Congratulating Lynn Filak of the City of Cudahy School District, on Receiving the '2012 Education and Advancement Award' From the Cudahy Chamber of Commerce". **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. SCHISSEL** to approve Resolution No. 6770. On the roll call vote, motion carried unanimously.

6. Discussion and necessary action regarding Resolution No. 6771 entitled "A Resolution Congratulating Affordable Hearing & Air Conditioning Upon Receiving the '2012 Business Vitality Award' from the Cudahy Chamber of Commerce". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve Resolution No. 6771. On the roll call vote, motion carried unanimously.

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

Jerry Wenglewski of 3717 E. Carpenter spoke regarding drop off site regulations.

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

Tom Javorek of 3746 E. Bottsford Ave., spoke regarding dump fees and spring cleanup.

ADJOURN

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to adjourn at 7:54 P.M. Motion carried unanimously.

Passed and approved this 3rd day of April, 2013.

Anthony Day, Mayor

ATTEST: Dennis Broderick, Clerk/Treasurer