

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, MARCH 6, 2018, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Mayor Bukiewicz called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Loreck, Ald. Toman, Ald. Gehl, and Ald. Guzikowski. Ald. Duchniak was excused.

Also present were City Attorney Melissa Karls, Police Chief Steven Anderson, Communications Coordinator Leslie Flynn, City Treasurer Barbara Guckenberger, Public Works Director Ted Johnson, Fire Chief Thomas Rosandich, Human Resource Manager Becky Schermer, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Finance Director / Comptroller Bridget Souffrant, City Administrator Andrew Vickers, and City Clerk Catherine Roeske.

2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Kurkowski, seconded by Ald. Loreck, moved to approve the minutes of the 2/19/18 meeting as published. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

4. **SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING JANUARY 31, 2018.**

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending January 31, 2018.

5. **COUNCIL AWARDS DTS PUBLIC RESTROOM PROJECT TO KVG BUILDING CORPORATION INC., LUMP SUM BID PRICE OF \$179,628.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to award the Drexel Town Square Public Restrooms Project to the lowest, responsive, responsible bidder, KVG Building Corporation, Inc., for the lump sum bid price of \$179,628 (Project No. 18025). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2897, AMENDING ORDINANCE NO. 2889, FIXING SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR NON-UNION, GENERAL, MANAGEMENT PERSONNEL, OTHER CITY OFFICES AND POSITIONS FOR 2018.**

Ald. Toman, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2897, amending Ordinance No. 2889, fixing the Salary Ranges, Salary, Wages and Allowances for Non-Union, General, Management Personnel and Other City Offices and Positions for the year 2018. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the February 28, 2018, Vendor Summary Report in the combined amount of \$380,155.37. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **COUNCIL APPROVES THREE YEAR LEASE-TO-OWN CONTRACT WITH UTILITY SALES AND SERVICE FOR AERIAL LIFT TRUCK IN AMOUNT OF \$110,048.13.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a three year lease-to-own contract with Utility and Service for the lease of an aerial lift truck in the amount of \$110,408.13. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11916-030618, ACCEPTING 2017 ANNUAL REPORT FOR OAK CREEK'S WPDES STORM WATER (NR 216) PERMIT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11916-030618, accepting the 2017 Annual Report for Oak Creek's WPDES Storm Water (NR 216) permit. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **COUNCIL APPROVES INSTALLATION OF "NO PARKING" AND "NO LEFT TURN" SIGNS AT 8545 S. SHEPARD AVE. (EDGEWOOD ELEMENTARY SCHOOL).**

Ald. Loreck, seconded by Ald. Kurkowski, moved to approve the installation of "No Parking" and "No Left Turn" signs at 8545 S. Shepard Avenue (Edgewood Elementary School). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11919-030618, VACATING DRAINAGE EASEMENT FOR I-DREXEL, LLC / ICAP DEVELOPMENT, LLC FOR PROPERTY AT 410 W. DREXEL AVE.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 11919-030618, vacating a drainage easement for I-Drexel, LLC / ICAP Development LLC for the property at 410 W. Drexel Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 11917-030618, CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS , APPROVING PROJECT PLAN AND BOUNDARIES FOR TID NO. 14.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 11917-030618, creating, describing, and making certain findings and approving the Project Plan and boundaries for Tax Incremental District (TID) No. 14 (610 W. Rawson Ave., 7001 and 7045 S. 6th St.). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 11918-030618, CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS, APPROVING PROJECT PLAN AND BOUNDARIES FOR TID NO. 15.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 11918-030618, creating, describing, and making certain findings and approving the Project Plan and boundaries for Tax Incremental District (TID) No. 15 (330, 400, 410 and 500 W. Drexel Ave.). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald.

Guzikowski, aye.

14. **PRESENTED AND ADOPTED: ORDINANCE NO. 2899, AMENDMENT TO COMPREHENSIVE PLAN FOR PROPERTIES AT 8300, 8304, 8310, AND 8380 S. 27TH ST., AND 8370 S. ORCHARD WAY.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2899, an amendment to the Comprehensive Plan for the properties at 8300, 8304, 8310, and 8380 S. 27th St. and 8370 S. Orchard Way. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Gehl, moved to take action as follows:

Grant an Operator's license to:

- Matthew A. Collier, 2548 N. 124th St., Wauwatosa (Kwik Trip)
- Kathryn M. Rielly, 10250 64th Ave., Pleasant Prairie (The Dish)
- Elizabeth A. Davis, 822 Sheridan Rd., Kenosha (Meijer)
- Scott J. Lisowski, 9219 S. Chicago Rd., Oak Creek (Kwik Trip)
- Dana L. Fischer, 607 Colony Trail, McHenry, IL (Meijer)
- Chad J. Gerbing, N8102 Woody Ln., Ixonia (Aldi)

Grant a Change of Agent to Willkomm Foods, LLC dba The Dish Restaurant, 9540 S. 27th St., from Val Secor to Laura K. Scott, N7347 Nine Indian Trail, Elkhorn.

Grant a Change of Agent to Mega Marts, LLC dba Pick 'n Save #6387, 2320 W. Ryan Road, from Bradley J. Brunner to Joseph A. Reuter, 4518 S. Greenridge Cir.

Grant a 2017-2018 Class A Combination license to Gurjapbir S. Kahlon, Agent, Rasleen Gas & Food Mart, Inc., dba B.P., 9502 S. Howell Ave., with issuance subject to applicant receiving final department approvals and occupancy permit.

On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 7:55 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- a. Section 19.85(1)(e) to discuss a proposed Land Swap Term Sheet between the City of Oak Creek, Capstone Quadrangle dba Ryan Business Park, LLC and Milwaukee County for the development of the properties at 741 West Ryan Road, 1001 West Ryan Road, 9600 South 13th Street, 9700 South 13th Street and 9900 South 13th Street (905-9999-006, 905-9995-001, 905-9994-001, 905-9993-003 and 925-9999-000).
- b. Section 19.85(1)(g) to consider the Claim for Excessive Assessment of Woodman's Food Market Inc. (Tax Key No. 813-9038-000).
- c. Section 19.85(1)(g) to consider the Claim for Excessive Assessment of Robert Fransway, SGC, LLC and Springbrook Development for the properties at 200 R. Puetz Road W, 200 Puetz Road

W, 402 Puetz Road W, 404 Puetz Road W, 406 Puetz Road W, 408 Puetz Road W and 487 Bell Court. (Tax Key Nos. 828-9008-000, 828-9007-000, 828-9025-000, 828-9026-000, 828-9013-000, 829-9014-000, and 828-0003-000).

- d. Section 19.85(1)(g) to discuss *Guillermo Carrasquillo v. City of Oak Creek*, U.S. District Court, Eastern District of Wisconsin, Case No. 18CV124.
- e. Section 19.85(1)(c) to discuss the performance evaluation for the City Administrator.

On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 9:35 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. COUNCIL AUTHORIZES ISSUANCE OF NOTICE OF DISALLOWANCE OF CLAIM FOR EXCESSIVE ASSESSMENT OF WOODMAN'S FOOD MARKET, 8131 S. HOWELL AVE.

Ald. Gehl, seconded by Ald. Loreck, moved to authorize the Issuance of a Notice of Disallowance of the Claim for Excessive Assessment of Woodman's Food Market Inc., for the property at 8131 S. Howell Ave. related to the 2017 assessment (Tax Key No. 813-9038-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

COUNCIL AUTHORIZES ISSUANCE OF NOTICE OF DISALLOWANCE OF CLAIM FOR EXCESSIVE ASSESSMENT OF ROBERT FRANSWAY, SGC, LLC AND SPRINGBROOK DEVELOPMENT FOR THE PROPERTIES AT 200 R. PUETZ ROAD W, 200 PUETZ ROAD W, 402 PUETZ ROAD W, 404 PUETZ ROAD W, 406 PUETZ ROAD W, 408 PUETZ ROAD W AND 487 BELL COURT.

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the Issuance of a Notice of Disallowance of the Claim of Excessive Assessment of Robert Fransway, SGC, LLC and Springbrook Development for the properties at 200 R. Puetz Road W, 200 Puetz Road W, 402 Puetz Road W, 404 Puetz Road W, 406 Puetz Road W, 408 Puetz Road W and 487 Bell Court related to the 2017 assessment (Tax Key Nos. 828-9008-000, 828-9007-000, 828-9025-000, 828-9026-000, 828-9013-000, 829-9014-000, and 828-0003-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

COUNCIL APPROVES SETTLEMENT IN MATTER OF GUILLERMO CARRASQUILLO V. CITY.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the settlement in the matter of *Guillermo Carrasquillo v. City of Oak Creek*, providing the residency restriction ordinance for sex offenders will not be applied to him while he lives at his current address and a monetary settlement not to exceed \$23,653 with a full release of all claims. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 11920-030618, APPROVING LAND SWAP TERM SHEET BY AND BETWEEN CITY, RYAN BUSINESS PARK, LLC AND MILWAUKEE COUNTY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11920-030618, approving a Land Swap Term Sheet by and between the City of Oak Creek, Ryan Business Park, LLC and Milwaukee County, and authorizing the Mayor to sign the same. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn this meeting at 9:39 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor