

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, NOVEMBER 20, 2018, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Mayor Bukiewicz called the meeting to order at 7:02 p.m. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Loreck, Ald. Duchniak, Ald. Toman, Ald. Gehl, and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Assistant IT Manager Thomas Kramer, Fire Chief Thomas Rosandich, 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. Loreck, seconded by Ald. Duchniak, moved to approve the minutes of the 11/5/18 meeting. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

4. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENT TO SEC. 17.0317(I)(1) TO SET MINIMUM PARKING LOT SETBACK FROM PUBLIC RIGHT-OF-WAY TO TEN FEET IN LM-1, LIMITED MANUFACTURING DISTRICT.**

A public hearing was held to consider a proposed amendment to Sec. 17.03170(i)(1) to set the minimum parking lot setback from the public right-of-way to ten (1) feet in the Lm-1, Limited Manufacturing District. (See Item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2919, TO REPEAL AND RECREATE SECTION 17.03170(I)(1) OF MUNICIPAL CODE TO REDUCE MINIMUM PARKING LOT SETBACK FROM 30 FEET TO 10 FEET FROM RIGHT-OF-WAY PUBLIC STREETS IN LM-1, LIMITED MANUFACTURING DISTRICT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance no. 2919, to repeal and recreate Section 17.0317(i)(1) of the Municipal Code to reduce the minimum parking lot setback from 30 feet to 10 feet from the right-of-way of all public streets in the Lm-1, Limited Manufacturing District. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **COUNCIL APPROVES 2019 REGULAR COMBINED COMMON COUNCIL MEETING DATES.**

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the 2019 Regular Combined Common Council meeting dates. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 12008-112018, APPROVING AND AUTHORIZING EXECUTION OF FIRST AMENDMENT TO LEASE AGREEMENT WITH AMERICAN TOWERS LLC FOR PART OF PROPERTY LOCATED AT 800 W. PUETZ RD.**

Ald. Duchniak, seconded by Ald. Loreck, moved to adopt Resolution No. 12008-112018, approving an authorizing the execution of the First Amendment to the Lease Agreement with American Towers LLC for the part of the property located at 800 W. Puetz Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald.

Guzikowski, aye.

8. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to take action on the following:

Grant an Operator's license to:

- Carly E. Klotz, 3531 W. Woodward Dr., Franklin (Gary's Beer & Liquor)
- Michael J. Hartmann, 3378 S. 9th Pl., Milwaukee (Kwik Trip)
- Rachel A. Torgerson, 1221 Mackinac Ave., South Milwaukee (Applebee's)
- Apollonia M. Jacobs, 6747 Crocus Ct., Greendale (Comfort Suites)
- Stephanie M. Post, 10370 W. Plumtree, Hales Corners (Buffalo Wild Wings)
- Alexis M. Kirschbaum, 10020 S. Austin St., Oak Creek (Kwik Trip)
- Mark R. Lyman II, 5161 S. 45th St., Greenfield (Kwik Trip)

Grant a 2018-19 Reserve Class B Combination alcohol license to Floa Vinca, Agent, Agave Blu Cantina Inc., dba Agave Blue Cantina, 8950 S. 27th St., with issuance subject to issuance of Occupancy Permit and receipt of fees due.

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

9. COUNCIL APPROVES VENDOR SUMMARY.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the November 14, 2018 Vendor Summary Report in the amount of \$448,707.34. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 7:35 p.m., pursuant to Wisconsin State Statutes, Section 19.85(1)(e) to consider a proposed Tax Incremental District No. 16 City/Tenant Agreement by and between the City of Oak Creek and Amazon.com.dedc, LLC, for the property located at 9700 South 13th Street. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 7:54 p.m. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. PRESENTED AND ADOPTED: RESOLUTION NO. 12004-112018, APPROVING SWMP MAINTENANCE AGREEMENT WITH COMMERCE 94 PROJECT, LLC FOR DEVELOPMENT LOCATED AT 9700 S. 13TH ST.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12004-112018, approving a Storm Water Management Practices Maintenance Agreement with Commerce 94 Project, LLC for the development located at 9700 S. 13th St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 12005-112018, APPROVING DEVELOPMENT AGREEMENT FOR DESIGN AND INSTALLATION OF PUBLIC IMPROVEMENTS FOR DEVELOPMENT LOCATED AT 9700 S. 13TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12005-112018, approving the Development Agreement for the design and installation of public improvements for the development located at 9700 S. 13th St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 12006-112018, APPROVING AN AUTHORIZING EXECUTION OF TID NO. 16 CITY/TENANT AGREEMENT BY AND BETWEEN CITY AND AMAZON.COM.DEDC, LLC.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12006-112018, approving and authorizing execution of Tax Incremental District No. 16 City/Tenant Agreement by and between the City of Oak Creek and Amazon.com.dedc, LLC. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, no.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn the meeting at 8:22 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor