

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, MARCH 5, 2019, 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. Duchniak, Ald. Toman, Ald. Gehl, and Ald. Guzikowski. Ald. Loreck was excused.

Also present were City Attorney Melissa Karls, Police Chief Steven Anderson, Communication Coordinator Leslie Flynn, City Treasurer Barbara Guckenberger, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Police Captain David Stecker, Assistant City Administrator/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. Duchniak, moved to approve the minutes of the 2/18/19 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

4. **PRESENTED AND ADOPTED: RESOLUTION NO. 12039-030519, RESOLUTION OF COMMENDATION TO MICHAEL J. RUTZ, RETIRING FIRE INSPECTOR.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12039-030519, a Resolution of Commendation to Michael J. Rutz, retiring Fire Inspector. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

5. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 19-01, CONGRATULATIONS TO SSCC 2018 BUSINESS OF THE YEAR AWARD WINNER, TRI CITY NATIONAL BANK.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 19-01, Congratulations to the South Suburban Chamber of Commerce 2018 Business of the Year Award Winner, Tri City National Bank. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 19-02, CONGRATULATIONS TO SSCC 2018 PRIDE IN PREMISES FINALIST, MATC OAK CREEK.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 19-02, Congratulations to the South Suburban Chamber of Commerce 2018 Pride in Premises Finalist, MATC Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 19-03, CONGRATULATIONS TO SSCC 2018 ENVIRONMENTAL SUSTAINABILITY AWARD FINALIST, NUCOR COLD FINISH WISCONSIN.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 19-03, Congratulations to the South Suburban Chamber of Commerce 2018 Environmental Sustainability Award Finalist, Nucor Cold Finish Wisconsin. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 19-04, CONGRATULATIONS TO SSCC 2018 BUSINESS OF THE YEAR FINALIST, SAVAGLIA FINANCIAL ADVISORS.**

Ald. Duchniak, seconded by Ald. Kurkowski, moved to adopt Council Proclamation No. 19-04, Congratulations to the South Suburban Chamber of Commerce 2018 Business of the Year Award Finalist, Savaglia Financial Advisors. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 19-05, CONGRATULATIONS TO SSCC 2018 ENVIRONMENTAL SUSTAINABILITY AWARD FINALIST, MATC OAK CREEK.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 19-05, Congratulations to the South Suburban Chamber of Commerce 2018 Environmental Sustainability Award Finalist, MATC Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **DIRECTED CANCELLED: SPECIAL ASSESSMENT PUBLIC HEARING**

The public hearing of the City's intention to exercise its power under Section 3.200 of the Municipal Code of the City of Oak Creek to levy assessments upon abutting property for benefits conferred upon such property on the south side of W. College Avenue from approximately 400 feet west of S. 27th Street to approximately 2,050 feet west of S. 27th Street (Project No. 19103) was cancelled. This public hearing will be rescheduled for a future Council meeting.

11. **DIRECTED FILED: RESOLUTION NO. 12040-030519, FINAL RESOLUTION AUTHORIZING WATER MAIN IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES ON SOUTH SIDE OF W. COLLEGE AVE. FROM 400 FEET WEST OF S. 27TH ST. TO 2,050 FEET WEST OF S. 27TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to FILE Resolution No. 12040-030519, a final resolution authorizing water main improvements, and levying special assessments against benefited properties on the south side of West College Avenue from 400 feet west of S. 27th Street to 2,050 feet west of S. 27th Street (Tax Key Nos. 715-9043-000, 715-9017-000, 715-9995-000, 715-9996-000, 715-9997-000, and 715-9998-000) (Project No. 19103). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING JANUARY 31, 2019.**

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending January 31, 2019.

13. **MILLIMAN, INC. PRESENTS CITY OF OAK CREEK ACTUARIAL VALUATION OF RETIREE MEDICAL BENEFITS REPORT.**

The Common Council was provided a presentation of the City's Actuarial Valuation of Retiree Medical Benefits Report, as of January 1, 2018, post-employment benefits other than pensions, by Milliman, Inc.

14. PRESENTED AND ADOPTED: RESOLUTION NO. 12037-030519, ESTABLISHING DATE AND TIME OF 2019 BOARD OF REVIEW.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12037-030519, establishing the date and time of the 2019 Board of Review. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. COUNCIL APPROVES PURCHASE OF LED ELECTRONIC MESSAGE CENTER.

Ald. Duchniak, seconded by Ald. Kurkowski, moved to approve the purchase of the previously approved CIP/CEP purchase of an LED Electronic Message Center, in a total cost of \$33,889. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. COUNCIL APPROVES PURCHASE OF FOUR (4) MARKSMAN RIFLES.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the purchase of four (4) selected marksman rifles, previously authorized in the 2019 City budget, in the amount of \$20,679.96. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. PRESENTED AND ADOPTED: RESOLUTION NO. 12033-030519, APPROVING SAFE ROUTES TO SCHOOL PLAN.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12033-030519, approving the Safe Routes to School Plan. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. PRESENTED AND ADOPTED: RESOLUTION NO. 12036-030519, APPROVING SWMP MAINTENANCE AGREEMENT WITH MURPHY REAL ESTATE, LLC FOR PARKING LOT EXPANSION PROJECT LOCATED AT 7221 S. 10TH ST.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12036-030519, approving a Storm Water Management Practices Maintenance Agreement with Murphy Real Estate, LLC for their Parking Lot Expansion Project located at 7221 S. 10th St. (Tax Key No. 764-9047). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. PRESENTED AND ADOPTED: RESOLUTION NO. 12038-030519, APPROVING FIRST AMENDMENT TO INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN MMSD AND CITY FOR OAK CREEK WATERCOURSE FLOOD MANAGEMENT PROJECT ORIGINALLY ENTERED INTO UNDER RESOLUTION NO. 11989-100218.

Ald. Duchniak, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12038-030519, approving the First Amendment to the Intergovernmental Cooperation Agreement between the Milwaukee Metropolitan Sewerage District and the City of Oak Creek for the Oak Creek Watercourse Flood Management Project that was originally entered into under Resolution No. 11989-100218 (Tax Key Nos. 815-9988 and 862-9992). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 12041-030519, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND RELEASE FROM DEVELOPMENT AGREEMENT FOR FEDEX DEVELOPMENT AT 500 W. OPUS DR.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12041-030519, accepting dedication of the public improvements and release from the Development Agreement for the FedEx development at 500 W. Opus Drive (Tax Key No. 924-9012-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. **LICENSE COMMITTEE.**

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

Grant an Operator's to:

- Alejandro V. Lozano, 8985 S. 20th St., Oak Creek (Kwik Trip)
- Matthew A. Topel, 4200 S. Vermont Ct., St. Francis (Walgreens)
- Kaylah A. Gray, 132 Cambridge Ave., Waukesha (Aldi)

Grant a 2018-19 Class B Combination alcohol license to Nicholas P. Joncas, Woodland Golf, Inc., dba Woodland Golf Course, 3025 E. Elm Rd., with issuance subject to receipt of Occupancy Permit.

Grant a Change of Agent to Aldi Inc. (Wisconsin) dba Aldi #01, 6810 S. 27th St., from Chad Gerbing to Danielle M. Quale, 1301 Orchard St., Racine (favorable background report and departmental approval received).

Grant a Special Event permit to Dawn Carillo, Market Manager for the Oak Creek Farmers Market, for each Saturday beginning June 1 through October 26, 2019, from 9 a.m. to 1 p.m. in Drexel Town Square.

Grant a 2018-19 Amusement Device Operator license to Midwest Amusements, LLC, 312 S. Main St., Saukville.

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

22. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the February 27, 2019 Vendor Summary Report in the combined total amount of \$672,489.99. (Of this total, \$4,157.63 will impact the 2018 fiscal year. The remaining amount, \$668,332.36, will impact the 2019 fiscal year). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:14 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- a. 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. Duchniak, aye; Ald. Toman, aye; Ald.

Gehl, aye; and Ald. Guzikowski, aye.

24.-25. COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 9:18 p.m. On roll call, the vote was as follows: Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. No action was taken.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 9:18 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor