

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, JUNE 18, 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, Communications Coordinator Leslie Flynn, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Assistant City Administrator / Finance Director 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. Guzikowski, seconded by Ald. Toman, moved to approve the minutes of the 6/4/19 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: COUNCIL PROCLAMATION NO. 19-08, CONGRATULATIONS TO CHRIS GUZIKOWSKI, 2018 OAK CREEK CITIZEN OF THE YEAR.**

Ald. Gehl, seconded by Ald. Duchniak, moved to adopt Council Proclamation No. 19-08, Congratulations to Chris Guzikowski, 2018 Oak Creek Citizen of the Year. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye. Ald. Guzikowski abstained from voting.

5. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 19-07, TO PATRICIA PARKS FOR DEDICATED SERVICE TO CITY AS MEMBER OF LIBRARY BOARD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 19-07, to Patricia Parks for dedicated service to the City of Oak Creek as a member of the Library Board. 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. **MAYORAL PROCLAMATION: CONGRATULATIONS TO SAVAGLIA FINANCIAL ADVISORS ON THEIR 20TH ANNIVERSARY.**

The Mayoral Proclamation, Congratulations to Savaglia Financial Advisors on their 20th Anniversary, was informational.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 12073-061819, RESOLUTION OF APPRECIATION TO TODD R. ABEL, RETIRING POLICE OFFICER.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12073-061819, Resolution of Appreciation to Todd R. Abel, retiring Police Officer. 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY DAVID DISANTO OF MODHOME, LLC TO REZONE AND ESTABLISH RESIDENTIAL PUD AT PROPERTY OF 10730 S. HOWELL AVE.**

A public hearing was held to consider a request by David DiSanto of ModHome, LLC to rezone and establish a residential Planned Unit Development (PUD) at the property of 10730 S. Howell Ave. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2939, APPROVING REZONING OF PROPERTY AT 10730 S. HOWELL AVE. FROM A-1 LIMITED AGRICULTURAL TO RD-1, TWO-FAMILY RESIDENTIAL, PLANNED UNIT DEVELOPMENT.**

Ald. Duchniak, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2939, approving a rezoning of the property at 10730 S. Howell Ave. from A-1, Limited Agricultural, to Rd-1, Two-Family Residential, Planned Unit Development. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

The Council adjourned for a short break and reconvened at 9:41 p.m.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 12068-061819, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Duchniak, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12068-061819, authorizing payment of bills, debts and obligations. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **COUNCIL CONCURS WITH MAYOR'S CITIZEN APPOINTMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Mayor's citizen appointments as follows:

- a. Library Board – 3 year term to expire 6/22
 - Sharon Armstrong
 - Jill Meyer – 2233 E. Grewen Dr. (new appointment)

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. **PRESENTED AND ADOPTED: ORDINANCE NO. 2940, ADJUSTING SALARY RANGE AND ANNUAL SALARY FOR INSPECTOR POSITIONS IN ENGINEERING DEPARTMENT.**

Ald. Toman, seconded by Ald. Duchniak, moved to adopt Ordinance No. 2940, adjusting the salary range and annual salary for the inspector positions in the Engineering Department. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 12071-061819, AUTHORIZING ISSUANCE AND SALE OF \$2,850,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12071-061819, authorizing the issuance and sale of \$2,850,000 Taxable General Obligation Promissory Note. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Guzikowski, aye. Ald. Gehl abstained from voting.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 12070-061819, CONSENTING TO COLLATERAL ASSIGNMENT OF TID NO. 11 FINANCE DEVELOPMENT AGREEMENT BY AND AMONG DREXEL HOTEL INVESTMENT, LLC, TFC OAK CREEK, LLC, PINETREE PROPERTIES X, LLC, PINETREE PROPERTIES XI, LLC, MCFARLAND STATE BANK, AND CITY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12070-061819, consenting to the collateral assignment of Tax Incremental District No. 11 Finance Development Agreement by and Among Drexel Hotel Investment, LLC, TFC Oak Creek, LLC, Pinetree Properties X, LLC, Pinetree Properties XI, LLC, McFarland State Bank, and the City of 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.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12072-061819, APPROVING CSM SUBMITTED BY DAVID CIALDINI, MILWAUKEE COUNTY, FOR PROPERTIES AT 3810 E. AMERICAN AVE. AND 9050 S. ANNETTE PL.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12072-061819, approving a Certified Survey Map submitted by David Cialdini, Milwaukee County, for properties at 3810 E. American Ave. and 9050 S. Annette Pl. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12069-061819, AUTHORIZING FINAL PAYMENT OF \$3,600, ACCEPTING WORKMANSHIP OF DC BURBACH, INC.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12069-061819, authorizing final payment of \$3,600 accepting the workmanship of DC Burbach, Inc. 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. **LICENSE COMMITTEE.**

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

Grant an Operator's license to:

- Julie A. Vokes, 714 1/2 N. Chicago Ave., South Milwaukee (Aldi)
- Bethany R. Lueck, 828 Columbia Ave., South Milwaukee (Ryan Road Mobil)
- Felix-Jose Acevedo, 3662 S. 20th St., Milwaukee (Kwik Trip)
- Cordell L. Gholson, 5340 N. 38th St., Milwaukee (South Shore Cinemas)
- Joshua M. Schultz, 7357 Heatheridge Ct., Franklin (Aldi)
- Kelly A. Marek, 3534 E. Plankington Ave., Cudahy (Pick 'n Save)
- Joshua J. Mack, 3331 W. Wilbur Ave., Milwaukee (Kwik Trip)
- Rebecca A. Omick, 8823 S. Oak Park Dr., Oak Creek (Pick 'n Save)
- Samantha L. Krajewski, 4231 S. 91st St., Greenfield (Pick 'n Save)

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. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the June 12, 2019 Vendor Summary Report in the total amount of \$794,362.85. 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. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 10:07 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- a. Section 19.85(1)(g) to discuss Tamekia Bates et al vs. City of Oak Creek et al. (Milwaukee County Case No. 2019CV003954).
- b. Section 19.85(1)(g) to discuss Robin Matchett-Schmidt et al vs. City of Oak Creek et al (Milwaukee County Case No. 2019CV004295).
- c. Section 19.85(1)(g) to discuss Woodman's Food Market, Inc., vs. City of Oak Creek (Milwaukee County Case No. 2018CV005000).

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. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 10:35 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.

21. COUNCIL APPROVES AGREEMENT WITH WOODMAN'S FOOD MARKET, INC.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt the Settlement Agreement with Woodman's Food Market, Inc. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 10:36 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