

PROCEEDINGS, COMMON COUNCIL MEETING  
MARCH 2, 2021, 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. Duchniak, Ald. Toman, Ald. Guzikowski, and Ald. Gehl.

Also present were City Attorney Melissa Karls, Water & Sewer Distribution Manager Darrin Allard (via video conference), Police Chief Steven Anderson (via video conference), Community Public Health Officer Darcy DuBois (via video conference), Communications Coordinator Leslie Flynn (via video conference), Assistant City Administrator / Comptroller Maxwell Gagin, City Treasurer Barbara Guckenberger (via video conference), IT Manager Kevin Koenig, School Resource Officer Henry Narrai (via video conference), City Planner Kari Papelbon, City Engineer/Acting Building Commissioner Michael Simmons (via video conference), Police Captain David Stecker (via video conference), 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 2/15/21 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye. Ald. Guzikowski abstained from voting.

4. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 21-01, CONGRATULATIONS TO BENJAMIN KAWCZYNSKI, STATE WRESTLING CHAMPION.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Council Proclamation No. 21-01, Congratulations to Benjamin Kawczynski, State Wrestling Champion. 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.

5. **PUBLIC HEARING HELD TO CONSIDER A REQUEST BY DAVID DECKER, DECKER PROPERTIES, INC., TO AMEND OFFICIAL MAP FOR PORTION OF SE ¼ AND SW ¼ OF NW ¼ OF SECTION 18 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING PROPERTIES AT 8100 S. 27<sup>TH</sup> ST. AND 8100 S. ORCHARD WAY).**

A public hearing was held to consider a request by David Decker, Decker Properties, Inc., to amend the Official Map for a portion of the Southeast ¼ and the Southwest 1/4 of the Northwest ¼ of Section 18 (mapped, unimproved right-of-way affecting the properties at 8100 S. 27<sup>th</sup> St. and 8100 S. Orchard Way) (see Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2998, AMENDING OFFICIAL MAP FOR PORTION OF SE ¼ OF SW ¼ OF NW ¼ OF SECTION 18 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING PROPERTIES AT 8100 S. 27<sup>TH</sup> ST. AND 8100 S. ORCHARD WAY).**

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2998, amending the Official Map for a portion of the Southeast ¼ of the Southwest ¼ of the Northwest ¼ of Section 18 (mapped, unimproved right-of-way affecting the properties at 8100 S. 27<sup>th</sup> St. and 8100 S. Orchard Way). 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY DAVID WYNN, BLAIN SUPPLY, INC., FOR CUP TO ALLOW FOR OUTDOOR STORAGE AND DISPLAY OF RETAIL MERCHANDISE (TRAILERS) ON PROPERTIES AT 501 AND 315 W. RAWSON AVE. (LOT 1 OF CSM TO BE RECORDED).**

A public hearing was held to consider a request by David Wynn, Blain Supply, Inc., for a Conditional Use Permit to allow for outdoor storage and display of retail merchandise (trailers) on the properties at 501 and 315 W. Rawson Ave. (Lot 1 of CSM to be recorded) (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2999, APPROVING CUP ALLOWING OUTDOOR DISPLAY OF RETAIL MERCHANDISE (TRAILERS) IN PORTION OF PARKING LOT ON PROPERTIES AT 501 AND 315 W. RAWSON AVE.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2999, approving a Conditional Use Permit allowing outdoor display of retail merchandise (trailers) in a portion of the parking lot on the properties at 501 and 315 W. Rawson Ave. 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. **PUBLIC HEALTH OFFICER PROVIDES COVID-19 UPDATE.**

Darcy DuBois, Public Health Officer, provided the Common Council with a COVID-19 informational update.

10. **SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING JANUARY 31, 2021.**

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending January 31, 2021.

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 3000, REPEALING AND RECREATING SECTIONS 11.86 AND 11.87 OF MUNICIPAL CODE REGARDING OFFENSES BY JUVENILES.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3000, an Ordinance to Repeal and Recreate Sections 11.86 and 11.87 of the Municipal Code Regarding Offenses by Juveniles. 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.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 12230-030221, OUTLINING AREAS OF RESPONSIBILITY FOR BOARD OF PUBLIC WORKS AND CAPITAL ASSETS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12230-030221, outlining the areas of responsibility for Board of Public Works and Capital Assets. 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. 12229-030221, SETTING DATE AND TIME FOR 2021 BOARD OF REVIEW.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12229-030221, setting the date and time for the 2021 Board of Review. 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. **COUNCIL APPROVES PURCHASE OF ONE (1) FREIGHTLINER TANDEM AXLE DUMP TRUCK WITH 16' CRYSTEEL DUMP BODY FROM TRUCK COUNTRY IN AMOUNT OF \$125,933.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the purchase of one (1) Freightliner Tandem Axle Dump Truck with 16' Crysteel Dump body from Truck Country in the amount of \$125,933. 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.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12228-030221, APPROVING MINOR LAND DIVISION (CSM) SUBMITTED BY LINDA GORENS-LEVEY, GENERAL CAPITAL GROUP, FOR PROPERTIES AT 9954 AND 9962 S. 13<sup>TH</sup> ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12228-030221, approving a Minor Land Division (Certified Survey Map) submitted by Linda Gorens-Levey, General Capital Group, for the properties at 9954 and 9962 S. 13<sup>th</sup> 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.

16. **COUNCIL AWARDS 2021 ROAD IMPROVEMENTS UNIT PRICE CONTRACT TO PAYNE & DOLAN, INC., AT ESTIMATED COST OF \$1,420,966.50.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to award the 2021 Road Improvements unit price contract to the lowest responsive, responsible bidder, Payne & Dolan, Inc., at the estimated cost of \$1,420,966.50 (Project No. 20019). 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.

17. **PRESENTED AND ADOPTED: ORDINANCE NO. 3001, REPEALING AND RECREATING SECTION 10.20(C)(1) OF MUNICIPAL CODE, DESIGNATING HEAVY TRAFFIC ROUTES.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3001, repealing and recreating Section 10.20(c)(1) of the City of Oak Creek Municipal Code, designating Heavy Traffic Routes. 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.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 12231-030221, IN SUPPORT OF ADDITION OF CITY SIDEWALK ON MILWAUKEE COUNTY'S PROPOSED RAWSON AVE. (CTH BB) RECONSTRUCTION PROJECT.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12231-030221, in support of the addition of City sidewalk on Milwaukee County's proposed Rawson Avenue (CTH BB) reconstruction project. 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.

19. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 3/2/21 License Committee Report.

Grant a Change of Agent for Mega Marts, LLC dba Pick 'n Save #862, 8770 S. Howell Avenue from Jai Jensen to Tracy Engeriser, 3675 S. 88<sup>th</sup> St., Milwaukee.

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.

20. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Loreck, moved to approve the February 24, 2021 Vendor Summary Report in the amount of \$359,032.44. Of this total, \$10,233.43 will impact the 2020 fiscal year. The remaining amount, \$348,799.01 will impact the 2021 fiscal year. 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.

21. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Loreck, moved to convene into Closed Session at 8:15 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. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

22. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:36 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.

23. **COUNCIL APPROVES CITY ADMINISTRATOR SALARY INCREASE EFFECTIVE 1/1/2021, AWARDS \$3,000 NON-BASE BUILDING BONUS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a City Administrator base salary increase of 3%, effective 1/1/2021, along with a \$3,000 non-base building bonus, payable on the next applicable payroll. 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.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:37 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:**

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Catherine A. Roeske, City Clerk

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Daniel J. Bukiewicz, Mayor