

PROCEEDINGS, COMMON COUNCIL MEETING
APRIL 20, 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. Duchniak, Ald. Toman, Ald. Gehl and Ald. Guzikowski. Ald. Loreck was excused.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Police Chief Steven Anderson (via video conference), Assistant City Administrator/Comptroller Maxwell Gagin (via video conference), Department of Public Works Director Ted Johnson (via video conference), Fire Chief Michael Kressuk (via video conference), IT Manager Kevin Koenig, Community Development Director Douglas Seymour (via video conference), City Engineer/Acting Building Commissioner Michael Simmons (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 4/5/21 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. **ALD. GEHL ELECTED COMMON COUNCIL PRESIDENT.**

Mayor Bukiewicz explained the procedure for election of a Common Council President and then opened the floor for nominations. Ald. Duchniak nominated Ald. Gehl. Ald. Guzikowski seconded the nomination.

After hearing no further nominations, Ald. Toman, seconded by Ald. Kurkowski, moved to close nominations and cast a unanimous ballot for Ald. Gehl as Common Council President.

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

Ald. Gehl was elected Common Council President.

5. **MAYORAL PROCLAMATION: ARBOR DAY.**

The Mayoral Proclamation for Arbor Day was informational.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY MARK AND KIM VERHALEN TO REZONE PORTION OF PROPERTY SHOWN ON LOT 2 OF PROPOSED CSM FOR 9330 28 S NICHOLSON RD., FROM RS-3, SINGLE FAMILY RESIDENTIAL TO A-1, LIMITED AGRICULTURAL DISTRICT.**

A public hearing was held to consider a request submitted by Mark and Kim Verhalen to rezone a portion of the property shown on Lot 2 on a proposed Certified Survey Map for 9330 28 S. Nicholson Rd., from Rs-3, Single Family Residential to A-1, Limited Agricultural district (NO CHANGE to FF, Flood Fringe district), with variation requests related to the minimum lot size and width for the proposed Lot 2. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 3004, REZONING PORTION OF PROPERTY AT 9330 S. NICHOLSON RD., FROM RS-3 SINGLE FAMILY RESIDENTIAL TO A-1, LIMITED AGRICULTURAL.**

Ald. Duchniak, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3004, rezoning a portion of the property at 9330 S. Nicholson Rd., from Rs-3, Single Family Residential to A-1, Limited Agricultural (NO CHANGE to the FF, Flood Fringe district). 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: RESOLUTION NO. 12240-042021, APPROVING CSM SUBMITTED BY MARK AND KIM VERHALEN FOR PROPERTY AT 9330 S. NICHOLSON RD.**

Ald. Duchniak, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12240-042021, approving a Certified Survey Map submitted by Mark and Kim Verhalen for the property at 9330 S. Nicholson Rd. 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. **DISCUSSION REGARDING FOURTH OF JULY FESTIVITIES.**

Carolyn Bukiewicz, Celebrations Commissions Chair, provided the Council with the Commission's recommendation to proceed with the Fourth of July fireworks but cancel the parade due to concerns regarding COVID-19. A discussion by the Council followed.

9.a. **MAYOR APPOINTS AD-HOC COMMITTEE WITH PLANNING 2021 FOURTH OF JULY PARADE.**

Mayor Bukiewicz appointed an Ad-Hoc Committee with the planning of the 2021 Fourth of July parade and selected Ald. Duchniak and Ald. Guzikowski as members of the Committee.

10. **DIRECTED HELD TO 5/4/21 COUNCIL MEETING: MAYORAL ALDERMANIC APPOINTMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to hold the following Mayoral Aldermanic appointments until the 5/4/21 Council meeting:

- a. Small Claims Committee – 1
- b. Library Board – 1

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. **DIRECTED HELD TO 5/4/21 COUNCIL MEETING: MAYORAL ALDERMANIC APPOINTMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to hold the following Mayoral Aldermanic appointments until the 5/4/21 Council meeting:

- a. Tourism Commission - 1
- b. Community Development Authority (CDA) -2

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. **DIRECTED HELD TO 5/4/21 COUNCIL MEETING: COMMON COUNCIL PRESIDENT ALDERMANIC APPOINTMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to hold the Common Council President Aldermanic appointments until the 5/4/21 Council meeting.

Common Council President Aldermanic Appointments:

- a. Personnel & Finance Committee – 3
- b. License Committee – 3
- c. Plan Commission Representatives – 2
- d. Board of Health Representative – 1
- e. Emergency Management Advisory Committee Representative – 1
- f. Parks, Recreation and Forestry Commission – 1
- g. Board of Public Works and Capital Assets - 3

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. **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. Board of Health – 3 year term to expire 10/2023
Richard Barribeau
- b. Celebrations Commission – 3 year term to expire 4/2024
Cindy Bautch
- c. Parks, Recreation & Forestry – 3 year term to expire 4/2024
Michael Theys
Adam Thiel
Parks, Recreation & Forestry – 2 year term to expire 4/2023
Anne Beyer
Leah Schrieber Johnson
Parks, Recreation & Forestry – 1 year term to expire 4/2022
Steven Bautch
Nicole Druckrey
- d. Plan Commission – 3 year term to expire 4/2024
Donald Oldani
Dawn Carillo
Fred Siepert
- e. Police & Fire Commission – 5 year term to expire 4/2026
Gene Hibbler
- f. Board of Review – 5 year term to expire 4/2026
Jim Potter
- g. Tourism Commission – 1 year term to expire 4/2022
Clint Wills
Kristie Busch
Jim Ruetz
Kim Jankowski

h. Board of Zoning Appeals / Housing Appeals – 3 year term to expire 4/2024

Talwinder Kang
Daniel Jakubczyk
Pete Wagner

i. Weed Commissioner – 1 year term to expire 4/2022

Department of Public Works Director

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

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 12241-042021, APPROVING CSM SUBMITTED BY JIM KANE, TRUCK COUNTRY-MCCOY GROUP, FOR PROPERTIES AT 9970, 10020, AND 10040 S. 20TH ST.**

Ald. Guzikowski, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12241-042021, approving a Certified Survey Map submitted by Jim Kane, Truck Country-McCoy Group, for the properties at 9970, 10020, and 10040 S. 20th St. 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. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 4/20/21 License Committee Report.

Grant an Operator's license to:

- | | |
|--------------------------------|---|
| * Leah Hrbacek (Jim Dandy's) | * Sarah Becker (Jim Dandy's) |
| * Rena Blank (7-Eleven) | * Ashley Burgey (Oak Hills Golf Course) |
| * Sarah Erickson (Pineapple) | * Jamie Rodomski (BP W Discount Liquor) |
| * Maricela Sanchez (Aldi) | * Melissa Vargas (BelAir) |
| * Oscar Santiago (Walgreens) | * Briana Wycoff (Pick 'n Save) |
| * Tracy Schimp (Pick 'n Save) | * Bonnie Milaeger (Pick 'n Save) |
| * Angela Morris (Pick 'n Save) | * Theresa Polski (Pick 'n Save) |
| * Lori Miller (Pick 'n Save) | * Amanda Frey (Pick 'n Save) |

Grant a 2020-21 Class A Combination license to Akil Ajmeri, 8950 LLC dba Ayra's, 8950 S. 27th St, with release of license subject to receipt of Occupancy Permit and license fees due.

Grant a 2020-21 Regular Class B Combination license to Marc Bianchini, CUB DTS, LLC dba Cubanita's, 7973 S. Main St., with release of license subject to final department approvals and surrender of current Reserve Class B Combination license, and to authorize the refund of \$10,000 one-time reserve issuance fee as acknowledged in signed agreement dated 3/9/2017.

Grant a 2020-21 Secondhand Article Dealer / Secondhand Jewelry Dealer license to William J. Crescent, 1990 Thorton Rd., Lansing, IL, purchasing articles and jewelry at events held in the City.

Grant a 2020-21 Amusement Device Operator license to Amit Vadsaria, Allstate Amusement LLC.

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 VENDOR SUMMARY.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the April 14, 2021 Vendor Summary Report in the amount of \$559,322.22. 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. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:24 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- (a) Section 19.85(1)(c) to discuss potential litigation related to the opiate crisis.

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

** Ald. Gehl left the meeting during Closed Session.

18.-19. COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.

Ald. Guzikowski, seconded by Ald. Toman, moved to reconvene into Open Session at 8:39 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, and Ald. Guzikowski, aye. No action was taken.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Toman, moved to adjourn the meeting at 8:40 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor