

PROCEEDINGS, COMMON COUNCIL MEETING
MAY 18, 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 (arrived at 7:22 p.m.), Ald. Loreck, Ald. Duchniak, Ald. Toman, Ald. Gehl and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Department of Public Works Director Ted Johnson, IT Manager Kevin Koenig, Community Development Director Douglas Seymour, City Engineer/Acting Building Commissioner Michael Simmons, 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 5/4/21 meeting. On roll call, the vote was as follows: Ald. Duchniak, aye; Ald. Loreck, aye; Ald. Toman, aye, Ald. Gehl, aye, and Ald. Guzikowski, aye.
4. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 21-02, CONGRATULATIONS TO DANIEL R. CALLIES, 2019 OAK CREEK CITIZEN OF THE YEAR.**

Ald. Duchniak, seconded by Ald. Loreck, moved to adopt Council Proclamation No. 21-02, Congratulations to Daniel R. Callies, 2019 Oak Creek Citizen of the Year. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

5. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 21-09 TO WENDY GASSENHUBER FOR DEDICATED SERVICE TO CITY AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 21-09 to Wendy Gassenhuber for dedicated service to the City of Oak Creek as a member of the Celebrations Commission. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY ERIC OGDEN, OAK CREEK INDUSTRIAL, LLC FOR CUP TO ALLOW FREIGHT YARD/FREIGHT TERMINAL/TRANS-SHIPMENT DEPOT FACILITIES AT 150 W. OAKVIEW PARKWAY.**

A public hearing was held to consider a request submitted by Eric Ogden, Oak Creek Industrial, LLC for a Conditional Use Permit to allow freight yard/freight terminal/trans-shipment depot facilities for the property at 150 W. Oakview Parkway. (See item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 3006, APPROVING CUP FOR FREIGHT YARD/FREIGHT TERMINAL/TRANS-SHIPMENT DEPOT FACILITIES AT 150 W. OAKVIEW PARKWAY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3006, approving a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities for the property at 150 W. Oakwood Parkway. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY ERIC OGDEN, OAK CREEK INDUSTRIAL, LLC FOR CUP TO ALLOW FREIGHT YARD/FREIGHT TERMINAL/TRANSHIPMENT DEPOT FACILITIES AT 10551 S. OAKVIEW PARKWAY.**

A public hearing was held to consider a request submitted by Eric Ogden, Oak Creek Industrial, LLC for a Conditional Use permit to allow freight yard/freight terminal/trans-shipment depot facilities for the property at 10551 S. Oakview Parkway. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 3007, APPROVING CUP FOR FREIGHT YARD/FREIGHT TERMINAL/TRANSHIPMENT DEPOT FACILITIES FOR PROPERTY AT 10551 S. OAKVIEW PARKWAY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3007, approving a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities for the property at 10551 S. Oakview Parkway. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

Ald. Kurkowski arrives (7:22 p.m.)

10. **COUNCIL DESIGNATES NOW MEDIA GROUP (SOUTH NOW) TO SERVE AS OFFICIAL CITY NEWSPAPER FOR NEXT 12 MONTHS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to designate NOW Media Group (parent company for the Milwaukee Journal Sentinel – SOUTH NOW edition) to serve as the official City newspaper for the next 12 months. 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 CONCURS WITH MAYOR'S CITIZEN APPOINTMENT.**

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

- a. Celebrations Commission – filling a 3 year term vacancy, expiring 4/2023
* Torry J. Rufer, 8140 S. Waring Dr.

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. 12244-051821, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND RELEASING DEVELOPER FROM DEVELOPMENT AGREEMENT FOR CREEKSIDE CROSSING MARKETPLACE PROJECT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12244-051821, accepting dedication of the public improvements and releasing the developer from the Development Agreement for the Creekside Crossing Marketplace 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.

13. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 5/18/21 License Committee Report.

Grant an Operator's license to:

- * Jason J. Korneisel (Erv's Mug) * Annette M. St. Martin (no employer)
- * Julie A. Meadows (no employer) * Lindsey L. Kumbier (Pick 'n Save)
- * Shayla A. Jones (Woodman's) * Jennifer L. Fugate (Woodman's)
- * Tanesha L. Peel (Woodman's) * Heriberto Rodriguez, Jr. (7-Eleven)
- * Chiraag Valand (Discount Tobacco & Liquor)
- * Rashmika Valand (Discount Tobacco & Liquor)
- * Norma Miramontes-Quiroz (Pick 'n Save)

Grant a 2021 Transient Merchant seller license to the following:

- * Robert C. Jones (Mad City Windows LLC)

Grant a 2021-22 Amusement Operator and Amusement Devices License(s) to:

- * Tina Chavez, National Entertainment Network, 325 Interlocken Pkwy, Broomfield, CO
- * Steven Murphy, Games Are Us, Inc., 4905 S. Woodlawn Pl., Greenfield, WI
- * Riley Placke, Riley's Amusements, LLC, 7900 Stone Creek Way, Caledonia, WI
- * Jay Jacomet, Red's Novelty Ltd., 1921 S. 74th St., West Allis
- * Jeff Williamson, Gardner Sales, Inc., 1415 Johnson St., Janesville, WI
- * Jimmy Brewer, Brewer Amusement Co., LLC, 412 Sparta St., McMinnville, TN
- * Michael Weigel, Wisconsin P&P Amusement, 12565 W. Lisbon Rd., Brookfield, WI

Grant a Special Event Permit to Jas A. Mortenson, All Saints Lutheran Church, 9131 S. Howell Ave., for a "How Great Thou ART fair on July 17, 2021.

Grant a Special Event Permit to Laura Nelson, Oak Creek Tourism Commission, for the Food Truck Tour events to be held in Drexel Town Square on Wednesday, June 30, July 28, August 25, and September 29, 2021.

Grant a Special Event Permit to Laura Nelson, Oak Creek Tourism Commission for Pop-Up Biergartens to be held at Abendschein Park, 1311 E. Drexel Ave. on June 17-19, July 15-17, August 19-21 and September 16-18, 2021.

Grant a Temporary Class B Beer / Class C Wine license to Laura Nelson, Oak Creek Tourism Commission for Pop-Up Biergartens to be held at Abendschein Park, 1311 E. Drexel Ave. on June 17-19, July 15-17, August 19-21 and September 16-18, 2021.

Grant a Special Event Permit to Katie Levenstien, Forage Forward, Inc., for a Seltzerland event held at the Oak Hills Golf Club, 10360 S. Howell Ave. on June 5, 2021.

Grant a Special Event Permit to Patrick Flynn, 5Keents, for the Oak Creek Turkey Trot 5K run/walk to be held at Lake Vista Park, 4001 Lake Vista Parkway, on November 25, 2021.

Grant a Special Event Permit to Patrick Flynn, 5Keents, for the Bacon5Kegs run/walk event to be held at Lake Vista Park, 4001 Lake Vista Parkway, on September 4, 2021.

Grant a Special Event Permit to Jen Johnson, Silver Circle Sports Events, LLC, for a Beer Garden 5K run/walk event to be held at Lake Vista Park, 4001 Lake Vista Parkway, on August 12, 2021.

Grant a Special Event Permit to Chris Guzikowski, Huntington Disease Society of America, for a Guzi's Hunt for the Cure 5K run/walk for Huntington's Disease event to be held at Lake Vista Park, 4001 Lake Vista Parkway, on May 23, 2021.

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 VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the May 12, 2021 Vendor Summary Report in the amount of \$545,844.49. 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. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 7:29 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- (a) Section 19.85(1)(g) to consider a possible settlement in *Robin Matchett-Schmidt et al vs. City of Oak Creek et al* (Milwaukee County Case No. 2019CV004295).

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 RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 7:45 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.

17. **COUNCIL APPROVES SETTLEMENT IN *ROBIN MATCHETT-SCHMIDT ET AL VS. CITY OF OAK CREEK ET AL* (MILWAUKEE COUNTY CASE NO. 2019CV004295).**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the Settlement and Indemnification Agreement and Pierringer Release of all claims against the City of Oak Creek and Addendum in *Robin Matchett-Schmidt et al vs. City of Oak Creek et al* (Milwaukee County Case No. 2019CV004295). 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. Guzikowski, moved to adjourn the meeting at 7:46 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

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ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor