

PROCEEDINGS, COMMON COUNCIL MEETING  
JULY 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, Police Chief Steven Anderson, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Kevin Koenig, Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, City Engineer/Acting Building Commissioner Michael Simmons, Utility Manager Michael Sullivan, 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. Guzikowski, moved to approve the minutes of the 6/15/21 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye, Ald. Gehl, aye, and Ald. Guzikowski, aye. Ald. Duchniak abstained from voting.
4. **MAYORAL PROCLAMATION: EDWARD ROSE & SONS ON CELEBRATION OF 100<sup>TH</sup> ANNIVERSARY CELEBRATION.**

The Mayoral Proclamation for Edward Rose & Sons on the celebration of their 100<sup>th</sup> Anniversary celebration, August 3, 2021 was informational.

5. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL TO AMEND SECTION 17.0327 OF MUNICIPAL CODE TO ESTABLISH STANDARDS FOR TRADITIONAL NEIGHBORHOOD DEVELOPMENT PUD ZONING DISTRICT.**

A public hearing was held to consider a proposal to amend Section 17.0327 of the Municipal Code to establish standards for the Traditional Neighborhood Development Planned Unit Development Zoning District. See Item No. 6 for action on this hearing.

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 3012, AMENDING SECTION 17.0327 OF MUNICIPAL CODE TO ESTABLISH STANDARDS FOR TRADITIONAL NEIGHBORHOOD DEVELOPMENT PUD DISTRICT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3012, amending Section 17.0327 of the Municipal Code, which would establish standards for the Traditional Neighborhood Development Planned Unit Development 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.

7. **PUBLIC HEARING HELD TO CONSIDER REQUEST OF ANNA KRASNOSHAPKA, FRED ASTAIRE DANCE STUDIO TO REZONE PROPERTY AT 2121 E. RAWSON AVE., FROM B-2, COMMUNITY BUSINESS TO B-3, OFFICE OF PROFESSIONAL BUSINESS.**

A public hearing was held to consider a request by Anna Kranoshapka, Fred Astaire Dance Studio, to rezone the property at 2121 E. Rawson Ave., from B-2, Community Business to B-3, Office and Professional Business (NO CHANGE to existing Conditional Use Permit). See Item No. 8 for action on this hearing.

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9. **2021 MID-YEAR BUDGET MONITORING REPORT.**

Max Gagin, Assistant City Administrator / Comptroller, provided the Council with the 2021 Mid-Year Budget Monitoring Report.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 12252-072021, APPROVING TERMINATION AND RELEASE OF EASEMENT FOR PROPERTY AT 102 W. OAKWOOD PARKWAY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12252-072021, approving the Termination and Release of Easement for the property at 102 W. Oakview Parkway (Oak Creek Industrial, LLC – HSA). 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 DESIGNATES SUNDAY, OCTOBER 31, 2020, FROM 4:00 – 7:00 P.M. AS OFFICIAL CITY “TRICK OR TREAT”.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to designate Saturday, October 31, 2020, from 4:00 – 7:00 p.m. as the official City of Oak Creek “Trick or Treat”. 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. **COUNCIL CONCURS WITH MAYOR’S CITIZEN APPOINTMENTS.**

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

Celebrations Commission – filling a 3 year term vacancy, expiring 4/2022

- Robin Atwood, 8660 s. Liberty Ln (new appointment)

Library Board – 3 year term, expiring 6/2024

- Pamela Aiken
- Carol Sagan

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. **SUMMARIZED TREASURER’S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING MAY 31, 2021.**

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

14. **COUNCIL APPROVES PLC REPLACEMENT PROJECT AND AWARDS CONSTRUCTION CONTRACT TO NEXT ELECTRIC, BASED ON BID AMOUNT OF \$520,000.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the PLC Replacement project and award the construction contract to the lowest, responsive, responsible bidder, Next Electric, based on the bid amount of \$520,000 (Project No. 21107). 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 LOW LIFT DRIVE MAINTENANCE PROJECT AND AWARDS CONSTRUCTION CONTRACT TO C.W. PURPERO, BASED ON BID AMOUNT OF \$335,305.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the Low Lift Drive Maintenance project and award the construction contract to the lowest, responsive, responsible bidder, C.W. Purpero, based on the bid amount of \$335,305.00 (Project No. 20105). 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. 12251-072021, APPROVING SWMP MAINTENANCE AGREEMENT WITH MATC FOR ARTIFICIAL TURF BASEBALL FIELD PROJECT LOCATED AT 6665 S. HOWELL AVE.**

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17. **PRESENTED AND ADOPTED: RESOLUTION NO. 12255-072021, ENTERING INTO LOCAL/COUNTY AGREEMENT BETWEEN CITY AND MILWAUKEE COUNTY FOR COST SHARING OF COUNTY'S W. RAWSON AVE. RECONSTRUCTION PROJECT.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12255-072021, entering into a Local/County Agreement between the City and Milwaukee County for cost sharing of County's W. Rawson Avenue reconstruction project. 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. 12253-072021, APPROVING AGREEMENT BETWEEN CITY AND MILWAUKEE COUNTY FOR INSTALLATION, OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS AT INTERSECTION OF RAWSON AVE. (CTH BB) / 20<sup>TH</sup> STREET.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12253-072021, approving an Agreement between the City of Oak Creek and Milwaukee County for the installation, operation and maintenance of traffic signals at the intersection of Rawson Ave. (CTH BB) / 20<sup>th</sup> Street. 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. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to take action on the various license requests as listed on the 7/20/21 License Committee Report as follows:

Grant an Operator's license to:

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| * Andrew T. Zielinski (Victor's)         | * Christopher M. Dricken (Classic Lanes)   |
| * Anne C. Dricken (Classic Lanes)        | * Ronald E. Hansen (South Shore Cinemas)   |
| * Jacob D. Pung (Kwik Trip)              | * Ian M. MacDonald (Classic Lanes)         |
| * Ryan T. Bartelt (BelAir)               | * Kimberly M. Puschnig (Kwik Trip)         |
| * Richard D. Verhein (Classic Lanes)     | * Jack J. Miralrio Inez (Aldi)             |
| * Amy E. Marquardt (Aldi)                | * Caleb J. Yang (Walgreens)                |
| * Mason D. Vander Heyden (Woodland Golf) | * Austin T. Clark (Kwik Trip)              |
| * Shawn M. Peabody (Classic Lanes)       | * Michael L. Schmieden (Walgreens)         |
| * Lizbeth B. Nunez (Aldi)                | * Alana M. Gilbert (Walgreens)             |
| * Elisabeth D. Kamprath (Aldi)           | * Brennan R. Ray (Classic Lanes)           |
| * Jenna L. Gehring (Aldi)                | * Steven F. May (Kwik Trip)                |
| * Austin J. Tackman (Kwik Trip)          | * Angelique A. Rivera-Legaspi (Kwik Trip)  |
| * Katelyn K. Piirto (Pick 'n Save)       | * Ginger R. Girouard (Walgreens)           |
| * Megan D. Bramer (Kwik Trip)            | * Scott A. Wilkowski (South Shore Cinemas) |
| * Simon T. Kornacki (Kwik Trip)          | * Samantha L. West (Walgreens)             |
| * Alyssa M. Ciardo (Aldi)                | * Yarilyn G. Mercado (Walgreens)           |
| * Marina C. Thomas (Aldi)                | * Luis E. Montes (Aldi)                    |
| * Patricia M. Rivera Morales (Cubanitas) | * Mark E. Mierow (Miejer)                  |
| * Jacob M. Hince (Legion)                | * Derrick M. Regalia (Walgreens)           |
| * Noemi I. Moralez (Meijer)              |  |

Grant a 2021-22 Class B Beer license to Rachel M. Proeber, Agent, BWG Designs LLC dba Board & Brush, LLC, 8880 S. Howell Ave., #860, with release of license subject to payment of license fees and final departmental approval.

Grant a 2021-22 Class B Combination license to Italia Bhargav, Agent, Melrose Foods, Inc., dba Melrose, 6840 S. 27<sup>th</sup> St., with release of license subject to final departmental approval(s).

Grant a Temporary Class "B" Beer / "Class B" Wine license to the Oak Creek OJ's for the Oak Creek OJ's 54<sup>th</sup> Annual Softball Tourney to be held on August 7-8, 2021 at the Shepard Hills Softball Complex, with a waiver of fees. (Rain dates 8/14-15/2021).

Grant a Change of Premise to Robert A. Patterson, Agent, Hillside Coffee House, LLC, dba Hillside Coffee House, 237 E. Ryan Road, from "237 E. Ryan Rd. (building)" to "237 E. Ryan Rd. (building and grounds)".

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 APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the June 30, 2021 Vendor Summary Report in the amount of \$726,360.86. 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 VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the July 14, 2021 Vendor Summary Report in the amount of \$314,799.08. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12250-072021, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12250-072021, 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.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 7:39 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- (a) Section 19.85(1)(e) to consider a Second Amendment to Real Estate Purchase Agreement with F Street OCLV, LLC for a portion of the property located at 9300 S. 5<sup>th</sup> Avenue, 4001 E. Lake Vista Blvd., and 4200 E. Lake Vista Blvd. (4<sup>th</sup> District).
- (b) Section 19.85(1)(g) to consider a claim submitted by Marrio Murrell regarding an incident on December 17, 2020 at 2400 W. Colonial Woods Dr.

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 8:03 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. No action taken.

26. **PRESENTED AND ADOPTED: RESOLUTION NO. 12256-072021, APPROVING SECOND AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT BETWEEN F STREET OCLV, LLC AND CITY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12256-072021, approving a Second Amendment to Real Estate Purchase Agreement between F Street OCLV, LLC 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.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:04 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

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Daniel J. Bukiewicz, Mayor

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Also present were City Attorney Melissa Karls, Police Chief Steven Anderson, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Kevin Koenig, Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, City Engineer/Acting Building Commissioner Michael Simmons, Utility Manager Michael Sullivan, City Administrator Andrew Vickers, and City Clerk Catherine Roeske.

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Grant a Temporary Class "B" Beer / "Class B" Wine license to the Oak Creek OJ's for the Oak Creek OJ's 54<sup>th</sup> Annual Softball Tourney to be held on August 7-8, 2021 at the Shepard Hills Softball Complex, with a waiver of fees. (Rain dates 8/14-15/2021).

Grant a Change of Premise to Robert A. Patterson, Agent, Hillside Coffee House, LLC, dba Hillside Coffee House, 237 E. Ryan Road, from "237 E. Ryan Rd. (building)" to "237 E. Ryan Rd. (building and grounds)".

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 APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the June 30, 2021 Vendor Summary Report in the amount of \$726,360.86. 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 VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the July 14, 2021 Vendor Summary Report in the amount of \$314,799.08. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12250-072021, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12250-072021, 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.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 7:39 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- (a) Section 19.85(1)(e) to consider a Second Amendment to Real Estate Purchase Agreement with F Street OCLV, LLC for a portion of the property located at 9300 S. 5<sup>th</sup> Avenue, 4001 E. Lake Vista Blvd., and 4200 E. Lake Vista Blvd. (4<sup>th</sup> District).
- (b) Section 19.85(1)(g) to consider a claim submitted by Marrio Murrell regarding an incident on December 17, 2020 at 2400 W. Colonial Woods Dr.

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 8:03 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. No action taken.

26. **PRESENTED AND ADOPTED: RESOLUTION NO. 12256-072021, APPROVING SECOND AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT BETWEEN F STREET OCLV, LLC AND CITY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12256-072021, approving a Second Amendment to Real Estate Purchase Agreement between F Street OCLV, LLC 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.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:04 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:**

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Catherine A. Roeske, City Clerk

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Daniel J. Bukiewicz, Mayor