

PROCEEDINGS, COMMON COUNCIL MEETING  
NOVEMBER 16, 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. Gehl, and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, Department of Public Works Director Ted Johnson, IT Manager Kevin Koenig, Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, City Engineer/Acting Building Commissioner Michael Simmons, Police Captain David Stecker, 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. Loreck, moved to approve the minutes of the 11/2/21 meeting. 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.

4. **PUBLIC HEARING HELD TO CONSIDER THE 2022 EXECUTIVE DRAFT BUDGET.**

A public hearing was held to consider the 2022 Executive Draft Budget. (See Item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 3022, ADOPTING 2022 BUDGET AND MAKING APPROPRIATIONS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3022, adopting the 2021 budget and making appropriations. 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.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY WALDEN OC, LLC, FOR AMENDMENTS TO EXISTING PUD REGARDING SIGNS FOR PROPERTIES AT 1880, 1900, 1997, AND 1998 W. CREEKSIDE CROSSING CIR.**

A public hearing was held to consider a request submitted by Walden OC, LLC, for amendments to the existing Planned Unit Development regarding signs for the properties at 1880, 1900, 1997, and 1998 W. Creekside Crossing Cir. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 3023, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2987 FOR PUD FOR 1880, 1900, 1997, AND 1998 W. CREEKSIDE CROSSING CIR.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3023, amending the Conditions and Restrictions in Ordinance No. 2987 for the Planned Unit Development (PUD) for 1880, 1900, 1997, and 1998 W. Creekside Crossing Cir. 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.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY BRAD MCCLAIN, UWCU, FOR CUP FOR FINANCIAL INSTITUTION WITH DRIVE-THROUGH FACILITY ON PROPERTY AT 7902 S. MAIN ST.**

A public hearing was held to consider a request submitted by Brad McClain, University of Wisconsin Credit Union, for a Conditional Use Permit for a financial institution with drive-through facility on the property at 7902 S. Main St. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 3024, APPROVING CUP FOR FINANCIAL INSTITUTION WITH DRIVE-THROUGH FACILITIES ON PROPERTY AT 7902 S. MAIN ST.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3024, approving a Conditional Use Permit for a financial institution with drive-through facilities on the property at 7902 S. Main St. On roll call, the vote was as follows: Ald. Kurkowski, no; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, no, and Ald. Guzikowski, no. Vote resulted in a tie. Mayor voted aye; motion passes.

10. **PRESENTED AND ADOPTED: ORDINANCE NO. 3020, REPEALING AND RECREATING SECTION 2.07 OF MUNICIPAL CODE TO CHANGE BOUNDARIES OF ALDERMANIC WARDS FOR CITY.**

Ald. Loreck, seconded by Ald. Toman, moved to adopt Ordinance No. 3020, repealing and recreating Section 2.07 of the Municipal Code to change the boundaries of the Aldermanic Wards for the City of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, no; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, no, and Ald. Guzikowski, no. Vote resulted in a tie. Mayor voted aye; motion passes.

11. **PRESENTED HELD UNTIL 12/21/21, ALLOWING TIME TO PUBLISH AS CLASS 2 NOTICE IN ACCORDANCE WITH SECTION 62.08 OF WI STATE STATUTES: ORDINANCE NO. 3021, REPEALING AND RECREATING SECTION 2.06 OF MUNICIPAL CODE TO CHANGE BOUNDARIES OF ALDERMANIC DISTRICTS FOR CITY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to hold Ordinance No. 3021, repealing and recreating Section 2.06 of the Municipal Code to change the boundaries of the Aldermanic Districts for the City of Oak Creek until the December 21, 2021 Common Council Meeting. The Ordinance will be published as a Class 2 notice in accordance with Section 62.08 of the Wisconsin State Statutes prior to the December 21, 2021 meeting. 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. **COUNCIL APPROVES 2022 REGULAR COMBINED COMMON COUNCIL MEETING DATES.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the 2022 Regular Combined Common Council meeting dates. 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. **MARGO FRANKLIN APPOINTED TO POLICE & FIRE COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Mayor's appointment of Margo Franklin, 1510 W. Armann Way to the Police & Fire Commission to fill a 5-year term vacancy, ending 4/2025. 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 AWARDS W. RAWSON AVENUE STREET LIGHT RELOCATION PROJECT TO WIL-SURGE ELECTRIC, INC. AT ESTIMATED COST OF \$135,508.80; AUTHORIZES TRANSFER OF FUNDS FROM CIP PROJECT NOS. 18031 AND 19027.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to award the W. Rawson Avenue Street Light Relocation unit price contract to the lowest responsive, responsible bidder, Wil-Surge Electric, Inc., at an estimated cost of \$135,508.80; and authorizes transfer of funds from CIP Project Nos. 18031 and 19027. 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 ENTERS INTO PROFESSIONAL SERVICES AGREEMENT WITH MULTIMEDIA COMMUNICATIONS & ENGINEERING, INC. (MC&E) AT COST OF \$106,470.46.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to enter into a Professional Services Agreement with Multimedia Communications & Engineering, Inc., (MC&E) at a cost of \$106,470.46, for professional services to provide engineering and project management of the City's eastside Fiber Optic Network Expansion. 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 APPROVES PURCHASE OF 2021 INTERNATIONAL PLOW TRUCK FROM LAKESIDE INTERNATIONAL, IN AMOUNT OF \$173,298.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the purchase of a new 2021 International plow truck from Lakeside International, in the amount of \$173,298. 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 PURCHASE OF 2022 INTERNATIONAL 7400 WITH 25 YARD LOADMASTER COMPACTOR FROM R NOW INC., IN AMOUNT OF \$191,427.50.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to approve the purchase of a 2022 International 7400 with 25 yard loadmaster compactor from R Now Inc., in the amount of \$191,427.50. 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. 12274-111621, AUTHORIZING DPW FOREMAN TO FILE RECYCLING GRANTS WITH WI DNR.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12274-111621, authorizing the Department of Public Works Foreman to file for recycling grants with the Wisconsin Department of Natural Resources. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12275-111621, MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN AMENDMENT NO. 1 FOR TAX INCREMENTAL FINANCING DISTRICT (TID) NO. TID 7.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12275-111621, making certain findings and approving the Project Plan Amendment No. 1 for Tax Incremental Financing District (TID) No. TID 7. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12276-111621, MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN AMENDMENT NO. 1 FOR TAX INCREMENTAL FINANCING DISTRICT (TID) NO. TID 8.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12276-111621, making certain findings and approving the Project Plan Amendment No. 1 for Tax Incremental Financing District (TID) No. TID 8. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12277-111621, MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN AMENDMENT NO. 1 FOR TAX INCREMENTAL FINANCING DISTRICT (TID) NO. TID 10.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12277-111621, making certain findings and approving the Project Plan Amendment No. 1 for Tax Incremental Financing District (TID) No. TID 10. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12278-111621, MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN AMENDMENT NO. 1 FOR TAX INCREMENTAL FINANCING DISTRICT (TID) NO. TID 13.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12278-111621, making certain findings and approving the Project Plan Amendment No. 1 for Tax Incremental Financing District (TID) No. TID 13. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12279-111621, MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN AMENDMENT NO. 1 FOR TAX INCREMENTAL FINANCING DISTRICT (TID) NO. TID 16.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12279-111621, making certain findings and approving the Project Plan Amendment No. 1 for Tax Incremental Financing District (TID) No. TID 16. 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.

24. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to take action on the various license requests as listed on the 11/16/21 License Committee Report as follows:

Grant an Operator's license to (favorable background reports received):

- |                                   |                                      |
|-----------------------------------|--------------------------------------|
| * Alex J. Hietpas (Kwik Trip)     | * Belen Suarez Del Real (Kwik Trip)  |
| * Lia E. Copeskey (Piggly Wiggly) | * Cristina M. Bianchini (Cubanita's) |
| * Leche G. Tucker (Meijer)        |                                      |

Grant a Secondhand Article Dealer licenses to Hunter Bjorkman, Agent for ecoATM, LLC, for kiosks to purchase used consumer electronic devices inside the following locations:

- \* Pick 'n Save, 8770 S. Howell Ave.
- \* Pick 'n Save, 2320 W. Ryan Rd.
- \* Pick 'n Save, 6462 S. 27<sup>th</sup> St.

Grant a Change of Agent for the Class A Combination license issued to Mega Marts, LLC dba Pick 'n Save #387, 2320 W. Ryan Road, from Joseph A. Rueter to Ashley L. Marti.

Grant a 2021-22 Reserve Class B Combination license to Andrew M. Johnson, Agent, D'Vine LLC dba D'Vine, 7228 S. 27<sup>th</sup> St., with release of license subject to receipt of WI Seller Permit number, Inspection Department approval and release of Occupancy Permit.

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.

25. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the November 10, 2021 Vendor Summary Report in the amount of \$637,427.30. 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. Loreck, moved to adjourn the meeting at 9:22 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