

PROCEEDINGS, COMMON COUNCIL MEETING
MARCH 15, 2022, 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, Assistant City Administrator / Comptroller Maxwell Gagin, Assistant IT Manager Thomas Kramer, Sr. Planner Kari Papelbon, City Engineer Matthew 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. Duchniak, moved to approve the minutes of the 3/1/22 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. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL BY CHERYL LEE TO AMEND OFFICIAL MAP FOR PORTION OF NORTHEAST ¼ OF SECTION 16.**

A public hearing was held to consider a proposal by Cheryl Lee to amend the Official Map for a portion of the northeast ¼ of Section 16 (mapped, unimproved right-of-way affecting the properties at 1020, 1100, 1150, 1330, and 1340 E. Forest Hill Ave., and 1321R E. Drexel Ave.) (See Item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 3031, AMENDING OFFICIAL MAP FOR PORTION OF NORTHEAST ¼ OF SECTION 16.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3031, amending the Official Map for a portion of the northeast ¼ of Section 16 (mapped, unimproved right-of-way affecting the properties at 1020, 1100, 1150, 1330, and 1340 E. Forest Hill Ave. and 1321R E. Drexel Ave.). On roll call, the vote was as follows: Ald. Kurkowski, no; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 3028, REPEALING AND RECREATING CHAPTER 17 - ZONING CODE OF MUNICIPAL CODE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3028, repealing and recreating Chapter 17 – Zoning Code of the Municipal Code. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12315-031522, APPROVING A CSM SUBMITTED BY DAVID DISANTO, MODHOMES, LLC, FOR PROPERTY AT 10730 S. HOWELL AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12315-031522, approving a Certified Survey Map submitted by David DiSanto, ModHome, LLC, for the property at 10730 S. Howell Ave. 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. 12316-031522, APPROVING CONDOMINIUM PLAT SUBMITTED BY RESIDENCES AT OAK VIEW CONDOMINIUM (MODHOME, LLC) FOR PROPERTY AT 10730 S. HOWELL AVE. (PHASE 1).**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12316-031522, approving a condominium plat submitted by Residences at Oak View Condominium (ModHome, LLC) for the property at 10730 S. Howell Ave. (Phase 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.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 12317-031522, APPROVING CONDOMINIUM PLAT SUBMITTED BY RESIDENCES AT OAK VIEW CONDOMINIUM (MODHOME, LLC) FOR PROPERTY AT 10730 S. HOWELL AVE. (PHASE 2).**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12317-031522, approving a condominium plat submitted by Residences at Oak View Condominium (ModHome, LLC) for the property at 10730 S. Howell Ave. (Phase 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.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 12318-031522, APPROVING CSM SUBMITTED BY CR DEVCO, LLC FOR PROPERTIES AT 2231 AND 1933 W. PUETZ RD., 8843R S. 13TH ST. AND 8950 S. 20TH ST.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 12318-031522, approving a Certified Survey Map submitted by CR Devco, LLC for the properties at 2231 and 1933 W. Puetz Rd., 8843R S. 13th St., and 8950 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.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 12319-031522, APPROVING CSM SUBMITTED BY RYAN JANSSEN, JANSSEN BRUCKNER LLC, FOR PROPERTY AT 641 E. DREXEL AVE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12319-031522, approving a Certified Survey Map submitted by Ryan Janssen, Janssen Bruckner LLC, for the property at 641 E. Drexel Ave. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12320-031522, APPROVING CSM SUBMITTED BY RYAN JANSSEN, JANSSEN BRUCKNER LLC, FOR PROPERTY AT 819R E. DREXEL AVE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12320-031522, approving a Certified Survey Map submitted by Ryan Janssen, Janssen Bruckner LLC, for the property at 819R E. Drexel Ave. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 12313-031522, ACCEPTING 2021 ANNUAL REPORT FOR OAK CREEK'S WPDES STORM WATER (NR216) PERMIT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12313-031522, accepting the 2021 Annual Report for Oak Creek's WPDES Storm Water (NR216) permit. 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. 12314-031522, APPROVING FUNDING AGREEMENT WITH MMSD FOR PPI/I MITIGATION PROJECT IN ROWAN ESTATES SUBDIVISION.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12314-031522, approving a Funding Agreement with MMSD for a PPI/I mitigation project in the Rowan Estates subdivision. 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 take action on the various license requests as listed on the 3/15/22 License Committee Report as follows:

Deny an Operator's license to Sherry A. Skramstad, 10315 W. Greenfield Ave., Milwaukee, WI 53214 (BP W Discount Liquor) for felony convictions that substantially relate to the licensing activity.

Deny an Operator's license to Kamal Hasan, 3712 N. Sherman Blvd., Milwaukee, WI 53216 (MOD Pizza) for felony convictions that substantially relate to the licensing activity.

Deny an Operator's license to Brittany Kehoss, 6563 W. Dodge Pl., Milwaukee, WI 53220 (Aldi) for being a habitual offender of convictions that substantially relate to the licensing activity.

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

- * Corey J. Philleo (Meijer)
- * Aaron R. Karnowski (Kwik Trip)
- * Brittney A. Carney (D'Vine)
- * Alyssa C. Cheaney (Pick 'n Save)
- * Jennifer A. Immel (Pick 'n Save)

Grant a 2021-22 Class B Combination license to Timmy Wishman, agent, Old Skoolz LLC dba South Bound Again, 9504 S. Chicago Rd., with release of license subject to final department approval and issuance of Occupancy Permit.

Grant a Change of Agent for the 2021-22 license issued to Mega Marts LLC dba Pick 'n Save #862, 8770 S. Howell Ave., from Jai Jensen to Charles Stauche (favorable background reports received).

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 March 9, 2022 Vendor Summary Report in the amount of \$680,464.55. 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 8:30 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.
- (b) Section 19.85(1)(e) and (g) to consider claim of State Farm on behalf of Paul Dausman regarding a September 28, 2021 automobile accident involving a City vehicle.

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. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 9:33 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.

19. **COUNCIL APPROVES CITY ADMINISTRATOR BASE SALARY INCREASE OF 2%, EFFECTIVE 1/1/2022, AWARDS \$6,000 NON-BASE BUILDING BONUS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a City Administrator base salary increase of 2%, effective 1/1/2022, along with a \$6,000 non-base building bonus, payable on the next applicable payroll. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

COUNCIL APPROVES PAYMENT OF THE STATE FARM SUBROGATION CLAIM IN AMOUNT OF \$11,551.70 ON BEHALF OF THEIR INSURED, PAUL R. DAUSMAN, WITH A FULL SETTLEMENT AND RELEASE OF ALL CLAIMS.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a payment of the State Farm subrogation claim in the amount of \$11,551.70 on behalf of their insured, Paul R. Dausman, with a full settlement and release of all claims. 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. Toman, seconded by Ald. Guzikowski, moved to adjourn the meeting at 10:08 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

Daniel J. Bukiewicz, Mayor