

PROCEEDINGS, COMMON COUNCIL MEETING  
JULY 19, 2022, 7:00 P.M.

CITY OF OAK CREEK  
MILWAUKEE COUNTY

1. Council President Ald. Gehl called the meeting to order at 7:00 p.m. in the absence of Mayor Bukiewicz. Council President Gehl announced his intent to vote on all agenda items. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Loreck, Ald. Duchniak, and Ald. Gehl. Ald. Marshall and Ald. Guzikowski were excused.

Also present were City Attorney Melissa Karls, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Kevin Koenig, Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, Police Chief David Stecker, City Engineer Matthew Sullivan, Water Utility General Manager Michael Sullivan, Director of Public Works Matt Trebatoski, 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 6/21/22 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

4. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY PHIL PURPERO, C.W. PURPERO INC., TO REZONE PROPERTY AT 1190 W. RAWSON AVE. FROM B-3, OFFICE AND PROFESSIONAL BUSINESS AND M-1, MANUFACTURING TO M-1, MANUFACTURING.**

A public hearing was held to consider a request submitted by Phil Purpero, C.W. Purpero Inc., to rezone the property at 1190 W. Rawson Ave. from B-3, Office and Professional Business and M-1, Manufacturing to M-1, Manufacturing. (See Item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 3047, APPROVING REZONE OF PROPERTY AT 1190 W. RAWSON AVE., FROM B-3, OFFICE AND PROFESSIONAL BUSINESS AND M-1, MANUFACTURING, TO M-1, MANUFACTURING.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 3047, approving a rezone of the property at 1190 W. Rawson Ave., from B-3, Office and Professional Business and M-1, Manufacturing, to M-1, Manufacturing. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY PHIL PURPERO, C.W. PURPERO INC., TO REZONE PROPERTY AT 7030 S. 13<sup>TH</sup> ST., FROM B-2, COMMUNITY BUSINESS AND B-3, OFFICE AND PROFESSIONAL BUSINESS TO B-3, OFFICE AND PROFESSIONAL BUSINESS.**

A public hearing was held to consider a request submitted by Phil Purpero, C.W. Purpero Inc., to rezone the property at 7030 S. 13<sup>th</sup> St., from B-2, Community Business and B-3, Office and Professional Business to B-3, Office and Professional Business. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 3048, APPROVING REZONE OF PROPERTY AT 7030 S. 13<sup>TH</sup> ST., FROM B-2, COMMUNITY BUSINESS AND B-3, OFFICE AND PROFESSIONAL BUSINESS TO B-3, OFFICE AND PROFESSIONAL BUSINESS.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 3048, approving a rezone of property at 7030 S. 13<sup>th</sup> St., from B-2, Community Business and B-3, Office and Professional Business to B-3, Office and Professional Business. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

8. **PRESENTED AND ADOPTED: RESOLUTION NO. 12347-071922, ACCEPTING 2021 FINANCIAL STATEMENTS AND AUDITORS' REPORT AS PREPARED AND PRESENTED BY BAKER TILLY US, LLP.**

Ald. Loreck, seconded by Ald. Duchniak moved to adopt Resolution No. 12347-071922, accepting the 2021 Financial Statements and Auditors' Report as prepared and presented by Baker Tilly US, LLP. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

9. **DIRECTED HELD TO 8/16/22 MEETING: INTRODUCTION OF TONI VANDERBOOM, CITY OF OAK CREEK HUMAN MANAGER.**

Ald. Loreck, seconded by Ald. Duchniak moved to hold the Informational introduction of Toni Vanderboom, City of Oak Creek Human Manager, to the 8/16/2022 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

10. **COUNCIL CONCURS WITH MAYOR'S APPOINTMENT OF MATT TREBATOSKI AS DIRECTOR OF PUBLIC WORKS.**

Ald. Duchniak, seconded by Ald. Loreck, moved to concur with the Mayor's appointment of Matt Trebatoski as the City's Director of Public Works, effective July 20, 2022. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 12342-071922, APPROVING FLOCK GROUP, INC. MOU.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12342-071922, approving the Flock Group, Inc. (Flock) Memorandum of Understanding. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

12. **DIRECTED HELD TO 8/16/22 MEETING: RESOLUTION NO. 12345-071922, APPROVING CSM SUBMITTED BY ANIL YEPURI FOR PROPERTIES AT 9102, 9120, AND 9140 S. 27<sup>TH</sup> ST.**

Ald. Loreck, seconded by Ald. Duchniak, moved to hold Resolution No. 12345-071922, approving the Certified Survey Map submitted by Anil Yepuri for the properties at 9102, 9120 and 9140 S. 27<sup>th</sup> St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 12343-071922, IN SUPPORT OF ADDITION OF CITY SIDEWALKS ON MILWAUKEE COUNTY'S PROPOSED S. 13<sup>TH</sup> ST. (CTH V) RECONSTRUCTION PROJECT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12343-071922, in support of the addition of City sidewalks on Milwaukee County's proposed S. 13<sup>th</sup> Street (CTH V) reconstruction project. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 12344-071922, ADOPTING SEWRPC PLANNING REPORT NO. 330, RESTORATION PLAN FOR OAK CREEK WATERSHED.**

Ald. Loreck, seconded by Ald. Duchniak moved to adopt Resolution No. 12344-071922, adopting SEWRPC Planning Report No. 330, a Restoration Plan for the Oak Creek Watershed. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12335-071922, ACCEPTING TEMPORARY CUL-DE-SAC EASEMENT AT 301 W. RYAN RD.**

Ald. Duchniak, seconded by Ald. Loreck, moved to adopt Resolution No. 12335-071922, accepting a temporary cul-de-sac easement at 301 W. Ryan Rd. (Tax Key No. 906-9026-001). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 12346-071922, APPROVING STONEBROOK ON THE PARK DEVELOPMENT AGREEMENT WITH JANSSEN BRUCKNER LLC, FOR DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR DEVELOPMENT LOCATED AT 7943, 7912, 7942, 8034, AND 8031 S. QUINCY AVE.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12346-071922, approving the Stonebrook on the Park Development Agreement with JANSSEN BRUCKNER LLC, for the design and construction of public improvements for the development located at 7943, 7912, 7942, 8034, and 8031 S. Quincy Ave. (Tax Key Nos. 814-9075-000, 814-9076-000, 815-9027-000, 815-9028-000, 815-9029-000)(Project Nos. 22055 and 22056). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 12348-071922, APPROVING TSUNAMI CAR WASH DEVELOPMENT AGREEMENT WITH TSUNAMI CAR WASH INTERMEDIATE HOLDCO LLC FOR DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR DEVELOPMENT LOCATED AT 140 W. PUETZ RD.**

Ald. Loreck, seconded by Ald. Duchniak moved to adopt Resolution No. 12348-071922, approving the Tsunami Car Wash Development Agreement with Tsunami Car Wash Intermediate HoldCo LLC for the design and construction of public improvements for the development located at 140 W. Puetz Rd. (Tax Key No. 828-9016-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 12349-071922, APPROVING STATE MUNICIPAL AGREEMENT FOR STATE-LET LOCAL BRIDGE PROJECT, REPLACEMENT OF BRIDGE LOCATED AT S. 6<sup>TH</sup> STREET, BRIDGE OVER BRANCH OF OAK CREEK.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12349-071922, approving a State Municipal Agreement for a State-Let Local Bridge project, the replacement of a bridge located on S. 6<sup>th</sup> Street, bridge over branch of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

19. **COUNCIL APPROVES CHANGE ORDERS TO EAST SIDE FIBER NETWORK EXPANSION UNIT PRICE CONTRACT TO ADD CONNECTIONS AT ABENDSCHEIN PARK, SOUTH SIDE OF LAKE VISTA PARK, AND REPLACE DAMAGED FIBER NEAR CIVIC CENTER, AT TOTAL ESTIMATED COST OF \$81,928.22.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve change orders to the East Side Fiber Network Expansion unit price contract to add connections at Abendschein Park, south side of Lake Vista Park, and to replace damaged fiber near the Civic Center, at a total estimated cost of \$81,928.22. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

20. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 7/19/22 License Committee Report.

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

- |   |                                      |
|---|--------------------------------------|
| * Tabitha K. Campbell (South Bound Again) | * David L. Bauer (Kwik Trip)         |
| * Danielle L. Wright (BelAir Cantina)     | * Maximus J. Graetz (Kwik Trip)      |
| * Ashley L. Hale (Pick 'n Save)           | * Rashmeen Kaur (BP)                 |
| * Anthony A. Osowski (Melrose)            | * Kimberly E. Koth (Classic Lanes)   |
| * Danielle R. Lewis (Pick 'n Save)        | * Benjamin A. Guyette (Pick 'n Save) |
| * Shannon L. Coyle (South Bound Again)    | * Makayla L. Olson (Aldi)            |
| * Camron L. Varland (Pick 'n Save)        | * Meghan M. Pavlic (Pick 'n Save)    |
| * Joseph Weprinsky (Homewood Suites)      |                                      |

Grant a Temporary Class B Beer license to Mark Zapp, Agent, St. Matthew Parish, 9303 S. Chicago Rd., for the St. Matthew's Fish Boils scheduled for October 7, 2022, March 31, 2023, and May 12, 2023.

Grant a Temporary Class B Beer/Class C Wine license to TJ Anguiano, Agent, Oak Creek Lions Club, 9327 S. Shepard Ave., Oak Creek, for the Caged Grappling Championship-CGC event scheduled for July 30, 2022.

Grant a Temporary Class B Beer license to Bill Krueck, Agent, Oak Creek OJ's and American Legion, 8381 S. Pennsylvania Ave., for the Oak Creek OJ's 55<sup>th</sup> Annual Softball Tourney scheduled for August 6 and 7, 2022 (rain dates August 13 and 14, 2022).

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

21. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the June 28, 2022 Vendor Summary Report in the amount of \$320,014.32. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

22. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the July 13, 2022 Vendor Summary Report in the amount of \$678,620.54. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 12341-071922, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12341-071922, authorizing payment of bills, debts and obligations. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

Item No. 24.(c), consideration on whether to pursue an agreement for the securitization of opioid distributor settlement funds was discussed in Open Session, prior to the Common Council entering into Closed Session.

24. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to convene into Closed Session at 8:13 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- (a) Section 19.85(1)(g) to consider a proposed settlement of the City's claim filed against the Estate of Thomas W. Jungck (Waukesha County Case No. 2018PR457).
- (b) Section 19.85(1)(g) to consider the class-action proposed settlement in the *City of Long Beach, et al v. Monsanto Company, et al.*
- (c) Section 19.85(1)(e) to consider whether to pursue an agreement for the securitization of opioid distributor settlement funds. (This item was discussed in Open Session prior to the Council entering into Closed Session. See Item No. 26(c) for action on this item.).

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

25. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to reconvene into Open Session at 8:27 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

26.(a) **COUNCIL ACCEPTS OFFER TO SETTLE CITY'S CLAIM AGAINST ESTATE OF THOMAS W. JUNGCK AND AUTHORIZES CITY ATTORNEY TO EXECUTE DOCUMENTS AND SETTLEMENT OFFER.**

Ald. Duchniak, seconded by Ald. Loreck, moved to accept the offer to settle the City's claim against the Estate of Thomas W. Jungck, Waukesha County Case No. 2018PR457, and authorizes the City Attorney to execute the necessary documents, including a Stipulation and Order as to Disclaimer of Interest in Real Estate Asset and Stipulation and Order as to Payment and Release of Claims and Interests. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

(b) **COUNCIL OPTS OUT OF SETTLEMENT**

Ald. Kurkowski, seconded by Ald. Loreck, moved to direct staff to opt out of the Class Action proposed Settlement in *City of Long Beach, et al v. Monsanto Company, et al*. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

(c) **COUNCIL ENTERS INTO A SECURITIZATION OF A SETTLEMENT**

Ald. Kurkowski, seconded by Ald. Loreck, moved to direct staff to persue an agreement with the securitization of opioid distributor settlement funds. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

**ADJOURNMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:29 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

**ATTEST:**

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor

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Also present were City Attorney Melissa Karls, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Kevin Koenig, Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, Police Chief David Stecker, City Engineer Matthew Sullivan, Water Utility General Manager Michael Sullivan, Director of Public Works Matt Trebatoski, City Administrator Andrew Vickers, and City Clerk Catherine Roeske.

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Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12349-071922, approving a State Municipal Agreement for a State-Let Local Bridge project, the replacement of a bridge located on S. 6<sup>th</sup> Street, bridge over branch of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

19. **COUNCIL APPROVES CHANGE ORDERS TO EAST SIDE FIBER NETWORK EXPANSION UNIT PRICE CONTRACT TO ADD CONNECTIONS AT ABENDSCHEIN PARK, SOUTH SIDE OF LAKE VISTA PARK, AND REPLACE DAMAGED FIBER NEAR CIVIC CENTER, AT TOTAL ESTIMATED COST OF \$81,928.22.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve change orders to the East Side Fiber Network Expansion unit price contract to add connections at Abendschein Park, south side of Lake Vista Park, and to replace damaged fiber near the Civic Center, at a total estimated cost of \$81,928.22. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

20. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 7/19/22 License Committee Report.

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

- |   |                                      |
|---|--------------------------------------|
| * Tabitha K. Campbell (South Bound Again) | * David L. Bauer (Kwik Trip)         |
| * Danielle L. Wright (BelAir Cantina)     | * Maximus J. Graetz (Kwik Trip)      |
| * Ashley L. Hale (Pick 'n Save)           | * Rashmeen Kaur (BP)                 |
| * Anthony A. Osowski (Melrose)            | * Kimberly E. Koth (Classic Lanes)   |
| * Danielle R. Lewis (Pick 'n Save)        | * Benjamin A. Guyette (Pick 'n Save) |
| * Shannon L. Coyle (South Bound Again)    | * Makayla L. Olson (Aldi)            |
| * Camron L. Varland (Pick 'n Save)        | * Meghan M. Pavlic (Pick 'n Save)    |
| * Joseph Weprinsky (Homewood Suites)      |                                      |

Grant a Temporary Class B Beer license to Mark Zapp, Agent, St. Matthew Parish, 9303 S. Chicago Rd., for the St. Matthew's Fish Boils scheduled for October 7, 2022, March 31, 2023, and May 12, 2023.

Grant a Temporary Class B Beer/Class C Wine license to TJ Anguiano, Agent, Oak Creek Lions Club, 9327 S. Shepard Ave., Oak Creek, for the Caged Grappling Championship-CGC event scheduled for July 30, 2022.

Grant a Temporary Class B Beer license to Bill Krueck, Agent, Oak Creek OJ's and American Legion, 8381 S. Pennsylvania Ave., for the Oak Creek OJ's 55<sup>th</sup> Annual Softball Tourney scheduled for August 6 and 7, 2022 (rain dates August 13 and 14, 2022).

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

21. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the June 28, 2022 Vendor Summary Report in the amount of \$320,014.32. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

22. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the July 13, 2022 Vendor Summary Report in the amount of \$678,620.54. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 12341-071922, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12341-071922, authorizing payment of bills, debts and obligations. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

Item No. 24.(c), consideration on whether to pursue an agreement for the securitization of opioid distributor settlement funds was discussed in Open Session, prior to the Common Council entering into Closed Session.

24. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to convene into Closed Session at 8:13 p.m., pursuant to Wisconsin State Statutes to discuss the following:

- (a) Section 19.85(1)(g) to consider a proposed settlement of the City's claim filed against the Estate of Thomas W. Jungck (Waukesha County Case No. 2018PR457).
- (b) Section 19.85(1)(g) to consider the class-action proposed settlement in the *City of Long Beach, et al v. Monsanto Company, et al.*
- (c) Section 19.85(1)(e) to consider whether to pursue an agreement for the securitization of opioid distributor settlement funds. (This item was discussed in Open Session prior to the Council entering into Closed Session. See Item No. 26(c) for action on this item.).

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

25. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to reconvene into Open Session at 8:27 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

26.(a) **COUNCIL ACCEPTS OFFER TO SETTLE CITY'S CLAIM AGAINST ESTATE OF THOMAS W. JUNGCK AND AUTHORIZES CITY ATTORNEY TO EXECUTE DOCUMENTS AND SETTLEMENT OFFER.**

Ald. Duchniak, seconded by Ald. Loreck, moved to accept the offer to settle the City's claim against the Estate of Thomas W. Jungck, Waukesha County Case No. 2018PR457, and authorizes the City Attorney to execute the necessary documents, including a Stipulation and Order as to Disclaimer of Interest in Real Estate Asset and Stipulation and Order as to Payment and Release of Claims and Interests. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

(b) **COUNCIL OPTS OUT OF SETTLEMENT**

Ald. Kurkowski, seconded by Ald. Loreck, moved to direct staff to opt out of the Class Action proposed Settlement in *City of Long Beach, et al v. Monsanto Company, et al*. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

(c) **COUNCIL ENTERS INTO A SECURITIZATION OF A SETTLEMENT**

Ald. Kurkowski, seconded by Ald. Loreck, moved to direct staff to persue an agreement with the securitization of opioid distributor settlement funds. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

**ADJOURNMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:29 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

**ATTEST:**

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor