

PROCEEDINGS, COMMON COUNCIL MEETING
OCTOBER 4, 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, Ald. Gehl, and Ald. Guzikowski (arrived at 7:14 p.m.). Ald. Marshall was excused.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, Acting IT Manager Thomas Kramer, Police Chief Dave Stecker, City Engineer Matthew Sullivan, City Administrator Andrew Vickers, and City Clerk Catherine Roeske.

2. Cub Scout Pack 251 performed an Opening Flag Ceremony and 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 9/20/22 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.
4. **MAYORAL PROCLAMATION: WHITE CANE SAFETY DAY, OCTOBER 15, 2022.**

The Mayoral Proclamation declaring October 15, 2022 as White Cane Safety Day in Oak Creek was informational.

5. **MAYORAL PROCLAMATION: PREGNANCY AND INFANT LOSS AWARENESS DAY, OCTOBER 15, 2022.**

The Mayoral Proclamation declaring October 15, 2022 as Pregnancy and Infant Loss Awareness Day in Oak Creek was informational.

Ald. Guzikowski arrived at 7:14 p.m.

6. **2023 EXECUTIVE DRAFT OPERATING AND CAPITAL IMPROVEMENT PROJECTS BUDGET.**

City Administrator Andrew Vickers and Assistant City Administrator/Comptroller Maxwell Gagin provided the Council with a presentation of the 2023 Executive Draft Operating and Capital Improvement Projects Budget.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 12356-100422, APPROVING GREENFIELD POLICE DEPARTMENT DIGITAL FORENSIC TASK FORCE MOU.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12356-100422, approving the Greenfield Police Department Digital Forensic Task Force Memorandum of Understanding. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **COUNCIL REJECTS BIDS RECEIVED FOR ABENDSCHEIN PARK PAVILION PROJECT, DIRECTS STAFF TO EXPLORE ALTERNATIVE DESIGN OPTIONS.**

Ald. Duchniak, seconded by Ald. Loreck, moved to reject the bids received for Abendschein Park Pavilion Project and directs staff to explore alternative design options (Project No. 22008). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **COUNCIL APPROVES PROJECT AWARD FOR FOREST HILL MANOR WATER RELAY TO WILLKOMM IN AMOUNT OF \$726,159.50, AND AMENDS 2022 CAPITAL IMPROVEMENT BUDGET BY \$200,000.**

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the project award for the Forest Hill Water Relay to Willkomm in the amount of \$726,159.50, and approves amendment to the 2022 Capital Improvement Budget by \$200,000. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 10/4/22 License Committee Report.

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

- | | |
|--|-----------------------------------|
| * Charles A. Hecker (Charcoal Grill) | * Ian B. Cabell (Kwik Trip) |
| * Caleb E. Poffenberger (Gastrau's Golf) | * Jacob A. Koenigsreiter (BelAir) |

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

11. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the September 28, 2022 Vendor Summary Report in the amount of \$589,752.20. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Duchniak, 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)(e) to discuss a possible amendment to the Tax Incremental District No. 13 Finance Development Agreement for the Lakeshore Commons Development.
- (b) Section 19.85(1)(e) and (g) to consider the subrogation claim of Erie Insurance on behalf of their insured, Eric Staat, regarding a January 5, 2022 automobile accident involving a City vehicle.
- (c) Section 19.85(1)(e) to consider a Purchase and Sale Agreement between the City of Oak Creek and Fifth Property LLC regarding approximately 2.66 acres located at 4301 East Depot Road.

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

13. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Duchniak, seconded by Ald. Loreck, moved to reconvene into Open Session at 10:04 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **COUNCIL APPROVES PAYMENT OF ERIE INSURANCE SUBROGATION CLAIM.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve payment of the Erie Insurance subrogated claim in the amount of \$10,420.97 on behalf of their insured, Eric Staat, with a full settlement and release of all claims. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12357-100422, APPROVING PURCHASE AND SALE AGREEMENT BETWEEN CITY AND FIFTH PROPERTY, LLC.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12357-100422, approving the Purchase and Sale Agreement between the City of Oak Creek and Fifth Property LLC. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Loreck, seconded by Ald. Duchniak, moved to adjourn the meeting at 10:06 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor