### PROCEEDINGS, COMMON COUNCIL MEETING NOVEMBER 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. Loreck, Ald. Duchniak, and Ald. Gehl. Ald. Marshall and Ald. Guzikowski were excused.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, Acting IT Manager Thomas Kramer, Community Development Director Douglas Seymour, 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. Loreck, moved to approve the minutes of the 11/1/22 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

# 4. PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 22-04, CONGRATULATIONS TO TYLER DAHMES FOR RECEIVING EAGLE SCOUT AWARD.

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Council Proclamation No. 22-04, Congratulations to Tyler Dahmes for receiving the Eagle Scout Award. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

### 5. PUBLIC HEARING HELD TO CONSIDER REQUEST BY MILWAUKEE COUNTY PARKS TO REZONE PORTION OF PROPERTY AT 1709 W. DREXEL AVE., FROM A-1, LIMITED AGRICULTURAL TO P-1, PARK DISTRICT.

A public hearing was held to consider a request submitted by Milwaukee County Parks to rezone a portion of the property at 1709 W. Drexel Ave., from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) (See Item No. 6 for action on this hearing).

### 6. PRESENTED AND ADOPTED: ORDINANCE NO. 3057, REZONING PORTION OF PROPERTY AT 1709 W. DREXEL AVE. FROM A-1, LIMITED AGRICULTURAL TO P-1, PARK DISTRICT.

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3057, rezoning a portion of the property at 1709 W. Drexel Ave. from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

# 7. COUNCIL APPROVES PLAN OF FINANCE FOR \$3,350,000 GENERAL OBLIGATION REFUNDING BONDS.

Ald. Duchniak, seconded by Ald. Kurkowski, moved to approve the Plan of Finance for \$3,350,000 General Obligation Refunding Bonds. 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. 12365-111522, AUTHORIZING ISSUANCE AND ESTABLISHING PARAMETERS FOR SALE OF NOT TO EXCEED \$3,400,000 GORB, SERIES 2023A.

Ald. Duchniak, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12365-111522, authorizing the issuance and establishing parameters for the sale of not to exceed \$3,400,000 General Obligation Refunding Bonds, Series 2023A. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; and Ald. Duchniak, aye. Ald. Gehl abstained from the vote.

### 9. PRESENTED AND ADOPTED: RESOLUTION NO. 12361-111522, APPROVING PURCHASE OF 9100 S 5<sup>TH</sup> AVE. FOR PURPOSE OF BLIGHT ELIMINATION.

Ald. Gehl, seconded by Ald. Loreck, moved to adopt Resolution No. 12361-111522, approval of the purchase of 9100 S. 5<sup>th</sup> Ave. for purpose of blight elimination. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

# 10. PRESENTED AND ADOPTED: RESOLUTION NO. 12362-111522, APPROVING PURCHASE OF 4301 E. DEPOT RD. FOR PURPOSE OF BLIGHT ELIMINATION.

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12362-111522, approval of the purchase of 4301 E. Depot Rd. for purpose of blight elimination. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

# 11. INFORMATIONAL: COUNCIL DISCUSSION REGARDING PROPOSED 2023 REGULAR COMBINED COMMON COUNCIL MEETING DATES.

The Common Council was presented with the proposed 2023 regular combined Common Council dates and directed Staff to vacate the January 3, July 3, and August 1, 2023 meetings. It was further directed that should a need occur for a meeting between July 18 and August 15, a special meeting will be called. This item will be brought to the Council at their next meeting for formal approval.

### 12. PRESENTED AND ADOPTED: RESOLUTION NO. 12363-111522, APPROVING SWMP MAINTENANCE AGREEMENT WITH JANSSEN BRUCKNER LLC, FOR THE STONEBROOK ON THE PARK RESIDENTIAL DEVELOPMENT LOCATED AT 641 E. DREXEL AVE.

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12363-111522, approving a Storm Water Management Practices Maintenance Agreement with Janssen Bruckner LLC, for The Stonebrook on the Park residential development located at 641 E. Drexel Ave. (Tax Key Nos. 814-9075, 814-9076, 815-9027, 815-9028, and 815-9029). 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. 12364-111522, AUTHORIZING RECOMMENDED ROAD IMPROVEMENT PROJECTS TO BE ADVERTISED FOR PUBLIC BID FOR REHABILITATION IN 2023.

Ald. Gehl, seconded by Ald. Loreck, moved to adopt Resolution No. 12364-111522, authorizing the recommended road improvement projects to be advertised for public bid for rehabilitation in 2023. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

#### 14. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 11/15/22 License Committee Report.

Grant Operator licenses as follows:

\* Chelsea M. Penn (Meijer)

\* Kristen N. Fenninger (Sidetracked)

\* Wendy P. Soto (Comfort Suites)

Grant a Temporary Class "B" Beer / "Class B" Wine license to the Oak Creek Tourism Commission for their Moran's USA vs. England Viewing event to be held on November 25, 2022 in Drexel Town Square.

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

#### 15. COUNCIL APPROVES VENDOR SUMMARY.

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the November 9, 2022 Vendor Summary Report in the amount of \$915,218.54. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

### 16. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Loreck, moved to convene into Closed Session at 7:32 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- (a) Section 19.85(1)(g) to consider possible settlement of Megan Williams et al vs. City of Oak Creek et al (Milwaukee County Case No. 2021CV007435).
- (b) Section 19.85(1)(e) to discuss a possible amendment to the Tax Incremental District No. 11 Finance Development Agreement and Phase III Agreement for the Emerald Row project.

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

### 17. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Kurkowski, moved to reconvene into Open Session at 8:32 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Gehl, aye.

# 18. COUNCIL APPROVES RELEASE OF ALL CLAIMS IN MILWAUKEE COUNTY CASE NO. 2021CV007435.

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the release of all claims in the Milwaukee County Case No. 2021CV007435. 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 8:33 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