

PROCEEDINGS, COMMON COUNCIL MEETING
MAY 16, 2023, 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. Ruetz, Ald. Marshall, Ald. Gehl, and Ald. Guzikowski. Ald. Loreck was excused.

Also present were City Attorney Melissa Karls, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Thomas Kramer, Community Development Director Douglas Seymour, Police Chief David Stecker, City Engineer Matthew Sullivan, Human Resource Manager Toni Vanderboom, 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. Marshall, seconded by Ald. Guzikowski, moved to approve the minutes of the 5/2/23 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

4. **MAYORAL PROCLAMATION: NATIONAL PUBLIC WORKS WEEK, MAY 21-27, 2023.**

The Mayoral Proclamation for National Public Works Week, May 21-27, 2023, was informational.

5. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENTS TO TABLE 17.0304(C), NONRESIDENTIAL DISTRICT PERMITTED AND CONDITIONAL USES AND SECTION 17.1018 OF CHAPTER 17 – ZONING AND SIGN ORDINANCE OF MUNICIPAL CODE.**

A public hearing was held to consider proposed amendments to Table 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code (See Item 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 3073, AMENDING SECTION 17.0304(C) AND SECTION 17.1018 OF CHAPTER 17 OF MUNICIPAL CODE (ZONING AND SIGN ORDINANCE) RELATING TO RESEARCH AND DEVELOPMENT FACILITIES.**

Ald. Gehl, seconded by Ald. Marshall, moved to adopt Ordinance No. 3073, amending Section 17.0304(c) and Section 17.1018 of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance) relating to research and development facilities. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **COUNCIL APPROVES MOU BETWEEN CITY AND OAK CREEK PROFESSIONAL POLICE OFFICER'S ASSOCIATION (OCPPA) REGARDING ARTICLE 29 OF LABOR AGREEMENT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a Memorandum of Understanding (MOU) between the City of Oak Creek and the Oak Creek Professional Police Officer's Association (OCPPA) regarding Article 29 of the Labor Agreement. On roll call, the vote was as follows: Ald. Kurkowski, aye; aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **COUNCIL APPROVES CHANGE TO PERSONNEL POLICY MANUAL, GRANTING NON-REPRESENTED PUBLIC SAFETY EMPLOYEES SAME RESIDENCY REQUIREMENTS AS THE PROPOSED OAK CREEK PROFESSIONAL POLICE OFFICER'S ASSOCIATION (OCPPA) MOU.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a change to the Personnel Policy Manual granting non-represented public safety employees the same residency requirements as the proposed Oak Creek Professional Police Officer's Association (OCPPA) Memorandum of Understanding (MOU). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **COUNCIL DESIGNATES NOW MEDIA GROUP TO SERVE AS OFFICIAL CITY NEWSPAPER FOR NEXT 12 MONTHS.**

Ald. Gehl, seconded by Ald. Marshall, moved to designate NOW Media Group (parent company for the Milwaukee Journal Sentinel – SOUTH NOW edition) to serve as the official City newspaper for the next 12 months. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **COUNCIL ADOPTS NORTH BLUFF PLANNING STUDY.**

Greg Weykamp from Edgewater Resources provided the Common Council with an overview of the North Bluff Planning Study.

Ald. Marshall, seconded by Ald. Guzikowski, moved to accept the Plan Commission's recommendation to adopt the North Bluff Planning Study. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 12412-051623, APPROVING SWMP MAINTENANCE AGREEMENT WITH WRP OAK CREEK LLC, FOR 13TH STREET MULTITENANT INDUSTRIAL BUILDING LOCATED AT 7350 S. 13TH ST.**

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12412-051623, approving a Storm Water Management Practices Maintenance Agreement with WRP OAK CREEK LLC, for this 13th Street Multitenant Industrial Building located at 7350 S. 13th St. (Tax Key No. 764-9059-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **COUNCIL AWARDS SAFE ROUTES TO SCHOOL – PHASE 1 UNIT PRICE CONTRACT TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER, LALONDE CONTRACTORS, INC., AT ESTIMATED COST OF \$639,938.74.**

Ald. Gehl, seconded by Ald. Marshall, moved to award the Safe Routes to School – Phase 1 unit price contract to the lowest responsive, responsible bidder, LaLonde Contractors, Inc., at the estimated cost of \$639,938.74 (Project No. 20028). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 12413-051623, RELEASING PLATTED PUBLIC UTILITY EASEMENT AT 400 E. FITZSIMMONS RD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12413-051623, releasing a platted public utility easement at 400 E. Fitzsimmons Rd. (Tax Key No. 923-0117-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Ruetz, moved to grant the various license requests as listed on the 5/16/23 License Committee Report.

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

- * Brenda Pelton (BP W Discount Liquor)
- * Karen M. Hernandez-Gonzales (Cosina Caliente)
- * Olegorio Flores Ramirez (Cozumel)
- * Cody A. Vanpool (Meijer)
- * Jackie J. Racine (The Cellar)
- * Marlene Villagomez Garza (Homewood Suites)
- * Mark S. Heitman (Kwik Trip)
- * Carrie L. Tourangeau (Sidetracked)
- * Enrique F. Casso (The Cellar)

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

15. COUNCIL APPROVES VENDOR SUMMARY.

Ald. Marshall, seconded by Ald. Guzikowski, moved to approve the May 10, 2023 Vendor Summary Report in the amount of \$714,778.49. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:10 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- (a) Section 19.85(1)(e) to consider an Amendment to TID No. 11 Finance Development Agreement for Emerald Row Phase I, Second Amendment to TID No. 11 Finance Development Agreement and Phase III Agreement for Emerald Row Phase II/III and TID No. 11 Finance Development Agreement for Emerald Row Phase III (Parcels A and C).

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

17. COUNCIL RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:35 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. COUNCIL APPROVES AMENDMENT TO TID NO. 11 FINANCE DEVELOPMENT AGREEMENT FOR EMERALD ROW PHASE I, SECOND AMENDMENT TO TID NO. 11 FINANCE DEVELOPMENT AGREEMENT AND PHASE III AGREEMENT FOR EMERALD ROW PHASE II/III AND TID NO. 11 FINANCE DEVELOPMENT AGREEMENT FOR EMERALD ROW PHASE III (PARCELS A AND C).

Ald. Gehl, seconded by Ald. Marshall, moved to approve an amendment to TID No. 11 Finance Development Agreement for Emerald Row Phase I, Second Amendment to TID No. 11 Finance Development Agreement and Phase III Agreement for Emerald Row Phase II/III and TID No. 11 Finance Development Agreement for Emerald Row Phase III (Parcels A and C), subject to any non-substantive modification and changes as approved by the City Administrator and City Attorney. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Marshall, seconded by Ald. Guzikowski, moved to adjourn the meeting at 8:38 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor