

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, JUNE 20, 2017, 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, Ald. Toman, and Ald. Gehl. Ald. Guzikowski was excused.
2. Also present were City Attorney Melissa Karls, Deputy Health Officer Anne Barberena, Communications Coordinator Leslie Flynn, City Treasurer Barbara Guckenberger, City Librarian Jill Lininger, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Finance Director/Comptroller Bridget Souffrant, 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 6/6/17 meeting as published. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; and Ald. Toman, aye. Ald. Gehl abstained from voting.
4. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 17-09, DESIGNATION OF JULY AS PARK AND RECREATION MONTH.**  
  
Ald. Gehl, seconded by Ald. Duchniak, moved to adopt Council Proclamation No. 17-09, Designation of July as Park and Recreation month. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.
5. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENT TO SEC. 17.0313(C) ALLOWING LICENSED TATTOO AND/OR BODY PIERCING STUDIOS AS CONDITIONAL USES IN B-2, COMMUNITY BUSINESS DISTRICT.**  
  
A public hearing was held to consider a proposed amendment to Sec. 17.0313(c) to allow licensed tattoo and/or body piercing studios as Conditional uses in the B-2, Community Business District (see Item No. 6 for action on this hearing).
6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2858, AMENDING SEC. 17.0313(C) ALLOWING LICENSED TATTOO AND/OR BODY PIERCING ESTABLISHMENTS AS CONDITIONAL USES IN B-2, COMMUNITY BUSINESS DISTRICT.**  
  
Ald. Gehl, seconded by Ald. Loreck, moved to adopt Ordinance No. 2858, amending Section 17.0313(c) to allow licensed tattoo and/or body piercing establishments as conditional uses in the B-2, Community Business District. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.
7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11831-062017, AUTHORIZING ISSUANCE AND SALE OF \$4,900,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2017A.**  
  
Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 11831-062017, authorizing the issuance and sale of \$4,900,000 Taxable General Obligation Promissory Notes, Series 2017A. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye. The original Taxable General Obligation promissory Note amount of

\$5,025,000 was amended to \$4,900,000 prior to Common Council review and adoption.

8. **PRESENTED AND ADOPTED: RESOLUTION NO. 11832-062017, AUTHORIZING ISSUANCE AND SALE OF \$2,750,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11832-062017, authorizing the issuance and sale of a \$2,750,000 Taxable General Obligation Promissory Note. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11826-062017, APPROVING SERVICE AGREEMENT BETWEEN DREXEL TOWN SQUARE OWNERS ASSOCIATION INC., AND CITY FOR DTS.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11826-062017, approving the Services Agreement between Drexel Town Square Owners Association Inc., and the City of Oak Creek for Drexel Town Square. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

10. **PRESENTED AND ADOPTED: RESOLUTION NO. 11829-062017, AUTHORIZING PAYMENT OF BILLS, DEBTS, AND OBLIGATIONS.**

Ald. Gehl, seconded by Ald. Duchniak, moved to adopt Resolution No. 11829-062017, authorizing payment of bills, debts, and obligations. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

11. **COUNCIL APPROVES 2017 VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Duchniak, moved to approve the 2017 Vendor Summary Report in the amount of \$1,472,538.28. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

12. **PRESENTED AND ADOPTED: ORDINANCE NO. 2859, REPEALING AND RECREATING SECTIONS 8.01, 8.02, 8.03, AND 8.10 OF MUNICIPAL CODE REGARDING POWERS AND DUTIES OF HEALTH OFFICER, RULES AND REGULATIONS, HEALTH HAZARDS AND RESTAURANTS, LODGING, CAMPGROUNDS, RECREATIONAL, TATTOO/BODY PIERCING ESTABLISHMENTS, AND RETAIL FOOD ESTABLISHMENTS.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2859, an Ordinance to Repeal and Recreate Sections 8.01, 8.02, 8.03, and 8.10 of the Oak Creek Municipal Code regarding Powers and Duties of the Health Officer, Rules and Regulations, Human Health Hazards and Restaurants, Lodging, Campgrounds, Recreational, Tattoo/Body Piercing Establishments, and Retail Food Establishments. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 11836-062017, AUTHORIZING CLOSING ON SALE OF PROPERTY AT 8000 S. MARKET ST. TO THE WATERS SENIOR LIVING HOLDINGS, LLC, PURSUANT TO LAND PURCHASE AGREEMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11836-062017, authorizing closing on the sale of the property at 8000 S. Market St. to The Waters Senior Living Holdings, LLC, pursuant to the Land Purchase Agreement. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11833-062017, AUTHORIZING EXECUTION OF AGREEMENT WITH MILWAUKEE COUNTY RELATIVE TO CITY'S CONTINUED PARTICIPATION IN CDBG PROGRAM FOR YEARS 2018, 2019, AND 2020.**

Ald. Gehl, seconded by Ald. Duchniak, moved to adopt Resolution No. 11833-062017, authorizing the execution of agreements with Milwaukee County relative to the City's continued participation in the Community Development Block Grant Program for the program years 2018, 2019, and 2020. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 11834-062017, APPROVING EASEMENT FOR PEDESTRIAN CROSS ACCESS WITH DREXEL HOTEL GROUP, INC. FOR PROPERTY AT 7980 S. MARKET ST.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11834-062017, approving an easement for pedestrian cross access with the Drexel Hotel Group, Inc., for the property at 7980 S. Market St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

16. **COUNCIL ENTERS INTO CONTRACT WITH RA SMITH NATIONAL, INC., IN AMOUNT OF \$39,880, TO PROVIDE ENGINEERING DESIGN SERVICES FOR WATER MAIN EXTENSION ALONG PHASE 3 ROUTE OF IKEA WAY.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to approve a contract with R.A. Smith National, Inc., in the amount of \$39,880, to provide engineering design services for the water main extension along the Phase 3 route of IKEA Way. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11820-062017, APPROVING 25 FOOT WATER MAIN EASEMENT BY AND BETWEEN HSI DREXEL RIDGE LLC AND CITY.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 11820-062017, approving a 25 foot water main easement by and between HSI Drexel Ridge, LLC and the City of Oak Creek. (Tax Key No 779-9011-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

18. **COUNCIL GRANTS SPECIAL EVENT PERMIT TO KEVIN ARCHAMBEAU, AGENT ON BEHALF OF OAK CREEK CELEBRATIONS COMMISSION FOR 4<sup>TH</sup> OF JULY EVENT HELD AT VARIOUS LOCATIONS THROUGH CITY ON JULY 4, 2017.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a Special Event permit to Kevin Archambeau, Agent on behalf of the Oak Creek Celebrations Commission for the 4<sup>th</sup> of July event to be held at various locations throughout the City on July 4, 2017, from 8:00 a.m. to 11:00 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

19. **COUNCIL GRANTS SPECIAL EVENT PERMIT TO BONNIE AMAN, AGENT ON BEHALF OF AMERICAN DIABETES ASSOCIATION – TOUR DE CURE EVENT HELD ON JULY 22, 2017.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a Special Event permit to Bonnie Aman,

Agent on behalf of the American Diabetes Association-Tour de Cure event to be held on July 22, 2017, from 8:00 a.m. to 3:00 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

20. **COUNCIL GRANTS OPERATOR'S LICENSES.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant an Operator's license to the following:

- Benjamin Koshick, 2455A S. Graham St., Milwaukee (Classic Lanes)
- Brian S. Weinzirl, 2540 E. Emily Ave., Oak Creek (Classic Lanes)
- Amber D. Bachand, 3673 E. Holmes Ave., Cudahy (Classic Lanes)
- Jasmine Chen Smith, 3458 S. Illinois Ave., Milwaukee (Georgie Porgie's)
- Lisa Moore, 10500 S. Shepard Ave., Oak Creek (Target)
- Patricia A. Young, 6244 S. 1<sup>st</sup> St., Milwaukee (Target)
- Marina N. Cadirci, 542 Newman Rd., Racine (Charcoal Grill)
- Andrew I. Day-Marshall, 8785 S. Yorkshire Dr., Oak Creek (Meijer)
- Cynthia M. Kostuch, 10760 S. 92<sup>nd</sup> St., Franklin (Gary's Beer & Liquor)
- Hanna K. Yeldell, 905 Fairview Ave. S. Milwaukee (Kwik Trip)
- Louisa Cabrera, 6426 S. 35<sup>th</sup> St., Franklin (PDQ)

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

21. **COUNCIL GRANTS CHANGE OF PREMISE TO 2017-18 RESERVE CLASS B COMBINATION LICENSE ISSUED TO SARAH BAKER, AGENT, ZA MAN 3, LLC DBA PIZZA MAN OAK CREEK TO INCLUDE PARKLET AREA ON TOWN SQUARE WAY.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a change of premise to the 2017-18 Reserve Class B Combination license issued to Sarah Baker, Agent, Za Man 3, LLC dba Pizza Man Oak Creek to include the parklet area on Town Square Way, with issuance subject to City Engineer approval, consistent with the final approval of the Special Privilege Permit. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

22. **COUNCIL GRANTS CHANGE OF PREMISE TO 2017-18 RESERVE CLASS B COMBINATION LICENSE ISSUED TO SARAH BAKER, AGENT, ZA MAN 3, LLC DBA PIZZA MAN OAK CREEK TO INCLUDE EXTENSION OF PREMISE FOR EVENTS.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a change of premise to the 2017-18 Reserve Class B Combination license issued to Sarah Baker, Agent, Za Man 3, LLC dba Pizza Man Oak Creek to include an extension of premise into Drexel Town Square for the following events: Dog Days at Drexel (7/15), MilwaukeeFood.com-Food Truck Tour (6/21, 8/2, 8/30, 9/20), Fall Festival (10/21) and Winter Festival (2/17/18). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

23. **COUNCIL GRANTS CHANGE OF PREMISE TO 2017-18 CLASS B BEER / CLASS C WINE LICENSE ISSUED TO ROBBIN KASHEVAROF, AGENT, VALENTINE CAFÉ, LLC, DBA VALENTINE CAFÉ, TO INCLUDE EXTENSION OF PREMISE FOR EVENTS.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a change of premise to the 2017-18 Class B Beer / Class C Wine license issued to Robbin Kashevarof, Agent, Valentine Café, LLC, dba Valentine Cafe to include an extension of premise into Drexel Town Square for the following events:

Dog Days at Drexel (7/15), MilwaukeeFood.com-Food Truck Tour (6/21, 8/2, 8/30, 9/20), Fall Festival (10/21) and Winter Festival (2/17/18). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

24. **COUNCIL GRANTS CHANGE OF PREMISE TO 2017-18 RESERVE CLASS B COMBINATION LICENSE ISSUED TO KRISTYN EITEL, AGENT, BELAIR CANTINA OAK CREEK, INC., DBA BELAIR CANTINA OAK CREEK TO INCLUDE EXTENSION OF PREMISE FOR EVENTS.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a change of premise to the 2017-18 Reserve Class B Combination license issued to Kristyn Eitel, Agent, BelAir Cantina Oak Creek, Inc., dba BelAir Cantina Oak Creek to include an extension of premise into Drexel Town Square for the following events: Dog Days at Drexel (7/15), MilwaukeeFood.com-Food Truck Tour (6/21, 8/2, 8/30, 9/20), Fall Festival (10/21) and Winter Festival (2/17/18). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

25. **COUNCIL GRANTS AMUSEMENT OPERATOR AND AMUSEMENT DEVICES LICENSE(S) TO REGGIE'S AMUSEMENTS, LLC.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant an Amusement Operator and Amusement Device license(s) to Reggie's Amusements, LLC, 4918 S. Packard Ave., Cudahy, WI. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

26. **COUNCIL GRANTS TEMPORARY CLASS "B" BEER LICENSE TO SARAH CORSO, AGENT, OAK CREEK PUBLIC LIBRARY FOUNDATION, INC., FOR 2<sup>ND</sup> ANNUAL HOGWARTS REUNION, 7/29/17.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a Temporary Class "B" Beer license to Sarah Corso, Agent on behalf of the Oak Creek Public Library Foundation, Inc., for the 2<sup>nd</sup> Annual Hogwarts Reunion, to be held on 7/29/17 at the Oak Creek Civic Center and Library, with a waiver of fees. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

27. **COUNCIL GRANTS TEMPORARY CLASS "B" BEER / CLASS "B" WINE LICENSE TO KRISTIN KOWALESKI, AGENT ON BEHALF OF OAK CREEK TOURISM COMMISSION FOR BEER GARDEN EVENT HELD AT ABENDSCHEIN PARK FROM 8/10/17- 8/13/17.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a Temporary Class "B" Beer / Class "B" Wine license to Kristin Kowaleski, Agent on behalf of the Oak Creek Tourism Commission for a Beer Garden event to be held at Abendschein Park from 8/10/17 through 8/13/17. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

28. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Loreck, moved to convene into Closed Session at 8:14 p.m., pursuant to Wisconsin State Statutes Section 19.85(1)(e) to consider a memorandum of understanding with Oak Creek Development Partners, LLC regarding the property at 2201 E. College Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

29-30. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.**

Ald. Gehl, seconded by Ald. Loreck, moved to reconvene into Open Session at 9:21 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye. No action was taken.

31. **PRESENTED AND ADOPTED: RESOLUTION NO. 11830-062017, RESCINDING RESOLUTION NO. 11179-120611 AND SUBSEQUENT POLICIES APPROVED ON 7/21/14, 10/7/14, AND 2/2/16, AND RESTATING INVESTMENT POLICY FOR CITY.**

Ald. Gehl, seconded by Ald. Toman, moved to adopt Resolution No. 11830-062017, rescinding Resolution No. 11179-120611 and subsequent policies approved by the Common Council on July 21, 2014, October 7, 2014, and February 2, 2016, and restating the Investment Policy for the City of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn this meeting at 9:21 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Gehl, aye.

ATTEST:

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Catherine A. Roeske, City Clerk

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Daniel J. Bukiewicz, Mayor