PROCEEDINGS, COMMON COUNCIL MEETING
FEBRUARY 20, 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. Loreck, Ald. Marshall, Ald. Gehl and Ald. Guzikowski. Ald. Duchniak was excused.

   Also present were City Attorney Melissa Karls, Police Lieutenant Andrew Ahearn, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Thomas Kramer, Fire Chief Michael Kressuk, Management Assistant Carly Persson, Community Development Director Douglas Seymour, Police Chief David Stecker, City Engineer Matthew Sullivan, Environmental Engineer Susan Winnen, 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. Loreck, seconded by Ald. Marshall, moved to approve the minutes of the 2/7/23 meeting. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye and Ald. Guzikowski, aye. Ald. Kurkowski abstained from voting.

4. **LAKEFRONT – NORTH BLUFF PARK CONSENSUS PLAN PRESENTATION.**

   Greg Weykamp from Edgewater Resources and Carly Persson, City of Oak Creek Management Assistant, provided the Council with a presentation on the North Bluff Planning Study update.

5. **COUNCIL APPROVES MOU BETWEEN CITY AND IAFF – LOCAL 1848 REGARDING ARTICLES 18B AND 32B(1) OF LABOR AGREEMENT.**

   Ald. Gehl, seconded by Ald. Marshall, moved to approve the Memorandum of Understanding (MOU) between the City of Oak Creek and the International Association of Firefighters (IAFF) – Local 1848 regarding Articles 18B and 32B(1) of the Labor Agreement. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 12388-022023, APPROVING FLOCK GROUP, INC. (FLOCK) SERVICES AGREEMENT (ORDER FORM) AND FLOCK GOVERNMENT AGENCY AGREEMENT.**

   Ald. Loreck, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12388-022023, approving the Flock Group, Inc. (Flock) Services Agreement (order form) and Flock Government Agency Agreement. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, no; and Ald. Guzikowski, aye.

7. **COUNCIL AUTHORIZES ENGINEERING DEPARTMENT TO ENTER INTO CONTRACT NEGOTIATIONS WITH BENESCH FOR DESIGN SERVICES OF S. 6TH STREET BRIDGE OVER OAK CREEK.**

   Ald. Kurkowski, seconded by Ald. Loreck, moved to authorize the Engineering Department to enter into contract negotiations with Benesch for the design services of the S. 6th Street bridge over Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **COUNCIL AUTHORIZES ENGINEERING DEPARTMENT TO PROCEED WITH DESIGN OF ROUNDABOUT AT INTERSECTION OF W. PUETZ RD., S LIBERTY LN., AND S. WOOD CREEK DR.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to authorize the Engineering Department to proceed with design of a roundabout at the intersection of W. Puetz Rd., S. Liberty Ln., and S. Wood Creek Dr., as recommended by the Board of Public Works and Capital Assets. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **COUNCIL AUTHORIZES ENGINEERING DEPARTMENT TO ENTER INTO CONTRACT FOR PROFESSIONAL SERVICES NOT TO EXCEED $89,580, BETWEEN CITY AND GRAEF FOR DESIGN OF ROUNDABOUT AT INTERSECTION OF W. PUETZ RD., S. LIBERTY LN., AND S. WOOD CREEK DR.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to authorize the Engineering Department to enter into a contract for professional services not to exceed $89,580, between the City of Oak Creek and GRAEF for the design of a roundabout at the intersection of W. Puetz Rd., S. Liberty Ln., and S. Wood Creek Dr. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to grant the various license requests as listed on the 2/20/23 License Committee Report.

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

* Patrick J. Schubert (Kwik Trip)
* Mark W. Schaubel (The Cellar)
* Alexis V. Martinez (BelAir)
* Russell R. Kotowicz (Ryan Road Mobil)
* Irlanda Sainz Mendoza (Cozumel)
* Jayson D. Fisher (Kwik Trip)

Grant a 2023 Transient Merchant company license to Renewal by Anderson, 1741 Dolphin Dr., Waukesha, WI, and to the following solicitors (favorable background reports received):

* Alyssa A. Wardin
* Portia A. Chaparas
* Melvin E. Sisk
* Aaron S. Martin
* Brady J. Burckhardt

Grant a Change of Agent for the Class B Combination alcohol license issued to the Oak Creek Community Center, 8580 S. Howell Ave. from Tony Anguiano, Jr. to Steven P. Wilding (favorable background received).

Grant a Class B Combination alcohol license to Chelsea N. Sullivan, Double Cs Diner LLC dba Oak Creek Diner, 6874 S. 13th Street, with release of license subject to final department approvals.

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

11. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Marshall, moved to approve the February 15, 2023 Vendor Summary Report in the amount of $1,112,287.43. (Of this total, $431,783.13 will affect the 2022 fiscal year, with

the remaining $680,504.30 affecting 2023). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:28 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

(a) Section 19.85(1)(c) to discuss the performance evaluation and employment contract for the City Administrator.

(b) 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).

(c) Section 19.85(1)(e) to consider an Amendment to Tax Incremental District No. 13 Finance Development Agreement with F Street OCLV, LLC, a Tax Incremental District No. 13 Finance Development Agreement with F Street OCLV NT, LLC and a Tax Incremental District No. 13 Finance Development Agreement with OCLV MF 2, LLC (Lakeshore Commons).

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

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

Ald. Gehl, seconded by Ald. Marshall, moved to reconvene into Open Session at 9:40 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **COUNCIL APPROVES CITY ADMINISTRATOR EMPLOYMENT AGREEMENT EFFECTIVE FEBRUARY 20, 2023.**

Ald. Gehl, seconded by Ald. Marshall, moved to approve the City Administrator Employment Agreement effective February 20, 2023. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **PRESENTED AND HELD TO 3/7/23 COUNCIL MEETING: RESOLUTION NO. 12384-011723, APPROVING AMENDMENT TO TID NO. 11 FINANCE DEVELOPMENT AGREEMENT WITH EMERALD ROW LLC AND EMERALD ROW HOLDINGS INC. (EMERALD ROW-PHASE I), SECOND AMENDMENT TO TID NO. 11 FINANCE DEVELOPMENT AGREEMENT AND PHASE III AGREEMENT WITH EMERALD ROW II LLC, EMERALD ROW HOLDINGS INC., EMERALD ROW III LLC AND BARRETT/LO VISIONARY DEVELOPMENT LLC (EMERALD ROW PHASE II/III) AND TID NO. 11 FINANCE DEVELOPMENT AGREEMENT WITH EMERALD ROW III LLC (EMERALD ROW PHASE III – PARCELS A & C AND CITY.**

Ald. Gehl, seconded by Ald. Marshall, moved to hold action on Resolution No. 12384-011723, to approve the Amendment to Tax Incremental District No. 11 Finance Development Agreement with Emerald Row LLC and Emerald Row Holdings Inc. (Emerald Row – Phase I), the Second Amendment to Tax Incremental District No. 11 Finance Development Agreement and Phase III Agreement with Emerald Row II LLC, Emerald Row Holdings Inc., Emerald Row III LLC and Barrett/Lo Visionary Development LLC (Emerald Row Phase II/III), and the Tax Incremental District No. 11 Finance Development Agreement with Emerald Row III LLC (Emerald Row District No. 11 Finance Development Agreement with Emerald Row III LLC (Emerald Row Phase III – Parcels A & C) and the City of Oak Creek to the March 7, 2023 Common Council meeting (held 1/17/23, 2/7/23).

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

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 12391-022023, APPROVING AMENDMENT TO TID NO. 13 FINANCE DEVELOPMENT AGREEMENT WITH F STREET OCLV LLC, TID NO. 13 FINANCE DEVELOPMENT AGREEMENT WITH F STREET OCLV NT, LLC (TOWNHOMES PARCEL) AND TID NO. 13 FINANCE DEVELOPMENT AGREEMENT WITH OCLV MF 2, LLC (AS PARCEL) (LAKESHORE COMMONS).**

Ald. Marshall, seconded by Ald. Gehl, moved to adopt Resolution No. 12391-022023, approving the Amendment to Tax Incremental District No. 13 Finance Development Agreement with F Street OCLV LLC, the Tax Incremental District No. 13 Finance Development Agreement with F Street OCLV NT, LLC (Townhomes Parcel) and Tax Incremental District No. 13 Finance Development Agreement with OCLV MF 2, LLC (As Parcel) (Lakeshore Commons). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Marshall, seconded by Ald. Loreck, moved to adjourn the meeting at 9:42 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor

• ORDINANCES AND RESOLUTIONS FOLLOW PROCEEDINGS AND ARE IN NUMERICAL ORDER.