

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, JULY 17, 2018, 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, Ald. Gehl and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Police Chief Steven Anderson, Communications Coordinator Leslie Flynn, City Treasurer Barbara Guckenberger, Assistant Fire Chief Michael Havey, Acting IT Manager Kevin Koenig, Fire Chief Thomas Rosandich, City Engineer / Acting Building Commissioner Michael Simmons, Community Development Director Douglas Seymour, 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. Loreck, seconded by Ald. Duchniak, moved to approve the minutes of the 6/5/18 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; and Ald. Guzikowski, aye. Ald. Gehl abstained from voting.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to approve the minutes of the 6/19/18 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Loreck abstained from voting.

4. **PRESENTED AND ADOPTED: RESOLUTION NO. 11953-071718, APPRECIATION TO PATRICK FRANCIS, RETIRING TREATMENT PLANT MANAGER.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11953-071718, a Resolution of Appreciation to Patrick Francis, retiring Treatment Plant Manager. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

5. **PRESENTED AND ADOPTED: RESOLUTION NO. 11955-071718, COMMENDATION TO MARK MULL, RETIRING EQUIPMENT OPERATOR.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11955-071718, a Resolution of Commendation to Mark Mull, retiring Equipment Operator. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PRESENTED AND ADOPTED: RESOLUTION NO. 11956-071718, COMMENDATION TO KAREN DORO, RETIRING YOUTH SERVICES LIBRARIAN.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11956-071718, a Resolution of Commendation to Karen Doro, retiring Youth Services Librarian. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **HELD TO 9/18/18: PUBLIC HEARING TO CONSIDER REQUEST SUBMITTED BY DALE DEWITT ON BEHALF OF LAVERNE BOERS TO REZONE PORTION OF PROPERTY SHOWN AS LOT 1 ON PROPOSED CSM FOR 3280 E. OAKWOOD RD., FROM A-1, LIMITED AGRICULTURAL DISTRICT TO RS-3, SINGLE FAMILY RESIDENTIAL, WITH VARIATION REQUEST RELATED TO MINIMUM LOT WIDTH FOR PROPOSED LOT.**

Ald. Toman, seconded by Ald. Gehl, moved to hold the public hearing scheduled to consider a request submitted by Dale DeWitt on behalf of LaVerne Boers to rezone a portion of the property shown as Lot 1 on a proposed certified survey map for 3280 E. Oakwood Rd. from A-1, Limited Agricultural district to Rs-3, Single Family Residential, with a variation request related to the minimum lot width for the proposed lot until the September 18, 2018 Council meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY HSI OAK CREEK PARTNERS, LLC, AND APPLE TOWER DEVELOPMENT, INC., LLC TO REZONE AND ESTABLISH PUD FOR PROPERTIES AT 8300, 8304, 8310 AND 8380 S. 27<sup>TH</sup> ST. AND 8370 S. ORCHARD WAY.**

A public hearing was held to consider a request by HSI Oak Creek Partners, LLC, and Apple Tower Development, Inc., LLC to rezone and establish a Planned Unit Development for the properties at 8300, 8304, 8310 and 8380 S. 27<sup>th</sup> St. and 8370 S. Orchard Way. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2905, TO APPROVE A REZONING OF PROPERTIES AT 8300, 8304, 8310 AND 8380 S. 27<sup>TH</sup> ST AND 8370 S. ORCHARD WAY TO RM-1 (PUD), MULTIFAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 2905, to approve a rezoning of properties at 8300, 8304, 8310 and 8380 S. 27<sup>th</sup> St., and 8370 S. Orchard Way to Rm-1 (PUD), Multifamily Residential Planned Unit Development. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **PUBLIC HEARING HELD TO CONSIDER A REQUEST SUBMITTED BY KELLY GALLACHER, SSV I OAK CREEK, LLC FOR AMENDMENT TO TIME AND COMPLIANCE SECTION OF EXISTING CUP TO ALLOW ADDITIONAL 6 MONTHS AFFECTING PROPERTIES LOCATED AT 275 E. DREXEL AVE.**

A public hearing was held to consider a request submitted by Kelly Gallacher, SSV I Oak Creek, LLC, for an amendment to the Time and Compliance section of the existing Conditional Use Permit to allow an additional 6 months affecting the properties located at 275 E. Drexel Ave. (See Item No. 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 2903, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE 2852 FOR A CUP FOR SELF-SERVICE STORAGE FACILITY (MINI-WAREHOUSING).**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2903, amending the Conditions and Restrictions in Ordinance No. 2852 for a Conditional Use Permit to allow an additional 12 months for a self-service storage facility (mini-warehousing) for the property at 275 E. Drexel Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING MAY 31, 2018.**

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending May 31, 2018.

13. **PRESENTATION OF CITY BUDGET TO ACTUAL REPORT 2<sup>ND</sup> QUARTER 2018.**

The presentation of the City of Oak Creek Budget to Actual Report 2<sup>nd</sup> Quarter 2018 was informational.

14. **INFORMATIONAL: STRATEGIC PLAN REPORT: HANDLING DEMAND FOR SINGLE-FAMILY LOT INVENTORY.**

Community Development Director, Doug Seymour, provided the Council with information regarding the Strategic Plan Report: Handling Demand for Single-Family Lot Inventory.

15. **LISA MARSHALL APPOINTED TO CELEBRATIONS COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski moved to concur with the Mayor's appointment of Lisa Marshall to the Celebrations Commission for a 3 year term expiring 3/2021. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Gehl, moved to approve the June 27, 2018 Vendor Summary Report in the combined amount of \$754,786.98. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to approve the July 11, 2018 Vendor Summary Report in the combined amount of \$641,915.29. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **COUNCIL APPROVES PURCHASE OF LUCAS CHEST COMPRESSION SYSTEM FOR ASSISTING IN CPR IN AMOUNT OF \$16,000.**

Ald. Gehl, seconded by Ald. Duchniak, moved to approve the purchase of a LUCAS Chest Compression System for assisting in CPR in the amount of \$16,000. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **COUNCIL APPROVES ANNUAL AGREEMENT FOR SRO SERVICES FOR 2018-19 SCHOOL YEAR.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the proposed annual Agreement for School Resource Officer services for the 2018-19 school year. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.



20. **PRESENTED AND ADOPTED: RESOLUTION NO. 11961-071718, FINAL RESOLUTION AUTHORIZING WATER MAIN IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES ON DEPOT ROAD FROM 5<sup>TH</sup> AVE. 130 FEET WEST OF 5<sup>TH</sup> AVE.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11961-071718, a final resolution authorizing water main improvements and levying special assessments against benefited properties on Depot Road from 5<sup>th</sup> Avenue 130 feet west of 5<sup>th</sup> Avenue (Project No. 18107). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. **PRESENTED AND ADOPTED: RESOLUTION NO. 11959-071718, ACCEPTING WORKMANSHIP OF KVG BUILDING CORP. AND AUTHORIZING FINAL PAYMENT.**

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11959-071718, accepting the workmanship of KVG Building Corp. and authorizing final payment (Project No. 18025). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. **PRESENTED AND ADOPTED: RESOLUTION NO. 11960-071718, ACCEPTING WORKMANSHIP OF MP SYSTEMS AND AUTHORIZING FINAL PAYMENT.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11960-071718, accepting the workmanship of MP Systems and authorizing final payment (Project No. 17021). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 11957-071718, APPROVING CSM FOR RICHARD RUVIN, R.W. HOWELL, LLC FOR PROPERTY AT 8355 S. HOWELL AVE.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11957-071718, approving a Certified Survey Map for Richard Ruvín, R.W. Howell, LLC, for the property at 8355 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

24. **PRESENTED AND ADOPTED: RESOLUTION NO. 11958-071718, APPROVING CSM FOR AY LIN SOK FOR PROPERTIES AT 6615 AND 6622 S. 27<sup>TH</sup> ST.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11958-071718, approving a Certified Survey map for Ay Lin Sok for the properties at 6615 and 6622 S. 27<sup>th</sup> St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

25. **PRESENTED AND ADOPTED: ORDINANCE NO. 2906, ADOPTING AMENDMENT TO COMPREHENSIVE PLAN FOR PROPERTIES AT 9600 AND 9700 S. 13<sup>TH</sup> ST. AND 1001 W. RYAN RD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt an amendment to the Comprehensive Plan for the properties at 9600 and 9700 S. 13<sup>th</sup> St. and 1001 W. Ryan Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

26. **PRESENTED AND ADOPTED: RESOLUTION NO. 11962-071718, APPROVING CSM FOR JOHN THOMSEN FOR PROPERTIES AT 7781, 7811, AND 7869 S. 13<sup>TH</sup> ST.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 11962-071718, approving a Certified Survey Map for John Thomsen for the properties at 7781, 7811 and 7869 S. 13<sup>th</sup> St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

27. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to take action as follows:

Grant an Operator's license to:

- Sophia S. Billings, 811 S. 34<sup>th</sup> St., Milwaukee (South Shore Cinema)
- Gurinderdeep S. Dhillon, 3061 Linnerud Dr., Stoughton (Ryan Road Mobil)
- Natalie J. Swanson, 10882 S. 76<sup>th</sup> St., Franklin (Sidetracked)
- Amanda H. Barna, 1708 Beech St., South Milwaukee (Classic Lanes)
- Kristine B. Wilke-Oliden, 6536 Charles St., Racine (Meijer)
- Paden R. Sabo, 3945 E. High St., Oak Creek (Meijer)
- Kristen E. Abbrederis, 4336 S. 43<sup>rd</sup> St., Greenfield (Water Street Brewery)
- Robert J. Walusay, 8177 7 Mile Rd., Franksville (South Shore Cinema)
- Tonya L. Windschanz, 4611 W. Wilbur Ave., Greenfield (Classic Lanes)
- Andrew J. Yetka, 3911 E. Elm Rd., Oak Creek (no employer)

Grant a Change of Premise request from Mega Marts, LLC dba Pick 'n Save #6862, 8770 S. Howell Avenue, to grant the addition of the following "In addition, extension is permitted from the main entrance of the store to the exterior pathway and parking stalls on the northwest corner of the building specifically utilized and designated for online merchandise orders and pickup service between the hours of 8:00 a.m. – 8:00 p.m."

Grant a Change of Premise request from Mega Marts, LLC dba Pick 'n Save #6342, 6462 S. 27<sup>th</sup> St., to grant the addition of the following "In addition, extension is permitted from the north entrance of the store to the exterior pathway and parking stalls on the west side of the building specifically utilized and designated for online merchandise orders and pickup service between the hours of 8:00 a.m. – 8:00 p.m."

Grant a Temporary Class "B" Beer / Class "B" Wine license, with a waiver of fees, to Bill Krueck, agent on behalf of the Oak Creek OJ's for the Oak Creek OJ's 51<sup>st</sup> Annual Softball Tournament to be held at Shephard Hills Softball Complex on August 4-5, 2018 (rain dates August 11-12, 2018).

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

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 9:13 p.m., pursuant to Wisconsin State Statutes, Section 19.85(1)(e) to discuss a proposed Finance Development Agreement by and between the City of Oak Creek and Ryan Business Park, LLC for the properties at 741 and 1001 W. Ryan Rd. and 9600, 9700, and 9900 S. 13<sup>th</sup> St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 10:27 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. No action was taken.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn the meeting at 10:28 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

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Catherine A. Roeske, City Clerk

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Daniel J. Bukiewicz, Mayor