

PROCEEDINGS, COMMON COUNCIL MEETING
MONDAY, AUGUST 6, 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, Communications Coordinator Leslie Flynn, City Treasurer Barbara Guckenberger, Department of Public Works Director Ted Johnson, City Librarian Jill Lininger, City Planner Kari Papelbon, Fire Chief Thomas Rosandich, 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. Guzikowski, seconded by Ald. Loreck, moved to approve the minutes of the 7/17/18 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.

4. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 18-09 TO KEVIN ARCHAMBEAU FOR DEDICATED SERVICE AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Duchniak, seconded by Ald. Loreck, moved to adopt Council Proclamation No. 18-09 to Kevin Archambeau for dedicated service to the City of Oak Creek as a member of the Celebrations Commission. 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY JOHN THOMSEN, HIGHGATE LLC, TO REZONE PROPERTIES AT 7781 AND 7811 S. 13TH ST. TO BE REZONED FROM RS-3, SINGLE FAMILY RESIDENTIAL TO B-4, HIGHWAY BUSINESS, AND PORTION OF 7869 S. 13TH ST., FROM B-4, HIGHWAY BUSINESS TO I-1, INSTITUTIONAL.**

A public hearing was held to consider a request by John Thomsen, Highgate LLC, to rezone the properties at 7781 and 7811 S. 13th St., to be rezoned from Rs-3, Single Family Residential to B-4, Highway Business, and a portion of 7869 S. 13th St., from B-4, Highway Business to I-1, Institutional. (See Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2908, APPROVING REZONE OF PROPERTIES AT 7781 AND 7811 S. 13TH ST., TO B-4, HIGHWAY BUSINESS, AND PORTION OF 7869 S. 13TH ST., TO I-1, INTUITIONAL.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2908, an ordinance to approve a rezone of the properties at 7781 and 7811 S. 13th St., to B-4, Highway Business, and a portion of 7869 S. 13th St., to I-1, Institutional. 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. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY BRETT IPPOLITE, CAMP BOW WOW, FOR AMENDMENT TO EXISTING CUP TO ALLOW ADDITIONAL DOGS ON PROPERTY AS PART OF DOG DAYCARE AND KENNEL OPERATIONS AFFECTING PROPERTY LOCATED AT 8411 S. LIBERTY LN.**

A public hearing was held to consider a request by Brett Ippolite, Camp Bow Wow, for an amendment to the existing Conditional Use Permit to allow additional dogs on the property as part of the dog daycare and kennel operations affecting the property located at 8411 S. Liberty Ln. (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2904, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2399 FOR A CUP FOR ANIMAL BOARDING KENNEL / DOG DAY CARE FACILITY WITH OUTDOOR EXERCISE AREA AT 8411 S. LIBERTY LN.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 2904, an ordinance to amend the Conditions and Restrictions in Ordinance No. 2399 to allow a maximum of 125 dogs on site as part of the existing Conditional Use Permit for an Animal Boarding Kennel / Dog Day Care Facility with Outdoor Exercise Area at 8411 S. Liberty Ln. 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.

9. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENT TO SECTION 17.0325 TO SPECIFY AND CLARIFY PERMITTED AND CONDITIONAL USES WITHIN PUD, AND RENUMBER SUBSEQUENT SUBSECTIONS OF CODE.**

A public hearing was held to consider a proposed amendment to Sec. 17.0325 to specify and clarify permitted and conditional uses within a Planned Unit Development, and to renumber subsequent subsections of the Code. (See Item No. 10 for action on this hearing).

10. **PRESENTED AND ADOPTED: ORDINANCE NO. 2907, REPEALING AND RECREATING SECTION 17.0325 OF MUNICIPAL CODE TO SPECIFY AND CLARIFY PERMITTED AND CONDITIONAL USES WITHIN PUD AND RENUMBER SUBSEQUENT SECTIONS ACCORDINGLY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance no. 2907, an ordinance to repeal and recreate Section 17.0325 of the Municipal Code to specify and clarify permitted and conditional uses within a Planned Unit Development and to renumber subsequent sections accordingly. 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.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 11970-080618, ACCEPTING 2017 FINANCIAL STATEMENT AND AUDITORS' REPORT PREPARED AND PRESENTED BY BAKER TILLY VIRCHOW KRAUSE, LLP.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11970-080618, accepting the 2017 Financial Statement and Auditors' Report as prepared and presented by Baker Tilly Virchow Krause, LLP. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11963-080618, AUTHORIZING ISSUANCE AND SALE OF APPROXIMATELY \$5,175,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018B.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11963-080618, a Resolution Authorizing the Issuance and Sale of Approximately \$5,175,000 General Obligation Refunding Bonds, Series 2018B. 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. The original General Obligation Refunding Bond amount of \$5,150,000 was amended to \$5,175,000 prior to Common Council review and adoption.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 11964-080618, AUTHORIZING THE ISSUANCE AND SALE OF APPROXIMATELY \$5,140,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018C.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11964-080618, a Resolution Authorizing the Issuance and Sale of Approximately \$5,140,000 Taxable General Obligation Refunding Bonds, Series 2018C. 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. The original Taxable General Obligation Refunding Bond of \$5,130,000 was amended to \$5,140,000 prior to Common Council review and adoption.

14. **PRESENTATION OF PROPOSED LANDSCAPING OF CIVIC CENTER SOUTH PLAZA.**

The presentation of the proposed revamping of landscaping of the South Plaza of the Oak Creek Civic Center was informational.

15. **SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING JUNE 30, 2018.**

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending June 30, 2018.

16. **CINDY BAUTCH APPOINTED TO CELEBRATIONS COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski moved to concur with the Mayor's appointment of Cindy Bautch, 3264 E. Lindy Lane, 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.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11969-080618, ACCEPTING WORKMANSHIP OF CW PURPERO AND AUTHORIZING FINAL PAYMENT FOR PROJECT NO. 15023, IKEA WAY, PHASE 2.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11969-080618, accepting the workmanship of CW Purpero, and authorizing final payment for Project No. 15023, IKEA Way, Phase 2. 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 VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the July 31, 2018 Vendor Summary Report in the combined amount of \$814,746.38. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11965-080618, APPROVING CSM FOR MICHAEL FABER, RYAN BUSINESS PARK, LLC, FOR PROPERTY AT 741 W. RYAN RD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11965-080618, approving a Certified Survey Map for Michael Faber, Ryan Business Park, LLC for the property at 741 W. Ryan Rd., with a notation to include a reference to CSM No. 4. 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. 11966-080618, APPROVING CSM FOR MICHAEL FABER, RYAN BUSINESS PARK, LLC, FOR PROPERTY AT 9900 S. 13TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11966-080618, approving a Certified Survey Map for Michael Faber, Ryan Business Park, LLC, for the property at 9900 S. 13th 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.

21. **PRESENTED AND ADOPTED: RESOLUTION NO. 11967-080618, APPROVING CSM FOR MICHAEL FABER, RYAN BUSINESS PARK, LLC, FOR PROPERTY AT 9600 S. 13TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11967-080618, approving a Certified Survey Map for Michael Faber, Ryan Business Park, LLC, for the property at 9600 S. 13th 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.

22. **PRESENTED AND ADOPTED: RESOLUTION NO. 11968-080618, APPROVING CSM FOR MICHAEL FABER, RYAN BUSINESS PARK, LLC, FOR PROPERTY AT 741 W. RYAN RD. AND 9600, 9700, AND 9900 S. 13TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11968-080618, approving a Certified Survey Map for Michael Faber, Ryan Business Park, LLC, for the property at 741 W. Ryan Rd. and 9600, 9700 and 9900 S. 13th 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.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 11973-080618, AMENDING BOUNDARIES OF DESIGNATED NATURE CENTER AT 10025 S. SHEPARD AVE.**

Ald. Gehl, seconded by Ald. Ald. Guzikowski, moved to adopt Resolution No. 11973-080618, amending the boundaries of the designated nature center at 10025 S. Shepard 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. 11971-080618, ACCEPTING VACANT LAND OFFER TO PURCHASE AND AUTHORIZING CLOSING ON SALE OF PROPERTY AT 8159R S. WARING DR. TO CHAD AND SARAH JOHNSON.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11971-080618, accepting the Vacant Land Offer to Purchase and Authorizing Closing on the Sale of the Property at 8159R S. Waring Drive to Chad and Sarah Johnson. 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: RESOLUTION NO. 11972-080618, ACCEPTING VACANT LAND OFFER TO PURCHASE AND AUTHORIZING CLOSING ON SALE OF PROPERTY AT 10025 S. SHEPARD AVE. TO OCFJSD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11972-080618, accepting the Vacant Land Offer to Purchase and Authorizing Closing on the Sale of the Property at 10025 S. Shepard Avenue to the Oak Creek-Franklin Joint School District. 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. **LICENSE COMMITTEE.**

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

Deny an Operator's license to Julia Bell, 6855 W. Kathleen Ct., Franklin, WI (Jim Dandy's) for falsification by omission, possession of a controlled substance, and for being a habitual offender.

Deny an Operator's license to David Myslinski, 10818 Washington Ave., Mt. Pleasant (Water Street Brewery) for being a habitual offender.

Grant an Operator's license to:

- Laura Stine, 5527 41st Ave., Kenosha (Meijer)
- Christine Cybela, 6373 S. 35th St., Franklin (Victor's)
- Tracy Novak, 813 Lakeview Ave., South Milwaukee (Classic Lanes)
- Nicole M. Uecke, 6701 W. Kinnickinnic River Pkwy, Milwaukee (Sidetracked)
- Courtney A. Kimpel, 3453 W. 8 Mile Rd., Caledonia (Sidetracked)
- Aaron M. Cotter, 2820 S. 15th Pl., Milwaukee (Kwik Trip)
- Ryan D. Gajevic, 5301 Somerset Ln. S, Greenfield (Community Center)
- Patrick J. Newkirk, 7841 S. Scepter Dr., Franklin (Kwik Trip)
- Brian B. Cross, 1915 13th Ave., South Milwaukee (Community Center)

Grant a Transient Merchant license to Windows Depot USA, 4230 W. Loomis Rd., Greenfield selling home improvement products, and to the following salespersons:

- Donovan Lettenry, 429 S. 69th St., Milwaukee
- Jent Sawyer, III, 3059 N. Weil St., Milwaukee
- John Lambrecht, 1635 S. 165th St., New Berlin
- Jeremy Nji, 2634 N. Maryland Ave., Milwaukee

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. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 9:12 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. 13th 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.

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

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 10:00 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 10:00 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:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor