

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, AUGUST 21, 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 Steve Anderson, Department of Public Works Director Ted Johnson, City Librarian Jill Lininger, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Water & Sewer Utility Manager Michael Sullivan, 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 8/6/18 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. 18-11 TO JILL THEYS FOR DEDICATED SERVICE AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 18-11 to Jill Theys 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 FROM RYAN BUSINESS PARK, LLC, TO REZONE AND ESTABLISH MANUFACTURING (M-1) PUD FOR PROPERTIES AT 9600, 9700, AND 9900 S. 13<sup>TH</sup> ST. AND 741 AND 1001 W. RYAN RD.**

A public hearing was held to consider a request from Ryan Business Park, LLC, to rezone and establish a Manufacturing (M-1) Planned Unit Development for the properties at 9600, 9700, and 9900 S. 13<sup>th</sup> St. and 741 and 1001 W. Ryan Rd. (No change to FW, Floodway or C-1, Shoreland Wetland Conservancy) (See Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2910, APPROVING REZONE OF PROPERTIES AT 9600, 9700, AND 9900 S. 13<sup>TH</sup> ST. AND 741 AND 1001 W. RYAN RD.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2910, to approve a rezone of the properties at 9600, 9700, and 9900 S. 13<sup>th</sup> St., and 741 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.

7. **PUBLIC HEARING HELD TO CONSIDER REQUEST FROM BRIAN SCHEOLEBER, HUMBLE HABITAT LLC, FOR CUP FOR CBRF WITH CAPACITY OF AT LEAST 9, NO MORE THAN 20, BEDS ON PROPERTY AT 7801 S. PENNSYLVANIA AVE.**

A public hearing was held to consider a request from Brian Scheonleber, Humble Habitat LLC, for a Conditional Use Permit for a Community Based Residential Facility with a capacity of at least 9, but

no more than 20, beds on the property at 7801 S. Pennsylvania Ave. (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2911, APPROVING CUP FOR CBRF WITH CAPACITY OF AT LEAST 9, NO MORE THAN 20, PERSONS AT 7801 S. PENNSYLVANIA AVE.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2911, approving a Conditional Use Permit for a Community Based Residential Facility (CBRF) with a capacity of at least nine (9), but no more than twenty (20) persons located at 7801 S. Pennsylvania 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.

9. **PRESENTED AND ADOPTED: RESOLUTION NO. 11978-082118, APPROVING CSM FOR BRIAN SCHOENLEBER FOR PROPERTY AT 7980 S. CECILY DR.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 11978-082118, approving a Certified Survey Map for Brian Schoenleber for the property at 7980 S. Cecily Dr. with the condition that a 10-foot setback along the wetland line in conformance with Section 13.106(j)3.a. of the Municipal Code is depicted on the Certified Survey Map prior to recording, that the Mayor's name is updated on the signature page, and that all technical corrections are made prior to recording. 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. **FRED SIEPERT REAPPOINTED TO WATER & SEWER UTILITY COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Mayor's reappointment of Fred Siepert to the Water & Sewer Utility Commission for a 5 year term, expiring 9/2023. 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. **ANNUAL TID REVIEW PRESENTATION.**

City Administrator Andrew Vickers provided the Council with an annual TID Review presentation.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 11974-082118, CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS AND APPROVING THE PROJECT PLAN AND BOUNDARIES FOR TIF DISTRICT NO. 16.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11974-082118, creating, describing, and making certain findings and approving the Project Plan and boundaries for Tax Incremental Financing District (TID) No. 16. 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.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 11975-082118, APPROVING CSM FOR HARRY MAASS, ARLENE MAASS, AND NANCY KENYON FOR PROPERTY AT 10751 S. NICHOLSON RD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11975-082118, approving a Certified Survey Map for Harry Maass, Arlene Maass, and Nancy Kenyon for the property at 10751 S. Nicholson 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.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11976-082118, APPROVING CSM FOR CITY OF OAK CREEK FOR PROPERTY AT 10025 S. SHEPARD AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11976-082118, approving a Certified Survey Map for the City of Oak Creek for the property 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.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 11977-082118, APPROVING FINAL SUBDIVISION PLAT FOR GLEN CROSSING ADDITION NO. 1 (PHASE 1).**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11977-082118, approving a Final Subdivision Plat for Glen Crossing Addition No. 1 (Phase 1). 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 AUTHORIZES DPW DIRECTOR TO ACCEPT LOWEST QUALIFIED QUOTE FROM ABC FENCE LLC, TO REPLACE BACKSTOP AT SHEPARD HILLS PARK, IN AMOUNT OF \$13,870.**

Ald. Loreck, seconded by Ald. Duchniak, moved to authorize the Director of Department of Public Works to accept the lowest qualified quote from ABC Fence LLC, to replace the backstop at Shepard Hills Park, in the amount of \$13,870. 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. 11979-082118, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND RELEASE FROM DEVELOPMENT AGREEMENT FROM HONADEL/PAETZKE CSM AGREEMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11979-082118, accepting the dedication of public improvements and release from the Development Agreement from the Honadel/Paetzke Certified Survey Maps Agreement. 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. **PRESENTED AND ADOPTED: RESOLUTION NO. 11980-082118, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND RELEASE FROM DEVELOPMENT AGREEMENT FOR ELROY C. AND LORRAINE HONADEL DEVELOPMENT AGREEMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11980-082118, accepting dedication of the public improvements and release from the Development Agreement for the Elroy C. and Lorraine Honadel Development Agreement. 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. 11981-082118, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND RELEASE FROM DEVELOPMENT AGREEMENT FOR APPLE TOWER SANITARY PROJECT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11981-082118, accepting dedication of the public improvements and release from the Development Agreement for the Apple Tower Sanitary project (Tax Key Nos. 831-0310-000, 831-9007-000, 831-9009-000, 831-9026-000) (Project No. 16052). 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. 11982-082118, ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND RELEASE FROM DEVELOPMENT AGREEMENT FOR ALLEN-BRADLEY COMPANY, INCORPORATED PROJECT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11982-082118, accepting dedication of the public improvements and release from the Development Agreement for the Allen-Bradley Company, Incorporated project. 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. 11983-082118, VACATING SANITARY SEWER EASEMENT AND CREATING NEW SANITARY EASEMENT AT 500 W OPUS DRIVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11983-082118, vacating a sanitary sewer easement and creating a new sanitary easement at 500 W. Opus Dr. (Tax Key No. 924-9012-000) (Project No. 17062). 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. **LICENSE COMMITTEE**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to take action on the following:

Grant an Operator's license to:

- Taylor J. Martell, 8365 S. Orchard View Dr., Oak Creek (Kwik Trip)
- Martin E. Moreno-Padilla, 3634 W. Grant St., Milwaukee (South Shore Cinemas)
- Michael J. Fettig, 2227 Parkway Dr., Racine (Legion)
- Gloria H. VanScyoc, 1801 Oak St., South Milwaukee (Sidetracked)
- Olivia M. Szozda, 4210 S. Ravinia Dr., #205, Greenfield (Fanatics)
- Janie L. Hyche, 1702 Walnut St., South Milwaukee (Community Center)
- Patrick M. Pena, 3412 E. Allerton Ave., Cudahy (Piggly Wiggly)
- Dorothy E. Tellez, 1354 Grove Ave., Racine (Advantage Sales & Marketing)
- Jennifer Godoy, 6441 S. 19<sup>th</sup> St., Milwaukee (Kwik Trip)
- Pattice A. Talbert, 2012 29<sup>th</sup> St., Kenosha (Mobil Oasis)
- Rebecca J. Varley, 3864 E. Barnard Ave., Cudahy (Sidetracked)
- Nathan J. Wenslaff, 320 E. Wynbrook Dr., Oak Creek (South Shore Cinemas)
- Sophia M. Emordeno, 5121 Manchester Ct., Greendale (Water Street Brewery)

Grant a Temporary Class "B" beer license to Kelly Stefanich, Agent, St. Matthew Parish, 9303 S. Chicago Rd., for an Adult Field Day Fundraiser to be held on 9/22/18.

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. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the August 15, 2018 Vendor Summary

Report in the combined amount of \$383,293.84. 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. COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 9:27 p.m., pursuant to Wisconsin State Statutes, Section 19.85(1)(c), (e), and (g) to consider a separation agreement with a Utility employee. 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. COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 9:53 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.

**26. COUNCIL APPROVES SEPARATION AGREEMENT WITH UTILITY EMPLOYEE.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve a separation agreement with a Utility Employee. 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.

**ADJOURNMENT.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn the meeting at 9:54 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