

PROCEEDINGS, COMMON COUNCIL MEETING
MONDAY, NOVEMBER 5, 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. Gehl, and Ald. Guzikowski. Ald. Toman was excused.

Also present were City Attorney Melissa Karls, Communication Coordinator Leslie Flynn, Fire Chief Thomas Rosandich, 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. Guzikowski, seconded by Ald. Loreck, moved to approve the minutes of the 10/16/18 meeting. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Kurkowski abstained from voting.
4. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION 18-14 TO TINA KOENIG FOR DEDICATED SERVICE TO CITY AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Duchniak, seconded Ald. Loreck, moved to adopt Council Proclamation 18-14 to Tina Koenig 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. Gehl, aye; and Ald. Guzikowski, aye.

5. **PUBLIC HEARING HELD TO CONSIDER REQUEST 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.**

A public hearing was held to consider a request 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. (See Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2918, REZONING PORTION OF PROPERTY AT 3280 E. OAKWOOD RD. FROM A-1, AGRICULTURAL TO RS-3, SINGLE FAMILY RESIDENTIAL.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2918, rezoning a portion of the property at 3280 E. Oakwood Rd. from A-1, Agricultural to Rs-3, Single Family Residential. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 12003-110518, APPROVING CSM FOR LAVERNE BOERS FOR PROPERTY AT 3280 E. OAKWOOD RD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12003-110518, approving a Certified Survey Map for LaVerne Boers for the property at 3280 E. Oakwood Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and

Ald. Guzikowski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY M & M TRUCK CENTER, INC., TO REZONE PROPERTIES AT 9840 AND 9872 S. 27TH STREET FROM M-1 (PUD), MANUFACTURING AND OO, MIXED USE OFFICE OVERLAY DISTRICT TO M-1 (PUD), MANUFACTURING.**

A public hearing was held to consider a request by M & M Truck Center, Inc., to rezone the properties at 9840 and 9872 S. 27th Street from M-1 (PUD), Manufacturing and OO, Mixed Use Office Overlay District to M-1 (PUD), Manufacturing. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2916, REZONING PROPERTIES AT 9840 AND 9872 S. 27TH STREET FROM M-1 (PUD), MANUFACTURING AND OO, MIXED-USE OFFICE OVERLAY DISTRICT TO M-1 (PUD), MANUFACTURING.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2916, an Ordinance to rezone the properties at 9840 and 9872 S. 27th Street from M-1 (PUD), Manufacturing and OO, Mixed Use Office Overlay District to M-1 (PUD), Manufacturing. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY CITY TO REZONE PROPERTIES AT 2600 W. SOUTHBRANCH BLVD. AND 9810 S. 27TH STREET FROM M-1 (PUD), MANUFACTURING AND OO, MIXED USE OFFICE OVERLAY DISTRICTS TO M-1 (PUD), MANUFACTURING.**

A public hearing was held to consider a request by the City of Oak Creek to rezone the properties at 2600 W. Southbranch Blvd. and 9810 S. 27th Street from M-1 (PUD), Manufacturing and OO, Mixed Use Office Overlay Districts to M-1 (PUD), Manufacturing. (See Item No. 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 2917, TO REZONE PROPERTIES AT 2600 W. SOUTHBRANCH BLVD. AND 9810 S. 27TH STREET FROM M-1 (PUD), MANUFACTURING AND OO, MIXED USE OFFICE OVERLAY DISTRICT TO M-1 (PUD), MANUFACTURING.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2917, an Ordinance to rezone the properties at 2600 W. Southbranch Blvd. and 9810 S. 27th Street from M-1 (PUD), Manufacturing and OO, Mixed Use Office Overlay District to M-1 (PUD), Manufacturing. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **OAK CREEK HIGH SCHOOL ROBOTICS TEAM.**

The Oak Creek High School Robotics Team item was informational.

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

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

14. **INFORMATIONAL: COUNCIL DISCUSSION REGARDING PROPOSED 2019 REGULAR COMBINED COMMON COUNCIL MEETING DATES.**

The Common Council was presented with the proposed 2019 regular combined Common Council dates and concurred with the Mayor's recommendation to vacate the January 2 and July 2, 2019 meetings. This item will be brought to the Council at their next meeting for formal approval.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12000-110518, DESIGNATING OFFICIAL HOLIDAYS FOR 2019.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12000-110518, designating official holidays for 2019. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 12001-110518, APPROVING CSM FOR HUME AN, MVAH PARTNERS, FOR PROPERTIES AT 7266 AND 7328 S. HOWELL AVE.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12001-110518, approving a Certified Survey Map for Hume An, MVAH Partners, for the properties at 7266 and 7328 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, no.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 11997-110518, ACCEPTING WORKMANSHIP OF SUPER EXCAVATORS, INC. AND AUTHORIZING FINAL PAYMENT FOR PROJECT NO. 15023.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11997-110518, accepting the workmanship of Super Excavators, Inc. and authorizing final payment for Project No. 15023. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 11998-110518, APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH WALDEN OC, LLC FOR THEIR CREEKSIDE CROSSING MARKETPLACE DEVELOPMENT LOCATED ON NE CORNER OF W. DREXEL AVE. AND S. IKEA WAY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 11998-110518, approving a Storm Water Management Practices Maintenance Agreement with Walden OC, LLC for their Creekside Crossing Marketplace development located on the northeast corner of W. Drexel Avenue and S. Ikea Way (Tax Key Nos. 784-9008, 784-9009-001, 784-9010-000, 784-9011, 784-9013, 784-9014, 784-9016, 784-9017, and 784-9024). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 11999-110518, TO ESTABLISH STORM WATER MANAGEMENT SERVICE CHARGES FOR CITY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11999-110518, a Resolution to establish storm water management maintenance service charges for the City of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. **LICENSE COMMITTEE.**

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

Grant an Operator's license to:

- Jerome C. Gerloski, Jr., 10243 Root River Dr., Caledonia (Gary's Beer & Liquor)
- Seth I. Robinson, 3306 N. 53rd St., Milwaukee (Kwik Trip)
- Gopi Pun, 4392 N. Wilson Dr., Shorewood (Mobil)

Grant a 2018-19 Class A Combination alcohol license to Michael Dach, Agent, Spring South, LLC dba BP W Discount Liquor, 9510 S. 27th Street, with issuance subject to issuance of Occupancy Permit and receipt of fees due.

Grant a Change of Agent to Za Man 3, LLC dba Pizza Man Oak Creek, 7974 S. Main Street from Sarah Baker to Scott Lurie, 11295 N. Cedarburg Rd., Mequon.

Grant a Change of Agent to Kwik Trip, Inc., dba Kwik Trip #976, 6300 S. 27th St., from Dawn Kost to Steven Ward, 8145 S. 81st St., Franklin.

Grant a Change of Agent to Mega Marts, LLC dba Pick 'n Save #6862, 8770 S. Howell Ave., from Joel VanWinkle to Suzanne Thrall, 3014 Elm Ln., Racine.

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

21. COUNCIL APPROVES VENDOR SUMMARY.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the October 30, 2018 Vendor Summary Report in the amount of \$367,857.86. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. COUNCIL CONVENES INTO CLOSED SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 7:53 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- a. Section 19.85(1)(e) to consider a proposed Finance Development Agreement with Lakeshore Veterinary Real Estate Oak Creek, LLC for the development of the property at 9430 and 9472 S. 27th St (Tax Key Nos. 878-9000-001 and 878-9995-000).
- b. Section 19.85(1)(e) consider a proposed Finance Development Agreement for property being developed by Ryan Business Park, LLC consisting of approximately 75 acres located at 9600, 9700 and 9900 South 13th Street and 741 West Ryan Road.

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 RECONVENES INTO OPEN SESSION.

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:50 p.m. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

24. PRESENTED AND ADOPTED: RESOLUTION NO. 12002-110518, APPROVING AN AUTHORIZING EXECUTION OF FINANCE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY AND LAKESHORE VETERINARY REAL ESTATE OAK CREEK, LLC.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12002-110518, a Resolution approving and authorizing execution of a Finance Development Agreement by and between the City of Oak Creek and Lakeshore Veterinary Real Estate Oak Creek, LLC. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn the meeting at 8:52 p.m. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor