

PROCEEDINGS, COMMON COUNCIL MEETING  
TUESDAY, DECEMBER 18, 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, Fire Chief Thomas Rosandich, Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, Finance Director/Comptroller Bridget Souffrant, City Administrator Andrew Vickers, Zoning Administrator Peter Wagner, and Deputy City Clerk Christa Miller.

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 12/4/18 meetings. 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. 18-15 TO MELANIE LINDSETH FOR DEDICATED SERVICE TO CITY AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 18-15 to Melanie Lindseth 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. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 18-16 TO TIMOTHY KALLAS FOR DEDICATED SERVICE TO CITY AS MEMBER OF CELEBRATIONS COMMISSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 18-16 to Timothy Kallas 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.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY BRETT IPPOLITE, CAMP BOW WOW, FOR AMENDMENT TO EXISTING CUP TO ALLOW PARKING TO BE SITED 30' FROM RIGHTS-OF-WAY CONFORMANCE WITH CURRENT CODE REQUIREMENTS ON PROPERTY AS PART OF DOG DAY CARE AND KENNEL OPERATIONS AFFECTING PROPERTY LOCATED AT 8411 S. LIBERTY LN.**

A public hearing was held to consider a request submitted by Brett Ippolite, Camp Bow Wow, for an amendment to the existing Conditional Use Permit to allow parking to be sited 30 feet from rights-of-way conformance with current Code requirements on the property as part of the dog day care and kennel operations affecting the property located at 8411 S. Liberty Ln. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2924, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2904 TO ALLOW PARKING SETBACK OF 30' TO RIGHT-OF-WAY AS PART OF 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. 2924, to amend the Conditions and Restrictions in Ordinance No. 2904 to allow a parking setback of 30 feet to the right-of-way as part of the 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.

8. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL BY CITY TO AMEND OFFICIAL MAP FOR PORTION OF NE ¼ OF SW ¼ OF SECTION 28 (NORTH-SOUTH E. ROBERT RD. TO E. OAK LN. AND WEST-EAST E. OAK LN. TO SHEPARD AVE. MAPPED, UNIMPROVED RIGHTS-OF-WAY AFFECTING PROPERTY AT 10025 S. SHEPARD AVE.).**

A public hearing was held to consider a proposal by the City of Oak Creek to amend the Official Map for a portion of the Northeast ¼ of the Southwest ¼ of Section 28 (north-south E. Robert Rd. to E. Oak Ln. and west-east E. Oak Ln. to Shepard Ave. mapped, unimproved rights-of-way affecting the property at 10025 S. Shepard Ave.) (See Item 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2923, AMENDING SECTION 6.01 OF MUNICIPAL CODE OF CITY AMENDING OFFICIAL MAP FOR PORTION OF NE ¼ OF SW ¼ OF SECTION 28 (NORTH-SOUTH E. ROBERT RD TO E. OAK LN. AND WEST-EAST E. OAK LN TO SHEPARD AVE. MAPPED, UNIMPROVED RIGHTS-OF-WAY AFFECTING PROPERTY AT 10025 S. SHEPARD AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2923, to amend Section 6.01 of the Municipal Code of the City of Oak Creek, amending the Official Map for a portion of the Northeast ¼ of the Southwest ¼ of Section 28 (north-south E. Robert Rd. to E. Oak Ln. and west-east E. Oak Ln. to Shepard Ave. mapped, unimproved rights-of-way affecting 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.

10. **PUBLIC HEARING HELD TO CONSIDER REQUEST FROM SAVAN LENDA, 1701 W. PUETZ RD., FOR LANDFILL LICENSE FOR PROPERTY LOCATED AT 1701 W. PUETZ RD.**

A public hearing was held to consider a request from Savan Lenda, 1701 W. Puetz Rd., for a landfill license for the property located at 1701 W. Puetz Rd., specifically described as the west 20 acres of north 40 acres of Northeast ¼ of Section 19-5-22 excepting the westerly 914.20 feet thereof and excepting parts deeded for highway (3.371 acres) (See Item 11 for action on this hearing).

11. **COUNCIL GRANTS LANDFILL LICENSE TO SAVAN LENDA, 1701 W. PUETZ RD.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to grant a 2019 Landfill License to Savan Lenda, 1701 W. Puetz Rd., specifically described as the west 20 acres of north 40 acre of Northeast ¼ of Section 19-5-22 excepting the westerly 914.20 feet thereof and excepting parts deeded for highway (3.371). Motion, with second agreeing, further noted that the \$10,000 bond is waived. 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. 12022-121818, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12022-121818, authorizing payment of bills, debts and obligations. 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. 12019-121818, APPROVING THIRD AMENDMENT TO CITY MARKING MAGAZINE SERVICES CONTRACT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12019-121818, approving a Third Amendment to the City of Oak Creek Marketing Magazine Services Contract. 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. COUNCIL GRANTS ADDITIONAL, ONE TIME ALLOCATION OF \$20,048.13 FROM GENERAL FUND TOWARDS PURCHASE OF 2018 F550 LIFT TRUCK.**

Ald. Guzikowski, seconded by Ald. Toman, moved to grant an additional, one time allocation of \$20,048.13 from the General Fund towards the purchase of a 2018 F550 Lift Truck. 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. COUNCIL CONCURS WITH MAYORAL APPOINTMENT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Mayor's appointment as follows:

Celebrations Commission – filling a vacant 3 year term, expiring 4/2021

- Jennifer Latus, 415 E. Quail Run

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. PRESENTED AND ADOPTED: RESOLUTION NO. 12023-121818, APPROVING UPDATED ABENDSCHEIN PARK MASTER PLAN.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12023-121818, approving the updated Abendschein Park Master Plan. 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. 12015-121818, ACCEPTING WORKMANSHIP OF EDGERTON CONTRACTORS, INC., AND AUTHORIZING FINAL CONTRACT PAYMENT.**

Ald. Toman, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12015-121818, accepting the workmanship of Edgerton Contractors, Inc. and authorizing final contract payment under Project No. 14036. 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. 12016-121818, ACCEPTING WORKMANSHIP OF PAYNE & DOLAN, INC., AND AUTHORIZING FINAL CONTRACT PAYMENT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to accept the workmanship of Payne & Dolan, Inc., and authorizing final contract payment under Project No. 17019. 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. 12017-121818, APPROVING MOU WITH WIDOT ON RYAN BUSINESS PARK TIA IMPROVEMENTS AND RYAN INTERCHANGE PROJECT.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 12017-121818, approving a Memorandum of Understanding with the Wisconsin Department of Transportation on the Ryan Business Park TIA Improvements and the Ryan Interchange 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.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 12018-121818, APPROVING FUNDING AGREEMENT WITH MMSD FOR PPI/I MITIGATION PROJECT IN OAK VIEW NO. 3 SUBDIVISION.**

Ald. Toman, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12018-121818, approving a Funding Agreement with MMSD for a PPI/I mitigation project in the Oak View No. 3 subdivision. 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. 12020-121818, ACCEPTING WORKMANSHIP OF ZENITH TECH, INC., AND AUTHORIZING FINAL PAYMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12020-121818, accepting the workmanship of Zenith Tech, Inc., and authorizing final payment for Project No. 12016. 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. 12021-121818, AUTHORIZING CIP-RECOMMENDED ROAD IMPROVEMENT PROJECTS TO BE ADVERTISED FOR PUBLIC BID FOR REHABILITATION IN 2019.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to adopt Resolution No. 12021-121818, authorizing the CIP-recommended road improvement projects to be advertised for public bid for rehabilitation in 2019. 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. **LICENSE COMMITTEE.**

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

Grant an Operator's license to:

- Michele L. Schiesl, 4519 S. Logan Ave., Milwaukee (Woodman's)
- Alex S. Castrejon, 1012 Albert St., Racine (Woodman's)
- Tiffany M. Dittman, 622 High St., Racine (Gary's Beer & Liquor)

Grant a 2019 Transient Merchant Company License to Joe Herbst, Agent on behalf of Weedman Lawn Care / Turf Care Milwaukee, selling lawn care services, and to the following salespersons (favorable background report received):

- James Jurgensen, 2702 County Road P, Jackson
- Kolton Young, 2015 Cardinal Dr., West Bend
- Dalton Macari, 3831 N. Frederick Ave., Milwaukee
- Dillon Rees, 840 N. 24<sup>th</sup> St., Milwaukee
- Forrest Frami, 2702 County Road P, Jackson

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 APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the December 12, 2018 Vendor Summary Report in the amount of \$421,285.28. 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 9:17 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