



Common Council Chambers
8040 S. 6TH Street
Oak Creek, WI 53154
(414) 766-7000

COMMON COUNCIL MEETING AGENDA

MAY 19, 2020

7:00 P.M.

Daniel Bukiewicz - Mayor
Steven Kurkowski - 1st District
Greg Loreck - 2nd District
Richard Duchniak - 3rd District
Michael Toman - 4th District
Kenneth Gehl - 5th District
Chris Guzikowski - 6th District

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

IMPORTANT NOTICE

This meeting will be held by video conference. Persons wishing to participate in scheduled public hearings need to register via <http://ocwi.org/register> prior to the start of the meeting. The webinar will start at 6:50 p.m. so those that registered may log in.

The meeting will also be live streamed on the City of Oak Creek YouTube Page via <http://ocwi.org/livestream> for those that wish to view the meeting.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 5/5/20

Public Hearings (beginning at 7:00 p.m.)

Citizen input, comments and suggestions are requested on the specific item(s) identified below. Action by the Council may occur at the same meeting if so included in the agenda.

4. **Rezoning:** Consider a request by Guy Smith, Milwaukee County Parks, to rezone the property at 2121 W. Drexel Ave., from Rs-2, Single Family Residential to P-1, Park District (No change to FW, Floodway or FF, Flood Fringe districts) (2nd District).
5. **Ordinance:** Consider Ordinance No. 2971, approving a rezoning of the property at 2121 W. Drexel Ave., from Rs-2, Single-Family Residential to P-1, Park District (No change to FW, Floodway or FF, Flood Fringe districts) (2nd District).

6. **Rezone:** Consider a request by Guy Smith, Milwaukee County Parks, to rezone the property at 7475R S. Chapel Dr., from Rs-4, Single Family Residential to P-1, Park District (1st District).
7. **Ordinance:** Consider Ordinance No. 2972, approving a rezone of the property at 7475R S. Chapel Dr., from Rs-4, Single Family Residential to P-1, Park District (1st District).
8. **Rezone:** Consider a request by Lyle and Elayne Bolender, to rezone the property at 3566 E. Fitzsimmons Rd. (Lot 1 of CSM to be recorded) from Rs-3, Single Family Residential to A-1, Limited Agricultural (4th District).
9. **Ordinance:** Consider Ordinance No. 2973, approving a rezone of the property at 3566 E. Fitzsimmons Rd. from Rs-3, Single Family Residential, to A-1 Limited Agricultural (4th District).
10. **Resolution:** Consider Resolution No. 12157-051920, approving a Certified Survey Map submitted by Lyle and Elayne Bolender, et al, for the properties at 3510 and 3566 E. Fitzsimmons Rd. (4th District).
11. **Rezone:** Consider a request by John and Lisa Marshall, to rezone the property at 10308 S. Chicago Rd., from A1, Limited Agricultural to Rs-1, Single Family Residential (4th District).
12. **Ordinance:** Consider Ordinance No. 2974, rezoning the property at 10308 S. Chicago Rd., from A-1, Limited Agricultural to Rs-1, Single Family Residential (4th District).
13. **Resolution:** Consider Resolution No. 12158-051920, approving a Certified Survey Map submitted by John P. and Lisa D. Marshall for the property at 10308 S. Chicago Rd. (4th District).

New Business

14. **Resolution:** Consider Resolution No. 12160-051920, ratifying Emergency Proclamation #1 Extending the Public Health Emergency in the City of Oak Creek in Response to the COVID-19 Coronavirus (by Committee of the Whole).
15. **Discussion:** Community reopening plan related to COVID-19.
16. **Motion:** Consider a motion to concur with the recommendation of the Celebrations Commission and cancel the July 4th parade and fireworks (by Committee of the Whole).
17. **Motion:** Consider a motion to concur with the Mayor's reappointments as follows:
Board of Review – 5 year term to expire 5/2025
 - Bradley Evans
 - Dennis McNulty
 - Janice Wilinski
18. **Motion:** Consider a motion to designate NOW Media Group (parent company for the Milwaukee Journal Sentinel – SOUTH NOW edition) to serve as the official City newspaper for the next 12 months (by Committee of the Whole).

COMMUNITY DEVELOPMENT

19. **Resolution:** Consider Resolution No. 12159-051920, approving a Certified Survey Map submitted by Michael Faber, Ryan Business Park, LLC, for the properties at 9540 and 9700 S. 13th St., and 1001, 1199, and 1203 W. Ryan Rd. (5th District).

LICENSE COMMITTEE

20. **Motion:** Consider a motion to grant the various license requests as listed on the 5/19/20 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

21. **Motion:** Consider a motion to approve the May 13, 2020 Vendor Summary Report in the total amount of \$648,162.74 (by Committee of the Whole).

MISCELLANEOUS

22. **Motion:** Consider a motion to convene into Closed Session pursuant to Wisconsin State Statutes, to discuss the following:
a. Section 19.85(1)(c)(e) and (g) to consider a medical separation for police officer James Dooley.
23. **Motion:** Consider a motion to reconvene into Open Session.
24. **Motion:** Consider a motion to take action, if required.

Adjournment.

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may attend the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice

TO BE PUBLISHED APRIL 22 & 29, 2020

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains CLOSED to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by Guy Smith, Milwaukee County Parks, to rezone the property at 2121 W. Drexel Ave. from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts).

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: Guy Smith, Milwaukee County Parks
Property Owner(s): Milwaukee County Parks
Property Location(s): 2121 W. Drexel Ave.
Tax Key(s): 810-9993-001

Legal Description:

COM 1743 FT E OF NW COR OF NW ¼ SEC 18-5-22 TH S 1328.17 FT E 100 FT N 463.34 FT E 235.05 FT N 865 FT TH W 336.30 FT TO BEG EXC N 127.01 FT BY E 336.30 FT TAKEN STR ROW PER DOC# 10082369 (7.179 ACS).

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

Item: Rezone - 2121 W. Drexel Ave.

Recommendation: That the Council adopts Ordinance 2971, an ordinance to approve a rezone of the property at 2121 W. Drexel Ave. from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts).

Fiscal Impact: No direct fiscal impact would occur. Approval would allow for a parcel under Milwaukee County Park ownership to be zoned for park uses and become part of Falk Park.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Milwaukee County Parks recently acquired the property at 2121 W. Drexel Ave. from Milwaukee County Economic Development, and are requesting that it be rezoned to P-1, Park District. No change to the FW, Floodway or FF, Flood Fringe Districts would be included in the rezone. The property is planned to become part of Falk Park. Staff were made aware of the proposed change late in December of 2019, and have no objections to the rezone request.

The Plan Commission recommended Common Council approval at their meeting on April 14, 2020. Should the Council agree that rezoning the parcel at 2121 W. Drexel Ave. (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) is appropriate, a motion recommending approval is provided above.

Options/Alternatives: Council has the discretion to approve or not approve the proposed rezone request. Disapproval of the rezone would potentially result in incompatible district standard applications for a property identified for Parks and Open Space and Floodway purposes in the Comprehensive Plan.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2971

Location Map

Hearing Notice

Milwaukee County Parcel Map

Plan Commission Minutes

ORDINANCE NO. 2971

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 2121 W. DREXEL AVE. FROM RS-2, SINGLE FAMILY RESIDENTIAL TO P-1, PARK DISTRICT (NO CHANGE TO FW, FLOODWAY OR FF, FLOOD FRINGE DISTRICTS)

(2nd Aldermanic District)

WHEREAS, GUY SMITH, MILWAUKEE COUNTY PARKS, has proposed a rezoning of the property at 2121 W. Drexel Ave. from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts).

WHEREAS, the property is more precisely described as follows:

COM 1743 FT E OF NW COR OF NW ¼ SEC 18-5-22 TH S 1328.17 FT E 100 FT N 463.34 FT E 235.05 FT N 865 FT TH W 336.30 FT TO BEG EXC N 127.01 FT BY E 336.30 FT TAKEN STR ROW PER DOC# 10082369 (7.179 ACS).

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning request be approved; and

WHEREAS, the Common Council held a public hearing on said application on May 19, 2020, at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved for the lands hereinabove described.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands at 2121 W. Drexel Ave. hereinabove described shall be rezoned from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts), and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 4: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

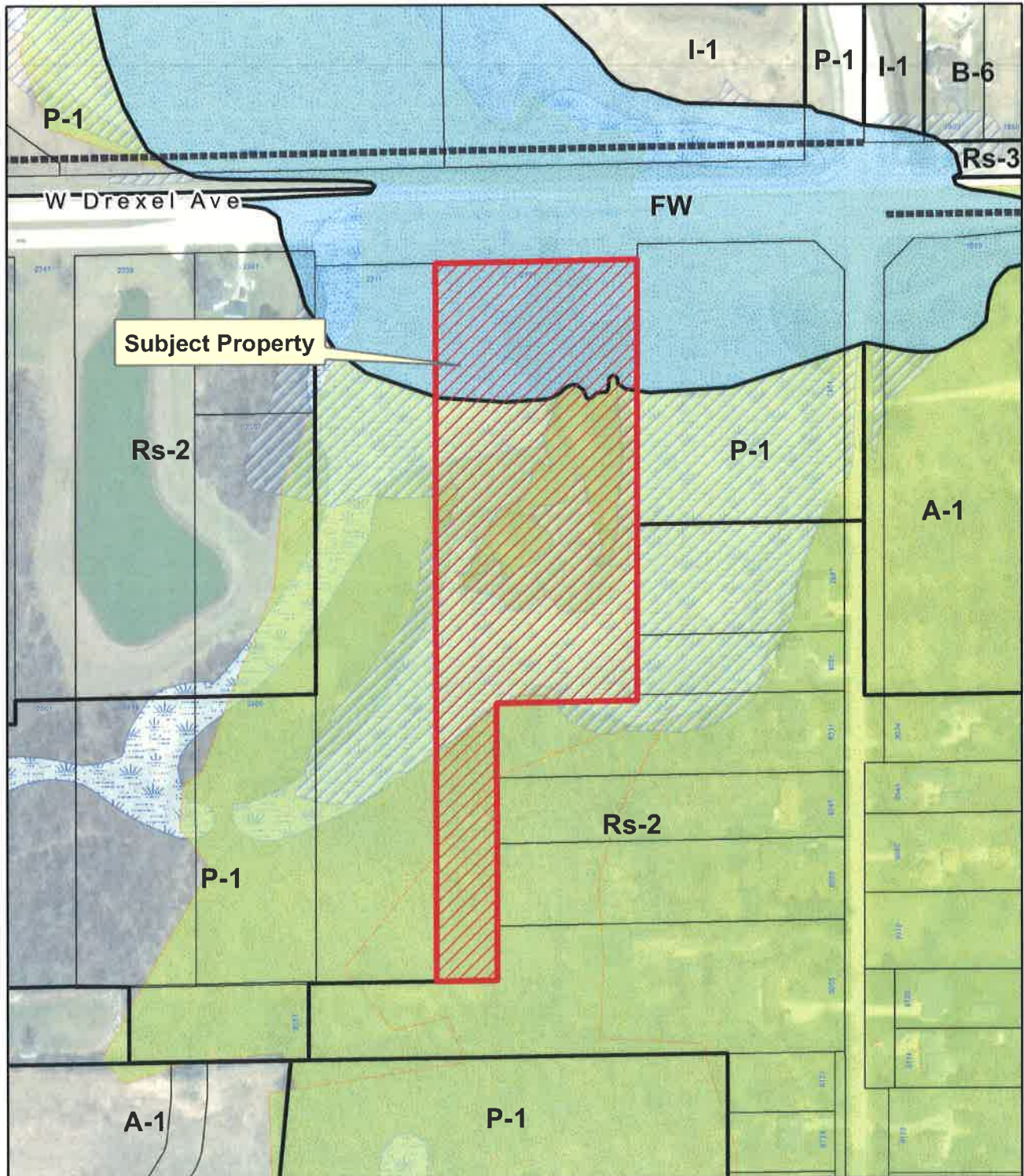
Mayor

ATTEST:

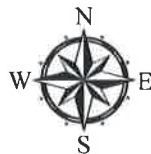
City Clerk

VOTE: Ayes _____ Noes _____

Location Map
2121 W. Drexel Ave



This map is not a survey of the actual boundary of any property this map depicts



Legend			
	2121 W Drexel Ave		Environmental Corridor
	Floodway (2008)		Officially Mapped Streets
	Flood Plain (2008)		DNR Wetlands Inventory

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains CLOSED to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by Guy Smith, Milwaukee County Parks, to rezone the property at 2121 W. Drexel Ave. from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts).

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: Guy Smith, Milwaukee County Parks
Property Owner(s): Milwaukee County Parks
Property Location(s): 2121 W. Drexel Ave.
Tax Key(s): 810-9993-001

Legal Description:

COM 1743 FT E OF NW COR OF NW ¼ SEC 18-5-22 TH S 1328.17 FT E 100 FT N 463.34 FT E 235.05 FT N 865 FT TH W 336.30 FT TO BEG EXC N 127.01 FT BY E 336.30 FT TAKEN STR ROW PER DOC# 10082369 (7.179 ACS).

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional



Tax Key #8109993001 address: 2121 W Drexel Ave

FEB 26 2020

RECEIVED



376 0 188 376 Feet



1:2,257

NAD_1983_2011_StatePlane_Wisconsin_South_FIPS_4803_FL_US
© MCAMLIS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is a user generated static output from the Milwaukee County Land Information Office Interactive Mapping Service website. The contents herein are for reference purposes only and may or may not be accurate, current or otherwise reliable. No liability is assumed for the data delineated herein either expressed or implied by Milwaukee County or its employees.

Notes

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, April 14, 2020**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Chandler. Commissioner Siepert was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development; Laurie Miller, Zoning Administrator; Assistant Fire Chief Mike Havey. IT Manager, Kevin Koenig, facilitated the video conference.

Mayor Bukiewicz pointed out that this is the first video conference for the Plan Commission and explained ways residents can participate in the meeting.

**REZONE
MILWAUKEE COUNTY PARKS
2121 W. DREXEL AVE.
TAX KEY NO. 810-9993-001**

Planner Papelbon provided an overview of the request to rezone the property at 2121 W. Drexel Ave. from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) (see staff report for details).

Sarah Toomsen, Milwaukee County Parks Department Manager, stated that the parcel was acquired through foreclosure. The Parks Department completed an analysis, and based on natural resource protection, the County would like to make this parcel part of Falk Park and would manage it the same way as natural resource protection. The parcel just south of Falk park is referred as Barloga Woods, and it is a very high-quality area of woodlands and has some interesting wildlife characteristics. The County would like to protect it with the P-1 zoning and manage it for natural resources.

Alderman Guzikowski commented that this a good thing for Oak Creek.

Mayor Bukiewicz stated that it is another extension to the County Parks. The County did a land swap a few years ago to acquire these lands because of the value of natural resources.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the property at 2121 W. Drexel Ave. be rezoned from Rs-2, Single Family Residential to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) after a public hearing.

Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:09 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4-28-20

Date

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains **CLOSED** to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by Guy Smith, Milwaukee County Parks, to rezone the property at 7475R S. Chapel Dr. from Rs-4, Single Family Residential to P-1, Park District.

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: Guy Smith, Milwaukee County Parks
Property Owner(s): Milwaukee County Parks
Property Location(s): 7475R S. Chapel Dr.
Tax Key(s): 768-9000-010

Legal Description:

CERTIFIED SURVEY MAP NO. 572 DESC. AS: COM 1155.82 W OF SE COR NW 1/4 SEC. 10-5-22 TH N 336.80 FT NWLY 121.89 FT SWLY TO MOST SLY COR OF CSM NO. 3467 NWLY 110.66 FT. TO 1/8 LI TH S ALG. SD 1/8 LI TO S1/4 SEC LI TH E 157 .33 FT TO BEG. CONT 1.70 AC.

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

Item: Rezone - 7475R S. Chapel Dr.

Recommendation: That the Council adopts Ordinance 2972, an ordinance to approve a rezone of the property at 7475R S. Chapel Dr. from Rs-4, Single Family Residential to P-1, Park District.

Fiscal Impact: No direct fiscal impact would occur. Approval would allow for a parcel under Milwaukee County Park ownership to be zoned for park and conservation purposes.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Milwaukee County Parks recently acquired the property at 7475R S. Chapel Dr. from Milwaukee County Economic Development, and are requesting that it be rezoned to P-1, Park District. Prior to County acquisition, the property had gone into foreclosure. No development is being proposed at this time as the property will be used for conservation purposes. Staff were made aware of the potential change late in December of 2019, and have no objections to the rezone request.

The Plan Commission recommended Common Council approval at their meeting on April 14, 2020. Should the Council agree that rezoning the parcel at 7475R S. Chapel Dr. is appropriate, a motion recommending approval is provided above.

Options/Alternatives: Council has the discretion to approve or not approve the proposed rezone request. Disapproval of the rezone would potentially result in incompatible district standard applications for a property identified for Parks and Open Space and Floodway purposes in the Comprehensive Plan.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



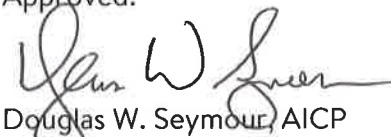
Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2972

Location Map

Hearing Notice

Milwaukee County Parcel Map

Plan Commission Minutes

ORDINANCE NO. 2972

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 7475R S. CHAPEL DR. FROM
RS-4, SINGLE FAMILY RESIDENTIAL TO P-1, PARK DISTRICT

(1st Aldermanic District)

WHEREAS, GUY SMITH, MILWAUKEE COUNTY PARKS, has proposed a rezoning of the property at 7475R S. Chapel Dr. from Rs-4, Single Family Residential to P-1, Park District.

WHEREAS, the property is more precisely described as follows:

CERTIFIED SURVEY MAP NO. 572 DESC. AS: COM 1155.82 W OF SE COR NW 1/4 SEC. 10-5-22 TH N 336.80 FT NWLY 121.89 FT SWLY TO MOST SLY COR OF CSM NO. 3467 NWLY 110.66 FT. TO 1/8 LI TH S ALG. SD 1/8 LI TO S 1/4 SEC LI TH E 157 .33 FT TO BEG. CONT 1.70 AC.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning request be approved; and

WHEREAS, the Common Council held a public hearing on said application on May 19, 2020, at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved for the lands hereinabove described.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands at 7475R S. Chapel Dr. from Rs-4, Single Family Residential to P-1, Park District, and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 4: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

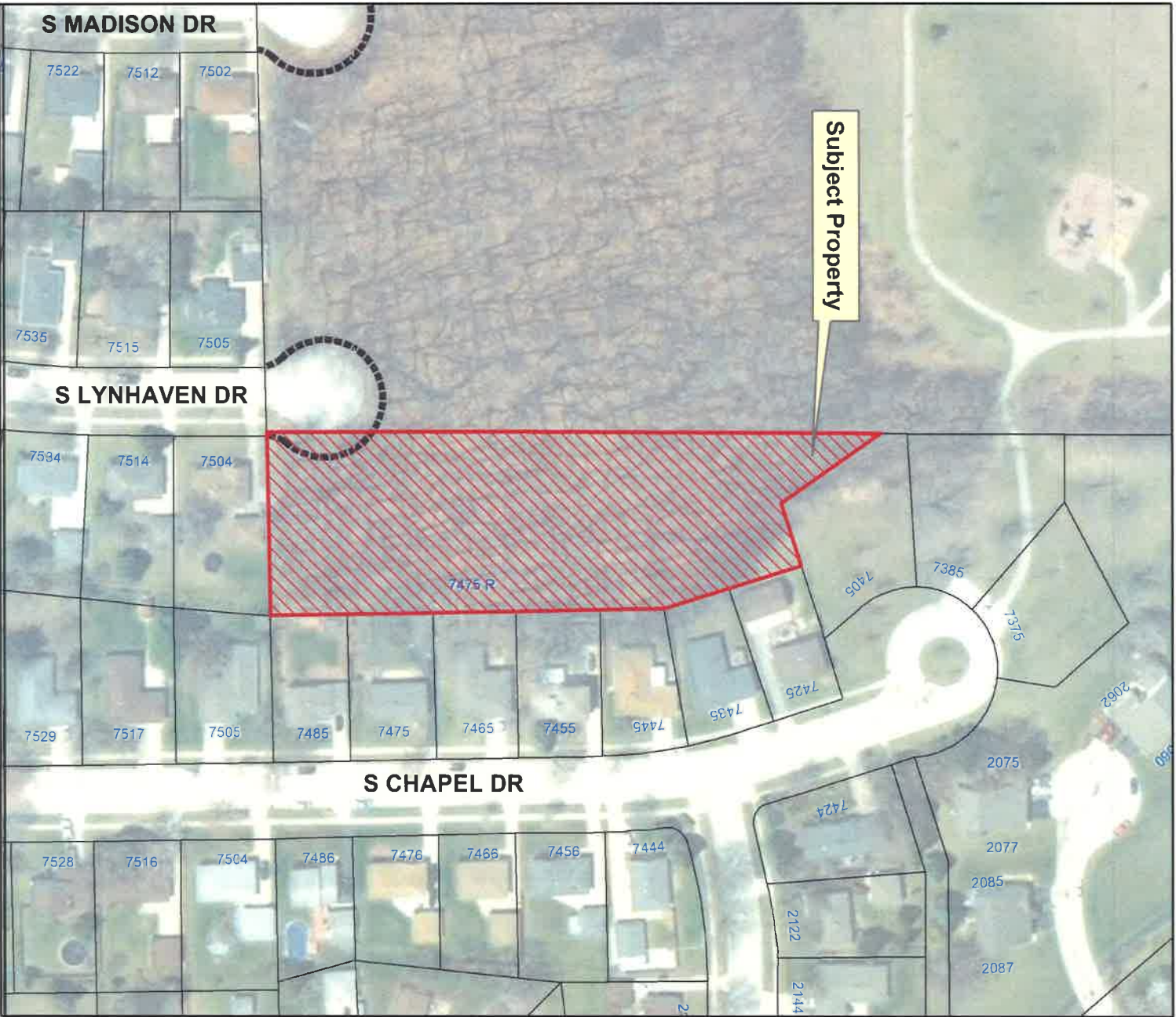
Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

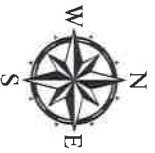
Notification Map
7475 S. Chapel Dr.



This map is not a survey of the actual boundary of any property this map depicts



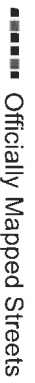
OAKCREEK
— WISCONSIN —



Legend



7475 S Chapel Dr.



Officially Mapped Streets

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains CLOSED to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by Guy Smith, Milwaukee County Parks, to rezone the property at 7475R S. Chapel Dr. from Rs-4, Single Family Residential to P-1, Park District.

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: Guy Smith, Milwaukee County Parks
Property Owner(s): Milwaukee County Parks
Property Location(s): 7475R S. Chapel Dr.
Tax Key(s): 768-9000-010

Legal Description:

CERTIFIED SURVEY MAP NO. 572 DESC. AS: COM 1155.82 W OF SE COR NW 1/4 SEC. 10-5-22 TH N 336.80 FT NWLY 121.89 FT SWLY TO MOST SLY COR OF CSM NO. 3467 NWLY 110.66 FT. TO 1/8 LI TH S ALG. SD 1/8 LI TO S1/4 SEC LI TH E 157 .33 FT TO BEG. CONT 1.70 AC.

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

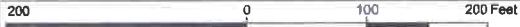
Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional

Tax Key #7689000010 address: 7475 S Chapel Dr

FEB 26 2020



1:1,200

NAD_1983_2011_StatePlane_Wisconsin_South_FIPS_4803_PT_US
© MCAMUS

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is a user generated static output from the Milwaukee County
Lead Information Office Interactive Mapping Service website. The contents herein are
for reference purposes only and may not be accurate, current or otherwise
reliable. No liability is assumed for the data delineated herein either expressed or
implied by Milwaukee County or its employees.

Notes

--

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, April 14, 2020**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Chandler. Commissioner Siepert was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development; Laurie Miller, Zoning Administrator; Assistant Fire Chief Mike Havey. IT Manager, Kevin Koenig, facilitated the video conference.

Mayor Bukiewicz pointed out that this is the first video conference for the Plan Commission and explained ways residents can participate in the meeting.

**REZONE
MILWAUKEE COUNTY PARKS
7475R S. CHAPEL DR.
TAX KEY NO. 768-9000-010**

Planner Papelbon provided an overview of the request to rezone the property at 7475R S. Chapel Dr. from Rs-4, Single Family Residential to P-1, Park District (see staff report for details).

Sarah Toomsen, Milwaukee County Parks Department Manager, stated that the County has just recently acquired this parcel through foreclosure. The Parks Department was given an opportunity along with other departments to review all foreclosed properties. This parcel has been evaluated and found to have a high resource value, and a no cost transfer from the Treasurer to the Parks Department. It is under the direction of the Milwaukee County Board policy that any property within the Parks Department should be rezoned to the Parks District. This requires that any action the Parks Department may take goes through the Milwaukee County Parks, Energy, and Environment Committee, in addition to the local protections that Oak Creek provides through park zoning.

Barbara Prodzinski, 7534 S. Lynhaven Dr.:

"I think we should rezone the property to the Park District. We have one way in, one way out of our subdivision, and that also includes the condos to the north. And I think if we would not put it into the Park District, and it would be rezoned for building new property, it would add to the traffic that goes in and out of our subdivision. And also, I think it would take away from the look of the park and from the wild animals that actually reside in this park. There's not many places left for them to go and I, that's my statement."

Richard Herman, 7455 S. Chapel Dr.:

"Okay. Just a general comment on in favor of rezoning this to P-1. I've lived at this address for, this will be 40 years come June, and it's almost like every five or ten years we have some form of rezoning or designation on the property here. The two questions that I do have. One is we'll probably be going on as long as I live here, but the trees were part of the original noise abatement program back in the early 80s with the airport, and I think that's what led towards these properties, a lot of it being abandoned or non-developed. And I just wanted to ensure now that the County having had formal ownership that will be some level of restriction or awareness of the trees themselves being part of this noise"

abatement. And I'm assuming at some point all there's three other properties that, I believe, are down at the end of Chapel Drive around that circle that was built as part of the formal park development. I assume this property will be part of that grouping and will be merged in. And the reason I'm concerned of that is there's access down there into the park, and if this becomes part of the park, is the construction level circle at the end of Lynnhaven going to be upgraded to a formal circle meeting all the codes and the design. Or what's going to be done with that circle. In my notes that I had registered, the question is how's this property going to be accessed since it's basically landlocked. So, those are the two questions and comments. I'm glad the County is taking this and I'm hoping it's just going to be annexed onto the rest of the park. That's all I've got. Thank you, appreciate the videoconferencing. Keeps things moving."

Danita Gretzon, 7505 S. Lynnhaven Drive:

"I live on 7505 S. Lynnhaven Drive, immediately by the cul-de-sac, and I'm glad my neighbor Richard Herman addressed this from Chapel because is this gonna be open? How is this going to be accessed, this property? Then there and what you're planning would yeah basically how is it going to be accessed and how it's going to affect us with more traffic? Or yeah anyway I can't think of them another question more appropriate, but that would be basically the one and talking about the wild animals. Oh yeah, a lot of them deer and all that and they try to make my property they're their domain now too. So, when there are too many what can we do about it? If they become too friendly and do they become a threat to the children and smaller animals, dogs around here because I've seen coyotes. Deer, they come really freely now they're not afraid really anymore. So, what's going to happen with that? Are there any plans?"

Commissioner Chandler asked the applicant to provide more details on what the land will be used for.

Ms. Toomsen responded that they want to manage it for natural resource protection. It will be overseen by the Natural Areas Coordinator who really studies and has an ecological focus. No development of any kind is proposed at this time. The activities the City and residents may see will be managing the ash trees that were impacted by the emerald ash borer. The land would be considered part of the environmental corridor. If the County needs to access the park they would likely use Lynnhaven's cul-de-sac.

Mayor Bukiewicz asked Ms. Toomsen if there would be any plans to improve the Lynnhaven cul-de-sac, per a resident's question.

Ms. Toomsen responded that there will be no changes to the roadway. This park is actually owned by the County, but Camelot Park to the west is owned by the airport and developed by the City. This parcel will stand alone, but will be connected through the woodlands to be presumed as one constant park.

Mayor Bukiewicz reiterated the question from Mr. Herman about the access point at the end of Chapel Drive. Mayor Bukiewicz asked if the parking lot off the cul-de-sac and the walking path would still be there.

Ms. Toomsen explained that the County's request and ownership only extends to this parcel, and does not know the status of the parcels that were asked about.

Mayor Bukiewicz directed the question to Planner Papelbon.

Planner Papelbon has no information on the properties, and believes there is no proposal for the 3 lots at this time. She has to do some research on the properties.

Director Seymour stated that the 3 parcels are zoned P-1.

Mayor Bukiewicz brought back the question about the trees as part of the airport noise abatement, which he is unfamiliar with. He asked Ms. Toomsen about replacing the trees.

Ms. Toomsen responded that when possible, the County is replacing the ash trees as the affected trees are removed. She is not certain of the species of trees at this site. The County will infrequently visit this site unless there is a science-based reason or a hazard tree reason to visit site. The County does not have any plans to remove anything that would not be a hazard.

Commissioner Hanna referenced a resident's question regarding the wild animals. Commissioner Hanna asked if there is any plan on animal control to protect both sides.

Ms. Toomsen replied that there are no resources to fund a fence of any kind. They have staff in the Natural Areas Division that can provide resources for citizens who have concerns about coyotes and other nuisance animals. The County has a toolkit in case wild animals become an issue.

Commissioner Hanna brought up that the DNR has funding to help fund if applicable. She wants to make sure both sides are protected.

Mayor Bukiewicz mentioned that the City is using Milwaukee Area Domestic Animal Control (MADACC) to handle nuisance animals if residents were to contact them. They will come and relocate the animals.

Danita Gretzon, 7505 S. Lynhaven Drive:

"I my property really is going, is bordering is on the west side of the street of Lynhaven and the other side that's rented out is going to be Park marked out. So, in my area is definitely going to be is where the wildlife is. So, if they, I have actually pictures of it where last summer or spring the deer came right into my yard laid down and was very comfortable there. And it was good to see them and, but anyway. I also have raccoons through the years didn't bother me, but seeing them. So, it's if they become a problem and I heard Christine mention MADACC, an agency, that could have, is there a phone number?"

Mayor Bukiewicz said he does not have the number handy, but residents can call City Hall and city staff can provide the number.

Danita Gretzon, 7505 S. Lynhaven Drive:

"Ok. Thank you. That would be my question for now".

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the property at 7475R S. Chapel Dr. be rezoned from Rs-4, Single Family Residential to P-1, Park District after a public hearing.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:09 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4-28-20

Date

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains **CLOSED to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.**

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by Lyle and Elayne Bolender to rezone the property at 3566 E. Fitzsimmons Rd. (Lot 1 of a Certified Survey Map to be recorded) from Rs-3, Single Family Residential to A-1, Limited Agricultural

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: Lyle and Elayne Bolender
Property Owner(s): Lyle and Elayne Bolender
Property Location(s): 3566 E. Fitzsimmons Rd. (Lot 1 of a Certified Survey Map to be recorded)
Tax Key(s): 911-9000-000

Legal Description:

Lot 1 of Certified Survey Map to be recorded. Commencing at the Southeast corner of the Northwest ¼ of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin;

THENCE North 00° 34' 16" East along the east line of said Northwest ¼, 24.75 feet to the Point of Beginning; THENCE South 89° 44' 24" West, 174.79 feet; THENCE South 00° 33' 13" West, 24.75 feet; THENCE South 89° 44' 24" West, 30.00 feet; THENCE North 00° 33' 13" East, 210.00 feet; THENCE South 89° 44' 24" West, 265.20 feet; THENCE North 00° 33' 13" East, 394.48 feet; THENCE North 89° 44' 24" East, 241.01 feet; THENCE South 83° 25' 17" East, 121.58 feet; THENCE North 89° 45' 27" East, 108.23 feet; THENCE South 00° 34' 16" West, 565.22 feet to the Point of Beginning.

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

Item: Rezone - 3566 E. Fitzsimmons Rd.

Recommendation: That the Council adopts Ordinance 2973, an ordinance to approve a rezone of the property at 3566 E. Fitzsimmons Rd. from Rs-3, Single Family Residential, to A-1, Limited Agricultural.

Fiscal Impact: No direct fiscal impact is anticipated with this change as the lot is currently developed with a single family residence. This property is not part of a TID.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The Applicant is requesting recommendation of approval to rezone the property at 3566 E. Fitzsimmons Rd. from Rs-3, Single Family Residential to A-1, Limited Agricultural. This is related to the CSM reviewed by the Plan Commission in the previous agenda item, and will remove the “split-zone” situation from the parcel due to the redivision. Staff recommended the proposed change in an effort to keep the parcel under a single zoning district to avoid potentially conflicting district requirements, and have no objections to the rezone request.

The Plan Commission recommended Common Council approval at their meeting on April 14, 2020. Should the Council agree that rezoning the parcel at 3961 E. Oakwood Road to Rs-3, Single Family Residential is appropriate, a motion recommending approval is provided above.

Options/Alternatives: Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Conditional Use Permit.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



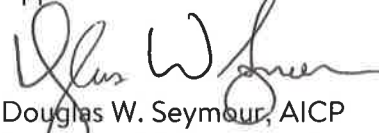
Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ord. 2968

Location Map

Hearing Notice

Proposed CSM (1 page)

Plan Commission meeting minutes

ORDINANCE NO. 2973

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 3566 E. FITZSIMMONS RD.
FROM RS-4, SINGLE FAMILY RESIDENTIAL TO A-1, LIMITED AGRICULTURAL

(4th Aldermanic District)

WHEREAS, LYLE AND ELAYNE BOLENDER have proposed a rezoning of the property at 3566 E. Fitzsimmons Rd. from Rs-4, Single Family Residential to A-1, Limited Agricultural.

WHEREAS, the property is more precisely described as follows:

Lot 1 of Certified Survey Map to be recorded. Commencing at the Southeast corner of the Northwest $\frac{1}{4}$ of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin;

THENCE North 00° 34' 16" East along the east line of said Northwest $\frac{1}{4}$, 24.75 feet to the Point of Beginning; THENCE South 89° 44' 24" West, 174.79 feet; THENCE South 00° 33' 13" West, 24.75 feet; THENCE South 89° 44' 24" West, 30.00 feet; THENCE North 00° 33' 13" East, 210.00 feet; THENCE South 89° 44' 24" West, 265.20 feet; THENCE North 00° 33' 13" East, 394.48 feet; THENCE North 89° 44' 24" East, 241.01 feet; THENCE South 83° 25' 17" East, 121.58 feet; THENCE North 89° 45' 27" East, 108.23 feet; THENCE South 00° 34' 16" West, 565.22 feet to the Point of Beginning.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning request be approved; and

WHEREAS, the Common Council held a public hearing on said application on May 19, 2020, at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved for the lands hereinabove described.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands at 3566 E. Fitzsimmons Rd. from Rs-4, Single Family Residential to A-1, Limited Agricultural, and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 4: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

Mayor

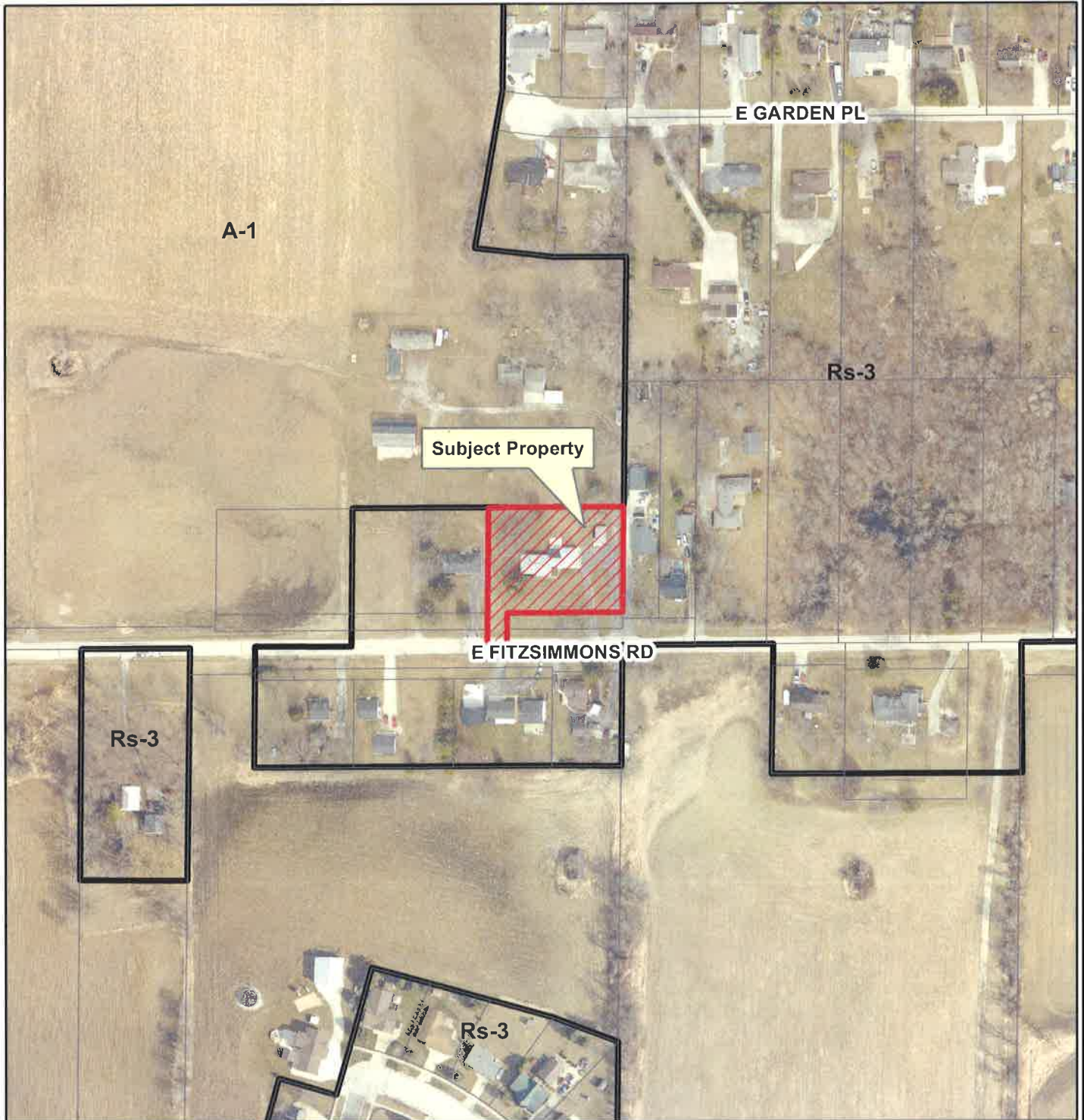
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map




3566 E. Fitzsimmons Rd.



This map is not a survey of the actual boundary of any property this map depicts.



Legend

-  3566 E. Fitzsimmons Rd.
-  Zoning
-  Flood Fringe
-  Floodway

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains **CLOSED** to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by Lyle and Elayne Bolender to rezone the property at 3566 E. Fitzsimmons Rd. (Lot 1 of a Certified Survey Map to be recorded) from Rs-3, Single Family Residential to A-1, Limited Agricultural

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: Lyle and Elayne Bolender
Property Owner(s): Lyle and Elayne Bolender
Property Location(s): 3566 E. Fitzsimmons Rd. (Lot 1 of a Certified Survey Map to be recorded)
Tax Key(s): 911-9000-000

Legal Description:

Lot 1 of Certified Survey Map to be recorded. Commencing at the Southeast corner of the Northwest ¼ of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin;

THENCE North 00° 34' 16" East along the east line of said Northwest ¼, 24.75 feet to the Point of Beginning; THENCE South 89° 44' 24" West, 174.79 feet; THENCE South 00° 33' 13" West, 24.75 feet; THENCE South 89° 44' 24" West, 30.00 feet; THENCE North 00° 33' 13" East, 210.00 feet; THENCE South 89° 44' 24" West, 265.20 feet; THENCE North 00° 33' 13" East, 394.48 feet; THENCE North 89° 44' 24" East, 241.01 feet; THENCE South 83° 25' 17" East, 121.58 feet; THENCE North 89° 45' 27" East, 108.23 feet; THENCE South 00° 34' 16" West, 565.22 feet to the Point of Beginning.

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

CERTIFIED SURVEY MAP NO. _____

All of Certified Survey Maps No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

LEGEND

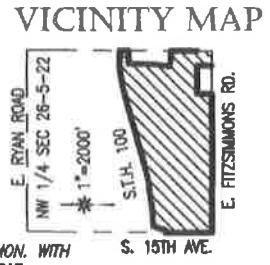
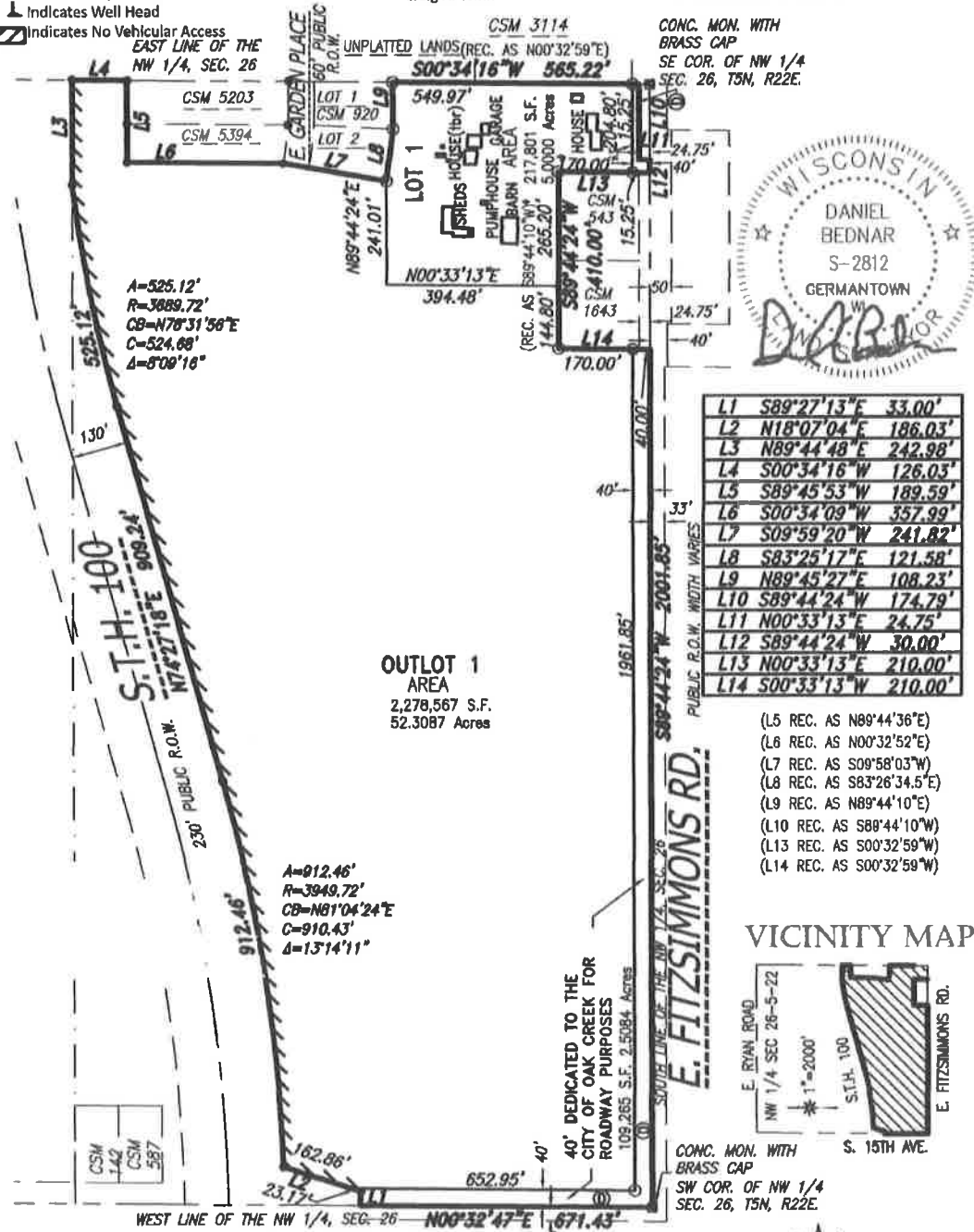
- Indicates set 1.315" O.D. iron pipe, 18" in length, 1.68 lbs. per linial foot.
- Indicates found 1" iron pipe
- ⬇ Indicates Septic Vent
- ⬆ Indicates Well Head
- ▨ Indicates No Vehicular Access

SUBDIVIDER/OWNER:

Lyle R. and Elayne Bolender
Christine E. Bolender (Tod)
Shannon M. Wink
Craig A. Wink

BASIS OF BEARINGS

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone), in which the South line of Section 26, Town 5 North, Range 22 East which bears N89°44'24"E.



Notes: See Sheet 2 of 5



Date: March 2, 2020

Drawing No. 20200215CSM3306-deb
Sheet 1 of 5 Sheets

This instrument was drafted by Daniel E. Bednar Professional Land Surveyor S-2812

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, April 14, 2020**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Chandler. Commissioner Siepert was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development; Laurie Miller, Zoning Administrator; Assistant Fire Chief Mike Havey. IT Manager, Kevin Koenig, facilitated the video conference.

Mayor Bukiewicz pointed out that this is the first video conference for the Plan Commission and explained ways residents can participate in the meeting.

**REZONE
LYLE AND ELAYNE BOLENDER
3566 E. FITZSIMMONS RD
TAX KEY NO. 911-9000-000**

Planner Papelbon provided an overview of the request to rezone the property at 3566 E. Fitzsimmons Rd. from Rs-3, Single Family Residential to A-1, Limited Agricultural district. (see staff report for details).

Mayor Bukiewicz, seeing no questions, asked for a motion.

Commissioner Hanna moved that the Plan Commission recommends to the Common Council that the property at 3566 E. Fitzsimmons Rd. be rezoned from Rs-3, Single Family Residential to A-1, Limited Agricultural after a public hearing.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:09 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4-28-20

Date



COMMON COUNCIL REPORT

Item: Certified Survey Map - 3510 and 3566 E. Fitzsimmons Rd

Recommendation: That the Council adopts Resolution No. 12157-051920, a resolution approving a Certified Survey Map submitted by Lyle and Elayne Bolender, et al, for the properties at 3510 and 3566 E. Fitzsimmons Rd.

Fiscal Impact: The proposal will divide a portion of the existing lot (Outlot 1) with the existing agricultural structures, and combine it with the existing single family residential property to the south (Lot 1). With the exception of the rezone of Lot 1, and razing the uninhabitable farmhouse, no other changes are proposed at this time. No direct fiscal impact is anticipated with this change. These properties are not part of a TID.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Applicants are requesting approval of a Certified Survey Map for the properties at 3510 and 3566 E. Fitzsimmons Rd. Approximately 4 acres of the property at 3510 E. Fitzsimmons Rd., with the existing farm buildings, are proposed to be combined with the existing single-family residential property at 3566 E. Fitzsimmons Rd. Outlot 1 would retain the remainder of the land, and is not proposed for development at this time. Notes on Sheet 2 of the CSM specify that a wetland delineation has not been conducted for this conveyance (which will be required should any portion of Outlot 1 be proposed for development), and that the farmhouse building that will be conveyed to 3566 E. Fitzsimmons will be razed.

No vehicular access to STH 100 or to the northern 186 feet of S. 15th Ave. is allowed. This is specified on Sheets 1 & 2 of the proposed map.

The Plan Commission reviewed the Certified Survey Map proposal at their meeting on April 14, 2020, and recommend approval with the following conditions:

1. That the Common Council approval and signature block is updated to include acceptance of the dedication of public right-of-way.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the condition(s) of Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the properties to remain, and may affect the sale and use of the properties in the future.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 12157-051920

Location Map

Plan Commission Minutes

Proposed Certified Survey Map (5 pages)

RESOLUTION NO. 12157-051920

BY: _____

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR
LYLE AND ELAYNE BOLENDER, ET AL

3510 and 3566 E. Fitzsimmons Rd.
(4th Aldermanic District)

WHEREAS, LYLE AND ELAYNE BOLENDER, ET AL, hereinafter referred to as the subdividers, have submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved, subject to the following conditions:

1. That the Common Council approval and signature block is updated to include acceptance of the dedication of public right-of-way.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the following conditions:

1. That the Common Council approval and signature block is updated to include acceptance of the dedication of public right-of-way.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 19th day of May, 2020.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

Mayor

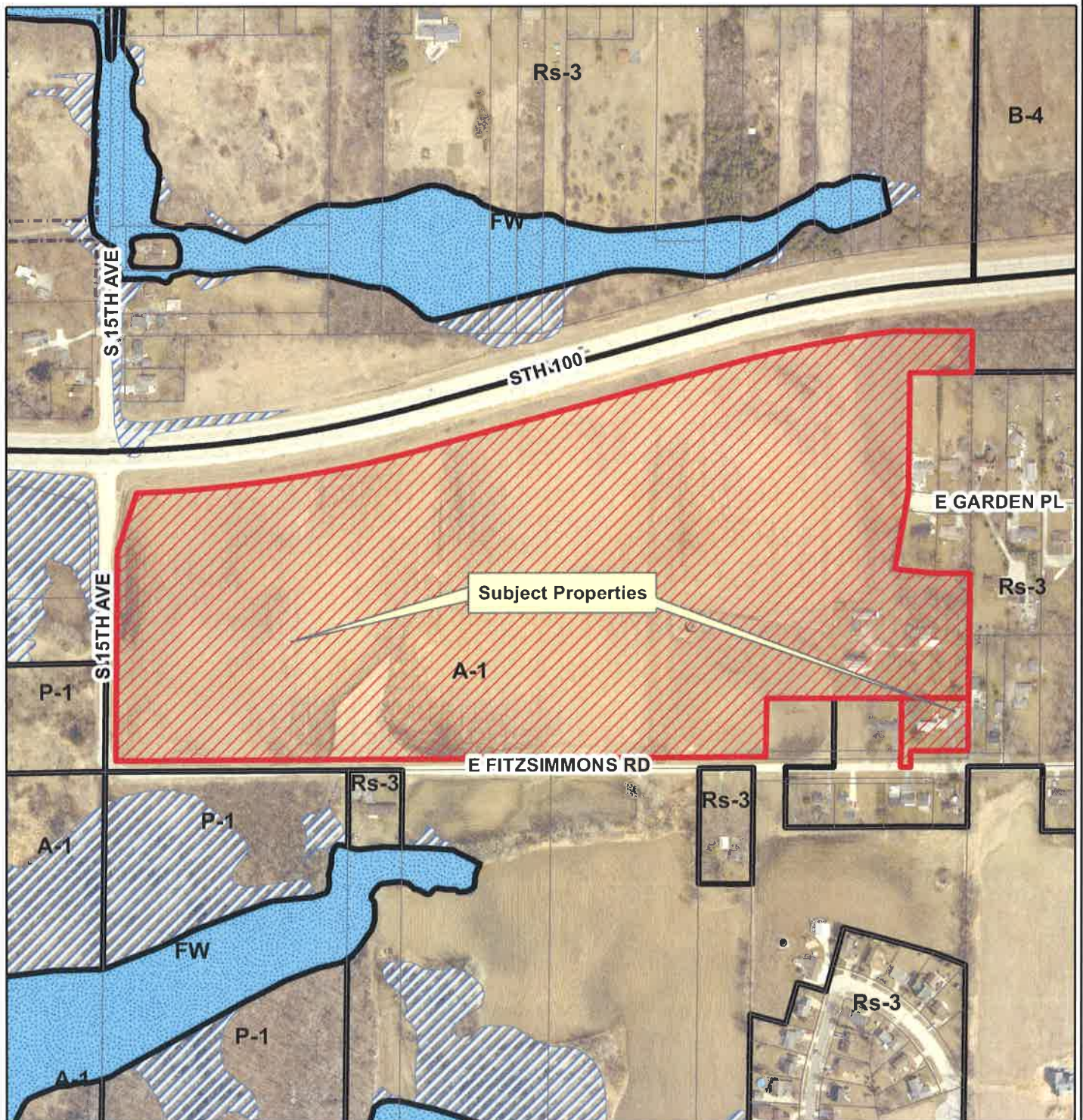
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

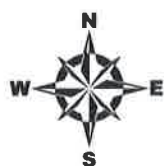
3510 & 3566 E. Fitzsimmons Rd.



This map is not a survey of the actual boundary of any property this map depicts.

Legend

-  3510 & 3566 E. Fitzsimmons Rd.
-  Zoning
-  Flood Fringe
-  Floodway



**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, April 14, 2020**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Chandler. Commissioner Siepert was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Director of Community Development; Laurie Miller, Zoning Administrator; Assistant Fire Chief Mike Havey. IT Manager, Kevin Koenig, facilitated the video conference.

Mayor Bukiewicz pointed out that this is the first video conference for the Plan Commission and explained ways residents can participate in the meeting.

**CERTIFIED SURVEY MAP
LYLE AND ELAYNE BOLENDER, ET AL.
3510 & 3566 E. FITZSIMMONS RD
TAX KEY NO. 911-9972-004 & 911-9000-000**

Planner Papelbon provided an overview of the request to divide and reconfigure the properties at 3510 and 3566 E. Fitzsimmons Rd. (see staff report for details).

Commissioner Hanna inquired about adding any DNR wetland delineation into the suggested motion.

Planner Papelbon responded that it is noted on the CSM as a requirement for any future developments of Outlot 1.

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Lyle and Elayne Bolender, et al, for the properties at 3510 and 3566 E. Fitzsimmons Rd. be approved with the following conditions:

1. That the Common Council approval and signature block is updated to include acceptance of the dedication of public right-of-way.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Commissioner Chandler seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 8:09 p.m.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4-28-20

Date

CERTIFIED SURVEY MAP NO. _____

All of Certified Survey Maps No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

LEGEND

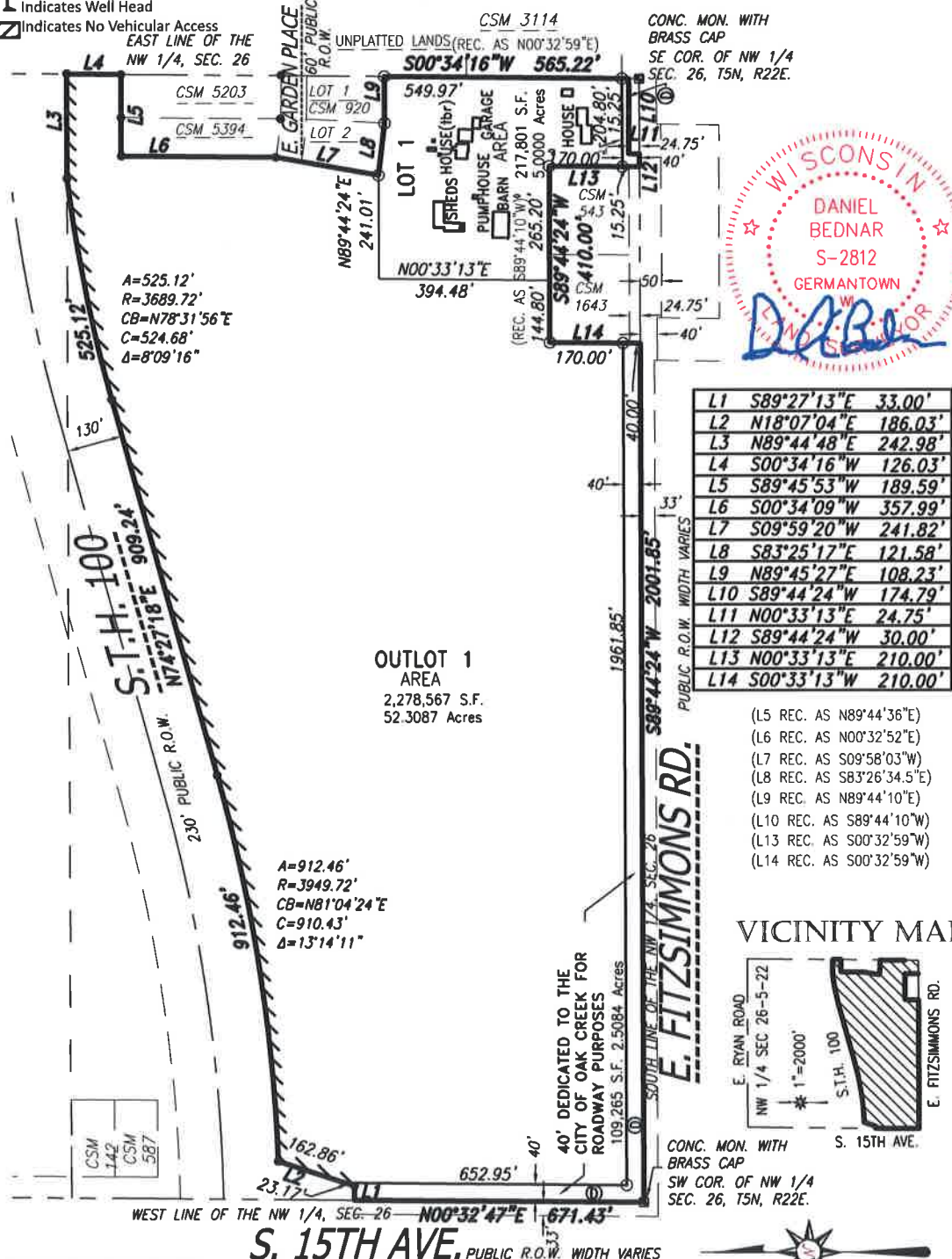
- Indicates set 1.315" O.D. iron pipe, 18" in length, 1.68 lbs. per linial foot.
- Indicates found 1" iron pipe
- ◇ Indicates Septic Vent
- ⊥ Indicates Well Head
- ▨ Indicates No Vehicular Access

SUBDIVIDER/OWNER:

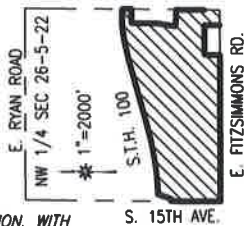
Lyle R. and Elayne Bolender
Christine E. Bolender (TOD)
Shannon M. Wink
Craig A. Wink

BASIS OF BEARINGS

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone), in which the South line of Section 26, Town 5 North, Range 22 East which bears N89°44'24"E.



VICINITY MAP



Notes: See Sheet 2 of 5

GRAPHIC SCALE
1" = 300'



This Instrument was drafted by Daniel E. Bednar Professional Land Surveyor S-2812

Date: March 10, 2020

Rev: April 21, 2020

Drawing No. 20200310CSM3306-deb

Sheet 1 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

All of Certified Survey Maps No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
 :SS
MILWAUKEE COUNTY}

I, DANIEL E. BEDNAR, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped all of Certified Survey Map No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin bounded and described as follows:

Beginning at the Southwest corner of the said Northwest 1/4 Section; thence North 00°32'47" East along the West line of said Quarter Section 671.43 feet to a point; thence South 89°27'13" East 33.00 feet to the East line of South 15th Avenue; thence North 18°07'04" East along said East line 186.03 feet to the South line of State Highway "100"; thence Northeasterly 912.46 feet along said South line and the arc of a curve whose center lies to the North having a radius of 3949.72 feet and bearing North 81°04'24" East 910.43 feet to a point; thence North 74°27'18" East along said South line 909.24 feet to a point; thence Northeasterly 525.12 feet along said South line and the arc of a curve whose center lies to the South having a radius of 3689.72 feet bearing North 78°31'56" East 524.86 feet to a point; thence North 89°44'48" East along said South line 242.98 feet to the East line of said Northwest 1/4 Section; thence South 00°34'16" West along said East line 126.03 feet to the North line of Certified Survey Map Nos. 5203 and 5394 as recorded in the Milwaukee County Register of Deeds; thence South 89°45'53" West along said North line 189.59 feet to the West line of said CSM No. 5394; thence South 00°34'09" West along said West line 357.99 feet to the West line of Certified Survey Map No. 920 and it's extension thereof as recorded in the Milwaukee County Register of Deeds; thence South 09°59'20" West along said West line 241.82 feet to the South line of said CSM No. 920; thence South 83°25'17" East along said South line 121.58 feet to a point; thence North 89°45'27" East along said South line 108.23 feet to a point on the East line of said Quarter Section; thence South 00°34'16" West along said East line 565.22 feet to a point on the North line of East Fitzsimmons Road as shown on Certified Survey Map No. 141; thence South 89°44'24" West along said North line 174.79 feet to a point; thence South 00°33'13" West 24.75 feet to the South line of said Quarter Section; thence South 89°44'24" West along said South line 30.00 feet to the East line of Certified Survey Map No. 543; thence North 00°33'13" East along said East line 210.00 feet to a point on the North line of said CSM No. 543; thence South 89°44'24" West along said North line of CSM Nos. 543 and 1643 aforesaid 410.00 feet to the West line of Certified Survey Map No. 1643 as recorded in the Milwaukee County Register of Deeds; thence South 00°33'13" West along said West line 210.00 feet to the South line of said Quarter Section; thence South 89°44'24" West along said South line 2001.85 feet to the point of beginning.

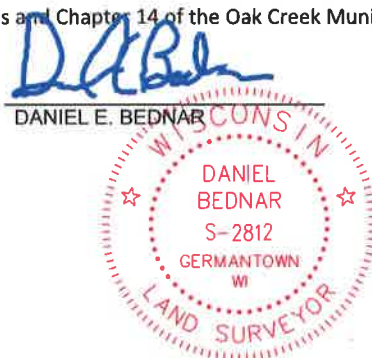
Said lands as described contains 2,605,633 square feet or 59.8171 Acres.

THAT I have made the survey, land division and map by the direction of Lyle R. and Elayne P. Bolender, owners.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 14 of the Oak Creek Municipal Code in surveying, dividing and mapping the same.

March 10, 2020
DATE



Notes:

1. Wetlands were not delineated for this Certified Survey Map and will need to be delineated prior to any further development.
2. E. Fitzsimmons Rd. and S. 15th Ave. at the areas indicated by a "D" are dedicated to the City of Oak Creek for roadway purposes. Dedicated widths are 40 ft. and 15.25 ft. as indicated. The total area of dedication is 109,265 square feet or 2.5084 acres.
3. The northernmost house as indicated on Sheet 1 is to be razed.
4. There is no vehicular access to S.T.H. 100 and 186.03 feet of S. 15th Ave. as indicated on the Sheet 1.

Date: March 10, 2020
Rev: April 21, 2020

Drawing No. 20200310CSM3306-deb
Sheet 2 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

All of Certified Survey Maps No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Lyle R. Bolender and Elayne P. Bolender, as owners, hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the City of Oak Creek in surveying, dividing and mapping the same.

Lyle R. Bolender

Elayne P. Bolender

STATE OF WISCONSIN}
 :SS
 COUNTY}

Personally came before me this __ day of _____, 2020, the above named Lyle R. Bolender and Elayne P. Bolender, to me known as the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission expires. _____
My commission is permanent.

OWNER'S CERTIFICATE

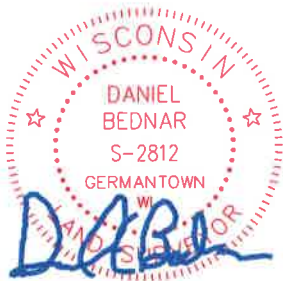
Christine E. Bolender (Tod), as owner, hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the City of Oak Creek in surveying, dividing and mapping the same.

Christine E. Bolender (Tod)

STATE OF WISCONSIN}
 :SS
 COUNTY}

Personally came before me this __ day of _____, 2020, the above named Christine E. Bolender (Tod), to me known as the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission expires. _____
My commission is permanent.



CERTIFIED SURVEY MAP NO. _____

All of Certified Survey Maps No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Shannon M. Wink, as owner, hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the City of Oak Creek in surveying, dividing and mapping the same.

Shannon M. Wink

STATE OF WISCONSIN}
 :SS
COUNTY}

Personally came before me this __ day of _____, 2020, the above named Shannon M. Wink to me known as the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission expires. _____
My commission is permanent. _____

OWNER'S CERTIFICATE

Craig A. Wink, as owner, hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the City of Oak Creek in surveying, dividing and mapping the same.

Craig A. Wink

STATE OF WISCONSIN}
 :SS
COUNTY}

Personally came before me this __ day of _____, 2020, the above named Craig A. Wink, to me known as the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission expires. _____
My commission is permanent. _____



CERTIFIED SURVEY MAP NO. _____

All of Certified Survey Maps No. 141 and that part of Southwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 26, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED by the Planning Commission of the City of Oak Creek on this ____ day of _____, 2020

DATE

DANIEL BUKIEWICZ, CHAIRMAN

DATE

DOUGLAS W. SEYMOUR, SECRETARY

COMMON COUNCIL CERTIFICATE OF APPROVAL AND ACCEPTANCE OF DEDICATION

APPROVED by the Common Council of the City of Oak Creek, per Plan Commission recommendation on this ____ day of _____, 2020, by Resolution No. _____.

DATE

DANIEL BUKIEWICZ, MAYOR

DATE

CATHERINE ROESKE, CITY CLERK



Date: March 10, 2020

Rev: April 21, 2020

Drawing No. 20200310CSM3306-deb

Sheet 5 of 5 Sheets

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains **CLOSED** to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by John and Lisa Marshall to rezone the property at 10308 S. Chicago Rd. from A-1, Limited Agricultural to Rs-1, Single Family Residential.

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: John and Lisa Marshall
Property Owner(s): John and Lisa Marshall
Property Location(s): 10308 S. Chicago Rd.
Tax Key(s): 962-9995-001

Legal Description:

THAT PT OF NW 1/4 SEC 36-5-22 DESC AS COM AT A PT IN N LI OF SD 1/4 SEC SD PT BEING 286.25 FT E OF NW COR OF SD 1/4 SEC, RUNNING THENCE E ALG N LI OF SD LI 1/4 SEC 1100 FT TO A PT TH S & E 450 FT TO A PT, TH PAR TO N LI OF SD 1/4 SEC 1100 FT TO A PT IN CTR LI OF CHI RD TH N & W ALG CTR LI OF SD CHI RD 450 FT TO POC, EXC PT DEEDED IN DOC# 09148017 & 09093706 (10.570 ACS).

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

Item: Rezone - 10308 S. Chicago Road

Recommendation: That the Council adopts Ordinance 2974, an ordinance to approve a rezone of the property at 10308 S. Chicago Road. from A-1, Limited Agricultural to Rs-1, Single Family Residential District.

Fiscal Impact: The proposal is related to a proposed CSM which would divide the property into four conforming single-family residential lots: three 1.15-acre parcels and one 6.42-acre parcel. The existing residential structures on Lot 1 will remain. Development of the three new lots will have positive fiscal impacts in terms of assessed value, permit fees, and impact fees. This property is not part of a TID.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The Applicant is requesting recommendation of approval to rezone the property at 10308 S. Chicago Road from A-1, Limited Agricultural to Rs-1, Single Family Residential. Staff has no objections to the rezone request.

The property, both in its current configuration and that proposed by pending CSM meets the minimum dimensional requirements for the Rs-1 zoning district. The adopted future land use map illustrates the property as single family detached. The proposed rezoning is consistent with the adopted comprehensive plan and also furthers the objectives of the Strategic Action Plan as it relates to single family residential lot development.

The Plan Commission recommended Common Council approval at their meeting on April 14, 2020. Should the Council agree that rezoning the parcel to Rs-1, Single Family Residential is appropriate, a motion recommending approval is provided above.

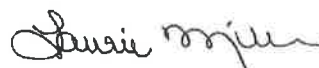
Options/Alternatives: Council has the discretion to approve or not approve the rezoning request.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Laurie B. Miller
Zoning Administrator

Fiscal Review:

Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:


Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ord. 2974

Location Map

Hearing Notice

Proposed CSM (5 page)

Plan Commission meeting minutes

ORDINANCE NO. 2974

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 10308 S. CHICAGO RD. FROM A-1, LIMITED AGRICULTURAL TO RS-1, SINGLE FAMILY RESIDENTIAL

(4th Aldermanic District)

WHEREAS, JOHN P. AND LISA DAMIANI MARSHALL have proposed a rezoning of the property at 10308 S. Chicago Rd. from A-1, Limited Agricultural to Rs-1, Single Family Residential.

WHEREAS, the property is more precisely described as follows:

Lot 1, 2, 3, and 4 of Certified Survey Map to be recorded. Being a division of a part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 36, Township 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin;

THENCE North 89° 49' 19" East along the North line of said Northwest $\frac{1}{4}$, 1286.12 feet to a Point of Beginning; THENCE South 00° 14' 41" East, 33.00 feet; THENCE continuing South 00° 14' 41" East, 417.00 feet; THENCE South 89° 49' 19" West, 1040.14 feet; THENCE North 00° 13' 39" West, 322.24 feet; THENCE North 16° 28' 19" East, 52.20 feet; THENCE North 71° 57' 19" East, 145.85 feet; THENCE North 89° 49' 19" East, 886.16 feet to the Point of Beginning.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning request be approved; and

WHEREAS, the Common Council held a public hearing on said application on May 19, 2020, at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved for the lands hereinabove described.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands at 10308 S. Chicago Rd. from A-1, Limited Agricultural, to Rs-1, Single Family Residential and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 4: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

Mayor

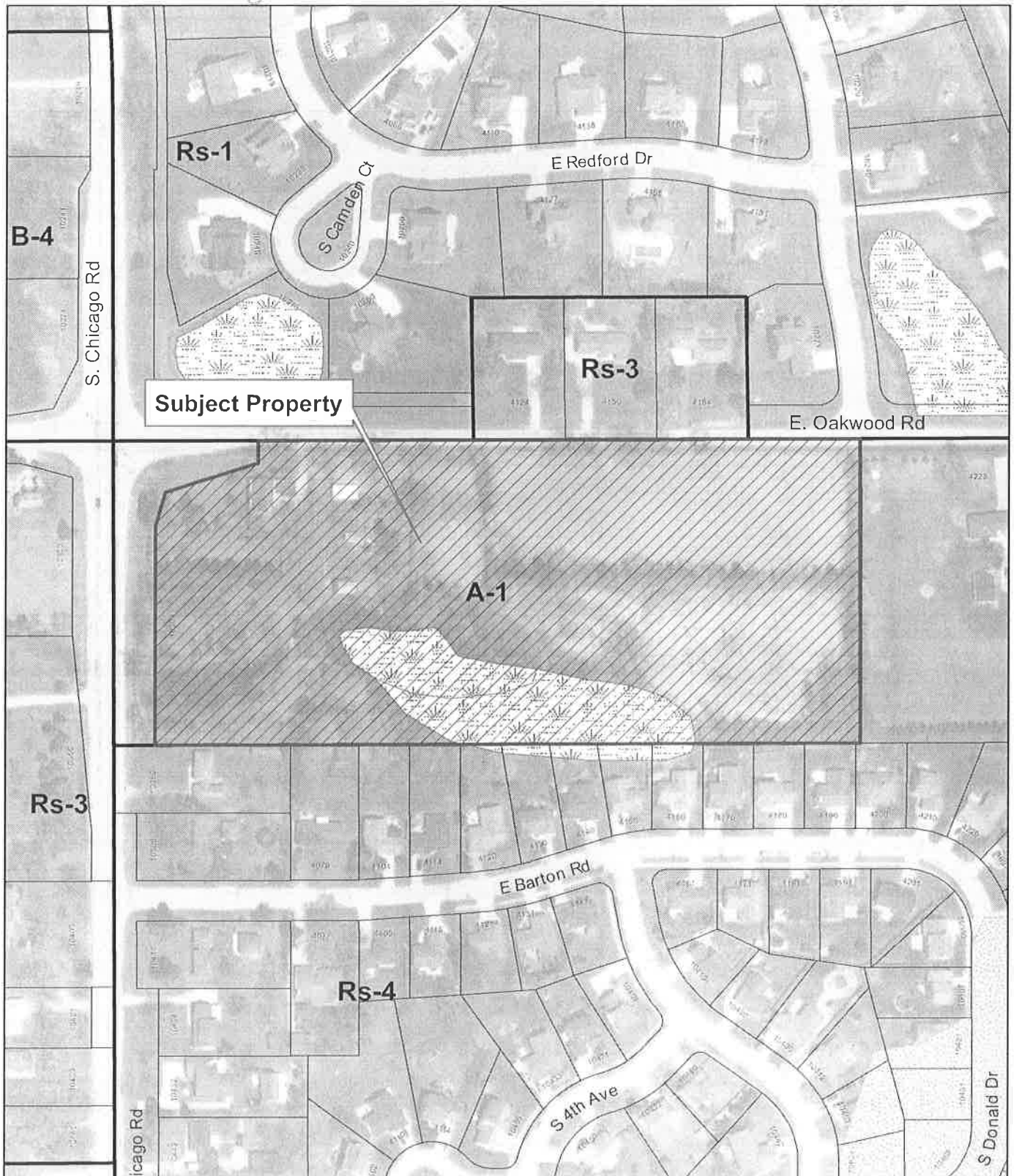
ATTEST:

City Clerk

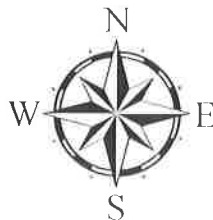
VOTE: Ayes _____ Noes _____

Location Map



10308 S. Chicago Road



This map is not a survey of the actual boundary of any property this map depicts



Legend

-  10308 S. Chicago Rd.
-  Environmental Corridor
-  DNR Wetlands Inventory

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held by video conference only. The City Hall remains CLOSED to the public. Persons wishing to participate, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

PURPOSE: The purpose of this public hearing is to consider a request by John and Lisa Marshall to rezone the property at 10308 S. Chicago Rd. from A-1, Limited Agricultural to Rs-1, Single Family Residential.

Hearing Date: May 19, 2020
Time: 7:00 PM
Place: Online video conference only (see box above)

Applicant: John and Lisa Marshall
Property Owner(s): John and Lisa Marshall
Property Location(s): 10308 S. Chicago Rd.
Tax Key(s): 962-9995-001

Legal Description:

THAT PT OF NW 1/4 SEC 36-5-22 DESC AS COM AT A PT IN N LI OF SD 1/4 SEC SD PT BEING 286.25 FT E OF NW COR OF SD 1/4 SEC, RUNNING THENCE E ALG N LI OF SD LI 1/4 SEC 1100 FT TO A PT TH S & E 450 FT TO A PT, TH PAR TO N LI OF SD 1/4 SEC 1100 FT TO A PT IN CTR LI OF CHI RD TH N & W ALG CTR LI OF SD CHI RD 450 FT TO POC, EXC PT DEEDED IN DOC# 09148017 & 09093706 (10.570 ACS).

The Common Council has scheduled other public hearings for May 19, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: April 15, 2020
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

CERTIFIED SURVEY MAP NO. _____

Being a division of a part of the Northwest 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Vicinity Map



Scale:
1"=2000'

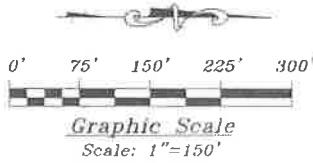
- Notes:**
- - Denotes iron pipe found and accepted.
 - - Denoted 1"x24" iron pipe set, weighing 1.13 lbs./lin. ft. min.

Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone, (NAD-27) (Feb. 2010), with the north line of the NW 1/4 of Section 36, T5N, R22E having an assumed bearing of N 89°49'10" E.

Zoning: A-1 - Minimum bldg. setbacks:
Front Yard - 50'
Side Yard - 30' each side
Rear Yard - 100'

Subject property lies in Zone X - area of minimal flooding per FEMA Map No. 55079C0251E, Effective Date 09/26/2008.

Tax Key No.: 9629995001



Prepared For:
John P. Marshall III
Lisa Damiani Marshall
10245 South Camden Court
Oak Creek, WI 53154
(414)339-5744

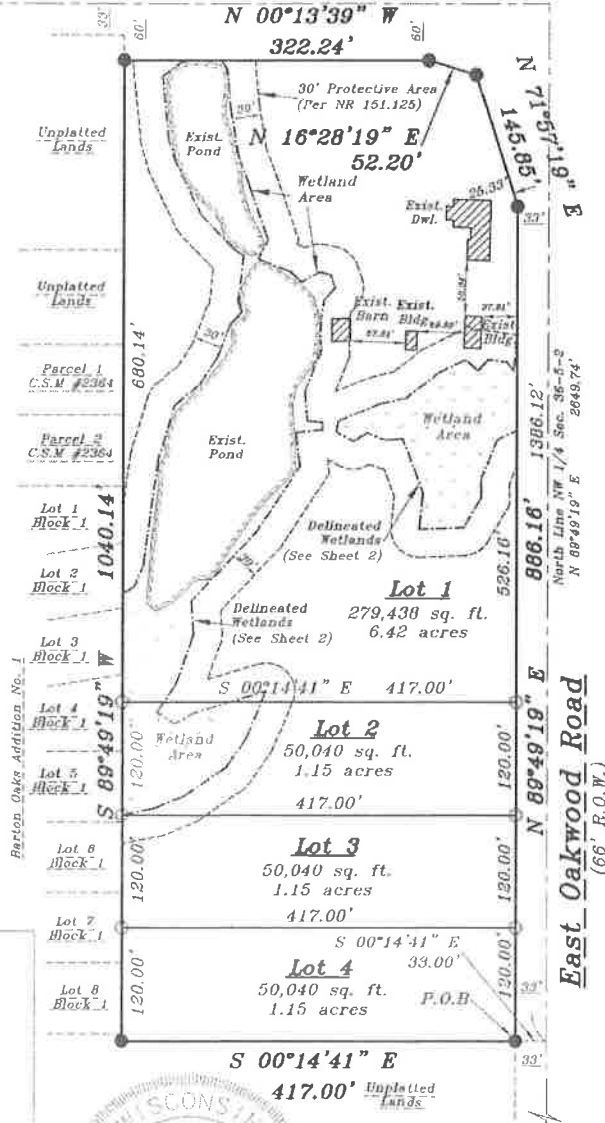
Prepared By:
Dennis C. Sauer, RLS-2421
Metropolitan Survey Service, Inc.
8415 West Forest Home Avenue,
Suite 202
Hales Corners, WI 53130
(414) 529-5380



South Chicago Road (S.T.H. "32")

(120' R.O.W.)

NW Cor.
NW 1/4
Sec. 36-5-22
(conc. mon.
w/brass cap)
N = 319,700.52
E = 2,575,284.45



NE Cor.
NW 1/4
Sec. 36-5-22
(conc. mon.
w/brass cap)
N = 319,708.78
E = 2,577,914.03

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, April 14, 2020**

**REZONE
JOHN & LISA MARSHALL
10308 S CHICAGO RD
962-9995-001**

Zoning Administrator Miller provided an overview of the request to rezone the property at 10308 S. Chicago Rd from A-1, Limited Agricultural to Rs-1, Single family Residential District (see staff report for details).

Linda Roessl, 4104 E Barton Rd:

*"My questions are on the leaflet we were mailed, what happened to the front pond?
Do Jack and Lisa plan to fill it in?"*

Mayor Bukiewicz believes you cannot fill in a pond.

Lisa Marshall, 10308 S. Chicago Road, stated that she was not sure what pond is being referenced.

Linda Roessl, 4104 E. Barton Rd.:

"The front pond that goes out to Highway 32. It is not on the public meeting notice that we received. So, I'm wondering: what happened to it?"

Ms. Marshall states that there is no intention to fill in the pond and to leave it as is.

Linda Roessl, 4104 E. Barton Rd.:

"Okay and how about-- thank you so much for reassuring me that it is not going to change. But how about the recreational trail that was anticipated when Jim Keane owned the lot? It was an anticipated recreational trail from Barton Road to Oakwood Road. Do you folks still plan to move that forward in your development?"

Ms. Marshall replied she was not aware of any stipulation and the closing did not require any recreational trail. Ms. Marshall asked the City if there was any such thing.

Linda Roessl, 4104 E. Barton Rd.:

"If you look at the lots on Barton Road, there is a space wider between two houses for this anticipated sidewalk or recreation trail that should go out to Oakwood Road. Is that still on the plan?"

John Marshall, 10308 S. Chicago Rd., clarified that when the property was purchased, there was no indication or requirement that this was going to happen nor do they plan to do so.

Director Seymour explained that there may have been an Official Street pattern along Barton Road for a potential future access road to Oakwood Road, but it has not carried through to this property. The County is working, and has worked, to extend the connection between the Bender Park, Racine County trail, and the WE Energies trail. Director Seymour stated those would occur within the existing right-of-way.

Linda Roessl, 4104 E. Barton Rd.:

"Okay, so that fell off the radar. How many lots are gonna be developed back there, Lisa. Are you going to go all the way to the wetlands there?"

Ms. Marshall replied that there will be three lots, lots two through four.

Linda Roessl, 4104 E. Barton Rd.:

"Okay, and will there be any improvements as far as tree clean up or anything in the development?"

Ms. Marshall responded that they started to remove some fencing and clean up around the pond, but it is a long-term process.

Linda Roessl, 4104 E. Barton Rd.:

"Alright. I have no further questions."

Commissioner Hanna commented that the applicant should try to maintain the wetland within the area for landscaping purposes and environmentally-friendly development.

Ms. Marshall asked if that was required per the wetland delineation.

Commissioner Hanna explained that is part of the coordination, and dependent on your development of the lots. She recommended that the applicants work with the Engineering Department.

Ms. Marshall said that she has been working with Phil Beiermeister on the green infrastructure requirement.

Commissioner Sullivan stated that it is his understanding that the applicants have been working closely with Phil to iron out all the details.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the property at 10308 S. Chicago Road. be rezoned from A-1, Limited Agricultural to Rs-1, Single Family Residential after a public hearing.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP
JOHN & LISA MARSHALL
10308 S CHICAGO RD
962-9995-001**

Zoning Administrator Miller provided an overview of the request to divide the property at 10308 S. Chicago Road into four parcels (see staff report for details).

Commissioner Hanna questioned how many lots are being developed.

Zoning Administrator Miller responded that Lot 1 is already developed, and three additional lots are proposed. No development has been proposed yet.

Commissioner Hanna moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John P. Marshall and Lisa Damiani Marshall for the property at 10308 S. Chicago Road be approved with the following conditions:

1. That all green infrastructure and/or stormwater management requirements are submitted for review and approval to the Engineering Department prior to submission of building permit applications for Lots 2-4.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Commissioner Oldani seconded. On roll call: all voted aye. Motion carried.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4-28-20

Date

COMMON COUNCIL REPORT

Item: Certified Survey Map - 10308 S. Chicago Road

Recommendation: That the Council adopts Resolution No. 12158-051920, a resolution approving a Certified Survey Map submitted by John P. and Lisa D. Marshall for the property at 10308 S. Chicago Road.

Fiscal Impact: The proposal would divide the property into four conforming single-family residential lots: three 1.15-acre parcels and one 6.42-acre parcel. The existing residential structures on Lot 1 will remain. Development of the three new lots will have positive fiscal impacts in terms of assessed value, permit fees, and impact fees. These properties are not part of a TID.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The Applicants are requesting approval of a Certified Survey Map for the property at 10308 S. Chicago Rd. The proposal would divide the property into four separate parcels: three 1.15-acre parcels and one 6.42-acre parcel. Lot 1, 6.42 acres, will retain the existing residential structures. All parcels conform to the dimensional requirements of the Rs-1, Single Family Residential district. Wetlands have been delineated and are shown on the map.

With the creation of three new residential building lots will come requirements for compliance with Green Infrastructure regulations. The Applicants are aware and have been working with the Engineering Department on conformance, and permits will be required at the time the lots are developed.

The Plan Commission reviewed the Certified Survey Map proposal at their meeting on April 14, 2020, and recommend approval with the following conditions:

1. That all green infrastructure and/or stormwater management requirements are submitted for review and approval to the Engineering Department prior to submission of building permit applications for Lots 2-4.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

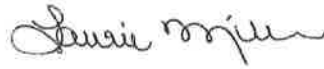
Options/Alternatives: Council has the discretion to modify the condition(s) of Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the property to remain, and may affect the sale and use of the properties in the future.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:

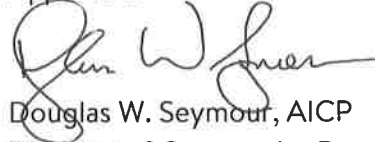


Laurie B. Miller
Zoning Administrator

Fiscal Review:

Bridget M. Souffrant
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 12158-051920

Location Map

Plan Commission Minutes

Proposed Certified Survey Map (5 pages)

RESOLUTION NO. 12158-051920

BY: _____

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR
JOHN P. AND LISA DAMIANI MARSHALL

10308 S. Chicago Road
(4th Aldermanic District)

WHEREAS, JOHN P. AND LISA DAMIANI MARSHALL, hereinafter referred to as the subdividers, have submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved, subject to the following conditions:

1. That the Common Council approval and signature block is updated to include acceptance of the dedication of public right-of-way.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the following conditions:

1. That the Common Council approval and signature block is updated to include acceptance of the dedication of public right-of-way.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 19th day of May, 2020.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

Mayor

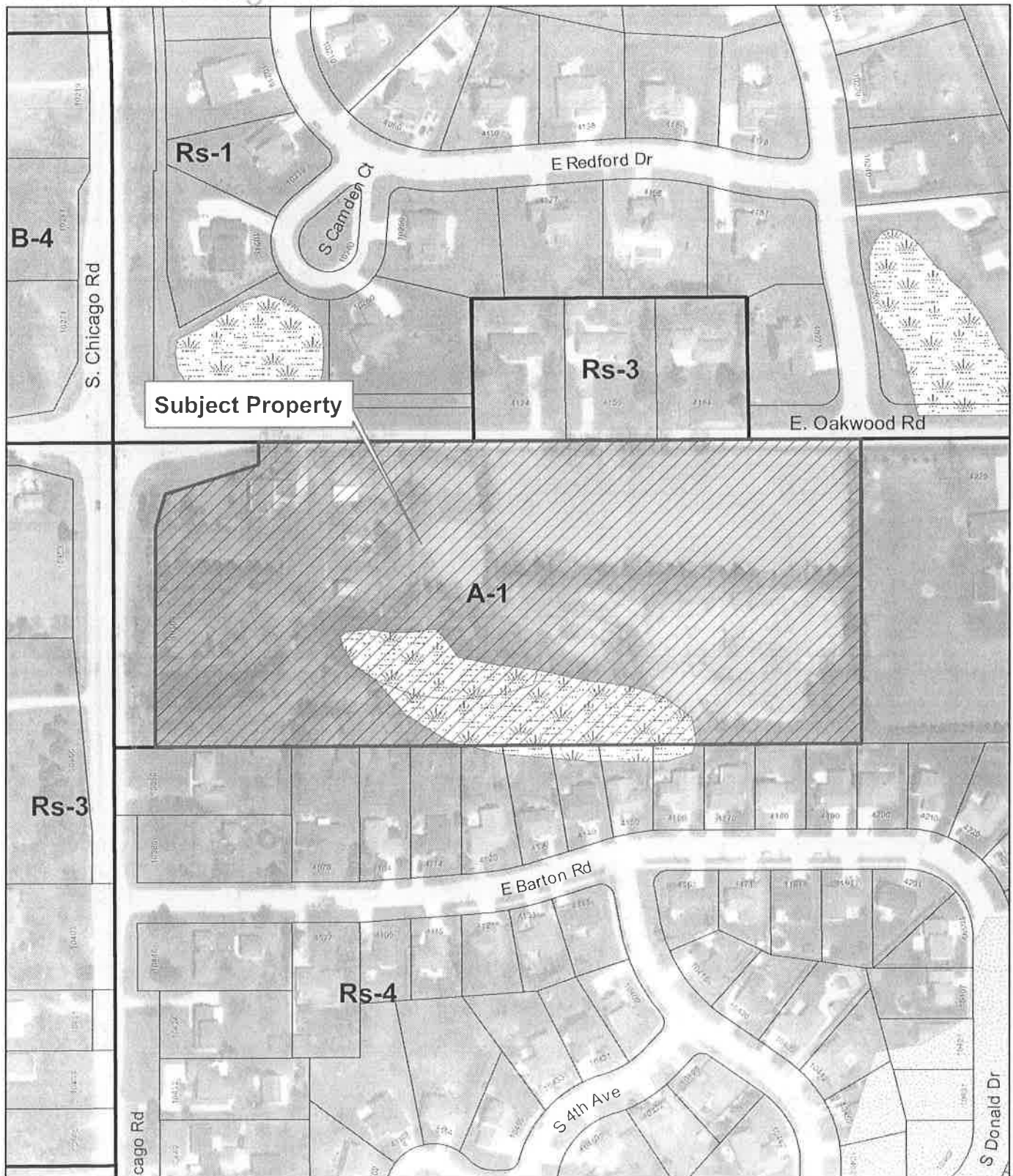
ATTEST:

City Clerk

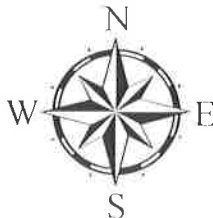
VOTE: Ayes _____ Noes _____

Location Map




10308 S. Chicago Road



This map is not a survey of the actual boundary of any property this map depicts



Legend

-  10308 S. Chicago Rd.
-  Environmental Corridor
-  DNR Wetlands Inventory

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, April 14, 2020**

**REZONE
JOHN & LISA MARSHALL
10308 S CHICAGO RD
962-9995-001**

Zoning Administrator Miller provided an overview of the request to rezone the property at 10308 S. Chicago Rd from A-1, Limited Agricultural to Rs-1, Single family Residential District (see staff report for details).

Linda Roessl, 4104 E Barton Rd:

*"My questions are on the leaflet we were mailed, what happened to the front pond?
Do Jack and Lisa plan to fill it in?"*

Mayor Bukiewicz believes you cannot fill in a pond.

Lisa Marshall, 10308 S. Chicago Road, stated that she was not sure what pond is being referenced.

Linda Roessl, 4104 E. Barton Rd.:

*"The front pond that goes out to Highway 32. It is not on the public meeting notice
that we received. So, I'm wondering: what happened to it?"*

Ms. Marshall states that there is no intention to fill in the pond and to leave it as is.

Linda Roessl, 4104 E. Barton Rd.:

*"Okay and how about-- thank you so much for reassuring me that it is not going to
change. But how about the recreational trail that was anticipated when Jim Keane
owned the lot? It was an anticipated recreational trail from Barton Road to
Oakwood Road. Do you folks still plan to move that forward in your development?"*

Ms. Marshall replied she was not aware of any stipulation and the closing did not require any recreational trail. Ms. Marshall asked the City if there was any such thing.

Linda Roessl, 4104 E. Barton Rd.:

*"If you look at the lots on Barton Road, there is a space wider between two houses
for this anticipated sidewalk or recreation trail that should go out to Oakwood Road.
Is that still on the plan?"*

John Marshall, 10308 S. Chicago Rd., clarified that when the property was purchased, there was no indication or requirement that this was going to happen nor do they plan to do so.

Director Seymour explained that there may have been an Official Street pattern along Barton Road for a potential future access road to Oakwood Road, but it has not carried through to this property. The County is working, and has worked, to extend the connection between the Bender Park, Racine County trail, and the WE Energies trail. Director Seymour stated those would occur within the existing right-of-way.

Linda Roessl, 4104 E. Barton Rd.:

“Okay, so that fell off the radar. How many lots are gonna be developed back there, Lisa. Are you going to go all the way to the wetlands there?”

Ms. Marshall replied that there will be three lots, lots two through four.

Linda Roessl, 4104 E. Barton Rd.:

“Okay, and will there be any improvements as far as tree clean up or anything in the development?”

Ms. Marshall responded that they started to remove some fencing and clean up around the pond, but it is a long-term process.

Linda Roessl, 4104 E. Barton Rd.:

“Alright. I have no further questions.”

Commissioner Hanna commented that the applicant should try to maintain the wetland within the area for landscaping purposes and environmentally-friendly development.

Ms. Marshall asked if that was required per the wetland delineation.

Commissioner Hanna explained that is part of the coordination, and dependent on your development of the lots. She recommended that the applicants work with the Engineering Department.

Ms. Marshall said that she has been working with Phil Beiermeister on the green infrastructure requirement.

Commissioner Sullivan stated that it is his understanding that the applicants have been working closely with Phil to iron out all the details.

Alderman Loreck moved that the Plan Commission recommends to the Common Council that the property at 10308 S. Chicago Road. be rezoned from A-1, Limited Agricultural to Rs-1, Single Family Residential after a public hearing.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

**CERTIFIED SURVEY MAP
JOHN & LISA MARSHALL
10308 S CHICAGO RD
962-9995-001**

Zoning Administrator Miller provided an overview of the request to divide the property at 10308 S. Chicago Road into four parcels (see staff report for details).

Commissioner Hanna questioned how many lots are being developed.

Zoning Administrator Miller responded that Lot 1 is already developed, and three additional lots are proposed. No development has been proposed yet.

Commissioner Hanna moved that the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by John P. Marshall and Lisa Damiani Marshall for the property at 10308 S. Chicago Road be approved with the following conditions:

1. That all green infrastructure and/or stormwater management requirements are submitted for review and approval to the Engineering Department prior to submission of building permit applications for Lots 2-4.
2. That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Commissioner Oldani seconded. On roll call: all voted aye. Motion carried.

ATTEST:



Douglas Seymour, Plan Commission Secretary

4-28-20

Date

CERTIFIED SURVEY MAP NO.

Being a division of a part of the Northwest 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Vicinity Map



Scale:
1"=2000'

Notes:

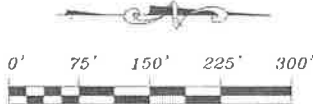
- - Denotes iron pipe found and accepted.
- - Denoted 1"x24" iron pipe set, weighing 1.13 lbs/lin. ft. min.

Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone, (NAD-27)(Feb. 2018), with the north line of the NW 1/4 of Section 36, T5N, R22E having an assumed bearing of N 88°49'10" E.

Zoning: A-1 - Minimum bldg. setbacks:
Front Yard - 50'
Side Yard - 30' each side
Rear Yard - 100'

Subject property lies in Zone X - area of minimal flooding per FEMA Map No. 55079C0251E, Effective Date 09/26/2008.

Tax Key No.: 9629995001



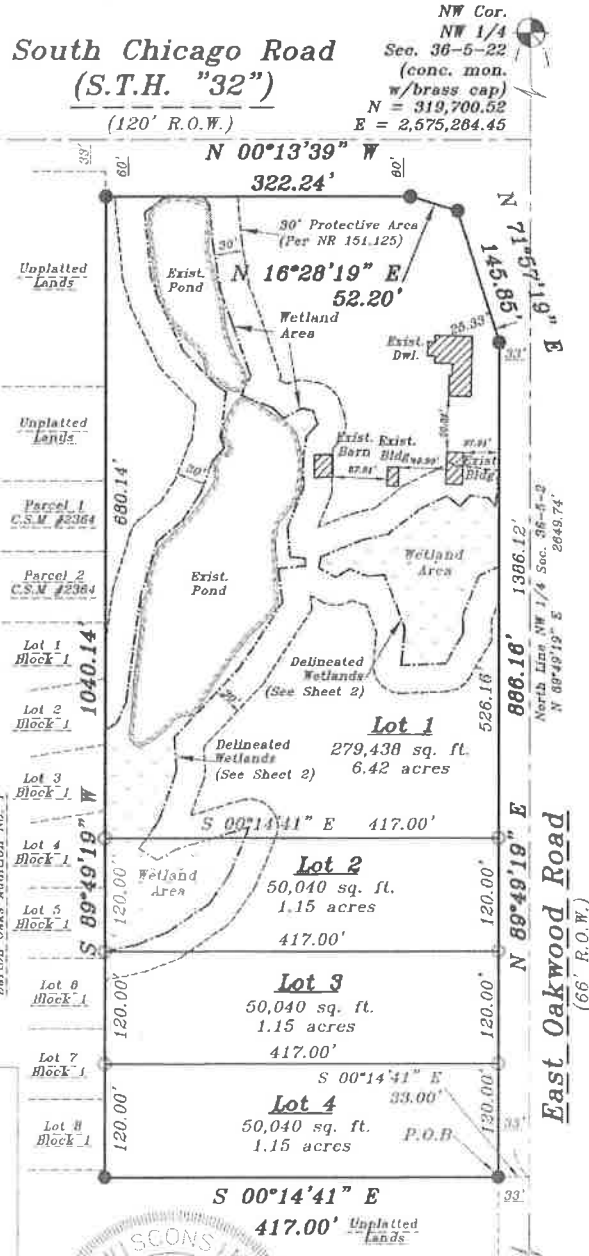
Graphic Scale
Scale: 1"=150'

Prepared For:

John P. Marshall III
Lisa Damiani Marshall
10245 South Camden Court
Oak Creek, WI 53154
(414)339-5744

Prepared By:

Dennis C. Sauer, RLS-2421
Metropolitan Survey Service, Inc.
8415 West Forest Home Avenue,
Suite 202
Hales Corners, WI 53130
(414) 629-5380



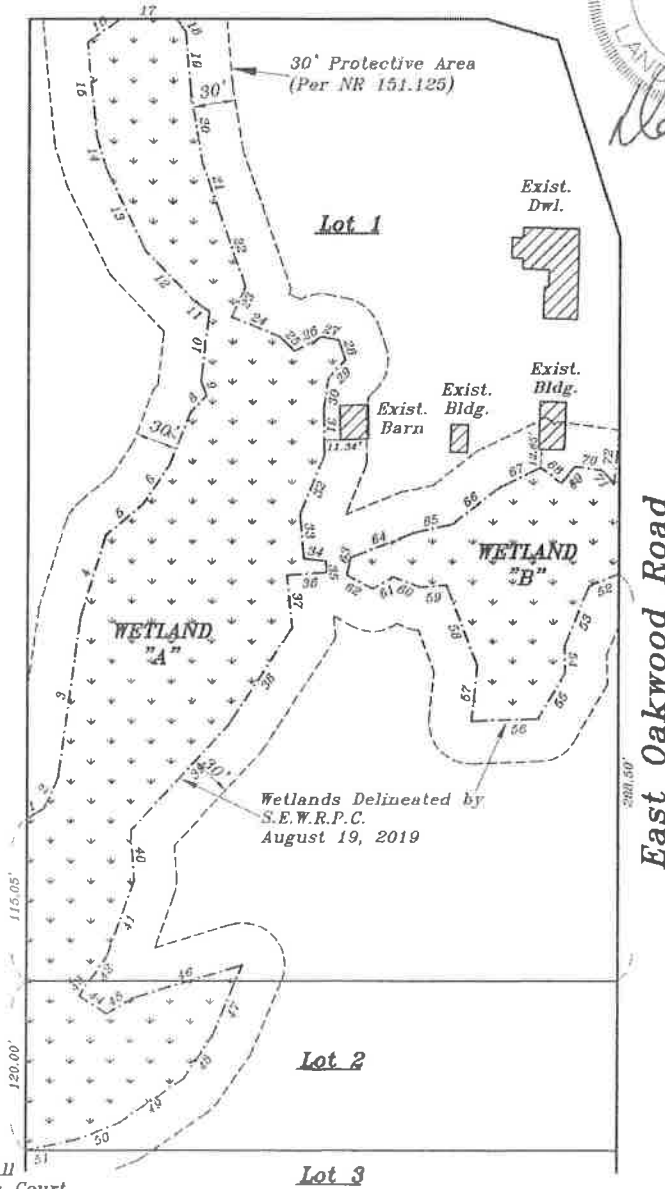
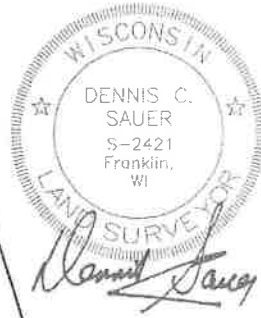
NW Cor.
NW 1/4
Sec. 36-5-22
(conc. mon.
w/brass cap)
N = 319,700.52
E = 2,575,264.45

NE Cor.
NW 1/4
Sec. 36-5-22
(conc. mon.
w/brass cap)
N = 319,709.76
E = 2,577,914.03

CERTIFIED SURVEY MAP NO. _____

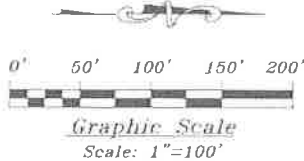
Being a redivision of a part of the Northwest 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

WETLANDS EXHIBIT
South Chicago Road



Prepared For:
John P. Marshall III
Lisa Damiani Marshall
10245 South Camden Court
Oak Creek, WI 53154
(414)339-5744

Prepared By:
Dennis C. Sauer, RLS-2421
Metropolitan Survey Service, Inc.
9415 West Forest Home Avenue,
Suite 202
Hales Corners, WI 53130
(414) 529-5380



CERTIFIED SURVEY MAP NO. _____

Being a redivision of a part of the Northwest 1/4 of the Northwest 1/4
of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek,
Milwaukee County, Wisconsin.

**WETLANDS EXHIBIT
LINE TABLES**

WETLAND "A"					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
1	N 31°21'21" W	14.21	26	N 28°55'46" W	21.52
2	N 66°43'37" W	24.55	27	N 11°03'57" E	12.46
3	N 82°25'13" W	114.28	28	N 70°59'10" E	15.00
4	N 73°06'07" W	60.61	29	S 46°39'33" E	17.20
5	N 39°49'54" W	33.46	30	S 81°29'19" E	22.06
6	N 56°37'07" W	35.06	31	N 88°58'25" E	32.84
7	N 69°13'01" W	38.89	32	S 68°19'45" E	45.40
8	N 46°18'09" W	16.51	33	N 85°04'32" E	31.76
9	S 68°25'42" W	10.93	34	N 05°23'48" E	15.72
10	N 83°32'28" W	49.34	35	N 86°32'33" E	8.07
11	S 34°30'24" W	13.33	36	S 04°53'07" E	27.88
12	S 45°55'34" W	49.60	37	N 83°55'55" E	36.84
13	S 63°57'41" W	63.16	38	S 57°07'49" E	82.15
14	S 73°07'05" W	24.44	39	S 47°28'06" E	101.38
15	S 84°11'39" W	66.26	40	N 85°54'10" E	35.93
16	N 36°17'58" W	28.19	41	S 70°26'57" E	56.90
17	N 00°13'39" W	39.76	42	S 55°21'44" E	21.65
18	N 54°35'58" E	11.38	43	S 55°24'49" E	12.88
19	N 84°57'02" E	41.26	44	N 32°23'12" E	23.08
20	N 80°24'52" E	50.67	45	N 30°44'56" W	21.47
21	N 70°03'05" E	34.96	46	N 17°10'23" W	80.99
22	N 70°40'01" E	58.66	47	S 67°30'30" E	53.69
23	S 65°39'09" E	23.12	48	S 55°56'26" E	37.18
24	N 21°58'17" E	36.71	49	S 34°54'02" E	54.69
25	N 44°24'28" E	14.75	50	S 22°14'25" E	34.77
			51	S 12°14'01" E	34.20

WETLAND "B"		
LINE	BEARING	LENGTH
52	S 23°04'56" E	22.78
53	S 68°05'06" E	46.15
54	N 88°40'03" E	19.02
55	S 59°27'19" E	37.37
56	S 02°31'42" E	46.76
57	N 84°13'26" W	39.16
58	S 69°01'14" W	61.40
59	S 05°05'32" E	18.39
60	S 20°30'54" W	20.64
61	S 30°41'43" E	16.70
62	S 28°13'21" W	20.55
63	N 78°04'16" W	12.33
64	N 22°18'41" W	47.66
65	N 12°46'44" W	27.43
66	N 38°10'40" W	42.77
67	N 26°39'49" W	32.24
68	N 38°23'31" E	18.10
69	N 50°08'21" W	15.41
70	N 07°37'26" E	19.87
71	N 48°43'22" E	12.23
72	N 84°27'12" W	37.60

Prepared For:
John P. Marshall III
Lisa Damiani Marshall
10245 South Camden Court
Oak Creek, WI 53154
(414)339-5744

Prepared By:
Dennis C. Sauer, RLS-2421
Metropolitan Survey Service, Inc.
9415 West Forest Home Avenue,
Suite 202
Hales Corners, WI 53130
(414) 529-5380



CERTIFIED SURVEY MAP NO. _____

Being a division of part of the Northwest 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a division of part of the Northwest 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded & described as follows:

Commencing at the Northwest corner of said Northwest 1/4; thence N 89°49'19" E along the North line of said Northwest 1/4, 1386.12 feet to a point; thence S 00°14'41" E, 33.00 feet to a point on the south right-of-way line of East Oakwood Road, said point being the point of beginning of the lands to be described; thence continuing S 00°14'41" E, 417.00 feet to a point; thence S 89°49'19" W, 1040.14 feet to a point on the east right-of-way line of South Chicago Road (S.T.H. "32"); thence N 00°13'39" W along said east right-of-way line, 322.24 feet to a point; thence N 16°28'19" E along said east right-of-way line, 52.20 feet to a point; thence N 71°57'19" E along said east right-of-way line, 145.85 feet to a point on the south right-of-way line of East Oakwood Road; thence N 89°49'19" E along said south right-of-way line, 886.16 feet to the point of beginning.

Said lands containing 429,558 square feet (9.87 acres).

That I have made such survey, land division and map by the direction of John P. Marshall III & Lisa Damiani Marshall, husband and wife, owners of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek in surveying, dividing and mapping the same.

Date



Dennis C. Sauer
Professional Land Surveyor S-2421

PREPARED FOR:
John Marshall III
Lisa Damiani Marshall
10245 South Camden Court
Oak Creek, WI 53154

PREPARED BY:
Dennis C. Sauer
Metropolitan Survey Service, Inc.
9415 West Forest Home Avenue, #202
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. _____

Being a division of part of the Northwest 1/4 of the Northwest 1/4 of Section 36, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

John P. Marshall III and Lisa Damiani Marshall, husband and wife, as owners, do hereby certify that we have caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek.

WITNESS the hand and seal of said owners this _____ day of _____, 20_____.

John P. Marshall III, Owner

Lisa Damiani Marshall, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20____, John P. Marshall III and Lisa Damiani Marshall, owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION APPROVAL

APPROVED by the Plan Commission of the City of Oak Creek on this _____ day of _____, 20____.

Daniel J Bukiewicz, Chairman
City of Oak Creek

Douglas W. Seymour, Corresponding
Secretary, City of Oak Creek

COMMON COUNCIL APPROVAL

APPROVED and DEDICATION ACCEPTED by the Common Council of the City of Oak Creek on this _____ day of _____, 20____, by Resolution No. _____.

Daniel J Bukiewicz, Mayor
City of Oak Creek

Catherine A. Roeske, Clerk
City of Oak Creek

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, P.L.S. S-2421



RESOLUTION NO. 12160-051920

A RESOLUTION RATIFYING EMERGENCY PROCLAMATION #1
EXTENDING THE PUBLIC HEALTH EMERGENCY IN THE CITY OF OAK CREEK
IN RESPONSE TO THE COVID-19 CORONAVIRUS

WHEREAS, in response to the detection of the novel coronavirus COVID-19 (“COVID-19”) in December 2019 and its ensuing spread throughout countries including the United States, the United States Secretary of Health and Human Services declared a public health emergency, the Centers for Disease Control identified potential public health threats, and the World Health Organization characterized COVID-19 as a pandemic as the rates of infection continued to rise; and

WHEREAS, on March 17, 2020, in Resolution No. 12148-031720 the Common Council of the City of Oak Creek declared the existence of a public health emergency based upon the existence of COVID-19 (“Emergency Declaration”); and

WHEREAS, that state of emergency was due to expire on May 17, 2020; and

WHEREAS, the conditions necessitating the Emergency Declaration continue to exist and are projected to exist for some time; and

WHEREAS, pursuant to Wisconsin Statutes §323.14(4)(b), Emergency Proclamation #1 Extending the Public Health Emergency in the City of Oak Creek in Response to the COVID-19 Coronavirus is subject to ratification, alteration, modification or repeal by the Common Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that Emergency Proclamation #1 Extending the Public Health Emergency in the City of Oak Creek in Response to the COVID-19 Coronavirus is hereby ratified in its entirety.

Passed and adopted this _____ day of _____, 2020.

Common Council President Kenneth Gehl

Approved this _____ day of _____, 2020.

Mayor Daniel J. Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

EMERGENCY PROCLAMATION #1

MAYORAL PROCLAMATION EXTENDING THE PUBLIC HEALTH EMERGENCY IN THE CITY OF OAK CREEK IN RESPONSE TO THE COVID-19 CORONAVIRUS

WHEREAS, in response to the detection of the novel coronavirus COVID-19 (“COVID-19”) in December 2019 and its ensuing spread throughout countries including the United States, the United States Secretary of Health and Human Services declared a public health emergency, the Centers for Disease Control identified potential public health threats, and the World Health Organization characterized COVID-19 as a pandemic as the rates of infection continued to rise; and

WHEREAS, on March 17, 2020, in Resolution No. 12148-031720 the Common Council of the City of Oak Creek declared the existence of a public health emergency based upon the existence of COVID-19 (“Emergency Declaration”); and

WHEREAS, the Emergency Declaration is due to expire on May 17, 2020; and

WHEREAS, the conditions necessitating the Emergency Declaration continue to exist and are projected to exist for some time; and

WHEREAS, the City of Oak Creek (the “City”) continues to do what is in the good order of the City during this public health emergency for the health, safety, protection and welfare of the people and property in the City; and

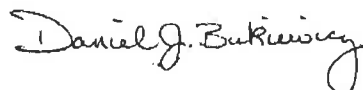
WHEREAS, in order to protect the well-being of its citizens and visitors, the City must avail itself of all necessary resources to continue to respond to the pandemic, contain the spread of COVID-19, and prepare for its possible impacts; and

WHEREAS, pursuant to Wisconsin Statutes §323.14(4)(b), the mayor, as chief executive officer of the City, is authorized to exercise by proclamation all of the powers conferred upon the governing appear necessary and expedient for the health, safety, protection and welfare of the people and property in the City;

NOW, THEREFORE, IT IS PROCLAIMED, that I, Daniel J. Bukiewicz, Mayor of the City of Oak Creek, based upon the above stated situation and under the powers vested in me under Wisconsin Statutes Section 323.14(4)(b) and Section 2.121(c) of the Municipal Code, do hereby declare that it is necessary and expedient for the health, safety, protection, and welfare of the citizens of Oak Creek that a state of public health emergency as defined in Wisconsin Statutes §323.02(16) continues to exist within the City of Oak Creek such that there is a threat of an illness or health condition that appears to be caused by a novel biological agent that poses a high probability of widespread exposure and that creates a significant risk of substantial future harm to a large number of people; and

IT IS HEREBY FURTHER PROCLAIMED that, pursuant to Wisconsin Statutes §323.11, the Emergency Declaration established by Resolution 12148-031720 of the Common Council shall be extended until July 21, 2020 unless otherwise revoked or extended by Resolution.

Dated this 15th day of May, 2020.



Daniel J. Bukiewicz, Mayor



May 14, 2020

Celebrations
Commission

Recommendation to the Council

The Oak Creek Celebrations Commission virtually met on, May 14, 2020 at 6:30 PM.

In attendance were all members of the Celebrations Commission: Chair – Carolyn Bukiewicz, Jennifer Latus, Cindy Bautch, Kyle Kolhouse, Courtney Kolhouse, Lisa Marshall, Patti Hansen, Wendy Gassenhuber, and James Flatow.

Also invited to this meeting were Police (Chief Anderson, Andy Sagan, Mike Bolender, Andrew Ahearn), Fire (Mike Kressuk) and DPW (Ted Johnson).

The meeting's agenda was to discuss the July 4th, Parade and Fireworks and provide a recommendation to the Common Council per their request, to help in their decision to hold the event.

Each Commissioner was asked to share his or her thoughts on whether or not to have the 2020 parade and fireworks, ending with a vote of yes or no and 100% commitment to volunteering.

Discussions for not having the events included, crowd control issues due to increase attendance, securing volunteers, securing entertainment such as high school bands and clubs while school is no longer in session. Increased crowds bring increased traffic control, personal health issues that could be compromised. Increase in police and fire support.

Discussions for having the events were to bring the community together. Spreading out the parade to make it longer or change the route. Citizens need to start moving.

Police and fire provided input regarding limited resources to assist and concerns around increased crowd control due to other July 4th cancellations. And the fact that we should trust our health officer who knows best and that we still have a pandemic going on.

DPW agreed with all points mentioned.

The Celebrations Commission's recommendation by a vote of 6 to 3 is to CANCEL the July 4, 2020 Parade and Fireworks.

Regards,

Carolyn Bukiewicz
Oak Creek Celebrations Commission - Chair

COMMON COUNCIL REPORT

Item: 2020-21 Official Newspaper

Recommendation: That the Common Council designate NOW Media Group (parent company for the Milwaukee Journal Sentinel - SOUTH NOW edition) to serve as the official City newspaper for the next 12 months.

Fiscal Impact: Funds to cover the cost of the official notices in 2020 have been budgeted in the General Government-Legal Notices Account.

In the past twelve months, these publications have amounted to a total cost of \$15,914.89 (a decrease of \$1,797.08 from the prior 12 month period).

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: As a third class city, one of the state requirements we have is an annual bid process for an official City newspaper. An official notice was published on April 1, 2020, inviting bids to be publicly opened at noon on May 5, 2020.

The only bid received was from NOW Media Group (parent company of the Milwaukee Journal Sentinel). 2020 rates are listed below. The line rates for council proceedings and legal notices shows an increase from the 2019 rates. The rate increase is a result of the publication font size being adjusted from 8 pt. to 6 pt., which is certified by the State. The decrease in font size increases the amount of copy that is placed on a line, resulting in the adjusted rate. The rate for display ads shows no increase from 2019 rates.

	1 st insertion per line	2 nd insertion per line
Council Proceedings / Legal Notices	\$0.8299 (\$0.614)	\$0.6556 (\$0.485)
	1 st insertion per column inch	2 nd insertion per column inch
Display ads, sample ballots and other matter set in display format	\$6.14 (\$6.14)	\$4.85 (\$4.85)
Affidavit	\$1.00	

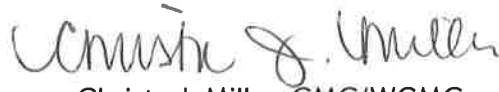
Options/Alternatives: none.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Attachments: 2019-20 Billing totals; 2020 Invitation for Bid

South NOW

Billing totals for required publications

2019	
Jan	\$617.92
Feb	\$987.81
Mar	\$1,760.75
Apr	\$1,226.39
May	\$2,523.79
June	\$660.04
July	\$1,452.97
Aug	\$1,792.02
Sept	\$669.05
Oct	\$1,026.69
Nov	\$1,876.21
Dec	\$1,664.10
	\$16,257.74

2020	
Jan	\$1,711.28
Feb	\$679.14
Mar	\$676.60
Apr	\$1,183.00
	\$4,250.02

Previous 12 months total: **\$15,914.89**



April 14, 2020

CITY OF OAKCREEK
OFFICIAL NEWSPAPER BID
ATTN: CITY CLERK
8040 S. 6th STREET
OAK CREEK, WI 53154

Invitation for Bid – 2020

The below information is the state certified information for the SOUTH NOW publication for legal advertising.

Please note that the font size for the NOW publication has been adjusted to 6 pt vs 8 pt. which was certified by the state. The decrease in font size increases the amount of copy that can be placed on each line- which is the reason for the change in rate noted below. Additionally, the column widths were increase to 9.17 picas wide.

Name of Type: Arial Classified

Type size: 6

Indicate Line Rates:	1 st Insertion	Subsequent Insertion	Column Width (pica)
1 column	\$.8299	\$.6556	9.17

Display Rates, per column inch:

1st Insertion: \$6.14

Subsequent Insertion: \$4.85

Paid Newspaper Subscriptions to be circulated in this geographic area: 10,789

Affidavit Cost: \$1.00

Affidavits shall be mailed within 10 days of publication.

Dates of Publication: Every Wednesday

Deadline for Display advertisement is Wednesday week prior by 10:00AM

Deadline for Liner advertisement is prior Friday at 10:00AM

Vendor: SOUTH NOW

Authorized Signature: /s/ Tara Mondloch

Print Name & Title: Tara Mondloch, Director, Public Notices | Obituaries

Date: April, 9, 2020

Address: 333 W. State Street, Milwaukee, WI 53203

Telephone: 414-224-2121

Fax: 877-943-0443

Email: MJS-legal@gannett.com

COMMON COUNCIL REPORT

Item: Certified Survey Map - Ryan Business Park

Recommendation: That the Council adopts Resolution No. 12159-051920, a resolution approving a Certified Survey Map submitted by Michael Faber, Ryan Business Park, LLC, for the properties at 9540 & 9700 S. 13th St., and 1001, 1199, & 1203 W. Ryan Rd.

Fiscal Impact: The proposal will divide and reconfigure the properties above into two (2) development lots, will absorb the cul-de-sac into Lot 5, and will reconfigure the Special Flood Hazard Area. Lot 5 is currently developed with the Amazon facility, but development of the proposed commercial lots will yield additional positive fiscal impacts in terms of assessed value and development fees. These properties are part of TID 16.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The Applicant is requesting approval of a Certified Survey Map for the properties at 9540 & 9700 S. 13th St., and 1001, 1199, & 1203 W. Ryan Rd. As proposed, the properties at 1001, 1199, & 1203 W. Ryan Rd. and 9540 S. 13th St. would be reconfigured into two (2) parcels of conforming size for the district. The only proposed changes to the property at 9700 S. 13th St. is the absorption of the cul-de-sac portion of the future public road that was part of the property at 9540 S. 13th St. (Lot 6), and amendments to the Special Flood Hazard Areas. Wetlands have been delineated and are shown on Lots 5 & 7.

With respect to the amendments to the Special Flood Hazard Area, the Wisconsin DNR has issued a letter stating subsequent review steps that will be necessary prior to completion of that project. One of the requirements includes rezoning the portions to be removed from the Special Flood Hazard Area, which will be scheduled for Plan Commission and Common Council review in the very near future. The Applicant is aware of this requirement. Future dedication of the public right-of-way through Lot 6 is also forthcoming.

The Plan Commission reviewed the Certified Survey Map proposal at their meeting on May 12, 2020, and recommend approval with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the condition(s) of Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the properties to remain, and may affect the sale and use of the properties in the future.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



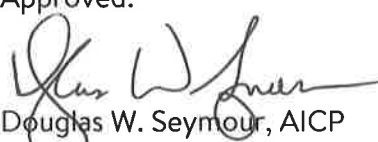
Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Finance Director/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 12159-051920

Location Map

Proposed Certified Survey Map (10 pages)

RESOLUTION NO. 12159-051920

BY: _____

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR
MICHAEL FABER, RYAN BUSINESS PARK, LLC

9540 & 9700 S. 13th St., and 1001, 1199, & 1203 W. Ryan Rd.
(5th Aldermanic District)

WHEREAS, MICHAEL FABER, RYAN BUSINESS PARK, LLC, hereinafter referred to as the
subdivider, has submitted a certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the
City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved,
subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry
corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes,
are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek,
Wisconsin, is hereby approved by the Common Council subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry
corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes,
are made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 19th day of
May, 2020.

Passed and adopted this 19th day of May, 2020.

President, Common Council

Approved this 19th day of May, 2020.

Mayor

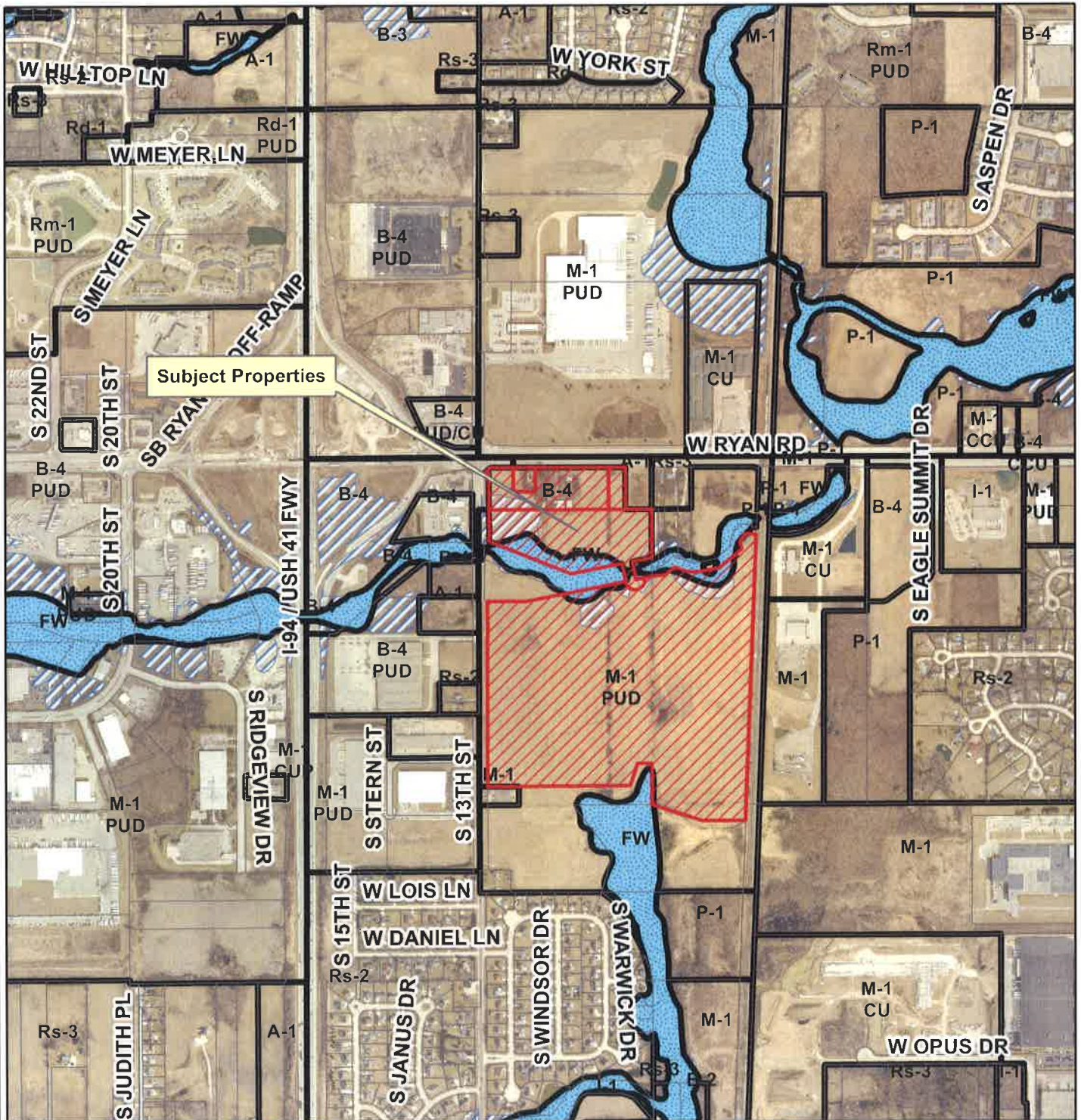
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

9540 & 9700 S. 13th St.; 1001, 1199, & 1203 W. Ryan Rd.



Subject Properties

This map is not a survey of the actual boundary of any property this map depicts.



OAKCREEK
— WISCONSIN —

Department of Community Development



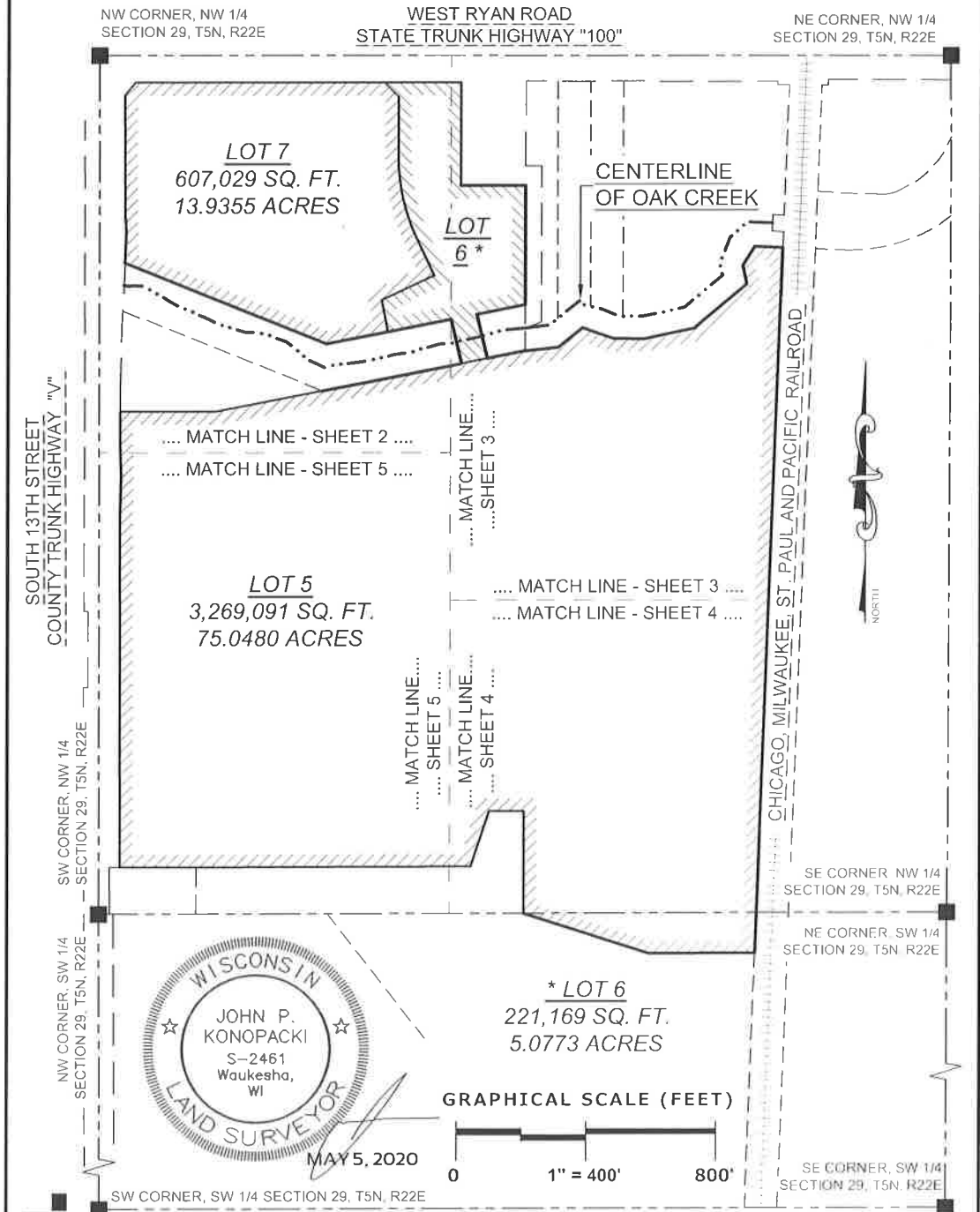
Legend

-  Subject Properties
-  Zoning Districts
-  Flood Fringe (2008)
-  Floodway (2008)

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
 Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
 Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

.... OVERVIEW

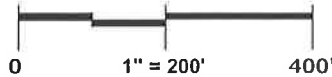


CERTIFIED SURVEY MAP NO. _____

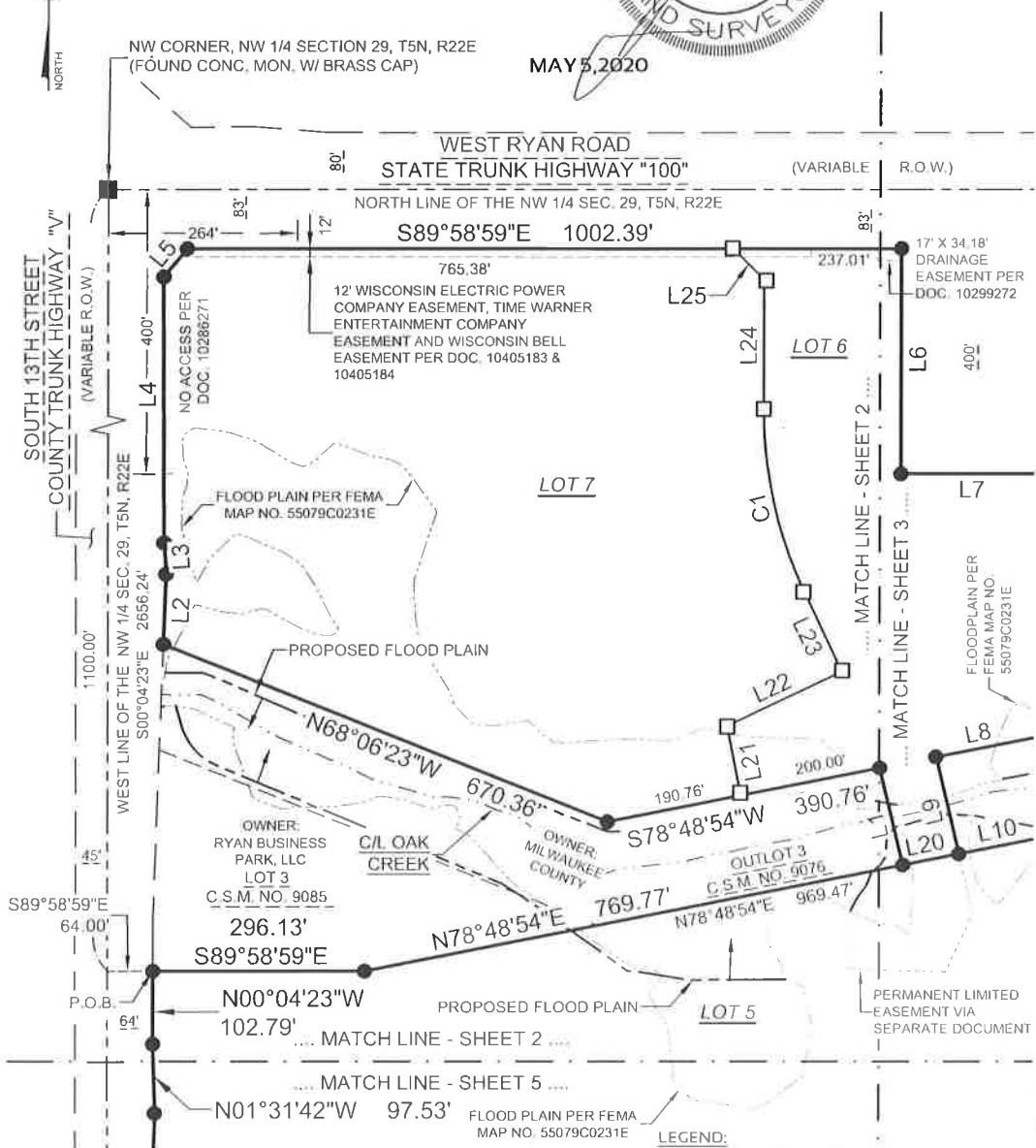
Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
 Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
 Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
 22 East, City of Oak Creek, Milwaukee County, Wisconsin.



GRAPHICAL SCALE (FEET)



MAY 5, 2020

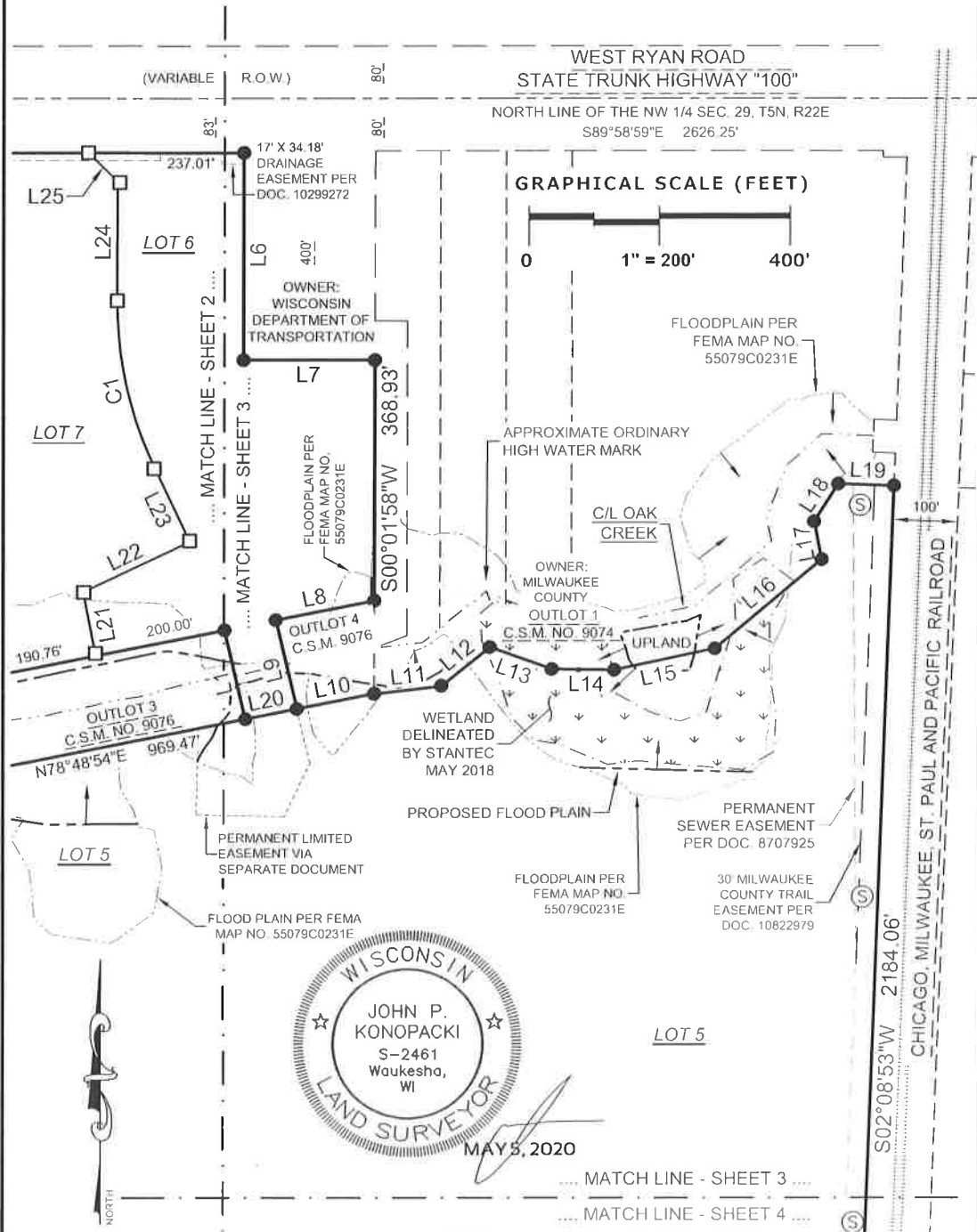


- LEGEND:**
- Denotes Found 1" Iron Pipe
 - Denotes Found 2" Iron Rod
 - ⊙ Denotes Set 3/4" X 18" Iron Rebar 15.1 B5/F1
 - ⊕ Denotes Sanitary Sewer Manhole
 - (R) Denotes "Recorded As"
 - ▭ Denotes No Access

Prepared By
PINNACLE ENGINEERING GROUP
 15850 BIRCHMOUND ROAD, SUITE 210
 BROOKFIELD, WI 53005
 OFFICE: (262) 754-8888

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
 Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
 Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
 22 East, City of Oak Creek, Milwaukee County, Wisconsin.



MAY 5, 2020

- LEGEND:**
- - Denotes Found 1" Iron Pipe
 - - Denotes Found 3/4" Iron Rod
 - - Denotes Set 3/4" X 18" Iron Rebar, 15 LB'S AT 1'
 - ⊙ - Denotes Sanitary Sewer Venthole
 - (R) - Denotes "Recorded As"

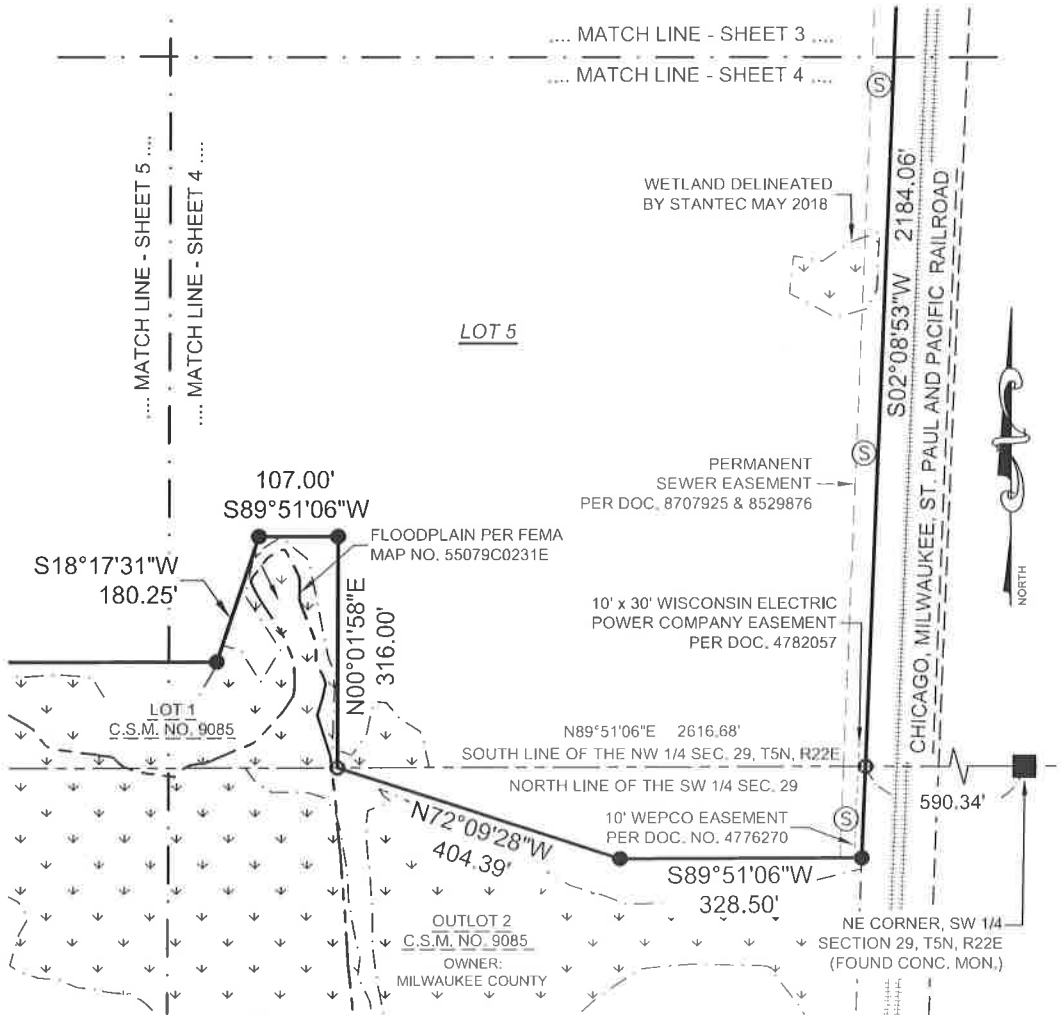
Prepared By:
PINNACLE ENGINEERING GROUP
 15250 BIRCHMOUND ROAD, SUITE 210
 BROOKFIELD, WI 53005
 OFFICE: (262) 754-8828

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#146.00
SHEET 3 OF 10

CERTIFIED SURVEY MAP NO. _____

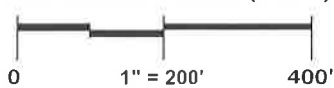
Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
 Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
 Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
 22 East, City of Oak Creek, Milwaukee County, Wisconsin



LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Found 3/4" Iron Rod
- - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.
- Ⓢ - Denotes Sanitary Sewer Manhole
- (R) - Denotes "Recorded As"

GRAPHICAL SCALE (FEET)



MAY 5, 2020

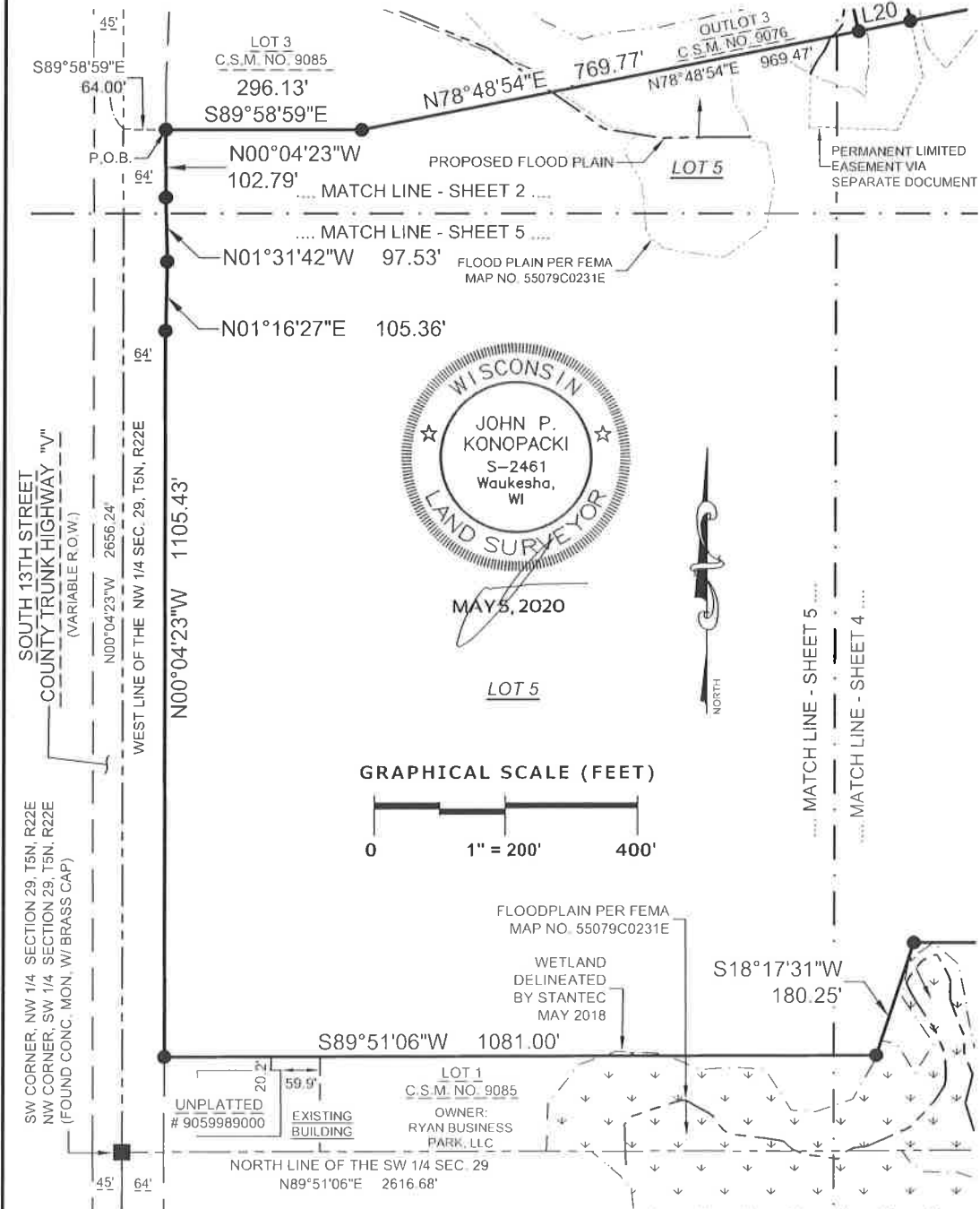
Prepared By:
PINNACLE ENGINEERING GROUP
 15850 BLUEMOUND ROAD 1 SUITE 210
 BROOKFIELD, WI 53005
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#146.00
SHEET 4 OF 10

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

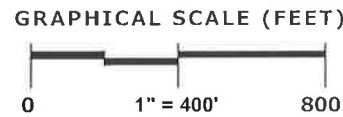
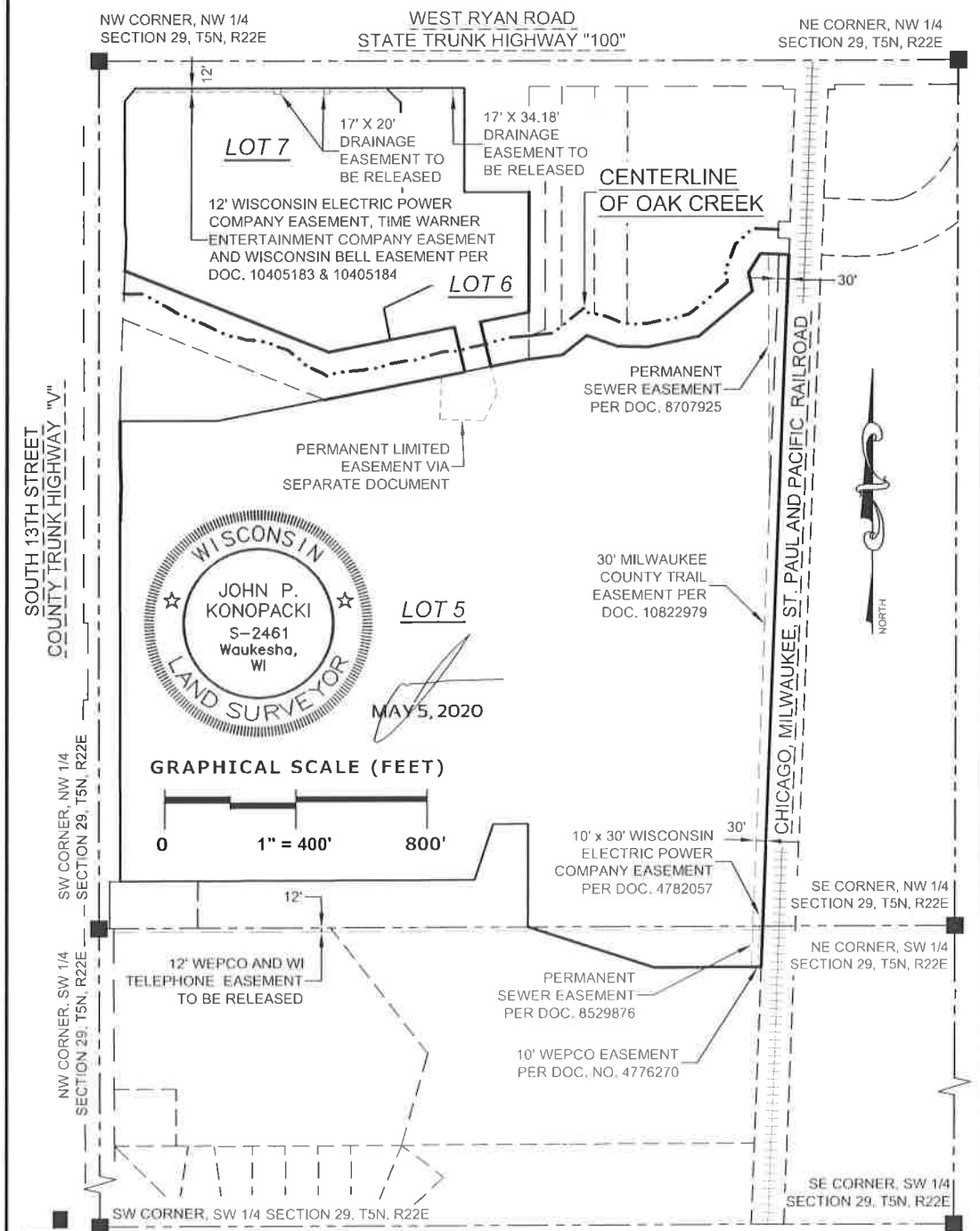


Prepared By
PINNACLE ENGINEERING GROUP
 15250 BLUEBEL COUND ROAD 1 SUITE 210
 BROOKFIELD, WI 53005
 OFFICE: (262) 751-8888

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
 Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
 Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

.... EASEMENT DETAIL



Prepared By
PINNACLE ENGINEERING GROUP
 15250 BLUENOUND ROAD | SUITE 210
 BROOKFIELD, WI 53005
 OFFICE: (262) 754-8288

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

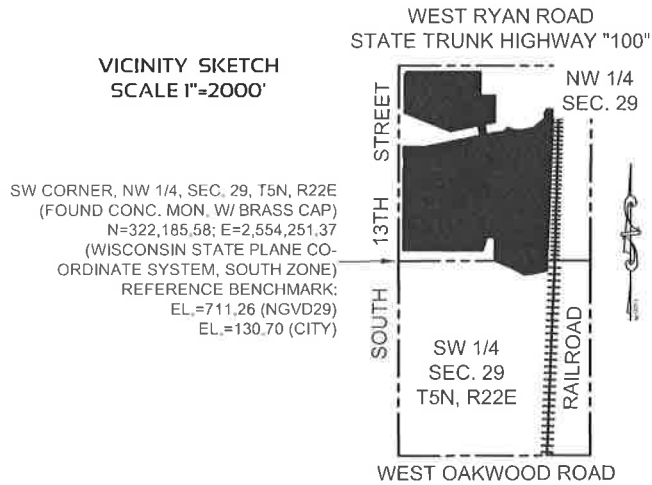
PEG JOB#146.00
SHEET 6 OF 10

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
 Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
 Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N13° 24' 20"W	140.11'
L2	N02° 00' 01"E	99.07'
L3	N04° 13' 37"W	44.31'
L4	N00° 06' 45"W	374.36'
L5	N39° 09' 32"E	51.26'
L6	S00° 01' 58"W	317.00'
L7	S89° 58' 59"E	200.00'
L8	S78° 48' 54"W	152.84'
L9	S13° 24' 20"E	140.11'
L10	N78° 48' 54"E	119.65'
L11	N83° 15' 55"E	102.90'
L12	N51° 03' 50"E	94.29'
L13	S70° 33' 49"E	100.64'
L14	S89° 14' 30"E	96.01'
L15	N78° 00' 53"E	157.11'
L16	N50° 01' 25"E	212.65'
L17	N11° 02' 26"W	59.30'
L18	N32° 20' 21"E	68.51'
L19	S87° 51' 11"E	86.00'
L20	S78° 48' 54"W	80.06'
L21	N11° 11' 06"W	99.63'
L22	N64° 36' 06"E	179.13'
L23	N25° 23' 54"W	121.90'
L24	N00° 01' 58"E	180.68'
L25	N44° 58' 02"W	61.54'

**VICINITY SKETCH
SCALE 1"=2000'**



SW CORNER, NW 1/4, SEC. 29, T5N, R22E
 (FOUND CONC. MON. W/ BRASS CAP)
 N=322,185.58; E=2,554,251.37
 (WISCONSIN STATE PLANE CO-
 ORDINATE SYSTEM, SOUTH ZONE)
 REFERENCE BENCHMARK:
 EL.=711.26 (NGVD29)
 EL.=130.70 (CITY)

NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Bearings are referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The west line of the Southwest 1/4 of Section 29, Township 5 North, Range 22 East has a reference bearing of N00°14'55"W.
- The property lies within Zone "AE" of the Flood Insurance Rate Map Community Panel No. 55079C0231E dated SEPTEMBER 26, 2008. Zone "AE" areas have Base Flood Elevations determined.
- Vertical Datum: City of Oak Creek (City of Oak Creek Vertical Datum conversion = National Geodetic Vertical Datum of 1929 minus (-) 580.56).
- Reference Benchmark: Concrete monument with brass cap at the northwest corner of the Southwest 1/4 Section 29, Town 5 North, Range 22 East, Elevation = 711.26 (NGVD29) = 130.70 (CITY).



MAY 5, 2020

CURVE DATA							
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT	TANGENT
C1	269.87'	608.00'	025°25'52"	N12°40'58"W	267.66'	N25° 23' 54"W	N00° 01' 58"E

Prepared By
PINNACLE ENGINEERING GROUP
 15850 BLUENOUND ROAD, SUITE 210
 BROOKFIELD, WI 53005
 OFFICE: (262) 764-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#146.00
SHEET 7 OF 10

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
22 East, City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided part of Lot 2 and part of Lot 4 of Certified Survey Map No. 9085, as recorded in the Register of Deeds office for Milwaukee County as Document No. 10823469, and additional lands all located in the Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin described as follows:

Commencing at the northwest corner of the Northwest 1/4 of said Section 29;
Thence South 00°04'23" East along the west line of said Northwest 1/4, 1100.00 feet;
Thence South 89°58'59" East, 64.00 feet to the east right of way line of South 13th Street -
County Trunk Highway "V" and the Point of Beginning;
Thence South 89°58'59" East along the south line of Lot 3 of Certified Survey Map No. 9085, 296.13 feet;
Thence North 78°48'54" East along said south line of Lot 3 and then along the south line of Outlot 3 of
Certified Survey Map No. 9076, 769.77 feet to the east line of said Outlot 3;
Thence North 13°24'20" West along said east line, 140.11 feet to the north line of said Outlot 3;
Thence South 78°48'54" West along said north line, 390.76 feet;
Thence North 68°06'23" West along said north line, 670.36 feet to the aforesaid east right of way line of South 13th Street;
Thence North 02°00'01" East along said east right of way line, 99.07 feet;
Thence North 04°13'37" West along said east right of way line, 44.31 feet;
Thence North 00°06'45" West along said east right of way line, 374.36 feet;
Thence North 39°09'32" East along said east right of way line, 51.26 feet to the south right of way line of
West Ryan Road - State Trunk Highway "100";
Thence South 89°58'59" East along said south right of way line, 1002.39 feet;
Thence South 00°01'58" West along said south right of way line, 317.00 feet;
Thence South 89°58'59" East along said south right of way line, 200.00 feet;
Thence South 00°01'58" West along said south right of way line, 368.93 feet to the north line of Outlot 4
of Certified Survey Map No. 9076;
Thence South 78°48'54" West along said north line, 152.84 feet to the west line of said Outlot 4;
Thence South 13°24'20" East along said west line, 140.11 feet to the south line of said Outlot 4;
Thence North 78°48'54" East along said south line, 119.65 feet to the south line of Outlot 1 of Certified Survey Map No. 9074;
Thence the following courses along said south line of Outlot 1:
North 83°15'55" East, 102.90 feet;
North 51°03'50" East, 94.29 feet;
South 70°33'49" East, 100.64 feet;
South 89°14'30" East, 96.01 feet;
North 78°00'53" East, 157.11 feet;
North 50°01'25" East, 212.65 feet;
North 11°02'26" East, 59.30 feet;
North 32°20'21" East, 68.51 feet;
South 87°51'11" East, 86.00 feet to the west right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad;
Thence South 02°08'53" West along said west right of way line, 2184.06 feet to the north line of Outlot 2 of
Certified Survey Map No. 9075;
Thence South 89°51'06" West along said north line, 328.50 feet;
Thence North 72°09'28" West along said north line, 404.39 feet to the south line of said Northwest 1/4;
Thence North 00°01'58" East along the east line of Lot 1 of Certified Survey Map No. 9085, 316.00 feet
to the north line of said Lot 1;
Thence South 89°51'06" West along said north line, 107.00 feet;
Thence South 18°17'31" West along said north line, 180.25 feet;
Thence South 89°51'06" West along said north line, 1081.00 feet to the aforesaid east right of way line of South 13th Street;
Thence North 00°04'23" West along said east right of way line, 1105.43 feet;
Thence North 01°16'27" East along said east right of way line, 105.36 feet;
Thence North 01°31'42" West along said east right of way line, 97.53 feet;
Thence North 00°04'23" West along said east right of way line, 102.79 feet to the Point of Beginning.

Containing 4,097,289 square feet (94.0608 acres) more or less.

That I have made such survey, land division and map by the direction of RYAN BUSINESS
PARK LLC and COMMERCE 94 PROJECT, LLC, owners of said land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed
and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes
and the City of Oak Creek Land Division Ordinance in surveying, mapping and dividing the land
with in the subdivision / certified survey map.

Date: MAY 5, 2020

Prepared By

PINNACLE ENGINEERING GROUP

15250 BLOKMOUND ROAD, SUITE 210

BROOKFIELD, WI 53005

OFFICE (262) 744-8288

John P. Konopacki
Professional Land Surveyor S-2461



This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB # 146.00
SHEET 8 OF 10

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
22 East, City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

RYAN BUSINESS PARK LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, and COMMERCE 94 PROJECT, LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of _____, as owners, do hereby certify that said limited liability companies caused the land described on this certified survey map to be surveyed, divided and mapped as represented on this certified survey map.

RYAN BUSINESS PARK LLC and COMMERCE 94 PROJECT, LLC, as owners, do further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. City of Oak Creek

IN WITNESS WHEREOF, the said RYAN BUSINESS PARK LLC has caused these presents to be signed by Michael Faber, Principal, at (city) _____, _____ County, Wisconsin, on this _____ day of _____, 2020.

In the presence of: Ryan Business Park LLC
by: Capstone Development Company, Manager
by: Michael Faber, Principal

(signature)

IN WITNESS WHEREOF, the said COMMERCE 94 PROJECT, LLC has caused these presents to be signed by _____, (name- print) _____, (title) _____, at (city) _____, _____ County, (State) _____, on this _____ day of _____, 2020.

In the presence of: COMMERCE 94 PROJECT, LLC

(signature)

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2020, Michael Faber, Principal, of the above named RYAN BUSINESS PARK LLC, to me known to be the person who executed the foregoing instrument, and to me known to be such Principal of said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

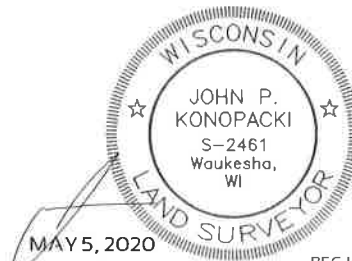
Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2020, (name) _____, (title) _____ of the above named COMMERCE 94 PROJECT, LLC, to me known to be the person who executed the foregoing instrument, and to me known to be such _____ (title) of said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
Name: _____
State of _____
My Commission Expires: _____

Prepared by
PINNACLE ENGINEERING GROUP
15950 BLUEN GUM ROAD SUITE 310
BROOKFIELD, WI 53005
OFFICE: (262) 754-6888



CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 2 and a part of Lot 4 of Certified Survey Map No. 9085 and additional lands
Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4,
Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range
22 East, City of Oak Creek, Milwaukee County, Wisconsin.

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the City of Oak Creek, on this _____ day of _____, 2020.

Daniel Bukiewicz, Chairman

Douglas W. Seymour, Secretary or Clerk

COMMON COUNCIL APPROVAL AND ACCEPTANCE OF DEDICATION

Approval and acceptance of dedication of land as indicated above by the Common Council of the City of Oak Creek, per Plan
Commission recommendation on this _____ day of _____, 2020 by Resolution No. _____

Daniel Bukiewicz, Mayor

Catherine A. Roeske, City Clerk



MAY 5, 2020



Prepared By
PINNACLE ENGINEERING GROUP

15890 BLUEBOND ROAD, SUITE 210
BROOKFIELD, WI 53005
OFFICE (262) 794-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#146.00
SHEET 10 OF 10

COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 5/19/20 License Committee Report.

Fiscal Impact: License fees in the amount of \$300.00 were collected.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background:

The License Committee did not meet prior to the 5/19/20 council meeting. Tentative recommendations are as follows (favorable background reports received):

1. Grant an Operator's license to:
 - * Mary K. Butchko (Erv's Mug)
 - * Ruth C. Sciano (no employer)
 - * Jessica Gonzalez (Woodman's)


Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:

Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: None

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the May 13, 2020 Vendor Summary Report in the total of \$648,162.74.

Fiscal Impact: Total claims paid of \$648,162.74.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Of note are the following payments:

1. \$9,090.00 to Arlington Computer Products (pg #1) for 10 Lenovo laptops for remote work.
2. \$27,856.00 to Baker Tilly Virchow Krause, LLP (pg #2) for services in connection to 2019 final audit.
3. \$69,539.68 to Benistar (pg #2) for June Medicare supplement insurance.
4. \$52,644.00 to BS&A (pgs #2-3) for BS&A annual service/support fees.
5. \$10,732.76 to E. H. Wolf & Sons, Inc. (pg #4) for fuel inventory.
6. \$8,177.02 to Enterprise FM Trust (pg #4) for DPW vehicle lease monthly payment.
7. \$7,415.00 to Houseal Lavigne Associates (pg #7) for consulting services for plan & zoning districts.
8. \$12,691.91 to Kansas City Life Insurance Co. (pg #8) for June disability insurance.
9. \$159,601.03 to Lakeside International Truck (pgs #8-9) for 2020 International HV607 dump truck.
10. \$44,365.00 to Lee Plumbing Mech. Contr., Inc. (pg #9) for new boilers at Station 3.
11. \$5,149.90 to Milwaukee County Treasurer (pg #10) for April court fines and 2018 omitted property taxes.
12. \$5,367.00 to Monroe Truck Equipment (pg #10) for hydraulic lines, GPS, and road temperature sensor.
13. \$6,137.50 to Murphy & Prachthaus, S.C. (pg #10) for cost recovery on lakefront development.
14. \$6,560.00 to Natural Solutions (pgs #10-11) for woodchips for parks.
15. \$6,585.09 to Securian Financial Group, Inc. (pg #12) for June employee life insurance.
16. \$9,639.44 to Sovos Compliance LLC (pg #13) for TIR ACA manager.
17. \$8,039.30 to Superior Vision Insurance Plan (pg #14) for March, April, and May vision insurance.

-
18. \$34,440.00 to Tri North Builders (pg #14) for landscape bond.
 19. \$45,170.89 to US Bank (pgs #19-25) for equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.
 20. \$26,822.62 to WE Energies (pg #15) for street lighting, electricity & natural gas.
 21. \$10,088.06 to WI Court Fines & Surcharges (pg #15) for April 2020 court fines.
 22. \$7,063.92 to WI Dept. of Transportation (pg #15) for construction services relating to Ryan Business Park.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kristina Strmsek
Staff Accountant

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: 5/13/20 Invoice GL Distribution Report