

PROCEEDINGS, COMMON COUNCIL MEETING
OCTOBER 20, 2020, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Mayor Bukiewicz called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Loreck, Ald. Duchniak, Ald. Toman, Ald. Gehl, and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn (via video conference), IT Manager Kevin Koenig, Department of Community Development Director Douglas Seymour (via video conference), City Engineer/Acting Building Commissioner Michael Simmons (via video conference), Water & Sewer Utility General Manager Michael Sullivan, City Administrator Andrew Vickers, and City Clerk Catherine Roeske.

2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Guzikowski, seconded by Ald. Kurkowski, moved to approve the minutes of the 10/6/20 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye. Ald. Loreck abstained from voting.

4. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY MEGA MARTS, LLC DBA PICK 'N SAVE #387, AMENDING EXISTING CUP TO ALLOW OUTDOOR DISPLAY OF RETAIL MERCHANDISE (PROPANE TANK EXCHANGE) AT 2320 W. RYAN RD.**

A public hearing was held to consider a request submitted by Mega Marts, LLC dba Pick 'n Save #387, for an amendment to the existing Conditional Use Permit to allow outdoor display of retail merchandise (propane tank exchange) on the property at 2320 W. Ryan Rd. (See Item No. 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2985, APPROVING CUP AMENDMENT ALLOWING OUTDOOR DISPLAY OF RETAIL MERCHANDISE (PROPANE TANK EXCHANGE) AT 2320 W. RYAN RD.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2985, approving a Conditional Use Permit amendment to allow outdoor display of retail merchandise (propane tank cage area) at the entrance to the existing Pick 'n Save store on the property at 2320 W. Ryan Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY MEGA MARTS, LLC DBA PICK 'N SAVE #862, AMENDING EXISTING CUP TO ALLOW OUTDOOR DISPLAY OF RETAIL MERCHANDISE (PROPANE TANK EXCHANGE) AT 8770 S. HOWELL AVE.**

A public hearing was held to consider a request submitted by Mega Marts, LLC dba Pick 'n Save #862, for an amendment to the existing Conditional Use Permit to allow outdoor display of retail merchandise (propane tank exchange) on the property at 8770 S. Howell Ave. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2986 APPROVING CUP AMENDMENT ALLOWING OUTDOOR DISPLAY OF RETAIL MERCHANDISE (PROPANE TANK EXCHANGE) AT 8770 S. HOWELL AVE.**

Ald. Duchniak, seconded by Ald. Loreck, moved to adopt Ordinance No. 2986, approving a Conditional Use Permit amendment to allow outdoor display of retail merchandise (propane tank cage area) at the entrance to the existing Pick 'n Save store on the property at 8770 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY WALDEN OC, LLC, FOR AMENDMENTS TO EXISTING PUD AFFECTING PROPERTIES AT 1920, 1900, 1850, 1848, 1816, 1800, 1750 AND 1700 W. DREXEL AVE. AND 7700 S. IKEA WAY.**

A public hearing was held to consider a request submitted by Walden OC, LLC, for amendments to the existing Planned Unit Development affecting the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 S. Ikea Way. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2987, APPROVING AMENDMENTS TO PUD ON PROPERTIES AT 1920, 1900, 1850, 1848, 1816, 1800, 1750, AND 1700 W. DREXEL AVE. AND 7700 E. IKEA WAY.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 2987, approving amendments to the Planned Unit Development on the properties at 1920, 1900, 1850, 1848, 1816, 1800, 1750, and 1700 W. Drexel Ave. and 7700 E. Ikea Way. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

10. **PUBLIC HEARING HELD TO CONSIDER CHARTER ORDINANCE RELATING TO GOVERNMENT AND ADMINISTRATION OF STANDING COMMITTEES, BOARDS AND COMMISSIONS OF CITY TO REPEAL AND RECREATE SECTIONS 2.23, 2.60(A), 2.60(C)(1), 2.60(D)(1), 2.60(E), 2.60(F), 2.60(H), 2.61(E), 2.62(A), 2.63(A), 2.66(A), 2.68(A), 2.68(B)(1), 2.68(C), 2.70(A), 2.71(A), 2.71(B), 2.72(A)(7), 2.77(A)A, 2.78(A), 2.79(D), AND TO REPEAL SECTIONS 2.60(I), 2.67, 2.73, AND 2.75 OF THE MUNICIPAL CODE.**

A public hearing was held to consider a Charter Ordinance relating to the government and administration of Standing Committees, Boards and Commissions of the City of Oak Creek to repeal and recreate Sections 2.23, 2.60(a), 2.60(c)(1), 2.60(d)(1), 2.60(e), 2.60(f), 2.60(h), 2.61(e), 2.62(a), 2.63(a), 2.66(a), 2.68(a), 2.68(b)(1), 2.68(c), 2.70(a), 2.71(a), 2.71(b), 2.72(a)(7), 2.77(a)a, 2.78(a), 2.79(d), and to repeal Sections 2.60(i), 2.67, 2.73, and 2.75 of the Municipal Code. (See Item No. 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: CHARTER ORDINANCE NO. 16, RELATING TO GOVERNMENT AND ADMINISTRATION OF STANDING COMMITTEES, BOARDS AND COMMISSIONS OF CITY.**

Ald. Gehl, seconded by Ald. Loreck, moved to adopt Charter Ordinance No. 16, relating to the Government and Administration of Standing Committees, Boards and Commissions of the City of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 12195-102020, AUTHORIZING RESOLUTION**

OF 2019 PERSONAL PROPERTY TAX BILL, INCLUDING INTEREST AND PENALTIES, FOR PROPERTY AT 6720 S. 27TH ST.

Ald. Loreck, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12195-102020, authorizing the Resolution of the 2019 Personal Property Tax Bill, including any interest and penalties, for the property at 6720 S. 27th St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

13. **COUNCIL AUTHORIZES ASSIGNMENT OF CURRENT REFUSE AND RECYCLING CONTRACTS WITH ADVANCED DISPOSAL TO GFL SOLID MIDWEST, LLC, WITH TERMS AND CONDITIONS TO REMAIN, AND FURTHER AUTHORIZES MAYOR TO SIGN AUGUST 19, 2020 LETTER FROM ADVANCED DISPOSAL CONSENTING TO AGREEMENTS' TRANSFER, CONTINGENT UPON CLOSING.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the assignment of the current refuse and recycling contracts with Advanced Disposal to GFL Solid Midwest, LLC, with all terms and conditions to remain, and, further authorizes the Mayor to sign the August 19, 2020 letter from Advanced Disposal consenting to the agreements' transfer, contingent upon closing. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

14. **COUNCIL AUTHORIZES ENGINEERING DEPARTMENT TO ENTER INTO THREE PARTY DESIGN CONTRACT, NOT TO EXCEED \$181,906.44, BETWEEN WI DOT, CITY, AND AYRES ASSOCIATES FOR DESIGN SERVICES OF W. DREXEL AVE. FROM S. 13TH ST. TO S. HOWELL AVE.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to authorize the Engineering Department to enter into a Three Party Design contract, not to exceed \$181,906.44, between the Wisconsin Department of Transportation, City of Oak Creek, and Ayres Associates for the design services of W. Drexel Avenue from S. 13th St. to S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

15. **COUNCIL APPROVES INSTALLATION OF "NO PARKING ANYTIME" SIGN ON NORTH SIDE OF E. AMERICAN AVE. FROM S. 5TH AVE. TO 160-FT WEST OF S. 5TH AVE. AND "DEAF CHILD AREA" SIGNS ON W. JONATHAN DR.**

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the installation of a "No Parking Anytime" sign on the north side of E. American Avenue from S. 5th Avenue to 160-ft west of S. 5th Avenue and "Deaf Child Area" signs on W. Jonathan Dr. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

16. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 10/20/20 License Committee Report.

Grant an Operator's license to:

* Fernando Murillo Cano (no employer) * Nelson A. Aceros Lizarazo (BelAir)

Grant a Class A Combination license to Karan Chohan, Chohan Brothers II, Inc., dba Ryan Road Mobil, 9444 S. Chicago Rd., with issuance of license subject to final inspection approvals and issuance of occupancy permit.

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

17. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the October 14, 2020 Vendor Summary Report in the amount of \$407,267.01. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:48 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor