

PROCEEDINGS, COMMON COUNCIL MEETING
JUNE 1, 2021, 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 (arrived at 7:43 p.m.), Ald. Duchniak, Ald. Toman, Ald. Gehl and Ald. Guzikowski. Ald. Loreck was excused.

Also present were City Attorney Melissa Karls, Police Chief Steve Anderson, Assistant City Administrator / Comptroller Maxwell Gagin, City Treasurer Barbara Guckenberger, IT Manager Kevin Koenig, Fire Chief Michael Kressuk, Community Development Director Douglas Seymour, City Engineer/Acting Building Commissioner Michael Simmons, 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. Duchniak, seconded by Ald. Guzikowski, moved to approve the minutes of the 5/18/21 meeting. On roll call, the vote was as follows: Ald. Duchniak, aye; Ald. Toman, aye, Ald. Gehl, aye, and Ald. Guzikowski, aye.

4. **PRIDE MONTH, JUNE 2021.**

The Mayoral Proclamation for Pride Month, June 2021, was informational.

5. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL BY JIM KANE, TRUCK COUNTRY-MCCOY GROUP, AMENDING OFFICIAL MAP FOR PORTION OF NW ¼ AND SW ¼ OF SE ¼ OF SECTION 30.**

A public hearing was held to consider a proposal by Jim Kane, Truck Country – McCoy Group, to amend the Official Map for a portion of the Northwest ¼ and Southwest ¼ of the Southeast ¼ of Section 30 (mapped, unimproved right-of-way affecting the properties at 9970, 10020, and 10040 S. 20th St.) (See Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 3005, AMENDING SECTION 6.01 OF MUNICIPAL CODE, AMENDING OFFICIAL MAP FOR PORTION OF NW ¼ AND SW ¼ OF SE ¼ OF SECTION 30.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Ordinance No. 3005, amending Section 6.01 of the Municipal Code of the City of Oak Creek amending the Official Map for a portion of the Northwest ¼ and Southwest ¼ of the Southeast ¼ of Section 30 (mapped, unimproved right-of-way affecting the properties at 9970, 10020, and 10040 S. 20th St.). On roll call, the vote was as follows: Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

7. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY KELLY CECH, MATC – OAK CREEK, FOR AMENDMENT TO EXISTING CUP FOR SOLAR ARRAYS ON PROPERTY AT 6665 S. HOWELL AVE.**

A public hearing was held to consider a request submitted by Kelly Cech, Milwaukee Area Technical College – Oak Creek, for an amendment to an existing Conditional Use Permit for solar arrays on the property at 6665 S. Howell Ave. (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 3010, APPROVING CUP AMENDMENT FOR SOLAR ENERGY COLLECTOR ON PROPERTY AT 6665 S. HOWELL AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3010, approving a Conditional Use Permit Amendment for solar energy collector on the property at 6665 S. Howell Ave. On roll call, the vote was as follows: Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

9. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY JOHN SCHLUETER, PETRICHOR HOLDINGS, LLC, ON BEHALF OF CARVANA, FOR AMENDMENT TO EXISTING CUP TO ALLOW 24-HOUR OPERATIONS ON PROPERTY AT 561 W. COLLEGE AVE.**

A public hearing was held to consider a request submitted by John Schlueter, Petrichor Holdings, LLC, on behalf of Carvana, for an amendment to the existing Conditional Use Permit to allow for 24-hour operations on the property at 561 W. College Ave. (See Item No. 10 for action on this hearing).

Ald. Kurkowski arrived (7:43 p.m.)

10. **PRESENTED AND HELD TO JUNE 15, 2021: ORDINANCE NO. 3011, APPROVING CUP AMENDMENT TO ALLOW 24/7 OPERATIONS ON PORTION OF PROPERTY AT 561 W. COLLEGE AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to hold action on Ordinance No. 3011, approving a Conditional Use Permit amendment to allow 24/7 operations on a portion of the property at 561 W. College Ave. to the June 15, 2021 Council 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.

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 3008, CONFIRMING ADOPTION OF SUCCESSOR LABOR AGREEMENT BY AND BETWEEN CITY AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL NO. 1848, AND FIXING SALARY FOR MEMBERS OF ASSOCIATION FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2024.**

Ald. Toman, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3008, confirming adoption of the Successor Labor Agreement by and between the City of Oak Creek and the International Association of Firefighters Local No. 1848, and Fixing the Salary for Members of the Association from January 1, 2021 through December 31, 2024. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

12. **PRESENTED AND ADOPTED: ORDINANCE NO. 3009, CONFIRMING ADOPTION OF SUCCESSOR LABOR AGREEMENT BY AND BETWEEN CITY OF OAK CREEK AND OAK CREEK PROFESSIONAL POLICE OFFICER'S ASSOCIATION AND FIXING SALARY FOR MEMBERS OF ASSOCIATION FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2024.**

Ald. Toman, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3009, confirming the adoption of the Successor Labor Agreement by and between the City of Oak Creek Professional Police Officer's Association and Fixing the Salary for Members of the Association from January 1, 2021 through December 31, 2024. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

13. COUNCIL CONCURS WITH MAYOR'S CITIZEN APPOINTMENT.

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

- a. Celebrations Commission – filling a 3 year term vacancy, expiring 4/2023
* Richard D. Maggard, Jr., 3665 E. Briandean Ct.

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

14. SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING APRIL 30, 2021.

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending April 30, 2021.

15. PRESENTED AND ADOPTED: RESOLUTION NO. 12245-060121, APPROVING SWMP MAINTENANCE AGREEMENT WITH APA 9141, LLC, FOR FRONTLINE DEVELOPMENT LOCATED AT 9141 S. 13TH ST.

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 12245-060121, approving a Storm Water Management Practices Maintenance Agreement with APA 9141, LLC for their Frontline development located at 9141 S. 13th St. (Tax Key No. No. 877-9010). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

16. PRESENTED AND ADOPTED: RESOLUTION NO. 12246-060121, APPROVING CSM SUBMITTED BY MIKE FABER, CREEK TWO LAND, LLC, FOR PROPERTIES AT 9955 S. 13TH ST., AND 9925 S. STERN ST.

Ald. Guzikowski, seconded by Ald. Kurkowski, moved to adopt Resolution No. 12246-060121, approving a Certified Survey Map submitted by Mike Faber, Creek Two Land, LLC, for the properties at 9955 S. 13th St., and 9925 S. Stern St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

17. COUNCIL APPROVES 2021-22 RENEWAL ALCOHOL BEVERAGE LICENSES.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the renewal alcohol beverage license applications received for the period of July 1, 2021 through June 30, 2022, with release of each license subject to payment of any fees due and receipt of final departmental approvals. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

18. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 6/1/21 License Committee Report.

Grant an Operator's license to:

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|--|------------------------------------|
| * Edward G. Meiter (Sidetracked) | * Lisa D. Higgins (Aldi) |
| * Martha R. Suttner (Aldi) | * Jasmine M. Rodriguez (Kwik Trip) |
| * Michaela J. Snead (Pick 'n Save) | * Emily C. Jonson (Aldi) |
| * Nancy K. Ruhland (Sidetracked / Jim Dandy's) | |

Grant a 2021-22 Amusement Operator and Amusement Devices License(s) to:

* Reginald Zeniecki, Reggie's Amusements LLC, 4918 S. Packard Ave., Cudahy

Grant a Change of Agent to Mega Marts, LLC dba Pick 'n Save #387, 2320 W. Ryan Rd., from Joseph Reuter to Rhea Fogle, 11730 W. Shields Dr., Franklin.

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

19. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the May 26, 2021 Vendor Summary Report in the amount of \$335,903.42. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

20. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:12 p.m., pursuant to Wisconsin State Statutes to discuss the following:

(a) Section 19.85(1)(e) to discuss a Finance Development Agreement between the City of Oak Creek and F Street OCLV, LLC for a portion of the property located at 9300 S. 5th Avenue, 4001 E. Lake Vista Blvd., and 4200 E. Lake Vista Blvd. (4th District).

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

21. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:59 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

22. **PRESENTED AND ADOPTED: RESOLUTION NO. 12247-060121, APPROVING TID NO. 13 FINANCE DEVELOPMENT AGREEMENT BETWEEN CITY AND F STREET OCLV, LLC.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12247-060121, approving the Tax Incremental District No. 13 Finance Development Agreement between the City of Oak Creek and F Street OCLV, LLC. On roll call, the vote was as follows: Ald. Kurkowski, 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 9:00 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor