

PROCEEDINGS, COMMON COUNCIL MEETING
MAY 17, 2022, 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. Marshall, Ald. Gehl, and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, Utility Engineer Brian Johnston, Fire Chief Michael Kressuk, Assistant IT Manager Thomas Kramer, Tourism & Business Relations Manager Laura Nelson, Management Assistant Carly Persson, Community Development Director Douglas Seymour, Police Chief David Stecker, City Engineer Matthew 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. Kurkowski, seconded by Ald. Marshall, moved to approve the minutes of the 5/3/22 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

4. **MAYORAL PROCLAMATION: NATIONAL PUBLIC WORKS WEEK.**

The Mayoral Proclamation for National Public Works Week, May 15-21, 2022, was informational.

5. **MAYORAL PROCLAMATION: SAINT STEPHEN CATHOLIC CHURCH IN RECOGNITION OF THEIR 175TH ANNIVERSARY.**

The Mayoral Proclamation for Saint Stephen Catholic Church in recognition of their 175th Anniversary was informational.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY KENNETH SLINKER, SUPERIOR AIR GROUND AMBULANCE SERVICE FOR AMENDMENT TO EXISTING CUP, ALLOWING PRIVATE EMERGENCY SERVICE FACILITY WITHIN PORTION OF EXISTING MULTI-TENANT INDUSTRIAL BUILDING ON PROPERTY AT 140 E RAWSON AVE.**

A public hearing was held to consider a request submitted by Kenneth Slinker, Superior Air Ground Ambulance Service for an amendment to the existing Conditional Use Permit to allow a private emergency service facility within a portion of the existing multitenant industrial building on the property at 140 E. Rawson Ave. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 3037, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2984 FOR PHYSICAL AND OCCUPATIONAL THERAPY CLINIC, BEHAVIORAL TREATMENT SERVICES CLINIC, INDOOR RECREATION FACILITIES, OUTDOOR RECREATION FACILITIES AND PRIVATE EMERGENCY SERVICES FACILITY ON PROPERTY AT 140 E. RAWSON AVE.**

Ald. Loreck, seconded by Ald. Duchniak moved to adopt Ordinance No. 3037, amending the Conditions and Restrictions in Ordinance No. 2984 for a physical and occupational therapy clinic, a behavioral treatment services clinic, indoor recreation facilities, outdoor recreation facilities, and a private emergency services facility on the property at 140 E. Rawson Ave. On roll call, the vote was as follows: Ald. Kurkowski, no; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY JOE EHLINGER, PPG INDUSTRIAL, INC., AND BILL FRENCH, SUNVEST SOLAR, LLC, FOR AMENDMENT TO EXISTING CUP, ALLOWING SOLAR FARM ON PROPERTY AT 10600 S. 13TH ST.**

A public hearing was held to consider a request by Joe Ehlinger, PPG Industrial, Inc. and Bill French, SunVest Solar, LLC, for an amendment to the existing Conditional Use Permit to allow a solar farm on the property at 10600 S. 13th St. (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 3038, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 1878, ALLOWING SOLAR FARM ON PROPERTY AT 10600 S. 13TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3038, amending the Conditions and Restrictions in Ordinance No. 1878 to allow a solar farm on the property at 10600 S. 13th St. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY CENTRAL STATES TOWER V, LLC AND CELLCO PARTNERSHIP, DBA VERIZON WIRELESS FOR CUP FOR WIRELESS TELECOMMUNICATIONS POLE AND COMPOUND ON PROPERTY AT 2509 W. DREXEL AVE.**

A public hearing was held to consider a request submitted by Central States Tower V, LLC and Cellco Partnership, dba Verizon Wireless for a Conditional Use Permit for a Conditional Use Permit for a wireless telecommunications pole and compound ("facility") on the property at 2509 W. Drexel Ave. (See Item No. 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 3039, APPROVING CUP FOR WIRELESS TELECOMMUNICATIONS FACILITY AT 2509 W. DREXEL AVE.**

Ald. Loreck, seconded by Ald. Marshall, moved to adopt Ordinance No. 3039, approving a Conditional Use Permit for a wireless telecommunications facility at 2509 W. Drexel Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY KENNETH JOHNSON, HERITAGE FUNERAL HOMES, FOR AMENDMENT TO EXISTING CUP, ALLOWING FUNERAL PARLOR WITH CREMATION SERVICES WITHIN PORTION OF EXISTING BUILDING ON PROPERTY AT 7625 S. HOWELL AVE.**

A public hearing was held to consider a request submitted by Kenneth Johnson, Heritage Funeral Homes, for an amendment to the existing Conditional Use Permit to allow a funeral parlor with cremation services within a portion of the existing building on the property at 7625 S. Howell Ave. (See Item No. 13 for action on this hearing).

13. **PRESENTED AND ADOPTED: ORDINANCE NO. 3040, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2253, ALLOWING FUNERAL PARLOR WITH CREMATION SERVICES WITHIN PORTION OF EXISTING BUILDING ON PROPERTY AT 7625 S. HOWELL AVE.**

Ald. Loreck, seconded by Ald. Marshall, moved to adopt Ordinance No. 3040, amending the Conditions and Restrictions in Ordinance No. 2253 to allow a funeral parlor with cremation services within a portion of the existing building on the property at 7625 S. Howell Ave. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Kurkowski abstained from voting.

14. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY MATTHEW FLANSBURG, TARGET CORP., FOR AMENDMENT TO EXISTING PUD, ALLOWING ADDITIONAL SIGN ON TARGET BUILDING AT 8989 S. HOWELL AVE.**

A public hearing was held to consider a request submitted by Matthew Flansburg, Target Corp., for an amendment to the existing Planned Unit Development to allow for an additional sign on the Target building on the property at 8989 S. Howell Ave. (See Item No. 15 for action on this hearing).

15. **PRESENTED AND ADOPTED: ORDINANCE NO. 3041, AMENDING CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2930 RELATING TO SIGNS ON TARGET BUILDING IN PUD AFFECTING 8989 S. HOWELL AVE.**

Ald. Duchniak, seconded by Ald. Loreck, moved to adopt Ordinance No. 3041, amending the Conditions and Restrictions in Ordinance No. 2930 relating to signs allowed on the Target building in the Planned Unit Development (PUD) affecting the property at 8989 S. Howell Ave. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL BY CR DEVCO, LLC, TO AMEND OFFICIAL MAP FOR PORTION OF NE AND NW ¼ OF SECTION 19.**

A public hearing was held to consider a proposal by CR Devco, LLC, to amend the Official Map for a portion of the northeast and northwest ¼ of Section 19 (mapped, unimproved right-of-way affecting the properties at 2411, 2345, 2321, 2301, 2231 and 1933 W. Puetz Rd., 8843 S. 13th St., 8950 S. 20th St., 8810 and 8864 S. 27th St., 2320 W. Grays Lane). (See Item No. 17 for action on this hearing).

17. **PRESENTED AND ADOPTED: ORDINANCE NO. 3042, AMENDING SECTION 6.01 OF MUNICIPAL CODE AMENDING OFFICIAL MAP FOR PORTION OF NE AND NW ¼ OF SECTION 19.**

Ald. Guzikowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 3042, amending Section 6.01 of the Municipal Code of the City of Oak Creek amending the Official Map for a portion of the northeast and northwest ¼ of Section 19, consistent with the applicant's proposed City of Oak Creek Official Map Amendment, to be designated as Exhibit A, which consists of page 43, for Future Streets. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **PRESENTED AND ADOPTED: ORDINANCE NO. 3043, FIXING SALARY AND WAGE RANGES, SALARIES, WAGES, AND ALLOWANCES OF CERTAIN FT AND PT NON-REPRESENTED POSITIONS FOR 2022.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3043, fixing the salary and wage ranges, salaries, wages and allowances of certain full-time and part-time non-represented positions for the year 2022. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **COUNCIL DESIGNATES NOW MEDIA GROUP TO SERVE AS OFFICIAL CITY NEWSPAPER FOR NEXT 12 MONTHS.**

Ald. Gehl, seconded by Ald. Marshall, moved 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. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, no.

20. **COUNCIL CONCURS WITH MAYOR'S CITIZEN APPOINTMENTS.**

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

- a. Tourism Commission – 1 year term to expire 4/2023
Melissa Rasmussen, 8347 S. Palomino Dr.

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

21. **COUNCIL REJECTS BIDS RECEIVED FOR FOREST HILL MANOR WATER RELAY PROJECT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reject all bids received for the Forest Hill Manor Water Relay project (Project No. 22101). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. **PRESENTED AND ADOPTED: RESOLUTION NO. 12331-051722, APPROVING BROADACRE DEVELOPMENT AGREEMENT WITH BROADACRE OAK CREEK, LLC FOR DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR DEVELOPMENT LOCATED AT 441 W. RYAN RD.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12331-051722, approving the Broadacre Development Agreement with Broadacre Oak Creek, LLC for the design and construction of public improvements for the development located at 441 W. Ryan Rd. (Tax Key No. 906-9028-000) (Project Nos. 22053 and 22054). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 12330-051722, APPROVING CSM SUBMITTED BY MARK VERHALEN FOR THE PROPERTY AT 500 E. OAKWOOD RD.**

Ald. Gehl, seconded by Ald. Marshall, moved to adopt Resolution No. 12330-051722, approving a Certified Survey Map submitted by Mark Verhalen for the property at 500 E. Oakwood Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

24. DIRECTED HELD TO 6/7/22 COUNCIL MEETING: APPROVAL OF CONSTRUCTION OF SAND VOLLEYBALL COURT AT WILLOW HEIGHTS PARK, AT COST NOT TO EXCEED \$28,000.

Ald. Loreck, seconded by Ald. Duchniak, moved to hold action to approve the construction of a sand volleyball court at Willow Heights Park, at a cost not to exceed \$28,000 to the 6/7/22 Common Council Meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

25. COUNCIL APPROVES CHANGES TO ATHLETIC FIELD RENTAL POLICY, ALLOWING GAMES AND OTHER LONG-TERM ACTIVITIES AT JOHNSTONE PARK, MEADOWVIEW PARK, OAK LEAF PARK, SHEPARD HILLS PARK AND SOUTH HILLS PARK.

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the changes to the Athletic Field Rental Policy to allow games and other long-term ongoing activities to occur at Johnstone Park, Meadowview Park, Oak Leaf Park, Shepard Hills Park, and South Hills Park. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

26. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to take action on the various license requests as listed on the 5/17/22 License Committee Report as follows:

Grant an Operator's license to (favorable background reports received):

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| * Jessie Bush (Kwik Trip) | * Robert F. Albers (Charcoal Grill) |
| * Daniela L. Torres (South Shore Cinema) | * Jacob J. Whalen (BelAir Cantina) |
| * Jaimie L. Williams (Sidetracked) | * Derrick R. Malicki (no employer) |
| * Cameron J. Sikora (Kwik Trip) | * Kristen M. Herwig-Kuzmiuk (Kwik Trip) |
| * Jessica M. Kluck (Kwik Trip) | * Graciana J. Lutzke (Woodland Golf Course) |
| * John C. Lazar (The Waters) | * Augustine Gonzalez (Dairyland) |
| * Scott L. Hojnacki (Pick 'n Save) | * Tanya L. Deptula (Woodman's) |
| * Heather S. Davidson (Kwik Trip) | * Jessica L. Fettig (Legion) |
| * Brittany L. DuFrane (Meijer) | * Roberto Arce (South Shore Cinema) |
| * Michael Coronado (BelAir Cantina) | * Jill M. Young (Meijer) |
| * Michael J. Beuthin (Meijer) | * Dennis W. Thurow (Kwik Trip) |
| * Michael A. Zambrano (Aldi) | * Jody L. Cavanaugh (no employer) |
| * Benjamin R. Karnowski (Kwik Trip) | * Nicole A. Kingery (South Bound Again) |
| * Zachary K. Lewis (Kwik Trip) | * Johnquashia M. Acevedo-Jones (Meijer) |
| * Patricia C. Palacios (Meijer) | * Ramona M. Thumstedter (Meijer) |
| * Christine A. Kiskey (Meijer) | |

Grant a 2022-23 Tobacco License to:

- * Yash Patel, Foresight., Inc., dba Nexus Vape 'n Cigar, 934 E. Rawson Ave.
- * Tajammul Syed, TAS Investment Inc., dba Tobacco Xpress, 7844 S. Howell Ave.
- * Tajammul Syed, TAS Investment Inc., dba Tobacco Xpress, 2345 W. Ryan Rd.

Grant a Temporary "Class B" wine license to Jas Mortenson, Agent for All Saints Lutheran Church-ELCA, 9131 S. Howell Ave., Oak Creek, for their How Great Thou "ART" Art Fair event scheduled for June 10, 2022.

Grant a 2022-23 Amusement Operator and Amusement Devices License(s) to:

- * Jay Jacomet, Red's Novelty Ltd., 1921 S. 74th St., West Allis, WI
- * Steven Murphy, Games Are Us, Inc., 4905 W. Woodlawn Pl., Greenfield, WI
- * Jeff Williamson, Gardner Technical Services, 1415 Johnson St., Janesville, WI
- * Jimmy Brewer, Brewer Amusement Co., LLC, 412 Sparta St., McMinnville, TN
- * Michael Weigel, Wisconsin P & P Amusement, 12565 W. Lisbon Rd., Brookfield, WI
- * Jennifer Hoon, National Entertainment Network, 246 S. Taylor Ave., Louisville, CO
- * Reginald Zeniecki, Reggie's Amusements LLC, 4918 S. Packard Ave., Cudahy, WI

Grant a 2022 Transient Merchant license to Mad City Windows & Bath, 17044 W. Victor Rd., New Berlin, WI, and to the following salespersons:

- * Jonay A. Brantley
- * Erik R. Kobs
- * Michael J. Richards
- * Rodolfo J. Serna

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

27. COUNCIL APPROVES VENDOR SUMMARY.

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the May 11, 2022 Vendor Summary Report in the amount of \$722,087.20. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn the meeting at 9:50 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor