

PROCEEDINGS, COMMON COUNCIL MEETING
SEPTEMBER 6, 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. Loreck, Ald. Duchniak, Ald. Marshall, Ald. Gehl, and Ald. Guzikowski. Ald. Kurkowski was excused.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, Assistant Fire Chief Michael Havey, Utility Engineer Brian Johnston, Fire Chief Michael Kressuk, IT Manager Kevin Koenig, Community Development Director Douglas Seymour, Utility 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. Marshall, moved to approve the minutes of the 8/16/22 meeting. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.
4. **PRESENTED AND ADOPTED: RESOLUTION NO. 12352-090622, RESOLUTION OF COMMENDATION TO ANNA WAARVIK, RETIRING EXECUTIVE FIRE ASSISTANT.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12352-090622, a Resolution of Commendation to Anna M. Waarvik, retiring Executive Fire Assistant. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

5. **PRESENTED AND ADOPTED: RESOLUTION NO. 12353-090622, RESOLUTION OF RECOGNITION OF CURT WITYNSKI AND GAIL SUMI, RETIRING DEPUTY DIRECTOR AND COMMUNICATIONS DIRECTOR OF LEAGUE OF WISCONSIN MUNICIPALITIES.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12353-090622, a Resolution of Recognition of Curt Witynski and Gail Sumi, retiring Deputy Director and Communications Director of the League of Wisconsin Municipalities. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY ANIL YEPURI TO REZONE TO RD-1, TWO-FAMILY RESIDENTIAL AT 9102, 9120, AND 9140 S. 27TH ST.**

A public hearing was held to consider a request submitted by Anil Yepuri to rezone to Rd-1, Two-Family Residential at 9102, 9120, and 9140 S. 27th St. (See Item No. 7 for action on this hearing).

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 3051, APPROVING REZONE OF PROPERTIES AT 9102, 9120, AND 9140 S. 27TH ST., FROM B-4, HIGHWAY BUSINESS AND RS-2, SINGLE-FAMILY RESIDENTIAL TO RD-1, TWO-FAMILY RESIDENTIAL.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3051, approving a rezone of the properties at 9102, 9120, and 9140 S. 27th St., from B-4, Highway Business and Rs-2, Single-Family Residential to Rd-1, Two-Family Residential. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, no.

8. **PRESENTED AND ADOPTED: RESOLUTION NO. 12345-071922, APPROVING CSM SUBMITTED BY ANIL YEPURI FOR PROPERTIES AT 9102, 9120, AND 9140 S. 27TH ST.**

Ald. Gehl, seconded by Ald. Loreck, moved to adopt Resolution No. 12345-071922, approving a Certified Survey Map submitted by Anil Yepuri for the properties at 9102, 9120, and 9140 S. 27th St. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, no.

9. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY ABDUL JAWAD, UNITED AUTO LEASING DBA PRESTIGE MOTORS, REZONING PROPERTY AT 150 W. RYAN RD., FROM B-3, OFFICE & PROFESSIONAL BUSINESS TO B-4, HIGHWAY BUSINESS, WITH CUP FOR VEHICLE SALES (WHOLESALE).**

A public hearing was held to consider a request by Abdul Jawad, United Auto Leasing dba Prestige Motors, to rezone the property at 150 W. Ryan Rd., from B-3, Office & Professional Business to B-4, Highway Business (NO CHANGE to the FW, Floodway or FF, Flood Fringe districts) with a Conditional Use Permit for vehicle sales (wholesale). (See Item No. 10 for action on this hearing).

10. **PRESENTED AND MOTION FAILS: ORDINANCE NO. 3052, REZONING PROPERTY AT 150 W. RYAN RD., FROM B-3, OFFICE & PROFESSIONAL BUSINESS TO B-4, HIGHWAY BUSINESS WITH CUP FOR VEHICLE SALES (WHOLESALE).**

Ald. Loreck moved to adopt Ordinance No. 3052, rezoning the property at 150 W. Ryan Rd., from B-3, Office & Professional Business to B-4, Highway Business (NO CHANGE to the FW, Floodway or FF, Flood Fringe Districts) with a Conditional Use Permit for vehicle sales (Wholesale).

After receiving no second, the motion failed.

Ald. Gehl, seconded by Ald. Guzikowski, moved to deny the zoning change request and Conditional Use Permit based on the applicants failure to meet the requirements of the Oak Creek Zoning Code as spelled out in the Council Report, its negative impacts on the neighborhood, and lack of economic development potential. On roll call, the vote was as follows: Ald. Loreck, no; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **ANNUAL TID REVIEW PRESENTATION.**

Maxwell Gagin, Assistant City Administrator/Comptroller, provided the Common Council with an annual TID review presentation.

12. **COUNCIL AWARDS CONSTRUCTION SERVICES CONTRACT FOR FS 3 DORM REMODEL PROJECT TO J.H. HASSINGER, INC., FOR FEE OF \$196,544.**

Ald. Gehl, seconded by Ald. Marshall, moved to award the construction services contract for Fire Station 3 Dorm Remodel project to J.H. Hassinger, Inc., for a fee of \$196,544 (Project No. 22009). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **COUNCIL APPROVES PROJECT AWARD FOR S. HOWELL AVE. WATER RELAY TO A.W. OAKES AND SON IN AMOUNT OF \$2,474,645, AMENDS 2022 CAPITAL IMPROVEMENT BUDGET BY \$850,000.**

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the project award for the S. Howell Ave. Water Relay to A.W. Oakes and Son in the amount of \$2,474,645, and to amend the 2022 Capital Improvement budget by \$850,000. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 12354-090622, APPROVING T-MOBILE FIRST AMENDMENT TO SYCAMORE WATER TOWER AGREEMENT.**

Ald. Loreck, seconded by Ald. Duchniak, moved to adopt Resolution No. 12354-090622, approving the T-Mobile First Amendment to the Sycamore Water Tower Agreement (Tax Key No. 715-0169-000). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **LICENSE COMMITTEE.**

Ald. Duchniak, seconded by Ald. Loreck, moved to grant the various license requests as listed on the 9/6/22 License Committee Report.

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

- | | |
|--|---|
| * Alexzandro C. Ortiz (Kwik Trip) | * Makayla A. Chambliss (Buffalo Wild Wings) |
| * Eleanor V. Bomberg (Walgreens) | * Amarri G. Watson (Kwik Trip) |
| * Noah C. Leflore (South Shore Cinema) | * Susan M. Kobs (Community Center) |
| * Mohammad Husson (Mobil) | |

Grant a Temporary Class B Beer license to Roland Komorowski, Agent, St. Matthew Parish, 8303 S. Chicago Rd., for a Feast Day Picnic scheduled for September 11, 2022.

Grant a Temporary Class B Wine license to Roland Komorowski, Agent, St. Matthew Parish, 8303 S. Chicago Rd., for a Wine Tasting event scheduled for October 15, 2022.

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

16. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Marshall, seconded by Ald. Loreck, moved to approve the August 30, 2022 Vendor Summary Report in the amount of \$955,415.19. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:55 p.m., pursuant to Wisconsin State Statutes, Section 19.85(1)(e) to discuss the following:

- (a) Consider a Purchase and Sale Agreement between the City of Oak Creek and Ryan Business Park, LLC for the property located at 9514 South 13th Street.
- (b) Consider a possible bid for the purchase of state-owned surplus land located at 6706 South 27th Street.

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

18. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 9:29 p.m. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **COUNCIL APPROVES PURCHASE AND SALE AGREEMENT BETWEEN CITY AND RYAN BUSINESS PARK, LLC FOR PROPERTY LOCATED AT 9514 S. 13TH ST.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the Purchase and Sale Agreement between the City of Oak Creek and Ryan Business Park, LLC for the property located at 9514 South 13th Street and to authorize the Mayor to sign and the City Clerk to attest in executing the agreement and authorizing modifications to the agreement as may be necessary while maintaining the general intent that are approved by the City Administrator and City Attorney. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

COUNCIL AUTHORIZES UTILITY MANAGER TO SUBMIT BID FOR PURCHASE OF STATE-OWNED SURPLUS LAND LOCATED AT 6706 S. 27TH STREET AT AMOUNT NOT TO EXCEED \$75,000.

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the Utility Manager to submit a bid for purchase of state-owned surplus land located at 6706 South 27th Street, in an amount not to exceed \$75,000. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Marshall, seconded by Ald. Loreck, moved to adjourn the meeting at 9:31 p.m. On roll call, the vote was as follows: 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

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ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor