PROCEEDINGS, COMMON COUNCIL MEETING APRIL 3, 2023, 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. Duchniak, Ald. Gehl, and Ald. Guzikowski. Ald. Loreck and Ald. Marshall were excused.

Also present were City Attorney Melissa Karls, Public Health Officer Darcy DuBois, Communications Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, Assistant Fire Chief Michael Havey, Fire Lieutenant Eric Herr, City Treasurer Sara Kawczynski, IT Manager Thomas Kramer, Fire Chief Michael Kressuk, City Assessor Martin Kuehn, Community Development Director Douglas Seymour, 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. Guzikowski, moved to approve the minutes of the 3/21/23 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.
- 4. PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 23-02 TO SCOTT C. KOENIG FOR DEDICATED SERVICE AS MEMBER OF POLICE & FIRE COMMISSION.

Ald. Duchniak, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 23-02 to Scott C. Koenig for dedicated service to the City of Oak Creek as a member of the Police & Fire Commission. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

5. MAYORAL PROCLAMATION: NATIONAL PUBLIC HEALTH WEEK, APRIL 3-9, 2023.

The Mayoral Proclamation for National Public Health Week, April 3-9, 2023, was informational.

6. MAYORAL PROCLAMATION: ARBOR DAY, APRIL 28, 2023.

The Mayoral Proclamation for Arbor Day, April 28, 2023, was informational.

7. PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENTS TO ARTICLES 3, 4, 5, 6, 7, AND 10 OF CHAPTER 17 OF MUNICIPAL CODE (ZONING AND SIGN ORDINANCE).

A public hearing was held to consider proposed amendments to Articles 3, 4, 5, 6, 7, and 10 of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance) (See Item No. 8 for action on this hearing).

8. PRESENTED AND ADOPTED: ORDINANCE NO. 3065, AMENDING TABLE 17.0304(C) AND SECTIONS 17.1013(J) THROUGH 17.1013(Y) IN CHAPTER 17 – ZONING AND SIGN CODE OF MUNICIPAL CODE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3065, amending Table 17.0304(c) and Sections 17.1013(j) through 17.1013(y) in Chapter 17 – Zoning and Sign Code of the Municipal Code. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY JULIA MARIE RAGALIE, MOSTLY HARMLESS INC., FOR CUP FOR TATTOO/BODY PIERCING/BODY ART STUDIO ON PORTION OF PROPERTY AT 8632 S. MARKET PL.

A public hearing was held to consider a request submitted by Julia Marie Ragalie, Mostly Harmless Inc., for a Conditional Use Permit for tattoo/body piercing/body art studio on a portion of the property at 8632 S. Market Pl. (See Item No. 10 for action on this hearing).

10. PRESENTED AND ADOPTED: ORDINANCE NO. 3066, APPROVING CUP FOR TATTOO STUDIO AT 8632 S. MARKET PL.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3066, approving a Conditional Use Permit for a tattoo studio on the property at 8632 S. Market Pl. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY KRISTEN PARKS, ST. JOHN PROPERTIES, INC., TO REZONE PROPERTY AT 140 E. RAWSON AVE. FROM M-1, MANUFACTURING TO B-4, GENERAL BUSINESS (NO CHANGE TO APPROVED CUPS).

A public hearing was held to consider a request submitted by Kristen Parks, St. John Properties, Inc., to rezone the property at 140 E. Rawson Ave., from M-1, Manufacturing to B-4, General Business (NO CHANGE to approved Conditional Use Permits) (See Item No. 12 for action on this hearing).

12. PRESENTED AND ADOPTED: ORDINANCE NO. 3067, REZONING PROPERTY AT 140 E. RAWSON AVE., FROM M-1, MANUFACTURING TO B-4, GENERAL BUSINESS (NO CHANGE TO APPROVED CUPS).

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Ordinance No. 3067, rezoning the property at 140 E. Rawson Ave. from M-1, Manufacturing to B-4, General Business (NO CHANGE to approved Conditional Use Permits). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY FAHIM AJMERI, 8950 LLC, TO REZONE PROPERTY AT 8950 S. 27TH ST., FROM B-2, COMMUNITY BUSINESS TO B-4, GENERAL BUSINESS (NO CHANGE TO FF, FLOOD FRINGE DISTRICT) WITH CUP FOR VEHICLE RENTALS (MOVING VEHICLES ONLY).

A public hearing was held to consider a request submitted by Fahim Ajmeri, 8950 LLC, to rezone the property at 8950 S. 27th St. from B-2, Community Business to B-4, General Business (NO CHANGE to the FF Flood Fringe district) with a Conditional Use Permit for vehicle rentals (moving vehicles only) (See Item No. 14 for action on this hearing).

14. PRESENTED AND DENIED: ORDINANCE NO. 3068, REZONING Property AT 8950 S. 27TH ST. FROM B-2, COMMUNITY BUSINESS TO B-4, GENERAL BUSINESS (NO CHANGE TO FF, FLOOD FRINGE DISTRICT) WITH A CUP FOR VEHICLE RENTALS.

Ald. Gehl, seconded by Ald. Kurkowski, moved to deny Ordinance No. 3068, rezoning the property at 8950 S. 27th St., from B-2, Community Business to B-4, General Business (NO CHANGE to the FF, Flood Fringe district) and deny a Conditional Use Permit for vehicle rentals due to the fact that the establishment in the Conditional Use will impede the normal orderly development and improvement of the surrounding property if the use is permitted in the district. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, no.

15. INFORMATIONAL: 2023 ANNUAL ASSESSMENT REVALUATION.

City Treasurer Sara Kawczynski advised the Council that as outlined in the 2022 Tyler Technologies Successor Agreement, a Community Education Plan has been started. Part of the Community Education plan involved an overhaul of the City's Assessor webpage, including more information and tools for taxpayers, including a video entitled, "What is an Assessor".

Tyler Technologies Regional Director Mark Link and City Assessor Martin Kuehn presented the Council with information regarding the 2023 Annual Assessment Revaluation and to provide the Council with trends for values.

16. PRESENTED AND ADOPTED: RESOLUTION NO. 12400-040323, APPROVING WI STATE-LOCAL GOVERNMENT MOU FOR ALLOCATION OF OPIOID SETTLEMENT PROCEEDS AND ADDENDUM TO WI LOCAL GOVERNMENT REGARDING IN RE: OPIOID LITIGATION, MDL 2804, PENDING IN US DISTRICT COURT FOR NORTHERN DISTRICT OF OHIO.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12400-040323, approving the Wisconsin State-Local Government Memorandum of Understanding for the Allocation of Opioid Settlement Proceeds and the Addendum to Wisconsin Local Government regarding *In re: Opioid Litigation*, MDL 2804, pending in the United States District Court for the Northern District of Ohio. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. PRESENTED AND ADOPTED: RESOLUTION NO. 12401-040323, APPROVING CSM SUBMITTED BY MATTHEW MEHRING, ANDERSON ASHTON, FOR PROPERTIES AT 6340, 6448, AND 6460 S. HOWELL AVE. AND 239 AND 325 E. COLLEGE AVE.

Ald. Guzikowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12401-040323, approving a Certified Survey Map, submitted by Matthew Mehring, Anderson Ashton, for the properties at 6340, 6448, and 6460 S. Howell Ave., and 239 and 325 E. College Ave. On roll call, the vote was as follows: Ald. Kurkowski, no; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. COUNCIL APPROVES EXECUTION OF PURCHASE CONTRACT WITH RELIANT FIRE APPARATUS, INC., FOR PURCHASE OF PIERCE 100' AERIAL TOWER IN AMOUNT OF \$1,947,398.

Ald. Guzikowski, seconded by Ald. Kurkowski, moved to approve the execution of a purchase contract with Reliant Fire Apparatus, Inc., for the purchase of a Pierce 100' Aerial Tower in the amount of \$1,947,398 (Project No. 23009). (Purchase amount listed on the agenda as \$1,947,348 was corrected prior to motion and roll call). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. COUNCIL APPROVES EXECUTION OF PURCHASE CONTRACT WITH RELIANT FIRE APPARATUS, INC., FOR PURCHASE OF PIERCE PUMPER IN AMOUNT OF \$1,004,760.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to approve the execution of a purchase contract with Reliant Fire Apparatus, Inc., for the purchase of a Pierce Pumper in the amount of \$1,004,760 (Project No. 23012). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. COUNCIL AWARDS PRIVATE PROPERTY INFILTRATION & INFLOW (PPI/I) ROWAN ESTATES LATERAL INSPECTION UNIT PRICE CONTRACT TO NORTHERN PIPE, INC., AT ESTIMATED COST OF \$22,777.

Ald. Gehl, seconded by Ald. Guzikowski, moved to award the Private Property Infiltration & Inflow (PPI/I) Rowan Estates Lateral Inspection unit price contract to Northern Pipe, Inc., at the estimated cost of \$22,777 (Project No. 22007). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. PRESENTED AND ADOPTED: RESOLUTION NO. 12398-040323, ACCEPTING WORKMANSHIP OF WIL-SURGE ELECTRIC, INC., AUTHORIZING FINAL CONTRACT PAYMENT UNDER PROJECT NO. 22005.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12398-040323, accepting the workmanship of Wil-Surge Electric, Inc., and authorizing final contract payment under Project No. 22005. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. PRESENTED AND ADOPTED: RESOLUTION NO. 12399-040323, ACCEPTING WORKMANSHIP OF CORNERSTONE PAVERS, LLC, AUTHORIZING FINAL CONTRACT PAYMENT UNDER PROJECT NO. 17006.

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12399-040323, accepting workmanship of Cornerstone Pavers, LLC, and authorizing final contract payment under Project No. 17006. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 4/3/23 License Committee Report.

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

- * Thomas G. Kasper (Woodland Golf)
- * Natalie Duran (BelAir Cantina)
- * Jonathin R. Kannegresser (Kwik Trip)
- * Joshua J. Garacci (Kwik Trip)
- * Louis J. Sexton (Gastrau's Golf)
- * Anjanette Krug (Woodland Golf)
- * Megan K. Hayden (Target)

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

24. COUNCIL APPROVES VENDOR SUMMARY.

Ald. Kurkowski, seconded by Ald. Guzikowski, moved to approve the March 26, 2023 Vendor Summary Report in the amount of \$563,306.57. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Duchniak, seconded by Ald. Kurkowski, moved to adjourn the meeting at 9:04 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:		
Catherine A. Roeske, City Clerk	Daniel J. Bukiewicz, Mayor	

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Ald. Guzikowski, seconded by Ald. Kurkowski, moved to approve the execution of a purchase contract with Reliant Fire Apparatus, Inc., for the purchase of a Pierce 100' Aerial Tower in the amount of \$1,947,398 (Project No. 23009). (Purchase amount listed on the agenda as \$1,947,348 was corrected prior to motion and roll call). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

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Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12398-040323, accepting the workmanship of Wil-Surge Electric, Inc., and authorizing final contract payment under Project No. 22005. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

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Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12399-040323, accepting workmanship of Cornerstone Pavers, LLC, and authorizing final contract payment under Project No. 17006. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Duchniak, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. LICENSE COMMITTEE.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 4/3/23 License Committee Report.

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- * Thomas G. Kasper (Woodland Golf)
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ATTEST:		
Catherine A. Roeske, City Clerk	Daniel J. Bukiewicz, Mayor	