

PROCEEDINGS, COMMON COUNCIL MEETING
JULY 18, 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. Loreck, Ald. Ruetz, Ald. Marshall, Ald. Gehl, and Ald. Guzikowski. Ald. Kurkowski was excused.

Also present were City Attorney Melissa Karls, Communication Coordinator Leslie Flynn, Assistant City Administrator / Comptroller Maxwell Gagin, IT Manager Thomas Kramer, Sr. Planner Kari Papelbon, 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. Loreck, seconded by Ald. Ruetz, moved to approve the 6/6/23 minutes. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, present; and Ald. Guzikowski, aye. Ald. Gehl abstained from voting.
4. Ald. Loreck, seconded by Ald. Ruetz, moved to approve the 6/20/23 minutes. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, present; Ald. Gehl, aye; and Ald. Guzikowski, aye.

5. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION NO. 23-04, CONGRATULATIONS TO SHANDRA CAVENEY, 2022 OAK CREEK CITIZEN OF THE YEAR.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adopt Council Proclamation No. 23-04, Congratulations to Shanda Caveney, 2022 Oak Creek Citizen of the Year. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

6. **MAYORAL PROCLAMATION: NATIONAL FARMERS MARKET WEEK, AUGUST 7-13, 2023.**

The Mayoral Proclamation for National Farmers Market Week, August 7-13, 2023, was informational.

7. **PUBLIC HEARING HELD TO CONSIDER PROPOSED AMENDMENTS TO TABLES 17.0304(B) AND 17.0304(C); SECTIONS 17.0403(D) AND (E); SECTIONS 17.0414(B), (D), AND (U); SECTION 17.0505; SECTION 17.0507(A)(5); SECTIONS 17.0604(B)(6) AND (C)(6); SECTIONS 17.0605(A) AND (E); SECTIONS 17.1001(D) AND (G); AND SECTION 17.1004(B) OF CHAPTER 17 – ZONING AND SIGN ORDINANCE OF MUNICIPAL CODE.**

A public hearing was held to consider proposed amendments to Tables 17.0304(b) and 17.0304(c); Sections 17.0403(d) and (e); Sections 17.0414(b), (d), and (u); Section 17.0505; Section 17.0507(a)(5); Sections 17.0604(b)(6) and (c)(6); Sections 17.0605(a) and (e); Sections 17.1001(d) and (g); and Section 17.1004(b) of Chapter 17 – Zoning And Sign Ordinance of the Municipal Code. (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 3077, AMENDING TABLES 17.0304(B) AND 17.0304(C); SECTIONS 17.0403(D) AND (E); SECTIONS 17.0414(B), (D), AND (U); SECTION 17.0505; SECTION 17.0507(A)(5); SECTIONS 17.0604(B)(6) AND (C)(6); SECTIONS 17.0605(A) AND (E); SECTIONS 17.1001(D) AND (G); AND SECTION 17.1004(B) OF CHAPTER 17 OF MUNICIPAL CODE.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3077, amending Tables 17.0304(b) and 17.0304(c); Sections 17.0403(d) and (e); Sections 17.0414(b), (d), and (u); Section 17.0505; Section 17.0507(a)(5); Sections 17.0604(b)(6) and (c)(6); Sections 17.0605(a) and (e); Sections 17.1001(d) and (g); and Section 17.1004(b) of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL BY HILLSIDE COFFEE HOUSE AND CITY TO AMEND OFFICIAL MAP FOR PORTION OF PART OF NW ¼ OF SECTION 28 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING PROPERTIES AT 225 AND 237 E. RYAN RD.**

A public hearing was held to consider proposal by Hillside Coffee House and the City of Oak Creek to amend the Official Map for a portion of the part of the northwest ¼ of Section 28 (mapped, unimproved right-of-way affecting the properties at 225 and 237 E. Ryan Rd.). (See Item No. 10 for action on this hearing).

10. **PRESENTED AND ADOPTED: ORDINANCE NO. 3078, AMENDING OFFICIAL MAP FOR PORTION OF NW ¼ OF SECTION 28 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING PROPERTIES AT 225 AND 237 E. RYAN RD.).**

Ald. Ruetz, seconded by Ald. Loreck, moved to adopt Ordinance No. 3078, amending the Official Map for a portion of the northwest ¼ of Section 28 (mapped, unimproved right-of-way affecting the properties at 225 and 237 E. Ryan Rd.). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **COUNCIL APPROVES PLAN OF FINANCE FOR \$16,220,000 GORB, SERIES 2023D.**

Ald. Marshall, seconded by Ald. Gehl, moved to approve the Plan of Finance for the \$16,220,000 General Obligation Refunding Bonds, Series 2023D. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 12418-071823, AUTHORIZING ISSUANCE AND ESTABLISHING PARAMETERS FOR SALE OF NOT TO EXCEED \$16,220,000 GORB, SERIES 2023D.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12418-071823, a Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$16,220,000 General Obligation Refunding Bonds, Series 2023D. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; and Ald. Guzikowski, aye. Ald. Gehl abstained from voting.

13. **COUNCIL APPROVES ELECTRONIC POLL BOOKS (BADGER BOOKS) FROM PARAGON DEVELOPMENT SERVICES IN AMOUNT OF \$57,730.65.**

Ald. Gehl, seconded by Ald. Marshall, moved to approve the purchase of electronic poll books (Badger Books) from Paragon Development Services in the amount of \$57,730.65. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 12421-071823, APPROVING CONDOMINIUM PLAT FOR ROYAL ESTATES CONDOMINIUM FOR PROPERTIES AT 9102, 9120, AND 9140 S. 27TH ST.**

Ald. Guzikowski, seconded by Ald. Ruetz, moved to adopt Resolution No. 12421-071823, approving the Condominium Plat for the Royal Estates Condominium for the property at 9102, 9120, and 9140 S. 27th St. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **COUNCIL APPROVES WAIVER OF ROAD AND HIGHWAY RESERVATION AFFECTING PROPERTIES AT 9102, 9120, AND 9140 S. 27TH ST.**

Ald. Guzikowski, seconded by Ald. Marshall, moved to approve the Waiver of Road and Highway Reservation affecting the properties at 9102, 9120, and 9140 S. 27th St. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **PRESENTED AND ADOPTED: RESOLUTION NO. 12422-071823, APPROVING CSM SUBMITTED BY MATIAS CHAPA AND NICOLE ROLEFSON & BERNIE AND CAROL WIEDE FOR PROPERTIES AT 9709 S. HOWELL AVE. AND 9676 S. FOX RUN.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12422-071823, approving a Certified Survey Map submitted by Matias Chapa and Nicole Rolefson & Bernie and Carol Wiede for the properties at 9709 S. Howell Ave. and 9676 S. Fox Run. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. **PRESENTED AND ADOPTED: RESOLUTION NO. 12419-071823, APPROVING HEYDAY OAK CREEK DEVELOPMENT AGREEMENT WITH CR OAK CREEK LAND, LLC FOR DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR DEVELOPMENT LOCATED AT 2231 W. PUETZ RD.**

Ald. Guzikowski, seconded by Ald. Gehl, moved to adopt Resolution No. 12419-071823, approving the Heyday Oak Creek Development Agreement with CR OAK CREEK LAND, LLC for the design and construction of public improvements for the development located at 2231 W. Puetz Rd. (Tax Key No. 857-9014) (Project Nos. 23050 and 23051). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 124210-071823, APPROVING SWMP MAINTENANCE AGREEMENT WITH CR OAK CREEK LAND, LLC FOR HEYDAY OAK CREEK DEVELOPMENT LOCATED AT 2231 W. PUETZ RD.**

Ald. Guzikowski, seconded by Ald. Marshall, moved to adopt Resolution No. 12420-071823, approving a Storm Water Management Practices Maintenance Agreement with CR OAK CREEK LAND, LLC, for the Heyday Oak Creek Development located at 2231 W. Puetz Rd. (Tax Key No. 857-9014). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 12423-071823, APPROVING THE LEARNING EXPERIENCE AT OAK CREEK DEVELOPMENT AGREEMENT WITH OAK CREEK FOREST HILL LLC FOR THE DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR DEVELOPMENT LOCATED AT 150 W. FOREST HILL AVE.**

Ald. Loreck, seconded by Ald. Ruetz, moved to adopt Resolution No. 12423-071823, approving The Learning Experience at Oak Creek Development Agreement with Oak Creek Forest Hill, LLC for the design and construction of public improvements for the development located at 150 W. Forest Hill Ave. (Tax Key No. 813-9066, 813-9067, 813-9068) (Project No. 23052). On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. **LICENSE COMMITTEE.**

Ald. Gehl, seconded by Ald. Ruetz, moved to grant the various license requests as listed on the 7/18/23 License Committee Report.

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| * Ashleigh A. Wenzel (Kwik Trip) | * Diane M. Schneider Brockman (Kwik Trip) |
| * Alisha M. Fox (Gastrau's Golf) | * Anastacia Kirkpatrick (Kwik Trip) |
| * Patrick A. Lindsay (South Shore Cinema) | * John H. Ameigh (BelAir Cantina) |
| * Elizabeth R. Black (Classic Lanes) | * Zachary A. Nath (Kwik Trip) |
| * Elizabeth J. Wheeler (Pick 'n Save) | * Alexander W. Metzger (South Shore Cinema) |
| * Mya A. Fluker (Meijer Gas) | * Elena E. Walden (South Shore Cinema) |
| * Isaiah L. Robinson (Meijer Gas) | * Maxwell N. O'Shasky (BelAir Cantina) |

Grant a Change of Agent on the Class B Combination alcohol license issued to Wisconsin Apple LLC dba Applebee's, 7135 S. 13th St., from Khaled Zeidan to Colin Pluta.

Grant a 2023-24 Class B Combination alcohol license to SBG Apple North XI, LLC dba Applebee's Neighborhood Grill & Bar, 7135 S. 13th St., Casimir J. Banaszek, Agent, with release of license subject to final sale of business, receipt of fees due, departmental approvals and issuance of Occupancy Permit.

Grant a Temporary "Class B" Wine license to Jas Mortenson, Agent for All Saints Lutheran Church – ELCA, 9131 S. Howell Ave., for the How Great Thou "ART" Art Fair scheduled for September 23, 2023.

Grant a Temporary Class "B" Beer license to Mark Zapp, Agent for St. Matthew Parish, 9303 S. Chicago Rd., for Fish Boils scheduled on 10/13/23, 3/22/24 and 5/17/24.

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

21. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to approve the June 28, 2023 Vendor Summary Report in the amount of \$1,009,993.29. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the July 12, 2023 Vendor Summary Report in the amount of \$837,119.59. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **PRESENTED AND ADOPTED: RESOLUTION NO. 12417-071823, AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12417-071823, authorizing payment of bills, debts and obligations. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Loreck, seconded by Ald. Ruetz, moved to adjourn the meeting at 8:36 p.m. On roll call, the vote was as follows: Ald. Loreck, aye; Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor