



PLAN COMMISSION

July 9, 2024
6:00 P.M.

Common Council Chambers

8040 S. 6th St.
Oak Creek, WI 53154
(414) 766-7000

Daniel Bukiewicz - Chair
Chaucey Chandler
Donald Oldani
Chris Guzikowski
Ashley Kiepczynski
Gregory Loreck
Fred Siepert
Christine Hanna
Vacant
Matt Sullivan – ex-officio
Melanie Perez – ex-officio

The City's Vision

Oak Creek: A dynamic regional leader driving the future of the south shore.

Find more information on agenda items at [oakcreek.zoninghub.com](https://www.oakcreekwi.org/zoninghub.com).

1. Call Meeting to Order
2. Roll Call
3. Approval of Minutes – June 25, 2024
4. Review and Discuss Report on Recent Common Council Actions – NONE
5. Review and Discuss Report on Recent Board of Housing and Zoning Appeals Actions – NONE
6. Review and Discuss Report on Recent Quarterly Parks & Recreation Commission Actions – Next Report July 23, 2024
7. New Business
 - a. ZONING TEXT AMENDMENT – Review a proposed amendment to Table. 17.0304(c), Nonresidential District Permitted and Conditional Uses to allow retail/small-scale warehouse as a Conditional Use in the Lm-1, Light Manufacturing district.
More info at ZoningHub: <https://s.zoninghub.com/YJTJ9Z57FI>
 - b. CERTIFIED SURVEY MAP - Review a request submitted by Caitlin LaJoie, Briohn Building Corp., to combine the properties at 1901 and 1941 E. Rawson Ave. (Tax Key No. 768-9015-000 & 768-9014-000; 1st Aldermanic District).
More info at ZoningHub: <https://s.zoninghub.com/WFO3GZ1UQ1>

Announcements & Adjournment.

Dated this 2nd day of July, 2024
Posted 7/2/24 AA

Public Notice

Visit our website at www.oakcreekwi.org for the agenda and accompanying Plan Commission reports.

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 766-7000, by fax at 766-7976, or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6th Street, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



PLAN COMMISSION REPORT

Proposal: Zoning Text Amendment – Retail and Warehouse Facilities in the Lm-1, Light Manufacturing zoning district

Description: Review a proposal for an amendment to Table 17.0304(c) of Chapter 17 – Zoning and Sign Ordinance related to the permitted and conditional uses to allow retail and small-scale warehousing.

Applicant(s): Caitlin LaJoie, Briohn Building Corporation, on behalf of Graff Faucets Co.

Address(es): N/A

Suggested Motion: That the Plan Commission recommends to the Common Council that Table 17.0304(c) of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code be amended to allow General Retail, less than 50,000 sq ft and Warehouse, Storage, Less than 200,000 sq ft as Conditional Uses in the Lm-1, Light Manufacturing District as proposed after a public hearing.

Owner(s): N/A

Tax Key(s): N/A

Lot Size(s): N/A

Current Zoning District(s):

Overlay District(s): N/A

Wetlands: Yes No

Floodplain: Yes No

Comprehensive Plan: N/A

Background:

A request was submitted to consider amending the Permitted and Conditional Uses Table in Section 17.0304(c), allowing retail and small-scale warehousing in the Lm-1, Light Manufacturing district. Currently, General Retail, less than 50,000 sq ft and Warehouse, Storage, Less than 200,000 sq ft uses are not allowed in the Lm-1, Light Manufacturing district. Staff are proposing that both be allowed as Conditional Uses. The request is in anticipation for future development within the Lm-1 district.

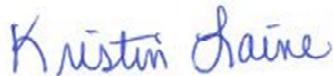
As stated in the City of Oak Creek’s Zoning Code, the purpose of the Lm-1, Light Manufacturing District is to “allow for a mix of low-impact manufacturing, industrial, wholesaling, limited warehousing, research and development, engineering and testing, and related service facilities and uses which occur within enclosed buildings, and which will not have an adverse effect upon the district in which the use is located.” Staff recognize that General Retail, less than 50,000 sq ft and Warehouse, Storage, Less than 200,000 sq ft as Conditional Uses would not negatively impact or change the overall purpose of the Zoning District.

If the Plan Commission determines that the proposed amendments to the Zoning Code as presented are appropriate, a motion recommending Common Council approval has been provided for consideration.

Options/Alternatives: The Plan Commission has the discretion to approve or disapprove of the proposed updates to Chapter 17. Approval would include recommendation of adoption by the Common Council at a public hearing. Disapproval would delay the consideration for adoption and require additional meetings to discuss revisions to address concerns.

Respectfully submitted:

Prepared:



Kristi Laine
Community Development Director

Melanie Pérez
Planner

Attachments:

Exhibit A - Proposed Table 17.0304(c) (4 Pages)

EXHIBIT A:

SECTION 1: Table 17.0304(c) is hereby amended to read as follows:

Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts											
Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Agricultural Uses											
Agritourism Related Uses		C									
Aquaculture		P									
Garden Plots for Rent		P								C	
General Farm Structures		P									
General Farming		P									
Keeping and Raising of Domestic Stock, Commercial	17.0402(a)	P									
Plant Nursery / Greenhouse		P		C	C	C		C	C		C
Solar Energy Collection System, Farm		P							C		
Residential Uses											
Dwelling, Multifamily Above Ground Floor			P	C		P	P				
Dwelling, Single-Family Attached											
Dwelling, Single-Family Detached	17.0403(e)	P									
Recreational Uses											
Art Gallery / Museum			P	C		P	P			C	
Boat Mooring and Rental / Marina											C
Campground		C									C
Family Entertainment Center / Indoor Commercial Amusement / Fun Center							C				
Golf Course											C
Golf Course, Miniature						C	C				C
Health, Athletic, or Recreation Facility, Indoor			C	C	C	P	P	C	C	P	C
Health, Athletic, or Recreation Facility, Outdoor						C	C		C	P	C
Parks and Playgrounds, Private		C	C	C	C	C	C			C	C
Parks and Playgrounds, Public		P	P	P	P	P	P			P	P
Shooting / Archery Range, Indoor						P	P	C	C		
Shooting / Archery Range, Outdoor						C	C				
Retail Uses											
Adult Entertainment	17.0405(a)								P		
General Retail, less than 50,000 sq ft			P	C		P	P	C			
General Retail, 50,000 sq ft - 100,000 sq ft			P			P	P				
General Retail, more than 100,000 sq ft			C			C	P				
Grocery Store			C	C		P	P				
Multitenant Shopping Center			P	C		P	P				
Neighborhood Retail	17.0405(d)			P							
Outlot Retail Building	17.0405(e)		P			P	P				

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Wholesale						C	P				
Service Uses											
Animal Training / Therapy						C		C	C		
Animal Daycare / Recreation						C		C	C		
Bank / Financial Institution			P	C	P	P	P				
Funeral Parlor with Cremation Services						C			C		
Funeral Parlor without Cremation Services						P					
Day Care Center			P	C	P	P	P			C	
General Service			P	C	P	P	P				
Kennel / Boarding Facility / Shelter	17.0406(a)					C		C	C		
Neighborhood Service	17.0406(b)			P	C						
Private Emergency Service						C		C	C		
Self Service Laundry / Dry Cleaner						P	P				
Tattoo, Body Piercing, and Body Art Studios				C		C					
Veterinary Clinic / Animal Hospital	17.0406(c)					C		C	C		
Lodging Uses											
Hotel			P			P	P				
Hotel, Extended Stay			C			C	C				
Motel			C			C	C				
Eating and Drinking Uses											
Drinking Establishment			C			C	C				
Café	17.0408(a)		P	P	P	P	P				
Mobile Retail Food Establishment / Food Truck Park	17.0408(b)		P	P	P	P	P				
Microbrewery / Winery / Distillery			P			P	P	C	P		
Restaurant, Delivery / Carry Out Only			P	C		P	P				
Restaurant, Fast Casual			P	C		P	P				
Restaurant, Sit Down			P	C		P	P				
Tasting Room, Brewery, Winery, Distillery			P			P	P	P	P		
Vehicle Related Uses											
Autobody / Automotive Mechanical Repair						C	C	C	C		
Car Wash						C	C				
Electric Vehicle Charging Stations			P	P	P	P	P	P	P		
Equipment Sales and Rental	17.0414(l)	C						C	C		
Fuel Sales	17.0409(a)					C	C				
Fueling Plaza	17.0409(a)					C	C				
Service Station						C	C				
Vehicle Sales and Rental	17.0414(l)					C	C	C	C		
Office Uses											

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Office, General				C	P	P	P	P	P		
Office, Above Ground Floor			P		P	P	P				
Office, Medical / Dental			P		P	P	P				
Industrial Uses											
Brewery / Winery / Distillery								P	P		
Contractor's Shop / Office									C		
Contractor's Yard	17.0414(m)								C		
Laboratory								P	P		
Manufacturing, Artisan	17.0411(a)		C			C	C	P	P		
Manufacturing, Heavy									C		
Manufacturing, Light								P	P		
Motor Freight Terminal									C		
Research and Development Facilities						C		C	C		
Self Storage								C	P		
Warehouse, Distribution, Less than 200,000 sq ft									P		
Warehouse, Distribution, 200,000 sq ft or Greater									C		
Warehouse, Storage, Less than 200,000 sq ft								<u>C</u>	P		
Warehouse, Storage, 200,000 sq ft or Greater									C		
Medical Uses											
Hospital			C		C	C	C		C	P	
Acute Care Center			C		C	C	C		C	P	
Medical Diagnostic Facility / Laboratory				C		P	P				
Public / Institutional Uses											
College / University							P	P	P	P	
Essential Service		P	P	P	P	P	P	P	P	P	P
Governmental Use, Indoor		P	P	P	P	P	P	P	P	P	P
Governmental Use, Outdoor		C	C	C	C	C	C	C	C	C	C
Place of Assembly				P		P	P	P	C	P	P
Religious Institution		P								P	P
School, Private		C								C	C
School, Public		P								P	P
Vocational / Employment Training		C					P	P	P	P	
Utility, Minor		P	P	P	P	P	P	P	P	P	P
Utility, Major		C	C	C	C	C	C	C	C	C	C
Telecommunications Towers	17.0413(a)	C	C	C	C	C	C	C	C	C	C
Accessory Uses											
Accessory, Building	17.0414(a)	P	P	P	P	P	P	P	P	P	P
Accessory, Retail	17.0414(c)							C	C		

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Accessory, Structure	17.0414(d)	P	P	P	P	P	P	P	P	P	P
Donation Drop Box	17.0414(f)									P	
Drive Through	17.0414(g)					C	C				
Home Occupation	17.0414(h)	P	P	P		P	P				
Outdoor Activity / Operation, Permanent	17.0414(j)					C		C	C	C	
Outdoor Dining	17.0414(k)		P	P		P	P				
Outdoor Display / Sale of Merchandise, Permanent	17.0414(l)				C	C					
Outdoor Storage, Permanent	17.0414(m)					C		C	C	C	C
Roadside Stand	17.0414(n)	P									
Solar Energy Collection System, Canopy	17.0414(o)		P			P	P	P	P	P	P
Solar Energy Collection System, Ground Mounted	17.0414(p)	P	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, Roof Mounted	17.0414(q)	P	P	P	P	P	P	P	P	P	P
Truck and Trailer Parking	17.0505							C	C		
Temporary Uses											
Carnival		T	T	T		T		T	T	T	T
Circus / Animal Show		T	T	T		T		T	T	T	T
Seasonal Sales	17.0415(b)		T	T		T		T	T		
Construction Related		T	T	T	T	T	T	T	T	T	T
Farmers Market			T	T		T	T	T	T	T	T
Flea Market											
Mobile Retail Food Establishment / Food Truck	17.0415(c)		T	T	T	T	T	T	T	T	T
Outdoor Activity / Operation, Temporary			T	T	T	T		T	T	T	
Outdoor Display / Sale of Merchandise, Temporary	17.0415(d)		T	T		T		T	T	T	
Truck and Trailer Parking								T	T		

SECTION 2: If any section, clause, provision or any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this section shall not be affected thereby.

SECTION 3: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.



PLAN COMMISSION REPORT

Proposal: Certified Survey Map

Description: Review of a Certified Survey Map request to combine the properties at 1901 and 1941 E. Rawson Ave.

Applicant(s): Caitlin LaJoie, Briohn Building Corp, for Graff Faucets Co.

Address(es): 1901 and 1941 E. Rawson Ave. (1st Aldermanic District)

Suggested Motion: That the Plan Commission recommends to the Common Council that the Certified Survey Map submitted by Caitlin LaJoie, Briohn Building Corp., for Graff Faucets Co. be approved with the following conditions:

1. That the signature page is updated to the current Plan Commission Secretary.
2. That all easements are shown on the Certified Survey Map prior to recording.
3. That all technical corrections, including but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Owner(s): MBAR HOLDING LLA A WI LLC

Tax Key(s): 768-9015-000 & 768-9014-000

Lot Size(s): 7.99 ac. & 2.015 ac. (10 ac. after consolidation)

Current Zoning District(s): Lm-1, Light Manufacturing

Overlay District(s): N/A

Wetlands: Yes No Floodplain: Yes No

Comprehensive Plan: Commercial

Background: The Applicant is requesting recommendation of approval of a Certified Survey Map (CSM) to combine the properties at 1901 and 1941 E. Rawson Ave. Following the combination, the parcel will be 10

acres, and will meet the bulk and dimensional Code requirements for the Lm-1, Light Manufacturing Zoning District. Staff note that all easements must be shown on the Certified Survey Map prior to recording.

With the above in mind, and recognizing that City Staff will continue to work with the Applicant and all involved parties on any outstanding issues, staff has provided a suggested motion with conditions of approval above for Plan Commission consideration.

Options/Alternatives: The Plan Commission may recommend Common Council approval of the proposed Certified Survey Map with specified conditions, or that the Common Council not approve of the proposed CSM. Should the proposed not be recommended for Council approval, Plan Commissioners must provide the criteria per Code upon which the denial is based, and the Applicant may choose to request Council approval without recommendation.

Respectfully submitted & approved by:

Prepared:



Kristi Laine
Community Development Director

Melanie Pérez
Planner

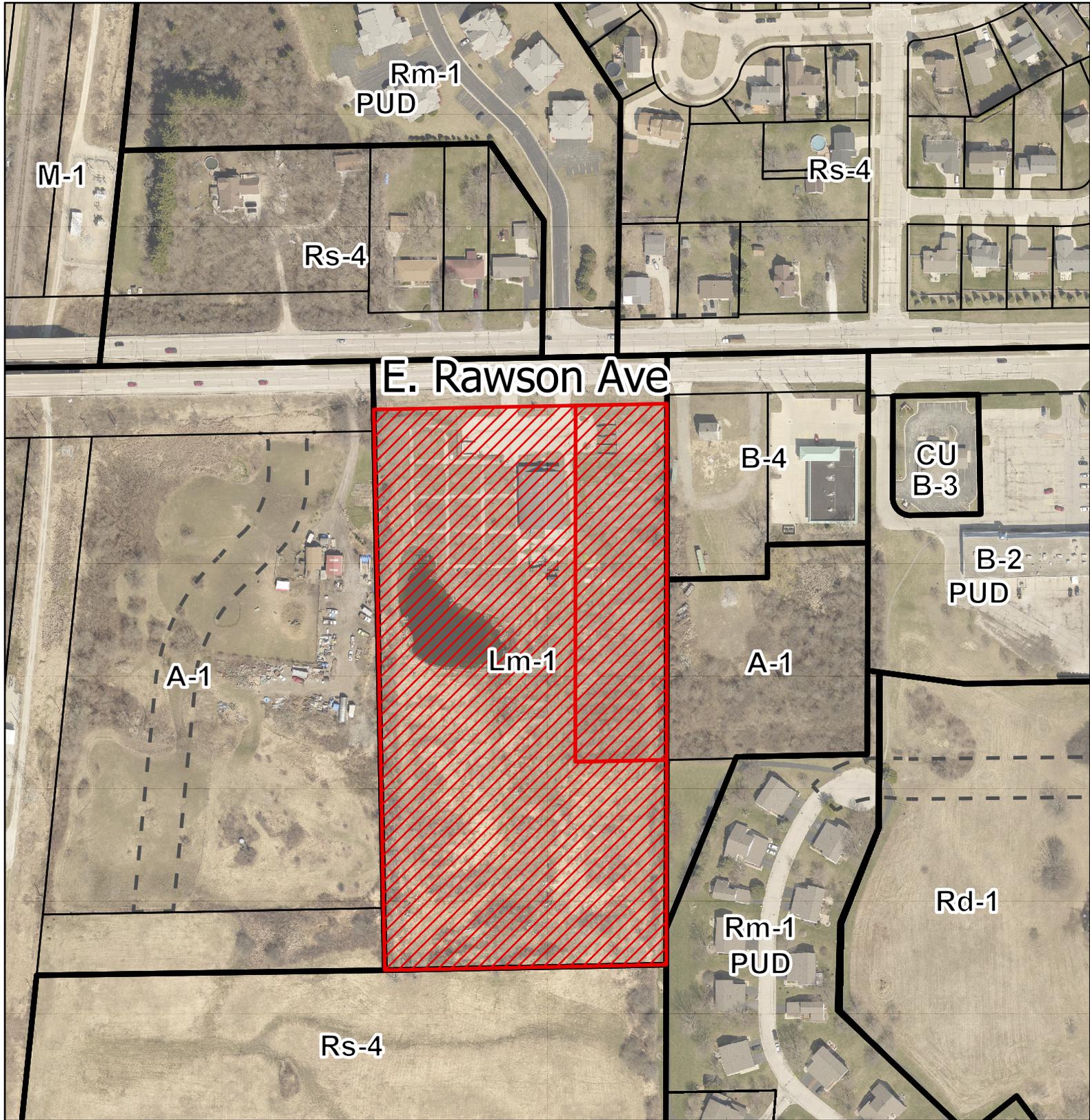
Attachments:

Location Map

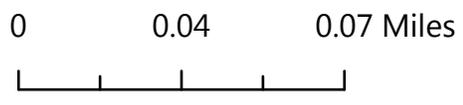
Proposed Certified Survey Map (5 pages)

Location Map

1901 & 1941 E. Rawson Ave.



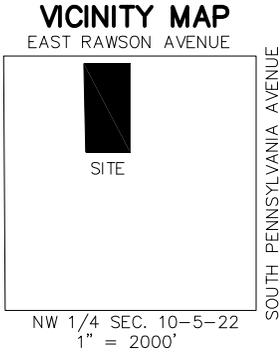
This map is not a survey of the actual boundary of the property this map depicts



- Legend**
- Zoning
 - Official Street Map
 - Floodway
 - 1901 & 1941 E. Rawson Ave.
 - Flood Fringe
 - Parcels

CERTIFIED SURVEY MAP NO. _____

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO 8055 AND RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 09613456, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE VILLAGE OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



PREPARED FOR:
BRIOHN LAND DEVELOPMENT, LLC
3885 NORTH BROOKFIELD ROAD
BROOKFIELD, WI 53045

● INDICATES 1" IRON PIPE FOUND

ALL BEARINGS REFER TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 10, WHICH HAS A WISCONSIN COUNTY COORDINATE SYSTEM (MILWAUKEE COUNTY) BEARING OF N 88°52'55" E

SEE SHEET 2 FOR EASEMENT DETAILS

TAK KEY NO. 265-1448-0000, AND 265-1149-0000

ZONING: LM-1

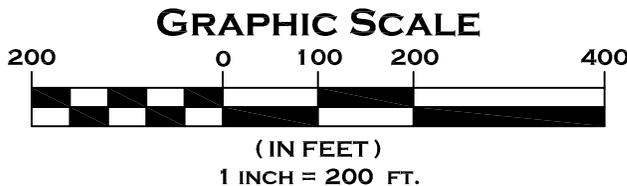
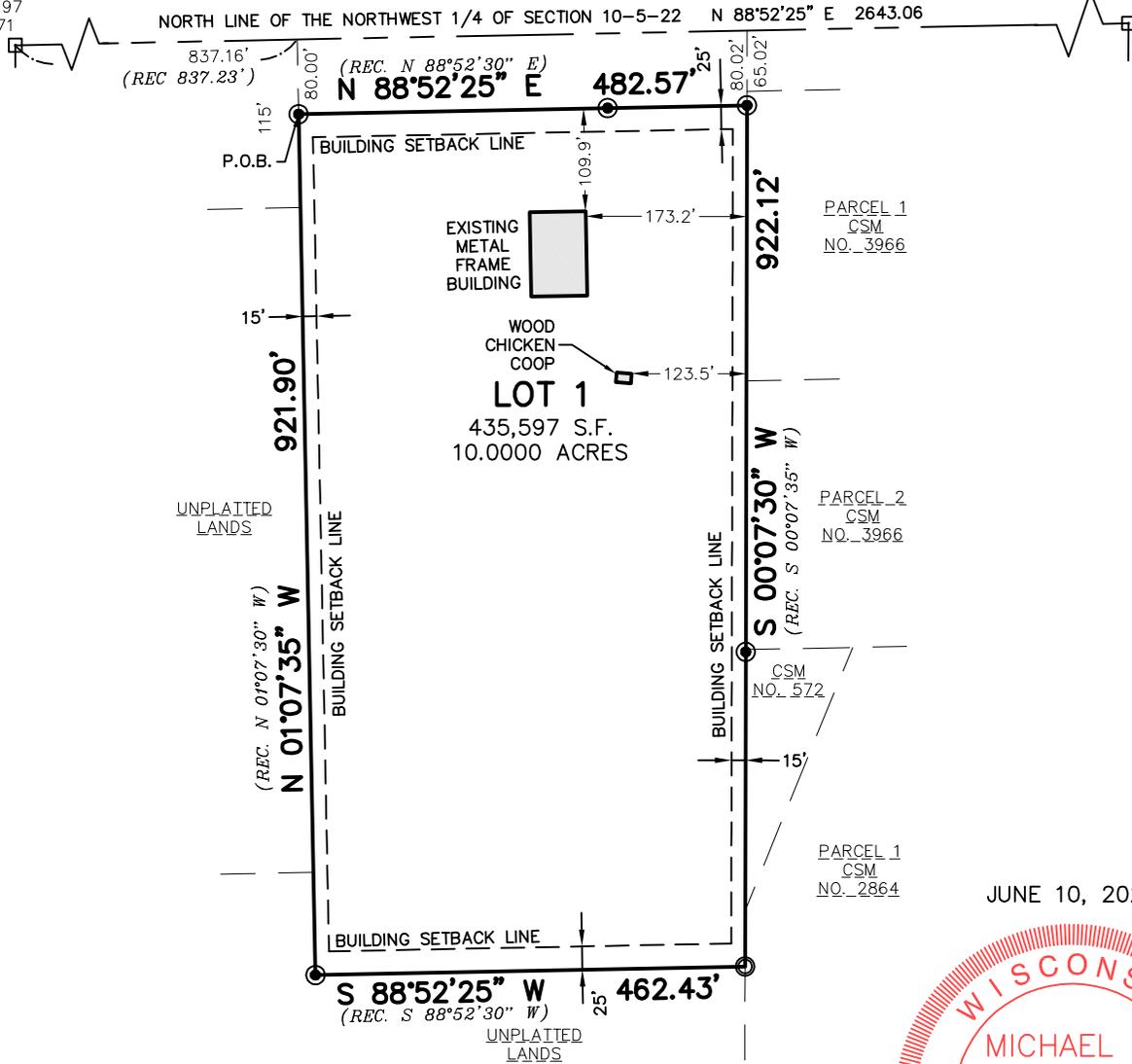


NORTHWEST CORNER
NORTHWEST 1/4
SECTION 10-5-22
CONCRETE MONUMENT
W/ BRASS CAP
N. 254,676.97
E. 610,901.71

NORTHEAST CORNER
NORTHWEST 1/4
SECTION 10-5-22
CONCRETE MONUMENT
W/BRASS CAP
N. 254,728.92
E. 613,544.28

EAST RAWSON AVENUE

PUBLIC RIGHT OF WAY WIDTH VARIES



CERTIFIED SURVEY MAP NO.

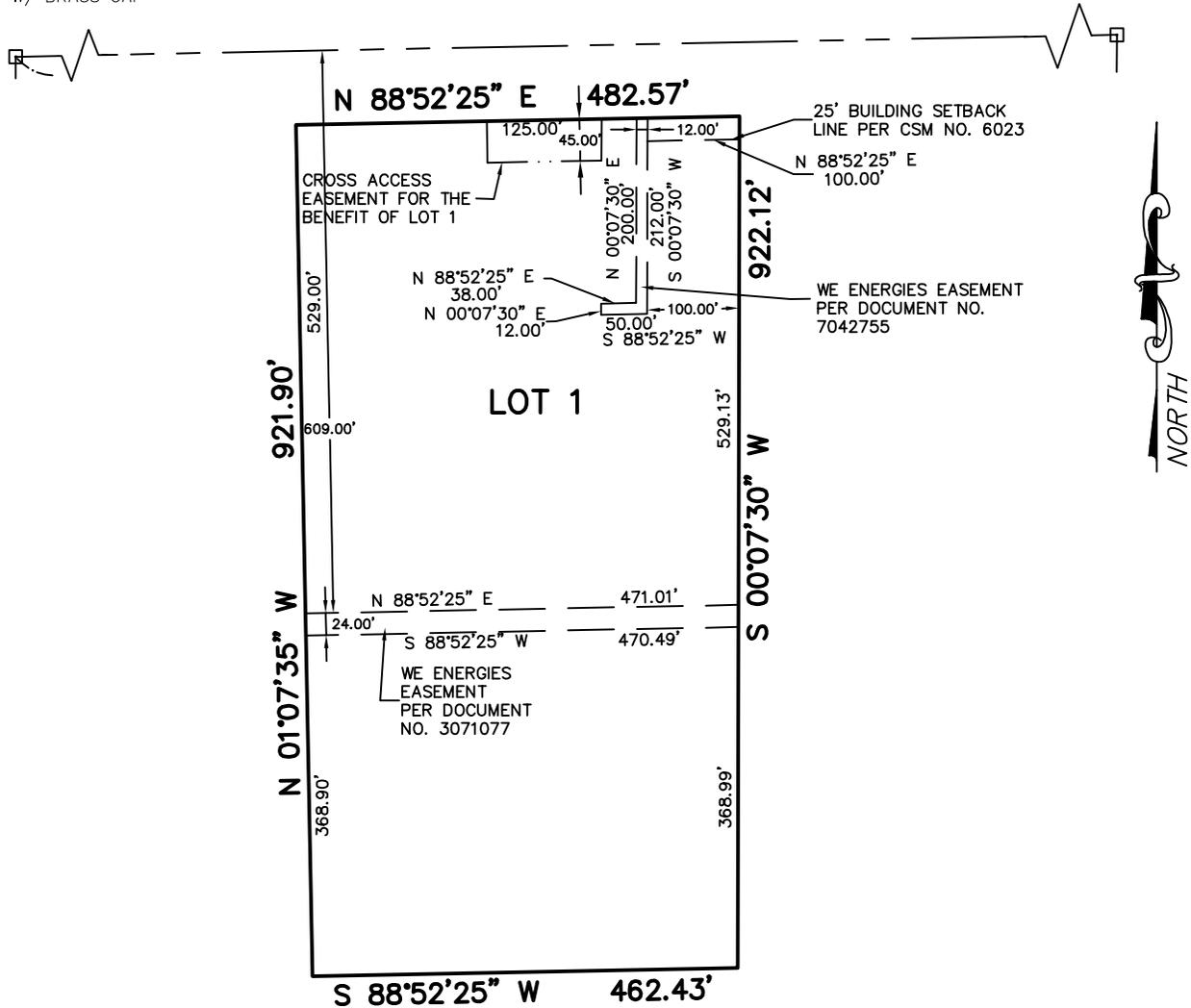
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EASEMENT DETAIL

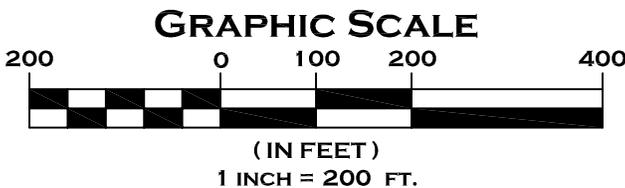
NORTHWEST COR. OF THE NORTHWEST 1/4 OF SECTION 10-5-22 A CONCRETE MONUMENT W/ BRASS CAP

NORTHEAST COR. OF THE NORTHWEST 1/4 OF SECTION 10-5-22 A CONCRETE MONUMENT W/ BRASS CAP

EAST RAWSON AVENUE



JUNE 10, 2024



CERTIFIED SURVEY MAP NO. _____

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SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, MICHAEL J. BERRY, A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, REDIVIDED AND MAPPED A REDIVISION OF LOT 1 AND LOT 2 CERTIFIED SURVEY MAP NO. 8055, BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO 8055 AND RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 09613456, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE VILLAGE OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

LANDS CONTAINING 435,597 SQUARE FEET (10.0000 ACRES) MORE OR LESS.

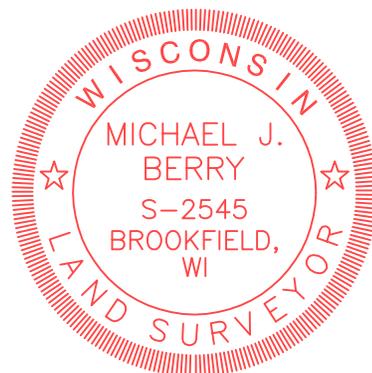
THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF BRIOHN LAND DEVELOPMENT, LLC, OWNER OF SAID LAND.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE STATUTES OF THE STATE OF WISCONSIN AND CHAPTER 14 OF THE CITY OF OAK CREEK MUNICIPAL CODE IN SURVEYING, REDIVIDING, AND MAPPING THE SAME.

DATED THIS 10TH DAY OF JUNE, 2024.


PROFESSIONAL LAND SURVEYOR,
S-2545
STATE OF WISCONSIN



CERTIFIED SURVEY MAP NO. _____

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO 8055 AND RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 09613456, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE VILLAGE OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

BRIOHN LAND DEVELOPMENT, LLC, A WISCONSIN LIMITED LIABILITY COMPANY EXISTING UNDER THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, CERTIFY THAT THEY HAVE CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, AND MAPPED, AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF OAK CREEK.

IN WITNESS WHEREOF, BRIOHN LAND DEVELOPMENT, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY NELSON E. WILLIAMS, ITS MANAGER AT _____, WISCONSIN, THIS _____ DAY OF _____, 2024.

NELSON E. WILLIAMS
MANAGER

STATE OF WISCONSIN)
COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2024 NELSON E. WILLIAMS, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC
STATE OF WISCONSIN
MY COMMISSION EXPIRES: _____

JUNE 10, 2024



CERTIFIED SURVEY MAP NO. _____

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO 8055 AND RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 09613456, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE VILLAGE OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

PLANNING COMMISSION APPROVAL

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF OAK CREEK ON THIS _____ DAY OF _____, 2024.

DANIEL BUKIEWICZ, CHAIRMAN
CITY OF OAK CREEK

KARI PAELBON, SECRETARY
CITY OF OAK CREEK

COMMON COUNCIL APPROVAL

APPROVED BY THE COMMON COUNCIL OF THE CITY OF OAK CREEK IN ACCORDANCE WITH THE RESOLUTION NO. _____, ADOPTED ON THIS _____ DAY _____, 2024.

DANIEL BUKIEWICZ, MAYOR
CITY OF OAK CREEK

CATHERINE A. ROESKE, CITY CLERK
CITY OF OAK CREEK

JUNE 10, 2024

