

PROCEEDINGS, COMMON COUNCIL MEETING  
JULY 16, 2024, 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. Ruetz, Ald. Marshall, Ald. Gehl, and Ald. Guzikowski. Ald. Kurkowski and Ald. Loreck were excused.

Also present were City Attorney Melissa Karls, Deputy City Administrator / Finance Officer Maxwell Gagin, IT Director Thomas Kramer, Utility Engineer Brian Johnston, Assistant City Administrator / Engineer Matthew Sullivan, Human Resource Director Toni Vanderboom, 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. Marshall, seconded by Ald. Gehl, moved to approve the 6/4/2024 minutes. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.
4. Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the 6/18/2024 minutes. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.
5. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY WILLIAM NELSON, THE CELLAR, TO REZONE PROPERTY AT 800 W. OAKWOOD RD., FROM M-1, MANUFACTURING TO B-2, COMMUNITY BUSINESS.**

A public hearing was held to consider a request submitted by William Nelson, The Cellar, to rezone the property at 800 W. Oakwood Rd., from M-1, Manufacturing to B-2, Community Business (NO CHANGE to FW, Floodway, FF, Flood Fringe, or C-1, Shoreland Wetland Conservancy districts) (See Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 3104, REZONING PROPERTY AT 800 W. OAKWOOD RD., TO B-2, COMMUNITY BUSINESS.**

Ald. Gehl, seconded by Ald. Marshall, moved to adopt Ordinance No. 3104, rezoning the property at 800 W. Oakwood Rd., to B-2, Community Business with no change to FW, Floodway, FF, Flood Fringe, or C-1, Shoreland Wetland Conservancy districts. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY AMER MASOUD, VISTA MOTORWERKS LLC, FOR CUP FOR AUTOMOTIVE SALES AND INDOOR SHOWROOM IN EXISTING MULTI-TENANT BUILDING AT 9543 S. CHICAGO RD.**

A public hearing was held to consider a request submitted by Amer Masoud, Vista Motorwerks LLC, for a Conditional Use Permit for automotive sales and an indoor showroom in the existing multi-tenant building located at 9543 S. Chicago Rd. (tenant address 9555 S. Chicago Rd.) (See Item No. 8 for action on this hearing).

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 3105, APPROVING CUP FOR VEHICLE SALES ON PROPERTY AT 9543 S. CHICAGO RD.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3105, approving a Conditional Use Permit for vehicles sales on the property at 9543 S. Chicago Rd. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

9. **PUBLIC HEARING HELD TO CONSIDER REQUEST SUBMITTED BY JAMES ROSEN, HIGHGATE, LLC, TO REZONE PORTION OF PROPERTY AT 1402 W. HAMPSTEAD LN., FROM B-4, GENERAL BUSINESS (PUD) TO I-1, INSTITUTIONAL (PUD).**

A public hearing was held to consider a request submitted by James Rosen, Highgate, LLC, to rezone a portion of the property at 1402 W. Hampstead Ln., from B-4, General Business (PUD) to I-1, Institutional (PUD) (See Item No. 10 for action on this hearing).

10. **PRESENTED AND ADOPTED: ORDINANCE NO. 3106, REZONING PORTION OF PROPERTY AT 1402 W. HAMPSTEAD LN., TO I-1, INSTITUTIONAL (PUD).**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3106, rezoning a portion of the property at 1402 W. Hampstead Ln., to I-1, Institutional (PUD). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 12508-071624, APPROVING CSM SUBMITTED BY JAMES ROSEN, HIGHGATE, LLC, FOR PROPERTIES AT 1402 W. HAMPSTEAD LN. AND 7836 S. HIGHGATE AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12508-071624, approving a Certified Survey Map submitted by James Rosen, Highgate, LLC, for the properties at 1402 W. Hampstead Ln., and 7836 S. Highgate Ave. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **PRESENTED AND ADOPTED: ORDINANCE NO. 3102, APPROVING REZONE TO RD-1, TWO FAMILY RESIDENTIAL AND AMENDING PUD AFFECTING PORTIONS OF PROPERTIES AT 641 AND 819R E. DREXEL AVE.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 3102, approving a rezone to Rd-1, Two-Family Residential (NO CHANGE TO FW, Floodway or FF, Flood Fringe Districts) and to amend the Planned Unit Development (PUD) affecting portions of the properties at 641 and 819R E. Drexel Ave. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

13. **PRESENTED AND ADOPTED: RESOLUTION NO. 12499-052124, APPROVING CONDOMINIUM PLAT SUBMITTED BY RYAN JANSSEN, JANSSEN BRUCKNER, LLC, FOR STONEBROOK ON THE PARK CONDOMINIUM ON PROPERTIES AT 614 AND 819R E. DREXEL AVE. (PORTIONS).**

Ald. Ruetz, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12499-052124, approving a Condominium Plant submitted by Ryan Janssen, Janssen Bruckner, LLC, for the Stonebrook on the Park Condominium on the properties at 641 and 819R E. Drexel Ave. (portions). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **COUNCIL AUTHORIZES CITY ADMINISTRATOR TO MAKE NECESSARY ADJUSTMENTS TO CITY'S TPA AGREEMENT WITH UMR TO IMPLEMENT THE NEXUSACO PROGRAM IN 2025.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to authorize the City Administrator to make any necessary adjustments to the City's Third-Party Administrator (TPA) Agreement with UMR to implement the NexusACO Program in 2025. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12509-071624, APPROVING 25' PUBLIC WATER MAIN EASEMENT AT 517 E. RAWSON AVE.**

Ald. Ruetz, seconded by Ald. Marshall, moved to adopt Resolution No. 12509-071624, approving a 25-foot public water main easement at 517 E. Rawson Ave. (Tax Key No. 766-9012-000). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **COUNCIL AWARDS 6<sup>TH</sup> STREET SANITARY RELAY PROJECT CONSTRUCTION CONTRACT TO GLOBE CONTRACTORS, INC. IN A BID AMOUNT OF \$543,460; AMENDS CIP BUDGET BY \$625,000 FOR DESIGN AND CONSTRUCTION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved award the S. 6<sup>th</sup> Street Sanitary Relay project construction contract to the lowest responsive, responsible bidder, Globe Contractors, Inc., based on the bid amount of \$543,460, and amend the 2024 CIP budget by \$625,000 for the design and construction of the S. 6<sup>th</sup> Street Sanitary Relay (Project No. 23005). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

17. **COUNCIL APPROVES CHANGE ORDER OF NORTH LAKEFRONT BLUFF STABILIZATION AND REVETMENT PROJECT IN AMOUNT OF \$1,002,011.55.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to approve a change order of the North Lakefront Bluff Stabilization and Revetment project in the amount of \$1,002,011.55 (Project No. 23005). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 12510-071624, GRANTING WE ENERGIES PERMANENT UNDERGROUND ELECTRIC EASEMENT AT 7115 S. HOWELL AVE.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12510-071624, granting a WE Energies permanent underground easement at 7115 S. Howell Ave. (Tax Key No. 765-9019-000). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **COUNCIL AWARDS CARBON REDUCTION STREET LIGHTING UPGRADE PROJECT TO GRAYBAR AT ESTIMATED COST OF \$350,145.50, UPON WISDOT APPROVAL.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to award the Carbon Reduction Street Lighting Upgrade project to GraybaR at the estimated cost of \$350,145.50, upon WisDOT approval (Project No. 24001). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. **COUNCIL AWARDS FIRE STATION #3 PARKING LOT REHABILITATION CONSTRUCTION UNIT PRICE CONTRACT TO LALONDE CONTRACTORS, INC., AT ESTIMATED COST OF \$145,416.76; AUTHORIZES TRANSFER OF FUNDS FROM CIP 22003.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to award the Fire Station #3 Parking Lot Rehabilitation construction unit price contract to the lowest responsive, responsible bidder, LaLonde Contractors, Inc., at the estimated cost of \$145,416.76, and authorizes the transfer of funds from CIP No. 22003. (Project No. 22003). On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**21. LICENSE COMMITTEE.**

Ald. Ruetz, seconded by Ald. Marshall, moved to grant the various license requests as listed:

Grant an Operator's license to:

- \* Amanda M. Martinez
- \* Tera R. LaCrosse
- \* Joseph D. Montcalm
- \* Teayana J. Short
- \* Jessica M. Nayda
- \* Samantha M. Palacios
- \* Sara J. Perez
- \* Sarah A. Tode
- \* Donovan J. S. Wilson
- \* Ryan St. McDonald
- \* Brayden T. L. Bode
- \* Diego Cazarin Quiroga
- \* Ashley R. Gumowski

Grant a 2024 Transient Merchant solicitor license to the following solicitor selling home exterior remodeling and repair products and services on behalf of Brookens Construction (company license was approved 6/4/24):

- \* Cameron T. Olson

Grant a 2024 Transient Merchant solicitor license to the following solicitor selling roofing and siding home improvement products and services on behalf of Advocate Construction (company license was approved 5/21/24):

- \* Sidney M. Green

Grant a 2024 Transient Merchant Company license to O'Danny Boy Builders, 305 N. 76<sup>th</sup> St., Milwaukee, WI 53213, selling home improvement services, and to the following solicitors:

- \* Nikola Roufus
- \* Hunter W. Thomas
- \* Erik V. Ortega
- \* Ty C. Madden

Grant a 2024-25 Class B Beer license to The Midwest Elite LLC dba Defense Combatives / DEFCON, Jorge J. Monterrey, Agent, 7340 S. Howell Ave., Suite 9, with release of the license subject to payment of any fees due, final department approvals, and receipt of Occupancy Permit.

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

**22. COUNCIL APPROVES 6/26/24 VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the June 26, 2024, Vendor Summary Report in the amount of \$283,792.45. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**23. COUNCIL APPROVES 7/10/24 VENDOR SUMMARY.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to approve the July 10, 2024, Vendor Summary Report in the amount of \$1,118,066.86. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**24. COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:22 p.m., pursuant to Wisconsin State Statutes, to discuss the following:

- (a) Section 19.85(1)(e) to discuss acquisition of the property located at 4301 East Depot Road (Tax Key No. 866-9005-000).

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

25. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:59 p.m. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

26. **COUNCIL APPROVES JURISDICTIONAL OFFER FOR ACQUISITION OF PROPERTY LOCATED AT 4301 E. DEPOT ROAD AND DIRECTS STAFF TO PROCEED WITH NEXT STEPS.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to approve the Jurisdictional Offer for the acquisition of the property located at 4301 E. Depot Road and directs staff to proceed with the next steps. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

27. **STEVE BAUTCH APPOINTED TO PLAN COMMISSION.**

Ald. Gehl, seconded by Ald. Marshall, moved to concur with the Mayor's appointment of Steve Bautch, 3264 E. Lindy Ln., to the Plan Commission for a 3-year term, expiring 4/27. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**ADJOURNMENT.**

Ald. Marshall, seconded by Ald. Guzikowski, moved to adjourn the meeting at 9:01 p.m. On roll call, the vote was as follows: Ald. Ruetz, aye; Ald. Marshall, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

**ATTEST:**

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Catherine A. Roeske, City Clerk

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Daniel J. Bukiewicz, Mayor