

PROCEEDINGS, COMMON COUNCIL MEETING
TUESDAY, NOVEMBER 21, 2017, 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. Loreck, Ald. Duchniak, Ald. Toman, Ald. Gehl, and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Communications Coordinator Leslie Flynn, Fire Chief Thomas Rosandich, Community Development Director Douglas Seymour, City Engineer / Acting Building Commissioner Michael Simmons, 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. Gehl, seconded by Ald. Guzikowski, moved to approve the minutes of the 11/7/17 meeting as published. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

4. **TIM KENT, LIFE SCOUT TROOP 316, PROVIDED COUNCIL WITH INFORMATION REGARDING HIS EAGLE SCOUT PROJECT.**

Tim Kent, Life Scout Troop 316, provided the Common Council with information regarding his Eagle Scout project.

5. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY KEVIN KENNEDY, WALDEN OC, LLC, TO REZONE PROPERTIES AT 1700, 1750, 1800, 1816, 1848, 1850, AND 1900 W. DREXEL AVE., FROM RS-3, SINGLE FAMILY RESIDENTIAL TO B-6, INTERCHANGE REGIONAL RETAIL DISTRICT (NO CHANGE TO FW, FLOODWAY OR FF, FLOOD FRINGE).**

A public hearing was held to consider a request by Kevin Kennedy, Walden OC, LLC, to rezone the properties at 1700, 1750, 1800, 1816, 1848, 1850, and 1900 W. Drexel Ave. from Rs-3, Single Family Residential to B-6, Interchange Regional Retail District (no change to FW, Floodway or FF, Flood Fringe) (See Item No. 6 for action on this hearing).

6. **PRESENTED AND ADOPTED: ORDINANCE NO. 2880, REZONING PROPERTIES AT 1700, 1750, 1800, 1816, 1848, 1850, AND 1900 W. DREXEL AVE. FROM RS-3, SINGLE FAMILY RESIDENTIAL TO B-6, INTERCHANGE REGIONAL RETAIL DISTRICT (NO CHANGE TO FW, FLOODWAY OR FF, FLOOD FRINGE DISTRICTS).**

Ald. Loreck, seconded by Ald. Kurkowski, moved to adopt Ordinance No. 2880, to rezone the properties at 1700, 1750, 1800, 1816, 1848, 1850, and 1900 W. Drexel Ave. from Rs-3, Single Family Residential to B-6, Interchange Regional Retail District (no change to FW, Floodway or FF, Flood Fringe Districts). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

7. **PRESENTED AND ADOPTED: RESOLUTION NO. 11882-112117, APPROVING CSM FOR WALDEN OC, LLC FOR PROPERTIES AT 1700, 1750, 1800, 1816, 1848, 1850, AND 1900 W. DREXEL AVE. AND 7700 S. IKEA WAY.**

Ald. Loreck, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11882-112117, approving a Certified Survey Map for Walden OC, LLC for the properties at 1700, 1750, 1800, 1816, 1848, 1850, and 1900 W. Drexel Ave. and 7700 S. Ikea Way. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

8. **PUBLIC HEARING HELD TO CONSIDER REQUEST BY CITY TO REZONE PORTIONS OF PROPERTY AT 1920 W. DREXEL AVE., FROM RS-3, SINGLE FAMILY RESIDENTIAL TO I-1, INSTITUTIONAL (NO CHANGE TO FF, FLOOD FRINGE OR FW, FLOODWAY DISTRICTS).**

A public hearing was held to consider a request by the City of Oak Creek to rezone portions of the property at 1920 W. Drexel Ave., from Rs-3, Single Family Residential to I-1, Institutional (no change to the FF, Flood Fringe or FW, Floodway Districts) (See Item No. 9 for action on this hearing).

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2881, TO REZONE PORTION OF PROPERTY AT 1920 W. DREXEL AVE., FROM RS-3, SINGLE FAMILY RESIDENTIAL TO I-1, INSTITUTIONAL (NO CHANGE TO FF, FLOOD FRINGE OR FW, FLOODWAY DISTRICTS).**

Ald. Loreck, seconded by Ald. Gehl, moved to adopt Ordinance No. 2881, to rezone a portion of the property at 1920 W. Drexel Ave., from Rs-3, Single Family Residential to I-1, Institutional (no change to FF, Flood Fringe or FW, Floodway Districts). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

10. **PUBLIC HEARING HELD TO CONSIDER PROPOSAL BY MARJAN STRMSEK TO AMEND OFFICIAL MAP FOR PORTION OF NORTHEAST ¼ OF SECTION 16 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING PROPERTIES AT 928 E. FOREST HILL AVE.).**

A public hearing was held to consider a proposal by Marjan Strmseck to amend the Official Map for a portion of the Northeast ¼ of Section 16 (mapped, unimproved right-of-way affecting the properties at 928 E. Forest Hill Ave.) (See Item No. 11 for action on this hearing).

11. **PRESENTED AND ADOPTED: ORDINANCE NO. 2882, AMENDING SECTION 6.01 OF MUNICIPAL CODE AMENDING OFFICIAL MAP FOR PORTION OF NORTHEAST ¼ OF SECTION 16 (MAPPED, UNIMPROVED RIGHT-OF-WAY AFFECTING PROPERTY AT 928 E. FOREST HILL AVE.).**

Ald. Kurkowski, seconded by Ald. Loreck, moved to adopt Ordinance No. 2882, amending Section 6.01 of the Municipal Code, amending the Official Map for a portion of the Northeast ¼ of Section 16 (mapped, unimproved right-of-way affecting the property at 928 E. Forest Hill Ave.). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

12. **PUBLIC HEARING HELD TO CONSIDER REQUEST FOR PROPOSED AMENDMENT TO SEC. 17.0501(B)(6)(A) AND 17.0501(B)(6)(B) ALLOWING LARGER ACCESSORY STRUCTURES IN RESIDENTIAL ZONING DISTRICTS.**

A public hearing was held to consider a request for a proposed amendment to Sec. 17.0501(b)(6)(a) and 17.0501(b)(6)(b) to allow for larger accessory structures in residential zoning districts. (See Item No. 13 for action on this hearing).

13. **PRESENTED AND ADOPTED: ORDINANCE NO. 2883, REPEALING AND RECREATING SECTION 17.0501(B)(6)(A) AND 17.0501(B)(6)(B) OF MUNICIPAL CODE REGARDING ACCESSORY STRUCTURES.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2883, to repeal and recreate Section 17.0501(b)(6)(a) and Section 17.0501(b)(6)(b) of the Municipal Code regarding accessory structures. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

14. **PRESENTED AND ADOPTED: RESOLUTION NO. 11888-112117, INITIAL RESOLUTION REGARDING INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING FOR MOLDMAKERS LEASING & INVESTMENTS LIMITED PARTNERSHIP, L.L.P. PROJECT.**

Ald. Gehl, seconded by Ald. Loreck, moved to adopt Resolution No. 11888-112117, an Initial Resolution Regarding Industrial Development Revenue Bond Finance for Moldmakers Leasing & Investments Limited Partnership, LLP Project. Information with respect to the job impact of the project was made available at the time of consideration of the Initial Resolution. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

15. **COUNCIL APPROVES 2018 REGULAR COMBINED COMMON COUNCIL MEETING DATES.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to approve the 2018 Regular Combined Common Council meeting dates. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

16. **COUNCIL CONCURS WITH MAYOR'S REAPPOINTMENTS.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to concur with the Mayor's reappointments as follows:

Community Development Authority – 4 year term, expiring 12/2021

- Justin Arndt

Traffic & Safety Commission – 3 year term, expiring 10/2020

- Greg Wolf

Board of Health – 3 year term, expiring 10/2020

- Richard Barribeau

Water & Sewer Utility – 5 year term, expiring 10/2022

- Dale Richards

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

17. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the Vendor Summary Report in the amount of \$476,419.04. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

18. **PRESENTED AND ADOPTED: RESOLUTION NO. 11887-112117, APPROVING AFFIDAVIT OF CORRECTION FOR CSM NO. 7884 FOR PROPERTIES AT 9900 AND 9441 S. RIDGEVIEW DR.**

Ald. Guzikowski, seconded by Ald. Kurkowski, moved to adopt Resolution No. 11887-112117, approving an Affidavit of Correction for Certified Survey Map no. 7884 for the properties at 9900 and 9941 S. Ridgeview Dr. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

19. **PRESENTED AND ADOPTED: RESOLUTION NO. 11885-112117, APPROVING EAST BROOKE PRESERVE DEVELOPMENT AGREEMENT FOR DESIGN AND INSTALLATION OF PUBLIC IMPROVEMENTS AT 1200 E. RYAN RD. AND 9349 S. NICHOLSON RD.**

Ald. Duchniak, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11885-112117, approving the East Brooke Preserve Development Agreement for the design and installation of public improvements at 1200 E. Ryan Rd. and 9349 S. Nicholson Rd. (Tax Key Nos. 873-9006-006 and 873-9998-002) (Project Nos. 17064 and 17065). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

20. **PRESENTED AND ADOPTED: RESOLUTION NO. 11883-112117, APPROVING STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH THE ORCHARDS OF MUKWONAGO, LLC FOR EAST BROOKE PRESERVE SUBDIVISION.**

Ald. Duchniak, seconded by Ald. Gehl, moved to adopt Resolution No. 11883-112117, approving a Storm Water Management Practices Maintenance Agreement with The Orchards of Mukwonago, LLC for the East Brooke Preserve Subdivision (Tax Key Nos. 873-9006-006 and 873-9998-002). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

21. **PRESENTED AND ADOPTED: RESOLUTION ON. 11886-112117, APPROVING EASEMENT AGREEMENT BY AND BETWEEN CITY AND 4545 II LLC.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to adopt Resolution No. 11886-112117, approving an Easement Agreement by and between the City of Oak Creek and 4545 II LLC (Tax Key No. 955-1026-000). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

22. **COUNCIL APPROVES INSTALLATION OF PEDESTRIAN CROSSING SIGNS AND CROSSWALK PAVEMENT MARKINGS AT PEDESTRIAN CROSSING NEAR 340 PARKWAY ESTATES DR.**

Ald. Duchniak, seconded by Ald. Loreck, moved to approve the installation of pedestrian crossing signs and crosswalk pavement markings at the pedestrian crossing near 340 Parkway Estates Dr. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

23. **COUNCIL GRANTS OPERATOR'S LICENSES.**

Ald. Kurkowski, seconded by Ald. Loreck, moved to grant an Operator's license to the following:

- Guy R. Carstens, 1518 N. 51st St., Milwaukee (Pick 'n Save)
- Elvin Montanez, 223 S. Berkley Dr., Round Lake, IL (Meijer)
- Elias A. Colorez, 706 S. 122nd St., West Allis (Pick 'n Save)
- Kara J. Johnson, 8540 S. Liberty Ln., Oak Creek (Buffalo Wild Wings)

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

24. **COUNCIL GRANTS RETAIL LICENSE TRANSFER - PREMISE TO PREMISE FOR CLASS B COMBINATION LICENSE ISSUED TO HUSH, LLC, CHRISTINA CLAUSEN, AGENT, BOOTZ SALOON & GRILL, FROM 8950 S. 27TH ST. TO 7126 S. 27TH ST.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a Retail License Transfer – Premise to Premise, for the Class B Combination license issued to HUSH, LLC, Christina Clausen, Agent, Bootz Saloon & Grill from 8950 S. 27th St. to 7126 S. 27th St., with release of license subject to issuance of Occupancy Permit. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

25. **COUNCIL GRANTS TRANSIENT MERCHANT SOLICITOR LICENSE TO JEFF BRADY, 2210 LONI LN., RACINE, SELLING CABLE, PHONE AND INTERNET SERVICES ON BEHALF OF SPECTRUM.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant a Transient Merchant license to Jeff Brady, 2210 Loni Ln., Racine, selling cable, phone and internet services on behalf of Spectrum. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Loreck, moved to adjourn this meeting at 8:02 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor