



Common Council Chambers  
8040 S. 6<sup>TH</sup> Street  
Oak Creek, WI 53154  
(414) 766-7000

## COMMON COUNCIL MEETING AGENDA

FEBRUARY 6, 2018  
7:00 P.M.

Daniel Bukiewicz - Mayor  
Steven Kurkowski - 1<sup>st</sup> District  
Greg Loreck - 2<sup>nd</sup> District  
Richard Duchniak - 3<sup>rd</sup> District  
Michael Toman - 4<sup>th</sup> District  
Kenneth Gehl - 5<sup>th</sup> District  
Chris Guzikowski - 6<sup>th</sup> District

### The City's Vision

*Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.*

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 1/16/18

### New Business

4. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending December 31, 2017.
5. **Motion:** Consider a *motion* to approve license agreements with SESAC (Society of European Stage Authors and Composers), BMI (Broadcast Music Inc.), and ASCAP for the rebroadcast of music by licensed performers (by Committee of the Whole).
6. **Motion:** Consider a *motion* to approve the January 31, 2018 Vendor Summary Report in the combined total amount of \$803,533.10 (by Committee of the Whole).

### ENGINEERING

7. **Resolution:** Consider *Resolution* No. 11905-020618, accepting the workmanship of Raza of Racine, LLC and authorizing final payment for Project No. 13023 (4<sup>th</sup> & 5<sup>th</sup> Districts).
8. **Resolution:** Consider *Resolution* No. 11906-020618, approving a drainage easement with Marlene Olbrantz located at 327 E. Forest Hill Ave. (Tax Key No. 827-9993-001) (Project No. 15022) (3<sup>rd</sup> District).
9. **Resolution:** Consider *Resolution* No. 11907-020618, vacating a WE Energies 20' x 777.25' permanent underground electrical easement at 641 W. Oakwood Rd. (Tax Key No. 975-1004-000) (Project No. 13054) (5<sup>th</sup> District).
10. **Resolution:** Consider *Resolution* No. 11908-020618, granting a WE Energies 20' x 775.83' permanent underground electrical easement at 641 W. Oakwood Rd. (Tax Key No. 975-1004-000) (5<sup>th</sup> District).

Visit our website at [www.oakcreekwi.org](http://www.oakcreekwi.org) for the agenda and accompanying common council reports.

11. **Resolution:** Consider Resolution No. 11909-020618, accepting dedication of the public improvements and release from the development agreement for the Centennial Park Expansion project (Tax Key Nos. 860-9047-000, 860-9048-000, 860-9049-000) (Project Nos. 09054 and 09055) (3<sup>rd</sup> District).
12. **Resolution:** Consider Resolution No. 11910-020618, accepting dedication of the public improvements and release from the development agreement for the Southfield Expansion II project (Tax Key Nos. 736-8990-001, 736-8007-000, 736-8999-003 and 736-8011-000) (Project No. 15054) (1<sup>st</sup> District).

### **LICENSE COMMITTEE**

13. **Motion:** Consider a motion to grant the various license requests as listed on the 2/6/18 License Committee Report (by Committee of the Whole).

### **MISCELLANEOUS**

14. **Motion:** Consider a motion to convene into Closed Session pursuant to Wisconsin State Statutes to discuss the following:
  - a. Section 19.85(1)(c) to discuss the performance evaluation for the City Administrator.
  - b. Section 19.85(1)(g) to consider the claim of Guillermo Carrasquillo.
15. **Motion:** Consider a motion to reconvene into Open Session.
16. **Motion:** Consider a motion to take action, if required.

### ***Adjournment.***

#### **Public Notice**

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. 6<sup>th</sup> 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



## COMMON COUNCIL REPORT

Informational: Treasurer Report on Investment and Banking for the City of Oak Creek accounts, ending December 31, 2017.

Fiscal Impact: Presenting the monthly condition of the City treasury at an open meeting of the Common Council will provide additional financial data to decision makers while enhancing transparency to the public.

- Critical Success Factor(s):
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

Background: The Treasurer Report on Investment and Banking displays the investment and banking accounts month end balances, to provide the City of Oak Creek Common Council and the public with the current condition of the City's treasury. It is not intended to infer available funds for general purpose spending since some funds are allocated for specific uses such as Tax Incremental Districts, large projects, distribution of tax collection to other underlying taxing jurisdictions etc. This monthly report, along with an additional comprehensive report, is reviewed at Finance Committee meetings to assist with investment decisions and other financial strategies. Below briefly summarizes the attached report.

Beginning Balance	Ending Balance	Interest Earned	Increase/Decrease
\$31,569,056.81	\$62,625,971.80	\$37,888.26	+\$31,056,914.99
December Tax Collection: \$35,703,535.33 or 45.85% of total levied			City Share: \$11,204,064.32

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Barbara Guckenberger, CMTW  
City Treasurer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Attachments: Treasurer Report on Investment and Banking

**City of Oak Creek  
Treasurer Report on Investment and Banking**

Name of Account	Beginning Balance	Additions	Subtractions	Account Ending Balance	Actual Interest Earned	Interest Rate	Percentage of Total Invested
<b>Tri City National Bank</b>	<b>5,131,381.70</b>	<b>67,541,366.26</b>	<b>(60,608,870.55)</b>	<b>12,063,877.41</b>	<b>4,099.54</b>	<b>1.07%</b>	<b>19.26%</b>
General Fund	4,715,625.33	31,319,357.34	(30,820,849.83)	5,214,132.84			
0	-			-			
Title 125	65,080.85	20,607.56	(23,419.94)	62,268.47			
Police Credit Card	35,612.51	15,576.50	(18,818.16)	32,370.85			
Parks & Rec Counter Credit Card	3,630.65	1,259.50	(2,170.78)	2,719.37			
Tax Payment Account #2	92,351.14	20,125,681.75	(16,302,537.02)	3,915,495.87			
Parks & Rec Online Credit Card	777.68	2,709.00	(1,294.08)	2,192.60			
Health Insurance	34,820.32	405,038.89	(359,739.40)	80,119.81			
Tax Payment Account	53,382.18	15,583,935.59	(13,022,162.57)	2,615,155.20			
EMS	130,101.04	67,200.13	(57,878.77)	139,422.40			
<b>DANA Investment Advisors</b>	<b>5,677,569.44</b>	<b>11,939.12</b>	<b>(9,810.18)</b>	<b>5,679,698.38</b>	<b>11,939.12</b>	<b>1.70%</b>	<b>9.07%</b>
<b>BMO Global Asset Management</b>	<b>4,857,524.18</b>	<b>6,787.61</b>	<b>(4,928.15)</b>	<b>4,859,383.64</b>	<b>6,510.60</b>	<b>1.68%</b>	<b>7.76%</b>
<b>American Deposit Management (ADM)</b>	<b>2,883,185.97</b>	<b>2,630.42</b>		<b>2,885,816.39</b>	<b>2,630.42</b>	<b>1.11%</b>	<b>4.61%</b>
*ADM General Account Balance	0.00			0.00			
<b>Local Government Investment Pool (LGIP)</b>	<b>6,653,880.57</b>	<b>25,512,052.10</b>	<b>(1,400,000.00)</b>	<b>30,765,932.67</b>	<b>12,052.10</b>	<b>1.21%</b>	<b>49.13%</b>
*LGIP General Account Balance	4,156,256.42	25,509,486.18	(1,400,000.00)	28,265,742.60	9,486.18		
<b>**Ehlers Investment</b>	<b>6,365,514.95</b>	<b>9,186.61</b>	<b>(3,438.25)</b>	<b>6,371,263.31</b>	<b>656.48</b>	<b>1.2610%</b>	<b>10.17%</b>
	6,365,514.95	9,186.61	(4,437.14)	6,370,264.42			
<b>Total Balance</b>	<b>31,569,056.81</b>	<b>93,083,962.12</b>	<b>(62,027,047.13)</b>	<b>62,625,971.80</b>	<b>37,888.26</b>		

\*\*Ehlers balance is first shown gross of fees to balance to their monthly report; below that is shown net of fees for comparison purposes. Also, due to multiple CD's in the account, interest/dividends may not be earned monthly;  
\*General Account Balance shown separately and is also part of the total account listed above; although it is used for cash flow purposes, a portion may be allocated for specific purposes and not available for general purpose spending;

Excludes Police Forfeiture Account;

Tri City Interest is an analyzed credited from previous month earnings;

Additions and subtractions on investment accounts may include market adjustments for realized and unrealized gains(losses) or change in accrued income, as well as interest, management fees, deposits, transfers, returned payments or withdrawals

Tax Collection Deposits			Distribution to Taxing Jurisdictions	
<b>Tax Payment Account #2</b>				
City Deposit (Counter, Drop Box, Mail)	17,878,727.57		STATE	\$ -
Gov Tech	2,137,017.26		COUNTY	\$ 7,356,725.62
Credit Card	126,017.48		MMSD	\$ 2,512,443.93
<b>Total Tax Payment Account #2</b>	<b>20,141,762.31</b>		SCHOOL	\$ 12,605,652.24
<b>Tax Payment Account</b>			MATC	\$ 1,830,735.81
Tri City Payments (At Bank, Lockbox)	15,561,773.02		UTILITY	\$ 171,975.69
			<b>TOTAL DIST</b>	<b>\$ 24,477,533.29</b>
<b>Total Tax Collection Deposits</b>	<b>\$ 35,703,535.33</b>	<b>45.85%</b> of Total Tax Levy	<b>TAX REFUNDS</b>	<b>\$ 21,937.72</b>
			<b>CITY</b>	<b>\$ 11,204,064.32</b>

Please note the City uses two bank accounts for tax collection; one for payments processed by the City (account #2) and the other for payments processed by our bank

Prepared for Common Council; cc Finance Committee  
Barbara Guckenberger, CMTW  
City Treasurer



## COMMON COUNCIL REPORT

Item: Music Licensing

Recommendation: That the Common Council approve license agreements with SESAC (Society of European Stage Authors and Composers), BMI (Broadcast Music Inc.), and ASCAP for the rebroadcast of music by licensed performers

Fiscal Impact: The fees that are due, pursuant to the agreements, are based on population. In this instance, Oak Creek falls into the 1-50,000 population category for BMI for a 2018 fee of \$314.10; SESAC population category 25,001-50,000 for a fee of \$833.00, and ASCAP population category 1-50,000 for a fee of \$348.00.

Payment of a combined total of \$1,495.10 will be taken from Account 10-40-44-42000, General Government Dues and Publications.

- Critical Success Factor(s):
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

Background: There are three music copyright protection / licensing companies - ASCAP, BMI and SESAC. The artists receive royalties when their work is used, including music in the park, replaying radio music over the phone system, etc.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Christa J. Miller, CMC/WCMC  
Deputy City Clerk

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

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Attachments: SESAC, BMI, and ASCAP billings.



Invoice & Remittance Advice	
Account Number:	1894386
Billing Number:	31045155
Billing Date:	02-JAN-2018
Total Amount Due:	USD 314.10
Amount Enclosed:	

CITY OF OAK CREEK

JAN 16 2018

RECEIVED

Pay Online: [www.bmi.com/payments](http://www.bmi.com/payments)



City Clerk  
Oak Creek, Wisconsin  
8040 S 6th Street

01894386310451550000003141011

BMI  
PO Box 630893  
Cincinnati OH 45263-0893

Oak Creek WI 53154

Contact us: (888) 492-6264  
[www.bmi.com/email](http://www.bmi.com/email)

Please return the above portion with your payment  
Correspondence written on this notice or sent to this address will not be recognized by BMI

Billing Number	Beginning Balance	Billed and Adjusted	Payments	Ending Balance
31045155	\$0.00	\$314.10	\$0.00	\$314.10

Date	Type	Transaction #	Description	Amount Due (In USD)
<b>Account# 1894386</b> <b>Oak Creek, Wisconsin</b> <b>8640 S Howell Ave P O Box 27 Oak Creek WI 53154</b> 01-JAN-2018    INV    9697055    Estimated Fee 01/01/2018 - 12/31/2018				\$314.10

If you are billed quarterly or semi-annually and your payment is 90 days past due, the unpaid balance of your Annual Fee is now due in full.

BMI customers have the following online features:  
Manage your account online using the account and billing numbers appearing on the top of this invoice at: [www.bmi.com/lge](http://www.bmi.com/lge). For the best online experience, please use the Google Chrome browser. Make a payment at: [www.bmi.com/payments](http://www.bmi.com/payments) using the account number and billing number above to login. As a reminder, we accept payments from both business and personal accounts.

Recently held a Special Event with gross revenues in excess of \$25,000 or more? These events should be reported within 90 days as outlined in your BMI Local Government Entities License Agreement. Please contact your BMI representative at 877-264-2137 to request a report form.

Connect with additional savings for your business at: [www.bmi.com/fedex](http://www.bmi.com/fedex).

<p><b>APPROVED FOR PAYMENT</b></p> <p>ACCT # _____</p> <p>_____</p> <p>DATE _____</p> <p>_____</p> <p>SIGNATURE _____</p>
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**Profile Details**

Music Profile Information for: 01/01/2018 - 12/31/2018				Invoice: 9697055	
The following information represents changes to your account.					
8640 S Howell Ave P O Box 27 Oak Creek, WI 53154	Profile Details	Adjusted Profile Details	Previous Fees	Adjusted Annual Fee	Change In Fee
Discount Amount			0.00	(34.90)	(34.90)
		10% Group Discount			
Base License Fee			0.00	349.00	349.00
Population		1			



CITY OF OAK CREEK

DEC 21 2017



35 MUSIC SQUARE EAST  
NASHVILLE, TN 37203-4362  
1-866-218-5823  
SESAC FED.I.D.NO.: 13-1325220

RECEIVED

8040 S 6TH ST  
OAK CREEK, WI 53154-2313

Account Number:81306  
Bill To Number:749912  
Date Printed: 12/14/2017

City of Oak Creek

Current Invoice No: 10142059	\$833.00	Message Center
Previous Open Balance	\$ .00	
Net Amount Due By: 01/01/2018	\$833.00	

**Mail any correspondence to: SESAC 35 Music Square East, Nashville, TN 37203**

**PAYMENTS ARE POSTED TO THE OLDEST OUTSTANDING CHARGES**

**Please detach and return the bottom portion with your payment.**

**Two ways to pay! 1) Return this stub with your check or 2) Pay online at [www.sesac.com/pay](http://www.sesac.com/pay)**

To avoid late charges, please pay total due by due date.

CHECK NO: \_\_\_\_\_

Amount Paid \$ \_\_\_\_\_

For Internal Use Only



If paying by credit card: Pay online at [www.sesac.com/pay](http://www.sesac.com/pay)

Login Account Number:81306 Bill To Number:749912  
or Call 1-866-218-5823

DEC 21 2017

RECEIVED



CITY OF OAK CREEK  
8040 S 6TH ST  
OAK CREEK, WI 53154-2313

022242  
T123 P1

**SESAC**  
P.O. BOX 5246  
New York, NY 10008-5246

000813060023612000000008337



Account Number:81306

Bill To Number:749912

City of Oak Creek

Inv Number	Inv Date	Inv Amount	Amt Paid	Late Chgs	Other Adj	Balance
10142059	01/01/2018	\$833.00				\$833.00
<b>City of Oak Creek</b>		8040 S 6th St, Oak Creek, WI				\$833.00
Contract No.: 47114-1		Municipalities, Jan 01,2018 : Dec 31,2018				

**Group Total: \$833.00**

Online Payment and Account information. If you have any questions concerning your account balance, please call us at 866-218-5823 or email us at [customerservice@sesac.com](mailto:customerservice@sesac.com). To pay online, please visit [www.sesac.com/pay](http://www.sesac.com/pay). To obtain more information about SESAC and learn about SESAC services, please visit our website located at [www.sesac.com](http://www.sesac.com).

We take this opportunity to thank you for allowing us to serve your music licensing needs.

Please mail all correspondence to:  
SESAC Inc.  
35 Music Square East  
Nashville, TN 37203

<p><b>APPROVED FOR PAYMENT</b></p> <p>ACCT # _____</p> <p>_____</p> <p>DATE _____</p> <p>_____</p> <p>SIGNATURE _____</p>
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**LOCAL GOVERNMENT ENTITIES**  
**2018 Rate Schedule and Report Form**

Account No.: 500601424

Premise Name: City Of Oak Creek; Oak Creek, WI

Report Due: 12/30/2018

**SCHEDULE A: Base License Fee**

Population Size			Base License Fee
1	to	50,000	\$348.00
50,001	to	75,000	\$694.00
75,001	to	100,000	\$835.00
100,001	to	125,000	\$1,113.00
125,001	to	150,000	\$1,391.00
150,001	to	200,000	\$1,808.00
200,001	to	250,000	\$2,224.00
250,001	to	300,000	\$2,643.00
300,001	to	350,000	\$3,060.00
350,001	to	400,000	\$3,478.00
400,001	to	450,000	\$3,892.00
450,001	to	500,000	\$4,312.00
500,001	Plus***		\$5,284.00

\*\*\* \$5,284.00 plus \$500 for each 100,000 of population above 500,000 to a maximum fee of \$69,531.00

**SCHEDULE B: Special Events**

The rate for Special Events shall be 1% of Gross Revenue.

"Special Events" means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Event exceeds \$25,000.

"Gross Revenue" means all monies received by LICENSEE or on LICENSEE'S behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, "Gross Revenue" shall mean contributions from sponsors or other payments received by LICENSEE for each Special Event.

**SCHEDULE C: State Municipal and/or County Leagues or State Associations of Attorneys**

The annual license fee for LICENSEES who are legally organized as state municipal and/or county leagues or state associations of municipal and/or county attorneys shall be \$348.00

**License Fee for Year 2019 and Thereafter**

For each calendar year commencing 2019, all dollar figures set forth in Schedules A, B and C above (except for \$500.00 add-on for populations of 500,001 or more) shall be the license fee for the preceding calendar year, adjusted in accordance with the increase in the Consumer Price Index - All Urban Consumers (CPI-U) between the preceding October and the next preceding October. Any additional license fees due resulting from the CPI adjustment shall be payable upon billing by ASCAP.



## COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the January 31, 2018 Vendor Summary Report in the combined total of \$803,533.10.

Fiscal Impact: Total claims paid of \$803,533.10. Of this grand total paid, \$243,172.50 will impact the 2017 fiscal year. The remaining amount, \$560,360.60, will impact the 2018 fiscal year.

Critical Success Factor(s):

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Of note are the following payments:

1. \$92,638.32 to Advanced Disposal (pg #1) for December recycling and trash pickup.
2. \$7,403.01 to Alaa Musa (pg #1) for Tax overpayment refund.
3. \$9,679.00 to Art Below Zero, Inc. (pg #2) for ice sculptures and games for Winter Festival on February 17th.
4. \$7,018.51 to AT&T (pg #2) for City telephone plans.
5. \$63,471.69 to Benistar (pg #3) for February Medicare supplement insurance.
6. \$118,303.76 to Compass Mineral Company (pg #6) for salt inventory.
7. \$9,928.00 to Edgerton Contractors, Inc. (pg #8) for Lake Vista Community Park and playground.
8. \$6,275.00 to Election Systems & Software, LLC. (pg #8) for election equipment.
9. \$7,134.65 to Miller-Bradford & Risberg, Inc. (pg #15) for Street Department's 90" power rake, and supplies (filters, latch, & power spray).
10. \$23,429.00 to Milwaukee City Federated Library (pg #16) for annual software and database fee.
11. \$69,434.00 to Municipal Property Insurance Company (pg #16) for policy renewal.
12. \$14,185.22 to Northpointe Holdings LLC (pg #17) for Tax overpayment refund.
13. \$6,794.30 to Oak Creek – Franklin Joint (pg #17) for 2016 correction of error and omitted property taxes.

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14. \$44,683.28 to Oak Creek Water & Sewer Utility (pg #17) for diggers hotline and inspection costs relating to the following projects: Ikea Way, Drexel Ridge, Glen Crossing, and FedEx .
  15. \$13,711.44 to Outdoor Lighting Construction (pg #18) for street light relocation on 13th & W Drexel Ave, Project 18021.
  16. \$8,813.82 to Payne & Dolan, Inc (pg #18) for annual road improvement project.
  17. \$23,130.00 to Tyler Technologies, Inc. (pg #23) for assessor services.
  18. \$8,870.00 to Ultramax (pg #23) for Police Department ammunition.
  19. \$5,907.50 to Vandewalle & Associates, Inc. (pg #24) for TIF #14 and TIF#15 creation.
  20. \$70,343.36 to WE Energies (pgs #24-25) for street lighting, electricity & natural gas.
  21. \$10,801.36 to Wheaton Franciscan Medical Group (pg #25) for December's nurse practitioner services/supplies.
  22. \$18,422.95 to World Fuel (pg #26) for fuel inventory.
  23. \$21,619.46 to Zenith Tech (pg #26) for bridge maintenance project.

Options/Alternatives: None

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:



Bridget M. Souffrant  
Finance Director/Comptroller

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Attachments: 1/31/18 Invoice GL Distribution Report



## COMMON COUNCIL REPORT

**Item:** Final Payment - Project No. 13023

**Recommendation:** That the Common Council approve Resolution No. 11905-020618, accepting the workmanship of Raza of Racine, LLC and authorizing final payment for Project No. 13023.

**Fiscal Impact:** Final payment of \$750.00 is to be paid with CIP provided funding.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

**Background:** This project involved the installation of sidewalk improvements in various locations city wide (4th & 5th Districts). This project was authorized by the Common Council as part of the Capital Improvement Program, and was awarded on March 1, 2016.

**Options/Alternatives:** none

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

J. John Ozolins  
Senior Engineering Technician

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Approved:

Michael C. Simmons, PE  
City Engineer

Attachments: Project 13023 Final Project Payment Cost Breakdown

**RESOLUTION NO. 11905-020618**

**BY: \_\_\_\_\_**

**RESOLUTION ACCEPTING THE WORKMANSHIP OF  
RAZA OF RACINE, LLC  
AND AUTHORIZING FINAL PAYMENT**

**VARIOUS LOCATIONS CITY WIDE  
SIDEWALK REPLACEMENT**

**PROJECT NO. 13023**

**(4<sup>th</sup> & 5<sup>th</sup> ALDERMANIC DISTRICTS)**

WHEREAS, the City of Oak Creek, hereinafter referred to as the City, and Raza of Racine, LLC, hereinafter referred to as the contractor, entered into a contract whereby the Contractor agreed to perform certain public works under Project No. 13023 for the installation of sidewalk improvements in the City of Oak Creek, in accordance with plans and specifications prepared by the City Engineer for the agreed price of \$61,882.65; and,

WHEREAS, said total final contract price has been determined to be \$55,615.08 as computed by the City Engineer using actual quantities, as measured, additions and deletions to the contract, and contract unit prices; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications; and,

WHEREAS, the Contractor has filed with the City an affidavit stating that he has complied fully with the provisions and requirements of Section 66.0903, Wis. Stats.; and,

WHEREAS, the City Engineer has submitted his final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account, the sum of \$750.00.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineer be accepted.

BE IT FURTHER RESOLVED that the City of Oak Creek does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Oak Creek hereby reserves, if any, and subject to the right of the City of Oak Creek to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Oak Creek as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that in order to guarantee said workmanship and materials on the sidewalk installation for a period of 12 months after the acceptance of the work,

the performance or contract bond, which has been made a part of the contract, shall be in effect until 12 months after the passage of the resolution.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$750.00 to the Contractor in full and final payment of the City's obligations under this contract.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 6<sup>th</sup> day of February, 2018.

Passed and adopted this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
President, Common Council

Approved this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor, City of Oak Creek

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_



# FINAL PROJECT PAYMENT COST BREAKDOWN

CITY PROJECT NO. **13023**

PROJECT LOCATION: Various Locations City Wide

PROJECT DESCRIPTION: Sidewalk Replacemant

GENERAL CONTRACTOR: Raza of Racine LLC

COUNCIL MEETING DATE: **February 6, 2018**

COUNCIL RESOLUTION NO. **11905-020618**

CONTRACT BID AMOUNT:	\$	61,882.65
AUTHORIZED ADDITIONS TO ORIGINAL CONTRACT AMOUNT:	\$	3,520.00
REVISED CONTRACT AMOUNT:	\$	65,402.65
AS-BUILT PROJECT COST:	\$	55,615.08
AMOUNT OVER/UNDER ORIGINAL CONTRACT AMOUNT:	\$	6,267.57
AMOUNT PAID TO DATE:	\$	54,865.08
AMOUNT DUE FINAL PAYMENT:	\$	750.00

PREPARED BY: J. John Ozolins  
Senior Engineering Technician

DATE PREPARED: January 22, 2018

APPROVED FOR PAYMENT BY: Mike Simmons, PE, City Engineer

DATE APPROVED: Monday, January 22, 2018

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. **13023**  
 LOCATION: Various Locations City Wide  
 DESCRIPTION: Sidewalk Replacemant

PREPARED BY: J. John Ozolins  
 Senior Engineering Technician  
 DATE PREPARED: January 0, 1900

BID ITEM	BID ITEM DESCRIPTION	BID AMOUNT	AS-Built AMOUNT	UNIT PRICE	BID PRICE	AS-BUILT COST	OVER/ UNDER
1	Remove & replace 5" concrete sidewalk	8735	7392.5	\$ 6.99	\$ 61,057.65	\$ 51,673.58	\$ (9,384.07)
2	Base aggregate, 3/4"	55	28.1	\$ 15.00	\$ 825.00	\$ 421.50	\$ (403.50)
CM#1	Truncated Domes	80	80	\$ 44.00	\$ 3,520.00	\$ 3,520.00	\$ -
					\$ 65,402.65	\$ 55,615.08	\$ (9,787.57)



## COMMON COUNCIL REPORT

Item: Olbrantz Drainage Easement

Recommendation: That the Common Council adopt Resolution No. 11906-020618, a resolution approving a drainage easement with Marlene Olbrantz located at 327 E. Forest Hill Avenue (Tax Key No. 827-9993-001)(Project No. 15022)(3<sup>rd</sup> Aldermanic District).

Fiscal Impact: None.

- Critical Success Factor(s):
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

Background: The drainage easement is required for the City to replace and relocate a storm sewer through 327 E. Forest Hill Avenue. These improvements are part of the Forest Hill Storm Sewer Replacement Project No. 15022.

Options/Alternatives: None.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Philip J. Beiermeister, P.E.  
Environmental Design Engineer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Approved:

Michael C. Simmons, P.E.  
City Engineer

Attachments:

\*Resolution 11906-020618

\*Olbrantz Drainage Easement

**RESOLUTION NO. 11906-020618**

**BY: \_\_\_\_\_**

**RESOLUTION APPROVING A DRAINAGE EASEMENT WITH MARLENE OLBRANTZ  
LOCATED AT 327 E. FOREST HILL AVENUE  
(TAX KEY NO. 826-9027)  
(3<sup>RD</sup> ALDERMANIC DISTRICT)**

WHEREAS, the City of Oak Creek is replacing a deteriorated storm sewer as part of the E. Forest Hill storm sewer replacement project; and

WHEREAS, the alignment of the storm sewer is being modified on 327 E. Forest Hill Avenue; and

WHEREAS, to enable the City to maintain, construct and reconstruct said facilities, it will be necessary to obtain an easement from the affected property owner; and

WHEREAS, the drainage easement has been prepared affecting the following property owner, to wit:

Marlene Olbrantz  
327 E. Forest Hill Avenue  
Oak Creek, WI 53154  
Tax Key No. 827-9993-001

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the attached easement is hereby approved and accepted by the City.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to execute the attached easement on behalf of the Common Council of the City of Oak Creek and upon execution by both the City of Oak Creek and Marlene Olbrantz, the City Attorney is hereby authorized and directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 6<sup>th</sup> day of February, 2018.

Passed and adopted this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
President, Common Council

Approved this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_

Document Number	Document Title
<p>EASEMENT NO. _____</p> <p>PROJECT NO. <u>15022</u></p> <p>RESOLUTION NO. <u>11906-020618</u></p> <p>ADDRESS NO.: 327 E. Forest Hill Avenue Oak Creek, WI 53154</p> <p>GRANTOR(S): Marlene Olbrantz</p> <p>M/A: 327 E. Forest Hill Avenue Oak Creek, WI 53154</p>	<p><b>Drainage Easement</b></p>

<p>Recording Information Area</p> <p>Melissa Karls 7300 S. 13<sup>th</sup> Street, Suite 104 Oak Creek, WI 53154</p> <p>Name and Return Address</p>
---

TAX KEY NO. 827-9993-001  
Parcel Identification Number (PIN)

**DRAINAGE EASEMENT**

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between, Marlene Olbrantz, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, hereinafter referred to as "Grantee";

**WITNESSETH:**

Grantor for a valuable consideration, the sufficiency and receipt whereof is hereby acknowledged, does hereby grant to the Grantee an easement to construct, maintain, operate and reconstruct where necessary a drainage facility and appurtenances in, under, over and across the real property of Grantor in the City of Oak Creek, County of Milwaukee and State of Wisconsin, as shown on Exhibit "A", and more particularly described as follows:

Part of the Southwest ¼ of Section 16, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, State of Wisconsin, described as follows:

Commencing at the Northwest corner of the Southwest ¼ of Section 16, Township 5 North, Range 22 East, City of Oak Creek, County of Milwaukee, Wisconsin, thence N89°18'49"E 997.89 feet; thence S00°22'27"W 33.01 feet to a point on the south line of E. Forest Hill Avenue and the point of beginning; thence continuing S00°22'27"W 7.00 feet to northeast corner of Parcel 1 of Certified Survey Map No. 3834; thence continuing S00°22'27"W 150.00 along the east line of Certified Survey Map No. 3834 to the southeast corner of said Certified Survey Map; thence S89°18'49"W 15.00 feet along the south line of the said Certified Survey Map; thence S45°00'00"W 87.15 feet to a point on the west property line; thence S00°22'27"W 410.69 feet along the west property line to the southwest corner of the parcel; thence N89°18'49"E 417.91 feet along the south property line to the southeast corner of the parcel and a point on the west line of the Forest Hill Manor Subdivision; thence N00°32'20"E 20.00 feet along the west property line; thence S89°18'49"W 398.02; thence N00°22'27"E 367.88 feet; thence N45°00'00"E 101.38 feet; thence N00°22'27"E 169.87 feet to the south line of E. Forest Hill Avenue; thence S89°18'49"W 15.00 feet along said south line to the point of beginning.

To have and to hold said easement unto the Grantee and unto its successors and assigns forever. Said easement shall replace and succeed all previous drainage easements on the real property held by the Grantee.

The Grantee shall have the right to enter upon and to pass and repass over and along the aforesaid land whenever and wherever necessary for the purpose of installation, maintenance, operation and repair of the aforesaid drainage facility and appurtenances thereto.

The Grantee agrees to restore or cause to have restored the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or its agents. However, the Grantee's obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots which may interfere with the Grantee's use of the aforesaid easement.

The Grantee shall have the right to trim or remove any trees, bushes, branches or roots so as not to interfere with the Grantee's use of the aforesaid easement.

The aforesaid drainage facility and appurtenances shall be maintained and kept in good order and condition at the expense of the Grantee.

The Grantor reserves the right, to themselves and to their heirs, personal representatives, successors and assigns, to have the full use and enjoyment of the

aforesaid premises, except as to the rights herein granted.

If the premises herein are discontinued or abandoned for the purpose granted, the easement herein conveyed shall, without notice, demand or re-entry, revert to the Grantor, its heirs, personal representatives, successors and assigns. In such event, the City agrees to reconvey by quit claim deed to Grantor, its heirs, personal representatives, successors and assigns, the premises described herein.

The City shall and does hereby agree to indemnify and save harmless the Grantor, its heirs, personal representatives, successors and assigns, from any and all loss of damage to property or injury to or death of any and all persons, or from any suits, claims, liability or demand in connection therewith however caused, resulting directly or indirectly by reason of the installation, operation, maintenance, removal, use or existence of the aforesaid storm sewer and appurtenances thereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Grantor:

Marlene Olbrantz  
Marlene Olbrantz

STATE OF WISCONSIN )  
                                  )SS.  
MILWAUKEE COUNTY )

Personally came before me this 22nd day of January, 2018 the above-named, Marlene Olbrantz, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Christa J. Miller  
Notary Public, Milwaukee County, WI  
Christa J. Miller  
My commission expires: 1-29-21



Grantee: CITY OF OAK CREEK

\_\_\_\_\_  
Daniel J. Bukiewicz, MAYOR

\_\_\_\_\_  
Catherine A. Roeske, CITY CLERK

STATE OF WISCONSIN )  
  )SS.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, Daniel J. Bukiewicz, MAYOR and Catherine A. Roeske, CITY CLERK, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument, as such officers, as the deed of said municipal corporation, by its authority, pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public, Milwaukee County, WI

My commission expires: \_\_\_\_\_

This instrument was drafted by the City of Oak Creek Engineering Department.

Approved as to form by:

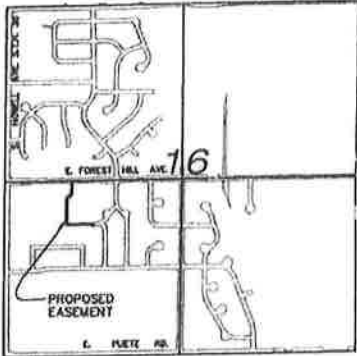
\_\_\_\_\_  
Melissa Karls, City Attorney  
Notary Public  
My commission is permanent.



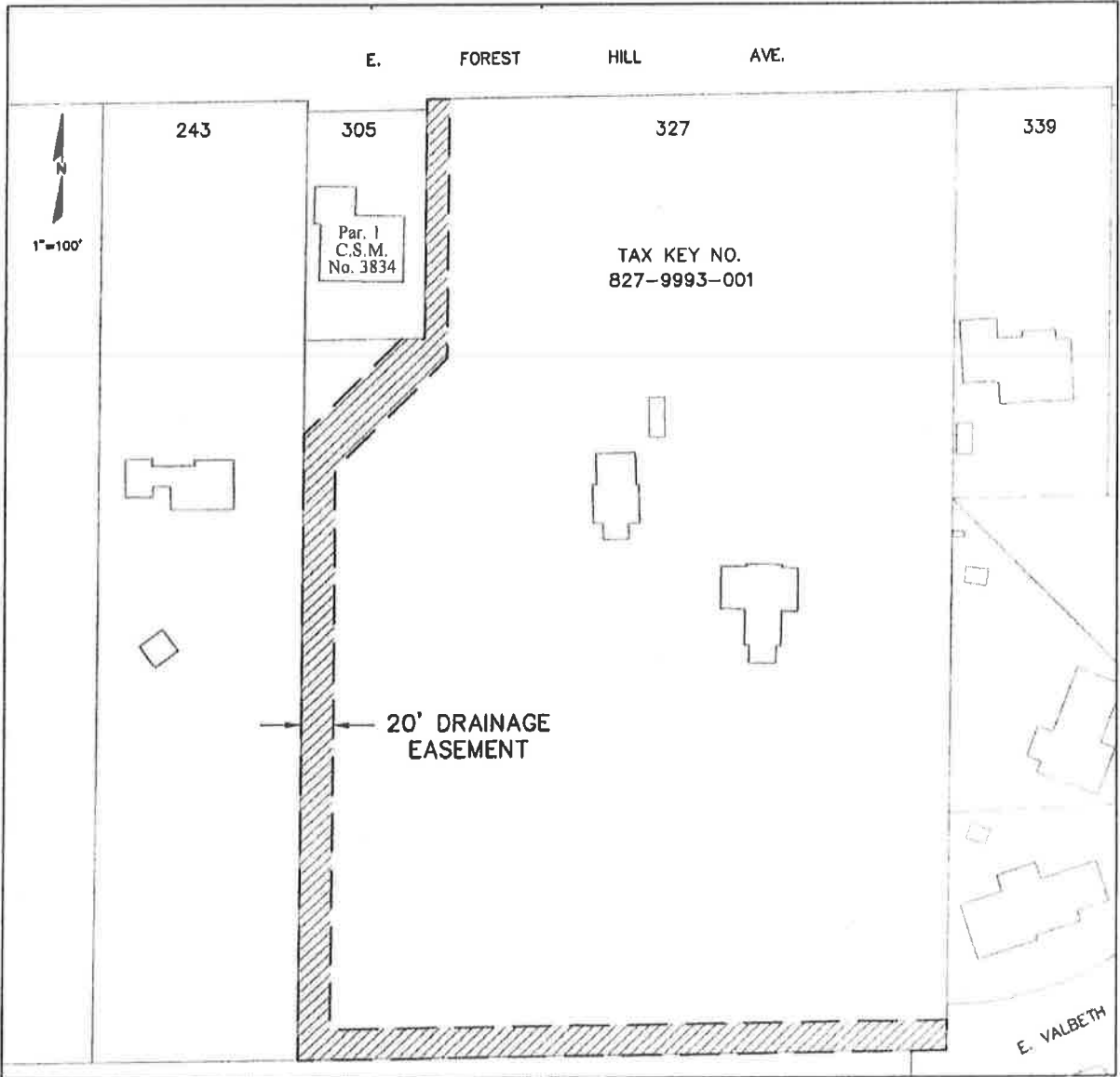
SECTION 16, T5N, R22E

# EXHIBIT "A"

**DRAINAGE EASEMENT**  
**327 E. FOREST HILL AVENUE**  
**CITY OF OAK CREEK, MILWAUKEE COUNTY**



**LOCATION MAP**





## COMMON COUNCIL REPORT

Item: Electrical easement vacation

Recommendation: That the Common Council adopts Resolution No. 11907-020618, a resolution vacating a We Energies 20' x 777.25' permanent underground electric easement at 641 W Oakwood Road (Tax Key No. 975-1004-000) (Project No. 13054) (5<sup>th</sup> District).

Fiscal Impact: None

- Critical Success Factor(s):
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

Background: We Energies requested a 20' x 777.25' underground easement that was to run along the south property line of Outlot 1 CSM 8154. The easement layout is south of the existing ATC transmission lines and in the Southwest corner of the OakView Business Park. The Council approved this easement with Resolution No. 11806-041817. We Energies has since requested a new easement for this alignment. The previous alignment did not accommodate the required distance from the ATC tower bases and had a conflict with the culvert crossing.

Options/Alternatives: If the easement is not vacated the City will have an encumbrance on the property that is not being used by We Energies.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Brian L. Johnston, PE  
Assistant City Engineer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Approved:

Michael C. Simmons, PE  
City Engineer

Attachments: Resolution 11907-020618, Distribution Easement Underground

**RESOLUTION NO. 11907-020618**

**BY: \_\_\_\_\_**

**RESOLUTION VACATING A WE ENERGIES 20' X 777.25' PERMANENT UNDERGROUND ELECTRIC EASEMENT AT 641 W. OAKWOOD ROAD**

**(TAX KEY NO. 975-1004-000)**

**(5<sup>TH</sup> ALDERMANIC DISTRICT)**

WHEREAS, We Energies is requesting to vacate a 20' x 777.25' permanent underground electric easement that is to connect the proposed substation to S. 13<sup>th</sup> Street, and;

WHEREAS, the permanent underground electric easement is located across the southern 20 feet of Outlot 1 of CSM 8154 of the City property at 641 W. Oakwood Road, and;

WHEREAS, the We Energies proposed buried line is not able to be constructed in the existing easement location and a new easement will be requested;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the 20' x 777.25' permanent underground electric easement at 641 W. Oakwood Road be vacated and the Mayor and City Clerk are hereby authorized to execute the same.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 6<sup>th</sup> day of February, 2018.

Passed and adopted this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
President, Common Council

Approved this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_ Noes \_\_\_

11806-041817

JAN 24 2018

RECEIVED

DISTRIBUTION EASEMENT UNDERGROUND

Document Number

WR NO. IO NO.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CITY OF OAK CREEK, A WISCONSIN MUNICIPAL CORPORATION, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as the south 20 feet of Outlot 1 of Certified Survey Map No. 8154, recorded on June 3, 2009, as Document No. 9747350, being part of the Northeast of the Southwest 1/4, Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO: We Energies PROPERTY RIGHTS & INFORMATION GROUP 231 W. MICHIGAN STREET, ROOM A252 PO BOX 2046 MILWAUKEE, WI 53201-2046

975-1004-000 (Parcel Identification Number)

- 1. Purpose: The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. Access: Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. Buildings or Other Structures: Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. Elevation: Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. Restoration: Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. Exercise of Rights: It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. Binding on Future Parties: This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. Easement Review: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

Grantor:

CITY OF OAK CREEK, A WISCONSIN MUNICIPAL CORPORATION

By Daniel J. Bukiewicz  
~~Daniel J. Bukiewicz,~~  
~~Stephen Scaffidi, Mayor~~ Mayor

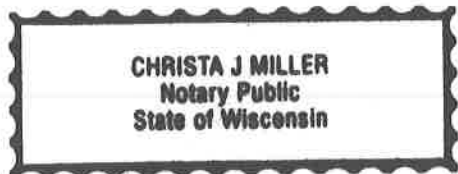
By Catherine A. Roeske

Catherine A. Roeske, City Clerk

Personally came before me in Milwaukee County, Wisconsin on April 21, 2017.

the above named Stephen Scaffidi, the Mayor and Catherine A. Roeske the City Clerk of the CITY OF OAK CREEK, A WISCONSIN MUNICIPAL CORPORATION, for the municipal corporation, by its authority, and pursuant to Resolution File

No. 11806-041817 adopted by its Common Council on April 18, 2017



Christa J. Miller  
Notary Public Signature, State of Wisconsin

Christa J Miller  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires 1-29-21

This instrument was drafted by Maria Koerner on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

W. OAKWOOD ROAD



**OUTLOT 1  
CSM 8154**

**S. HOWELL AVENUE AKA  
STH 38**

**OUTLOT 1  
CSM 8718**

**KEY**



20 FOOT WIDE  
EASEMENT STRIP

**EXHIBIT "A"**

NOT TO SCALE

ID0	<p>OUTLOT 1, CSM 8154 SOUTHWEST ¼, SECTION 32, TOWN 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN</p>	DRAWN BY M KOERNER
REVISIONS		DATE 3/26/2017



# COMMON COUNCIL REPORT

Item: Electrical easement

Recommendation: That the Common Council adopts Resolution No. 11908-020618, a resolution granting a We Energies 20' x 775.83' permanent underground electric easement at 641 W Oakwood Road (Tax Key No. 975-1004-000) (5<sup>th</sup> Aldermanic District).

Fiscal Impact: None

- Critical Success Factor(s):
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

Background: The easement area is described as strips of land 20 feet in width being a part of Outlot 1 of CSM 8154 and Outlot 1 of CSM 8718. The easement centerline is located 79.06 feet north of the south property line on CSM 8154 and 28.70 feet north of the south property line of CSM 8718. The requested easement line is to connect S. 13<sup>th</sup> Street with the substation located south of OakView Business Park.

Options/Alternatives: If the easement is not granted the electrical service to the substation and area businesses will be impacted.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Brian L. Johnston, PE  
Assistant City Engineer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Approved:

Michael C. Simmons, PE  
City Engineer

**RESOLUTION NO. 11908-020618**

**BY: \_\_\_\_\_**

**RESOLUTION GRANTING TO WE ENERGIES A 20' X 775.83' PERMANENT UNDERGROUND ELECTRIC EASEMENT AT 641 W. OAKWOOD ROAD**

**(TAX KEY NO. 975-1004-000)**

**(5<sup>TH</sup> ALDERMANIC DISTRICT)**

WHEREAS, WE Energies requires a 20' x 775.83' permanent underground electric easement to install a new buried electrical service to connect the proposed substation to S. 13<sup>th</sup> Street, and;

WHEREAS, the proposed permanent underground electric easement would be located across the City property at 641 W. Oakwood Road, and;

WHEREAS, the WE Energies buried line would bring primary voltage facilities to the substation and WE Energies requires all of its primary voltage facilities to be located within permanent easements;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the 20' x 775.83' permanent underground electric easement at 641 W. Oakwood Road be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit the executed easement to WE Energies for their recording of the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 6<sup>th</sup> day of February, 2018.

Passed and adopted this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
President, Common Council

Approved this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_



**DISTRIBUTION EASEMENT  
UNDERGROUND**

Document Number

WR NO. **4062854** IO NO. **52384**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF OAK CREEK, A WISCONSIN MUNICIPAL CORPORATION**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land twenty (20) feet in width being a part of **Outlot 1** of that certain **Certified Survey Map No. 8154**, as recorded in the office of the Register of Deeds for Milwaukee County on June 3<sup>rd</sup>, 2009, as **Document No. 9747350** and **Outlot 1** of that certain **Certified Survey Map No. 8718**, as recorded on August 31<sup>st</sup>, 2015, as **Document No. 10494589**; also being part of the **Southwest ¼ and the Southeast ¼ of Section 32, Township 5 North, Range 22 East, City of Oak Creek, County of Milwaukee, State of Wisconsin.**

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM A252  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

975-1004 & 955-1026  
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

**Grantor:**

**CITY OF OAK CREEK, A WISCONSIN MUNICIPAL CORPORATION**

By \_\_\_\_\_

Daniel J. Bukiewicz, Mayor

By \_\_\_\_\_

Catherine A. Roeske, City Clerk

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, 2018,

the above named Daniel J. Bukiewicz, the Mayor, and Catherine A. Roeske the City Clerk, of the CITY OF OAK CREEK, A WISCONSIN MUNICIPAL CORPORATION, for the municipal corporation, by its authority, and pursuant to Resolution File

No. \_\_\_\_\_ adopted by its \_\_\_\_\_ on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

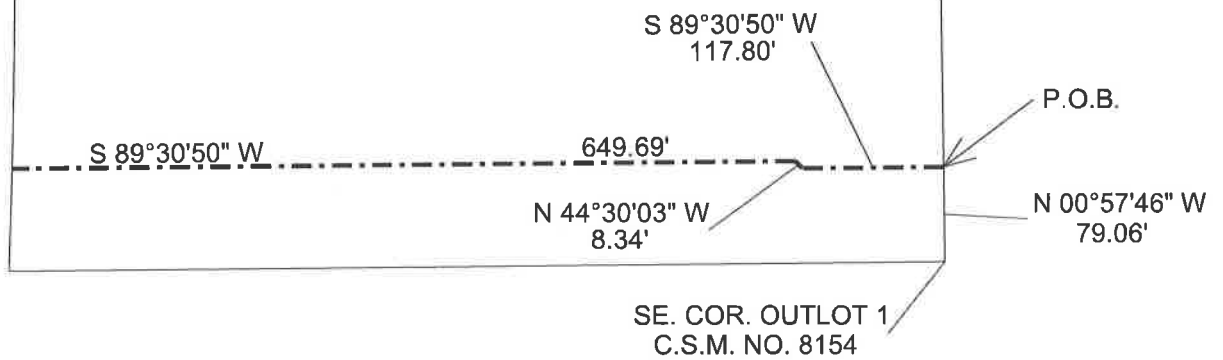
\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires \_\_\_\_\_



OUTLOT 1  
C.S.M. NO 8154



----- = C/L 20' WIDE WE-ENERGIES EASEMENT

PAGE 2 OF 2

 EXHIBIT "A"

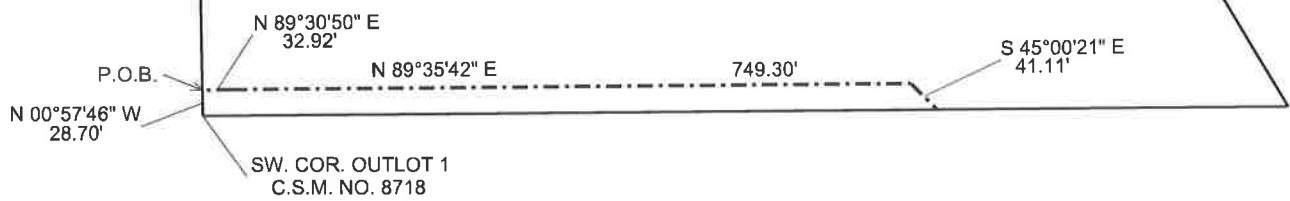
PART OF OUTLOT 1 OF C.S.M. NO. 8154  
LOCATED IN THE SW 1/4 OF SECTION 32,  
T5N, R22E, CITY OF OAK CREEK,  
MILWAUKEE COUNTY, WISCONSIN

DRAWN BY:	TIMOTHY JOHNSON
DATE:	12/28/2017
WR NUMBER:	4062854
REVISIONS:	_____
	_____



WEST OAKVIEW PARKWAY

OUTLOT 1  
C.S.M. NO. 8718



----- = C/L 20' WIDE WE-ENERGIES EASEMENT

PAGE 1 OF 2

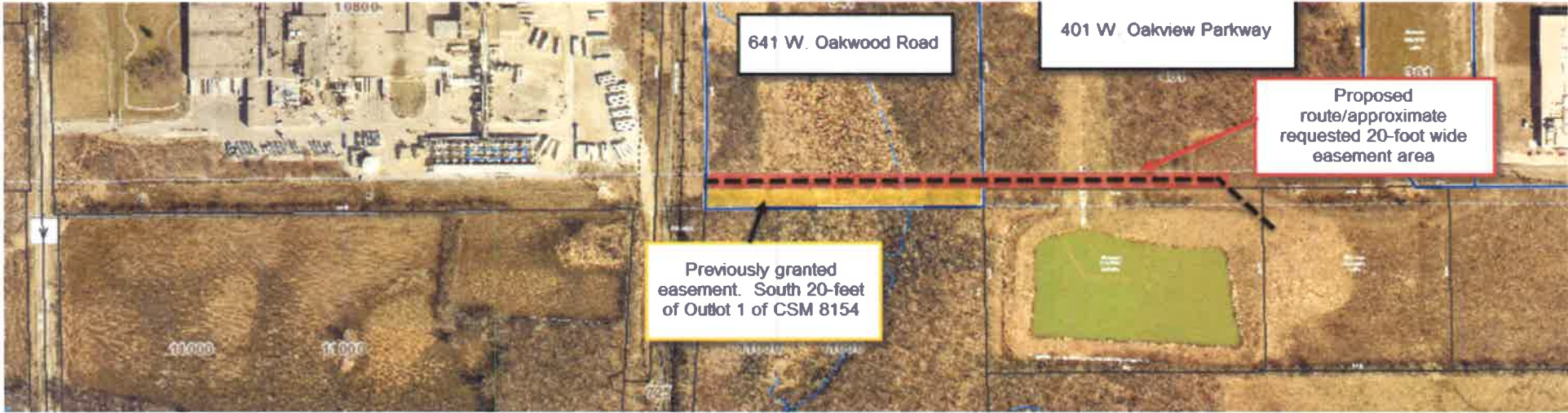


EXHIBIT "A"

PART OF OUTLOT 1 OF C.S.M. NO. 8718  
LOCATED IN THE SE 1/4 OF SECTION 32,  
T5N, R22E, CITY OF OAK CREEK,  
MILWAUKEE COUNTY, WISCONSIN

DRAWN BY:	TIMOTHY JOHNSON
DATE:	12/28/2017
WR. NUMBER:	4062854
REVISIONS:	_____

FILE LOCATION





ELECTRIC WORK REQUEST

4062854

725 W. Oakwood Rd

641 W. Oakwood Rd  
Oak Creek, WI  
(O) City of Oak Creek



SHEET 4

BORE PIT  
8.27

MH 17-9015  
STD 222196

GRAVEL

CANADIAN PACIFIC RAILWAY

FOUND  
CONC MON

FEMA Flood Hazard polygon

FEMA Flood Hazard polygon

2 DIRECTIONAL BORES  
EACH INSTALLING 4x6" POLY  
DUCT 818' 12' APART

ENV 1-5, 7-12, 27

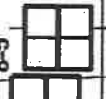
BORE PIT  
8.27

110

146'



HIGH TENSION TOWER



146'

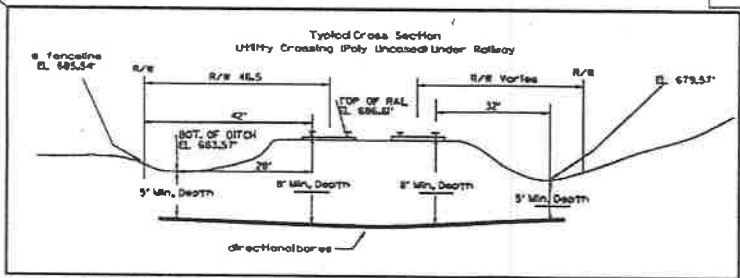
FOUR  
CONC

SHEET 2

UNPLATTED LANDS  
OWNER: MILWAUKEE COUNTY PARK CO.  
TAXKEY# 975-9998

20' MINIMUM CLEARANCE  
FROM LATTICE TOWER BASE  
PER ATC

11000 S. 13th St



SCALE 1" = 60'

SHEET 3 OF 5



ELECTRIC WORK REQUEST  
4062854



100' - 12' wattles  
each side of excavation

401 W Oakview Pkwy  
Oak Creek, WI 53154  
(O) City of Oak Creek

12' wattles between  
excavation and wetland

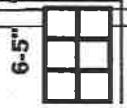
ENV 1-5,8

8140

HIGH TENSION TOWER

110

MH 17-9014  
STD 222196

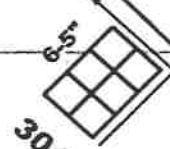


650'

108

MH 17-9018  
STD 222196

8139



304'

100

MH 17-9004  
INSTALLED ON  
WR 4062852

**OAKVIEW SS**

20' MINIMUM CLEARANCE  
FROM LATTICE TOWER BASE  
PER ATO

out of 1  
csm 8900

OUTLET 1  
PROPOSED CSM  
STORM POND, DRAINAGE  
AND STORM SEWER ESMNT.  
PER CSM NO. 8606

FOUND  
CONC MON

SHEET 3



## COMMON COUNCIL REPORT

**Item:** Dedication and Release

**Recommendation:** That the Common Council adopts Resolution No. 11909-020618, a resolution accepting dedication of the public improvements and release from the development agreement for the Centennial Park Expansion project (Tax Key Nos. 860-9047-000, 860-9048-000, and 860-9049-000)(Project Nos. 09054 and 09055)(3<sup>rd</sup> Aldermanic District)

**Fiscal Impact:** Full maintenance of the public improvements becomes the City's responsibility.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

**Background:** The Developer has completed, to the satisfaction of the Engineering Department, Street Department and the Oak Creek Water and Sewer Utility, all required public improvements for the Centennial Park Expansion project. The Developer, Centennial Park South, LLC, completed the installation of the public water main. This project was the expansion of the Centennial Park apartment complex that is operated by Wimmer Properties. The Developer has executed the dedication and affidavit papers conveying the public improvements free and clear of all encumbrances. There are no current outstanding assessments against the properties, and all required City fees and costs have been paid.

**Options/Alternatives:** None

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Brian L. Johnston, PE  
Assistant City Engineer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Approved:

Michael C. Simmons, PE  
City Engineer



Approved:



Ronald J. Pritzlaff, PE  
Utility Engineer

---

Attachments: Resolution No. 11909-020618, Dedication and Release

**RESOLUTION NO. 11909-020618**

BY: \_\_\_\_\_

**RESOLUTION ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND  
RELEASING THE DEVELOPER FROM THE DEVELOPMENT AGREEMENT**

**CENTENNIAL PARK EXPANSION**

**(PROJECT NOS. 09054 AND 09055)**

**(3<sup>RD</sup> ALDERMANIC DISTRICT)**

WHEREAS, Mark J. Wimmer, Centennial Park South, LLC, hereinafter referred to as the "Developer", has constructed and installed all required public water main for said Centennial Park Expansion at the expense of the Developer and in accordance with the plans and specifications conforming to applicable City Ordinances and approved by the City; and

WHEREAS, the Development Agreement provided that the developer shall dedicate and convey the said public improvements to the City, free and clear of all encumbrances; and

WHEREAS, the Owner has offered a dedication instrument attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek, that the said dedication be and the same hereby is accepted; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Oak Creek that the Owner is hereby released from the terms and conditions of their development agreement.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 6<sup>th</sup> day of February, 2018.

Passed and adopted this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
President, Common Council

Approved this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

11900-020618  
Document Number

DEDICATION OF PUBLIC IMPROVEMENTS  
AND RELEASE FROM THE CENTENNIAL  
PARK EXPANSION DEVELOPMENT  
AGREEMENT  
Document Title

Recording Area

Name and Return Address

Douglas W. Seymour, Director  
Department of Community Development  
8040 S. 6<sup>th</sup> Avenue  
Oak Creek, WI 53154

860-9047, 860-9048, 860-9049

Parcel Identification Number (PIN)

WHEREAS, THE CITY OF OAK CREEK, a municipal corporation of Milwaukee County, State of Wisconsin, hereinafter referred to as the "City", and, Centennial Park South, LLC, 5300 S 108<sup>th</sup> Street, Suite 1, Hales Corners, WI, 53130, and hereinafter referred to as "Developer", entered into a Development Agreement dated March 20, 2014 which was approved by Resolution No. 11468-031814 for Centennial Park Expansion and more particularly described as follows;

WHEREAS, the Developer proposes to develop the following described lands situated in the City of Oak Creek, County of Milwaukee and State of Wisconsin, to-wit:

Lots 2, 3 & 4 of Certified Survey Map No. 8499, being a redivision of Parcel 4 of CSM 6766, Parcel 2 of CSM 4457 and Outlot 1 of CSM 4457, and being a part of the Southeast 1/4 of the Northwest 1/4 of Section 21, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

WHEREAS, the Developer has completed the construction and installation of said public water main in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the Municipal Code of the City, and the City Engineer has certified the systems' acceptability; and

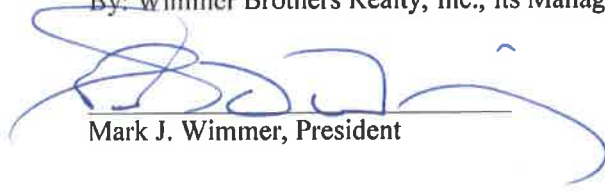
WHEREAS, the Development Agreement was recorded with the Milwaukee County Register of Deeds office on April 17, 2014, in Document #10352092; and

NOW, THEREFORE, in consideration of \$1.00 and other good and valuable consideration, to it in hand paid, receipt of which is herein acknowledged and confessed.

1. The Developer hereby gives, grants, conveys and fully dedicates the said public water main, to the City of Oak Creek forever, free and clear of all encumbrances whatever, together with and including any and all land, structures, mains, conduits, pipes, equipment, plant appurtenances and hereditaments, which in any way be a part of or pertain to such public facilities.
2. The Developer hereby warrants and will forever defend the title to the dedicated public water main, for the Centennial Park Expansion against all lawful claims of all persons whomsoever.
3. The Developer is hereby released and discharged from the terms of the Development Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument under their several seals the day and year first above written, the name and corporate seal of each corporate body being hereto affixed and the instrument duly signed by its duly authorized representatives.

In presence of: Centennial Park South, LLC  
By: Wimmer Brothers Realty, Inc., Its Manager



Mark J. Wimmer, President

STATE OF WISCONSIN)  
(SS.  
MILWAUKEE COUNTY)

Personally came before me this 31<sup>st</sup> day of January, 2018, the above-named, Mark J. Wimmer, President of Wimmer Brothers Realty, Inc., Manager of Centennial Park South, LLC, to me known to be the person who executed the foregoing instrument and to me known to be such Member of said corporation, acknowledged that they executed the foregoing instrument as such officers.

  
Notary Public



Milwaukee County, Wisconsin

My commission ~~expires~~ is permanent

CITY OF OAK CREEK

\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor

Countersigned:

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

STATE OF WISCONSIN)  
(SS.  
MILWAUKEE COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers, as the deed of said municipal corporation, by its authority, and pursuant to Resolution No. \_\_\_\_\_ adopted by its Common Council on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Melissa L. Karls, Notary Public  
Milwaukee County, Wisconsin  
My commission is permanent.

This document was drafted by Brian L. Johnston, P.E., of the City of Oak Creek Engineering Department.

Approved as to form:

\_\_\_\_\_  
Melissa L. Karls, City Attorney

**CERTIFICATE OF THE CITY ENGINEER**

I, Michael C. Simmons, City Engineer of the City of Oak Creek, do hereby certify:

That the construction and installation of public improvements, installed by the Developer of the Centennial Park Expansion, in the City of Oak Creek, have been completed in accordance with the approved designs, plans and specifications therefore, or in accordance with approved changes, variations, alterations and modifications; and

That the public improvements are in satisfactory operating condition; and

That I further certify that the Developer has submitted satisfactory written evidence that they have paid all of the costs incurred in the construction and installation of said systems and improvements.

Dated this 1<sup>st</sup> day of Feb., 2018.



Michael C. Simmons, P.E.  
City Engineer



## COMMON COUNCIL REPORT

**Item:** Dedication and Release

**Recommendation:** That the Common Council adopts Resolution No. 11910-020618, a resolution accepting dedication of the public improvements and release from the development agreement for the Southfield Expansion II project (Tax Key Nos. 736-8990-001, 736-8007-000, 736-8999-003, 736-8010-000, and 736-8011-000)(Project No. 15054)(1<sup>st</sup> Aldermanic District)

**Fiscal Impact:** Full maintenance of the public improvements becomes the City's responsibility.

- Critical Success Factor(s):**
- Vibrant and Diverse Cultural Opportunities
  - Thoughtful Development and Prosperous Economy
  - Safe, Welcoming, and Engaged Community
  - Inspired, Aligned, and Proactive City Leadership
  - Financial Stability
  - Quality Infrastructure, Amenities, and Services
  - Not Applicable

**Background:** The Developer has completed, to the satisfaction of the Engineering Department, Street Department and the Oak Creek Water and Sewer Utility, all required public improvements for the Southfield Expansion II project. The Developer, Southfield Expansion II, LLC, completed the installation of the public water main. This project was the expansion of the Southfield apartment complex that is operated by Wimmer Properties. The Developer has executed the dedication and affidavit papers conveying the public improvements free and clear of all encumbrances. There are no current outstanding assessments against the properties, and all required City fees and costs have been paid.

**Options/Alternatives:** None

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Brian L. Johnston, PE  
Assistant City Engineer

Fiscal Review:

Bridget M. Souffrant  
Finance Director/Comptroller

Approved:

Michael C. Simmons, PE  
City Engineer



Approved:



Ronald J. Pritzlaff, PE  
Utility Engineer

---

Attachments: Resolution No. 11910-020618, Dedication and Release

**RESOLUTION NO. 11910-020618**

**BY: \_\_\_\_\_**

**RESOLUTION ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND  
RELEASING THE DEVELOPER FROM THE DEVELOPMENT AGREEMENT**

**SOUTHFIELD EXPANSION II**

**(PROJECT NO. 15054)**

**(1<sup>ST</sup> ALDERMANIC DISTRICT)**

WHEREAS, Mark J. Wimmer, Southfield Expansion II, LLC, hereinafter referred to as the "Developer", has constructed and installed all required public water main for said Southfield Expansion II at the expense of the Developer and in accordance with the plans and specifications conforming to applicable City Ordinances and approved by the City; and

WHEREAS, the Development Agreement provided that the developer shall dedicate and convey the said public improvements to the City, free and clear of all encumbrances; and

WHEREAS, the Owner has offered a dedication instrument attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek, that the said dedication be and the same hereby is accepted; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Oak Creek that the Owner is hereby released from the terms and conditions of their development agreement.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 6<sup>th</sup> day of February, 2018.

Passed and adopted this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
President, Common Council

Approved this 6<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

11910-02068  
Document Number

DEDICATION OF PUBLIC IMPROVEMENTS  
AND RELEASE FROM THE SOUTHFIELD  
EXPANSION II DEVELOPMENT  
AGREEMENT  
Document Title

Recording Area

Name and Return Address  
Douglas W. Seymour, Director  
Department of Community Development  
8040 S. 6<sup>th</sup> Avenue  
Oak Creek, WI 53154

736-8990-001, 736-8007, 736-8999-003,  
736-8010, 736-8011

Parcel Identification Number (PIN)

WHEREAS, THE CITY OF OAK CREEK, a municipal corporation of Milwaukee County, State of Wisconsin, hereinafter referred to as the "City", and, Southfield Expansion II, LLC, 5300 S 108<sup>th</sup> Street, Suite 1, Hales Corners, WI, 53130, and hereinafter referred to as "Developer", entered into a Development Agreement dated March 20, 2014 which was approved by Resolution No. 11643-090115 for Southfield Expansion II and more particularly described as follows;

WHEREAS, the Developer proposes to develop the following described lands situated in the City of Oak Creek, County of Milwaukee and State of Wisconsin, to-wit:

That part of the Southeast ¼ of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, State of Wisconsin bounded and described as follows:

Lot 1 of Certified Survey Map No. 8710, being a redivision of Lot 1 and Lot 2, Certified Survey Map No. 7822 and Parcel 2, Certified Survey Map No. 4261 and Lands in the Northeast ¼ and Southeast ¼ of the Southeast ¼ of Section 6, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

WHEREAS, the Developer has completed the construction and installation of said public water main in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the Municipal Code of the City, and the City Engineer has certified the systems' acceptability; and

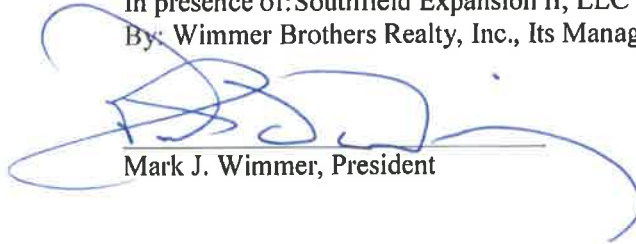
WHEREAS, the Development Agreement was recorded with the Milwaukee County Register of Deeds office on September 14, 2015, in Document #10498483; and

NOW, THEREFORE, in consideration of \$1.00 and other good and valuable consideration, to it in hand paid, receipt of which is herein acknowledged and confessed.

1. The Developer hereby gives, grants, conveys and fully dedicates the said public water main, to the City of Oak Creek forever, free and clear of all encumbrances whatever, together with and including any and all land, structures, mains, conduits, pipes, equipment, plant appurtenances and hereditaments, which in any way be a part of or pertain to such public facilities.
2. The Developer hereby warrants and will forever defend the title to the dedicated public water main, for the Southfield Expansion II against all lawful claims of all persons whomsoever.
3. The Developer is hereby released and discharged from the terms of the Development Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument under their several seals the day and year first above written, the name and corporate seal of each corporate body being hereto affixed and the instrument duly signed by its duly authorized representatives.

In presence of: Southfield Expansion II, LLC  
By: Wimmer Brothers Realty, Inc., Its Manager



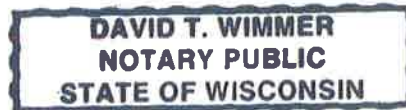
Mark J. Wimmer, President

STATE OF WISCONSIN)  
(SS.  
MILWAUKEE COUNTY)

Personally came before me this 31<sup>st</sup> day of January, 2018, the above-named, Mark J. Wimmer, President of Wimmer Brothers Realty, Inc., Manager of Southfield Expansion II, LLC, to me known to be the person who executed the foregoing instrument and to me known to be such Officer of said corporation, acknowledged that they executed the foregoing instrument as such officer.

  
Notary Public

Milwaukee County, Wisconsin



My commission expires is permanent

CITY OF OAK CREEK

\_\_\_\_\_  
Daniel J. Bukiewicz, Mayor

Countersigned:

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

STATE OF WISCONSIN)  
(SS.  
MILWAUKEE COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2018, DANIEL J. BUKIEWICZ, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers, as the deed of said municipal corporation, by its authority, and pursuant to Resolution No. \_\_\_\_\_ adopted by its Common Council on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Melissa L. Karls, Notary Public  
Milwaukee County, Wisconsin  
My commission is permanent.

This document was drafted by Brian L. Johnston, P.E., of the City of Oak Creek Engineering Department.

Approved as to form:

\_\_\_\_\_  
Melissa L. Karls, City Attorney

**CERTIFICATE OF THE CITY ENGINEER**

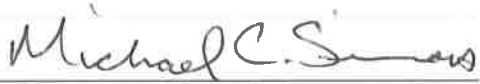
I, Michael C. Simmons, City Engineer of the City of Oak Creek, do hereby certify:

That the construction and installation of public improvements, installed by the Developer of the Southfield Expansion II, in the City of Oak Creek, have been completed in accordance with the approved designs, plans and specifications therefore, or in accordance with approved changes, variations, alterations and modifications; and

That the public improvements are in satisfactory operating condition; and

That I further certify that the Developer has submitted satisfactory written evidence that they have paid all of the costs incurred in the construction and installation of said systems and improvements.

Dated this 1 day of Feb., 2018.

  
\_\_\_\_\_  
Michael C. Simmons, P.E  
City Engineer



## COMMON COUNCIL REPORT

**Item:** License Committee Report

**Recommendation:** That the Common Council grant the various license requests as listed on the 2/6/18 License Committee Report.

**Fiscal Impact:** License fees in the amount of \$705.00 were collected. Additional fees in the amount of \$10,359.38 will be collected upon release of the Reserve Class B Combination license.

**Critical Success Factor(s):**

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming, and Engaged Community
- Inspired, Aligned, and Proactive City Leadership
- Financial Stability
- Quality Infrastructure, Amenities, and Services
- Not Applicable

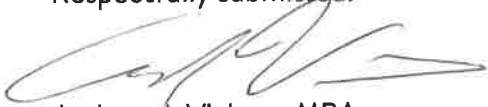
**Background:** The License Committee did not meet prior to the 2/6/18 council meeting. Tentative recommendations are as follows:

1. Grant an Operator's license to:
  - \* Jennifer Zamora, 2742 N. Lewis Ave., Waukegan, IL (Cubanita's)
  - \* Cynthia K. Resch, 7427 S. 37<sup>th</sup> Pl., Franklin (Kwik Trip)
  - \* Brynn N. Weineirl, 2540 E. Emily Ave., Oak Creek (Classic Lanes)
  - \* Nicole J. Baraniak, 6412 W. Lincoln Ave., West Allis (Fanatics)
  - \* Abdul S.B. Kanal, 909 W. National Ave., Milwaukee (Rawson Mobil)
2. Grant a Temporary Class B Beer / Class B Wine license to Rev. Robert Kacalo, Agent, St. Stephen's Catholic Church, 1441 W. Oakwood Rd., for St. Stephen's Lenten Fish Fry's to be held on February 16 and 23 and March 2, 9, 16, 23, and 30.
3. Grant a 2018 Dog Kennel license to Jill Plasky, Agent, The Bark Park, LLC dba Central Bark, 1075 W. Northbranch Dr., Unit B., with release of license subject to final approval by Inspection Department.
4. Grant a 2017-18 Reserve Class B Combination license to Mark A. Zierath, Agent, Jackson's Blue Ribbon Pub of Oak Creek, LLC dba Jackson's Blue Ribbon Pub, 8950 S. 27<sup>th</sup> St., with release of license subject to payment of fees due and issuance of an Occupancy Permit.

**Options/Alternatives:** None



Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC  
Deputy City Clerk

Fiscal Review:



Bridget M. Souffrant  
Finance Director/Comptroller

---

Attachments: None