



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

COMMON COUNCIL MEETING AGENDA

MONDAY, AUGUST 5, 2019

7:00 P.M.

Daniel Bukiewicz - Mayor
Steven Kurkowski - 1st District
Greg Loreck - 2nd District
Richard Duchniak - 3rd District
Michael Toman - 4th District
Kenneth Gehl - 5th District
Chris Guzikowski - 6th 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: 7/16/19

Recognition

4. **Mayoral Proclamation:** Children's Vision and Learning Month.
5. **Council Proclamation:** Consider Council Proclamation No. 19-10, expressing support of the efforts by the City to promote participation in the 2020 Census (by Committee of the Whole).

Public Hearings (beginning at 7:00 p.m.)

Citizen input, comments and suggestions are requested on the specific item(s) identified below. Action by the Council may occur at the same meeting if so included in the agenda.

6. **Rezone:** Consider a request by Mary Ellen Joncas to rezone the property at 3003 E. Elm Rd., from Rs-3, Single Family Residential to P-1 (CCU), Park District (4th District).
7. **Ordinance:** Consider Ordinance No. 2944, approving a rezone of a portion of the property at 3003 E. Elm Rd. from Rs-3, Single Family Residential, to P-1 (CCU), Park District (4th District).
8. **Resolution:** Consider Resolution No. 12084-080519, approving a Minor Land Division / Certified Survey Map submitted by Mary Ellen Joncas for the properties at 3003 and 3025 E. Elm Rd. (4th District).

New Business

9. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending June 30, 2019.

10. **Motion:** Consider a *motion* to approve a Letter of Understanding (LOU) by and between the City and the Oak Creek-Franklin Joint School District for their use of the Council Chambers for live-streaming Board of Education meetings (by Committee of the Whole)

ENGINEERING

11. **Resolution:** Consider *Resolution* No. 12087-080519, approving a Storm Water Management Practices Maintenance Agreement with Riteway Bus, LLC, for their expansion project located at 6970 S. 6th Street (Tax Key No. 734-9020) (1st District).

COMMUNITY DEVELOPMENT

12. **Resolution:** Consider *Resolution* No. 12086-080519, making certain findings and approving Amendment No. 1 of the Project Plan for Tax Incremental District No. 12, City of Oak Creek, Wisconsin (2nd District).
13. **Resolution:** Consider *Resolution* No. 12085-080519, approving a Minor Land Division / Certified Survey map submitted by Simon Krizan for the properties at 9834 and 9878/80 S. Nicholson Rd. (3rd District).

ENGINEERING

14. **Motion:** Consider a *motion* to concur with the recommendation of the Traffic and Safety Commission and approve the following:
 - a. the installation of an intersection warning sign "T" symbol and "Cross Traffic Does Not Stop" plaque on S. 3rd Avenue at the intersection of S. 3rd Avenue and E. Barton Road (4th District);
 - b. the installation of "No Parking Anytime" signs at the bypass lane on E. Drexel Avenue at S. Quincy Avenue and S. Clement Avenue (1st District);
 - c. the installation of "Rough Crossing" plaques and relocate "Railroad Crossing" signs as needed at Union Pacific crossings;
 - d. the installation of "No Parking, Stopping, or Standing Anytime" signs on the north side of E. Puetz Road in front of 800 E. Puetz Road (high school) from the entrance of the east parking lot to Knights Place (3rd District); and
 - e. the installation of "No Parking Anytime" signs on the north side of E. Lake Vista Drive from the western entrance of the parking lot to S. 5th Avenue (4th District).

LICENSE COMMITTEE

15. **Motion:** Consider a *motion* to grant the various license requests as listed on the 8/5/19 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

16. **Motion:** Consider a *motion* to approve the July 30, 2019 Vendor Summary Report in the combined total amount of \$765,848.45 (by Committee of the Whole).

MISCELLANEOUS

17. **Motion:** Consider a motion to convene into Closed Session pursuant to Wisconsin State Statutes to discuss the following:
 - a. Section 19.85(1)(e) to discuss development at the property located at 9300 S. 5th Avenue, 4001 E. Lake Vista Blvd. and 4200 E. Lake Vista Blvd.
 - b. Section 19.85(1)(e) and (g) to consider the claim of Anasazi Medical Payment Solutions, Inc.
 - c. Section 19.85(1)(g) to discuss potential litigation related to the opiate crisis.
18. **Motion:** Consider a motion to reconvene into Open Session.
19. **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. 6th Street, Oak Creek, Wisconsin 53154.

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

**MAYORAL PROCLAMATION
DECLARING AUGUST AS
CHILDREN'S VISION AND LEARNING MONTH**

WHEREAS, as children across the State of Wisconsin prepare for the start of another school year, many of them will begin their studies with undiagnosed and untreated vision problems; and

WHEREAS, research shows that vision disorders are the number one handicapping condition of children. In fact, as many as one in four school age children have vision problems, according to the College of Optometrists in Vision Development; and

WHEREAS, all children deserve the opportunity to learn and to achieve their full potential; and

WHEREAS, for the above reasons, public awareness about learning-related vision problems is necessary to ensure that young people receive the prompt vision treatment they need to embrace their lives; and

THEREFORE BE IT RESOLVED that I, Daniel Bukiewicz, Mayor of the City of Oak Creek, in accord with the Office of the Governor of the State of Wisconsin, and in recognition of the importance of good vision to learning, do hereby proclaim August 2019, Children's Vision and Learning Month, and I encourage parents, educators, school nurses and all concerned adults to recognize the critical role good vision plays in the learning process and to work together to help prevent or reduce the impact untreated vision problems can have on our children's ability to read and learn.

Dated this 5th day of August, 2019.

Daniel J. Bukiewicz, Mayor

Catherine Roeske, City Clerk

COMMON COUNCIL REPORT

Item: 2020 Census Partnership Proclamation

Recommendation: That the Common Council adopts Council Proclamation No. 19-10, a Proclamation expressing support of the efforts by the City to promote participation in the 2020 Census, and thus provide the most accurate headcount for our Community.

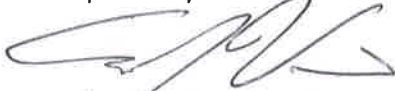
Fiscal Impact:

- 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 biennial census will be conducted in 2020. This proclamation supports the City's efforts to effectively promote participation in the Census. The Census includes people of all ages, races, ethnic groups, citizens, and noncitizens.

Options/Alternatives:

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Catherine A. Roeske, CMC/WCMC
City Clerk

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Proclamation 19-10, City Partnership Census 2020

COUNCIL PROCLAMATION NO. 19-10

2020 CENSUS PARTNER PROCLAMATION

WHEREAS, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day care centers, roads and public transportation, hospitals and other facilities, and achieving an accurate and complete count of the nation's growing and changing population; and

WHEREAS, more than \$675 billion per year in federal and state funding is allocated to states and communities based, in part, on census data; and

WHEREAS, census data help determine how many seats each state will have in the U. S. House of Representatives and often is used for the redistricting of state legislatures, county and city councils and voting districts; and

WHEREAS, the 2020 Census creates jobs that stimulate economic growth and increase employment; and

WHEREAS, the information collected by the census is confidential and protected by law.

NOW, THEREFORE BE IT RESOLVED that the City of Oak Creek, Wisconsin is committed to partnering with the U. S. Census Bureau to help ensure a full and accurate count in 2020.

As a 2020 Census partner, the City of Oak Creek will:

1. Support the goals and ideals for the 2020 Census and disseminate 2020 Census information to encourage those in our community to participate.
2. Encourage people in our community to place an emphasis on the 2020 Census and participate in events and initiatives that will raise overall awareness and ensure a full and accurate count.
3. Support census takers as they help our community complete an accurate count.
4. Create or seek opportunities to collaborate with other like-minded groups in our community by participating in Complete Count Committees and/or utilizing high-profile, trusted voices to advocate on behalf of the 2020 Census.

Passed and adopted this 5th day of August, 2019.

Kenneth Gehl, Common Council President

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

Vote: Ayes _____ Noes _____

TO BE PUBLISHED JULY 17 & 24, 2019

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by Mary Ellen Joncas to rezone the property at 3003 E. Elm Rd. from Rs-3, Single Family Residential to P-1 (CCU), Park District.

Hearing Date: August 5, 2019
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Mary Ellen Joncas
Property Owner(s): Mary Ellen Joncas
Property Location(s): 3003 E. Elm Rd.
Tax Key(s): 970-900-0000

Legal Description:

LOT 1 OF CERTIFIED SURVEY MAP NO. 143 AND A PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 34, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

The Common Council has scheduled other public hearings for August 5, 2019 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: July 10, 2019
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: 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, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.



COMMON COUNCIL REPORT

Item: Rezone - 3003 E. Elm Rd.

Recommendation: That the Council adopts Ordinance 2944, an ordinance to approve a rezone of a portion of the property at 3003 E. Elm Road from Rs-3, Single Family Residential, to P-1 (CCU), Park District.

Fiscal Impact: No immediate impact is anticipated as the north portion of the parcel is currently developed with a single-family residential home, and the south portion to be combined with the existing golf course is currently used for golf course purposes. Rezoning this property will allow for clear application of zoning requirements for an existing recreational facility.

- 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 Applicant is requesting that a portion of the property at 3003 E. Elm Rd. be rezoned from Rs-3, Single Family Residential district to P-1 (CCU), Park district. Approximately 19,954 square feet of the southern portion of the property at 3003 E. Elm Rd. is proposed to be combined with the golf course property at 3025 E. Elm Rd. In an effort to bring the golf course properties under a single zoning district and to avoid potentially conflicting district requirements for the golf course, the portion to be combined with 3025 E. Elm Rd. is proposed to be rezoned to P-1 (CCU), Park District. Wetland and floodplain boundaries will be unaffected by the proposed rezone, and no other changes are proposed to the property at this time.

The Plan Commission recommended Common Council approval at their meeting on July 9, 2019. Should the Council agree that rezoning the south portion of the parcel at 3003 E. Elm Road to P-1 (CCU), Park District is appropriate, a motion recommending approval is provided above.

Options/Alternatives: Council has the discretion to approve or not approve the proposed rezone request. Disapproval of the rezone would not prevent the division; however, split-zoned properties may create conflicting requirements for future development.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:


Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ordinance 2944

Location Map

Hearing Notice

Plan Commission Minutes

Proposed CSM (for reference)

ORDINANCE NO. 2944

By: _____

AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY AT 3003 E. ELM RD.
TO P-1 (CCU), PARK DISTRICT

(4th Aldermanic District)

WHEREAS, Mary Ellen Joncas has proposed a rezoning of a portion of the property at 3003 E. Elm Road from Rs-3, Single Family Residential district to P-1 (CCU), Park District.

WHEREAS, the property is more precisely described as follows:

Commencing at the Northeast corner of the Southeast ¼ of Section 34, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin; THENCE South 89° 27' 03" West along the North line of said Southeast ¼ and centerline of East Elm Road, 557.26 feet to a point; THENCE South 00° 45' 21" East 236.36 feet to the point of beginning of the lands to be described;

THENCE South 00° 45' 21" East 199.24 feet; THENCE South 89° 12' 17" West 100.01 feet; THENCE North 00° 47' 43" West 199.24 feet; THENCE North 89° 12' 17" East 100.15 feet to the point of beginning.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning request be approved; and

WHEREAS, the Common Council held a public hearing on said application on August 5, 2019, at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved for the lands hereinabove described.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, a portion of the lands at 3003 E. Elm Road hereinabove described shall be rezoned from Rs-3, Single Family Residential District to P-1 (CCU), Park District, and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 4: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this 5th day of August, 2019.

President, Common Council

Approved this 5th day of August, 2019.

Mayor

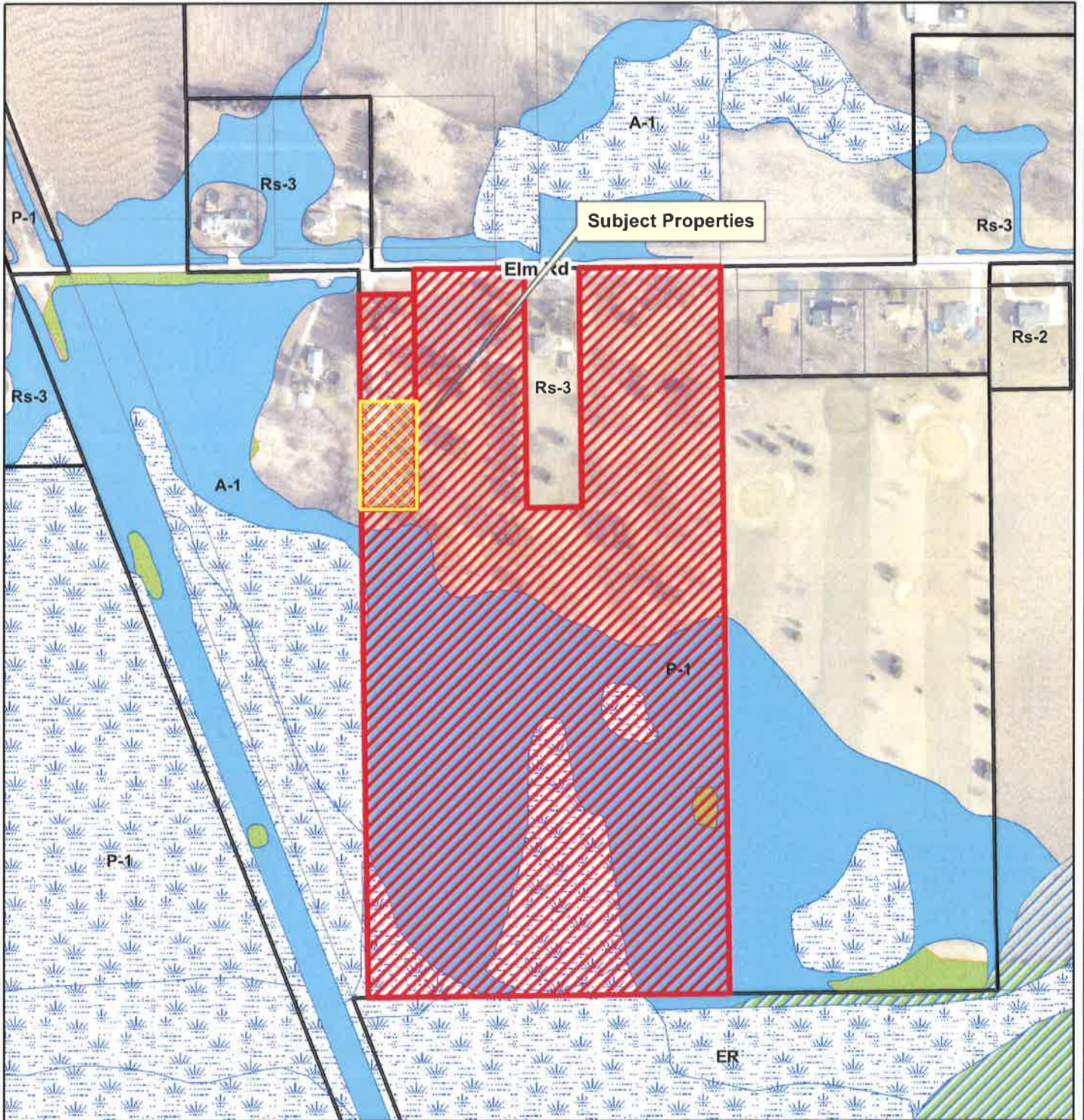
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

3003 & 3025 E Elm Rd



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



Legend

- | | | | |
|---|------------------------|---|------------------------|
|  | Parcels selection |  | Floodway (2008) |
|  | Rezoned |  | Flood Fringe (2008) |
|  | DNR Wetlands Inventory |  | Environmental Corridor |

Department of Community Development

TO BE PUBLISHED JULY 17 & 24, 2019

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by Mary Ellen Joncas to rezone the property at 3003 E. Elm Rd. from Rs-3, Single Family Residential to P-1 (CCU), Park District.

Hearing Date: August 5, 2019
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Mary Ellen Joncas
Property Owner(s): Mary Ellen Joncas
Property Location(s): 3003 E. Elm Rd.
Tax Key(s): 970-900-0000

Legal Description:

LOT 1 OF CERTIFIED SURVEY MAP NO. 143 AND A PART OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

The Common Council has scheduled other public hearings for August 5, 2019 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: July 10, 2019
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: 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, or by writing to the ADA Coordinator at the Health Department, City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JULY 9, 2019**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Siefert. Commissioner Chandler was excused. Also present: Kari Papelbon, Planner.

**REZONE
MARY ELLEN JONCAS
3003 E. ELM RD.
TAX KEY NO. 903-9030-000**

Planner Papelbon provided an overview of the request to rezone a portion of the parcel at 3003 E. Elm Rd. from Rs-3, Single Family Residential district to P-1 (CCU), Park district. (See staff report for details.)

Seeing as there were no questions or comments, Commissioner Siefert moved that the Plan Commission recommends to the Common Council that a portion of the property at 3003 E. Elm Rd. be rezoned from Rs-3, Single Family Residential district to P-1 (CCU), Park district (no changes to FF, Flood Fringe; C-1, Shoreland Wetland Conservancy; or FW, Floodway districts) after a public hearing.

Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:38 p.m.

ATTEST:



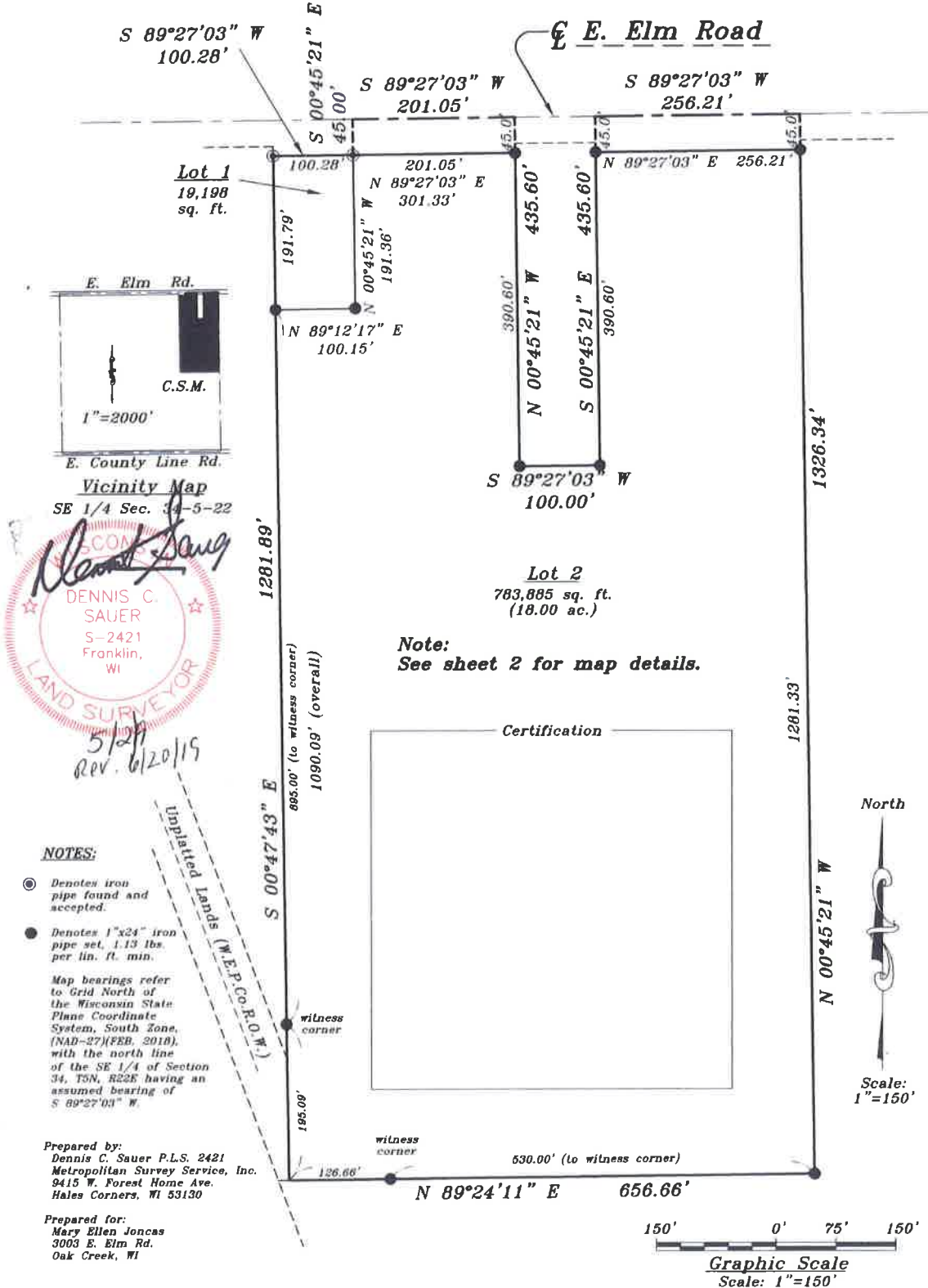
Douglas Seymour, Plan Commission Secretary

7-23-19

Date

CERTIFIED SURVEY MAP

Being a Redivision of Lot 1 of Certified Survey Map No. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



NOTES:

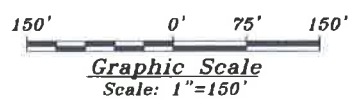
- Denotes iron pipe found and accepted.
 - Denotes 1"x24" iron pipe set, 1.13 lbs. per lin. ft. min.
- Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone, (NAD-27)(FEB. 2018), with the north line of the SE 1/4 of Section 34, T5N, R22E having an assumed bearing of S 89°27'03" W.

Prepared by:
 Dennis C. Sauer P.L.S. 2421
 Metropolitan Survey Service, Inc.
 9415 W. Forest Home Ave.
 Hales Corners, WI 53130

Prepared for:
 Mary Ellen Joncas
 3003 E. Elm Rd.
 Oak Creek, WI

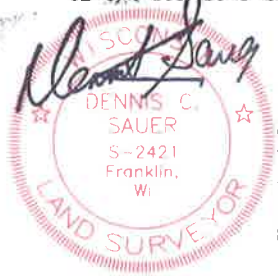
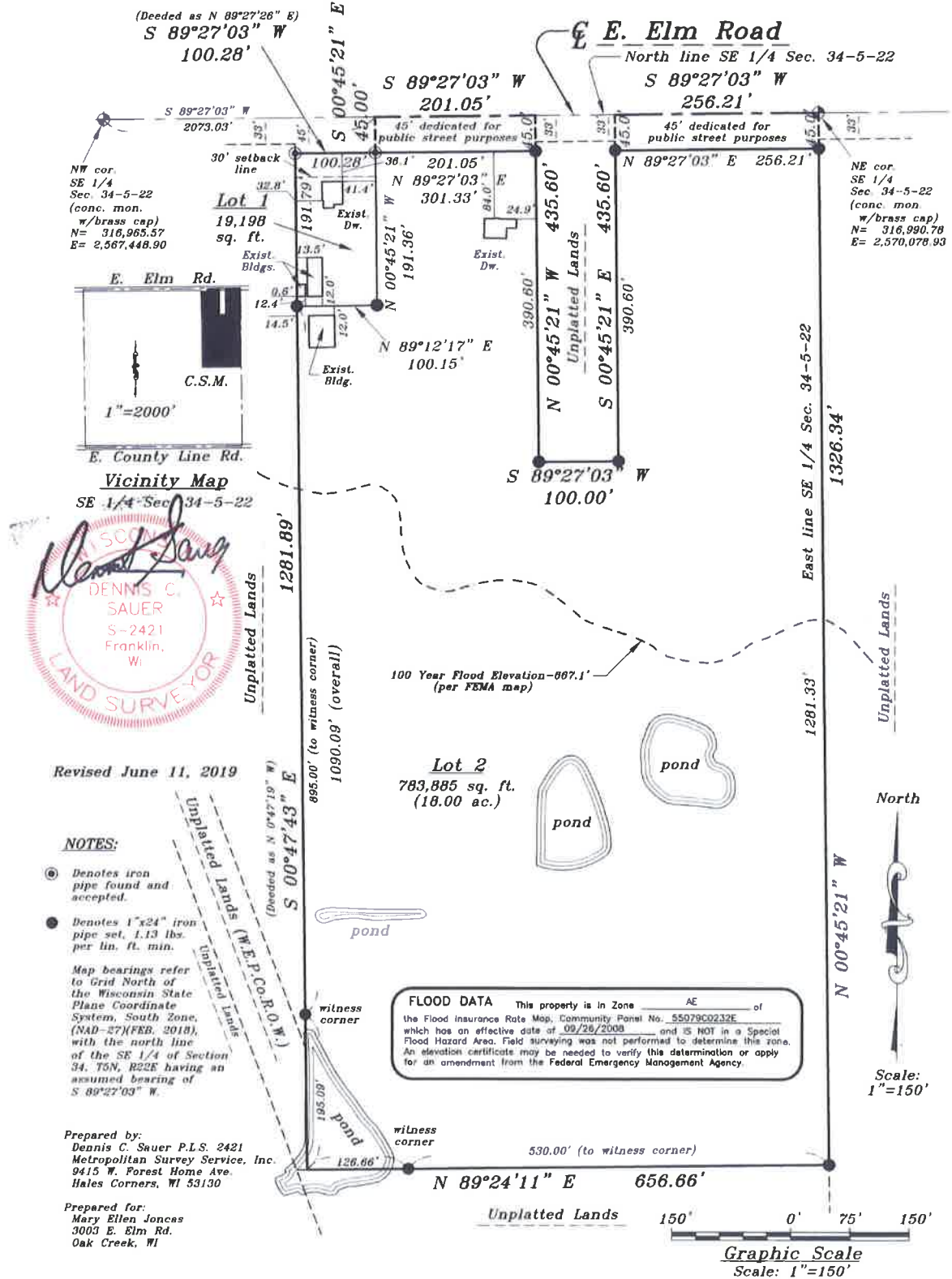
Note:
 See sheet 2 for map details.

Certification



CERTIFIED SURVEY MAP

Being a Redivision of Lot 1 of Certified Survey Map No. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



Revised June 11, 2019

NOTES:

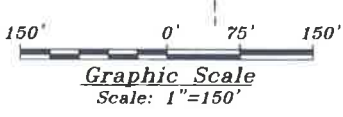
- ⊙ Denotes iron pipe found and accepted.
- Denotes 1"x24" iron pipe set, 1.13 lbs. per lin. ft. min.

Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone, (NAD-27)(FEB. 2018), with the north line of the SE 1/4 of Section 34, T5N, R22E having an assumed bearing of S 89°27'03" W.

Prepared by:
Dennis C. Sauer P.L.S. 2421
Metropolitan Survey Service, Inc.
9415 W. Forest Home Ave.
Hales Corners, WI 53130

Prepared for:
Mary Ellen Joncas
3003 E. Elm Rd.
Oak Creek, WI

FLOOD DATA This property is in Zone AE of the Flood Insurance Rate Map, Community Panel No. 55079C0232E which has an effective date of 09/26/2008 and IS NOT in a Special Flood Hazard Area. Field surveying was not performed to determine this zone. An elevation certificate may be needed to verify this determination or apply for an amendment from the Federal Emergency Management Agency.



CERTIFIED SURVEY MAP NO. _____

Being a Redivision of Lot 1 of Certified Survey Map NO. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a Redivision of Lot 1 of Certified Survey Map NO. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded & described as follows:

Beginning at the Northeast corner of said Southeast 1/4; thence S 89°27'03" W along the North line of said Southeast 1/4 and centerline of East Elm Road, 256.21 feet to a point; thence S 00°45'21" E, 435.60 feet to a point; thence S 89°27'03" W, 100.00 feet to a point; thence N 00°45'21" W, 435.60 feet to the on the North line of said Southeast 1/4 and centerline of said East Elm Road; thence S 89°27'03" W along said North line and said centerline, 201.05 feet to a point; thence S 00°45'21" E, 45.00 feet to the South line of said East Elm Road; thence S 89°27'03" W along said South line, 100.28 feet to a point; thence S 00°47'43" E, 1281.89 feet to a point; thence N 89°24'11" E, 656.66 feet to a point on the East line of said Southeast 1/4; thence N 00°45'21" W along said East line, 1326.34 feet to the point of beginning.


Said lands containing 823,660 square feet (18.91 acres).

That I have made such survey, land division and map by the direction of Mary Ellen Joncas, owner of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek in surveying, dividing and mapping the same.

May 2, 2019
Date REV 4/20/19



Dennis C. Sauer
Professional Land Surveyor S-2421



PREPARED FOR:
Mary Ellen Joncas
3003 East Elm Road
Oak Creek, WI 53154

PREPARED BY: Dennis C Sauer
Metropolitan Survey Service, Inc.
9415 W Forest Home Ave, #202
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. _____

Being a Redivision of Lot 1 of Certified Survey Map NO. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Mary Ellen Joncas, as owner, do hereby certify that I have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek.

WITNESS the hand and seal of said owners this _____ day of _____, 20__.

Mary Ellen Joncas, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20__, Mary Ellen Joncas, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION APPROVAL

APPROVED and DEDICATION ACCEPTED by the Plan Commission of the City of Oak Creek on this _____ day of _____, 20__.

Daniel J Bukiewicz, Chairman
City of Oak Creek

Douglas W. Seymour, Corresponding
Secretary, City of Oak Creek

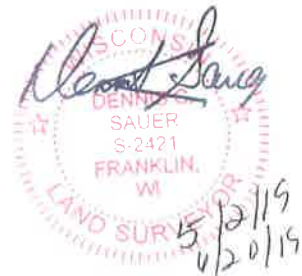
COMMON COUNCIL APPROVAL

APPROVED and DEDICATION ACCEPTED by the Common Council of the City of Oak Creek on this _____ day of _____, 20__, by Resolution No. _____.

Daniel J Bukiewicz, Mayor
City of Oak Creek

Catherine A. Roeske, Clerk
City of Oak Creek

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, P.L.S. S-2421



COMMON COUNCIL REPORT

Item: Minor Land Division/Certified Survey Map - 3003 and 3025 E. Elm Rd.

Recommendation: That the Council adopts Resolution No. 12084-080519, a resolution approving a Minor Land Division/Certified Survey Map submitted by Mary Ellen Joncas for the properties at 3003 and 3025 E. Elm Rd.

Fiscal Impact: The proposal will divide the southern portion of the existing lot and combine it with the existing golf course property to the south. With the exception of the rezone of that southern portion to be combined with the golf course, no other changes are proposed at this time. No direct fiscal impact is anticipated with this change as the existing lots are currently developed. These properties are not part of a TID.

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 Applicant is requesting approval of a Minor Land Division/Certified Survey Map for the properties at 3003 & 3025 E. Elm Rd. Approximately half (~19,954 square feet) of the southern portion of 3003 will be divided and combined with 3025 E. Elm Rd. to the south for golf course purposes. Each lot will be in conformance with minimum lot size requirements for the Rs-3, Single Family Residential and P-1, Park zoning districts following division. Since the lots currently exist, and the only proposed change is to the shared property line between them, any existing wetland boundaries will not be affected. Delineations are not required at this time, but may be required prior to future development on either parcel. The only other proposed change is to rezone the southern portion of 3003 E. Elm Rd. to be combined with 3025 E. Elm Rd., which was the subject of tonight's public hearing.

The Plan Commission reviewed the Minor Land Division/Certified Survey Map proposal at their meeting on July 9, 2019, and recommend approval with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the condition(s) of Minor Land Division/Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the properties to remain, and may affect the use of the properties in the future.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 12084-080519

Location Map

Plan Commission Minutes

Proposed Certified Survey Map (4 pages)

RESOLUTION NO. 12084-080519

BY: _____

A RESOLUTION APPROVING A MINOR LAND DIVISION / CERTIFIED SURVEY MAP FOR
MARY ELLEN JONCAS

3003 AND 3025 E. ELM RD.
(4th Aldermanic District)

WHEREAS, MARY ELLEN JONCAS, hereinafter referred to as the subdivider, has submitted a minor land division/certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this minor land division/certified survey map be approved, subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this minor land division/certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5th day of August, 2019.

Passed and adopted this 5th day of August, 2019.

President, Common Council

Approved this 5th day of August, 2019.

Mayor

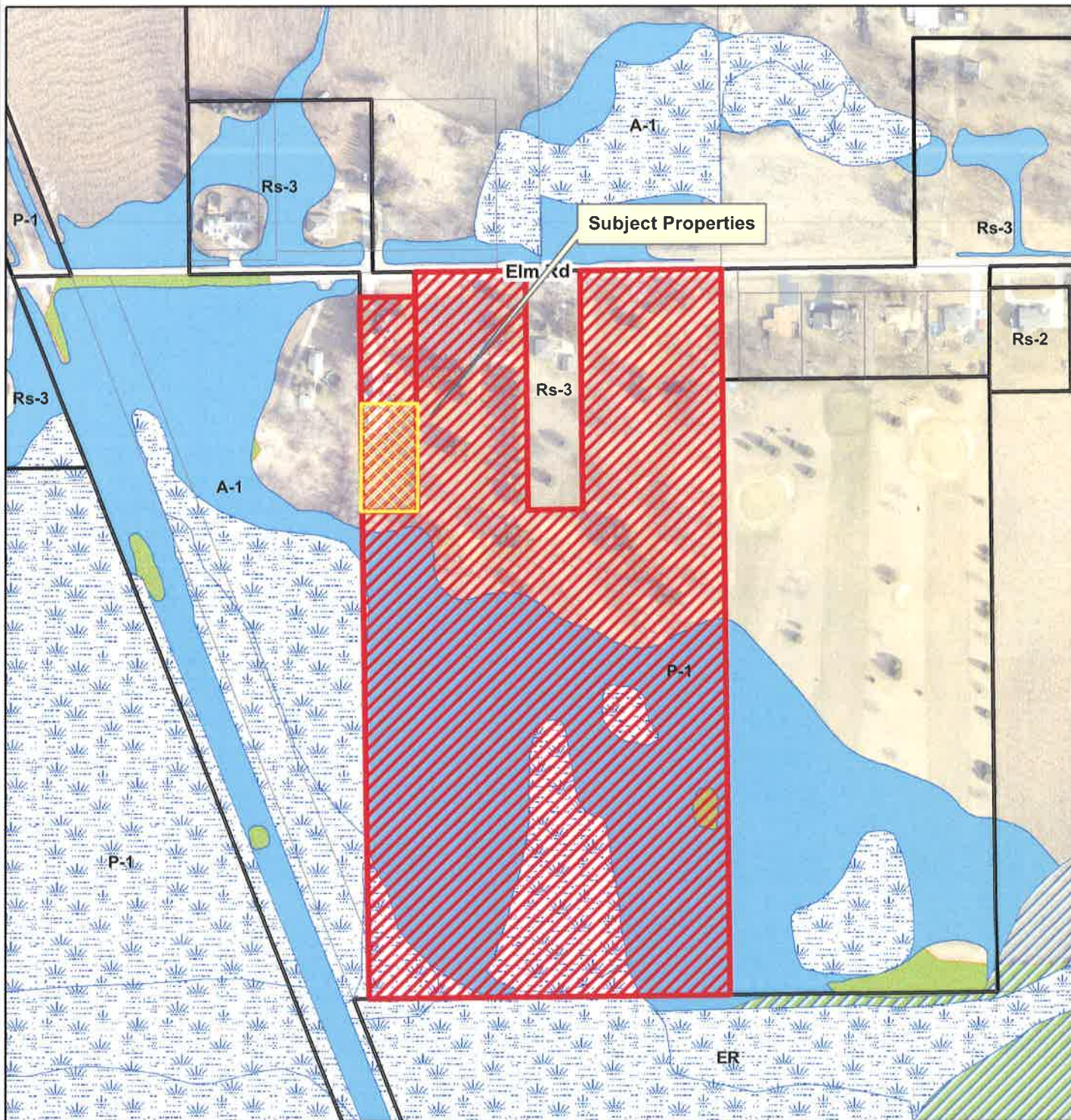
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

3003 & 3025 E Elm Rd



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



Legend

- | | | | |
|---|------------------------|---|------------------------|
|  | Parcels selection |  | Floodway (2008) |
|  | Rezoned |  | Flood Fringe (2008) |
|  | DNR Wetlands Inventory |  | Environmental Corridor |

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JULY 9, 2019**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Sullivan, Commissioner Carrillo, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, and Commissioner Siepert. Commissioner Chandler was excused. Also present: Kari Papelbon, Planner.

**MINOR LAND DIVISION
MARY ELLEN JONCAS
3003 & 3025 E. ELM RD.
TAX KEY NOS. 903-9030-000 & 970-9999-000**

Planner Papelbon provided an overview of the request to divide the southern portion of the property located at 3003 E. Elm Rd. and combine that portion with the adjacent property at 3025 E. Elm Rd. (See staff report for details.)

Mayor Bukiewicz, seeing no questions or comments, asked for a motion.

Commissioner Siepert moved that the Plan Commission recommends to the Common Council that the Certified Survey Map (Minor Land Division) submitted by Mary Ellen Joncas for the properties at 3003 & 3025 E. Elm Rd. be approved with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Hanna seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:38 p.m.

ATTEST:



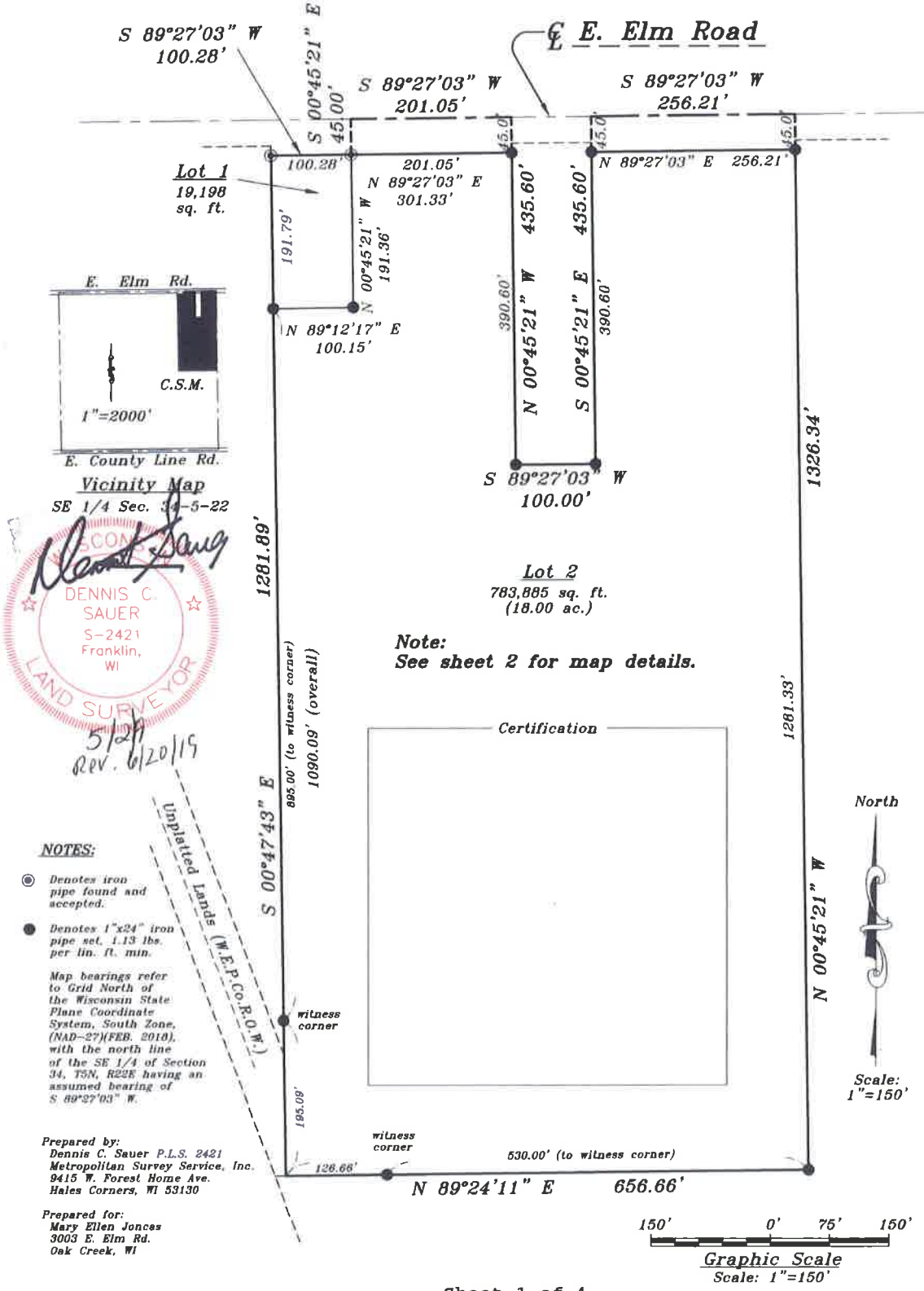
Douglas Seymour, Plan Commission Secretary

7-23-19

Date

CERTIFIED SURVEY MAP

Being a Redivision of Lot 1 of Certified Survey Map No. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



NOTES:

- Denotes iron pipe found and accepted.
- Denotes 1"x24" iron pipe set, 1.13 lbs. per lin. ft. min.

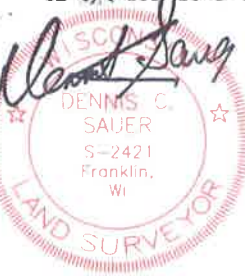
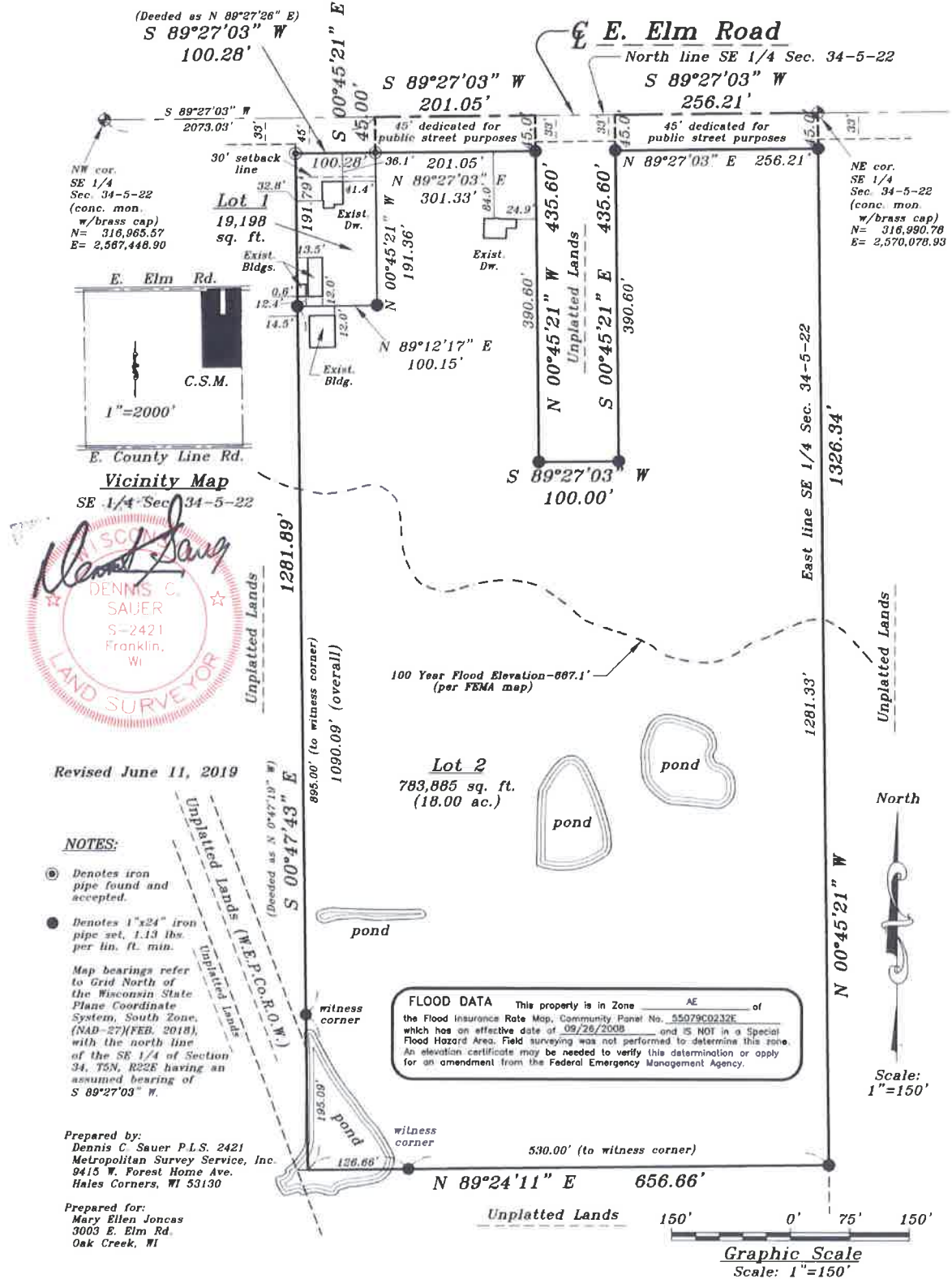
Map bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone, (NAD-27)(FEB. 2011), with the north line of the SE 1/4 of Section 34, T5N, R22E having an assumed bearing of S 89°27'03" W.

Prepared by:
 Dennis C. Sauer P.L.S. 2421
 Metropolitan Survey Service, Inc.
 9415 W. Forest Home Ave.
 Hales Corners, WI 53130

Prepared for:
 Mary Ellen Joncas
 3003 E. Elm Rd.
 Oak Creek, WI

CERTIFIED SURVEY MAP

Being a Redivision of Lot 1 of Certified Survey Map No. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



Revised June 11, 2019

CERTIFIED SURVEY MAP NO. _____

Being a Redivision of Lot 1 of Certified Survey Map NO. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a Redivision of Lot 1 of Certified Survey Map NO. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded & described as follows:

Beginning at the Northeast corner of said Southeast 1/4; thence S 89°27'03" W along the North line of said Southeast 1/4 and centerline of East Elm Road, 256.21 feet to a point; thence S 00°45'21" E, 435.60 feet to a point; thence S 89°27'03" W, 100.00 feet to a point; thence N 00°45'21" W, 435.60 feet to the on the North line of said Southeast 1/4 and centerline of said East Elm Road; thence S 89°27'03" W along said North line and said centerline, 201.05 feet to a point; thence S 00°45'21" E, 45.00 feet to the South line of said East Elm Road; thence S 89°27'03" W along said South line, 100.28 feet to a point; thence S 00°47'43" E, 1281.89 feet to a point; thence N 89°24'11" E, 656.66 feet to a point on the East line of said Southeast 1/4; thence N 00°45'21" W along said East line, 1326.34 feet to the point of beginning.

Said lands containing 823,660 square feet (18.91 acres).

That I have made such survey, land division and map by the direction of Mary Ellen Joncas, owner of said land.

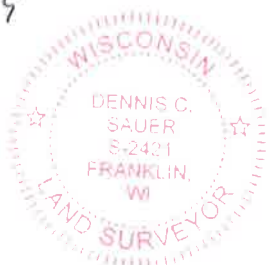
That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek in surveying, dividing and mapping the same.

May 2, 2019
Date Rev 4/20/19



Dennis C. Sauer
Professional Land Surveyor S-2421



PREPARED FOR:
Mary Ellen Joncas
3003 East Elm Road
Oak Creek, WI 53154

PREPARED BY: Dennis C Sauer
Metropolitan Survey Service, Inc.
9415 W Forest Home Ave, #202
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. _____

Being a Redivision of Lot 1 of Certified Survey Map NO. 143, and a part of the Northeast 1/4 of the Southeast 1/4 of Section 34, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Mary Ellen Joncas, as owner, do hereby certify that I have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 14 of the Municipal Code of the City of Oak Creek.

WITNESS the hand and seal of said owners this _____ day of _____, 20__.

Mary Ellen Joncas, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20__, Mary Ellen Joncas, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____

PLAN COMMISSION APPROVAL

APPROVED and DEDICATION ACCEPTED by the Plan Commission of the City of Oak Creek on this _____ day of _____, 20__.

Daniel J Bukiewicz, Chairman
City of Oak Creek

Douglas W. Seymour, Corresponding
Secretary, City of Oak Creek

COMMON COUNCIL APPROVAL

APPROVED and DEDICATION ACCEPTED by the Common Council of the City of Oak Creek on this _____ day of _____, 20__, by Resolution No. _____.

Daniel J Bukiewicz, Mayor
City of Oak Creek

Catherine A. Roeske, Clerk
City of Oak Creek

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, P.L.S. S-2421



COMMON COUNCIL REPORT

- Informational:** Treasurer Report on Investment and Banking for the City of Oak Creek accounts, ending June 30, 2019.
- 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 City's month end balances, to provide the Common Council and the public with the current condition of the City's treasury. Please note that some funds are allocated for specific purposes such as debt service, Tax Incremental Districts, capital improvement projects and distribution of tax collection to other taxing districts and is not available for general purpose spending. This monthly report is prepared, along with a more comprehensive report for Finance Committee, to assist with investment decisions and financial strategies. Below is a brief summary:

Beginning Balance	Ending Balance	Interest Earned	Increase/(Decrease)
\$43,616,206.60	\$43,314,288.48	\$81,129.15	-\$301,918.12

June Activity: Tax Collection \$925,970.82; April & May Tax Collections Settlement paid to the other Jurisdictions approx. \$3.5M; TID #16 bond proceeds received \$2,850,000.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Barbara Guckenberger, CMTW
City Treasurer

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/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
Tri City National Bank	5,872,376.63	10,604,363.50	(9,527,966.31)	6,948,773.82	11,333.95	2.40%	16.04%
General Fund	4,756,437.09	8,931,522.00	(7,065,876.94)	6,622,082.15			
Title 125	44,476.37	22,145.68	(18,647.86)	47,974.19			
Police Credit Card	26,227.60	25,002.00	(26,596.53)	24,633.07			
Parks & Rec Counter Credit Card	7,113.98	8,897.79	(11,698.47)	4,313.30			
Tax Payment Account #2	652,154.44	929,703.37	(1,503,732.55)	78,125.26			
Parks & Rec Online Credit Card	26,269.90	7,662.00	(23,958.18)	9,973.72			
Health Insurance	235,837.45	560,159.62	(761,779.31)	34,217.76			
Tax Payment Account	8,183.33	-	-	8,183.33			
EMS	115,676.47	119,271.04	(115,676.47)	119,271.04			
0	-	-	-	-			
DANA Investment Advisors	5,827,647.48	18,395.89	(1,137.64)	5,844,905.73	15,962.95	2.54%	13.49%
BMO Global Asset Management	5,025,661.26	26,212.29	(1,749.80)	5,050,123.75	5,031.75	2.16%	11.66%
American Deposit Management (ADM)	19,539,611.26	35,616.32	(3,500,000.00)	16,075,227.58	35,616.32	2.42%	37.11%
*ADM General Account Balance	14,730,509.73	26,050.82	(3,500,000.00)	11,256,560.55	26,050.82		
Local Government Investment Pool (LGIP)	6,472,058.39	2,863,180.29	(1,000,000.00)	8,335,238.68	13,180.29	2.42%	19.24%
*LGIP General Account Balance	4,483,423.87	8,463.48	(1,000,000.00)	3,491,887.35	8,463.48		
**Ehlers Investment	878,851.58	181,172.76	(5.42)	1,060,018.92	3.89	2.3430%	2.45%
	878,851.58	181,172.76	(158.07)	1,059,868.27			
Total Balance	43,616,206.60	13,728,941.05	(14,030,859.17)	43,314,288.48	81,129.15		

**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 uses
and may not be available for general purpose spending

Excludes Police Forfeiture Account;

Tri City Interest is an analyzed credit 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; rates may reflect weighted average yield

Tax Collection Deposits		Distribution to other Taxing Jurisdictions
Tax Payment Account #2		<i>(Tax Settlement occurs in August)</i>
City Deposit (Counter, Drop Box, Mail)	837,730.04	STATE
Gov Tech	-	COUNTY
Credit Card	88,240.78	MMSD
Total Tax Payment Account #2	<u>925,970.82</u>	SCHOOL
Tax Payment Account		MATC
Tri City Payments (At Bank, Lockbox)		UTILITY
Total Tax Collection Deposits	<u>925,970.82</u>	TOTAL DIST \$ -
		TAX REFUNDS
		CITY

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: Letter of Understanding, City/School District

Recommendation: Motion to approve the L.O.U. by and between the City and the School District for School District's use of the Council Chambers for live-streaming Board of Education meetings.

Fiscal Impact: The City will realize a nominal net revenue annually.

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 City Strategic Action Plan (SAP) contains the following initiative: "Convene discussions and examine partnerships with other stakeholders regarding shared services, cooperative programming, and alignment of resources." One goal within that initiative mentions shared services between the City and School District.

The School District approached the City in May inquiring of the potential for them to hold, and live-stream, Board of Education meetings in the Council Chambers. The District currently does not video record its meetings. The District estimated as much as \$48,000 in costs to outfit its current boardroom with live-stream capabilities. Realizing the benefits for Oak Creek taxpayers, both financially and in terms of government transparency measures, the City was willing to work through details to enable this partnership. The attached L.O.U. cements our mutual understanding.

Options/Alternatives: The Common Council could choose not to approve the L.O.U. without material impact to the City. In that case the School District would need to find other solutions for their desire to stream Board meetings.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:

Bridget Souffrant (SS)

Bridget M. Souffrant

Assistant City Administrator/Comptroller

Attachments: Letter of Understanding



July 23, 2019

City of Oak Creek Administrator, Andrew Vickers
Oak Creek City Hall
8040 S 6th St
Oak Creek, WI 53154

Dear Andrew,

Greetings. Thank you for considering the request of the Oak Creek-Franklin Board of Education to hold their 2019-2020 meetings in the Council Chambers. As we have discussed, it makes a great deal of sense to our collective taxpayers to share a well-designed facility to provide public media access to meetings rather than attempting to create a duplicate type of setting. We very much appreciate your willingness to collaborate on yet another project that can be a win-win.

The purpose of this letter is to put into writing our understandings of what will happen as the School Board uses this facility. We have discussed that it is our intent to incorporate the understandings in this letter into the revised '*Master Memorandum of Understanding regarding Facilities, Maintenance, and Fees*' currently under redevelopment and renewal as you work with Andy Chromy.

Here are our mutual understandings to date:

1. The City approves the use of its Council Chambers for streaming and recording Oak Creek-Franklin Board of Education meetings during the 2019-2020 school year beginning in September 2019.
2. The City commits to live-streaming to the established Oak Creek-Franklin youtube channel and then giving the district a raw video of the meeting. The City will not edit the video. It is the responsibility of the School District to use/place the permanent video on outlets as the School District sees fit.
3. The City will charge the School District for its out-of-pocket expenses to allow the use of the Chambers. The charge will be \$50 per meeting. This is intended to cover:
 - a. Wages of the PT city staff to manage the live stream, set up, take down, lock room, etc...
 - b. Technology depreciation/replacement.
 - c. The few times per year where the PT staff is not available and the City needs to cover the live stream with a higher wage individual.
4. The City will invoice the School District for these charges by sending the invoice to the District Office, ATTN: Andy Chromy. The City will send one invoice annually in a month mutually

acceptable to both parties. The School District will remit payment to the City within 30 days of receipt of the invoice(s).

5. For 2019-2020, we have agreed to the dates provided on the attached schedule, beginning September 9, 2019. At least annually, in January or February, the City Administrator and Superintendent will confer on these understandings and/or confirm the schedule of Board meetings for the following school year (July 2020- June 2021), to resolve any schedule conflicts that could arise. Priority use of the Council Chambers remains with the City. In the rare event, the Chambers are required for a special or emergency meeting of the City, and there is a conflict with a School District meeting, the City will notify the Superintendent with at least 72 hours' notice that the Chambers is not available.

If we need to revise or clarify any of these understandings, or anything changes or arises we cannot at this point contemplate, we stand ready to work them through to resolution. We have appreciated your responsiveness, accessibility, and interest in working together for the good of this community.

Sincerely,



Tim Culver
Superintendent
Oak Creek-Franklin Joint School District

c: School Board members
Dan Unertl, Incoming Superintendent
Andy Chromy, Chief Business & Finance Officer
City of Oak Creek Mayor Dan Bukiewicz

Attachment:

[2019-2020 Board Meeting Schedule](#)

COMMON COUNCIL REPORT

Item: Go Riteway Expansion Storm Water Management Maintenance Agreement

Recommendation: That the Common Council adopts Resolution No. 12087-080519, a resolution approving a Storm Water Management Practices Maintenance Agreement with Riteway Bus, LLC, for their expansion project located at 6970 S. 6th Street. (Tax Key No. 734-9020) (1st District)

Fiscal Impact: None. The owner is responsible for all costs per the Storm Water Management Practices Maintenance Agreement.

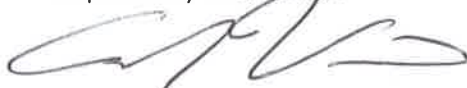
Critical Success Factor(s):

- 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 proposed Go Riteway expansion requires onsite storm water management practices in accordance with Sections 13.100 through 13.114 of the Municipal Code. Section 13.109 of the Municipal Code requires a maintenance agreement between the City and the permittee for the future maintenance of the required storm water management practices.

Options/Alternatives: Not to adopt this resolution and therefore the storm water permit cannot be issued resulting in the development being unable to proceed per Section 13.107 of the Municipal Code.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



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

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Michael C. Simmons, P.E.
City Engineer

Attachments: Resolution No. 12087-080519, Storm Water Management Maintenance Agreement

RESOLUTION NO. 12087-080519

BY: _____

RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH RITEWAY BUS, LLC FOR THEIR GO RITEWAY EXPANSION PROJECT LOCATED AT 6970 S. 6TH STREET

(TAX KEY NO. 734-9020)

(1ST ALDERMANIC DISTRICT)

WHEREAS, Riteway Bus, LLC (Owner), requires onsite storm water management practices for their proposed Go Riteway Expansion project located at 6970 S. 6th Street, and,

WHEREAS, the City requires that the Owner enter into a Storm Water Management Practices Maintenance Agreement, and,

WHEREAS, the required Storm Water Management Practices Maintenance Agreement has been prepared and signed by the Owner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the attached Storm Water Management Practices Maintenance Agreement, as signed by the Owner, is hereby approved by the City.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to execute the attached agreement on behalf of the Common Council of the City of Oak Creek and upon execution by both the City of Oak Creek and the Owner, 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 5th day of August, 2019.

Passed and adopted this 5th day of August, 2019.

President, Common Council

Approved this 5th day of August, 2019.

Mayor

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

Document Number

GO RITEWAY EXPANSION
6970 S. 6th Street
Storm Water Management Practices
Maintenance Agreement
Document Title

Recording Area

Michael C. Simmons
Engineering Department
8040 S. 6th Street
Oak Creek, WI 53154
Name and Return Address

734-9020

Parcel Identification Number (PIN)

STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this 31st day of July, 2019, by and between Riteway Bus, LLC, hereinafter called the "Owner", and the City of Oak Creek, hereinafter called the "City".

WITNESSETH:

WHEREAS, the Owner is the owner of the following described lands situated in the City of Oak Creek, County of Milwaukee, State of Wisconsin, to-wit:

Parcel 1 of Certified Survey Map No. 5303, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6300600, being a redivision of Parcel 1 of Certified Survey Map No. 4216, being a part of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as Go Riteway Expansion located at 6970 S. 6th Street, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site storm water management practices within the confines of the Property; and

WHEREAS, the City and the Owner, its successors and assigns, including any homeowners association, agree that the health, safety, and welfare of the residents of the City of Oak Creek, require that on-site storm water management practices as defined in Section 13.103 of the Oak Creek Municipal Code be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site storm water management practices as shown on the Plan be constructed and adequately maintained by the Owner, its successors and assigns, including any homeowners association.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site storm water management practices shall be constructed by the Owner, its successors and assigns, including any homeowners association, in accordance with the plans and specifications identified in the Plan. The storm water management practices shall serve the drainage area designated in the Plan.
2. The Owner, its successors and assigns, including any homeowners association, shall regularly inspect the storm water management practices as often as conditions require, but in any event at least once each year. The standard Operation and Maintenance Report attached to this agreement as Exhibit A and by this reference made a part hereof shall be used for the purpose of the regular inspections of the storm water management practices. The Owner, its successors and assigns shall keep the Operation and Maintenance Reports from past inspections as well as a log of maintenance activity indicating the date and type of maintenance completed. The Reports and maintenance log shall be made available to the City for review. The purpose of the inspections is to assure safe and proper functioning of the facilities. The inspections shall cover all facilities including but not limited to berms, outlet structures, subsurface structures, infiltration areas, pond areas and access roads. Deficiencies shall be noted in the Operation and Maintenance Report.
3. The Owner, its successors and assigns, including any homeowners association, shall adequately maintain the storm water management practices, including but not limited to all pipes and channels built to convey storm water to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the storm water. Adequate maintenance is herein defined as keeping the storm water management facilities in good working condition so that these facilities are performing their design functions and are in accordance with the Detention Basin Maintenance Standards attached to this agreement as Exhibit B and by this reference made a part hereof.
4. The Owner, its successors and assigns, including any homeowners association, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water management practices whenever the City deems necessary. The purpose of inspection is to investigate reported deficiencies and/or to respond to citizen complaints. The City shall provide the Owner, its successors and assigns, including any homeowners association, copies of the inspection findings and a directive to commence with

the repairs if necessary. Corrective actions shall be taken within a reasonable time frame as established by the City Engineer.

5. If the Owner, its successors and assigns, including any homeowners association, fails to maintain the storm water management practices in good working condition acceptable to the City and does not perform the required corrective actions in the specified time, the City may:
 - a) Issue a citation to the Owner, its successors and assigns. The penalty for violation of this section shall be not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense, and
 - b) Perform the corrective actions identified in the inspection report and assess the Owner, its successors and assigns for the cost of such work. The cost of such work shall be specially assessed against the Property pursuant to Wisconsin Statutes Section 66.0703. If the facilities are located on an outlot owned collectively by a homeowners association, the City may assess each member of the homeowners association according to the ownership interest in the facilities located on the property. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the storm water management practices. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said storm water management practices, and in no event shall this Agreement be construed to impose any such obligation on the City.
6. The Owner, its successors and assigns, including any homeowners association, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the storm water management practices (including sediment removal) is outlined on the approved plans, the schedule will be followed. The minimal amount of maintenance on the storm water management practices shall be in accordance with the Detention Basin Maintenance Standards (Exhibit B).
7. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, including any homeowners association, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the City and the Owner agrees to hold the City harmless from any liability in the event the storm water management practices fail to operate properly.
9. This Agreement shall be attached as an exhibit to any document which creates a homeowners association that is responsible for maintenance of the storm water management practices and be recorded at the Milwaukee County Register of Deeds, and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association. The owner shall provide the City with a copy of any document which creates a homeowners association that is responsible for the storm water management practices.

WITNESS the following signatures and seals:

RITEWAY BUS, LLC



Jason Ebert, Vice President- Fleet & Facilities

The foregoing Agreement was acknowledged before me this 31st day of JULY, 2019,
by the above named JASON EBERT.



NOTARY PUBLIC

My Commission Expires: 6/20/2021



CITY OF OAK CREEK, WISCONSIN

Daniel J. Bukiewicz, Mayor

Catherine A. Roeske, City Clerk

The foregoing Agreement was acknowledged before me this ____ day of _____, 2019,
by the above named DANIEL J. BUKIEWICZ and CATHERINE A. ROESKE.

NOTARY PUBLIC

My Commission Expires: _____

This document was prepared by Philip J. Beiermeister, P.E. of the City of Oak Creek Engineering Division.

Approved as to Form:

City Attorney

Date



EXHIBIT A OPERATION AND MAINTENANCE INSPECTION REPORT STORM WATER MANAGEMENT PONDS

Inspector Name: _____

Tax Key No.: _____

Inspection Date: _____

Location: _____

Detention Basin Type: Wet Pond ___ Underground ___
 Extended Dry ___ Bioretention ___
 Artificial Wetland ___

Watershed _____

Items Inspected (Pond components)	Checked (Yes/ No/ NA)	Maintenance Needed (Yes/ No/ NA)	Remarks
Embankment and Emergency spillway			
1. Trash and debris			
2. Vegetation and ground cover adequate			
3. Embankment erosion			
4. Animal burrows			
5. Unauthorized plantings/tree growth			
6. Cracking, bulging, or sliding of embankment			
a. Upstream face and toe of slope			
b. Downstream face and toe of slope			
7. Settlement			
8. Seeps/leaks on downstream face			
9. Emergency spillway			
a. Clear of trash and debris			
b. Settlement			
c. Slope protection or riprap failures			
10. Other (specify)			
Inlet/Outlet Structures			
Type: Pipe (RCP/CMP/Plastic)			
Stand pipe/inlet box with orifice			
Weir (V-notch/Rectangular)			
Other _____			
1. Erosion/scouring/undermining at inlet or outlet			
2. Primary outlet structure			
a. Debris or sediment removal necessary			
b. Damaged			
c. Orifice plate damaged, out of place or missing			
3. Trash rack/hood maintenance			
a. Trash or debris removal necessary			
b. Damaged or missing			
c. Corrosion/rust control			
Pond Bottom/Pool Area			
1. Sediment accumulation (estimate depth)			
2. Water level at normal pool elevation			
3. Oil sheen on water			

EXHIBIT B
DETENTION BASIN MAINTENANCE STANDARDS

Maintenance Component	Defect	Conditions When Maintenance Is Needed	Results Expected When Maintenance Is Performed
Side Slopes and Embankments	Trash & Debris	Any visual evidence of dumping, trash or debris.	Trash and debris cleared from site.
	Unmowed vegetation/ Ground Cover	Unless designated by the Common Council as a nature center or wildlife preserve, if the facility is located in a platted subdivision, multi-family apartment complex, planned development or a mobile home district, mowing is needed when vegetation exceeds 6 inches in height. In all other areas, mowing is needed when vegetation exceeds one foot in height. Mowed vegetation should be removed from areas where it could enter the pond, either when the pond level rises or by rainfall runoff.	When mowing is needed, grass/ground cover should be mowed to 2 inches in height. Trees and bushes should be removed where they interfere with pond maintenance activities; that is, at the inlet, outlet and near engineered structures. Nature centers and wildlife preserves should follow the maintenance guidelines in the approving resolution and approved storm water management plan.
	Rodent Holes	Any evidence of rodent holes if facility is acting as a dam or berm, or any evidence of water piping through dam or berm via rodent holes.	Rodents destroyed and dam or berm repaired.
	Tree Growth	Tree growth does not allow maintenance access or interferes with maintenance activity (i.e., slope mowing, silt removal or equipment movements).	Trees do not hinder maintenance activities.
	Erosion	Eroded damage over 2 inches deep where cause of damage is still present or where there is potential for continued erosion.	Slopes should be stabilized by using appropriate erosion control measures; e.g., rock rip-rap, planting of grass, erosion mat, compaction.
Inlet/ Outlet Pipe	Debris and Sediment	Sediment and/or debris clogging more than 10% of the pipe opening.	No clogging or blockage in the inlet and outlet piping.
	Damaged	Rust is causing more than 50% deterioration to any part of metal pipes, cracks in plastic pipe or cracks or exposed rebar in concrete pipes.	Pipe repaired or replaced.
		Any dent that decreases the cross section area of pipe by more than 10% or retards the flowage of water.	Pipe repaired or replaced.
	Erosion/Scouring	Eroded or scoured bottom at inlet or outlet pipes; undermining of structure or end section.	Area should be stabilized by using appropriately sized rock rip-rap.
	Damaged or Missing Orifice Plate	Control device is not working properly due to missing, out of place, or bent orifice plate.	Plate is in place and works as designed.
	Orifice Plate Obstructions	Any trash, debris, sediment, or vegetation blocking the plate.	Plate is free of all obstructions and works as designed.
Trash Racks/Hoods	Trash and Debris	Trash or debris that is plugging more than 20% of the openings in the barrier.	Barrier clear to receive capacity flow.
	Damaged/ Missing Bars or Hood.	Bars or hood are bent out of shape more than 3 inches.	Bars in place with no bends more than 3/4 inch.
		Bars are missing or entire barrier missing	Bars in place according to design.
		Bars are loose and rust is causing 50% deterioration to any part of barrier.	Repair or replace barrier to design standards.
Pool Area	Sediment Accumulation in Pond Bottom	Sediment accumulations in pond bottom that exceeds the design sediment depth.	Sediment cleaned out to designed pond shape and depth; pond reseeded if necessary to control erosion.
	Water Level	Water level does not drain down to normal designed pool elevation.	Check outlet structure and downstream conveyance system for obstructions.
	Oil Sheen on Water	Prevalent and visible oil sheen	Remove oil from water by use of oil-absorbent pads or by vacor truck. Refer problem to locate source and correct.
Emergency Overflow/Spillway and Dikes	Settlements	Any part of these components that has settled 4-inches lower than the design elevation, or inspector determines dike/ berm is unsound.	Dike should be built back to the design elevation and repaired to specifications.
	Rock Missing	Only one layer of rock exists above native soil in area five square feet or larger, or any exposure of native soil at the top emergency spillway	Replace rocks to design standards.

COMMON COUNCIL REPORT

Item: Resolution 12086-080519, A Resolution by the Common Council Making Certain Findings and Approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 12, City of Oak Creek, Wisconsin

Recommendation: Approve Resolution 12086-080519

Fiscal Impact: As analyzed comprehensively in the TID 12 Project Plan document

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: Throughout the past spring and early summer, City staff have analyzed the best strategy with which to realize the full economic development potential for the Drexel Avenue/I-94 corridor. As a significant gateway into Oak Creek, the City and its private partners have aspirational development goals for this land tract. If developed intelligently, this acreage will positively define the "front door" and image of Oak Creek to over 120,000 vehicles traveling I-94 each day.

Development opportunities are more defined on the east side of the freeway, specifically the Highgate and Wingspan development tracts. A certain number of projects have been approved there; however, the ability to position the balance of the development, and realize its full potential, relies on two things: a significant public infrastructure investment in Drexel/13th St. and a budgetary allowance to meet certain other project costs (including TIF grants) to make the development financially feasible.

The attached amended TID 12 Project Plan accomplishes three important strategies. First, it amends the boundary of TID 12 to capture acreage to the east of I-94, predominantly the Highgate and Wingspan tracts, to capture increment necessary to fund the investments in infrastructure and other project costs. Second, it includes the parcels along Drexel on the west side of I-94 that were not included (intentionally) in the original TID 12 boundary designed for IKEA. Lastly, the boundary amendment and amended TID 12 Project Plan provides a budget for, and financial feasibility of, incentives for the City to invest in the quality development it desires both south of IKEA and the Highgate tract.

The Plan Commission held a public hearing on July 23, 2019 regarding the TID 12 amendment. No one from the public provided comment. The Commission unanimously approved a resolution approving the territory amendment. That resolution is attached to this report.

Options/Alternatives: The Council could choose not to approve which would negate the City's ability to utilize the TIF tool. The City may face lesser quality development prospects without the ability to leverage TIF.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Resolution 12086-080519, TID 12 Powerpoint presentation by Vandewalle, amended TID 12
Project Plan document, PC Resolution 2019-02

RESOLUTION NO. 12086-080519

BY: _____

A RESOLUTION BY THE COMMON COUNCIL
MAKING CERTAIN FINDINGS AND APPROVING AMENDMENT NO. 1
TO THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 12,
CITY OF OAK CREEK, WISCONSIN

WHEREAS, the overall development of the City of Oak Creek ("City") is recognized as a major need of the City; and

WHEREAS, the City on July 19, 2016, adopted Resolution No. 11723-071916 to create Tax Incremental District No. 12, City of Oak Creek, Wisconsin ("District"), as a mixed-use district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes ("Tax Increment Law"), in order to provide a viable method of financing the costs of needed public improvements within said District and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, the City of Oak Creek Joint Review Board on July 20, 2016, adopted a Resolution that approved the creation of the District; and

WHEREAS, in order to further the goals contained in the original Project Plan for the District ("Project Plan"), the City now finds it desirable to amend the District's territorial boundaries to add additional property to the District as set forth in Exhibit A attached hereto and incorporated herein ("Territory Amendment"), and this is the first Territory Amendment to the District; and

WHEREAS, the property to be added in the Territory Amendment is contiguous to the District and will be served by improvements in the District Project Plan; and

WHEREAS, the City of Oak Creek desires to amend the Project Plan for the District for the purpose of reflecting the change to the District's boundaries and to incorporate changes to the schedule and amounts of eligible project costs within the Project Plan as set forth in the Amendment No. 1 to Tax Incremental District No. 12 Project Plan attached hereto as Exhibit B and incorporated herein ("Project Plan Amendment"), which Project Plan Amendment shall be the first amendment to the Project Plan for the District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on July 23, 2019, after giving proper Class 2 public notice and having a quorum present, held a public hearing concerning the proposed Territory Amendment and Project Plan Amendment during which interested parties from the public were afforded a reasonable opportunity to express their views ("Public Hearing"); and

WHEREAS, prior to its first publication, a copy of the notice of said Public Hearing was sent via first class mail to the chief executive officer of Milwaukee County, the Oak Creek Franklin Joint School District, the Milwaukee Metropolitan Sewerage District, the Milwaukee County Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said Public Hearing, the Plan Commission approved and recommended to the City Common Council that it adopt the Territory Amendment and Project Plan Amendment; and

WHEREAS the Plan Commission has prepared the Project Plan Amendment, attached as Exhibit B and incorporated herein, which includes the following amendments:

- a. Introduction.
- b. Section I, Existing Uses and Conditions.
- c. Table 2: Amended Parcel List.
- d. Map 1: Amended Boundary for TID 12, Amend. No. 1.
- e. Map 2: Existing Land Use for TID 12, Amend. No. 1.
- f. Section III, Proposed Uses.
- g. Map 3: Commercial Development Concept.
- h. Map 4: Future Land use for TID 12, Amend. No. 1.
- i. Section IV, Detailed List of Estimated Project Costs.
- j. Table 3: Detailed List of Estimated Project Costs.
- k. Map 5: Ikea Way/Northwestern Mutual Way Projects Detail.
- l. Section V, Economic Feasibility Study.
- m. Table 4: Revenue Analysis.
- n. Table 5: Cash Flow – All Parcels (Existing and Amended Boundary).
- o. Section VII, Proposed Changes in Zoning Ordinances and Master Plan.
- p. Map 6: Zoning for TID 12, Amend. No. 1.
- q. Section XI, Legal Opinion.

WHEREAS, the Plan Commission has submitted the Territory Amendment and the Project Plan Amendment to the City Common Council and recommended approval thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Common Council of the City of Oak Creek as follows:

1. The City Common Council hereby finds and declares that:
 - (a) The Project Plan, as amended, is feasible and in conformity with the master plan; and
 - (b) Not less than 50% by area of the real property within the District remains suitable for and will directly serve to promote a combination of industrial, commercial, and residential uses, defined as “mixed-use development,” within the meaning of Section 66.1105(2)(cm) of the Wisconsin Statutes; and
 - (c) Based upon the findings, as stated in (b) above, the District remains a mixed-use district based on the identification, classification, and zoning of the property included within the District; and
 - (d) The project costs directly serve to promote mixed-use development consistent with the purpose for which the District is created; and
 - (e) The improvement of such area is likely to significantly enhance the value of substantially all of the other real property in the District; and
 - (f) The equalized value of taxable property of the District plus the value increment of all existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City; and
 - (g) The City does not estimate that more than 35% of the territory within the District will be devoted to retail business at the end of the District’s maximum

expenditure period, pursuant to Section 66.1105(6)(am)1. of the Wisconsin Statutes; and

- (h) Lands proposed for newly platted residential development as shown in the Project Plan, as amended, do not exceed 35% by area, of the real property within the District; and
- (i) Costs related to newly platted residential development are identified as part of the Project Plan and such residential developments, as identified on Map 6 in the Project Plan, as amended, will result in residential density of at least three residential units per acre; and
- (j) The property to be added in the Territory Amendment is contiguous to the District and will be served by improvements in the District Project Plan.

BE IT FURTHER RESOLVED THAT, the City Common Council of the City of Oak Creek approves the Territory Amendment attached as Exhibit A and incorporated herein and the Project Plan Amendment attached hereto as Exhibit B and incorporated herein, both as recommended and adopted by the Plan Commission, and finds that:

1. Such Project Plan, as amended, for the District in the City are feasible; and
2. Such Project Plan, as amended, is in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT, the City Common Council of the City of Oak Creek hereby (i) adopts the Territory Amendment and the Project Plan Amendment and (ii) amends Tax Increment District No. 12 effective January 1, 2019.

BE IT FURTHER RESOLVED THAT, except as specifically amended by the Territory Amendment or the Project Plan Amendment, the District territory and Project Plan remains unchanged and in full force and effect, except as amended by any and all previous amendments.

BE IT FURTHER RESOLVED THAT, the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for approval of the Territory Amendment and Project Plan Amendment and for a redetermination of the tax incremental base, as of January 1, 2019, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT, the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property which are within or have been added to the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted this 5th day of August, 2019.

President, Common Council

Daniel J. Bukiewicz, Mayor

ATTEST:

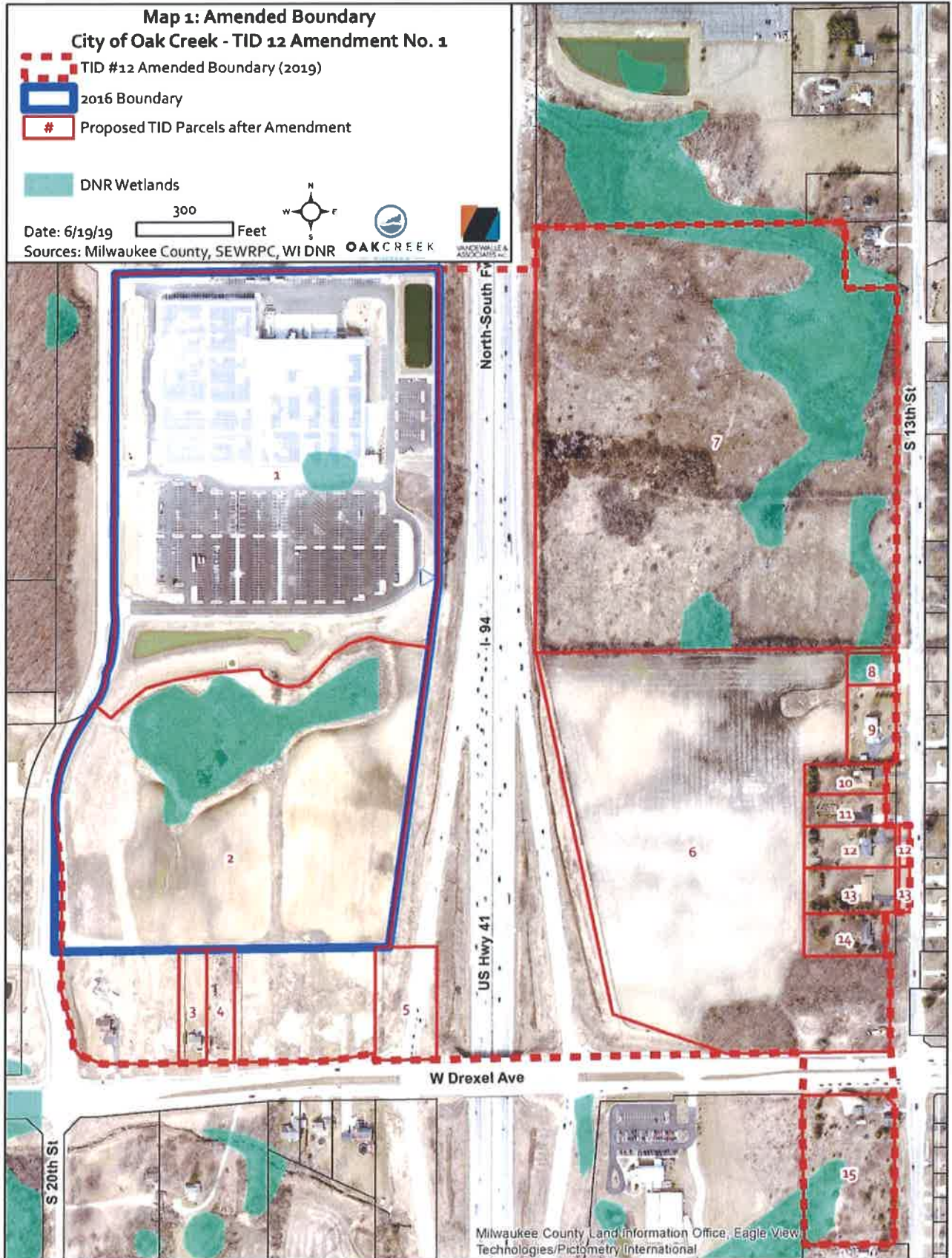
City Clerk

VOTE: Ayes ____ Noes ____

DRAFT

EXHIBIT A

TID 12 AMENDMENT NO. 1 TO TERRITORY OAK CREEK, WISCONSIN

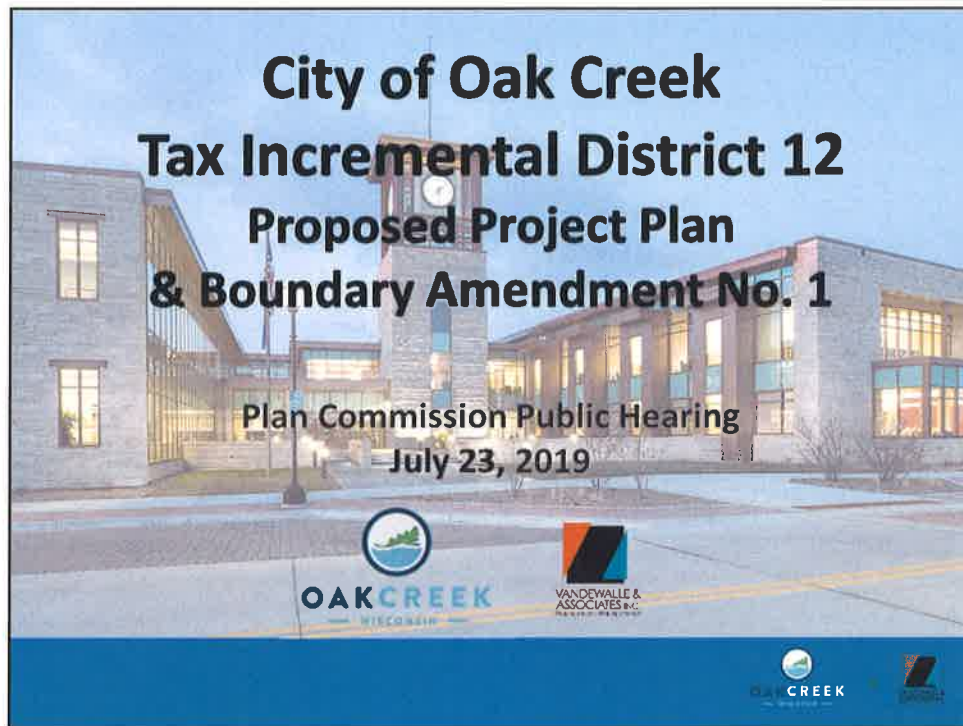


**EXHIBIT B
TID PROJECT PLAN**

THIS WILL BE HANDED OUT SEPARATELY

20968237.2

DRAFT



Purpose of TID 12, Amendment No. 1

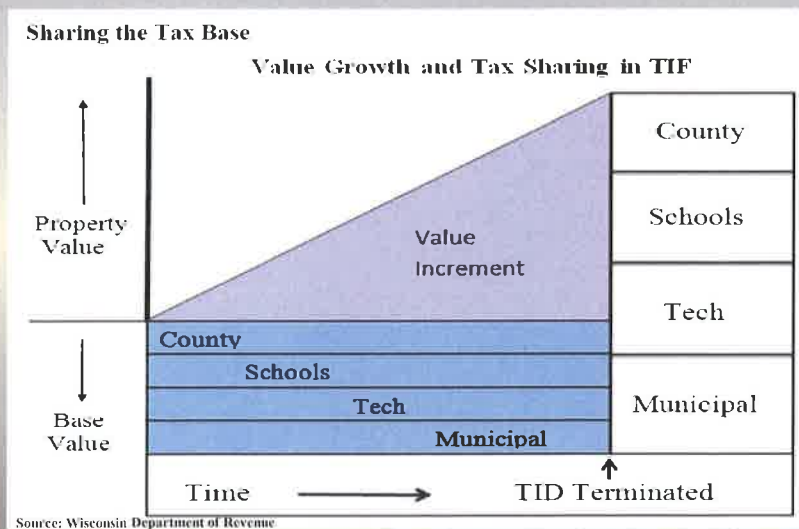
- Add 14 parcels to stimulate and capture planned near-term development growth in TID area
- Amend spending plan to:
 - Advance necessary site-specific improvements and capital costs
 - Offer development incentives for large-scale, job creating projects
- Support new, complementary commercial and multifamily uses in an emerging gateway district of the City

What Is TIF?

- A financing mechanism to spur development in an area that, **but for the use of TIF**, would not otherwise see the type, magnitude or timing of development desired by the community
- Uses taxes from **increased property values** to fund public projects and achieve financial feasibility of private projects
- The single **most powerful** economic development tool communities have



How Does TIF Work?



What are the Key Terms?

- **Base Value** – total value of real & personal property when TID is created
- **Value Increment** – increased assessment value in TID above the base value
- **Tax Increment** – tax revenue from increased values
- **Joint Review Board (JRB)** – City, School District, County, MATC, MMSD, At-large member
- **TID** – Tax Increment District
- **TIF** – Tax Increment Finance



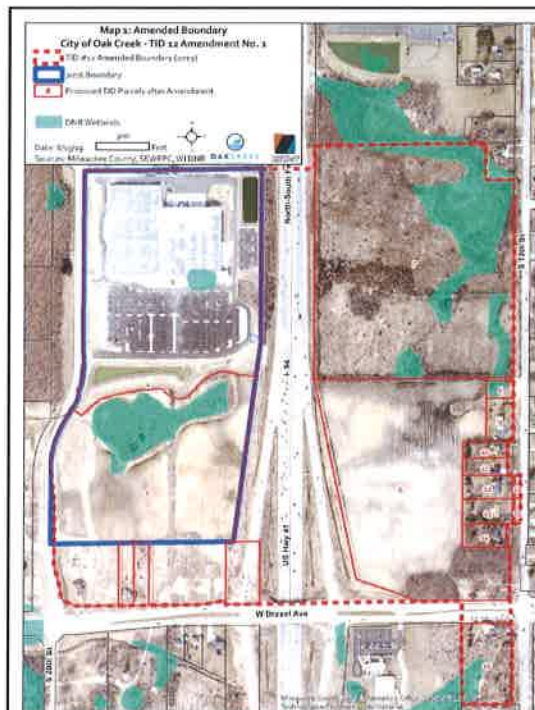
What's Required?

- Establish TID boundaries
- Declare type of TID and term
- Determine project costs/expenditures
- Project potential development projects/values
- Perform financial feasibility
- Demonstrate “but for” finding
- Demonstrate consistency with zoning and comprehensive plan



“But For” Test

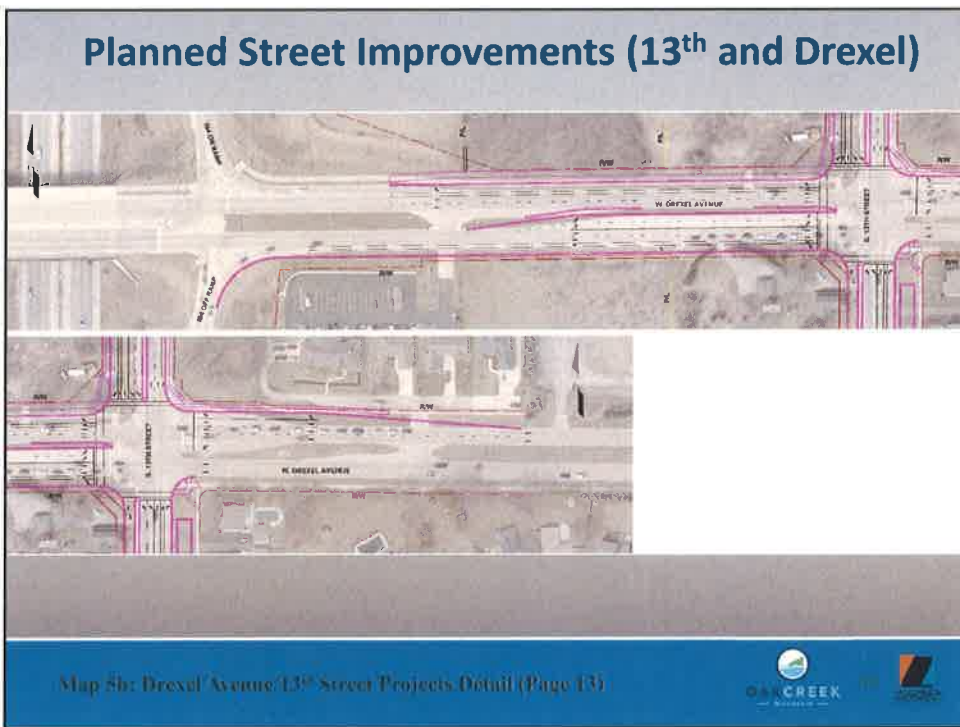
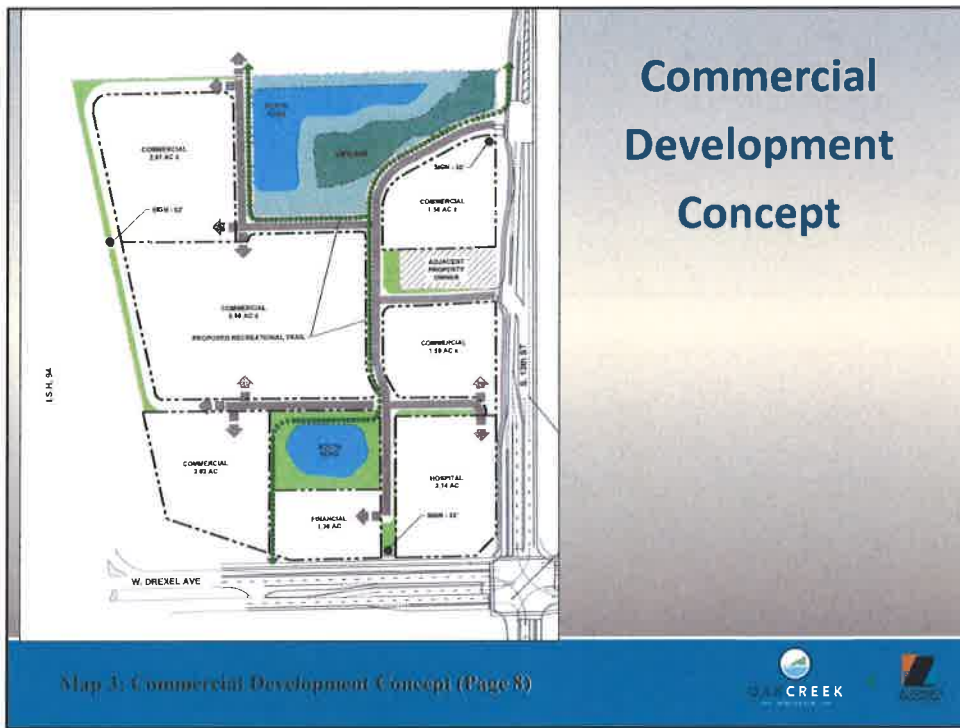
- Expenditures advance one or more public purposes:
 - Eliminate blight
 - Diversify tax base
 - Create jobs
 - Remove social hazards
 - Environmental clean-up
 - Improve transportation/utility services
- **“But for”** the use of TIF, development:
 - would not occur; or
 - would not occur in the manner, at the values, or within the timeframe desired by the City
- Every project receiving TIF financing must meet this standard

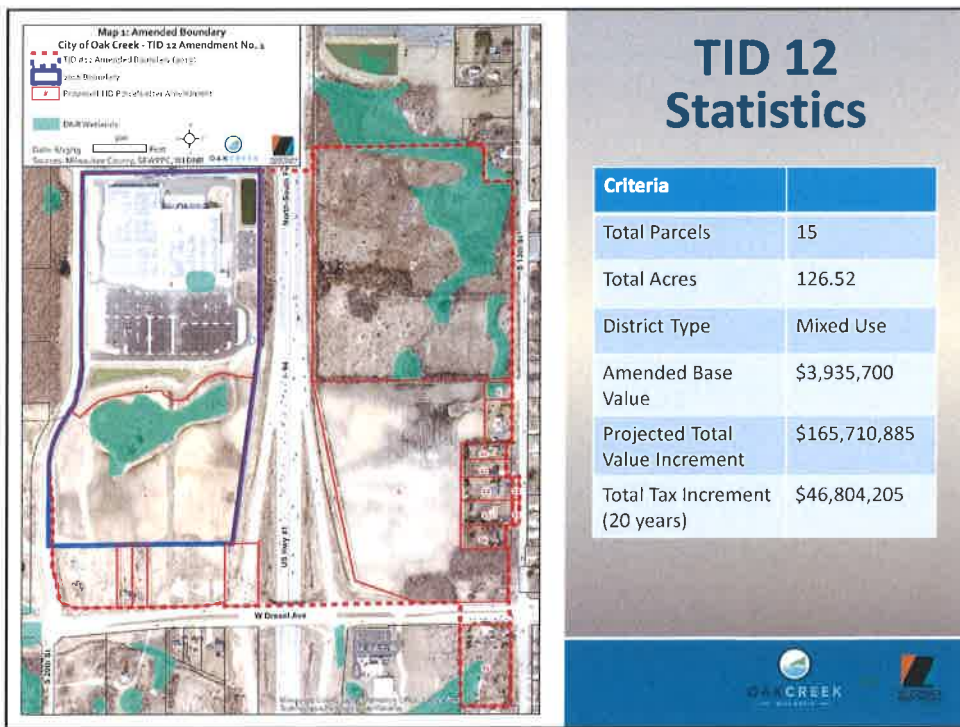


Proposed TID 12 Boundary Amendment

- 126.52 acres
- 15 total parcels
- Primarily ag/vacant with limited industrial
- IKEA and commercial/retail outparcels
- Planned MF Residential and Commercial east of 1-94







Eligible Project Costs

- **Eligible costs include, but are not limited to:**
 - Capital costs including public infrastructure
 - Property assembly/relocation costs
 - Demolition/site preparation costs
 - Planning/engineering/legal for preparation of Project Plan
 - Marketing and project concepts for projects within the TID
 - Cash grants to developers subject to appropriate development agreements
 - Prorated capital and administrative costs per % necessitated by TID



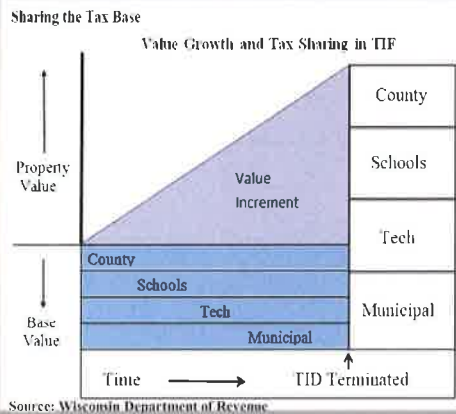
Proposed Projects and Costs

Ikea Way/Northwestern Mutual Way Street Improvements¹	\$5,100,000	
Phase I/A Engineering and Design	\$24,685	
Construction	\$420,496	
Phase II Engineering, Design and Inspection	\$317,000	
Construction	\$2,729,408	
Watermain	\$441,450	
Sanitary Sewer	\$548,100	
Landscaping-Restoration	\$275,000	
Capitalized Interest	\$343,861	} New Project Costs
13th St & Drexel Avenue Improvements (tax-exempt G.O. bond issue)¹	\$2,489,666	
Engineering, Design, and Construction Inspection	\$941,458	
Roadway and Intersection Expansion	\$1,491,980	
Traffic Signals (new and modification)	\$800,000	
Storm Water Management	\$350,000	
Relocate/Bury Overhead Utilities	\$700,000	
Uncomputed Quantities (Contingency)	\$423,472	
Real Estate and Right-of-Way Acquisition	\$272,422	
50% Developer Contribution (offset/savings)	(\$2,489,666)	
Development Incentives²	\$20,500,000	
IKEA Development Project - developer-funded ³	\$6,000,000	} Previous: \$13M Previous: \$2M New Project Cost
Developer-funded Development Incentives - remainder of District ¹	\$11,500,000	
Up-Front Development Incentives - remainder of District	\$3,000,000	
Planning, Administrative, Legal and Professional Costs	\$1,000,000	
Total Estimated Project Costs	\$29,089,666	} Previous: \$20.7M

Table 3: Priority Projects And Estimated Costs (Page 11)



Projected Growth



- Amended Base Value of District (2019) = **\$3,935,700**
- Projected Value Increment at District Termination = **\$165 million**
- Projected Tax Increment Generated = **\$46.8 million**
- Current Annual Taxes Collected on Properties in District (IKEA Increment Only) = **\$394,000**
- Projected Annual Property Taxes Collected After Termination of District = **\$3.45 million**



Assumptions				
Annual Inflation During Life of TIF				1.00%
2018 Gross Tax Rate (per \$1,000 EV)				\$21.12
Annual Adjustment to tax rate				0.00%
Investment rate				0.00%
Data above dashed line are actual				

Background Data					Revenues	
Year	(a) TIF District Valuations	(b) Inflation Increment	(c) Construction Increment	(d) TIF Increment Over Base	(e) Tax Rate	(f) Tax Revenue
	(January 1)					
	Base Value					
	\$10,700					
	2019 Amend					
	\$3,925,000					
2015	\$10,100					
2017	\$15,662,400					\$0
2018	\$35,465,600	\$0	\$12,873,200	\$18,651,700	\$21.12	\$393,924
2019	\$40,465,600	\$315,406	\$8,000,000	\$43,770,306	\$21.12	\$565,911
2020	\$40,781,006	\$318,560	\$13,627,250	\$57,716,116	\$21.12	\$924,429
2021	\$57,735,816	\$321,746	\$29,390,667	\$87,428,529	\$21.12	\$1,218,964
2022	\$87,439,229	\$324,963	\$41,880,000	\$129,633,492	\$21.12	\$1,946,491
2023	\$129,644,192	\$328,213	\$5,000,000	\$134,961,705	\$21.12	\$2,737,859
2024	\$124,972,405	\$1,140,474	\$5,000,000	\$141,102,179	\$21.12	\$2,950,391
2025	\$141,112,879	\$1,151,879	\$5,000,000	\$147,254,057	\$21.12	\$3,090,079
2026	\$147,264,757	\$1,163,398	\$5,000,000	\$153,417,455	\$21.12	\$3,110,006
2027	\$153,428,155	\$1,175,032		\$154,592,487	\$21.12	\$3,240,177
2028	\$154,603,187	\$1,186,752		\$155,779,268	\$21.12	\$3,264,993
2029	\$155,789,965	\$1,198,650		\$156,977,918	\$21.12	\$3,290,058
2030	\$156,983,613	\$1,210,636		\$158,188,554	\$21.12	\$3,315,374
2031	\$158,199,254	\$1,222,743		\$159,411,297	\$21.12	\$3,340,942
2032	\$159,421,957	\$1,234,970		\$160,646,267	\$21.12	\$3,366,767
2033	\$160,656,967	\$1,247,320		\$161,893,586	\$21.12	\$3,392,849
2034	\$161,904,265	\$1,259,793		\$163,153,379	\$21.12	\$3,419,193
2035	\$163,164,079	\$1,272,391		\$164,425,770	\$21.12	\$3,445,799
2036	\$164,435,470	\$1,285,115		\$165,710,885	\$21.12	
	\$17,358,068	\$125,776,117				\$46,804,205

Projected TID 12 Increment

- IKEA fully assessed as of 2019
- Total development of \$125M+ anticipated through 2026
- Projected to yield inflated tax increment revenues of \$46.8 million (in 2019 dollars) over 20-year life
- No early closure anticipated, though some parcels may be subtracted in future years

Table 4: Revenue Analysis (Page 16)



TID 12 Cash Flow Analysis

Developer Incentive			Up-Front Infrastructure Cost			Up-Front Infrastructure Cost			Developer Incentive			City Service		
Parcel #	Value	Incentive	Parcel #	Value	Cost	Parcel #	Value	Cost	Parcel #	Value	Incentive	Parcel #	Value	Cost
...
TOTAL			TOTAL			TOTAL			TOTAL			TOTAL		

- Up-front infrastructure and capital costs of \$6.6M, City borrowing at 2.92%-4.00% interest
- Estimated \$50K/year in admin/service costs
- IKEA: Up to \$6M in developer-financed (PAYGO) incentives
- Amendment No. 1: up to \$3M in additional City-financed (up-front) and \$11.5M in PAYGO incentives
- Estimated positive cash balance of \$14.6M in 2036 (end of statutory life)

Table 5: Cash Flow – All Parcels (Existing and Amended Boundary) (Page 17)

Key Statutory Findings

1. That **“but for”** the amendment of this District, the development projected to occur as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.
2. The **economic benefits of the TID are sufficient** to compensate for the cost of the proposed improvements.
3. The **benefits of the proposal outweigh the anticipated tax increments** to be paid by the owners of property in the overlying taxing jurisdictions.

TID 12 Amendment Timeline

- May/June 2019- Preparation of the project plan
- July 16th – Conduct JRB organizational meeting
- **July 23rd – Plan Commission Public Hearing**
- August 5th – Action by the City Council
- August/September TBD – JRB Final Action



Discussion & Questions

Doug Seymour, Director of Community Development
City of Oak Creek
414-766-7000
dseymour@oakcreekwi.org

Kari Papelbon, Planner
City of Oak Creek
414-766-7000
kpapelbon@oakcreekwi.org

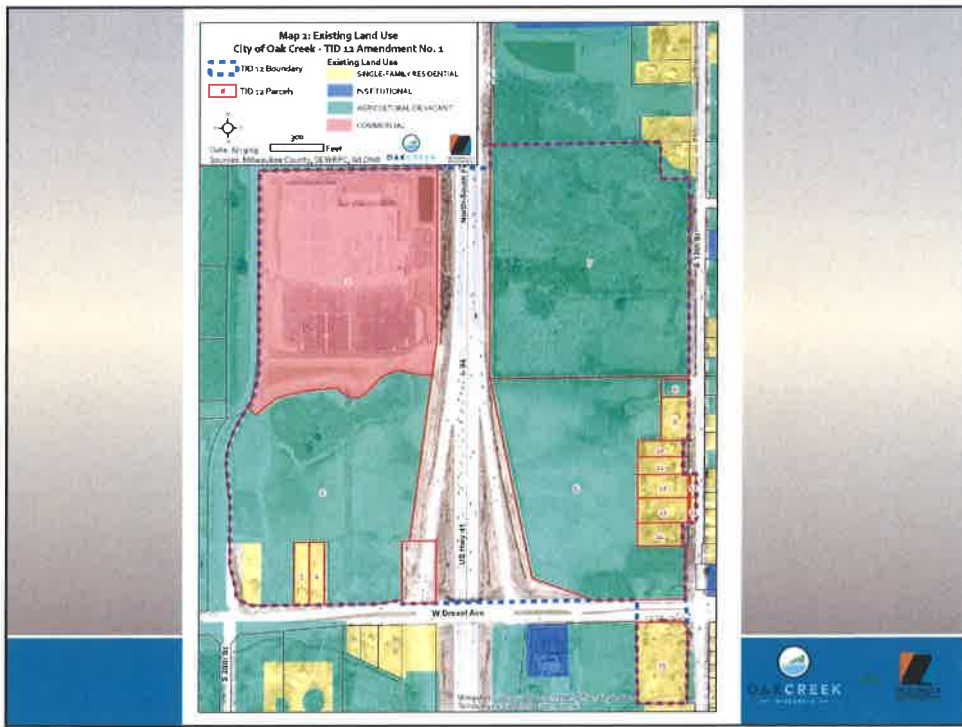
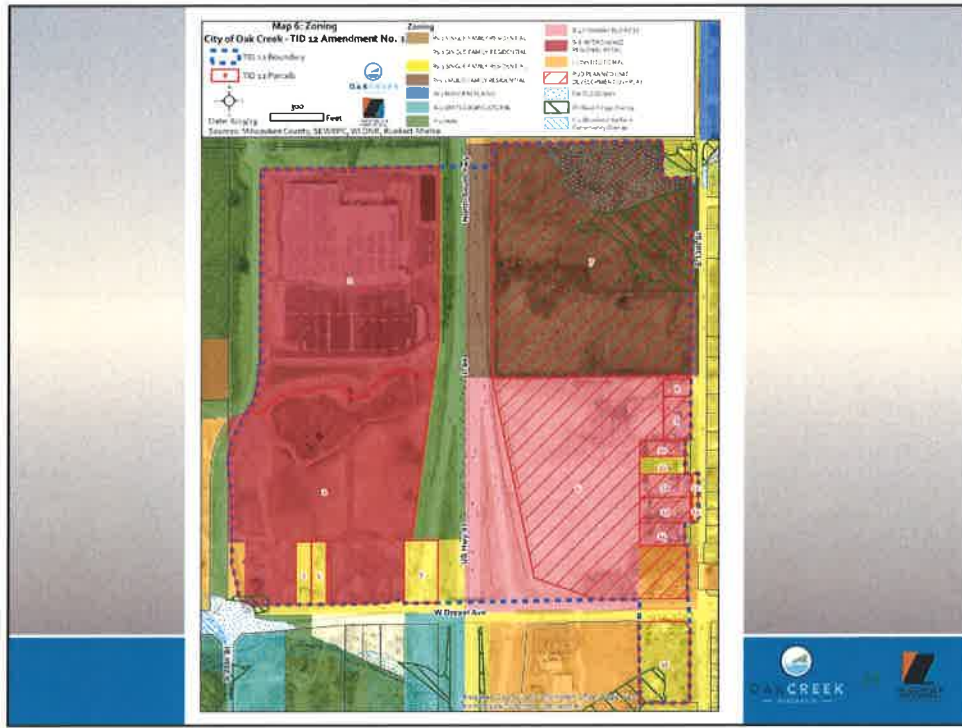
Dan Johns, Associate Planner
Vandewalle & Associates
608-255-3988
djohns@vandewalle.com

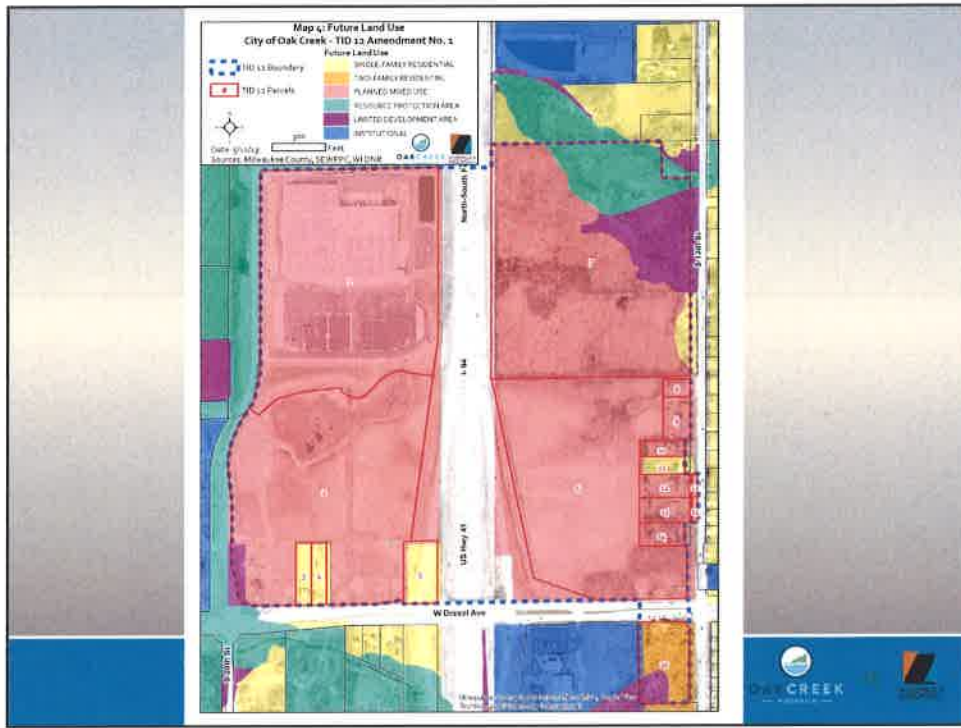




Map ID	Tax ID	Owner	Class	Address	Lot acres	2016 Base Value	2019 Land Value	2019 Improvement Value	2019 Total Assessment
1	7849023000	IKEA PROPERTY INC	COM	7500 IKEA WAY S	28.76		\$5,762,400	\$25,767,500	\$31,529,900
	7849024000	WALDEN OC LLC ¹	AGR	7700 IKEA WAY S	21.16	\$10,700	\$4,600	\$0	\$4,600
	7849012000	CITY OF OAK CREEK ²	EXM	1820 DREXEL AVE W	0.81		\$0	\$0	\$0
	7849013000	WALDEN OC LLC ¹	RES	1900 DREXEL AVE W	0.82		\$81,600	\$273,000	\$354,600
	7849014000	WALDEN OC LLC ¹	RES	1850 DREXEL AVE W	0.81		\$85,300	\$0	\$85,300
	7849016000	WALDEN OC LLC ¹	RES	1848 DREXEL AVE W	0.72		\$82,700	\$9,300	\$92,000
	7849994001	WALDEN OC LLC ¹	RES	1816 DREXEL AVE W	0.86		\$85,200	\$0	\$85,200
	7849006000	WALDEN OC LLC ¹	RES	1800 DREXEL AVE W	0.96		\$79,400	\$0	\$79,400
	7849009001	WALDEN OC LLC ¹	RES	1750 DREXEL AVE W	0.91		\$86,200	\$0	\$86,200
2	7849010001	WALDEN OC LLC ¹	RES	1700 DREXEL AVE W	0.76		\$67,800	\$0	\$67,800
3	7849017000	SCHMIDT, AMANDA L	RES	1630 DREXEL AVE W	0.70		\$82,200	\$279,800	\$362,000
4	7849018000	SCHMIDT FAMILY IRREVOCABLE TRUST	RES	1620 DREXEL AVE W	0.70		\$82,200	\$0	\$82,200
5	7849011000	STATE OF WI DEPT OF TRANSPORTATION	EXM	1632 DREXEL AVE W	1.56		\$0	\$0	\$0
6	7849993002	DREXEL COMMERCIAL LP ³	AGR	7969 13TH ST S	23.46		\$75,900	\$0	\$75,900
7	7849998001	WIZA INVESTMENTS DREXEL LLC	COM	7561 13TH ST S	34.75		\$1,158,400	\$0	\$1,158,400
8	7849020000	HIGHGATE LLC	RES	7705 13TH ST S	0.35		\$68,800	\$0	\$68,800
9	7849019000	HIGHGATE LLC	RES	7725 13TH ST S	0.87		\$84,700	\$178,000	\$262,650
10	7849003000	HIGHGATE LLC	RES	7751 13TH ST S	0.54		\$74,400	\$73,100	\$147,500
11	7849000000	PILLAR, ROBERT T	RES	7785 13TH ST S	0.59		\$77,500	\$127,400	\$204,900
12	7849991001	HIGHGATE LLC	RES	7781 13TH ST S	1.00		\$84,800	\$67,200	\$152,000
13	7849990001	HIGHGATE LLC	RES	7811 13TH ST S	1.08		\$86,800	\$64,100	\$150,900
14	7849010000	HIGHGATE LLC	RES	7831 13TH ST S	0.77		\$83,700	\$73,200	\$156,900
15	8119999001	SPIDELL, STEPHEN J	RES	7960 13TH ST S	3.40		\$106,900	\$139,300	\$246,200
Totals:					126.52	\$10,700	\$8,401,700	\$27,057,800	\$35,459,500

1. These parcels were combined by CSMA on April 16, 2019 and are pending issuance of an updated tax ID and street address.
 2. A portion of this parcel was vacated by the City of Oak Creek for right-of-way dedication, with the remaining portion combined into Parcel 2 by CSMA.
 3. 2019 assessed values are preliminary and subject to final equalization by the Department of Revenue on or before August 15, 2019.





CITY OF OAK CREEK

TAX INCREMENTAL DISTRICT #12

Amendment No. 1

Common Council Adoption DRAFT
August 5, 2019



Prepared by:
**VANDEWALLE &
ASSOCIATES INC.**
Madison . Milwaukee

ACKNOWLEDGEMENTS

Oak Creek Common Council

Daniel Bukiewicz, Mayor
Steven Kurkowski, 1st District
Gregory Loreck, 2nd District

Richard Duchniak, 3rd District
Michael Toman, 4th District
Ken Gehl, 5th District
Chris Guzikowski, 6th District

Oak Creek Plan Commission

Mayor Daniel Bukiewicz, Chairperson
Gregory Loreck, Alderperson
Chris Guzikowski, Alderperson
Don Oldani
Christine Hanna

Chaucey Chandler
Matt Sullivan
Dawn Carrillo
Fred Siepert
Doug Seymour, *Ex-Officio*

Oak Creek City Staff

Andrew J. Vickers, MPA, City Administrator
Bridget M. Souffrant, Assistant City Administrator/Comptroller
Doug Seymour, AICP, Director of Community Development
Kari Papelbon, CFM, AICP, City Planner
Mike Simmons, P.E., City Engineer
Matt Sullivan, P.E., Assistant City Engineer
Catherine A. Roeske, City Clerk
Melissa Karls, City Attorney

Planning Assistance Provided by:

Vandewalle & Associates
120 East Lakeside Street
Madison, WI 53715
(608) 255-3988
www.vandewalle.com

247 Freshwater Way, Suite 530
Milwaukee, WI 53204
(414) 988-8631

Jolena Presti, AICP – Principal Planner
Dan Johns, AICP – Associate Planner, Project Manager
Dan Eckberg, AICP – GIS Specialist

Economic Feasibility Analysis Provided by:

Robert W. Baird & Co.
777 E Wisconsin Ave
Milwaukee, WI 53202
(414) 765-3635
www.rwbaird.com

Justin Fischer, Senior Vice President
Emily Timmerman, Vice President

TABLE OF CONTENTS

INTRODUCTION 1

AMENDED SECTION I. EXISTING USES AND CONDITIONS 3

 Table 1: 12% Test 3

 Table 2: Amended Parcel List 4

 Map 1: Amended Boundary 5

 Map 2: Existing Land Use 6

SECTION II. LIST THE TYPE, NUMBER AND LOCATION OF ALL PROPOSED PUBLIC WORKS
AND IMPROVEMENTS IN THE DISTRICT AND OUTSIDE THE DISTRICT 7

AMENDED SECTION III. PROPOSED USES 7

 Map 3: Commercial Development Concept 8

 Map 4: Future Land Use 9

SECTION IV. DETAILED LIST OF ESTIMATED PROJECT COSTS 10

 Table 3: Detailed List Of Estimated Project Costs 11

 Map 5a: Ikea Way/Northwestern Mutual Way Projects Detail 12

 Map 5b: Drexel Avenue/13th Street Projects Detail 13

AMENDED SECTION V. ECONOMIC FEASIBILITY STUDY 14

 Table 4: Revenue Analysis 16

 Table 5: Cash Flow – All Parcels (Existing and Amended Boundary) 17

SECTION VI. DESCRIPTION OF FINANCING METHODS 18

AMENDED SECTION VII. PROPOSED CHANGES IN ZONING ORDINANCES AND MASTER
PLAN 18

SECTION VIII. NON-PROJECT COSTS 18

SECTION IX. RELOCATION 18

SECTION X. HOW THE CREATION OF TAX INCREMENTAL DISTRICT NO. 12 WILL
PROMOTE THE ORDERLY DEVELOPMENT OF THE CITY OF OAK CREEK 18

 Map 6: Zoning 19

SECTION XI. LEGAL OPINION 20

APPENDIX A LEGAL DESCRIPTION 21

APPENDIX B IMPACT ON OVERLYING TAXING JURISDICTIONS 22

APPENDIX C TAXING JURISDICTION CORRESPONDENCE 23

APPENDIX D JRB MEETING AND PUBLIC HEARING PROOFS OF PUBLICATION 23

APPENDIX E PLAN COMMISSION RESOLUTION AND PUBLIC HEARING MINUTES 23

APPENDIX F CITY COUNCIL RESOLUTION AMENDING TID #12 23

APPENDIX G JOINT REVIEW BOARD RESOLUTION APPROVING THE PROJECT PLAN
AMENDMENT 23

INTRODUCTION

Tax Incremental District No. 12 (TID #12 or the “District”) in the City of Oak Creek, Wisconsin, was formed as a mixed-use district on July 19, 2016 with a base value of \$10,700. It is currently comprised of approximately 50 acres of property, the northern 29 acres of which is now occupied by an IKEA retail store. This area is positioned to be a regional retail destination and an important gateway to the City of Oak Creek, capitalizing on a prominent location in an area to the north of West Drexel Avenue, adjacent to and just west of Interstate 94-41.

Since the opening of an IKEA store in May 2018, the vicinity is now experiencing increased traffic volumes and is attracting additional development proposals for a mix of other retail, commercial and residential uses. As such, the City wishes to amend the boundaries of TID #12 to add 14 additional parcels to the south and east of the current boundary in order to capture the significant increment potential from several of these large-scale development proposals, in turn providing the necessary revenue to finance public infrastructure and strengthen the feasibility of new private development in the Drexel Avenue corridor. The infrastructure for the expanded District will be developed by the City, while the retail, residential, and other commercial uses will be developed by the private sector, public/private partnerships, or some combination thereof. The timing of this Amendment is critical as the expanded District is poised to be built out at a rapid pace should the City have the TIF tool available to facilitate the necessary land preparations and public infrastructure in a timely and organized manner.

This TID #12 Project Plan Amendment No. 1 has been prepared in compliance with Wis. Stats. §66.1105. This amended Project Plan is to be adopted by resolution of the Common Council upon receipt of a resolution of an affirmative recommendation from the City Plan Commission and is intended to augment the original 2016 Project Plan. The District continues to comply with the requirements for a “Mixed-use TID” wherein more than 50% of the land area of the District, as amended, is suitable for a combination of industrial, commercial, or residential uses.

Given the expansion of the District from primarily a single-purpose TID to one with a larger project area and related costs, this Amendment makes substantial changes to the original Project Plan. Although the purposes of the District have not changed, the increment projections and spending allocations have changed significantly by virtue of this proposed boundary amendment. In addition, the overall level of authorized spending has been increased from the original Project Plan to better reflect actual development within the existing boundary and expected development within the expanded TID area. Below is a summary of the primary changes resulting from this Amendment:

	Original Project Plan (2016)	Amendment No. 1 Project Plan (2019)
Total Parcels	1	15
Total Area (acres)	49.94	126.52
Base Value	\$10,700	\$3,935,700
Projected Value Increment	\$63,261,743	\$165,710,885
Total Authorized Spending (including costs incurred to date)	\$20,756,139	\$29,089,666

Implementation of this Project Plan Amendment No. 1 will still require case-by-case authorization by the Common Council. Public expenditures for projects listed in the Project Plan, as amended, should and will be based on market conditions and the status of development at the time a project is scheduled for construction. The Common Council is not mandated to make the public expenditures described in the Plan. Redistribution of project costs within the total budget estimate will not require an amendment to the

Plan provided that the expenditures meet the purpose and intent of the TID as described in the Project Plan, as amended when necessary.

This amended Project Plan follows the same layout and section order as the original Project Plan. Sections where no changes are proposed are indicated as such, and sections with amendments are identified accordingly. As required by Wis. Stat. §66.1105, a copy of this amended Project Plan will be submitted to the Department of Revenue and used as the basis for their certification of TID #12, Amendment No. 1.

Summary of Findings

As required by Wis. Stat. §66.1105, and as documented in this Project Plan Amendment and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this District and adoption of this Amendment, the development projected to occur as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.
 - To support development within the District the City will need to make a substantial investment to pay for the costs of necessary public infrastructure. Additional investment in development incentives may also be required for the City to realize the high-quality development it desires. Due to extensive investment required, the City has determined that development of the area will not occur solely as a result of private investment. Accordingly, the City finds that absent the use of TIF, full development of the area is unlikely to occur.
2. The economic benefits of the amended Tax Incremental District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements. In making this determination, the City has considered the following information:
 - As demonstrated in the Economic Feasibility Section of this Amendment, the tax increments projected to be collected are expected to be sufficient to pay for the proposed project costs.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.
 - If approved, the District’s amended boundary would become effective for valuation purposes as of January 1, 2019. As of this date, the 2019 assessed values of parcels to be added to the district will be added to the TID base value for all years moving forward. Taxes levied on any additional value established within the District due to new construction, renovation or appreciation of property values occurring after January 1, 2019, would be collected by the TID and used to repay the costs of TIF-eligible projects undertaken within the District.
 - Since the development expected to occur is subject to extraordinary site preparation and infrastructure costs, it is unlikely to take place or in the same manner or timeframe without the use of TIF. Since the amended District will generate economic benefits that are more than sufficient to compensate for the cost of the improvements, the City reasonably concludes that the overall benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the “but for” test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the Amendment is not approved.
4. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
5. The equalized value of taxable property being added to the District by this Amendment, plus the existing value increment of Tax Increment District #12 and other Districts in the City, does not exceed 12% of the total equalized value of taxable property within the City.

6. Newly platted or replatted residential will comprise less than 35% of land area within the District as required by Wis. Stat. §66.1105(2)(cm).
7. The City estimates that less than 35% of the territory within the District may be devoted to retail business at the end of the District’s maximum expenditure period, pursuant to Wis. Stat. §66.1105(5)(b) and §66.1105(6)(am)1.
8. The amended Project Plan for the District in the City is economically feasible and is in conformity with the Comprehensive Plan of the City.

AMENDED SECTION I. EXISTING USES AND CONDITIONS

The existing District is an area adjacent to and west of Interstate 94/41 north of West Drexel Avenue and is an important gateway to the City of Oak Creek. The area within the District is currently comprised of an IKEA retail store and agricultural and open land immediately south. The 50-acre property was formerly part of Falk Park, a Milwaukee County park. This property was involved as part of a land exchange between Milwaukee County and the current property owner in 2011.

This Amendment adds all of the lands immediately south of the existing District between Ikea Way and I-94/41, which are primarily residential or vacant. Much of this area has already been consolidated by a single owner with the intent to develop new commercial uses (parcel 2). In addition, ten parcels east of the interstate (nine of them on the north side of Drexel Avenue along 13th Street) are to be added in order to capture new revenues from several proposed large-scale commercial and residential projects.

The existing TID #12 boundary, the parcels proposed to be added, and the generalized location of known wetlands are shown on Map 1. Table 2 provides a complete listing of all parcels within the amended boundary, along with their base values in 2016 (where applicable) and current assessment values (2019). Existing land uses for the District and vicinity are shown on Map 2. Several areas within the amended TID #12 boundary include wetlands known to the Wisconsin Department of Natural Resources. All wetlands are categorically excluded from the District per Wis Stat. §66.1105(2)(k)1. The exclusion of the wetlands does not affect the contiguity of the amended District.

This Amendment adds \$3,925,000 in 2019 assessed value to the District, which when added to the \$10,700 base value at the time of its creation raises its new base to \$3,935,700. Including cumulative value increment from the existing District of \$31,523,800, the expected total 2019 assessed value is \$35,459,500. TID #12 value increment and new base value, plus the value increment in all other Districts within the City limits, equals about 6.45% of the City’s 2018 total Equalized Assessed Value, thus remaining in compliance with the “12% test” as required by Wis. Stat. §66.1105(4)(gm)4.c. - see detailed calculations in Table 1 at right.

Table 1: 12% Test

Total City EAV (2018)		\$3,492,653,000
12% Test		\$419,118,360
Increment of Existing TIDs (2018)		
TID #6	0.44%	\$15,375,700
TID #7	0.51%	\$17,796,200
TID #8	1.22%	\$42,778,200
TID #10	0.46%	\$16,140,200
TID #11	2.79%	\$97,613,800
TID #13	0.00%	\$65,900
TID #14	0.00%	\$0
TID #15	0.00%	\$0
TID #16	0.00%	\$0
Total Existing Increment		5.43% \$189,770,000
TID #12 Increment (2019)		0.90% \$31,523,800
TID #12 - Amended Base Value (2019)		0.11% \$3,935,700
Total Value Subject to 12% Test		\$225,229,500
Compliance		6.45% PASS

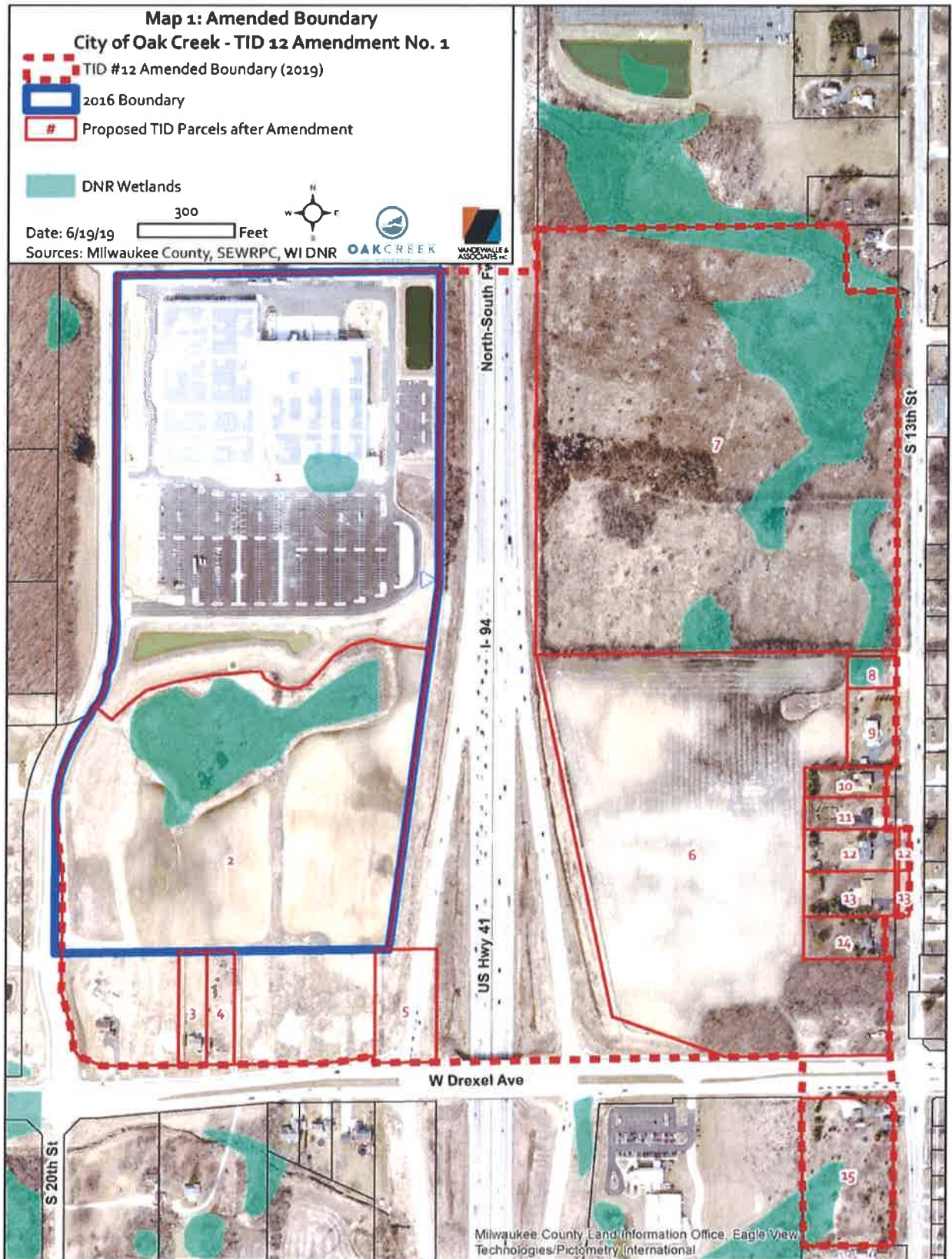
Table 2: Amended Parcel List

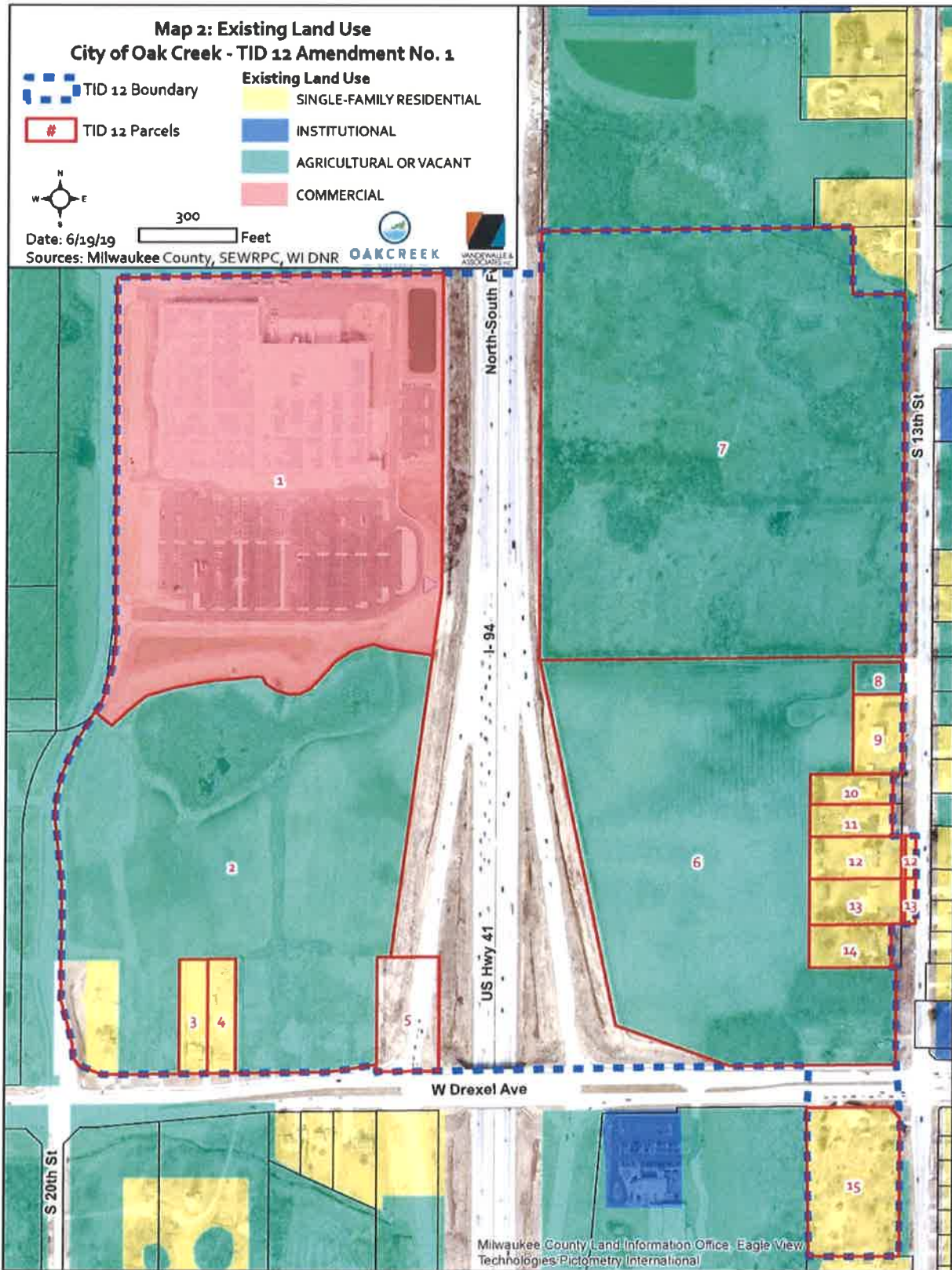
Map ID	Tax ID	Owner	Class	Address	Lot acres	2016 Base Value	2019 Land Value	2019 Improvement Value	2019 Total Assessment
1	7849023000	IKEA PROPERTY INC	COM	7500 IKEA WAY S	28.76		\$5,762,400	\$25,767,500	\$31,529,900
	7849024000	WALDEN OC LLC ¹	AGR	7700 IKEA WAY S	21.18	\$10,700	\$4,600	\$0	\$4,600
	7849012000	CITY OF OAK CREEK ²	EXM	1920 DREXEL AVE W	0.81		\$0	\$0	\$0
	7849013000	WALDEN OC LLC ¹	RES	1900 DREXEL AVE W	0.82		\$81,800	\$273,000	\$354,800
	7849014000	WALDEN OC LLC ¹	RES	1850 DREXEL AVE W	0.81		\$85,300	\$0	\$85,300
	7849016000	WALDEN OC LLC ¹	RES	1848 DREXEL AVE W	0.72		\$82,700	\$9,300	\$92,000
	7849994001	WALDEN OC LLC ¹	RES	1816 DREXEL AVE W	0.86		\$85,200	\$0	\$85,200
	7849008000	WALDEN OC LLC ¹	RES	1800 DREXEL AVE W	0.98		\$79,400	\$0	\$79,400
	7849009001	WALDEN OC LLC ¹	RES	1750 DREXEL AVE W	0.91		\$86,200	\$0	\$86,200
2	7849010001	WALDEN OC LLC ¹	RES	1700 DREXEL AVE W	0.78		\$67,800	\$0	\$67,800
3	7849017000	SCHMIDT, AMANDA L	RES	1830 DREXEL AVE W	0.70		\$82,200	\$279,800	\$362,000
4	7849018000	SCHMIDT FAMILY IRREVOCABLE TRUST	RES	1820 DREXEL AVE W	0.70		\$82,200	\$0	\$82,200
5	7849011000	STATE OF WI DEPT OF TRANSPORTATION	EXM	1632 DREXEL AVE W	1.58		\$0	\$0	\$0
6	7849993002	DREXEL COMMERCIAL LP	AGR	7869 13TH ST S	23.46		\$75,900	\$0	\$75,900
7	7849998001	WIZA INVESTMENTS DREXEL LLC	COM	7581 13TH ST S	34.75		\$1,158,400	\$0	\$1,158,400
8	7849020000	HIGHGATE LLC	RES	7705 13TH ST S	0.35		\$68,800	\$0	\$68,800
9	7849019000	HIGHGATE LLC	RES	7725 13TH ST S	0.87		\$84,700	\$178,900	\$263,600
10	7849003000	HIGHGATE LLC	RES	7751 13TH ST S	0.54		\$74,400	\$73,100	\$147,500
11	7849000000	PILLAR, ROBERT T	RES	7765 13TH ST S	0.59		\$77,500	\$127,400	\$204,900
12	7849991001	HIGHGATE LLC	RES	7781 13TH ST S	1.00		\$84,800	\$67,200	\$152,000
13	7849990001	HIGHGATE LLC	RES	7811 13TH ST S	1.08		\$86,800	\$64,100	\$150,900
14	7849001000	HIGHGATE LLC	RES	7831 13TH ST S	0.77		\$83,700	\$78,200	\$161,900
15	8119999001	SPIDELL, STEPHEN J	RES	7909 13TH ST S	3.49		\$106,900	\$139,300	\$246,200
Totals					126.52	\$10,700	\$8,401,700	\$27,057,800	\$35,459,500

1. These parcels were combined by CSM on April 16, 2019 and are pending issuance of an updated tax ID and street address.

2. A portion of this parcel was vacated by the City of Oak Creek for right-of-way dedication, with the remaining portion combined into Parcel 2 by CSM.

3. 2019 assessed values are preliminary and subject to final equalization by the Department of Revenue on or before August 15, 2019.





SECTION II. LIST THE TYPE, NUMBER AND LOCATION OF ALL PROPOSED PUBLIC WORKS AND IMPROVEMENTS IN THE DISTRICT AND OUTSIDE THE DISTRICT

No changes to this section are proposed under this Amendment.

AMENDED SECTION III. PROPOSED USES

The existing District is anchored by an IKEA retail store which opened in May 2018, with future development lands located immediately south. This amendment adds all of the contiguous parcels on the north side of W. Drexel Avenue between Ikea Way and I-94/41 to capture likely future commercial development driven by increased traffic in the vicinity. The parcels to be added east of the interstate will include a combination of local retail, commercial (non-retail), professional and medical office in the area near the northwest corner of the Drexel and 13th Street intersection (parcels 6,8-10,12-14, with concept plan shown in Map 3), and potential multifamily residential to the north between I-94/41 and 13th Street (parcel 7).

The City has amended the Comprehensive Plan and Future Land Use Map (Map 4) to accommodate new developments within the expanded TID boundaries, as directed by Plan Commission and Common Council.

Newly Platted Residential Development

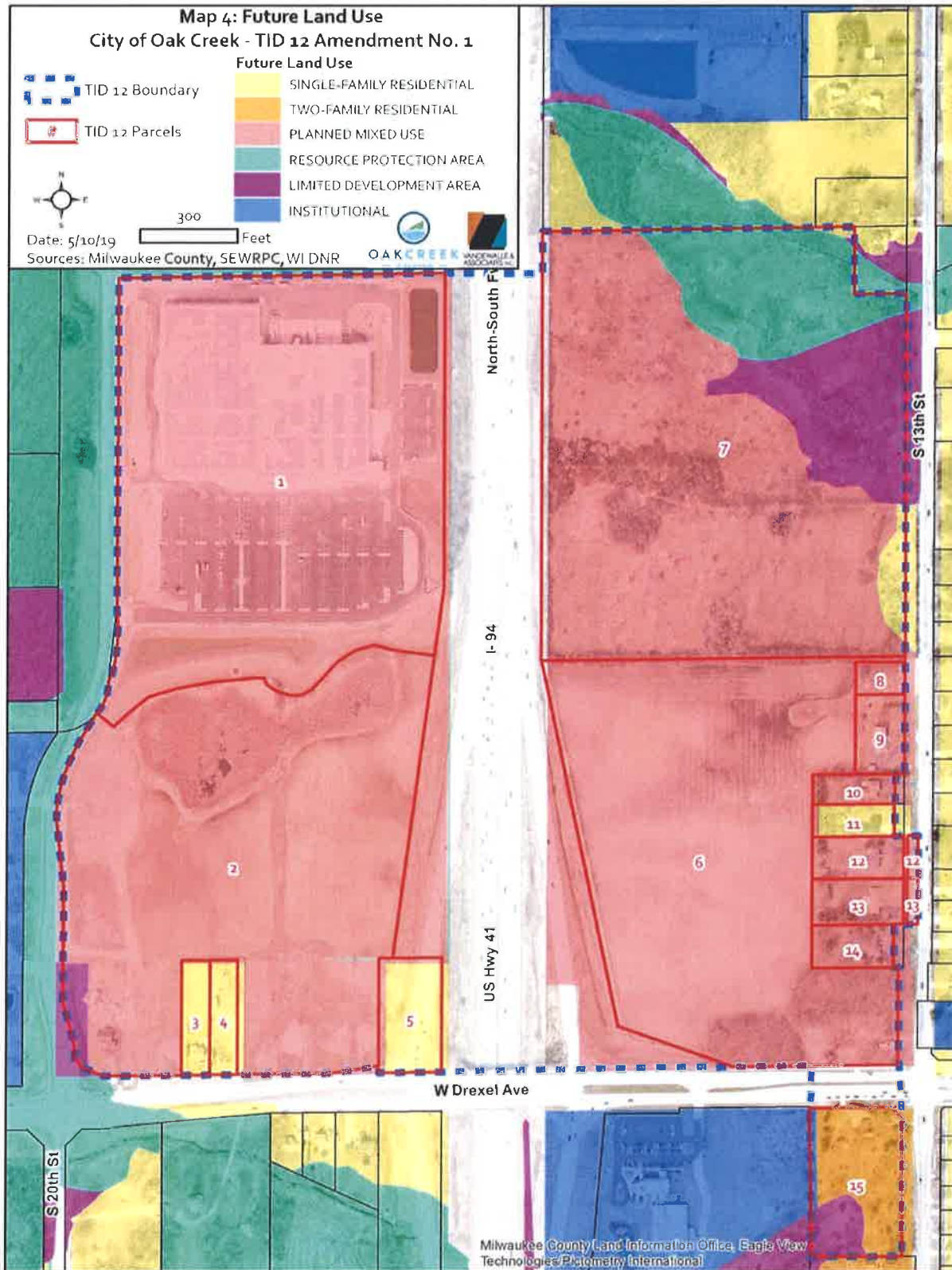
The amended District is expected to contain medium-density multifamily development on a portion of one vacant 33.64+/- acre parcel (parcel 7), a sizeable percentage of which contains wetlands and floodplain. This development does not propose to replat or otherwise subdivide the subject parcel, and no additional residential is anticipated elsewhere in the amended District at this time. Therefore, no more than thirty-five percent, by area, of the real property within the District are lands proposed for newly platted residential use.

Map 3: Commercial Development Concept



General Development Plan subject to change

Source: Highgate, LLC



SECTION IV. DETAILED LIST OF ESTIMATED PROJECT COSTS

Per the Joint Review Board's approval of this TID #12 Project Plan Amendment, the total level of authorized spending on direct project costs will be \$29,089,666, plus estimated interest and finance charges for new project costs, to facilitate growth and development over the District's 17 years of remaining life. These project expenditures are listed in Table 3, and further detailed in the tables within Section V: Economic Feasibility Study.

Consistent with the goals and purposes of the District as articulated in this Project Plan, all project expenditures are intended to promote orderly development, stimulate commercial revitalization, create jobs, enhance the value of property, and broaden the property tax base of the City of Oak Creek and the overlying taxing jurisdictions.

Implementation and construction of the proposed projects identified herein will require case-by-case authorization by the Common Council. Public expenditures for projects listed in this Project Plan should and will be based on market conditions and the status of development at the time a project is scheduled for construction. These expenditures are eligible costs whether undertaken by public or private entities.

This Plan is neither meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on the best information available. The City retains the right to delete projects or change the scope and/or timing of projects as they are individually authorized by the Common Council, without amending the Plan.

The City reserves the right to increase these costs to reflect inflationary increases beyond what is anticipated over a five (5) year period and other uncontrollable circumstances between 2019 and the time of construction. However, to the extent Project Costs exceed an increase of 15% over the current estimate the City shall require an amendment to the Plan. The City also reserves the right to increase certain Project Costs to the extent others are reduced or not implemented, without amending the Plan. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

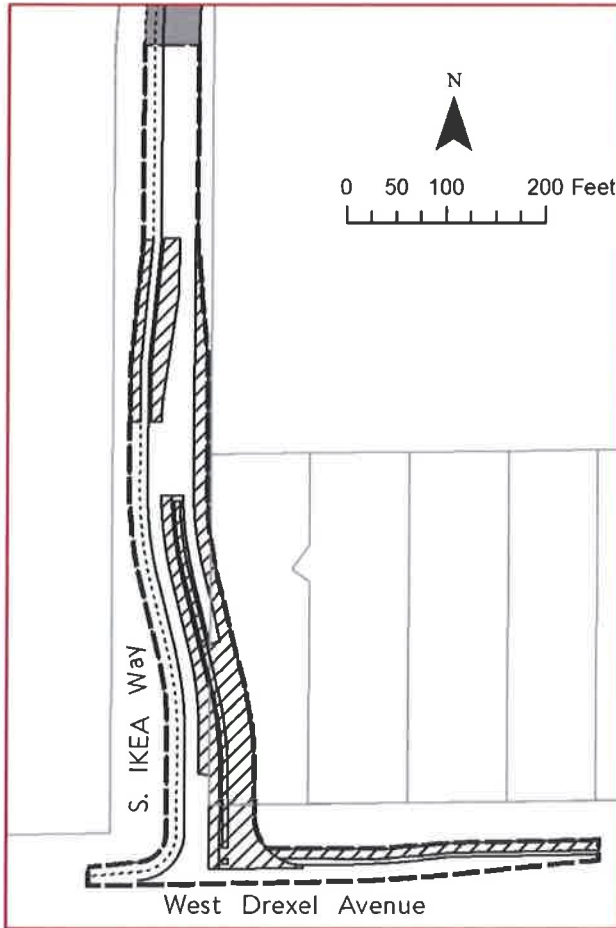
It is anticipated that Project Costs in the territory located within a one-half (1/2) mile radius of the District and within the City will be similar to the Detailed List of Estimated Project Costs in nature and type.

Table 3: Detailed List Of Estimated Project Costs

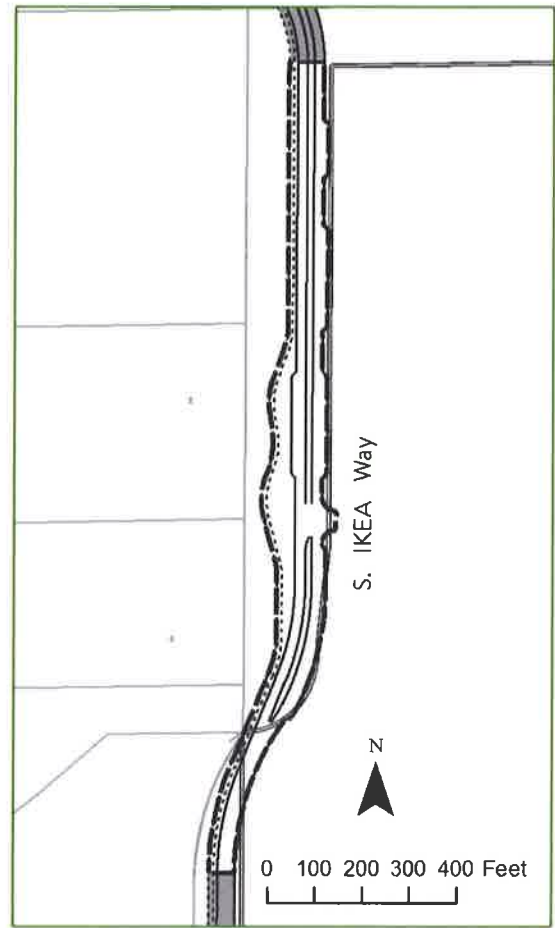
Ikea Way/Northwestern Mutual Way Street Improvements¹		\$5,100,000
Phase I/IA	Engineering and Design	\$24,685
	Construction	\$420,496
Phase II	Engineering, Design and Inspection	\$317,000
	Construction	\$2,729,408
	Watermain	\$441,450
	Sanitary Sewer	\$548,100
	Landscaping-Restoration	\$275,000
	Capitalized Interest	\$343,861
13th St & Drexel Avenue Improvements (tax-exempt G.O. bond issue)¹		\$2,489,666
	Engineering, Design, and Construction Inspection	\$941,458
	Roadway and Intersection Expansion	\$1,491,980
	Traffic Signals (new and modification)	\$800,000
	Storm Water Management	\$350,000
	Relocate/Bury Overhead Utilities	\$700,000
	Uncomputed Quantities (Contingency)	\$423,472
	Real Estate and Right-of-Way Acquisition	\$272,422
	50% Developer Contribution (offset/savings)	(\$2,489,666)
Development Incentives²		\$20,500,000
	IKEA Development Project – developer-funded ³	\$6,000,000
	Developer-funded Development Incentives – remainder of District ⁴	\$11,500,000
	Up-Front Development Incentives- remainder of District	\$3,000,000
Planning, Administrative, Legal and Professional Costs		\$1,000,000
Total Estimated Project Costs		\$29,089,666

1. These projects consist of multiple phases (See Maps 5a and 5b) of streets and related amenities to the quality that would need to be part of the City's infrastructure and are assumed as a public cost. This work may include the following elements: road improvements; street trees; street lighting; intersection work; signage; sidewalks (both sides on interior roads); water, sanitary, storm and related infrastructure; grading and stormwater management; green design features; engineering and contingencies.
2. The totals for each incentive category are not to exceed costs shown (exclusive of financing costs) and are subject to a valid development agreement negotiated on a case-by-case basis.
3. Developer-funded and remitted by City to the extent available based on increment generated only on property subject to development agreement.
4. Developer funded and remitted by City to the extent available based on increment generated only by remainder of District (i.e. excluding IKEA property subject to separate development agreement).

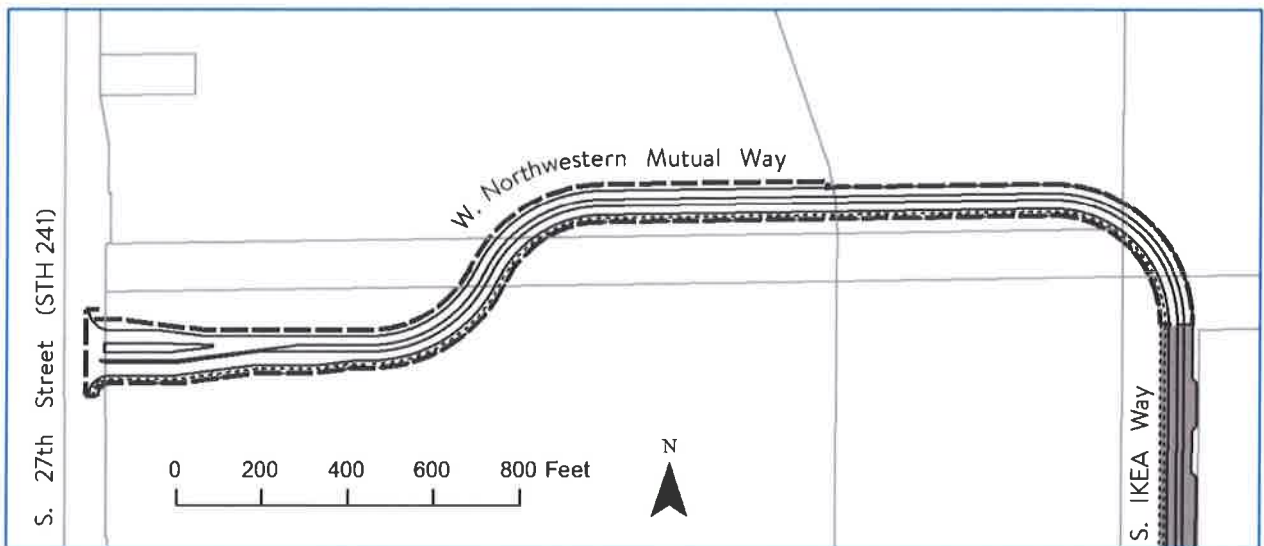
Map 5a: Ikea Way/Northwestern Mutual Way Projects Detail



Phase 1 & 1A



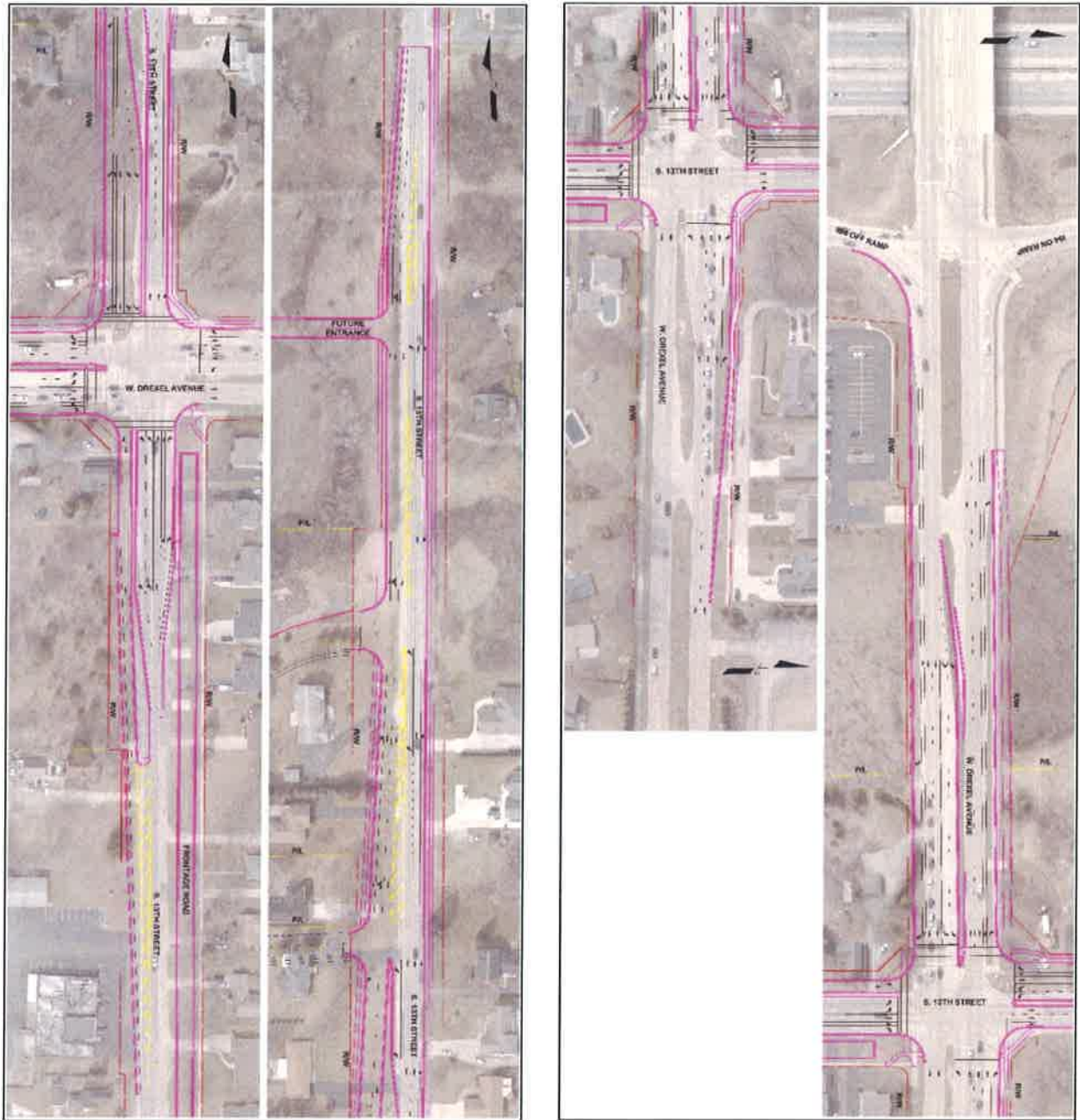
Phase 2



Phase 3 (future)

Source: City of Oak Creek Engineering Department

Map 5b: Drexel Avenue/13th Street Projects Detail



Source: City of Oak Creek Engineering Department

AMENDED SECTION V. ECONOMIC FEASIBILITY STUDY

The information and exhibits contained within this section demonstrate that the amended District is economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan.
- The City expects to complete the projects in multiple phases and can adjust the timing of implementation as needed to coincide with the pace of development and/or redevelopment.
- The development anticipated to occur as a result of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects.

Table 3: Detailed List of Estimated Project Costs (Section IV), lists the priority projects and provides an estimated total cost for each category and/or project throughout the District's life. Hard costs are expected to be borrowed for and built within 1-2 year time frames, while soft costs for discretionary payments, administration and professional services, and finance charges/interest represent ongoing expenses. All costs are shown in 2019 dollars. Financing for certain priority projects listed in Table 3 will be made on a case-by-case basis.

Within this section are several additional tables that, together, provide a cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all project costs. The estimated total tax increments are \$46,804,205, and the total combined expenditures, including principal and interest payments for City-financed project costs, are \$32,194,091. For developer incentives that are developer-financed ("pay-as-you-go"), incentives will be paid only if tax increment is available after taking into account debt service on City obligations and administrative costs.

Each development project will need to be addressed on an individual basis through negotiations and a review of project finances ultimately resulting in a development agreement. Each project also will be reviewed in a manner addressing the criteria of job creation, tax increment creation, blight elimination, and similar development criteria. One development project may address certain criteria while another may address different criteria. Consequently, the Common Council will review each project individually and make its determinations based on the project's implementation goals. The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.

Table 4 estimates the tax increment to be generated from new construction in the District. Note that there is a one-year lag until the value of new construction is added to the tax roll and a two-year lag until the project generates tax increment. Based on the type and intensity of development estimated to occur, new construction in the District is projected to yield tax increment revenues of approximately \$46.8 million (in 2019 dollars). Increment estimates are based on assessment data for comparable properties currently paying taxes in the City of Oak Creek and surrounding municipalities.

Table 5 shows the combined cash flow for projects associated with the current District boundary, as well as the parcels added under this Amendment. All future revenues are to be split among City debt service for up-front infrastructure costs and development incentives, pay-as-you-go development incentives, and a small reserve for administrative costs.

The approximately \$125 million in projected new value increment to be generated within the amended District is expected to generate sufficient revenues to pay for the City's share of estimated costs from the original Project Plan as well as projects associated with the expansion area. These new project costs include improvements to the intersection of Drexel Avenue and 13th Street (about \$2.5 million), as well as up to \$3 million in City-financed (up-front) and \$11.5 million in developer financed (pay-as-you-go) incentives.

This analysis shows that TID #12 is expected to close on time with a projected positive cash balance of about \$14.6 million available at the end of its statutory life (the final collection year of 2036). Note that

the four City borrowings shown in Table 5 are intended to be reflective of additional issuance and financing-related costs that may be necessary to cover the estimated projects and costs listed in this Plan; however, these amounts are subject to change without having to amend this Project Plan and may vary depending upon the types of financing selected and the associated costs involved.

Plan Implementation

To remain successful, the City will continue to implement the District in accordance with the following objectives:

- Identified projects will provide the necessary public infrastructure to the area. However, public debt and expenditures should be made at the pace private development occurs to assure increment is sufficient to cover expenses.
- It is anticipated developer agreements between the City and property owners will be in place prior to major public expenditures. These agreements can provide for development guarantees or a payment in lieu of development. To further assure contract enforcement, these agreements might include levying of special assessments against benefited properties.
- The order in which public improvements are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Plan to accomplish this objective.
- Projected interest rates are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.
- If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

Table 4: Revenue Analysis

Assumptions	
Annual Inflation During Life of TID.....	1.00%
2018 Gross Tax Rate (per \$1,000 EV).....	\$21.12
Annual Adjustment to tax rate.....	0.00%
Investment rate.....	0.00%
Data above dashed line are actual	

Year	Background Data					Revenues
	(a)	(b)	(c)	(d)	(e)	(f)
	TIF District Valuation	Inflation Increment	Construction Increment	TIF Increment Over Base	Tax Rate	Tax Revenue
	(January 1)					
	Base Value					
	\$10,700					
	2019 Amend					
	\$3,925,000					
2016						
2017	\$10,100			\$18,651,700		
2018	\$18,662,400	\$0	\$12,878,200	\$31,529,900	\$21.12	\$0
2019	\$35,465,600	\$315,406	\$8,000,000	\$43,770,306	\$21.12	\$393,924
2020	\$43,781,006	\$318,560	\$13,627,250	\$57,716,116	\$21.12	\$665,911
2021	\$57,726,816	\$321,746	\$29,390,667	\$87,428,529	\$21.12	\$924,429
2022	\$87,439,229	\$324,963	\$41,880,000	\$129,633,492	\$21.12	\$1,218,964
2023	\$129,644,192	\$328,213	\$5,000,000	\$134,961,705	\$21.12	\$1,846,491
2024	\$134,972,405	\$1,140,474	\$5,000,000	\$141,102,179	\$21.12	\$2,737,859
2025	\$141,112,879	\$1,151,879	\$5,000,000	\$147,254,057	\$21.12	\$2,850,391
2026	\$147,264,757	\$1,163,398	\$5,000,000	\$153,417,455	\$21.12	\$2,980,078
2027	\$153,428,155	\$1,175,032		\$154,592,487	\$21.12	\$3,110,006
2028	\$154,603,187	\$1,186,782		\$155,779,268	\$21.12	\$3,240,177
2029	\$155,789,968	\$1,198,650		\$156,977,918	\$21.12	\$3,264,993
2030	\$156,988,618	\$1,210,636		\$158,188,554	\$21.12	\$3,290,058
2031	\$158,199,254	\$1,222,743		\$159,411,297	\$21.12	\$3,315,374
2032	\$159,421,997	\$1,234,970		\$160,646,267	\$21.12	\$3,340,942
2033	\$160,656,967	\$1,247,320		\$161,893,586	\$21.12	\$3,366,767
2034	\$161,904,286	\$1,259,793		\$163,153,379	\$21.12	\$3,392,849
2035	\$163,164,079	\$1,272,391		\$164,425,770	\$21.12	\$3,419,193
2036	\$164,436,470	\$1,285,115		\$165,710,885	\$21.12	\$3,445,799
		\$17,358,068	\$125,776,117			\$46,804,205

Increment assumptions provided by City of Oak Creek, Vandewalle & Associates, and Robert W. Baird & Co.

Table 5: Cash Flow – All Parcels (Existing and Amended Boundary)

Assumptions				
Annual Inflation During Life of TID	1.00%			
2018 Gross Tax Rate (per \$1,000 Ev)	\$71.12			
Annual Adjustment to tax rate	0.00%			
Investment rate	0.00%			
Data above dashed line are actual				

Developer Incentive		Use-Front Infrastructure Cost		Use-Front Infrastructure Cost		Developer Incentive	
\$4,040,000		\$4,110,000		\$2,490,000		\$3,075,000	
Taxable G.O. Refunding Bonds Dated August 3, 2019		G.O. Refunding Bonds Dated August 1, 2019		G.O. Bonds Dated October 3, 2020		Taxable G.O. Bonds Dated October 1, 2022	
Developer Reimbursement	\$990,000	Amount for Refinancing	\$4,110,000	Amount for Projects	(2,490,000)	Amount for Projects	\$1,000,000
Amount for Interest	\$7,590	Amount for Interest	\$31,510	Capitalized Interest	\$0	Capitalized Interest	\$0
Cost of Issuance (est.)	\$41,854	Cost of Issuance (est.)	\$38,114	Cost of Issuance (est.)	\$67,450	Cost of Issuance (est.)	\$74,953
Rounding	\$556	Rounding	\$4,270	Rounding	\$0	Rounding	\$238
Less: Reoffering Premium	\$0	Less: Reoffering Premium	\$123,694	Less: Reoffering Premium	\$70,000	Less: Reoffering Premium	\$0

Background Data					Revenues	Expenditures										TID Status								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)	(u)	(v)	(w)		
TIF District	Inflation	Construction	TIF Increment	Tax	Tax	Principal	Interest	Debt	Principal	Interest	Debt	Principal	Interest	Debt	Principal	Interest	Debt	Less: Administrative	Payment to Developer	Combined Expenditures	Annual Balance	Year End Cumulative Balance (December 31)		
Valuation	Increment	Increment	Over Base	Rate	Revenue			Service			Service			Service			Code							
2016	\$10,100		\$18,651,700		\$0																			
2017	\$18,862,400	\$0	\$12,878,200	\$31,529,900	\$21.12																			
2018	\$25,465,600	\$315,406	\$8,000,000	\$43,770,306	\$21.12																			
2019	\$41,781,006	\$318,560	\$3,827,250	\$57,716,116	\$21.12	\$225,000	\$33,603	\$248,603	\$0	\$148,161	\$148,161	\$115,000	\$99,600	\$24,600	\$25,000	\$25,000	\$130,375	\$303,375	\$25,000	\$244,148	\$665,911	\$0	\$0	
2020	\$59,738,816	\$321,746	\$29,790,667	\$87,428,529	\$21.12	\$250,000	\$16,260	\$266,260	\$0	\$126,995	\$126,995	\$120,000	\$95,000	\$215,000	\$50,000	\$50,000	\$130,950	\$300,950	\$50,000	\$366,655	\$1,024,910	\$12,256	\$12,256	
2021	\$87,439,229	\$324,963	\$41,880,000	\$129,633,492	\$21.12	\$260,000	\$9,310	\$269,310	\$0	\$126,995	\$126,995	\$125,000	\$90,200	\$215,200	\$165,000	\$138,375	\$303,375	\$50,000	\$571,378	\$1,536,258	\$310,232	\$516,543	\$208	\$208
2022	\$129,644,192	\$328,213	\$5,000,000	\$134,961,705	\$21.12	\$700,000	\$2,030	\$72,030	\$195,000	\$126,995	\$321,995	\$130,000	\$85,200	\$215,200	\$170,000	\$130,950	\$300,950	\$50,000	\$1,342,850	\$2,303,025	\$543,635	\$951,377	2024	2024
2023	\$134,972,405	\$1,140,474	\$5,000,000	\$141,102,179	\$21.12	\$300,000	\$95,645	\$395,645	\$300,000	\$95,645	\$395,645	\$150,000	\$61,200	\$213,200	\$205,000	\$98,325	\$303,325	\$50,000	\$1,468,330	\$2,420,500	\$819,677	\$1,591,546	2025	2025
2024	\$141,112,079	\$1,151,879	\$5,000,000	\$147,254,057	\$21.12	\$320,000	\$76,430	\$396,430	\$320,000	\$76,430	\$396,430	\$160,000	\$51,000	\$211,000	\$220,000	\$79,550	\$299,550	\$50,000	\$1,511,239	\$2,468,319	\$821,739	\$5,234,104	2026	2026
2025	\$147,264,757	\$1,163,398	\$5,000,000	\$153,417,455	\$21.12	\$330,000	\$66,350	\$396,350	\$330,000	\$66,350	\$396,350	\$170,000	\$44,800	\$214,800	\$230,000	\$69,750	\$299,750	\$50,000	\$1,532,221	\$2,492,921	\$822,452	\$6,056,556	2027	2027
2026	\$153,428,125	\$1,175,032	\$154,592,487	\$21.12	\$3,240,177	\$340,000	\$55,955	\$395,955	\$340,000	\$55,955	\$395,955	\$180,000	\$37,800	\$212,800	\$240,000	\$59,400	\$299,400	\$50,000	\$1,517,476	\$2,517,476	\$823,467	\$6,880,023	2028	2028
2027	\$154,602,167	\$1,186,782	\$155,779,268	\$21.12	\$3,264,993	\$350,000	\$45,415	\$395,415	\$350,000	\$45,415	\$395,415	\$190,000	\$30,800	\$210,800	\$250,000	\$48,600	\$298,600	\$50,000	\$1,001,583	\$1,956,398	\$1,410,369	\$8,290,391	2029	2029
2028	\$155,780,968	\$1,198,650	\$156,977,918	\$21.12	\$3,280,058	\$360,000	\$34,565	\$394,565	\$360,000	\$34,565	\$394,565	\$190,000	\$23,600	\$213,600	\$265,000	\$37,350	\$302,350	\$50,000	\$345,917	\$1,306,432	\$2,086,417	\$10,376,809	2030	2030
2029	\$156,980,618	\$1,210,636	\$158,186,554	\$21.12	\$3,295,058	\$370,000	\$23,405	\$393,405	\$370,000	\$23,405	\$393,405	\$205,000	\$8,200	\$213,200	\$275,000	\$25,425	\$300,425	\$50,000	\$354,734	\$1,309,564	\$2,109,629	\$12,486,437	2031	2031
2030	\$158,199,294	\$1,222,743	\$159,411,297	\$21.12	\$3,315,374	\$380,000	\$11,935	\$396,935	\$380,000	\$11,935	\$396,935	\$205,000	\$0	\$213,000	\$290,000	\$13,050	\$303,050	\$50,000	\$358,938	\$1,312,123	\$2,123,677	\$14,610,114	2032	2032
2031	\$159,421,997	\$1,234,670	\$160,646,267	\$21.12	\$3,340,942																			
2032	\$160,656,967	\$1,247,320	\$161,893,586	\$21.12	\$3,366,767																			
2033	\$161,904,266	\$1,259,793	\$163,153,379	\$21.12	\$3,392,848																			
2034	\$163,164,079	\$1,272,391	\$164,425,770	\$21.12	\$3,419,193																			
2035	\$164,438,470	\$1,285,115	\$165,710,885	\$21.12	\$3,445,799																			
2036		\$17,298,068	\$125,776,117		\$46,804,205																			
2037						\$1,048,000	\$84,200	\$1,132,200	\$4,110,000	\$1,490,421	\$5,600,421	\$2,490,000	\$326,000	\$3,416,000	\$3,075,000	\$1,125,850	\$4,710,850	\$815,000	\$17,017,678	\$33,194,091				

Type of TID: Mixed-Use
 2016 TID Inception (07/19/2016)
 2031 Final Year to Incur TIF Related Costs
 2036 Maximum Legal Life of TID (20 Years)
 2037 Final Tax Collection Year

(1) Increment per City Estimates.

Estimated financing terms provided by Robert W. Baird & Co.

SECTION VI. DESCRIPTION OF FINANCING METHODS

No changes to this section are proposed under this Amendment.

AMENDED SECTION VII. PROPOSED CHANGES IN ZONING ORDINANCES AND MASTER PLAN

The City previously changed its zoning ordinances to accommodate the development that has taken place since the District was adopted in 2016. The future land use map adopted as part of the City's Comprehensive Plan was previously amended to identify property within the boundary of the District as Planned Mixed Use.

The current zoning classification of B-6 Interchange Regional Retail currently regulates much of the western portion of TID #12, including the IKEA retail store (parcel 1) and open lands immediately south to Drexel Avenue. A Certified Survey Map (CSM) submitted by Walden OC, LLC (applicant) to replat the properties at 1700, 1750, 1800, 1816, 1848, 1850, 1900 and 1920 W. Drexel Ave. and 7700 S. Ikea Way (parcel 2) into a single conforming commercial development lot was approved by the Common Council on April 16, 2019. The southwestern portion of parcel 2, formerly a city-owned right-of-way parcel currently zoned I-1 Institutional, will require a rezoning. The entirety of this CSM area is expected to be submitted for Planned Unit Development (PUD) approval at a future date.

The multifamily project proposed by Wingspan Development Group, LLC for the property at 7581 S. 13th St. (parcel 7) was rezoned from B-3 Office and Professional Business to Rm-1 Multifamily Residential PUD by the Common Council following a public hearing on May 21, 2019, with no change to FW Floodway, FF Flood Fringe or C-1 Shoreland Wetland Conservancy districts on that parcel.

The commercial development proposed by Highgate, LLC for the properties at 7705, 7725, 7751, 7781, 7811, 7831, and 7869 S. 13th St. (parcels 6,8-10,12-14) were also rezoned from B-4 Highway Business to PUD following a public hearing at the same May 21, 2019 meeting.

Necessary changes to the Comprehensive Plan and Future Land Use Map will be made as necessary to ensure consistency with these rezonings and facilitate implementation of this Project Plan as amended. If any future change to the City's ordinances are required to carry out the intent of this Plan, such changes will be made in accordance with Municipal Code Chapter 17.

SECTION VIII. NON-PROJECT COSTS

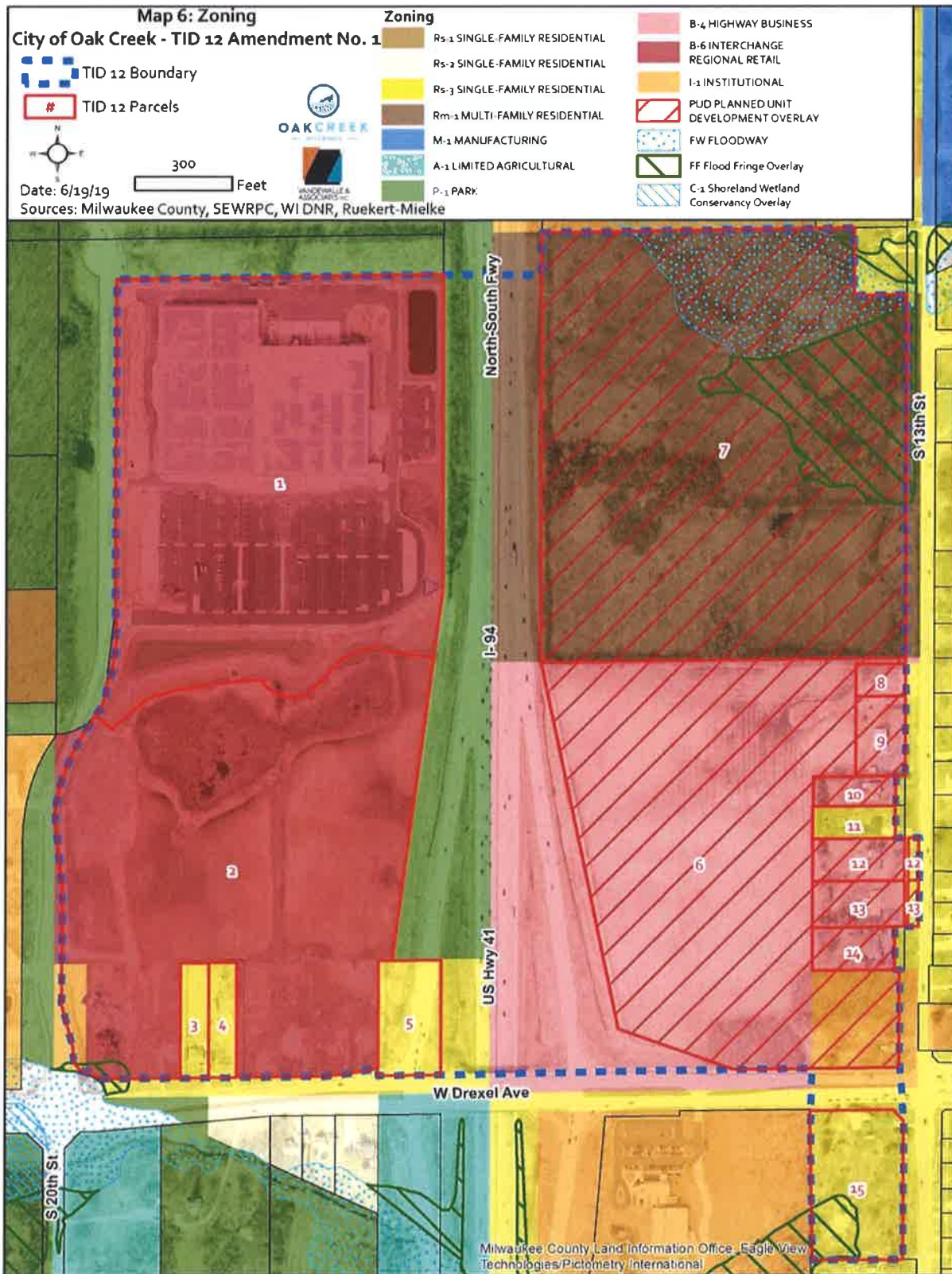
No changes to this section are proposed under this Amendment.

SECTION IX. RELOCATION

No changes to this section are proposed under this Amendment.

SECTION X. HOW THE CREATION OF TAX INCREMENTAL DISTRICT NO. 12 WILL PROMOTE THE ORDERLY DEVELOPMENT OF THE CITY OF OAK CREEK

No changes to this section are proposed under this Amendment.



SECTION XI. LEGAL OPINION

APPENDIX A LEGAL DESCRIPTION

APPENDIX B IMPACT ON OVERLYING TAXING JURISDICTIONS

Amended Base Value: \$3,935,700 (effective January 1, 2019)
Projected Total Value Increment: \$165,710,885 (Development and inflation over life of District)
Projected Total Tax Increment: \$46,804,205 (From creation to statutory closure date)

Taxing Jurisdiction	2018 Tax Rate ¹	% of Mill Rate by Jurisdiction	Taxes Collected on Base Value by Jurisdiction	Total Tax Increment Collected Over Life of the District	Annual Taxes Collected After TID Closure ²	Increase in Annual Taxes Collected After TID Closure
MATC	1.23	5.8%	\$4,822	\$2,714,644	\$207,852	\$203,030
City of Oak Creek	6.30	29.8%	\$24,775	\$13,947,653	\$1,067,927	\$1,043,152
Milwaukee County	4.90	23.2%	\$19,288	\$10,858,576	\$831,406	\$812,118
MMSD	1.71	8.1%	\$6,734	\$3,791,141	\$290,275	\$283,541
Oak Creek-Franklin School District	6.99	33.1%	\$27,519	\$15,492,192	\$1,186,187	\$1,158,668
Total	21.12	100%	\$83,138	\$46,804,205	\$3,583,648	\$3,500,509

1. Net mill rates including school and county sales tax credits.
2. Value increment for the estimated year of District closure shall be applied to each jurisdiction's levy limit under the terms of Wis. Stat §66.06023.

APPENDIX C	TAXING JURISDICTION CORRESPONDENCE
APPENDIX D	JRB MEETING AND PUBLIC HEARING PROOFS OF PUBLICATION
APPENDIX E	PLAN COMMISSION RESOLUTION AND PUBLIC HEARING MINUTES
APPENDIX F	CITY COUNCIL RESOLUTION AMENDING TID #12
APPENDIX G	JOINT REVIEW BOARD RESOLUTION APPROVING THE PROJECT PLAN AMENDMENT

RESOLUTION NO. 2019-02

A RESOLUTION ADOPTED BY THE PLAN COMMISSION
APPROVING AMENDMENT NO. 1 TO THE PROJECT PLAN
AND TERRITORY AMENDMENT NO. 1 FOR
TAX INCREMENTAL DISTRICT NO. 12,
CITY OF OAK CREEK, WISCONSIN

WHEREAS, Section 66.1105 of the Wisconsin Statutes ("Tax Increment Law") provides the authority and establishes procedures for creating tax incremental districts and approving amendments to the territory and project plans for such districts; and

WHEREAS, the Common Council for the City of Oak Creek ("Council") on July 19, 2016 adopted Resolution No. 11723-071916 that created Tax Increment Financing District No. 12 ("District") as a mixed-use district; and

WHEREAS, the City of Oak Creek Joint Review Board on July 20, 2016, adopted a resolution that approved the creation of the District; and

WHEREAS, in order to further the goals contained in the original Project Plan for the District, the City now finds it desirable to amend the District's territorial boundaries to add additional property to the District as set forth in Exhibit A attached hereto and incorporated herein ("Territory Amendment"), and this is the first territory amendment to the District; and

WHEREAS, the properties to be added in the Territory Amendment are contiguous to the District and will be served by improvements in the District Project Plan; and

WHEREAS, the City of Oak Creek desires to amend the Project Plan for the District for the purpose of reflecting the change to the District's boundaries as set forth in the Amendment No. 1 to Tax Incremental District No. 12 Project Plan attached hereto as Exhibit B and incorporated herein ("Project Plan Amendment"), which amendment shall be the first amendment to the Project Plan for the District; and

WHEREAS, the Plan Commission for the City of Oak Creek ("Plan Commission"), after completing preliminary planning work, scheduled, gave class 2 public notice of, and on July 23, 2019, having a quorum present, held a public hearing ("Public Hearing") wherein interested parties from the public were afforded a reasonable opportunity to express their views on the proposed Territory Amendment and Project Plan Amendment, in accordance with the procedures specified in the Tax Incremental Law; and

WHEREAS, prior to its first publication, a copy of the notice of said Public Hearing was sent via first class mail to the Chief Executive Officer of Milwaukee County, the Oak Creek-Franklin Joint School District, the Milwaukee Metropolitan Sewerage District, the Milwaukee County Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Incremental Law; and

WHEREAS, the Plan Commission, after due consideration following the said Public Hearing, determined that the Territory Amendment and Project Plan Amendment will provide

the City with a viable method of financing the cost of needed public improvements and other project costs within the District, thereby creating incentives and opportunities for appropriate private development, including new development and improvement of existing development, which will contribute to the overall development of the City; and

WHEREAS, the Plan Commission has prepared a Project Plan for the District attached as Exhibit B and incorporated herein, which includes the following amendments:

- a. Introduction.
- b. Section I, Existing Uses and Conditions.
- c. Table 2: Amended Parcel List.
- d. Map 1: Amended Boundary for TID 12, Amend. No. 1.
- e. Map 2: Existing Land Use for TID 12, Amend. No. 1.
- f. Section III, Proposed Uses.
- g. Map 3: Commercial Development Concept.
- h. Map 4: Future Land use for TID 12, Amend. No. 1.
- i. Section IV, Detailed List of Estimated Project Costs.
- j. Table 3: Detailed List of Estimated Project Costs.
- k. Map 5: Ikea Way/Northwestern Mutual Way Projects Detail.
- l. Section V, Economic Feasibility Study.
- m. Table 4: Revenue Analysis.
- n. Table 5: Cash Flow – All Parcels (Existing and Amended Boundary).
- o. Section VII, Proposed Changes in Zoning Ordinances and Master Plan.
- p. Map 6: Zoning for TID 12, Amend. No. 1.
- q. Section XI, Legal Opinion.

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Council may amend any tax incremental district territory or project plan, the Plan Commission must approve the amendment to the territory and the Project Plan for such District and submit its recommendation concerning the amendment of the District and the Project Plan to the Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Oak Creek as follows:

1. That the Plan Commission, pursuant to the Tax Incremental Law, hereby adopts the Territory Amendment to amend the territorial boundaries of Tax Incremental District No. 12 in the City of Oak Creek to add and include the properties set forth in the attached Exhibit A and incorporated herein; and
2. That the Plan Commission, pursuant to the Tax Incremental Law, hereby adopts the Project Plan Amendment to amend the Project Plan as attached to this resolution as Exhibit B and incorporated herein; and
3. That the Plan Commission hereby recommends that the Council adopt a resolution and thereby formally adopt the Territory Amendment and Project Plan Amendment effective as of such date, and approve the Territory Amendment and Project Plan Amendment in accordance with the provisions of the Tax Incremental Law; and
4. The equalized value of taxable property of the District plus the value increment of all

existing districts does not exceed 12% of the total equalized value of taxable property within the City; and

5. That except as specifically amended by the Territory Amendment or Project Plan Amendment, the District territory and Project Plan remain unchanged and in full force and effect; and
6. That the City Clerk is hereby authorized and directed to provide the Mayor and Council with certified copies of this resolution, upon its adoption by the Plan Commission.

Adopted this 23rd day of July, 2019.


Plan Commission Chair

Attest:


Secretary of the Plan Commission

EXHIBIT A TIF BOUNDARIES & LEGAL DESCRIPTION, OAK CREEK, WISCONSIN

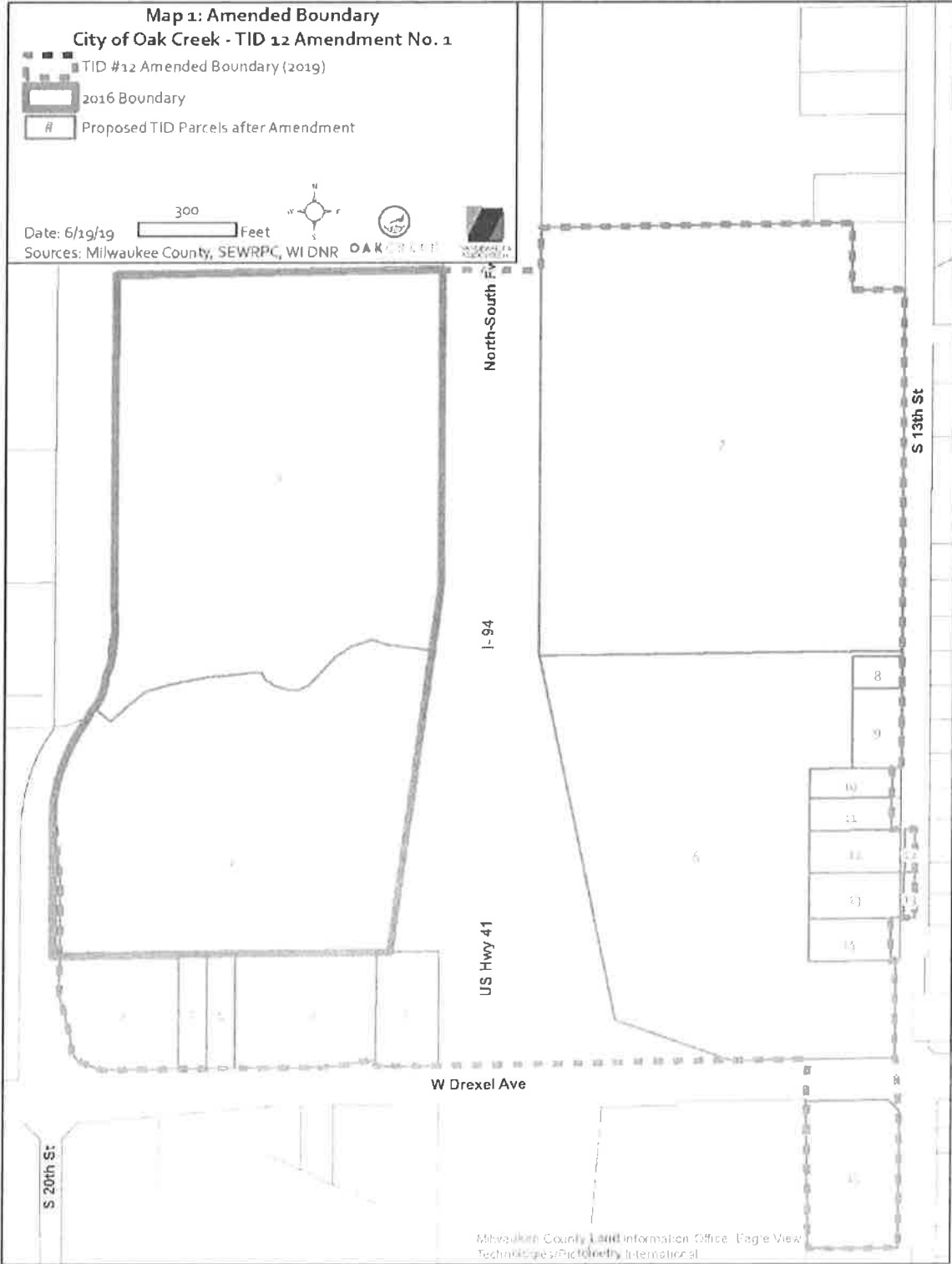


EXHIBIT A, CONTINUED

Commencing at the Southwest corner of Southeast $\frac{1}{4}$ of Section 7, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin;

THENCE North $00^{\circ} 10' 44''$ East 415.00 feet;

THENCE North $89^{\circ} 18' 02''$ East 22.08 feet to the point of beginning of the lands to be described;

THENCE North $00^{\circ} 10' 44''$ East 257.54 feet;

THENCE North $04^{\circ} 27' 22''$ West 240.58 feet;

THENCE Northeasterly 240.29 feet along the East line of South Ikea Way and an arc of a curve whose center lies to the Southeast, whose radius is 545.50 feet, and whose chord bears North $21^{\circ} 41' 27''$ East 238.35 feet to a point;

THENCE Northeasterly 52.60 feet along the arc of a curve whose center lies to the Northeast, whose radius is 331.66 feet, and whose chord bears North $29^{\circ} 45' 59''$ East 52.55 feet to a point;

THENCE Northeasterly 7.48 feet along the arc of a curve whose center lies to the Northeast, whose radius is 159.48 feet, and whose chord bears North $40^{\circ} 32' 42''$ East 7.48 feet to a point;

THENCE Northeasterly 98.84 feet along the arc of a curve whose center lies to the Northeast, whose radius is 159.48 feet, and whose chord bears North $21^{\circ} 26' 47''$ East 97.24 feet to a point;

THENCE North $03^{\circ} 41' 29''$ East 10.67 feet;

THENCE North $24^{\circ} 14' 50''$ East 31.04 feet;

THENCE Northeasterly 136.59 feet along the arc of a curve whose center lies to the Northeast, whose radius is 597.50 feet, and whose chord bears North $06^{\circ} 19' 12''$ East 136.29 feet to a point;

THENCE North $03^{\circ} 32' 26''$ West 61.74 feet;

THENCE North $00^{\circ} 10' 44''$ East 1019.24 feet;

THENCE North $89^{\circ} 08' 55''$ East 1306.81 feet to East right-of-way line of Interstate 94;

THENCE North $00^{\circ} 03' 47''$ East 125.02 feet to the South Line of the Northeast $\frac{1}{4}$ of Section 7, Township 5 North, Range 22 East;

THENCE North $89^{\circ} 08' 55''$ East 964.52 feet;

THENCE South $00^{\circ} 05' 47''$ West 208.75 feet;

THENCE North $89^{\circ} 08' 55''$ East 163.75 feet to the West right-of-way line of S. 13th Street (CTH "V");

THENCE South $00^{\circ} 05' 47''$ West 1486.15 feet along said right-of-way line;

THENCE South $89^{\circ} 08' 55''$ West 30.00 feet;

THENCE South $00^{\circ} 05' 47''$ West 192.00 feet;

THENCE North $89^{\circ} 08' 55''$ East 75.00 feet to the East Line of the Southeast $\frac{1}{4}$ of Section 7, Township 5 North, Range 22 East;

THENCE South $00^{\circ} 05' 47''$ West 274.00 feet along said $\frac{1}{4}$ Section line;

THENCE South $89^{\circ} 08' 55''$ West 50.50 feet;

THENCE South $00^{\circ} 05' 47''$ West 434.24 feet;

THENCE South $05^{\circ} 07' 16''$ East 165.34 feet;

THENCE South $00^{\circ} 06' 37''$ West 427.34 feet;

THENCE South $89^{\circ} 45' 31''$ West 288.94 feet;

THENCE North $01^{\circ} 02' 28''$ West 584.70 feet;

THENCE South $89^{\circ} 17' 38''$ West 1328.68 feet;

THENCE North $00^{\circ} 09' 11''$ East 22.39 feet;

THENCE South $80^{\circ} 12' 18''$ West 101.52 feet;

THENCE South $83^{\circ} 47' 38''$ West 66.06 feet;

EXHIBIT A, CONTINUED

THENCE South $89^{\circ} 18' 02''$ West 547.06 feet;

THENCE North $88^{\circ} 34' 12''$ West 145.37 feet;

THENCE North $65^{\circ} 30' 21''$ West 64.86 feet;

THENCE North $38^{\circ} 43' 50''$ West 31.80 feet;

THENCE Northwesterly 90.45 feet along the arc of a curve whose center lies to the Southwest, whose radius is 645.00 feet, and whose chord bears North $10^{\circ} 00' 09''$ West 90.38 feet to a point;

THENCE North $14^{\circ} 01' 11''$ West 92.42 feet;

THENCE North $00^{\circ} 10' 44''$ West 117.78 feet to the point of beginning.

**EXHIBIT B
TIF PROJECT PLAN**

THIS WILL BE HANDED OUT SEPARATELY

COMMON COUNCIL REPORT

Item: Minor Land Division/Certified Survey Map - 9834 & 9878/80 S. Nicholson Rd.

Recommendation: That the Council adopts Resolution No. 12085-080519, a resolution approving a Minor Land Division/Certified Survey Map submitted by Simon Krizan for the properties at 9834 & 9878/80 S. Nicholson Rd.

Fiscal Impact: The proposal will adjust the common boundary between the two (2) existing single-family residential lots such that each lot will have 100 feet of frontage. No other changes are proposed at this time. No direct fiscal impact is anticipated with this change as the existing lots are currently developed with single family residences. There are no immediate plans for redevelopment. These properties are not part of a TID.

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 Applicant is requesting approval of a Minor Land Division/Certified Survey Map for the properties at 9834 and 9878/80 S. Nicholson Rd. The only proposed change is for the shared property line between the two (2) properties to be moved south by 10 feet so that the frontage for each lot is 100 feet. Minimum lot size and minimum lot width requirements will be exceeded for both parcels following the adjustment. Drainage and Utility Easements are shown, but are not affected by the proposed lot line adjustment. Since the existing wetlands and floodplain boundaries will not be affected and are not located in the vicinity of the proposed adjustment, delineations are not required at this time.

The Plan Commission reviewed the Minor Land Division/Certified Survey Map proposal at their meeting on July 23, 2019, and recommend approval with the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Options/Alternatives: Council has the discretion to modify the condition(s) of Minor Land Division/Certified Survey Map approval, or deny the request. Disapproval will likely result in the existing condition of the properties to remain, and may affect a private sale of property.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Karl Papelbon, CFM, AICP
Planner

Fiscal Review:



Bridget M. Souffrant
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Resolution 12085-080519

Location Map

CSM 4939 (for reference)

Lot line adjustment exhibit (1 page)

Certified Survey Map (4 pages)

RESOLUTION NO. 12085-080519

BY: _____

A RESOLUTION APPROVING A MINOR LAND DIVISION / CERTIFIED SURVEY MAP FOR
SIMON KRIZAN

9834 AND 9878/80 S. NICHOLSON RD.
(3rd Aldermanic District)

WHEREAS, SIMON KRIZAN, hereinafter referred to as the subdivider, has submitted a minor land division/certified survey map in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this minor land division/certified survey map be approved, subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this minor land division/certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to the following condition:

That all technical corrections, including, but not limited to spelling errors, minor coordinate geometry corrections, and corrections required for compliance with the Municipal Code and Wisconsin Statutes, are made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5th day of August, 2019.

Passed and adopted this 5th day of August, 2019.

President, Common Council

Approved this 5th day of August, 2019.

Mayor

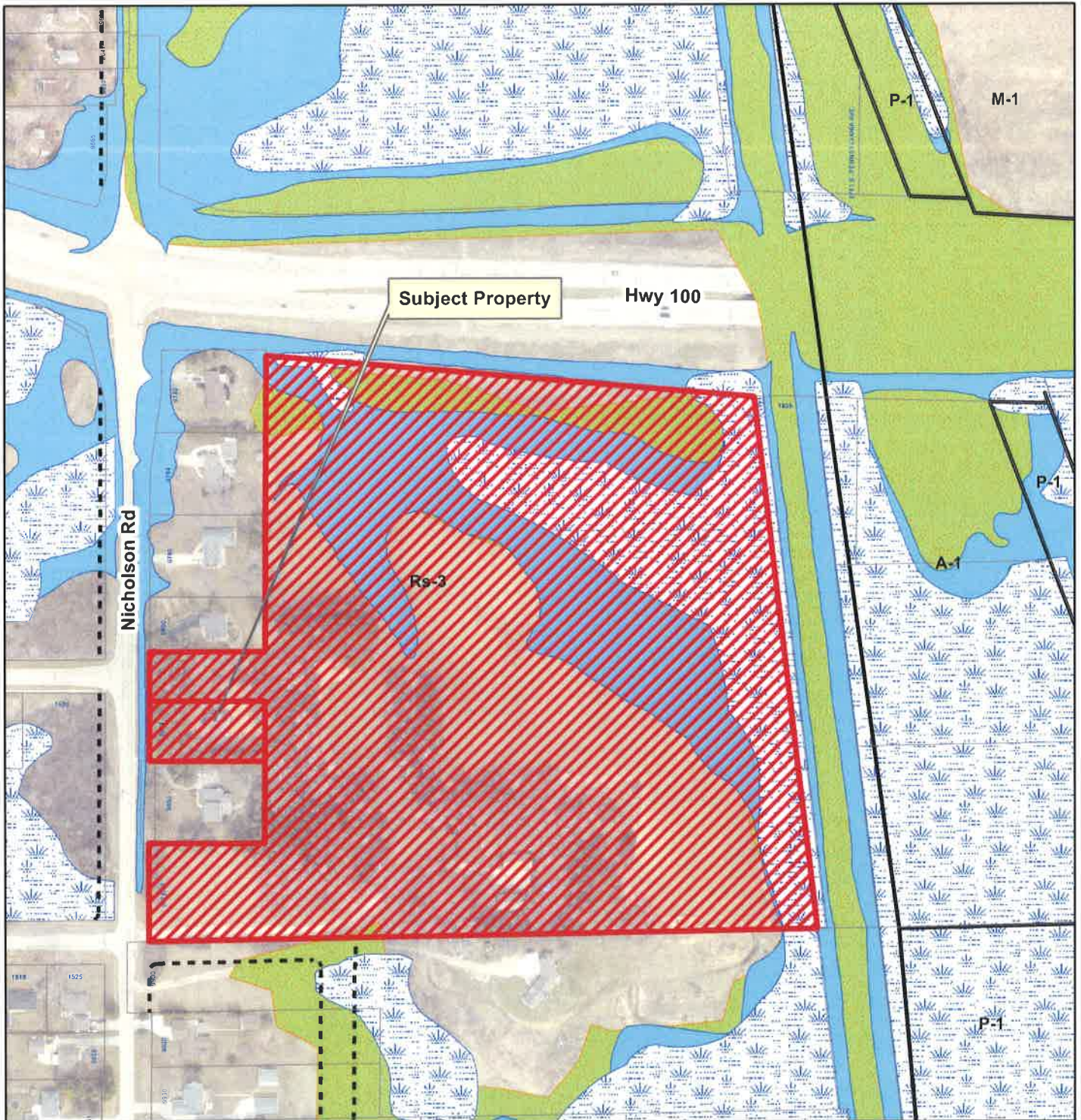
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

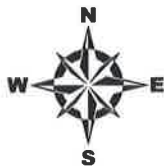
9834 & 9878 S. Nicholson Rd.



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

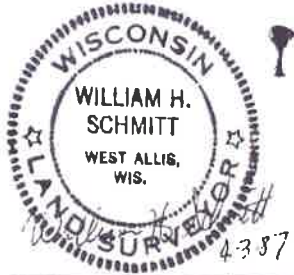


Department of Community Development



Legend

- | | | | |
|---|---------------------------|---|------------------------|
|  | Parcels selection |  | Floodway (2008) |
|  | Officially Mapped Streets |  | Flood Fringe (2008) |
|  | DNR Wetlands Inventory |  | Environmental Corridor |



CERTIFIED SURVEY MAP NO. 4939
Being a redivision of the North 150.00 feet of
Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of
"Certified Survey Map No. 1814" and lands all
Being a part of the Southwest 1/4 of
The Northwest 1/4 of Section 27, Township 5 North, Range 22 East
City of Oak Creek, Milwaukee County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)SS
COUNTY OF MILWAUKEE)

I, WILLIAM H. SCHMITT, registered land surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a redivision of the North 150.00 feet of Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of "Certified Survey Map No. 1814", all being Certified Survey Maps of record in the office of Register of Deeds, and lands all being a part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows, to-wit:

COMMENCING at the southwest corner of said Northwest 1/4 Section; running thence North 00° 14' 36" East on and along the west line of said 1/4 Section 180.00 feet to the southwest corner of "Certified Survey Map No. 620", a certified survey map of record in the office of Register of Deeds; thence South 89° 45' 24" East, recorded as North 89° 45' 24" West, on and along the south line of said Certified Survey Map, 250.00 feet to the southeast corner of said map; thence North 00° 14' 36" East, recorded as South 00° 14' 36" West on and along the east line of said certified survey map and parallel to the west line of said 1/4 Section 150.00 feet to the southeast corner of said Certified Survey Map No. 1814; thence North 89° 45' 24" West on and along the south line of said map, 250.00 feet to a point in the west line of said 1/4 Section; thence North 00° 14' 36" East on and along the west line of said 1/4 Section 300.00 feet to a point in the North line of Lot 2, extended West, of said "Certified Survey Map No. 233" and the southwest corner of "Certified Survey Map No. 2168", a certified survey map of record in the office of Register of Deeds; thence South 89° 45' 24" East on and along the north line of said Lot 2, 250.00 feet to the northeast corner of said Lot 2 and the southeast corner of said "Certified Survey Map No. 2168"; thence North 00° 14' 36" East, recorded as South 00° 14' 36" West on and along the east line of said "Certified Survey Map No. 2168", the east line of "Certified Survey Map No. 350", a certified survey map of record in the office of Register of Deeds and parallel to the west line of said 1/4 Section 439.87 feet to a point in the South Right-of-Way line of State Trunk Highway "100" as now laid out; thence South 85° 03' 40" East on and along said Right-of-Way line 888.72 feet to a point in the west line of Parcel 1 of "Certified Survey Map No. 1990", a certified survey map of record in the office of Register of Deeds; thence South 06° 45' 08" East on and along the west line of said Parcel 1, 978 02 feet to a point in the south line of said 1/4 Section; thence South 89° 02' 21" West on and along the south line of said 1/4 Section 1255.13 feet to the point of commencement. Part of the West 40 feet being dedicated for public street purposes.

THAT I have made this survey, land division and map by the direction of Simon R Krizan and Rosemary A Krizan, his wife, owners of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.



CERTIFIED SURVEY MAP NO. 4939
Being a redivision of the North 150.00 feet of
Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of
"Certified Survey Map No. 1814" and lands all
Being a part of the Southwest 1/4 of
The Northwest 1/4 of Section 27, Township 5 North, Range 22 East
City of Oak Creek, Milwaukee County, Wisconsin

THAT I have fully complied with the provisions of Chapter 236
of the Wisconsin Statutes and Chapter 18 of the Oak Creek Municipal
Code in surveying, dividing and mapping the same.

DATE: April 2, 1987

William H. Schmitt (SEAL)
William H Schmitt
Registered Land Surveyor, S-626



OWNERS' CERTIFICATE OF DEDICATION

As owners, we hereby certify that we caused the land described
above to be surveyed, divided and mapped and dedicated as represented on
this map in accordance with the requirements of Chapter 18 of the City
of Oak Creek Municipal Code.

WITNESS the hand and seal of said owners this 7 day of April,
1987.

In the presence of:

Simone Janssen

Simon R. Krizan (SEAL)
Simon R Krizan

Peggy Krizan

Rosemary A. Krizan (SEAL)
Rosemary A Krizan

La. Nois - dy
STATE OF WISCONSIN }
COUNTY OF MILWAUKEE } SS

Cook - dy
Personally came before me this 7th day of April,
1987, the above named Simon R Krizan and Rosemary A Krizan, his wife,
to me known to be the persons who executed the foregoing instrument
and acknowledged the same.



Carol Lynn Jung (SEAL)
Notary Public
My commission expires February 7, 1990

CERTIFIED SURVEY MAP NO. 4939
Being a redivision of the North 150.00 feet of
Lot 2 of "Certified Survey Map No. 233" and Parcel 1 of
"Certified Survey Map No. 1814" and lands all
Being a part of the Southwest 1/4 of
The Northwest 1/4 of Section 27, Township 5 North, Range 22 East
City of Oak Creek, Milwaukee County, Wisconsin

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of Oak Creek on this
28th day of April, 1987.

Fredrick G. Fairbanks

Fredrick G Fairbanks
Secretary

Milo G. Schocker

Milo G Schocker
Chairman

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of Oak Creek on this
2nd day of June, 1987, by Resolution No.
7240-050587.

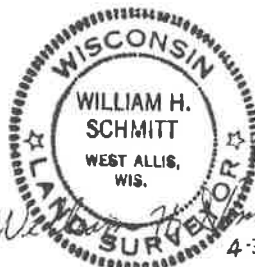
LaVerne C. Gutknecht
LaVerne C Gutknecht, City Clerk

Milo G. Schocker
Milo G Schocker, Mayor



COMMON COUNCIL ACCEPTANCE OF DEDICATION

Dedication of land as indicated above accepted by the Common Council
of the City of Oak Creek, per Plan Commission recommendation on this
2nd day of June, 1987, by Resolution No. 7241-050587.



William H. Schmitt
4-3-87



Milo G. Schocker
Milo G Schocker, Mayor

LaVerne C. Gutknecht
City Clerk

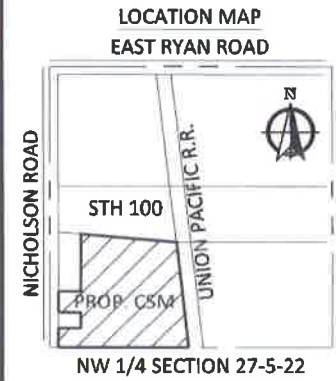
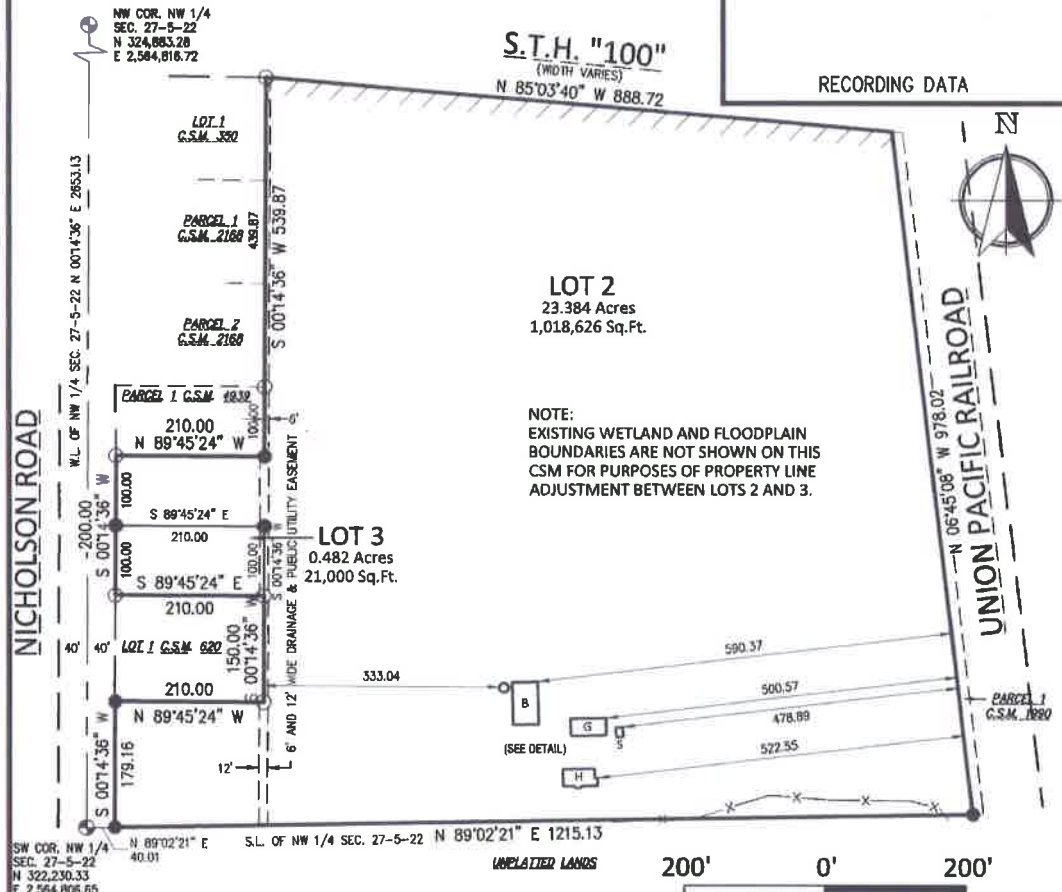
This instrument was drafted by William H Schmitt

Sheet 4 of 4

CERTIFIED SURVEY MAP NO. _____

A RE-DIVISION OF PARCELS 2 AND 3 OF CERTIFIED SURVEY MAP No. 4939 BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

RECORDING DATA



WISCONSIN
MARK R. MADSEN
S-2271
RACINE, WI
LAND SURVEYOR

Mark R. Madsen
7-8-2019

NOTES:

OWNER/LAND SPLITTER: SIMON AND ROSEMARY KRIZAN
ADDRESS: 631 SOUTH BUTON PLACE
ARLINGTON HEIGHTS, IL 60005

BEARINGS BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE.
BASED UPON NAD 1927. THE WESTLINE OF THE NORTHWEST 1/4 OF SECTION 27-5-2122 IS ASSUMED TO BEAR N 00°14'36" E.

- LEGEND:**
- 1" O.D. IRON PIPE FOUND
 - 5/8" O.D. x 18" REBAR - 1.68LBS/LIN FT. SET
 - ⊕ 6" CONC. MON. W / BRASS CAP FOUND
 - ////// DENOTES NO VEHICULAR ACCESS LIMITS

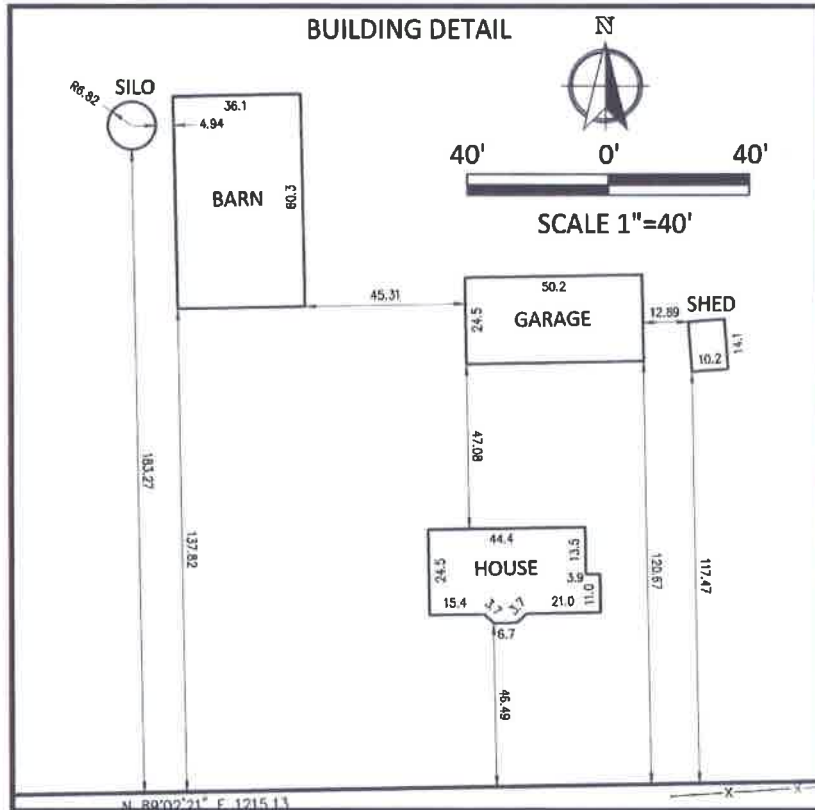
mb Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbosc.net

This instrument was drafted by Mark R. Madsen July 8, 2019

2018.0089.02.DWG
SHEET 1 OF 4 SHEETS

CERTIFIED SURVEY MAP NO. _____

A RE-DIVISION OF PARCELS 2 AND 3 OF CERTIFIED SURVEY MAP No. 4939 BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



Mark R. Madsen
7-8-2019



Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmb-sc.net

This instrument was drafted by Mark R. Madsen July 8, 2019

2018.0089.02.DWG
SHEET 2 OF 4 SHEETS

CERTIFIED SURVEY MAP NO. _____

A RE-DIVISION OF PARCELS 2 AND 3 OF CERTIFIED SURVEY MAP No. 4939 BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Mark R. Madsen, hereby certify: That I have prepared this Certified Survey Map at the direction of Owners; THAT such Map is a correct representation of the exterior boundaries of the land surveyed and are described as: Parcels 2 and 3 of Certified Survey Map No. 4939 recorded on June 31, 1987 at the Register of Deeds for Milwaukee County, Wisconsin as Document No. 8065468 and being part of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin. Containing 23.866 acres.

THAT I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the land division ordinance of the City of Oak Creek, Milwaukee County in surveying, dividing, and mapping the same.

July 8, 2019

Mark R. Madsen

Mark R. Madsen, P.E., P.L.S. (S-2271)
Nielsen Madsen & Barber, S.C.
1458 Horizon Blvd. Suite 200
Racine, WI 53406
(262)634-5588



OWNER'S CERTIFICATE

Simon and Rosemary Krizan as Owners do hereby certify that we have caused the land described on this map to be surveyed, divided, mapped, and dedicated as represented on this Certified Survey Map. Simon and Rosemary Krizan, do further certify that this Certified Survey Map is required to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF the said Simon and Rosemary Krizan, have caused these presents to be signed by Simon and Rosemary Krizan. Dated this _____ day of _____, 2019.

Simon Krizan

Rosemary Krizan

STATE OF _____)
COUNTY OF _____) SS

Personally came before me this _____ day of _____, 2019, Simon and Rosemary Krizan, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the foregoing.

Printed Name:

Notary Public, _____



Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbasc.net

CERTIFIED SURVEY MAP NO. _____

A RE-DIVISION OF PARCELS 2 AND 3 OF CERTIFIED SURVEY MAP No. 4939 BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

PLANNING COMMISSION APPROVAL

Approved as a Certified Survey Map by the City of Oak Creek Planning Commission, on this _____ day of _____, 2019.

Chairman

Secretary

COMMON COUNCIL RESOLUTION

Approved as a Certified Survey Map by the City of Oak Creek Common Council, on this _____ day of _____, 2019.

Daniel Bukiewicz, Mayor

Catherine A. Roeske, City Clerk



Mark R. Madsen
7-8-2019



Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbssc.net

This Instrument was drafted by Mark R. Madsen July 8, 2019

2018.0089.02.DWG
SHEET 4 OF 4 SHEETS

COMMON COUNCIL REPORT

Item: Traffic & Safety

Recommendation: To concur with the recommendations of the Traffic and Safety Commission to approve the installation of an intersection warning sign "T" symbol and "Cross Traffic Does Not Stop" plaque on S. 3rd Avenue at the intersection of S. 3rd Avenue and E. Barton Road, installation of "No Parking Anytime" signs at the bypass lane on E. Drexel Avenue at S. Quincy Avenue and S. Clement Avenue, installation of "Rough Crossing" plaques and relocate "Railroad Crossing" signs as needed at Union Pacific crossings, installation of "No Parking, Stopping or Standing Anytime" signs on the north side of E. Puetz Road in front of 800 E. Puetz Road (High School) from the entrance of the east parking lot to the Knights Place, and the installation of "No Parking Anytime" signs on the north side of E. Lake Vista Drive from the western entrance of the parking lot to S. 5th Avenue.

Fiscal Impact: Street Department will construct and install signs and pavement markings.

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: Intersection of S. 3rd Avenue and E. Barton Road - There was nobody in attendance for this item. This item was the outcome of an item discussed at the June 19, 2019 meeting that denied the request to install "Stop" sign on S. 3rd Avenue at the intersection of S. 3rd Avenue and E. Barton Road. The commission has concerns of receiving many additional request for the same intersection warning sign at other locations if the request is approved. The commission discussed using the sign at this location to be used as a test location and use engineering judgement to determine the effectiveness and potential future use of the intersection warning sign at other locations.

E. Drexel Avenue at S. Quincy Avenue and S. Clement Avenue - There was one resident in attendance for this item. This item was brought up by the commission at the June 19, 2019 meeting while discussing the request to install pedestrian crossing signs at intersection of E. Drexel Avenue and S. Quincy Avenue with "high visibility" pavement markings. The resident added a comment that he preferred when vehicles were parked along E. Drexel Avenue because it slowed traffic down. The resident's main concern along E. Drexel Avenue was speeding, vehicles using the shoulder as a passing lane and pedestrian/cyclist safety. The commission explained that restricting parking at the bypass lanes will create a better visual for pedestrians. Engineering will be placing counters to monitor the speed and number of vehicles using the shoulder.

Union Pacific Crossings - There was nobody in attendance for this item. This item was brought up by the commission at the June 19, 2019 meeting while discussing the request to install "Rough Crossing" signs on E. Puetz Road at Union Pacific crossing. The commission discussed the request and did support the proposed installation. The commission discussed the removal of the signs if the roadway would be improved at the railroad crossing in the future. The removal would come to the commission in the future if necessary. If other signs are found to not be applicable they should be included on future agendas.

800 E. Puetz Road (High School) - There was nobody in in attendance for this item. The commission's main concern was the volume of vehicles stopping along Puetz in the mornings and afternoons during the school year and pedestrian safety. The commission discussed the request and did support the proposed installation. A letter with the request was sent to the school district office and no correspondence was received. This item will go in front of the council in August. The commission discussed installing the "No Parking, Stopping, or Standing Anytime" signs are very common nationally in the Safe Routes to School.

E. Lake Vista Drive - There was nobody in attendance for this item. The commission discussed the request and did support the proposed action. The commission discussed bagging the "No Parking Anytime" signs during the 4th of July to allow parking during the event if the fireworks remain in the same location as July 4, 2019.

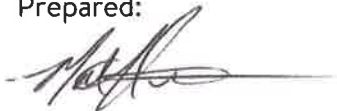
Options/Alternatives: Do nothing and leave existing conditions.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



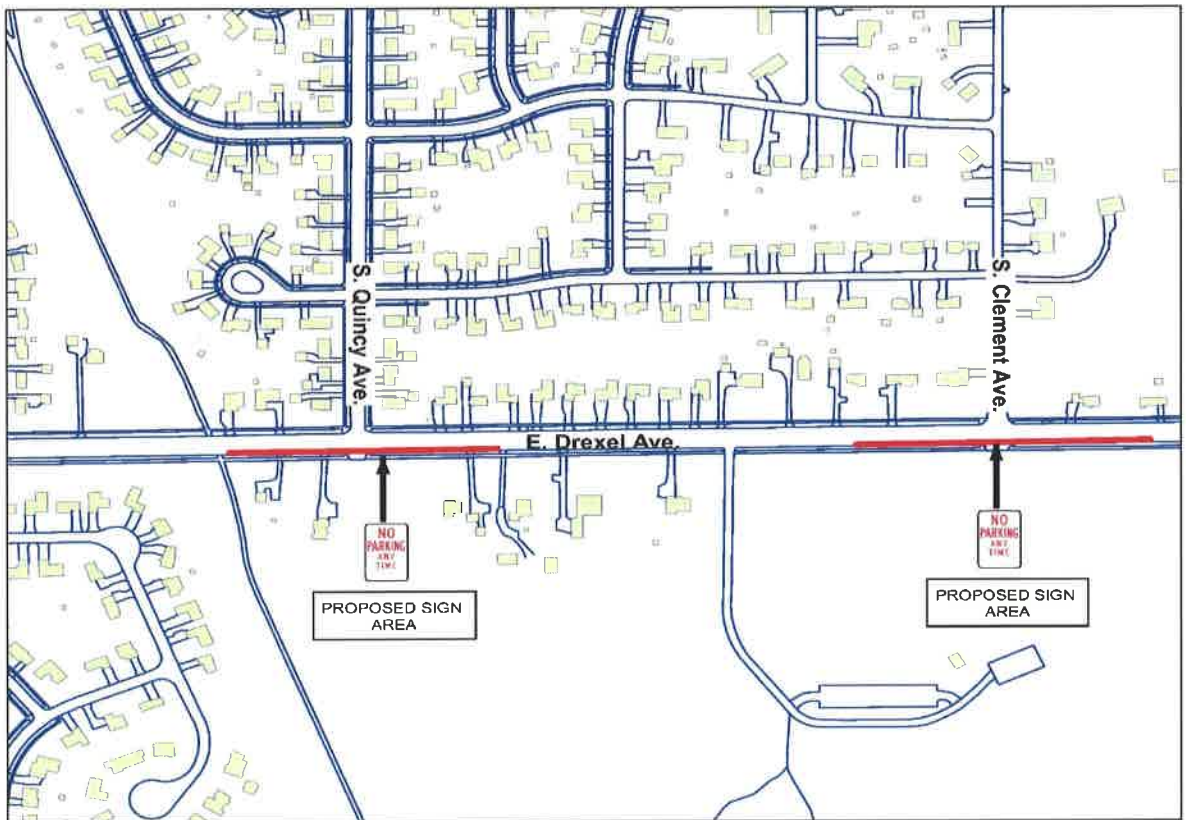
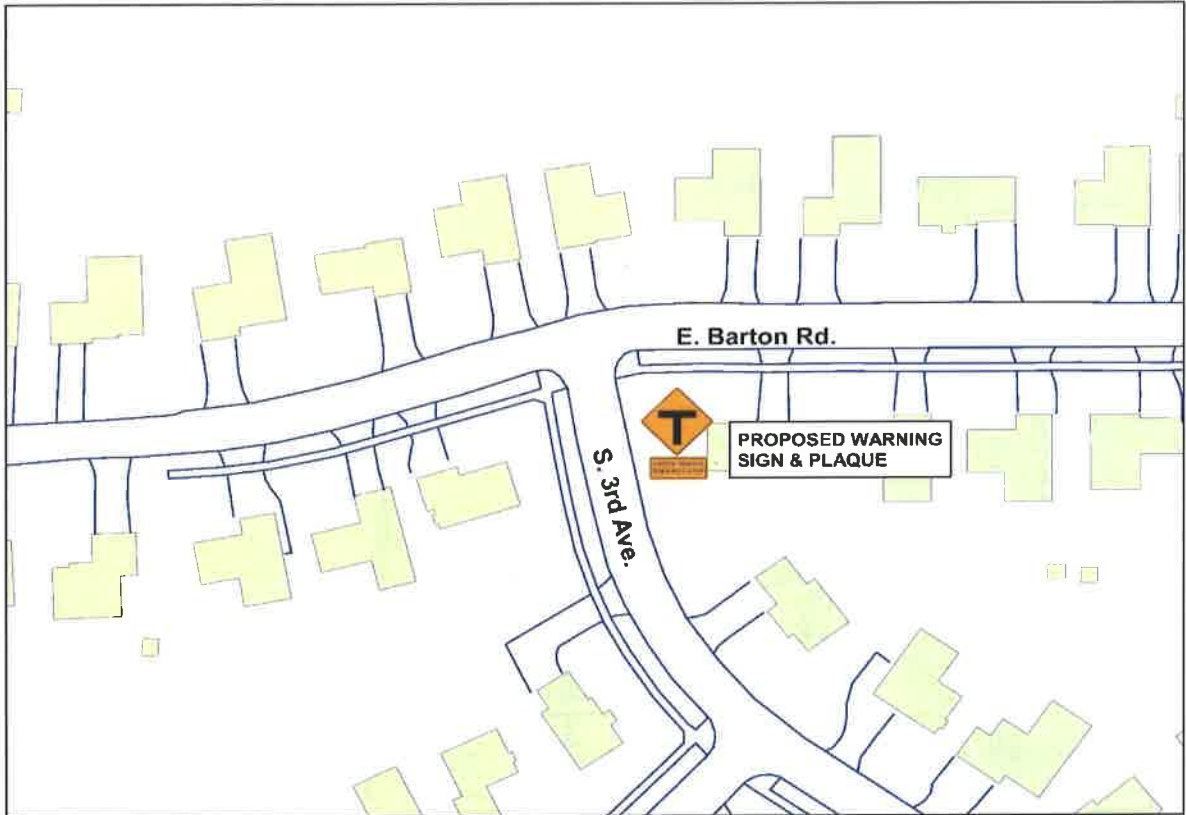
Matthew J. Sullivan, PE
Assistant City Engineer

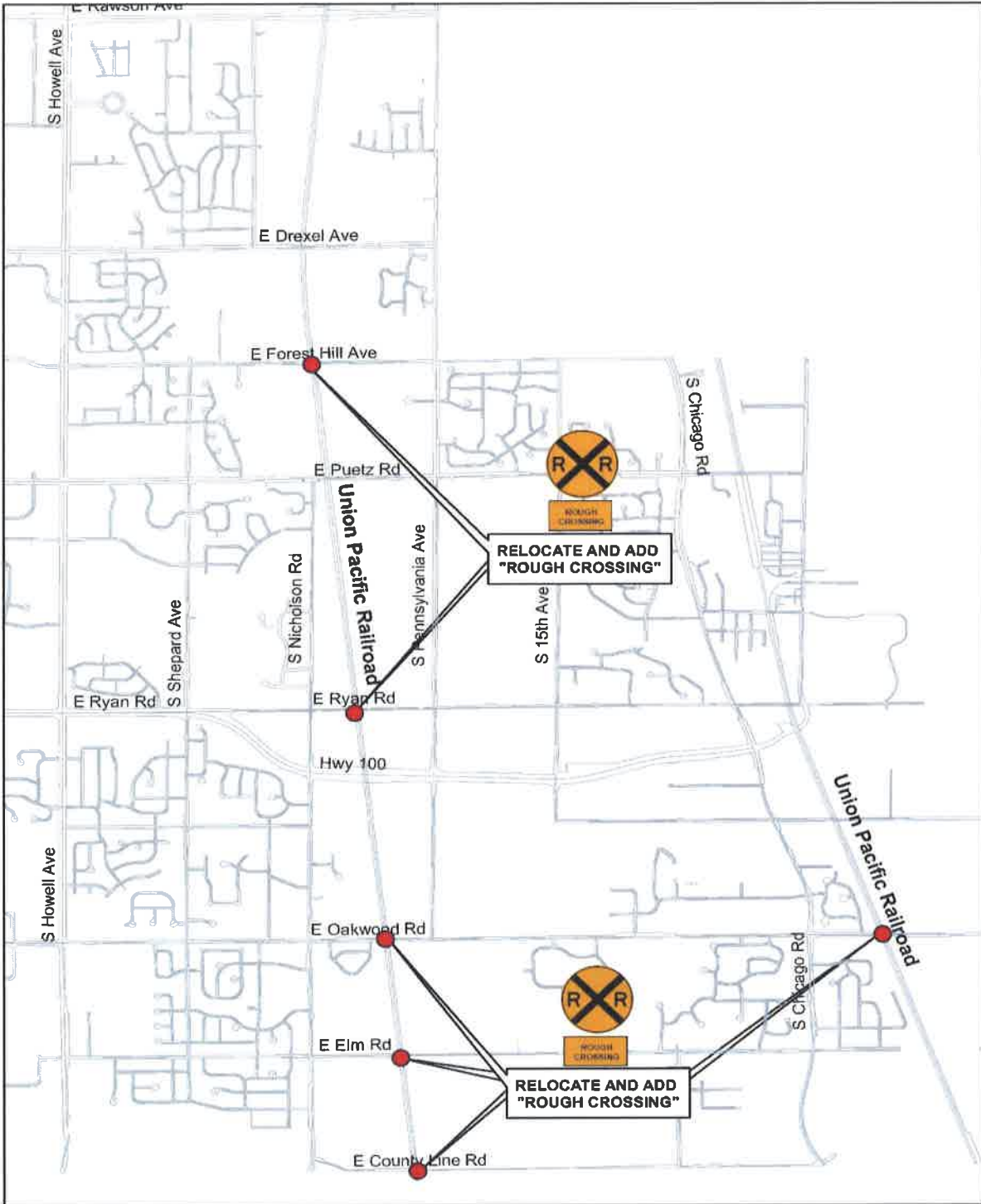
Fiscal Review:

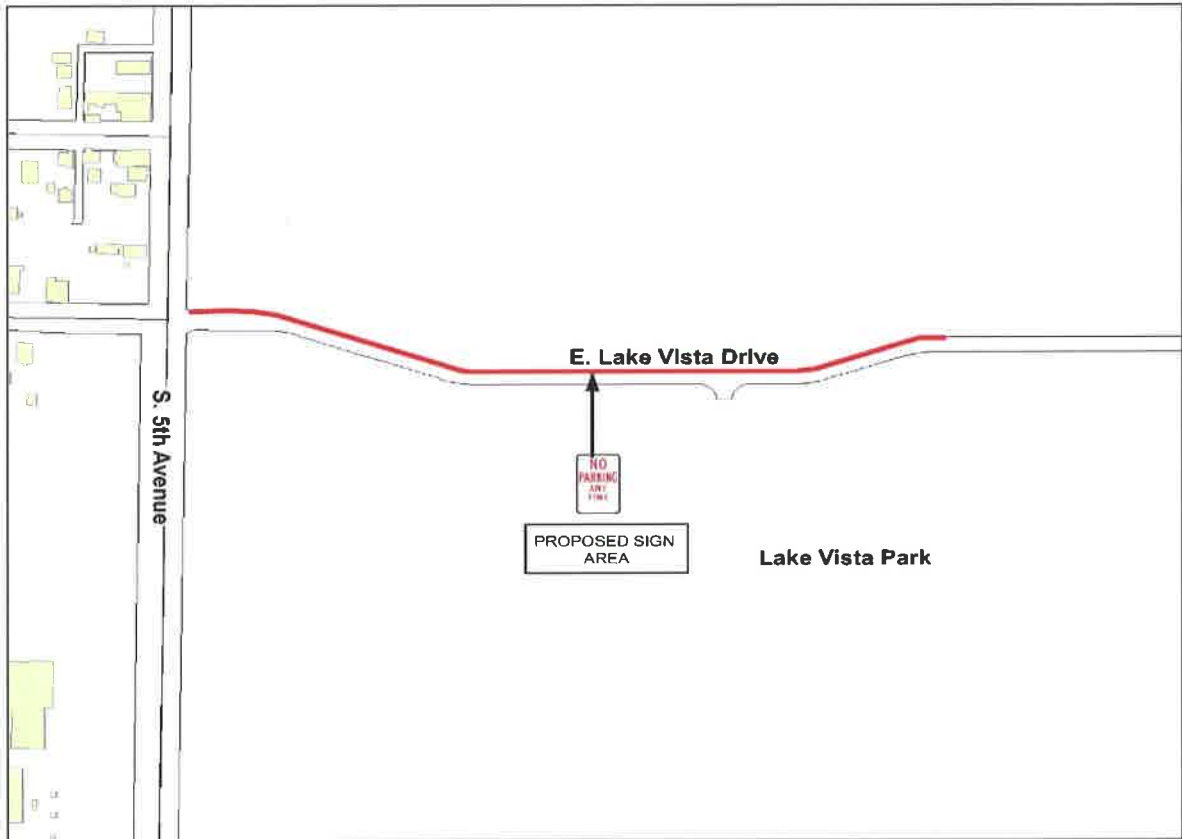
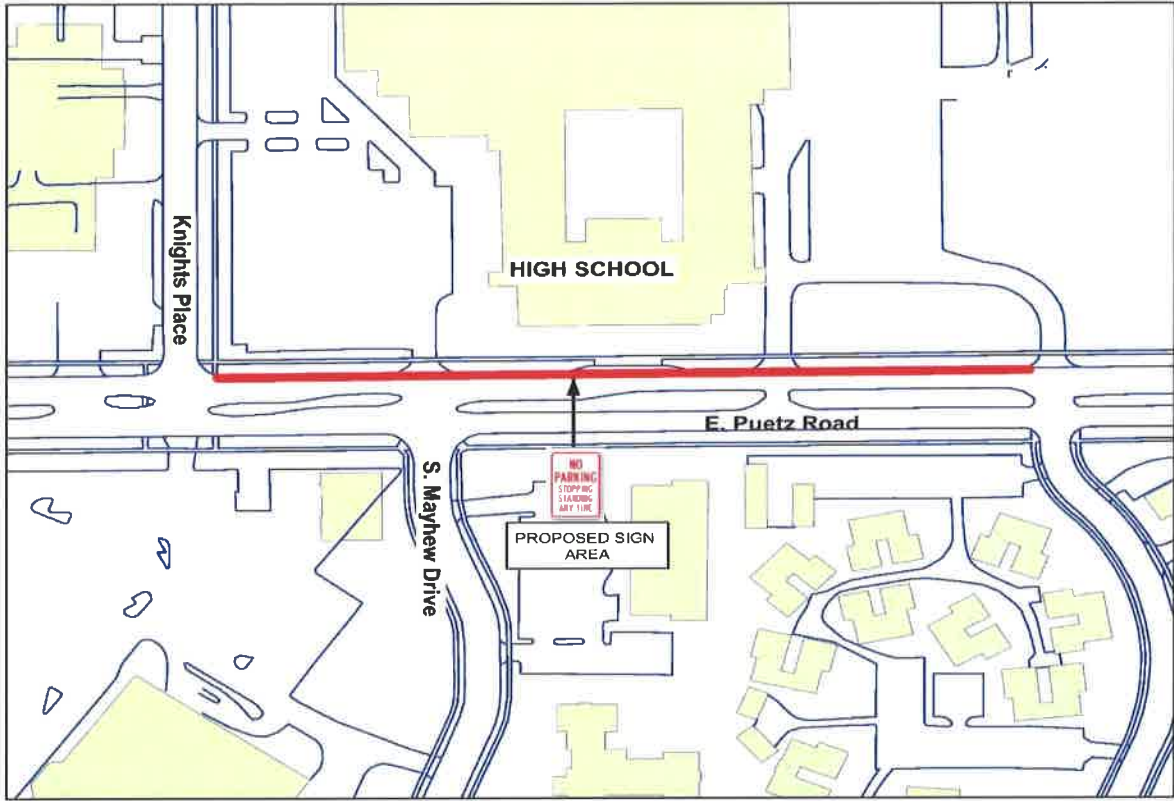


Bridget M. Souffrant
Assistant City Administrator/Comptroller

Attachments: Maps







COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 8/5/19 License Committee Report.

Fiscal Impact: License fees in the amount of \$1,230.00 were collected.

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 8/5/19 council meeting. Tentative recommendations are as follows (favorable background reports received):

1. Grant an Operator's license to:
 - * Hugo O. Diaz-Pineda, 3815 S. Clement Ave., Milwaukee (Bel Air Cantina)
 - * Apolinar Jacobo, 3815 S. Clement Ave., Milwaukee (Bel Air Cantina)
 - * Jacob A. Barnette, 3610 E. Oakwood Rd., Oak Creek (Mobil)
 - * Mackenzie A. Peterson, W1885 St. Rd. 11, Burlington (BP W Discount Liquor)
 - * Ashley L. Ripple, 3366 S. 15th Ave., Milwaukee (Pilot)
 - * Rachael M. Pintur, 4240 E. Wind Lake Rd., Union Grove (Pilot)
 - * Jasmine J. Trice, 8104 W. Lincoln Ave., West Allis (Pilot)
 - * Gianna R. Deluisa, 3942 S. High St., Oak Creek (Mobil)
 - * Michelle L. Garcia, 2904 Northwestern Ave., Racine (Sidetracked)
 - * Alexander Rice, 205 N. Chicago Ave., South Milwaukee (Woodmans)
 - * Ashley M. Hastings, 3681 S. Herman St., Milwaukee (Woodmans)

2. Grant a 2019-20 Regular Class B Combination alcohol license to Scott Lurie, Agent, Za Man 3, LLC dba Pizza Man Oak Creek, 7974 S. Main Street, with issuance subject to receipt of publication fee and surrender of current Reserve Class B Combination license, and to authorize the refund of the \$10,000 one-time reserve issuance fee as acknowledged in signed agreement dated 4/26/16.

3. Grant a change of agent to Kwik Trip, Inc., dba Kwik Trip #422, 9535 S. 13th St., from Ricky McCord to Brian Todd, 5080 S. Wingspan Ln, Greenfield.

4. Grant a Temporary Class B Beer license to Roland Komorowski, Agent on behalf of St. Matthew Parish, for their Young Adults Game/Movie Night to be held on September 14, 2019.

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
Assistant City Administrator/Comptroller

Attachments: None



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the July 30, 2019 Vendor Summary Report in the total of \$765,848.45.

Fiscal Impact: Total claims paid of \$765,848.45.

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. \$97,949.92 to Advanced Disposal (pg #1) for June recycling and trash pickup.
2. \$5,631.00 to Champ Software Inc. (pg #3) for annual subscription for the Health Department software.
3. \$20,875.58 to Godfrey & Kahn S.C. (pg #6) for legal services regarding the following projects: Lake Bluff and redevelopment of lakefront site.
4. \$113,331.25 to Holz Motors, Inc. (pg #8) for vehicle maintenance and 3 new squad vehicles.
5. \$7,910.79 to Lakeside International Truck (pg #9) for DPW vehicle repairs.
6. \$317,008.61 to Payne & Dolan, Inc (pgs #11-12) for asphalt and annual road improvement project.
7. \$5,000.00 to Reserve Account (pg #12) for postage refill.
8. \$17,122.36 to Sherwin Industries, Inc (pgs #13-14) for road maintenance supplies.
9. \$50,148.38 to WE Energies (pgs #17-18) for street lighting, electricity & natural gas.
10. \$18,381.59 to World Fuel (pg #20) for fuel inventory.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Jamie Strobl
Assistant Comptroller

Fiscal Review:

Bridget Souffrant (JS)

Bridget M. Souffrant

Assistant City Administrator/Comptroller

Approved:

Attachments: 7/30/19 Invoice GL Distribution Report