



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

## COMMON COUNCIL MEETING AGENDA

JULY 21, 2020

7:00 P.M.

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

### The City's Vision

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

### IMPORTANT NOTICE

This meeting will be held by video conference. Persons wishing to participate in the meeting need to register via <http://ocwi.org/register> prior to the start of the meeting. The webinar will start at 6:50 p.m. so those that registered may log in.

The meeting will also be live streamed on the City of Oak Creek YouTube Page via <http://ocwi.org/livestream> for those that wish to view the meeting.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 7/7/2020

### Recognition

4. **Resolution:** Consider Resolution No 12170-072120, a Resolution of Appreciation to Steven M. Gallagher, retiring Patrol Officer (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.*

5. **Conditional Use:** Consider a request submitted by Eric Ogden, Oak Creek Industrial, LLC, for a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities on the property located at 102 W. Oakview Parkway (5<sup>th</sup> District).

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

6. **Ordinance:** Consider Ordinance No. 2979, approving a Conditional Use Permit for freight yard/ freight terminal/trans-shipment depot facilities in the multi-tenant building on the property at 102 W. Oakview Parkway (5<sup>th</sup> District).
7. **Conditional Use:** Consider a request submitted by Doctors Brad and Brett Osgood, Brentwood Animal Hospital, for a Conditional Use Permit for an animal hospital with kennel and boarding facilities on the property located at 318 W. Ryan Road (6<sup>th</sup> District).
8. **Ordinance:** Consider Ordinance No. 2980, approving a Conditional use Permit for an animal hospital with kennel and boarding facilities on the property at 318 W. Ryan Road (6<sup>th</sup> District).

## New Business

9. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending June 30, 2020.
10. **Informational:** COVID-19 Update.
11. **Informational:** City of Oak Creek 2020 Mid-Year Budget Monitoring Report.
12. **Informational:** COVID-19 Financial Mitigation Planning.
13. **Resolution:** Consider Resolution No. 12174-072120, extending the Public Health Emergency in the City of Oak Creek in response to the COVID-19 Coronavirus (by Committee of the Whole).
14. **Resolution:** Consider Resolution No. 12177-072021, adopting the City of Oak Creek 2020-2022 Strategic Action Plan (by Committee of the Whole).
15. **Resolution:** Consider Resolution No. 12175-072120, an Emergency Resolution Consolidating Polling Places due to COVID-19 (by Committee of the Whole).
16. **Motion:** Consider a motion to concur with the Celebrations Commission and designate Saturday, October 31, 2020, from 4:00 to 7:00 p.m. as the official City of Oak Creek "Trick or Treat" (by Committee of the Whole).

## ENGINEERING

17. **Resolution:** Consider Resolution No. 12168-072120, approving a permanent public access easement agreement with Commerce 94 Project LLC upon 9700 S. 13<sup>th</sup> St. (Tax Key No. 905-9008-001) (5<sup>th</sup> District).
18. **Resolution:** Consider Resolution No. 12172-072120, accepting the workmanship of the Bartel Court public improvements (5<sup>th</sup> District).
19. **Resolution:** Consider Resolution No. 12173-072120, approving the State Municipal Agreement for a State-let STP local road project, the rehabilitation of W. Drexel Avenue from S. 13<sup>th</sup> St. to S. Howell Ave. (1<sup>st</sup> & 2<sup>nd</sup> Districts).

## LICENSE COMMITTEE

20. **Motion:** Consider a motion to grant the various license requests as listed on the 7/21/20 License Committee Report (by Committee of the Whole).

**VENDOR SUMMARY**

21. **Motion:** Consider a *motion* to approve the July 15, 2020 Vendor Summary Report in the total amount of \$381,854.38 (by Committee of the Whole).
22. **Resolution:** Consider *Resolution* No. 12171-072120, authorizing payment of bills, debts and obligations (by Committee of the Whole).

***Adjournment.***

**Public Notice**

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

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may attend 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

RESOLUTION NO. 12170-072120

BY: COMMITTEE AS A WHOLE

RESOLUTION OF APPRECIATION  
TO  
STEVEN M. GALLAGHER

WHEREAS, Steven M. Gallagher began his employment with the City of Oak Creek on January 4, 1993, as a full-time Police Officer; and

WHEREAS, during his twenty-seven years and seven months of service, Steven M. Gallagher has been an integral part of the Police Department while serving as a Patrol Officer; and

WHEREAS, Steven M. Gallagher has had a history of service while also serving the United States in the United States Army and Army Reserve where he retired at the rank of Major after 26 years of service. Steven M. Gallagher had 4 overseas deployments while serving the United States, with two being while he worked for the City of Oak Creek. Steven M. Gallagher received several awards and recognitions while serving in the military, and

WHEREAS, Steven M. Gallagher has continued to serve the citizens of Oak Creek with honor and professionalism; and

WHEREAS, Steven M. Gallagher has served as a member of the Emergency Response Unit, Honor Guard Unit, Drug Enforcement Unit, Evidence Technician Unit, Field Training Officer, and was a certified accident investigator and reconstructionist in addition to his normal duties throughout his career, and

WHEREAS, Steven M. Gallagher has been a valuable employee during his years of dedicated service with the Oak Creek Police Department, always striving to enhance the quality of life for the citizens of the City; and has been well known for his work ethic and his dedication to the Department; and

WHEREAS, Steven M. Gallagher received four (4) Shift Acknowledgements, four (4) Meritorious Arrests Awards, three (3) Unit Citations, one (1) Award of Excellence, one (1) Letter of Commendation, and five (5) letters of appreciation, and

WHEREAS, Steven M. Gallagher is retiring from the Oak Creek Police Department after completing 27 years and 7 months of full-time service to the City of Oak Creek.

NOW, THISEFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek, for and on behalf of the citizens of the City of Oak Creek, that sincere gratitude and appreciation be extended to Steven M. Gallagher for his years of professional, dedicated and faithful service to the City of Oak Creek and the Police Department, and that the best wishes for good health and happiness be extended to Steven M. Gallagher and his family for future years.

BE IT FURTHIS RESOLVED that this resolution be spread upon the minutes of the meeting and that the City Clerk is hereby directed to transmit a suitable copy thereof to Steven M. Gallagher.

Passed and adopted this 21st day of July, 2020.

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

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

ATTEST:

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

Vote: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

TO BE PUBLISHED JULY 1 & 8, 2020

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING  
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held both in person and by video conference. Persons wishing to participate in the video conference, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

Persons who wish to view the meeting live without participating may visit the City of Oak Creek YouTube page at <http://ocwi.org/livestream>.

Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

**PURPOSE:**

The purpose of this public hearing is to consider a request submitted by Eric Ogden, Oak Creek Industrial, LLC, for a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities on the property located at 102 W. Oakview Parkway.

- Hearing Date:** July 21, 2020
- Time:** 7:00 PM
- Place:** Oak Creek Civic Center (City Hall)  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers and Zoom (see above)
- Applicant(s):** Eric Ogden, Oak Creek Industrial, LLC
- Property Owner(s):** Oak Creek Industrial, LLC
- Property Location(s):** 102 W. Oakview Parkway
- Tax Key(s):** 955-1040-000

**Legal Description:**

CSM NO 9044, NE & NW 1/4 SEC 32-5-22, LOT 1.

The Common Council has scheduled other public hearings for July 21, 2020 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: June 25, 2020  
CITY OF OAK CREEK COMMON COUNCIL  
By: Daniel J. Bukiewicz, Mayor

## **PUBLIC NOTICE**

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## COMMON COUNCIL REPORT

**Item:** Conditional Use Permit - freight yard/freight terminal/trans-shipment depot facilities - OC Industrial, LLC

**Recommendation:** That the Council adopts Ordinance 2979, an ordinance to approve a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities in the multitenant building on the property at 102 W. Oakview Parkway.

**Fiscal Impact:** Approval will allow for the use and occupancy of an existing multitenant manufacturing building with tenants that may include freight yard/freight terminal/trans-shipment depot components as part or all of their operations. The project will yield positive fiscal impacts in terms of assessed value, review fees, and permit fees. Tenant buildouts will continue to yield positive fiscal impacts with permits and/or licenses. This property is part of TID 8.

- 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 Applicants are requesting recommendation of Conditional Use approval for freight yard/freight terminal/trans-shipment depot facility(ies) for the property at 102 W. Oakview Parkway. Freight yard/freight terminal/trans-shipment depot facilities are Conditional Uses in the M-1, Manufacturing district.

The proposal is for the existing multitenant industrial building approved by the Plan Commission December 13, 2016. Although tenants have not been specified in the submitted narrative, the Applicant does have a potential lease for at least one of the tenant spaces. However, to allow for flexibility, the Conditional Use Permit would apply to the entire property, allowing any or all of the tenants to operate a freight yard/freight terminal/trans-shipment depot facility.

Approved plans included a total of 28 loading docks on the west, with nine (9) striped parking stalls on the northwest corner and twenty (20) striped stalls across on the west across from the loading docks for semi-trailers. Parking for employees and visitors are in separate lots on the south (22 stalls) and east (113 stalls). Based on information provided in the submitted narrative, only twelve (12) loading docks were installed with the initial construction, although it is anticipated that additional docks will be added for future tenants. Up to 135 employees could potentially be onsite for any shift for anticipated 24/7 operations. Primary activities are estimated between 5:30 AM and midnight. Hours and days of operation will likely change based on tenant operational needs. It will be the responsibility of the landowner and/or their management company to ensure that adequate parking is provided for all tenants. Outdoor storage would be limited to parking of trucks and trailers in the docks and stalls on the west.

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No exterior or site modifications are being proposed as part of this request for a Conditional Use Permit.

Proposed plans included a total of 25 overhead dock doors on the south, seven (7) stalls on the southeast portion of the property, and 110 customer/employee parking stalls on the north. It is anticipated that approximately 75 employees will be onsite for one daytime shift, and operations are expected to be between 6:30 AM and 10:00 PM. Hours and days of operation will likely change based on tenant operational needs. It will be the responsibility of the landowner and/or their management company to ensure that adequate parking is provided for all tenants. Outdoor storage would be limited to parking of trucks and trailers in the docks and stalls on the south.

The Plan Commission reviewed this request during their June 23 & July 14, 2020 meetings. The request was recommended for approval subject to the attached Conditions and Restrictions.

**Options/Alternatives:** Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Conditional Use Permit.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



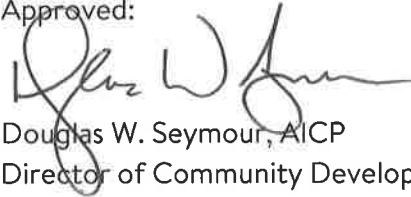
Kari Papelbon, CFM, AICP  
Planner

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Approved:



Douglas W. Seymour, AICP  
Director of Community Development

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Attachments:

Ord. 2979

Location Map

Hearing Notice

Plan Commission meeting minutes

Narrative dated May 26, 2020 (3 pages)

Site Plan, Sheet C-101 (1 page)

Floor Plan, Sheet A-101 (1 page)

Existing Site Photos (3 pages)

Conditions and Restrictions



ORDINANCE NO. 2979

By: \_\_\_\_\_

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR  
FREIGHT YARD / FREIGHT TERMINAL / TRANS-SHIPMENT DEPOT FACILITIES AT  
102 W. OAKVIEW PARKWAY

(5<sup>th</sup> Aldermanic District)

WHEREAS, ERIC OGDEN, OAK CREEK INDUSTRIAL, LLC, has applied for a Conditional Use Permit that would allow for Freight Yard / Freight Terminal / Trans-shipment Depot Facilities on the property at 102 W. Oakview Parkway; and

WHEREAS, the properties are more precisely described as follows:

CSM NO 9044, NE & NW 1/4 SEC 32-5-22, LOT 1.

WHEREAS, the Plan Commission has reviewed this proposal and has recommended that the Conditional Use be approved; and

WHEREAS, the Common Council held a public hearing on this matter on July 21, 2020, at which time all interested parties appeared and were heard; and

WHEREAS, the Plan Commission had recommended that the application for a Conditional Use be approved and authorized subject, however, to the imposition of certain conditions and restrictions upon the design, construction, location and operation of this Conditional Use, and which conditions and restrictions are incorporated by reference into the Conditional Use Permit; and

WHEREAS, following said public hearing and upon recommendation of approval of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the Conditional Use were approved and authorized for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Conditional Use.

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, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for Freight Yard / Freight Terminal / Trans-shipment Depot Facilities on the property at 102 W. Oakview Parkway, which shall include the aforementioned conditions and restrictions.

SECTION 2: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for Freight Yard / Freight Terminal / Trans-shipment Depot Facilities on the property at 102 W. Oakview Parkway.

SECTION 3: 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 4: 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 5: This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted this 21<sup>st</sup> day of July, 2020.

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

Approved this 21<sup>st</sup> day of July, 2020.

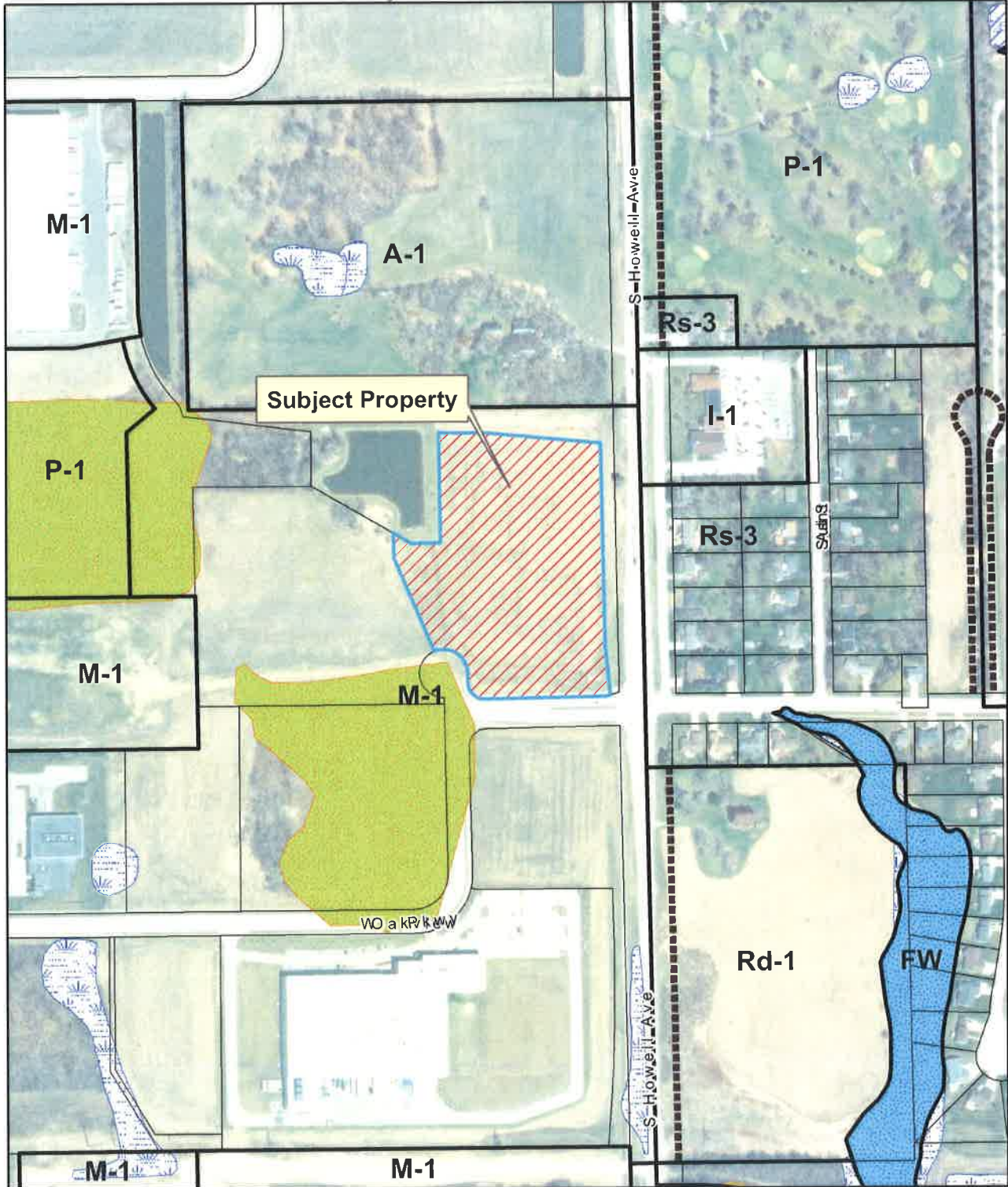
\_\_\_\_\_  
Mayor

ATTEST:

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

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

Location Map  
102 W Oakview Parkway








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



**OAKCREEK**  
— WISCONSIN —  
Department of Community Development



**Legend**

-  102 W Oakview Parkway
-  DNR Wetlands Inventory
-  Environmental Corridor
-  Floodway (2008)
-  Officially Mapped Streets

*TO BE PUBLISHED JULY 1 & 8, 2020*

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BEFORE THE OAK CREEK COMMON COUNCIL

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**PURPOSE:**

The purpose of this public hearing is to consider a request submitted by Eric Ogden, Oak Creek Industrial, LLC, for a Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities on the property located at 102 W. Oakview Parkway.

**Hearing Date:**

July 21, 2020

**Time:**

7:00 PM

**Place:**

Oak Creek Civic Center (City Hall)  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers and Zoom (see above)

**Applicant(s):**

Eric Ogden, Oak Creek Industrial, LLC

**Property Owner(s):**

Oak Creek Industrial, LLC

**Property Location(s):**

102 W. Oakview Parkway

**Tax Key(s):**

955-1040-000

**Legal Description:**

CSM NO 9044, NE & NW 1/4 SEC 32-5-22, LOT 1.

The Common Council has scheduled other public hearings for July 21, 2020 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

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Date of Notice: June 25, 2020

CITY OF OAK CREEK COMMON COUNCIL

By: Daniel J. Bukiewicz, Mayor

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**EXCERPTED MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, June 23, 2020**

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, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Alderman Guzikowski, was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Community Development Director; Laurie Miller, Zoning Administrator; and Mike Havey, Assistant Fire Chief. Kevin Koenig, IT Manager facilitated the video conference.

**CONDITIONAL USE PERMIT  
OAK CREEK INDUSTRIAL, LLC  
102 W. OAKVIEW PKWY  
TAX KEY NO. 955-1040-000**

Planner Papelbon provided an overview of the request for a Conditional Use Permit to for a freight yard/freight terminal/trans-shipment depot facility at 102 W. Oakview Pkwy. (see staff report for details).

Brian Randall, 111 E. Kilburn Ave, Milwaukee, WI, stated that that Applicant is trying to obtain tenants for this building, and have a potential tenant that may take over a third of the building and the Conditional Use will suit them. Mr. Randall mentioned that it is similar to the building at 610 W. Rawson Ave.

Commissioner Chandler asked if any future tenants would need to obtain a Conditional Use Permit if they are not doing this type of business.

Planner Papelbon responded that the M-1 district allows a wide variety of options that would be allowed as permitted uses, but if they were to request an indoor recreation facility, for example, then they would have to amend the Conditional Use Permit.

Commissioner Siefert asked what would be the daily truck traffic to the building.

Mr. Randall responded that the building is not fully occupied. He said there are currently twelve loading docks, which is less than what was proposed in 2016, and the overall number of truck trips will be dependent on the potential tenants. Mr. Randall mentioned that he had worked on the FedEx Freight building, and the extensive trucking business, and stated that this property is not designed to be at that level. Mr. Randall hopes that having the Conditional Use Permit will attract potential tenants.

Commissioner Siefert stated his concern about the traffic coming off from Elm Rd., onto Howell Ave., and going north and south.

Planner Papelbon stated that the preferred truck routes would be going north or south on Howell Avenue, and that route will be part of the Conditions and Restrictions if this Conditional Use is approved.

Commissioner Hanna asked about the type of tenant.

Mr. Randall stated that while this is an M-1 district, and it has a variety of Permitted Uses, the Conditional Use will cover the potential clients as this type of trucking business has been successful in this business park. Mr. Randall stated that this is a shell building, and they have been working with brokers to find the best tenant who can take advantage of the build-out. Often times, they are finding out that the potential tenant has a trucking component that includes a freight yard or freight terminal type. Mr. Randall stated they want to be sure that having Conditional Use Permit will be covered for any potential tenants and with the City. The Conditional Use Permit will also help accommodate the potential tenants that could have a piece of warehousing or a piece of manufacturing, and also include some delivery or transportation of some sort.

Commissioner Hanna stated her concern about a chemical company coming in and having some sort of storage and trucking. She asked if the M-1 district will cover this type of storage.

Planner Papelbon responded that the Applicant is not requesting any storage of inflammable liquids in excess of 5,000 gallons. Storage of inflammable liquids in excess of 5,000 gallons will require additional review and approval, especially by emergency services as the Fire Department has some restrictions. If there is a proposal, it will have to come back to Plan Commission for a Conditional Use Permit Amendment.

Commissioner Hanna asked to confirm that a public hearing will let the surrounding areas know.

Planner Papelbon confirmed that parcels within three hundred feet of the proposed use will be notified of the Plan Commission and the Common Council hearing.

Alderman Loreck moved that the Plan Commission recommends that the Common Council approves the Conditional Use Permit for freight yard/freight terminal/trans-shipment depot facilities on the property at 102 W. Oakview Pkwy, after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (July 14, 2020). Commissioner Hanna seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siepert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:21 p.m.

ATTEST:

  
\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

7-14-20  
\_\_\_\_\_  
Date



100 S. Wacker Drive, Suite 950  
Chicago, IL 60606



**Attachment to Plan Commission Application (Description of Project)  
for a Conditional Use Permit  
for a freight yard, freight terminal, and/or trans-shipment depot at  
102 West Oakview Parkway**

May 26, 2020

Oak Creek Industrial, LLC, HSA Commercial Real Estate's site ownership and development entity (collectively, "Applicant"), by their attorneys Davis | Kuelthau, s.c., submit this Attachment to this Plan Commission Application (Description of Project) in support of the Applicant's Plan Commission Application for a Conditional Use Permit for 102 West Oakview Parkway (the "Property"), where a light industrial, manufacturing or warehouse distribution building has been constructed within the OakView Business Park (the "Project").

**I. The History of the Development Site**

The Property is situated in the recently developed Oakview Business Park. The Property is located just east of Howell Avenue off of Oakview Parkway, and consists of approximately 8.747 acres.

The Plan Commission approved the Site and Building Plan application for this building on December 13, 2016, which was applied for by Jim Marriot, Marriot Oakview. A number of the key Plan Sheets from that application are filed with this submission.



HSA subsequently purchased the site in 2018 and is attempting to lease the space in the building to tenants.

## II. Applicant's Project

### A. Project Details

The Project has not materially changed since the Plan Commission approved it in late 2016, except that additional parking was added for employees and guests, and fewer dock doors were installed (although the construction allows for additional ones to be added up to the previously-approved total). *See* Site Plan (C-101), Floor Plan (A-101), and Photographs. The 132,000 square foot building was constructed out of 3 shades of gray precast concrete wall panels in contrasting but compatible colors on all sides of the building. Similarly, 1" thick insulated glass in clear, anodized aluminum frames were installed at various locations along all building elevations, with additional windows at pedestrian level per City staff's request.

### B. Request for Conditional Use Permit

HSA has found that there is significant demand in the area for modern, flexible light industrial, manufacturing or warehouse distribution space for one or more tenants with loading docks. Already constructed, the Project is compatible and complementary with the surrounding uses which are also zoned M-1 Manufacturing District (PUD). The permitted uses in the City's M-1 Manufacturing District are – by definition – compatible and HSA also requests in this application a Conditional Use Permit for its tenant(s) for a freight yard, freight terminal, and/or trans-shipment depot at the Property.

This Conditional Use Permit will allow for certain tenants that meet the definition of a freight yard, freight terminal, and/or trans-shipment depot to be granted occupancy in a streamlined manner provided that they qualify with the terms of this Conditional Use Permit request.

HSA acknowledges that any tenant that does not qualify under the terms of this Conditional Use Permit request or as a permitted use will still need to apply for a Conditional Use Permit.

### B. Terms of Conditional Use Permit

HSA requests a Conditional Use Permit for its tenant(s) for a freight yard, freight terminal, and/or trans-shipment depot at the Property pursuant to the following terms:

1. **Building Size:** 132,000 square feet
2. **Use:** A freight yard, freight terminal, and/or trans-shipment depot; Assembly, processing, manufacturing, storage, distribution, warehousing, delivery services, transportation and logistics, as well as ancillary office, professional and administrative uses consistent with the M-1 Manufacturing District.
3. **Number of Employees:** The number of full-time employees (full-time equivalents) based at the Property will not exceed 135 per shift.

4. **Hours of Operation:** The operations will include 24/7 operations, with primary activities between 5 am – 12 midnight, all of which are compatible with the surrounding uses which are also zoned M-1 Manufacturing District. Specific hours of operation will be based on tenant operational needs.
5. **Truck Parking:** The Property has approximately 12 loading docks (expandable to 30) located on the west side of the building, and 29 parking stalls for semi-trailers on the west (20) and northwest (9) of the building for direct access and maneuverability to the loading dock area. The building also has 4 drive-in doors for interior access to the building. The number of trucks and trailers parked on site will not exceed those for which there are parking stalls or loading dock spaces and area.
6. **Car Parking Stalls:** A total of 135 employee and visitor car parking stalls are located along the south and east sides of the building (22 on the south side, 113 on the east side).
7. **Outdoor Storage:** Despite the Conditional Use Permit including “freight yard” in the title of the ordinance, the only outdoor storage will be for truck parking, trailer parking, dumpsters, etc.
8. **Frequency of Deliveries:** The frequency of deliveries allowed under this Conditional Use Permit will not exceed 150 inbound and outbound truck trips.

V. **CONCLUSION**

In conclusion, HSA respectfully requests approval of the Conditional Use Permit so as to allow its tenant(s) to occupy the building provided the use is consistent with this Conditional Use Permit, any other permitted use, and/or other approval granted by the City.

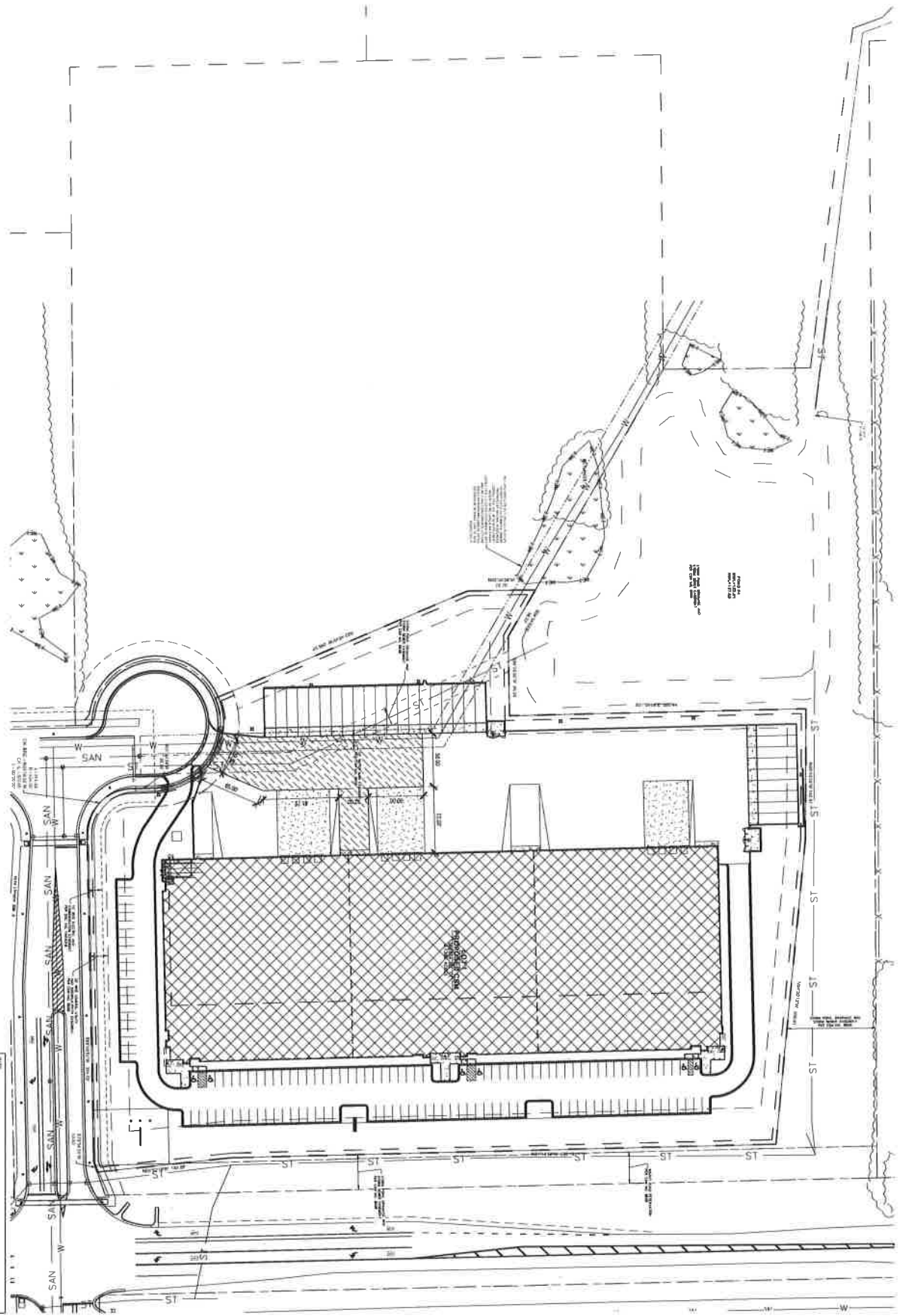
Respectfully submitted this 26th day of May, 2020.

DAVIS & KUELTHAU, S.C.  
Attorneys-in-Fact for Applicant



By: \_\_\_\_\_  
Brian C. Randall  
Ryan M. Spott

111 East Kilbourn Avenue, Suite 1400  
Milwaukee, WI 53202  
(414) 225-1484  
brandall@dkattorneys.com  
rspott@dkattorneys.com



SITE	
ZONING	M-1 MANUFACTURING DISTRICT
LOT SIZE	8.706 ACRES ± 388,844 SF
ORIGEN SPACE	87,104 SF / 200,664 SF ± 24.51%
BUILDING SETBACKS	30' ON S, 30' ON E, 30' ON W (PARKING)
PARKING SPACES	48 FRONT STREET 30' SIDE, 20' REAR
BUILDINGS	18 STANDING STALLS ± 18' PARKING SPACES
SF	124,187 SF

1 SITE PLAN 1" = 40'-0"



MSI GENERAL CORPORATION  
 P.O. BOX 7  
 GREENWOOD, WI 53128  
 PHONE: 262.336.2200  
 FAX: 262.336.2201

WWW.MSINGENRAL.COM  
 10/12/12 10:40 AM

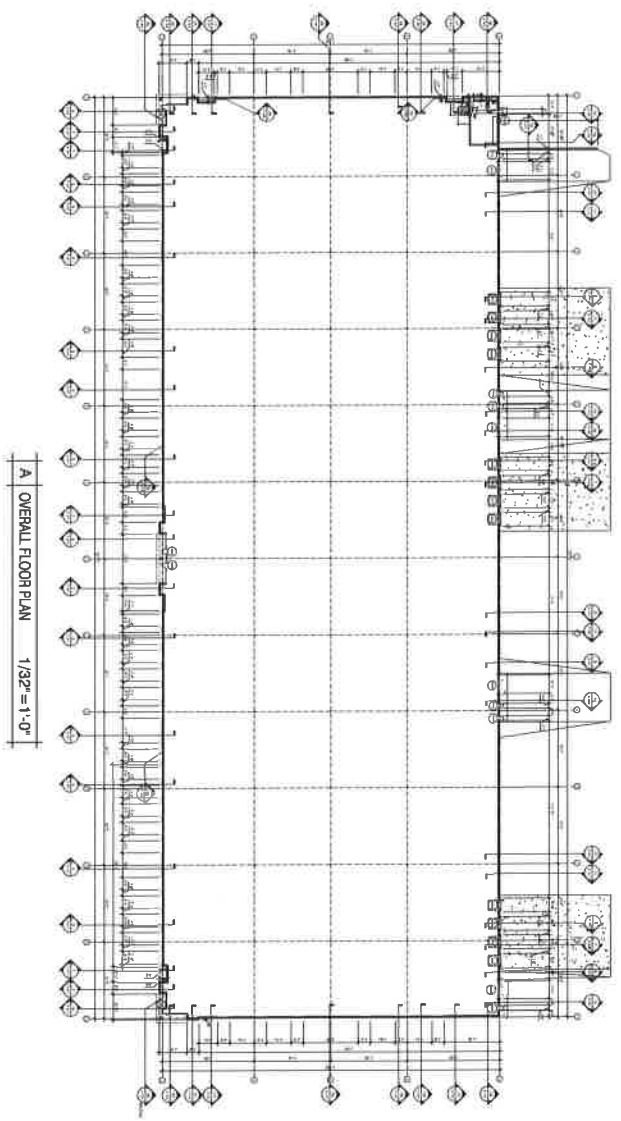
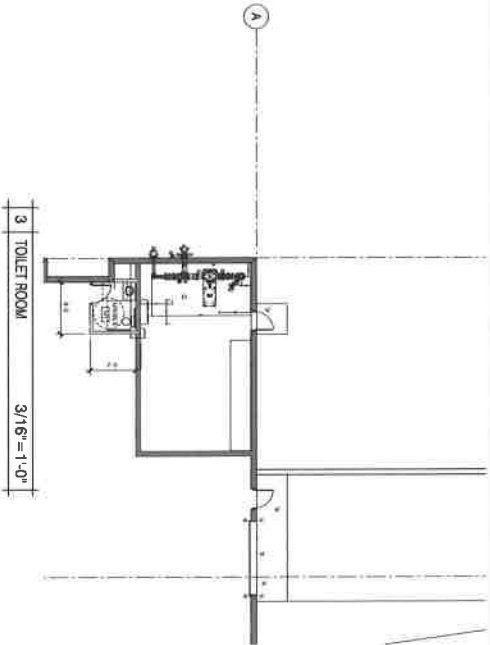
NO.	REVISIONS
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PROJECT ADDRESS:  
 Oak Creek Industrial, LLC  
 1421 W. Oakdale Parkway  
 Oak Creek, WI 53154

DATE: 10/12/12  
 DRAWN BY: J. J. JENSEN  
 CHECKED BY: J. J. JENSEN  
 APPROVED BY: J. J. JENSEN

MSI  
 SITE PLAN  
 C-101  
 P12817  
 10/12/12



OVERALL FLOOR PLAN 1/32" = 1'-0"



MSJ GENERAL CORPORATION  
P.O. BOX 7  
OKONGOMBA, ON. 01546  
FAC. 203.241.7668  
FAC. 203.241.7670

WWW.MSJGENERAL.COM  
PROJECT NUMBER: 1801000000120

DATE:	
BY:	
REVISION:	
NO.	
DESCRIPTION	



PROJECT ADDRESS:  
One Delta Industrial, LLC  
102 N. Oakview Parkway  
Oak Creek, WI 53154

MSJ GENERAL CORPORATION  
1801000000120  
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1801000000120

02  
OVERALL FLOOR PLAN  
A-101  
P12817  
P11728



100 S. Wacker Drive, Suite 950  
Chicago, IL 60606

## **SITE & BUILDING PHOTOS**

**for the Petition for Conditional Use at  
102 West Oakview Parkway  
Oak Creek, WI 53154**

**May 26, 2020**



Aerial View (South/East looking North/West)



Aerial View (West looking East)



Aerial View (North/East looking South/West)



Aerial View (North/East looking South/West)

**City of Oak Creek – Conditional Use Permit (CUP)  
Conditions and Restrictions**

**Applicant:** Oak Creek Industrial, LLC  
**Property Address:** 102 W. Oakview Parkway  
**Tax Key Number(s):** 955-1040-000  
**Conditional Use:** **Freight yard/freight terminal/trans-shipment depot facilities**

**Approved by Plan Commission: 7-14-20**  
**Approved by Common Council: TBD**  
(Ord. 2979)

**1. LEGAL DESCRIPTION**

Lot 1 of Certified Survey Map No. 9131, recorded on May 7, 2019 as Document No. 10868362, located in the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

**2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS**

A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.

B. A precise detailed site plan for the area affected by the Conditional Use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

**1) General Development Plan**

- a) Detailed building/structure location(s) with setbacks
- b) Square footage of all buildings/structures
- c) Area(s) for future expansion
- d) Area(s) to be paved
- e) Access drive(s) (width and location)
- f) Sidewalk location(s)
- g) Parking layout and traffic circulation
  - i) Location(s) and future expansion
  - ii) Number of employees
  - iii) Number of all parking spaces
  - iv) Dimensions
  - v) Setbacks
- h) Location(s) of loading berth(s)
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location(s) of outdoor display area(s)
- m) Location(s) of wetlands (field verified)
- n) Location(s) and details of sign(s)
- n) Location(s) and details of proposed fences/gates

**2) Landscape Plan**

- a) Screening plan, including parking lot / truck parking screening/berming
- b) Number, initial & mature sizes, and types of plantings
- c) Percentage open/green space

**3) Building Plan**

- a) Architectural elevations (w/dimensions)
- b) Building floor plans (w/dimensions)
- c) Materials of construction (including colors)

**4) Lighting Plan**

- a) Types & color of fixtures
- b) Mounting heights
- c) Types & color of poles
- d) Photometrics of proposed fixtures

**5) Grading, Drainage and Stormwater Management Plan**

- a) Contours (existing & proposed)
- b) Location(s) of storm sewer (existing and proposed)
- c) Location(s) of stormwater management structures and basins (if required)

**6) Fire Protection**

- a) Locations of existing & proposed fire hydrants
- b) Interior floor plan(s)
- c) Materials of construction
- d) Materials to be stored (interior & exterior)

C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building or occupancy permit.

D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for



approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.

- E. A landscaping plan must be submitted for review and approval by the Plan Commission prior to the issuance of a building or occupancy permit. Landscaping shall be installed in accordance with plans approved by the Plan Commission December 13, 2016 (last revised July 26, 2018), and all applicable Codes and policies.
- F. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- G. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

### 3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the M-1, Manufacturing zoning district, the OakView Business Park PUD, these Conditions and Restrictions, plans approved by the Plan Commission December 13, 2016 (final revision June 11, 2018), and all applicable sections of the Municipal Code (as amended).
- B. There shall be no parking or storage of vehicles, equipment, merchandise, parts, or supplies within designated public and employee parking areas. Outdoor storage shall be limited to the parking of trucks and trailers associated with the business, and shall be located in designated loading dock areas & striped stalls on the northwest and west portions of the property. There shall be no storage of unlicensed, non-operational vehicles, equipment, merchandise, parts, supplies, or any other materials.
- C. All parking areas shall be striped and landscaped in accordance with approved site plans and applicable Codes.
- D. No box/cabinet signs other than logos with accompanying channel letters in conformance with all applicable Code Sections shall be allowed on the building.
- E. Any change to the occupancy of the site or building shall conform to all Building, Fire, and Municipal Code requirements (as amended).
- F. Solid waste collection and recycling shall be the responsibility of the owner.
- G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

### 4. PARKING AND ACCESS

- A. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended), these Conditions and Restrictions (see Section 3 above), and plans approved by the Plan Commission December 13, 2016 (final revision June 11, 2018).
- B. Trucks utilizing this facility shall adhere to all posted traffic signs and regulations. Trucks entering and exiting this site shall not utilize West Oakwood Road west of its intersection with S. Oakview Parkway.

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code (as amended).

6. BUILDING AND PARKING SETBACKS\*

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure(s)	40 ft	20 ft	20 ft
Accessory Structure(s)*	40 ft	20 ft	20 ft
Off-street Parking	30 ft	5 ft	5 ft

*\*No accessory structures shall be permitted in the front yard nor shall any structures be permitted in required buffer yards. See plans approved by the Plan Commission December 13, 2016 (final revision June 11, 2018).*

7. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work in accordance with these Conditions and Restrictions within twelve (12) months from the date of adoption of the ordinance authorizing this Conditional Use Permit. This Conditional Use approval shall expire within twelve (12) months after the date of adoption of the ordinance if building or occupancy permits have not been issued for this use.

8. DURATION OF CONDITIONAL USE PERMIT

This Conditional Use Permit is limited in duration to ten (10) years from the date of issuance of the Conditional Use Permit. The owner may apply for an extension of this Conditional Use Permit. The process for extension of the Conditional Use Permit shall follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

9. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 10 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCACTION

Should an applicant, their heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving Conditional Use Permit as set forth in Section 17.1007 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

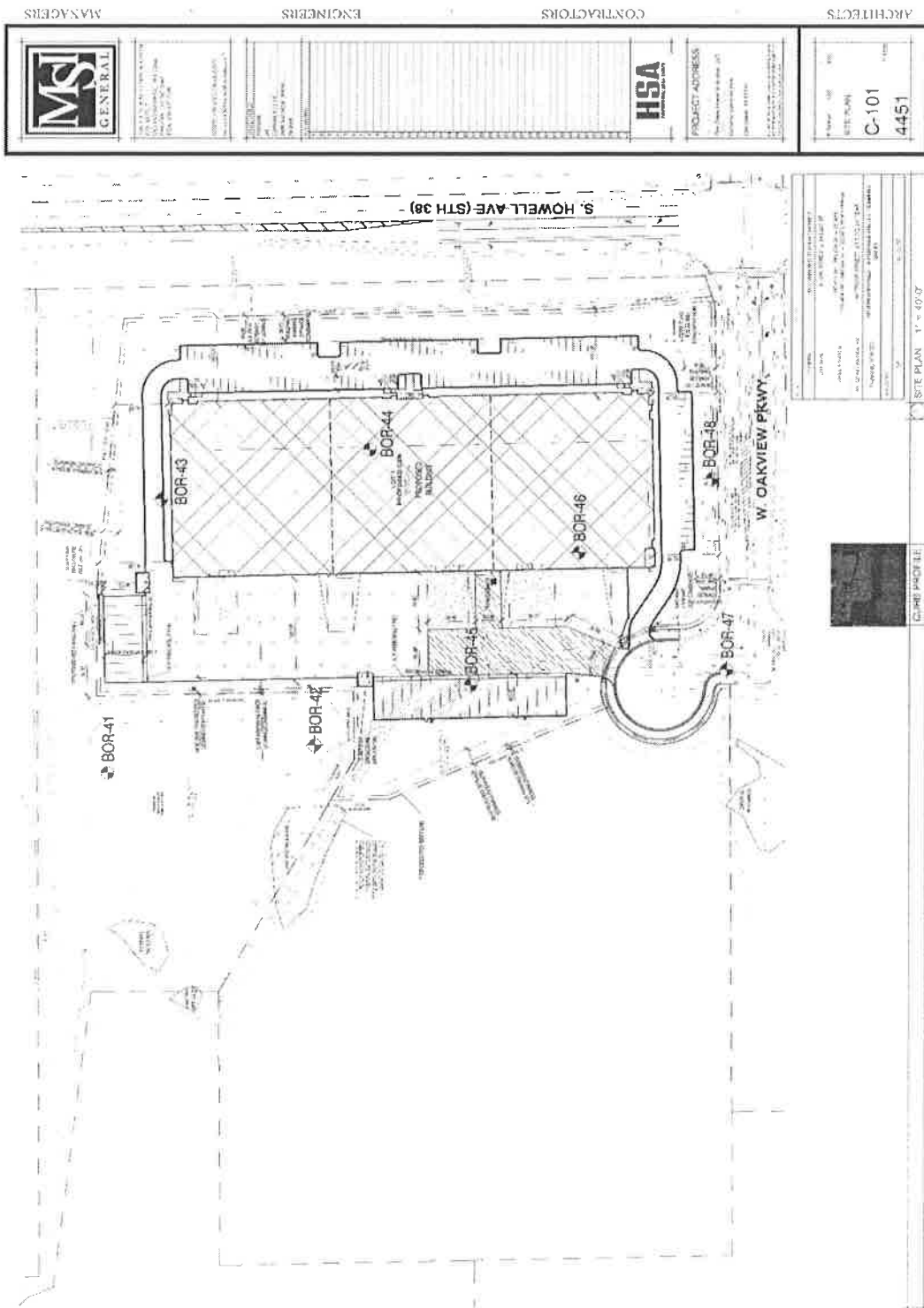
The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

\_\_\_\_\_  
Owner / Authorized Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)

**EXHIBIT A: SITE PLAN APPROVED DECEMBER 13, 2016 (FINAL REVISION JUNE 11, 2018)**



TO BE PUBLISHED JULY 1 & 8, 2020

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING  
BEFORE THE OAK CREEK COMMON COUNCIL

IMPORTANT NOTICE

This meeting will be held both in person and by video conference. Persons wishing to participate in the video conference, including applicants and their representatives, must register via <http://ocwi.org/register> prior to the meeting. The video conference will begin at 6:55 PM to allow participants to log in.

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Persons requiring other reasonable accommodations may contact the City at 414-766-7000. Requests should be made as far in advance as possible, preferably a minimum of 48 hours.

**PURPOSE:**

The purpose of this public hearing is to consider a request submitted by Doctors Brad and Brett Osgood, Brentwood Animal Hospital, for a Conditional Use Permit for an animal hospital with kennel and boarding facilities on the property located at 318 W. Ryan Rd.

- Hearing Date:** July 21, 2020
- Time:** 7:00 PM
- Place:** Oak Creek Civic Center (City Hall)  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers and Zoom (see above)
- Applicant(s):** Doctors Brad and Brett Osgood, Brentwood Animal Hospital
- Property Owner(s):** BAH Ventures, LLC
- Property Location(s):** 318 W. Ryan Rd.
- Tax Key(s):** 875-9994-001

**Legal Description:**

Part of the Southeast ¼ of the Southeast ¼ of Section 20, Township 5 North, Range 22 East, Commencing 986.73 ft of the Southeast corner of the Southeast ¼ Section; Thence North 390 ft, West 299.26 ft, South 390 ft, Thence East 299.30 ft back to the start. Excluding South 75 ft for State Access & also Excluding Additional South 5 ft converted to DOT in Doc. No. 10289799.

The Common Council has scheduled other public hearings for July 21, 2020 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: June 25, 2020  
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 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

## COMMON COUNCIL REPORT

**Item:** Conditional Use Permit - Animal Hospital with Kennel and Boarding Facilities - Brentwood Animal Hospital

**Recommendation:** That the Council adopts Ordinance 2980, an ordinance to approve a Conditional Use Permit for an Animal Hospital with Kennel and Boarding Facilities on the property at 318 W. Ryan Rd.

**Fiscal Impact:** Approval will allow for the construction of a new and expanded animal hospital facility on the property, with indoor kennel and boarding facilities and associated outdoor dog runs. Part of the property has had an animal hospital facility since the 1960s, and approval will allow for the entire parcel to continue such uses. The project will yield positive fiscal impacts in terms of assessed value, review fees, permit fees, and impact fees. This property is not currently 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 Applicants are requesting recommendation of Conditional Use approval for an animal hospital with kennel and boarding facilities on the property at 318 W. Ryan Rd. Animal hospitals are Conditional Uses in the B-4, Highway Business district.

Brentwood Animal Hospital is seeking a Conditional Use Permit in anticipation of constructing a new facility on their property in the location of the existing home (to be razed). Plan Commissioners will note that the property has a CCU, Conforming Conditional Use designation. Unfortunately, that CCU designation for the existing animal hospital and kennel did not extend to the whole property. Consequently, staff recommended that the Applicants submit the request prior to submission of site and building plans.

Per the submitted narrative, the new single-story with partial exposed basement facility will include all of the veterinary services, with storage and overflow boarding (if needed) located in the existing building. Staff will increase to seven (7) doctors from the current five (5), and associates will increase to 30 from the current 25. Hours of operation for the hospital will remain unchanged from existing operations, which are provided below:

Monday - Thursday 7:00 AM – 7:00 PM

Friday 7:00 AM – 6:00 PM

Saturday 8:00 AM – 1:00 PM.

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Minimum parking requirements for animal hospitals are calculated at three (3) patron parking spaces per doctor, plus one (1) space per peak shift employee. This would equate to 51 parking stalls. Conceptual plans show a total of 57 parking stalls would be provided onsite; therefore, it appears that the minimum parking requirement is exceeded.

While staff have no objections to the proposed Conditional Use, several requirements were included in the Conditions and Restrictions for consideration. These include, but are not limited to:

- Landscaping requirements for parking areas outside of all required easements.
- Stormwater Management / Green Infrastructure Requirements.
- Restrictions on outdoor storage.
- Outdoor kennel and dog run restrictions.

The Plan Commission reviewed this request during their June 23 & July 14, 2020 meetings. The request was recommended for approval subject to the attached Conditions and Restrictions.

**Options/Alternatives:** Council has the discretion to modify the proposed Conditions and Restrictions as part of the approval of the Conditional Use Permit.

---

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:

Ord. 2980

Location Map

Hearing Notice

Plan Commission meeting minutes

Narrative dated May 18, 2020 (1 page)

Conceptual Site Plan, Sheet C1.2 (1 page)

Conceptual Floor Plans, Sheets A1.0-A1.1 (2 pages)

Conceptual Building Elevations, Sheets A2.0-A2.1 (2 pages)

Conditions and Restrictions



ORDINANCE NO. 2980

By: \_\_\_\_\_

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR  
AN ANIMAL HOSPITAL WITH KENNEL AND BOARDING FACILITIES  
AT 318 W. RYAN ROAD

(5<sup>th</sup> Aldermanic District)

WHEREAS, DRS. BRAD AND BRETT OSGOOD, BRENTWOOD ANIMAL HOSPITAL, have applied for a Conditional Use Permit that would allow for an Animal Hospital with Kennel and Boarding Facilities on the property at 318 W. Ryan Rd.; and

WHEREAS, the properties are more precisely described as follows:

Part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 20, Township 5 North, Range 22 East, Commencing 986.73 ft of the Southeast corner of the Southeast  $\frac{1}{4}$  Section; Thence North 390 ft, West 299.26 ft, South 390 ft, Thence East 299.30 ft back to the start. Excluding South 75 ft for State Access & also Excluding Additional South 5 ft converted to DOT in Doc. No. 10289799.

WHEREAS, the Plan Commission has reviewed this proposal and has recommended that the Conditional Use be approved; and

WHEREAS, the Common Council held a public hearing on this matter on July 21, 2020, at which time all interested parties appeared and were heard; and

WHEREAS, the Plan Commission had recommended that the application for a Conditional Use be approved and authorized subject, however, to the imposition of certain conditions and restrictions upon the design, construction, location and operation of this Conditional Use, and which conditions and restrictions are incorporated by reference into the Conditional Use Permit; and

WHEREAS, following said public hearing and upon recommendation of approval of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the Conditional Use were approved and authorized for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Conditional Use.

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, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for Animal Hospital with Kennel and Boarding Facilities on the property at 318 W. Ryan Rd., which shall include the aforementioned conditions and restrictions.

SECTION 2: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for

an Animal Hospital with Kennel and Boarding Facilities on the property at 318 W. Ryan Rd.

SECTION 3: 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 4: 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 5: This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted this 21<sup>st</sup> day of July, 2020.

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

Approved this 21<sup>st</sup> day of July, 2020.

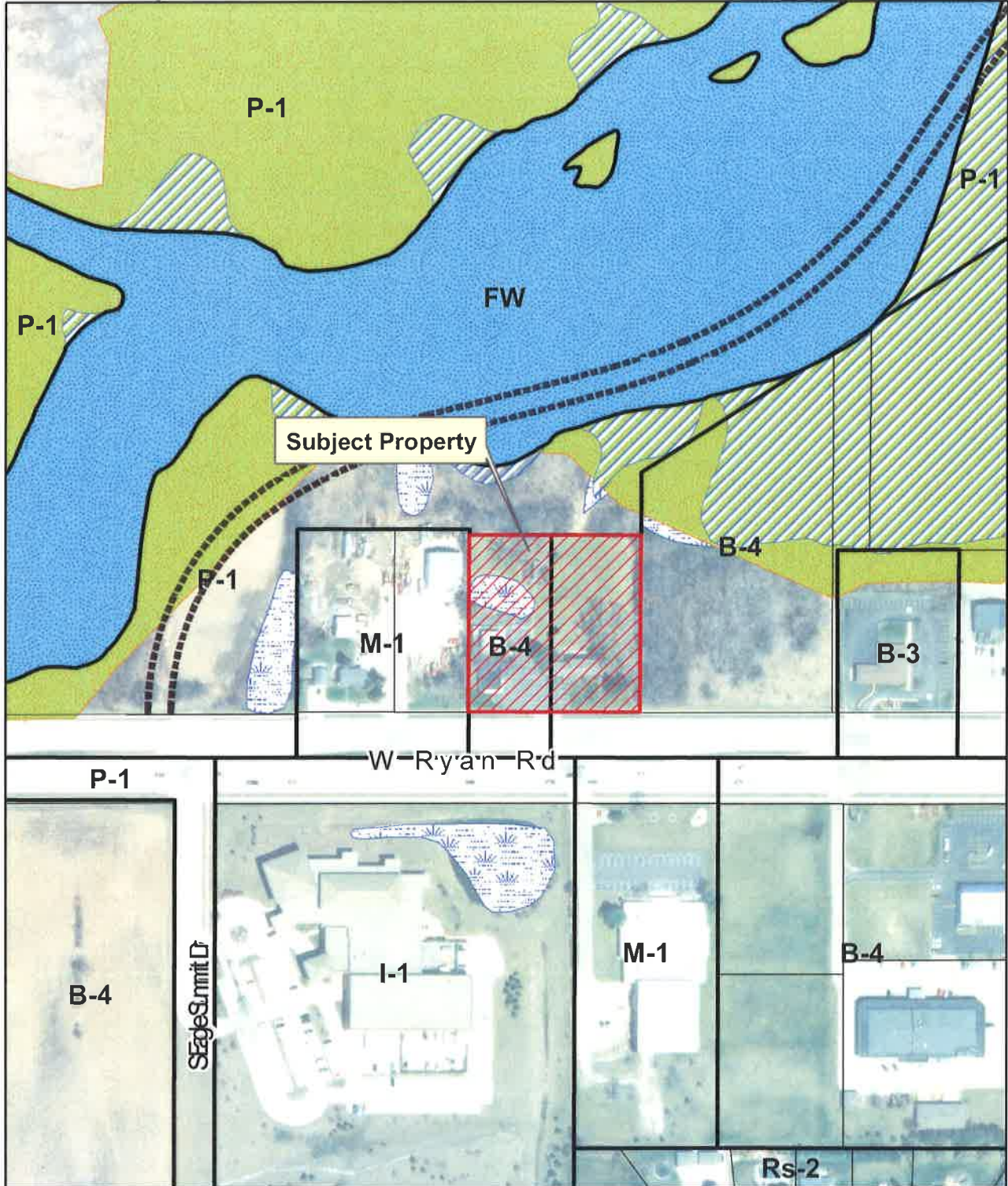
\_\_\_\_\_  
Mayor

ATTEST:

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

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

Location Map  
318 W. Ryan Rd



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



Legend			
	318 W. Ryan Rd		Officially Mapped Streets
	Floodway (2008)		Environmental Corridor
	Flood Plain (2008)		DNR Wetlands Inventory

TO BE PUBLISHED JULY 1 & 8, 2020

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING  
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**PURPOSE:**

The purpose of this public hearing is to consider a request submitted by Doctors Brad and Brett Osgood, Brentwood Animal Hospital, for a Conditional Use Permit for an animal hospital with kennel and boarding facilities on the property located at 318 W. Ryan Rd.

**Hearing Date:**

July 21, 2020

**Time:**

7:00 PM

**Place:**

Oak Creek Civic Center (City Hall)  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers and Zoom (see above)

**Applicant(s):**

Doctors Brad and Brett Osgood, Brentwood Animal Hospital

**Property Owner(s):**

BAH Ventures, LLC

**Property Location(s):**

318 W. Ryan Rd.

**Tax Key(s):**

875-9994-001

**Legal Description:**

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Date of Notice: June 25, 2020

CITY OF OAK CREEK COMMON COUNCIL

By: Daniel J. Bukiewicz, Mayor

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**EXCERPTED MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, June 23, 2020**

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, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Alderman Guzikowski, was excused. Also present: Kari Papelbon, Planner; Doug Seymour, Community Development Director; Laurie Miller, Zoning Administrator; and Mike Havey, Assistant Fire Chief. Kevin Koenig, IT Manager facilitated the video conference.

**CONDITIONAL USE PERMIT  
BRENTWOOD ANIMAL HOSPITAL  
318 W. RYAN RD  
TAX KEY NO. 875-9994-001**

Planner Papelbon provided an overview of the Conditional Use Permit request for an animal hospital with kennel and boarding facilities at 318 W. Ryan Rd. (see staff report for details).

Brad Egan, Owner's representative, 6011 Artist Bay, West Bend, WI, stated that he hopes to get this approved.

Dr. Brad Osgood, Applicant, stated that he supports what Mr. Egan said. He would like to get the plans approved so that they can grow their business and improve the animal care in the City of Oak Creek.

Commissioner Carrillo asked about the residence to the west of the property.

Planner Papelbon responded that there is a residence in the M-1 district. She also disclosed that Brentwood Animal Hospital is her veterinary clinic.

Alderman Loreck stated that his dogs are seen there, and it is a great Oak Creek veterinary clinic. He is glad to see that they are expanding.

Commissioner Siefert questioned whether the wetland to the north of the expansion will interfere with the project.

Mr. Egan responded that they have a civil engineer working on stormwater management and will be handling the wetland conditions.

Commissioner Chandler stated that she had utilized the animal hospital last year. She would like to have more information on what the space will include in the expansion.

Dr. Brad Osgood responded that the main purpose is to expand is the hospital space. With the growing community and the pet population, additional exam rooms are needed. They currently have five exam rooms with five doctors, and it makes it difficult with having a one-to-one ratio. The building was first built in the 1960s as a one-to-two veterinary practice, and expanded in 1993 and now are limited on space. Dr. Osgood stated that the option now is to rebuild on this property with updated facility and to satisfy the growing community. The new facility will also include luxury indoor boarding to meet the increased demand for this type of boarding.

Mayor Bukiewicz stated that he is thrilled to see that they are expanding and staying in Oak Creek as they have been an asset to the community.

Commission Siefert moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for an animal hospital with kennel and boarding facilities on the property at 318 W. Ryan Rd. after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (July 14, 2020). Alderman Loreck seconded. On roll call: all voted aye. Motion carried.

Commissioner Carrillo moved to adjourn the meeting. Commissioner Siefert seconded. On roll call: all voted aye. Motion carried. The meeting was adjourned at 7:21 p.m.

ATTEST:

  
\_\_\_\_\_  
Douglas Seymour, Plan Commission Secretary

7-14-20 \_\_\_\_\_  
Date



**Keller**

Planners | Architects | Builders  
*With Offices in the Fox Cities, Madison,  
Milwaukee & Warsaw*

May 18, 2020

City of Oak Creek  
ATTN: Planning

**RE:** Brentwood Animal Hospital  
318 W. Ryan Road  
Oak Creek, WI 53154

Dear City of Oak Creek,

Brentwood Animal Hospital is an existing veterinarian clinic in Oak Creek since 1967. In 1971 a new clinic / boarding facility was built on the lot and the business has been a part of Oak Creek ever since. The original Vet's two sons now run the practice and are pursuing a new and larger facility to meet the growing demand for services. Once the new facility is occupied, the existing building will remain for storage and over-flow boarding if required.

Currently they have 5 Doctors and 25 associates. The practice will expand at the new facility adding 2 doctors and 5 more associates. The practice operates Monday through Thursday from 7:00 to 7:00, Friday from 7:00 to 6:00 and Saturday from 8:00 to 1:00.

To achieve the proposed development we are applying for:

1. Conditional Use Permit for Pet Boarding in B-4 Zoning

After Conditional Use we will be applying for:

2. Site Plan Review
3. Architectural Review

Keller, Inc & Brentwood Animal Hospital intend to be heard before the June 23<sup>rd</sup> Meeting.

If any of the Plan Commission members, city planning department members, or the general public have any questions regarding the business, new structure, or site layout please feel free to contact Keller, Inc. at any time. Site visits and tours will also be granted at the time of the request. Thank you all for your consideration of this project.

**Thank you,  
Brad Egan, AIA  
Keller**

**ADDRESS**

W204 N11509 Goldendale Road  
Germantown, WI 53022

**PHONE**

262.250.9710 1.800.236.2534

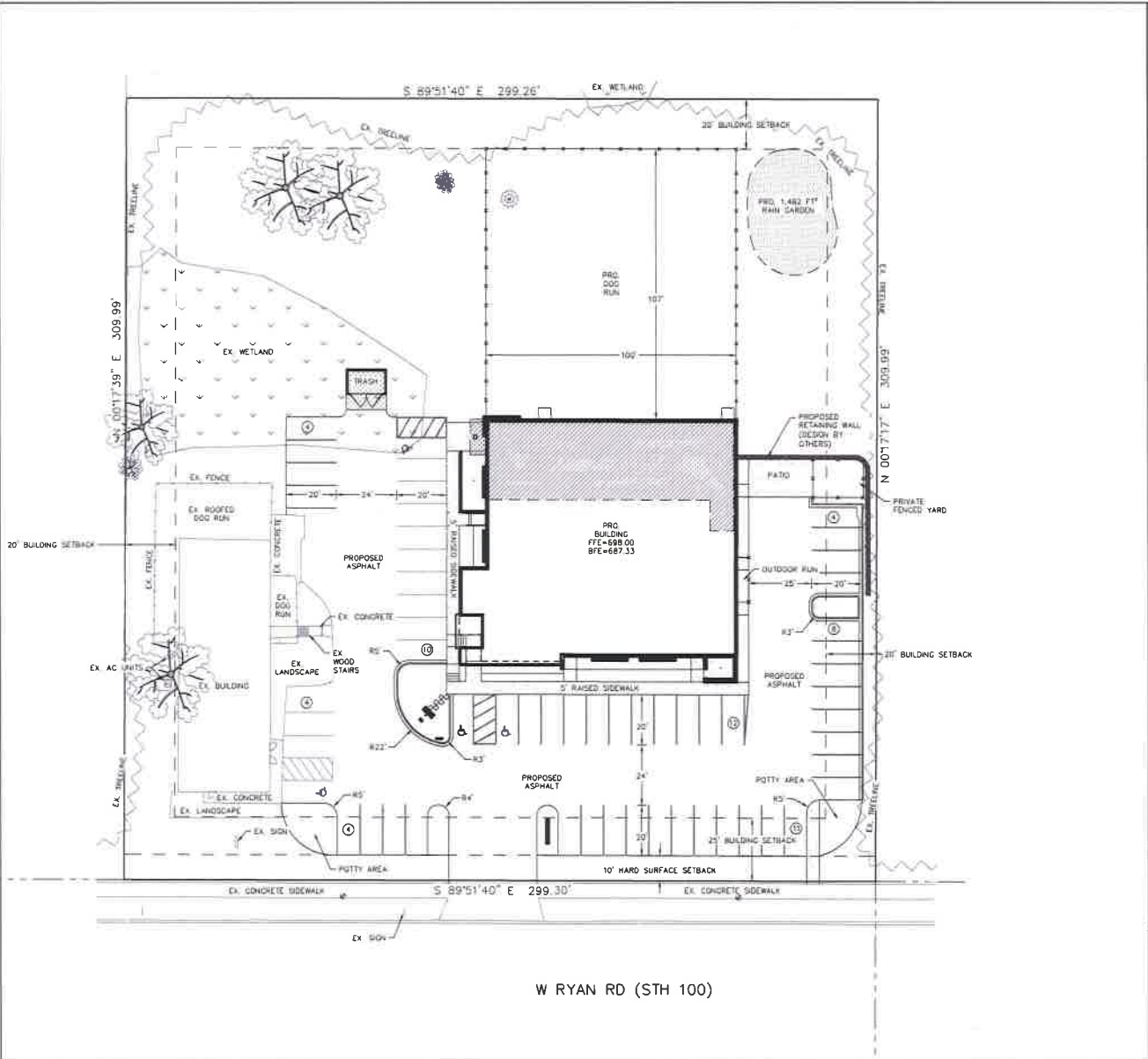
**FAX**

262.250.9740

**WEB SITE**

[www.kellerbuilds.com](http://www.kellerbuilds.com)





W RYAN RD (STH 100)



**SITE INFORMATION BLOCK**

Site Address: 318 W RYAN ST  
 Site acreage (total): 3.338 ACRES  
 Existing Improvements Area: 20,352.50 SF (0.467 ACRES)

Current Zoning: B-4  
 Setbacks Building/Pavement:  
 Front: 20'  
 Side: 20'  
 Rear: 25'

Number of Parking stalls required: 37  
 Number of Parking stalls provided:

Category	Stalls
Cars	53
Accessible	4
Total provided	57

- SITE PLAN NOTES:**
1. DIMENSIONS ARE TO FACE OF CURB AND FACE OF BUILDING UNLESS OTHERWISE NOTED
  2. WHERE CURB CHGS AT CONNECTIONS SMOOTHLY TRANSITION FROM FULL CURB HEIGHT TO ZERO CURB HEIGHT WITHIN A 3' LENGTH. ALL STRIPING AND SIGNAGE SHALL COMPLY WITH THE WISCONSIN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
  - 3.

**PAVING LEGEND**

- CONCRETE SIDEWALK
- 4" CRUSHED AGGREGATE BASE COURSE
- 4" CONCRETE
- TRASH CONCRETE
- 6" CRUSHED AGGREGATE BASE COURSE
- 4" CONCRETE
- 3" LIGHT DUTY ASPHALT PAVEMENT (ALL OTHER PAVED SURFACES)
- 1 3/4" ASPHALT SURFACE (SLTSB-285)
- 1" ASPHALT BINDER (ALTSB-285)
- 10" - 1 1/2" CRUSHED STONE BASE

**BRENTWOOD ANIMAL HOSPITAL**  
 PROPOSED SITE PLAN

**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants  
 122 Wisconsin Street, West Bend, Wisconsin 53095  
 Phone (262) 338-6641 www.quamengineering.com

**Keller**  
 PLANNERS ARCHITECTS ENGINEERS

DESIGNER: J.L.W.  
 CHECKED: J.L.W.  
 DATE: 01.17.2020

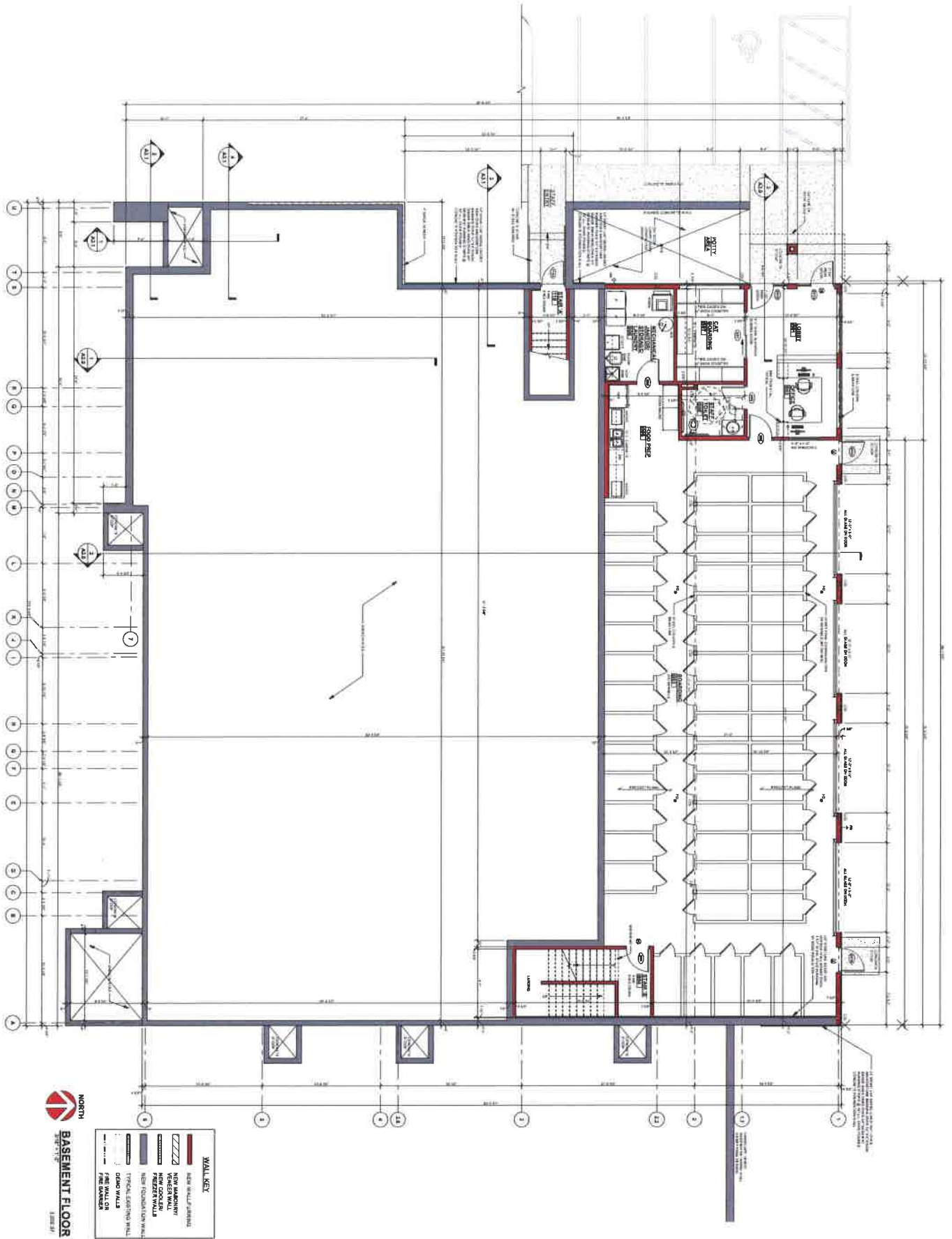
**PROPOSED FOR:**  
**BRENTWOOD ANIMAL**  
 WISCONSIN  
 CITY OF OAK CREEK

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**REVISIONS**

NO.	DESCRIPTION

**PROJECT MANAGER:** B. EGAN  
**DESIGNER:** J.L.W.  
**DRAWN BY:** J.L.W.  
**EXPIRED:** —  
**SUPERVISOR:** —  
**PRELIMINARY NO.:** P19127  
**CONTRACT NO.:** —  
**DATE:** 01.17.2020  
**SHEET:** C1.2



**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS	DATE	BY
1. 12.26.2018 JCH		
2. 10.09.2018 JCH		
3. 09.20.2018 JCH		
4. 08.20.2018 JCH		
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PROPOSED NEW FACILITY FOR:

# BRENTWOOD ANIMAL HOSPITAL

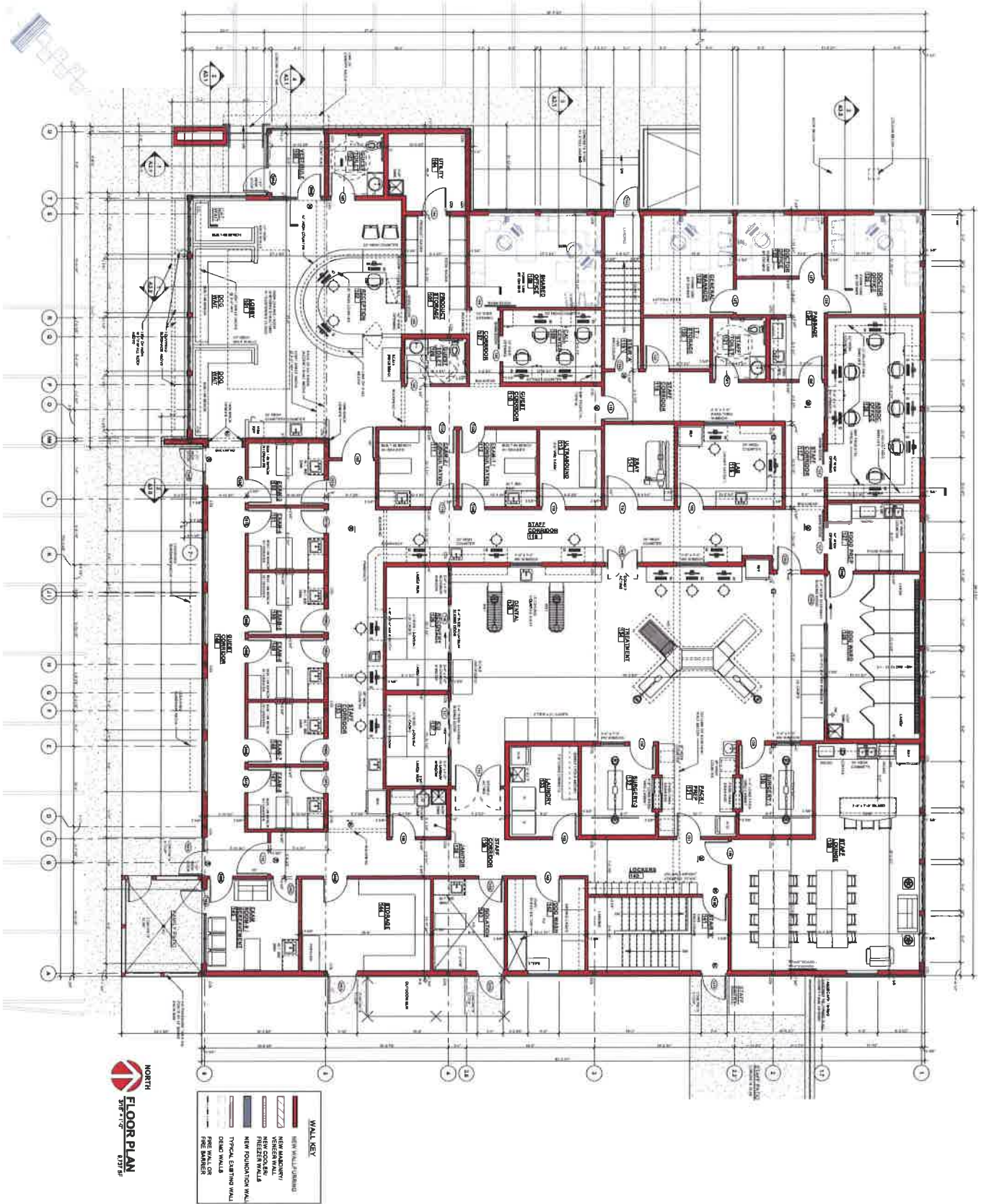
OAK CREEK, WISCONSIN



**Keller**  
 PLANNING • ARCHITECTURE • INTERIORS

1000 WEST WISCONSIN AVENUE  
 SUITE 200  
 MILWAUKEE, WI 53233  
 TEL: 414.224.1100  
 FAX: 414.224.1101  
 WWW.KELLERARCH.COM

PROJECT MANAGER: B. EDWARDS  
 ARCHITECT: J. KELLER  
 INTERIOR ARCHITECT: J. KELLER  
 PLANNING: J. KELLER  
 DESIGN: J. KELLER  
 RENDERING: J. KELLER  
 DATE: 07.19.2018  
 SHEET: A1.0



NORTH  
**FLOOR PLAN**  
 SHEET 11-2  
 8/17/18

**WALL KEY**

- NEW WALL/DASHED
- NEW MASONRY
- NEW CONCRETE
- REINFORCED WALL
- NEW FOUNDATION WALL
- DEMO WALLS
- FIRE WALLS
- FIRE BARRIERS

**PRELIMINARY - NOT FOR CONSTRUCTION**

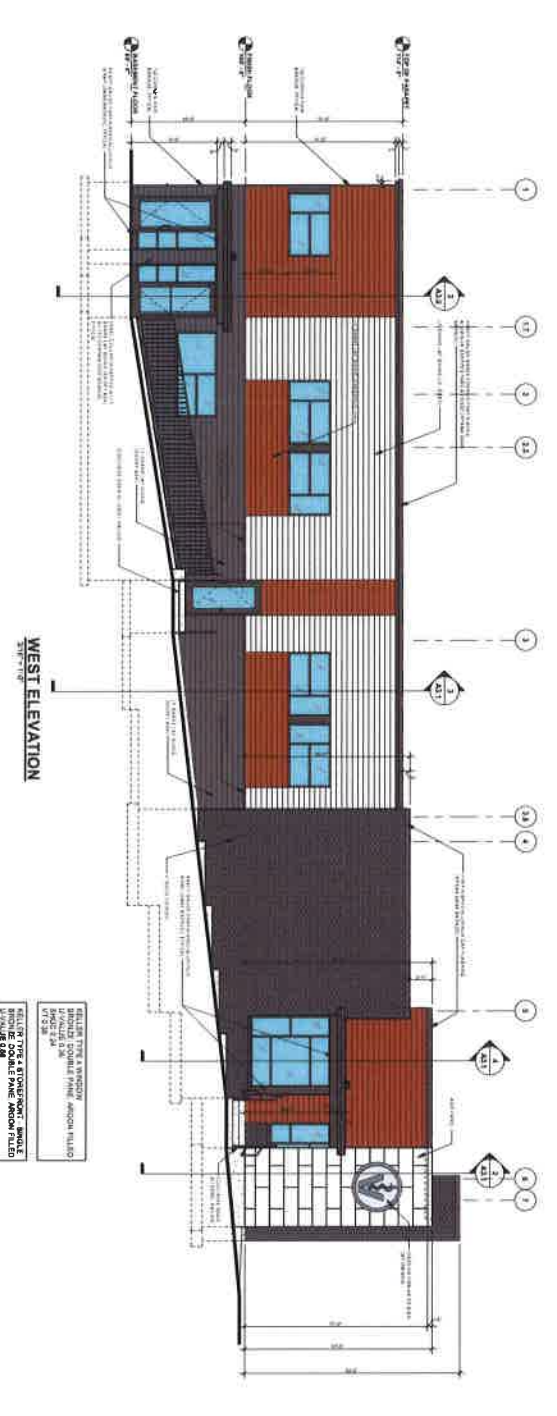
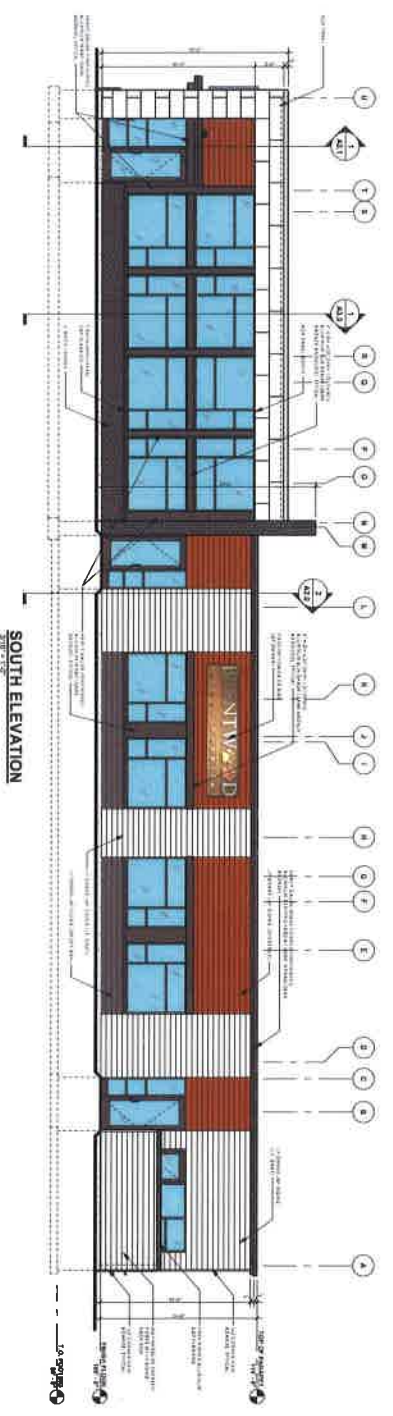
DATE:	07/19/2018		
SHEET:	<b>A1.1</b>		
CONTRACT NO.:	P19198		
PRELIMINARY NO.:			
SUPERVISOR:	ACM		
EXPECITION:			
DESIGNER:	C MANSIE		
PROJECT MANAGER:	B EGAN		
REVISIONS:			
REV. NO.	DATE	BY	DESCRIPTION
01	08/28/2018	ACM	
02	10/02/2018	ACM	
03	10/30/2020	ACM	

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PROPOSED NEW FACILITY FOR:  
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 OAK CREEK, WISCONSIN

**Keller**  
 PLANNING | ARCHITECTURE | INTERIORS

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 WWW.KELLERARCH.COM



BENTWOOD ANIMAL HOSPITAL  
 1000 W. WISCONSIN ST.  
 OAK CREEK, WI 53150  
 BRENTWOOD ANIMAL HOSPITAL  
 1000 W. WISCONSIN ST.  
 OAK CREEK, WI 53150

**PRELIMINARY - NOT FOR CONSTRUCTION**

DATE: 07-18-2018  
 SHEET: **A2.0**

PROJECT MANAGERS: B. EGAN  
 DESIGNER: C. MANSKE  
 CHAIRMAN: B.V.  
 EXPEDITION: ACM  
 SUPERVISOR:  
 PRELIMINARY NO. P19198  
 CONTRACT NO.:

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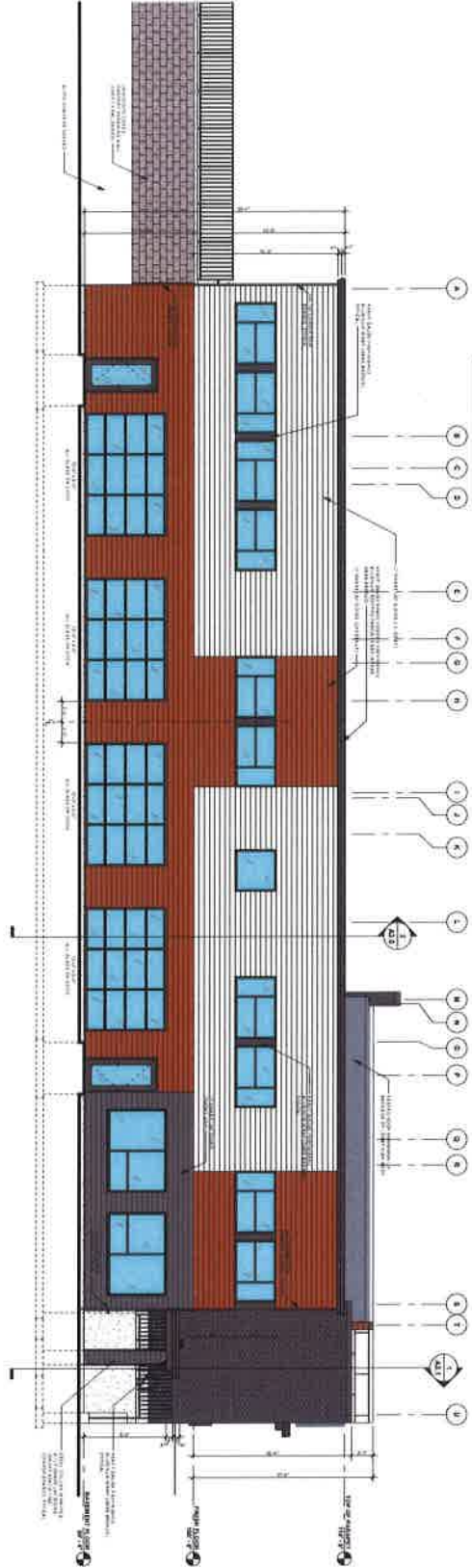
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**BRENTWOOD ANIMAL HOSPITAL**  
 OAK CREEK, WISCONSIN

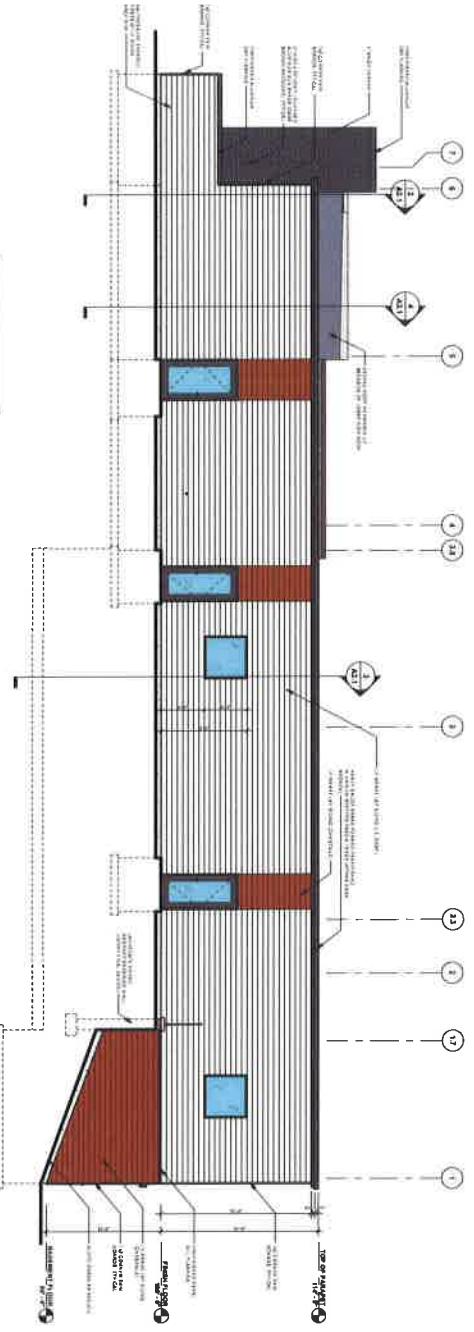
**Keller**  
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 OAK CREEK, WI 53150  
 TEL: 262.241.1000  
 FAX: 262.241.1001  
 WWW.KELLERINC.COM

PROJECT: BRENTWOOD ANIMAL HOSPITAL  
 SHEET: A2.0  
 DATE: 07-18-2018



**NORTH ELEVATION**



**EAST ELEVATION**


**PRELIMINARY - NOT FOR CONSTRUCTION**

REVISIONS	DATE	BY	DESCRIPTION
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PROPOSED NEW FACILITY FOR:

**BRENTWOOD ANIMAL HOSPITAL**

OAK CREEK, WISCONSIN



**Keller**  
 PROJECT ARCHITECTURAL SERVICES  
 1200 W. WISCONSIN AVENUE  
 SUITE 200  
 MILWAUKEE, WI 53233  
 TEL: 414.224.1111  
 FAX: 414.224.1112  
 WWW.KELLERARCHITECTS.COM  
 PROJECT NO. 18-001  
 SHEET NO. A2.1  
 DATE: 07.15.2018  
 DRAWN BY: JAC  
 CHECKED BY: JAC  
 PROJECT MANAGER: B. EGM  
 DESIGNER: C. MANSKE  
 SUPERVISOR: JAC  
 PRELIMINARY NO. P19198  
 CONTRACT NO. 18-001  
 DATE: 07.15.2018  
 SHEET: A2.1

**City of Oak Creek – Conditional Use Permit (CUP)  
Conditions and Restrictions**

**Applicant:** Drs. Osgood, Brentwood Animal Hospital  
**Property Address:** 318 W. Ryan Rd.  
**Tax Key Number:** 878-9000-001  
**Conditional Use:** **Animal hospital with kennel and  
boarding facilities**

**Approved by Plan Commission:** 7-14-20  
**Approved by Common Council:** TBD  
(Ord. 2980)

**1. LEGAL DESCRIPTION**

Part of the Southeast ¼ of the Southeast ¼ of Section 20, Township 5 North, Range 22 East, Commencing 986.73 ft of the Southeast corner of the Southeast ¼ Section; Thence North 390 ft, West 299.26 ft, South 390 ft, Thence East 299.30 ft back to the start. Excluding South 75 ft for State Access & also Excluding Additional South 5 ft converted to DOT in Doc. No. 10289799.

**2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS**

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. A precise detailed site plan for the area affected by the Conditional Use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

**1. General Development Plan**

- a. Detailed building/structure location(s) with setbacks
- b. Square footage of all buildings/structures
- c. Area(s) for future expansion
- d. Area(s) to be paved
- e. Access drive(s) (width and location)
- f. Sidewalk location(s)
- g. Parking layout and traffic circulation
  - i. Location(s) and future expansion
  - ii. Number of employees and/or patrons
  - iii. Number of parking spaces
  - iv. Dimensions
  - v. Setbacks
- h. Location(s) of loading berth(s)
  - i. Sanitary sewer (existing & proposed)
  - j. Water (existing & proposed)
  - k. Storm sewer (existing & proposed)
- l. Wetland boundaries (field verified)
- m. Flood hazard area boundaries
- n. Location(s) & details of sign(s)
- o. Location(s) & details of proposed fences/gates/walls

**2. Landscape Plan**

- a. Screening plan, including parking lot & utilities screening/berming
- b. Planting number, sizes, types, & details
- c. Percentage open/green space

**3. Building Plan**

- a. Architectural elevations (w/dimensions)
- b. Building floor plans
- c. Construction materials, colors, percentages

**4. Lighting Plan**

- a. Types & color of fixtures, shields
- b. Mounting heights
- c. Type, height, and color of poles
- d. Photometrics of proposed fixtures

**5. Grading, Drainage, & Stormwater Management Plan**

- a. Contours (existing & proposed)
- b. Storm sewer (existing and proposed)
- c. Stormwater management structures and basins/green infrastructure (if required)

**6. Fire Protection**

- a. Locations of existing & proposed fire hydrants
- b. Interior floor plan(s)
- c. Materials of construction

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. One (1) animal hospital with indoor kennel and boarding facilities and outdoor dog runs in accordance with these Conditions and Restrictions is allowed on the property.
- B. The facility is permitted to operate 24 hours per day, 7 days per week. The use of the outdoor dog runs shall be limited to between 6:30 AM and 8:00 PM.
- C. Animals must be kept on a leash when outside of the building unless the outdoor areas are completely fenced.
- D. There shall be no outdoor storage of materials, equipment, or supplies.
- E. There shall be no onsite cremations.
- F. Solid waste collection and recycling shall be the responsibility of the owner.
- G. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. Parking for this development shall be provided in accordance with Sections 17.0403 & 17.0404 of the Municipal Code (as amended).
- B. Landscaping shall be provided for all parking areas in accordance with Sections 17.0403(g),(h) and 17.1010 (as amended).

5. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code (as amended).

6. SETBACKS\*

	Front and Street Setback	Rear (North) Setback	Side Setback
Principal Structure	25 ft	25 ft	15 ft
Accessory Structure*	25 ft	5 ft	5 ft
Parking	10 ft	5 ft	5 ft

\*No accessory structures shall be permitted in the front yard or in required buffer yards.

7. TIME OF COMPLIANCE

The operator of the Conditional Use shall commence work in accordance with these conditions and restrictions for the Conditional Use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a Conditional Use Permit. This Conditional Use approval shall expire within twelve (12) months after the date of adoption of the ordinance if a building permit has not been issued for this use. The applicant shall re-apply for a Conditional Use approval prior to recommencing work or construction.

8. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated or referenced, is mandatory.

9. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 9 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other city ordinances.

10. REVOCAION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

\_\_\_\_\_  
Owner / Authorized Representative Signature

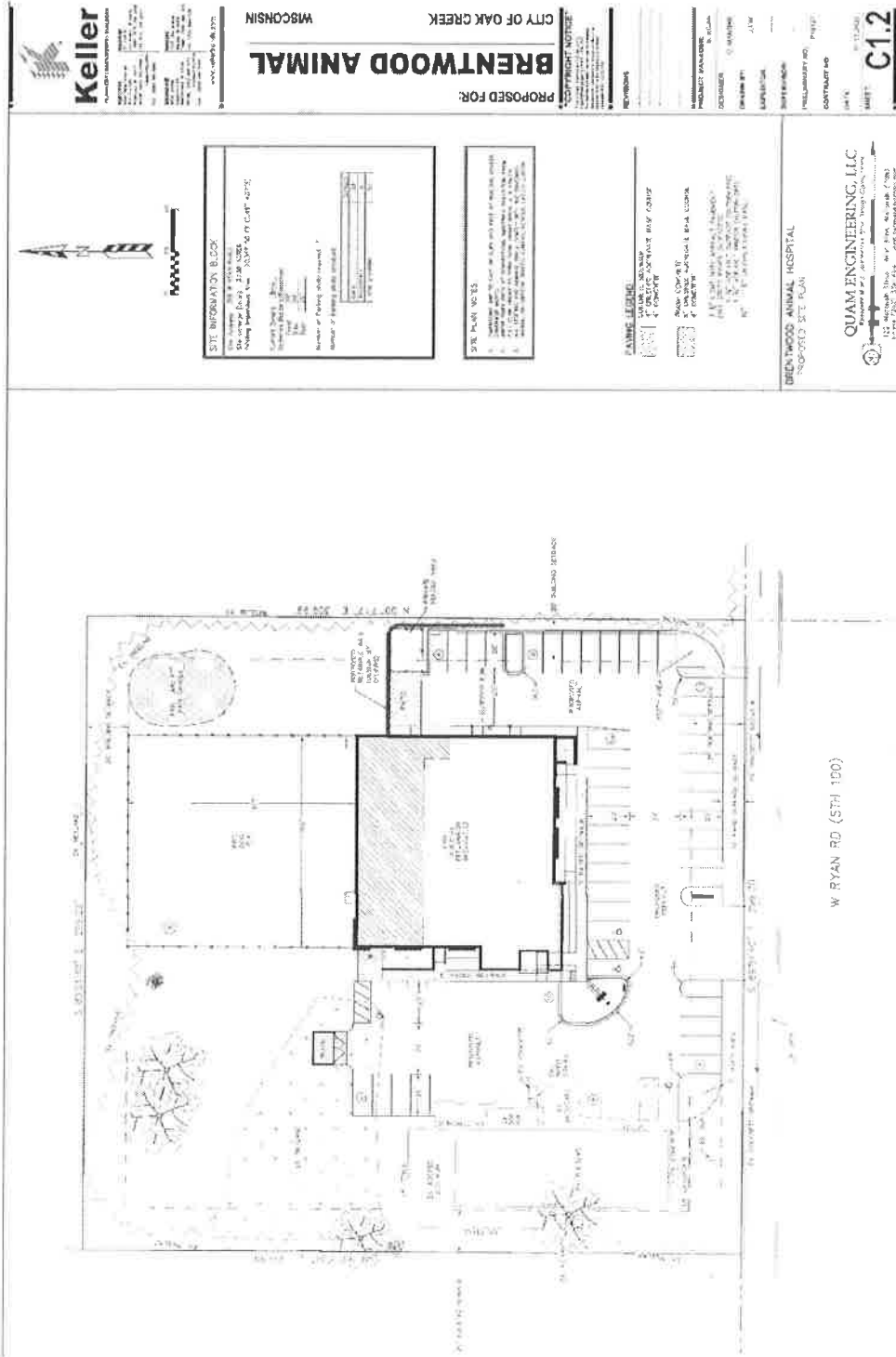
\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)



**EXHIBIT A: CONCEPT SITE PLAN**

(For illustrative purposes only. Detailed plans in accordance with these conditions and restrictions and the City of Oak Creek Municipal Code must be approved by the Plan Commission.)



**EXHIBIT A: ENLARGED CONCEPTUAL SITE PLAN**

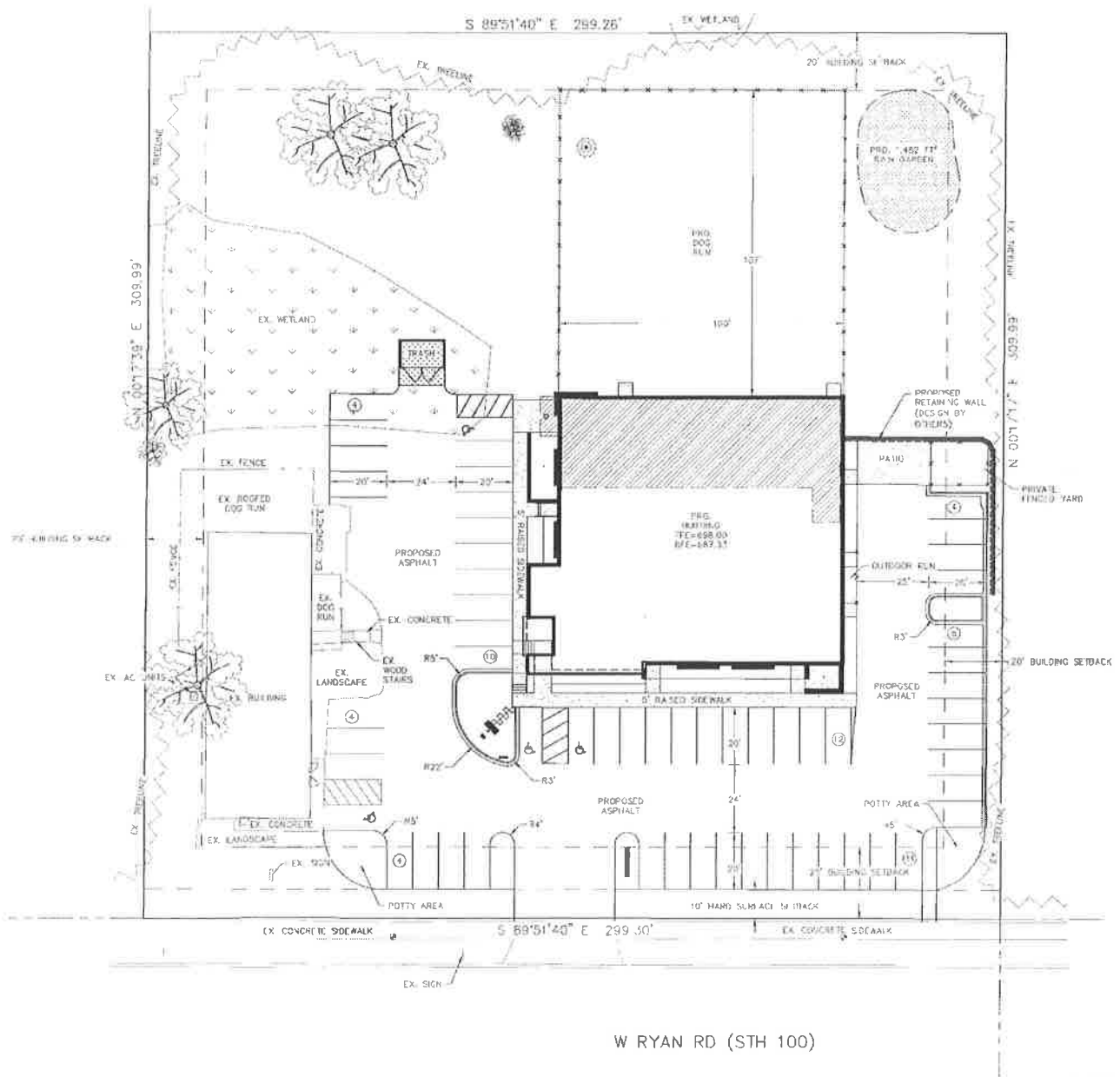


EXHIBIT B: CONCEPT BUILDING ELEVATIONS



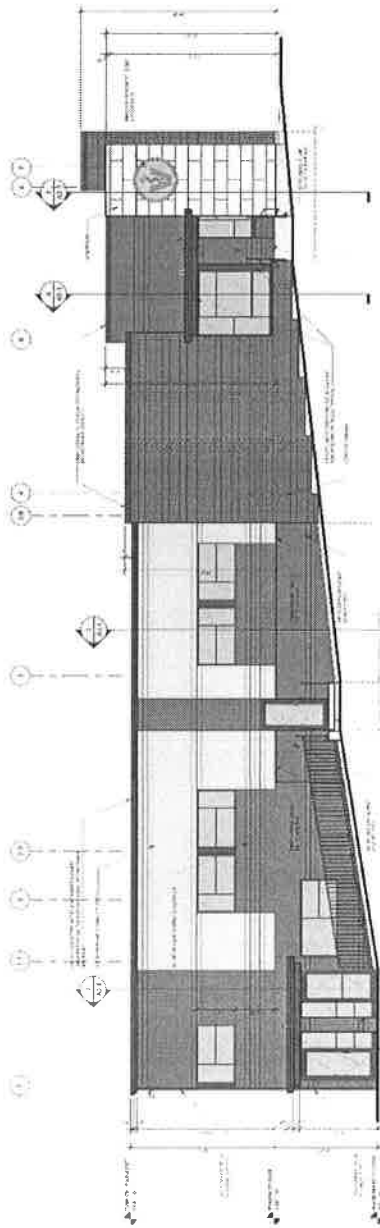
**BRENTWOOD ANIMAL HOSPITAL**  
 WISCONSIN

PROPOSED NEW FACILITY FOR:  
**OAK CREEK,**

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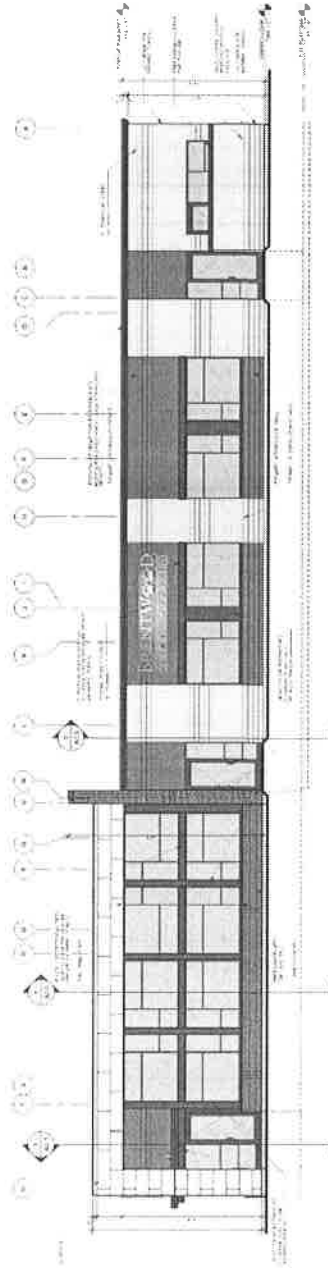
**PRELIMINARY - NOT FOR CONSTRUCTION**

PROJECT MANAGER: P. EGAN  
 DESIGNER: C. THALING  
 DRAWN BY: ACU  
 EXPECTOR: [blank]  
 SUPERVISOR: [blank]  
 PRELIMINARY NO: [blank]  
 CONTRACT NO: [blank]  
 DATE: 11/19/2018  
 SHEET: **A2.0**



**WEST ELEVATION**

THIS DRAWING IS A PRELIMINARY CONCEPT DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THIS DESIGN SHALL BE MADE BY THE ARCHITECT.



**SOUTH ELEVATION**

EXHIBIT B: CONCEPT BUILDING ELEVATIONS



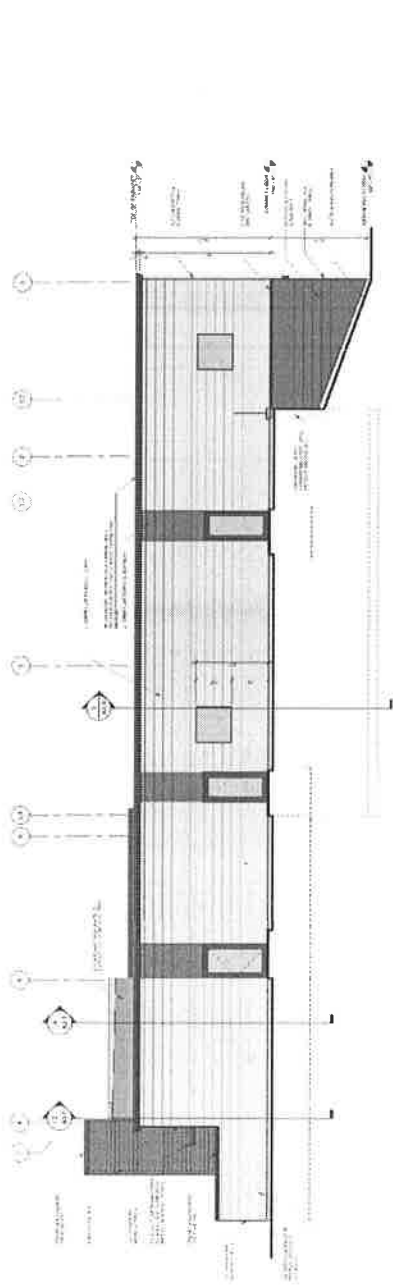
WISCONSIN  
**BRENTWOOD ANIMAL HOSPITAL**

PROPOSED NEW FACILITY FOR:  
 OAK CREEK, WI

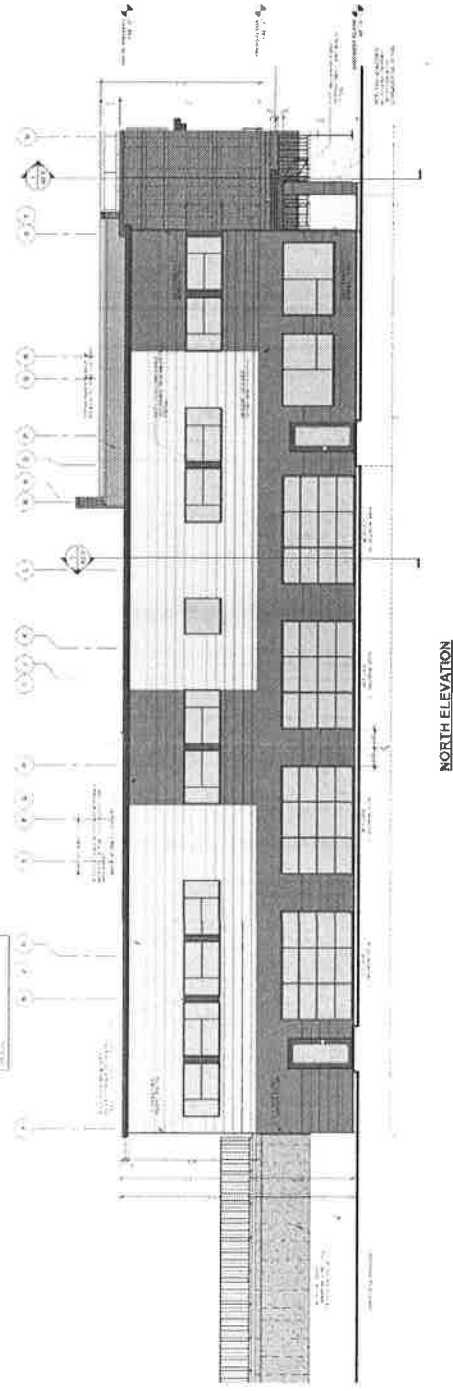
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 IN WRITING FROM KELLER  
 ARCHITECTURAL & INTERIOR  
 DESIGN.

**PRELIMINARY - NOT FOR CONSTRUCTION**

PROJECT MANAGER	PROJECT NO.
DESIGNER	DATE
SEAL	SCALE
CONTRACT NO.	SHEET
DATE	<b>A2.1</b>



SECTION 1000 - EXTERIOR FINISHES  
 SECTION 2000 - STRUCTURE  
 SECTION 3000 - MECHANICAL, ELECTRICAL, & PLUMBING  
 SECTION 4000 - INTERIORS  
 SECTION 5000 - SPECIALTIES



## COMMON COUNCIL REPORT

- Informational:** Treasurer Report on Investment and Banking for the City of Oak Creek accounts, month ending June 30, 2020.
- 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)
\$43,612,720.31	\$40,911,344.96	\$36,393.51	(\$2,701,375.35)

**Activity:** Tax Collection \$1,589,931.53; Debt Service Payments (\$1,181,781); April & May Tax Collection Settlement in June (3,179,140)

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
<b>Tri City National Bank</b>	<b>6,961,422.78</b>	<b>16,999,811.96</b>	<b>(10,770,210.17)</b>	<b>13,191,024.57</b>	<b>(157.97)</b>	<b>0.05%</b>	<b>32.24%</b>
General Fund	5,611,953.75	14,954,351.94	(8,741,876.93)	11,824,428.76			
Title 125	20,380.43	24,339.83	(14,637.87)	30,082.39			
Police Credit Card	83,287.46	15,175.65	(168.77)	98,294.34			
Parks & Rec Counter Credit Card	6,871.95	12,325.64	(1,094.13)	18,103.46			
Tax Payment Account #2	728,556.09	1,589,931.53	(1,700,000.00)	618,487.62			
Parks & Rec Online Credit Card	9,245.91	9,829.00	(1,479.78)	17,595.13			
Health Insurance	33,213.69	285,096.95	(310,952.69)	7,357.95			
Tax Payment Account	18,375.73	-	-	18,375.73			
EMS	449,537.77	108,761.42	-	558,299.19			
0	-	-	-	-			
<b>DANA Investment Advisors</b>	<b>5,807,996.38</b>	<b>12,171.26</b>	<b>(1,711.62)</b>	<b>5,818,456.02</b>	<b>11,947.22</b>	<b>1.81%</b>	<b>14.22%</b>
<b>BMO Global Asset Management</b>	<b>4,773,778.93</b>	<b>8,584.56</b>	<b>(2,224.55)</b>	<b>4,780,138.94</b>	<b>8,462.09</b>	<b>2.16%</b>	<b>11.68%</b>
<b>American Deposit Management (ADM)</b>	<b>0.00</b>	<b>-</b>	<b>-</b>	<b>0.00</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
*ADM General Account Balance	0.00	-	-	0.00	-	-	-
<b>Local Government Investment Pool (LGIP)</b>	<b>20,249,965.88</b>	<b>1,501,819.58</b>	<b>(10,179,139.50)</b>	<b>11,572,645.96</b>	<b>1,819.58</b>	<b>0.14%</b>	<b>28.29%</b>
*LGIP General Account Balance	15,009,940.47	1,501,202.63	(10,179,139.50)	6,332,003.60	1,202.63		
<b>**Ehlers Investment</b>	<b>5,819,556.34</b>	<b>15,524.59</b>	<b>(286,001.46)</b>	<b>5,549,079.47</b>	<b>14,322.59</b>	<b>1.6470%</b>	<b>13.56%</b>
	5,819,556.34	15,524.59	(286,844.77)	5,548,236.16			
<b>Total Balance</b>	<b>43,612,720.31</b>	<b>18,537,911.95</b>	<b>(21,239,287.30)</b>	<b>40,911,344.96</b>	<b>36,393.51</b>		

\*\*Ehlers balance is first shown gross of fees to balance to their monthly report; below that is shown net of fees for comparison purposes. Also, due to multiple CD's in the account, interest/dividends may not be earned monthly;  
\*General Account Balance shown separately and is also part of the total account listed above; although it is used for cash flow purposes, a portion may be allocated for specific 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 Settlement occurs in August)	
<b>Tax Payment Account #2</b>					
City Deposit (Counter, Drop Box, Mail)		1,385,046.72			STATE
Gov Tech		-			COUNTY
Credit Card		204,884.81			MMSD
<b>Total Tax Payment Account #2</b>		<u>1,589,931.53</u>			SCHOOL
<b>Tax Payment Account</b>					MATC
Tri City Payments (At Bank, Lockbox)		-			UTILITY
					TOTAL DIST \$
					TAX REFUNDS
<b>Total Tax Collection Deposits</b>		<u>1,589,931.53</u>			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:** City of Oak Creek 2020 Mid-Year Budget Monitoring Report

**Recommendation:** Informational Presentation

**Fiscal Impact:** Reviewing the Budget to Actual report ensures that the Common Council and public is apprised of any fiscal concerns, and continues to show the financial stability of the City of Oak Creek.

**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:** In accordance with the City's Strategic Action Plan, attached is a summary financial report for the General Fund and other Major Funds through the end of the 2nd quarter 2020. The presentation will focus on the revenues and expenditures through the 2nd quarter compared to the budget in the General Fund, Solid Waste, WE Energies, Health Insurance, EMS, and Dispatch Fund.

**Options/Alternatives:** The Council could choose to receive and review reports monthly from the BS&A software or review this format of reporting quarterly.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Jamie Strobl  
Assistant Comptroller

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

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Attachments: 2nd Quarter Fiscal Year 2020 Financial Summary Report; PowerPoint Presentation

**CITY OF OAK CREEK  
FINANCIAL REPORT  
2ND QUARTER FISCAL YEAR 2020**

**GENERAL FUND REVENUES BY CATEGORY**

	2020 YTD	2020 BUDGET	% OF BUDGET
TAXES	12,521,782	14,229,760	88.00%
OTHER TAXES	496,370	2,396,956	20.71%
STATE SHARED REVENUES	686,611	5,857,034	11.72%
OTHER INTERGOV'T	19,365	225,548	8.59%
LICENSES/PERMITS	519,046	877,725	59.14%
CHARGES FOR SERVICES	117,158	669,780	17.49%
PUBLIC HEALTH & SAFETY	3,851	28,750	13.39%
OTHER (CHAMBER LEASE)	5,000	12,000	41.67%
COMMERCIAL REVENUES	674,010	1,299,840	51.85%
TRANSFERS	-	1,097,525	-

**GENERAL FUND EXPENDITURES BY CATEGORY**

DEPARTMENT	2020 YTD	2020 BUDGET	% OF BUDGET
GENERAL GOV'T	3,166,174	7,631,215	41.49%
PUBLIC SAFETY	5,384,349	12,524,155	42.99%
HEALTH	192,044	508,456	37.77%
PUBLIC WORKS	2,252,627	4,687,416	48.06%
LEISURE SERVICES	561,288	1,343,676	41.77%
TRANSFERS OUT	-	-	-

**GENERAL FUND EXPENDITURES BY DEPARTMENT**

DEPARTMENT	2020 YTD	2020 BUDGET	% OF BUDGET
GENERAL GOVERNMENT	1,234,250	3,200,617	38.56%
CENTRAL SERVICES- BLDG MAINT DIV	294,668	724,361	40.68%
CENTRAL SERVICES - IT SERVICES DIV	489,598	1,060,080	46.19%
CENTRAL SERVICES - ADMIN. SVCS. DIV.	222,786	541,725	41.13%
CENTRAL SERVICES - HR DIV.	99,095	223,236	44.39%
CITY ADMINISTRATOR'S OFFICE	134,856	291,471	46.27%
CITY CLERK	106,796	219,003	48.76%
FINANCE	189,067	388,419	48.68%
TREASURER	94,452	206,544	45.73%
TREASURER - ASSESSOR DIV.	82,419	218,115	37.79%
CITY ATTORNEY	82,425	253,839	32.47%
COMMUNITY DEVELOPMENT	135,761	303,805	44.69%
POLICE	4,002,693	9,059,976	44.18%
MUNICIPAL COURT	82,762	199,598	41.46%
EMERGENCY OPERATIONS	41,614	19,260	216.06%
FIRE	706,239	1,910,145	36.97%
ENGINEERING	292,265	771,573	37.88%
ENGINEERING - INSPECTION DIV.	258,776	563,603	45.91%
HEALTH	192,044	508,456	37.77%
DPW- STREETS DIVISION	1,594,384	3,168,266	50.32%
DPW- STREET LIGHTS DIVISION	292,332	637,110	45.88%
DPW- FORESTRY DIVISION	127,968	304,578	42.01%
DPW- PARKS DIVISION	237,943	577,462	41.20%
RECREATION	113,345	315,812	35.89%
LIBRARY	447,943	1,027,864	43.58%



**CITY OF OAK CREEK  
FINANCIAL REPORT  
2ND QUARTER FISCAL YEAR 2020**

**REVENUES FOR MAJOR FUNDS**

<b>FUND</b>	<b>2020 YTD</b>	<b>2020 BUDGET</b>	<b>% OF BUDGET</b>
<b>General Fund (10)</b>	15,043,193	26,694,918	56.35%
<b>Solid Waste (11)</b>	917,303	1,523,869	60.20%
<b>WE Energies (19)</b>	-	2,253,500	0.00%
<b>Health (36)</b>	2,988,322	6,548,268	45.64%
<b>EMS (37)</b>	3,177,165	5,229,435	60.76%
<b>Dispatch (55)</b>	1,129,730	1,711,605	66.00%

**EXPENDITURES FOR MAJOR FUNDS**

<b>FUND</b>	<b>2020 YTD</b>	<b>2020 BUDGET</b>	<b>% OF BUDGET</b>
<b>General Fund (10)</b>	11,556,482	26,694,918	43.29%
<b>Solid Waste (11)</b>	631,130	1,523,813	41.42%
<b>WE Energies (19)</b>	427,511	2,186,541	19.55%
<b>Health (36)</b>	2,012,498	6,061,000	33.20%
<b>EMS (37)</b>	2,562,729	5,229,435	49.01%
<b>Dispatch (55)</b>	835,087	1,711,605	48.79%

**BUILDING UTILITIES - ALL FUNDS**

	<b>2020 YTD</b>	<b>2020 BUDGET</b>	<b>% OF BUDGET</b>
<b>ELECTRIC</b>	126,595	338,314	37.42%
<b>WATER</b>	11,458	23,056	49.70%
<b>NATURAL GAS</b>	31,833	105,909	30.06%
<b>FUEL</b>	65,081	387,051	16.81%

# City of Oak Creek

## Budget to Actual Report

Ending 2<sup>nd</sup> quarter 2020

Bridget M. Souffrant

Assistant City Administrator/Comptroller

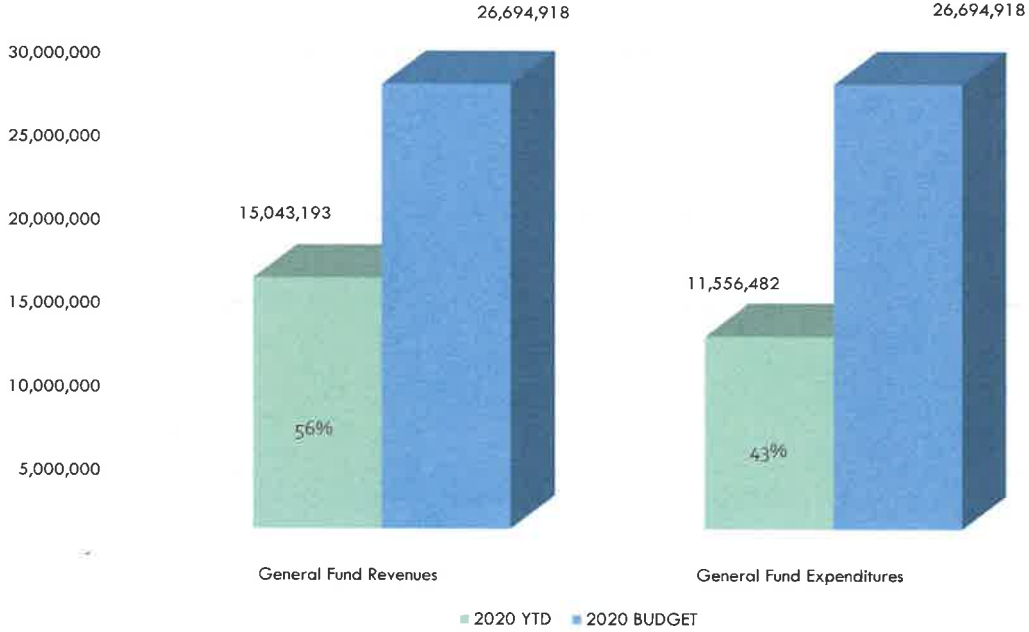


## Introduction

- The following are charts and graphs depicting the 2020 2<sup>nd</sup> quarter ending financials compared to the 2020 budget
- The presentation will focus on the revenues and expenditures in the General Fund, Solid Waste, WE Energies, Health Insurance, EMS, and Dispatch Fund

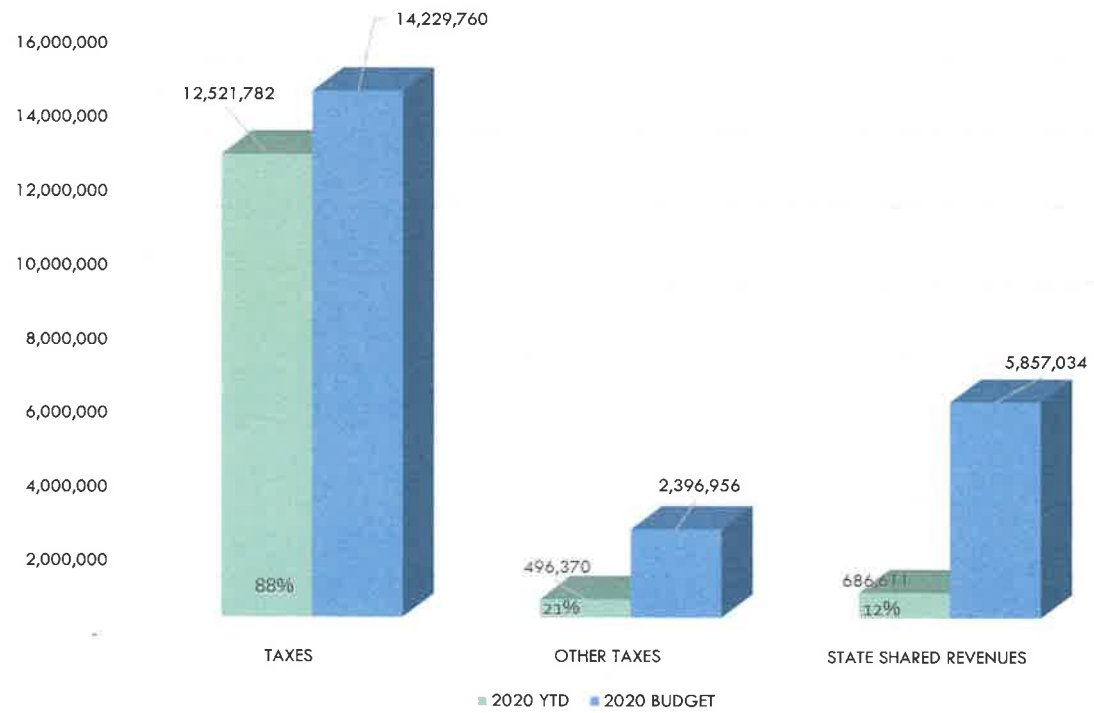
# General Fund Revenues & Expenditures

General Fund Revenues & Expenditures  
2nd Qtr 2020



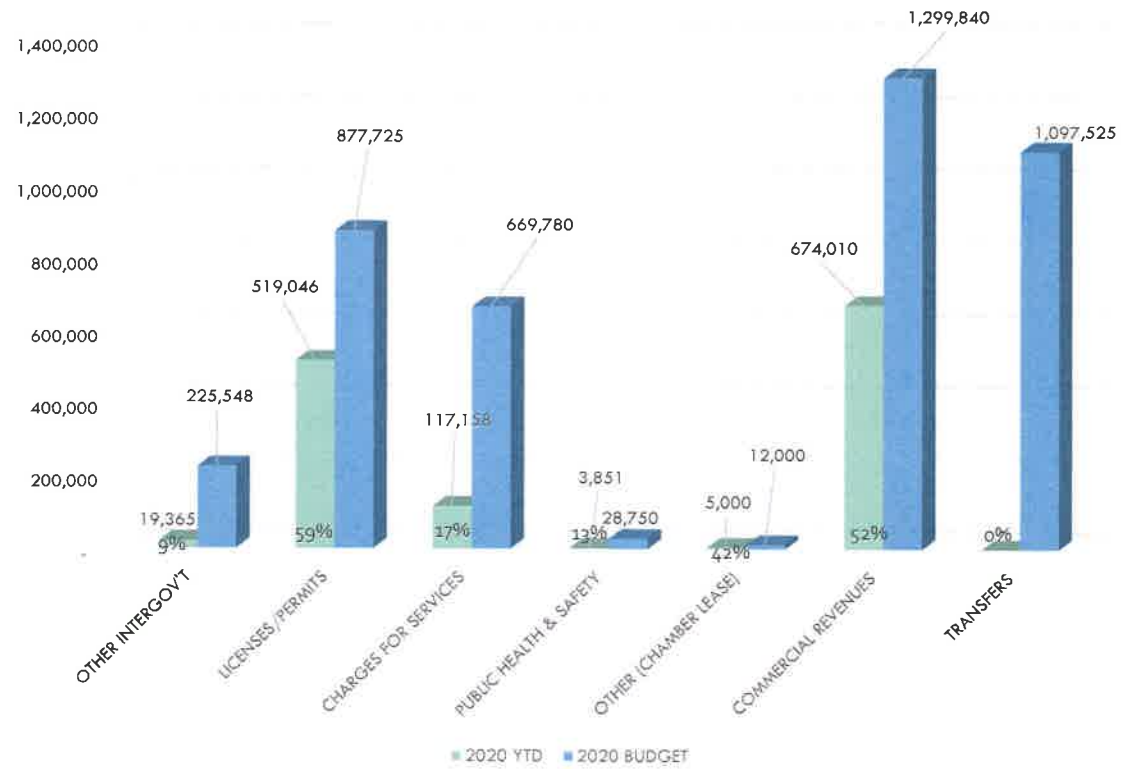
# General Fund Significant Revenues

General Fund Significant Revenues  
2nd Qtr 2020



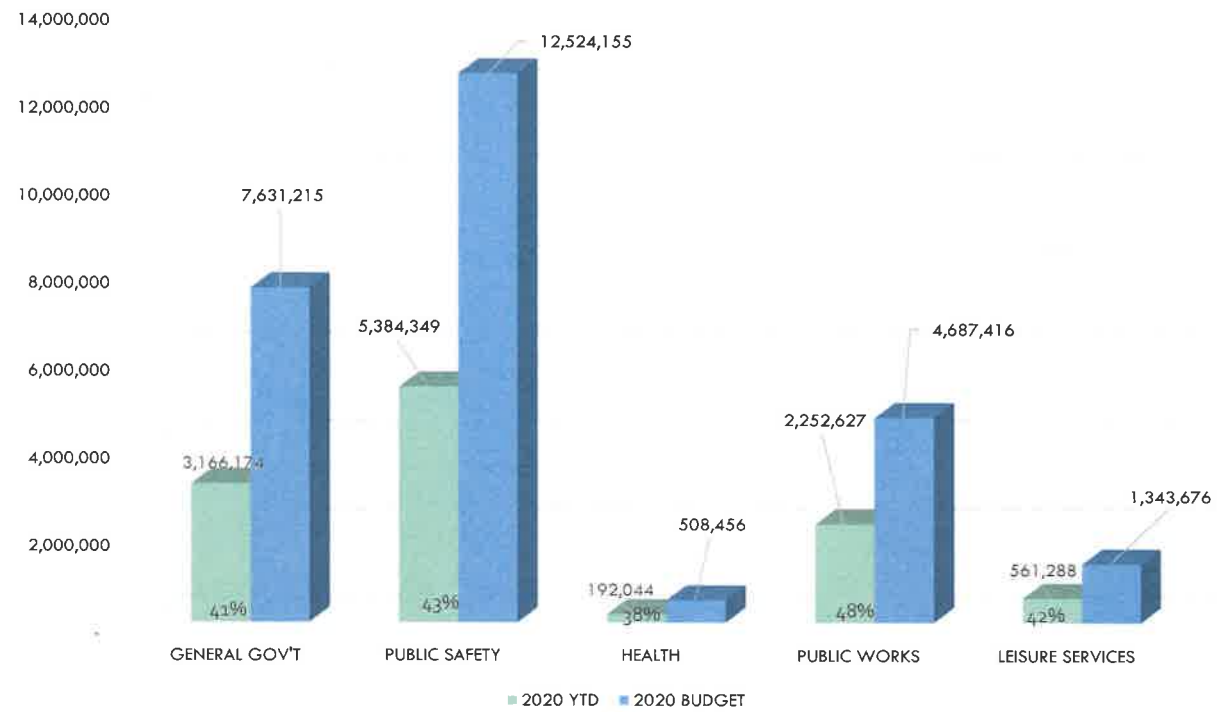
# General Fund Revenues

General Fund Revenues  
2nd Qtrr 2020



# General Fund Expenditures

General Fund Expenditures  
2nd Qtr 2020



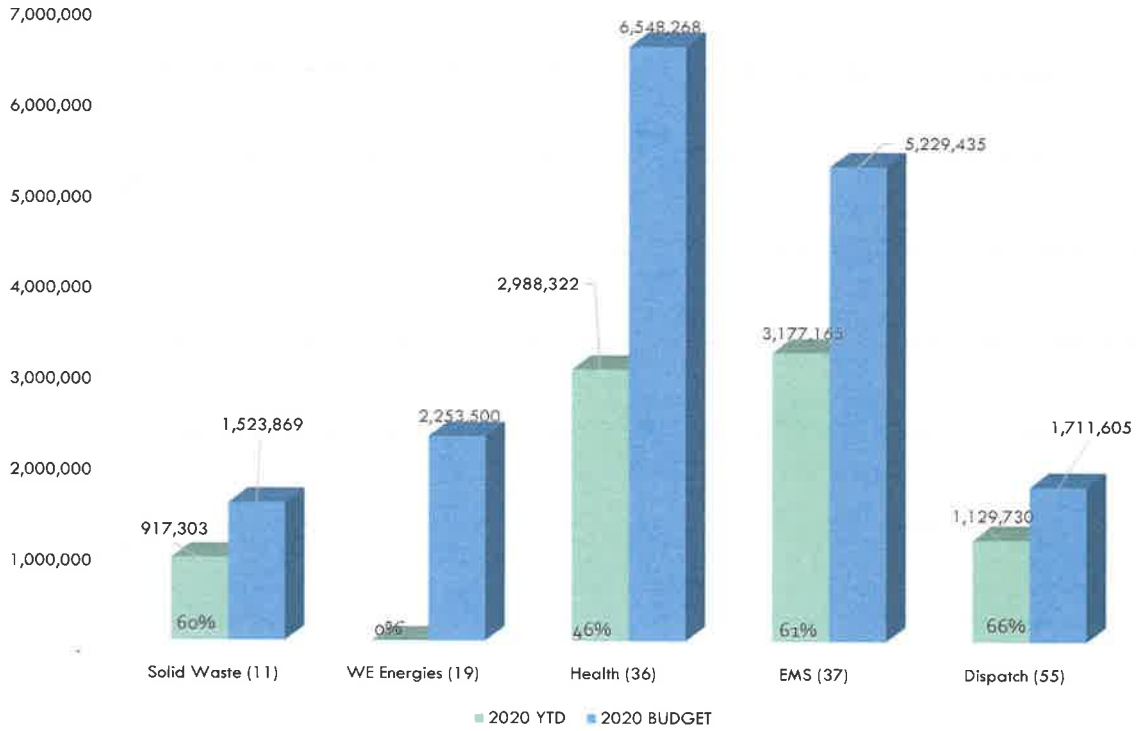
# General Fund Expenditures by Department

GENERAL FUND EXPENDITURES BY DEPARTMENT			
DEPARTMENT	2020 YTD	2020 BUDGET	% OF BUDGET
GENERAL GOVERNMENT	1,234,250	3,200,617	38.56%
CENTRAL SERVICES- BLDG MAINT DIV	294,668	724,361	40.68%
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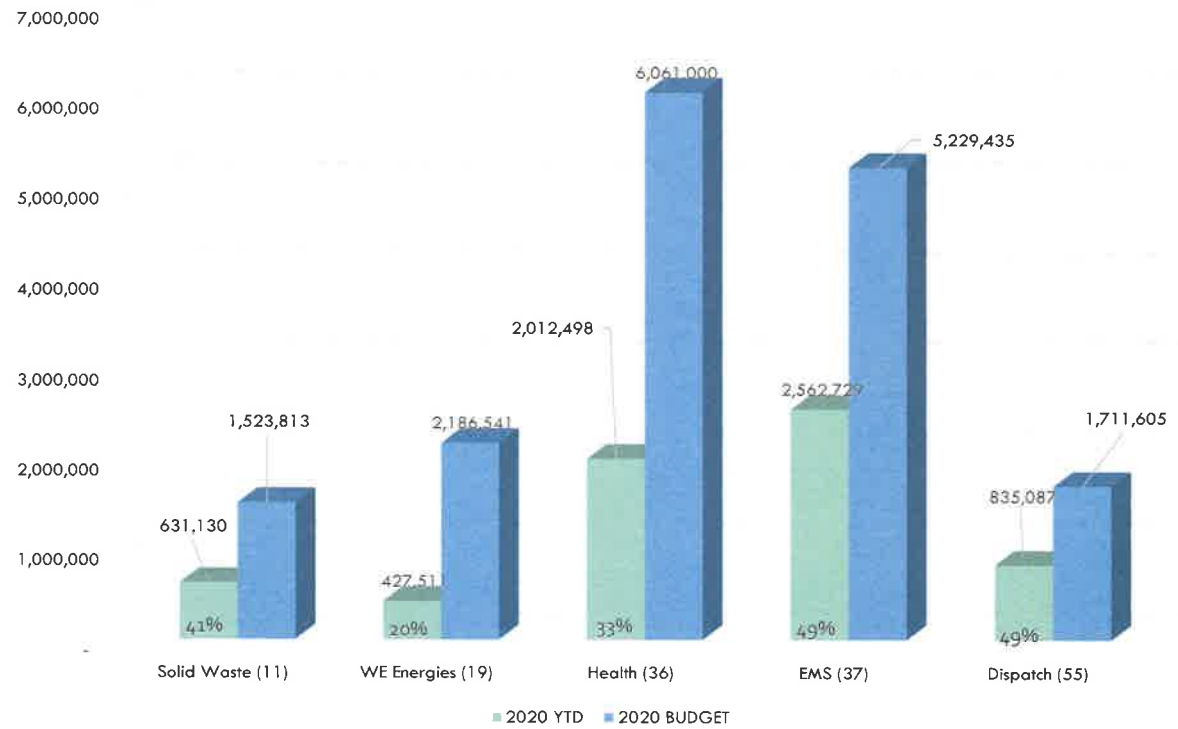
# Revenue of Major Funds

Revenue of Major Funds  
2nd Qtr 2020



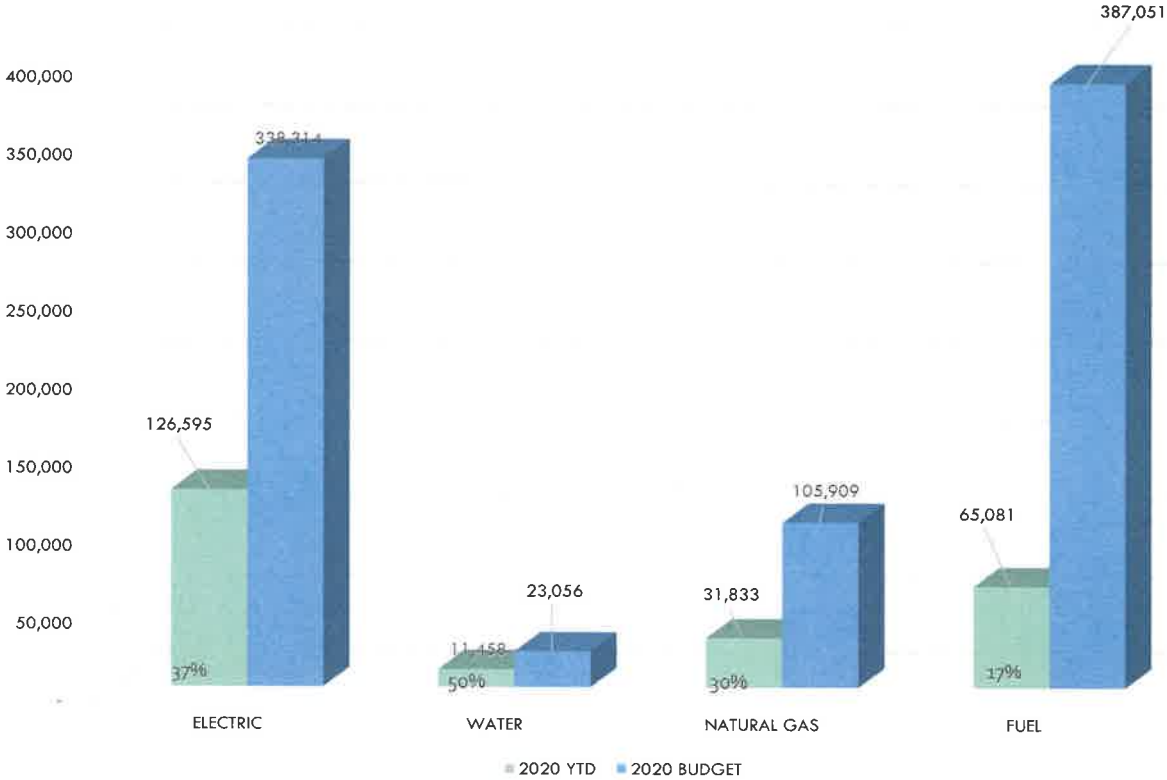
# Expenditures of Major Funds

Expenditures of Major Funds  
2nd Qtr 2020



# City wide Utilities & Fuel

City wide Utilities & Fuel  
2nd Qtrr 2020



## Critical Indicators

- 88% of our largest revenue has already been collected (Property Taxes);
- Emergency Operations budget is high due to COVID-19 expenditure tracking for reimbursement;
- No other specific, non COVID-19 related areas of concern

**COMMON COUNCIL REPORT**

**Informational:** COVID-19 Financial Mitigation Planning

**Fiscal Impact:** See attached chart regarding current and projected 2020 General Fund Revenue shortfall

**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 COVID-19 pandemic has directly and negatively impacted finances of all sectors of our economy. Local governments are certainly not immune to these financial impacts. The City is experiencing significant extraordinary expenditures to combat COVID-19. On top of that, and even more impactful, is the expected loss of operating revenue in the City's general fund.

When assessing our financial impacts, we are focusing on the loss of revenue rather than the increased expenditures. On the expenditure side, the City is eligible for up to \$582,508 through the State's Routes to Recovery program. We will be reimbursed for expenditures related to COVID-19, but our lost revenues are not eligible to be reimbursed through this program.

Attached is an assessment of the City's general fund revenues through July 15, 2020. The staff and Common Council will discuss this revenue picture in detail at the July 21, 2020 Common Council meeting.

In the end, staff is not recommending that Council needs to take drastic steps such as furloughing or laying off employees or reducing City services. The revenue picture should improve slightly over time as we strategically budget revenues very conservatively every budget. Council can discuss a few of those options, but there are also strategies to put in place in the next (2021) Operating Budget to account for any 2020 Operating Budget deficit. We will discuss those strategies as well.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:

Bridget M. Souffrant

Assistant City Administrator/Comptroller

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**Attachments:** Chart re: current and projected 2020 General Fund Revenue shortfall; overview of Wisconsin Routes to Recovery grant program

DESCRIPTION	2020	YTD BALANCE	
	AMENDED BUDGET	NORMAL (ABNORMAL)	07/15/2020
<b>TAXES</b>			
GENERAL PROPERTY TAX	14,229,760	12,363,906	1,865,854
PERSONAL PROPERTY TAX AID	182,146	182,146	0
OMITTED PROPERTY TAX	0	(254)	0
UTILITY TAX EQUIVALENT	1,663,510	0	1,663,510
MOTEL/HOTEL ROOM TAX	457,000	203,757	253,243
MOBILE TRAILER FEES	68,000	40,945	27,055
WRITTEN OFF DELINQUENT TAXES	2,000	(2,495)	4,495
TAX DISTRICT REIMBURSEMENT	20,000	75,843	0
MOTOR FUEL TAX REFUND	4,300	0	4,300
<b>TAXES</b>	<b>16,626,716</b>	<b>12,863,849</b>	<b>3,818,457</b>
<b>STATE SHARED REVENUE</b>			
PER CAPITA	883,771	876,917	6,854
SPECIAL UTILITY	1,800,000	0	1,800,000
STATE AID - ROADS	2,733,563	682,465	2,051,098
STATE AID-COMPUTER AIDS	136,265	0	136,265
EXPENDITURE RESTRAINT PROGRAM	297,435	0	297,435
OTHER STATE AIDS	6,000	4,147	1,853
<b>STATE SHARED REVENUE</b>	<b>5,857,034</b>	<b>1,563,529</b>	<b>4,293,505</b>

The model is built on City realizing most items relating to "Taxes". This includes the \$457,000 for room tax as this is the automatic contribution to the Gfund from actual hotel/motel room tax revenue.

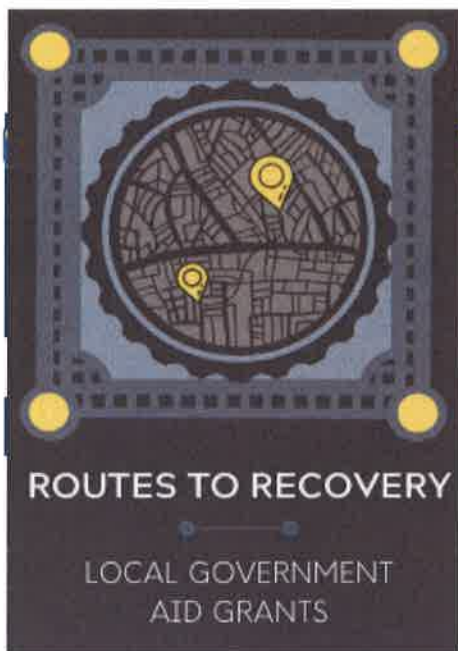
There is no anticipated threat to State Shared Revenues, although that could change given the State's financial "pinch" associated with COVID-19.



STATE/COUNTY GRANTS & AIDS	2020 AMENDED BUDGET	YTD REALIZED (07/15/20)	AMT OUTSTANDING	25% Loss	50% Loss	75% Loss	Surgical Case (more precise expectations of Realized Revenue based on "Amt Outstanding")
POLICE STATE TRAINING	10,000	0	10,000	7,500	5,000	2,500	2,500
Police DHSS DRUG GRANT	0	5,502	(5,502)	0	0	0	0
DOT ALCOHOL ENF	3,500	4,006	(506)	0	0	0	0
SCHOOL RESOURCE OFFICER	212,048	47,721	164,327	123,245	82,164	41,082	0
SEATBELT ENFORCEMENT GRANT	0	9,857	(9,857)	0	0	0	0
<b>STATE/COUNTY GRANTS &amp; AIDS</b>	<b>225,548</b>	<b>67,086</b>	<b>158,462</b>	<b>130,745</b>	<b>87,164</b>	<b>43,582</b>	<b>2,500</b>
<b>LICENSES &amp; PERMITS</b>							
COMBINATION CLASS A	17,000	16,900	100	75	50	25	100
COMBINATION CLASS B	42,000	29,734	12,266	9,200	6,133	3,067	6,133
BEER CLASS A	1,000	300	700	525	350	175	350
BEER CLASS B	1,500	980	520	390	260	130	260
WINE CLASS C LICENSE	700	500	200	150	100	50	100
RENEWAL ALCOHOL LICENSE LATE FEES	1,000	0	1,000	750	500	250	250
PUBLISHING FEES	900	750	150	113	75	38	150
BARTENDER OPERATORS LICENSE	28,000	12,675	15,325	11,494	7,663	3,831	3,831
AMUSEMENT DEVICES	8,500	5,940	2,560	1,920	1,280	640	640
AMUSEMENT OPERATORS LICENSE	1,200	1,200	0	0	0	0	0
MISC. BUSINESS LICENSES	11,000	3,710	7,290	5,468	3,645	1,823	3,645
MISC. NON-BUSINESS LICENSES	75	14	61	46	31	15	15
DATCP LICENSES	88,850	80,776	8,074	6,056	4,037	2,019	8,074
LATE SANITARIAN LICENSE RENEWAL	500	0	500	375	250	125	0
SANITARIAN PLAN REVIEW	3,000	400	2,600	1,950	1,300	650	0
BUILDING PERMITS	400,000	222,068	177,932	133,449	88,966	44,483	177,932
BUILDING PLAN REVIEW	50,000	27,111	22,889	17,167	11,445	5,722	22,889
AGENT PLAN REVIEWS	2,000	(512)	2,512	1,884	1,256	628	2,512
ELECTRICAL PERMITS	110,000	56,930	53,070	39,803	26,535	13,268	53,070
PLUMBING PERMITS	90,000	63,834	26,166	19,625	13,083	6,542	26,166
STREET OPENING/DRIVEWAY PERMIT	7,500	7,126	374	281	187	94	374
EROSION CONTROL PERMITS	12,500	7,474	5,026	3,770	2,513	1,257	2,513
OTHER MISC. PERMITS	500	0	500	375	250	125	125
<b>LICENSES &amp; PERMITS</b>	<b>877,725</b>	<b>537,910</b>	<b>339,815</b>	<b>254,861</b>	<b>169,908</b>	<b>84,954</b>	<b>309,114</b>
<b>CHARGES FOR SERVICES</b>							
WEED CUTTING	3,000	127	2,873	2,155	1,437	718	1,437
WEED CUTTING-TAX ROLL	5,000	0	5,000	3,750	2,500	1,250	3,750
PROPERTY STATUS REPORTS	8,000	6,400	1,600	1,200	800	400	1,600
ADMINISTRATIVE FEE	28,000	15,515	12,485	9,364	6,243	3,121	9,364
PHOTO COPIES SOLD - OTHER	1,500	403	1,097	823	549	274	549

	2020 AMENDED BUDGET	YTD REALIZED (07/15/20)	AMT OUTSTANDING	25% Loss	50% Loss	75% Loss	Surgical Case (more precise expectations of Realized Revenue based on "Amt Outstanding")
UTILITY CHARGE FOR SERVICE	45,000	0	45,000	33,750	22,500	11,250	45,000
ANIMAL LICENSE PROCESSING FEES	12,500	7,396	5,104	3,828	2,552	1,276	1,285
ZONING/HOUSING APPEAL FEES	800	500	300	225	150	75	150
REZONING PETITION & FEES	2,500	5,425	(2,925)	0	0	0	0
CONDITIONAL USE REQUESTS	12,000	7,500	4,500	3,375	2,250	1,125	3,375
TEXT AMENDMENT REQUESTS	500	0	500	375	250	125	250
ROW VACATION FEES	575	0	575	431	288	144	288
MAP AMENDMENTS	1,200	0	1,200	900	600	300	600
CSM FILING FEES	7,000	4,725	2,275	1,706	1,138	569	1,706
PLAN COMMISSION FEES	14,000	15,850	(1,850)	0	0	0	0
LNDSCLP, LIGHTING & SIGN REVIEW	3,800	8,500	(4,700)	0	0	0	0
SUBDIVISION PLAT FEES	1,000	0	1,000	750	500	250	0
MAP SALES	25	6	19	14	10	5	0
STATE SEIZURES	1,500	0	1,500	1,125	750	375	0
POLICE/FIRE REPORT COPIES	3,000	573	2,427	1,820	1,214	607	607
STAFF TIME-TID PROJECTS	275,000	0	275,000	206,250	137,500	68,750	275,000
HIGHWAY EQUIP & SERVICE FEES	43,680	10,854	32,826	24,620	16,413	8,207	32,826
PARKS MAINT SET UP CHARGES	1,000	1,007	(7)	0	0	0	0
SALES OF CULVERT PIPE	10,000	4,471	5,529	4,147	2,765	1,382	4,147
CULVERT PIPE INSTALLATION	1,200	840	360	270	180	90	360
RECREATION PROGRAM CHARGES	140,000	7,346	132,654	99,491	66,327	33,164	33,164
LIBRARY FINES/CARD FEES	20,000	4,966	15,034	11,276	7,517	3,759	3,759
PHOTO COPIES SOLD - LIBRARY	7,000	2,406	4,594	3,446	2,297	1,149	1,149
SOUTH MILWAUKEE	19,000	25,239	(6,239)	0	0	0	3,000
MISC. CHARGES FOR SERVICE	2,000	523	1,477	1,108	739	369	369
<b>CHARGES FOR SERVICES</b>	<b>669,780</b>	<b>130,572</b>	<b>539,208</b>	<b>416,197</b>	<b>277,465</b>	<b>138,732</b>	<b>423,735</b>
<b>PUBLIC HEALTH &amp; SAFETY</b>							
POLICE SPECIAL EVENT SERV FEES	4,000	0	4,000	3,000	2,000	1,000	0
POLICE DEPT FEES	1,000	318	682	512	341	171	341
HEALTH DEPT. CLINIC FEES	9,000	1,404	7,596	5,697	3,798	1,899	1,899
HEALTH GRANT ADMINISTRATION	4,500	0	4,500	3,375	2,250	1,125	0
SANITARIAN PRE-INSPECTION	5,000	1,558	3,442	2,582	1,721	861	1,721
SANITARIAN RE-INSPECTION	2,000	334	1,666	1,250	833	417	833
TEMP FOOD INSPECTIONS	2,000	380	1,620	1,215	810	405	810
MISC. REVENUE/SERVICE CHARGES	1,000	61	939	704	470	235	470
EOC TRAUMA KITS	250	0	250	188	125	63	0
<b>PUBLIC HEALTH &amp; SAFETY</b>	<b>28,750</b>	<b>4,055</b>	<b>24,695</b>	<b>18,521</b>	<b>12,348</b>	<b>6,174</b>	<b>6,074</b>
<b>COMMERCIAL REVENUE</b>							
INTEREST ON INVESTMENTS	220,000	205,050	14,950	11,213	7,475	3,738	35,000
INTEREST ON TAXES	70,000	35,415	34,585	25,939	17,293	8,646	17,293
AT&T CELL TOWER LEASE	31,740	0	31,740	23,805	15,870	7,935	31,740
SOUTH SUBURBAN CHAMBER LEASE	12,000	5,000	7,000	5,250	3,500	1,750	7,000
INSURANCE INCENTIVES	25,000	0	25,000	18,750	12,500	6,250	12,500
P-CARD REBATES	20,000	8,626	11,374	8,531	5,687	2,844	5,687
INSURANCE RECOVERY - GENERAL	2,800	637	2,163	1,622	1,082	541	541
INS RECOVERY-STREET LIGHTS	0	466	(466)	0	0	0	0
INSURANCE RECOVERY - POLICE	5,000	2,741	2,259	1,694	1,130	565	0
INSURANCE RECOVERY - FIRE	1,000	0	1,000	750	500	250	0
INSURANCE RECOVERY - STREETS	1,000	0	1,000	750	500	250	0
CABLE TV FEES	300,000	67,860	232,140	174,105	116,070	58,035	200,000
AT&T VIDEO SERVICE FEES	160,000	29,054	130,946	98,210	65,473	32,737	120,000
SALE OF CITY EQUIPMENT-OTHER	10,000	0	10,000	7,500	5,000	2,500	2,500
SALE OF CITY EQUIPMENT-POLICE	10,000	4,373	5,627	4,221	2,814	1,407	1,407
MISC. REVENUE	10,000	311	9,689	7,267	4,845	2,422	2,422
COURT FINES	425,000	114,077	310,923	233,192	155,462	77,731	176,340
BAIL SERVICE FEE	800	0	800	600	400	200	200
FALSE ALARM PENALTIES	7,500	4,900	2,600	1,950	1,300	650	650
<b>COMMERCIAL REVENUE</b>	<b>1,311,840</b>	<b>478,510</b>	<b>833,330</b>	<b>625,347</b>	<b>416,898</b>	<b>208,449</b>	<b>613,280</b>
<b>TOTALS</b>	<b>3,113,643</b>	<b>1,218,133</b>	<b>1,895,510</b>	<b>1,445,672</b>	<b>963,781</b>	<b>481,891</b>	<b>1,354,703</b>
			<b>TOTAL ESTIMATED LOSSES CONTINUUM</b>	<b>\$ (449,839)</b>	<b>\$ (931,729)</b>	<b>\$ (1,413,620)</b>	<b>(540,807)</b>





## ROUTES TO RECOVERY: LOCAL GOVERNMENT AID GRANTS

### An Operational Overview

The effort is funded by \$200 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act dollars and will be administered by the Department of Administration (DOA). Of the \$200 million, \$10 million will be allocated to Wisconsin's tribal nations, with the remaining funds being distributed to every Wisconsin county, city, village and town. The Fund is available to cover **unbudgeted expenditures incurred due to the COVID-19 public health emergency between March 1 and November 6, 2020** in the following categories:

- Emergency operation activities, including those related to public health, emergency services, and public safety response
- Purchases of personal protective equipment
- Cleaning/sanitizing supplies and services, including those related to elections administration
- Temporary isolation housing for infected or at-risk individuals
- Testing and contact tracing costs above those covered by existing State programs
- FMLA and sick leave for public health and safety employees to take COVID-19 precautions
- Meeting local match requirements for expenses submitted for reimbursement by FEMA, to the full extent permitted by federal law

### HOW THE FUND WORKS

Every county, city, village, and town is allocated a portion of the Fund based on population, with a guaranteed minimum allocation of \$5,000. To draw down its allocation and receive funds, a grantee must report its eligible expenditures through the State's cost tracker application. The State will:

- Review eligible expenditures entered by July 1 (and every two months thereafter until November 1)
- Subtract them from the grantee's allocation; and,
- Reimburse them until the grantee's allocation reaches zero.

A grantee can transfer its allocation to another unit of government by providing notice to the Department of Administration. Any allocation balances remaining after the November 1 cutoff will be returned to the Fund to be used as needed for localized outbreaks or other COVID-19-related local expenditures before the federally imposed end-of-year deadline to spend them.



## **ALLOCATION AMOUNTS**

To view the Routes to Recovery Grant allocation amounts for Wisconsin's local units of government, visit [HERE](#).

To view the Routes to Recovery Grant allocation amounts for Wisconsin counties, visit [HERE](#).

## **CONTACT INFORMATION**

Additional details regarding the program will be communicated directly to local governments soon.

If you would like to be included on any email updates regarding the Routes to Recovery Grant program, please send an email address with no message to [subscribe-covidgovgrant@lists.wi.gov](mailto:subscribe-covidgovgrant@lists.wi.gov).



GOVERNOR  
**TONY EVERS**



RESOLUTION NO. 12174-072120

A RESOLUTION EXTENDING THE PUBLIC HEALTH EMERGENCY IN THE CITY OF OAK CREEK IN RESPONSE TO THE COVID-19 CORONAVIRUS

WHEREAS, in response to the detection of the novel coronavirus COVID-19 (“COVID-19”) in December 2019 and its ensuing spread throughout countries including the United States, the United States Secretary of Health and Human Services declared a public health emergency, the Centers for Disease Control identified potential public health threats, and the World Health Organization characterized COVID-19 as a pandemic as the rates of infection continued to rise; and

WHEREAS, on March 17, 2020, in Resolution No. 12148-031720 the Common Council of the City of Oak Creek declared the existence of a public health emergency based upon the existence of COVID-19 and, further, on May 19, 2020, in Resolution No. 12160-051920, the Common Council ratified Emergency Proclamation #1 extending the public health emergency (collectively “Emergency Declaration”); and

WHEREAS, the Emergency Declaration is due to expire after July 21, 2020; and

WHEREAS, the conditions necessitating the Emergency Declaration continue to exist and are projected to exist for some time; and

WHEREAS, the City of Oak Creek (the “City”) continues to do what is in the good order of the City during this public health emergency for the health, safety, protection and welfare of the people and property in the City; and

WHEREAS, in order to protect the well-being of its citizens and visitors, the City must avail itself of all necessary resources to continue to respond to the pandemic, contain the spread of COVID-19, and prepare for its possible impacts; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that, based upon the above stated situation and pursuant to Wisconsin Statutes Section 323.14(4)(a) and Section 2.121(b) of the Municipal Code, we hereby declare that it is necessary and expedient for the health, safety, protection, and welfare of the citizens of Oak Creek that a state of public health emergency as defined in Wisconsin Statutes §323.02(16) continues to exist within the City of Oak Creek such that there is a threat of an illness or health condition that appears to be caused by a novel biological agent that poses a high probability of widespread exposure and that creates a significant risk of substantial future harm to a large number of people; and

IT IS HEREBY FURTHER REVOLVED that, pursuant to Wisconsin Statutes §323.11, the Emergency Declaration established by Resolution Nos. 12148-031720 and 12160-051920 of the Common Council shall be extended until September 21, 2020 unless otherwise revoked or extended by Resolution.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Common Council President Kenneth Gehl

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

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

ATTEST:

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

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

## COMMON COUNCIL REPORT

<b>Item:</b>	2020-2022 Strategic Action Plan (SAP)
<b>Recommendation:</b>	The staff recommends Council adoption of Resolution 12177-072021, a Resolution Adopting the City of Oak Creek 2020-2022 Strategic Action Plan
<b>Fiscal Impact:</b>	As financial impacts are identified through SAP implementation, staff will bring them forward to the Common Council for review
<b>Critical Success Factor(s):</b>	<input checked="" type="checkbox"/> Vibrant and Diverse Cultural Opportunities <input checked="" type="checkbox"/> Thoughtful Development and Prosperous Economy <input checked="" type="checkbox"/> Safe, Welcoming, and Engaged Community <input checked="" type="checkbox"/> Inspired, Aligned, and Proactive City Leadership <input checked="" type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Quality Infrastructure, Amenities, and Services <input type="checkbox"/> Not Applicable

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**Background:** The City's current SAP document spans the years 2017-2020. As we are mid-way through 2020, staff wishes to ensure we have a continuous SAP guidance document. While the City realized many achievements, projects, and foundational studies in our current SAP, there is still work that needs completion. Additionally, as the City continues to evolve, a select few new initiatives/priorities have become apparent.

The new 2020-2022 SAP document is first an inventory of projects and priorities not fully completed. Second, the new SAP document outlines new priorities as follows:

- 1) Develop and Implement a Comprehensive Neighborhood Preservation/Code Compliance Program;
- 2) Implement a Streetlight Capital Improvement and LED Conversion Project;
- 3) Undertake a Total Compensation Analysis for Non-Represented Positions to Ensure Competitiveness in the the Market;
- 4) Plan City "Gateway" Corridor in conjunction with the Drexel Avenue Rehabilitation Project;
- 5) Market Creekside Crossing Marketplace as an "Entertainment District".

The City's Large Leadership Team discussed and assisted with crafting these new initiatives and associated action plans prior to this Common Council discussion.

Near the end of 2021, the City will again undertake a comprehensive, facilitated strategic planning discussion and a community survey to inform the next iteration of our SAP for 2022 and beyond.

**Options/Alternatives:** Council may resolve to amend, add, or delete any initiatives in the new SAP document. A thorough staff-Council discussion is encouraged.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

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Attachments: Resolution 12177-072120, A Resolution Adopting the City of Oak Creek 2020-2022 Strategic Action; SAP document for Council review

RESOLUTION NO. 12177-072120

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

RESOLUTION ADOPTING THE CITY OF OAK CREEK 2020-2022  
STRATEGIC ACTION PLAN

WHEREAS, in June 2017, the City of Oak Creek adopted its current Strategic Action Plan covering the years 2017-2020, the first of its kind since 1989; and

WHEREAS, since adoption, the staff, Common Council, and various boards, committees, and commissions have utilized the Strategic Action Plan to focus its priorities, projects, and financial decisions; and

WHEREAS, many accomplishments of the current SAP have been realized, yet there are still many initiatives to finalize;

WHEREAS, the City seeks to add new initiatives to a successor SAP document to cover the years 2020-2022; and

WHEREAS, the 2020-2022 Strategic Action Plan retains the same vision, mission, values and critical success factors; and

WHEREAS, the 2020-2022 Strategic Action Plan outlines key initiatives and objectives for each identified critical success factor, to continue to act as a guide in staff-level and Common Council decision-making, and

WHEREAS, the Common Council has reviewed the 2020-2022 Strategic Action Plan and endorses the vision, mission, values, critical success factors, and designated key initiatives; and

WHEREAS, the Common Council has determined that it is in the best interest of the community, its residents and the City to do all things necessary and appropriate to implement the Strategic Action Plan, and calls upon future elected officials and leaders to support this plan and update it when necessary.

NOW, THEREFORE, BE IT RESOLVED that the Common Council hereby adopts the City of Oak Creek Strategic Action Plan 2020-2022, that includes the following vision, mission, values and critical success factors:

Vision - Oak Creek: a dynamic regional leader, connected to our community, driving the future of the south shore.

Mission - We are a dedicated organization providing high-quality services that positively **IMPACT** Oak Creek residents, businesses and visitors.

Values - Integrity  
Mutual Respect  
Professional  
Accountable  
Commitment

Teamwork

Critical Success Factors

- Vibrant and Diverse Cultural Opportunities
- Thoughtful Development and Prosperous Economy
- Safe, Welcoming and Engaged Community
- Inspired, Aligned and Proactive City Government
- Financial Stability
- Quality Infrastructure, Amenities and Services

BE IT FURTHER RESOLVED, that the City Administrator shall report to the Common Council on a periodic basis, but no less than twice a year on the progress made to achieve the Critical Success factors and goals and objectives contained in the Strategic Action Plan.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21<sup>st</sup> day of July, 2020.

Passed and adopted this 21<sup>st</sup> day of July, 2020.

\_\_\_\_\_  
Kenneth Gehl, Common Council President

Approved this 21<sup>st</sup> day of July, 2020.

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

ATTEST:

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

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



## 2020-2022 Strategic Action Plan

### Vibrant and Diverse Cultural Opportunities

1. **Update Park & Open Space Plan with an emphasis on continually improving community walkability/bike-ability**
  - a. Engage OCPRF Commission to review existing, and establish future, plan goals
  - b. Engage OCPRF and Common Council for plan amendment recommendations and formal action
  
2. **Become a City known for its successful Special Events and Community Gatherings**
  - a. Coordinate an informational summit with cultural leadership groups and organizations in City and metro area
  - b. Continue to emphasize and grow annual “CAFÉ” (culture-arts-food-entertainment) Event**
  - c. Review/Revise local ordinances, policies, permitting, and procedures related to Special Events in the City
  
3. **Provide Additional Cultural and Recreational Opportunities for the City’s Senior Population**

***Plan note: Item to be held pending outcome of Joint Community Recreation platform discussion, and for assessing outcomes of the COVID-19 pandemic.***

  - a. Inventory existing offerings and those of adjacent communities
  - b. Identify target audience & develop a survey instrument
  - c. Identify and explore collaborative relationships with adjacent communities
  - d. Coordinate an informational summit with senior living facilities, other key stakeholder groups
  - e. Incorporate more senior-focused event programming at City venues and into Recreation and Library initiatives
  
4. **Improve Pedestrian/Transportation Corridors with Public Art & Sculpture**
  - a. Partner with art programs in local institutes of higher education for potential activities and exhibits
  - b. Research city liability and creation of a local Art & Architecture Ordinance
  - c. Identify best practices and activities of other creative communities/spaces in metro area
  - d. Prioritize best City locations for work to be showcased
  - e. Connect public art efforts with Destination Marketing functions of Tourism Commission for further reach and impact outside of community

# 2020-2022 Strategic Action Plan

## Thoughtful Development and Prosperous Economy

### 1. Market the Lakefront Development on a Regional and National Scale

- a. Extend reach of Lakefront by preserving/enhancing entrance corridors from I-94 through wayfinding/signage to establish a gateway or “sense of arrival”
- b. Coordinate park (Lake Vista and Bender) programming and unique offerings to promote a regional draw
- c. Finalize Development Agreement with F-Street/RINKA for public amenities and mixed use neighborhood on City-owned and Boerke properties.
- d. Initiate conversation and finalize land swap terms with Milwaukee County regarding Bender Park and Bear development properties

### 2. Establish City Objectives for Handling Demand for Single Family Lot Inventory

- a. **Implement policy items and action steps recommended in the report entitled: *Handling Demand for Single Family Lot Inventory (June 2018)***

### 3. Examine Public/Private Partnerships to facilitate Development of a Recreation Center *Plan note: Item to be held pending outcome of Joint Community Recreation platform discussion and potential public/private partnership for fitness center near 13<sup>th</sup> & Drexel*

- a. Inventory public and private recreational facilities in market
- b. Analyze local demand and best practices for recreation centers in peer communities
- c. Establish regional partnerships to respond to market demand and determine appropriate regional location for recreation center
- d. Survey community to gauge willingness to fund construction and ongoing operations of a recreation center
- e. Identify financial strategies to fund construction and operation of a recreation center

### 4. Position City for future Corporate Office Development

- a. Define what “corporate office” means for the City of Oak Creek (see recently adopted Comprehensive Plan)
- b. Examine best practices and policy positions of other communities developing office markets
- c. **Engage with providers to ensure that target locations have access to adequate high speed internet and other telecom service.**
- d. Preserve identified priority areas through comprehensive planning and zoning actions (see recently adopted Comprehensive Plan)
- e. Market to specific industry stakeholders, users, and brokers.

### 5. **Develop City “Gateway” Corridor in conjunction with Drexel Avenue Rehabilitation Project**

- a. **Identify STP Grant scope/limitations; determine which projects qualify and those that are only City-supported.**

## 2020-2022 Strategic Action Plan

- b. Consult 2018 Wayfinding study and implement recommendations for Drexel Avenue. Include recommendation for a larger gateway installation.
- c. Use consistent lighting and streetscaping themes from DTS-13<sup>th</sup> & Drexel- Creekside Crossing; maintain a goal of aesthetic consistency
- d. Determine signage and utilize corridor to partially satisfy the City's Public Art & Sculpture SAP initiative
- e. To the max extent practical, enhance multi-modal transportation alternatives to partially satisfy that SAP objective
- f. Include recommendations for railroad overpass beautification; obtain project approval from Canadian Pacific

### 6. Market Creekside Crossing Marketplace as an "Entertainment District"

- a. Develop a consensus as to what constitutes an 'entertainment district' within the context of this site
- b. Ensure place-making, walkability, and adequate parking capacity; ensure we are not restricting or precluding suitability for an entertainment district.
- c. Identify best management practices and relevant examples from other communities.
- d. Engage the land owner, Stand Rock Hospitality, and development community to identify market opportunities (i.e. craft brewers, live entertainment space, etc.) and constraints as it relates to creating an entertainment district
- e. Identify strategies and partnerships to address identified market constraints; develop marketing collateral to support attraction efforts

## Safe, Welcoming, and Engaged Community

### 1. Engage Neighborhood Groups/Associations as an Ally in Crime-Reduction and Prevention Measures

***Plan note: City Departments, especially the Police Department, made significant strides on these objectives in the 2017-2020 SAP, but these initiatives remain in the 2020-2022 SAP to established continued emphasis.***

- a. Formalize, coordinate & increase use of web-based platforms (Nextdoor, etc.)
- b. Determine new opportunities to increase interaction among Police and residents
- c. Improve Police/Fire coordination related to resident outreach and interaction

### 2. Develop and Implement a Comprehensive Neighborhood Preservation/ Code Compliance Program

- a. Assemble a cross-departmental team to undertake assessment of current practices, code sections, and roles; identify current inefficiencies and deficiencies
- b. Identify best practices, benchmark community models
- c. Develop scope, vision, goals, and objectives for Oak Creek program; develop "white paper" outline of program for Common Council endorsement
- d. Review, revise, and if where applicable, consolidate code sections for easier administration

## 2020-2022 Strategic Action Plan

- e. Identify appropriate software for program implementation and record keeping
- f. Create a branded public education/informational program
- g. Develop title, job description, and salary range for position; recruit, onboard, and train new employee

### Inspired, Aligned, and Proactive City Leadership

#### 1. Increase Methods/Frequency of Communication and Engagement among Staff & Common Council

- a. Improve access and content on employee Intranet platform
- b. **Grow content strategies for *OC Connection* (internal staff newsletter) to foster interpersonal communication through entire organization**
- c. Better communicate Board, Committee, Commission activity to both elected and appointed decision-makers
- d. **Develop “employee recognition” programs and team-building strategies**
- e. Coordinate social occasions where all people in organization have the opportunity to interact

#### 2. Convene discussions and examine partnerships with other stakeholders regarding shared services, cooperative programming, and alignment of resources

- a. Maintain leadership role in Milwaukee Intergovernmental Cooperation Council (ICC)
- b. **Investigate creation of a Community Area Network (CAN) with potential local partners (OCFJSD, MATC, Milwaukee County, Froedtert, Neighboring Communities)**
- c. Establish a shared services implementation plan with Oak Creek—Franklin Joint School District (OCFJSD)
- d. Examine further community partnerships with Milwaukee Area Technical College (MATC)
- e. Unify and coordinate “Event Programmers” (eliminate separate identities; all “city”)
- f. Increase participation and City leadership in the League and Urban Alliance

#### 3. Be a Leading-Edge Local Government in the Use of Technology to Foster Innovative and Cost-effective Service Delivery

- a. Improve Website from technology-utility standpoints (permitting, payments, licensing, fillable forms, etc.)
- b. Implement an “innovation” component to all job descriptions and job announcements
- c. Be engaged in SMART Cities initiatives; explore pilot technology projects
- d. Educate and prepare for Internet of Things (IOT) as related to City service delivery
- e. Provide research and recommendations on use of body cameras, “security” cameras, and license plate reader recognition

## 2020-2022 Strategic Action Plan

### 4. Evaluate, Right-size, and Better Align City Organization

- a. Undertake a staffing deployment efficiency analysis and core service review for Police, Fire/EMS, DPW
- b. Enact better alignment between City and Utility; eliminate resource overlap
- c. Evaluate and revise City organization chart/structure including committee, board and commission structure
- d. **Finalize succession plan for the Recreation Department; explore Joint Community Recreation platform with OCFJSD**

### 5. Undertake a Total Compensation Analysis for Non-Represented Positions to Ensure Competitiveness in the Market

- a. Review and update all Job Descriptions
- b. Determine City compensation philosophy
- c. Assess analysis alternatives; determine scope of analysis (i.e. compensation benchmarking analysis vs. comprehensive compensation and classification system)
- d. Finalize project scope; develop RFP for consulting services, solicit proposals
- e. Undertake and finalize compensation analysis; present to Council and affected staff

## Financial Stability

### 1. Create Fiscal Policy Teams and Provide Analyses and Recommendations on a Multi-Year Budget Strategy

- a. Evaluate Expenditure Restraint
- b. Revenue Team
- c. **Debt examination - utilization of TID 7 to support existing levy-supported debt service (Drexel interchange and 27<sup>th</sup> St., improvements)**
- d. Develop strategy and long range funding plan for capital equipment and infrastructure needs

### 2. Reduce Health Insurance Costs through Proactive Consumer Education

- a. Develop tutorial for benefits websites; general employee education on existing benefit levels
- b. Institute "one program a month" education to be communicated by Department Directors
- c. Provide employees an education on Self-funded insurance plans
- d. Reestablish Employee Benefits Focus Group and programs to serve as avenue specific to educational outreach

### 3. Establish Intra-Departmental Business Process Improvement Teams to Determine Cost-control Measures and Overcome Process Inefficiency

- a. Explore Lean Government training platform; implement techniques where applicable

## 2020-2022 Strategic Action Plan

- b. Streamline, improve Vehicle maintenance processes
- c. Re-assume "paperless initiative" (Online/fillable forms, alternative payment collection methods, certain Committee packets, internal communications)
- d. Establish central database for Vehicle and Property insurance and Fixed Asset reporting
- e. Review/revise Purchasing Policy and 3-year financial plan
- f. Explore "naturalizing" strategic areas of parks to reduce mowing needs while improving aesthetics

### Quality Infrastructure, Amenities, and Services

#### 1. Ensure City Transportation and Land Use Plans Align with plans of Overlapping Organizations and Governments

- a. Coordinate local planning/design tasks for readiness of Elm Road Interchange construction
- b. Coordinate County design for reconstruction of 13th St. (Drexel to Puetz) with adjacent economic development plans**
- c. Keep abreast of developments on the Lake Parkway Extension (S.T.H. 794)  
*(Plan Note: City is not aware of any intergovernmental efforts, at present, to revive this transportation alternative).*

#### 2. Develop Strategies for Future Multi-modal Transportation Enhancements

- a. Keep abreast of developments regarding commuter rail in the metro area; encourage Metra stop in the City
- b. Explore future opportunities for traditional and Bus Rapid Transit (BRT) lines in strategic areas of City
- c. Maintain City's position in MetroGo organization
- d. Compile and Prioritize an inventory of unfinished multi-use pathway segments (include in Park, Rec, & Open Space Plan update)
- e. Explore partnerships for workforce transportation solutions (last mile) for Ryan Business Park, Oakview Business Park, and other underserved employment centers.

#### 3. Perform a Capacity Review and Analysis on Local Collector and Arterial Streets

- a. Document and track traffic counts
- b. Identify sources of changing volume
- c. Evaluate land use policy with regards to future corridor needs
- d. Improve substandard and unsafe drainage systems along collector and arterial roads  
**(Plan Note: There has not been a strong push to invest the large capital required to tackle some of the roads that have these conditions (i.e. Puetz, Pennsylvania, and Forest Hill). City repaved 15<sup>th</sup> Avenue in 2019, and at that**

## 2020-2022 Strategic Action Plan

*time staff evaluated whether the City should install some guardrail to protect drivers from a pond near the edge of road. Engineering still working with DPW on whether to employ guardrails and how to most efficiently tackle the project. Design is underway for the proposed W. Puetz (I-94 to 27<sup>th</sup> Street) improvement project in 2021; and the design includes evaluation and probable improvements to some roadside drainage ditches (i.e. improved sideslopes and/or areas of ditch enclosure with storm sewer).*

#### 4. Explore New Methods, Best Practices to Maximize Useful Life of Roads and Bridges

- a. Establish the 20-year life/maintenance cycle; Implement recommendations and strategies contained in the report entitled: *CIP Funding Alternatives Analysis*.

#### 5. Implement a Streetlight Capital Improvement and LED Conversion Project

- a. Review and update *Streetlight CIP and Potential LED Conversion* white paper; negotiate and formalize agreement with WE Energies
- b. Examine range of questions relating to fixture consistency, material quality, performance, and value; pole & fixture aesthetics, photometrics, and smart lighting capabilities
- c. Assess central management options in terms of cost, usability, functionality, interoperability and connectivity to control current (DTS, Lake Vista) and future LED streetlight additions
- d. Evaluate whether one large project or to execute in phases, Approve final project scope(s), funding source(s), and project timeline(s) (Council). Assess payback terms/ROI for each potential scope
- e. Develop bid specifications and potential bid alternatives; award bid, commence construction project
- f. Develop and distribute public education materials

**RESOLUTION NO. 12175-072120****AN EMERGENCY RESOLUTION CONSOLIDATING POLLING PLACES DUE TO COVID-19**

WHEREAS, on March 12, 2020, the Governor of the State of Wisconsin declared a public health emergency regarding the novel coronavirus COVID-19; and

WHEREAS, on March 17, 2020, the Mayor and Common Council of the City of Oak Creek (the "City") declared a public health emergency in the City and authorized the City of Oak Creek Community Public Health Officer and the City of Oak Creek Director of Emergency Management Services, in conjunction with federal, state and local authorities, to take all reasonable and necessary steps to prevent exposure and spread of COVID-19; and

WHEREAS, on May 19, 2020, the Mayor and Common Council of the City of Oak Creek (the "City") adopted a resolution ratifying Emergency Proclamation #1 extending the Public Health Emergency in the City of Oak Creek; and

WHEREAS, due to the COVID-19 pandemic, a large number of the City's usual poll workers are not reporting for their previously scheduled election duties and have notified the City Clerk that they will not be reporting for duty at the August 11, 2020 election, leaving the City Clerk unable to conduct the election in the usual manner with the usual number and location of polling places; and

WHEREAS, this significant shortage of poll workers necessitates the consolidation of polling places into one location so that the limited number of available and volunteer poll workers are better able to manage the election; and

WHEREAS, it is necessary and expedient for the health, safety, protection, and welfare of the citizens of Oak Creek that polling places be consolidated into one location for the August 11, 2020 election; and

WHEREAS, pursuant to Wisconsin Statutes Sections 323.11 and 323.14(4)(a), the Common Council is authorized to undertake whatever action is necessary and expedient for the health, safety, protection and welfare of persons and property within the City for the duration of the emergency; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that, pursuant to Wisconsin Statutes 323.14(4)(a) the polling place for all districts and wards in the City of Oak Creek for the August 11, 2020 election shall be combined and relocated to the Oak Creek East Middle School, 9330 South Shepard Avenue, Oak Creek, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21st day of July, 2020.

Passed and adopted this 21st day of July, 2020.

---

Common Council President Kenneth Gehl



Approved this 21st day of July, 2020.

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

ATTEST:

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

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

## COMMON COUNCIL REPORT

**Item:** Bartel Court Access Easement

**Recommendation:** That the Common Council adopts Resolution No. 12168-072120, a resolution approving a permanent public access easement agreement with Commerce 94 Project LLC upon 9700 S. 13<sup>th</sup> Street. (Tax Key No. 905-9008-001, 5<sup>th</sup> Aldermanic District).

**Fiscal Impact:** There are no costs associated with this easement transaction.

**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

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**Background:** There is a new public road coming online very soon, to be known as Bartel Court. The public portion of the road will span north-south from a new intersection with 950 W. Ryan Road to a location on the north property line of 9700 S. 13<sup>th</sup> Street, and then there is to be a paved cul-de-sac turnaround upon the private property of 9700. The cul-de-sac's primary function will be to facilitate employee and visitor movements into and out of the large commercial facility at 9700 S. 13<sup>th</sup>. The cul-de-sac will also serve as a turnaround for all other public vehicles.

To legally allow public access of the private cul-de-sac, the property owner (Commerce 94 Project LLC) is granting a public access easement by agreement with the City. The easement agreement also establishes responsibilities for ongoing operation, maintenance and repair of the cul-de-sac, with the main conditions summarized here:

-Grantor (Property Owner) will operate, maintain and reconstruct the cul-de-sac when necessary.

-Grantee (City) will remove snow and salt, street sweep, perform repairs as needed when they are related to damage caused by its snow removal and sweeping operations.

**Options/Alternatives:** Public use of the cul-de-sac would not be legal without the easement.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Michael C. Simmons, PE  
City Engineer

Fiscal Review:



Bridget M. Souffrant

Assistant City Administrator/Comptroller

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**Attachments:** Resolution 12168-072120, Easement Agreement

**RESOLUTION NO. 12168-072120**

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

**RESOLUTION APPROVING A  
PERMANENT PUBLIC ACCESS EASEMENT AGREEMENT  
WITH COMMERCE 94 PROJECT LLC UPON 9700 S. 13<sup>TH</sup> STREET**

**(TAX KEY NO. 905-9008-001)**

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

WHEREAS, there is a privately-owned cul-de-sac terminus located at the south end of a new public street known as Bartel Court; and

WHEREAS, said cul-de-sac is situated upon private property known as 9700 S. 13<sup>th</sup> Street; and

WHEREAS, a Permanent Public Access Easement Agreement will be required to allow for perpetual legal public use of the cul-de-sac and to establish responsibilities for ongoing operation, maintenance, and repair of the cul-de-sac;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that said Permanent Public Access Easement Agreement is hereby approved and the Mayor and City Clerk are authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to record the document in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21<sup>st</sup> day of July, 2020.

Passed and adopted this 21<sup>st</sup> day of July, 2020.

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

Approved this 21<sup>st</sup> day of July, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

Perpetual Nonexclusive Public Access Easement  
Agreement  
(Bartel Court Turnaround)

Document Number

Recording Area

Name and Return Address

See Exhibit A

Parcel Identification Number (PIN)

# PERPETUAL NONEXCLUSIVE PUBLIC ACCESS EASEMENT AGREEMENT

## BARTEL COURT TURNAROUND

THIS PERPETUAL NONEXCLUSIVE PUBLIC ACCESS EASEMENT AGREEMENT (this “**Agreement**”) is dated as of \_\_\_\_\_, 2020, by and between COMMERCE 94 PROJECT, LLC, a Delaware limited liability company (“**Grantor**”), and the CITY OF OAK CREEK, a Wisconsin municipal corporation (“**City**” or “**Grantee**”).

### RECITALS

A. Grantor is the owner of certain property in the City of Oak Creek, Milwaukee County, Wisconsin, as more particularly described on **EXHIBIT A** attached hereto (the “**Property**”).

B. Ryan Business Park, LLC, a Wisconsin limited liability company (“**Developer**”) and City are parties to a Tax Incremental District No. 16 Finance Development Agreement (Ryan Business Park) dated as of November 5, 2018 (as amended and modified from time to time, the “**Development Agreement**”), pursuant to which Developer agreed to construct certain infrastructure improvements on and adjacent to the Property, including a publicly dedicated street to be known as Bartel Court that will terminate in a cul-de-sac on the Property, which cul-de-sac is more particularly depicted on **EXHIBIT B** attached hereto (the “**Bartel Turnaround**”).

C. Grantor and Grantee desire to enter into this Agreement to create a public access easement over the Bartel Turnaround and to specify certain obligations of the City with respect to the operation and maintenance of the Bartel Turnaround, all on the terms set forth below.

### AGREEMENTS

NOW THEREFORE, in consideration of the above Recitals and the mutual agreements that follow, Developer, Grantor and Grantee agree as follows:

1. Grant of Easement. Grantor hereby grants and conveys to Grantee a permanent, perpetual, nonexclusive easement for pedestrian and vehicular traffic over, across and upon those portions of the Property legally described on **EXHIBIT C** attached hereto (the “**Bartel Easement Area**”). Upon the request of either party, Grantor and Grantee agree to modify the location of the Bartel Easement Area to reflect the as-built location of the roadway described in this Agreement by written amendment to this Agreement, executed and recorded in accordance with the terms of this Agreement.

2. Effective Date. This Agreement shall not be effective until the date that Bartel Court shall be dedicated to, and accepted by, the City as a public street (the “**Effective Date**”).

3. Use. Subject to the terms of this Agreement, Grantee and members of the public may use the Bartel Easement Area (in common with Grantor and its tenants, invitees, employees, licensees, customers, successors and assigns) as a turnaround for vehicular and

pedestrian traffic at the end of Bartel Court. The use of the Bartel Easement Area shall be for normal and customary access by Grantee and the public in accordance with all applicable federal, state and local laws, statutes, ordinances, codes and regulations (collectively, the "Laws"). The rights of Grantee and the public to use the Bartel Easement Area shall not extend to uses inconsistent with the Grantor's and its tenants' use and operation of the Property or that may constitute a public or private nuisance. Parking shall not be permitted within the Bartel Easement Area. Except as otherwise set forth in this Agreement, use of the Bartel Easement Area by Grantee or the public shall not unreasonably interfere with the use of the Bartel Easement Area by Grantor, its tenants, invitees, employees, licensees, customers, successors and assigns. The terms and conditions of this Agreement do not cover any underground, private utility improvements that Developer, Grantor or any of their affiliates may install in the Bartel Easement Area from time to time and those utility improvements shall remain exclusive.

4. Construction of Improvements. Developer shall be responsible for designing and constructing the Bartel Turnaround within the Bartel Easement Area in accordance with the terms of the Development Agreement.

5. Maintenance of Bartel Turnaround.

(a) Except for the obligations of Grantee set forth in this Section 5, from and after the Effective Date, Grantor shall be responsible for the operation, maintenance and capital repair or replacement of the Bartel Turnaround.

(b) From and after the Effective Date, Grantee shall provide street sweeping and snow-plowing and/or snow-removal services, including salting, for the Bartel Turnaround. Such sweeping, snow-plowing and removal service by Grantee shall be consistent with the frequency, quality and standards as used for the publicly dedicated portion of Bartel Court.

(c) From and after the Effective Date, Grantor shall maintain a policy of comprehensive general liability insurance for the portion of the Bartel Easement Area in accordance with the requirements set forth on EXHIBIT D attached hereto.

(d) Grantor and Grantee recognize that damage to roadway improvements may be a normal consequence of snow plowing and road sweeping operations. Grantee shall determine whether and to what extent repairs arising out of such damage to the Bartel Turnaround are warranted based upon criteria used for snowplow and street cleaning damage on public streets. When and where warranted, Grantee shall undertake the appropriate repairs for any snow plow and street cleaning caused damage to the Bartel Turnaround.

6. Public Access. The Bartel Easement Area shall be available for public use at all times, except for such times as Grantor may elect to close the Bartel Easement Area for construction, maintenance or repair of the Bartel Turnaround or any adjacent buildings, structures or improvements, or any utility facilities and other service facilities or to avoid the acquisition of adverse or prescriptive rights.

7. Intentionally Deleted.

8. Indemnity. Each party (the “**Indemnifying Party**”) shall at all times indemnify and hold the other party harmless from any claim, loss, damage, injury, action, or liability, in any way related to, or arising out of, any failure of the Indemnifying Party to satisfy any of its obligations listed in this Agreement. Provided, however, that this provision is subject to the legal defenses which, under law, either party is entitled to raise. The agreement by each Indemnifying Party to indemnify, defend, and hold harmless the other party, shall survive the termination of this Agreement.

9. Binding Agreement. The easement rights granted herein and the other provisions of this Agreement shall run with the land and the Property and be binding upon and inure to the benefit of Grantor and Grantee and their respective successors and assigns.

10. Force Majeure. If any party is delayed or interrupted in the performance or completion of any of its obligations hereunder by any cause beyond its control, including, but not limited to, any act, neglect or default of the other party or any agent or employee of the other party (including any delay requested by the other party), embargo, war, fire, flood, concealed conditions, cyclone, earthquake, epidemic or other calamity, act of God or of the public enemy, riots, insurrection or any strike, illegal walkout or secondary boycott, then the delay shall be excused and the time of performance specified in this Agreement shall be extended for a period equal to the time lost as a consequence of the delay or interruption.

11. Recording. This Agreement shall be recorded in the office of the Register of Deeds of Milwaukee County.

12. Applicable Law. This Agreement shall be interpreted and construed in accordance with the laws of the State of Wisconsin.

13. Headings. Descriptive headings are for convenience only and shall not control or affect the meaning or construction of any provision of this Agreement.

14. Counterparts. This Agreement may be executed in any number of counterparts, and each counterpart shall be deemed to be an original instrument, but all such counterparts together shall constitute but one agreement.

15. Notices. All notices to be given by one party to the other under this Agreement shall be in writing and given either by personal delivery or certified mail, postage prepaid, to the addresses set forth in this paragraph. A notice shall be deemed delivered either upon actual receipt or upon refusal by a party to accept delivery. Either party may change its address for purposes of receiving notice by delivering written notice thereof in accordance with the requirements of this paragraph.

To Grantor:

Don Schoenheider and Greg Scovitch  
Hillwood Enterprises, L.P.  
9525 Bryn Mawr, Suite 975  
Rosemont, IL 60018  
[Don.Schoenheider@hillwood.com](mailto:Don.Schoenheider@hillwood.com)  
[Greg.Scovitch@hillwood.com](mailto:Greg.Scovitch@hillwood.com)



With a copy to:

Foley & Lardner LLP  
Attn: Sarah O. Jelencic  
777 East Wisconsin Avenue  
Milwaukee, WI 53202  
[sjelencic@foley.com](mailto:sjelencic@foley.com)

To Grantee:

City Clerk, City of Oak Creek  
8040 S. 6th St.  
Oak Creek, WI 53154  
[croeske@oakcreekwi.org](mailto:croeske@oakcreekwi.org)

With a copy to:

Melissa L. Karls, Esq.  
City Attorney  
Corporate Square  
7300 South 13th St., Suite 104  
Oak Creek, WI 53154  
[mkarls@haskinkarls.com](mailto:mkarls@haskinkarls.com)

16. Enforcement. This Agreement may be enforced either at law or in equity, with the nonbreaching party entitled to injunctive relief and/or monetary damages. If any action for enforcement of this Agreement is brought, the nonprevailing party in such action shall reimburse the prevailing party for its reasonable attorneys' fees incurred in such action. No persons other than the parties hereto shall be entitled to enforce any of the terms, covenants or conditions of this Agreement.

17. Integration, Modification and Waiver. All of the terms and provisions of this Agreement and the understanding of the parties pertaining to the subject matter thereof are set forth in this Agreement and no prior understanding or obligation not expressly set forth herein shall be binding upon the parties. No subsequent modification or amendment of this Agreement shall be binding upon the parties unless in writing, executed by the parties hereto. None of the provisions of this Agreement shall be considered waived by either party except when such waivers are given in writing. No such waiver shall be construed to be a waiver of any past or future default, breach or modification of any of the terms, provisions, conditions or covenants of this Agreement except as expressly stipulated therein.

18. No Joint Venture. No provision hereof shall be deemed to constitute the parties hereto as partners of one another or joint venturers of one another or in any way obligate any party hereto for the performance of any obligation of the other party hereto.

[Remainder of Page Left Intentionally Blank]

**CITY OF OAK CREEK**

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

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

STATE OF WISCONSIN        }  
  } SS  
COUNTY OF MILWAUKEE    }

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above named Daniel J. Bukiewicz and Catherine A. Roeske, as Mayor and City Clerk, respectively, of the City of Oak Creek, and to me known to be the persons who executed the foregoing instrument and acknowledged the same on behalf of such entity and acknowledge the same.

\* \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission: \_\_\_\_\_

This document was drafted by and should be returned to Sarah O. Jelencic, c/o Foley & Lardner LLP, 777 East Wisconsin Avenue, Milwaukee, Wisconsin 53202.

**EXHIBIT A**

**Legal Description of the Property**

## EXHIBIT A

### LEGAL DESCRIPTION

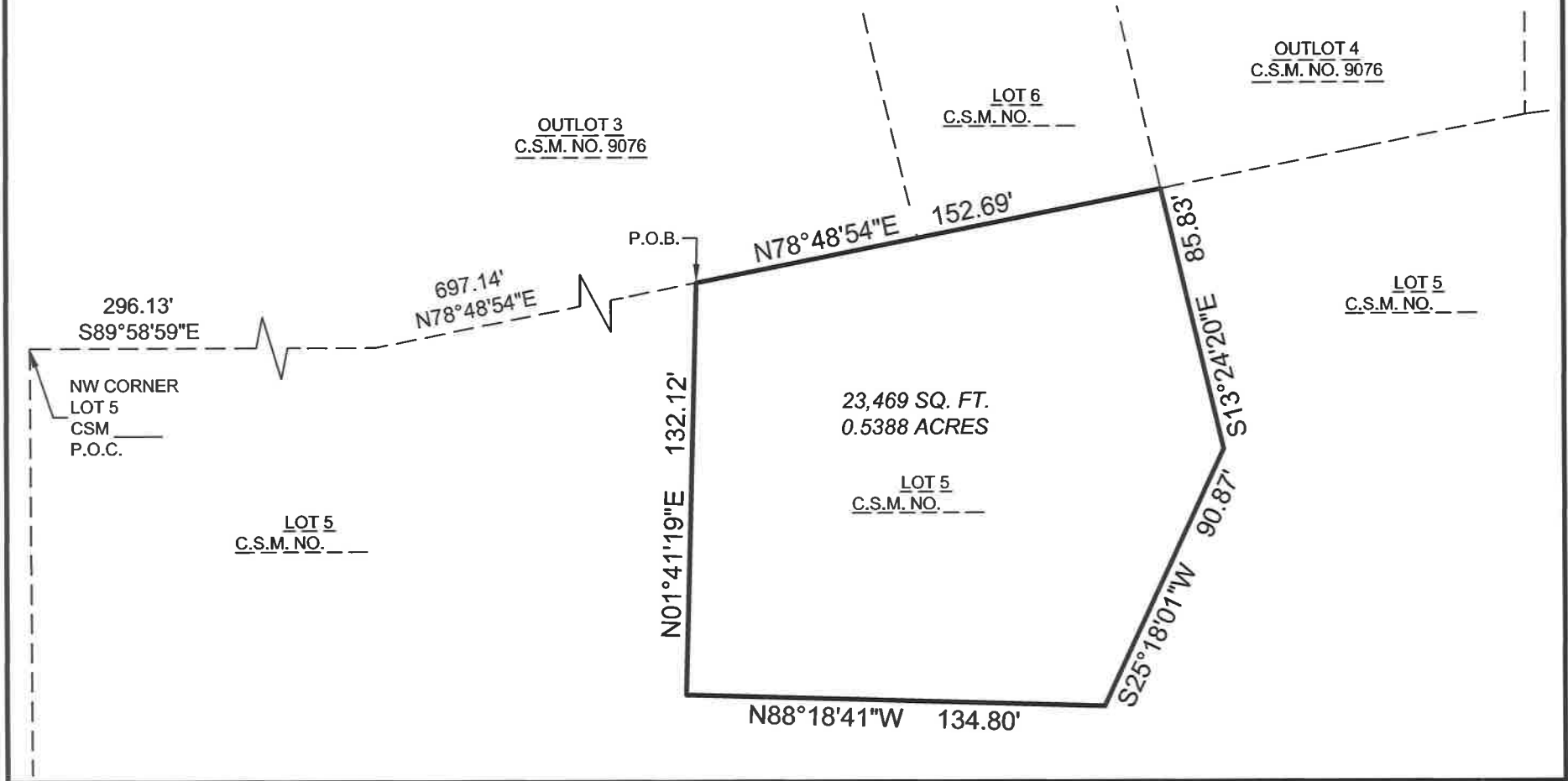
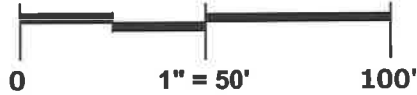
Lot 5 of Certified Survey Map No. \_\_\_\_\_, as recorded in the Register of Deeds office for Milwaukee County as Document No. \_\_\_\_\_, located in the Northeast 1/4 of the Southwest 1/4 of Section 29 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

**EXHIBIT B**

**Depiction of Bartel Easement Area**

[See attached]

GRAPHICAL SCALE (FEET)



# EXHIBIT B

**PINNACLE ENGINEERING GROUP**

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

07/14/2020

**PLAN | DESIGN | DELIVER**

WWW.PINNACLE-ENGR.COM

PEG JOB#146.01A

**EXHIBIT C**  
**Legal Description of the Bartel Easement Area**

## EXHIBIT C

### LEGAL DESCRIPTION

Being a part of Lot 5 of Certified Survey Map No. \_\_\_\_\_, as recorded in the Register of Deeds office for Milwaukee County as Document No. \_\_\_\_\_, located in the Northwest 1/4 of the Northwest 1/4 of Section 29, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northwest Corner of said Lot 5, thence South 89°58'59" East along the north line of said Lot 5, 296.13 feet; thence North 78°48'54" East along said north line 697.14 feet to the Point of Beginning;

Thence continuing North 78°48'54" East along said north line, 152.69 feet; thence South 13°24'20" East, 85.83 feet; thence South 25°18'01" West, 90.87 feet; thence North 88°18'41" West, 134.80 feet; thence North 01°41'19" East, 132.12 feet to the Point of Beginning.



## **EXHIBIT D**

### **Insurance Requirements**

Throughout the term of this Agreement, Grantor shall maintain:

(a) Commercial comprehensive liability insurance in connection with that portion of the Bartel Easement Area located upon their respective property, naming the Grantee as additional insured, in an amount not less than \$1,000,000.00 for each personal injury to or death of any one person in any one accident; \$5,000,000.00 general aggregate, and

(b) Comprehensive "all risk" or equivalent insurance, insuring against fire or casualty, vandalism and malicious mischief, with extended coverage in an amount equal to 100% of the full replacement cost of the Bartel Turnaround and sufficient to avoid all co-insurance provisions of the subject insurance policy. Grantor shall have the right to maintain the insurance coverage required to be maintained hereunder under an umbrella or blanket insurance coverage's, covering other premises so long as the umbrella or blanket insurance policies expressly provide coverage for the requirements provided under this Agreement.


(c) Grantor shall provide Grantee with a certificate of insurance, naming Grantee as additional insured for the purposes of this Agreement, and providing that the insurance company will furnish the Grantee with 30 days written notice of cancellation, non-renewal or material change.

(d) Notwithstanding the above insurance requirements or anything else in the agreement, Grantor's replacement of damaged or destroyed improvements shall be limited to items that such Grantor maintains. Furthermore, Grantor will not be required to make repetitive replacement for items vandalized or destroyed.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed as of the date stated in the first paragraph of this Agreement.


**GRANTOR:**

**COMMERCE 94 PROJECT, LLC**

By:   
Name: Don Schoenheider  
Title: Senior Vice President

STATE OF IL )  
 ) : SS  
COUNTY OF Cook )

This instrument was acknowledged before me on 7.14, 2020 by Don Schoenheider, as Senior Vice President of Commerce 94 Project, LLC.

  
Notary Public, State of Wisconsin IL  
My commission 1.20.2024



**COMMON COUNCIL REPORT**

**Item:** Construction Acceptance for Bartel Court

**Recommendation:** That the Common Council adopts Resolution No. 12172-072120, a resolution accepting the workmanship of the Bartel Court public improvements. (5<sup>th</sup> Aldermanic District).

**Fiscal Impact:** This will be a public street with public utilities for the City to own and maintain going forward.

**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

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**Background:** Bartel Court is a new street that has recently been constructed by the Developer, Ryan Business Park LLC, to provide access to the new Amazon facility and other developing parcels in the business park. There are also public utilities installed within and adjacent to the street. These public improvements will soon become the City's to own and maintain within public right-of-way.

There is a need to have the construction accepted as at least substantially complete before the right-of-way can be conveyed to the City as public. Engineering and OCWS Utility staff have inspected the construction as it progressed to what is agreed as satisfactory substantial completion.

**Options/Alternatives:** The right-of-way cannot be dedicated until the work is deemed substantially complete.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Michael C. Simmons, PE  
City Engineer

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Approved:

Brian L. Johnston, PE  
Utility Engineer

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**Attachments:** Resolution 12172-072120

**RESOLUTION NO. 12172-072120**

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

**RESOLUTION ACCEPTING THE WORKMANSHIP OF  
THE BARTEL COURT PUBLIC IMPROVEMENTS**

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

WHEREAS, Ryan Business Park LLC (“Developer”) and the City of Oak Creek (“City”) entered into a Development Agreement dated April 22, 2019 and recorded with the Milwaukee County Register of Deeds as Document No. 10868555; and

WHEREAS, the Developer has successfully constructed the public improvements related to Bartel Court (“Bartell Improvements”); including public street, bridge, street lighting, storm sewer, sanitary sewer, water main and street trees; and

WHEREAS, the City Engineer asserts that the Bartel Improvements have been constructed in accordance with all City standards and the approved plans and specifications.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek that acceptance of the workmanship, as complete, of the Bartel Improvements is hereby granted by the City.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21<sup>st</sup> day of July, 2020.

Passed and adopted this 21<sup>st</sup> day of July, 2020.

Approved this 21<sup>st</sup> day of July, 2020.

\_\_\_\_\_  
Common Council President Kenneth Gehl

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

ATTEST:

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

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

## COMMON COUNCIL REPORT

Item: W. Drexel Avenue State Municipal Agreement

Recommendation: That the Common Council approves Resolution No. 12173-072120, a resolution approving the State Municipal Agreement for a State-let STP local road project, the rehabilitation of W. Drexel Avenue from S. 13<sup>th</sup> Street to S. Howell Avenue.

Fiscal Impact: There is \$1,868,960 of Surface Transportation Program (STP) grant funding that has been awarded to the City as the 80% federal/state contribution to the project. The City would be responsible for the remaining 20% (\$468,240).

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

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Background: On March 10, 2019 the City was informed that the W. Drexel Avenue rehabilitation project will receive federal funding through the Surface Transportation Program (STP). The proposed improvements will include a dowel bar retrofit and diamond grinding to reinforce the pavement and restore ride, close gaps in sidewalk, and street lighting upgrades.

The State Municipal Agreement (SMA) outlines that the project design and construction costs are funded with up to 80% federal/state funding up to a funding limit of \$1,868,960. In the SMA, the municipality agrees to provide the remaining 20%, and any funds in excess of the \$1,868,960 federal/state funding limit. The City will be responsible for 20% of the roadway design (\$53,060), 20% of the State review (\$3,240), 20% of the road construction (\$353,800) and 20% of the construction inspection (\$57,140).

Design is anticipated to begin in late 2020 and construction in 2022.

Options/Alternatives: The alternative is to not adopt the Resolution, which would result in the city passing on the \$1,868,960 grant and eventually having to fund the Drexel project some other way.

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:




Ashley Kiepczynski, PE  
Design Engineer

Fiscal Review:

  
Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Approved:

  
Michael C. Simmons, PE  
City Engineer

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Attachments: Resolution No. 12173-072120, State Municipal Agreement (SMA)

**RESOLUTION NO. 12173-072120**

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

**RESOLUTION APPROVING THE STATE MUNICIPAL AGREEMENT  
FOR A STATE-LET STP LOCAL ROAD PROJECT, THE REHABILITATION OF  
W. DREXEL AVENUE FROM S. 13<sup>TH</sup> STREET TO S. HOWELL AVENUE**

**(1<sup>ST</sup> AND 2<sup>ND</sup> ALDERMANIC DISTRICTS)**

WHEREAS, the City of Oak Creek (City) and the State (WisDOT) are entering into a State Municipal Agreement (SMA) for cost sharing of the design and construction of W. Drexel Avenue from S. 13<sup>th</sup> Street to S. Howell Avenue and;

WHEREAS, the federal government has provided Surface Transportation Program (STP) grant funding, \$1,868,960 of which has been awarded and administered through WisDOT to the City's W. Drexel Avenue Project, and;

WHEREAS, the SMA provides that WisDOT will pay 80% of the design, State review, construction and related field inspection costs, up to the maximum of \$1,868,960, and;

WHEREAS, the SMA provides that the City will pay the remaining 20% of the design, State review, road construction and inspection costs; plus, the balance of all costs above the capped \$1,868,960 State contribution.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the SMA is hereby approved and the Mayor and City Clerk are authorized to execute the same, and;

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit the three (3) City-signed documents to WisDOT for its execution and the return of one fully-executed document back to the City.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21<sup>st</sup> day of July, 2020.

Passed and adopted this this 21<sup>st</sup> day of July, 2020.

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

Approved this this 21<sup>st</sup> day of July, 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

## Urbanized Area STP-Urban (206) Standard SMA Template

	<b>STATE/MUNICIPAL AGREEMENT FOR A STATE- LET STP-Urban PROJECT</b>	Date: June 26, 2020
	<b>Program Name: STP-Urban</b> <b>Population Group: Over 200,000</b> <b>Sub-program #: 206</b>  <b>Cycle: 2020-2025</b>	I.D.: 2345-07-01/71 Road Name: W Drexel Avenue Limits: CTH V to STH 38 County: Milwaukee Roadway Length: 1.00 Miles Functional Classification: Minor Arterial Project Sponsor: City of Oak Creek

The signatory, City of Oak Creek, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

### NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

**Existing Facility - Describe and give reason for request: The existing concrete (1987) is deteriorated with faulted concrete pavement slabs. The cross section is 4 12ft lanes with curb & gutter, sidewalk and bicycle accommodations and lighting. There is a sub-standard vertical alignment.**

**Proposed Improvement - Nature of work: Resurfacing with Dowel bar retrofit and diamond grinding to restore ride. No right-of-way acquisition is anticipated. There is a railroad underpass/overpass within the project limits, no rail crossing improvements are anticipated at this time**

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable federal requirements: **Items to be 100% locally funded could include, but may not be limited to, adjustment of water service boxes, gate valves, and manholes; adjustment of sanitary sewer manholes, placing of new sanitary manhole seals and covers, haul roads.**

The Municipality agrees to the following 2020-2025 Program Cycle Urbanized Area project funding conditions:

Project design and construction costs are funded with up to 80% federal/state funding up to a funding limit of \$1,868,960. The Municipality agrees to provide the remaining 20% and any funds in excess of the \$1,868,960 federal/state funding limit. Non-participating costs are 100% the responsibility of the Municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

This project is currently scheduled in State Fiscal Year 2022. **In accordance with the State's sunset policy for Urbanized Area STP-Urban projects, the subject 2020-2025 Program Cycle Urbanized Area STP-Urban improvement must be constructed and in final acceptance within six years from the start of**



## Urbanized Area STP-Urban (206) Standard SMA Template

**State Fiscal Year 2020, or by June 30, 2026.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary of Costs Table below are estimates. The final Municipal share is dependent on the final federal participation, and actual costs will be used in the final division of cost for billing and reimbursement. In no event shall federal or State funding exceed the estimate of \$1,868,960 in the Summary of Costs Table, unless such increase is approved in writing by the State through the State's Change Management Policy prior to the Municipality incurring the increased costs.

SUMMARY OF COSTS					
PHASE	Total Est. Cost	Federal Funds	%	Municipal Funds	%
<b>ID 2345-07-01</b>					
Design	\$265,300	\$212,240	80%	\$53,060	20% + BAL
State Review	\$16,200	\$12,960	80%	\$3,240	20% + BAL
<b>ID 2345-07-71</b>					
Participating Construction	\$1,769,000	\$1,415,200	80%	\$353,800	20% + BAL
Non-Participating Construction	\$1,000	\$0	0%	\$1,000	100%
State Review	\$285,700	\$228,560	80%	\$57,140	20% + BAL
<b>Total Est. Cost Distribution</b>	<b>\$2,337,200</b>	<b>\$1,868,960</b>	<b>N/A</b>	<b>\$468,240</b>	<b>N/A</b>

this project has a federal funding cap of \$1,868,960. This federal funding cap applies to all federally funded project phases

This request is subject to the terms and conditions that follow (pages 2 – 7) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signatures certify the content has not been altered by the municipality.  
Signed for and in behalf of: **City of Oak Creek (please sign in blue ink)**

Name	Title	Date
------	-------	------

Signed for and in behalf of the State:

Name	Title: SE Region Planning Chief	Date
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**GENERAL TERMS AND CONDITIONS:**

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding.
3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
  - a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)

## Urbanized Area STP-Urban (206) Standard SMA Template

- b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Municipality agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
- c. Prevailing wage requirements, including but not limited to 23 U.S.C 113.
- d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
- e. Competitive bidding and confidentiality requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06. This includes the sharing of financial data prior to the conclusion of the competitive bid period.
- f. All applicable Disadvantaged Business Enterprise (DBE) requirements that the State specifies.
- g. Federal statutes that govern the Surface Transportation Program (STP), including but not limited to 23 U.S.C. 133.
- h. General requirements for administering federal and state aid set forth in Wis. Stat. 84.03.

### STATE RESPONSIBILITIES AND REQUIREMENTS:

- 4. Funding of each project phase is subject to inclusion in Wisconsin's approved 2020-2025 Program Cycle Urbanized Area STP-Urban program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:
  - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
  - b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.
  - c. Storm sewer mains necessary for the surface water drainage.
  - d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
  - e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
  - f. Signing and pavement marking.
  - g. Real estate for the improvement.
  - h. New installations or alteration of street lighting and traffic signals or devices.
  - i. Landscaping.
  - j. Preliminary engineering and design.
  - k. State review services.

## Urbanized Area STP-Urban (206) Standard SMA Template

5. The work will be administered by the State and may include items not eligible for federal participation.
6. As the work progresses, the State will bill the Municipality for work completed which is not chargeable to federal funds. Upon completion of the project, a final audit will be made to determine the final division of costs subject to project funding limits in the Summary of Costs Table. If reviews or audits show any of the work to be ineligible for federal funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

### MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:

7. Work necessary to complete the 2020-2025 Program Cycle Urbanized Area STP-Urban improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.
  - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
  - c. Detour routes and haul roads. The municipality is responsible for determining the detour route.
  - d. Conditioning, if required and maintenance of detour routes.
  - e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
  - f. All work related to underground storage tanks and contaminated soils.
  - g. Street and bridge width in excess of standards, in accordance with the current *WisDOT Facilities Development Manual*.
  - h. Other 100% Municipality funded items: adjustment of water service boxes, gate valves, and manholes; adjustment of sanitary sewer manholes, placing of new sanitary manhole seals and covers, haul roads.
8. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by State prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.
9. Work to be performed by the Municipality without federal funding participation necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.
10. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.
11. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in Wis. Stat. 51.01 (5), sexual orientation as defined in Wis. Stat. 111.32 (13m), or national origin.
12. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed federal financing commitments or are ineligible for federal financing. To guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.

## Urbanized Area STP-Urban (206) Standard SMA Template

13. **In accordance with the State's sunset policy for Urbanized Area STP-Urban projects, the subject 2020-2025 Program Cycle Urbanized Area STP-Urban improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2020, or by June 30, 2026.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.
14. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
15. The Municipality will at its own cost and expense:
  - a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance in a manner consistent with reasonable industry standards, and will make ample provision for such maintenance each year.
  - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during construction.
  - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
  - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
  - e. Provide complete plans, specifications, and estimates to State upon request.
  - f. Provide relocation orders and real estate plats to State upon request.
  - g. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
  - h. Provide maintenance and energy for lighting.
  - i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.
16. It is further agreed by the Municipality that:
  - a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.
  - b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse State if State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
  - c. The Municipality will be 100% responsible for all costs associated with utility issues involving the contractor, including costs related to utility delays.
  - d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality

## Urbanized Area STP-Urban (206) Standard SMA Template

or by others, will be in conformity with such *Manual of Uniform Traffic Control Devices* as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred with by the Federal Highway Administration.

- e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by Federal or State highway regulations will not be permitted within the right-of-way limits of the project. The Municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to be erected or maintained in the future.
- f. The Municipality is responsible for any damage caused by legally hauled loads, including permitted oversize and overweight loads. The contractor is responsible for any damage caused to haul roads if they do not obey size and weight laws, use properly equipped and maintained vehicles, and do not prevent spilling of materials onto the haul road (*WisDOT Standard Specifications* 618.1, 108.7, 107.8). The local maintaining authority can impose special or seasonal weight limitations as defined in Wis. Stat. 349.16, but this should not be used for the sole purpose of preventing hauling on the road.

The bid item 618.0100 Maintenance and Repair of Haul Roads (project) is ineligible for federal funding on local program projects as per the State/Municipal Agreement. The repair of damages as a result of hauling materials for the project is the responsibility of the Municipality as specified in the State/Municipal Agreement Terms and Conditions under Municipal Responsibilities and Requirements.

### LEGAL RELATIONSHIPS:

17. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.
18. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.
19. Contract modification: This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of either this State/Municipal Agreement or any of its attachments may be changed, waived or terminated orally.
20. Binding effects: All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.
21. Choice of law and forum: This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

# Urbanized Area STP-Urban (206) Standard SMA Template

## PROJECT FUNDING CONDITIONS

22. Non-appropriation of funds: With respect to any payment required to be made by the State under this State/Municipal Agreement, the parties acknowledge the State's authority to make such payment is contingent upon appropriation of funds and required legislative approval sufficient for such purpose by the Legislature. If such funds are not so appropriated, either the Municipality or the State may terminate this State/Municipal Agreement after providing written notice not less than thirty (30) days before termination.
23. Maintenance of Records: During the term of performance of this State/Municipal Agreement, and for a period not less than three years from the date of final payment to the Municipality, records and accounts pertaining to the performance of this State/Municipal Agreement are to be kept available for inspection and audit by representatives of the Department. The Department reserves the right to audit and inspect such records and accounts at any time. The Municipality shall provide appropriate accommodations for such audit and inspection.

In the event that any litigation, claim or audit is initiated prior to the expiration of said records maintenance period, the records shall be retained until such litigation, claim or audit involving the records is complete.

24. The Municipality agrees to the following 2020-2025 Program Cycle Urbanized Area STP-Urban project funding conditions:
  - a. ID 2345-07-01: Design is funded with 80% federal funding, when the Municipality agrees to provide the remaining 20%. This phase includes plan development and state review. The work includes project review, approval of required reports and documents and processing the final Plan, Specification & Estimate (PS&E) document for award of the contract. Costs for this phase include an estimated amount for state review activities, to be funded 80% with federal funding and 20% by the Municipality.
  - b. ID 2345-07-71: Construction.
    - i. Costs for resurfacing, dowel bar retrofit & diamond grinding are funded with 80% federal funding when the municipality agrees to provide the remaining 20%.
    - ii. Non-participating costs for adjustment of water service boxes, gate valves, and manholes; adjustment of sanitary sewer manholes, placing of new sanitary manhole seals and covers, haul roads are funded 100% by the Municipality. Costs include construction delivery.
    - iii. Costs for this phase include an estimated amount for state review activities, to be funded 80% with federal funding and 20% by the Municipality.

[End of Document]



## COMMON COUNCIL REPORT

**Item:** License Committee Report

**Recommendation:** That the Common Council grant the various license requests as listed on the 7/21/2020 License Committee Report.

**Fiscal Impact:** License fees in the amount of \$1,115.00 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:

1. Grant an Operator's license to:
  - \* Madisyn B. Fech (Pick 'n Save)
  - \* Alexandria E. Rosselli (Pick 'n Save)
  - \* Aubrey J. Thomas (Pick 'n Save)
  - \* Anthony M. Pence (Aldi)
  - \* Jose Gonzalez (Pilot Travel Center)
  - \* Edgar A. Cortes (BelAir Cantina)
  - \* Mya M. Mendola (Pick 'n Save)
  - \* Jordyn E. Herte (Pick 'n Save)
  - \* Jessica A. Norris (Buffalo Wild Wings)
  - \* Sabrinarae Oliva (MOD Pizza)
  - \* Emma A. Saskowski (Aldi)

**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 / Finance Director

Attachments: none



## COMMON COUNCIL REPORT

**Item:** Vendor Summary Report

**Recommendation:** That the Common Council approve the July 15, 2020 Vendor Summary Report in the total of \$381,854.38.

**Fiscal Impact:** Total claims paid of \$381,854.38.

**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. \$7,152.00 to Arlington Computer Products (pg #1) for laptops and docks for the health department staff contact tracing.
2. \$68,496.22 to Benistar (pg #3) for August Medicare supplement insurance.
3. \$11,183.75 to Braun ThyssenKrupp Elevator (pg #3) for Station 1 elevator repair.
4. \$17,903.00 to Buelow Vetter (pg #3) for legal services.
5. \$13,010.17 to E. H. Wolf & Sons, Inc. (pg #5) for fuel inventory.
6. \$10,993.69 to Enterprise FM Trust (pg #5) for DPW vehicle lease monthly payment.
7. \$15,000.05 to Godfrey & Kahn S.C. (pg #7) for legal services regarding DeRosso Landfill Co., Stand Rock Hotel, and redevelopment of lakefront site.
8. \$12,687.99 to Kansas City Life Insurance Co. (pg #9) for August disability insurance.
9. \$10,229.95 to MADACC (pg #12) for 3rd quarter animal control operating costs.
10. \$5,000.00 to Reserve Account (pg #14) for postage refill.
11. \$7,069.42 to Securian Financial Group, Inc. (pgs #15-16) for August employee life insurance.
12. \$49,379.34 to US Bank (pgs #21-29) for equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.
13. \$17,415.62 to WE Energies (pg #18) for street lighting, electricity & natural gas.
14. \$6,698.89 to WI Court Fines & Surcharges (pg #18) for June 2020 court fines.



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15. \$9,575.50 to WI Dept. of Transportation (pg #19) for construction services relating to Ryan Business Park.

Options/Alternatives: None

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Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Kristina Strmsek  
Staff Accountant

Fiscal Review:



Bridget M. Souffrant  
Assistant City Administrator/Comptroller

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Attachments: 7/15/2020 Invoice GL Distribution Report



## COMMON COUNCIL REPORT

**Item:** Authorizing payment of bills, debts and obligations.

**Recommendation:** That the Common Council adopt Resolution No. 12171-072120, a Resolution authorizing payment of bills, debts and obligations.

**Fiscal Impact:** There is no further fiscal impact other than potentially saving on interest charges or late fees.

**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 Common Council voted to hold only one meeting in the month of August, on August 18, 2020. This leaves four weeks before the August 18, 2020 meeting and would put some of our bills past due if not paid. Per State Statute 62.12(6), "unless otherwise provided by law, City funds should be paid out only by authority of the Council." The attached resolution will allow the Finance Department to create a vendor summary report and cut and release checks as if there were still a meeting on August 4, 2020. At the August 18, 2020 meeting, we will provide the Council with a vendor summary report from August 4 as well as a vendor summary report for August 18.

**Options/Alternatives:** Hold all bills until August 18, 2020 and potentially incur interest charges or late fees.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Jamie Strobl  
Assistant Comptroller

Fiscal Review:

Bridget M. Souffrant  
Assistant City Administrator/Comptroller

Attachments: Resolution No. 12171-072120

RESOLUTION NO. 12171-072120

RESOLUTION AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS

WHEREAS, the Common Council has decided to cancel the Common Council meeting that had been scheduled for August 4, 2020; and,

WHEREAS, Wis Stats §62.12(6) provides that “unless otherwise provided by law, City funds should be paid out only by authority of the Council”; and,

WHEREAS, City bills, debts and obligations may become delinquent because of the cancellation of the August 4, 2020 Common Council Meeting; and,

WHEREAS, Common Council desires to ensure that all bills, debts and obligations of the City are paid in a timely manner.

NOW THEREFORE, BE IT RESOLVED that the Common Council hereby authorizes the payment of City bills, debts and obligations that become due during the month of July, 2020 to be paid in accordance with state and local law prior to the approval of the vendor summary report for the August 18, 2020 Common Council meeting.

BE IT FURTHER RESOLVED that any bills, debts and obligations that are paid pursuant to this Resolution after the July 21st vendor summary report has been approved, but prior to approval of the vendor summary report by the Common Council for the August 18th meeting be included in the vendor summary report for the August 18, 2020 Common Council meeting.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 21st day of July, 2020.

Passed and adopted this 21st day of July, 2020.

\_\_\_\_\_  
Kenneth Gehl, Common Council President

Approved this 21st day of July, 2020.

\_\_\_\_\_  
Mayor Daniel Bukiewicz

ATTEST:

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

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