



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

COMMON COUNCIL MEETING AGENDA

JUNE 7, 2022

7:00 P.M.

Daniel Bukiewicz - Mayor
Steven Kurkowski – 1st District
Greg Loreck – 2nd District
Richard Duchniak – 3rd District
Lisa Marshall – 4th District
Kenneth Gehl – 5th District
Chris Guzikowski – 6th District

The City's Vision

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 5/17/2022

Recognition

4. **Mayoral Proclamation:** Pride Month, June 2022.

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. **Planned Unit Development:** Consider a request submitted by Wispark, LLC to amend the conditions and restrictions and general development plan regulating the M-1, Manufacturing Planned Unit Development for the Oakview Business Park as it relates to the property at 200 W. Oakview Parkway (5th District).
6. **Ordinance:** Consider Ordinance No. 3044, amending the conditions and restrictions in Ordinance No. 2708 for the Planned Unit Development (PUD) for the Oakview Business Park (5th District).

New Business

7. **Ordinance:** Consider Ordinance No. 3045, fixing the Salary and Wage Ranges, Salaries, Wages, and Allowances of Certain Full-Time and Part-Time Labor Association of Wisconsin ("LAW") and Non-Represented Positions for the Year 2022 (by Committee of the Whole).

Visit our website at www.oakcreekwi.org for the agenda and accompanying common council reports.
This meeting will be live streamed on the City of Oak Creek YouTube page via <http://ocwi.org/livestream>.

PUBLIC WORKS & UTILITY

8. **Resolution:** Consider Resolution No. 12333-060722, approving a Hold Harmless Agreement with Oakview II Industrial, LLC A WI LLC at 10551 S. Oakview Parkway (Tax Key No. 955-1024-000) (5th District).

COMMUNITY DEVELOPMENT

9. **Motion:** Consider a motion to approve the construction of a sand volleyball court at Willow Heights Park, at a cost not to exceed \$28,000 (held 4/19/22, 5/17/22) (2nd District).

ENGINEERING

10. **Motion:** Consider a motion to award the Civic Center Clock Tower and Roof Flashing Rehabilitation project to the lowest, responsive, responsible bidder, M.M. Schranz Roofing Inc., for a lump sum bid price of \$313,800.00 (Project No. 22016) (2nd District).
11. **Resolution:** Consider Resolution No. 12334-060722, granting a WE Energies 12' x 59.1' permanent underground electric easement at Lake Vista Park (Tax Key No. 868-9004-000) (4th District).

LICENSE COMMITTEE

12. **Motion:** Consider a motion to grant the 2022-23 renewal business alcohol license requests as listed on the 6/7/22 License Committee Report, with issuance and release subject to final inspection approvals listed and payment of any fees or obligations (by Committee of the Whole).
13. **Motion:** Consider a motion to approve the various license requests as listed on the 6/7/22 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

14. **Motion:** Consider a motion to approve the June 1, 2022 Vendor Summary Report in the amount of \$624,412.25 (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. 6th Street, Oak Creek, Wisconsin 53154.

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

Mayoral Proclamation
June 2022
LGBTQ+ Pride Month

WHEREAS, the month of June was designated Pride Month to commemorate the Stonewall Uprising which occurred in June of 1969 and is generally recognized as the catalyst of the LGBTQ+ Rights Movement; and

WHEREAS, the City of Oak Creek cherishes the value and dignity of each person and appreciates the importance of equality and freedom; and

WHEREAS, the City of Oak Creek accepts and welcomes people of diverse backgrounds and believes a diverse population leads to a more vibrant community; and

WHEREAS, the City of Oak Creek strives to be a community where everyone is celebrated for our differences, rather than being limited by what divides us; and

WHEREAS, the City of Oak Creek denounces prejudice and unfair discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation, or physical attributes as an affront to our fundamental principles; and

WHEREAS, the City of Oak Creek appreciates the cultural, civic, and economic contributions of the Lesbian, Gay, Bisexual, Transgender, Queer, plus (LGBTQ+) community which strengthen our social welfare; and

WHEREAS it is imperative that people in our community, regardless of sexual orientation, gender identity, and expression, feel valued, safe, empowered, and supported by their peers and community leaders; and

WHEREAS, despite being marginalized, LGBTQ+ people continue to celebrate authenticity, acceptance, and love.

NOW THEREFORE BE IT RESOLVED, that on this day, Tuesday, June 7, 2022, that I, Daniel J. Bukiewicz, Mayor of the City of Oak Creek declare the month of June 2022 as LGBTQ+ Pride Month in the City of Oak Creek and invite residents to eliminate prejudice everywhere it exists, respect the rights of all people, and celebrate the great diversity of our city.

Dated this 7th day of June, 2022.

Daniel J. Bukiewicz, Mayor

Catherine Roeske, City Clerk

TO BE PUBLISHED MAY 18 & 25, 2022

OFFICIAL NOTICE

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

PURPOSE:

The purpose of this public hearing is to consider a request submitted by Wispark, LLC to amend the conditions and restrictions and general development plan regulating the M-1, Manufacturing Planned Unit Development for the Oakview Business Park as it relates to the property at 200 W. Oakview Parkway.

Hearing Date: June 7, 2022

Time: 7:00 PM

Place: Oak Creek Civic Center (City Hall)
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant(s): Wispark, LLC

Property Owner(s): Wispark, LLC

Property Location(s): Multiple. Amendments pertain to 200 W. Oakview Pkwy.

Tax Key(s): Multiple. Amendments pertain to 955-1045-000.

Legal Description:

200 W. Oakview Pkwy., Tax Key #955-1045-000 - CSM NO 9131, NE & SE 1/4 SEC 32-5-22, LOT 3.

The Common Council has scheduled other public hearings for June 7, 2022 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: May 11, 2022

CITY OF OAK CREEK COMMON COUNCIL

By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

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

COMMON COUNCIL REPORT

- Item:** Amendment to Planned Unit Development - Oakview Business Park
- Recommendation:** That the Council adopt Ordinance No. 3044, amending the conditions and restrictions in Ordinance No. 2708 for the Planned Unit Development (PUD) for the Oakview Business Park.
- Fiscal Impact:** Without the removal of the woodland designation, the developable area of Lot 20 would be restricted, which would limit the increment generated by development of this parcel. The property is in TID No. 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: Wispark, LLC is requesting an amendment to the conditions and restrictions and general development plan governing the Oakview Business Park. While the proposed amendments would govern the entire park, the request is really specific to the potential development of Lot 20 (200 W. Oakview Parkway).

When the original park was entitled and further amended in 2014 (Ordinance No. 2708) the general development plan illustrated Lot 20 as two distinct parcels; a lot of 3.11 acres with an adjacent woodland parcel of 6+ acres.

Subsequent to the adoption of that ordinance and conditions and restrictions, Lot 20 was created by CSM No. 9131 and encompassed 8.2 acres and, while identifying wetlands, did not contain any reference to woodlands.

Recently, the owners of the property inquired about potential development of this parcel, and to what extent the existing trees were protected under the previous and current zoning codes. The conditions and restrictions adopted pursuant to the PUD are prescriptive with regards to parking lot landscaping, but do not speak to tree preservation as part of the requirement for landscape plan approval.

The zoning code that was effective prior to March of this year (Section 17.1009(a)23) stated "Woodlands shall, to the greatest practical extent possible, be protected within an over-all development plan for the property. In order to make this determination, the owner or developer of any property or properties that are involved with any of the following shall have any woodland on the property, as shown on the most recent SEWRPC or USDA aerial photo of the City, staked, inventoried and legally described."

The current adopted zoning code states the following regarding woodland preservation.

(a) Tree Preservation.

(1) Existing viable trees of twelve (12) inches or greater DBH shall not be removed from lots within the City without a tree preservation and removal plan prepared by a certified landscape architect and approved by the Community Development Director or their designee. DBH is diameter at breast height measured at four and a half (4.5) feet off the ground or grade level.

(2) The tree preservation and removal plan shall include an inventory of all trees of twelve (12) inches or greater DBH on a lot.

(3) Every reasonable effort shall be made to incorporate trees identified in the inventory into the landscape required for the proposed development. The Community Development Director or their designee must determine that one of the following criteria apply prior to granting approval to remove a mature, high quality tree:

- a. The tree is dead, dying, diseased, or a threat to public health or safety;
- b. The tree interferes with the provision of public services or is a hazard to traffic;
- c. The location of the tree prevents development or redevelopment that cannot be designed to protect the tree.
- d. The tree is an identified invasive species.

(4) Viable trees of twelve (12) inches or greater DBH to be removed shall be replaced in accordance with the following standards.

a. The tree to be removed shall be replaced within one (1) year of the date of approval and guaranteed as detailed in Section 17.0505(f)(5).

b. Any tree designated for removal on an approved tree preservation and removal plan shall be replaced at the rate specified in Table 17.0505(d)(4). Replacement trees shall not be considered as satisfying the landscape requirements of this Section.

c. In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, such tree shall be replaced at three (3) times the applicable rate specified in Table 17.0505(d)(4).

d. The value of a tree shall be determined by the Community Development Director or their designee in accordance with the methods developed by the Council of Tree and Landscape Appraisers in the most recent Guide for Plant Appraisal.

Part of this property is also identified as an isolated natural resource area by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). That designation, in and of itself does not have the effect of prohibiting or restricting development within the wooded area. Wetlands are also present on the property. Any modifications to the wetlands would require approval from the Department of Natural Resources (DNR) and or Army Corps of Engineers.

Staff acknowledges that more than 48 acres of woodlands, wetlands and open spaces have been permanently set aside and protected as part of the development of the Oakview Business Park. This is in addition to Mardeand Park, an additional 8+ acres, that was previously dedicated to the City prior to the development of the business park. The modifications to the isolated natural area, including the woodlands on Lot 20, while unfortunate, do serve to implement the broader vision of the business park and TID No. 8, and are supported by Planning staff. The removal of the woodland designation may have implications on

existing grading, drainage, utility and/or stormwater management plans. Any changes to those plans must be approved by the City Engineer prior to the issuance of any building permits or site disturbance.

As part of this PUD amendment request, the property owners are also requesting that the plan review for Lot 20, specifically the landscape plan, be regulated by the conditions and restrictions adopted relating to open space, landscaping, landscape area and parking lot screening in the adopted PUD and the amended General Development Plan. They are further requesting that current City Zoning Code Sec. 17.0505 shall not apply within the OakView Business Park Planned Unit Development overlay.

A copy of the changes proposed to the conditions and restrictions by the applicant are included as an addendum to this report. Note that there is no language in that document to contradict Section 17.1009(a)23 of the prior code with respect to woodlands. Those same conditions and restrictions are prescriptive regarding only the landscaping of parking lots. If the Commission and Council were to agree to Wispark's request there would be no standard (aside from parking lots) upon which to evaluate site landscaping. Based on past discussions with the property owner, staff would suggest that the intent of such a request was to seek relief from a specific section of the adopted zoning code related to the requirement for a tree preservation and removal plan and the replacement of any impacted trees. To maintain continuity and consistency of landscaping in the business park the previous landscape standards should remain in effect for the remaining vacant lots, as they have been for all previously developed lots in the park.

Tree preservation, in one form or another was/is a common element in both the previous and existing zoning code(s). Based on the tree inventory that was completed by the applicant there were a total of 89 trees identified (greater than 12" diameter) on Lot 20, 19 of which were in excess of 30" diameter. Based on the new replacement standards there would need to be more than 286 trees planted to compensate for the removal of those trees (if all were impacted). While this may not be possible or practical on this specific site, staff is open to discussing off-site options to accommodate the replacement standards.

If the Council agrees with Wispark that woodlands were, to the greatest practical extent possible, protected within an over-all development plan for the entire property, then staff would be acceptable to amending the PUD to remove this requirement. If not, staff would suggest that compensation take place, either on this property, within the business park or elsewhere. To preserve continuity on landscaping requirements for all of the parcels within this business park, staff is acceptable to reviewing this, and the few remaining lots within the Oakview Business Park, under the previous 17.1010 standards, provided that a consensus can be reached on tree replacement.

The Plan Commission reviewed this request at their meeting of May 10th, and recommended that the requested amendment be approved subject to the conditions that

1. It is the responsibility of the property owner to secure any permits or approvals for impacts to on-site wetlands or isolated natural resource areas prior to the commencement of any site disturbing activities in those areas., and
2. That any changes to approved grading, drainage, utility or stormwater management plans be approved by the City Engineer prior to the issuance of any building permits or site disturbance.

Options/Alternatives: The alternative to this proposed amendment would be to treat the 'buildable area' of Lot 20 as it was previously designated in the general development plan, to eliminate any impact on the wetlands and woodlands. This would greatly restrict the ability to develop this parcel in a practical manner.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Doug Seymour, AICP
Director of Community Development

Fiscal Review:



Maxwell Gagins, MPA
Assistant City Administrator / Comptroller

Attachments:

public hearing notice

Ordinance No. 3044

Location Map

Project Narrative

CSM 9131

Concept site plan and tree inventory

minutes of May 10, 2022

ORDINANCE NO. 3044

By: _____

AN ORDINANCE TO AMEND THE CONDITIONS AND RESTRICTIONS IN ORDINANCE NO 2708 FOR THE PLANNED UNIT DEVELOPMENT (PUD) FOR OAKVIEW BUSINESS PARK (WISPARK, LLC)

(5th Aldermanic District)

WHEREAS, on May 7, 2013 the Oak Creek Common Council adopted Ordinance No. 2676, approving the rezone of properties located at 10303 & 10711 S. Howell Avenue and 405 & 641 W. Oakwood Road from Rs-1, Single Family Residential, ER, Equestrian Residential, I-1, Institutional to M-1 (PUD), Manufacturing Planned Unit Development; and

WHEREAS, on March 4, 2014 the Oak Creek Common Council adopted Ordinance No. 2708, approving an amendment to the conditions and restrictions in Ordinance 2676 for the Planned Unit Development for the Oakview Business Park.; and

WHEREAS, that ordinance affected the following legally described property;

Part of the Northeast $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin described as follows:

Lots 1, 2, and 3 of Certified Survey Map 8154 recorded as Document Number 09747350 in the Registrar's Office, Milwaukee County, Wisconsin on June 3, 2009; the right of way of Glen Oaks Drive as recorded on said Certified Survey Map; the right of way of ABC Street as shown said Certified Survey Map; and parts of the Exception (as noted on the Certified Survey Map) – Unplatted Land (Mardeand Park).

Containing 223.18 acres, more or less all being in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the owner, WisPark, LLC is now requesting an amendment to the general development plan governing the M-1, PUD for the Oakview Business Park that would (a) remove the woodland designation from the property at 200 W. Oakview Parkway as depicted on the amended general development plan, and (b) amend the conditions and restrictions relating to open space, landscaping, landscape area and parking lot screening, such that Municipal Code Section 17.0505 shall not apply and that the landscaping standards in effect prior to March 15, 2022 shall apply to all parcels within the planned unit development.; and

WHEREAS, the Plan Commission reviewed the application and recommended that the requested amendment be approved subject the following conditions

1. It is the responsibility of the property owner to secure any permits or approvals for impacts to on-site wetlands or isolated natural resource areas prior to the commencement of any site disturbing activities in those areas.
2. That any changes to approved grading, drainage, utility or stormwater management plans be approved by the City Engineer prior to the issuance of any building permits or site disturbance.; and

TO BE PUBLISHED MAY 18 & 25, 2022

OFFICIAL NOTICE

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

PURPOSE:

The purpose of this public hearing is to consider a request submitted by Wispark, LLC to amend the conditions and restrictions and general development plan regulating the M-1, Manufacturing Planned Unit Development for the Oakview Business Park as it relates to the property at 200 W. Oakview Parkway.

Hearing Date:

June 7, 2022

Time:

7:00 PM

Place:

Oak Creek Civic Center (City Hall)
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant(s):

Wispark, LLC

Property Owner(s):

Wispark, LLC

Property Location(s):

Multiple. Amendments pertain to 200 W. Oakview Pkwy.

Tax Key(s):

Multiple. Amendments pertain to 955-1045-000.

Legal Description:

200 W. Oakview Pkwy., Tax Key #955-1045-000 - CSM NO 9131, NE & SE 1/4 SEC 32-5-22, LOT 3.

The Common Council has scheduled other public hearings for June 7, 2022 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: May 11, 2022

CITY OF OAK CREEK COMMON COUNCIL

By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

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WHEREAS, the Common Council held a public hearing on said application on June 7, 2022, at which time all interested parties appeared and were heard; and

NOW, THEREFORE, BE IT RESOLVED, 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 general development plan and conditions and restrictions for the Oakview Business Park affecting the lands herein described, be amended as follows:

1. That the general development plan be amended to remove the woodland designation from the property at 200 W. Oakview Parkway as illustrated in Exhibit "A".
2. That the standards related to open space, landscaping, landscape area and parking lot screening, be applied based on the requirements in effect prior to March 15, 2022 for all parcels within the planned unit development.

SECTION 2: It is the responsibility of the property owner to secure any permits or approvals for impacts to on-site wetlands or isolated natural resource areas prior to the commencement of any site disturbing activities in those areas.

SECTION 3: Any changes to approved grading, drainage, utility or stormwater management plans must be approved by the City Engineer prior to the issuance of any building permits or site disturbance for Lot 20.

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: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION 6: This ordinance shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this ____ day of _____, 2022.

President, Common Council

Approved this ____ day of _____, 2022.

Mayor

ATTEST:

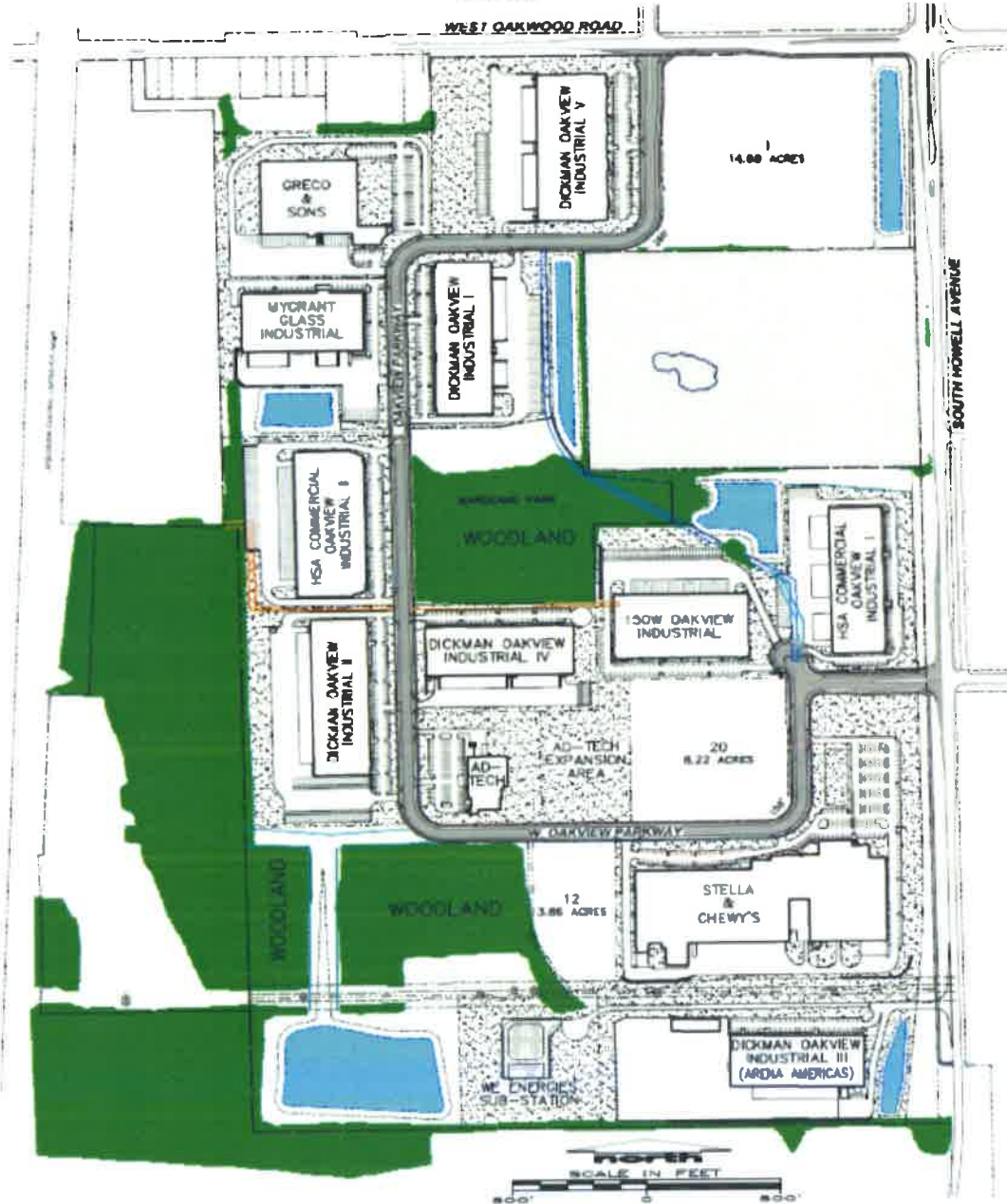
City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A

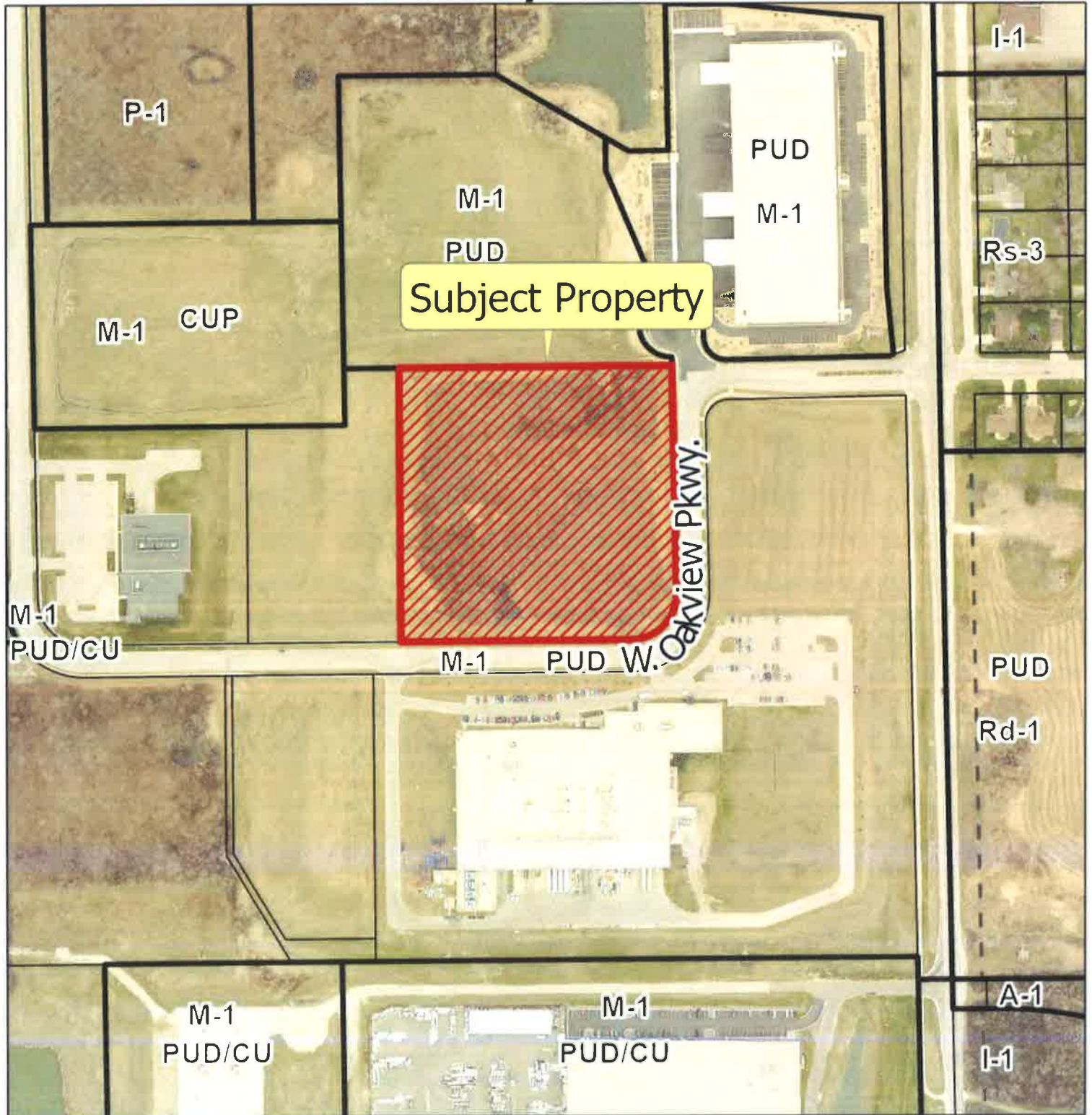
Amended General Development Plan (dated March 15, 2022)

APRIL 2022



Location Map

200 W. Oakview Pkwy.



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



Community Development



Legend

- Zoning
- Flood Fringe
- Official Street Map
- Parcels
- Floodway
- 200 W. Oakview Pkwy.

PROPOSED AMENDMENT TO PLANNED UNIT DEVELOPMENT
(OAKVIEW BUSINESS PARK)

Wispark LLC (“Wispark”) and the City of Oak Creek have worked collaboratively since 2013 to form OakView Business Park as a premier live-work-play community. Their efforts have resulted in the successful development and occupancy of 13 industrial facilities, sophisticated and effective regional stormwater management, maintenance of 30% open space park-wide, first-ever public access to Mardeand Park and an increase in the tax base of Tax Incremental District No. 8 by \$130,140,500. The City’s underlying M-1 manufacturing standards and the previously adopted planned unit development overlay have applied to OakView since its inception in 2013. Being nearly fully developed between 2013 and 2022 with only two open developable lots remaining, new provisions of the City’s restated zoning code were never intended to apply to, much less restrict the development of, OakView’s developable lots. Accordingly, this proposed amendment to the OakView planned unit development overlay is intended to maintain the high standards applied to OakView’s developed 13 lots and avoid unintended consequences of applying new City-wide zoning code provisions to the very specialized OakView Business Park.

1. The Property. By Ordinance # 2708, approved on March 4, 2014, the City of Oak Creek Common Council adopted an amended planned unit development overlay for OakView Business Park, affecting the following legally described parcels:

Part of the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of Section 32, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin described as follows:

South Oakview Parkway and West Oakview Parkway as dedicated to the public in Certified Survey Map No. 8608; Outlot 1 of Certified Survey Map No. 8608; Lot 1, Lot 3, and Outlot 1 of Certified Survey Map No. 8702; Lot 1, Lot 2, and Outlot 2 of Certified Survey Map No. 8718; Outlot 1 of Certified Survey Map No. 8719; Lot 1 and Outlot 1 of Certified Survey Map No. 8720; Lot 2 and Outlot 1 of Certified Survey No. 8900; Lot 1, Lot 2, Lot 3, and Outlot 1 of Certified Survey Map No. 8927; Lot 1, Lot 2, and Outlot 1 of Certified Survey Map No. 9037; Lot 1 and Lot 2 of Certified Survey Map No. 9044 along with the additional public right-of-way dedication; Lot 1, Lot 2, and Lot 3 of Certified Survey Map 9131; and Lot 1 of Certified Survey Map No. 9256; containing 230.78 acres, more or less, all being in the City of Oak Creek, County of Milwaukee, State of Wisconsin (the “Property”).

2. Conditions and Restrictions. The terms and conditions of the OakView Planned Unit Development overlay are currently set forth in certain City of Oak Creek – Planned Unit Development Conditions and Restrictions (“Conditions and Restrictions”) approved March 4, 2014 and attached hereto as Exhibit A.

3. Proposed Amendments. Wispark, as the original developer of OakView Business

Park and current owner of building site 12 (3.86 acres known as Lot 2 of Certified Survey Map No. 9037) ("Site 12") and of building site 20 (8.22 acres known as Lot 3 of Certified Survey Map No. 9131) ("Site 20") desires to amend the OakView Conditions and Restrictions applicable to the Property as set forth below.

4. Removal of Woodland Designation from Site 20. The reference to portions of Site 20 on Exhibit A to the Conditions and as "woodland" are hereby deleted, and the General Development Plan attached as Exhibit A to the Conditions and Restrictions shall be deemed to be amended and restated in its entirety by the Amended General Development Plan attached hereto as Exhibit B. No portion of Site 20 shall be designated or constitute "Woodland" as defined in Section 17.1023(k) of the City's Zoning Code and no portion of such Site 20 shall be required to comply with any restrictions or requirements relating to a "Woodland" under the City's Zoning Code.

5. Application of Woodland Designation to 54.5 Acres. Approximately 54.5 acres of Woodland, as noted on the Amended General Development Plan attached hereto as Exhibit B, including but not limited to Mardeand Park, shall remain designated as Woodland and subjected to the restrictions and requirements relating to "Woodland" under the City's Zoning Code.

6. Landscaping. The Conditions and Restrictions relating to open space, landscaping, landscape area and parking lot screening, the Amended General Development Plan and landscape plans approved by the City Plan Commission for any portion of the Property shall govern landscaping and tree preservation at OakView Business Park. City Zoning Code sec. 17.0505 shall not apply within the OakView Business Park Planned Unit Development overlay.

EXHIBIT A

Conditions and Restrictions (approved March 4, 2014)

City of Oak Creek-Planned Unit Development Conditions and Restrictions	
Applicant: WisPark LLC	Approved by Plan Commission: 1-28-14
Project: Oak View Business Park	Approved by Common Council: 3-4-14
Property Addresses: 405 & 641 W. Oakwood Rd., 10303 & 10711 S. Howell Ave.	(Ord. # 2708)
Tax Key Numbers: 955-1001-000, 975-1004, 955-1002-000, 974-1003-000	

1. LEGAL DESCRIPTION

This planned unit development shall be confined to the following legally described parcels:

Part of the Northeast and Southeast of Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin described as follows:

Lots 1, 2, and 3 of Certified Survey Map 8154 recorded as Document Number 09747350 in the Registrar's Office, Milwaukee County, Wisconsin on June 3, 2009; the right of way of Glen Oaks Drive as recorded on said Certified Survey Map; the right of way of ABC Street as shown said Certified Survey Map; and parts of the Exception (as noted on the Certified Survey Map) – Unplatted Land (Mardeand Park).

Containing 223.18 acres, more or less all being in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

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

A. A precise detailed site plan for the area affected by the PUD 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 locations with setbacks
 - b) square footage of building
 - c) areas for future expansion
 - d) area to be paved
 - e) access drives (width and location)
 - f) sidewalk locations
 - g) parking layout and traffic circulation
 - i) location
 - ii) number of employees
 - iii) number of spaces
 - iv) dimensions
 - v) setbacks
 - h) location of loading berths
 - i) location of sanitary sewer (existing and proposed)
 - j) location of water (existing and proposed)
 - k) location of storm sewer (existing and proposed)
 - l) including detention/retention basins if needed
 - l) location of outdoor storage
 - m) location of wetlands (field verified)
 - n) location, square footage and height of signs
- 2) **Landscape Plan**
 - a) screening plan for outdoor storage
 - b) number, initial size and type of plantings
 - c) parking lot screening/berming
- 3) **Building Plan**
 - a) architectural elevations
 - b) building floor plans
 - c) materials of construction
- 4) **Lighting Plan**
 - a) types of fixtures
 - b) mounting heights
 - c) type of poles
 - d) photometrics of proposed fixtures
- 5) **Grading, Drainage and Stormwater Management Plan**
 - a) contours (existing and proposed)
 - b) location of storm sewer (existing and proposed)
 - c) location of stormwater management structures and basins (if required)
- 6) **Fire Protection**
 - a) location of existing and proposed fire hydrants (public and private)
 - b) interior floor plan

c) materials of construction

- B. All plans for new buildings, additions, or exterior remodeling shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- C. For any new buildings or structures and additions, 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.
- D. A Development Agreement shall be completed between the owner 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 IE and/or as specified by these conditions and restrictions.
- E. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- F. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- G. If there are any future land divisions, a plat or certified survey map shall be prepared, submitted for approval and recorded. If required by the Common Council, a development agreement also shall be completed between the owner and the City prior to approval of said land division document, so as to ensure the construction or installation of public improvements required in these conditions and restrictions and Chapter 14 of the Municipal Code.
- H. All electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- I. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.
- J. For all new buildings, additions and uses shall make appropriate use of open spaces. A minimum of 30% of the entire planned unit development shall be set aside as open space.

3. PARKING AND ACCESS

- A. Parking within this planned unit development shall be provided based on Section 17.0403(j)(5) of the Municipal Code.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.
- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.

- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0403(g) & (h) of the Municipal Code.

Landscape Area. All public off-street parking lots which serve five (5) vehicles or more and are created or extended subsequent to the adoption of this Ordinance shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. For parking lots designed for twenty-five (25) parking spaces or more, at least one-half of the minimum five- (5) percent landscaped area shall be within the parking lot. Location of landscape areas, plant materials, protection afforded the plantings, including curbing and provision for maintenance shall be subject to approval by the City Plan Commission. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. All plans for such proposed parking areas shall include a topographic survey or grading plan, which shows existing and proposed grades and location of improvements. The preservation of existing trees, shrubs, and other natural vegetation in the parking area may be included in the calculation of the required minimum landscape area.

Parking Lot Screening. Those parking areas for five (5) or more vehicles if adjoining a residential zoning district line or public right-of-way shall be screened from casual view by an earth berm, a solid wall, fence, evergreen planting of equivalent visual density or other effective means approved by the City Plan Commission. Such fence or berm and landscaping together shall be an average of three (3) feet in height between the parking and the street right-of-way and six (6) feet in height between the parking and any adjacent residential property line. All screening materials shall be placed and maintained at a minimum height of three (3) feet. The Plan Commission may require greater screening requirements for parking of large trucks, semi-trailers, and large equipment.

4. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and shall conform with the standards in Section 17.0808 of the Municipal Code.

5. BUILDING AND PARKING SETBACKS

	Front and Street Setback'	Rear Setback	Side Setback
Principal Structure	40 ft.	20 ft.	20ft.
Accessory Structure*	40 ft.	5 ft.	5 ft.
Off-street Parking	30 ft.	5 ft.	5 ft.

* No accessory structures shall be permitted in the front yard.

6. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to

approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.

B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.

7. SIGNS

A. All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code.

8. PERMITTED USES

A. All permitted uses in the M-1, Manufacturing District.

B. Usual and customary accessory uses to the above listed permitted uses.

9. TIME OF COMPLIANCE

The operator of the PUD use shall begin installing or constructing the elements required in these conditions and restrictions for the PUD within twelve (12) months from the date of adoption of the ordinance authorizing the planned unit development. This planned unit development shall expire within eighteen (18) months after commencing construction, if the public infrastructure for which an approval has been issued is not substantially completed as determined by the City Engineer. The applicant shall re-apply for a PUD approval, prior to recommencing work or construction.

10. OTHER REGULATIONS

Compliance with all other applicable City, State and Federal regulations not heretofore stated or referenced, is mandatory.

11. REVOCATION

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 PUD approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a PUD as set forth in Section 17.1007 of the Municipal Code.

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's authorized representative

Jerald P. Franke

(please print name)

10.29.14

Date

EXHIBIT A
General Development Plan

Oakview Business Park — Preliminary Street Name Plan

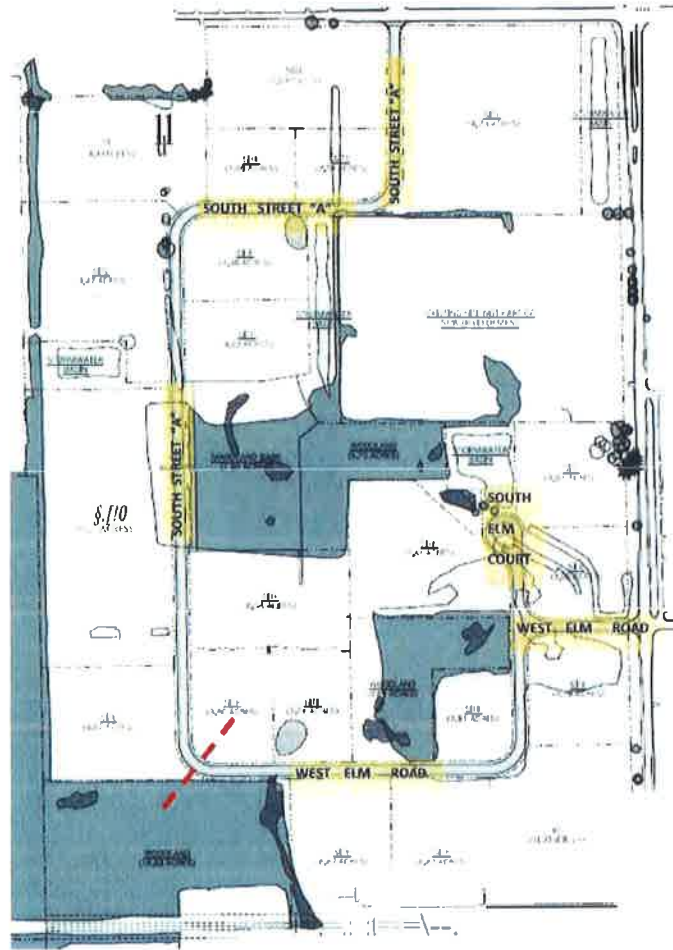
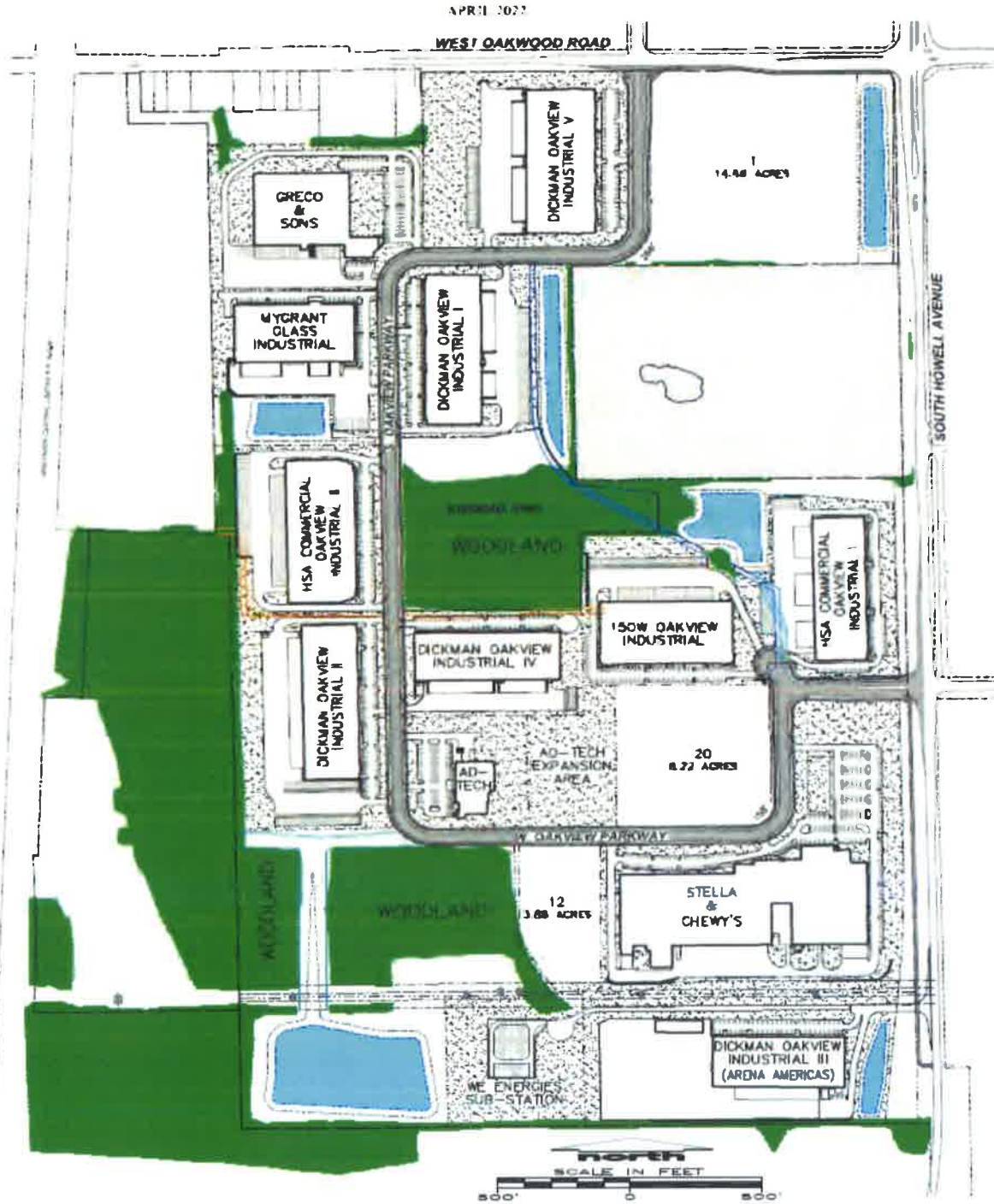


EXHIBIT B

Amended General Development Plan (dated March 15, 2022)

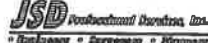


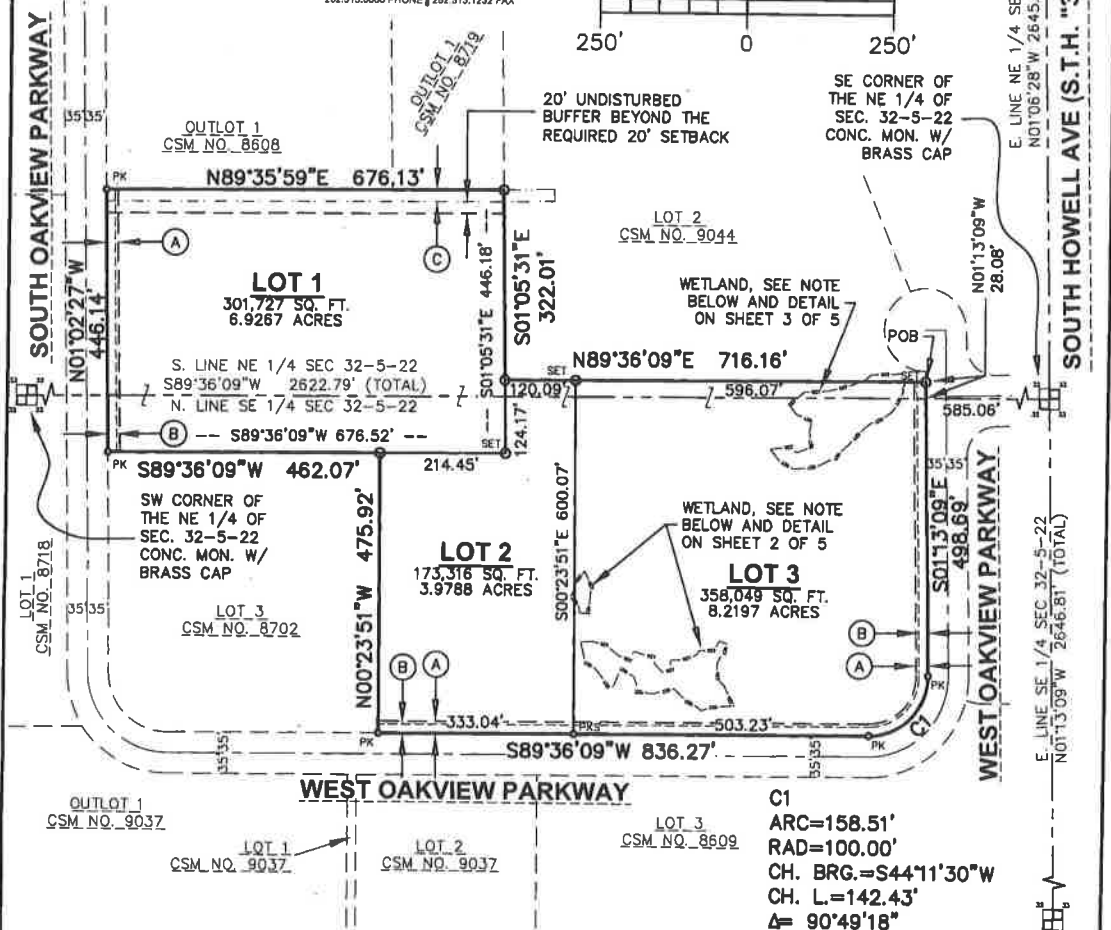
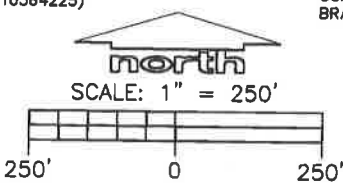
CERTIFIED SURVEY MAP No. 9131

BEING A REDIVISION OF ALL OF LOT 3 OF CERTIFIED SURVEY MAP NO. 9044, A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8719; AND ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8719, A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8702; LOCATED IN THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4; AND THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

- (A) 20' WIDE GENERAL UTILITY AND SIDEWALK/PATH EASEMENT PER CSM NO. 8608 (DOC. NO. 10364225)
- (B) 15' ELECTRIC AND COMMUNICATIONS DISTRIBUTION EASEMENT PER DOC. NO. 10385343
- (C) 20' SANITARY SEWER EASEMENT PER CSM NO. 8608 (DOC. NO. 10364225)

PREPARED FOR:
 WISPARK LLC
 231 W. MICHIGAN ST.
 P423
 MILWAUKEE, WI 53203

PREPARED BY:

 JSD Professional Services, Inc.
 "Engineers • Surveyors • Planners"
 MILWAUKEE REGIONAL OFFICE
 4038 W. 19th BUSSIE ROAD, SUITE 100
 WAUKESHA, WISCONSIN 53186
 262.513.0668 PHONE | 262.513.1232 FAX



C1
 ARC=158.51'
 RAD=100.00'
 CH. BRG.=S44°11'30"W
 CH. L.=142.43'
 Δ= 90°49'18"

NOTES:

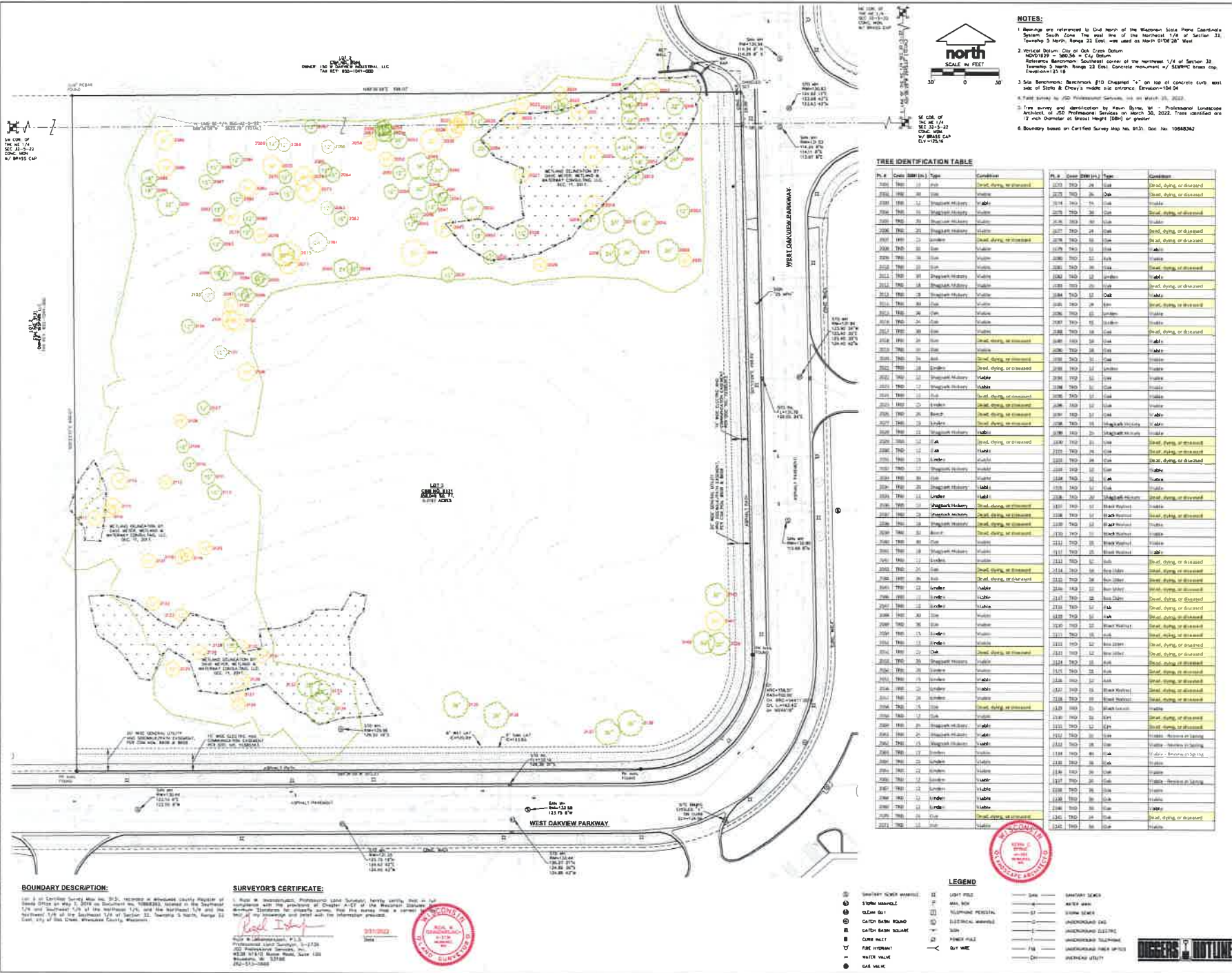
CERTIFIED SURVEY MAP NO. 9044 RECORDED ON JUNE 6, 2018 AT MILWAUKEE CO. REGISTER'S OFFICE AS DOC. NO. 10786045.
 CERTIFIED SURVEY MAP NO. 8719 RECORDED ON AUGUST 31, 2015 AT MILWAUKEE CO. REGISTER'S OFFICE AS DOC. NO. 10494590.
 CERTIFIED SURVEY MAP NO. 8702 RECORDED ON JUNE 15, 2015 AT MILWAUKEE CO. REGISTER'S OFFICE AS DOC. NO. 10470264.
 WETLAND LOCATION BASED ON WETLAND DELINEATION REPORT DATED DECEMBER 11, 2017 AS PREPARED BY DAVE MEYER, WETLAND & WATERWAY CONSULTING, LLC.
 THIS PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PER FEMA MAP PANEL NUMBER 55079C0231E, EFFECTIVE DATE: SEPTEMBER 26, 2008.

BEARING BASIS:

ALL BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, WAS USED AS NORTH 01°06'28" WEST.
 PROJECT CONVERSION FACTOR: GRID/0.99994301 = GROUND
 SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.
 ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.
 DATED THIS 1ST DAY OF MAY, 2019
 THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SE CORNER OF THE SE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP





- NOTES:**
1. Bearings are referenced to the north of the Wisconsin State Plane Coordinate System South Zone. The east line of the Northeast 1/4 of Section 32, Township 5 North, Range 23 East, was used as North 078°28' West.
 2. Vertical Datum: City of Oak Creek Datum of the Northeast 1/4 of Section 32, Township 5 North, Range 23 East = City Datum.
 3. Site Benchmark: Benchmark #10 Cheapest "A" on top of concrete curb, west side of Stebb & Chey's made site entrance. Elevation: 104.24.
 4. Field Survey by JSD Professional Services, Inc. on March 30, 2022.
 5. Tree survey conducted by Kevin Flynn, Inc. - Professional Landscape Architect, on 202 Professional Services on March 30, 2022. Trees identified are 12 inch diameter at breast height (DBH) or greater.
 6. Boundary based on Certified Survey Map No. 9123, Date Iss. 10/06/2021.

TREE IDENTIFICATION TABLE

P.L.#	Code	DBH (in.)	Type	Condition	P.L.#	Code	DBH (in.)	Type	Condition
2000	T900	10	Tree	Dead, dying, or diseased	2079	T910	24	Oak	Dead, dying, or diseased
2001	T900	30	Tree	Healthy	2078	T900	36	Oak	Dead, dying, or diseased
2002	T900	12	Shagbark Hickory	Healthy	2074	T910	24	Oak	Healthy
2003	T900	16	Shagbark Hickory	Healthy	2075	T910	30	Oak	Dead, dying, or diseased
2004	T900	20	Shagbark Hickory	Healthy	2076	T910	30	Oak	Healthy
2005	T900	24	Shagbark Hickory	Healthy	2077	T910	24	Oak	Dead, dying, or diseased
2006	T900	28	Shagbark Hickory	Healthy	2078	T910	30	Oak	Dead, dying, or diseased
2007	T900	32	Shagbark Hickory	Healthy	2079	T910	30	Oak	Healthy
2008	T900	36	Shagbark Hickory	Healthy	2080	T910	32	Oak	Healthy
2009	T900	40	Shagbark Hickory	Healthy	2081	T910	36	Oak	Healthy
2010	T900	44	Shagbark Hickory	Healthy	2082	T910	40	Oak	Healthy
2011	T900	48	Shagbark Hickory	Healthy	2083	T910	44	Oak	Healthy
2012	T900	52	Shagbark Hickory	Healthy	2084	T910	48	Oak	Healthy
2013	T900	56	Shagbark Hickory	Healthy	2085	T910	52	Oak	Healthy
2014	T900	60	Shagbark Hickory	Healthy	2086	T910	56	Oak	Healthy
2015	T900	64	Shagbark Hickory	Healthy	2087	T910	60	Oak	Healthy
2016	T900	68	Shagbark Hickory	Healthy	2088	T910	64	Oak	Healthy
2017	T900	72	Shagbark Hickory	Healthy	2089	T910	68	Oak	Healthy
2018	T900	76	Shagbark Hickory	Healthy	2090	T910	72	Oak	Healthy
2019	T900	80	Shagbark Hickory	Healthy	2091	T910	76	Oak	Healthy
2020	T900	84	Shagbark Hickory	Healthy	2092	T910	80	Oak	Healthy
2021	T900	88	Shagbark Hickory	Healthy	2093	T910	84	Oak	Healthy
2022	T900	92	Shagbark Hickory	Healthy	2094	T910	88	Oak	Healthy
2023	T900	96	Shagbark Hickory	Healthy	2095	T910	92	Oak	Healthy
2024	T900	100	Shagbark Hickory	Healthy	2096	T910	96	Oak	Healthy
2025	T900	104	Shagbark Hickory	Healthy	2097	T910	100	Oak	Healthy
2026	T900	108	Shagbark Hickory	Healthy	2098	T910	104	Oak	Healthy
2027	T900	112	Shagbark Hickory	Healthy	2099	T910	108	Oak	Healthy
2028	T900	116	Shagbark Hickory	Healthy	2100	T910	112	Oak	Healthy
2029	T900	120	Shagbark Hickory	Healthy	2101	T910	116	Oak	Healthy
2030	T900	124	Shagbark Hickory	Healthy	2102	T910	120	Oak	Healthy
2031	T900	128	Shagbark Hickory	Healthy	2103	T910	124	Oak	Healthy
2032	T900	132	Shagbark Hickory	Healthy	2104	T910	128	Oak	Healthy
2033	T900	136	Shagbark Hickory	Healthy	2105	T910	132	Oak	Healthy
2034	T900	140	Shagbark Hickory	Healthy	2106	T910	136	Oak	Healthy
2035	T900	144	Shagbark Hickory	Healthy	2107	T910	140	Oak	Healthy
2036	T900	148	Shagbark Hickory	Healthy	2108	T910	144	Oak	Healthy
2037	T900	152	Shagbark Hickory	Healthy	2109	T910	148	Oak	Healthy
2038	T900	156	Shagbark Hickory	Healthy	2110	T910	152	Oak	Healthy
2039	T900	160	Shagbark Hickory	Healthy	2111	T910	156	Oak	Healthy
2040	T900	164	Shagbark Hickory	Healthy	2112	T910	160	Oak	Healthy
2041	T900	168	Shagbark Hickory	Healthy	2113	T910	164	Oak	Healthy
2042	T900	172	Shagbark Hickory	Healthy	2114	T910	168	Oak	Healthy
2043	T900	176	Shagbark Hickory	Healthy	2115	T910	172	Oak	Healthy
2044	T900	180	Shagbark Hickory	Healthy	2116	T910	176	Oak	Healthy
2045	T900	184	Shagbark Hickory	Healthy	2117	T910	180	Oak	Healthy
2046	T900	188	Shagbark Hickory	Healthy	2118	T910	184	Oak	Healthy
2047	T900	192	Shagbark Hickory	Healthy	2119	T910	188	Oak	Healthy
2048	T900	196	Shagbark Hickory	Healthy	2120	T910	192	Oak	Healthy
2049	T900	200	Shagbark Hickory	Healthy	2121	T910	196	Oak	Healthy
2050	T900	204	Shagbark Hickory	Healthy	2122	T910	200	Oak	Healthy
2051	T900	208	Shagbark Hickory	Healthy	2123	T910	204	Oak	Healthy
2052	T900	212	Shagbark Hickory	Healthy	2124	T910	208	Oak	Healthy
2053	T900	216	Shagbark Hickory	Healthy	2125	T910	212	Oak	Healthy
2054	T900	220	Shagbark Hickory	Healthy	2126	T910	216	Oak	Healthy
2055	T900	224	Shagbark Hickory	Healthy	2127	T910	220	Oak	Healthy
2056	T900	228	Shagbark Hickory	Healthy	2128	T910	224	Oak	Healthy
2057	T900	232	Shagbark Hickory	Healthy	2129	T910	228	Oak	Healthy
2058	T900	236	Shagbark Hickory	Healthy	2130	T910	232	Oak	Healthy
2059	T900	240	Shagbark Hickory	Healthy	2131	T910	236	Oak	Healthy
2060	T900	244	Shagbark Hickory	Healthy	2132	T910	240	Oak	Healthy
2061	T900	248	Shagbark Hickory	Healthy	2133	T910	244	Oak	Healthy
2062	T900	252	Shagbark Hickory	Healthy	2134	T910	248	Oak	Healthy
2063	T900	256	Shagbark Hickory	Healthy	2135	T910	252	Oak	Healthy
2064	T900	260	Shagbark Hickory	Healthy	2136	T910	256	Oak	Healthy
2065	T900	264	Shagbark Hickory	Healthy	2137	T910	260	Oak	Healthy
2066	T900	268	Shagbark Hickory	Healthy	2138	T910	264	Oak	Healthy
2067	T900	272	Shagbark Hickory	Healthy	2139	T910	268	Oak	Healthy
2068	T900	276	Shagbark Hickory	Healthy	2140	T910	272	Oak	Healthy
2069	T900	280	Shagbark Hickory	Healthy	2141	T910	276	Oak	Healthy
2070	T900	284	Shagbark Hickory	Healthy	2142	T910	280	Oak	Healthy
2071	T900	288	Shagbark Hickory	Healthy	2143	T910	284	Oak	Healthy
2072	T900	292	Shagbark Hickory	Healthy	2144	T910	288	Oak	Healthy
2073	T900	296	Shagbark Hickory	Healthy	2145	T910	292	Oak	Healthy
2074	T900	300	Shagbark Hickory	Healthy	2146	T910	296	Oak	Healthy
2075	T900	304	Shagbark Hickory	Healthy	2147	T910	300	Oak	Healthy
2076	T900	308	Shagbark Hickory	Healthy	2148	T910	304	Oak	Healthy
2077	T900	312	Shagbark Hickory	Healthy	2149	T910	308	Oak	Healthy
2078	T900	316	Shagbark Hickory	Healthy	2150	T910	312	Oak	Healthy

BOUNDARY DESCRIPTION:

Site is located on the West 1/4 of Section 32, Township 5 North, Range 23 East, in Milwaukee County, Wisconsin. The site is bounded on the north by the West 1/4 of Section 32, Township 5 North, Range 23 East, on the east by the West 1/4 of Section 32, Township 5 North, Range 23 East, on the south by the West 1/4 of Section 32, Township 5 North, Range 23 East, and on the west by the West 1/4 of Section 32, Township 5 North, Range 23 East.

SURVEYOR'S CERTIFICATE:

I, the undersigned, a duly licensed Professional Land Surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey as shown on the attached plan and map. I have read the plan and map and the information thereon, and I believe it to be a true and correct copy of the original survey as shown on the attached plan and map.

Paul J. Ising
 Paul J. Ising, P.L.S.
 Professional Land Surveyor, No. 2720
 200 Madison Avenue, Suite 100
 Milwaukee, WI 53202
 414-224-2288



LEGEND

- Boundary Survey
- Light Pole
- Man Hole
- Electric Meter
- Man
- Power Pole
- Fire Hydrant
- Water Valve
- Gas Valve
- Sanitary Sewer
- Water Main
- Storm Sewer
- Underground Gas
- Underground Electric
- Underground Telephone
- Underground Area Utility
- Underground Utility

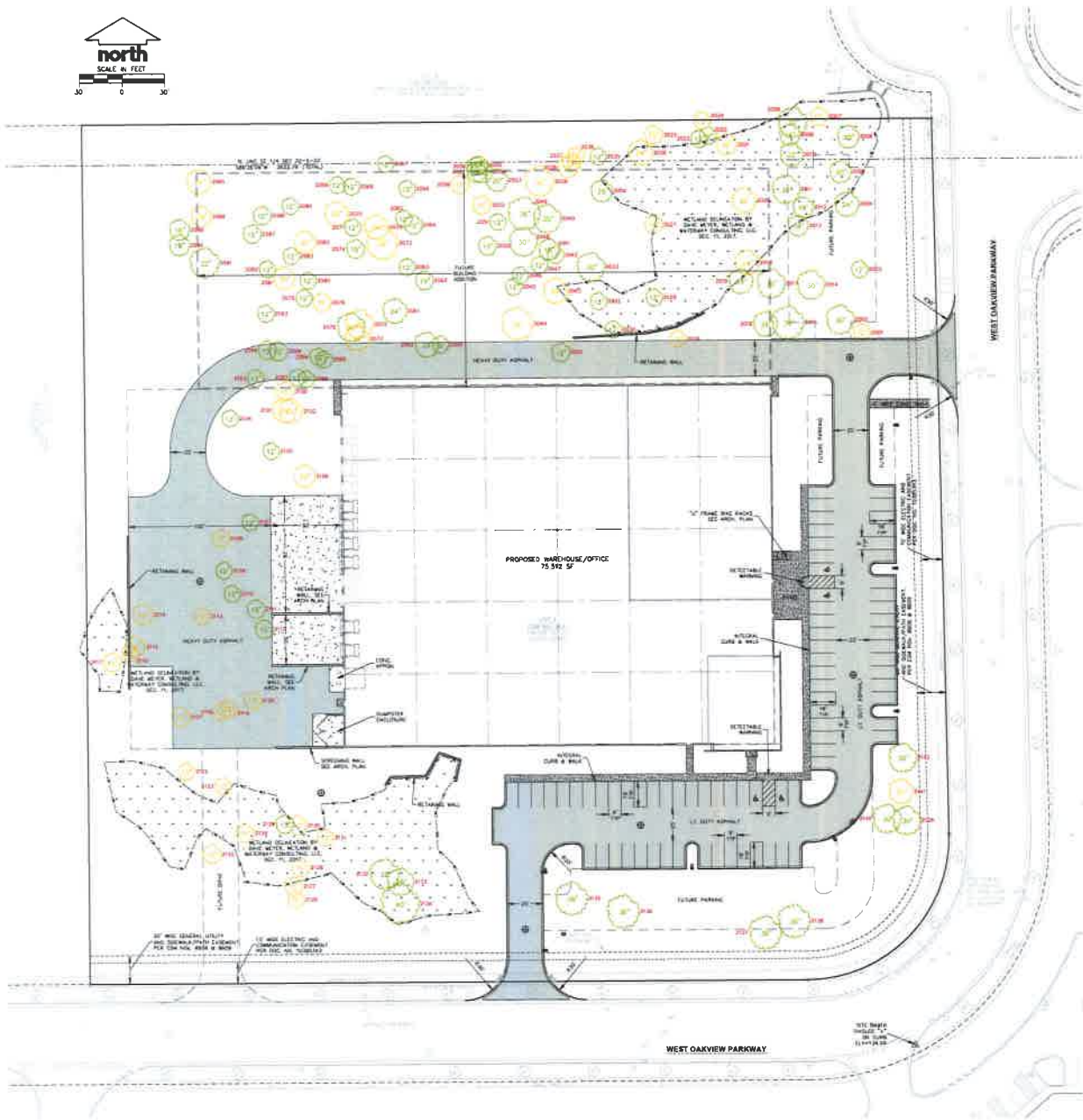
JSD
 CREATE THE VISION. FILL THE GAPS.
 pauline@jdsd.com
 MILWAUKEE REGIONAL OFFICE
 5110 WISCONSIN DRIVE, SUITE 200
 WEST BEND, WI 53091-3808
 P. 262.233.9388

DESIGN 21
 CONSTRUCTION
 DEVELOPMENT CORPORATION

PROJECT LOCATION:
 CITY OF OAK CREEK
 MILWAUKEE COUNTY
 WISCONSIN

EXISTING CONDITION SURVEY
 W/ TREE SURVEY

CS-1



NO.	DATE	DESCRIPTION

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 10, 2022**

**PLANNED UNIT DEVELOPMENT AMENDMENT
ERICA-NICOLE HARRIS, WISPARK LLC
200 W. OAKVIEW PKWY.
TAX KEY NO. 955-1045-000**

Senior Planner Papelbon provided an overview of the proposal to amend the Conditions and Restrictions and General Development Plan regulating the M-1, Manufacturing Planned Unit Development for the Oakview Business Park as it relates to the property at 200 W. Oakview Parkway (Tax Key No. 955-1045) (see staff report for details).

Director Seymour stated when the business park was developed, the regulatory framework of the 200 W. Oakview Pkwy. parcel was not addressed at the same time as the other parcels in the business park, because of the way it was depicted in the General Development Plan. The intent of the PUD Amendment is to make this lot available for development in accordance with the standards that apply to the rest of the lots in the development, creating a consistent framework which would apply to all. Director Seymour stated that the intent remains to work with any potential developer on landscaping, tree preservation, and tree replacement, either within the business park or elsewhere in the City.

Debbie Tomczyk, Reinhart Boerner Van Deuren representing Wispark, stated that the Oakview Business Park has been a tremendous success and a great partnership between Wispark and the City of Oak Creek. The existing PUD was adopted in 2014, prior to the woodland designation that was implemented in March 2022. The amendment before the Commission would implement the intent of the original 2014 PUD, while allowing the lot to be developed under the same standards as the other Oakview lots have been.

Commissioner Chandler asked what implication the removal of the woodland designation would have on the grading, drainage, and utilities for any future development. Atty. Tomczyk responded that it was a grey area as to whether or not the woodland designation should even be applied to this lot. The woodland designation which came into effect in March 2022 does not necessarily make sense when paired with the 2014 adoption of the PUD governing the business park. The PUD overlay standards that are a part of Oakview include a 30 percent landscaping requirement, which has resulted in 48 acres of greenspace plus a new publicly-dedicated park. Those requirements will still remain in effect. Director Seymour commented that when the storm water plans for Oakview Business Park were created, they did not necessarily account for this area as developable. As part of any proposed site plan, Engineering and Utility staff will review any future plans to make sure they meet all storm water management requirements.

Commissioner Siefert asked if there was a dedicated park in the Oakview development. Senior Planner Papelbon responded that it was Mardeand Park, which was an isolated City park prior to the development of the business park.

Alderman Loreck asked for clarification as to whether this amendment would even be up for discussion if the Code update had not recently occurred. Senior Planner Papelbon replied it was the tree preservation, removal, and inventory plan that is part of the new Code that makes this discussion necessary. The original PUD did not include any requirements in terms of preservation

of woodland areas, even though said areas are identified in the General Development Plan. The basic question is whether the new Code or the old Code should be applied to this lot. Senior Planner Papelbon stated that staff and the Commission have the ability to compromise. Director Seymour further clarified the intent of the amendment is simply to convey that Lot 20 is buildable with no conflict between the new Code and the existing PUD.

Alderman Loreck encouraged the Applicant and staff to work to preserve and relocate as many trees as possible.

Commissioner Oldani moved that the Plan Commission recommend that the Common Council approve an amendment to general development plan governing the M-1, PUD for the Oakview Business Park (tax keys as listed) that would (a) remove the woodland designation from the property at 200 W. Oakview Parkway as depicted on the amended general development plan, and (b) amend the conditions and restrictions relating to open space, landscaping, landscape area and parking lot screening, such that Municipal Code Section 17.0505 shall not apply and that the landscaping standards in effect prior to March 15, 2022 shall apply to all parcels within the planned unit development, after a public hearing subject to the following conditions:

1. It is the responsibility of the property owner to secure any permits or approvals for impacts to on-site wetlands or isolated natural resource areas prior to the commencement of any site disturbing activities in those areas.
2. That any changes to approved grading, drainage, utility or stormwater management plans be approved by the City Engineer prior to the issuance of any building permits or site disturbance.

Alderman Guzikowski seconded. On roll call: Commissioner Hanna voted no, all others voted aye. Motion carried.

ATTEST:

Kari Papelbon, Plan Commission Secretary

5-19-22

Date

COMMON COUNCIL REPORT

Item: An Ordinance fixing the salary and wage ranges, salaries, wages, and allowances of certain full-time and part-time Labor Association of Wisconsin ("LAW") and non-represented positions for the year 2022.

Recommendation: The Personnel & Finance Committee recommends Common Council approval of Ordinance No. 3045 fixing the salary and wage ranges, salaries, wages, and allowances of certain full-time and part-time Labor Association of Wisconsin ("LAW") and non-represented positions for the year 2022.

Fiscal Impact: The fiscal impact of these mid-year salary and wage adjustments are estimated to be \$20,290 for 2022. Strategies to absorb these unbudgeted expenditures are included in the attached Personnel & Finance Committee staff report.

The additional levy needed to fund these salary and wage adjustments in the 2023 Budget is estimated to be \$42,982.

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: Public sector work is the work of providing services, not widgets. This dynamic places a huge emphasis on the need for an engaged, fulfilled, and adequately compensated workforce to perform the public's services. Municipalities cannot automate public service; we need talented people.

Our human capital is and always will be our greatest asset, and as such, recruiting and retaining a talented workforce is our number one priority. The financial and global times we find ourselves in is not one where the public sector is immune. The stressors of inflation, and associated wage growth, erode a standing public sector philosophy that, "the compensation is not as competitive in the public sector in comparison to other sectors, but the fringe benefits far outweigh the compensation disparities".

Oak Creek needs to adapt its compensation and benefits packages to meet the needs of today's workforce to recruit and retain a talented workforce. It is true the City's health insurance plan is rich in benefits with low employee premiums, and the Wisconsin Retirement System (WRS) pension is a first-rate defined benefit plan. However, today's workforce views compensation and benefits packages differently. While traditional compensation (i.e. pay) remains a strong attractant, many individuals want to work for organizations that offer a sense of purpose, promote a healthy work-life balance (e.g. robust paid time off, work from home opportunities, flexible schedules, etc.), and support personal well-being, among others.

The public sector is in the midst of a "talent grab" and we seek to mitigate this through retention strategies that address, chiefly, pay structure, but also by examining other progressive workplace philosophies such as

those referenced above. Losing staff and being unable to fill positions with qualified individuals ultimately degrades the quality of the programs and services we provide, and the high-performing organization we strive to be. We will learn a lot about what our current workforce values upon reviewing the results of our pending Employee Sentiments Survey. These employee perspectives will inform our workplace policies and philosophies.

The City's adopted Strategic Action Plan (SAP), 2020-2022 contains the objective to "... Undertake a Total Compensation Analysis for Non-Represented Positions to Ensure Competitive in the Market". Over the past year, the Personnel & Finance Committee has grappled with how best to proceed with a classification and compensation analysis for non-represented positions. The Committee's direction to City Administration was to analyze and address individual non-represented positions, starting with Police and Fire Department command staff, rather than complete a comprehensive classification and compensation analysis of all non-represented positions.

Since then, City Administration has prioritized classification and compensation analyses for non-represented positions based on the following criteria:

- 1) Positions where vacancies and other workforce disruption would significantly impact City programs and public services; and
- 2) Positions experiencing, or with the potential to experience, the greatest negative impact due to inflation and market conditions. Put another way, positions where current pay falls significantly below market realities.

These analyses will be brought to the Committee at upcoming meetings for their consideration and recommendation to the Common Council. To be clear, though, ALL of the positions in our City organization are CRITICAL to performing the public's work. While we begin with certain employee groups where the City finds itself least competitive in the marketplace, City Administration stresses again that all of our positions need to be reviewed in the future. And again, pending discussions will not be constrained to just pay structure as staff will bring forward other policies, such as paid leave and flexibles schedules, in the immediate future.

The Personnel & Finance Committee reviewed the compensation analysis for the Custodian position at their May 25th meeting. That analysis is attached to this Common Council Report for your review. The Committee agreed with City Administration's recommendation on salary and wage range adjustments for the Custodian position and are forwarding it to the Common Council for their review and approval. The salary and wage adjustments will be effective on the next full pay period following Common Council ratification, which is June 12, 2022.

Additionally, City Administration is bringing forward a salary range adjustment for the recently-vacated Zoning Administrator / Planner position. Specifically, staff seeks to reduce the position's minimum salary range from \$69,524 to \$61,754. The position's current minimum salary is 15% above the average minimum salary of planners at comparable municipalities. This action would put the position's minimum salary at 4% above the average minimum salary of planners at comparable municipalities, so we will remain competitive in the public marketplace. Although this action appears counterintuitive given recent actions to increase salary ranges of other positions, it will provide the hiring manager with greater flexibility when filling the vacant position as the new salary range will have a larger spread between the minimum and maximum salaries.

Options/Alternatives: The Common Council could reject the Personnel and Finance Committee recommendation and discuss different salary and wage strategies for Custodian and Zoning Administrator / Planner positions.

Respectfully submitted:

Prepared and Fiscal Review:



Andrew J. Vickers, MPA
City Administrator



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:

- Ordinance No. 3045
- "Custodian - Compensation Analysis" staff report

ORDINANCE No. 3045

By: _____

An Ordinance Fixing the Salary and Wage Ranges, Salaries, Wages, and Allowances of Certain Full-Time and Part-Time Labor Association of Wisconsin ("LAW") and Non-Represented Positions for the Year 2022

The Common Council of the City of Oak Creek do hereby ordain as follows:

Section 1: Full-Time Salary and Wages. An ordinance to make uniform the rates of pay for certain offices and positions under the control of the Common Council of the City of Oak Creek affecting full-time and part-time Labor Association of Wisconsin ("LAW") and non-represented employees for the year 2022. The proper City Officials are hereby authorized and directed to make the required payments to those affected employees of the City pursuant to this ordinance.

Section 2: The pay ranges and rates of pay for the affected Labor Association of Wisconsin ("LAW") employees are listed below:

LABOR ASSOCIATION OF WISCONSIN ("LAW") EMPLOYEES

Position Title	Minimum Salary	Minimum Hourly Rate	Maximum Salary	Maximum Hourly Rate
Custodian	\$33,889	\$16.293	\$45,750	\$21.995

Section 3: The pay ranges and rates of pay for the affected full-time and part-time non-represented employees are listed below and in Schedules A and B:

SCHEDULE A - FULL-TIME NON-REPRESENTED EMPLOYEES

Position Title	Department	Salary as of 1/1/2022	Minimum Salary	Midpoint	Maximum Salary
Zoning Administrator/Planner	Comm. Dev.	Vacant	\$61,754	\$69,427	\$77,099

SCHEDULE B - PART-TIME NON-REPRESENTED EMPLOYEES

Position Title	Minimum Hourly Rate	Midpoint Hourly Rate	Maximum Hourly Rate
Custodian	\$16.293	\$19.144	\$21.995

Section 4: Validity. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Oak Creek hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof, may be declared invalid or unconstitutional.

Section 5: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Section 6: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of June 12, 2022, except where otherwise noted.

Passed and adopted this 7th day of June, 2022.

President, Common Council

Approved this 7th day of June, 2022.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

PERSONNEL & FINANCE COMMITTEE

- Agenda Item:** Custodian - Compensation Analysis
- Presented By:** Andrew J. Vickers, City Administrator
Maxwell Gagin, Assistant City Administrator / Comptroller
- Suggested Motion:** I move to recommend the Common Council adjusts the Custodian position's salary schedule per City Administration's recommendation.
-

Background

Public sector work is the work of providing services, not widgets. This dynamic places a huge emphasis on the need for an engaged, fulfilled, and adequately-compensated workforce to perform the public's services. Municipalities cannot automate public service; we need talented people.

Our human capital is and always will be our greatest asset, and as such, recruiting and retaining a talented workforce is our number one priority. The financial and global times we find ourselves in is not one where the public sector is immune. The stressors of inflation, and associated wage growth, erode a standing public sector philosophy that, "the compensation is not as competitive in the public sector in comparison to other sectors, but the fringe benefits far outweigh the compensation disparities".

Oak Creek needs to adapt its compensation and benefits packages to meet the needs of today's workforce in order to recruit and retain a talented workforce. It is true the City's health insurance plan is rich in benefits with low employee premiums, and the Wisconsin Retirement System (WRS) pension is a first-rate defined benefit plan. However, today's workforce views compensation and benefits packages differently. While traditional compensation (i.e. pay) remains a strong attractant, many individuals want to work for organizations that offer a sense of purpose, promote a healthy work-life balance (e.g. robust paid time off, work from home opportunities, flexible schedules, etc.), and support personal well-being, among others.

The public sector is in the midst of a "talent grab" and we seek to mitigate this through retention strategies that address, chiefly, pay structure, but also by examining other progressive workplace philosophies such as those referenced above. Losing staff and being unable to fill positions with qualified individuals ultimately degrades the quality of the programs and services we provide, and the high-performing organization we strive to be. We will learn a lot about what our current workforce values upon reviewing the results of our pending Employee Sentiments Survey. These employee perspectives will inform our workplace policies and philosophies.

The City's adopted Strategic Action Plan (SAP), 2020-2022 contains the objective to "... Undertake a Total Compensation Analysis for Non-Represented Positions to Ensure Competitive in the Market". Over the

past year, the Personnel & Finance Committee has grappled with how best to proceed with a classification and compensation analysis for non-represented positions. The Committee’s direction to City Administration was to analyze and address individual non-represented positions, starting with Police and Fire Department command staff, rather than complete a comprehensive classification and compensation analysis of all non-represented positions.

Since then, City Administration has prioritized classification and compensation analyses for non-represented positions based on the following criteria:

- 1) Positions where vacancies and other workforce disruption would significantly impact City programs and public services; and
- 2) Positions experiencing, or with the potential to experience, the greatest negative impact due to inflation and market conditions. Put another way, positions where current pay falls significantly below market realities.

These analyses will be brought to the Committee at upcoming meetings for their consideration and recommendation to the Common Council. To be clear, though, ALL of the positions in our City organization are CRITICAL to performing the public’s work. While we begin with certain employee groups where the City finds itself least competitive in the marketplace, City Administration stresses again that all of our positions need to be reviewed in the future. And again, pending discussions will not be constrained to just pay structure as staff will bring forward other policies, such as paid leave and flexibles schedules, in the immediate future.

Analysis

The Building & Facility Maintenance Division is responsible for the care and upkeep of all City-owned buildings, and all mechanical equipment associated with them. Specifically, the Division maintains HVAC equipment, electrical systems, and plumbing systems; building generators; data and phone cabling; as well as providing janitorial services to all City-owned buildings. The Division is led by the Building & Facilities Manager and staffed with a Facilities Maintenance Technician, two-full time Custodians, and six part-time Custodians.

The Division has experienced difficulties hiring part-time Custodian positions and has not been fully staffed for the past few years. Our hope is this wage adjustment will allow us to fill the remaining vacant part-time Custodian positions.

The table below depicts the Custodian salary schedule as of January 1, 2022:

	Min. Rate	Mid. Rate	Max. Rate
FT / PT	\$12.712	\$15.606	\$18.500

Staff analyzed custodian position wages at comparable municipalities in Milwaukee County as well as those included in the City of West Bend’s classification and compensation study results released in February 2022. West Bend’s classification and compensation study findings are included in this analysis as Franklin,

Greenfield, Menomonee Falls, New Berlin, Oak Creek, and Wauwatosa are all comparable municipalities who supplied data to develop the study's recommended market rates.

The table below depicts the salary schedule for custodian positions at comparable municipalities as of January 1, 2022:

Municipality	Min. Wage	Mid. Wage	Max. Wage
Franklin	\$17.870	\$21.350	\$23.230
Greenfield	N/A	N/A	N/A
South Milwaukee	N/A	N/A	N/A
West Allis	\$17.560	\$20.820	\$24.080
West Bend (C&C Study)	\$16.700	\$19.210	\$22.500
Average Hourly Rate	\$17.377	\$20.460	\$23.270

Municipality	Min. Wage	Mid. Wage	Max. Wage
Oak Creek (Current)	\$12.712	\$15.606	\$18.500
Amount Above / (Below) Average Wage	(\$4.66)	(\$4.85)	(\$4.77)
% Above / (Below) Average Wage	-27%	-24%	-20%

Of note, Oak Creek's Custodian minimum wage rate is 27% below the average minimum wage rate for custodians in comparable municipalities. Further, Oak Creek's Custodian maximum wage rate is 20% below the average maximum wage rate for similar positions in comparable municipalities.

Recommendation

City Administration recommends adjusting the Custodian position salary schedule as depicted below, effective on the next full pay period following Common Council ratification.

Municipality	Min. Wage	Mid. Wage	Max. Wage
Oak Creek (Proposed)	\$16.293	\$19.144	\$21.995
Amount Above / (Below) Average Wage	-\$1.08	-\$1.32	-\$1.28
% Above / (Below) Average Wage	-6%	-6%	-5%

If the Committee and Common Council concur with the proposed adjustment to the Custodian position salary schedule, all part-time Custodians will be brought up to the minimum wage rate of \$16.293 now, and to \$16.700 on January 1, 2023. City Administration recognizes part-time Custodians' wage adjustment remains below the minimum wage rate of comparable municipalities; however, Oak Creek's minimum rate will be at the minimum market rate of West Bend's classification and compensation study by January 1, 2023. Furthermore, part-time Custodians will receive an average increase of about 24% with this action, which is an appreciable increase for this group of employees.

Additionally, all full-time Custodians' wage rates will be increased to \$19.024 now, and to \$19.500 on January 1, 2023. Full-time Custodians are compensated at a higher rate than part-time Custodians as they have additional responsibilities such as training new part-time Custodians.

	Current Rate	Proposed Rate	1/1/2023 Rate	Average Increase	
				Amount	%
FT	Varies	\$19.024	\$19.500	\$4,588	12.8%
PT	Varies	\$16.293	\$16.700	\$4,746	24.3%

The proposed salary schedule adjustment will ensure the Custodian position's wages are more competitive in the public marketplace. However, it does come with an additional, unbudgeted cost for 2022 and the need for additional levy support in the 2023 budget.

The table below depicts how the Custodian wage adjustment would impact the 2022 and 2023 budgets:

2022 Budget	2023 Budget		
	Market Adjust	COLA	TOTAL
\$20,290	\$37,578	\$5,404	\$42,982

For 2022, the estimated unbudgeted cost of \$20,290 can be absorbed in the Building & Facility Maintenance Division's budget as there have been a few part-time Custodian vacancies this year.

For 2023, the additional levy needed to fund the marginal cost increase for the Custodian position's market adjustment and 1/1/2023 COLA is estimated at \$42,982. The City can fund this market adjustment and anticipated COLA in the 2023 budget based on current capacity in the 2022 budget (~\$210,000 in unallocated wage capacity) and preliminary net new construction figures that will provide additional levy limit capacity of approximately \$700,000 for 2023.

Prepared and Respectfully Submitted:



Andrew J. Vickers, MPA
City Administrator



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller



Meeting Date: June 7, 2022

Item No. 8

COMMON COUNCIL REPORT

- Item:** Hold Harmless Agreement with Oakview II Industrial, LLC A WI LLC at 10551 S. Oakview Parkway
- Recommendation:** The Common Council adopts Resolution No. 12333-060722, a resolution approving a hold harmless agreement with Oakview II Industrial, LLC A WI LLC at 10551 S. Oakview Parkway. (Tax Key No. 955-1024-000)(5th Aldermanic District)
- Fiscal Impact:** None
- Critical Success Factor(s):**
 - Vibrant and Diverse Cultural Opportunities
 - Thoughtful Development and Prosperous Economy
 - Safe, Welcoming, and Engaged Community
 - Inspired, Aligned, and Proactive City Leadership
 - Financial Stability
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: HSA Commercial Real Estate is proposing to construct a 154,760 sf warehouse building on the property at 10551 S. Oakview Parkway. The site layout requires the construction of a retaining wall in the existing sanitary easement on the west and south sides of the proposed lot. The Hold Harmless Agreement permits the installation of the retaining wall in the easement and places the financial responsibility of the wall on the property. If work is required on the sanitary sewer, the property owner will be responsible for the cost to remove and reinstall the retaining wall.

Options/Alternatives: The alternative would be to not allow the installation of the retaining wall. This would require the Developer to submit a new building plan that did not require the extension of the parking field over the sanitary sewer or the grading in the easement.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Approved:

Brian L. Johnston, PE
Utility Engineer

Fiscal Review:

Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Approved:

Matthew J. Sullivan, PE
City Engineer

Attachments: Resolution No. 12333-060722, Hold Harmless Agreement

RESOLUTION NO. 12333-060722

BY: _____

RESOLUTION FOR HOLD HARMLESS AGREEMENT AT 10551 S OAKVIEW PARKWAY

(TAX KEY NO. 955-1024-000)

(5TH ALDERMANIC DISTRICT)

WHEREAS, the Oakview II Industrial, LLC A WI LLC is proposing to construct a 154,760-sf warehouse building at 10551 S. Oakview Parkway, and;

WHEREAS, a retaining wall will be required to be installed in the existing public sanitary easement, and;

WHEREAS, a Hold Harmless Agreement was prepared to permit the installation of the retaining wall in the easement, and;

WHEREAS, the Oakview II Industrial, LLC A WI LLC or property owner will assume all financial responsibility of the retaining wall being installed in the easement;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the Hold Harmless Agreement be approved and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to 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 7th day of June, 2022

Passed and adopted this 7th day of June, 2022.

President, Common Council

Approved this 7th day of June, 2022.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Document Number	Hold Harmless Agreement Document Title
Recording Area	
Brian L. Johnston, Utility Engineer Oak Creek Water & Sewer Utility 170 W. Drexel Avenue Oak Creek, WI 53154	

955-1024-000

Parcel Identification Number (PIN)

HOLD HARMLESS AGREEMENT

Sanitary sewer easement

THIS INDENTURE, made this 19th day of May 2022, by and between the City of Oak Creek, 8040 South 6th Street, Oak Creek, WI 53154, a municipal corporation of the State of Wisconsin, hereinafter called the "City" and the Oakview II Industrial, LLC A WI LLC, 100 S Wacker Drive, Chicago, IL 60606-4006 hereinafter called the "Developer".

WITNESSETH:

WHEREAS, the Developer proposes to install a retaining wall within the 20-foot Sanitary Sewer Easement located along the west and south property lines at 10551 S. Oakview Parkway in the Oakview Business Park, which is more particularly described as Lot 2 of Certified Survey Map No. 8718 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on August 31, 2015 as Document No. 10494589, being a redivision of all of Lot 1 of Certified Survey Map No. 8609, located in

the Southwest 1/4 of the Northeast 1/4 of Section 32, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin; and

WHEREAS, the Developer desires to install within the sanitary easement a one-foot-high retaining wall approximately 107 feet east of existing manhole 955017 to a point roughly 133 feet west of said manhole and be five (5) feet north of the existing 10" sanitary sewer main. Also, crossing the easement at an angle approximately 159 feet north of manhole 955018 with an 8-foot-high retaining wall and crossing the easement perpendicular 27 feet west of manhole 955019 with an 8-foot-high retaining wall (the "Subject Area") as part of the proposed development of the site (the "Site"); and

WHEREAS, the Developer requests that the retaining wall be located in the Subject Area to assist with the overall grading plan to provide the area needed for the proposed building; and

NOW, THEREFORE, in consideration of the sum of \$1.00 to each in hand paid, in receipt and sufficiency whereof is hereby acknowledged, and in further consideration of the mutual covenants and promises hereinafter set forth, the parties hereto agree as follows:

THE CITY AGREES:

To grant permission to the Developer to install the retaining wall in the Subject Area for the purpose of providing the required area to construct the proposed building on the Site.

THE DEVELOPER AGREES:

- 1) To pay for all costs of installing the proposed retaining wall, including the cost of inspection by the City.
- 2) To obtain a permit from the City for the installation of the retaining wall, all in compliance with the City and State building codes.
- 3) That the City has the right, without notice to the Developer, to remove any and all physical impediments in order to install, maintain, and/or repair any utility infrastructure within the Subject Area.
- 4) That the City is not financially or physically responsible for any damages caused to the Subject Area or its replacement within this easement and the zone of influence.
- 5) To indemnify, defend and hold harmless the City, its elected and appointed officials, officers, employees, and agents, from and against any actions, claims and expenses directly or indirectly caused, by reason of the Developer or its agent installing the proposed retaining wall in the Subject Area, even if liability is

also sought to be imposed on the City of Oak Creek, its elected and appointed officials, officers, employees, and agents.

- 6) To reimburse the City for any legal expenses and costs incurred by it in connection with enforcing the indemnity provided herein.

BOTH PARTIES AGREE:

- 1) This agreement shall be binding upon the heirs, personal representatives, successors and assigns of the parties hereto.
- 2) This agreement shall be recorded by the City with the Register of Deeds of Milwaukee County after it has been executed by the Developer and the City.

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


Oakview II Industrial, LLC a WI LLC



Mark TeGrootenhuis, Executive Vice President
Director of Development Services
HSA Commercial Real Estate

STATE OF WISCONSIN)
)SS.
MILWAUKEE COUNTY)

Personally came before me this 19th day of May, 2022, the above-named Mark TeGrootenhuis, Executive Vice President, Director of Development Services, HSA Commercial Real Estate, Oakview II Industrial, LLC a WI LLC, known to be the person who executed the foregoing instrument and acknowledged the same.


Notary Public, Milwaukee County, WI



My commission expires: May 19th 2024



Meeting Date: June 7, 2022
Previously held: May 17, 2022
April 19, 2022
Item No. 9

COMMON COUNCIL REPORT

- Item:** Sand Volleyball Court at Willow Heights Park
- Recommendation:** That the Common Council approve the construction of a sand volleyball court at Willow Heights Park at a cost not to exceed \$28,000
- Fiscal Impact:** Although unbudgeted, the project could be completed using \$28,000 of park impact 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:

In November of 2020, Parks and Recreation Commission were presented with a proposal to install a 50' x 40' sand volleyball court at Willow Heights Park. The resident requesting the sand volleyball court to be placed in this location in light of her daughter and her friends recent success in the volleyball for Oak Creek High School. The resident stated that, without the court being placed here, she would have to drive her child to one of the existing courts. The resident felt that the recent winning season had spurred a growth in the sport in Oak Creek.

Staff Analysis

Wetlands consume much of the northwest and southeast portion of the park. The size of the wetlands and the number of existing amenities limit the location of the potential sand volleyball court to an area immediately adjacent to the existing basketball court and the walking path. A map indicating the location for the proposed sand volley ball has been included with the staff report.

This project would require the removal of six mature trees, 185 cubic yards of dirt, and the addition of approximately 300 tons of sand. City Engineer, Matthew Sullivan, expressed his concern about the potential damage to the edge of the path, sidewalk ramp and adjacent grass during the construction. The cost estimate provided does not include the cost to replace these items.

Staff analysis shows that the existing nine volleyball courts, seven of which are sand volleyball courts, are all currently underutilized. If the Council approves this request the Parks and Recreation Commission may wish to evaluate whether one or more of these underutilized facilities may be repurposed for other recreational activities.

Construction of the court is proposed to be done completely in-house using DPW staff and resources.

The Parks and Recreation Commission approved a motion to recommended the construction of a sand volleyball court at Willow Heights Park at their December 16, 2021 meeting.

At a prior meeting, the Council had raised some questions as to the location and net height at the existing sand volleyball courts in the City. Per an email received from DPW Director Matt Trebatoski, there are seven sand volleyball courts in the City (net height in parenthesis):

- Johnstone Park (7' 8")
- Chapel Hills Park (7' 4")
- Haas Park (7' 7")
- Meadowview Park (6' 7")
- Oak Leaf Park (7' 2")
- Riverton Meadows Park (7' 6")
- South Hills Park (7' 8")

The men's net height for sand beach volley ball is 7' 11 5/8"

The women's net height for sand beach volley ball is 7' 4 1/8"

Coed height uses men's net height

The courts in our parks are designed for recreational use, and are not maintained to tournament or league play standards.

As far as height goes, the nets in City parks were installed to try and meet the needs of the majority. Moveable nets would not be a good option, as they wouldn't last in a public park setting; similar to adjustable basketball hoops, they would be hung on, played with and ultimately destroyed in relatively short period of time.

DPW Director Trebatoski also raised the following concerns:

- There may be damage to the existing paths from the heavy truck traffic coming in and out of the park during installation. Repairs if needed are not calculated in the estimated cost of the court install.
- Removing three mature spruce trees may need to be removed. It's hard to replace established, mature trees with smaller ones.
- The close proximity to the basketball court will leave the potential for sand to find its way onto the basketball court creating other issues, as we have seen in the past at Chapel Hills.
- The NE corner of the proposed court will be within 10' of the pathway.
- There will be additional maintenance that needs to be done on a regular basis. Volleyball courts can look unkept in a hurry. Grasses and weeds continuously come up through the sand throughout the year and

require about 4-5 herbicide treatments along with regular grooming. They also require regular pesticide treatments.

Leisure Services Assistant Paula Nevarez also provided information that (in 2020-2021) the court at Meadowview was reserved a total of four times, and the Oak Leaf Court once. She also noted that they have not gotten reservation requests for courts other than Meadowview and Oak Leaf.

Options/Alternatives:

Continue to promote the use of existing volleyball courts in the community and re-evaluate the need for an additional volleyball court as the sport gains community interest

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



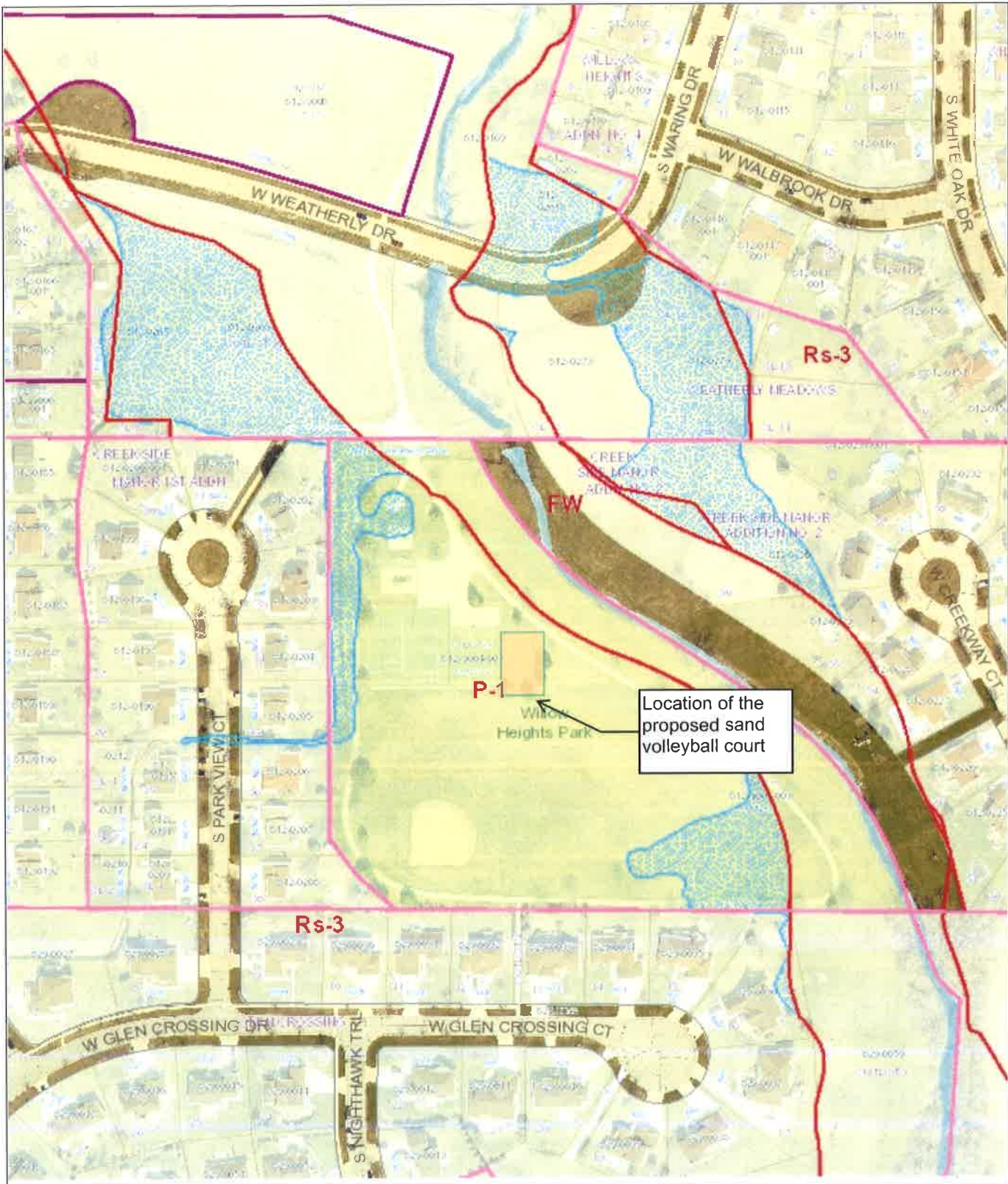
Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Reviewed by:



Doug Seymour, AICP
Director of Community Development

Attachments: Map of Willow Heights and proposed location of sand volleyball court.



City of Oak Creek GIS
 Willow Heights Park

DISCLAIMER: The City of Oak Creek does not guarantee the accuracy of the information contained herein and is not responsible for any use or representation of this information or its derivatives.



SCALE: 1" = 145'



OAKCREEK
 WISCONSIN

Print Date: 11/3/2020

COMMON COUNCIL REPORT

- Item:** Civic Center Clock Tower and Roof Flashing Rehabilitation Project
- Recommendation:** That the Common Council considers a motion to award the Civic Center Clock Tower and Roof Flashing Rehabilitation Project to the lowest, responsive, responsible bidder, M.M. Schranz Roofing Inc., for the lump sum bid price of \$313,800.00. (Project No. 22016) (2nd Aldermanic District)
- Fiscal Impact:** Payments under the contract would come from funding reserved under CIP #22016 supplemented with additional funding from the General Fund's surplus in 2021.
- 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 2022 Capital Improvement Plan (CIP) includes \$245,000 for rehabilitation of the Civic Center clock tower and roof flashing as its paint coating is starting to peel. Staff worked with the City's architect to complete the design of the project. The completed plans and bid documents were recently advertised for public bid. Three sealed bids were received and publicly opened at City Hall on May 13, 2022:

Contractor	Bid
M M Schranz Roofing Inc.	\$ 313,800.00
Langer Roofing & Sheeting Metal Inc.	\$ 348,000.00
Nations Roof North LLC	\$ 379,045.00

The lowest bid is \$68,800 more than the amount allocated for this project in the 2022 CIP, however, it is staff's recommendation that the contract still be awarded to M M Schranz Roofing, Inc. for their bid price. Many capital projects are experiencing cost overages at this time as labor, materials, and mobilization costs continue to rise with no end in sight. The additional funding necessary to complete this project will come from the General Fund's surplus to end fiscal year 2021.

Options/Alternatives: Reject the bids and direct staff to rebid the project at a later date in the optimism that the City will receive lower bids in the future.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared and Approved:



Matthew J. Sullivan, P.E.
City Engineer

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: None



Meeting Date: June 7, 2022

Item No. 11

COMMON COUNCIL REPORT

Item: Distribution Electrical Easement

Recommendation: That the Common Council adopts Resolution No. 12334-060722, a resolution granting a We Energies 12' x 59.1' permanent underground electric easement at Lake Vista Park (Tax Key No. 868-9004-000) (4th Aldermanic District).

Fiscal Impact: None

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

Background: The easement area is described as strips of land 12 feet in width being a part of Lot 2 of CSM 9355. The easement centerline is located near the southwest corner of Lot 2 of CSM 9355. The requested easement line is part of the work required to provide electric distribution to the Lakeshore Commons development and looping in/out of an existing transformer near the Lake Vista Pavilion,

Options/Alternatives: If the easement is not granted the electrical distribution to the development will be impacted.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared/Approved:

Matthew J. Sullivan, PE
City Engineer

Fiscal Review:

Maxwell Gagrin, MPA
Assistant City Administrator/Comptroller

Attachments: Resolution No. 12334-060722, Distribution Easement Underground

RESOLUTION NO. 12334-060722

BY: _____

RESOLUTION GRANTING TO WE ENERGIES A 12' X 59.1' PERMANENT UNDERGROUND ELECTRIC EASEMENT AT LAKE VISTA PARK

(TAX KEY NO. 868-9004-000)

(4TH ALDERMANIC DISTRICT)

WHEREAS, WE Energies requires a 12' x 59.1' permanent underground electric easement to install a new buried electrical cable for the looping in/out of existing transformer for the Lakeshore Commons Development, and;

WHEREAS, the proposed permanent underground electric easement would be located across the City property at Lake Vista Park, and;

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the 12' x 59.1' permanent underground electric easement at Lake Vista Park be granted and the Mayor and City Clerk are hereby authorized to execute the same.

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 7th day of June, 2022.

Passed and adopted this 7th day of June, 2022.

President, Common Council

Approved this 7th day of June, 2022.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

**DISTRIBUTION EASEMENT
UNDERGROUND**

Document Number

WR NO. **4676900** IO NO. **13664**

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

The easement area is described as strips of land twelve (12) feet in width being a part of **Lot 2** of that certain **Certified Survey Map No. 9355**, as recorded in the office of the Register of Deeds for Milwaukee County on October 14th, 2021, as **Document No. 11174987**; also being a part of the **Southwest ¼ of Section 24, Township 5 North, Range 22 East**, City of Oak Creek, Milwaukee County, Wisconsin.

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

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM P129
PO BOX 2046
MILWAUKEE, WI 53201-2046

868-9004-000
(Parcel Identification Number)

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

Grantor:

THE CITY OF OAK CREEK, a Wisconsin Municipal Corporation

By _____

DANIEL J. BUKIEWICZ, Mayor

By _____

CATHERINE A. ROESKE, City Clerk

Personally came before me in Milwaukee County, Wisconsin on _____, 2022,
the above named Daniel J. Bukiewicz, the Mayor, and Catherine A. Roeske, the City Clerk, of the CITY OF OAK CREEK,
a Wisconsin Corporation, for the municipal corporation, by its authority, and pursuant to
Resolution File No. _____ adopted by its _____
on _____, 2022.

Notary Public Signature, State of Wisconsin

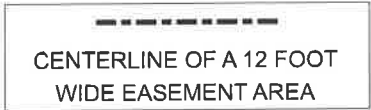
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires _____

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

KEY



CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	2.46'	9.00'	2.45'	S63°08'57"E
C2	7.52'	19.00'	7.48'	S66°40'45"E

OUTLOT 1
CSM 8554

PROPERTY LINE

R.O.W.
S. LAKE VISTA PKWY.
(80" R.O.W.)

R.O.W.

LINE	LENGTH	BEARING
L1	27.58'	N00°00'58"E
L2	12.15'	N89°50'52"E
L3	5.49'	S55°20'04"E
L4	5.49'	S34°27'31"E
L5	31.34'	N89°21'56"E

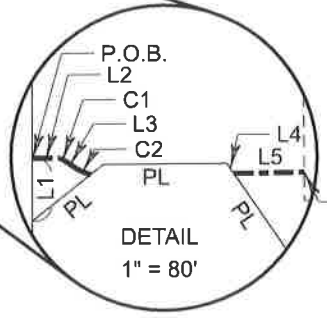
EXISTING
15' EASEMENT
#10748460

P.O.B.

PL

P.O.E.

LOT 2
CSM 9355



P.O.E.

R.O.W.
S. BREAKWATER BLVD.
(120' R.O.W.)
R.O.W.

PROPERTY LINE

PL

LOT 3
CSM 9355

PL

PL

LOT 3
CSM 9355

LOT 1
CSM 9355



BEARINGS REFERENCED TO
WISCONSIN STATE PLANE COORDINATE SYSTEM,
SOUTH ZONE (NAD 27)

SCALE, FEET
0 100 200



7711 N. Port Washington Road
Milwaukee, Wisconsin 53217
Kapurinc.com

EXHIBIT "A"



PART OF LOT 2, CSM 9355
LOCATED IN PART OF THE FRACTIONAL SW ¼ OF
SEC. 24, T5N, R22E, CITY OF OAK CREEK,
MILWAUKEE COUNTY, WISCONSIN

WR NUMBER:	4676903 4676900
DATE:	03/23/2022
DRAWN BY:	FCO
SCALE:	1" = 200'
PAGE 1 of 1	



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the 2022-23 renewal alcoholic beverage license requests as listed on the 6/7/2022 License Committee Report, with issuance subject to final inspection approvals listed and payment of any fees or obligations.

Fiscal Impact: License fees in the amount of \$52,003.83 were collected. Additional fees in the amount of \$12,650.00 will be collected prior to the release of licenses that show a license fee balance.

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 attached listing shows the renewal alcoholic beverage license applications received for the period of July 1, 2022 through June 30, 2023.

License Committee met on May 6, 2022 to review renewal applications, as required by State Statute. A recommendation was made at that meeting for approval, with release of each license subject to payment of any fees due and receipt of final department approvals, as listed.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:

Maxwell Gaglin, MPA
Assistant City Administrator / Comptroller

Attachments: 2022-23 renewal alcohol beverage license listing

****OFFICIAL NOTICE****
CITY OF OAK CREEK

Published by the authority of the Common Council of the City of Oak Creek in the County of Milwaukee, pursuant to Section 125.04 of the Wisconsin State Statutes.

NOTICE IS HEREBY GIVEN THAT the following named persons have made application to the Common Council for license to sell alcoholic beverages for the period July 1, 2022 through June 30, 2023, the granting of which is now pending:

CLASS A BEER / CLASS A LIQUOR (CIDER ONLY)

- Pilot Travel Centers LLC dba Pilot Travel Center #040, 5508 Lanas Dr., Knoxville, TN 37909, Location: 2031 W. Ryan Rd. Police, Inspection
- Speedway LLC dba Speedway #4462, 8667 S. Howell Ave.

CLASS A COMBINATION

- 8950 LLC dba Ayra's, 2714 4 ½ Mile Rd., Racine, WI 53402 Location: 8950 S. 27th St. Fire, Inspection, Occupancy
- Aldi, Inc. (Wisconsin) dba Aldi #01, 9342 S. 13th St., Oak Creek, WI 53154, Location: 6810 S. 27th St.
- Aldi, Inc. (Wisconsin) dba Aldi #91, 9342 S. 13th St., Oak Creek, WI 53154, Location: 410 W. Drexel Ave.
- AT Mart, Inc. dba Oak Creek Mobil, 1200 W. Rawson Ave.
- Chohan Brothers II, Inc. dba Ryan Road Mobil, 9444 S. Chicago Rd.
- Dairyland Retail Group LLC dba 7-Eleven #35841B, 4641 Saratoga Ave., Downers Grove, IL 60515, Location: 1225 W. Rawson Ave.
- Fortune Inc. dba Discount Tobacco & Liquor, 2111 E. Rawson Ave.
- Gary's Corporation of Oak Creek dba Gary's Beer & Liquor, 9555 S. Howell Ave.
- Kwik Trip, Inc. dba Kwik Trip #976, PO Box 2107, LaCrosse, WI 54602, Location: 6300 S. 27th St. Fire, Inspection
- Kwik Trip, Inc. dba Kwik Trip #290, PO Box 2107, LaCrosse, WI 54602, Location: 7880 S. 10th St.
- Kwik Trip, Inc. dba Kwik Trip #422, PO Box 2107, LaCrosse, WI 54602, Location: 9535 S. 13th St.
- Kwik Trip, Inc. dba Kwik Trip #576, PO Box 2107, LaCrosse, WI 54602, Location: 2040 W. Ryan Rd.
- Love's Travel Stops & Country Stores, Inc. dba Love's Travel Stop #432, 10601 N. Pennsylvania Ave., Oklahoma City, OK 73120, Location: 9650 S. 20th St. Police, Fire
- Mega Marts, LLC dba Pick 'n Save # 348, PO Box 305103, Nashville, TN 37230, Location: 6462 S. 27th St. Police
- Mega Marts, LLC dba Pick 'n Save # 387, PO Box 305103, Nashville, TN 37230, Location: 2320 W. Ryan Rd. Police, Fire
- Mega Marts, LLC dba Pick 'n Save # 862, PO Box 305103, Nashville, TN 37230, Location: 8770 S. Howell Ave. Police, Fire
- Meijer Stores Limited Partnership dba Meijer Store # 283, 2929 Walker Ave NW, Grand Rapids, MI 49544, Location: 171 W. Town Square Way. Inspection
- Meijer Stores Limited Partnership dba Meijer Gas Station # 283, 2929 Walker Ave NW, Grand Rapids, MI 49544, Location: 8031 S. Howell Ave. Fire
- P & K Kooner LLC dba Checker Liquor, 9110 S. Chicago Rd.
- RAB Supermarkets, LLC dba Piggly Wiggly #342, 5201 Washington Ave., Racine, WI 53406, Location: 2201 E. Rawson Ave.
- Rasleen Gas & Food Mart, Inc. dba B.P., 9502 S. Howell Ave.
- Rawson Citgo LLC dba Phillips 66, 150 W. Rawson Ave.
- Sal's Beer & Wine, LLC dba Sal's Beer & Wine, 7872 S. Howell Ave. Invoices, Wholesaler Hold
- Spring South, LLC dba BP W Discount Liquor, 9510 S. 27th St.
- Target Corporation dba Target Store T-1925, 1000 Nicollet Mall, Minneapolis, MN 55403, Location: 8989 S. Howell Ave.
- Walgreen Co. dba Walgreens #04887, PO Box 901 Deerfield, IL 60015; Location: 9449 S. Howell Ave.

Police

- Woodman's Food Market, Inc. dba Woodman's Food Market, 2631 Liberty Ln., Janesville, WI 53545, Location: 8131 S. Howell Ave. **Police**

CLASS B BEER

- BWG Designs LLC dba Board & Brush Oak Creek, 3210 97th St., Sturtevant, WI 53177, Location: 8880 S. Howell Ave., #860. **Inspection**
- Gastrau's Golf Center, Inc. dba Gastrau's Golf Center, 1300 E. Rawson Ave. **Fire, Invoice**
- Georgie Porgie's Ltd. dba Georgie Porgie's, 9555 S. Howell Ave.

CLASS B BEER / CLASS C WINE

- MOD Super Fast Pizza (Wisconsin), LLC dba MOD Pizza, PO Box 6939, Bellevue, WA 98008, Location: 160 W. Town Square Way, #100.
- Panda Gourmet, LLC dba Panda Gourmet, 8880 S. Howell Ave., #900. **Fire**
- The Waters Senior Living Management LLC dba The Waters of Oak Creek, 1600 Hopkins Crossroad, Minnetonka, MN 55305, Location: 8000 S. Market St. **Police, Fire**

CLASS B COMBINATION

- BelAir Cantina Oak Creek Inc. Dba BelAir Cantina, 410 W. Town Square Way.
- Blazin Wings, Inc. dba Buffalo Wild Wings, 3 Glenlake Pkwy, Atlanta, GA 30328, Location: 8171 S. Howell Ave. **Inspection**
- Brickler's Restaurant LLC dba Viviere's Italian Restaurant, 939 E. Rawson Ave., Oak Creek, WI 53154, Location: 1000 E. Rawson Ave. **Inspection**
- CD Zeropay Inc. dba Jim Dandy's Pub & Grill, 8900 S. 27th St. **Fire, Inspection**
- Cellar on Oakwood LLC dba the Cellar, 811 E. Elm Rd., Location: 812 W. Oakwood Rd. **Fire, Inspection**
- Classic Oak Creek Bowling LLC dba Classic Lanes Oak Creek, 7501 S. Howell Ave. **Fire, Inspection**
- Comfort South, Inc. dba Comfort Suites, 6362 S. 13th St. **Police**
- CUB DTS, LLC dba Cubanita's, 7973 S. Main St. **Fire**
- EAK Inc. dba Erv's Mug, 130 W. Ryan Rd.
- John P. Sagan, Joyce M. Mueller (PTNSHP) dba Cozy Inn, 9509 S. Chicago Rd. **Inspection**
- KMDG LLC dba Branded Steer, 1299 W. College Ave. **Inspection**
- Lotus Restaurant, LLC dba Lotus Restaurant, 9011 S. Howell Ave.
- Marcus Cinemas of Wisconsin LLC dba South Shore Cinemas, 100 E. Wisconsin Ave., #1900, Milwaukee, WI 53202, Location: 7261 S. 13th St.
- Maria Cobian (Ind) dba Victor's Again, 3927 E. Dexter Ave., Oak Creek, WI 53154, Location: 9117 S. 5th Ave. **Inspection**
- Melrose Foods Inc., dba Melrose, 6840 S. 27th St.
- Oak Creek Community Center, Inc. dba: Oak Creek Community Center, 8580 S. Howell Ave. **Police**
- Oak Creek Diner – Jacob LLC dba Oak Creek Diner, 6874 S. 13th St. **Police, Inspection, Invoices**
- Oelschlaeger-Dallmann Post No. 434 of the American Legion Dept of Wisconsin dba American Legion Post 434, 9327 S. Shepard Ave. **Police**
- Old Skoolz LLC dba South Bound Again, 9504 S. Chicago Rd.
- Olive Tree Café, LLC dba Olive Tree Café, 3570 E. Puetz Rd.
- Pedone Restaurant & Catering dba Trattori di Carlo, 8469 S. Howell Ave.
- Rollin Smoke LLC dba Smoke Creek, 1632 Kupier Ln., Mt. Pleasant, Location: 10166 S. 27th St.
- Sidetracked, LLC dba Sidetracked, 823 W. Oakwood Rd. **Fire**
- St. Ledger Enterprises, Inc. dba Oak Hills Golf, 10360 S. Howell Ave. **Fire**
- The Char-Grill Inc. dba The Charcoal Grill & Rotisserie, 111 W. Ryan Rd. **Inspection**
- Valentine Café, LLC dba Valentine Café, 5918 N. Vliet St., Milwaukee, WI 53208, Location: 7981 S. 6th St. **Fire**
- WSB Oak Creek Restaurant LLC dba Water Street Brewery, 1122 N. Edison St., Milwaukee, WI 53202, Location: 140 W. Town Square Way. **Inspection**
- Wisconsin Apple LLC dba Applebee's Neighborhood Grill & Bar, 1409 Kingsley Ave., #2, Orange Park, FL 32073, Location: 7135 S. 13th St.

- Woodland Golf Inc. dba Woodland Golf Course, 3027 E. Elm Rd., Oak Creek, WI 53154, Location: 3025 E. Elm Rd.

RESERVE CLASS B COMBINATION

- A1 Investments LLC dba Sports Café, 928 E. Rawson Ave.
- Cozumel LLC dba Cozumel, 8201 S. Howell Ave., #700.
- D'Vine LLC dba D'Vine, 7228 S. 27th St.
- Oak Creek Hotel Ventures, LLC dba Homewood Suites by Hilton-Oak Creek, PO Box 434, Wisconsin Dells, WI 53965, Location: 1900 W. Creekside Crossing Cir. **Fire, Inspection, Occupancy**
- Oak Pro II LLC dba Fairfield Inn & Suites, 6460 S. 13th St. **Police, Fire, Inspection**
- Pub 41 LLC dba Pub 41, 9510 S. 27th St. **Police, Fire, Inspection, Occupancy**



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 6/7/2022 License Committee Report.

Fiscal Impact: License fees in the amount of \$1,905.00 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:

<ul style="list-style-type: none"> * Austin G. Skobel (Oak Hills Golf Course) * Emily J. Sparent (Aldi) * Alexander W. Heiges (BelAir) * Sarah J. Walkington (Target) * Athanasios Almouti (Melrose) * Darlene S. Piwowarczyk (Oak Hills Golf) * Tony J. Anguiano, Jr. (Community Center) * Sara K. Mills (Target) * Javier Avila (Meijer) 	<ul style="list-style-type: none"> * Shannen K. Conley (South Bound Again) * Joan M. Ricard (Board & Brush) * Michelle L. Koeller (Target) * James A. Huemmer (Woodland Golf) * David O. Brager (Charcoal Grill) * Linda D. Grace (Legion) * Stephanie M. Santiago-Dabrowski (Sidetracked) * Jacob B. Harr (Homewood Suites) * Ashley M. Krachtt (Meijer)
---	--

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Fiscal Review:

Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Prepared:

Christa J. Miller CMC/WCMC
Deputy City Clerk

Attachments: none

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the June 1, 2022 Vendor Summary Report in the total of \$624,412.25.

Fiscal Impact: Total claims paid of \$624,412.25.

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. \$173,000.00 to APA 9141, LLC (pg #3) for grading bond.
2. \$11,400.00 to Collins Engineers Inc. (pg #6) for professional services (Engineering).
3. \$5,229.42 to Filtration Concepts, Inc. (pg #8) for range filters.
4. \$100,978.42 to GFL Environmental (pg #9) for May trash and recycling.
5. \$8,698.00 to Godfrey & Kahn S.C. (pg #9) for legal services relating to redevelopment of lakefront site.
6. \$10,228.75 to Hein Electric Supply Co. (pg #9) for street light maintenance, Project #17024.
7. \$6,266.68 to Kasdorf, Lewis & Sweitlik, SC (pg #10) for legal services.
8. \$5,623.33 to Motorola Solutions, Inc. (pg #13) for radio equipment (Health).
9. \$6,410.00 to TAPCO (pg #16) for 10th & Drexel street light maintenance, Project #17024.
10. \$15,547.44 to Vanguard Computers, Inc. (pg #17) for 2022 desktops, Project #21023.
11. \$77,673.25 to Watson (pg #17) for Dispatch console replacements, Project #22018.
12. \$58,329.40 to WE Energies (pgs #1-2, & 19) for street lighting, electricity & natural gas.
13. \$5,000.00 to WI Dept. of Natural Resources (pg #18) for stormwater municipal fees.
14. \$24,517.50 to Wingspan Development Group LLC (pg #18) for BD Bond Refund.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kristina Strmsek
Assistant Comptroller

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: 6/7/2022 Invoice GL Distribution Report