



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

COMMON COUNCIL MEETING AGENDA

NOVEMBER 15, 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: 11/1/22

Recognition

4. **Council Proclamation:** Consider Council Proclamation No. 22-04, Congratulations to Tyler Dahmes for receiving the Eagle Scout Award (by Committee of the Whole).

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

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

5. **Rezone:** Consider a request submitted by Milwaukee County Parks to rezone a portion of the property at 1709 W. Drexel Ave., from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) (2nd District).
6. **Ordinance:** Consider Ordinance No. 3057, rezoning a portion of the property at 1709 W. Drexel Ave. from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) (2nd District).

New Business

7. **Motion:** Consider a motion to approve the Plan of Finance for \$3,350,000 General Obligation Refunding Bonds (by Committee of the Whole).
8. **Resolution:** Consider Resolution No. 12365-111522, authorizing the issuance and establishing parameters for the sale of not to exceed \$3,400,000 General Obligation Refunding Bonds, Series 2023A (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>.

9. **Resolution:** Consider Resolution No. 12361-111522, approval of the purchase of 9100 S. 5th Ave. for purpose of blight elimination (4th District).
10. **Resolution:** Consider Resolution No. 12362-111522, approval of the purchase of 4301 E. Depot Rd. for purpose of blight elimination (4th District).
11. **Discussion:** Council discussion and direction to City Staff regarding the scheduling of 2023 Regular Combined Common Council meeting dates.

ENGINEERING

12. **Resolution:** Consider Resolution No. 12363-111522, approving a Storm Water Management Practices Maintenance Agreement with Janssen Bruckner LLC, for The Stonebrook on the Park residential development located at 641 E. Drexel Ave. (Tax Key Nos 814-9075, 814-9076, 815-9027, 815-9028 and 815-9029) (1st District).
13. **Resolution:** Consider Resolution No. 12364-111522, authorizing the recommended road improvement projects to be advertised for public bid for rehabilitation in 2023 (All Districts).

LICENSE COMMITTEE

14. **Motion:** Consider a motion to approve the various license requests as listed on the 11/15/22 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

15. **Motion:** Consider a motion to approve the November 9, 2022 Vendor Summary Report in the amount of \$915,218.54 (by Committee of the Whole).

MISCELLANEOUS

16. **Motion:** Consider a motion to convene into closed session pursuant to Wisconsin State Statutes to discuss the following:
 - (a) Section 19.85(1)(g) to consider possible settlement of Megan Williams et al vs. City of Oak Creek et al (Milwaukee County Case No. 2021CV007435).
 - (b) Section 19.85(1)(e) to discuss a possible amendment to the Tax Incremental District No. 11 Finance Development Agreement and Phase III Agreement for the Emerald Row project.
17. **Motion:** Consider a motion to reconvene into open session.
18. **Motion:** Consider a motion to take action, if required.

Adjournment.

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 414-766-7000, by fax at 414-766-7976, or by mail at 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.

COUNCIL PROCLAMATION NO. 22-04
CONGRATULATIONS TO
TYLER DAHMES
FOR RECEIVING THE EAGLE SCOUT AWARD

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, less than four percent of all Scouts actually achieve this goal; and

WHEREAS, at a Court of Honor to be held at River Bend Nature Center on Sunday, November 27, 2022, at 12:30 p.m., an Eagle Award will be conferred upon Tyler Dahmes; and

WHEREAS, during his time as a scout, River Bend Nature Center has been a place that has been supportive to his troop, providing the scouts with an area to learn about nature, practice their canoeing skills and earn various merit badges, and therefore, as his Eagle project, Tyler chose to give back to the River Bend by raising funds and constructing 14 Leopold benches for the nature center; and

WHEREAS, the benches will be placed throughout River Bend Nature Center as memorials for loved ones; and

WHEREAS, Tyler coordinated the efforts of twenty-one volunteers, including fellow scouts and family members, to assist with fundraising and construction of the benches, putting in a total of over 109 man-hours of work; and

WHEREAS, as a result of completing his Eagle Scout rank requirements, Tyler earned an additional 15 merit badges to earn his bronze, gold and silver palms; and

WHEREAS, the Oak Creek Common Council wishes to recognize this noteworthy achievement of Tyler Dahmes.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby extend their congratulations to Eagle Scout Tyler Dahmes for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and the City Clerk be and she is hereby directed to transmit a suitable copy thereof to Tyler Dahmes.

Presented and adopted this 15th day of November, 2022.

Common Council President

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

TO BE PUBLISHED OCTOBER 26 & NOVEMBER 2, 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 Milwaukee County Parks to rezone a portion of the property at 1709 W. Drexel Ave. from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts).

- Hearing Date:** November 15, 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):** Milwaukee County Parks
- Property Owner(s):** Milwaukee County Parks
- Property Location(s):** 1709 W. Drexel Ave. (portion)
- Tax Key(s):** 811-9994-000

Legal Description:

Being that part of the Southwest ¼ of the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section 18, Town 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

The East One-half (1/2) of the East One-half (1/2) of the West One-half (1/2) of the Northeast One-quarter (1/4) of Section Eighteen (18), in Township Five (5) North, Range Twenty-two (22) East, in the City of Oak Creek, Milwaukee County, Wisconsin, except therefrom that part lying East of a line located One Hundred Fifty (150) feet West of and parallel with a reference line hereinafter described; And also except that part lying North of a line located Sixty (60) feet South of and parallel with the North line of said One-quarter (1/4) Section.

Said reference line beginning at a point in the south line of the said North East ¼ of Section 18 and 1319.64 feet West of the Southeast corner of said ¼ Section; running thence Northerly to a point in the North line of said ¼ Section and 1321.81 feet West of the Northeast corner of said ¼ Section.

Excepting from the above described land the following for Highway purpose:

That part of the Southwest ¼ of the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section 18, Town 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northwest corner of said Northeast ¼ of Section 18; thence South 89°15'10" East along the north line of said Northeast ¼ of Section 18, 998.83 feet; thence South 01°28'02" West, 60.00 feet to the south line of West Drexel Avenue, also being the Point of Beginning; thence South 89°15'10" East along said south line, 192.72 feet to the west line of I-94; thence South 01°30'37" West along said west line, 2603.08 feet to the south line of aforesaid Northeast ¼ of Section 18, also being the owner's south property line; thence North 89°10'22" West along said south line, 20.00 feet; thence North 01°30'37" East, 896.39 feet; thence North 04°28'04" West, 1657.89 feet to a point on the owner's west property line; thence North 01°28'02" East along said west line, 56.49 feet to the Point of Beginning.

This parcel contains 6.59 acres, more or less.

No right of access shall accrue between the right-of-way of the highway, currently designated as I-41/94, including its ramps and appurtenances, and all of the abutting remaining property of the owner.

The land shall be used for public purpose or public transportation only. If the land is not used for public purposes or public transportation, title of the land reverts to Wisconsin Department of Transportation (WisDOT).

The Common Council has scheduled other public hearings for November 15, 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: October 19, 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 City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.

COMMON COUNCIL REPORT

Item: Rezone - 1709 W. Drexel Ave. - Milwaukee County Parks Department

Recommendation: That the Council adopts Ordinance 3057, an ordinance to rezone a portion of the property at 1709 W. Drexel Ave. from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) (2nd District).

Fiscal Impact: No direct fiscal impact is anticipated with the rezone request as the land will be utilized for public natural areas outside of Wisconsin DOT right-of-way. This property is not currently located within a TID.

Critical Success Factor(s):

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

Background: Milwaukee County Parks recently acquired the property at 1709 W. Drexel Ave. from WisDOT, and are requesting that it be rezoned to P-1, Park District. The property is adjacent to Milwaukee County Park properties to the west. No change to the FW, Floodway or FF, Flood Fringe Districts would be included in the rezone, and the County has no plans for any development of the land. Due to acquisition for public natural area, however, the Comprehensive Plan would have to be amended to reflect the change to Parks and Open Space. Staff have no objections to the rezone request.

After careful consideration at the October 11, 2022 meeting, the Plan Commission recommended approval.

Options/Alternatives: Council has the discretion to approve or not approve the proposed rezone request. Disapproval of the rezone would potentially result in incompatible district standard applications for property owned by Milwaukee county Parks for natural areas and Wisconsin DOT for right-of-way purposes.

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Maxwell Gaglin, MPA
Assistant City Administrator / Comptroller

Approved:



Kari Papelbon, CFM, AICP
Senior Planner

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Ord. 3057

Location Map

Narrative (1 page)

Plan Commission Minutes (1 page)

ORDINANCE NO. 3057

By: _____

AN ORDINANCE TO REZONE A PORTION OF THE PROPERTY AT 1709 W. DREXEL AVE.
FROM A-1, LIMITED AGRICULTURAL TO P-1, PARK DISTRICT
(NO CHANGE TO FW, FLOODWAY OR FF, FLOOD FRINGE DISTRICTS)

(2nd Aldermanic District)

WHEREAS, MILWAUKEE COUNTY PARKS, has applied for rezoning a portion of the property at 1709 W. Drexel Ave. from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts);

WHEREAS, the property is more precisely described as follows:

Being that part of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 18, Town 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

The East One-half (1/2) of the East One-half (1/2) of the West One-half (1/2) of the Northeast One-quarter (1/4) of Section Eighteen (18), in Township Five (5) North, Range Twenty-two (22) East, in the City of Oak Creek, Milwaukee County, Wisconsin, except therefrom that part lying East of a line located One Hundred Fifty (150) feet West of and parallel with a reference line hereinafter described; And also except that part lying North of a line located Sixty (60) feet South of and parallel with the North line of said One-quarter (1/4) Section.

Said reference line beginning at a point in the south line of the said North East $\frac{1}{4}$ of Section 18 and 1319.64 feet West of the Southeast corner of said $\frac{1}{4}$ Section; running thence Northerly to a point in the North line of said $\frac{1}{4}$ Section and 1321.81 feet West of the Northeast corner of said $\frac{1}{4}$ Section.

Excepting from the above described land the following for Highway purpose:

That part of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 18, Town 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northwest corner of said Northeast $\frac{1}{4}$ of Section 18; thence South 89°15'10" East along the north line of said Northeast $\frac{1}{4}$ of Section 18, 998.83 feet; thence South 01°28'02" West, 60.00 feet to the south line of West Drexel Avenue, also being the Point of Beginning; thence South 89°15'10" East along said south line, 192.72 feet to the west line of I-94; thence South 01°30'37" West along said west line, 2603.08 feet to the south line of aforesaid Northeast $\frac{1}{4}$ of Section 18, also being the owner's south property line; thence North 89°10'22" West along said south line, 20.00 feet; thence North 01°30'37" East, 896.39 feet; thence North 04°28'04" West, 1657.89 feet to a point on the owner's west property line; thence North 01°28'02" East along said west line, 56.49 feet to the Point of Beginning.

This parcel contains 6.59 acres, more or less.

No right of access shall accrue between the right-of-way of the highway, currently designated as I-41/94, including its ramps and appurtenances, and all of the abutting remaining property of the owner.

The land shall be used for public purpose or public transportation only. If the land is not used for public purposes or public transportation, title of the land reverts to Wisconsin Department of Transportation (WisDOT).

WHEREAS, the Plan Commission reviewed the application and recommended that the P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) rezoning be approved; and

WHEREAS, the Common Council held a public hearing on said application on November 15, 2022 at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and with the favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts) rezoning was approved for the lands hereinabove described.

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are hereby rezoned from A-1, Limited Agricultural to P-1, Park District (NO CHANGE to FW, Floodway or FF, Flood Fringe districts), and the Zoning Map of Chapter 17 of the Municipal Code is amended to reflect the rezoning.

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

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

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

Passed and adopted this 15th day of November, 2022.

President, Common Council

Approved this 15th day of November, 2022.

Mayor

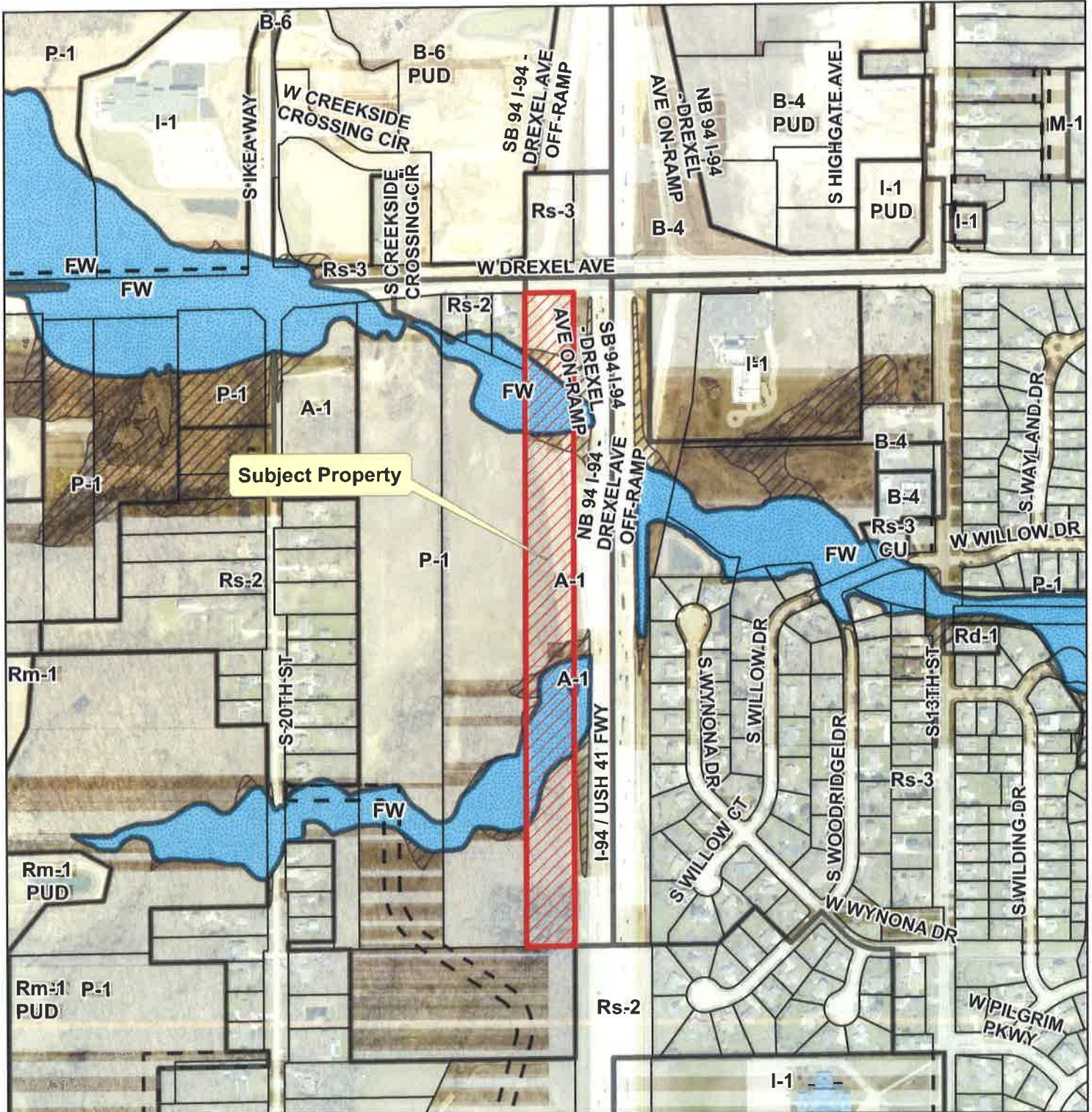
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

LOCATION MAP

1709 W. Drexel Ave.



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



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 1709 W. Drexel Ave.

Application Narrative for Oak Creek regarding rezoning of 1709 W Drexel Avenue

APPLICANT INFORMATION		PROPERTY INFORMATION (List all in proposal)	
Name	Milwaukee County Parks Department	Address(es)	1709 W Drexel Avenue
Company	Milwaukee County	Tax Key(s)	811-9994-000
Address	9480 W Watertown Plank Rd	Zoning District(s)	A-1
City, State Zip	Wauwatosa, WI 53226	Property Owner(s)	Milwaukee County Parks
Phone	(414) 257-7275	Property Owner(s) Contact	9480 Watertown Plank Road. Wauwatosa, WI 53226
Email	Jeremy.Lucas@milwaukeecountywi.gov		
Applicant Representative (if applicable)			
Name	Jeremy Lucas		
Company	Milwaukee County Parks Department		
Email/Phone	Jeremy.Lucas@milwaukeecountywi.gov		

Milwaukee County acquired this land from the DOT as it is no longer needed as interstate ROW. Milwaukee County Parks is asking to rezone it to parks to match the adjacent district. Asking to rezone from A-1 to P-1.

The land would remain a natural area. The land would be open to the public. No development plans, parking, storage, or modifications to the property are proposed. No site plan, building plan, utility plan, lighting plan, grading plan, stormwater usage, or landscaping plan are proposed.

COMMON COUNCIL REPORT

- Item:** Plan of Finance for \$3,350,000 General Obligation Refunding Bonds
- Recommendation:** Motion to approve the Plan of Finance for \$3,350,000 General Obligation Refunding Bonds.
- Fiscal Impact:** The General Obligation Refunding Bonds will be paid from tax increment (i.e. property taxes) generated by TID No. 7.
- 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 Plan of Finance is for the issuance of \$3,350,000 General Obligation Refunding Bonds to refinance \$5,825,000 General Obligation Refunding Bonds issued on April 2, 2013. The original Bonds were issued to finance the reconstruction of Drexel Avenue between 27th Street and 13th Street which was completed in 2012.

The Bonds are proposed to be sold via private placement and amortized over two years to match TID No. 7's projected cash flows. The Bonds' interest rate is estimated to be 4.95%, which would yield savings of \$448,803 due to their shorter amortization period than the existing debt (through 2032).

Justin Fischer, Director of Public Finance with Baird will be present at the Common Council meeting to discuss the Plan of Finance in greater detail and answer any questions the Common Council may have.

Options/Alternatives: The Common Council could not approve the Plan of Finance, therefore requiring the City to pay the remaining principal and interest on the \$5,825,000 General Obligation Refunding Bonds through 2032.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared and Fiscal Review:



Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Attachments:

- Plan of Finance
- TID No. 7 Cashflow Analysis (Current)
- TID No. 7 Cashflow Analysis (including the proposed General Obligation Refunding Bonds)

BAIRD

City of Oak Creek
Council Meeting

November 15, 2022

Justin A. Fischer, Director

jfischer@nwbaird.com

777 East Wisconsin Avenue

Milwaukee, WI 53202

Phone 414.765.3827

Fax 414.298.7354

City of Oak Creek

Council Meeting

November 15, 2022



Timeline

- City Council considers Plan of Finance / Parameters Resolution November 15, 2022
 - Authority for final sign-off of the Bonds sale, within designated parameters, is delegated to the City Administrator or Assistant City Administrator/Comptroller
 - Preparations are made for issuance
 - ✓ Term Sheet
 - ✓ Marketing
- If bids are competitive and meet Council's parameters, sell the Bonds (finalizes terms and interest rates) ... Mid December 2022
- Closing (funds available)..... Anticipated early January 2023

Borrowing/Structure/Purpose

Estimated Size:	\$3,350,000
Issue:	G.O. Refunding Bonds
Purpose:	Restructure 2013 Bonds
Structure:	Matures April 1, 2023-2024
First Interest:	April 1, 2023
Callable:	Noncallable
Estimated Interest Rate:	4.95%
Parameters Maximum Interest Rate:	5.75%

City of Oak Creek

Council Meeting
November 15, 2022



Preliminary Refinancing Illustration

Calendar Year	BEFORE REFINANCING					AFTER REFINANCING							POTENTIAL DEBT SERVICE SAVINGS
	\$5,825,000 G.O. Refunding Bonds (CR) Dated April 2, 2013			OTHER TID #7 DEBT SERVICE	TOTAL TID #7 DEBT SERVICE	\$5,825,000 G.O. Refunding Bonds (CR) Dated April 2, 2013		\$3,350,000 G.O. Refunding Bonds (CR) Dated January 5, 2023 ⁽¹⁾			OTHER TID #7 DEBT SERVICE	TOTAL TID #7 DEBT SERVICE	
	PRINCIPAL (4/1)	RATE	INTEREST (4/1 & 10/1)			PRINCIPAL (4/1)	INTEREST (4/1 & 10/1)	PRINCIPAL (4/1)	INTEREST (4/1 & 10/1)	TOTAL			
2023	\$300,000	4.000%	\$126,000	\$200,719	\$626,719	\$300,000	\$66,000	\$1,352,000	\$89,041	\$1,441,041	\$200,719	\$2,007,760	(\$1,381,041)
2024	\$325,000	4.000%	\$113,500	\$196,219	\$634,719	***		\$1,998,000	\$49,151	\$2,047,151	\$196,219	\$2,243,370	(\$1,608,651)
2025	\$325,000	4.000%	\$100,500	\$191,719	\$617,219	***					\$191,719	\$191,719	\$425,500
2026	\$350,000	4.000%	\$87,000	\$187,219	\$624,219	***					\$187,219	\$187,219	\$437,000
2027	\$350,000	3.375%	\$74,094	\$207,234	\$631,328	***					\$207,234	\$207,234	\$424,094
2028	\$375,000	3.375%	\$61,859	\$201,766	\$638,625	***					\$201,766	\$201,766	\$436,859
2029	\$375,000	3.375%	\$49,203	\$196,188	\$620,391	***					\$196,188	\$196,188	\$424,203
2030	\$400,000	3.500%	\$35,875	\$190,500	\$626,375	***					\$190,500	\$190,500	\$435,875
2031	\$400,000	3.500%	\$21,875	\$184,703	\$606,578	***					\$184,703	\$184,703	\$421,875
2032	\$425,000	3.500%	\$7,438	\$203,375	\$635,813	***					\$203,375	\$203,375	\$432,438
	\$3,625,000		\$677,344	\$1,959,641	\$6,261,984	\$300,000	\$66,000	\$3,350,000	\$138,192	\$3,488,192	\$1,959,641	\$5,813,833	\$448,152

Maturities callable 4/1/2023 or any date thereafter.

	CALLABLE MATURITIES
X.XXX%	TERM BONDS

*** REFINANCED WITH 2023 ISSUE.

(1) This illustration represents a mathematical calculation of potential interest cost savings (cost), assuming hypothetical rates based on current rates for municipal bonds +57 bps as of 10/26/22. Actual rates may vary. If actual rates are higher than those assumed, the interest cost savings would be lower. This illustration provides information and is not intended to be a recommendation, proposal or suggestion for a refinancing or otherwise to be considered as advice.

ROUNDING AMOUNT.....	\$651
POTENTIAL GROSS SAVINGS.....	\$448,803
POTENTIAL PRESENT VALUE SAVINGS (LOSS) \$.....	(\$448,704)
POTENTIAL PRESENT VALUE SAVINGS (LOSS) %.....	-13.495%

(2) Present value calculated using the All Inclusive Cost (AIC) of 6.54% as the discount rate.
Inclusive of estimated investment earnings calculated using an estimated investment rate of 2.25%.

CITY OF OAK CREEK

TAX INCREMENTAL DISTRICT NO. 7 - 27TH STREET CORRIDOR (CURRENT)

HISTORICAL SUMMARY OF SOURCE, USE, AND STATUS OF FUNDS

from Date of Creation

	13 Actual 2020	14 Actual 2021	15 Projected 2022	16 Projected 2023	17 Projected 2024	18 Projected 2025	19 Projected 2026	20 Projected 2027
SOURCES								
Tax Increments	\$ 599,071	\$ 1,267,946	\$ 1,847,034	\$ 2,452,750	\$ 2,616,938	\$ 2,782,769	\$ 2,950,259	\$ 3,119,422
Computer Exemption Increment	17,764	17,764	17,764	17,764	17,764	17,764	17,764	17,764
Personal Property Exemption Increment	99,027	193,873	99,027	99,027	99,027	99,027	99,027	99,027
Interest	5,787	(394)	-	-	-	-	-	-
Proceeds of Long-Term Debt	-	-	-	-	-	-	-	-
TOTAL SOURCES	\$ 721,648	\$ 1,479,189	\$ 1,963,824	\$ 2,569,540	\$ 2,733,728	\$ 2,899,559	\$ 3,067,049	\$ 3,236,212
USES								
Capital Expenditures (incl. PAYGO Incentives)	\$ 525,659	\$ 325,210	\$ 334,966	\$ 345,015	\$ 355,366	\$ -	\$ -	\$ -
Administrative Costs	11,699	11,632	12,650	12,650	12,650	12,650	12,650	12,650
Tax Assessment Refunds	39,232	27,930	-	-	-	-	-	-
Interfund Borrowing Interest Exp	-	1,154	-	-	-	-	-	-
Transfer to Capital Projects Fund	-	455,000	900,000	-	-	-	-	-
Transfer to Debt Service Fund	100,000	-	-	-	-	-	-	-
Transfer to CDA	-	-	-	314,900	-	-	-	-
Principal on Long-Term Debt	-	425,000	450,000	450,000	475,000	475,000	500,000	3,400,000
Interest on Long-Term Debt	-	209,969	193,219	176,719	159,719	142,219	124,219	359,110
TOTAL USES	\$ 676,590	\$ 1,455,896	\$ 1,890,835	\$ 1,299,284	\$ 1,002,735	\$ 629,869	\$ 636,869	\$ 3,771,760
Net Change in Fund Balance - December 31	\$ 45,058	\$ 23,293	\$ 72,989	\$ 1,270,256	\$ 1,730,994	\$ 2,269,690	\$ 2,430,180	\$ (535,548)
FUND BALANCE - DECEMBER 31	\$ 46,550	\$ 69,844	\$ 142,833	\$ 1,413,089	\$ 3,144,082	\$ 5,413,772	\$ 7,843,952	\$ 7,308,404
LONG-TERM DEBT OUTSTANDING - DECEMBER 31	\$ 7,540,174	\$ 6,905,205	\$ 6,261,986	\$ 5,635,267	\$ 5,000,548	\$ 4,383,329	\$ 3,759,110	\$ -
TID BREAKEVEN?	No	No	No	No	No	Yes	Yes	Yes
Expenditure Period Expiration Date	4/16/2022							
Termination Date	4/17/2027							

CITY OF OAK CREEK

TAX INCREMENTAL DISTRICT NO. 7 - 27TH STREET CORRIDOR (AFTER REFINANCING GO BONDS)

HISTORICAL SUMMARY OF SOURCE, USE, AND STATUS OF FUNDS

from Date of Creation

	13	14	15	16	17	18	19	20
	Actual	Actual	Projected	Projected	Projected	Projected	Projected	Projected
	2020	2021	2022	2023	2024	2025	2026	2027
SOURCES								
Tax Increments	\$ 599,071	\$ 1,267,946	\$ 1,847,034	\$ 2,452,750	\$ 2,616,938	\$ 2,782,769	\$ 2,950,259	\$ 3,119,422
Computer Exemption Increment	17,764	17,764	17,764	17,764	17,764	17,764	17,764	17,764
Personal Property Exemption Increment	99,027	193,873	99,027	99,027	99,027	99,027	99,027	99,027
Interest	5,787	(394)	-	-	-	-	-	-
TOTAL SOURCES	\$ 721,648	\$ 1,479,189	\$ 1,963,824	\$ 2,569,540	\$ 2,733,728	\$ 2,899,559	\$ 3,067,049	\$ 3,236,212
USES								
Capital Expenditures (incl. PAYGO Incentives)	\$ 525,659	\$ 325,210	\$ 334,966	\$ 345,015	\$ 355,366	\$ -	\$ -	\$ -
Administrative Costs	11,699	11,632	12,650	12,650	12,650	12,650	12,650	12,650
Tax Assessment Refunds	39,232	27,930	-	-	-	-	-	-
Interfund Borrowing Interest Exp	-	1,154	-	-	-	-	-	-
Transfer to Capital Projects Fund	-	455,000	900,000	-	-	-	-	-
Transfer to Debt Service Fund	100,000	-	-	-	-	-	-	-
Transfer to CDA	-	-	-	314,900	-	-	-	-
Full Call - Payoff Remaining GO Debt	-	-	-	-	-	1,394,120	-	-
Principal on Long-Term Debt	-	425,000	450,000	1,802,000	2,148,000	-	-	-
Interest on Long-Term Debt	-	209,969	193,219	205,760	95,370	-	-	-
TOTAL USES	\$ 676,590	\$ 1,455,896	\$ 1,890,835	\$ 2,680,325	\$ 2,611,386	\$ 1,406,770	\$ 12,650	\$ 12,650
Net Change in Fund Balance - December 31	\$ 45,058	\$ 23,293	\$ 72,989	\$ (110,785)	\$ 122,343	\$ 1,492,789	\$ 3,054,399	\$ 3,223,562
FUND BALANCE - DECEMBER 31	\$ 46,550	\$ 69,844	\$ 142,833	\$ 32,048	\$ 154,390	\$ 1,647,179	\$ 4,701,578	\$ 7,925,140
LONG-TERM DEBT OUTSTANDING - DECEMBER 31	\$ 5,529,318	\$ 4,894,349	\$ 4,251,130	\$ 2,243,370	\$ 1,394,120	\$ -	\$ -	\$ -
TID BREAKEVEN?	No	No	No	No	No	Yes	Yes	Yes
Expenditure Period Expiration Date	4/16/2022							
Termination Date	4/17/2027							

COMMON COUNCIL REPORT

- Item:** Resolution No. 12365-11152022, a Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,400,000 General Obligation Refunding Bonds, Series 2023A
- Recommendation:** That the Common Council adopts Resolution No. 12365-11152022, a Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,400,000 General Obligation Refunding Bonds, Series 2023A.
- Fiscal Impact:** The General Obligation Refunding Bonds will be paid from tax increment (i.e. property taxes) generated by TID No. 7.
- 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 Plan of Finance includes \$3,350,000 General Obligation Refunding Bonds to refinance \$5,825,000 General Obligation Refunding Bonds issued on April 2, 2013. The original Bonds were issued to finance the reconstruction of Drexel Avenue between 27th Street and 13th Street which was completed in 2012.

The Bonds are proposed to be sold via private placement and amortized over two years to match TID No. 7's projected cash flows. The Bonds' interest rate is estimated to be 4.95%, which would yield savings of \$448,803 due to their shorter amortization period than the existing debt (through 2032).

Resolution No. 12365-11152022 gives Baird the ability to present to the City a bond sale on any day versus only on the day of a Common Council meeting, offering flexibility to take advantage of favorable interest rates. Parameters for the Bonds sale include a maximum price of \$3,400,000 and interest rate of 5.75%.

Justin Fischer, Director of Public Finance with Baird will be at the Common Council meeting to discuss this issuance in greater detail and answer any questions the Common Council may have.

Options/Alternatives: The Common Council could choose to request that the sale of the Bonds come back to them for approval at a set Common Council meeting, thus removing the flexibility to sell the Bonds on a day of Baird's choosing based on the interest rate market.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared and Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:

- Plan of Finance
- Resolution No. 12365-11152022

BAIRD

City of Oak Creek
Council Meeting

November 15, 2022

Justin A. Fischer, Director

jfischer@nwbaird.com
777 East Wisconsin Avenue
Milwaukee, WI 53202
Phone 414.765.3827
Fax 414.298.7354

City of Oak Creek

Council Meeting
November 15, 2022



Timeline

- City Council considers Plan of Finance / Parameters Resolution November 15, 2022
 - Authority for final sign-off of the Bonds sale, within designated parameters, is delegated to the City Administrator or Assistant City Administrator/Comptroller
 - Preparations are made for issuance
 - ✓ Term Sheet
 - ✓ Marketing
- If bids are competitive and meet Council’s parameters, sell the Bonds (finalizes terms and interest rates) ... Mid December 2022
- Closing (funds available)..... Anticipated early January 2023

Borrowing/Structure/Purpose

Estimated Size:	\$3,350,000
Issue:	G.O. Refunding Bonds
Purpose:	Restructure 2013 Bonds
Structure:	Matures April 1, 2023-2024
First Interest:	April 1, 2023
Callable:	Noncallable
Estimated Interest Rate:	4.95%
Parameters Maximum Interest Rate:	5.75%

City of Oak Creek

Council Meeting
November 15, 2022



Preliminary Refinancing Illustration

Calendar Year	BEFORE REFINANCING					AFTER REFINANCING					POTENTIAL DEBT SERVICE SAVINGS		
	\$5,825,000 G.O. Refunding Bonds (CR) Dated April 2, 2013			OTHER TID #7 DEBT SERVICE	TOTAL TID #7 DEBT SERVICE	\$5,825,000 G.O. Refunding Bonds (CR) Dated April 2, 2013			\$3,350,000 G.O. Refunding Bonds (CR) Dated January 5, 2023 ⁽¹⁾			OTHER TID #7 DEBT SERVICE	TOTAL TID #7 DEBT SERVICE
	PRINCIPAL (4/1)	RATE	INTEREST (4/1 & 10/1)			PRINCIPAL (4/1)	INTEREST (4/1 & 10/1)	PRINCIPAL (4/1)	INTEREST (4/1 & 10/1)	TOTAL			
2023	\$300,000	4.000%	\$126,000	\$200,719	\$626,719	\$300,000	\$66,000	\$1,352,000	\$89,041	\$1,441,041	\$200,719	\$2,007,760	(\$1,381,041)
2024	\$325,000	4.000%	\$113,500	\$196,219	\$634,719	***		\$1,998,000	\$49,151	\$2,047,151	\$196,219	\$2,243,370	(\$1,608,651)
2025	\$325,000	4.000%	\$100,500	\$191,719	\$617,219	***					\$191,719	\$191,719	\$425,500
2026	\$350,000	4.000%	\$87,000	\$187,219	\$624,219	***					\$187,219	\$187,219	\$437,000
2027	\$350,000	3.375%	\$74,094	\$207,234	\$631,328	***					\$207,234	\$207,234	\$424,094
2028	\$375,000	3.375%	\$61,859	\$201,766	\$638,625	***					\$201,766	\$201,766	\$436,859
2029	\$375,000	3.375%	\$49,203	\$196,188	\$620,391	***					\$196,188	\$196,188	\$424,203
2030	\$400,000	3.500%	\$35,875	\$190,500	\$626,375	***					\$190,500	\$190,500	\$435,875
2031	\$400,000	3.500%	\$21,875	\$184,703	\$606,578	***					\$184,703	\$184,703	\$421,875
2032	\$425,000	3.500%	\$7,438	\$203,375	\$635,813	***					\$203,375	\$203,375	\$432,438
	\$3,625,000		\$677,344	\$1,959,641	\$6,261,984	\$300,000	\$66,000	\$3,350,000	\$138,192	\$3,488,192	\$1,959,641	\$5,813,833	\$448,152

Maturities callable 4/1/2023 or any date thereafter.

	CALLABLE MATURITIES
X.XXX%	TERM BONDS

*** REFINANCED WITH 2023 ISSUE.

(1) This illustration represents a mathematical calculation of potential interest cost savings (cost), assuming hypothetical rates based on current rates for municipal bonds +57 bps as of 10/26/22. Actual rates may vary. If actual rates are higher than those assumed, the interest cost savings would be lower. This illustration provides information and is not intended to be a recommendation, proposal or suggestion for a refinancing or otherwise to be considered as advice.

(2) Present value calculated using the All Inclusive Cost (AIC) of 6.54% as the discount rate. Inclusive of estimated investment earnings calculated using an estimated investment rate of 2.25%.

ROUNDING AMOUNT.....	\$651
POTENTIAL GROSS SAVINGS.....	\$448,803
POTENTIAL PRESENT VALUE SAVINGS (LOSS) \$.....	(\$448,704)
POTENTIAL PRESENT VALUE SAVINGS (LOSS) %.....	-13.495%

RESOLUTION NO. 12365-111522

RESOLUTION AUTHORIZING THE ISSUANCE AND
ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO EXCEED
\$3,400,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2023A

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Oak Creek, Milwaukee County, Wisconsin (the "City") to raise funds to pay the cost of refinancing certain outstanding obligations of the City, specifically, the callable maturities of the General Obligation Refunding Bonds, dated April 2, 2013 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of restructuring the outstanding indebtedness of the City;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance its outstanding obligations;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell the general obligation refunding bonds (the "Bonds") by private placement to a purchaser to be selected at a later date and set forth in the Approving Certificate (defined herein) (the "Purchaser");

WHEREAS, the Purchaser intends to execute and submit a Final Term Sheet to the City (the "Proposal") offering to purchase the Bonds in accordance with the terms and conditions to be set forth in the Proposal; and

WHEREAS, in order to facilitate the sale of the Bonds to the Purchaser in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to each of the City Administrator and the Assistant City Administrator/Comptroller (each an "Authorized Officer") of the City the authority to accept the Proposal on behalf of the City so long as the Proposal meets the terms and conditions set forth in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Bonds; Parameters. For the purpose of paying costs of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of not to exceed THREE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$3,400,000) from the Purchaser upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 14 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, Bonds

aggregating the principal amount of not to exceed THREE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$3,400,000). The purchase price to be paid to the City for the Bonds shall not be less than 100% of the principal amount of the Bonds. Costs of issuance, including the placement agent fee, shall not exceed 1.50% of the principal amount of the Bonds, payable by the Purchaser or the City.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds, Series 2023A"; shall be issued in the aggregate principal amount of up to \$3,400,000; shall be dated as of their date of issuance; shall be in the denomination of \$100,000 or any integral multiple of \$1,000 in excess thereof; shall be numbered R-1 and upward; and mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$100,000 per maturity or mandatory redemption amount and that the aggregate principal amount of the Bonds shall not exceed \$3,400,000. The schedule below assumes the Bonds are issued in the aggregate principal amount of \$3,350,000.

<u>Date</u>	<u>Principal Amount</u>
04-01-2023	\$1,352,000
04-01-2024	1,998,000

Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2023. The true interest cost on the Bonds (computed taking any Purchaser's compensation into account) shall not exceed 5.75%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP to Approving Certificate. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2022 through 2023 for the payments due in the years 2023 through 2024 in the amounts as are sufficient to meet the principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, Series 2023A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted

Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and

the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Conditions on Issuance and Sale of the Bonds. The issuance of the Bonds and the sale of the Bonds to the Purchaser are subject to satisfaction of approval by an Authorized Officer of the Purchaser, the principal amount, definitive maturities, redemption provisions, interest rates, purchase price for the Bonds, and the date of redemption of the Refunded Obligations, which approval shall be evidenced by execution by an Authorized Officer of the Approving Certificate.

The Bonds shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Bonds to the Purchaser.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. Use of The Depository Trust Company, New York, New York ("DTC") is authorized, if necessary, in connection with the issuance of the Bonds. In order to make the Bonds eligible for the services provided by DTC, if necessary, the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on such date approved by an Authorized Officer in the Approving Certificate that is not more than 90 days after the date of issuance of the Bonds, at a price of par plus accrued interest to the date of redemption subject to final approval by an Authorized Officer as evidenced by the execution of the Approving Certificate.

The City hereby directs the City Clerk to work with Robert W. Baird & Co. Incorporated to cause timely notice of redemption, in substantially the form attached hereto as Exhibit C and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. Any and all actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 15, 2022.

Daniel Bukiewicz
Mayor

ATTEST:

Catherine A. Roeske
City Clerk

(SEAL)

EXHIBIT A

APPROVING CERTIFICATE

The undersigned [City Administrator] [Assistant City Administrator/Comptroller] of the City of Oak Creek, Milwaukee County, Wisconsin (the "City"), hereby certifies that:

1. Resolution. On November 15, 2022, the Common Council of the City adopted a resolution (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed \$3,400,000 General Obligation Refunding Bonds, Series 2023A of the City (the "Bonds") and delegating to me the authority to approve the purchase proposal for the Bonds, and to determine the details for the Bonds within the parameters established by the Resolution.

2. Proposal; Terms of the Bonds. On the date hereof, _____ (the "Purchaser") offered to purchase the Bonds in accordance with the terms set forth in the Final Term Sheet between the City and the Purchaser attached hereto as Schedule I (the "Proposal"). The Proposal meets the parameters established by the Resolution and is hereby approved and accepted.

The Bonds shall be issued in the aggregate principal amount of \$_____, which is not more than the \$3,400,000 approved by the Resolution, and shall mature on April 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule II and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Bonds is not more than \$100,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
04-01-2023	\$1,352,000	\$ _____
04-01-2024	1,998,000	_____

The true interest cost on the Bonds (computed taking any Purchaser's compensation into account) is _____%, which is not in excess of 5.75%, as required by the Resolution.

3. Purchase Price of the Bonds. The Bonds shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$_____, plus accrued interest, if any, to the date of delivery of the Bonds, which is not less than 100% of the principal amount of the Bonds as required by the Resolution.

Costs of issuance [to be paid by the City/Purchaser] total \$_____, which does not exceed 1.50% of the principal amount of the Bonds.

4. Redemption Provisions of the Bonds. [The Bonds are not subject to optional redemption.] [The Bonds [maturing on April 1, 20__], are subject to redemption prior to maturity, at the option of the City, [on April 1, 20__ or] [on any date] [thereafter]. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, in integral multiples of \$1,000, at the principal amount thereof, plus accrued interest to the date of redemption. In the event that only a portion of the Bonds of any maturity of the Bonds is redeemed, the remaining outstanding principal amount of such maturity of the Bonds must be at least \$100,000 unless or until redeemed or paid in full.] [The Proposal specifies that the Bonds are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP to Approving Certificate and incorporated herein by this reference. Upon the optional redemption of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Schedule MRP to Approving Certificate for such Bonds in such manner as the City shall direct.]

5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule III.

6. Redemption of the Refunded Obligations. In the Resolution, the Common Council authorized the redemption of the General Obligation Refunding Bonds, dated April 2, 2013 (the "Refunded Obligations") and granted me the authority to determine the redemption date. The Refunded Obligations shall be redeemed on _____, 2023, which is within 90 days of the issuance of the Bonds, as required by the Resolution.

7. Approval. This Certificate constitutes our approval of the Proposal, the Purchaser, and the principal amount, definitive maturities, interest rates, purchase price, redemption provisions for the Bonds, the date of redemption of the Refunded Obligations, and the direct annual irrepealable tax levy to repay the Bonds, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, I have executed this Certificate on _____, 2023
pursuant to the authority delegated to me in the Resolution.

[Andrew J. Vickers
City Administrator]

[Maxwell C. Gagin
Assistant City Administrator/Comptroller]

SCHEDULE I TO APPROVING CERTIFICATE

Final Term Sheet

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

SCHEDULE II TO APPROVING CERTIFICATE

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

SCHEDULE III TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

[SCHEDULE MRP TO APPROVING CERTIFICATE

Mandatory Redemption Provision

The Bonds due on April 1, ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, 20

<u>Redemption</u>	<u>Amount</u>
<u>Date</u>	<u>\$</u>
_____	_____
_____	_____ (maturity)]

EXHIBIT B

(Form of Bond)

NUMBER	UNITED STATES OF AMERICA STATE OF WISCONSIN MILWAUKEE COUNTY CITY OF OAK CREEK	DOLLARS
_____	GENERAL OBLIGATION REFUNDING BOND, SERIES 2023A	\$ _____

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP:
April 1, 20__	_____, 2023	____%	_____

[REGISTERED OWNER: _____]

[DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.]

PRINCIPAL AMOUNT: _____ DOLLARS (\$ __)

FOR VALUE RECEIVED, the City of Oak Creek, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to [the registered owner] [the Depository or its Nominee Name (the "Depository")] identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2023 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to [the registered owner] [the Depository] in whose name this Bond is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date, and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the public purpose of paying the cost of refunding certain obligations of the City, as authorized by a resolution adopted on November 15, 2022, as supplemented by an Approving Certificate, dated _____, 2023 (collectively, the "Resolution"). Said Resolution is recorded in the official minutes of the Common Council for said date.

[This Bond is not subject to optional redemption.] [The Bonds [maturing on April 1, 20__] are subject to redemption prior to maturity, at the option of the City, on [April 1, 20__ or on] any date [thereafter]. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, in integral multiples of \$1,000, at the principal amount thereof, plus accrued interest to the date of redemption. In the event that only a portion of the Bonds of any maturity of the Bonds is redeemed, the remaining outstanding principal amount of such maturity of the Bonds must be at least \$100,000 unless or until redeemed or paid in full.]

[The Bonds maturing in the year ____ are subject to mandatory redemption by lot as provided in the Resolution, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

[Before the redemption of any of the Bonds, unless waived by the registered owner, the City shall give notice of such redemption by registered or certified mail at least thirty (30) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed, in whole or in part, at the address shown on the registration books. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit with the registered owner at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.]

[In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot in integral multiples of \$1,000. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that

federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.】

The Bonds are issued in registered form in the denomination of \$100,000 or any integral multiple of \$1,000 in excess thereof. This Bond may be exchanged at the office of the Fiscal Agent for a like aggregate principal amount of Bonds of the same maturity in other authorized denominations.

This Bond is transferable by a written assignment duly executed by the registered owner hereof or by such owner's duly authorized legal representative. Upon such transfer a new registered Bond, in authorized denomination or denominations and in the same aggregate principal amount, shall be issued to the transferee in exchange hereof.

The City and Fiscal Agent may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof, premium, if any, hereon and interest due hereon and for all other purposes, and the City shall not be affected by notice to the contrary.

【This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$100,000 or any integral multiple of \$1,000 in excess thereof.】

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Oak Creek, Milwaukee County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF OAK CREEK
MILWAUKEE COUNTY, WISCONSIN

By: _____
Daniel Bukiewicz
Mayor

(SEAL)

By: _____
Catherine A. Roeske
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned Resolution of the City of Oak Creek, Milwaukee County, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION,
GREEN BAY, WISCONSIN

By _____
Authorized Signatory

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Registered Owner)

NOTICE: This signature must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

*The Internal Revenue Code of 1986 (IRC Section 149) requires that for interest on a municipal obligation with a term greater than one year to be exempt from federal income tax, the obligation must be issued and remain in registered form.

Section 67.09, Wisconsin Statutes provides that the City Clerk of the City when acting as the registrar shall record the registration of each note or bond in its bond registrar. Therefore, if this Bond is to be assigned, the City Clerk of the City should be notified and a copy of this Assignment should be sent to the City Clerk of the City for his or her records.

EXHIBIT C

NOTICE OF FULL CALL*

Regarding

CITY OF OAK CREEK
MILWAUKEE COUNTY, WISCONSIN
GENERAL OBLIGATION REFUNDING BONDS, DATED APRIL 2, 2013

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have CUSIP Nos. as set forth below have been called by the City for prior payment on [April 1, 2023] at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
04/01/2024	\$ 325,000	4.00 %	671137SM0
04/01/2025	325,000	4.00	671137SN8
04/01/2026	350,000	4.00	671137SP3
04/01/2029	1,100,000	3.375	671137SS7
04/01/2032	1,225,000	3.50	671137SV0

The City shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before [April 1, 2023].

Said Bonds will cease to bear interest on [April 1, 2023].

By Order of the
Common Council
City of Oak Creek
City Clerk

Dated _____

* To be provided by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by The Depository Trust Company, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to [April 1, 2023] and to the MSRB electronically through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org.

COMMON COUNCIL REPORT

Item: Purchase of 9100 South 5th Avenue for Purpose of Blight Elimination

Recommendation: That the Council adopts Resolution No. 12361-111522, a Resolution Approving the Purchase of 9100 South 5th Avenue for the Purpose of Blight Elimination

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: As part of its due diligence to purchase 9100 South 5th Avenue, the City is submitting to the Department of Natural Resources an application for a local governmental unit (“LGU”) liability exemption given certain environmental contamination on the property. Wisconsin state law, specifically Wis. Stats. §292.11(9)(e)1m., provides relief for local governments that acquire such contaminated land where the local government did not cause the contamination. In support of this application, the City needs to provide a specific resolution reaffirming that it is seeking to acquire title to the property for the purpose of blight elimination.

Options/Alternatives: None – The City needs this resolution to accompany its LGU exemption application.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Melissa L. Karls
City Attorney

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: Resolution No. 12361-111522

RESOLUTION NO. 12361-111522

RESOLUTION APPROVING THE PURCHASE OF 9100 SOUTH 5TH AVENUE FOR
THE PURPOSE OF BLIGHT ELIMINATION
(4th District)

WHEREAS, on February 20, 2012, the City of Oak Creek Common Council adopted Resolution No. 11220-022012 approving the Lakefront Development Plan, which established a vision for the lakefront and an overall development framework for the site by identifying general land uses, vehicular and pedestrian connections and ways to provide public access on the waterfront; and

WHEREAS, on May 1, 2012, the Common Council adopted Resolution No. 11246-050112 approving an updated blight study as part of City of Oak Creek Redevelopment District No. 1 and making a finding of the area within the district to be blighted; and

WHEREAS, the property at 9100 South 5th Avenue (the “Property”) was deemed blighted as a result of that blight study.

WHEREAS, on October 18, 2022, the Common Council approved the Purchase and Sale Agreement with Connell Aluminum Properties, LLC for the City to purchase the Property.

WHEREAS, the Property was previously owned and operated by Koppers Gas and Coke Company for the manufacturing of tar and chemicals and by Vulcan Materials and Wabash Alloys which conducted aluminum smelting activities on the Property; and

WHEREAS, by virtue of the adoption of Resolution No. 11812-051617 on May 16, 2017, the Common Council approved a Project Plan for TIF District 13 and as part of that Project Plan the Property was found to be blighted; and

WHEREAS, due to the known presence of hazardous substances on the Property, the City wishes to obtain a local government liability exemption authorized by Wis. Stats. §292.11(9)(e); and

WHEREAS, in order to obtain the state law environmental liability exemption, the Property must be acquired by certain methods or purposes, one of which is acquiring the Property for the purpose of blight elimination; and

WHEREAS, Wis. Stats. §66.1333 defines “blighted property”; and

WHEREAS, the Property by reason of age, obsolescence and other factors conducive to ground contamination, is detrimental to the public health, safety, morals or welfare; and

WHEREAS, the Property, by reason of previously documented hazardous discharges and together with other factors, substantially impairs its sound development,

constitutes an economic or social liability and is a risk to public health, safety, and welfare in its present condition; and

WHEREAS, that determination of a blighted property requires a municipal resolution approving determination.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby determine that the Property is blighted as defined in Wis. Stats. §66.1333.

BE IT FURTHER RESOLVED that the Mayor and Common Council of the City of Oak Creek support the purchase and acquisition of the Property for the purpose of blight elimination.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of November, 2022.

Passed and adopted this ____ day of _____.

Common Council President Kenneth Gehl

Approved this ____ day of _____.

Mayor Daniel J. Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

COMMON COUNCIL REPORT

Item: Purchase of 4301 East Depot Road for Purpose of Blight Elimination

Recommendation: That the Council adopts Resolution No. 12362-111522, a Resolution Approving the Purchase of 4301 East Depot Road for the Purpose of Blight Elimination

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: As part of its due diligence to purchase 4301 East Depot Road, the City is submitting to the Department of Natural Resources an application for a local governmental unit ("LGU") liability exemption given certain environmental contamination on the property. Wisconsin state law, specifically Wis. Stats. §292.11(9)(e)1m., provides relief for local governments that acquire such contaminated land where the local government did not cause the contamination. In support of this application, the City needs to provide a specific resolution reaffirming that it is seeking to acquire title to the property for the purpose of blight elimination.

Options/Alternatives: None – The City needs this resolution to accompany its LGU exemption application.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Melissa L. Karls
City Attorney

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: Resolution No. 12362-111522

RESOLUTION NO. 12362-111522

RESOLUTION APPROVING THE PURCHASE OF 4301 EAST DEPOT ROAD FOR
THE PURPOSE OF BLIGHT ELIMINATION
(4th District)

WHEREAS, on February 20, 2012, the City of Oak Creek Common Council adopted Resolution No. 11220-022012 approving the Lakefront Development Plan, which established a vision for the lakefront and an overall development framework for the site by identifying general land uses, vehicular and pedestrian connections and ways to provide public access on the waterfront; and

WHEREAS, on May 1, 2012, the Common Council adopted Resolution No. 11246-050112 approving an updated blight study as part of City of Oak Creek Redevelopment District No. 1 and making a finding of the area within the district to be blighted; and

WHEREAS, the property at 4301 East Depot Road (the "Property") was deemed blighted as a result of that blight study.

WHEREAS, on October 4, 2022, the Common Council approved the Purchase and Sale Agreement with Fifth Property LLC for the City to purchase the Property.

WHEREAS, the Property was previously owned and operated by U.S. Fertilizer and the Hynite Corporation for the manufacturing of nitrogen-based fertilizer on the Property; and

WHEREAS, by virtue of the adoption of Resolution No. 11812-051617 on May 16, 2017, the Common Council approved a Project Plan for TIF District 13 and as part of that Project Plan the Property was found to be blighted; and

WHEREAS, due to the known presence of hazardous substances on the Property, the City wishes to obtain a local government liability exemption authorized by Wis. Stats. §292.11(9)(e); and

WHEREAS, in order to obtain the state law environmental liability exemption, the Property must be acquired by certain methods or purposes, one of which is acquiring the Property for the purpose of blight elimination; and

WHEREAS, Wis. Stats. §66.1333 defines "blighted property"; and

WHEREAS, the Property by reason of age, obsolescence and other factors conducive to ground contamination, is detrimental to the public health, safety, morals or welfare; and

WHEREAS, the Property, by reason of previously documented hazardous discharges and together with other factors, substantially impairs its sound development,

constitutes an economic or social liability and is a risk to public health, safety, and welfare in its present condition; and

WHEREAS, that determination of a blighted property requires a municipal resolution approving determination.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby determine that the Property is blighted as defined in Wis. Stats. §66.1333.

BE IT FURTHER RESOLVED that the Mayor and Common Council of the City of Oak Creek support the purchase and acquisition of the Property for the purpose of blight elimination.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of November, 2022.

Passed and adopted this ____ day of _____.

Common Council President Kenneth Gehl

Approved this ____ day of _____.

Mayor Daniel J. Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

COMMON COUNCIL REPORT

Item: 2023 Regular Combined Council meeting dates

Recommendation: That the Common Council review and direct City Staff regarding the scheduling of the 2023 Regular Combined Common Council meeting dates.

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: Mayor Bukiewicz is requesting discussion and direction to the Clerk's Office regarding the scheduling of the 2023 Common Council meeting dates.

Per Oak Creek Municipal Code, Section 2.28(b) regular meetings of the Common Council shall be held on the first and third Tuesdays of each calendar month, at the hour of 7:00 p.m., or as otherwise scheduled by the Council.

The last scheduled meeting of the 2022 calendar year will occur on December 20. Due to the Christmas and New Years' holiday schedule, there will only be four working days before the next meeting, which, if held, would be held on Tuesday, January 3. Mayor Bukiewicz is asking the Council to consider vacating the first meeting in January.

Additionally, in recent years, the Council has voted to vacate at least one meeting during the summer.

The Mayor is asking the Council to discuss possible meeting vacation for the Monday, July 3rd (City Hall is closed on July 4th).

Options/Alternatives: The Council could choose to vacate/not vacate any/either of the proposed meetings of January 3 and/or July 3, 2023.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:



Maxwell Gagiu, MPA
Assistant City Administrator / Comptroller

Attachments: 2023 Schedule of Regular Combined Common Council Meetings

2023

Common Council

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

Jan 1, 2022 holiday is observed on 1/30/2021.
 Jan 1, 2023 holiday will be observed on 1/ 2/2023.

Common Council Dates - **Circled** Election Dates - **Green** National Night Out - **Orange** Holiday - **Pink**
 Proposed Vacated Meeting(s) - **Blue**

** The city provides for 10 holidays a calendar year. For 2023, NYE will be observed on 1/1/24.

COMMON COUNCIL REPORT

Item: Stonebrook on the Park Storm Water Maintenance Agreement

Recommendation: That the Common Council adopts Resolution No. 12363-111522, a resolution approving a storm water management practices maintenance agreement with JANSSEN BRUCKNER LLC, for The Stonebrook on the Park residential development located at 641 E. Drexel Avenue. (Tax Key Nos. 814-9075, 814-9076, 815-9027, 815-9028 and 815-9029) (1st 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 proposed Stonebrook on the Park residential development, located at 641 E. Drexel Avenue, requires onsite storm water management practices in accordance with Sections 13.100 through 13.114 of the Municipal Code. Section 13.109 of the Municipal Code requires a maintenance agreement between the City and the permittee for the future maintenance of the required storm water management practices.

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

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



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

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Approved:



Matthew J. Sullivan, P.E.
City Engineer

Attachments: Resolution No. 12363-111522, Storm Water Management Maintenance Agreement

RESOLUTION NO. 12363-111522

BY: _____

RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH JANSSEN BRUCKNER, LLC FOR THE STONEBROOK ON THE PARK RESIDENTIAL DEVELOPMENT LOCATED AT 641 E. DREXEL AVENUE

(TAX KEY NOS. 814-9075, 814-9076, 815-9027, 815-9028 AND 815-9029)

(1ST ALDERMANIC DISTRICT)

WHEREAS, Janssen Bruckner LLC (Owner), requires onsite storm water management practices for their proposed Stonebrook on the Park residential development located at 641 E. Drexel Avenue, and,

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

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

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

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of November, 2022.

Passed and adopted this 15th day of November, 2022.

President, Common Council

Approved this 15th day of November, 2022.

Mayor

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

Document Number	STONEBROOK ON THE PARK Storm Water Management Practices Maintenance Agreement Document Title
-----------------	--

Recording Area

Matthew J. Sullivan
 Engineering Department
 8040 S. 6th Street
 Oak Creek, WI 53154
 Name and Return Address

814-9075, 814-9076, 815-9027, 815-9028 and
 815-9029

Parcel Identification Number (PIN)

**STORM WATER MANAGEMENT PRACTICES
 MAINTENANCE AGREEMENT**

THIS AGREEMENT, made and entered into this 29th day of October, 2022, by and between JANSSEN BRUCKNER LLC hereinafter called the "Owner", and the City of Oak Creek, hereinafter called the "City".

WITNESSETH:

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

Lot 2, Lot 3 and Lot 4 of CSM 9418, also Lot 2 and Lot 3 of CSM 9417, being a part of the NE 1/4 of the NW 1/4 and part of the NW 1/4 of the NE 1/4 of Section 16, Town 5 North, Range 22 East City of Oak Creek, Milwaukee County, Wisconsin described as follows:

Commencing at the north 1/4 corner of Section 16, Town 5 North, Range 22 East thence S 01°44'37" W, along the east line of the Northwest 1/4 of Section 16, 65.01 feet to the point of beginning; thence S 01°44'37" W, along the east line of Lot 3 of CSM 9417, 235.06 feet to the northwest corner of Lot 2 of CSM 9418; thence along the north line of Lot 2 of CSM 9418 for the

following 5 courses: 1. S 89°00'21" E, 145.32; 2. Thence S 11°52'29" E, 78.38 feet; 3. Thence S 89°11'15" E, 282.00 feet; 4. Thence N 01°44'29" E, 76.97 feet; 5. Thence S 89°11'15" E, 223.98 feet to the northeast corner of Lot 2 of CSM 9418; thence S 01°53'31" W, along the east line of Lot 2 and Lot 3 of CSM 9418, 1025.82 feet to the southeast corner of Lot 3 of CSM 9418; thence N 89°11'14" W, along the southline of Lot 3 and Lot 4 of CSM 9418, 617.80 feet to the southeast corner of Lot 4 of CSM 9418; thence N 19°45'28" W, along the west line of Lot 4 of CSM 9418 and Lot 2 of CSM 9417, 1062.17 feet to the southwest corner of Lot 1 of CSM 9417; thence N 70°14'32" E, along the south line of Lot 1 of CSM 9417, 90.01 feet; thence S 88°19'46" E, along the south line of Lot 1 of CSM 9417, 58.88 feet to the southeast corner of Lot 1 of CSM 9417; thence N 01°48'10" E, along the east line of lot 1 of CSM 9417 234.73 feet to the south right-of-way of East Drexel Avenue; thence S 89°24'21" E, along the south right-of-way of East Drexel Avenue 197.18 feet to the point of beginning.

Described lands having an area of 863,287 S.F. or 19.818 acres,

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as Stonebrook on the Park, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site storm water management practices within the confines of the Property; and

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

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

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

1. The on-site storm water management practices shall be constructed by the Owner, its successors and assigns, including any homeowners association, in accordance with the plans and specifications identified in the Plan. The storm water management practices shall serve the drainage area designated in the Plan.
2. The Owner, its successors and assigns, including any homeowners association, shall regularly inspect the storm water management practices as often as conditions require, but in any event at least once each year. The standard Operation and Maintenance Report attached to this agreement as Exhibit A and by this reference made a part hereof shall be used for the purpose of the regular inspections of the storm water management practices. The Owner, its successors and assigns shall keep the Operation and Maintenance Reports from past inspections as well as a log of maintenance activity indicating the date and type of maintenance completed. The Reports and maintenance log shall be made available to the City for review. The purpose of the inspections is to assure safe and proper functioning of the facilities. The inspections shall cover all facilities including but not limited to berms, outlet

structures, subsurface structures, infiltration areas, pond areas and access roads. Deficiencies shall be noted in the Operation and Maintenance Report.

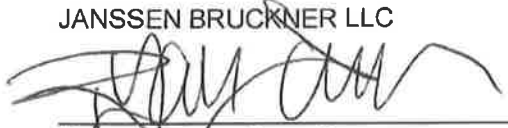
3. The Owner, its successors and assigns, including any homeowners association, shall adequately maintain the storm water management practices, including but not limited to all pipes and channels built to convey storm water to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the storm water. Adequate maintenance is herein defined as keeping the storm water management facilities in good working condition so that these facilities are performing their design functions and are in accordance with the Detention Basin Maintenance Standards attached to this agreement as Exhibit B and by this reference made a part hereof.
4. The Owner, its successors and assigns, including any homeowners association, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water management practices whenever the City deems necessary. The purpose of inspection is to investigate reported deficiencies and/or to respond to citizen complaints. The City shall provide the Owner, its successors and assigns, including any homeowners association, copies of the inspection findings and a directive to commence with the repairs if necessary. Corrective actions shall be taken within a reasonable time frame as established by the City Engineer.
5. If the Owner, its successors and assigns, including any homeowners association, fails to maintain the storm water management practices in good working condition acceptable to the City and does not perform the required corrective actions in the specified time, the City may:
 - a) Issue a citation to the Owner, its successors and assigns. The penalty for violation of this section shall be not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense, and
 - b) Perform the corrective actions identified in the inspection report and assess the Owner, its successors and assigns for the cost of such work. The cost of such work shall be specially assessed against the Property pursuant to Wisconsin Statutes Section 66.0703. If the facilities are located on an outlot owned collectively by a homeowners association, the City may assess each member of the homeowners association according to the ownership interest in the facilities located on the property. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the storm water management practices. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said storm water management practices, and in no event shall this Agreement be construed to impose any such obligation on the City.
6. The Owner, its successors and assigns, including any homeowners association, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the storm water management practices (including sediment removal) is outlined on the approved plans, the schedule will be followed. The minimal amount of maintenance on the storm water management practices shall be in accordance with the Detention Basin Maintenance Standards (Exhibit B).
7. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, including any homeowners association, shall

reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.

8. This Agreement imposes no liability of any kind whatsoever on the City and the Owner agrees to hold the City harmless from any liability in the event the storm water management practices fail to operate properly.
9. This Agreement shall be attached as an exhibit to any document which creates a homeowners association that is responsible for maintenance of the storm water management practices and be recorded at the Milwaukee County Register of Deeds, and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association. The owner shall provide the City with a copy of any document which creates a homeowners association that is responsible for the storm water management practices.

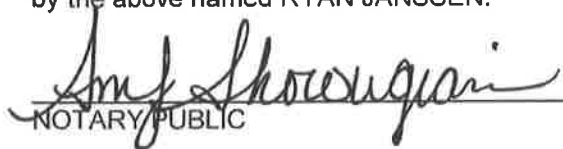
WITNESS the following signatures and seals:

JANSSEN BRUCKNER LLC



Ryan Janssen, Managing Member

The foregoing Agreement was acknowledged before me this 29th day of October, 2022,
by the above named RYAN JANSSEN.



NOTARY PUBLIC



My Commission Expires: 06-05-2026

CITY OF OAK CREEK, WISCONSIN

Daniel J. Bukiewicz, Mayor

Catherine A. Roeske, City Clerk

The foregoing Agreement was acknowledged before me this ____ day of _____, 2022,
by the above named DANIEL J. BUKIEWICZ and CATHERINE A. ROESKE.

NOTARY PUBLIC

My Commission Expires: _____

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

Approved as to Form:

City Attorney

Date



EXHIBIT A OPERATION AND MAINTENANCE INSPECTION REPORT STORM WATER MANAGEMENT PONDS

Inspector Name: _____

Tax Key No.: _____

Inspection Date: _____

Location: _____

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

Watershed _____

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

EXHIBIT B
DETENTION BASIN MAINTENANCE STANDARDS

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

COMMON COUNCIL REPORT

- Item:** 2023 Board of Public Works and Capital Assets Road Recommendations
- Recommendation:** That the Common Council considers adoption of Resolution No. 12364-111522, a resolution authorizing the recommended road improvement projects to be advertised for public bid for rehabilitation in 2023
- Fiscal Impact:** There is \$247,152.86 remaining in CIP #20019, \$645,000 allocated in 2022, and \$1,000,000 slated for approval in the 2023 budget. This brings the total funding available to \$1,892,152.86 for the proposed road projects. An additional \$150,000 is allocated in CIP #22004 for the Union Pacific Railroad Crossing improvements.
- 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: All streets in the City are rated every two years using the PASER system. The PASER system assigns a rating from 1 (Failed) to 10 (Excellent) to each street segment based on the severity, frequency, and types of distress observed. Streets were then selected based on PASER condition ratings; functional classification; traffic volumes; and feedback received from Department of Public Works, Oak Creek Sewer and Water Utility, and Common Council Members. On November 8th, 2022 recommended and alternate streets for the 2023 road improvement project were presented to the Board of Public Works and Capital Assets (BoPWACA). BoPWACA recommended the streets found in the table on the next page for rehabilitation under public contract in 2023. No alternate streets were recommended by BoPWACA at this time. If bid prices are favorable and funding is available alternate streets could be considered for inclusion when awarding the contract.

Upon authorization under this resolution, the Engineering department would prepare the plans, specifications, and bid documents; and advertise for the work.

2023 BoPWACA Street Improvement Recommendations

Street Name	From	To	District	Length (ft)	Proposed Improvement	Cost
S. Manitowoc Ave.	E. Marshall Ave.	E. Marquette Ave.	1	1584	3" HMA Overlay	\$268,000
E. Marquette Ave.	Termini	S. Quincy Ave.	1	897	3" HMA Overlay	\$156,000
Susan Dr.	S. Howell Ave.	S. Verdev Dr.	2	1320	Mill and Overlay (2") (In conjunction with approved water project)	\$103,000
S. Griffin Ave.	E. Groveland Dr.	E. Valbeth Dr.	6	686	Mill and Overlay (2") (In conjunction with approved water project)	\$62,000
E. Valbeth Dr.	S. Griffin Ave.	S. Verdev Dr.	6	476	Mill and Overlay (2") (In conjunction with approved water project)	\$57,000
S Verdev Dr.	E. Groveland Dr.	E. Forest Hill Ave.	3 & 6	1372	Mill and Overlay (2") (In conjunction with approved water project)	\$124,000
E. Oakwood Rd	S Chicago Rd.	Railroad	4	1485	Reconstruct (4.5" Asphalt over 9" Base)	\$341,000
S. Shepard Ave	Oakwood Rd.	E. Fitzsimmons Rd.	3 & 5	2640	Mill and Overlay (2")	\$191,000
E. Lisa Dr.	S. Howell Ave.	S. Cindy Ln.	5	133	Reconstruct (4.5" Asphalt over 9" Base)	\$72,000
S. Clement Ave.	E. Drexel Ave.	Rawson Ave.	1	5280	Maintenance Treatment (Chip Seal)	\$75,000
E. Lily Dr.	264' W. of S. Verdev Dr.	S. Verdev Dr.	2	232	Reconstruct (4.5" Asphalt over 9" Base)	\$114,000
Oak Leaf Trail: (Drexel S. Side)	S. Howell Ave.	125' E. of UPRR	1	5150	Pavement Replacement 3" HMA including south side curb ramps	\$283,000
TOTAL (PASER ROADS)						\$1,846,000

*UPRR Grade Crossing Improvements @ 1700 E. Puetz Rd.	1 & 4	N/A	Railroad Crossing Approach Improvement	\$75,000
*UPRR Grade Crossing Improvements @ 2100 E. Oakwood Rd.	3 & 5	N/A	Railroad Crossing Approach Improvement	\$75,000

* \$150,000 budgeted for UPRR Grade Crossing Improvements as part of 2022 CIP, construction to be included in 2023 Street Improvements contract

Options/Alternatives: Reject Board of Public Works and Capital Assets recommendations and do not repair infrastructure in 2023 or direct the Board of Public Works and Capital Assets to reconvene to choose other roadway segments for repair.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Maxwell Gagrin, MPA
Assistant City Administrator / Comptroller

Prepared:



Andrew Ledger, PE
Design Engineer

Approved:



Matthew J. Sullivan, PE
City Engineer

Attachments: Resolution Number 12364-111522, 2023 Board of Public Works and Capital Assets Road Recommendations; 2023 Street Improvements - Table, 2023 Street Improvements - Overview Map, 2023 Street Improvements - District Maps

RESOLUTION NO. 12364-111522

BY: _____

**RESOLUTION AUTHORIZING RECOMMENDED ROAD IMPROVEMENT PROJECTS TO BE
ADVERTISED FOR PUBLIC BID FOR REHABILITATION IN 2023**

(VARIOUS ALDERMANIC DISTRICTS)

WHEREAS, in the judgment of the Common Council of the City of Oak Creek, it is deemed to be expedient and necessary and in the best interest of the city that it proceeds with the following road improvement projects:

2023 Street Improvement Recommendations

Street Name	From	To	Dist.	Length (ft)	Proposed Improvement	Cost
S. Manitowoc Ave.	E. Marshall Ave.	E. Marquette Ave.	1	1584	3" HMA Overlay	\$268,000
E. Marquette Ave.	Termini	S. Quincy Ave.	1	897	3" HMA Overlay	\$156,000
Susan Dr.	S. Howell Ave.	S. Verdev Dr.	2	1320	Mill and Overlay (2") (In conjunction with approved water project)	\$103,000
S. Griffin Ave.	E. Groveland Dr.	E. Valbeth Dr.	6	686	Mill and Overlay (2") (In conjunction with approved water project)	\$62,000
E. Valbeth Dr.	S. Griffin Ave.	S. Verdev Dr.	6	476	Mill and Overlay (2") (In conjunction with approved water project)	\$57,000
S Verdev Dr.	E. Groveland Dr.	E. Forest Hill Ave.	3 & 6	1372	Mill and Overlay (2") (In conjunction with approved water project)	\$124,000
E. Oakwood Rd	S Chicago Rd.	Railroad	4	1485	Reconstruct (4.5" Asphalt over 9" Base)	\$341,000
S. Shepard Ave	Oakwood Rd.	E. Fitzsimmons Rd.	3 & 5	2640	Mill and Overlay (2")	\$191,000
E. Lisa Dr.	S. Howell Ave.	S. Cindy Ln.	5	133	Reconstruct (4.5" Asphalt over 9" Base)	\$72,000
S. Clement Ave.	E. Drexel Ave.	Rawson Ave.	1	5280	Maintenance Treatment (Chip Seal)	\$75,000
E. Lily Dr.	264' W. of S. Verdev Dr.	S. Verdev Dr.	2	232	Reconstruct (4.5" Asphalt over 9" Base)	\$114,000
Oak Leaf Trail: (Drexel S. Side)	S. Howell Ave.	125' E. of UPRR	1	5150	Pavement Replacement 3" HMA including south side curb ramps	\$283,000
TOTAL (PASER ROADS)						\$1,846,000
*UPRR Grade Crossing Improvements @ 1700 E. Puetz Rd.			1 & 4	N/A	Railroad Crossing Approach Improvement	\$75,000
*UPRR Grade Crossing Improvements @ 2100 E. Oakwood Rd.			3 & 5	N/A	Railroad Crossing Approach Improvement	\$75,000

* \$150,000 budgeted for UPRR Grade Crossing Improvements as part of 2022 CIP, construction to be included in 2023 Street Improvements contract

and,

WHEREAS, the City Engineer has approved preliminary plans and specifications for said improvements.

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

1. That the above-listed recommended road improvements are hereby approved to proceed.
2. That payment for said improvements shall be made from funds reserved under CIP funding provided in the 2019, 2022 and 2023 budgets.
3. That the City Engineer is hereby authorized to develop and approve final plans, specifications and bid documents.
4. That the City Clerk is hereby authorized to advertise for bids for said improvements and that she shall advertise for such bids in the city's Official Newspaper and QuestCDN website.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of November 2022.

Passed and adopted this 15th day of November 2022.

President, Common Council

Approved this 15th day of November 2022.

Mayor

ATTEST:

City Clerk

VOTE: Ayes ____ Noes _____

2023 Street Improvement Recommendations

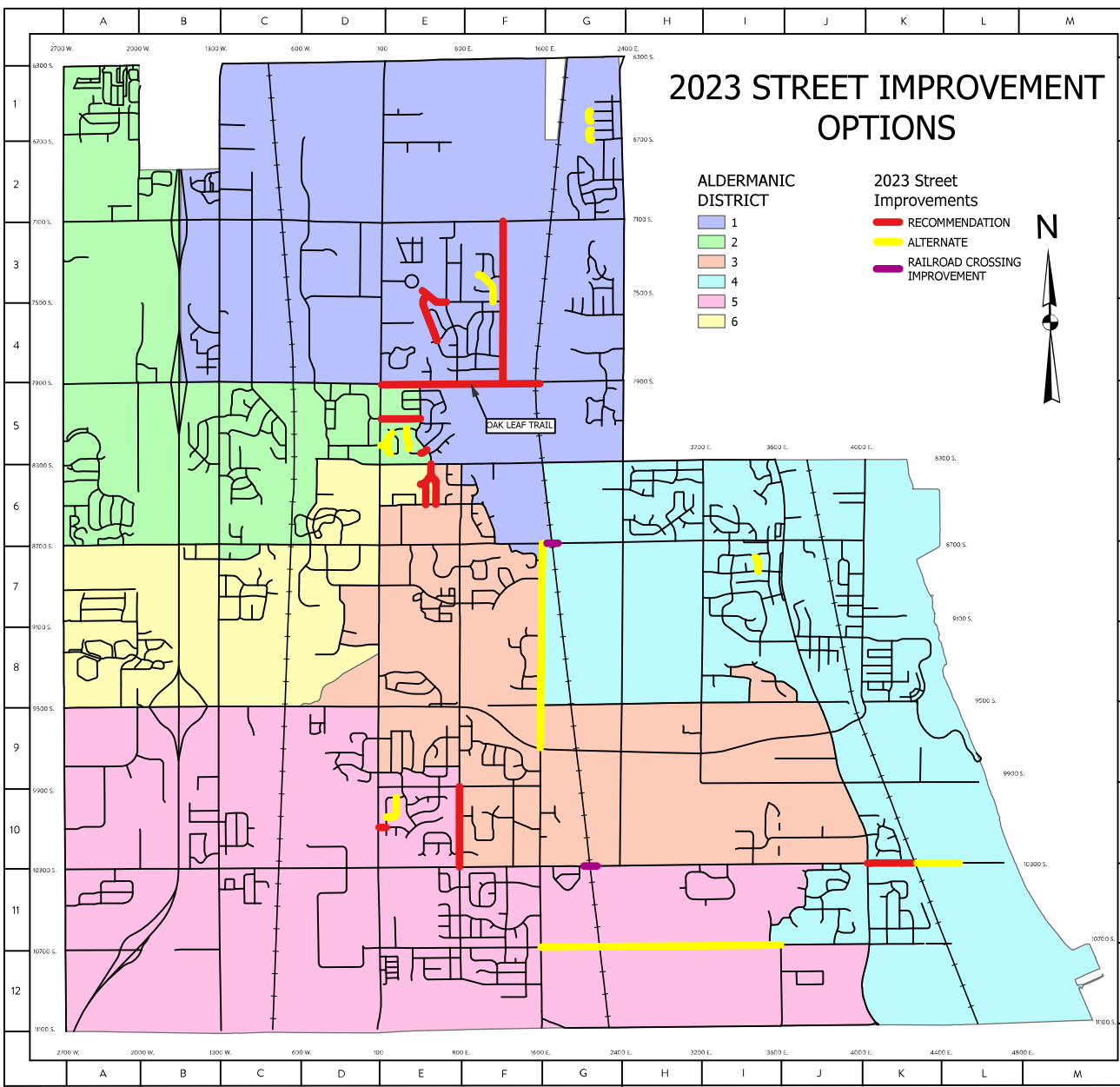
Street Name	From	To	District	Length (ft)	Functional Classification	Existing	2021 Paser	Proposed Improvement	Cost
						Pavement Type			
S. Manitowoc Ave.	E. Marshall Ave.	E. Marquette Ave.	1	1584	Local	Concrete	5	3" HMA Overlay	\$268,000
E. Marquette Ave.	Termini	S. Quincy Ave.	1	897	Local	Concrete	5	3" HMA Overlay	\$156,000
Susan Dr.	S. Howell Ave.	S. Verdev Dr.	2	1320	Local	Asphalt	7	Mill and Overlay (2") (In conjunction with approved water project)	\$103,000
S. Griffin Ave.	E. Groveland Dr.	E. Valbeth Dr.	6	686	Local	Asphalt	6	Mill and Overlay (2") (In conjunction with approved water project)	\$62,000
E. Valbeth Dr.	S. Griffin Ave.	S. Verdev Dr.	6	476	Local	Asphalt	7	Mill and Overlay (2") (In conjunction with approved water project)	\$57,000
S Verdev Dr.	E. Groveland Dr.	E. Forest Hill Ave.	3 & 6	1372	Local	Asphalt	7,8	Mill and Overlay (2") (In conjunction with approved water project)	\$124,000
E. Oakwood Rd	S Chicago Rd.	Railroad	4	1485	Local	Asphalt	2	Reconstruct (4.5" Asphalt over 9" Base)	\$341,000
S. Shepard Ave	Oakwood Rd.	E. Fitzsimmons Rd.	3 & 5	2640	Collector	Asphalt	4,5	Mill and Overlay (2")	\$191,000
E. Lisa Dr.	S. Howell Ave.	S. Cindy Ln.	5	133	Local	Concrete	3	Reconstruct (4.5" Asphalt over 9" Base)	\$72,000
S. Clement Ave.	E. Drexel Ave.	Rawson Ave.	1	5280	Collector	Asphalt	6	Maintenance Treatment (Chip Seal)	\$75,000
E. Lily Dr.	264' W. of S. Verdev Dr.	S. Verdev Dr.	2	232	Local	Concrete	3	Reconstruct (4.5" Asphalt over 9" Base)	\$114,000
Oak Leaf Trail: (Drexel S. Side)	S. Howell Ave.	125' E. of UPRR	1	5150	Path	Asphalt	N/A	Pavement Replacement 3" HMA including south side curb ramps	\$283,000
TOTAL (PASER ROADS)									\$1,846,000

*UPRR Grade Crossing Improvements @ 1700 E. Puetz Rd.	1 & 4	N/A	Minor Arterial	Asphalt	N/A	Railroad Crossing Approach Improvement	\$75,000
*UPRR Grade Crossing Improvements @ 2100 E. Oakwood Rd.	3 & 5	N/A	Collector	Asphalt	N/A	Railroad Crossing Approach Improvement	\$75,000

* \$150,000 budgeted for UPRR Grade Crossing Improvements as part of 2022 CIP, construction to be included in 2023 Street Improvements contract

Alternates

Street Name	From	To	District	Length	Functional Classification	Existing	2021 Paser	Proposed Improvement	Cost
						Pavement Type			
E. Oakwood Rd	Railroad	Termini	4	1472	Local	Asphalt	2	Reconstruct (4.5" Asphalt over 9" Base)	\$339,000
E. Elm Rd.	S. Nicholson Rd.	10th Ave	4 & 5	7920	Collector	Asphalt	4,5	Mill and Overlay (2")	\$460,000
S. Carol Ct.	E. Bonnie Dr.	E. Ruth Ellen Ln.	4	475	Local	Asphalt	3	Reconstruct (4.5" Asphalt over 9" Base)	\$110,000
S. Glenfield Dr.	Termini	S. Laree Ln.	2	739	Local	Asphalt	4	Mill and Overlay (2.25")	\$135,000
Oakfield Dr.	S. Howell Ave.	S. Glenfield Dr.	2	294	Local	Asphalt	4	Mill and Overlay (2.25")	\$35,000
E. Jennifer Ln.	S. Cindy Ln.	S. Jennifer Ln.	5	317	Local	Concrete	4	3" HMA Overlay	\$78,000
S. Jennifer Ln.	E. Jennifer Ln.	E. Cindy Ln.	5	581	Local	Concrete	5	3" HMA Overlay	\$112,000
N/S Street	E. Oak Dr.	E. Birch Dr.	1	400	Local	Concrete	4	Reconstruct (4.5" Asphalt over 9" Base)	\$234,000
N/S Street	E. Spruce Dr.	E. Norwood Dr.	1	400	Local	Concrete	4	Reconstruct (4.5" Asphalt over 9" Base)	\$215,000
S. Logan Ave.	E. Marquette Ave.	E. Milwaukee Ave.	1	686	Local	Concrete	4,5	3" HMA Overlay	\$169,000
E. Milwaukee Ave.	Termini	S. Logan Ave.	1	422	Local	Concrete	4,5	3" HMA Overlay	\$100,000
S. Nicholson Rd	WIS 100	Arbor Creek Dr.	3 & 4	3696	Collector	Asphalt	5,6	Mill and Overlay (2")	\$232,000
S. Nicholson Rd	Arbor Creek Dr.	Puetz Rd.	1, 3 & 4	3062	Collector	Asphalt	4,5	Mill and Overlay (2")	\$196,000
S. Alisa Ln.	130' N. of E. Lily Dr.	E. Stuart Dr.	2	637	Local	Asphalt	4	Mill and Overlay (2.25")	\$61,000



2023 STREET IMPROVEMENT OPTIONS

ALDERMANIC DISTRICT

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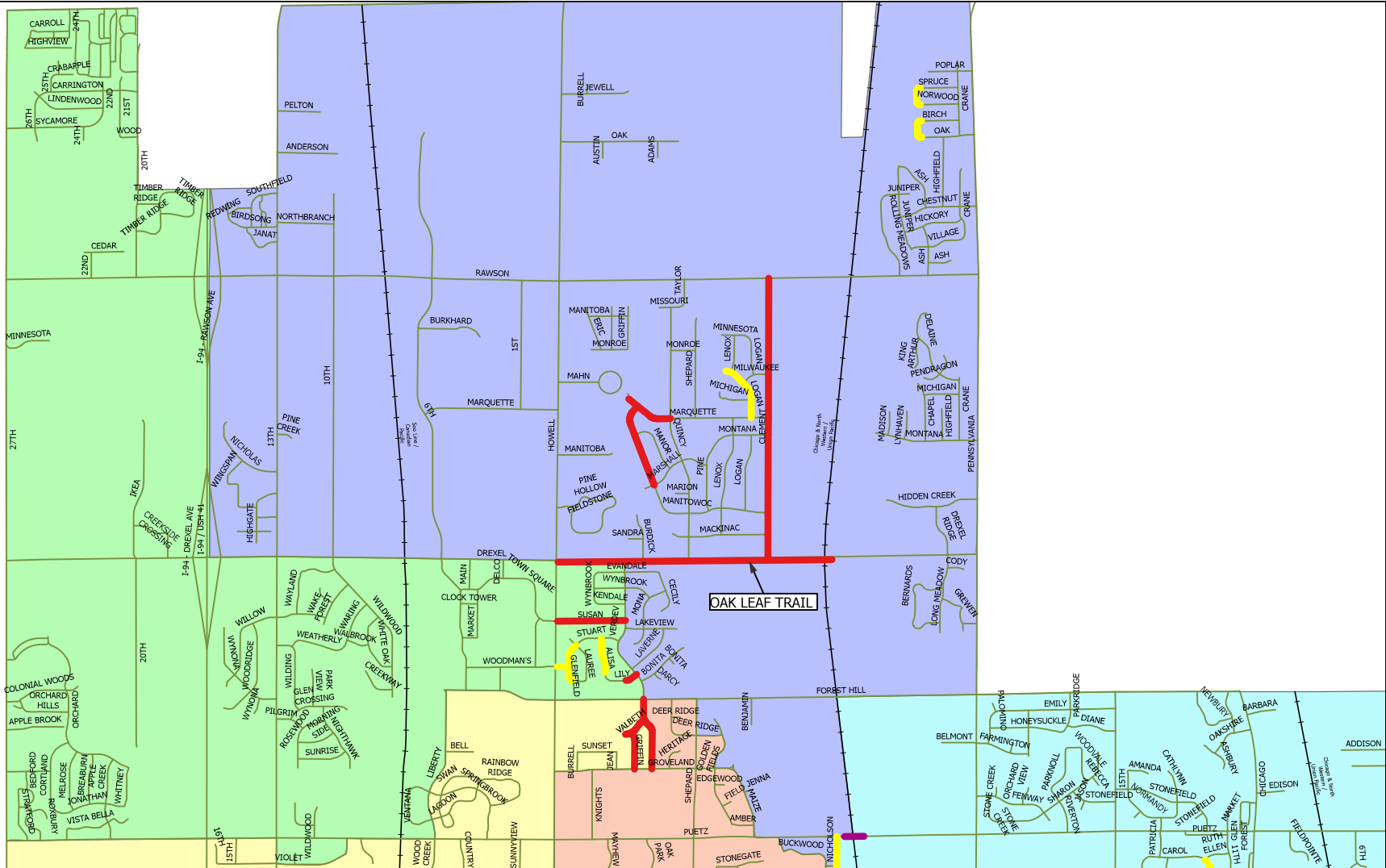
- RECOMMENDATION
- ALTERNATE
- RAILROAD CROSSING IMPROVEMENT



Street Index

Adrian Avenue E2	Adrian Avenue E3	Adrian Avenue E4	Adrian Avenue E5	Adrian Avenue E6	Adrian Avenue E7	Adrian Avenue E8	Adrian Avenue E9	Adrian Avenue E10	Adrian Avenue E11	Adrian Avenue E12	Adrian Avenue E13	Adrian Avenue E14	Adrian Avenue E15	Adrian Avenue E16	Adrian Avenue E17	Adrian Avenue E18	Adrian Avenue E19	Adrian Avenue E20	Adrian Avenue E21	Adrian Avenue E22	Adrian Avenue E23	Adrian Avenue E24	Adrian Avenue E25	Adrian Avenue E26	Adrian Avenue E27	Adrian Avenue E28	Adrian Avenue E29	Adrian Avenue E30	Adrian Avenue E31	Adrian Avenue E32	Adrian Avenue E33	Adrian Avenue E34	Adrian Avenue E35	Adrian Avenue E36	Adrian Avenue E37	Adrian Avenue E38	Adrian Avenue E39	Adrian Avenue E40	Adrian Avenue E41	Adrian Avenue E42	Adrian Avenue E43	Adrian Avenue E44	Adrian Avenue E45	Adrian Avenue E46	Adrian Avenue E47	Adrian Avenue E48	Adrian Avenue E49	Adrian Avenue E50	Adrian Avenue E51	Adrian Avenue E52	Adrian Avenue E53	Adrian Avenue E54	Adrian Avenue E55	Adrian Avenue E56	Adrian Avenue E57	Adrian Avenue E58	Adrian Avenue E59	Adrian Avenue E60	Adrian Avenue E61	Adrian Avenue E62	Adrian Avenue E63	Adrian Avenue E64	Adrian Avenue E65	Adrian Avenue E66	Adrian Avenue E67	Adrian Avenue E68	Adrian Avenue E69	Adrian Avenue E70	Adrian Avenue E71	Adrian Avenue E72	Adrian Avenue E73	Adrian Avenue E74	Adrian Avenue E75	Adrian Avenue E76	Adrian Avenue E77	Adrian Avenue E78	Adrian Avenue E79	Adrian Avenue E80	Adrian Avenue E81	Adrian Avenue E82	Adrian Avenue E83	Adrian Avenue E84	Adrian Avenue E85	Adrian Avenue E86	Adrian Avenue E87	Adrian Avenue E88	Adrian Avenue E89	Adrian Avenue E90	Adrian Avenue E91	Adrian Avenue E92	Adrian Avenue E93	Adrian Avenue E94	Adrian Avenue E95	Adrian Avenue E96	Adrian Avenue E97	Adrian Avenue E98	Adrian Avenue E99	Adrian Avenue E100
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Legend

ALDERMANIC DISTRICT

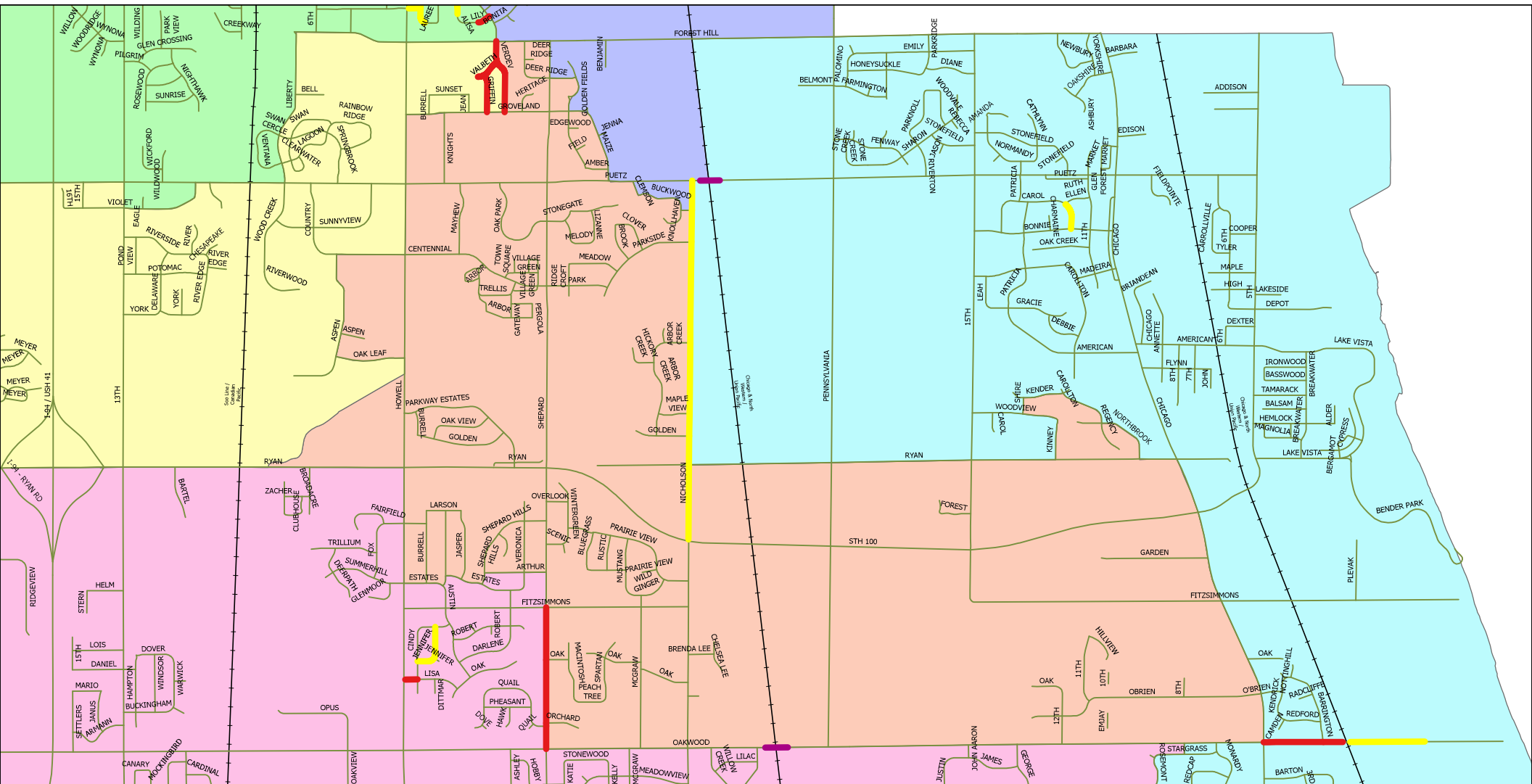
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2023 IMPROVEMENT PROJECT

- ALTERNATE
- RECOMMENDATION
- RAILROAD CROSSING IMPROVEMENT



2023 STREET IMPROVEMENTS DISTRICTS 1 & 2

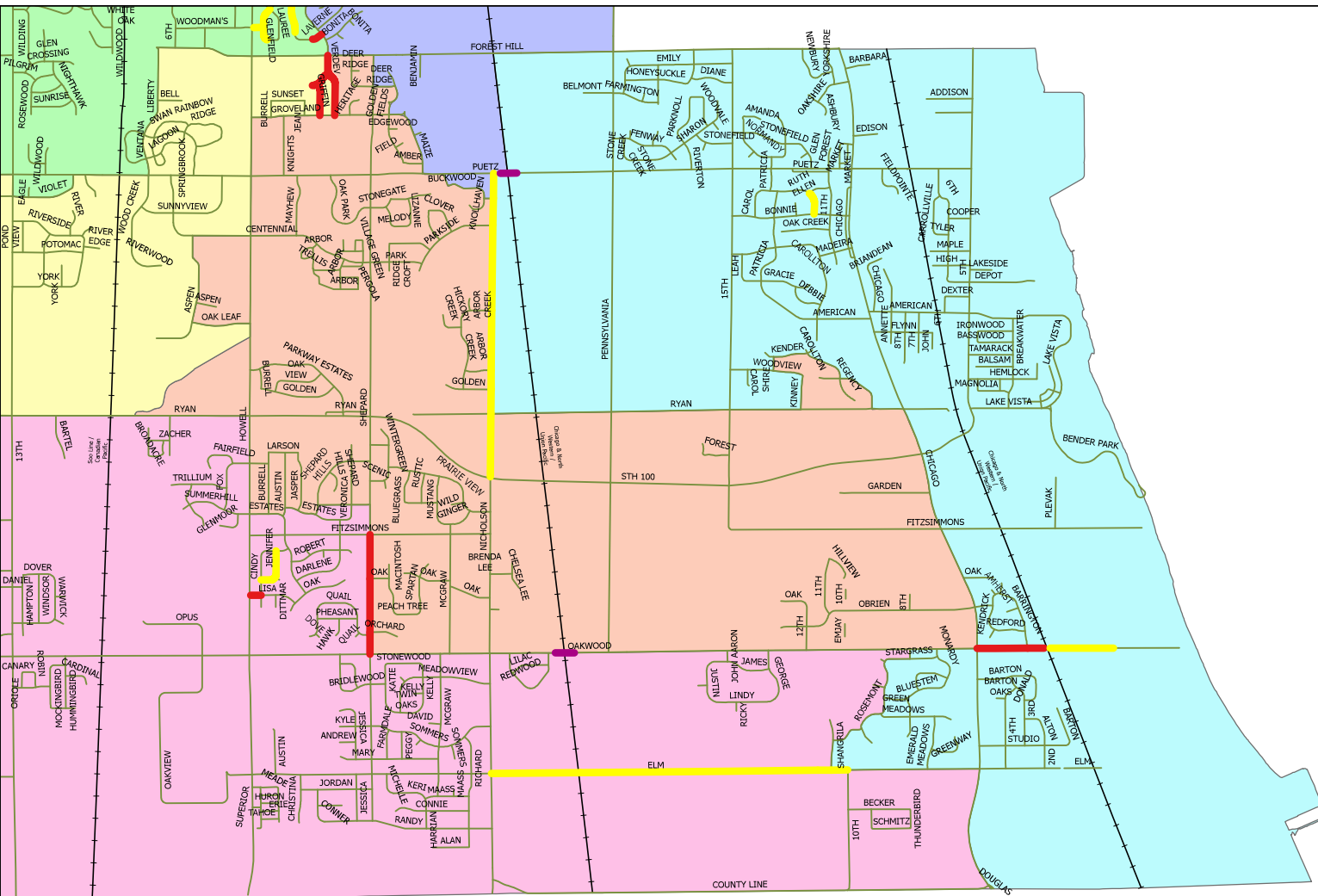


2023 STREET IMPROVEMENTS DISTRICT 3

Legend

ALDERMANIC DISTRICT	2023 IMPROVEMENT PROJECT
1	ALTERNATE
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3	RAILROAD CROSSING IMPROVEMENT
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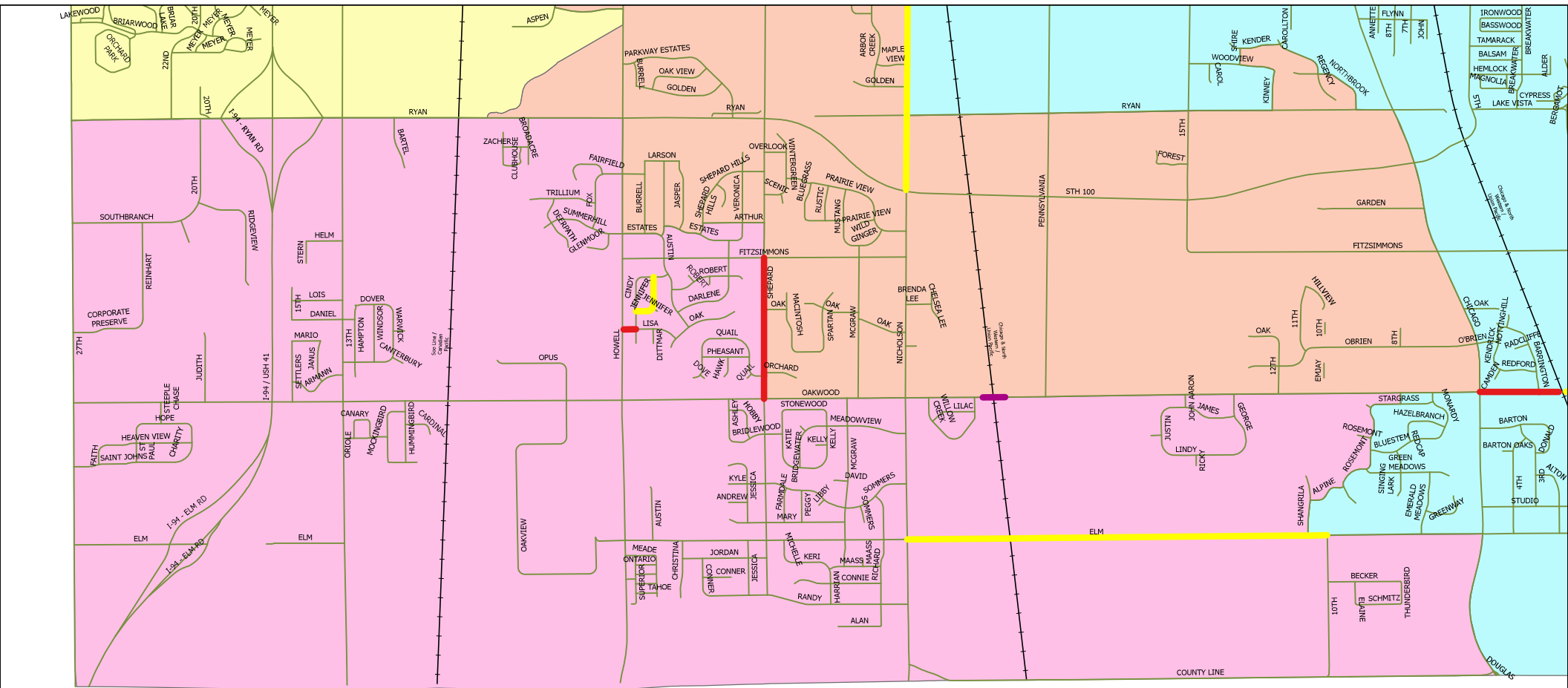


2023 STREET IMPROVEMENTS DISTRICT 4

Legend

ALDERMANIC DISTRICT	2023 IMPROVEMENT PROJECT
1 (Blue)	ALTERNATE (Yellow)
2 (Green)	RECOMMENDATION (Red)
3 (Orange)	RAILROAD CROSSING IMPROVEMENT (Purple)
4 (Light Blue)	
5 (Pink)	
6 (Yellow)	





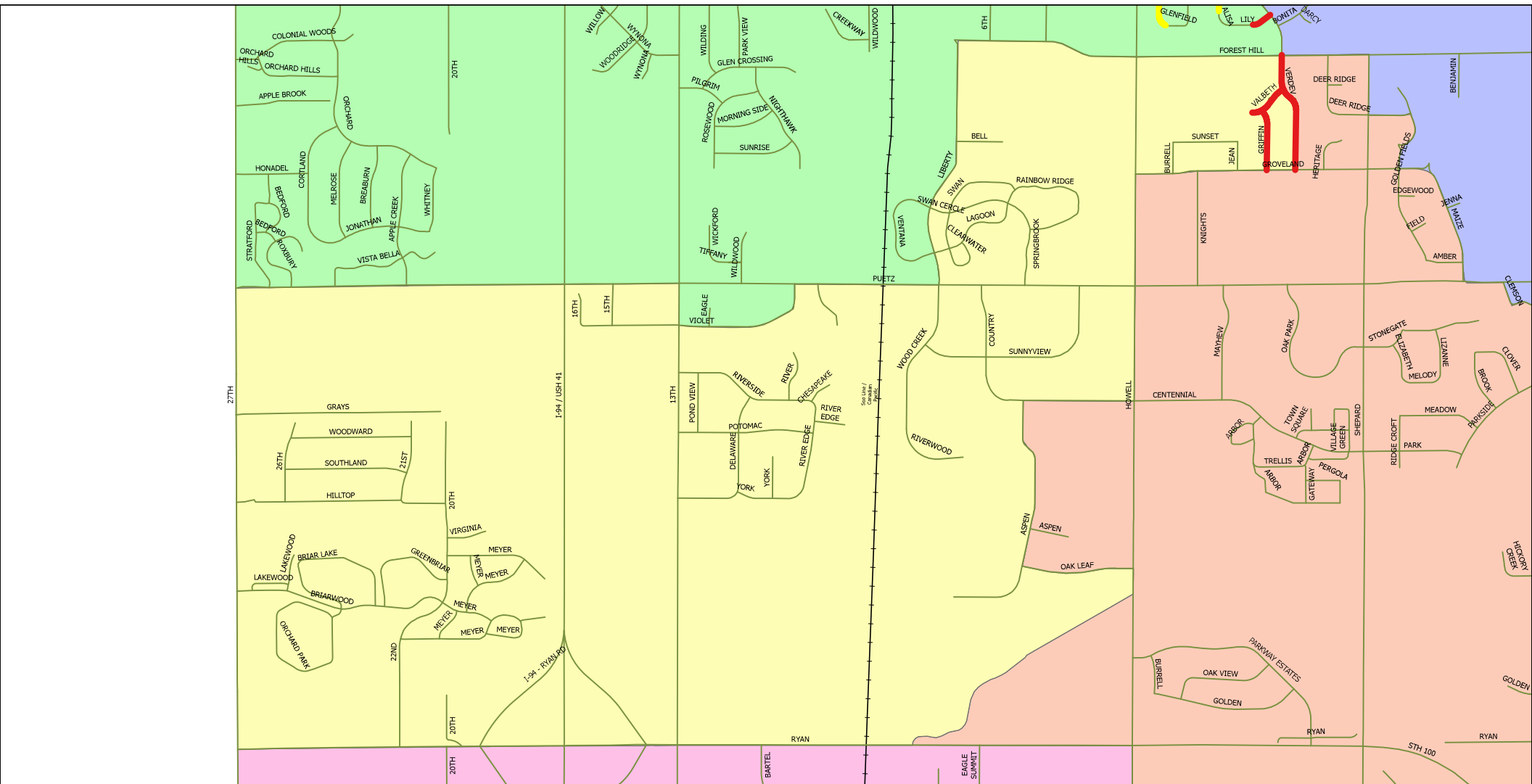
2023 STREET IMPROVEMENTS DISTRICT 5

Legend

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- ALTERNATE
 - RECOMMENDATION
 - RAILROAD CROSSING IMPROVEMENT





2023 STREET IMPROVEMENTS DISTRICT 6

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- Legend**
- 2023 IMPROVEMENT PROJECT**
- ALTERNATE
 - RECOMMENDATION
 - RAILROAD CROSSING IMPROVEMENT





COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 11/15/2022 License Committee Report.

Fiscal Impact: License fees in the amount of \$340.00 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 (favorable background reports received):
 - * Chelsea M. Penn (Meijer)
 - * Wendy P. Soto (Comfort Suites)
 - * Kristen N. Fenninger (Sidetracked)
2. Grant a Temporary Class "B" Beer / "Class B" Wine license to the Oak Creek Tourism Commission for their Moran's USA vs. England Viewing event to be held on November 25, 2022 in Drexel Town Square.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Christa J. Miller CMC/WCMC
Deputy City Clerk

Fiscal Review:

Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Attachments: none



COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the November 9, 2022 Vendor Summary Report in the total of \$915,218.54.

Fiscal Impact: Total claims paid of \$915,218.54.

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. \$37,966.50 to Buelow Vetter (pg #3) for legal services.
2. \$221,093.04 to DeLuca and Tobin Cable Contractors (pg #4) for East Side Fiber Project. Project #22012.
3. \$28,329.72 to E. H. Wolf & Sons, Inc. (pg #4) for fuel inventory.
4. \$8,798.57 to EBSCO (pg #4) for the Library's annual magazine subscriptions.
5. \$230,249.32 to Edgerton Contractors, Inc. (pg #4) for work on Lake Vista North. Project #21024.
6. \$18,784.48 to Enterprise FM Trust (pg #4) for DPW vehicle lease monthly payment, Project #19024.
7. \$11,676.36 to Hein Electric Supply Co. (pg #6) for supplies for building & grounds maintenance and street lighting. Project #17024.
8. \$5,070.10 to Milwaukee County Treasurer (pg #11) for October court fines.
9. \$9,697.00 to Poblocki Sign Company (pgs #12 & 13) for plaque installation
10. \$46,190.13 to Ramboll US Consulting Inc. (pgs #13 & 14) for professional services related to Lakeshore Commons and Peter Cooper.
11. \$10,565.00 to SHI (pg #15) for computer equipment.
12. \$5,226.75 to Stericycle, Inc. (pg #16) for shredding day event.
13. \$16,375.00 to Tyler Technologies, Inc. (pg #17) for assessment consulting services.
14. \$55,858.62 to US Bank (pgs #21 - 29) for equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.

15. \$34,360.82 to WE Energies (pg #17) for street lighting, electricity & natural gas.

16. \$12,517.82 to WI Court Fines & Surcharges (pg #17) for October court fines.

17. \$68,222.69 to WI Dept. of Transportation (pg #17) for construction services relating to design of W. Drexel Ave. Project #21017.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory T. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: 11/09/2022 Invoice GL Distribution Report