



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

## COMMON COUNCIL MEETING AGENDA

DECEMBER 20, 2022

7:00 P.M.

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

### The City's Vision

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance.
3. Approval of Minutes: 12/6/22.

### 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.*

4. **Comp Plan Amendment:** Consider an amendment to the Comprehensive Plan, City of Oak Creek (Adopted March 3, 2020, last amended August 16, 2022) as it relates to the properties at 112, 120, 124 and 140 E. Rawson Ave.) (1<sup>st</sup> District).
5. **Ordinance:** Consider Ordinance No. 3062, amending the Comprehensive Plan, City of Oak Creek (adopted March 3, 2020; last amended August 16, 2022) for the properties at 112, 120, 124, and 140 E. Rawson Ave. (1<sup>st</sup> District).

### New Business

6. **Ordinance:** Consider Ordinance No. 3061, confirming Adoption of the Settlement Agreement between the City of Oak Creek and Labor Association of Wisconsin, Inc. ("LAW") and Fixing the Salary for Members of the Association for the Year 2023 (by Committee of the Whole).
7. **Motion:** Consider a motion to concur with the Mayor's appointments as follows:

Board of Public Works & Capital Assets, 3 year term to expire 4/2025

Curtis A. Czarnecki, 10101 S. Macintosh Ln.

Celebrations Commission, 3 year term to expire to expire 4/2025

Cassandra C. Schaack, 140 W. Rainbow Ridge Dr.

Tourism Commission, 1 year term to expire 4/2023

Michael R. Grab, 10227 S. Kendrick Dr.

Visit our website at [www.oakcreekwi.org](http://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>.

8. **Motion:** Consider a *motion* to approve a Marketing Services Contract with Connect the Dots, LLC, for a term of January 1, 2023 – December 31, 2024 (by Committee of the Whole).

### **PUBLIC WORKS & UTILITY**

9. **Motion:** Consider a *motion* to approve the DPW Employee Progression Plan, effective January 1, 2023 (by Committee of the Whole).

### **LICENSE COMMITTEE**

10. **Motion:** Consider a *motion* to approve the various license requests as listed on the 12/20/22 License Committee Report (by Committee of the Whole).

### **VENDOR SUMMARY**

11. **Motion:** Consider a *motion* to approve the December 14, 2022 Vendor Summary Report in the amount of \$478,111.74 (by Committee of the Whole).
12. **Resolution:** Consider *Resolution* No. 12373-122022, authorizing payment of bills, debts and obligations (by Committee of the Whole).

### **MISCELLANEOUS**

13. **Motion:** Consider a *motion* to convene into closed session pursuant to Wisconsin State Statutes to discuss the following:
- (a) Section 19.85(1)(c), (f) and (g) to review a Settlement Agreement for a Fire Department employee.
  - (b) Section 19.85(1)(e) to consider a term sheet regarding the Tax Incremental District No. 11, Emerald Row Project.
  - (c) Section 19.85(1)(e) to consider the Third Amendment to Tax Incremental District No. 16 Finance Development with Ryan Business Park.
14. **Motion:** Consider a *motion* to reconvene into open session.
15. **Motion:** Consider a *motion* to take action, if required.
16. **Resolution:** Consider *Resolution* No. 12374-122022, approving a Third Amendment to Tax Incremental District No. 16 Finance Development Agreement between the City of Oak Creek and Ryan Business Park, LLC.

### ***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. 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

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

Publish November 16, 2022

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING  
BEFORE THE OAK CREEK COMMON COUNCIL

**PURPOSE:** The purpose of this public hearing is to consider an amendment to the Comprehensive Plan, City of Oak Creek (Adopted March 3, 2020, last amended August 16, 2022) as it relates to the properties at 112, 120, 124, and 140 E. Rawson Ave.

**Date:** December 20, 2022  
**Time:** 7:00 p.m.  
**Place:** Oak Creek Civic Center (City Hall)  
8040 South 6<sup>th</sup> Street  
Oak Creek, WI 53154  
Common Council Chambers  
**Applicant:** Kristen Parks, St. John Properties & City of Oak Creek  
**Property Owner(s):** LOV LLC, N G SERVICE INC, EAST RAWSON AVE LLC  
**Tax Key Nos.** 733-9993-000, 733-9992-000, 733-9005-000, 733-9991-001  
**Property locations:** 112, 120, 124, and 140 E. Rawson Ave.

**Proposal:**  
The proposed amendment would change the Land Use Plan and category for the properties at 112, 120, 124, and 140 E. Rawson Ave from "Industrial" to "Commercial."



**Legal Descriptions:**  
112 E. Rawson Ave. - CERTIFIED SURVEY MAP NO. 205 OUTLOT "A" & NO 40 FT OF S 330.08 FT OF E 95 FT OF W 200 FT OF SW 1/4 SEC. 4-5-22  
120 E. Rawson Ave. - E 95 FT OF W 200 FT OF N 150.08 FT OF S 290.08 FT OF SW1/4 SEC. 4-5-22 EXC. PART FOR AVENUE CONT. 0.327 ACS.  
124 E. Rawson Ave. - CERTIFIED SURVEY MAP NO. 3670 PARCEL 1 SW1/4 SEC. 4-5-22  
140 E. Rawson Ave. - COM 310 FT E & 140.04 FT N OF SW COR SW1/4 SEC. 4-5-22 TH N 521.32 FT E TO NE COR OF W1/2 OF S 40 ACS OF SD 1/4 SEC S TO S1/4 SEC LI W TO A PT 722.20 FT E OF SW COR SD 1/4 SEC N 140 FT TH W TO BEG., EXC. PART FOR STREET. CONT. 13.496 ACS

The Common Council has scheduled other public hearings for December 20, 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(s) may call the Department of Community Development at (414) 766-7027 during regular business hours.

Dated this 16<sup>th</sup> day of November, 2022.

Date of Notice: November 9, 2022  
CITY OF OAK CREEK COMMON COUNCIL  
By: Daniel J. Bukiewicz, Mayor

**Public Notice**

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

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



## COMMON COUNCIL REPORT

**Item:** Comprehensive Plan Amendment - 140 E. Rawson Ave.

**Recommendation:** That the Council adopts Ordinance 3062, an ordinance adopting an amendment to the Comprehensive Plan, City of Oak Creek (adopted March 3, 2020; last amended August 16, 2022 ) for the properties at 112, 120, 124, and 140 E. Rawson Ave. (1st Aldermanic District).

**Fiscal Impact:** The amendment to the Comprehensive Plan, City of Oak Creek (adopted March 3, 2020; last amended August 16, 2022) is the first of several steps in the entitlement process to allow for commercial tenants within the existing buildings, and for the full commercial use of the future Building A. Approval would allow the Council and Plan Commission to review any proposed land use changes and development proposals affecting the property. Review and permit application fees from the redevelopment of the property would provide additional positive fiscal impact for the City. The property is not currently part of a TID.

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

---

**Background:** The Applicant is requesting that the Land Use Plan in the Comprehensive Plan (adopted March 3, 2020; last amended August 16, 2022) be amended from Industrial to Commercial for the property at 140 E. Rawson Ave. Council will recall that this property is subject to several Conditional Use Permits for various tenant spaces in the existing two (2) buildings. In conversations between the landowners and staff, it was suggested that the M-1, Manufacturing zoning district may not be the appropriate district as it does not appear to be serving the needs of existing and interested tenants, evidenced by the sheer number of Conditional Uses requested thus far. Per the submitted narrative, the Applicant acknowledges that market trends have shifted since the buildings were constructed, with increasing interest in commercial flex space over light manufacturing/manufacturing flex space. With the final building - Building A - anticipated to be constructed in the near future, the commercial flex space demand is expected to continue. Amending the Land Use Plan in the Comprehensive Plan would recognize this trend, and allow for future tenant spaces to continue serving more commercial users (potentially) without the need for Conditional Use Permits.

It should be clearly understood that consideration of the proposed amendment to the Comprehensive Plan does not constitute endorsement of any concept plan that has been submitted for the property. If the amendment to the Comprehensive Plan were to be adopted, there remain steps involved in an entitlement

---

process for any development of the property. This includes, but may not be limited to: site, architectural, landscape, lighting, and related plans for Building A. Conditional Use Permits may still be required; however, the goal is to reduce the number required.

For clarity of review and to facilitate the discussion of the request, the following staff report is divided into sections.

#### Historical Context – Previous Conditions and Comprehensive Plan Future Land Use

While previous conditions or approvals for the property do not preclude future amendments, particularly in light of neighborhood and market changes, they provide insight into how the Land Use Plan in the current Comprehensive Plan was determined. The property at 140 E. Rawson Ave. has gone through several review processes in the past 15 years. In 2007, the property was rezoned from B-4, Highway Business to M-1, Manufacturing in anticipation of a Goodwill Industries Center for Work and Training. Although plans were also approved in 2007, the facility was never constructed.

The parcel was identified in the Comprehensive Plan effective at the time within the “Planned Business” Land Use category, appropriate for the prior B-4, Highway Business zoning district. While the Comprehensive Plan should have been amended prior to the 2007 rezone to M-1, Manufacturing, it was an oversight that was later corrected when the plans for the existing development were reviewed and approved by the Plan Commission in 2017. At the time of approval, the Land Use category and zoning district were appropriate for the proposed speculative multitenant manufacturing development given previous market conditions.

#### Existing Context - Comprehensive Plan and Surrounding Uses

The Comprehensive Plan describes the Commercial Land Use category thus:

“This land use comprises commercial structures with businesses selling goods and services. These uses can range in size from individual businesses on dedicated properties to shopping centers with multiple tenants. Commercial development in Oak Creek should continue to be primarily concentrated along major transportation corridors; however, the development of commercial nodes integrated into residential areas serving the neighborhood should be encouraged.”

Parcels in the immediate area of the request are identified on the Land Use Map as Industrial immediately north, east, and west/southwest of the subject parcel; Business Park south along Rawson Ave.; and Utility and Railroad between the Business Park areas on the south. Commercial, Parks and Open Space, and Floodway areas are identified west of Howell Ave.; Industrial areas extend farther north and southwest of the subject property; and Single-Family Residential is identified on the south side of Rawson Ave. east of the Business Park areas.

Existing uses in the immediate area include single-family residential and manufacturing (YRC) to the north; commercial east and west of the subject parcel (Midwest Twisters, several businesses along Howell Ave.); single-family residential and County/open space to the south; and City-owned open space, commercial (Cousin’s), and manufacturing (McAdams Graphics, etc. in Northbranch) to the southwest.

#### Staff Evaluation

The existing developments in the surrounding area as previously described were considered during the update of the current Comprehensive Plan. While staff have reservations for amending the Comprehensive Plan after thoughtful input over a nearly 2-year period, particularly for a single parcel, staff also recognize that issuing multiple Conditional Use Permits for consistently commercial uses for a

---

property on which there are multitenant buildings in a manufacturing district is neither sustainable nor desirable. Within the context of the Comprehensive Plan (and the Zoning Code), the more appropriate use category for the property may be Commercial.

Given the proximity to Howell Avenue, and the nexus to parcels currently identified within the Commercial Land Use category, staff provided the option for Plan Commission consideration to extend the Amendment area to include the three (3) parcels to the west of the property at 140 E. Rawson Ave. (112, 120, and 124 E. Rawson Ave.), which are currently zoned B-4, Highway Business. These properties were identified in the previous Comprehensive Plan within the Planned Business Land Use category. The Plan Commission voted to include the parcels per staff's suggestion, which is reflected in the attached Ordinance for Council consideration.

Per Wis. Stats. 62.23(3)(b), adoption of any amendment must be by a majority approval of the entire Plan Commission. The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objectives, goals, and policies contained within the Comprehensive Plan. Approval of the amendment(s) to the Comprehensive Plan would bring the Comprehensive Plan in line with the intent and goals for future commercial development and use of the properties at 112, 120, 124, and 140 E. Rawson Ave.

With the above in mind, the Plan Commission, by a 7-0 vote at the October 25, 2022 meeting, recommended approval of the proposed amendment to the Land Use Plan in the Comprehensive Plan to Commercial for the properties at 112, 120, 124, and 140 E. Rawson Ave.

**Options/Alternatives:** This is the first step in allowing additional reviews to occur. Should the request not be approved, the Applicant may choose to substantially amend the request for reconsideration. Disapproval would not change the existing Industrial designation of the property, and may result in additional Conditional Use Permit reviews.

---

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Approved:



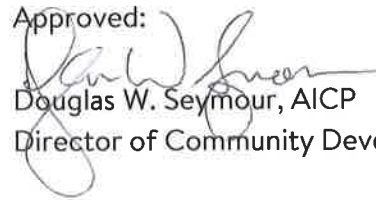
Karl Papelbon, CFM, AICP  
Senior Planner

Fiscal Review:



Maxwell Gaglin, MPA  
Assistant City Administrator / Comptroller

Approved:



Douglas W. Seymour, AICP  
Director of Community Development

---

Attachments: Ord. 3062

Location Map

Narrative (2 pages)

Comprehensive Plan Amendment Maps (2 pages)

Excerpted Plan Commission Minutes - October 25, 2022 (2 pages)

PC Resolution 2022-05 (1 page)

ORDINANCE NO. 3062

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

AN ORDINANCE ADOPTING AN AMENDMENT TO THE COMPREHENSIVE  
PLAN, CITY OF OAK CREEK  
(ADOPTED MARCH 1, 2020; LAST AMENDED AUGUST 16, 2022)

112, 120, 124, and 140 E. Rawson Ave.

(1<sup>st</sup> Aldermanic District)

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

SECTION 1: Pursuant to Sections 62.23(2) and 66.1001(4) of the Wisconsin Statutes, the City of Oak Creek is authorized to prepare and adopt a comprehensive plan and an amendment to a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2: The Common Council, by the enactment of Ordinance No. 2963, formally adopted the document titled *Comprehensive Plan, City of Oak Creek* on March 3, 2020.

SECTION 3: The Common Council, by the enactment of Ordinance No. 2988, formally adopted an amendment to the *Comprehensive Plan, City of Oak Creek* on November 17, 2020.

SECTION 4: The Common Council, by the enactment of Ordinance No. 3029, formally adopted an amendment to the *Comprehensive Plan, City of Oak Creek* on March 1, 2022.

SECTION 5: The Common Council, by the enactment of Ordinance No. 3030, formally adopted an amendment to the *Comprehensive Plan, City of Oak Creek* on March 1, 2022.

SECTION 6: The Common Council, by the enactment of Ordinance No. 3050, formally adopted an amendment to the *Comprehensive Plan, City of Oak Creek* on August 16, 2022.

SECTION 7: The Plan Commission, by a majority vote of the entire Commission at a meeting held on October 25, 2022, adopted Resolution No. 2022-05, amending the adopted *Comprehensive Plan, City of Oak Creek* from "Industrial" to "Commercial" for the properties at 112, 120, 124, and 140 E. Rawson Ave., and recommending that the Common Council adopt the amendment to the *Comprehensive Plan* by ordinance.

SECTION 8: The City of Oak Creek published a Class 1 public notice on November 16, 2022, and held a public hearing before Common Council on December 20, 2022.

SECTION 9: The Common Council hereby adopts the proposed amendment to the *Comprehensive Plan, City of Oak Creek* from "Industrial" to "Commercial" for the properties at 112, 120, 124, and 140 E. Rawson Ave.

SECTION 10: Except as herein modified, the *Comprehensive Plan, City of Oak Creek* adopted March 3, 2020 and amended November 17, 2020, March 1, 2022, and August 16, 2022 shall remain in full force and effect.

SECTION 11:The City Clerk is directed to send a copy of this ordinance and the Comprehensive Plan amendment to the parties listed in Section 66.1001(4)(b) of the Wisconsin Statutes.

SECTION 12:This ordinance shall take effect and be in force from and after its passage and publication.

Introduced this 20<sup>th</sup> day of December, 2022.

Passed and adopted this 20<sup>th</sup> day of December, 2022.

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

Approved this 20<sup>th</sup> day of December, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

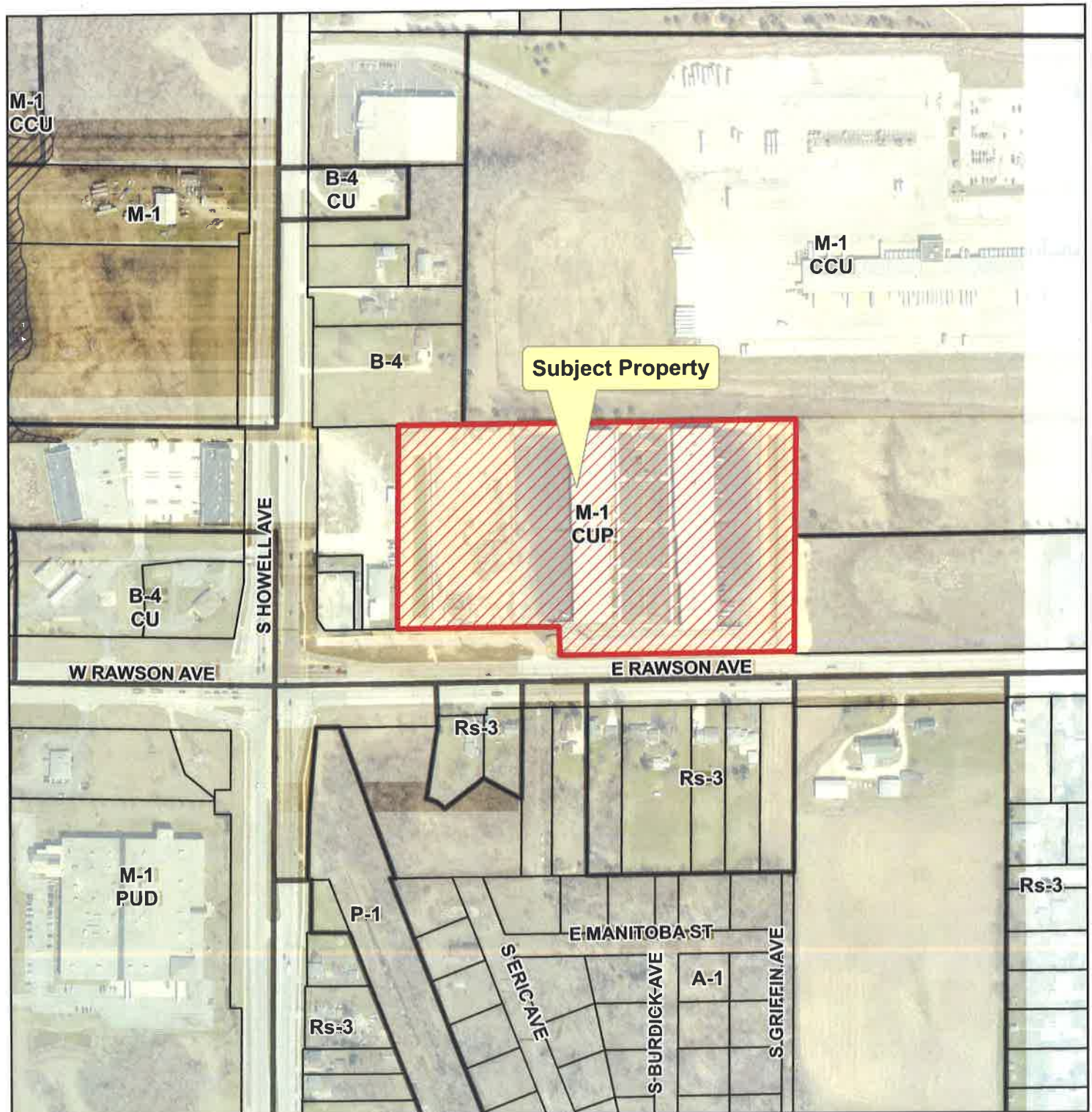
\_\_\_\_\_  
City Clerk

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



# LOCATION MAP

## 140 E. Rawson 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
-  140 E. Rawson Ave.



RECEIVED  
SEP 27 2022  
CITY OF OAK CREEK

September 27, 2022  
Community Development  
City of Oak Creek  
8040 S. 6<sup>th</sup> Street  
Oak Creek, WI 53154

## **Comprehensive Plan Amendment & Site Plan Amendment**

### **Overview**

St John Properties, Inc. on behalf of East Rawson Ave LLC is applying for a Comprehensive Plan Amendment to their property located at 140 E. Rawson Ave. The requested amendment is due to the large number of conditional use permits requested at the current Buildings B & C completed in 2020/2021. As St John Properties prepares for the construction of the 3<sup>rd</sup> Building, Building A, it is clear amending the comprehensive plan prior to construction of Building A. Along with the Comprehensive Plan changes to better suit those tenants St John Properties is requesting a review of Building A's Elevations, Site Plan and Floor plans.

### **Comprehensive Plan Amendment**

The property currently has a comprehensive plan as Industrial. Over the years the market has shifted since original planning to current tenants looking for smaller flex space have gone from traditional light manufacturing to commercial use. These tenants typically service the surrounding community and are locally owned. It seems this trend of commercial based businesses interested in this area and building style will continue moving forward with Building A.

### **Tenant Plan**

Currently most of the tenants in Building B & C are operating under a Conditional Use permit, while only three tenants are operating without conditional use permits. Moving forward with the Commercial Land Use will not be an issue in leasing the available spaces. It seems that the Commercial user will continue to follow the trend for Flex Spaces.



#### **Elevations (2205110\_OC-Rawson\_BldgA\_Ext\_Elevs\_09-26-22)**

The front of the building facing Howell Ave will have a more appropriate look for Retail/Office users. There will be more embellishments added to give each tenant a specific distinction of their space and increase visibility from Howell as well as when the patrons are at the building. The front of the building will have more glass from the ground up to the awning, more prominent signage and lighting along with a mixture of different materials that are cohesive to a retail/office space.

#### **Site Plans (605 Site Plan 06.22.22)**

To better accommodate the traffic at the property, a right turn-in entrance has been added on the far east-end entering the property, reducing the traffic at the cross section on E. Rawson. Building A setbacks have an additional 26-foot setback on the South end of the building to meet requirements of the frontage road setbacks. The parking lot between Building A and B has been shortened to 120' wide to allow for more in parking lot of the west end of Building A. Since the buildings will be following the commercial use plans, a wider parking lot between the two buildings is no longer needed.

#### **Floor Plans (2205110\_OC-Rawson\_Floor\_Plan\_09-26-22)**

The goal with the Floor plans changes was to stay close to the original square footage of the building plans. To account for the reduced length of the building, suites 1 and 14 are 40'x96', Suites 2,3, 12 and 13 are 32'x 96' and the remaining Suites are 32'x100'. Each unit could be expanded into the adjacent suite to accommodate a Tenant that needs a larger space.

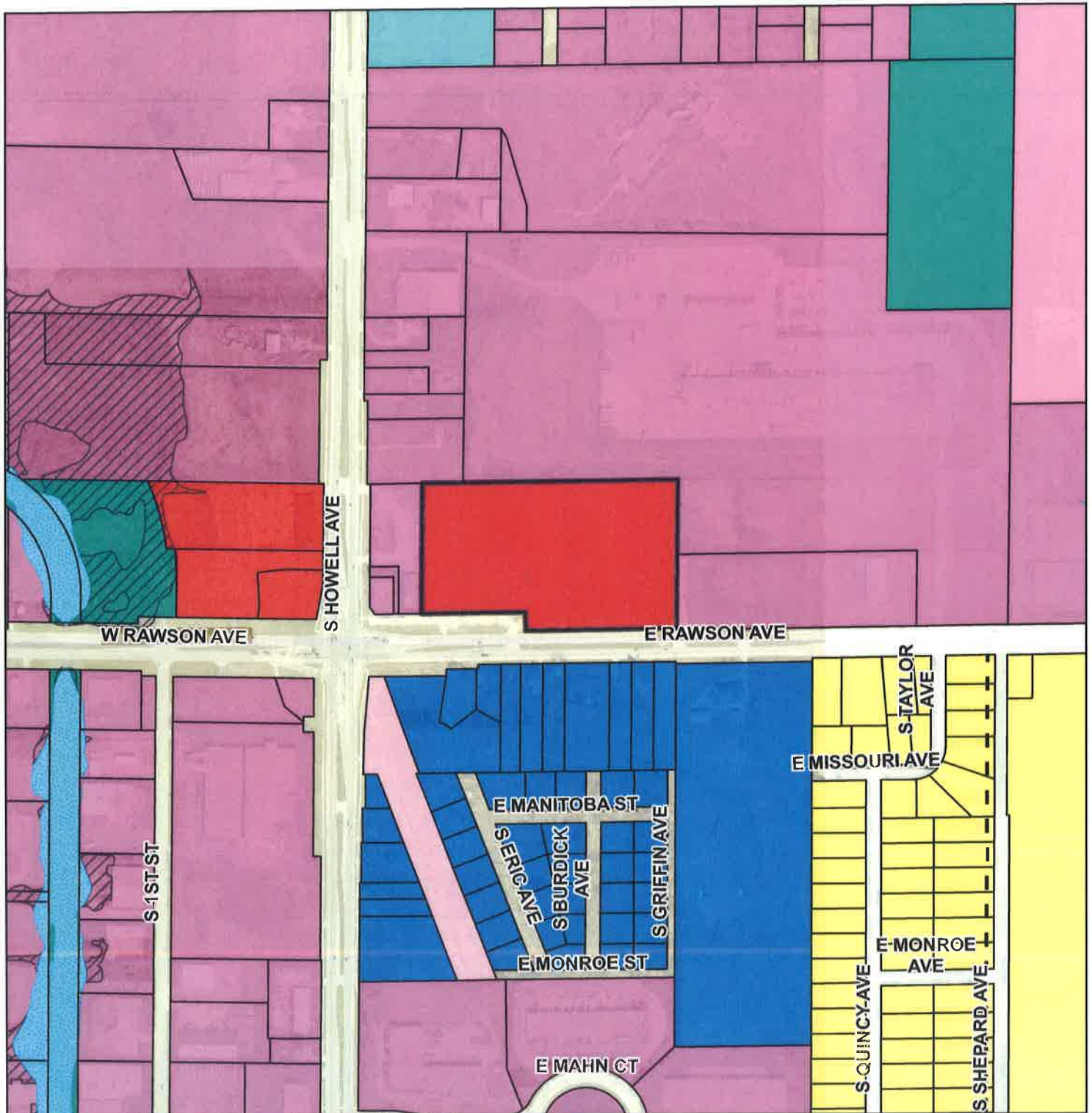
Thank you,

A handwritten signature in blue ink that reads "Kristen Parks".

Kristen Parks  
Director of Development  
[kparks@sjpi.com](mailto:kparks@sjpi.com)  
Direct: 262-765-9728

# PROPOSED LAND USE PLAN MAP - OPTION 1

## 140 E. Rawson Ave.



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



Community Development

0 0.04 0.07 0.14 Miles

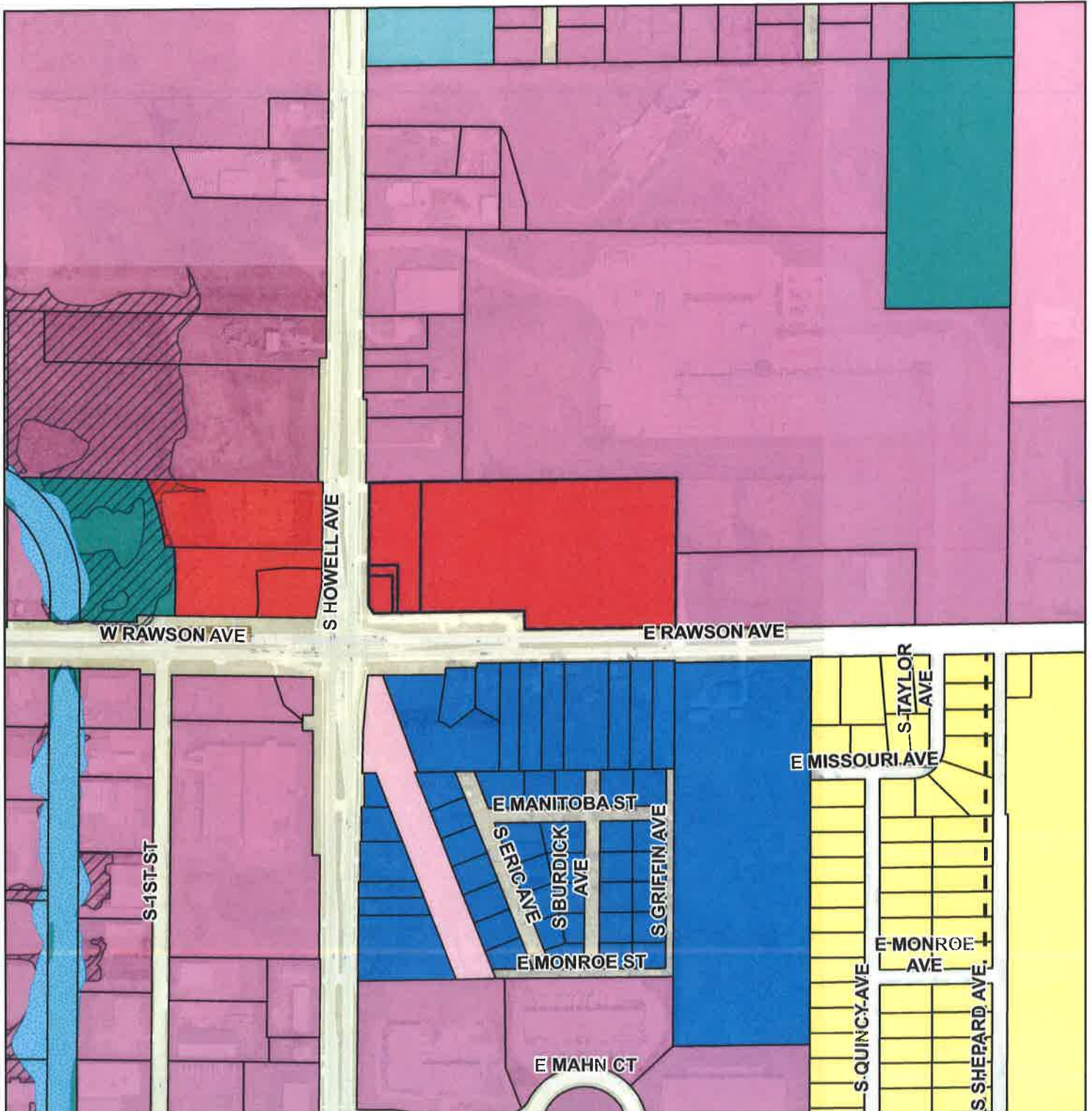


### Legend

- |                    |     |              |
|--------------------|-----|--------------|
| 140 E. Rawson Ave. | I   | SFD          |
| AG                 | MF  | U            |
| AIR                | MU  | Floodway     |
| BP                 | POS | Flood Fringe |
| C                  | PGP |              |
|                    | SFA |              |

# PROPOSED LAND USE PLAN MAP - OPTION 2

## 112, 120, 124, & 140 E. Rawson Ave.



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



Community Development



112 - 140 E. Rawson Ave.

Land Use Category

AG
AIR
BP
C

### Legend

I
MF
MU
POS
PSP
SFA
SFD
U
Floodway
Flood Fringe

**EXCERPTED MINUTES OF THE  
OAK CREEK PLAN COMMISSION MEETING  
TUESDAY, OCTOBER 25, 2022**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Alderman Loreck, Mayor Bukiewicz, Alderman Guzikowski, and Commissioner Siefert. Commissioner Chandler and Commissioner Oldani were excused. Also present: Kari Papelbon, Senior Planner; Assistant Fire Chief Mike Havey.

**COMPREHENSIVE PLAN AMENDMENT  
KRISTEN PARKS, ST. JOHN PROPERTIES  
140 E. RAWSON AVE.  
TAX KEY NO. 733-9991-001**

Senior Planner Papelbon provided an overview of a proposed amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020, last amended August 16, 2022) with two (2) options below for Plan Commission consideration (see staff report for details):

1. Amendment of the *Comprehensive Plan* limited to the property at 140 E. Rawson Ave. (Applicant's request).
2. Extend the Amendment area to include the three (3) parcels to the west of the property at 140 E. Rawson Ave. (112, 120, and 124 E. Rawson Ave.), which are currently zoned B-4, Highway Business (Staff's suggestion).

Commissioner Siefert, Alderman Guzikowski, Commissioner Kiepczynski, and Commissioner Carrillo stated support for Staff's suggestion.

Alderman Loreck asked if the applicant had future building plans onsite.

Kristen Parks, 2000 Pewaukee Rd., Waukesha WI, 53188 stated that the plans will be submitted to the City after revisions are made.

Alderman Loreck asked what sort of use the new building will be. Ms. Parks stated that the building will still be a flex use, but the front elevation, as it's facing Howell Avenue, will have more embellishments - lighting, landscaping and different parking - than the other buildings to better attract retail or office users.

Commissioner Hanna asked what possible tenants will be filling the new building. Ms. Parks gave examples of group fitness centers, medical or therapy offices, and light distribution offices for flooring or contracting companies.

Commissioner Hanna asked if the applicant had a preference between the two options Staff presented. Ms. Parks agreed with Senior Planner Papelbon's suggestion and reasoning.

Commissioner Hanna stated her support for Staff's suggestion as well.

Mayor Bukiewicz stated his support of the second option, and asked if the properties directly north of the extended area are zoned B-4. Senior Planner Papelbon stated that she would have to verify

the zoning districts for all the properties in the area, but the corner properties are zoned B-4 and most of the inquiries for future development have been for commercial uses.

Mayor Bukiewicz commented on the flexibility of the City, staff, and developers to accommodate the shifting needs of the community.

Commissioner Siefert moved that the Plan Commission adopts Resolution 2022-05, amending the Land Use Plan category in the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020; last amended August 16, 2022) from Industrial to Commercial for the properties at 112, 120, 124, and 140 E. Rawson Ave., following review and adoption by the Common Council.

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

ATTEST:

  
\_\_\_\_\_  
Kari Papelbon, Plan Commission Secretary

11-8-22  
\_\_\_\_\_  
Date

**RESOLUTION NO. 2022-05**

**A RESOLUTION ADOPTED BY THE PLAN COMMISSION AMENDING THE  
ADOPTED COMPREHENSIVE PLAN FOR THE  
CITY OF OAK CREEK, IN MILWAUKEE COUNTY, WISCONSIN**

WHEREAS, Sections 62.23 and 66.1001 of the Wisconsin Statutes establish the required procedure for a local government to adopt a Comprehensive Plan; and

WHEREAS, the City of Oak Creek Plan Commission has the authority to amend the Comprehensive Plan by resolution, and also to recommend that the Common Council adopt the Comprehensive Plan; and

WHEREAS, KRISTEN PARKS, ST. JOHN PROPERTIES, AND THE CITY OF OAK CREEK have proposed an amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020, last amended August 16, 2022) designating the properties at 112, 120, 124, and 140 E. Rawson Ave. as "Commercial;" and

WHEREAS, the Plan Commission reviewed the aforementioned amendment to the *Comprehensive Plan, City of Oak Creek* (adopted March 3, 2020, last amended August 16, 2022) at a public meeting on October 25, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Oak Creek hereby adopts an amendment to the Comprehensive Plan from "Industrial" to "Commercial" for the properties at 112, 120, 124, and 140 E. Rawson Ave. per Exhibit A, and recognizing that the Common Council must also adopt the amendment to the Comprehensive Plan for it to become effective; and

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Common Council adopts the amendment to the Comprehensive Plan by ordinance.

Passed and adopted this 25th day of October, 2022.

  
\_\_\_\_\_  
Plan Commission Chair

Attest:

  
\_\_\_\_\_  
Secretary of the Plan Commission



**COMMON COUNCIL REPORT**

**Item:** Labor Association of Wisconsin, Inc. ("LAW") Settlement Agreement

**Recommendation:** The Personnel & Finance Committee recommends the Common Council adopt Ordinance No. 3061, an Ordinance Confirming Adoption of the Settlement Agreement between the City of Oak Creek and Labor Association of Wisconsin, Inc. ("LAW") and Fixing the Salary for Members of the Association for the Year 2023.

**Fiscal Impact:** A cost-of-living adjustment (COLA) of 2.50% effective January 1, 2023 has a total fiscal impact of about \$59,300, including payroll taxes and WRS, for the employees covered by the Settlement Agreement.

**Critical Success Factor(s):**

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

---

**Background:** 2011 WI Act 10 limits non-public safety bargaining units to a one-year labor agreement, and to only negotiate a base wage increase up to a CPI factor determined by the Wisconsin Employment Relations Commission (WERC). CPI for labor agreements beginning January 1, 2023 is 7.17%.

Ordinance No. 3061 and the Settlement Agreement attached to this memo reflects a COLA of 2.50% effective January 1, 2023, which is the same percentage increase as all other non-represented employee groups will receive in 2023.

The Personnel & Finance Committee met on November 9, 2022 and unanimously recommended Common Council approval of the Settlement Agreement.

**Options/Alternatives:** The Common Council could reject the recommendation of the Personnel & Finance Committee and direct parties to renegotiate the Settlement Agreement.

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared and Fiscal Review:



Maxwell Gaggin, MPA  
Assistant City Administrator / Comptroller

---

Attachments:

- Ordinance No. 3061
- LAW Settlement Agreement

ORDINANCE NO. 3061

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

AN ORDINANCE CONFIRMING ADOPTION OF THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF OAK CREEK AND THE LABOR ASSOCIATION OF WISCONSIN (“LAW”) AND FIXING THE SALARY FOR MEMBERS OF THE ASSOCIATION FOR THE YEAR 2023

WHEREAS, the Common Council of the City of Oak Creek has adopted the Labor Agreement between the City of Oak Creek and the Labor Association of Wisconsin (“LAW”) for the period of January 1, 2023 through December 31, 2023 and wishes to confirm the adoption of said agreement and fix the salary for members of the association.

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

Section 1: The adoption of the agreement between the City of Oak Creek and the Labor Association of Wisconsin for the period of January 1, 2023 to December 31, 2023, incorporated herein by reference as though fully set forth, is hereby confirmed.

Section 2: Full-time employees are entitled to medical insurance. These employees shall contribute ten percent (10%) of the cost of the premium for a single or a family medical plan.

<b>Position Title</b>	<b>Minimum Hourly Rate</b>	<b>Minimum Salary</b>	<b>Maximum Hourly Rate</b>	<b>Maximum Salary</b>
Account Clerk III	\$20.688	\$43,031	\$29.838	\$62,063
Chief Mechanic	\$25.496	\$53,032	\$36.183	\$75,261
Custodian	\$16.700	\$34,736	\$22.545	\$46,894
Facility Maintenance Technician	\$19.418	\$40,389	\$32.044	\$66,652
Mechanic II, Fabricator/Welder	\$23.533	\$48,949	\$34.420	\$71,594
Public Works Technician	\$22.161	\$46,095	\$24.928	\$51,850
Public Works Advanced Technician	\$25.922	\$53,918	\$30.125	\$62,660
Public Works Specialist	\$31.334	\$65,175	\$33.020	\$68,682
Senior Engineering Technician	\$27.187	\$56,549	\$37.430	\$77,854

Section 3: AUTO EXPENSE: Personnel or members shall be paid the rate allowed under current IRS regulations per the Travel Policy or shall be assigned City vehicles for their usage.

In order to qualify for the aforementioned auto mileage and/or allowance, employees designed must provide proof of insurance by a reasonable insurance company for bodily injury and property damage liability with minimum policy limits of \$250,000/\$500,000/\$25,000. In order to receive reimbursement, a Declaration of Coverages page stating the policy limits shall be provided annually by January 31, or upon policy renewal to the Human Resources office.

Section 4: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Section 5: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of January 1, 2023, except where otherwise noted.

Introduced this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

AGREEMENT  
BETWEEN  
THE CITY OF OAK CREEK

AND

THE LABOR ASSOCIATION OF WISCONSIN, INC.

---

JANUARY 1, 2023 – DECEMBER 31, 2023

ARTICLE 1 – RECOGNITION

The City recognizes the Union as the exclusive bargaining agent for the following employees of the City:

All regular, full-time employees in the City of Oak Creek Department of Public Works, Engineering Technicians, Facility Maintenance and Custodians in the employ of the City, and excluding all other City Hall, Police or Fire employees, and excluding confidential, supervisory, professional, and managerial employees and excluding any part-time employees of the City. (Recognition/Union description originally based on WERC Decision on May 30, 1972 and City Resolution No. 2707 adopted by Common Council on November 8, 1972.)

ARTICLE II – BASE WAGES

Effective January 1, 2023, employees shall receive a base wage increase of 2.50%.

ARTICLE III – DURATION

This Agreement shall become effective January 1, 2023 and shall terminate at the close of business on the 31<sup>st</sup> day of December, 2023.

CITY OF OAK CREEK

THE LABOR ASSOCIATION  
OF WISCONSIN, INC.

\_\_\_\_\_  
Chairman, Personnel & Finance  
Committee

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

\_\_\_\_\_  
Personnel & Finance  
Committee Member

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

\_\_\_\_\_  
Personnel & Finance  
Committee Member

\_\_\_\_\_  
City Administrator



## COMMON COUNCIL REPORT

**Item:** Successor Marketing Services Contract, City of Oak Creek and Connect the Dots, LLC.

**Recommendation:** That the Common Council considers a motion to approve a Marketing Services Contract with Connect the Dots, LLC for the term of January 1, 2023- December 31, 2024.

**Fiscal Impact:** The contract includes a monthly retention fee of \$2,600.00. Additionally, the Contractor may also garner a success fee in the amount of \$5,000.00 for any new tenant/business that locates in either TID 11 or TID 12. This is a much more simplified success fee than in past agreements. The contract will be funded by TID 11 and TID 12.

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

**Background:** The City has enjoyed a collaborative partnership with Gary Billington d/b/a Connect the Dots, LLC., in various capacities since December 2013. Gary has served as a very helpful extension of the City's economic development and marketing efforts. Past projects Gary has assisted in moving forward include, but are not limited to: Zund America, Inc., Homewood Suites by Hilton and Creekside Crossing Conference Center, and the City's initial BRE visitation program. Gary has provided numerous value-add connections and relationships within our business community through the BRE program. He is a champion of Oak Creek and has a great network of potential partners for the City to work with, and he makes those connections for the staff.

The proposed 2023-2024 contract is scaled back from previous contracts and will focus efforts on business attraction to the City's TID 11 and 12. These developments included the Highgate Development, the entertainment district concept plan for development south of IKEA (a SAP goal), and Drexel Town Square. Other efforts can be added into the scope of the agreement as requested by the City and agreed to by Connect the Dots. As mentioned above, the contract includes a monthly retention fee as well as a success fee if a tenant/business locates in either TID 11 or 12 based on leads generated by the Contractor or jointly agreed to by the City.

**Options/Alternatives:** The Common Council could choose to not contract further with Connect the Dots, or request the staff to make any modifications to the agreement it sees fits. However, staff feels strongly there is a great value proposition in the proposed contract and that the services to be provided are a great complement to the City's existing economic development efforts.

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Fiscal Review:



Maxwell Gagin, MPA  
Assistant City Administrator / Comptroller

---

Attachments: Marketing Services Contract by and between the City of Oak Creek and Connect the Dots, LLC.

## MARKETING SERVICES CONTRACT

THIS CONTRACT, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2022, by and between CONNECT.THE.DOTS L.L.C., a Wisconsin limited liability company, hereinafter called the "Contractor" and the CITY OF OAK CREEK, a municipal corporation of the State of Wisconsin, hereinafter called the "City".

### WITNESSETH:

That the Contractor, and the City, for the consideration stated herein, agree as follows:

#### 1. SCOPE OF WORK

A. The Contractor shall provide marketing services to facilitate new business development in the City of Oak Creek. Services shall include initiating contact, arranging meetings, and developing relationships with a variety of businesses from outside of the City of Oak Creek in order to attract those businesses to locate within City Tax Increment District Nos. 11 and 12. The Contractor shall provide other strategic economic development services directed by the City Designees as identified in Exhibit A. The Contractor and City Designees shall meet in the beginning of each calendar year to adjust, amend, and prioritize Exhibit A. For the purposes of implementation of this contract, the "City Designees" are hereby identified as the City Administrator and Community Development Director.

B. The Contractor shall provide the City Designees with regular updates from its meetings with said businesses and accompanying follow-up strategy.

C. The Contractor shall attend meetings of Common Council and any other commission, committee, or board as requested by the City Designees. The Contractor shall meet monthly with the City Designees to apprise them of marketing and economic development activities.

D. The Contractor shall provide all labor, equipment, services, expertise and everything necessary for the completion of the work more fully hereinafter set forth, all in strict accordance with this contract. The Contractor shall do everything required by this contract and other documents constituting a part hereof and in the manner specified herein.

E. The City shall be the exclusive public sector client of the Contractor. The Contractor may provide services hereunder to other private clients, and the same shall not be considered a violation of this contract. The Contractor shall disclose said other clients to the City, which the City agrees to keep confidential.

F. The Contractor agrees to keep confidential any and all proprietary information of the City obtained by the Contractor in providing the services hereunder. The Contractor agrees to execute any reasonable confidentiality agreement of the City acknowledging same.



G. The Contractor shall maintain a list of businesses with whom it has contact and provide same to the City Designees monthly and upon request. The parties agree that the addition of businesses to said list is a mutual event, but the final decision for inclusion or exclusion of businesses lies with the City Designees. All qualifying leads shall be approved in writing or via email by the City Designees to the Contractor prior to the commencement of activity by the Contractor. It is understood that quality of leads rather than quantity is sought by this service contract. Contractor shall propose and jointly develop leads with the City Designees including possible approach strategies.

H. Contractor shall be required to prepare and submit on a quarterly basis written reports detailing lead contacts, development, strategy, and timing estimates on decision making and building plans when appropriate. Additional information may be required which shall be jointly discussed and agreed to between the parties.

2. TERM

The term of this Contract shall be for a period commencing January 1, 2023 and terminating December 31, 2024.

3. FEES AND PAYMENT

A. For the above term, City shall pay the Contractor a monthly retention fee, on or about the first of each month consistent with internal processing schedules, in the amount of two thousand six hundred dollars (\$2,600.00) for forty (40) hours of work each calendar month.

B. A "Success Fee" shall be available to the Contractor under the following conditions and based upon securing tenancy. This Success Fee is paid by the City to the Contractor for a business development which locates in City Tax Increment District Nos. 11 or 12 based upon leads generated by the Contractor or jointly agreed to by the City Designees. The Success Fee shall be a flat fee of five thousand dollars (\$5,000.00) per each secured business tenant, payable within 60 days of a tenant lease signing. In the event of an owner-occupied development project, the Success Fee shall be paid within 60 days of the City granting a building permit for construction commencement. Contractor shall not be entitled to a Success Fee for residential development.

C. City shall be responsible for reimbursing the Contractor for any ordinary and reasonable business expenses incurred in providing the services hereunder, with mileage expenses at present IRS rates and reasonable costs for hotels and meals when travel time outside of southeastern Wisconsin is required. For any single business expense exceeding \$250.00, the Contractor shall first obtain approval in writing by City Designees for said business expense before incurring that expense.

4. PROFESSIONAL SERVICES LIABILITY AND INSURANCE

The Contractor shall provide the City with certificates of insurance acceptable to the City prior to commencement of the work. It is hereby agreed and understood that the insurance required by the City is primary coverage and that any insurance or self insurance maintained by the City of Oak Creek, its officers, council members, agents, employees or

authorized volunteers shall not contribute to a loss. All insurance shall be in full force prior to commencing work and remain in force until all services are completed and the length of time specified, if any, in the contract or listed below, whichever is longer.

The Contractor shall be paid as an independent contractor to City for liability and tax purposes. The Contractor shall be paid all gross fees and be responsible for any tax withholding.

5. TERMINATION

Either party may terminate this contract prior to the expiration of the term upon 30 days prior written notice.

6. AMENDMENTS

This Contract constitutes the entire understanding of the parties regarding the provision of the services, and there are no other understandings or agreements between the parties other than what is contained in this contract. This contract may only be amended upon the mutual signed written agreement of the parties. This agreement shall be governed by and construed in accordance with the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in two (2) original counterparts the day and year first above written.

CONNECT.THE.DOTS  
175 W. Summerhill Pl.  
Oak Creek, WI 53154

By:  12.5.22  
Gary F. Billington, CEO

CITY OF OAK CREEK

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

ATTEST:

By: \_\_\_\_\_  
Catherine Roeske, City Clerk

## **EXHIBIT A: TARGETED MARKETING SERVICES**

### **Tax Increment District No. 11**

- Target market to appropriate businesses and potential tenants for Drexel Town Square as vacancies arise;
- Target market remaining Lot 1 (Main & Drexel) to appropriate businesses and potential tenants;
- Make contact with appropriate decision-makers and establish meetings between the City Designees and potential businesses and/or tenants.

### **Tax Increment District No. 12**

- Market the Creekside Crossing area in accordance with the concept plan recently completed by Bruce Robinson Design Group;
- Market the Highgate Development in accordance with the Somerstone PUD approved by the City, and as amended;
- Identify additional target businesses and potential tenants;
- Make contact with appropriate decision-makers and establish meetings between the City Designees and potential development partners;
- Coordinate marketing activities with other commercial realtor(s) assigned to the projects.

## COMMON COUNCIL REPORT

**Item:** Department of Public Works (DPW) Employee Progression Plan

**Recommendation:** That the Common Council consider a motion to approve the recommendation of the Personnel & Finance Committee to approve the DPW Employee Progression Plan effective January 1, 2023.

**Fiscal Impact:** Approximately \$30,000 was included in the 2023 Budget to fund pay progressions. Additional flexibility may be gained from anticipated retirement(s) throughout the year.

**Critical Success Factor(s):**

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

---

**Background:** Earlier this year, the Personnel & Finance Committee recommended and the Common Council approved salary and wage range adjustments for DPW positions to better align with similar position titles and job duties found in the public sector. These changes were made effective in June of 2022. The salary schedule adjustments were designed to ensure DPW personnel wages remain competitive in the public marketplace.

The new compensation schedule methodology provides for a series of advancement opportunities through various positions. A future quota will only be maintained for the Public Works Specialist position. This will allow for an employee to move through the Public Works Technician and Public Works Advanced Technician progressions without a prerequisite "vacancy". This is very critical as a retention strategy: we do not want our DPW staff to just have a "job", but rather a career opportunity with the City.

To that end, we have developed an Employee Progression Plan to ensure a fair and definitive path for employee growth and advancement. The plan outlines the criteria for progression and job classification adjustments through required certifications, competency, job performance, and time on the job.

We added one progression, Progression IV to the Public Works Specialist position to account for the Public Works Specialists who truly function as crew leads already and are solid performers. This would recognize that and provide incentive for the others to step up. We also developed a range for the Mechanic position. Currently all three existing Mechanics are at the top Progression IV. The range will provide uniformity across positions and offer flexibility when hiring replacements in the future.

**Options/Alternatives:** The Common Council could reject the DPW Pay Progression Plan and discuss different salary and wage strategies for Public Works positions.

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Matthew J. Trebatoski  
Director of Public Works

Fiscal Review:



Maxwell Gagin, MPA  
Assistant City Administrator / Comptroller

---

Attachments:

- DPW Employee Progression Plan
- Equipment Classification Requirements
- Safety Training Requirements



## DPW Employee Progression Plan

January 1, 2023

*Note: this information is subject to change*

### Position Level Eligibility Guidelines for Employee Progression

Employees are eligible for progression or job classification adjustments from a lower range position to a higher range position in the progression series by obtaining the required certifications, competency, good job performance, and time on the job. There is no change of existing job assignment. Specifically, staff may progress to a higher job classification within each progression series according to the guidelines listed below.

To move to any position beyond those listed below, the employee must seek a promotion into a vacancy through the recruitment process.

- a. *Public Works Technician:* Newly hired employees without previous certification or experience will be in this classification. To advance within this range, an employee must obtain a Class B CDL, show proficiency as a Technician, demonstrate knowledge of general Streets operations or Parks or Forestry procedures, as well as demonstrate ability on light to medium duty equipment use and operation of snowplow with wing and bucket truck vehicles. Advancement will also entail completion of all safety training requirements by applicable topic (see CVMIC Training Genius).
- b. *Public Works Advanced Technician:* To obtain this classification, an Advanced Technician must show proficiency with the requirements of the Technician position as well as demonstrate advanced knowledge of general Streets operations or Parks or Forestry procedures. In addition, Parks staff must hold the State of Wisconsin Department of Agricultural, Trade, and Consumer Protection Certified Pesticide Applicator 3.0 designation. To advance within this range, an employee must show proficiency as an Advanced Technician, as well as demonstrate ability on applicable medium and heavy-duty equipment use and operation, complete associated safety training, and become an equipment trainer. Advanced Technicians will function as secondary crew leads. Employees must have completed at least four (4) years of experience as a Technician. Prior related work experience with another municipality or company may be considered toward service credit for progression and job classification purposes.
- c. *Public Works Specialist:* To obtain this classification, a Specialist must show proficiency with the requirements of the Advanced Technician position, as well as demonstrated expertise on applicable medium and heavy-duty equipment. Expertise can be gained through in-cab training which has been approved by supervisory staff, through time and experience in heavy equipment, or a combination of approved training and experience. Specialists will function as crew leads in the field. The Specialist will be required to attend a minimum of 14-16 hours per year of CVMIC supervisory class or other equivalent class approved by the Director. A person in this position may be included on the on-call rotation list for emergency call outs. Employees must have completed at least four (4) years of experience as an Advanced Technician. Prior related work experience with another municipality or company may be considered toward service credit for progression and job classification purposes.

Fleet employees are eligible for progression through the progression series by possessing the required certifications, competency, and time on the job. Progression will be as outlined below.

- d. *Mechanic*: To advance within this range, a Mechanic must show proficiency with the requirements of the Mechanic position, as well as in safety procedures, and experience as a Mechanic, and must be performing advanced diagnostic and repair work during at least 50% of billable hours. Advanced diagnostic and repair work includes, but is not limited to, electrical and hydraulic troubleshooting and repair, medium- and heavy-duty diesel engine systems troubleshooting and repair, diesel emissions troubleshooting and repair, and fabrication. Mechanic employees will be ASE certified before advancing to progressions III and IV.

In making a progression recommendation to the Human Resources Manager, the Department Director or his/her designee will evaluate the employee based upon the following criteria:

- a. For the first progression in each classification listed above, e.g., Technician to Advanced Technician, or Mechanic Progression I to Progression II, the employee must receive an annual overall job performance evaluation in their current position of Effective. Thereafter, for further classification adjustments, the employee must receive annual overall job performance evaluations in their current position of at least Superior for a minimum two consecutive years for all other positions.
- b. The employee exhibits full knowledge of the higher-level position; i.e., level and type of duties performed at the higher-level position, variety and complexity of duties performed at the higher-level position, ability to work independently, ability to work well with the public, and any other relevant job-related criteria as established by the Department Director; and
- c. The employee is in good standing without disciplines: (1.) no verbal disciplines in the last year or since the previous progression, and (2.) no written disciplines within the last two years, and (3.) an employee who has been suspended will not be considered for further progression without further review of job performance by the Director of Public Works.
- d. The employee demonstrates and implements safety policies in day-to-day work tasks.

Upon completing the review, the Department Director will make a recommendation to the Human Resources Manager for approval.

Pay Ranges - Classification - Wage Rates Effective January 1, 2023

<b>Classification/Position</b>	<b>Progression I</b>	<b>Progression II</b>	<b>Progression III</b>	<b>Progression IV</b>
Technician	\$22.161	\$23.042	\$23.965	\$24.928
Advanced Technician	\$25.922	\$26.958	\$28.044	\$30.125
Specialist	\$31.334	\$31.929	\$32.523	\$33.020
Mechanic	\$30.452	\$31.721	\$33.043	\$34.420

## Equipment Classification Requirements

### Technician

#### Level 1

New hire - entry

#### Level 2

CDL B & C w/tanker endorsement  
Zero-turn mower  
Brush chipper  
Forklift  
Flagger  
Pickup truck with plow  
Smart salt training

#### Level 3

Dump/plow truck w/wing & spreader  
Line painter  
Chainsaw  
Hydro seeder  
Bucket truck  
Municipal Tractors (Trackless)

#### Level 4

Asphalt patcher  
Mastic machine  
Tar kettle  
Stump grinder  
Proficient plow driver

Trained, tested and use of all applicable small/medium equipment

### Advanced Technician

#### Level 1

Pavement roller  
Front-end loader  
Skid steer/loader  
Backup crew leader  
Parks: Cert. Playground Safety Inspector  
Parks: Cert. Pesticide Applicator

#### Level 2

Mowing tractor  
Boom mower  
Backhoe  
Street sweeper  
Forestry: Bucket pruning

#### Level 3

Excavator  
Grader  
Tub grinder

#### Level 4

Trainer  
Forestry: Certified Arborist

At least 4 years as Technician  
Trained, tested and use of all applicable heavy equipment  
All applicable certifications

### Specialist (6-8)

#### Level 1

Primary Crew leader

#### Level 2

Time on job  
Proficiency/Competency

#### Level 3

Time on job  
Proficiency/Competency  
CVMIC/APWA Supervisor training

At least 4 years as Adv. Tech.



**Public Works Technician - Training Requirements  
by Topic**  
(Safety - Group )  
*Plan Date: 8/29/2022*



---

**Required Initial Training**

Aerial Device  
Bloodborne Pathogens  
Commercial Motor Vehicles  
Confined Space  
Construction  
Cranes and Derricks  
Earth Moving Equipment  
Electrical  
Emergency Action Plan  
Excavations and Trenches  
Fall Protection  
Fire Extinguishers  
First Aid and Medical Services  
Flagging Operations  
Forklift  
Hazard Communication  
Hearing Conservation  
Lockout/Tagout  
Mowing  
Personal Protective Equipment  
Pruning, Chipping, and Logging Operations  
Tuberculosis  
Work Zone and Traffic Control

**Required Periodic - Annual Training**

Bloodborne Pathogens  
Confined Space  
Fire Extinguishers

Hearing Conservation

**Required Periodic - Other Training**

First Aid and Medical Services

Flagging Operations

Forklift

**Recommended Initial Training**

Asbestos

Driver Safety

Flammable Liquids

Ladders

Lifting

Slips/Trips/Falls

**Recommended Periodic - Annual Training**

Emergency Action Plan

Mowing

Tuberculosis

**Recommended Periodic - Other Training**

Aerial Device

Commercial Motor Vehicles

Confined Space

Construction

Driver Safety

Earth Moving Equipment

Electrical

Excavations and Trenches

Flagging Operations

Flammable Liquids

Hazard Communication

Ladders

Lifting

Lockout/Tagout

Personal Protective Equipment

Pruning, Chipping, and Logging Operations

Slips/Trips/Falls

Work Zone and Traffic Control



## COMMON COUNCIL REPORT

**Item:** License Committee Report

**Recommendation:** That the Common Council grant the various license requests as listed on the 12/20/2022 License Committee Report.

**Fiscal Impact:** License fees in the amount of \$2,577.50 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):
  - \* Conor M. Buchan (Buffalo Wild Wings)
  - \* Jovana K. Ayala-Villanueva (Comfort Suites)
  - \* Evelyn M. Liegler (The Cellar)
  - \* Anthony J. Angeli (The Cellar)
  - \* Christa N. DuFay (The Cellar)
  - \* Erin K. Stichauf (BelAir Cantina)
  - \* Dorian J. Montgomery (Buffalo Wild Wings)
  - \* Ashley M. Jones (BelAir Cantina)
  - \* Abby L. Mydlowski (Woodman's)
  - \* Jennifer M. St. Louis (The Cellar)
  - \* Yasmin C. Gomez (BelAir)
  - \* Colleen R. Cooper (D'Vine)
  - \* Maximiliano Almaraz (Buffalo Wild Wings)
  
2. Grant a Change of Agent for the Class A Combination alcohol license issued to Mega Marts, LLC dba Pick 'n Save #387, 2320 W. Ryan Rd., from Ashley Marti to Pamela K. Bluemner, with release of license subject to final departmental approval.
  
3. Grant a 2023 Mobile Home Park license to the following, with release of license subject to final departmental approval:
  - \* Sunrise Shores WI MHC, LLC dba Sunrise Shores MHC, 8481 S. 5<sup>th</sup> Ave.
  - \* ACG Oak Creek, LLC dba ACG Oak Creek, 2301 W. College Ave.
  
4. Grant a 2023 Dog Kennel license to the following, with release of license subject to final departmental approval:
  - \* Jacob Dorst, Leo's Playland LLC dba Central Bark Oak Creek, 1075 W. Northbranch Dr., Unit B.
  - \* Brett Ippolite, Camp Bow Wow, 8411 S. Liberty Ln.
  - \* Bradley Osgood, Brentwood Animal Hospital, 318 W. Ryan Rd.
  
5. Grant a 2023 Secondhand Article license to Sean Flaherty, ecoATM, LLC for kiosks to purchase used consumer electronic devices inside the following locations, with release of license subject to final departmental approval:
  - \* Pick 'n Save, 8770 S. Howell Ave.
  - \* Pick 'n Save, 6462 S. 27<sup>th</sup> St.

- 
6. Grant a 2023 Secondhand Article Dealer / Jewelry Dealer license to Richard Radtke, Oak Creek Currency & Coin, 616 E. Ryan Rd., with release of license subject to final departmental approval.
  7. Grant a 2023 Secondhand Jewelry Dealer license to Julie Ann Turner, Ruby & Jewels, 8811 S. Charmaine Cir., with release of license subject to final departmental approval.

**Options/Alternatives: None**

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Christa J. Miller CMC/WCMC  
Deputy City Clerk

Fiscal Review:



Maxwell Gagrin, MPA  
Assistant City Administrator / Comptroller

---

Attachments: none

## COMMON COUNCIL REPORT

**Item:** Vendor Summary Report

**Recommendation:** That the Common Council approve the December 14, 2022 Vendor Summary Report in the total of \$478,111.74.

**Fiscal Impact:** Total claims paid of \$478,111.74.

**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. \$66,941.04 to Bestco UA (pg #21) for January retiree insurance.
2. \$5,057.92 to Connect the Dots (pg #5) for consulting services.
3. \$29,037.78 to E. H. Wolf & Sons, Inc. (pg #7) for fuel inventory.
4. \$17,145.59 to Enterprise FM Trust (pg #7) for DPW vehicle lease monthly payment, Project #19024.
5. \$10,420.97 to Erie Insurance (pg #7) for Staat - Nowicki claim.
6. \$9,906.00 to Godfrey & Kahn S.C. (pg #9) for legal services regarding 27th St., Ryan Business Park, and redevelopment of lakefront site.
7. \$30,600.00 to Interstate Pump & Tank, LLC (pg #9) for diesel tank design. Project #18022.
8. \$23,799.60 to J. H. Hassinger, Inc. (pg #10) for Fire Station #3 Dorm Remodel. Project #22009.
9. \$8,591.12 to Oak Creek Water & Sewer Utility (pg #13) for Digger's Hotline services and water/sewer quarterly fees.
10. \$10,835.19 to R.A. Smith (pg #14) for consulting work on the Abendschein Park Stream Restoration Concept Plan and inspection services for the Lakeshore Commons Storm and Roadway.
11. \$6,270.00 to Root-Pike Watershed Initiative Network (pg #15) for 2023 Respect Our Waters Clear Water campaign.
12. \$7,322.69 to Securian Financial Group, Inc. (pg #21) for January employee life insurance.
13. \$16,875.00 to Tyler Technologies, Inc. (pg #17) for consulting services.

---

14. \$57,353.97 to US Bank (pgs #23 - 33) 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. \$12,475.84 to WE Energies (pg #18) for street lighting, electricity & natural gas.

16. \$9,421.41 to WI Court Fines & Surcharges (pg #18) for November court fines.

17. \$25,257.42 to WI Dept. of Transportation (pg #18) for construction services relating to W. Drexel Ave., Safe Routes to School, and Bridge Maintenance Fund. Projects 19016, 21017, and 20028.

Options/Alternatives: None

---

Respectfully submitted:



Andrew J. Vickers, MPA  
City Administrator

Prepared:



Rory T. Vircks  
Staff Accountant

Fiscal Review:



Maxwell Gagrin, MPA  
Assistant City Administrator/Comptroller

---

Attachments: 12/14/2022 Invoice GL Distribution Report



## COMMON COUNCIL REPORT

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

**Recommendation:** That the Common Council adopt Resolution No. 12373-122022, a Resolution authorizing payment of bills, debts and obligations.

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

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

**Background:** The Common Council voted to hold only one meeting in the month of January 2023, on January 17, 2023. This leaves four weeks before the January 17, 2023 meeting and would put some of our bills past due if not paid. Per State Statute 62.12(6), "unless otherwise provided by law, City funds should be paid out only by authority of the Council." The attached resolution will allow the Finance Department to create a vendor summary report and cut and release checks as if there were still a meeting on January 3, 2023. At the January 17, 2023 meeting, we will provide the Council with a vendor summary report from January 3, as well as a vendor summary report for January 17.

**Options/Alternatives:** Hold all bills until January 17, 2022 and potentially incur interest charges or late fees.

Respectfully submitted:

Andrew J. Vickers, MPA  
City Administrator

Prepared:

Rofy T. Vircks  
Staff Accountant

Fiscal Review:

Maxwell Gagrin, MPA  
Assistant City Administrator/Comptroller

Attachments: Resolution No. 12373-122022



RESOLUTION NO. 12373-122022

RESOLUTION AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS

WHEREAS, the Common Council has decided to cancel the Common Council meeting that had been scheduled for January 3, 2023; and,

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

WHEREAS, City bills, debts and obligations may become delinquent because of the cancellation of the January 3, 2023 Common Council Meeting; and,

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

NOW THEREFORE, BE IT RESOLVED that the Common Council hereby authorizes the payment of City bills, debts and obligations that become due during the month of December 2022 to be paid in accordance with state and local law prior to the approval of the vendor summary report for the January 17, 2023 Common Council meeting.

BE IT FURTHER RESOLVED that any bills, debts and obligations that are paid pursuant to this Resolution after the December 14th vendor summary report has been approved, but prior to approval of the vendor summary report by the Common Council for the January 17th meeting be included in the vendor summary report for the January 17, 2023 Common Council meeting.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 20th day of December 2022.

Passed and adopted this 20th day of December 2022.

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

Approved this 20th day of December 2022.

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

ATTEST:

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

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