



AMENDED

COMMON COUNCIL MEETING AGENDA

MAY 16, 2023

7:00 P.M.

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

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

The City's Vision

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance.
3. Approval of Minutes: 5/2/23

Recognition

4. **Mayoral Proclamation:** National Public Works Week, May 21-27, 2023.

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. **Zone Text Amendment:** Consider proposed amendments to Table 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code.
6. **Ordinance:** Consider Ordinance No. 3073, amending Section 17.0304(c) and Section 17.1018 of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance) relating to research and development facilities (by Committee of the Whole).

New Business

7. **Motion:** Consider a motion to approve a Memorandum of Understanding (MOU) between the City of Oak Creek and the Oak Creek Professional Police Officer's Association (OCPPA) regarding Article 29 of the Labor Agreement (by Committee of the Whole).
8. **Motion:** Consider a motion to approve a change to the Personnel Policy Manual granting non-represented public safety employees the same residency requirements as the proposed Oak Creek Professional Police Officer's Association (OCPPA) Memorandum of Understanding (MOU) (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. **Motion:** Consider a *motion* to designate NOW Media Group (parent company for the Milwaukee Journal Sentinel – SOUTH NOW edition) to serve as the official City newspaper for the next 12 months (by Committee of the Whole).

COMMUNITY DEVELOPMENT

10. **Motion:** Consider a *motion* to accept the North Bluff Planning Study (by Committee of the Whole).

ENGINEERING

11. **Resolution:** Consider *Resolution* No. 12412-051623, approving a Storm Water Management Practices Maintenance Agreement with WRP OAK CREEK LLC, for the 13th Street Multitenant Industrial Building located at 7350 S. 13th St. (Tax Key No. 764-9059-000) (1st District).
12. **Motion:** Consider a *motion* to award the Safe Routes to School – Phase 1 unit price contract to the lowest responsive, responsible bidder, LaLonde Contractors, Inc., at the estimated cost of \$639,938.74 (Project No. 20028) (Various Districts).
13. **Resolution:** Consider *Resolution* No. 12413-051623, releasing a platted public utility easement at 400 E. Fitzsimmons Rd. (Tax Key No. 923-0117-000) (5th District).

LICENSE COMMITTEE

14. **Motion:** Consider a *motion* to approve the various license requests as listed on the 5/16/23 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

15. **Motion:** Consider a *motion* to approve the May 10, 2023 Vendor Summary Report in the amount of \$714,778.49 (by Committee of the Whole).

MISCELLANEOUS

16. **Motion:** Consider a *motion* to convene into closed session pursuant to Wisconsin State Statutes Section 19.85, to discuss the following:
 - (a) Section 19.85(1)(e) to consider an Amendment to TID No. 11 Finance Development Agreement for Emerald Row Phase I, Second Amendment to TID No. 11 Finance Development Agreement and Phase III Agreement for Emerald Row Phase II/III and TID No. 11 Finance Development Agreement for Emerald Row Phase III (Parcels A and C).
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.

**Mayoral Proclamation
National Public Works Week
May 21 - 27, 2023**

“Connecting the World Through Public Works”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Oak Creek; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Oak Creek to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

NOW, THEREFORE, BE IT RESOLVED, that I, Daniel J. Bukiewicz, Mayor of the city of Oak Creek, do hereby designate the week May 21–27, 2023 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Dated this 18th day of May, 2023.

ATTEST:

Daniel J. Bukiewicz
Mayor, City of Oak Creek

Catherine A. Roeske
City Clerk

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider proposed amendments to Table. 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code.

Hearing Date:
May 16, 2023

Time:
7:00 PM

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

Proposal: The proposal would amend Table. 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code for the following:

- Table 17.0304(c) Nonresidential District Permitted and Conditional Uses to allow Research and Development Facilities as Conditional Uses in the B-4, General Business; Lm-1, Light Manufacturing; and M-1, Manufacturing zoning districts.
- Sec. 17.1018 to add the definition of Research and Development Facilities: “The conduct of research and development, testing, assembly, repair, and controlled production of nontoxic products or commodities in various fields of science, such as, but not limited to: chemistry, biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, computer hardware and software, transportation, education, and engineering. Facilities in this use category do not involve the mass manufacture, mass fabrication, mass processing, or mass sale of products. Excludes the use of animal husbandry (including all animals), human testing, and heavy equipment (such as construction equipment) use in said research, development, testing, assembly, repair, and controlled production.”

The existing text of the above Sections of the Municipal Code can be found on the City’s website at www.oakcreekwi.org/your-government/municipal-code. The entire text of the proposed amendments listed above is available for review upon request.

The Common Council has scheduled other public hearings for May 16, 2023 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 changes may contact the City of Oak Creek at (414) 766-7000, during regular business hours (7:30 AM – 4:00 PM).

Date of Notice: April 19, 2023

CITY OF OAK CREEK COMMON COUNCIL

By: Dan Bukiewicz, Mayor

PUBLIC NOTICE

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COMMON COUNCIL REPORT

- Item:** Text Amendment - Sec. 17.0304(c), and Sec. 17.1018 of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance) relating to research and development facilities.
- Recommendation:** That the Council adopts Ordinance 3073, an ordinance to amend Sec. 17.0304(c), and Sec. 17.1018 of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance).
- Fiscal Impact:** No direct fiscal impact. However the inclusion of research and development facilities as conditional uses will allow such uses to develop or lease space, with a positive impact upon property values.
- Critical Success Factor(s):**
- Active, Vibrant and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe & Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure; Amenities, and Services
 - Not Applicable
-

Background: Background:

At the March 14, 2023 Plan Commission meeting, Microbial Discovery Group and St. John Properties provided information during a discussion of a potential agricultural research and development use on the property at 140 E. Rawson Ave. Following direction from the Plan Commission, staff proposed the following definition for Research and Development Facility for consideration as Conditional Uses in the B-4, General Business; Lm-1, Light Manufacturing; and M-1, Manufacturing districts:

"The conduct of research and development, testing, assembly, repair, and controlled production of nontoxic products or commodities in various fields of science, such as, but not limited to: chemistry, biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, computer hardware and software, transportation, education, and engineering. Facilities in this use category do not involve the mass manufacture, mass fabrication, mass processing, or mass sale of products. Excludes the use of animal husbandry (including dogs, poultry, or monkeys) and heavy equipment (such as construction equipment) use in said research, development, testing, assembly, repair, and controlled production."

The Plan Commission (April 11, 2023) determined that the proposed amendments to the Zoning Code were acceptable, and recommended Common Council approval of the proposed zoning text amendments. The changes to the table and definitions (and requisite renumbering) are reflected in the attached ordinance.

Options/Alternatives: The Council has the option to not approve the amendment(s) in which case these types of businesses would not be permitted within the City.

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Reviewed:



Doug Seymour, ACIP
Director of Community Development

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:

Public Hearing Notice

Minutes (excerpts) from April 11, 2023 Plan Commission

Ordinance 3073

ORDINANCE NO. 3073

BY: ___

AN ORDINANCE TO AMEND SECTIONS 17.0304(C) AND 17.1018 OF CHAPTER 17 – ZONING AND SIGN ORDINANCE OF THE MUNICIPAL CODE RELATING TO RESEARCH AND DEVELOPMENT FACILITIES

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

SECTION 1: Table 17.0304(c) is hereby amended to read as follows:

Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts											
Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Agricultural Uses											
Agritourism Related Uses		C									
Aquaculture		P									
Garden Plots for Rent		P								C	
General Farm Structures		P									
General Farming		P									
Keeping and Raising of Domestic Stock, Commercial	17.0402(a)	P									
Plant Nursery / Greenhouse		P		C	C	C		C	C		C
Solar Energy Collection System, Farm		P							C		
Residential Uses											
Dwelling, Multifamily Above Ground Floor			P	C		P	P				
Dwelling, Single-Family Attached											
Dwelling, Single-Family Detached	17.0403(e)	P									
Recreational Uses											
Art Gallery / Museum			P	C		P	P			C	
Boat Mooring and Rental / Marina											C
Campground		C									C
Family Entertainment Center / Indoor Commercial Amusement / Fun Center							C				
Golf Course											C
Golf Course, Miniature						C	C				C
Health, Athletic, or Recreation Facility, Indoor			C	C	C	P	P	C	C	P	C
Health, Athletic, or Recreation Facility, Outdoor						C	C		C	P	C
Parks and Playgrounds, Private		C	C	C	C	C	C			C	C
Parks and Playgrounds, Public		P	P	P	P	P	P			P	P
Shooting / Archery Range, Indoor						P	P	C	C		
Shooting / Archery Range, Outdoor						C	C				
Retail Uses											
Adult Entertainment	17.0405(a)								P		
General Retail, less than 50,000 sq ft			P	C		P	P				
General Retail, 50,000 sq ft - 100,000 sq ft			P			P	P				

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
General Retail, more than 100,000 sq ft			C			C	P				
Grocery Store			C	C		P	P				
Multitenant Shopping Center			P	C		P	P				
Neighborhood Retail	17.0405(d)			P							
Outlot Retail Building	17.0405(e)		P			P	P				
Wholesale						C	P				
Service Uses											
Animal Training / Therapy						C		C	C		
Animal Daycare / Recreation						C		C	C		
Bank / Financial Institution			P	C	P	P	P				
Funeral Parlor with Cremation Services						C			C		
Funeral Parlor without Cremation Services						P					
Day Care Center			P	C	P	P	P			C	
General Service			P	C	P	P	P				
Kennel / Boarding Facility / Shelter	17.0406(a)					C		C	C		
Neighborhood Service	17.0406(b)			P	C						
Private Emergency Service						C		C	C		
Self Service Laundry / Dry Cleaner						P	P				
Tattoo, Body Piercing, and Body Art Studios				C		C					
Veterinary Clinic / Animal Hospital	17.0406(c)					C		C	C		
Lodging Uses											
Hotel			P			P	P				
Hotel, Extended Stay			C			C	C				
Motel			C			C	C				
Eating and Drinking Uses											
Drinking Establishment			C			C	C				
Café	17.0408(a)		P	P	P	P	P				
Mobile Retail Food Establishment / Food Truck Park	17.0408(b)		P	P	P	P	P				
Microbrewery / Winery / Distillery			P			P	P	C	P		
Restaurant, Delivery / Carry Out Only			P	C		P	P				
Restaurant, Fast Casual			P	C		P	P				
Restaurant, Sit Down			P	C		P	P				
Tasting Room, Brewery, Winery, Distillery			P			P	P	P	P		
Vehicle Related Uses											
Autobody / Automotive Mechanical Repair						C	C	C	C		
Car Wash						C	C				
Electric Vehicle Charging Stations			P	P	P	P	P	P	P		
Equipment Sales and Rental	17.0414(l)	C						C	C		

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Fuel Sales	17.0409(a)					C	C				
Fueling Plaza	17.0409(a)					C	C				
Service Station						C	C				
Vehicle Sales and Rental	17.0414(l)					C	C	C	C		
Office Uses											
Office, General				C	P	P	P	P	P		
Office, Above Ground Floor			P		P	P	P				
Office, Medical / Dental			P		P	P	P				
Industrial Uses											
Brewery / Winery / Distillery								P	P		
Contractor's Shop / Office									C		
Contractor's Yard	17.0414(m)								C		
Laboratory								P	P		
Manufacturing, Artisan	17.0411(a)		C			C	C	P	P		
Manufacturing, Heavy									C		
Manufacturing, Light								P	P		
Motor Freight Terminal									C		
Research and Development Facilities						C		C	C		
Self Storage								C	P		
Warehouse, Distribution, Less than 200,000 sq ft									P		
Warehouse, Distribution, 200,000 sq ft or Greater									C		
Warehouse, Storage, Less than 200,000 sq ft									P		
Warehouse, Storage, 200,000 sq ft or Greater									C		
Medical Uses											
Hospital			C		C	C	C		C	P	
Acute Care Center			C		C	C	C		C	P	
Medical Diagnostic Facility / Laboratory				C		P	P				
Public / Institutional Uses											
College / University							P	P	P	P	
Essential Service		P	P	P	P	P	P	P	P	P	P
Governmental Use, Indoor		P	P	P	P	P	P	P	P	P	P
Governmental Use, Outdoor		C	C	C	C	C	C	C	C	C	C
Place of Assembly				P		P	P	P	C	P	P
Religious Institution		P								P	P
School, Private		C								C	C
School, Public		P								P	P
Vocational / Employment Training		C					P	P	P	P	
Utility, Minor		P	P	P	P	P	P	P	P	P	P

Table 17.0304(c)
Permitted and Conditional Uses, Nonresidential Districts

Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	Lm-1	M-1	I-1	P-1
Utility, Major		C	C	C	C	C	C	C	C	C	C
Telecommunications Towers	17.0413(a)	C	C	C	C	C	C	C	C	C	C
Accessory Uses											
Accessory, Building	17.0414(a)	P	P	P	P	P	P	P	P	P	P
Accessory, Retail	17.0414(c)							C	C		
Accessory, Structure	17.0414(d)	P	P	P	P	P	P	P	P	P	P
Donation Drop Box	17.0414(f)									P	
Drive Through	17.0414(g)					C	C				
Home Occupation	17.0414(h)	P	P	P		P	P				
Outdoor Activity / Operation, Permanent	17.0414(j)					C		C	C	C	
Outdoor Dining	17.0414(k)		P	P		P	P				
Outdoor Display / Sale of Merchandise, Permanent	17.0414(l)				C	C					
Outdoor Storage, Permanent	17.0414(m)					C		C	C	C	C
Roadside Stand	17.0414(n)	P									
Solar Energy Collection System, Canopy	17.0414(o)		P			P	P	P	P	P	P
Solar Energy Collection System, Ground Mounted	17.0414(p)	P	P	P	P	P	P	P	P	P	P
Solar Energy Collection System, Roof Mounted	17.0414(q)	P	P	P	P	P	P	P	P	P	P
Truck and Trailer Parking	17.0505							C	C		
Temporary Uses											
Carnival		T	T	T		T		T	T	T	T
Circus / Animal Show		T	T	T		T		T	T	T	T
Seasonal Sales	17.0415(b)		T	T		T		T	T		
Construction Related		T	T	T	T	T	T	T	T	T	T
Farmers Market			T	T		T	T	T	T	T	T
Flea Market											
Mobile Retail Food Establishment / Food Truck	17.0415(c)		T	T	T	T	T	T	T	T	T
Outdoor Activity / Operation, Temporary			T	T	T	T		T	T	T	
Outdoor Display / Sale of Merchandise, Temporary	17.0415(d)		T	T		T		T	T	T	
Truck and Trailer Parking								T	T		

SECTION 2: § 17.1018 of the Municipal Code are hereby amended to read as follows:

- (f) **Research and Development Facilities.** Shall mean the conduct of research and development, testing, assembly, repair, and controlled production of nontoxic products or commodities in various fields of science, such as, but not limited to: chemistry, biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, computer hardware and software, transportation, education, and engineering. Facilities in this use category do not involve the mass manufacture, mass fabrication, mass processing, or mass sale of products. Excludes the use of animal husbandry (including all animals), human testing, and heavy equipment (such as construction equipment) use in said research, development, testing, assembly, repair, and controlled production.

- (g) **Residential Site.** Shall mean a single parcel in a residential zone containing a residential structure with one or more dwelling units with parking areas for one or more cars.
- (h) **Restaurant, Delivery/Carry Out Only.** An establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared, ready-to-eat foods intended to be consumed off the premises.
- (i) **Restaurant, Fast Casual.** An establishment whose principal business is the sale of rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises.
- (j) **Restaurant, Sit Down.** An establishment whose food is available to the general public primarily for consumption within a structure on the premises, where at least fifty (50) percent of the gross floor area of the establishment is devoted to patron seating.
- (k) **Right-of-Way.** A strip of land acquired by a public entity and intended to accommodate a specific public purpose or use.
- (l) **Roadside Stand.** An accessory structure for the seasonal retail sale of food products grown or produced on site.
- (m) **Rummage Sale.** The occasional sale of personal property at a residence conducted by one or more families in a neighborhood. Rummage sales are also known as "garage sales." Flea markets, defined elsewhere in this Section, are not rummage sales.

SECTION 3: If any section, clause, provision or any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this section shall not be affected thereby.

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 from and after its passage and publication.

Introduced this 16th day of May, 2023.

Passed and adopted this ___ day of _____, 2023.

President, Common Council

Approved this ___ day of _____, 2023.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes __

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, APRIL 11, 2023**

ZONING TEXT AMENDMENT

Senior Planner Papelbon provided an overview of the proposed amendments to Table 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 Zoning and Sign Ordinance of the Municipal Code related to Research and Development Facilities in the B-4, General Business, Lm-1, Light Manufacturing, and M-1, Manufacturing districts (see staff report for details).

Commissioner Chandler asked if the animal husbandry portion of the definition excluded testing on all animals or just the specific ones listed (*dogs, poultry, monkeys*). Senior Planner Papelbon answered the definition does apply to all animals, but the definition could be clarified as such if the Commission so wishes.

Commissioner Hanna expressed she would like the definition to exclude testing on “all living things.” Senior Planner Papelbon noted “all living things” would exclude testing on plants and plant cells, and suggested including “all animals and humans” in the definition would be more appropriate. Alderman Loreck concurred.

Commissioner Siepert moved that the Plan Commission recommend to the Common Council that Table 17.0304(c) and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code be amended as proposed after a public hearing.

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

ATTEST:



Kari Papelbon, Plan Commission Secretary

4-25-23

Date

TO BE PUBLISHED APRIL 26 & MAY 3, 2023

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider proposed amendments to Table 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code.

Hearing Date:
May 16, 2023

Time:
7:00 PM

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

Proposal: The proposal would amend Table 17.0304(c), Nonresidential District Permitted and Conditional Uses and Section 17.1018 of Chapter 17 – Zoning and Sign Ordinance of the Municipal Code for the following:

- Table 17.0304(c) Nonresidential District Permitted and Conditional Uses to allow Research and Development Facilities as Conditional Uses in the B-4, General Business; Lm-1, Light Manufacturing; and M-1, Manufacturing zoning districts.
- Sec. 17.1018 to add the definition of Research and Development Facilities: “The conduct of research and development, testing, assembly, repair, and controlled production of nontoxic products or commodities in various fields of science, such as, but not limited to: chemistry, biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, computer hardware and software, transportation, education, and engineering. Facilities in this use category do not involve the mass manufacture, mass fabrication, mass processing, or mass sale of products. Excludes the use of animal husbandry (including all animals), human testing, and heavy equipment (such as construction equipment) use in said research, development, testing, assembly, repair, and controlled production.”

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The Common Council has scheduled other public hearings for May 16, 2023 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 changes may contact the City of Oak Creek at (414) 766-7000, during regular business hours (7:30 AM – 4:00 PM).

Date of Notice: April 19, 2023

CITY OF OAK CREEK COMMON COUNCIL

By: Dan Bukiewicz, Mayor

PUBLIC NOTICE

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COMMON COUNCIL REPORT

Item: Memorandum of Understanding (MOU) between the City of Oak Creek and Oak Creek Professional Police Officer's Association (OCPPA) regarding Article 29 of the Labor Agreement.

Recommendation: The Personnel & Finance Committee recommends the Common Council approve a Memorandum of Understanding (MOU) between the City of Oak Creek and Oak Creek Professional Police Officer's Association (OCPPA) regarding Article 29 of the Labor Agreement.

Fiscal Impact: There is no fiscal impact if the Common Council approves the MOU.

Critical Success Factor(s):

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: On October 25, 2022, a Police Officer requested a waiver to the residency requirement in Article 29 of their Labor Agreement so they could reside outside an area encompassed by a radius of twenty (20) miles distance from the City limits. Chief Stecker denied the Police Officer's waiver request as the Labor Agreement is clear regarding where members must reside, and the Labor Agreement does not grant the Police Chief authority to grant waivers or exceptions to Article 29.

On November 22, 2022, the Oak Creek Professional Police Officer's Association filed Grievance 22-02 claiming Police Department management violated Article 29 of the Labor Agreement as residing within an area encompassed by a radius of twenty (20) miles distance from the City limits is too restrictive. Police Department management denied Grievance 22-02, which OCPPA then appealed to the Personnel & Finance Committee as the next step in the grievance process.

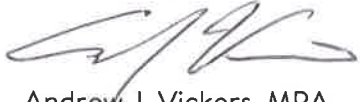
In preparation for the Personnel & Finance Committee meeting, the Police Department researched the residency requirement in neighboring and comparable jurisdictions and found Oak Creek's residency requirement was more restrictive than all 23 of the jurisdictions surveyed.

On December 21, 2022, the Personnel & Finance Committee heard and denied Grievance 22-02 but directed Police Department management to explore the possibility of a Memorandum of Understanding (MOU) on Article 29 of the Labor Agreement that would make the residency requirement less restrictive to better align with neighboring and comparable jurisdictions and remain competitive when recruiting new police officers. Police Department management and OCPPA leadership met over the next few months to discuss this issue and reached an agreement on a residency requirement acceptable to both parties.

On May 10, 2023, the Personnel & Finance Committee met to review the proposed MOU and unanimously recommended the Common Council approve the MOU as drafted.

Options/Alternatives: The Common Council could choose to not approve the MOU and we would enforce the current residency requirement in Article 29 of the Labor Agreement. Alternatively, the Common Council could modify the proposed MOU with a different residency requirement before adoption.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Reviewed:



Toni Vanderboom,
Human Resources Manager

Prepared and Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:

- Chief Stecker's memorandum to the Personnel & Finance Committee recommending an MOU to revise Article 29 of the OCPPA 2021-2024 Labor Agreement
- Excerpt of Article 29 from the OCPPA 2021-2024 Labor Agreement
- Map illustrating the current and proposed residency requirement under Article 29 of the OCPPA 2021-2024 Labor Agreement
- MOU to revise Article 29 of the OCPPA 2021-2024 Labor Agreement



POLICE DEPARTMENT MEMO

Date: May 10, 2023

To: Personnel & Finance Committee
City Administrator Andrew Vickers
Assistant City Administrator / Comptroller Maxwell Gagin
HR Manager Toni Vanderboom

From: Chief David Stecker

RE: **OCPPA Memorandum of Understanding (MOU) on Article 29 - Residency**

In November of 2022, I submitted a memo outlining information related to residency regarding the OCPPA collective bargaining agreement (CBA). I met with the Personnel & Finance Committee regarding this on December 21, 2022. At that time, the Personnel & Finance Committee denied OCPPA's grievance and direction was given to research this further and find a mutually beneficial and mutually agreeable solution to what we currently had in the CBA for residency, as I explained it was detrimental to our retention and moreover our recruitment and hiring of new police officers.

In early 2023, OCPPA leadership (PO Walt Pendzich and PO Zach Case), Captain Thorne, Captain Ashenhurst, and I met to look at what was feasible now and into the foreseeable future. The OCPPA had requested the option of 'no residency'. I cannot and will not support that option, as I do not see that as an option that meets the Department's current needs for hiring. I suggested to the OCPPA that if they would like to have 'no residency' they can bargain for that at contract negotiation time.

We had some preliminary information; however, I wanted good solid information and that required some work from our GIS Administrator. Unfortunately, we did not have a GIS Administrator until mid-February. IT Director Tom Kramer worked with me and our new GIS Administrator, Kit Smart, to get this accomplished. Kit was able to provide me with several maps to highlight what any change would provide.

The main goal of this request is to ensure Oak Creek is seen as competitive with hiring and retaining personnel compared to our neighbors and comparable agencies throughout the State. With this I am suggesting that we change the residency wording to:

“Employees must reside within an area encompassed by a radius of thirty-five (35) miles distance from the jurisdictional boundaries of the City. Such boundary shall include any property within the corporate limits of any city, village, or town that the thirty-five (35) mile radius intersects.”

The map of 35 miles with the intersecting cities, villages, and towns (with a 40-mile overlay) is enclosed with this memo for visual reference.

Additionally, enclosed is a proposed MOU effectuating the residency requirement change, which has been reviewed and agreed upon by City and OCPPA legal counsel.

I am available to discuss this further with the Personnel & Finance Committee.

Oak Creek Police Labor Contract 2021 – 2024

circumstances under which employees shall be required to wear body armor.

C. New Employees: New employees shall be furnished at City expense body armor, weapon and leather gear. The new employee shall receive three hundred (\$300.00) dollars for uniform purchase upon hiring. In addition, an employee hired before July 1 shall receive \$100 for clothing allowance in addition to the July 1 payment. An employee hired after July 1 shall receive \$100 as a clothing allowance.

Article 26 Personal Development Program

A. Requirements: Any officer who enrolls in an educational (associate or undergraduate) program which is job related will, if such course is approved by the Police Chief, be reimbursed for 100% of the cost of registration, tuition fees, and course books required. The City will make payment upon presentation of proof that a Grade B or higher was achieved. Upon completion of the course, books purchased will become property of the Police Department. Such completion and reimbursement for course work shall not guarantee subsequent upgrading of the employee who took the course.

B. Tuition Reimbursement Allocation: Members of the bargaining unit are eligible to apply for funding under the guidelines above up to the amount established annually for the bargaining unit. The City will allocate \$285 per year per full time employee into an account for the entire unit's use. The unused funds shall not roll over from one year to the next. Graduate level course can be reimbursed if there are funds available from this unit's allocation at the end of each calendar year.

C. Any approval or decision under this Article is subject to the approval of the Personnel Committee and subject to the grievance procedure.

D. Personal Development Program – Service Restrictions: Employees who utilize the Education Incentive Development program shall repay the City for the cost of any class tuition if the employee does not remain employed with the City at least three (3) years. The repayment shall be based upon the timing of each individual class. The timing shall commence from the date of the

completion of each class. Employees who leave other than for a duty or non-duty disability, before three (3) years shall repay the City based on the schedule below:

Less than 12 months	100%
Between 12-24 months	66%
Between 25-36 months	33%

Article 27 Use of Personal Vehicle

When use of a personal vehicle is authorized by the Police Chief, mileage shall be paid at the current rate allowed by the IRS.

Article 28 Jury Duty Pay

Any employee reporting for jury duty or jury service shall be granted time off with pay upon presentation of satisfactory evidence relating to this duty of service. If an employee is called for jury duty or witness duty in their official capacity once they are released by the court they shall report for duty unless released by their supervisor. Compensation from such jury or witness duty in their official capacity (exclusive of travel pay or pay for jury duty on off days) shall be paid immediately to the City.

Article 29 Residency

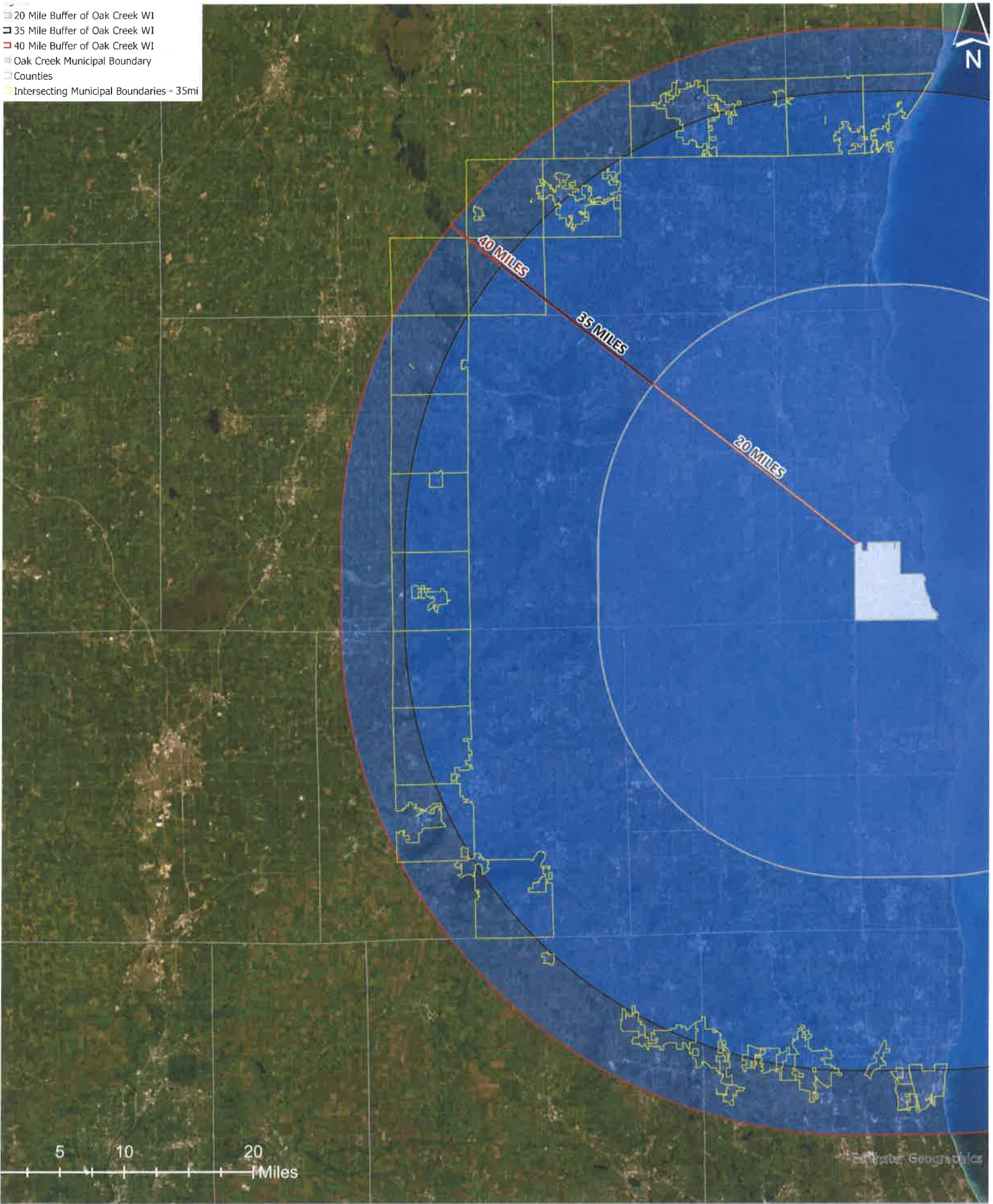
Employees must reside within an area encompassed by a radius of twenty (20) miles distance from the City limits.

Article 30 Off Days Moved Due to Training or Other Special Assignments.

Officers who have their off day(s) moved to accommodate training or other special assignments shall have those off day(s) rescheduled, subject to the provisions of this paragraph. Although supervisors will make every effort to work with the officers on an aggregable day, the Department will have final say on where that off day is rescheduled.

Once set, the Administration can adjust the off day no more than one additional time, or the employee can request the adjusted off-day be moved no more than two additional times, to another day off subject to staffing limits set by the Department. Again, although supervisors will make every effort to work with the officers on an agreeable day, the Department will have the final say on where that off day is scheduled.

- 20 Mile Buffer of Oak Creek WI
- 35 Mile Buffer of Oak Creek WI
- 40 Mile Buffer of Oak Creek WI
- Oak Creek Municipal Boundary
- Counties
- Intersecting Municipal Boundaries - 35mi



Ernst & Young Geographics



City of Oak Creek - 20, 35, & 40 Mile Radius

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF OAK CREEK
AND
THE OAK CREEK PROFESSIONAL POLICE OFFICER'S ASSOCIATION**

Pursuant to an agreement reached between the City of Oak Creek ("the City") and the Oak Creek Professional Police Association ("Union"), the following agreement supersedes Article 29 of the Labor Agreement:

1. Employees must reside within an area encompassed by a radius of thirty-five (35) miles distance from the jurisdictional boundaries of the City. Such boundary shall include any property within the corporate limits of any city, town or village that the thirty-five (35) mile radius intersects.

This Memorandum of Understanding is entered into on a voluntary basis and shall not prejudice either party's interpretation of any other language of the initial Labor Agreement between the Union and the City. The language above shall be added to the subsequent Labor Agreement upon expiration of the current Labor Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding on the date set forth below.

City of Oak Creek

**Oak Creek Professional Police Officer's
Association**

David Stecker
Chief of Police

Date

Walter Pendzich
President, OCPPA

Date

COMMON COUNCIL REPORT

- Item:** Update the Personnel Policy Manual granting non-represented public safety employees the same residency requirement as the proposed Oak Creek Professional Police Officer’s Association (OCPPA) Memorandum of Understanding (MOU).
- Recommendation:** The Personnel & Finance Committee recommends the Personnel Policy Manual be updated so non-represented public safety employees are granted the same residency requirement as the proposed Oak Creek Professional Police Officer’s Association (OCPPA) Memorandum of Understanding (MOU).
- Fiscal Impact:** There is no fiscal impact if the Common Council approves this change to the Personnel Policy Manual.
- Critical Success Factor(s):**
- Active, Vibrant and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe & Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

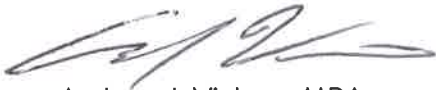
Background: On May 10, 2023, the Personnel & Finance Committee unanimously recommended the Common Council approve the Oak Creek Professional Police Officer’s Association (OCPPA) Memorandum of Understanding (MOU) to implement a less restrictive residency requirement in Article 29 of their Labor Agreement. The Personnel & Finance Committee also recommended the Common Council update the Personnel Policy Manual to grant the same residency requirement to non-represented public safety employee so there is parity among non-represented and union public safety personnel.

Personnel Policy “3.13 Residency” states, “*All non-union public safety employees shall reside within twenty (20) miles of the jurisdictional boundaries of the City*”. This is the same residency requirement as the current OCPPA Labor Agreement.

Should the Common Council approve the proposed OCPPA MOU, the Personnel Policy Manual should be updated as well to align with the OCPPA Labor Agreement. Staff proposes the following language for Personnel Manual – 3.13 Residency, “*All non-union public safety employees shall reside within an area encompassed by a radius of thirty-five (35) miles distance from the jurisdictional boundaries of the City. Such boundary shall include any property within the corporate limits of any city, village, or town that the thirty-five (35) mile radius intersects.*”.

Options/Alternatives: The Common Council could choose to not approve the update to the Personnel Policy Manual, which would result in non-represented public safety employees having a different residency requirement than the OCPPA should the Common Council approve the proposed MOU as-is.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Reviewed:



Toni Vanderboom,
Human Resources Manager

Prepared and Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:

- Chief Stecker's memorandum to the Personnel & Finance Committee recommending changes to the Personnel Policy Manual's residency requirement for non-represented public safety employees.
- Map illustrating the current and proposed residency requirement for the Personnel Policy Manual.



POLICE DEPARTMENT MEMO

Date: May 10, 2023

To: Personnel & Finance Committee
City Administrator Andrew Vickers
Assistant City Administrator / Comptroller Maxwell Gagin
HR Manager Toni Vanderboom

From: Chief David Stecker

RE: Update Residency Requirement for Non-Represented Public Safety Employees in Personnel Policy Manual

In November of 2022, I submitted a memo outlining information related to residency regarding the OCPPA collective bargaining agreement (CBA). I met with the Personnel & Finance Committee regarding this on December 21, 2022. At that time, the Personnel & Finance Committee denied OCPPA's grievance and direction was given to research this further and find a mutually beneficial and mutually agreeable solution to what we currently had in the CBA for residency, as I explained it was detrimental to our retention and moreover our recruitment and hiring of new police officers.

As previously discussed in the "represented" side of this with the OCPPA and their CBA is also the need to reflect the same item for our 'non-represented' employees who fall under the City's Personnel Manual and the same language as that of the current OCPPA CBA.

As previously discussed, we had several meetings on this topic and ultimately worked with IT Director Tom Kramer, who worked with me and our new GIS Administrator, Kit Smart, to get this accomplished. Kit was able to provide me with several maps to highlight what any change would provide.

Again, the main goal of this request is to ensure Oak Creek is seen as competitive with hiring and retaining personnel compared to our neighbors and comparable agencies throughout the State. With this I am suggesting that we change the Personnel Manual – 3.13 Residency from:

“All non-union public safety employees shall reside within twenty (20) miles of the jurisdictional boundaries of the City.”

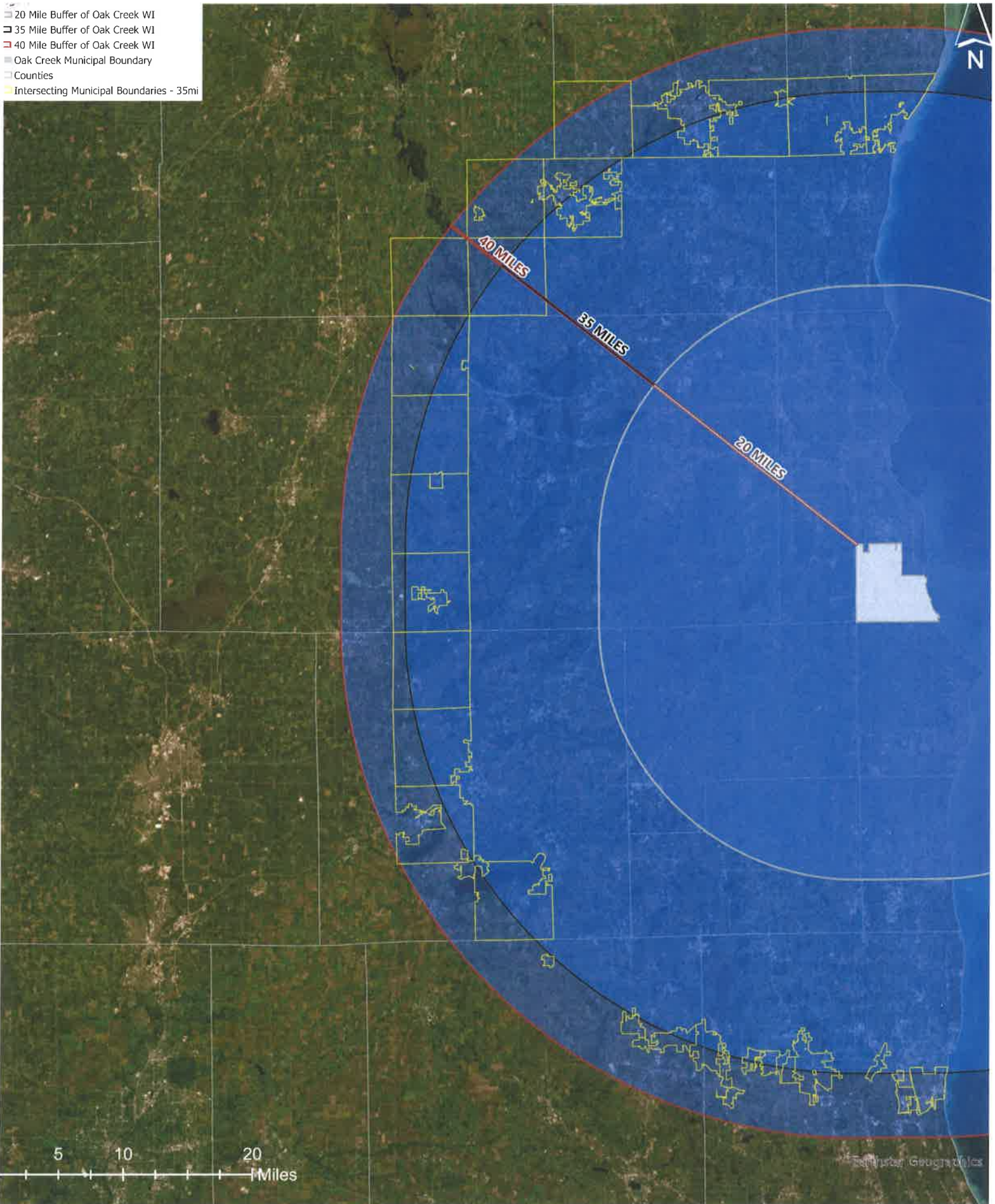
to:

“All non-union public safety employees shall reside within an area encompassed by a radius of thirty-five (35) miles distance from the jurisdictional boundaries of the City. Such boundary shall include any property within the corporate limits of any city, village, or town that the thirty-five (35) mile radius intersects.

The map of 35 miles with the intersecting cities, villages, and towns (with a 40-mile overlay) is enclosed with this memo for visual reference.

I am available to discuss this further with the Personnel & Finance Committee.

- 20 Mile Buffer of Oak Creek WI
- 35 Mile Buffer of Oak Creek WI
- 40 Mile Buffer of Oak Creek WI
- Oak Creek Municipal Boundary
- Counties
- Intersecting Municipal Boundaries - 35mi



City of Oak Creek - 20, 35, & 40 Mile Radius

COMMON COUNCIL REPORT

Item: 2023-24 Official Newspaper

Recommendation: That the Common Council designate NOW Media Group (parent company for the Milwaukee Journal Sentinel - SOUTH NOW edition) to serve as the official City newspaper for the next 12 months.

Fiscal Impact: Funds to cover the cost of the official notices in 2023 have been budgeted in the General Government-Legal Notices Account.

In the past twelve months, these publications have amounted to a total cost of \$18,571.11. This amount is a decrease of \$296.69 from the prior 12 month period.

It should be noted that as of 1/1/2022, the City has billed back public hearing publication costs. In 2022, we billed \$5,539.61 in public hearing costs. As of today, we have received \$4,981.32 in payment. Four invoices were sent to collections and three of those remain unpaid.

Critical Success Factor(s):

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: As a third class city, one of the state requirements we have is an annual bid process for an official City newspaper. An official notice was published on March 29, 2023, inviting bids to be publicly opened at noon on May 2, 2023.

The only bid received was from NOW Media Group (parent company of the Milwaukee Journal Sentinel).

2023 rates are listed below and show an increase from 2022 rates. 2022 rates are in parenthesis.

	1 st insertion per line	2 nd insertion per line
Council Proceedings / Legal Notices	\$0.8466 (\$0.8204)	\$0.6688 (\$0.6481)
	1 st insertion per column inch	2 nd insertion per column inch
Display ads, sample ballots and other matter set in display format	\$10.16 (\$6.14)	\$8.03 (\$4.85)
Affidavit	\$1.00	

Options/Alternatives: none.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: 2023-24 Billing totals; 2023 Invitation for Bid



April 27, 2023

CITY OF OAK CREEK
OFFICIAL NEWSPAPER BID
ATTN: CITY CLERK
8040 S. 6th STREET
OAK CREEK, WI 53154

Invitation for Bid – 2023

The below information is the state certified information for the SOUTH NOW publication for legal advertising.

Name of Type: Arial Classified

Type size: 6

Indicate Line Rates:	1 st Insertion	Subsequent Insertion	Column Width (pica)
1 column	\$.8466	\$.6688	9.17

Display Rates, per column inch:

1st Insertion: \$10.16

Subsequent Insertion: \$8.03

Paid Newspaper Subscriptions to be circulated in this geographic area: 6,207

Affidavit Cost: \$1.00 Affidavits shall be mailed within 10 days of publication.

Dates of Publication: Every Wednesday

Deadline for Display advertisement is Tuesday week prior by noon

Deadline for Liner advertisement is prior Thursday noon (system deadline – please submit in time to allow for processing and proofing)

Vendor: SOUTH NOW

Authorized Signature: /s/ Tara Hamm

Print Name & Title: Tara Hamm, Director, Public Notices | Obituaries

Address: 333 W. State Street, Milwaukee, WI 53203

Telephone: 414-224-2121

Fax: 877-943-0443

Email: MJS-legal@gannett.com

Publish 3/29/2023

****CITY OF OAK CREEK****

**NOTICE TO BIDDERS
OFFICIAL CITY NEWSPAPER**

The Common Council of the City of Oak Creek hereby gives notice that written, sealed proposals to serve as the Official City Newspaper for the City of Oak Creek, pursuant to S. 985.06, Wis. Stats., from May 1, 2023, through April 30, 2024, must be received by **the City Clerk at 8040 S. 6th Street, Oak Creek, Wisconsin**, no later than 12:00 noon on Tuesday, May 2, 2023, at which time the City Clerk shall, in the presence of the Mayor, an Alderperson, or their designee, publicly open and read the bids. The Official City Newspaper shall publish in English the Common Council proceedings and the City's legal notices. Only bids from a daily or weekly newspaper published in the City of Oak Creek, which are eligible under S. 985.03, Wis. Stats., shall be eligible to serve as the Official City Newspaper. The security required for such bid is a certified check or bank draft payable to the Oak Creek City Treasurer or a satisfactory bid bond in an amount not less than \$1,000.00 for any qualified bidder that has not previously served in the capacity of the City's official newspaper.

Dated this 22nd day of March, 2023.

/s/ Catherine A. Roeske
Catherine A. Roeske
City Clerk

South NOW

Billing totals for required publications

2022

Jan	\$1,468.68	
Feb	\$1,063.30	
Mar	\$1,771.72	
Apr	\$2,613.86	
May	\$2,508.59	
June	\$654.16	
July	\$1,316.00	
Aug	\$1,418.71	
Sept	\$440.45	
Oct	\$1,568.85	
Nov	\$2,081.51	
Dec	\$1,510.66	\$18,416.49

2023

Jan	\$989.41	
Feb	\$1,081.97	
Mar	\$2,915.58	
Apr	\$2,085.22	\$7,072.18

Current 12 months total: \$18,571.11

Previous 12 months total: \$18,867.80

Decrease of: **-\$296.69**

2022 Public Hearing Bill Back Amount	\$5,539.61
2022 Amount Recovered	\$4,981.32
Amount Sent to Collections	\$616.80
Amount Recovered by Collections	\$58.51



COMMON COUNCIL REPORT

Item: North Bluff Planning Study

Recommendation: That the Council accepts the Plan Commission's recommendation and adopts the North Bluff Planning Study.

Fiscal Impact: The estimated construction costs total \$26,741,000 not including the Phase 0 revetment project - which was bid separately - \$9,285,400. The first amendment to the TID 13 project plan identified capital costs for the Mixed Use North Property and Public Amenities of \$39,000,000. To fully execute the plan, the City will need to use a combination of additional funding sources including: additional tax increment, park impact fees, state and federal grants, the annual CIP, and levy-supported general obligation debt issuance.

- Critical Success Factor(s):**
- Active, Vibrant and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe & Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: On June 21, 2022 the Common Council selected Edgewater Resources to create a study and plan of redevelopment of public recreational space for the City of Oak Creek North Bluff. That study, which involved a number of opportunities for public input and review at various stages has been completed and is being presented for review by the Council in advance of adoption by the Plan Commission. Both the Plan Commission and Parks and Recreation Commission have reviewed drafts of the Plan.

The plan, a copy of which accompanies this staff report, inventories the current conditions within the study area and summarizes public involvement identified a number of initial development concepts ranging in intensity, complexity and cost. Those concepts were further refined and narrowed to a draft consensus plan, which forms the basis for the final plan and cost estimates.

That plan includes facilities including a pedestrian bridge connecting to Lake Vista Park, parking areas, multi use paths, naturalized gardens, sport trails, natural play areas, embankment slides, shoreline trails and stacked stone revetments, shelters, overlooks, an elliptical pier.

Cost estimates were included by phase and are included as an attachment to this report.

At its May 10, 2023 meeting, the Plan Commission reviewed and discussed the Planning Study. The Commission unanimously recommended Common Council adoption.

Options/Alternatives: This plan may serve as a guide for future decisions on capital improvements budgets. The Council has the option to approve any or all of the improvements in a given phase as part of the annual CIP.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Doug Seymour, AICP
Director of Community Development

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:

North Bluff Concept Level Construction Cost Estimates by Phase (1 page)

North Bluff Planning Study (38 pages)

Minutes of the 1-10-23 Plan Commission meeting (3 pages)

Minutes of the 1-5-23 Parks and Recreation Commission meeting (2 pages)

North Bluff Concept Level Construction Cost Estimates by Phase

Phase	Description	Estimated Cost
0	Phase 0 work includes the revetment, the revetment path base course (no pavement), fill for approximately half of the Bluff, the drainage ways, and grading in and installing the base course for the first half of the multi-use trail (no pavement). This phase of the project was bid seperately and will be constructed in 2023/24.	\$ 9,750,000
1	Phase 1 includes fill for the rest of the Bluff, paving the multi-use trail and revetment path, laying in the stacked stone for the nature play areas.	\$ 4,425,000
2	Phase 2 builds on the Phases 0 and 1 by creating the formal park with an entrance road. It is broken up into subphases based on construction considerations and the allowing certain portions of the park to phased in. This phase of the construction will provide the usable spaces needed for and is the bulk of the programming. people to enjoy the park	
2A	Entrance Road	\$ 1,026,000
2B	Natural Gardens	\$ 986,000
2C	Nature Play Areas	\$ 1,436,000
2D	Top of Bluff Path and Improvements	\$ 824,000
3, 4 & 5	Phases 3, 4, and 5 are the big ticket items but also the potential to be the most impactful. These phases include the pedestrian bridge over the ravine, two shelters, and the elliptical pier. These phases would tie the Bluff into the regional park system and allow it function as one continuous lake front park.	
3	Pedestrian Bridge	\$ 12,402,000
4	Shelters	\$ 126,000
5	Lake Pier	\$ 5,516,000
	Total	\$ 36,491,000



NORTH BLUFF

PLANNING STUDY

OAK CREEK | WISCONSIN

MAY 2023





— Inventory

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— Executive Summary

Oak Creek is a city located just south of Milwaukee on the shore of Lake Michigan, and is one of the fastest growing cities in Milwaukee County and Wisconsin as a whole.

As Oak Creek has grown as a city since it was incorporated in 1955, its relationship to Lake Michigan has changed over time. Originally, the lake front was seen primarily as an area for industrial development, but with the creation of Bender Park, the new Lake Vista Park, and the North Bluff Stabilization Project, that view is shifting.

The North Bluff Planning Study looks at how the area along the Lake Michigan shoreline north of Lake Vista Park could continue to develop the lake front into a public amenity for the community in conjunction with the North Bluff Stabilization Project.

The Planning Study includes an inventory of existing site conditions, an overview of the public input process including identification of key project stakeholders, and the resulting opportunities and constraints determined through that outreach process.

Site plan alternatives are then documented with feedback received, and the resulting Consensus Plan for the site with economic feasibility analysis and review of potential funding sources to help realize the proposed improvements.



— Inventory

Introduction

STUDY PURPOSE

The North Bluff Planning Study began in response to the work the City of Oak Creek (Oak Creek) and Edgewater Resources (ER) has been doing in conjunction with Wisconsin Department of Natural Resources (DNR) and United States Army Corps of Engineers (USACE) to stabilize the shoreline along Lake Michigan. The existing bluff has seen a consistently eroding shoreline, threatening to undue previous site work pertaining to the brown field remediation of a formerly industrial site. Edgewater Resources developed an initial plan to regrade the bluff and stabilize it from further erosion, and has been working on this study in conjunction with that effort. Once the bluff is stabilized (construction to begin Summer 2023) there is a tremendous opportunity to transform this dramatic 3,500 linear feet of shore line into a public park that provides unmatched experiences and recreational opportunities, extend the park system created by Bender and Lake Vista Park, and strengthens the health of the local ecosystem. This study serves as a guide for developing that park by analyzing the site and surrounding context, gathering community input, meeting with key stakeholders, and refining a series of plans into a final consensus plan with cost and funding analysis.

PLAN PRIORITIES

During the process of the North Bluff Planning Study and developing the consensus plan, three key priorities to focus on became apparent. Those priorities are:

Connectivity - Create one large continuous lake front experience and park network by connecting the North Bluff to Bender and Lake Vista Park, and possibly to parks further north as well.

Accessibility - Provide everyone in the community with a way to experience the views, native landscapes, and Lake Michigan, regardless of their physical ability, in fun and exciting ways.

Maintenance and Cost - Design the park in a way that requires less up keep and reduces the cost of maintenance, as well as designing it in way that allows it to be constructed in independent phases.

STUDY PROCESS

Community Outreach - Data was collected on the intensity of programming and what elements the community would like to see included in a new park along the lake shore.

Design Charette - A two-day charette (brain storming session) was held in Oak Creek after the ER Team visited the site to come up with initial concepts for the site.

Concept Development - After reviewing initial concepts with different city committees, a draft consensus plan was developed by combining different elements of the previous concept plans to develop single plan.

Consensus Plan - A refined version of the draft consensus plan meant to propose the best use of the park based on community and committee feedback.



Inventory
Location Map



— Inventory
Existing Conditions

Bender Park: One of the two parks south of the study area, Bender Park is operated by Milwaukee County Parks and features a large nature trail network, open landscapes, a beach, and a boat launch and harbor.

Lake Vista Park: The second of two parks south of the study area, Lake Vista Park was constructed in 2018 and is operated by the City of Oak Creek. It features a rentable pavilion with a kitchen, open air shelters, a playground, public restrooms, and walking trails that take you down to Lake Michigan and also connect to Bender Park.

Water Intake Facility: Located just south of the North Bluff right on the shore of Lake Michigan is a water intake facility with its own entrance road and parking area. The entrance road has manual swing gate and most of the facility itself is surrounded by fence with barbed wire. The entrance road provides the best vehicular access to the lake shore but also creates valley with steep side slopes.

Lakeshore Commons: Next to Lake Vista Park, Lakeshore Commons is a new housing development currently in its first phase of construction that aims to provide a mix of housing types and large assortment of community amenities. It's proximity to Lake Michigan and the surrounding parks are a selling point for properties.

South Shore Water Reclamation Facility: The reclamation facility to the north of North Bluff is a 125 Acre Site operated by the Milwaukee Metropolitan Sewerage District. The site is surrounded by a sea wall and rip rap, with a paved portion on the north side that serves as fishing pier. There is also a public parking lot with a sidewalk and stairs that takes you down to the fishing pier.



— Inventory

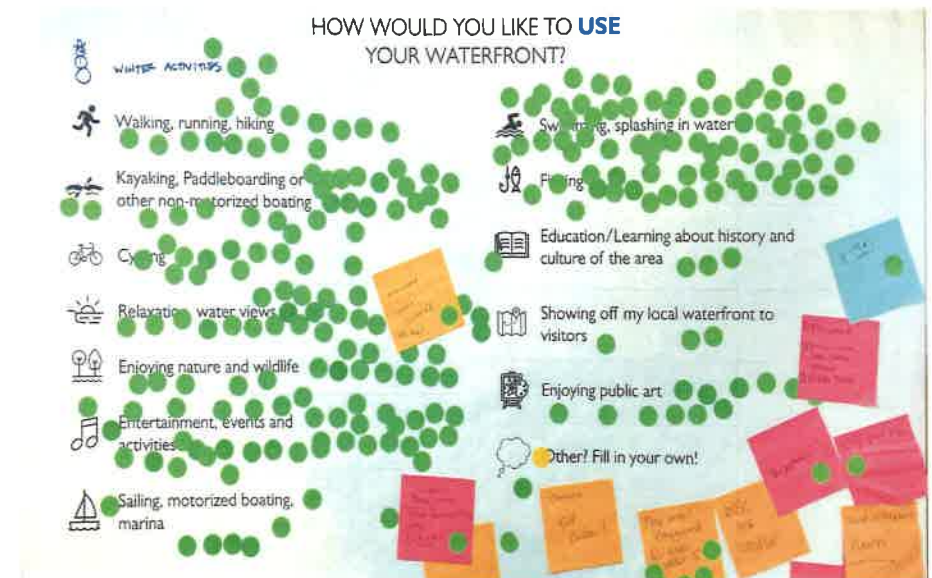
Community Input

PUBLIC ENGAGEMENT

Gathering community input was the first step in preparing this study and it is always important to listen to community needs prior to starting any public project in order to tailor it to their needs. The Edgewater Resources team's first task was attending the National Night Out Event in August of 2022 to collect input from the public on what intensity of programming and what programming elements they wanted to see from the park. Edgewater Resources prepared two interactive boards to present to the community and let them tell us what they were interested in seeing from this space. The first board asked them to choose between two sets of pictures of parks; one side showing more passive nature based parks and the other showing more active attraction based parks. The second board asked them what uses they would like to see in it. This data was the basis for the initial concepts and showed a desire for both a unique waterfront with iconic features but also a relaxing park offering connection with nature. While the consensus plan came to be what it is now after multiple rounds of revisions, these ideas drove the study forward.

The following community meetings and presentations were held:

- Table at National Night Out, August 2, 2022 - Initial Data Collection
- Three-Day Charette, August 17 - 19, 2022 - Initial Concept Development with Key City Stakeholders
- Stakeholder Meeting, August 25, 2022 - Review of Initial Concepts
- Parks and Recreation Commission Meeting (open to public), September 8, 2022 - Review of Concepts
- Plan Commission Meeting (open to public), September 13, 2022 - Review of Concepts
- Parks and Recreation Commission Meeting (open to public), December 1, 2022 - Review of Draft Consensus Plan
- Plan Commission Meeting (open to public), December 13, 2022 - Review of Draft Consensus Plan
- Community Survey, Open January 17, 2023 to February 28, 2023 - Review of Programming
- Common Council Meeting (open to public), February 21, 2023 - Review of Draft Consensus Plan
- Common Council Meeting (open to public), May 2, 2023 - Presentation of Final Planning Study



— Concept Development
Overall Strategy

BROADER CONNECTIONS

During site analysis it became apparent that the North Bluff would be a great addition to the existing park system along Lake Michigan. Lake Vista and Bender Park have a combined acreage greater than 360 acres, and a continuous 1.5 miles of lake front. The addition of North Bluff would to the existing parks would make it nearly 400 acres and 2 miles long of lake front parks.

One of the greatest barriers to creating this continuous park system is the terrain of the site. The first obstacle is the ravine created by drive to the Water Intake Facility. Crossing it in a way that is accessible to everyone will be key to the success of the Bluff as a park and is an opportunity to create an iconic piece of infrastructure.

The steepness of the Bluff itself is also something that will need to be considered in order to provide accessible routes that connect down to the base of the bluff and lake shore. Once accessible routes can be determined though, the steep terrain becomes one of the Bluff's greatest assets, allowing for magnificent views and interesting vistas.

There's also future developments to think about, which present a great opportunity to activate the parks system. Lakeshore Commons is already in its first phases and its residents will become some of the primary users of these parks. The land to the west of the lake will most likely have some form of development, and regardless of what type of development (i.e. residential, commercial, mixed-use) the Bluff will serve as great amenity to them.

Thinking about all these opportunities and constraints, the overall strategy for the park is to create a node of activity at the southern end of the Bluff. This would serve as the main entry to Bluff and provide a connection over the ravine to the Lake Vista Park. From here connections along the top of the bluff and down to lake shore would allow park users to experience the stunning landscape and views.

LEGEND

-  APPROXIMATE STUDY BOUNDARY
-  MAJOR ACTIVITY NODE
-  POINT OF INTEREST
-  UPLAND CONNECTIONS
-  LAKE-LEVEL CONNECTIONS
-  OVER-RAVINE CONNECTION
-  BLUFF REGRADING AND SHORELINE IMPROVEMENTS
-  UPLAND IMPROVEMENTS
-  FUTURE UNDEFINED DEVELOPMENT
-  LAKESHORE COMMONS



— **Concept Development**
Consensus Plan

INITIAL CONCEPTS

After visiting the site, reviewing community input, and analyzing the site on a regional scale, the Edgewater Resources Team came up with three concepts over the course of a three-day charrette looking at how the park might be developed in a way that provided a unique experience that took advantage of the Bluff's steep terrain, the lake shore, and the stunning environment created by their interaction. These three concepts each centered on one iconic park experience, access to the water, and different supporting amenities. The driving idea behind each concept is that while the terrain could make it difficult to provide access to the lake, the access itself could be fun and exciting, and ultimately define the experience of the Bluff.

Concept A

- Funicular
- Perched Beached
- Fishing Pier
- Nature Based Play
- Natural Prairie Plantings

Concept B

- Elevator
- Look-Out Platform
- Perched Wading Pool
- Fishing Pier
- Rock Scramble
- Natural Prairie Plantings

Concept C

- Embankment Slides
- Terraced Stone Seating
- Perched Beach
- Natural Prairie Plantings



(A)



(B)



(C)

— **Concept Development**
Concept Alternatives

CONCEPT ALTERNATIVES

These concepts were partially developed over the course of the three-day and then further refined after a round of comments from key stakeholders. These four concepts fall into two categories: The first category (Concepts A & B) being passive recreation based with low amounts of programmings, and the second category (Concepts C & D) being socially interactive with more intensive forms of programming.

- Concept A**
- Pedestrian Bridge
 - Entrance Overlook
 - Multi-Use Trails
 - Small Seating Areas
 - Rock Scramble

- Concept B**
- Pedestrian Bridge
 - Entrance Overlook
 - Terraced Nature Play Areas
 - Lake Shore Lawn Area
 - Multi-Use Trails
 - Small Seating Areas
 - Rock Scramble

- Concept C**
- Pedestrian Bridge
 - Entrance Plaza
 - Restrooms
 - Terraced Seating/Steps
 - Embankment Slides
 - Perched Beach
 - Small Boardwalk
 - Sport Trails

- Concept D**
- Pedestrian Bridge
 - Entrance Plaza
 - Restrooms
 - Central Stair Case
 - Perched Wading Pool
 - Large Boardwalk
 - Sport Trails



— **Concept Development**
 Concept Refinement

DRAFT CONSENSUS PLAN

Once the previous four concepts were presented to the public at the Planning Commission and Parks and Recreation Commission meetings they were synthesized into one draft consensus plan to move the study forward with. This plan combines the ideas of the previous concepts by creating one area of intensive programming with places for people to play and socialize and then provides space for passive recreational activities that rely more on the natural areas created by the Bluff.

Programming Elements

- ① Pedestrian Bridge
- ② Multi-Use Paths (ADA Compliant)
- ③ Sport Trails
- ④ Small Gathering/Seating Spaces
- ⑤ Natural Play Features
- ⑥ Embankment Slide
- ⑦ Accessible Revetment with Walk
- ⑧ Elliptical Pier
- ⑨ Shelters
- ⑩ Parking



— **Concept Development**
Consensus Plan

CONSENSUS PLAN

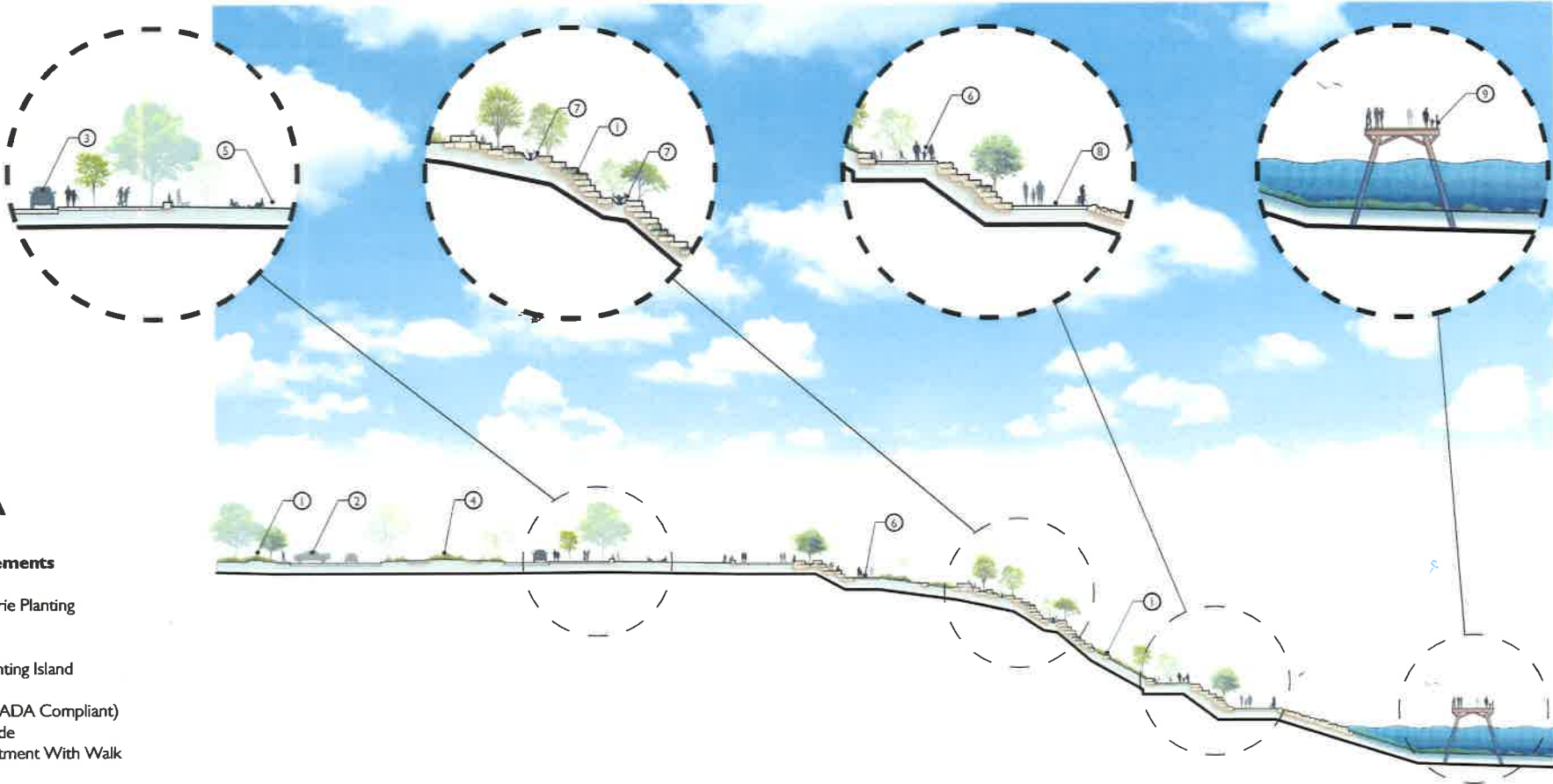
The draft consensus plan was also presented to the public at the Planning Commission and Parks and Recreation Commission meetings and was also used as part of a survey collecting feedback more directly from the community. The draft consensus was then further developed by refining the concepts of different areas, incorporating community survey data, and making changes to the design based on new information gained during the engineering process of the bluff.

Programming Elements

- ① Pedestrian Bridge
- ② Multi-Use Paths (ADA Compliant)
- ③ Central Lawn
- ④ Naturalized Prairie Garden
- ⑤ Raised Boardwalk
- ⑥ Sport Trails
- ⑦ Small Gathering Area/Seating
- ⑧ Natural Play Areas
- ⑨ Embankment Slides
- ⑩ Accessible Revetment with Walk
- ⑪ Stacked Stone Revetment
- ⑫ Elliptical Pier
- ⑬ Shelters
- ⑭ Overlook
- ⑮ Prairie Planting on Soil Cap
- ⑯ Wetlands
- ⑰ Bluff Drainage Way
- ⑱ Parking
- ⑲ Drop Off and Parking



— Concept Development
Consensus Plan

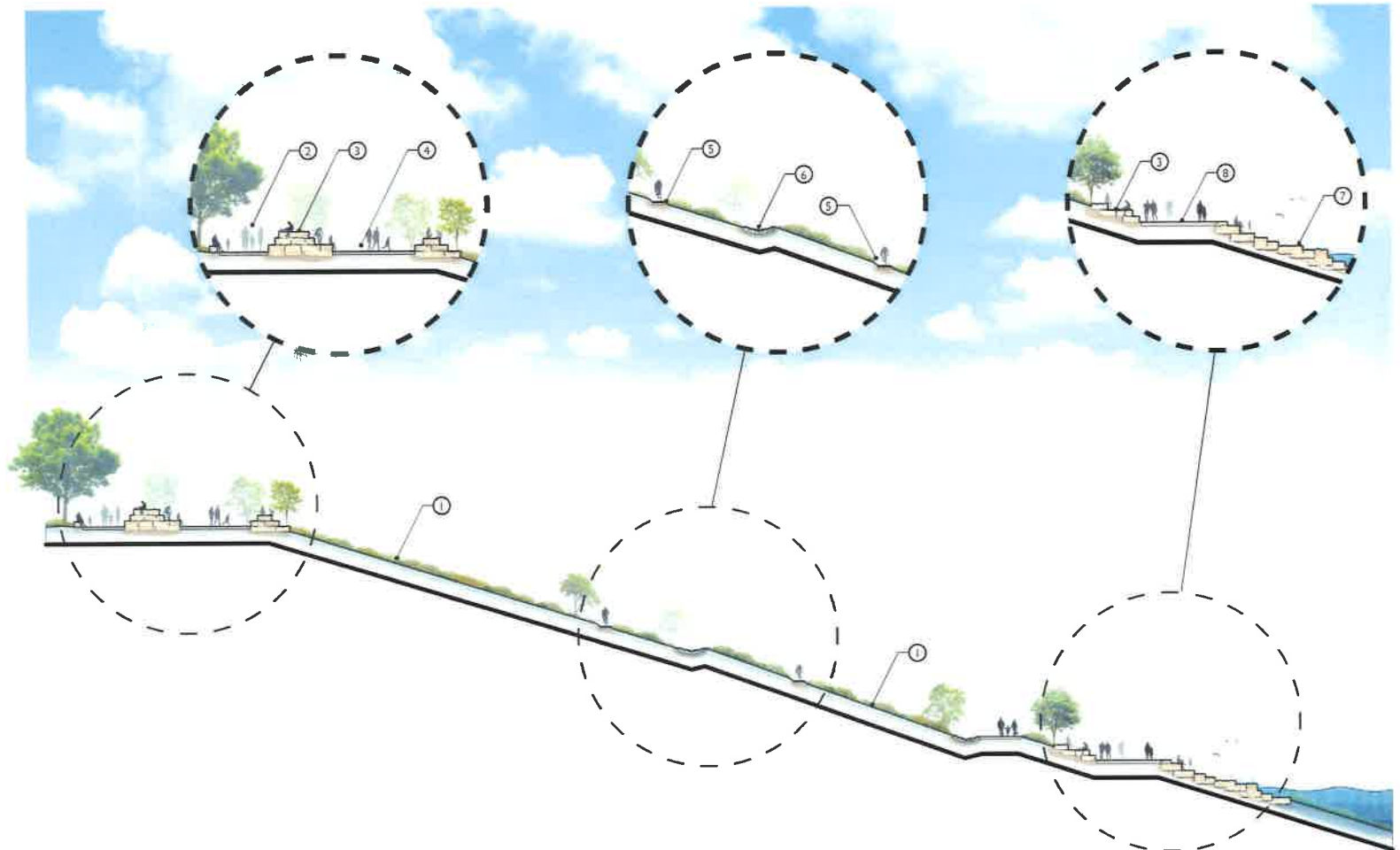


Section A-A

Programming Elements

- ① Naturalized Prairie Planting
- ② Parking
- ③ Drop Off
- ④ Circle Drive Planting Island
- ⑤ Central Lawn
- ⑥ Multi-Use Path (ADA Compliant)
- ⑦ Embankment Slide
- ⑧ Accessible Revetment With Walk
- ⑨ Elliptical Pier

— **Concept Development**
Consensus Plan

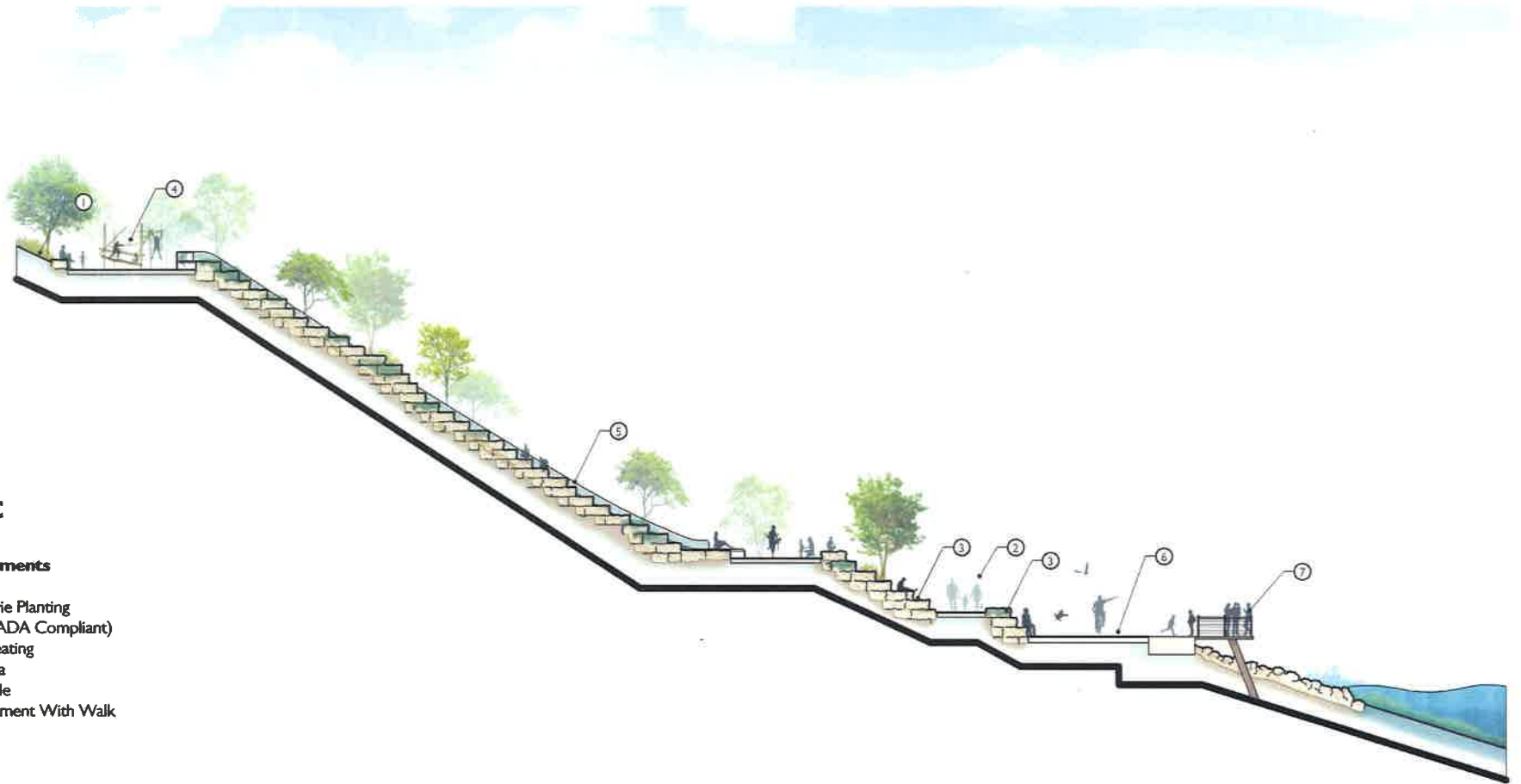


Section B-B

Programming Elements

- ① Naturalized Prairie Planting
- ② Multi-Use Path (ADA Compliant)
- ③ Stacked Stone Seating
- ④ Small Gathering Area
- ⑤ Sport Trail
- ⑥ Bluff Drainage Way
- ⑦ Stacked Stone Retention
- ⑧ Accessible Retention With Walk

— Concept Development
Consensus Plan



Section C-C

Programming Elements

- ① Naturalized Prairie Planting
- ② Multi-Use Path (ADA Compliant)
- ③ Stacked Stone Seating
- ④ Natural Play Area
- ⑤ Embankment Slide
- ⑥ Accessible Revetment With Walk
- ⑦ Elliptical Pier

— **Concept Development**
Consensus Plan



Design Precedent

The images shown on this page represent inspiration for program elements proposed on the Final Consensus Plan.



— Implementation

Concept-Level Construction Cost Estimates by Phase

Phase 0 + I Scope

Phase 0 work includes the revetment, the revetment path base course (no pavement), fill for approximately half of the Bluff, the drainage ways, and grading in and installing the base course for the first half of the multi-use trail (no pavement). Phase I includes fill for the rest of the Bluff, paving the multi-use trail and revetment path, laying in the stacked stone for the nature play areas.



Phase	Work Item	Description	Quantity	Units	Unit Cost	Total Cost	Notes/Comments
Phase 0 - Revetment and Bluff Stabilization							
	1	Revetment and Bluff Stabilization	1	LS	\$ 9,285,000	\$ 9,285,000	
						Base Bid Subtotal	\$ 9,285,000
						Construction Contingency (5%)	\$ 465,000
						Project Total	\$ 9,750,000

Note: Phase 0 Costs Reflect Actual Contractor Bids

Phase	Work Item	Description	Quantity	Units	Unit Cost	Total Cost	Notes/Comments
Phase 1 - Bluff Stabilization 2							
	1	Mobilization and General Conditions	1	LS	\$ 108,000	\$ 108,000	RSMears
	2	Stacked Boulder Scrambles	9,420	SF	\$ 150	\$ 1,413,000	RSMears
	3	Reinforced Concrete Trail	18,180	SF	\$ 15	\$ 273,000	Based on BH
	4	Reinforced Concrete Revetment Path	35,200	SF	\$ 15	\$ 528,000	Based on BH
	5	Drainage Layer	15,000	TON	\$ 29	\$ 435,000	Based on OC
	6	General Fill	90,000	CY	\$ 8	\$ 720,000	Based on OC
	7	Clearing and Grubbing	60,000	SF	\$ 2	\$ 120,000	Based on OC
	8	Site Restoration - Native Plantings	4.50	AC	\$ 20,000	\$ 90,000	Based on OC
						Base Bid Subtotal	\$ 3,687,000
						Construction Contingency (20%)	\$ 738,000
						Project Total	\$ 4,425,000

Cost estimate prepared April 2023

— Implementation

Concept-Level Construction Cost Estimates by Phase

Phase 2A - Entrance Road						
1	Mobilization and General Conditions	1	LS	\$ 25,000	\$ 25,000	RSMeans
2	Asphalt Entrance Road	46,250	SF	\$ 10	\$ 463,000	1" Topping, 2" Binder Course, 6" Stone Base, 6" Aggregate Base
3	Concrete Sidewalks	11,850	SF	\$ 10	\$ 119,000	Based on AP
4	Entrance Sign	1	LS	\$ 5,000	\$ 5,000	
5	Street Lights	12	EA	\$ 6,000	\$ 72,000	Based on Lake St Claire
6	Trees: Shade	66	EA	\$ 1,000	\$ 66,000	Based on BH
7	Trees: Ornamental	12	EA	\$ 800	\$ 10,000	Based on BH
8	Site Restoration - Native Plantings	4.75	AC	\$ 20,000	\$ 95,000	Based on OC
				Base Bid Subtotal	\$ 855,000	
				Construction Contingency (20%)	\$ 171,000	
				Project Total	\$ 1,026,000	
Phase 2B - Natural Gardens						
1	Mobilization and General Conditions	1	LS	\$ 24,000	\$ 24,000	RSMeans
2	Stacked Boulder Wall/Seating	1,050	SF	\$ 150	\$ 158,000	RSMeans
3	Concrete Sidewalks	21,065	SF	\$ 10	\$ 211,000	Based on AP
4	Top Soil	1,530	CY	\$ 18	\$ 28,000	Based on BH
5	Natural Garden Plantings	35,500	SF	\$ 10	\$ 355,000	Based on BH
6	Trees: Shade	17	EA	\$ 1,000	\$ 17,000	Based on BH
7	Trees: Ornamental	28	EA	\$ 800	\$ 23,000	Based on BH
8	Bike Racks	4	EA	\$ 500	\$ 2,000	Based on BH
9	Litter/Recycling Bins	6	EA	\$ 500	\$ 3,000	Based on BH
				Base Bid Subtotal	\$ 821,000	
				Construction Contingency (20%)	\$ 165,000	
				Project Total	\$ 986,000	
Phase 2C - Nature Play Areas						
1	Mobilization and General Conditions	1	LS	\$ 35,000	\$ 35,000	RSMeans
2	Stacked Boulder Wall/Seating	600	SF	\$ 150	\$ 90,000	RSMeans
3	Concrete Trail	7,065	SF	\$ 10	\$ 71,000	Based on AP
4	Nature Play Areas	11,870	SF	\$ 50	\$ 594,000	Based on BH
5	Embankment Slides	1	LS	\$ 100,000	\$ 100,000	Based on Research
6	Bluff Stairs	520	LF	\$ 500	\$ 260,000	
7	Trees: Shade	7	EA	\$ 1,000	\$ 7,000	Based on BH
8	Trees: Ornamental	48	EA	\$ 800	\$ 39,000	Based on BH
				Base Bid Subtotal	\$ 1,196,000	
				Construction Contingency (20%)	\$ 240,000	
				Project Total	\$ 1,436,000	
Phase 2D - Top of Bluff Path and Improvements						
1	Mobilization and General Conditions	1	LS	\$ 20,000	\$ 20,000	RSMeans
2	Stacked Boulder Wall/Seating	2,175	SF	\$ 150	\$ 327,000	RSMeans
3	Concrete Trail	23,450	SF	\$ 10	\$ 235,000	Based on AP
4	Switchback Grading	1,825	SY	\$ 6	\$ 11,000	RSMeans
5	Crushed Stone Small Gathering Area	5,600	SF	\$ 12	\$ 68,000	Crushed and Stabilized Stone
6	Overlook Deck	1	EA	\$ 25,000	\$ 25,000	
				Base Bid Subtotal	\$ 686,000	
				Construction Contingency (20%)	\$ 138,000	
				Project Total	\$ 824,000	

Phase 2

Phase 2 builds on the Phases 0 and 1 by creating the formal park with an entrance road. It is broken up into subphases based on construction considerations and the allowing certain portions of the park to phased in. This phase of the construction will provide the usable spaces needed for people to enjoy the park and is the bulk of the programming.



— Implementation

Concept-Level Construction Cost Estimates by Phase

Phase 3 + 4 + 5

Phases 3, 4, and 5 are the big ticket items but also the potential to be the most impactful. These phases include the pedestrian bridge over the ravine, two shelters, and the elliptical pier. These phases would tie the Bluff into the regional park system and allow it function as one continuous lake front park.



Phase 3 - Pedestrian Bridge						
1	Mobilization and General Conditions	1	LS	\$ 278,000	\$ 278,000	RSMeans
2	Pedestrian Bridge	4,620	SF	\$ 2,000	\$ 9,240,000	Based on research into costs of curved suspension bridges
3	Concrete Sidewalk	2,175	SF	\$ 10	\$ 22,000	Based on AP
				Base Bid Subtotal	\$ 9,540,000	
				Construction Contingency (30%)	\$ 2,862,000	
				Project Total	\$ 12,402,000	
Phase 4 - Shelters						
1	Mobilization and General Conditions	1	LS	\$ 5,000	\$ 5,000	RSMeans
2	Shelters	500	SF	\$ 200	\$ 100,000	Based on BH Shade Structure and Event Stage
				Base Bid Subtotal	\$ 105,000	
				Construction Contingency (20%)	\$ 21,000	
				Project Total	\$ 126,000	
Phase 5 - Lake Pier						
1	Mobilization and General Conditions	1	LS	\$ 219,000	\$ 219,000	RSMeans
2	Curved Pedestrian Pier	6,000	SF	\$ 273	\$ 1,638,000	Based on Lake St Claire
3	Sheet Pile Cell	6	EA	\$ 456,400	\$ 2,739,000	Based on Lake St Claire
				Base Bid Subtotal	\$ 4,596,000	
				Construction Contingency (30%)	\$ 920,000	
				Project Total	\$ 5,516,000	

— Implementation

Concept-Level Construction Cost Estimates by Phase

Phase 6 Scope

Phase 6 focuses remediating the Connell property and providing overflow parking for the Bluff and Lake Vista Park. This phase includes consolidating contaminated soils, building an overflow parking lot, and restoring wetlands. These features will be connected with boardwalks and sidewalks that meander through naturalized prairies and wetlands.



Phase 6A - Soil Consolidation Area							
1	Mobilization and General Conditions	1	LS	\$ 115,000	\$ 115,000		RSMeans
3	Contaminated Soil Consolidation and Cap	1	EA	\$ 2,000,000	\$ 2,000,000		
4	Site Restoration - Native Plantings	3	AC	\$ 20,000	\$ 63,000		Based on OC
5	Trees: Shade	7	EA	\$ 1,000	\$ 7,000		Based on BH
6	Trees: Ornamental	7	EA	\$ 800	\$ 6,000		Based on BH
7	Concrete Sidewalk	460	SF	\$ 10	\$ 5,000		Based on AP
8	Boardwalk	535	LF	\$ 400	\$ 214,000		
				Base Bid Subtotal	\$ 2,410,000		
				Construction Contingency (20%)	\$ 482,000		
				Project Total	\$ 2,892,000		
Phase 6B - Overflow Parking Lot							
1	Mobilization and General Conditions	1	LS	\$ 91,000	\$ 91,000		RSMeans
2	Asphalt Parking, Striping, Signage	101,650	SF	\$ 10	\$ 1,017,000		Based on BH
3	Site Restoration - Native Plantings	1.50	AC	\$ 20,000	\$ 30,000		Based on OC
4	Trees: Shade	51	EA	\$ 1,000	\$ 51,000		Based on BH
5	Trees: Ornamental	24	EA	\$ 800	\$ 20,000		Based on BH
6	Landscaping	6,085	SF	\$ 10	\$ 61,000		Based on BH
7	Topsail	23,080	CY	\$ 18	\$ 416,000		Based on BH
8	Street Light	16	EA	\$ 6,000	\$ 96,000		RSMeans
9	Concrete Sidewalk	11,800	SF	\$ 10	\$ 118,000		Based on AP
				Base Bid Subtotal	\$ 1,900,000		
				Construction Contingency (20%)	\$ 380,000		
				Project Total	\$ 2,280,000		
Phase 6C - Wetland Restoration							
1	Mobilization and General Conditions	1	LS	\$ 16,000	\$ 16,000		RSMeans
2	Rough Grading	1	EA	\$ 15,000	\$ 15,000		RSMeans
3	Site Restoration - Native Plantings	5	AC	\$ 20,000	\$ 100,000		Based on OC
4	Trees: Shade	46	EA	\$ 1,000	\$ 46,000		Based on BH
5	Trees: Ornamental	44	EA	\$ 800	\$ 36,000		Based on BH
6	Concrete Sidewalk	3,290	SF	\$ 10	\$ 33,000		Based on AP
7	Boardwalk	210	LF	\$ 400	\$ 84,000		
				Base Bid Subtotal	\$ 330,000		
				Construction Contingency (20%)	\$ 66,000		
				Project Total	\$ 396,000		



518 Broad Street Suite 200
Saint Joseph, Michigan 49085
(269) 932 4502

**MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, JANUARY 10, 2023**

NORTH BLUFF PLANNING STUDY

Spencer Andresen, Ben Gladstone, and Greg Weykamp from Edgewater Resources presented information about the north bluff. Below are the highlights:

- Regrade the bluff at the three-to-one (3:1) slope to stabilize the bluff from further erosion.
- Edgewater plans to solicit bids later this month for local contractors to execute in early 2023.
- After meetings and public input three priorities have come into view.
 - Connectivity – this plan should connect with the south, new developments planned here, Bender Park, and Lake Vista Park.
 - Accessibility – making sure everyone has access to all parts of the park and can enjoy it.
 - Maintenance and cost –this development should add to and benefit the park, but is not an overly expensive cost.
- Different elements of the design are planned to be phased in over time. Each element can be seamlessly integrated piece by piece after funding becomes available.
- Beginning at the main entrance on the west side of the bluff. The entry drive features dually accessible parking space and drop off. It takes you into the center of the park and lines up with the central access to the main overlook. Moving east towards the lake, park visitors are introduced to the natural garden. The garden plots could be converted into community garden plots.
- The main promenade is a 15-foot path that runs north south along the bluff.
- Moving down the bluff is a three to one slope that will run consistently along the bluff. Native grasses will be planted to maintain the slope, prevent soil detachment, provide habitats, and improve the overall aesthetics while keeping maintenance costs low.
- In the southern zone of the bluff the design features ADA accessible pathways, boardwalk steps, and rock scrambles that all sweep, twist, and turn down safely to the water's edge. These pathways are to ensure that all ages and abilities have access to the shoreline. Interweaved into the pathways are various terrace play spaces for children. Edgewater Resources plans to engage Earthscape, a custom wood playground company who can design naturalized play structures that will seemly embed into each play terrace.
- Along the water sides of the terrace, Edgewater proposes rock bouldering walls that can tie into various rock scrambles for children to climb on.
- There will be a slide that children and people can use that connects various parts of the ADA path.
- At the water's edge, Edgewater is proposing a curved pier that will connect the northern and southern boardwalks that run down the bluff.
- In the northern bluff zone, a 15-foot multi-use path is introduced to connect the top of the bluff to the water's edge. This path will be universally accessible, so everyone has

the ability to get down to the water's edge safely. There will be various rest areas, benches, and overlooks placed along the path for maximum comfort.

- Sport trails are proposed to interweave in between the multi-use paths. The sport trails are designed for hiking, biking, trail running, and more. The trails are sprinkled with various rock out crops and scrambles to provide scenic overlooks and formal connections to adjacent sport trails and ADA paths.
- Along the bottom of the bluff, to maintain bluff stability there is a revetment. Along the revetment there will be opportunities to walk on it and interact with the water.

Mayor Bukiewicz asked if the path on the north edge ties into the path that goes around the south shore water facility. Mr. Andresen explained that the water facility thought it would be too much of a security issue so currently the path terminates there, and people can interact with the water's edge. Mr. Weykamp said he would like the path to continue all the way around and would like to continue those conversations with the water facility plant.

Mayor Bukiewicz asked what type of structure was proposed to go over the ravine. Mr. Andresen stated they were thinking a pedestrian bridge that could be sculptural and iconic along the river's edge. Mr. Weykamp referenced a photo in the presentation and stated it could be something similar to that photo. Mr. Weykamp also stated it would be some type of interesting, architecturally structural bridge.

Commissioner Siepert asked if there is a way to protect the shoreline from the wave action. Mr. Andresen referenced the presentation and stated they are proposing a revetment wall that can be used as steps down to the water in certain areas, but would protect the shoreline from heavy wave action.

Mr. Weykamp explained it is an armored edge. Mr. Weykamp also explained that originally, they were designing sandy beaches; however, after conversations with staff about maintenance, they moved away from that decision. Mr. Weykamp stated that there is a sloped-up edge with flat stones rather than the typical rubble. People can move along the proposed type of rock more easily, but it is designed to absorb the wave energy. The path is designed to allow for wave energy that breaks over the top of that structure to run off without causing damage. Mr. Weykamp also stated if during the engineering phase they find the wave energy is too high, a structure could be installed in the water about 20-50 yards offshore to knock the wave energy down. Mr. Weykamp said they have a number of strategies that they will be exploring to make sure they are managing the wave action properly.

Mr. Weykamp stated the cost to make the path go around the water treatment plant should be affordable because there is already infrastructure in place

Mayor Bukiewicz inquired who they were speaking to at MMSD. Mr. Andresen stated he believes Doug was coordinating that and he could get the contact information and pass it along to Mayor Bukiewicz.

Mr. Weykamp stated he wants to be respectful of MMSD's concerns, however he thinks they should be able to find a solution too. Mr. Weykamp also stated part of it may make it easier for them to patrol their perimeter.

Senior Planner Papelbon stated that she thinks this plan incorporated a lot of the comments received from the Plan Commission and the Parks and Recreation Commission, and addresses some of staff's concerns that were raised along the way.

ATTEST:



Kari Papelbon, Plan Commission Secretary

1-24-23

Date

**MINUTES OF THE REGULAR MEETING
CITY OF OAK CREEK PARKS & RECREATION COMMISSION
January 5, 2023**

a. Review North Bluff Planning Study refined concept plan

Director Seymour introduced Edgewater Resources to present the plans (see report for details).

Spencer Andersen from Edgewater Resource went over the details of the new plans and how it was refined. He mentioned that they could not connect to the fishing pier on the north side of the treatment plan because MMSD felt that it would be too much of a security risk. The revetment at the bottom of the bluff is already in process. Some of the things that are on the plans:

- A pedestrian bridge over the ravine that will connect from Lake Vista Park to the North Bluff.
- A meandering ADA paved path that winds down from the top of the bluff to the bottom bluff.
- Sport trails between the paved paths.
- The revetment will have stones that can be used as seating and get close to the water.
- Natural gardens, shelters, a slide, play areas and natural climbing structures among the bluff and the paths.
- At the top of the bluff there is some parking and drop off area while a parking lot further west with a boardwalk towards the bluff.
- A short semi-circle pier (jetty) that will go out into the lake.

Community Director Seymour stated that he felt that this plan fits the goals of what the community wants for maintenance and sustainability. He stated that he is happy that the bouldering and slide made it into the plans and is pleased with the overall plan.

Secretary Beyer asked if there is a budget. Community Director Seymour says there is a budget within the TIF district which is dedicated to the park district and that he did not have the exact number, but could provide that to the Commission.

Secretary Beyer asked about the timeline of this project. Community Director Seymour stated that the Council is motivated to have the bluff park completed but could not give a timeline. He did mention that the revetment may take about 2 years to complete and the project will be ongoing.

Mr. Anderson stated that the north part of the bluff is already in the works and the grading and sloping are part of the revetment process. He explained how the bluff is being stabilized by building it out into the water. Mr. Anderson stated that the area would be passive and natural to start and will be able to “clean it up” according to the plans once the revetment is completed.

Secretary Beyer asked about where the dirt is coming from. Community Director

Seymour stated that the revetment stone is being quarried and brought in. The dirt being use to cap the Peter Cooper property is coming from an MMSD project near Wilson Park.

There are some concerned that the jetty and rocks could become a maintenance issue, given the extreme winter conditions at the lakefront. Mr. Anderson stated that they have done this type of project on a much larger scale elsewhere and will have the area designed to handle such weather.

Some Commissioner stated they are happy with the plans and are excited about the project.

Community Director Seymour said that this will go before the Plan Commission on Tuesday, January 10th and the refined plan will also be presented to the public for additional comments.

This item was informational only and a vote was not required.

Prepared By:



Doug Seymour
Director of Community Development

Respectfully Submitted,

Anne Beyer
OCPR Secretary

COMMON COUNCIL REPORT

Item: 13th Street Multitenant Industrial Building Storm Water Maintenance Agreement

Recommendation: That the Common Council adopts Resolution No. 12412-051623, a resolution approving a Storm Water Management Practices Maintenance Agreement with WRP OAK CREEK LLC, for the 13th Street Multitenant Industrial Building located at 7350 S. 13th Street. (Tax Key No. 764-9059-000) (1st Aldermanic District)

Fiscal Impact: None.

Critical Success Factor(s):

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: The proposed 13th Street Multitenant Industrial Building, located at 7350 S. 13th Street, 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:



Ashley Kiepczynski, P.E.
Assistant City Engineer

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Approved:



Matthew J. Sullivan, P.E.
City Engineer

Attachments: Resolution No. 12412-051623, Storm Water Management Maintenance Agreement

RESOLUTION NO. 12412-051623

BY: _____

RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT WITH WRP OAK CREEK LLC FOR THE 13TH STREET MULTITENANT INDUSTRIAL BUILDING LOCATED AT 7350 S. 13TH STREET

(TAX KEY NO. 764-9059-000)

(1ST ALDERMANIC DISTRICT)

WHEREAS, WRP Oak Creek LLC (Owner), requires onsite storm water management practices for their proposed 13th Street Multitenant Industrial Building development located at 7350 S. 13th Street, and,

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

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

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

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of May, 2023.

Passed and adopted this 16th day of May, 2023.

President, Common Council

Approved this 16th day of May, 2023.

Mayor

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

Document Number

13TH STREET MULTITENANT INDUSTRIAL
BUILDING
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

764-9059-000

Parcel Identification Number (PIN)

STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this ___ day of _____, 2023, by and between WRP OAK CREEK 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 OF CERTIFIED SURVEY MAP NO. 9478, RECORDED MARCH 30, 2023, AS DOCUMENT NO. 11327050, BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8710, PARCEL 1 OF CER11F1ED SURVEY MAP NO. 426, AND VACATED PORTION OF 13TH STREET, LOCATED IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

Described lands having an area of 363,571 S.F. or 8.346 acres,

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as 13th Street Multitenant Industrial Building, 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 ensure 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, roof detention, 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:

WRP Oak Creek LLC
a Delaware limited liability company

By: Westminster Realty Partners V LP, its Sole Member

By: Westminster Realty GP V LLC, its General Partner

By: *Kristi L. Sherin*
Kristi L. Sherin, Authorized Agent

The foregoing Agreement was acknowledged before me this 27 day of April, 2023,
by the above-named Kristi L. Sherin.

Caroline Haupt Furth
NOTARY PUBLIC

My Commission Expires: 12/26/2026



CITY OF OAK CREEK, WISCONSIN

Daniel J. Bukiewicz, Mayor

Catherine A. Roeske, City Clerk

The foregoing Agreement was acknowledged before me this ____ day of _____, 2023,
by the above-named DANIEL J. BUKIEWICZ and CATHERINE A. ROESKE.

NOTARY PUBLIC

My Commission Expires: _____

This document was prepared by Ashley N. Kiepczynski, 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: Award of Safe Routes to School - Phase 1

Recommendation: That the Common Council considers a motion to award the Safe Routes to School - Phase 1 unit price contract to the lowest responsive, responsible bidder, LaLonde Contractors, Inc., at the estimated cost of \$639,938.74 (Project No. 20028)

Fiscal Impact: The total construction contract amount is \$639,938.74. The City was awarded Transportation Alternatives Program grant funding which will cover 80% (\$511,950.99) of the Construction cost. The City will be responsible for the remaining 20% (\$127,987.75). The City Portion will be funded from CIP# 19028 and CIP#20028. Transportation Alternatives Program is a reimbursement program. The City will need to front the total cost of construction \$639,938.74 and will be reimbursed \$511,950.99.

- Critical Success Factor(s):**
- Active, Vibrant and Engaged Community
 - Financial Stability and Resiliency
 - Thoughtful Growth and Prosperous Local Economy
 - Clean, Safe & Welcoming
 - Inspired, Aligned, and Proactive City Organization
 - Quality Infrastructure, Amenities, and Services
 - Not Applicable

Background: The Common Council adopted Resolution No. 12217-011921, Approving the State Municipal Agreement for Safe Routes to School - Phase 1 Transportation Alternatives Program (TAP) Project, improvements located within 1/2 mile radius of Cedar Hills Elementary, Edgewood Elementary, Meadowview Elementary, Shepard Hills Elementary, and West Middle School. The Engineering Department prepared plans and specifications for the project, the work was advertised, and the following bid was received:

Contractor	Bid
LaLonde Contractors, Inc.	\$639,938.74

This is a unit price contract, so the bids was evaluated based on estimated quantities. City payments to the contractor will reflect actual installed and measured quantities.

The bids reflect costs for construction of upgraded curb ramps near Cedar Hills Elementary, Edgewood Elementary, and Shepard Hills Elementary. Near Meadowview Elementary improved pedestrian accommodations will be provided on the south side of E. Meadowview Drive. Sidewalk will be extended from S. Kelly Drive to mid-block where it will transition into a pedestrian lane continuing to S. McGraw Drive. Near Cedar Hills Elementary in addition to the curb ramp upgrades, a speed table will be constructed on W. Sycamore Avenue between S. 26th Street and S. 24th Street for traffic calming, and Median refuge islands will be added at the intersection of W. Sycamore Avenue and S. 24th Street. At West Middle School a High

Intensity Activated Crosswalk Beacon (HAWK) will be installed in conjunction with sidewalk and crosswalk improvements being constructed with the Milwaukee County S. 13th St. reconstruction.

Options/Alternatives: To reject the bids and not construct Safe Routes to School improvements or rebid the project for construction in 2024. This could jeopardize grant funding which is scheduled in State Fiscal year 2023.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Andrew Ledger, PE
Design Engineer

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Approved:



Matthew J. Sullivan, PE
City Engineer

COMMON COUNCIL REPORT

Item: Release of a platted public utility easement at 400 E. Fitzsimmons Road.

Recommendation: The Common Council adopts Resolution No. 12413-051623, a resolution releasing a platted public utility easement at 400 E. Fitzsimmons Road (Tax Key No. 923-0117-000) (5th Aldermanic District)

Fiscal Impact: None.

Critical Success Factor(s):

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: In the fall of 2022 the resident at 400 E. Fitzsimmons Road submitted an application for Accessory Building Permit (shed), the proposed location of the shed was within a platted public utility easement which caused the permit to be denied. Staff reviewed the property with the resident looking for an acceptable solution/location for the shed. Staff discovered that in 1981 the City of Oak Creek vacated and discontinued a dedicated 12 foot pedestrian way on the west side of the property creating the current situation. The resident inquired if the easement could be released since it wasn't currently being utilized. Engineering staff reached out to the both private and public utilities that are currently servicing the area requesting concurrence to the proposed easement vacation. The City received no objection from the utilities that were contacted - Water & Sewer Utility, WE Energies, AT&T & Charter Communications.

Options/Alternatives: Council has the discretion to approve or deny the release. Disapproval will affect the property owner from being able to fully utilize their property.

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Reviewed/Approved:



Matthew J. Sullivan, PE
City Engineer

Fiscal Review:



Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Attachments: Resolution No. 12413-051623, Release of Easement

RESOLUTION NO. 12413-051623

BY: _____

**RESOLUTION RELEASING THE PLATTED PUBLIC UTILITY EASEMENT
AT 400 E. FITZSIMMONS ROAD**

(TAX KEY NO. 923-0117-000)

(5TH ALDERMANIC DISTRICT)

WHEREAS, the resident has requested the release of the existing eight-foot (8') platted public utility easement at 400 E. Fitzsimmons Road (the "Easement"), and;

WHEREAS, the Easement is depicted on the Shepard Hill Addition No. 2 Plat and;

WHEREAS, none of the City of Oak Creek, Wisconsin Bell Inc. d/b/a AT&T Wisconsin, Wisconsin Electric Power Company d/b/a WE Energies and Charter Communications utilities requires the Easement and;

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of May, 2023.

Passed and adopted this 16th day of May, 2023.

President, Common Council

Approved this 16th day of May, 2023.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes 0

RELEASE OF PLATTED PUBLIC
UTILITY EASEMENT

Document Number

Document Title

Recording Area

Name and Return Address

Matthew J. Sullivan
City of Oak Creek
8040 S. 6th St.
Oak Creek, WI 53154

923-0117-000

Parcel Identification Number (PIN)

The undersigned, City of Oak Creek, a municipal corporation of the State of Wisconsin, releases all right, title, and interest that it may have in a certain platted public utility easement, more particularly described as follows:

That portion of Lot 1 designated as the 8' Public Utility Easement on Shepard Hill Add'n No. 2 plat, located in the City of Oak Creek, Milwaukee County, Wisconsin.

Attached to this release as Exhibit A is a map showing the portion of the platted public utility easement to which the undersigned is relinquishing its rights.

EASEMENT RELEASE EXHIBIT A

EXISTING PUBLIC UTILITY EASEMENT

VACATION OF PUBLIC UTILITY EASEMENT GRANTED BY AND DEPICTED IN LOT 1, IN BLOCK 7, IN SHEPARD HILLS ADDITION NO.2 PLAT BEING A SUBDIVISION OF A PART OF THE NORTHWEST 1/4 & SOUTHWEST 1/4 OF SECTION 28, T5N, R22E, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



8' PUBLIC UTILITY
EASEMENT TO BE
RELEASED

EX. 10' PUBLIC UTILITY
EASEMENT TO REMAIN

BLOCK

7

1

2

3

4

5

6

7

8

40'

E FITZSIMMONS ROAD

S DARLENE LANE

40'

33

32

31

30

29

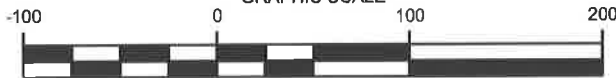
28

27

26

BLOCK

2



1 INCH = 100 FEET

COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 5/16/23 License Committee Report.

Fiscal Impact: License fees in the amount of \$990.00 were collected.

Critical Success Factor(s):

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background:

The License Committee met on 5/9/2023. The recommendation is as follows:

1. Grant an Operator's license to Brenda Pelton (BP W Discount Liquor)

The following item(s) were received after License Committee met. Favorable background reports received. Tentative recommendations are as follows:

2. Grant an Operator's license to:
 - * Karen M. Hernandez-Gonzales (Cosina Caliente)
 - * Cody A. Vanpool (Meijer)
 - * Jackie J. Racine (The Cellar)
 - * Carrie L. Tourangeau (Sidetracked)
 - * Olegorio Flores Ramirez (Cozumel)
 - * Marlene Villagomez Garza (Homewood Suites)
 - * Mark S. Heitman (Kwik Trip)
 - * Enrique F. Casso (The Cellar)

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller EMC/WCMC
Deputy City Clerk

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments: none

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the May 10, 2023 Vendor Summary Report in the total of \$714,778.49.

Fiscal Impact: Total claims paid of \$714,778.49.

Critical Success Factor(s):c

- Active, Vibrant and Engaged Community
- Financial Stability and Resiliency
- Thoughtful Growth and Prosperous Local Economy
- Clean, Safe & Welcoming
- Inspired, Aligned, and Proactive City Organization
- Quality Infrastructure, Amenities, and Services
- Not Applicable

Background: Of note are the following payments:

1. \$29,000.00 to Baker Tilly US, LLP (pg #2) for services in connection with 2022 financial audit.
2. \$66,415.46 to Bestco UA (pgs #2 & 3) for June retiree insurance.
3. \$59,494.00 to BS&A (pg #3) for BS&A annual service/support fee.
4. \$19,188.37 to E. H. Wolf & Sons, Inc. (pgs #4 & 5) for fuel inventory.
5. \$16,618.25 to Enterprise FM Trust (pg #5) for DPW vehicle lease monthly payment. Project #19024.
6. \$20,882.00 to Gerber Leisure Products, Inc. (pg #6) for playground equipment replacement parts.
7. \$18,210.50 to Godfrey & Kahn S.C. (pg #6) for legal services regarding redevelopment of lakefront site, Emerald Row, and Stand Rock projects.
8. \$207,930.00 to Interstate Pump & Tank (pg #7) for storm projects and fuel island and diesel tank replacement. Project #18022 and #22021.
9. \$13,452.00 to Kansas City Life Insurance Co. (pg #8) for June disability insurance.
10. \$7,750.28 to Mariani Plants (pg #9) for park trees. Project #20018.
11. \$13,333.04 to Securian Financial Group, Inc. (pgs #12 -14) for April and June employee life insurance.
12. \$16,875.00 to Tyler Technologies, Inc. (pg #15) for consulting services.
13. \$47,916.64 to US Bank (pgs #18 - 27) 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.
14. \$10,000.00 to UWM College of Nursing (pg #15) for community paramedic course.

15. \$53,352.69 to WE Energies (pgs #15 & 16) for street lighting, electricity & natural gas.

16. \$13,409.77 to WI Court Fines & Surcharges (pg #16) for April court fines.

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: 05/10/2023 Invoice GL Distribution Report