



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

COMMON COUNCIL MEETING AGENDA

JUNE 20, 2023
7:00 P.M.

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: 6/6/23

Recognition

4. **Mayoral Proclamation:** LGBTQ+ Pride Month, June 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. **Conditional Use Permit:** Consider a request submitted by Riverwood Arms Estates, Legacy/Riverwood LLC, for a Conditional Use Permit for roof-mounted solar energy collection systems on the properties at 520 and 557 W. Riverwood Dr. (6th District).
6. **Ordinance:** Consider Ordinance No. 3075, approving a Conditional Use Permit for roof-mounted solar energy collection systems on the properties at 520 and 557 W. Riverwood Dr. (6th District).
7. **Rezone and Conditional Use Permit:** Consider a request submitted by Matthew Mehring, Anderson Ashton, to rezone the property at 239 E. College Ave. from B-4, General Business to M-1, Manufacturing with a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. (1st District).
8. **Ordinance:** Consider Ordinance No. 3076, rezoning the property at 239 E. College Ave. to M-1, Manufacturing and establishing a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. (1st District).

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>.

New Business

9. **Motion:** Consider a motion to approve a Memorandum of Understanding (MOU) between the City of Oak Creek and the International Association of Firefighters (IAFF) – Local 1848 regarding Article 40 of the Labor Agreement (by Committee of the Whole).
10. **Motion:** Consider a motion to concur with the Mayor’s appointment as follows:
 - a. Police & Fire Commission – 5 year term to expire 4/2028
Kristin L. Sommer, 630 E. Quail Run

ENGINEERING

11. **Motion:** Consider a motion to enter into a Professional Services Agreement with Edgewater Resources, Inc., to provide Construction Observation Services related to the construction of Project 23005, North Lakefront Bluff Stabilization and Retention, located on the City properties at 4326 E. Depot Rd., 4329 E. Depot Rd., and 8940 S. 5th Ave., at a cost of up to \$182,300 (4th District).
12. **Motion:** Consider a motion authorizing the Engineering Department to enter into a contract with M Squared Engineering Services, LLC for construction inspection services for 2023 and 2024 (by Committee of the Whole).
13. **Motion:** Consider a motion authorizing the Engineering Department to enter into a contract with raSmith for construction inspection services for 2023 and 2024 (by Committee of the Whole).
14. **Motion:** Consider a motion authorizing the Engineering Department to enter into a contract with raSmith for storm water consulting services for 2023 (by Committee of the Whole).

LICENSE COMMITTEE

15. **Motion:** Consider a motion to approve the various license requests as listed on the 6/20/23 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

16. **Motion:** Consider a motion to approve the June 14, 2023 Vendor Summary Report in the amount of \$535,238.95 (by Committee of the Whole).
17. **Resolution:** Consider Resolution No. 12416-062023, authorizing payment of bills, debts and obligations (by Committee of the Whole).

Adjournment.

Public Notice

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

June 2023

LGBTQ+ Pride Month

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

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED, that on this day, Tuesday, June 20, 2023, that I, Daniel J. Bukiewicz, Mayor of the City of Oak Creek declare the month of June 2023 as LGBTQ+ Pride Month in the City of Oak Creek and invite residents to eliminate prejudice everywhere it exists, respect the rights of all people, and celebrate the great diversity of our city.

Dated this 20th day of June, 2023.

Daniel J. Bukiewicz, Mayor

Catherine Roeske, City Clerk

TO BE PUBLISHED MAY 31 & JUNE 7, 2023

OFFICIAL NOTICE

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

PURPOSE:

The purpose of this public hearing is to consider a request submitted by Riverwood Arms Estates, Legacy/Riverwood LLC, for a Conditional Use Permit for roof-mounted solar energy collection systems on the properties at 520 & 557 W. Riverwood Dr.

Hearing Date: June 20, 2023

Time: 7:00 PM

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

Applicant(s): Riverwood Arms Estates, Legacy/Riverwood LLC

Property Owner(s): Legacy/Riverwood LLC

Property Location(s): 520 & 557 W. Riverwood Dr.

Tax Key(s): 859-9030-000 & 859-9031-000

Legal Description:

520 W. Riverwood Dr. Oak Creek, WI 53154 (buildings 520, 550, & 580) - CSM NO. 6711 PARCEL 2 NE 1/4 SEC 20-5-22 (14.912 AC).

557 W. Riverwood Dr. Oak Creek, WI 53154 (buildings 585 & 615) - CSM NO. 6711 PARCEL 1 NE 1/4 SEC 20-5-22 (4.464 AC).

The Common Council has scheduled other public hearings for June 20, 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 change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: May 24, 2023
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

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COMMON COUNCIL REPORT

- Item:** Conditional Use Permit - 520 & 557 W. Riverwood Dr. - Riverwood Arms Estates, Legacy/Riverwood LLC
- Recommendation:** That the Council considers Ordinance 3075, an ordinance to approve a Conditional Use Permit for roof-mounted solar energy collection systems on the properties at 520 & 557 W. Riverwood Dr. (6th Aldermanic District)
- Fiscal Impact:** Approval would allow for the installation of roof-mounted solar energy collection systems (e.g., solar panels) on the existing multifamily residential buildings on the property. One (1) building currently has solar panels similar to those being presented for Conditional Use Permit approval. Fees for such reviews and permits would yield positive financial impacts. This property is not currently part of a TID.
- 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 Applicant is requesting approval of a Conditional Use Permit Amendment for roof-mounted solar energy collection systems on five (5) of the apartment buildings on the properties at 520 & 557 W. Riverwood Dr. Roof-mounted solar energy collection systems (rooftop solar panels) are Conditional Uses in the Rm-1, Multifamily Residential zoning district subject to Sec. 17.0414(q), which is included with this report for reference.

The project consists of installing arrays similar to the existing arrays on the sixth apartment building (565). All will be installed flush to the southernmost roof sections of each building in conformance with Code requirements. Per the Fire Department, emergency shutoffs should be included in the plans. Staff have no other concerns for the proposal.

After careful consideration at their May 23 & June 13, 2023 meetings, the Plan Commission recommended Common Council approval of the request subject to attached Conditions and Restrictions.

Options/Alternatives: Council has the discretion to approve or not approve the proposed Conditional Use Permit request. Per Section 17.0804(e)(3) of the Municipal Code: A conditional use permit may be granted upon finding in the review of the application that all applicable use specific provisions per Article 4 of [this] Zoning Ordinance as well as the following criteria are met. A negative finding of fact on any of the following criteria shall require a negative vote on the application as a whole.

- o Section 17.0804(e)(3)(a) - The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
-

- o Section 17.0804(e)(3)(b) - The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- o Section 17.0804(e)(3)(c) - Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, and other necessary site improvements have been or are being provided.
- o Section 17.0804(e)(3)(d) - Measures have been or will be taken to provide adequate ingress and egress and designed to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.
- o Section 17.0804(e)(3)(e) - The conditional use conforms to all applicable regulations of the district in which it is located.

Should the Council determine that the proposed request for a Conditional Use Permit is acceptable, the suggested motion is to approve Ordinance 3075 as stated. The approval of the Conditional Use Permit would allow for the installation of roof-mounted solar energy collection systems on existing multifamily residential buildings.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Fiscal Review:



Maxwell Gagrin, MPA
Assistant City Administrator / Comptroller

Approved:

Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Location Map

Ord. 3075

Project Narrative (2 pages)

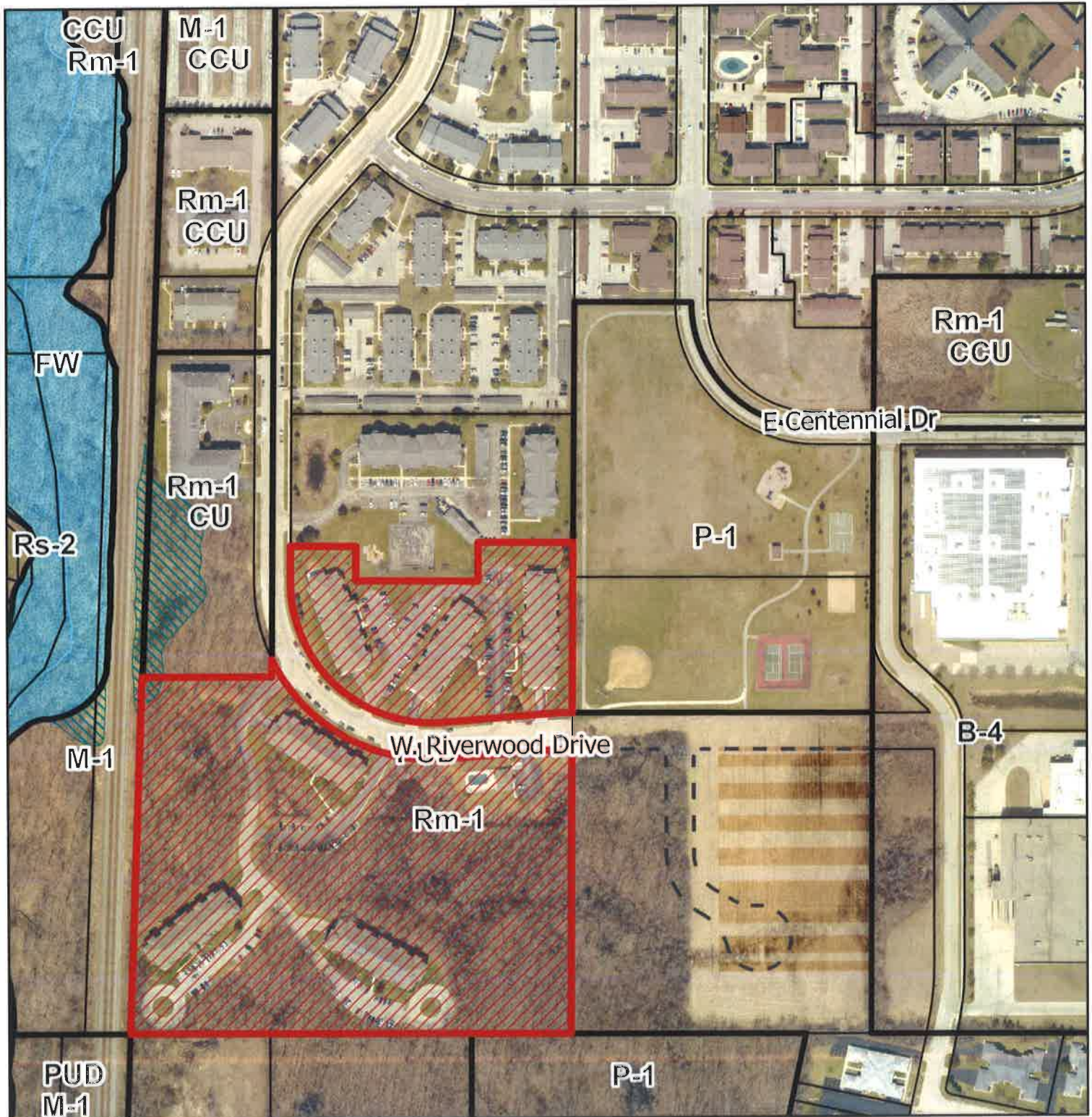
Plans (11 pages)

Draft Conditions and Restrictions (3 pages)

Excerpted Plan Commission Minutes (2 pages)

Notification Map

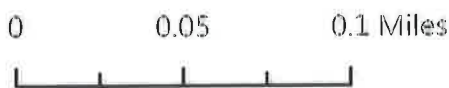
520, 550, 580, 585, and 615 W Riverwood Ave



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



Community Development



Legend

- Zoning
- Official Street Map
- Floodway
- Flood Fringe
- Parcels
- Parcels selection

ORDINANCE NO. 3075

By: _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR ROOF-MOUNTED SOLAR ENERGY COLLECTION SYSTEMS ON THE PROPERTIES AT 520 & 557 W. RIVERWOOD DR.

(6th Aldermanic District)

WHEREAS, RIVERWOOD ARMS ESTATES, LEGACY/RIVERWOOD LLC, has applied for a Conditional Use Permit that would allow for the installation of roof-mounted solar energy collection systems on the existing multifamily residential buildings on the properties at 520 & 557 W. Riverwood Dr.; and

WHEREAS, the property is more precisely described as follows:

CSM NO. 6711 PARCEL 1 NE 1/4 SEC 20-5-22 (4.464 AC) & CSM NO. 6711 PARCEL 2 NE 1/4 SEC 20-5-22 (14.912 AC).

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

WHEREAS, the Common Council held a public hearing on this matter on June 20, 2023, at which time all interested parties appeared and were heard; and

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

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

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for roof-mounted solar energy collection systems on the properties at 520 & 557 W. Riverwood Dr., which shall include the aforementioned Conditions and Restrictions.

SECTION 2: The Conditional Use is subject to the aforementioned Conditions and Restrictions on the design, location, construction and operation of the Conditional Use for the installation of roof-mounted solar energy collection systems on the properties at 520 & 557 W. Riverwood Dr.

SECTION 3: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 4: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

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

Passed and adopted this 20th day of June, 2023.

President, Common Council

Approved this 20th day of June, 2023.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A: CONDITIONS AND RESTRICTIONS

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

Applicant: Riverwood Arms Estates	Approved by Plan Commission: 6-13-23
Property Address(es): 520 & 557 W. Riverwood Dr.	Approved by Common Council: 6-20-23
Tax Key Number(s): 859-9030-000 & 859-9031-000	(Ord. 3075)
Conditional Use: Rooftop Solar Energy Collection Systems (Buildings: 520, 550, 580, 585, 615)	

1. LEGAL DESCRIPTION

CSM NO. 6711 PARCEL 1 NE 1/4 SEC 20-5-22 (4.464 AC) & CSM NO. 6711 PARCEL 2 NE 1/4 SEC 20-5-22 (14.912 AC).

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the City of Oak Creek Municipal Code, as amended, are in effect.
- B. All requirements of Ord. 1141, these Conditions and Restrictions, and all Plan Commission approvals are in effect.
- C. A precise detailed site plan for the area affected by the Conditional Use Permit, where applicable, shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall show and describe the following:

1) **General Development Plan**

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

2) **Landscape Plan**

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

3) **Building Plan**

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

4) **Lighting Plan**

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

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

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) **Fire Protection**

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

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

EXHIBIT A: CONDITIONS AND RESTRICTIONS (CONT'D)

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the Rm-1, Multifamily Residential zoning district, these Conditions and Restrictions, Ordinance 1141, all Plan Commission approvals, and all applicable sections of the Municipal Code (as amended).
- B. Solar energy collection systems shall be limited to rooftop-mounted systems.
- C. Solar energy collection systems shall not extend beyond 12 inches parallel to the roof surface of a pitched roof or flat roof, and shall not extend above the highest peak of a pitched roof. Height is measured from the roof surface on which the system is mounted to the highest edge of the system.
- D. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.
- E. Plans shall include details for all emergency shutoffs per Fire Department requirements.

4. PARKING AND ACCESS

Parking and access shall be per Ord. 1141, all Plan Commission approvals, and applicable Sections of the Municipal Code (as amended).

5. LIGHTING

Lighting shall be per Ord. 1141, all Plan Commission approvals, and Sec. 17.0509 of the Municipal Code (as amended).

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Density, dimensional requirements, and setbacks shall be per Ord. 1141, all Plan Commission approvals, and applicable Sections of the Municipal Code (as amended).

EXHIBIT A: CONDITIONS AND RESTRICTIONS (CONT'D)

7. TIME OF COMPLIANCE

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

8. OTHER REGULATIONS

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

9. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

10. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature

Date

(please print name)



Riverwood Arms Estates Solar Project: Phase 2

Roof Mount PV Array

Riverwood Estates

Date: 4/18/23

Prepared by: Andrew Holmstrom of Arch Solar C&I

Overview

Planning Department
8040 6th St.
Oak Creek, Wisconsin 53154

Subject: Riverwood Arms Estates Proposed Solar Project Summary

Arch Solar C&I is pleased to partner with Riverwood Arms Estates (Legacy/Riverwood LLC) on the installation of 5, 41.4kW roof mounted solar arrays located at 535 W Riverwood Dr, Oak Creek, WI 53154. This is in addition to a solar array that was installed on the sixth building's roof in 2019. There are 6 total apartment buildings on the property, and this projects end result in a consistent building appearance. This project is located within the RM-1 PUD Zoning District, COMMERCIAL, CODE 2.

Each array consists of (92) 450W ZnShine modules, installed flush to the southmost roof section(s) of each building. Each array meets all International Fire Code, National Electrical Code, International Building Code, and Oak Creek's 17.0414 Accessory Use Standards for roof mounted solar energy collection system requirements. A combiner panel, inverters, and disconnects, will be surface mounted on the non-public side of the buildings. There are no structural alternations required to host the solar panels, confirmed by structural analysis by PE, Vector Engineering. Each system is identical electrically and will interconnect via line-side tap to the existing infrastructure. These projects have all been approved through WE Energies standard interconnection application procedure and adhered to PSC docket 119 for customer owned generation.

The project value is estimated at: \$517,870.00



Technical Specifications

30° Fixed Tilt, South Facing, Flush Mounted Racking

- **System Description: ZnShine 450W Panels, SolarEdge SE17.3K-US Inverters (x2 per system)**
- **Systems Size: 41.4 kW (DC)**
 - Manufacturer: ZnShine
 - Wattage: 450Watt - BiFacial
 - Count: 92 per system
- **System Size: 34.6 kW (AC)**
 - Manufacturer: Solar Edge
 - Wattage: 17.3kW-AC per unit
 - Count: 2 per system
- **Rapid Shutdown: Fire Safety Device**
 - Manufacturer: SolarEdge
 - Wattage: P1101 (1100 Watts per 2-1 Series unit)
 - Count: 46 per system
- **Racking System: Iron Ridge**
 - FlashFoot2: Three Tier water sealed flashing
 - XR-100: Module mounting rail
- **Annual Solar PV kWh Production: 44.3 MWh (Avg. of 5 systems)**
- **Solar Efficiency: 1,181.5 kWh/kW (Avg. of 5 systems)**

BUILDING A (580)

41.4kW
(92) ZNShine ZXM6-NHLDD144 450W
(2) Solar Edge SE17.3K US
Iron Ridge Racking
- Flush Mount Racking
- Within 6" of roof face
Azimuth: 252°

BUILDING B (550)

41.4kW
(92) ZNShine ZXM6-NHLDD144 450W
(2) Solar Edge SE17.3K US
Iron Ridge Racking
- Flush Mount Racking
- Within 6" of roof face
Azimuth: 122°

BUILDING C (520)

41.4kW
(92) ZNShine ZXM6-NHLDD144 450W
(2) Solar Edge SE 17.3K US
Iron Ridge Racking
- Flush Mount Racking
- Within 6" of roof face
Azimuth: 92°, 182°



1237 Pilgrim Road
Plymouth WI, 53073
Phone: (920) 838-5368
www.archelec.com

**RIVERWOOD
ESTATES**

Customer: Riverwood Estates
Address: 535 W Riverwood Drive
City: Oak Creek
State: WI
Zip Code: 53154
Contact:
Phone:
Email:

Project Number: System Size:
PV NA -
Designer: 920.838.5368
Rebecca Nicholson

Site Plan

Revision: 4 Date: 04.20.23

BUILDING D (585)

41.4kW

(92) ZNShine ZXM6-NHLDD144 450W

(2) Solar Edge SE17.3K US

Iron Ridge Racking

- Flush Mount Racking
- Within 6" of roof face

Azimuth: 214°

BUILDING E (615)

41.4kW

(92) ZNShine ZXM6-NHLDD144 450W

(2) Solar Edge SE17.3K US

Iron Ridge Racking

- Flush Mount Racking
- Within 6" of roof face

Azimuth: 145°



1237 Pilgrim Road
Plymouth WI, 53073

Phone: (920) 838-5368
www.archelec.com

**RIVERWOOD
ESTATES**



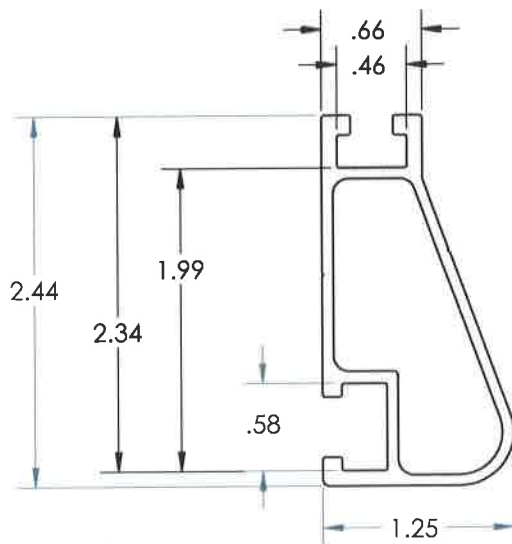
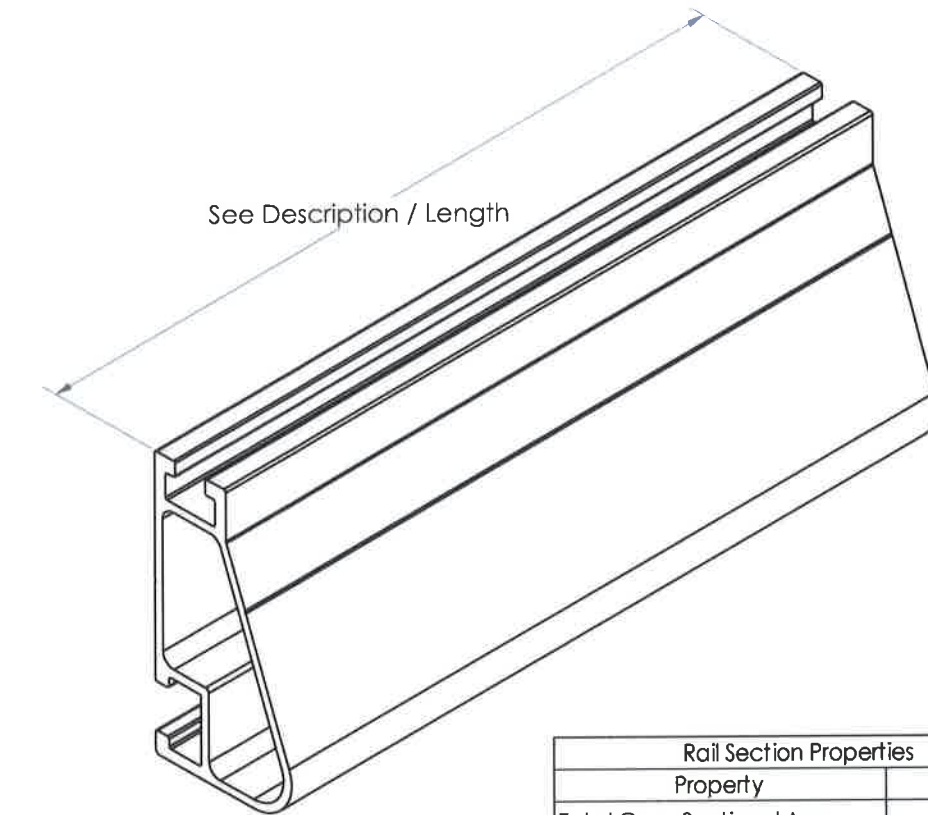
Customer: Riverwood Estates
Address: 535 W Riverwood Drive
City: Oak Creek
State: WI
Zip Code: 53154
Contact:
Phone:
Email:

Project Number: System Size:
PV NA -
Designer: 920.838.5368
Rebecca Nicholson

Site Plan

Revision: 3 Date: 04.20.23

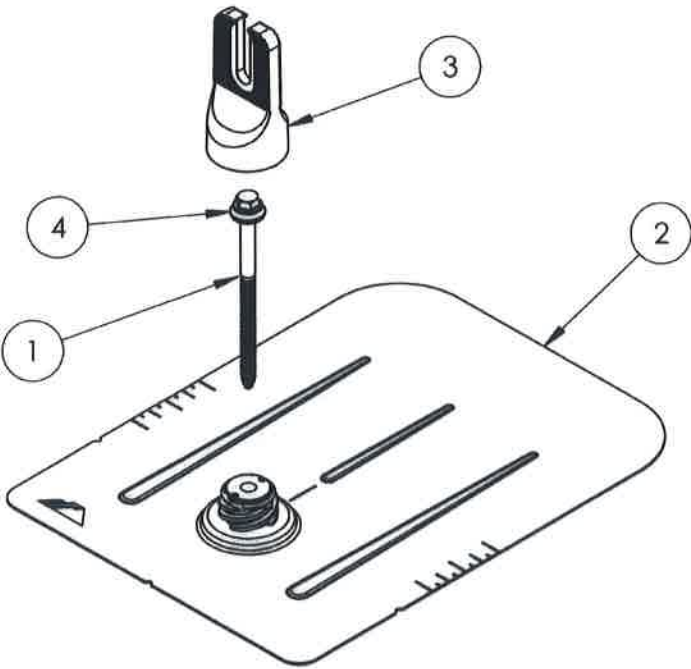
Page A.2



Rail Section Properties	
Property	Value
Total Cross-Sectional Area	0.582 in ²
Section Modulus (X-axis)	0.297 in ³
Moment of Inertia (X-axis)	0.390 in ⁴
Moment of Inertia (Y-axis)	0.085 in ⁴
Torsional Constant	0.214 in ³
Polar Moment of Inertia	0.126 in ⁴

APPROVED MATERIALS:
 6005-T6, 6005A-T61, 6105-T5, 6N01-T6
 (34,000 PSI YIELD STRENGTH MINIMUM)

Clear Part Number	Black Part Number	Description / Length	Material	Weight
XR-100-132A	XR-100-132B	XR100, Rail 132" (11 Feet)	6000-Series Aluminum	7.50 lbs.
XR-100-168A	XR-100-168B	XR100, Rail 168" (14 Feet)		9.55 lbs.
XR-100-204A	XR-100-204B	XR100, Rail 204" (17 Feet)		11.60 lbs.

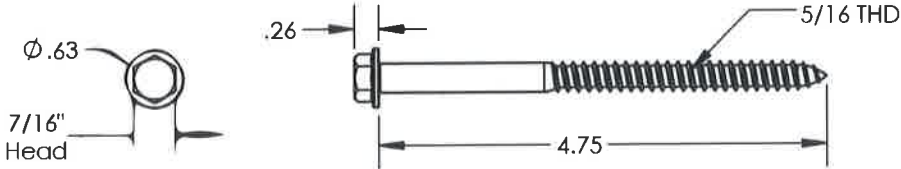


ITEM NO.	DESCRIPTION
1	BOLT LAG 5/16 X 4.75"
2	ASSY, FLASHING
3	ASSY, CAP
4	WASHER, EPDM BACKED

FLASHFOOT 2

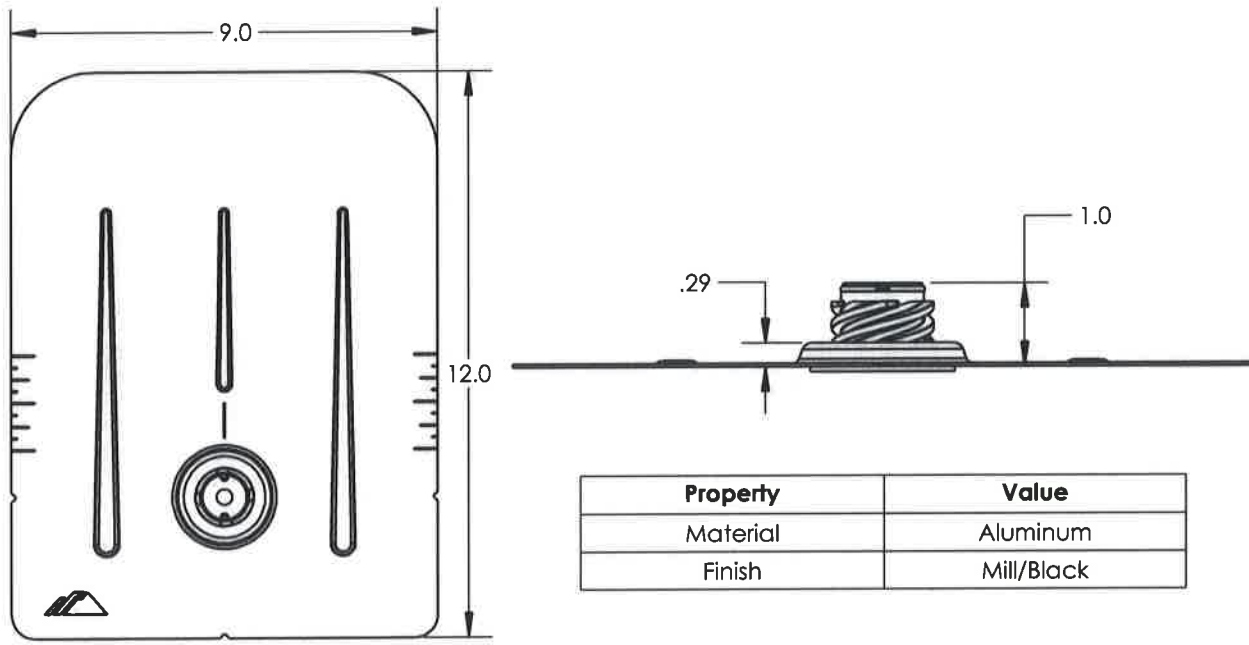
Part Number	Description
FF2-01-M1	FLASHFOOT2, MILL
FF2-01-B1	FLASHFOOT2, BLACK

1) Bolt, Lag 5/16 x 4.75



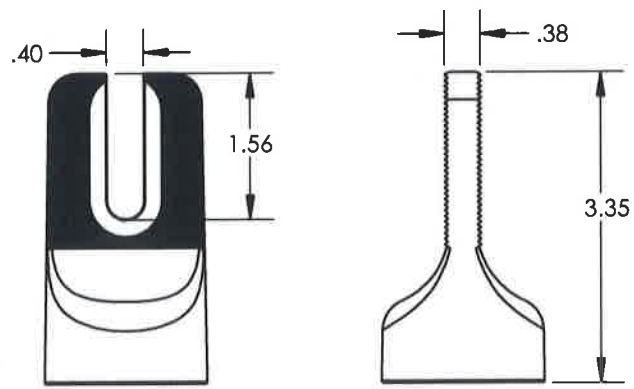
Property	Value
Material	300 Series Stainless Steel
Finish	Clear

2) Assy, Flashing



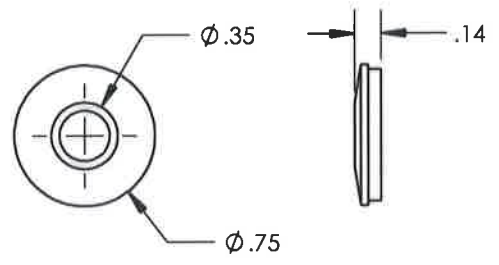
Property	Value
Material	Aluminum
Finish	Mill/Black

3) Assy, Cap



Property	Value
Material	Aluminum
Finish	Mill/Black

4) Washer, EPDM Backed



Property	Value
Material	300 Series Stainless Steel
Finish	Clear

Power Optimizer

For North America

P1101



POWER OPTIMIZER

PV power optimization at the module-level

The most cost-effective solution for commercial and large field installations

- Specifically designed to work with SolarEdge inverters
- Up to 25% more energy
- Superior efficiency (99.5%)
- Balance of System cost reduction; 50% less cables, fuses and combiner boxes, over 2x longer string lengths possible
- Fast installation with a single bolt
- Advanced maintenance with module-level monitoring
- Module-level voltage shutdown for installer and firefighter safety
- Meets NEC requirements for arc fault protection (AFCI) and Photovoltaic Rapid Shutdown System (PVRSS)

Power Optimizer for North America

P1101

Power Optimizer Model (Typical Module Compatibility)

P1101
(for up to 2 x high power or bi-facial modules)

INPUT

Rated Input DC Power ⁽¹⁾	1100	W
Connection Method	Single input for series connected modules	
Absolute Maximum Input Voltage (Voc at lowest temperature)	125	Vdc
MPPT Operating Range	12.5 - 105	Vdc
Maximum Short Circuit Current (Isc)	14.1	Adc
Maximum Short Circuit Current per Input (Isc)	-	Adc
Maximum Efficiency	99.5	%
Weighted Efficiency	98.6	%
Overtoltage Category	II	

OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREEDGE INVERTER)

Maximum Output Current	18	Adc
Maximum Output Voltage	80	Vdc

OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREEDGE INVERTER OR SOLAREEDGE INVERTER OFF)

Safety Output Voltage per Power Optimizer	1 ± 0.1	Vdc
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STANDARD COMPLIANCE

Photovoltaic Rapid Shutdown System	Compliant with NEC 2014, 2017, 2020	
EMC	FCC Part 15 Class A, IEC61000-6-2, IEC61000-6-3	
Safety	IEC62109-1 (class II safety), UL1741, UL3741	
Material	UL94 V-0, UV resistant	
RoHS	Yes	

INSTALLATION SPECIFICATIONS

Compatible SolarEdge Inverters	SE30K & larger	
Maximum Allowed System Voltage	1000	Vdc
Dimensions (W x L x H)	129 x 162 x 59 / 5.1 x 6.4 x 2.32	mm / in
Weight	1064 / 2.34	gr / lb
Input Connector	MC4 ⁽²⁾	
Input Wire Length Options		
1		
2	1.6 / 5.2	m / ft
3		
Output Wire Type / Connector	Double insulated; MC4	
Output Wire Length	2.4 / 7.8	m / ft
Operating Temperature Range ⁽³⁾	-40 to +85 / -40 to +185	°C / °F
Protection Rating	IP68 / NEMA6P	
Relative Humidity	0 - 100	%

(1) Rated power of the module at STC will not exceed the Power Optimizer "Rated Input DC Power". Modules with up to +5% power tolerance are allowed.

(2) For other connector types please refer to: <https://www.solaredge.com/sites/default/files/optimizer-input-connector-compatibility.pdf>.

(3) For ambient temperature above +70°C / +158°F, power de-rating is applied. Refer to the Power Optimizers Temperature De-Rating Application Note for more details.

PV System Design Using a SolarEdge Inverter	208V Grid SE14.4K*	208V Grid SE17.3K*	277/480V Grid SE20K, 30K	277/480V Grid SE33.3K*, SE40K*	
Compatible Power Optimizers	P1101	P1101	P1101	P1101	
Minimum String Length	Power Optimizers	8	10	14	
	PV Modules	15	19	27	
Maximum String Length	Power Optimizers	30	30	30	
	PV Modules	60	60	60	
Maximum Continuous Power per String	7200	8820	15300	15300	W
Maximum Allowed Connected Power per String ⁽⁴⁾ (Permitted only when the difference in connected power between strings is up to 2,000W for the 277/480V grid, or 1,000W for the 208V grid)	1 string - 8400	1 string - 10020	1 string - 17550	2 strings or less - 17550	W
	2 strings or more - 9000	2 strings or more - 10620	2 strings or more - 20300	3 strings or more - 20300	
Parallel Strings of Different Lengths or Orientations	Yes				

* The same rules apply for Synergy units of equivalent power ratings, that are part of the modular Synergy Technology inverter.

(4) To connect more STC power per string, design your project using [SolarEdge Designer](#).

Three Phase Inverters for the 120/208V Grid For North America

SE14.4KUS / SE17.3KUS



INVERTERS

The best choice for SolarEdge enabled systems

- Specifically designed to work with power optimizers
- Quick and easy inverter commissioning directly from a smartphone using the SolarEdge SetApp
- Fixed voltage inverter for superior efficiency (97.5%) and longer strings
- Built-in type 2 DC and AC Surge Protection, to better withstand lightning events
- Small, lightest in its class, and easy to install outdoors or indoors on provided bracket
- Integrated arc fault protection and rapid shutdown for NEC 2014 and 2017, per article 690.11 and 690.12
- Built-in module-level monitoring with Ethernet, wireless or cellular communication for full system visibility
- Integrated Safety Switch
- UL1741 SA certified, for CPUC Rule 21 grid compliance

/ Three Phase Inverters for the 120/208V Grid⁽¹⁾

For North America

SE14.4KUS / SE17.3KUS

MODEL NUMBER	SE14.4KUS	SE17.3KUS	UNITS
APPLICABLE TO INVERTERS WITH PART NUMBER	SEXXX-USX2IXXXX		
OUTPUT			
Rated AC Power Output	14400	17300	W
Maximum apparent AC output power	14400	17300	VA
AC Output Line Connections	3W + PE, 4W + PE		
AC Output Voltage Minimum-Nominal-Maximum ⁽²⁾ (L-N)	105-120-132.5		Vac
AC Output Voltage Minimum-Nominal-Maximum ⁽²⁾ (L-L)	183-208-229		Vac
AC Frequency Min-Nom-Max ⁽²⁾	59.3 - 60 - 60.5		Hz
Continuous Output Current (per Phase)	40	48.25	Aac
GFDI Threshold	1		A
Utility Monitoring, Islanding Protection, Country Configurable Set Points	Yes		
THD	≤ 3		%
Power Factor Range	+/- 0.85 to 1		
INPUT			
Maximum DC Power (Module STC)	21600	26000	W
Transformer-less, Ungrounded	Yes		
Maximum Input Voltage DC+ to DC-	600		Vdc
Operating Voltage Range	370 - 600		Vdc
Maximum Input Current	40	48.25	Adc
Maximum Input Short Circuit Current	55		Adc
Reverse-Polarity Protection	Yes		
Ground-Fault Isolation Detection	167kΩ Sensitivity ⁽³⁾		
CEC Weighted Efficiency	97.5		%
Night-time Power Consumption	< 4		W
ADDITIONAL FEATURES			
Supported Communication Interfaces	2 x RS485, Ethernet, Cellular (optional)		
Inverter Commissioning	With the SetApp mobile application using built-in Wi-Fi access point for local connection		
Rapid Shutdown	NEC2014, NEC2017 and NEC2020 compliant/certified		
RS485 Surge Protection Plug-in	Supplied with the inverter, Built-in		
AC, DC Surge Protection	Type II, field replaceable, Built-in		
DC Fuses (Single Pole)	25A, Built-in		
Smart Energy Management	Export Limitation		
DC SAFETY SWITCH			
DC Disconnect	Integrated		
STANDARD COMPLIANCE			
Safety	UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFCI according to T.I.L. M-07		
Grid Connection Standards	IEEE1547, Rule 21, Rule 14 (HI)		
Emissions	FCC part15 class A		
INSTALLATION SPECIFICATIONS			
AC output conduit size /AWG range	¾" or 1" / 6 - 10 AWG		
DC input conduit size / AWG range	¾" or 1" / 6 - 12 AWG		
Number of DC inputs pairs	4		
Dimensions with Safety Switch (H x W x D)	31.8 x 12.5 x 11.8 / 808 x 317 x 300		in / mm
Weight with Safety Switch	78.2 / 35.5		lb / kg
Cooling	Fans (user replaceable)		
Noise	< 62		dBA
Operating Temperature Range	-40 to +140 / -40 to +60 ⁽⁴⁾		°F / °C
Protection Rating	NEMA 3R		
Mounting	Bracket provided		

(1) For 277/480V inverters refer to: <https://www.solaredge.com/sites/default/files/se-three-phase-us-inverter-277-480v-setapp-datasheet.pdf>

(2) For other regional settings please contact SolarEdge support

(3) Where permitted by local regulations

(4) For power de-rating information refer to: <https://www.solaredge.com/sites/default/files/se-temperature-derating-note-na.pdf>

ZXM6-NHLDD144 Series



Znshinesolar 9BB HALF-CELL Bifacial Light-Weight Double Glass Monocrystalline PERC PV Module

430W | 435W | 440W | 445W | 450W | 455W



Excellent cells efficiency

9BB technology decreases the distance between bus bars and finger grid line which is benefit to power increase.



Better Weak Illumination Response

More power output in weak light condition, such as haze, cloudy, and morning



Anti PID

Limited power degradation caused by PID effect is guaranteed under strict testing condition for mass production



High wind and snow resistance

■ 5400 Pa snow load ■ 2400 Pa wind load



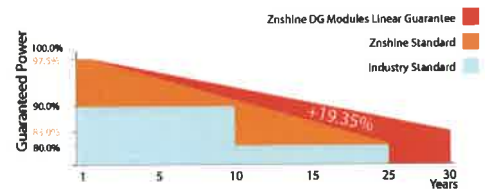
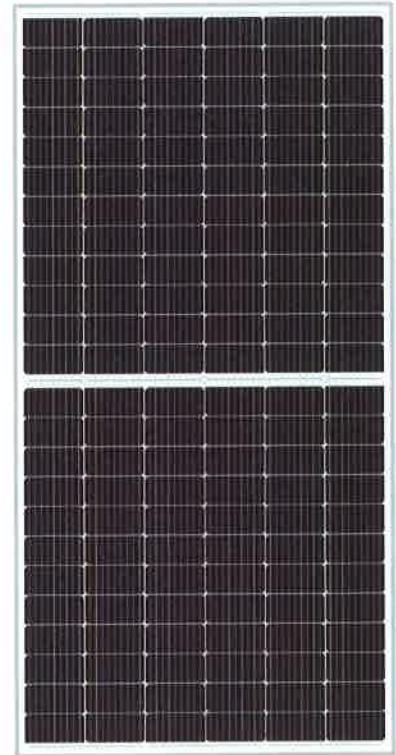
30 years power warranty

After 30 years our solar panel keeps at least 80% of its initial power output



Bifacial technology

Enables additional energy harvesting from rear side(up to 25%)



12 years product guarantee
30 years output guarantee



0.5% annual degradation
over 30 years



Founded in 1988, ZNShine solar is a world's leading high-tech PV module manufacturer. With the state-of-the-art production lines, the company boasts module capacity of 6GW. Bloomberg has listed ZNShine as a global Tier 1 PV module maker. Today Znshine has distributed its sales to more than 60 countries around the globe.

ELECTRICAL CHARACTERISTICS | STC*

Nominal Power Watt Pmax(W)*	430	435	440	445	450	455
Power Output Tolerance Pmax(%)	0~+3	0~+3	0~+3	0~+3	0~+3	0~+3
Maximum Power Voltage Vmp(V)	41.30	41.50	41.70	41.90	42.10	42.30
Maximum Power Current Imp(A)	10.42	10.49	10.56	10.63	10.69	10.76
Open Circuit Voltage Voc(V)	49.70	49.90	50.10	50.30	50.50	50.70
Short Circuit Current Isc(A)	11.30	11.37	11.44	11.51	11.58	11.65
Module Efficiency (%)	19.78	20.01	20.24	20.47	20.70	20.93

*STC (Standard Test Condition): Irradiance 1000W/m², Module Temperature 25°C, AM 1.5
 *Measuring tolerance: ±3%

ELECTRICAL CHARACTERISTICS | NMOT*

Maximum Power Pmax(Wp)	322.60	326.30	329.90	333.60	337.10	340.80
Maximum Power Voltage Vmpp(V)	37.90	38.00	38.20	38.40	38.60	38.70
Maximum Power Current Impp(A)	8.52	8.58	8.63	8.69	8.74	8.80
Open Circuit Voltage Voc(V)	46.40	46.60	46.80	46.90	47.10	47.30
Short Circuit Current Isc(A)	9.13	9.18	9.24	9.30	9.35	9.41

*NMOT(Nominal module operating temperature):Irradiance 800W/m²,Ambient Temperature 20°C,AM 1.5,Wind Speed 1m/s

ELECTRICAL CHARACTERISTICS WITH 25% REAR SIDE POWER GAIN

Front power Pmax/W	430	435	440	445	450	455
Total power Pmax/W	538	544	550	556	563	569
Vmp/V(Total)	41.40	41.60	41.80	42.00	42.20	42.40
Imp/A(Total)	13.00	13.08	13.16	13.24	13.33	13.41
Voc/V(Total)	49.80	50.00	50.20	50.40	50.60	50.80
Isc/A(Total)	13.65	13.73	13.81	13.89	14.44	14.52

MECHANICAL DATA

Solar cells	Mono PERC
Cells orientation	144 (6x24)
Module dimension	2094x1038x30 mm(With Frame)
Weight	28 kg
Glass	2.0 mm+2.0mm, High Transmission, AR Coated Heat Strengthened Glass
Junction box	IP 68, 3 diodes
Cables	4 mm ² , 350 mm
Connectors	MC4-compatible

TEMPERATURE RATINGS

NMOT	44°C ±2°C
Temperature coefficient of Pmax	-0.36%/°C
Temperature coefficient of Voc	-0.29%/°C
Temperature coefficient of Isc	0.05%/°C
Refer. Bifacial Factor	70±5%

WORKING CONDITIONS

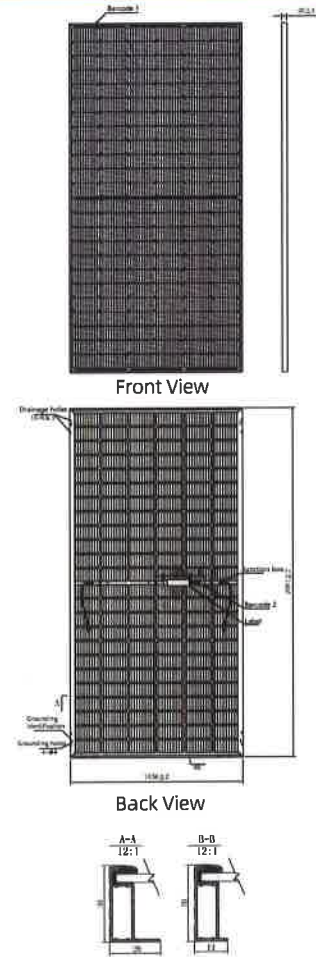
Maximum system voltage	1500 V DC
Operating temperature	-40°C~+85°C
Maximum series fuse	25 A
Maximum load(snow/wind)	5400 Pa / 2400 Pa

*Do not connect Fuse in Combiner Box with two or more strings in parallel connection
 *Remark:Electrical data in this catalog do not refer to a single module and they are not part of the offer.They only serve for comparison among different module types.

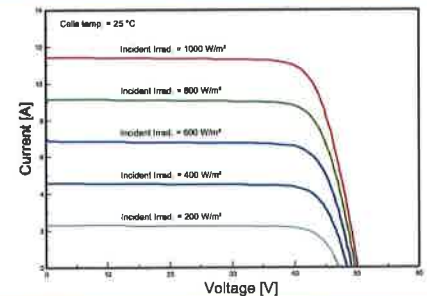
PACKAGING CONFIGURATION

Piece/Box	36
Piece/Container(40'HQ)	792
Piece/Container(with additional small package)	1

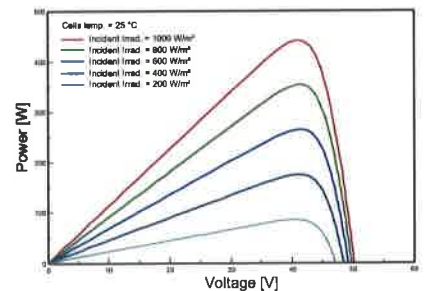
DIMENSIONS(MM)



I-V CURVES OF PV MODULE(440W)



P-V CURVES OF PV MODULE(440W)



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

Applicant: Riverwood Arms Estates	Approved by Plan Commission: 6-13-23
Property Address(es): 520 & 557 W. Riverwood Dr.	Approved by Common Council: TBD
Tax Key Number(s): 859-9030-000 & 859-9031-000	(Ord. 3075)
Conditional Use: Rooftop Solar Energy Collection Systems	
(Buildings: 520, 550, 580, 585, 615)	

1. LEGAL DESCRIPTION

CSM NO. 6711 PARCEL 1 NE 1/4 SEC 20-5-22 (4.464 AC) & CSM NO. 6711 PARCEL 2 NE 1/4 SEC 20-5-22 (14.912 AC).

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

B. All requirements of Ord. 1141, these Conditions and Restrictions, and all Plan Commission approvals are in effect.

C. A precise detailed site plan for the area affected by the Conditional Use Permit, where applicable, shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building permits for each phase. This plan shall show and describe the following:

1) **General Development Plan**

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

2) **Landscape Plan**

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

3) **Building Plan**

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

4) **Lighting Plan**

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

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

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) **Fire Protection**

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

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

- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the Rm-1, Multifamily Residential zoning district, these Conditions and Restrictions, Ordinance 1141, all Plan Commission approvals, and all applicable sections of the Municipal Code (as amended).
- B. Solar energy collection systems shall be limited to rooftop-mounted systems.
- C. Solar energy collection systems shall not extend beyond 12 inches parallel to the roof surface of a pitched roof or flat roof, and shall not extend above the highest peak of a pitched roof. Height is measured from the roof surface on which the system is mounted to the highest edge of the system.
- D. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.
- E. Plans shall include details for all emergency shutoffs per Fire Department requirements.

4. PARKING AND ACCESS

Parking and access shall be per Ord. 1141, all Plan Commission approvals, and applicable Sections of the Municipal Code (as amended).

5. LIGHTING

Lighting shall be per Ord. 1141, all Plan Commission approvals, and Sec. 17.0509 of the Municipal Code (as amended).

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Density, dimensional requirements, and setbacks shall be per Ord. 1141, all Plan Commission approvals, and applicable Sections of the Municipal Code (as amended).

7. TIME OF COMPLIANCE

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

8. OTHER REGULATIONS

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

9. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

10. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

11. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature

Date

(please print name)

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 23, 2023**

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

**CONDITIONAL USE PERMIT
ARCH SOLAR C&I
6900 S. 27TH ST.
TAX KEY NO. 737-9025-000**

Senior Planner Papelbon provided an overview of a request for a Conditional Use Permit for roof-mounted solar energy collection systems (rooftop solar panels) on the apartment buildings on the properties at 520 & 557 W. Riverwood Dr. (see staff report for details).

Commissioner Chandler asked the applicant if the energy collected would assist the residents with their utilities. Andrew Holmstrom, 1045 West Calumet Road, River Hills, said not directly. Mr. Holmstrom explained that per WE Energies requirements only one solar ray can offset one meter on a property. The owner, Riverwood Legacy LLC, is using this to offset the public meters with the idea that in the future they will offer EV charging stations to tenants and use this energy to provide power for that.

Commissioner Hanna asked how the proposed project would be maintained. Mr. Holmstrom said there is a team at Arch that checks in weekly to make sure there are no errors with the system. Mr. Holmstrom stated the proposed panels have panel level monitoring so if the third panel in top row is out Arch will get a notification that the panel is not producing power like it should.

Commissioner Hanna asked how the system will perform in the cold winters. Mr. Holmstrom explained that the system performs better, efficiency wise, in the winter because the panels and wires prefer cooler temperatures, however the additional sunlight hours in the summer will produce more power.

Mayor Bukiewicz asked how many panels will be on each building and asked if they were identical array systems. Mr. Holmstrom said yes, they each consist of 41.4 kilowatts, 450-watt panels a piece.

Mayor Bukiewicz asked how many panels are proposed. Mr. Holmstrom said he thinks 92.

Mayor Bukiewicz asked how many units per building. Mr. Holmstrom said he did not know.

Mayor Bukiewicz stated that Mr. Holmstrom said only one panel per apartment. Mr. Holmstrom clarified that he said per one meter. Mayor Bukiewicz said usually there is a meter

per apartment. Mr. Holmstrom clarified that the panels would be hooked up to the apartments' public use meter to offset each building.

Mayor Bukiewicz inquired if everyone will be licensed. Mr. Holmstrom said they are contractor licensed and master electrician licensed.

Mayor Bukiewicz inquired if it will be everyone on site. Mr. Holmstrom said the installation team that's doing the DC work installing the racking and panels are not required to be licensed electricians, but anyone working on what is considered high voltage (over 80 volts) will be a licensed electrician.

Senior Planner Papelbon stated, per the narrative, each of the five (5) arrays have 92 modules.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit allowing roof-mounted solar energy collection systems on the apartment buildings on the properties at 520 & 557 W. Riverwood Dr. after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (June 13, 2023).

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

ATTEST:



Karl Papelbon, Plan Commission Secretary

6-13-23

Date

TO BE PUBLISHED MAY 31 & JUNE 7, 2023

OFFICIAL NOTICE

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

PURPOSE:

The purpose of this public hearing is to consider a request submitted by Matthew Mehring, Anderson Ashton, to rezone the property at 239 E. College Ave. from B-4, General Business to M-1, Manufacturing with a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave.

Hearing Date: June 20, 2023

Time: 7:00 PM

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

Applicant(s): Matthew Mehring, Anderson Ashton

Property Owner(s): SSV OAK CREEK I LLC

Property Location(s): 6340 S. Howell Ave. and 239 E. College Ave.

Tax Key(s): 719-9012-000 & 719-9995-000

Legal Description:

A redivision of Lot 1 of CSM 8942 and lands being in the NW ¼ of the NW ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the NW corner of the said NW ¼ of Section 4; thence, S02°13'15" W along the west line of said ¼ Section 513.00 feet; thence S89°32'36" E 60.20 feet to the point of beginning; thence northeast 187.98 feet along an arc of a curve, whose radius is 2790.79 feet, whose center lies to the east and whose chord bears N04°44'51" E, 187.94 feet; thence N06°40'37" E 206.01 feet; thence N39°44'33" E 78.35 feet; thence S89°32'36" E 312.77 feet; thence N02°13'15" E 5.00 feet; thence S89°32'36" E 398.81 feet; thence S00°27'24" W 106.70 feet; thence S12°19'07" E 360.05 feet; thence N89°32'36" E 877.34 feet to the point of beginning.

The Common Council has scheduled other public hearings for June 20, 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 change may call the Department of Community Development at (414) 766-7000, during regular business hours.

Date of Notice: May 24, 2023
CITY OF OAK CREEK COMMON COUNCIL
By: Daniel J. Bukiewicz, Mayor

PUBLIC NOTICE

PLEASE NOTE: Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 414-766-7000, or by writing to City Hall, 8040 South 6th Street, Oak Creek, Wisconsin 53154.



COMMON COUNCIL REPORT

Item: Rezone and Conditional Use Permit - 6340 S. Howell Ave. and 239 E. College Ave. - Anderson Ashton

Recommendation: That the Council considers Ordinance 3076, an ordinance to rezone the property at 239 E. College Ave. to M-1, Manufacturing and establish a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. (1st Aldermanic District)

Fiscal Impact: Approval of the request is one of several required steps in the entitlement process that will allow for the development of the properties with a new industrial facility. Development of a new lot will yield positive fiscal impacts in terms of assessed value, permit and review fees, and an estimated \$34,400 in impact fees. The properties are located within TID 10.

- 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 Applicant is requesting approval for the property at 239 E. College Ave. to be rezoned to M-1, Manufacturing with a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of 6340 S. Howell Ave. and 239 E. College Ave. Both heavy manufacturing and equipment sales and rental uses are Conditional Uses in the M-1, Manufacturing district. The Land Use Plan within the Comprehensive Plan identifies these parcels as appropriate for future business park (re)development.

Council will note that while a similar request was reviewed in March, the rezone and Conditional Use Permit for consideration in this request are limited to the corner lot (Lot 1 of the CSM approved by the Common Council on April 3, 2023). The revised application provides additional details for the proposal, including conceptual renderings of the building.

American Industrial Motor Service (“AIMS Power”) is proposing to move their current operations from Milwaukee to the site in a proposed 80,000 square-foot industrial building. This includes all of the electrical apparatus repair (e.g., electrical motor repair and parts for electrical motor systems) and a sister company (Pinnacle Engineering). Initially, AIMS will have 23 employees onsite, and will have up to 60 anticipated employees once Pinnacle Engineering arrives. Hours of operation are 6:00 AM – 5:00 PM weekdays, with occasional extended and weekend hours. Between 25 and 35 deliveries are anticipated weekly.

While the equipment being worked on is often large and heavy, the methods used to clean and repair that equipment are not dissimilar to those utilized in traditional manufacturing operations found throughout the M-1, Manufacturing zoning district.

Like many industrial users, this facility will utilize paints, gasses, oils, and similar as part of their regular operations. Per the Fire Department, the use and storage of the such materials will be evaluated and calculated into the design of the required fire suppression system for the building. No outdoor storage, aside from the usual trash enclosures and vehicle parking associated with the business, is proposed. Occasional, but not regular, sales of equipment are anticipated.

Access to the site will be via a single drive off of College Avenue. No access will be provided to Howell Avenue. Minimum parking requirements for manufacturing are calculated at one (1) stall for every 1,500 square feet. This equates to 53 total parking stalls, which are provided either initially or as future parking areas in the concept site plan. While this is not a review of site, building, or landscape plans, landscape screening will be required for all parking areas and screening of loading areas. Additional information is contained in the submitted narrative and concept plans included with this report.

The requested M-1, Manufacturing zoning substantially conforms to the adopted Comprehensive Plan, which identifies the properties as Business Park. Staff have no objections to the proposal as presented – all proposed operations will be conducted interior to the building, and any minor concerns can be addressed with conditions at both the next step and Site and Building Plan review.

After careful consideration at their May 9 & 23, 2023 meetings, the Plan Commission recommended Common Council approval of the request subject to attached Conditions and Restrictions.

Options/Alternatives: Council has the discretion to approve or not approve the proposed Conditional Use Permit request. Per Section 17.0804(e)(3) of the Municipal Code: A conditional use permit may be granted upon finding in the review of the application that all applicable use specific provisions per Article 4 of [this] Zoning Ordinance as well as the following criteria are met. A negative finding of fact on any of the following criteria shall require a negative vote on the application as a whole.

- o Section 17.0804(e)(3)(a) - The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
- o Section 17.0804(e)(3)(b) - The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- o Section 17.0804(e)(3)(c) - Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, and other necessary site improvements have been or are being provided.
- o Section 17.0804(e)(3)(d) - Measures have been or will be taken to provide adequate ingress and egress and designed to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.
- o Section 17.0804(e)(3)(e) - The conditional use conforms to all applicable regulations of the district in which it is located.

Should the Council determine that the proposed request to rezone the property at 239 E. College Ave. and establish a Conditional Use Permit on the properties at 239 E. College Ave. and 6340 S. Howell Ave. is acceptable, the suggested motion is to approve Ordinance 3076 as stated. The approval would allow for the project to proceed to the Site & Building Plan Review stage.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Kari Papelbon, CFM, AICP
Senior Planner

Fiscal Review:



Maxwell Gagrin, MPA
Assistant City Administrator / Comptroller

Approved:

Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Location Map

Ord. 3076

Project Narrative (2 pages)

Concept Site Plan, C1.0 (1 page)

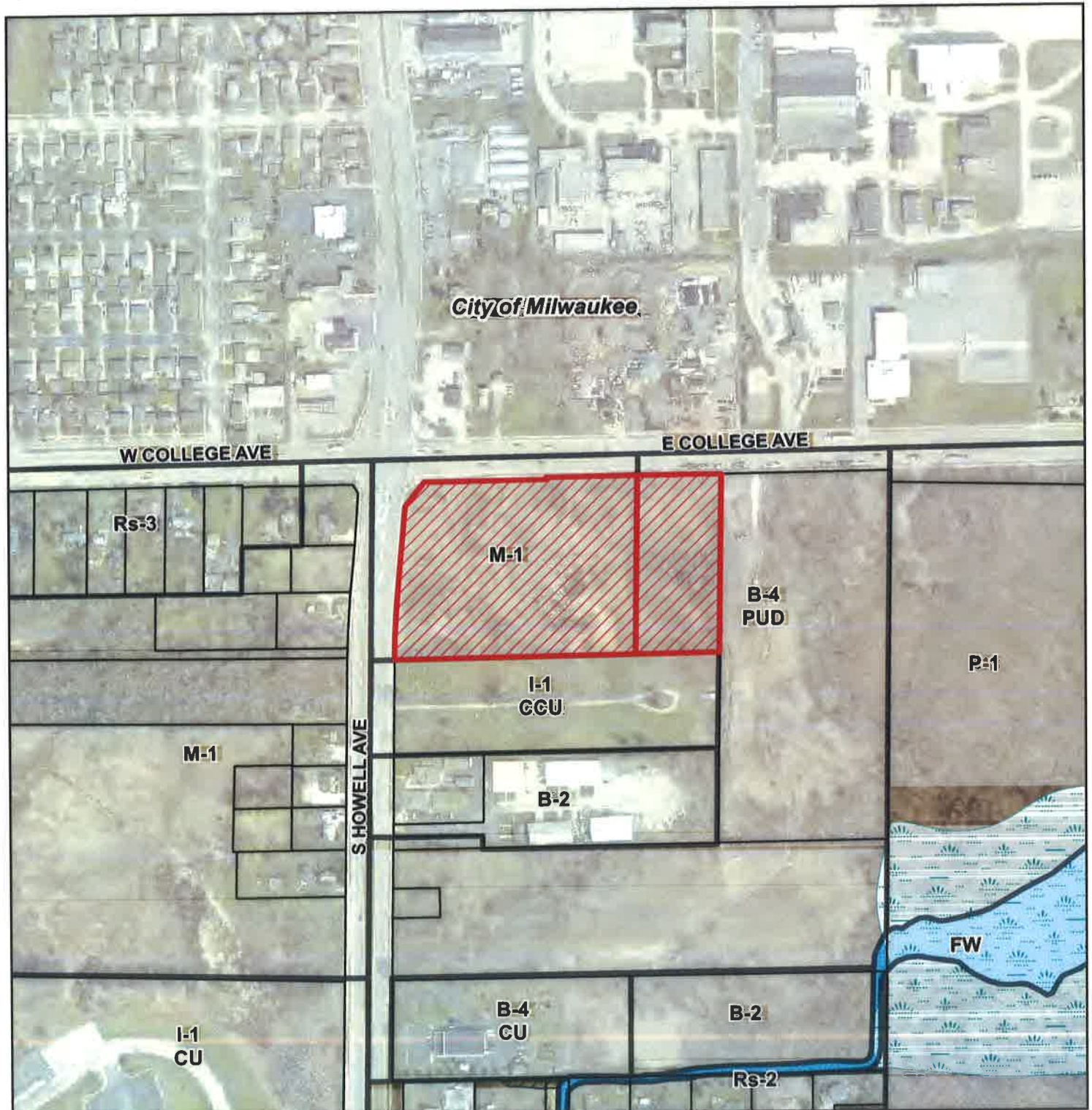
Concept Renderings (5 pages)

Draft Conditions and Restrictions (6 pages)

Excerpted Plan Commission Minutes (6 pages)

LOCATION MAP

6340 S. Howell Ave. & 239 E. College Ave.



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



Legend

-  Zoning
-  Official Map
-  Floodway
-  Flood Fringe
-  Subject Properties
-  LOD
-  C-1

ORDINANCE NO. 3076

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 239 E. COLLEGE AVE. TO M-1, MANUFACTURING AND ESTABLISH A CONDITIONAL USE PERMIT FOR HEAVY MANUFACTURING AND EQUIPMENT SALES AND RENTAL ON PORTIONS OF THE PROPERTIES AT 6340 S. HOWELL AVE. AND 239 E. COLLEGE AVE.

(1st Aldermanic District)

WHEREAS, ANDERSON ASHTON, has applied for rezoning the property at 239 E. College Ave. to M-1, Manufacturing and establish a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave.;

WHEREAS, the properties are more precisely described as follows:

A redivision of Lot 1 of CSM 8942 and lands being in the NW ¼ of the NW ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the NW corner of the said NW ¼ of Section 4; thence, S02°13'15" W along the west line of said ¼ Section 513.00 feet; thence S89°32'36" E 60.20 feet to the point of beginning; thence northeast 187.98 feet along an arc of a curve, whose radius is 2790.79 feet, whose center lies to the east and whose chord bears N04°44'51" E, 187.94 feet; thence N06°40'37" E 206.01 feet; thence N39°44'33" E 78.35 feet; thence S89°32'36" E 312.77 feet; thence N02°13'15" E 5.00 feet; thence S89°32'36" E 398.81 feet; thence S00°27'24" W 106.70 feet; thence S12°19'07" E 360.05 feet; thence N89°32'36" E 877.34 feet to the point of beginning.

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

WHEREAS, the Common Council held a public hearing on this matter on June 20, 2023, at which time all interested parties appeared and were heard; and

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

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

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands at 239 E. College Ave hereinabove described are rezoned to M-1, Manufacturing, and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave., which shall include the aforementioned conditions and restrictions.

SECTION 3: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave.

SECTION 4: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 5: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted this 20th day of June, 2023.

President, Common Council

Approved this 20th day of June, 2023.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A: CONDITIONS AND RESTRICTIONS

City of Oak Creek – Conditional Use Permit (CUP) Conditions and Restrictions		
Applicant:	Anderson Ashton (AIMS)	Approved by Plan Commission: 5-23-23 Approved by Common Council: 6-20-23 (Ord. 3076)
Property Address(es):	6340 S. Howell Ave. and 239 E. College Ave (portion)	
Tax Key Number(s):	719-9012-000 & 719-9995-000 (portion)	
Conditional Use:	One (1) Heavy Manufacturing & Equipment Sales and Rental Facility	

1. LEGAL DESCRIPTION

A redivision of Lot 1 of CSM 8942 and lands being in the NW ¼ of the NW ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the NW corner of the said NW ¼ of Section 4; thence, S02°13'15" W along the west line of said ¼ Section 513.00 feet; thence S89°32'36" E 60.20 feet to the point of beginning; thence northeast 187.98 feet along an arc of a curve, whose radius is 2790.79 feet, whose center lies to the east and whose chord bears N04°44'51" E, 187.94 feet; thence N06°40'37" E 206.01 feet; thence N39°44'33" E 78.35 feet; thence S89°32'36" E 312.77 feet; thence N02°13'15" E 5.00 feet; thence S89°32'36" E 398.81 feet; thence S00°27'24" W 106.70 feet; thence S12°19'07" E 360.05 feet; thence N89°32'36" E 877.34 feet to the point of beginning.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

- 1) **General Development Plan**
 - a) Detailed building/structure location(s) with setbacks
 - b) Square footage of all buildings/structures
 - c) Area(s) for future expansion/phases
 - d) Area(s) to be paved
 - e) Access drive(s) (width and location)
 - f) Sidewalk location(s)
 - g) Parking layout and traffic circulation
 - i) Location(s) and future expansion
 - ii) Number & type(s) of dwellings
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks
 - h) Location(s) of loading berth(s)
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)
 - k) Location of storm sewer (existing & proposed)
 - l) Location(s) of wetlands (field verified)
 - m) Location(s) and details of sign(s)
 - n) Location(s) and details of proposed fences/gates
- 2) **Landscape Plan**
 - 1. Screening plan, including parking lot screening/berming
 - 2. Number, initial & mature sizes, and types of plantings
 - c) Percentage open/green space
- 3) **Building Plan**
 - a) Architectural elevations (w/dimensions)
 - b) Building floor plans (w/dimensions)
 - c) Materials of construction (including colors)
- 4) **Lighting Plan**
 - a) Types & color of fixtures
 - b) Mounting heights
 - c) Types & color of poles
 - d) Photometrics of proposed fixtures
- 5) **Grading, Drainage and Stormwater Management Plan**
 - 1. Contours (existing & proposed)
 - 2. Location(s) of storm sewer (existing and proposed)
 - 3. Location(s) of stormwater management structures and basins (if required)
- 6) **Fire Protection**
 - a) Locations of existing & proposed fire hydrants
 - b) Interior floor plan(s)

EXHIBIT A: CONDITIONS AND RESTRICTIONS

- c) Materials of construction
- d) Materials to be stored (interior & exterior)

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building or occupancy permit.
- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).
- H. Prior to the issuance of any permits for any portion of the development the Applicant/landowner shall submit all City-approved Certified Survey Maps, subdivision plats, and/or condominium plats for recording.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the M-1, Manufacturing zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. There shall be no outdoor storage, rental, or sale of equipment, merchandise, parts, supplies, vehicles unassociated with the business, or any other materials on the property. All equipment, parts, supplies, and merchandise shall be kept interior to the building. All disposed and recycled materials, parts, etc. shall be stored in designated and enclosed trash and recycling receptacles. Combustible, flammable, and other liquid or gas waste shall be stored and disposed of per all applicable Fire, State, and Federal regulations.
- C. Parking shall be limited to employee, visitor, and vehicles associated with the business in striped and parking stalls. All parking areas shall be screened per Sec. 17.0505 of the Municipal Code (as amended).
- D. All signs shall conform to the requirements of Sec. 17.0601 – 17.0609 of the Municipal Code (as amended).
- E. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- F. Solid waste collection and recycling shall be the responsibility of the owner.

EXHIBIT A: CONDITIONS AND RESTRICTIONS

G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. Parking and access for this development shall be provided in accordance with Sections 17.0501 and 17.0503 of the Municipal Code (as amended), these Conditions and Restrictions (see Section 3 above), and plans approved by the Plan Commission.
- B. Access to College Avenue (CTH ZZ) in accordance with executed agreements and access management plans is subject to the review and approval of the Milwaukee County Department of Transportation. Such approval shall be provided to the City prior to the issuance of any permits.
- C. Access to Howell Avenue (STH 38) along the west property line is prohibited unless otherwise approved by the Wisconsin Department of Transportation in accordance with executed agreements and access management plans. Such approval, if any, shall be provided to the City prior to the issuance of any permits.
- D. Any future division and/or development of adjacent parcels shall provide cross-access and pedestrian connections where applicable.

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).
- B. All light sources shall be fully shielded full cutoff fixtures directed downward.
- C. The color temperature of the parking lot fixtures shall be limited to a maximum of 5,000 Kelvins.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	1 acre
Lot Width	200 ft
Yard Setbacks (Minimum) (1)	
Front	40 ft
Street Facing Side	40 ft
Interior Side	20 ft
Rear	20 ft
Building Standards (Maximum)	
Height	55 ft
Building Coverage	70%
Lot Coverage	70%
Parking	
Transition & Required Landscape Areas	See Sec. 17.0506
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed	

EXHIBIT A: CONDITIONS AND RESTRICTIONS

_____ buffer. _____

7. TIME OF COMPLIANCE

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

8. DURATION OF CONDITIONAL USE PERMIT

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

9. OTHER REGULATIONS

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

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCACTION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: CONDITIONS AND RESTRICTIONS

**EXHIBIT A:
GENERAL DEVELOPMENT PLAN**

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

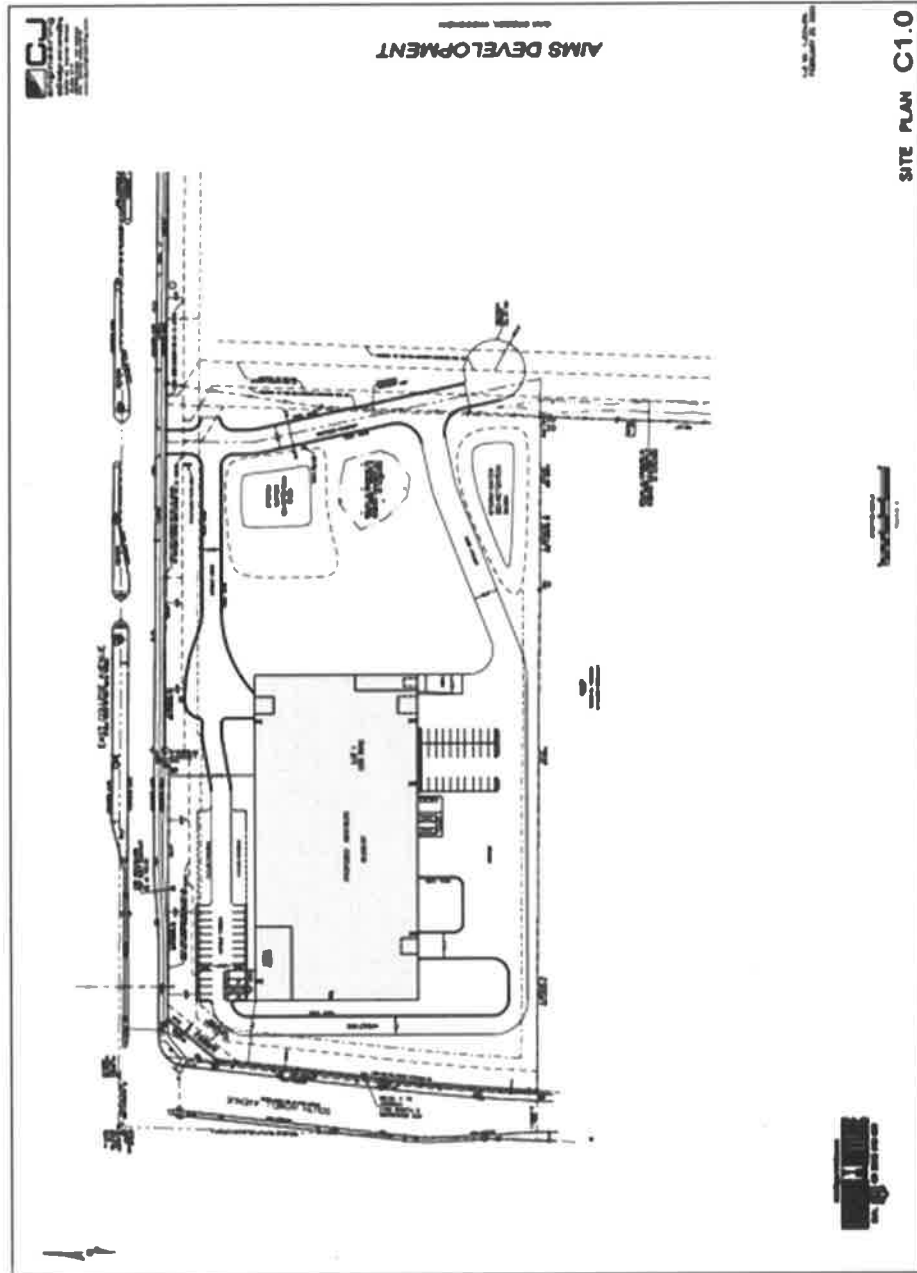
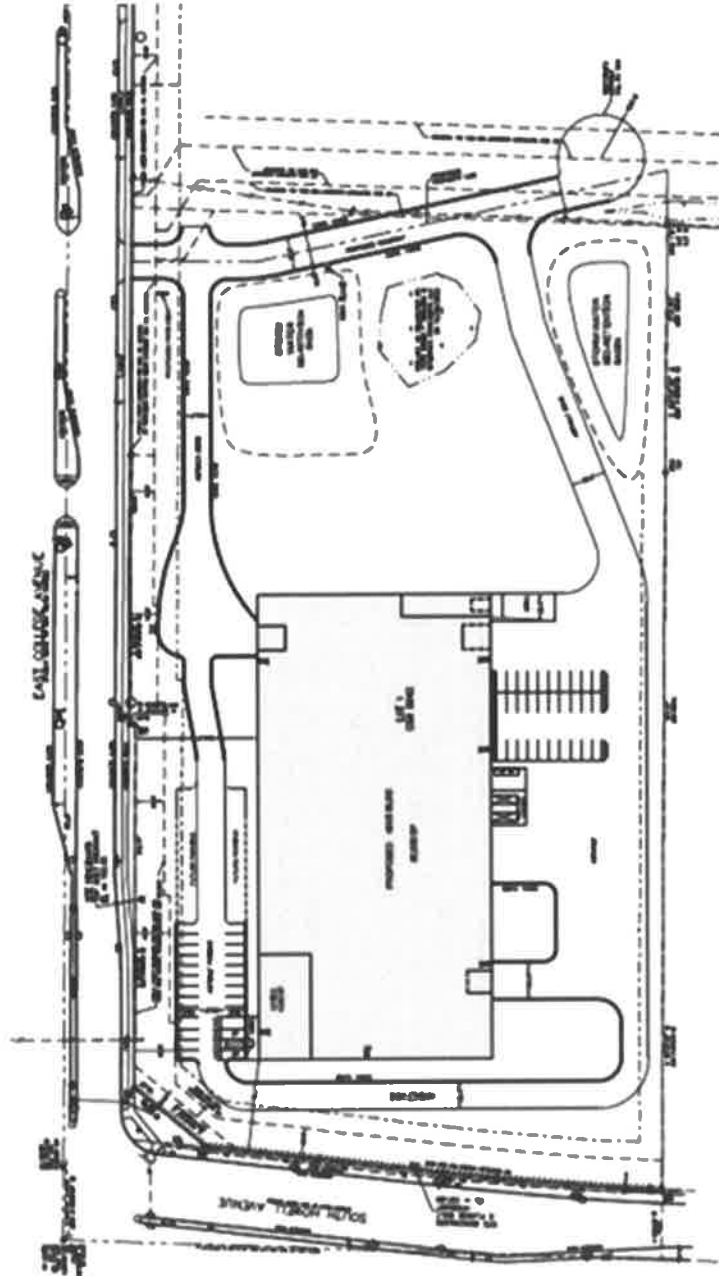


EXHIBIT A: CONDITIONS AND RESTRICTIONS

**EXHIBIT A:
GENERAL DEVELOPMENT PLAN ENLARGED**

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



REVISED 4/10/2023

Conditional Use Permit Application Information –

AIMS

Anderson Ashton and Bradbury Companies are requesting a conditional uses permit for AIMS Power (American Industrial Motor Service). AIMS power is currently located at 235 W. Oklahoma Ave, Milwaukee WI 53207. This request of Conditional use is submitted to Oak Creek for consideration for the SE Corner of College and Howell Avenues. This conditional use submittal is made at the request of Planning Staff. AIMS, Anderson Ashton and Bradbury companies feel this use is not heavy manufacturing, however staff does and we therefore provide this application for the Conditional Use Permit Oak Creek is asking for.

AIMS Power is an electrical apparatus repair business who specializes in repair of electrical motors and necessary parts for electrical motor systems. They have 3 divisions that operate under the AIMS Business. These include the following -

Motor and Generator Division

Power Systems Division

Engineering Division (Pinnacle Engineering) sister Company

The current employee count is 23 and this number once the Engineering Sister company moves in would increase to 50 to 60.

AIMS runs from 6am – 5pm M-F and does at times work weekends or longer hours.

A smaller portion of AIMS business is the sale of a new motor to its customers. This transaction is sometime directly from a motor building company (elsewhere) to the customer. Very infrequently they will accept a new motor to their facility and ship it to a user (in the same flatbed truck method) as the repaired motors. Even less frequently, AIMS will get in a motor, repair it and then sell it to a different user than who it came from. Again, these sales transactions are not too common as the main operation of AIMS is repairing and rebuilding motors for the users they come from.

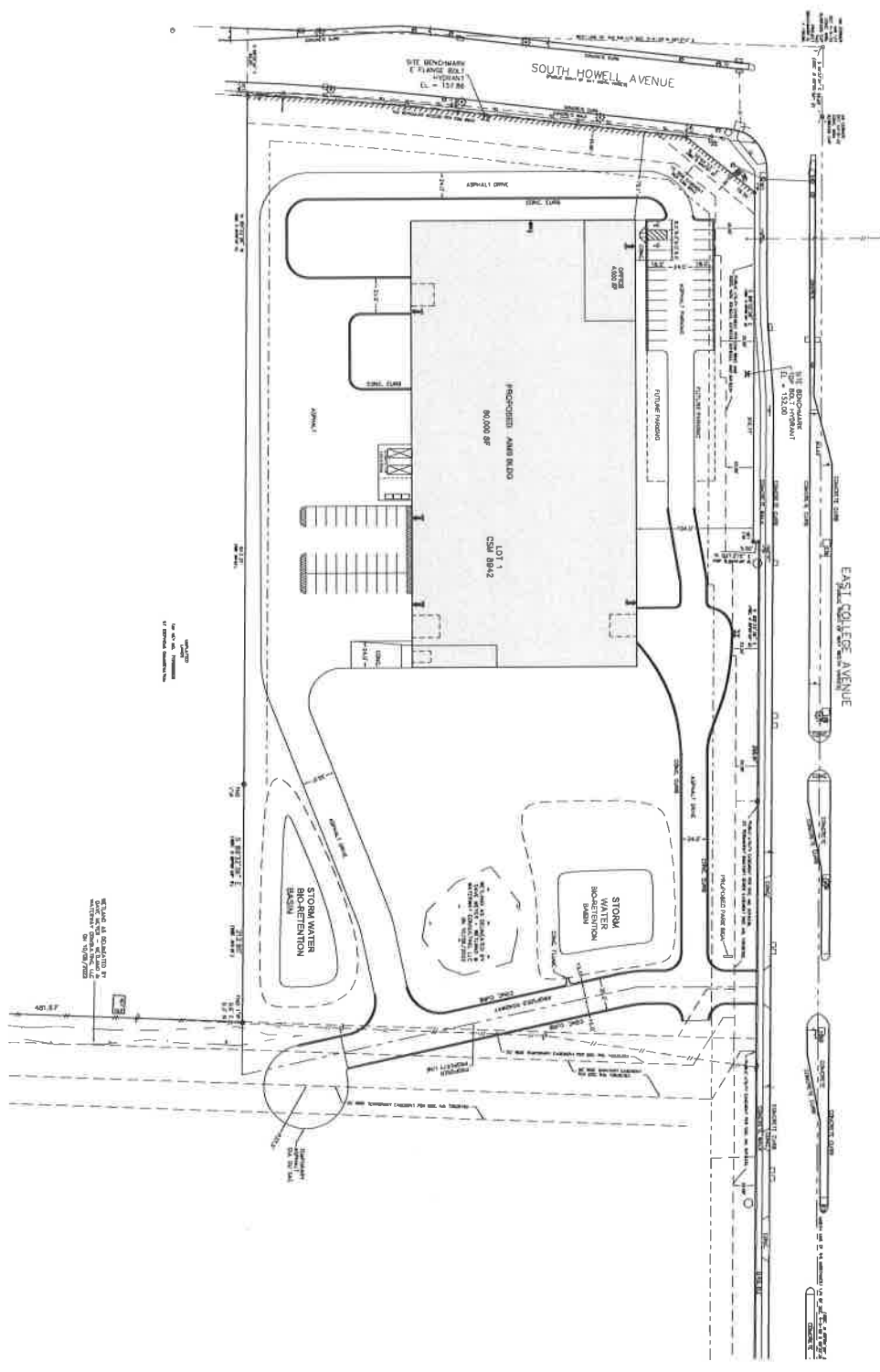
ADDITIONAL information on AIMS business model and how it works with specific items and materials provided by the AIMS –

- We operate one shift during normal operation. M-F, 6:00 am to 5:00 pm.
- We currently have 20-25 employees that operate from our current facility. They all work the above shift.
- We typically get around 25-35 deliveries a week, LTL or UPS type deliveries. Probably around 1 - 2 large flatbed deliveries a week.

- We use paint and thinners during our repair processes. These consist of aerosol and non-aerosol paint. We store the paint in flammable storage cabinets. The cabinets for these are free standing floor style cabinets. Currently we have two of them. We also use acetone thinner and store it in a flammable storage cabinet. **The three cabinets are roughly 5'x6'x3'.** We typically have (2) 55-gallon drums of thinner, 10-12 cases (12 cans a case) of aerosol paint and 10-20 gallons of paint on hand.
- We have roughly 3,000 gallons of epoxy VPI resin, Von Roll Isola 74035, stored in a pressure vessel next to sunken the VPI tank.
- We use some mineral oil (Shell Diala) that is stored in 55-gallon drums with containment devices under them. Roughly 5-10 drums at a time.
- We use acetylene, oxygen, argon, nitrogen, and propane that is contained in cylinders. We store the cylinders in accordance with the current codes. Labeled and divided accordingly. We have roughly 10-20 tanks on hand, stored on the floor, in a rack. With steel plate dividers.

The complete history and details of AIMS can be easily seen at www.aimspower.com .

We strongly encourage any of the Oak Creek officials who would like to know more about AIMS to look at the website and to schedule a tour. We can do that via Eric J Neumann at Anderson Ashton.



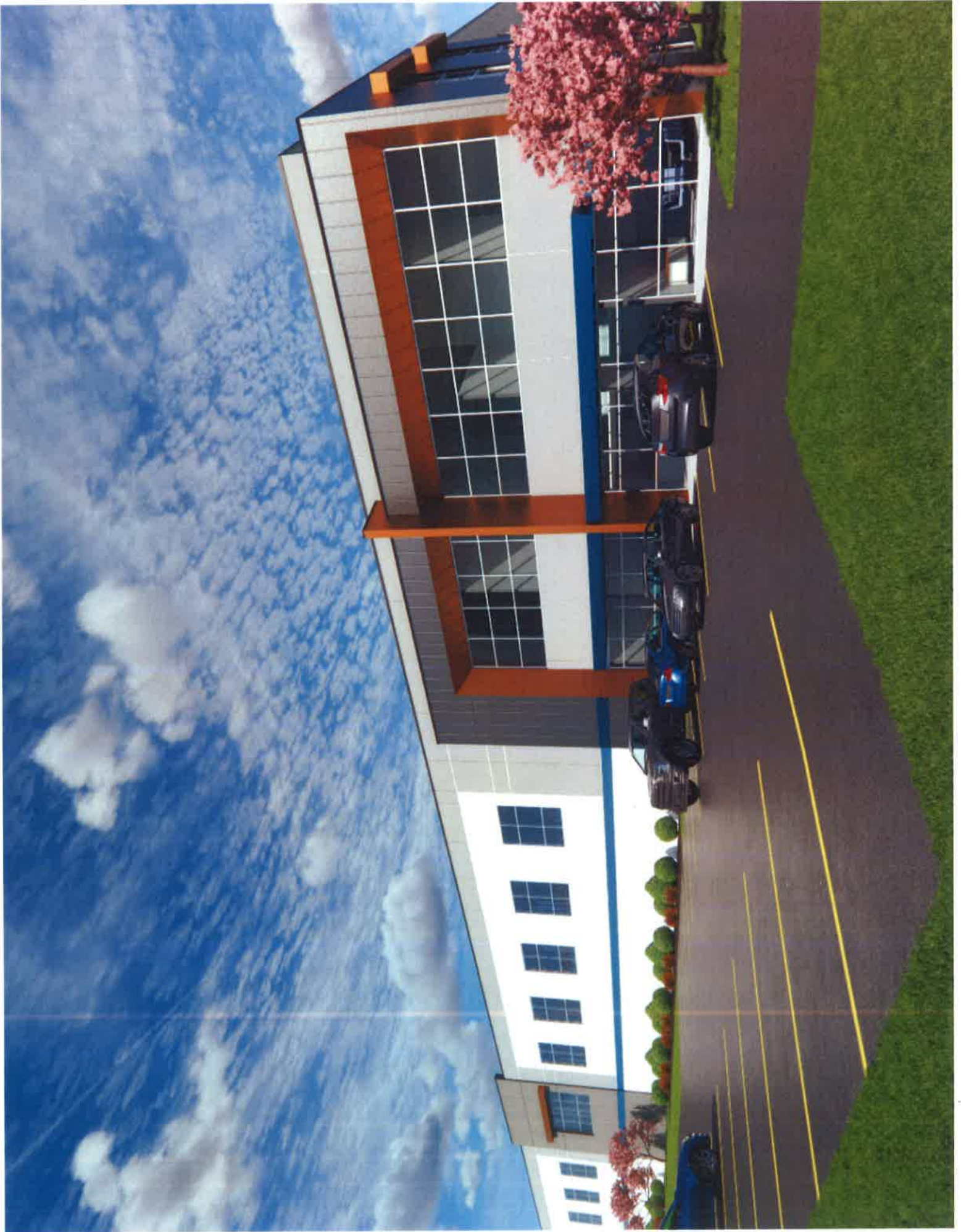
AIMS DEVELOPMENT

OAK CREEK, WISCONSIN



CJE NO. CJE01454
FEBRUARY 23, 2013

SITE PLAN C1.0











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

Applicant:	Matthew Mehring, Anderson Ashton (AIMS)	Approved by Plan Commission: 5-23-23
Property Address(es):	6340 S. Howell Ave. and 239 E. College Ave (portion)	Approved by Common Council: TBD (Ord. TBD)
Tax Key Number(s):	719-9012-000 & 719-9995-000 (portion)	
Conditional Use:	One (1) Heavy Manufacturing & Equipment Sales and Rental Facility	

1. LEGAL DESCRIPTION

A redivision of Lot 1 of CSM 8942 and lands being in the NW ¼ of the NW ¼ of Section 4, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the NW corner of the said NW ¼ of Section 4; thence, S02°13'15" W along the west line of said ¼ Section 513.00 feet; thence S89°32'36" E 60.20 feet to the point of beginning; thence northeast 187.98 feet along an arc of a curve, whose radius is 2790.79 feet, whose center lies to the east and whose chord bears N04°44'51" E, 187.94 feet; thence N06°40'37" E 206.01 feet; thence N39°44'33" E 78.35 feet; thence S89°32'36" E 312.77 feet; thence N02°13'15" E 5.00 feet; thence S89°32'36" E 398.81 feet; thence S00°27'24" W 106.70 feet; thence S12°19'07" E 360.05 feet; thence N89°32'36" E 877.34 feet to the point of beginning.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

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

1) General Development Plan

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

2) Landscape Plan

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

3) Building Plan

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

4) Lighting Plan

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

5) Grading, Drainage and Stormwater Management Plan

- 1. Contours (existing & proposed)
- 2. Location(s) of storm sewer (existing and proposed)
- 3. Location(s) of stormwater management structures and basins (if required)

6) Fire Protection

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

- c) Materials of construction
- d) Materials to be stored (interior & exterior)

- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building or occupancy permit.
- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- E. A Development Agreement shall be completed between the owner(s) and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 2(B) above, and/or as specified by these Conditions and Restrictions.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. All future land divisions shall follow subdivision plat, and/or condominium plat, and/or certified survey map procedures. If required by the Common Council, a development agreement shall be completed between the owner and the City prior to approval of said land division document to ensure the construction/installation of public improvements required in these Conditions and Restrictions, Chapter 14 (as amended), and all other applicable Sections of the Municipal Code (as amended).
- H. Prior to the issuance of any permits for any portion of the development the Applicant/landowner shall submit all City-approved Certified Survey Maps, subdivision plats, and/or condominium plats for recording.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed by the M-1, Manufacturing zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. There shall be no outdoor storage, rental, or sale of equipment, merchandise, parts, supplies, vehicles unassociated with the business, or any other materials on the property. All equipment, parts, supplies, and merchandise shall be kept interior to the building. All disposed and recycled materials, parts, etc. shall be stored in designated and enclosed trash and recycling receptacles. Combustible, flammable, and other liquid or gas waste shall be stored and disposed of per all applicable Fire, State, and Federal regulations.
- C. Parking shall be limited to employee, visitor, and vehicles associated with the business in striped and parking stalls. All parking areas shall be screened per Sec. 17.0505 of the Municipal Code (as amended).
- D. All signs shall conform to the requirements of Sec. 17.0601 – 17.0609 of the Municipal Code (as amended).
- E. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- F. Solid waste collection and recycling shall be the responsibility of the owner.

- G. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

4. PARKING AND ACCESS

- A. Parking and access for this development shall be provided in accordance with Sections 17.0501 and 17.0503 of the Municipal Code (as amended), these Conditions and Restrictions (see Section 3 above), and plans approved by the Plan Commission.
- B. Access to College Avenue (CTH ZZ) in accordance with executed agreements and access management plans is subject to the review and approval of the Milwaukee County Department of Transportation. Such approval shall be provided to the City prior to the issuance of any permits.
- C. Access to Howell Avenue (STH 38) along the west property line is prohibited unless otherwise approved by the Wisconsin Department of Transportation in accordance with executed agreements and access management plans. Such approval, if any, shall be provided to the City prior to the issuance of any permits.
- D. Any future division and/or development of adjacent parcels shall provide cross-access and pedestrian connections where applicable.

5. LIGHTING

- A. All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and Electrical Inspector in accordance with Sec. 17.0509 of the Municipal Code (as amended).
- B. All light sources shall be fully shielded full cutoff fixtures directed downward.
- C. The color temperature of the parking lot fixtures shall be limited to a maximum of 5,000 Kelvins.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	1 acre
Lot Width	200 ft
Yard Setbacks (Minimum) (1)	
Front	40 ft
Street Facing Side	40 ft
Interior Side	20 ft
Rear	20 ft
Building Standards (Maximum)	
Height	55 ft
Building Coverage	70%
Lot Coverage	70%
Parking	
Transition & Required Landscape Areas	See Sec. 17.0505
Notes:	
(1) Setbacks from wetlands shall be a minimum of fifteen (15) feet with a five (5) foot undisturbed	

buffer.

7. TIME OF COMPLIANCE

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

8. DURATION OF CONDITIONAL USE PERMIT

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

9. OTHER REGULATIONS

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

10. VIOLATIONS & PENALTIES

Any violations of the terms of this Conditional Use Permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances (as amended). If the owner, applicant or operator of the Conditional Use Permit is convicted of two or more violations of these Conditions and Restrictions or any other municipal ordinances within any 12-month period the City shall have the right to revoke this Conditional Use Permit, subject to the provisions of paragraph 11 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this Conditional Use Permit or to seek an injunction regarding any violation of this Conditional Use Permit or any other City ordinances.

11. REVOCAION

Should an applicant, their heirs, successors or assigns, fail to comply with the Conditions and Restrictions of the approval issued by the Common Council, the Conditional Use Permit approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use Permit as set forth in Section 17.0804 of the Municipal Code (as amended).

12. ACKNOWLEDGEMENT

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

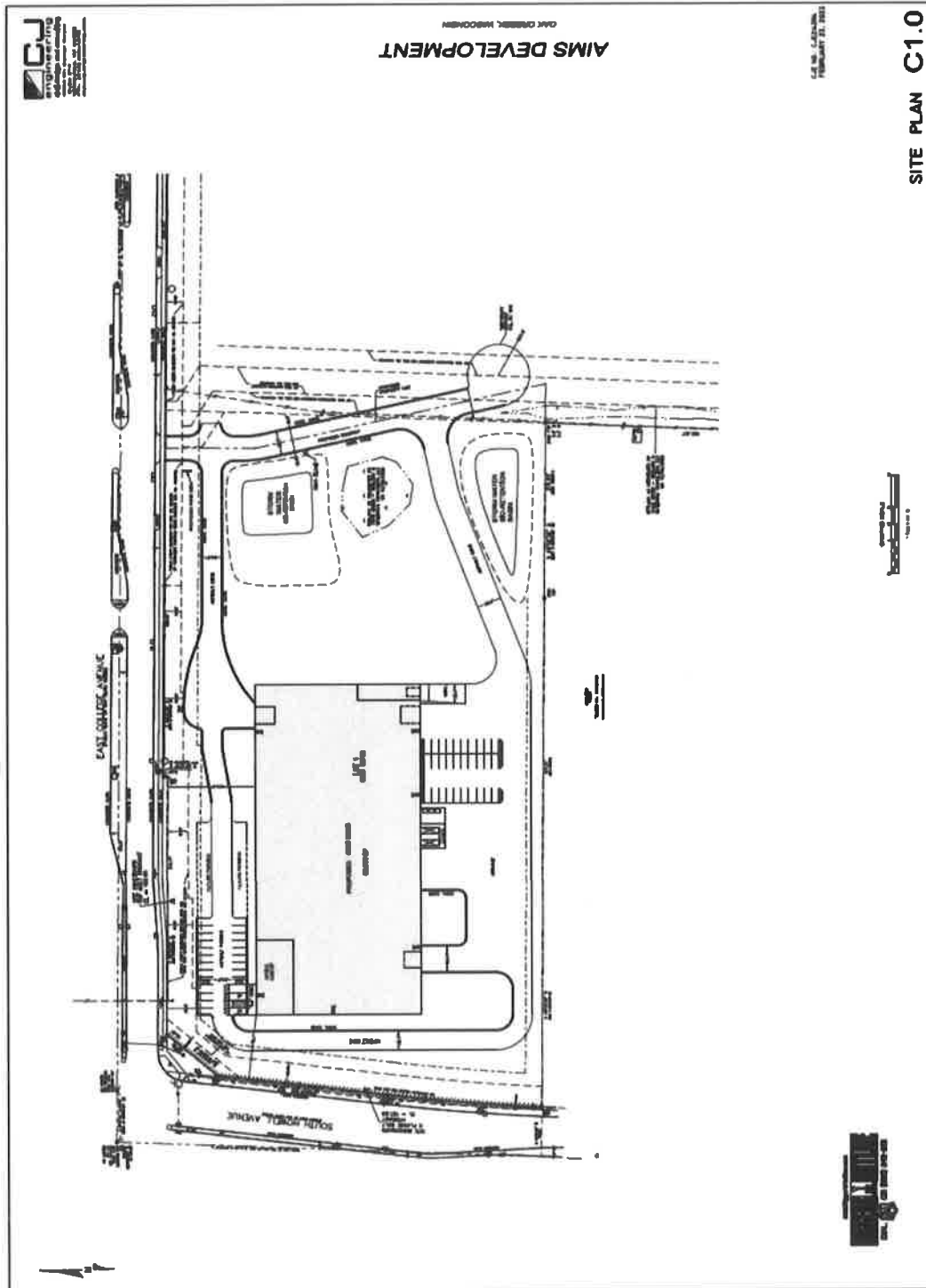
Owner / Authorized Representative Signature

Date

(please print name)

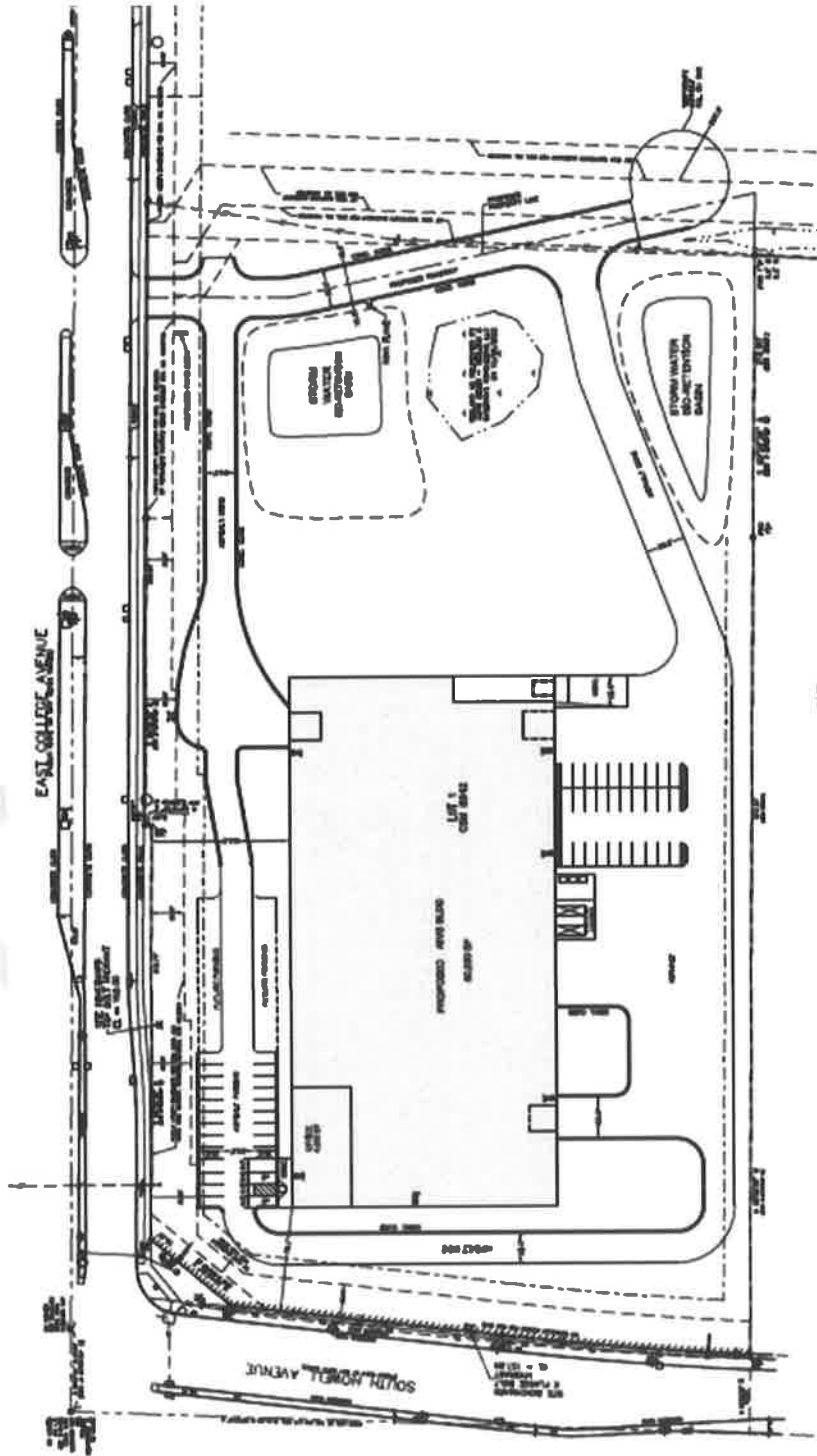
EXHIBIT A: GENERAL DEVELOPMENT PLAN

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



**EXHIBIT A:
GENERAL DEVELOPMENT PLAN ENLARGED**

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



**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 9, 2023**

Mayor Bukiewicz called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, Commissioner Kiepczynski, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Alderman Loreck was excused. Also present: Community Development Director Doug Seymour, Zoning Administrator/Planner Sylvia Brueckert, and Assistant Fire Chief Mike Havey.

**REZONE / CONDITIONAL USE PERMIT
BY MATTHEW MEHRING, ANDERSON ASHTON
6340 S. HOWELL AVE. AND 239 E. COLLEGE AVE.
TAX KEY NOS. 719-9012-000 & 719-9995-000**

Director Seymour provided an overview of the requests to rezone the properties at 6340 S. Howell Ave. and 239 E. College Ave. to M-1, Manufacturing with a Conditional Use Permit for heavy manufacturing and equipment sales and rental (see staff report for details).

Eric Neumann, Anderson Ashton, 3316 W. Links Dr., Franklin, WI 53132, reiterated the proposal is for the corner parcel only, and any questions or concerns will be answered by himself.

Commissioner Hanna asked if only questions regarding zoning should be asked, or if questions about the proposed entrances to the site could be asked.

Mayor Bukiewicz answered zoning, to which Director Seymour concurred but encouraged other site-specific questions.

Mayor Bukiewicz stated that the proposed plans are preliminary.

Commissioner Hanna asked if the left turn from College Avenue into the site will be an issue for large trucks and vehicles entering, suggesting work with the City be done to ensure traffic problems are addressed and resolved.

Mr. Neumann explained that Milwaukee County and the Department of Transportation (WisDOT) have been contacted regarding the access point, stating the location of the access point is recommended due to the distance from the intersection. Acceleration / deceleration lanes and any College Avenue improvements will be reflected in any future site plans, pending approval of the current agenda item.

Commissioner Hanna suggested a left turn lane to the College Avenue median be added to alleviate potential traffic delays on College Avenue.

Commissioner Carrillo stated her absence at the previous meeting the applicant attended.

Alderman Guzikowski stated his support for the project.

Commissioner Oldani's comments were inaudible.

Commissioner Siefert asked if the equipment being refurbished will be stored in or outside prior to work being done on them.

Mr. Neumann explained that all the equipment will be brought into and unloaded inside the building in crates, using a crane for the large items and the interior loading dock for smaller items.

Commissioner Siefert asked where the empty crates would be stored, to which Mr. Neumann explained future plans would show the assembly and storage areas on the floor plan.

Mayor Bukiewicz stated his understanding of the facility.

Christopher Jaszewski, 143 W. College Ave.:

"Most people say not in my backyard. I'm saying not in my front yard. My mom and dad are buried in a cemetery right here. I want to quote a small section, Scientific American April 2023, 'Use nature as infrastructure. The concept of natural capital or the idea that equal system services should be valued in a similar manner as any form of wealth, dates back to the seventies at least.' We're talking about here is a strategy of leverage buyout. Investors use a similar tactic for house flipping. AIMS fits the profile of a target company, being groomed for a next round of leveraged buyouts, which will reap huge profits for the brokers and a potentially failed cost to AIMS. Cities like Oak Creek are being targeted because new construction is eligible for new federal manufacturing subsidies. The main role of Oak Creek's city planners, in this case, is to put a stamp of approval on this financial harvesting of naive municipalities. The final cost will be of dealing with one or more oversized abandoned buildings and their associated ground water pollution when AIMS ultimately joins Rexnord, which is a parent company, in Mexico. Not in our yard. The land itself - I grew up here watching Cudahy's woods - I had to save it once. Well (inaudible) a bunch of people had to save Cudahy's woods from developers who want to put a trucking company in there. Can't you think about the structure of the land itself? We need the open space, we want to look at green grass we don't want to look at factory buildings, and that's what you're saying to the public. Please think about it. We don't need more business, we need more land space - more open green space for people. Your children don't want to see factories, they want to see the trees and the birds that used to be there - that could be there, if you leave the land alone. Thank you."

Commissioner Oldani moved that the Plan Commission recommends to the Common Council that the property at 239 E. College Ave. be rezoned to M-1, Manufacturing with a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (May 23, 2023).

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

ATTEST:


Karl Papelbon, Plan Commission Secretary

5-23-23
Date

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, MAY 23, 2023**

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

**CONDITIONS AND RESTRICTIONS
ANDERSON ASHTON
6340 S. HOWELL AVE & 239 E. COLLEGE AVE.
TAX KEY NOS. 719-9012-000 & 719-9995-000**

Senior Planner Papelbon provided an overview of the request to rezone the property at 239 E. College Ave. to M-1, Manufacturing and establish a Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. (see staff report for details).

Commissioner Chandler asked Senior Planner Papelbon to provide more information about the duration of ten (10) years. Senior Planner Papelbon stated ten (10) years seems to be standard for industrial type uses that the Plan Commission has recommended in other Conditional Use Permits.

Commissioner Siefert asked if there is anything in the Conditions and Restrictions that could require the applicants to dress up the corner. Senior Planner Papelbon said landscaping per Code would require them to address the corner as well, however that would come at site and building plan approval.

Commissioner Siefert stated it is the entrance into the City and he would like to make it look nice on the corner, but he is not sure how to emphasize that. Senior Planner Papelbon stated the importance of this corner in terms of landscaping and architecture has been communicated to the applicants and there are several easements out there that are going to require some creative approaches to landscaping, but that will be looked at during the site and building plan approval.

Alderman Loreck said he would like to reiterate Commissioner Siefert's comments and noted that he received an email that brought up similar concerns about the visibility corner.

Commissioner Hanna stated she is not sure this is the right location for the proposed business. Senior Planner Papelbon stated this proposal was recommended for approval at the last Plan Commission meeting, so it is moving forward to Conditions and Restrictions. Senior Planner Papelbon also stated if there is anything that Commissioner Hanna thinks should be increased or added she would be willing to look at it.

Eric Neumann, Anderson Ashton, 3316 W Links Drive, Franklin, addressed Commissioner Siefert's concerns and said he talked to the Fire Chief right before coming up because he

knows they have some issues with easements that limit the landscaping. Mr. Neumann also said he is trying to create less pavement area to create more opportunities for landscaping.

Mr. Neumann asked if the applicant would need to apply again in ten (10) years for a Conditional Use Permit and asked how it works. Mayor Bukiewicz stated it is a significant investment and it is very important that the lease is there and that the tenant abides by all City Ordinances. Mr. Neumann clarified that the applicant will be owning the building. Mayor Bukiewicz restated that the City is looking to make sure the tenant is abiding by the Ordinances and make sure it is working after a set number of years.

Mr. Neumann inquired if the 12-month compliance period starts from Common Council approval. Senior Planner Papelbon stated that is correct.

Chris Jaszewski, 143 W College Ave:

"I've stated, what I stated in the past. I have a letter here that I just received today addressed to the Oak Creek Planning Commission, redevelopment of College and Howell Avenue corner parcel. I really don't want to read it, can somebody else read it for me? Can I submit it into the record?"

Mayor Bukiewicz read the letter into record:

*"Dear Commissioners,
I am writing about your plan to have the southeast corner of College Avenue and Howell to become an industrial park. I grew up in Milwaukee. I now regularly travel back and forth between Florida and Wisconsin. I often fly into Mitchell Airport, as which you know is a mile or so from the Oak Creek border. One wouldn't know that College Avenue is where Milwaukee ends. There's no big sign saying, "Welcome to Oak Creek" nor is there a mention of a nearby park with features that reflect the City's name, the walking trails through oak trees and long meandering creeks of Cudahy Woods nor is there an indication that a nice college, which will soon have a ballpark is right down the road. Few people know Oak Creek has footage on the lake, on Lake Michigan where Bender Park is located. So, when I heard that an industrial park was going to be built at Oak Creek's gateway, I laughed out loud. A place called Oak Creek should not be industrial, especially when it has amenities above described. That door closed long ago for Oak Creek, which is a great blessing in disguise for too long Oak Creek has been a pretty girl pretending to be a work horse. It is understandable that the Comprehensive Plan dictates what goes where, obstinately to maximize tax revenue. The conventional logic used to be that industry was a way to do that. Times have changed Commissioners. Here is real life examples illustrates the situations. Winter Park, Florida is a City on Lake Apopka that up until about the late 1950s had been a thriving bass fishing resort, however the Comprehensive Plan for the area dictated that heavy agriculture, also known as agri-business-mass-vegetable production or muck farms should be developed on the shores of the lake. Several decades of that kind of mass farming resulted in the buildup of all manners of chemicals in the soil and water. The lake has become too polluted to sustain bass fishing. The fishing disappeared, businesses closed, and finally the people left even the plants became too hard to sustain. The city was chronically on the brink of bankruptcy. Then around 2000 somebody finally had the idea to abandon the failed Comprehensive Plan for the area. They turned to the old, abandoned train tracks that*

ran through the center of town and turned it into a bike trail, simultaneously the process of cleaning up the lake was begun. By 2008 Winter Garden became a very charming, bustling, destination city because most of the shaded trails and the convenient downtown trail head, very nice gateway to Winter Park area has a large fountain and small stage for live music. It's always filled with locals and visitors alike. You should visit it. Tax revenue is abundant, the lake is clean again, even the fishing has returned, basically Winter Garden is the pretty girl that finally learned to actuate her assets. Oak Creek should do the same and accept the reality that the Comprehensive Plan miscategorized you. Dress up that border corner as a marketing campaign for Oak Creek and be the lovely City you are.

*Sincerely,
John McCormick"*

Mr. Jaszewski:

"We need to dress up that corner, we don't need a factory there. Please consider what we're doing here. We need the green space. We don't need more manufacturing, not ten (10) years, not five (5) years, not one (1) year. We need the green space back, keep the green space, why is there an Oak Creek? What is Oak Creek? And finally, two (2) nights ago there was a great big fire in Slinger. Now what's it called? The Oak Creek Pallet Company. We have Oak Creek Pallet Company down here. Are they connected to each other? Connections people, connections. We need the green space. Put the factory somewhere else."

Mayor Bukiewicz stated he agrees with Alderman Loreck and Commissioner Siefert, although the Plan Commission will get a chance to review the landscaping. Mayor Bukiewicz corrected that there is a "Welcome to Oak Creek" sign on the west side of the street, on the corner. Mayor Bukiewicz stated he would like to work with the applicant to really enhance the Oak Creek welcome sign as that property by the owner is currently for sale. Mayor Bukiewicz stated he agrees the City really wants to dress up the corner. Mayor Bukiewicz explained that the proposed building is far from a typical factory, and it is an industrial business building, but is classified as heavy manufacturing because the parts they work on are heavy. Mayor Bukiewicz continued by explaining that the applicants are not manufacturing anything at the facility, it is a repair or rebuild shop. Mayor Bukiewicz also stated the proposed building is a nice-looking building. Mayor Bukiewicz stated the lot is not pretty right now and is more of a dumping spot for pallets and similar items. Mayor Bukiewicz reiterated that the Plan Commission is talking about the Conditions and Restrictions of the business.

Mayor Bukiewicz stated ten (10) years for the time of compliance is standard. Mayor Bukiewicz also stated it is pretty short in the industrial world, but he is fine with it, and it gives the City the leverage to go in and correct any possible issues.

Assistant Fire Chief Havey explained that the building design that the Fire Department has looked at satisfies based on Codes. Assistant Fire Chief Havey also explained the building would get a semi-annual inspection, two (2) times a year outside of any Code violations or reported things. Assistant Fire Chief Havey also stated based on the classification of the building, the suppression system will be designed and built to the operations of the business.

Commissioner Hanna asked Senior Planner Papelbon if there is any way to shield the building with trees. Senior Planner Papelbon stated that is something that would be addressed at site and building plan review, but as of right now the Landscape Code would require them to meet certain requirements in terms of screening, parking, and similar things.

Commissioner Hanna inquired about limiting the impact to existing landscaping. Senior Planner Papelbon said she is not sure how the Plan Commission could really do that. Senior Planner Papelbon reiterated that the applicant would need to meet the Landscape Code.

Senior Planner Papelbon clarified that in the Conditions and Restrictions it states, "Code requirements except for what has been amended specifically still apply". Senior Planner Papelbon stated that means there would still be transition zones, buffers, setbacks, and all the requirements that are in the Code for landscaping.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of the Conditional Use Permit for heavy manufacturing and equipment sales and rental on portions of the properties at 6340 S. Howell Ave. and 239 E. College Ave. Alderman Guzikowski seconded. On roll call: all voted aye. Motion carried.

ATTEST:



Kari Papelbon, Plan Commission Secretary

6-13-23

Date

COMMON COUNCIL REPORT

Item: Memorandum of Understanding (MOU) between City of Oak Creek and the International Association of Firefighters (IAFF) – Local 1848 regarding Article 40 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 the International Association of Firefighters (IAFF) – Local 1848 regarding Article 40 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 May 16, 2023, the Common Council approved a Memorandum of Understanding (MOU) between City of Oak Creek and the Oak Creek Professional Police Officer's Association (OCPPA) that would make the residency requirement less restrictive to better align with neighboring and comparable jurisdictions and remain competitive when recruiting new Police Officers. Additionally, the Common Council approved an update to the Personnel Policy Manual to grant the same residency requirement to non-represented public safety employees so there is parity among non-represented and represented public safety employees.

International Association of Firefighters (IAFF) – Local 1848 leadership was made aware of the recent OCPPA MOU and requested a similar MOU to update Article 40 of their Labor Agreement to provide for the same residency requirement as OCPPA employees and non-represented public safety employees. This request was made to and supported by Fire Chief Michael Kressuk as means to remain competitive when recruiting new Firefighter/Paramedics at the Oak Creek Fire Department.

On June 13, 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 40 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:

- Excerpt of Article 40 from the IAFF - Local 1848 2021-2024 Labor Agreement
- Map illustrating the current and proposed residency requirement under Article 40 of the IAFF - Local 1848 2021-2024 Labor Agreement
- MOU to revise Article 40 of the IAFF - Local 1848 2021-2024 Labor Agreement

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF OAK CREEK
AND
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS – LOCAL 1848**

Pursuant to an agreement reached between the City of Oak Creek (“the City”) and the International Association of Firefighters – Local 1848 (“Union”), the following agreement supersedes Article 40 (Residency) 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

**International Association of Firefighters –
Local 1848**

Michael Kressuk
Fire Chief

_____ Date

Jerry Biggart
President, IAFF – Local 1848

_____ Date

Oak Creek Fire Labor Contract 2021 - 2024

Article 37 Retirement

Each employee shall be covered under the State of Wisconsin Retirement System, in accordance with Chapter 40 of the Wisconsin Statutes. Effective January 1, 2012, all employees will pay that portion of the employee's contribution which shall be three percent (3.0%) of the employee's wages, by payroll deduction. Effective January 1, 2013, employees will pay a percentage of each payment of earnings equal to the full amount of the employee's share of the WRS payment as approved by the Department of Employee Trust Funds from time to time, consistent with General Employees.

Article 38 EMT Certification

EMT Compensation was rolled into base salary effective December 31, 2017.

Article 39 Drug Testing

The City agrees to establish a committee in order to review the existing drug policy. The makeup of the committee will be in the discretion of the City, but will include at least two (2) Union members. The role of the committee will be to make recommendations to the Personnel Committee. The final decision on the policy will be made by the City, subject to any bargaining obligations. During the discussion and until a decision is made and the matter is finalized, the current language will remain in effect. The City will provide the Union on an annual basis a status report on the drug-testing program and will meet to review the program's implementation. (Modified March 10, 1998)

Article 40 Residency

Employees must reside within an area encompassed by Lake Michigan on the east; Good Hope Road on the north; Highway 83 North on the west and Highway K (Kenosha County) to the south. (Map attached to this Agreement). (Modified 3/25/10)

Article 41 Reporting for General Alarms

Both the Union and the City understand that the firefighters who are members of this bargaining unit have a responsibility under the rule which requires a special effort to report for duty, requires the firefighters to report for duty upon receipt of a general alarm unless circumstances which have always been recognized as excuses for not reporting to a general alarm prevent a firefighter from reporting. The Fire Chief will maintain records, which will show which

firefighters do not respond to general alarms, and if an individual firefighter establishes a pattern of failure to report to general alarms, he/she will be required by the Fire Chief to furnish reasons for failing to respond to the general alarm and will be required to do so.

Article 42 Snow Shoveling Off Roofs

Firefighters will not be expected to shovel snow off roofs of private citizens unless related to firefighting duties.

Article 43 Television and Radios

Televisions and radios will be maintained and furnished at the City's cost; when cable TV wiring is required, the City will be responsible for the cost.

Article 44 Common Mess







All members of the bargaining unit shall participate in an organized mess, it being in the interest of the employer and the employees for the morale of the Department and for the harmonious working relationship between firefighters. This will be at no cost to the City and the City shall not contribute to this fund. It shall be the responsibility of each employee to contribute his/her fair share for the daily meals while on duty. The City and its agent's will be held harmless as to any lawsuits arising out of this Section. The scheduling of such mealtime will be at the discretion of the Fire Chief or his/her designee.

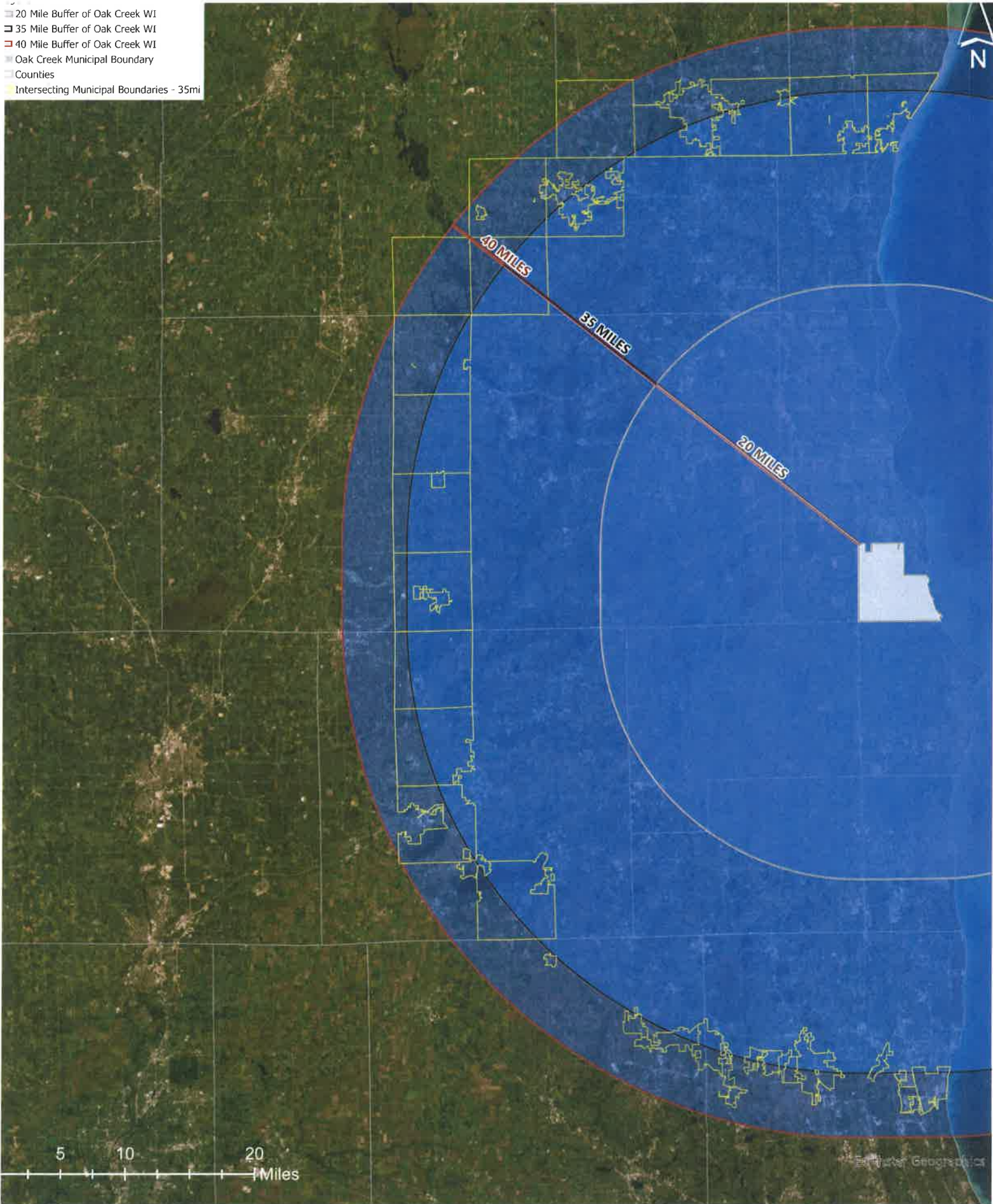
Article 45 Lateral Hires

Lateral transfers allow for the opportunity to attract new members in a competitive employment market and simply to attract better candidates that may be interested in joining our organization for mutual benefit.

Lateral transfers will be required to have the same qualifications and follow the same application process as all new hires.

For purposes of this section, lateral transfers shall be defined as Firefighter/EMT/Paramedics that have served as part of another unionized, bargaining unit for a minimum of at least two (2) years full-time equivalency. Union Representative from Local 1848 and the Oak Creek Fire Chief, or his/her designee, shall meet and discuss the non-binding specifics to identify potential service time and any other relevant issues as may pertain to the transfer. Lateral transfers shall: =

-  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:** Construction Observation Services North Lakefront Bluff Stabilization & Revetment
- Recommendation:** That the Common Council considers a motion to enter into a professional services agreement with Edgewater Resources, Inc. to provide Construction Observation Services related to the construction of CIP #23005, North Lakefront Bluff Stabilization and Revetment, located on the City properties at 4326 E. Depot Rd, 4329 E. Depot Rd, and 8940 S. 5th Avenue at a cost of up to \$182,300. (4th Aldermanic District).
- Fiscal Impact:** Payment for this project would come from funding reserved in CIP #23005, and the remaining funds from CIP #23006
- 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: One initiative in the City's Strategic Action Plan is to market the lakefront on a regional and national scale. A current priority is stabilizing the north bluff area and building a revetment to create a stable and environmentally safe area that will become the basis for a future public park amenity.

In 2020, the City retained coastal engineering consultant Edgewater Resources to provide initial design services for a bluff stabilization and revetment design. Edgewater and the City worked for the last several years to obtain permits, and create a final design and bid package, which was bid out in spring 2023. On April 18, 2023, Council awarded the construction of CIP #23005, North Lakefront Bluff Stabilization and Revetment, to Edgerton Contractors. Construction is anticipated to commence in mid-June and go through the early part of 2024.

Edgewater has specialized coastal and revetment construction expertise and experience that will be critical to assure the successful construction of this unique project. This proposal for professional services is approximately 2% of the anticipated construction cost, which is significantly less than the estimate for construction observation and related services.

With this proposal, Edgewater will provide expert on-site oversight, work collaboratively with the City to evaluate and process any design modifications, inspect the quarries to assure the stone meets specifications, review the Contractor submittals and questions, and provide other related and specialized services during construction of this project.

Options/Alternatives: To reject the contract and select another consultant or use City staff would risk inadequate supervision due to lack of specialized coastal construction experience required for the unique and specialized components of this very complex project.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Maxwell Gaggin, MPA
Assistant City Administrator/Comptroller

Prepared:



Susan A. Winnen, PE
Environmental Engineer

Approved:



Matthew J. Sullivan, PE
City Engineer

Attachments: Edgewater Proposal



Date: June 7, 2023

City of Oak Creek
Attn: Susan A. Winnen
8040 South 6th Street
Oak Creek, WI 53154

Subject: Peter-Cooper Site, Oak Creek, Wisconsin – Construction Observation

Dear Ms. Winnen,

This proposal contains a scope of work to complete the Construction Observation phase for Phase I Construction of the Peter-Cooper Revetment and associated bluff re-grading. Edgewater to date has completed or subcontracted several tasks to support the conceptual design, permitting, final design, and bidding support to progress the project to its current state. Given the specialization of this type of work, Edgewater is proposing a second contract to support the construction phase of this project. Work to be accomplished under this new scope includes inspection and quality testing done at quarry sites, observation of construction of a test section of revetment to confirm assembly procedures, monitoring of the progression of construction, review and approval of contractor submittals and survey results, monitoring for the slope rebuilding, filling and final acceptance of the works.

As a point of reference, the most recent version of the Opinion of Probable Cost (OPCC) used for bonding was submitted to the City on 12-11-2022. Within this project budget, an estimated 7% was budgeted for Engineering (\$623,000) and an estimated 3% (\$267,000) was estimated for Construction Administration. The following scope of work is below this estimate.

The scope of work outlined here is based on Edgewater's current understanding of the site and project needs. There will be on-going communication with the City throughout the duration of the project. If project or site conditions warrant a change in scope, these changes will be communicated to the City prior to implementation.

PROPOSED SCOPE OF SERVICES

Task I: Quarry Inspection and Stone Quality Assurance

Edgewater Resources will first complete a site visit for the three proposed quarries that will supply stone for construction. Lannon Stone is proposed by the Contractor to be the supplier of the sub-armor layer, however the gradation of their proposed stone is 18-24 inches, slightly

City of Oak Creek
Peter-Cooper Revetment



higher than the proposed gradation in the technical specifications, so Edgewater will make a technical assessment as to its acceptable utility. Edgewater will conduct a site visit, observe the stone source, and then measure a random selection of stones to confirm the material is well graded and will not allow filtering of the core stone through the sub-armor layer.

Valders Stone is proposed as supplying the armor stone. They have provided summary test data on all the required testing in the technical specifications except the drop test and ethylene glycol test. Edgewater has reached out to Valders, and they do not have documentation on an existing drop test. Edgewater will complete a drop test at the quarry to confirm the material is of high quality for construction.

Kiel Sand and Gravel has been proposed as an additional source for armor stone. Edgewater will complete a site visit to conduct a drop test and review the stone material. Additionally, Edgewater will review the supplied testing data in the bid package to confirm they meet the technical specifications.

Edgewater will collect two samples of stone material from the two quarries supplying armor stone and complete the ethylene glycol testing to ensure conformance with the technical specifications. Edgewater will also identify and mark reference armor stones indicating the upper and lower ends of the approved armor sizes and shapes to be set aside as visual references for the loader.

Edgewater will compile the site visit results and other stone quality testing into a deliverable for project documentation.

Deliverable:

- Stone quarry site visits, stone quality testing, and documentation of results

Task 2: On Site Quarry Observation and Documentation

Edgewater is proposing to provide on site quarry observation during the first four weeks (160 hours) of armor stone production. Our field engineer will observe the quarry blasting and stone sorting operation to ensure the stone meets the stone quality laid out in the technical specifications. The onsite personnel will also test random stones to make the rock quality remains consistent during the first stages of production. Expenses for site time have been included in the proposed budget.

Deliverables:

- Daily logs of stone quality observation
- Documentation stone quality meets the technical specifications.

Task 3: Test Section Observation and Documentation

Per the technical specifications, two test sections are required to be accepted by the Engineer. Edgewater will monitor the construction of the test section from first core material placement through final armor placement to ensure that the construction methods achieve the design intent. To accomplish this Edgewater is proposing to have full-time onsite construction observation by our field engineer for the first four weeks of construction (160 hrs). This time will be supplemented by a budgeted 1 week (40 hours) of senior review time to accept the two test sections. It is assumed that the second section will be completed at a later date and therefore has been budgeted separately from the initial four weeks of onsite observation. After the first four weeks of revetment construction, Edgewater is anticipating that full-time observation will not be necessary and that weekly site visits will suffice for construction observation (Task 12).

Edgewater will liaise with the Contractor to ensure that the stone hauling, storage, placement, and documentation are completed in accordance with the project specifications. Edgewater has included expenses for site time in the proposed budget.

Deliverables:

- Documentation that the test section is in accordance with the technical specifications.

Task 4: Weekly Site Visits

Edgewater is assuming that any issues or concerns (if any) in the stone production and placement have been rectified after the first four weeks. After the first four weeks, the construction flow and operations should be refined where continuous observation is no longer required. Edgewater proposes weekly site visits (one day per week average, 8 hours) to continue construction observation and help forecast future issues that may arise due to changing field conditions. These site visits would include the project site and occasional visits to the quarries supplying armor stone. 20 site visits for five months of work, per the Contractors anticipated schedule, have been included within this tasks budget.

Edgewater will also observe the placement process for the fill being added to buttress and re-stabilize the bluff face. Edgewater will watch for evidence of any material slumping or bluff failure due to the placement effort. Additionally, Edgewater will monitor the drainage pipe extension and riser. These two items will be included as part of the 30-day full-time monitoring and weekly monitoring thereafter.

Deliverables:

- Field observation reports during site visits



Task 5: Review of Submittals, Work Plans, and Addressing Changing Design Conditions

Edgewater will review construction shop drawings, project submittals and work plans, that are required per the technical specifications including check surveys of the in-place sections of the core, sub armor and armor placement stages, and confirming contractor generated calculations for in place volume of material. We anticipate that some minor re-engineering of construction details may be required due to unanticipated changes in field conditions, requiring a design revision. A limited effort allowance of 40 hours for redesign has been included in the proposed budget to accommodate these adjustments. 4 hours per week for five months has been budgeted for this task for project management, it is anticipated that this time will primarily cover the review of submittals and work plans. Additionally, 8 hours per week for five months has been budgeted to review as-built surveys and track in-place stone volumes.

If any aspect of the proposed Edgewater work effort proves insufficient for the needed project support, Edgewater will negotiate that additional effort with the City prior to making any changes.

COMPENSATION

A summary table of project hours and bill rates for Edgewater personnel can be found in the table below. Please note expenses are not included in the below table but are included in the Task's total budget included at the end of this section.

Task 9 - Quarry Inspection and Stone Quality Assurance			
	Role	Bill Rate	Hours
Jack Cox	Sr. Principal	\$ 220	20
Bill Brose	Principal Eng.	\$ 200	8
Nick Stefani	Project Eng.	\$ 150	24
Jenna Kooker	Staff Eng.	\$ 130	24
Jack Bahmer	Staff Eng.	\$ 130	44
Task 10 - On Site Quarry Observation and Documentation			
Nick Stefani	Project Eng.	\$ 150	80
Jenna Kooker	Staff Eng.	\$ 130	80
Task 11 - Test Section Observation and Documentation			
Jack Cox	Sr. Principal	\$ 220	40
Bill Brose	Principal Eng.	\$ 200	120
Nick Stefani	Project Eng.	\$ 150	80
Task 12 - Weekly Site Visits			
Jack Cox	Sr. Principal	\$ 220	24
Bill Brose	Principal Eng.	\$ 200	64
Nick Stefani	Project Eng.	\$ 150	80
Jack Bahmer	Staff Eng.	\$ 130	80
Task 13 - Project Management, Review of Submittals and Workplans			
Nick Stefani	Project Eng.	\$ 150	120
Jack Bahmer	Staff Eng.	\$ 130	80

City of Oak Creek
Peter-Cooper Revetment



Expenses for travel are included for each task’s budget listed in the table below. These items include meal per diem, mileage (billed at IRS 2023 standard rate of 0.655 \$/mile), and hotel rate when applicable during certain project milestones.

All services will be subject to the General Terms and Conditions. Compensation for the tasks is summarized in the following table. All work shall be performed as Time & Materials, not to exceed. The fee for performing the Future Tasks will be coordinated as needed and once authorized by the City of Oak Creek.

Task	Estimated Fee
Task 1 - Quarry Inspection and Stone Quality Assurance	\$19,800
Task 2 – Onsite Quarry Inspection and Documentation	\$26,800
Task 3 – Test Section Observation and Documentation	\$54,000
Task 4 – Weekly Site Visits	\$42,900
Task 5 – Project Management, Review of Submittals and Work Plans	\$38,800
TOTAL ESTIMATED SERVICES	\$182,300

Receipt of this signed agreement will serve as our authorization to proceed.

Sincerely,

Jack C. Cox, P.E.; D.CE, D.PE, D.NE
Principal/Director of Engineering

Nick Stefani, PE
Project Engineer

Attachment: General Terms and Conditions

APPROVED and ACCEPTED this _____ day of _____, 2023

Signature: _____

Name: _____ Title: _____

City of Oak Creek
Peter-Cooper Revetment

GENERAL TERMS AND CONDITIONS

1. The General Terms and Conditions outlined below are part of the attached letter agreement and are hereby incorporated by reference. If EDGEWATER RESOURCES does not receive a response to the letter agreement within ninety (90) days, the fees and conditions for the design services will be subject to change. Please read these General Terms and Conditions carefully. Your acceptance of this agreement constitutes your acceptance of the foregoing terms and conditions.
2. The standard of care for all professional services performed or furnished by EDGEWATER RESOURCES under this agreement will be the skill and care used by landscape architects, architects, engineers, and surveyors practicing under similar circumstances at the same time and in the same locality. EDGEWATER RESOURCES makes no warranties, either express or implied, under this agreement or otherwise, in connection with EDGEWATER RESOURCES' services.
3. The Client shall provide EDGEWATER RESOURCES with a development program and site information regarding the requirements and objectives for the Project. Additionally, EDGEWATER RESOURCES shall be entitled to rely upon the accuracy and completeness of any information, reports and/or site surveys/base information supplied by the Client or by others authorized by Client.
4. If EDGEWATER RESOURCES' services under this letter agreement do not include services during the construction phase of the project, then Client assumes all responsibility for the application and interpretation of EDGEWATER RESOURCES' drawings, specifications and other instruments of service; the observation and evaluation of Contractor's work and the performance of any other necessary construction phase landscape architectural or professional services; and Client waives any claims against EDGEWATER RESOURCES that may be connected in any way thereto.
5. Unless otherwise stated in the attached letter agreement, the Client shall pay all out-of-pocket expenses, in addition to professional fees. Out-of-pocket expenses are defined as actual expenditures made by EDGEWATER RESOURCES, their employees, and/or professional consultants in the interest of the project and include, but are not limited to the following expenses:
 - a. Air Travel, including departure taxes (Business Class for flights scheduled for three [3] hours or greater) and related airline/agency fees
 - b. Hotel accommodations
 - c. Meals
 - d. Ground transportation, i.e., rental cars and taxis, private charter, public conveyance, and watercraft
 - e. Postage, freight, overnight express mail and courier services
 - f. Blueprinting, photocopying, reproductions and printing
 - g. Photographic supplies and processing
 - h. Study model materials
 - i. Special renderings, models, photographs and custom presentations, when authorized by Client

The above listed items will be billed at the actual cost. For specialty consultant services, as well as laboratory testing and analysis, Client will be charged an additional 10% fee by Edgewater.

6. All documents prepared or furnished by EDGEWATER RESOURCES pursuant to this agreement are instruments of EDGEWATER RESOURCES' professional service. Upon payment in full for these professional services, EDGEWATER RESOURCES shall grant joint ownership of such documents. Reuse, reproduction, modification of such documents by Client, without EDGEWATER RESOURCES' written permission, shall be at Client's sole risk and Client agrees to indemnify and hold EDGEWATER RESOURCES harmless from all claims, damages, and expenses, including attorney's fees, arising out of such reuse by Client or others acting through Client.
7. If special drawing modifications are requested when transferring electronic media, i.e., CAD format, special blocks, drawings, setting up special layering for files, etc., the associated time with the requested modifications will be billed at cost plus 10%. Prior to the preparation of transfer media, both parties will agree upon the special modifications.

CLIENT'S INITIALS _____

8. Client acknowledges that the information and data delivered to Client in machine editable copies of the documents, such as CAD files, may vary from that contained on paper copies of the documents and/or read-only digital media files, such as PDF files. Variances may be due to the use of different software, hardware, or output devices by Client or others from those used by EDGEWATER RESOURCES for original preparation and printing of the documents. The provided hard copies and/or read-only digital media shall govern in the event of any inconsistency or discrepancy between the two.

Client acknowledges that the conversion of machine editable documents from the system or format employed by EDGEWATER RESOURCES to that of Client or others cannot be accomplished without the introduction of inexactitude, abnormalities, and errors. In the event documents provided to Client in machine-readable form are so converted, Client agrees to assume all risks associated therewith and, to the fullest extent permitted by law, to hold harmless and indemnify EDGEWATER RESOURCES and EDGEWATER RESOURCES' professional associates and consultants from and against all arising claims, liabilities, losses, and expenses including attorney fees.

9. All fees and reimbursable expenses will be invoiced monthly and shall be payable in net U.S. Dollars drawn upon a U.S. Bank unless otherwise stated in this letter agreement. The Client understands and acknowledges that these fees are net of any non-U.S. taxes and/or tariffs. If a retainer is received by EDGEWATER RESOURCES, it will be applied to the final payment due unless otherwise stated in this letter agreement.
10. In the event the Client should use a foreign bank as its payment bank, the Client shall wire the funds in U.S. Dollars, net of any transaction fees AND LOCAL TAXES (LOCAL TO THE PROJECT), to EDGEWATER RESOURCES' local bank using the following information:

Wiring instructions:

Account Name/Address: Edgewater Resources, LLC
518 Broad Street, Suite 200
St. Joseph, MI 49085
269-932-4502

ABA Bank Routing Number: 071212128

Bank Account Number: 10223717

BIC / Swift Code: SRCEUS31

Bank Name/Address: 1st Source Bank
100 N Michigan Street
South Bend, IN 46601
269-983-3721

11. All invoices are payable upon receipt. In the event payment is not received within thirty (30) days of invoice date, the past due balance may be assessed an interest penalty of one and one-half percent (1 ½%) per month.

In the event EDGEWATER RESOURCES does not receive payment within sixty (60) days, EDGEWATER RESOURCES may stop work on the project until payment is received. Stoppage of work by EDGEWATER RESOURCES due to non-payment of invoices beyond sixty (60) days will not be deemed as a default under the terms of this letter agreement. An additional fee may be required to stop and restart work due to nonpayment.

12. In the event that the project is suspended for more than forty-five (45) days, through no fault of EDGEWATER RESOURCES, EDGEWATER RESOURCES shall be entitled to payment for services on a percentage of completion basis for all completed work.
13. The Client agrees that this letter agreement shall be interpreted according to the laws of the state where the contracting EDGEWATER RESOURCES office is located and agrees to reimburse EDGEWATER RESOURCES for reasonable attorney's fees, court costs, and all expenses including without limitation, all such fees, costs, and expenses incidental to arbitration, appeals, and post-judgment proceedings that it may expend in enforcing this letter agreement. In the event of any such dispute, Client agrees that the court venue will be located in Berrien County, Michigan, or the court venue local to the EDGEWATER RESOURCES office performing the work.
14. Signature of the attached letter agreement will signify the Client's acceptance of all the Terms and Conditions outlined herein. Accordingly, the Client warrants that the necessary funds are available to pay EDGEWATER RESOURCES for the services and expenses outlined in this letter agreement and that these funds are not encumbered nor contingent upon subsequent approvals, permits or financing commitments.
15. The Client may terminate this Agreement without cause with ten days written notice and may terminate with cause upon seven days written notice by certified mail, facsimile, or private courier. The Client may direct EDGEWATER RESOURCES to immediately stop work in the event of a termination with cause.

EDGEWATER RESOURCES shall give the Client ten days written notice of EDGEWATER RESOURCES' intention to terminate or suspend provision of services. This notice shall specify EDGEWATER RESOURCES' reason(s) for the intended termination or suspension and shall state with specificity the means by which the Client may cure the asserted grievance. If the Client, through no fault of EDGEWATER RESOURCES, fails to cure the asserted grievance within seven days thereafter, this Agreement may be immediately terminated by EDGEWATER RESOURCES.

In the event of termination, EDGEWATER RESOURCES shall be compensated for all services fully and satisfactorily performed until such termination date, together with Reimbursable Expenses incurred.

16. This letter agreement will be valid for the duration of the project.
17. In no case shall EDGEWATER RESOURCES' liability exceed the amount of the fees for this agreement.



COMMON COUNCIL REPORT

Item: 2023-24 Inspection Service Contract for M Squared Engineering Services, LLC

Recommendation: That the Common Council considers a motion authorizing the Engineering Department to enter into a contract with M Squared Engineering Services, LLC for construction inspection services for 2023 & 2024. (City Wide)

Fiscal Impact: Inspections costs for City projects would be paid from that CIP number and development projects would be paid by that developer.

- 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 City of Oak Creek recently has seen significant growth through new development and this trend is anticipated to continue for the near future. Currently there are three development projects under construction (Lakeshore Commons, Broadacre and Oaks at 8100) that include public improvements with three more anticipated to begin later this summer and fall of 2023 (HeyDay, Edgemont Estates and Stonebrook on the Park). The City also continues to invest in our own infrastructure with five scheduled projects (Safe Routes to School Phase 1, S. 13th Street Sidewalk, 2023 Road Improvements, Abendschein Park Entrance and Parking Lot and the Fire station #3 Parking Lot).

One of the main responsibilities of the Engineering Senior Field Technician is to inspect City projects with other City staff and/or consultants supplementing as needed to verify compliance with specifications. Our Senior Technician recently accepted a position with another community ending his employment with the City on June 23rd and the Storm Water Engineer position still remains vacant. Engineering staff workloads have increased dramatically to cover the daily work task of the Storm Water Engineer and with the departure of Andy will continue to add to the workloads. To continue to provide the level of service and ensure that construction of public infrastructure meets specifications, Engineering will need outside assistance. Engineering advertised a request for proposals to explore the options for securing the services of engineering firms that could provide personnel to assist the City with construction inspections.

Three proposals were received and reviewed by Engineering. Criteria for proposal evaluations included professional qualifications of the firm, experience of the inspection personnel, references, and hourly rates. The proposals came from established engineering firms with personnel of varying levels of experience. The two firms stood out from the standpoint of experience, availability and ability for material testing. The Safe

Routes to School Phase 1 project is funded under the Transportaton Alternative Projects (TAP) grant program and requires the ability to collect and test materials used in the project.

The three firms were M Squared Engineering (Score of 85 out of 100), raSmith (82.3), and AECOM (82.3). M Squared will provide inspection services on City projects which will allow the City to capitalize on their material testing capabilities and municipal expertise. Hourly inspector rates for M Squared will range from \$98 to \$120, depending an the inspection services provided..

Options/Alternatives: To not enter into a contract with M Squared and reissue the request for proposal for inspection services. This delay will create a strain on City staff and reduce the level of service of other daily tasks until the City can contract for inspection services or fill the vacant position.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared/Approved:



Matthew J. Sullivan, PE
City Engineer

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:



COMMON COUNCIL REPORT

Item: 2023-24 Inspection Service Contract for raSmith

Recommendation: That the Common Council considers a motion authorizing the Engineering Department to enter into a contract with raSmith for construction inspection services for 2023 & 2024. (City Wide)

Fiscal Impact: Inspections costs for City projects would be paid from that CIP number and development projects would be paid by that developer.

- 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 City of Oak Creek recently has seen significant growth through new development and this trend is anticipated to continue for the near future. Currently there are three development projects under construction (Lakeshore Commons, Broadacre and Oaks at 8100) that include public improvements with three more anticipated to begin later this summer and fall of 2023 (HeyDay, Edgemont Estates and Stonebrook on the Park). The City also continues to invest in our own infrastructure with five scheduled projects (Safe Routes to School Phase 1, S. 13th Street Sidewalk, 2023 Road Improvements, Abendschein Park Entrance and Parking Lot and the Fire station #3 Parking Lot).

One of the main responsibilities of the Engineering Senior Field Technician is to inspect City projects with other City staff and/or consultants supplementing as needed to verify compliance with specifications. Our Senior Technician recently accepted a position with another community ending his employment with the City on June 23rd and the Storm Water Engineer position still remains vacant. Engineering staff workloads have increased dramatically to cover the daily work task of the Storm Water Engineer and with the departure of Andy will continue to add to the workloads. To continue to provide the level of service and ensure that construction of public infrastructure meets specifications, Engineering will need outside assistance. Engineering advertised a request for proposals to explore the options for securing the services of engineering firms that could provide personnel to assist the City with construction inspections.

Three proposals were received and reviewed by Engineering. Criteria for proposal evaluations included professional qualifications of the firm, experience of the inspection personnel, references, and hourly rates. The proposals came from established engineering firms with personnel of varying levels of experience. The two firms stood out from the standpoint of experience, availability and ability for material testing.

The three firms were M Squared Engineering (Score of 85 out of 100), raSmith (82.3), and AECOM (82.3). Currently the Water & Sewer Utility is under contract with raSmith to provide inspection services on development projects and the Engineering Department proposes to utilize them on development projects to capitalize on efficiency gained by the consistency of having the same company involved with all the inspections. Hourly inspector rates for raSmith range from \$95 to \$120, depending on the inspection services provided.

Options/Alternatives: To not enter into a contract with raSmith and reissue the request for proposal for inspection services. This delay will create a strain on City staff and reduce the level of service of other daily tasks until the City can contract for inspection services or fill the vacant position.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared/Approved:



Matthew J. Sullivan, PE
City Engineer

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:



COMMON COUNCIL REPORT

Item: 2023 Storm Water Consulting Services for raSmith

Recommendation: That the Common Council considers a motion authorizing the Engineering Department to enter into a contract with raSmith for storm water consulting services for 2023. (City Wide)

Fiscal Impact: Consulting service costs for City projects would be paid from the Storm Water Utility Fund and development projects would be paid by that developer.

Critical Success Factor(s):

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

Background: The City of Oak Creek recently has seen significant growth through new development and expansion of existing facilities and this trend is anticipated to continue for the near future. New development and expansion of facilities increases impervious areas creating the need to manage more storm water runoff. This is done through green infrastructure or storm water management facilities that must meet requirements of the City, Milwaukee Metropolitan Sewage District (MMSD) and Wisconsin Department of Natural Resources.

One of the main responsibilities of the Storm Water Engineer is to work with developers and companies to ensure that these requirements are met. This City position has been vacant since January due to retirement, and we have been unable to fill the position to date. Engineering staff workloads have increased dramatically to cover the daily work task of the Storm Water Engineer and with the departure of the Engineering Senior Technician workloads will continue to increase. To continue to provide the level of service and ensure that future development/expansion does not create potential storm water management concerns, Engineering will need outside assistance. Engineering advertised a request for proposals to explore the options for securing the services of an engineering firm that could provide personnel to assist the City with storm water.

Five proposals were received and reviewed by Engineering. Criteria for proposal evaluations included professional qualifications of the firm, experience of the personnel, references, and hourly rates. The proposals came from established engineering firms with personnel of varying levels of experience. The top firm stood out from the standpoint of similar experience in the municipal setting, strong relationship with reviewing agencies and availability.

The five firms were raSmith (Score of 88 out of 100), Aqualis (83), Baxter & Woodman (83), Kapur (77) and Robinson (75). The City has utilized raSmith for past storm water projects with great success. Hourly rates for raSmith range from \$146 to \$171, depending on the services provided.

Options/Alternatives: To not enter into a contract with raSmith and reissue the request for proposal for storm water consulting services. This delay will create a strain on City staff and reduce the level of service of other daily tasks until the City can contract for consulting services or fill the vacant position.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared/Approved:



Matthew J. Sullivan, PE
City Engineer

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments:



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 6/20/23 License Committee Report.

Fiscal Impact: License fees in the amount of \$1,690.00 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:

1. Grant an Operator’s license to (favorable background reports received)
 - * Jack M. Hensel (BelAir Cantina)
 - * Sienna L. Bundy (BelAir Cantina)
 - * Joshua B. Wilkes (Kwik Trip)
 - * Kristina L. Weber (Branded Steer)
 - * Isabella G. Campos (Piggly Wiggly)
 - * Brian T. Wheatly (Walgreens)
 - * Merle J. Gerding (Piggly Wiggly)
 - * Margaret D. Schlitz (Piggly Wiggly)
 - * Gabriel G. Graetz (Kwik Trip)
 - * Amanda M. Cee (The Cellar)

2. Grant a 2023-24 Class B Combination alcohol license to Ken Conway, Agent, CCR Partners, LLC dba Trattoria DiCarlo, 8469 S. Howell Ave., with release of license subject to receipt of Occupancy Permit.

3. Grant a Change of Agent on the Class B Combination alcohol license issued to Milwaukee Yard Corporation dba Milwaukee Yard, from Ryan McNeive to Bennett Schmitz.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Christa J. Miller CMC/WCMC
Deputy City Clerk

Fiscal Review:

Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Attachments: none

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the June 14, 2023 Vendor Summary Report in the total of \$535,238.95.

Fiscal Impact: Total claims paid of \$535,238.95.

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. \$5,104.12 to AT&T (pg #3) for 911 wireless call fees, Fire Station No. 1 telephone.
2. \$67,263.82 to Bestco UA (pg #4) for July retiree insurance.
3. \$6,186.00 to Buelow Vetter (pgs #4 & 5) for legal services.
4. \$6,900.00 to CR Electric (pg #5) for police department light replacements.
5. \$32,607.38 to E. H. Wolf & Sons, Inc. (pgs #6 & 7) for fuel inventory.
6. \$13,060.18 to Enterprise FM Trust (pg #7) for DPW vehicle lease monthly payment. Project #19024.
7. \$34,680.00 to Interstate Pump & Tank (pg #10) for fuel island and diesel tank replacement and unspecified storm projects. Project #22021 & 18022.
8. \$13,558.34 to Kansas City Life Insurance Co. (pgs #11 & 12) for July disability insurance.
9. \$23,725.83 to Milwaukee County Department of Transportation (pg #15) for Rawson Ave improvements and EVP items. Project #22005.
10. \$6,345.00 to Neenah Foundry Company (pg #16) for frames and grates. Project #22003.
11. \$5,159.91 to Oak Creek Water & Sewer Utility (pg #16) for Digger's Hotline services and utility usage.
12. \$65,898.12 to Oak Creek – Franklin Joint School District (pg #16) for 50% of the City's cost for the joint recreation platform for 2023.
13. \$6,005.11 to Securian Financial Group, Inc. (pgs #1) for July employee life insurance.
14. \$65,747.61 to US Bank (pgs #25-34) 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.

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15. \$6,474.00 to US Marshals Service (pg #1) for seized money.
 16. \$11,723.07 to WE Energies (pg #22) for street lighting, electricity & natural gas.
 17. \$10,377.80 to WI Court Fines & Surcharges (pg #1) for May court fines.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory J. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: 06/14/2023 Invoice GL Distribution Report

COMMON COUNCIL REPORT

Item: Authorizing payment of bills, debts and obligations.

Recommendation: That the Common Council adopt Resolution No. 12416-062023, a Resolution authorizing payment of bills, debts and obligations.

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

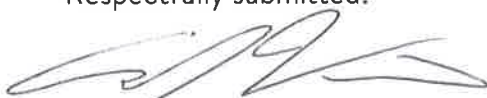
Critical Success Factor(s):

- 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 voted to hold only one meeting in the month of July 2023, on July 18, 2023. This leaves four weeks before the July 18, 2023 meeting and would put some of our bills past due if not paid. Per State Statute 62.12(6), "unless otherwise provided by law, City funds should be paid out only by authority of the Council." The attached resolution will allow the Finance Department to create a vendor summary report and cut and release checks as if there were still a meeting on July 3, 2023. At the July 18, 2023 meeting, we will provide the Council with a vendor summary report from July 3, as well as a vendor summary report for July 18.

Options/Alternatives: Hold all bills until July 18, 2023 and potentially incur interest charges or late fees.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory T. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gagrin, MPA
Assistant City Administrator/Comptroller

Attachments: Resolution No. 12416-062023

RESOLUTION NO. 12416-062023

RESOLUTION AUTHORIZING PAYMENT OF BILLS, DEBTS AND OBLIGATIONS

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

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

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

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

NOW THEREFORE, BE IT RESOLVED that the Common Council hereby authorizes the payment of City bills, debts and obligations that become due during the month of June 2023 to be paid in accordance with state and local law prior to the approval of the vendor summary report for the July 18, 2023, Common Council meeting.

BE IT FURTHER RESOLVED that any bills, debts and obligations that are paid pursuant to this Resolution after the June 14th vendor summary report has been approved, but prior to approval of the vendor summary report by the Common Council for the July 18th meeting be included in the vendor summary report for the July 18, 2023, Common Council meeting.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 20th day of June, 2023.

Passed and adopted this ____ day of _____ 2023.

Kenneth Gehl, Common Council President

Approved this ____ day of _____ 2023.

Mayor Daniel Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____