



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

COMMON COUNCIL MEETING AGENDA

SEPTEMBER 5, 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: 8/15/23.

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

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

4. **Conditional Use Permit:** Consider a request submitted by Alan Kirchhoff, 7B Building and Development, for a Conditional Use Permit for a car wash facility on the property at 2440 W. Ryan Rd. (6th District).
5. **Ordinance:** Consider Ordinance No. 3081, approving a Conditional Use Permit for a car wash facility on the property at 2440 W. Ryan Rd. (6th District).

New Business

6. **Informational:** 2023 Mid-Year Budget Monitoring Report.
7. **Informational:** Annual Tax Increment District (TID) Review Presentation.
8. **Informational:** Review and Discuss Building Capacity and Resilience Plan.
9. **Motion:** Consider a motion to approve the Conceptual City Organizational Chart (Appendix C) and direct staff to begin implementation (by Committee of the Whole).

LICENSE COMMITTEE

10. **Ordinance:** Consider Ordinance No. 3082, repealing and recreating Section 7.89(a) of the Municipal Code, Closing Hours, for Class "A" fermented malt beverages and "Class A" intoxicating liquors (by Committee of the Whole).

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

11. **Motion:** Consider a *motion* to approve the various license requests as listed on the 9/5/23 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

12. **Motion:** Consider a *motion* to approve the August 30, 2023 Vendor Summary Report in the amount of \$645,807.57 (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.

TO BE PUBLISHED AUGUST 16 & 23, 2023

4

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 Alan Kirchhoff, 7B Building and Development, for a Conditional Use Permit for car wash facility on the property at 2440 W. Ryan Rd.

Hearing Date:

September 5, 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):

Alan Kirchhoff, 7B Building and Development

Property Owner(s):

HWY 31/60 REAL ESTATE LLC

Property Location(s):

2440 W. Ryan Rd.

Tax Key(s):

878-9038-001

Legal Description:

CSM NO 7866 LOT 2 SW 1/4 SEC 19-5-22 (1.0689 ACS) EXC S 20 FT CONV TO DOT IN DOC NO 10299217 FOR ST.

The Common Council has scheduled other public hearings for September 5, 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: August 9, 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 - 2440 W. Ryan Rd. - Alan Kirchoff, 7B Building and Development
- Recommendation:** That the Council considers Ordinance 3081, an ordinance to approve a Conditional Use Permit for a car wash facility on the property at 2440 W. Ryan Rd. (6th Aldermanic District)
- Fiscal Impact:** Approval will allow for the consideration of site, building, and related plans for a car wash facility on the property. Development of this parcel will yield positive fiscal impacts in terms of assessed value, review fees, and permit and impact fees. 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 recommendation of Conditional Use approval for a car wash facility on the property at 2440 W. Ryan Rd. Car wash facilities are Conditional Uses in the B-4, General Business district. This property is also subject to a Planned Unit Development approved in Ord. 1720 (attached).

The proposal is for a 4,355 square-foot automatic car wash building, which includes an office adjacent to the entrance to the tunnel. Concept plans show the building oriented parallel to the angled property line on the east, with access to the site utilizing the existing drive from Ryan Rd. through the Pick 'n' Save parking lot to the proposed drive on the north. Two (2) lanes for stacking and access to two (2) payment kiosks wrap around the north and west. Parking and vacuums are centered on the property, and partially hidden by the proposed building. Up to four (4) employees are proposed to be onsite for each of two (2) shifts. Operations are expected to be from 8:00 AM to 7:00 PM daily, with weekly deliveries anticipated by box truck. The narrative provided did not specify whether the vacuums would be available only during hours of operation or if they would be available at all times.

Between 20 and 38 customers per day are anticipated per the narrative. However, this assumes stacking for 20 vehicles in the pay lanes, and that all parking stalls are occupied by customers and not employees. Concept plans submitted do not show queueing vehicles to confirm stacking. Minimum parking requirements for car washes are calculated at one (1) stall for each car wash stall. Since the proposal includes a single automatic tunnel and identifies four (4) stalls for employee parking, the number of stalls exceeds the requirement as proposed.

While this is not a review of site and building plans, staff have several concerns that would become part of the Conditions and Restrictions should the proposal be recommended for approval. These include, but are not limited to:

- The location and angle of the bypass/escape lane past the pay kiosks does not allow for vehicles to exit without paying, and is nearly impossible for a vehicle in the inside lane to maneuver.
- Architectural details for the proposed pay kiosk canopies.
- Proposed number of and details for menu boards (not included in concept plans).
- Architecture of the proposed building does not meet Code requirements, and will require revision.
- Signage does not appear to meet Code requirements and will require revision.
- Enhanced landscaping along the south to screen headlights and parking from Ryan Rd. will be required. All landscaping and screening must meet Code requirements.
- All light sources, with the exception of architectural accent wash lighting, garden/pathway lighting, and well lighting, shall be full cutoff fixtures with the light source fully shielded and directed downward.
- Architectural accent wash lighting is limited to a maximum of 2,000 source lumens.
- Canopy lighting shall not exceed 25 footcandles and shall be fully non-surface-mounted or recessed.

After careful consideration at their July 25 & August 8, 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 on the property at 2440 W. Ryan Rd. is acceptable, the suggested motion is to approve Ordinance 3081 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:

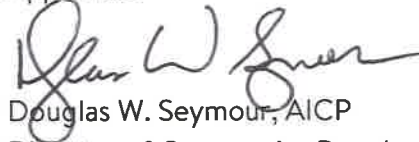


Kari Papelbon, CFM, AICP
Senior Planner

Fiscal Review:

Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Approved:



Douglas W. Seymour, AICP
Director of Community Development

Attachments:

Location Map

Ord. 3081

Narrative (1 page)

Concept Site Plan (1 page)

Concept Landscape Plan (1 page)

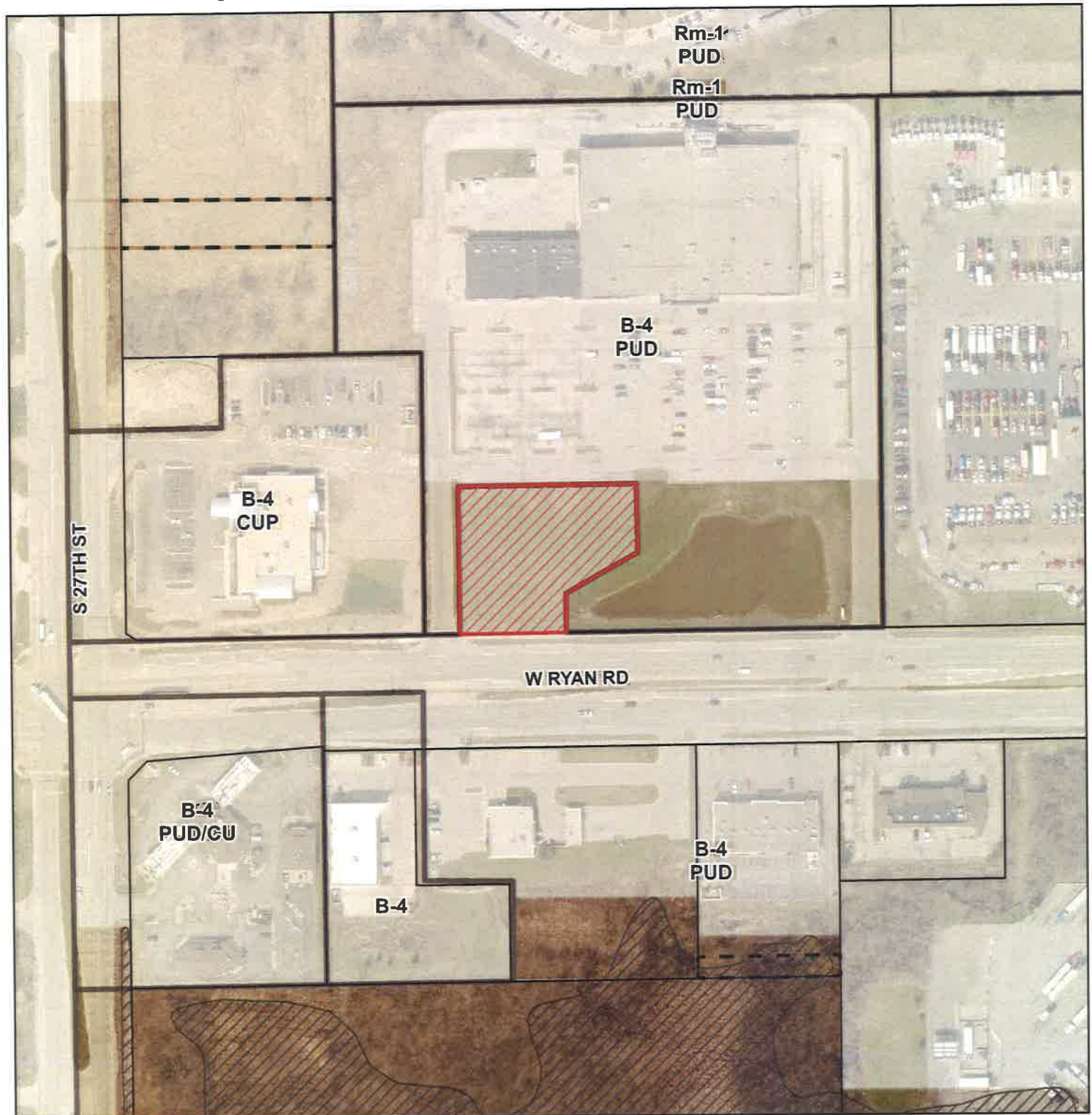
Concept Renderings (1 page)

Draft Conditions and Restrictions (7 pages)

Excerpted Plan Commission Minutes (4 pages)

LOCATION MAP

2440 W. Ryan Rd.



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



Community Development



Legend

- Zoning
- Official Map
- Floodway
- Flood Fringe
- 2440 W. Ryan Rd.

ORDINANCE NO. 3081

By: _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR
A CAR WASH FACILITY AT 2440 W. RYAN RD.

(6th Aldermanic District)

WHEREAS, ALAN KIRCHOFF, 7B BUILDING AND DEVELOPMENT, has applied for a Conditional Use Permit that would allow for a car wash facility on the property at 2440 W. Ryan Rd.; and

WHEREAS, the property is more precisely described as follows:

CSM NO 7866 LOT 2 SW 1/4 SEC 19-5-22 (1.0689 ACS) EXC S 20 FT CONV TO DOT IN DOC NO 10299217 FOR ST.

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 September 5, 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 a car wash facility on the property at 2440 W. Ryan Rd., which shall include the aforementioned conditions and restrictions (see Exhibit A).

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 car wash facility on the property at 2440 W. Ryan Rd.

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 5th day of September, 2023.

President, Common Council

Approved this 5th day of September, 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:	Alan Kirchoff, 7B Building and Development (Champion Xpress)	Approved by Plan Commission: 8-8-23 Approved by Common Council: 9-5-23 (Ord. 3081)
Property Address(es):	2440 W. Ryan Rd.	
Tax Key Number(s):	878-9038-001	
Conditional Use:	One (1) Car Wash Facility	

1. LEGAL DESCRIPTION

Lot 2 of Certified Survey Map No. 7866, recorded January 04, 2007 as Document No. 09362677, being all of Lots 1 and 2 of Certified Survey Map No. 7758, being a re-division of a part of the Southwest 1/4 of the Southwest 1/4 of Section 19, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin. Excepting therefrom that portion of land conveyed in warranty deed dated September 3, 2013, Recorded October 1, 2013, as Document No. 10299217.

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 setback requirements of Ord. 1720 and all existing easements are in effect.
- C. 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, details for all kiosk canopies & menu boards
 - 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 buildings/structures
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks & buffers
 - 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 & buffer areas
 - 2. Number, initial & mature sizes, and types of plantings; tree inventory & retention/replacement plan
 - 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/green infrastructure (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)

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

- 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 B-4, General Business zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
 - B. Hours of operation shall be between 8:00 AM and 7:00 PM.
 - C. There shall be no outdoor storage, rental, or sale of equipment, merchandise, parts, supplies, vehicles, or any other materials on the property.
 - D. All parking areas shall be striped, screened, and landscaped in conformance with approved site plans and Sec. 17.0505 of the Municipal Code (as amended).
 - E. Drive aisles for the facility shall be designed in conformance with Sec. 17.0414(g) of the Municipal Code (as amended). Dimensions for lanes (including bypass), stacking spaces, and menu boards shall be included in plans for review and approval by the Plan Commission.
 - F. Landscaping on the south and west property lines shall be enhanced to meet Code requirements, and included in the landscape plans to be reviewed and approved by the Plan Commission as part of Site and Building Plan Review
 - G. All signs shall conform to the requirements of Sec. 17.0601 – 17.0609 of the Municipal Code (as amended). Signs and menu boards shall be issued Sign Permits prior to installation.
 - H. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
 - I. Solid waste collection and recycling shall be the responsibility of the owner.
 - J. Removal of snow from off-street parking areas, walks, public sidewalks, private roads and access drives shall be the responsibility of the landowner(s).

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

4. PARKING AND ACCESS

- A. Access to this property shall be restricted to the existing cross-access easements over the property at 2320 W. Ryan Rd. There shall be no additional access to Ryan Rd.
- B. Parking and driveway 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.
- C. 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, with the exception of architectural accent wash lighting, garden/pathway lighting, and well lighting, shall be full cutoff fixtures with the light source fully shielded and directed downward.
- C. The color temperature of the parking lot fixtures shall be limited to a maximum of 5,000 Kelvins.
- D. Architectural accent wash lighting and well lighting, including wall-mounted lighting and ground-mounted lighting located within three feet of a building/structure, shall be integrated with the architectural character of the building/structure and shall use low-luminosity lamps, with 2,000 source lumens or less. The illumination on any vertical surface shall not exceed 0.5 maintained footcandle and shall not spill over roof lines or building edges.
- E. Building mounted lighting shall not be mounted higher than the highest point of the building.
- F. Any outdoor lighting fixture installed on a canopy shall not exceed 25 footcandles and shall be fully non-surface-mounted or recessed.

6. BULK AND DIMENSIONAL REQUIREMENTS SETBACKS

<i>Lot Standards (Minimum)</i>	
Lot Area	30,000 sf
Lot Width	150 ft
<i>Yard Setbacks (Minimum) (1)</i>	
Front	25 ft
Street Facing Side	25 ft
Interior Side	10 ft
Rear	20 ft
<i>Building Standards (Maximum)</i>	
Height	55 ft
Building Coverage	70%
Lot Coverage	70%

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

Parking	
Transition & Required Landscape Areas	See Sec. 17.0505
Setbacks	
Front/Street (per Ord. 1720)	25 ft
Rear/Side (per Ord. 1720)	10 ft
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

EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

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 CONT'D

**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.)

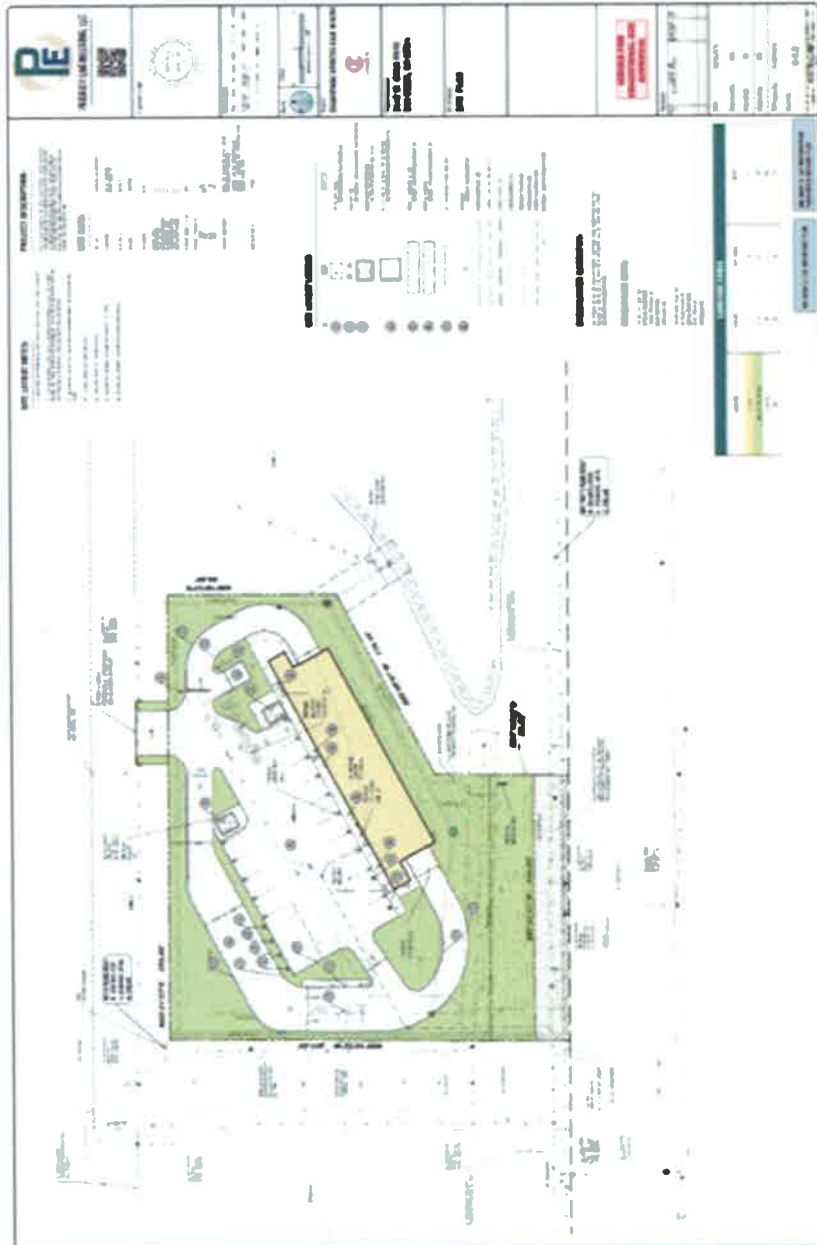
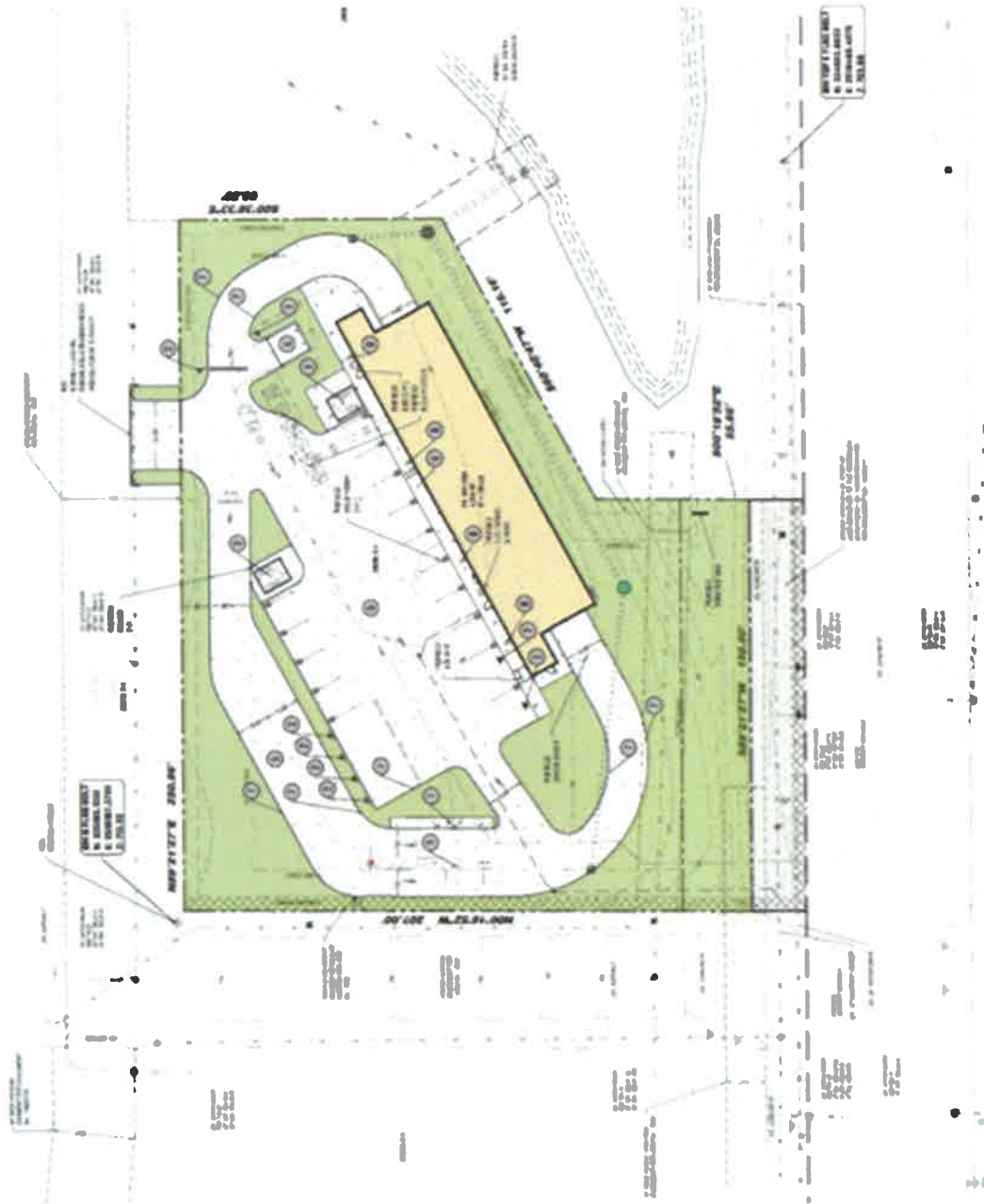


EXHIBIT A: CONDITIONS AND RESTRICTIONS CONT'D

**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.)





PRIORITY
ENGINEERING, LLC

23208 EMERSON WAY
LAND O' LAKES, FL 34639

PH. 813.406.4234

PROPOSAL NARRATIVE

City of Oak Creek
7B Development – Car Wash
2440 Ryan Road

Proposal Narrative:

On behalf of the developer, 7B Design and Development, Priority Engineering, LLC is asking that the Planning Commission to approve a Conditional Use Permit for a proposed Champion Xpress car wash located at 2440 Ryan Road, Oak Creek, Wisconsin.

The proposed development consists of a 4,355 square foot building with a car wash tunnel length of 125 feet. Two queuing lanes will be secured by two pay stations. Site ingress and egress will be unsecured. Parking for the proposed site will consist of twelve vacuum stalls, one being ADA accessible, four employee parking stalls and one standard ADA stall. The facility will be operated by three to four employees each shift with two shifts per day. The hours of operation will be 7 days a week from the hours of 8:00 a.m. to 7:00 p.m. Deliveries to the site are anticipated to be once a week with supplies delivered via box truck. Dumpster and vacuum enclosures will consist of 6 foot high split face C.M.U walls. Enclosures will be secured by metal panel vertical siding swing gates.

The anticipated maximum number of facility users at one time are 20 in pay station queuing and 18 for parking/vacuum stalls for a total of 38 visitors.

A reclaim system will be used to recycle up to 80%-85% of used water for the car wash. The system will collect, clean and redistribute clean water to be used for additional car washes.

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

Applicant: Alan Kirchhoff, 7B Building and Development (Champion Xpress)
Property Address(es): 2440 W. Ryan Rd.
Tax Key Number(s): 878-9038-001
Conditional Use: One (1) Car Wash Facility

Approved by Plan Commission: 8-8-23
Approved by Common Council: TBD
(Ord. 3081)

1. LEGAL DESCRIPTION

Lot 2 of Certified Survey Map No. 7866, recorded January 04, 2007 as Document No. 09362677, being all of Lots 1 and 2 of Certified Survey Map No. 7758, being a re-division of a part of the Southwest 1/4 of the Southwest 1/4 of Section 19, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin. Excepting therefrom that portion of land conveyed in warranty deed dated September 3, 2013, Recorded October 1, 2013, as Document No. 10299217.

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 setback requirements of Ord. 1720 and all existing easements are in effect.
- C. 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
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 - i) Location(s) and future expansion
 - ii) Number & type(s) of buildings/structures
 - iii) Number of all parking spaces
 - iv) Dimensions
 - v) Setbacks & buffers
- 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 & buffer areas
- 2. Number, initial & mature sizes, and types of plantings; tree inventory & retention/replacement plan
- 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/green infrastructure (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 B-4, General Business zoning district, these Conditions and Restrictions, and all applicable sections of the Municipal Code (as amended).
- B. Hours of operation shall be between 8:00 AM and 7:00 PM.
- C. There shall be no outdoor storage, rental, or sale of equipment, merchandise, parts, supplies, vehicles, or any other materials on the property.
- D. All parking areas shall be striped, screened, and landscaped in conformance with approved site plans and Sec. 17.0505 of the Municipal Code (as amended).
- E. Drive aisles for the facility shall be designed in conformance with Sec. 17.0414(g) of the Municipal Code (as amended). Dimensions for lanes (including bypass), stacking spaces, and menu boards shall be included in plans for review and approval by the Plan Commission.
- F. Landscaping on the south and west property lines shall be enhanced to meet Code requirements, and included in the landscape plans to be reviewed and approved by the Plan Commission as part of Site and Building Plan Review
- G. All signs shall conform to the requirements of Sec. 17.0601 – 17.0609 of the Municipal Code (as amended). Signs and menu boards shall be issued Sign Permits prior to installation.
- H. The number, size, location and screening of appropriate solid waste collection units shall be in conformance with plans approved by the Plan Commission.
- I. Solid waste collection and recycling shall be the responsibility of the owner.
- J. 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. Access to this property shall be restricted to the existing cross-access easements over the property at 2320 W. Ryan Rd. There shall be no additional access to Ryan Rd.
- B. Parking and driveway 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.
- C. 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, with the exception of architectural accent wash lighting, garden/pathway lighting, and well lighting, shall be full cutoff fixtures with the light source fully shielded and directed downward.
- C. The color temperature of the parking lot fixtures shall be limited to a maximum of 5,000 Kelvins.
- D. Architectural accent wash lighting and well lighting, including wall-mounted lighting and ground-mounted lighting located within three feet of a building/structure, shall be integrated with the architectural character of the building/structure and shall use low-luminosity lamps, with 2,000 source lumens or less. The illumination on any vertical surface shall not exceed 0.5 maintained footcandle and shall not spill over roof lines or building edges.
- E. Building mounted lighting shall not be mounted higher than the highest point of the building.
- F. Any outdoor lighting fixture installed on a canopy shall not exceed 25 footcandles and shall be fully non-surface-mounted or recessed.

6. BULK AND DIMENSIONAL REQUIREMENTS, SETBACKS

Lot Standards (Minimum)	
Lot Area	30,000 sf
Lot Width	150 ft
Yard Setbacks (Minimum) (1)	
Front	25 ft
Street Facing Side	25 ft
Interior Side	10 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
Setbacks	
Front/Street (per Ord. 1720)	25 ft
Rear/Side (per Ord. 1720)	10 ft
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)

DRAFT

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.)

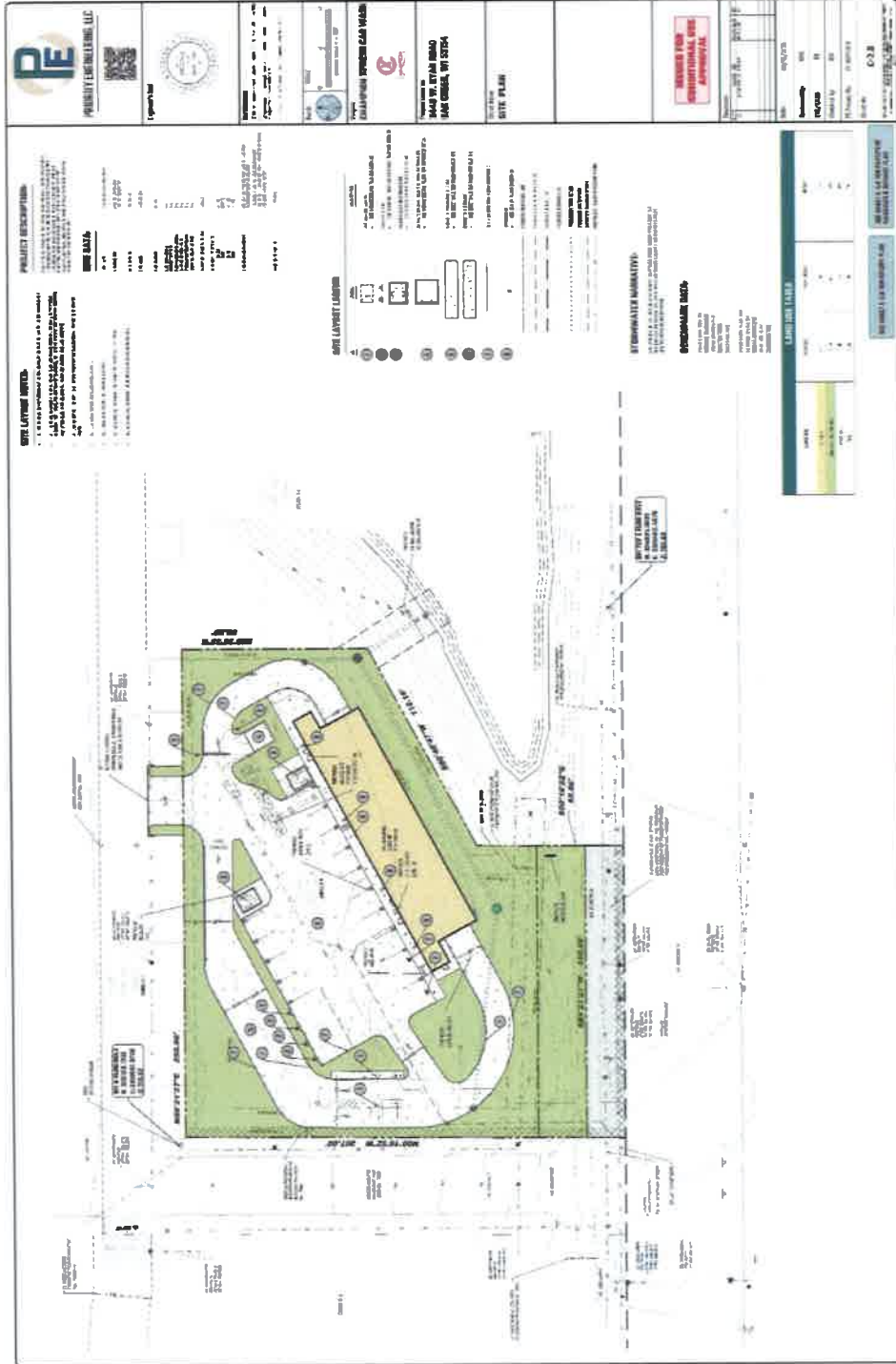
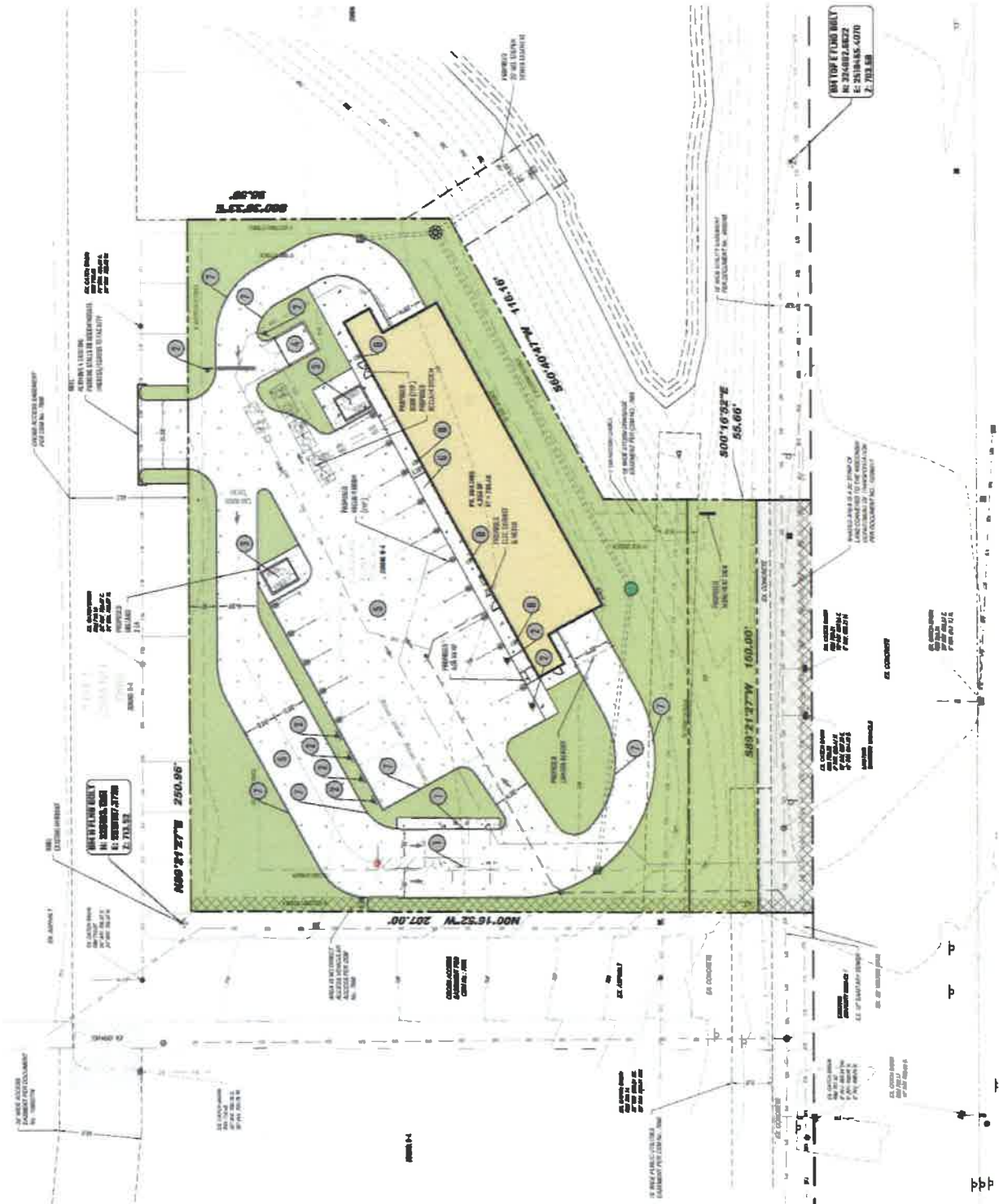


EXHIBIT A: GENERAL DEVELOPMENT PLAN ENLARGED

(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, JULY 25, 2023**

Mayor Bukiewicz called the meeting to order at 6:02 p.m. The following Commissioners were present at roll call: Commissioner Hanna, Commissioner Carrillo, City Engineer Matt Sullivan, Mayor Bukiewicz, Alderman Guzikowski, Commissioner Oldani, Commissioner Siefert, and Commissioner Chandler. Alderman Loreck and Commissioner Kiepczynski were excused. Also present: Senior Planner Kari Papelbon and Assistant Fire Chief Mike Havey.

**CONDITIONAL USE PERMIT
ALAN KIRCHHOFF, 7BBUILDING AND DEVELOPMENT
2440 W. RYAN RD.
TAX KEY NO. 878-9038-001**

Senior Planner Papelbon provided an overview of a request for a Conditional Use Permit for a proposed car wash facility on the property at 2440 W. Ryan Rd. (see staff report for details).

Alderman Guzikowski stated his support for the project, and that he had been contacted by one (1) of his residents opposing this development.

Commissioner Siefert stated his concern surrounding the exit from the car wash as the proposed turn may be too tight for safe traffic flow.

Bon Fitzgerald, Priority Engineering, LLC, 23208 Emerson Way, Land O' Lakes, FL 34639, representing the applicant, stated that the turning radiuses have been designed to the minimum, which is required by their client. But the client is open to looking at options. Mr. Fitzgerald stated that a full stop is intended at both directional changes in this area, making the car wash exit lane and the property access road more like a 2-way intersection.

Commissioner Siefert restated his concern over the turning radius at the exit of the car wash building being located near the entrance and exit to the development.

Commissioner Chandler asked for the details of the stacking plans. Mr. Fitzgerald explained that there will be two (2) pay stations on the west side of the property with two (2) lanes from the north for queuing. The two (2) lanes would narrow to one (1) lane entrance lane into the building.

Commissioner Chandler asked Senior Planner Papelbon to indicate on the screen where the entrance of the car wash building is. Senior Planner Papelbon showed the location and the traffic flow of the site.

Commissioner Chandler asked if the queue will be at the entrance of the site, to which Mr. Fitzgerald answered that the queue would be stopped before the entrance intersection. Cars are not planned to be flowing into Pick 'N' Save's parking lot or to block any patrons from entering the site for vacuuming purposes.

Commissioner Chandler asked if people would be stopped from beginning to queue after 20 cars have been stacked. Mr. Fitzgerald stated that 20 cars is the estimated number of vehicles that could fit behind the pay stations up to the entrance intersections, restating no intention of having cars overflowing onto other properties.

Commissioner Chandler asked for a plan if more than 20 vehicles want to use the site, to which Mr. Fitzgerald explained the expected 20 -38 customers would be inclusive of vehicles for staff or customers using just the vacuums.

Commissioner Chandler asked if patrons would have to go into the proposed office onsite, to which Mr. Fitzgerald answered in the negative. The office will be for employees only, although there will be exterior restrooms available to the public.

Commissioner Chandler asked what the impact of this development would have on the retention pond to the east. Mr. Fitzgerald acknowledged the existing stormwater management plan for the pond, and stated that any impacts of the proposed development on the pond will be considered in the process of building the site.

Mayor Bukiewicz suggested staff's concerns about the exit lanes and turn radiuses be taken into consideration.

Alderman Guzikowski moved that the Plan Commission recommends that the Common Council approves a Conditional Use Permit for a car wash on the property at 2440 W. Ryan Rd., after a public hearing and subject to Conditions and Restrictions that will be prepared for the Plan Commission's review at the next meeting (August 8, 2023).

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

ATTEST:



Kari Papelbon, Plan Commission Secretary

8-8-23

Date

**EXCERPTED MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, AUGUST 8, 2023**

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

**CONDITIONS AND RESTRICTIONS
ALAN KIRCHOFF, 7B BUILDING AND DEVELOPMENT
2440 W. RYAN RD
TAX KEY NO. 878-9038-001**

Senior Planner Papelbon provided an overview of a request for a Conditional Use Permit for a proposed car wash facility on the property at 2440 W. Ryan Rd (see staff report for details).

Eihab Atout, 11007 65th Street, Kenosha, stated the applicants would like number 8 removed from the Conditions and Restrictions. Mr. Atout stated it came to his attention Friday evening from the car wash company, and that he spoke with Senior Planner Papelbon and the ten-year time frame is not an Ordinance.

Mayor Bukiewicz stated the City standard puts ten (10) years on this type of business. Mr. Atout said they do not see the car dealer on 27th Street and Rawson. Mayor Bukiewicz clarified that a car dealer is not the same as a car wash. Mr. Atout stated that he has been in development for 30 years, and this is the first time he has come across something like this. Mr. Atout stated that he is trying to find out the difference between a car wash and a car dealer.

Mayor Bukiewicz clarified that the City applies the ten-year restriction because the business may not stand. The ten-year restriction was applied to businesses on 27th Street, and the last car wash that came through. Mr. Atout listed different businesses that require Conditional Use Permits, and stated that Senior Planner Papelbon brought to his attention traffic control.

Mayor Bukiewicz stated one (1) other thing that the ten-year restriction helps with is if, in the future, there is a nuisance property that is a problem, and the City is not getting the cooperation, then the Conditional Use Permit goes away.

Commissioner Hanna asked the applicant what conflict he is presenting for the ten-year requirement. Mr. Atout stated that he has not seen anything like that in 30 years, and that he was shocked about the requirement and brought it to Senior Planner Papelbon's attention.

Commissioner Carrillo asked if the City has had anyone else refer to this. Senior Planner Papelbon explained that, per Statute, the City is allowed to assign durations or expiration dates to Conditional Use Permits. Because it is in Statute, the City does not need to have it in the Ordinance [Code]. The City has several Conditional Use Permits, but it [Statute] allows the Plan Commission and Common Council to determine whether a Conditional Use Permit needs to have the duration attached to it. It gives the Plan Commission the authority to determine an appropriate timeframe. Senior Planner Papelbon stated staff throws out ten years as an option for

consideration, but the Plan Commission and Common Council can determine if it should be a shorter time frame, longer time frame, or no time frame.

Senior Planner Papelbon stated that Mayor Bukiewicz is correct that there are several instances, because Conditional Use Permits are assigned to a property, where operations or ownership changes, the City can end up with issues that are not covered by the conditions, or the City is not getting compliance and the conditions are not being fulfilled the Conditional Use Permit would then expire. Senior Planner Papelbon stated that the applicant can come in before the expiration date and renew it, but it also offers the opportunity for the Plan Commission and the Common Council to identify areas that are not working as anticipated, and the Conditions and Restrictions need to be amended. Senior Planner Papelbon clarified that the City has assigned durations of permits to other Conditional Uses.

Alderman Loreck asked if the proposed business will be 100% a car wash, and referenced the car wash at 140 W. Puetz Rd. that had been approved with a dog wash. Senior Planner Papelbon stated that the car wash on Puetz is now strictly a car wash.

Alderman Guzikowski stated that the proposed business is in his District, and he was contacted a couple of times about the proposal. Alderman Guzikowski state that he supports staff, and thinks a duration is needed. The City has done it with other businesses such as the car wash on Puetz Road.

Commissioner Siefert stated that he supports staff on the ten years.

Mayor Bukiewicz inquired if there will be vacuums. Senior Planner Papelbon answered in the affirmative.

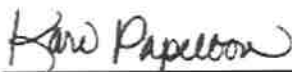
Alderman Guzikowski asked about a dog wash. Senior Planner Papelbon stated that no dog wash is proposed.

Mr. Atout stated that if all the approved conditions are the same in ten years and being met by the business there should be an automatic renewal. Mayor Bukiewicz reiterated that if conditions change, the applicant would be able to come in and adjust it as needed. Senior Planner Papelbon stated there is always the opportunity for amendments to the Conditional Use Permit, but that there is no automatic renewal mechanism at this point.

Commissioner Siefert moved that the Plan Commission recommends that the Common Council adopts the Conditions and Restrictions as part of a Conditional Use Permit for a car wash facility on the property at 2440 W. Ryan Rd., after a public hearing.

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

ATTEST:



Kari Papelbon, Plan Commission Secretary

8-15-23
Date

COMMON COUNCIL REPORT

Item: 2023 Mid-Year Budget Monitoring Report

Recommendation: N/A

Fiscal Impact: Reviewing the Report ensures that the Common Council and public is apprised of any fiscal concerns and continues to show the financial stability of the City of Oak Creek.

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: In accordance with the City's Strategic Action Plan, attached is a summary financial report for the General Fund and other Major Funds through the end of the second quarter of 2023. The presentation will focus on the revenues and expenditures through the second quarter compared to the budget in the General Fund, Solid Waste, WE Energies, Health Insurance, EMS, and Consolidated Dispatch Fund.

Options/Alternatives: The Common Council could choose to receive and review reports monthly from the BS&A software or review this format of reporting quarterly.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared and Fiscal Review:



Maxwell Gagrin, MPA
Assistant City Administrator / Comptroller

Attachments:

- City of Oak Creek Financial Report through June 30, 2023
- PowerPoint Presentation

**CITY OF OAK CREEK
FINANCIAL REPORT THROUGH JUNE 30, 2023**

GENERAL FUND REVENUES BY CATEGORY				
SOURCE	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
PROPERTY TAXES	\$ 15,198,756	\$ 16,565,846	91.7%	91.5%
OTHER TAXES	501,178	2,521,446	19.9%	17.2%
STATE SHARED REVENUES	1,027,306	5,239,707	19.6%	20.7%
OTHER INTERGOV'T	12,562	233,657	5.4%	4.9%
LICENSES/PERMITS	668,285	926,925	72.1%	88.8%
CHARGES FOR SERVICES	548,784	716,379	76.6%	87.6%
PUBLIC HEALTH & SAFETY	8,997	28,500	31.6%	73.4%
COMMERCIAL REVENUES	961,545	1,157,540	83.1%	6.0%
EXPENDITURE OFFSET	-	2,085,000	-	-
TRANSFERS	-	25,000	-	-
TOTAL	\$ 18,927,411	\$ 29,500,000	64.2%	59.0%

GENERAL FUND EXPENDITURES BY CATEGORY				
DEPARTMENT	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
GENERAL GOV'T	\$ 3,564,978	\$ 9,199,162	38.8%	33.5%
PUBLIC SAFETY	6,326,082	13,422,736	47.1%	43.7%
HEALTH	306,961	631,356	48.6%	45.1%
PUBLIC WORKS	2,526,331	4,961,771	50.9%	46.3%
LEISURE SERVICES	699,700	1,284,975	54.5%	50.9%
TOTAL	\$ 13,424,052	\$ 29,500,000	45.5%	41.1%

GENERAL FUND EXPENDITURES BY DEPARTMENT				
DEPARTMENT	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
GENERAL GOVERNMENT	\$ 1,265,194	\$ 4,283,000	29.5%	24.4%
CITY ADMINISTRATOR'S OFFICE	201,491	358,751	56.2%	50.7%
CITY ATTORNEY'S OFFICE	94,054	271,782	34.6%	33.3%
CENTRAL SERVICES - BLDG MAINT DIV.	375,946	775,647	48.5%	39.2%
CENTRAL SERVICES - HR DIV.	113,813	251,322	45.3%	27.5%
CENTRAL SERVICES - ADMIN. SVCS. DIV.	264,323	573,163	46.1%	41.1%
CENTRAL SERVICES - IT SERVICES DIV.	582,609	1,199,897	48.6%	50.1%
CITY CLERK	120,252	247,508	48.6%	48.0%
FINANCE	222,520	445,449	50.0%	40.8%
TREASURER	61,829	151,450	40.8%	25.6%
TREASURER - ASSESSOR DIV.	102,532	223,708	45.8%	45.4%
COMMUNITY DEVELOPMENT	160,417	417,485	38.4%	41.7%
POLICE	4,649,345	9,792,440	47.5%	43.7%
MUNICIPAL COURT	94,320	213,291	44.2%	41.0%
EMERGENCY OPERATIONS	252	19,062	1.3%	17.2%
FIRE	1,004,169	2,152,099	46.7%	45.1%
HEALTH	306,961	631,356	48.6%	45.1%
ENGINEERING	326,467	734,274	44.5%	39.3%
ENGINEERING - INSPECTION DIV.	251,529	511,570	49.2%	45.0%
DPW- STREETS DIV.	1,782,280	3,462,903	51.5%	47.3%
DPW- PARKS DIV.	301,022	613,753	49.0%	46.8%
DPW- FORESTRY DIV.	123,379	269,292	45.8%	41.7%
DPW- STREET LIGHTS DIV.	319,651	615,823	51.9%	42.1%
RECREATION	135,959	150,735	90.2%	100.2%
LIBRARY	563,741	1,134,240	49.7%	45.1%
TOTAL	\$ 13,424,052	\$ 29,500,000	45.5%	41.1%

**CITY OF OAK CREEK
FINANCIAL REPORT THROUGH JUNE 30, 2023**

REVENUES FOR MAJOR FUNDS				
FUND	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
General Fund (10)	18,927,411	29,500,000	64.2%	59.0%
Solid Waste (11)	1,410,323	1,529,485	92.2%	91.2%
WE Energies (19)	2,259,716	2,250,000	100.4%	100.0%
Health (36)	3,458,198	7,068,848	48.9%	50.4%
EMS (37)	4,436,148	5,745,033	77.2%	74.0%
Dispatch (55)	1,729,103	2,013,201	85.9%	83.5%
TOTAL	\$ 32,220,899	\$ 48,106,567	67.0%	63.5%

EXPENDITURES FOR MAJOR FUNDS				
FUND	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
General Fund (10)	13,424,052	29,500,000	45.5%	41.1%
Solid Waste (11)	757,524	1,529,485	49.5%	48.1%
WE Energies (19)	485,854	2,287,839	21.2%	20.2%
Health (36)	3,886,561	7,063,000	55.0%	47.6%
EMS (37)	2,817,323	6,125,033	46.0%	46.2%
Dispatch (55)	1,105,661	2,113,201	52.3%	48.3%
TOTAL	\$ 22,476,976	\$ 48,618,558	46.2%	42.1%

BUILDING UTILITIES - ALL FUNDS				
UTILITY TYPE	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
ELECTRIC	171,925	342,405	50.2%	41.8%
WATER / SEWER	12,722	26,448	48.1%	40.0%
NATURAL GAS	81,053	132,856	61.0%	63.3%
TOTAL	\$ 265,700	\$ 501,709	53.0%	46.9%

FUEL USAGE - ALL FUNDS				
	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
FUEL	188,629	418,675	45.1%	52.9%
TOTAL	\$ 188,629	\$ 418,675	45.1%	52.9%



Mid-Year Budget Monitoring Report

Maxwell Gagin

Assistant City Administrator /
Comptroller

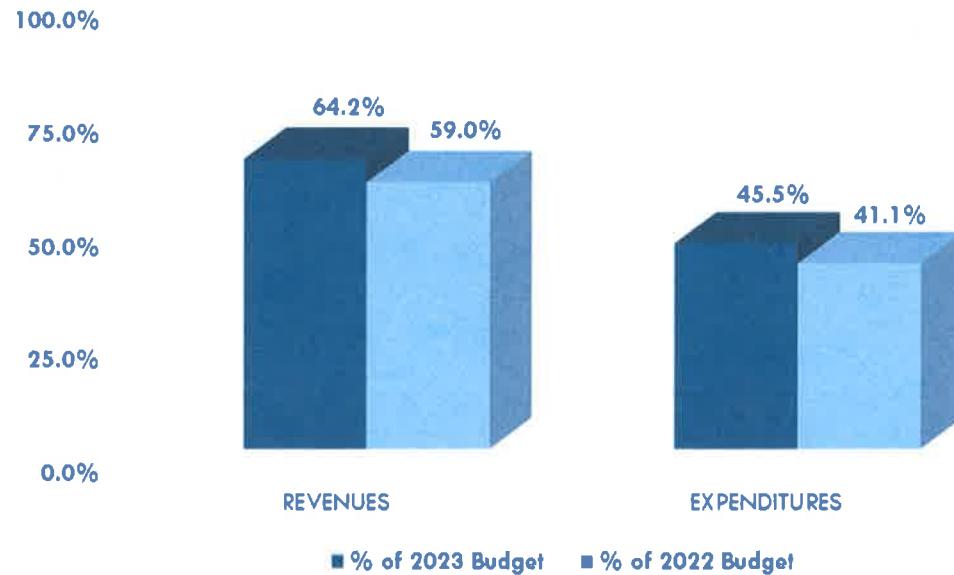
September 5, 2023



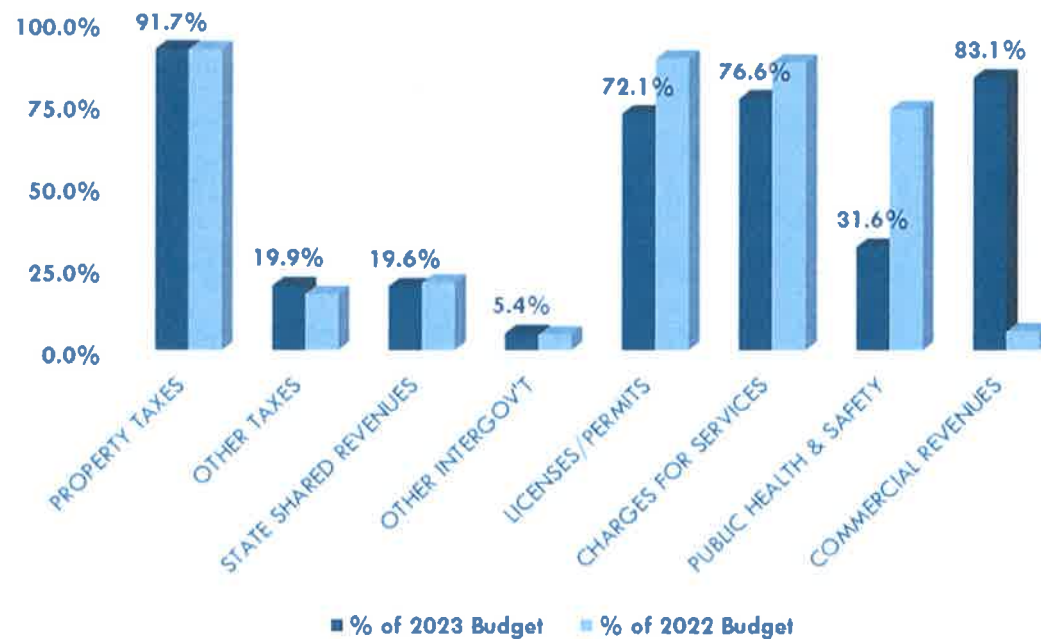
Introduction

- The following charts and graphs depict the City's mid-year financial performance compared to the 2023 and 2022 budgets
- The presentation will focus on revenues and expenditures for the following Major Funds:
 - General Fund, Solid Waste Fund, WE Energies Fund, Health Insurance Fund, EMS Fund, and Consolidated Dispatch Fund

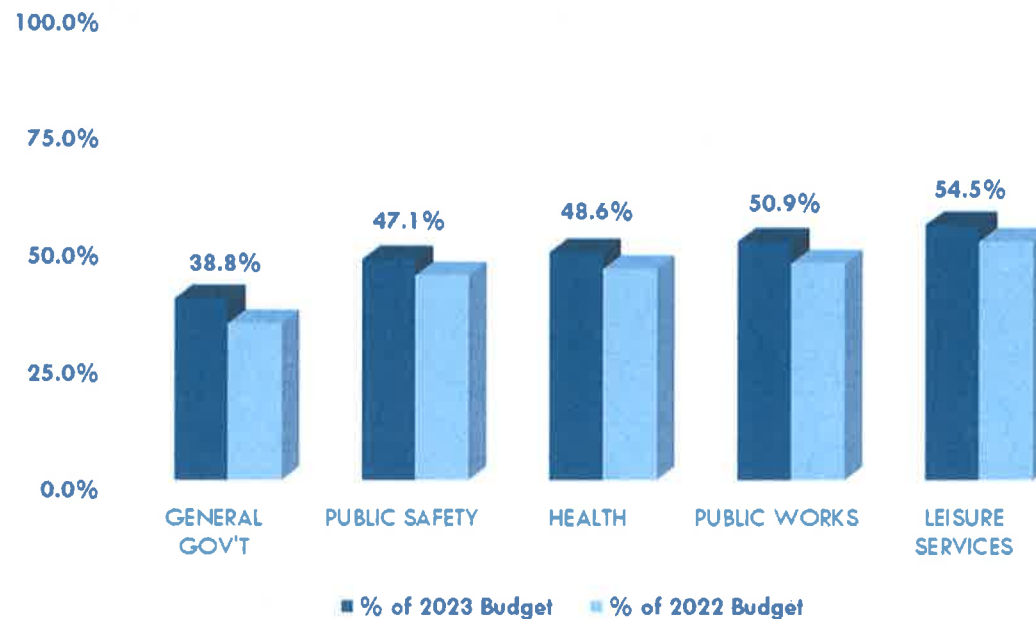
General Fund Revenues & Expenditures – Through Q2



General Fund Significant Revenues – Through Q2



General Fund Expenditures by Function – Through Q2



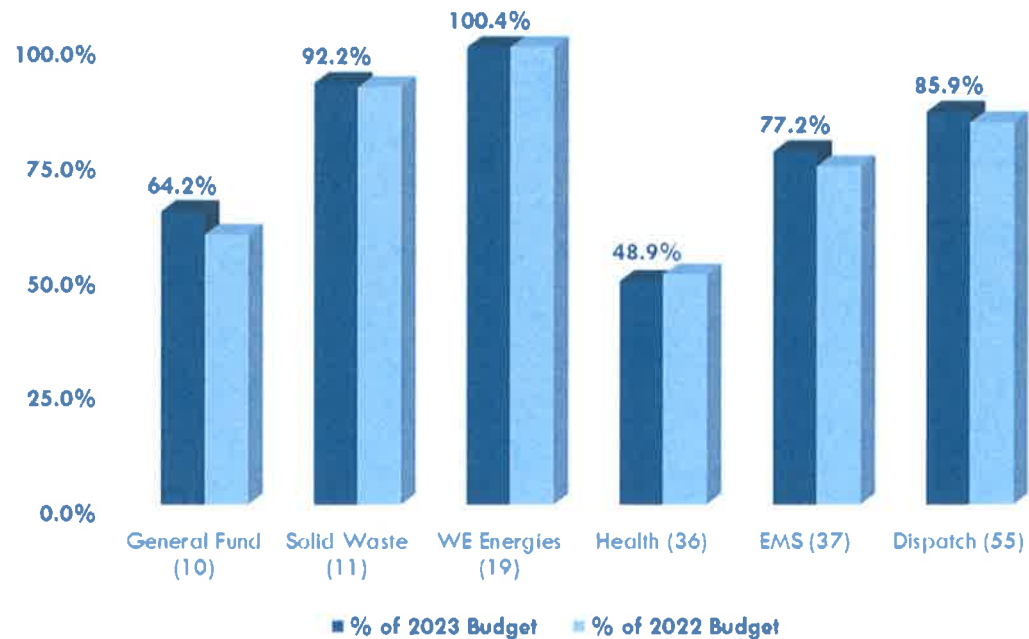
General Fund Expenditures by Dept. – Thru 2023 Q2

GENERAL FUND EXPENDITURES BY DEPARTMENT				
DEPARTMENT	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
GENERAL GOVERNMENT	\$ 1,265,194	\$ 4,283,000	29.5%	24.4%
CITY ADMINISTRATOR'S OFFICE	201,491	358,751	56.2%	50.7%
CITY ATTORNEY'S OFFICE	94,054	271,782	34.6%	33.3%
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CITY CLERK	120,252	247,508	48.6%	48.0%
FINANCE	222,520	445,449	50.0%	40.8%
TREASURER	61,829	151,450	40.8%	25.6%
TREASURER - ASSESSOR DIV.	102,532	223,708	45.8%	45.4%
COMMUNITY DEVELOPMENT	160,417	417,485	38.4%	41.7%
POLICE	4,649,345	9,792,440	47.5%	43.7%

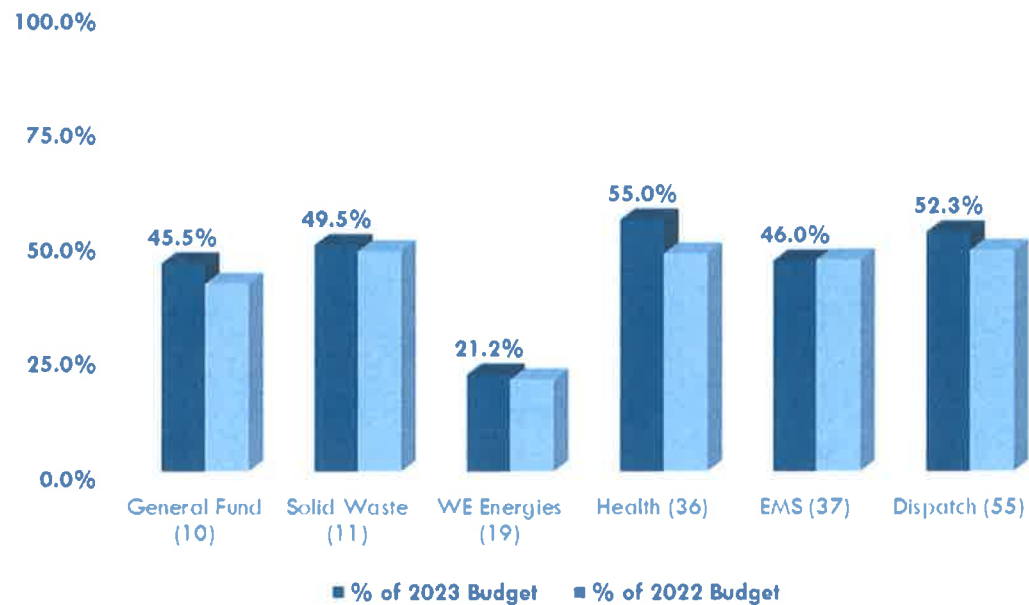
General Fund Expenditures by Dept. – Thru 2022 Q2

GENERAL FUND EXPENDITURES BY DEPARTMENT				
DEPARTMENT	2023 YTD	2023 BUDGET	% OF BUDGET	% OF 2022 BUDGET
MUNICIPAL COURT	94,320	213,291	44.2%	41.0%
EMERGENCY OPERATIONS	252	19,062	1.3%	17.2%
FIRE	1,004,169	2,152,099	46.7%	45.1%
HEALTH	306,961	631,356	48.6%	45.1%
ENGINEERING	326,467	734,274	44.5%	39.3%
ENGINEERING - INSPECTION DIV.	251,529	511,570	49.2%	45.0%
DPW- STREETS DIV.	1,782,280	3,462,903	51.5%	47.3%
DPW- PARKS DIV.	301,022	613,753	49.0%	46.8%
DPW- FORESTRY DIV.	123,379	269,292	45.8%	41.7%
DPW- STREET LIGHTS DIV.	319,651	615,823	51.9%	42.1%
RECREATION	135,959	150,735	90.2%	100.2%
LIBRARY	563,741	1,134,240	49.7%	45.1%
TOTAL	\$ 13,424,052	\$ 29,500,000	45.5%	41.1%

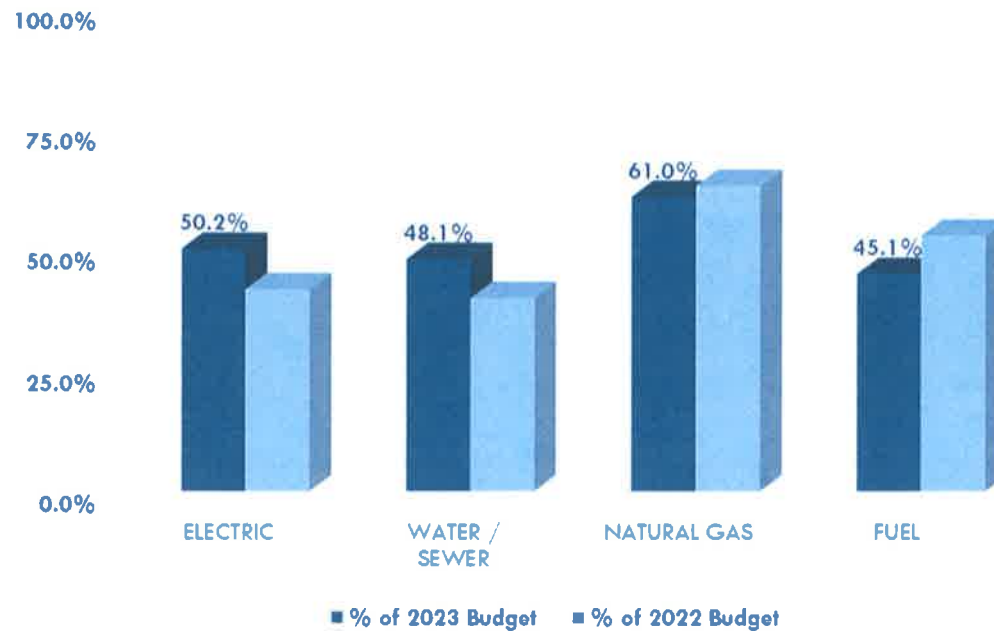
Major Funds Revenues – Through Q2



Major Funds Expenditures – Through Q2



Utilities & Fuel – Through Q2



08A

COMMON COUNCIL REPORT

Item: Annual Tax Increment District (TID) Review Presentation

Recommendation: N/A

Fiscal Impact: N/A

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 Common Council has requested an annual report from the City Administrator's Office outlining the status of all Tax Increment Districts (TIDs). The attached presentation not only provides the present financial conditions of the City's TIDs, but also serves as a brief TIF education to the public. Further, this presentation demonstrates the Common Council and Administration's commitment to financial transparency, as espoused in the City's Strategic Action Plan, regarding our use and administration of TIDs (and other financial matters).

Options/Alternatives: N/A

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared and Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments: Annual Tax Increment District (TID) Presentation



Annual Tax Increment District (TID) Review

September 5, 2023

Presentation Outline

- Overview/Understanding of Tax Increment Financing (TIF)
- The 12% Test
- Status of Oak Creek's TIDs
- Questions & Answers

TIF v. TID

- TIF (Tax Increment Financing)
 - An economic development tool available for municipalities to expand its property tax base, where the development would not occur without public assistance
- TID (Tax Increment District)
 - The contiguous geographical area within a municipality identified for development using TIF
 - A TID consists of whole units of property assessed for general property tax purposes not including railroad right of ways, rivers or highways, or wetlands

TIDs by the Numbers

- As of April 16, 2023, Wisconsin has 1,390 active TIDs
- There are 126 active TIDs in Milwaukee County
 - EVERY city has at least 1 TID
 - Only one village – Fox Point – does not have a TID
- As of January 1, 2023, the equalized value of all active TIDs in Wisconsin was \$54.3 billion
- The **ONLY** meaningful tool available to Wisconsin municipalities to engage in economic development

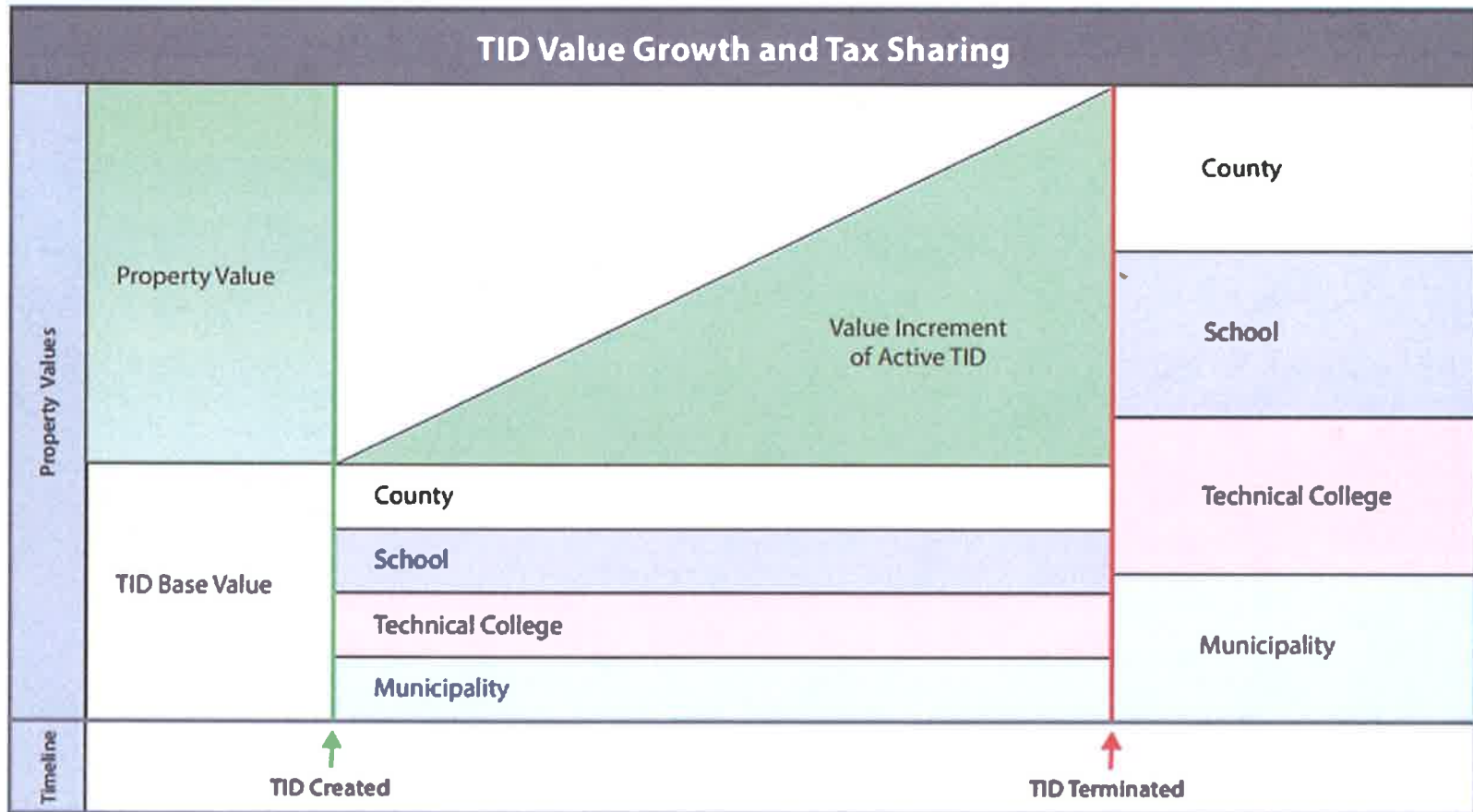
Common Misconceptions

1. Creating TIDs will increase taxes
2. A Developer's "get-rich-quick-scheme"
3. Developer's do not pay their taxes; the City gives out "free money"
4. General taxpayers of the City are negative impacted financially by a TID

TIF: Understanding the Financing Mechanism

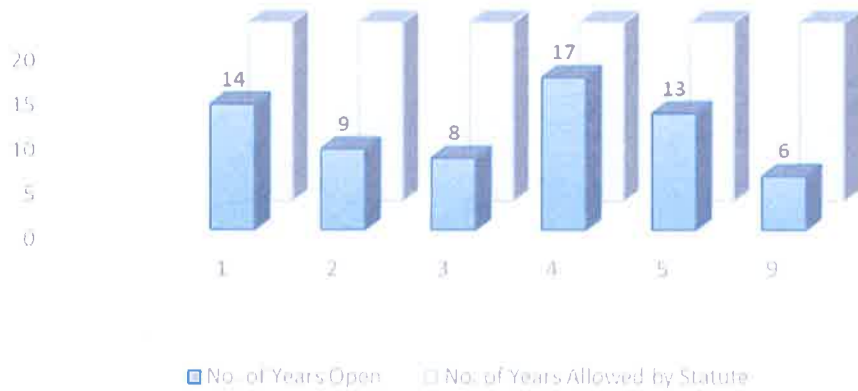
- Base value = the equalized value of the real and personal property located within the TID as of the valuation date
- Increment value = the difference in equalized value between the base value and the current value of the TID
- Ex: on a \$15,000,000 property, full tax revenue is \$292,350. The City's portion it keeps for City operations/finances is \$85,200.
- If this property was in a TID, the TID keeps the full tax revenue vs. just the City portion of taxes to repay TID expenses
- When the TID "terminates" all taxing jurisdictions get the higher tax revenues generated by development in the TID

TID Value Growth and Tax Sharing

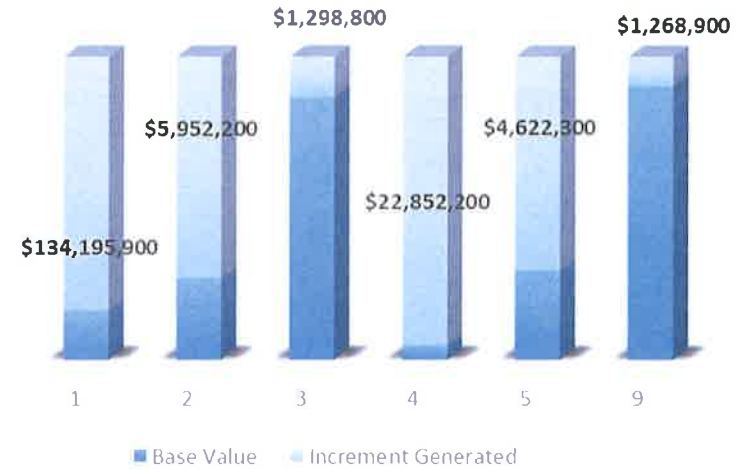


History of Early TID Closure & New Tax Base Generated

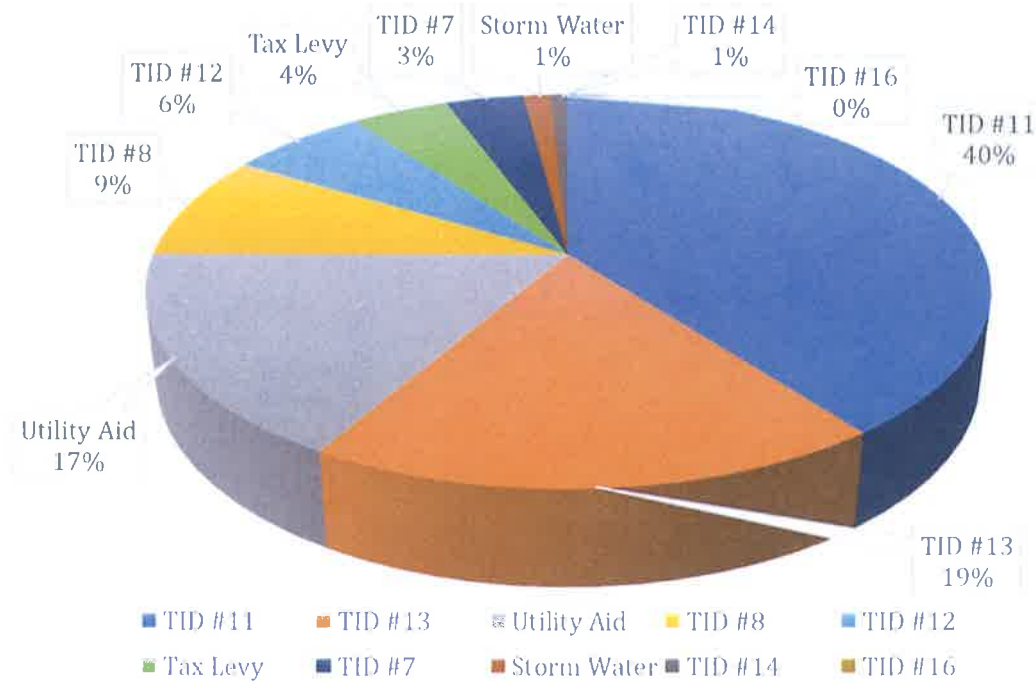
Early Closure



Value Generated



G.O. Debt by Funding Source



12% Test Calculation

- The equalized value of the new or amended TID, plus the value increment of all existing TIDs cannot exceed 12% of the total equalized value within the municipality

Impact: City cannot create a new TID or add territory to an existing TID until it meets the 12% test again.

City Equalized Value (1/1/23)	\$5,531,211,200
12% of City Equalized Value	\$663,745,344
TID No.	1/1/23 Increment
TID #6	\$17,886,000
TID #7	\$150,861,100
TID #8	\$152,971,500
TID #10	\$24,012,300
TID #11	\$238,618,800
TID #12	\$144,819,500
TID #13	\$15,968,900
TID #14	\$8,865,000
TID #15	\$6,314,300
TID #16	\$193,288,100
TOTAL	\$953,605,500

The background is a dark blue gradient. On the right side, there is a large, stylized circular graphic composed of several concentric, overlapping semi-circles in varying shades of blue, creating a sense of depth and movement.

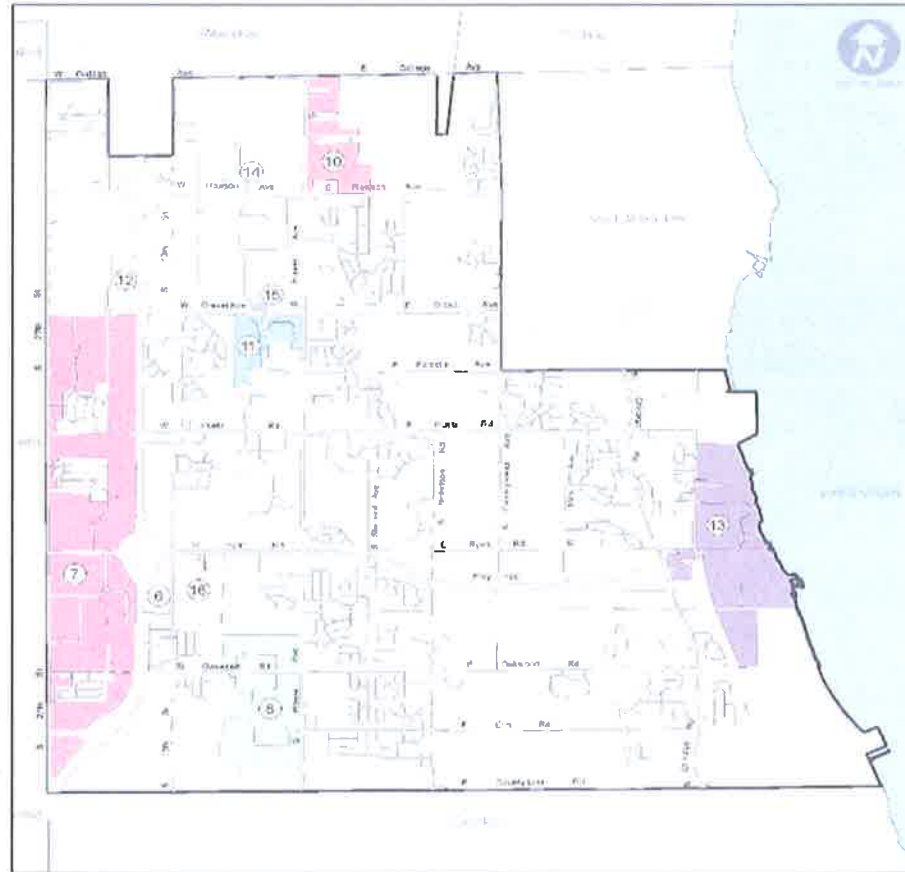
Status of Oak Creek's TIDs



OAKCREEK
WISCONSIN

Active Tax Incremental Districts

- | | | |
|-------|--------|--------|
| TID 6 | TID 10 | TID 13 |
| TID 7 | TID 11 | TID 14 |
| TID 8 | TID 12 | TID 15 |
| | | TID 16 |



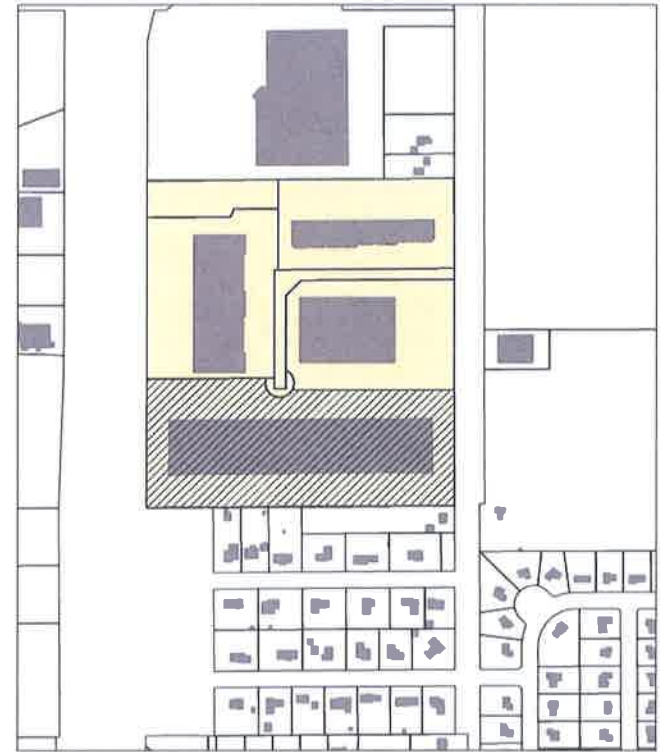
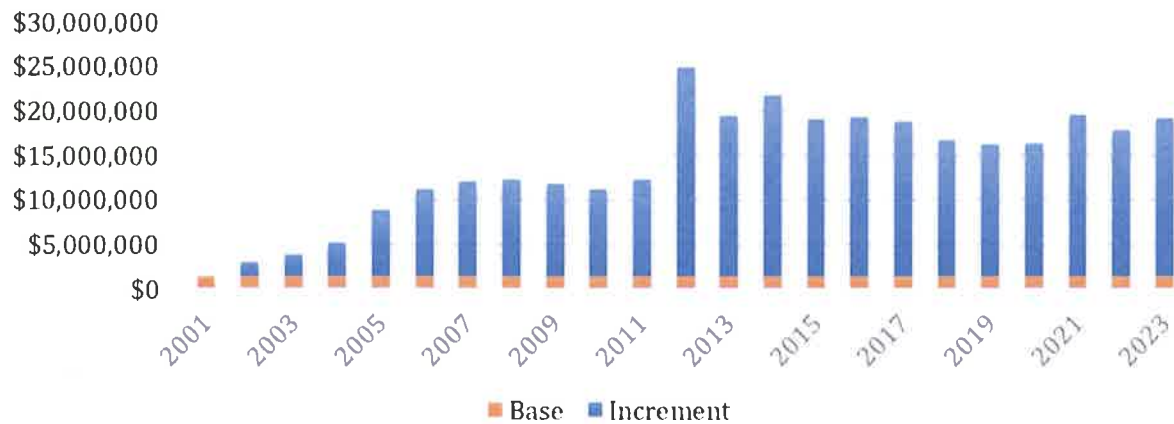
OAKCREEK
WISCONSIN

Changes in TID Values

TID #	1/1/2022 Value	1/1/2023 Value	Difference	% Difference
6	\$ 17,844,600	\$ 19,263,200	\$ 1,418,600	7.9%
7	281,850,700	315,914,200	34,063,500	12.1%
8	152,023,400	176,028,100	24,004,700	15.8%
10	40,974,200	43,236,000	2,261,800	5.5%
11	233,189,100	251,480,700	18,291,600	7.8%
12	88,025,100	148,557,700	60,532,600	68.8%
13	9,683,000	20,672,400	10,989,400	113.5%
14	8,743,800	9,506,300	762,500	8.7%
15	7,433,700	8,214,200	780,500	10.5%
16	184,231,500	194,837,300	10,605,800	5.8%
TOTAL	\$1,023,999,100	\$1,187,710,100	\$ 163,711,000	16.0%

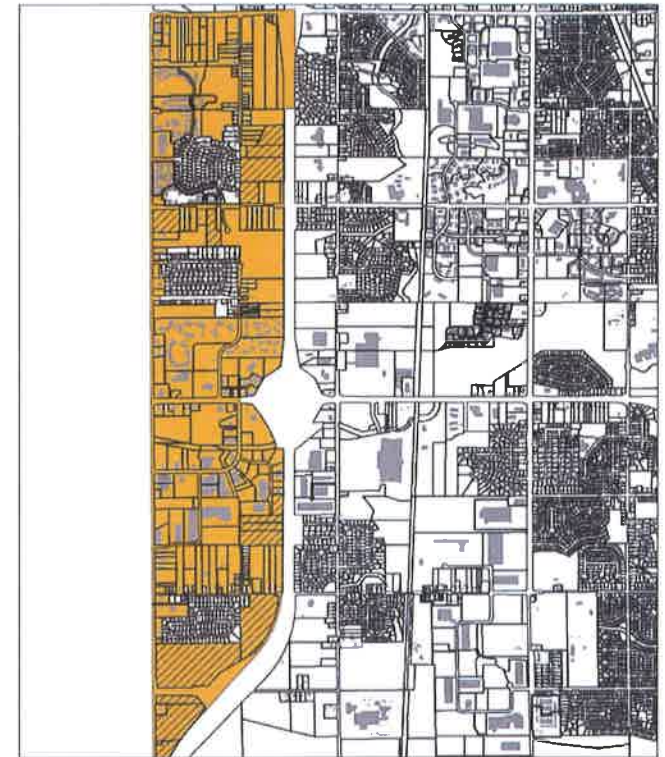
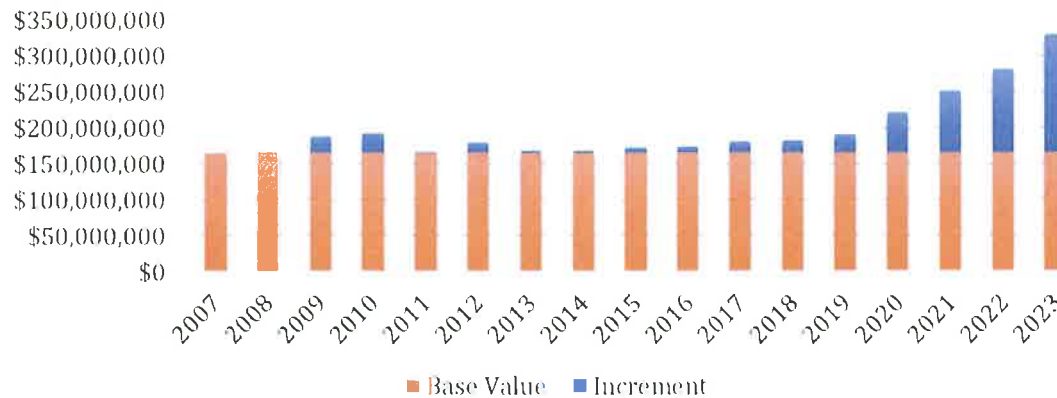
TID No. 6 – Creekside Corporate Park

- Creation Date = 10/17/2000
- Termination Date = 10/17/2023
- Type = Industrial
- Remaining acres = 11.3
- Increment (1/1/2023) = \$17,886,000
- Fund Balance (12/31/2022) = \$41,390
- G.O. Debt (12/31/2023) = \$0
- Active FDAs = None



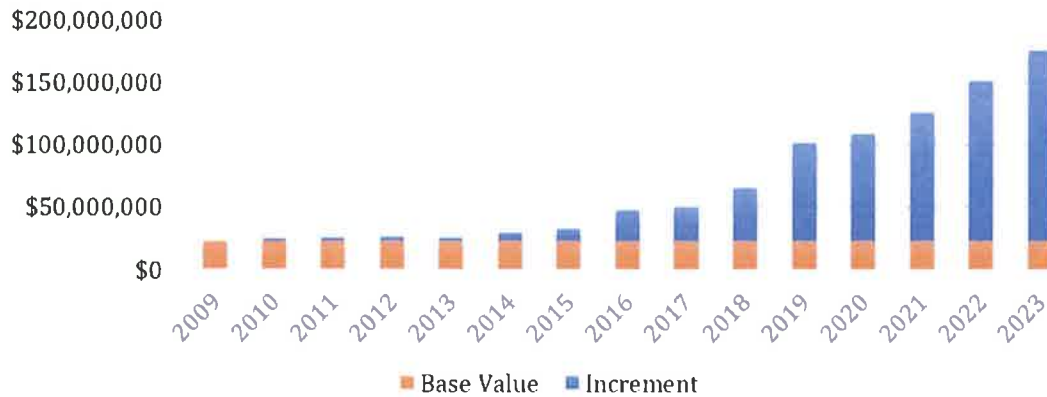
TID No. 7 – 27th Street Corridor

- Creation Date = 4/17/2007
- Termination Date = 4/17/2027
- Type = Mixed Use
- Remaining acres = 203.2
- Increment (1/1/2023) = \$150,861,100
- Fund Balance (12/31/2022) = \$163,676
- G.O. Debt (12/31/2023) = \$3,516,000
- Active FDAs = One
 - Liberty Trust (PAYGO)



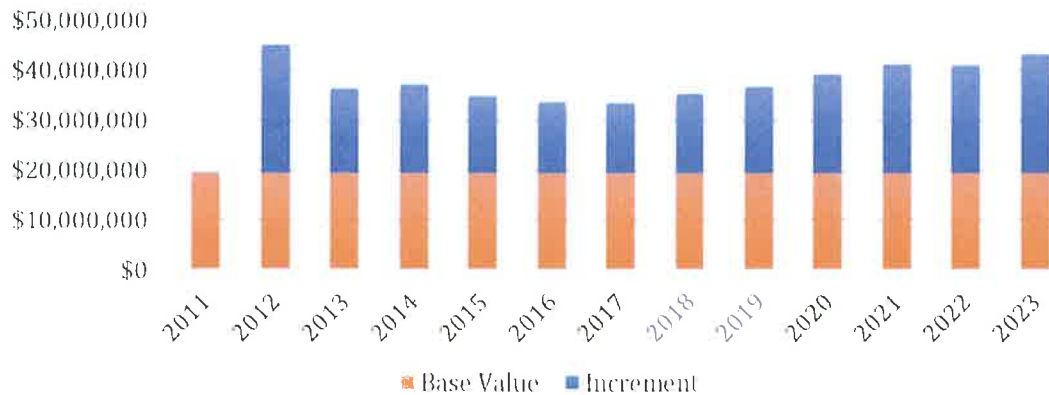
TID No. 8 – Oakview Business Park

- Creation Date = 1/1/2009
- Termination Date = 1/1/2029
- Type = Mixed Use
- Remaining acres = 47.9
- Increment (1/1/2023) = \$152,971,500
- Fund Balance (12/31/2022) = \$91,179
- G.O. Debt (12/31/2023) = \$8,505,000
- Active FDAs = One
 - Stella & Chewy's (PAYGO)



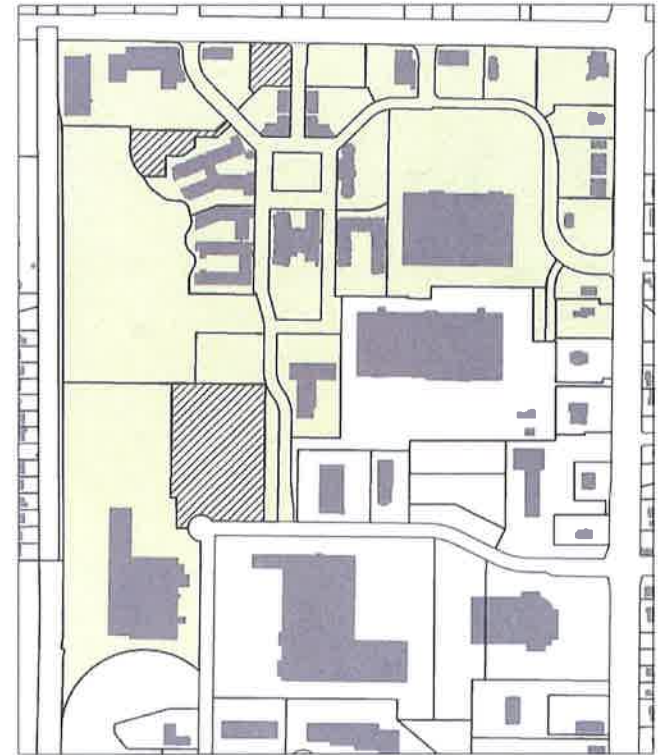
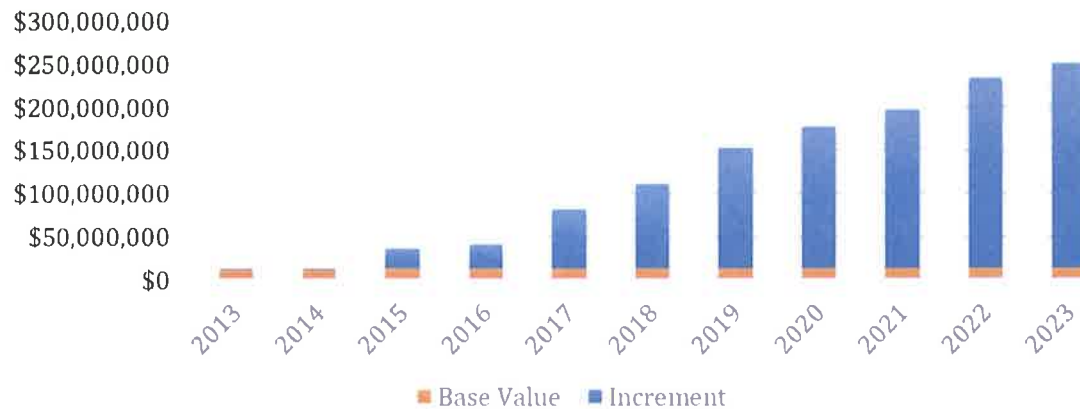
TID No. 10 – Master Lock

- Creation Date = 9/7/2010
- Termination Date = 9/7/2030
- Type = Mixed Use
- Remaining acres = 26.5
- Increment (1/1/2023) = \$24,012,300
- Fund Balance (12/31/2022) = \$11,902
- G.O. Debt (12/31/2023) = \$0
- Active FDAs = One
 - Master Lock (PAYGO)



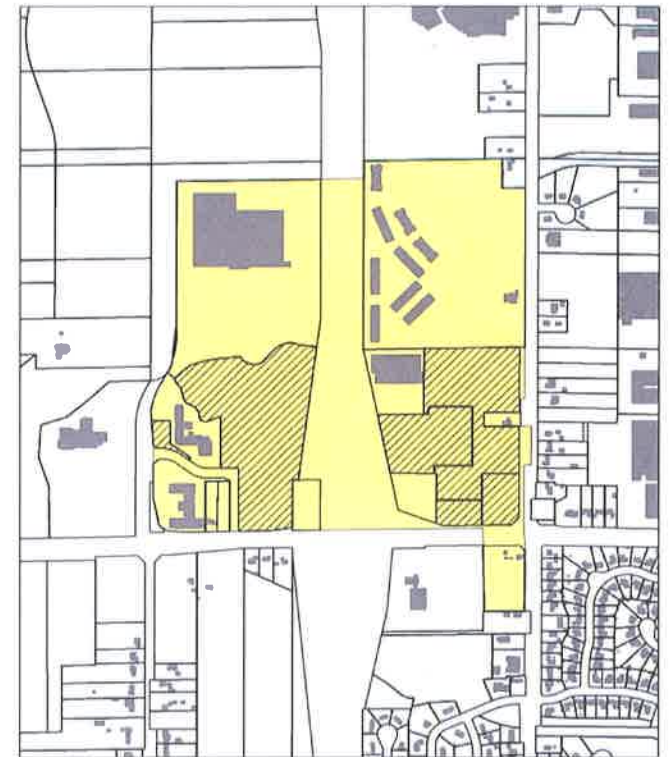
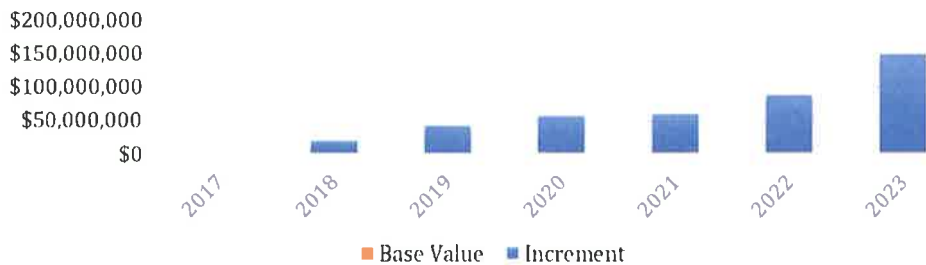
TID No. 11 – Drexel Town Square

- Creation Date = 4/3/2012
- Termination Date = 4/3/2032
- Type = Mixed Use
- Remaining acres = 9.6
- Increment (1/1/2023) = \$238,618,800
- Fund Balance (12/31/2022) = \$2,317,783
- G.O. Debt (12/31/2023) = \$39,280,000
- Active FDAs = Nine



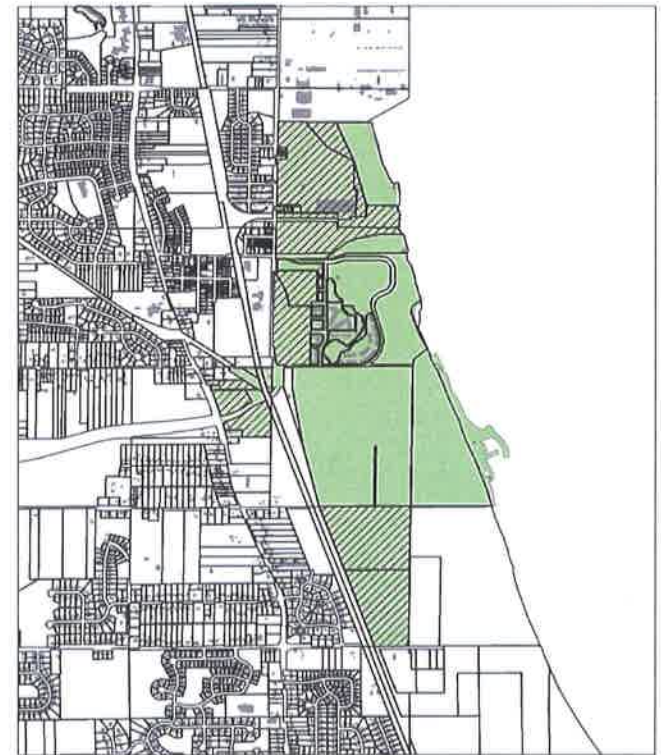
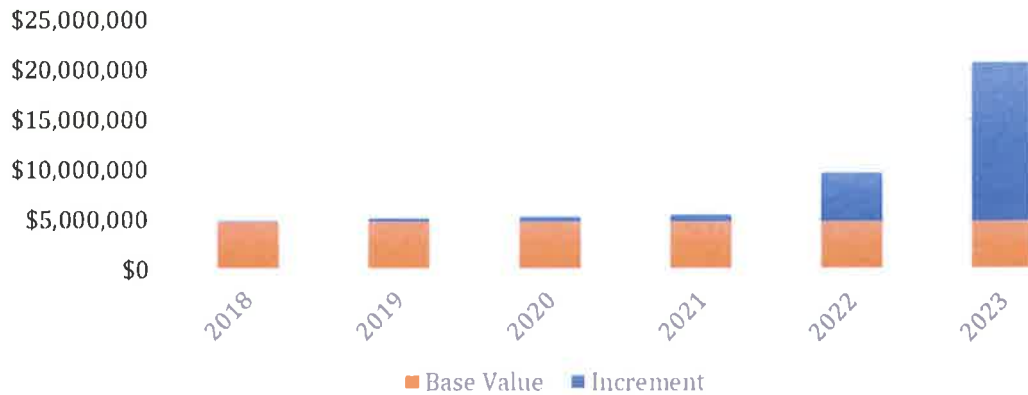
TID No. 12 – IKEA

- Creation Date = 7/20/2016
- Termination Date = 7/20/2036
- Type = Mixed Use
- Remaining acres = 38.4
- Increment (1/1/2023) = \$144,819,500
- Fund Balance (12/31/2022) = \$782,001
- G.O. Debt (12/31/2023) = \$6,240,000
- Active FDAs = Four
 - IKEA (PAYGO)
 - Highgate (PAYGO)
 - Stand Rock Hospitality (Upfront + PAYGO)
 - Walden OC, LLC (PAYGO)



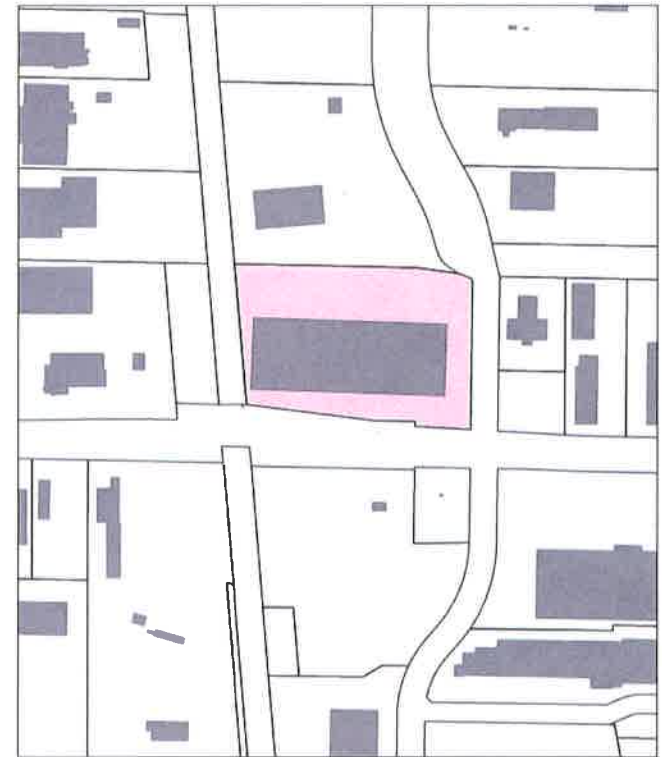
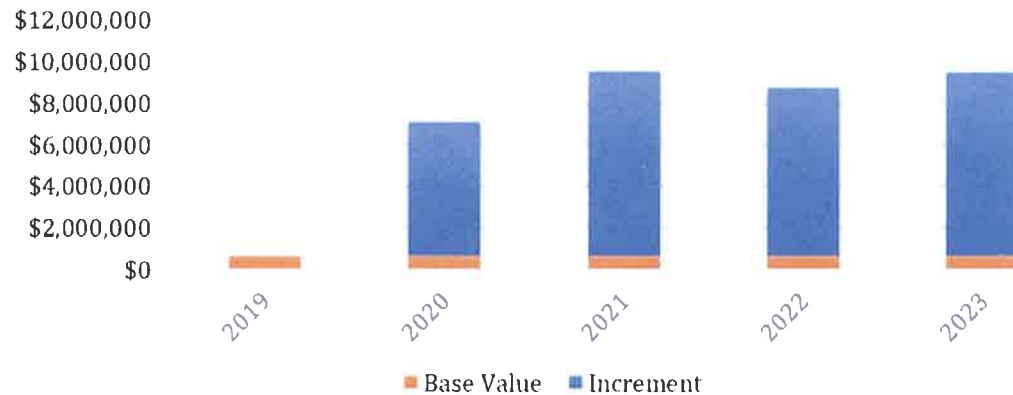
TID No. 13 – Lakefront

- Creation Date = 5/16/2017
- Termination Date = 5/16/2044
- Type = Blighted
- Remaining acres = 208.6
- Increment (1/1/2023) = \$15,968,900
- Fund Balance (12/31/2022) = \$326,737
- G.O. Debt (12/31/2023) = \$18,490,000
- Active FDAs = Three
 - F Street Group (Upfront + PAYGO)



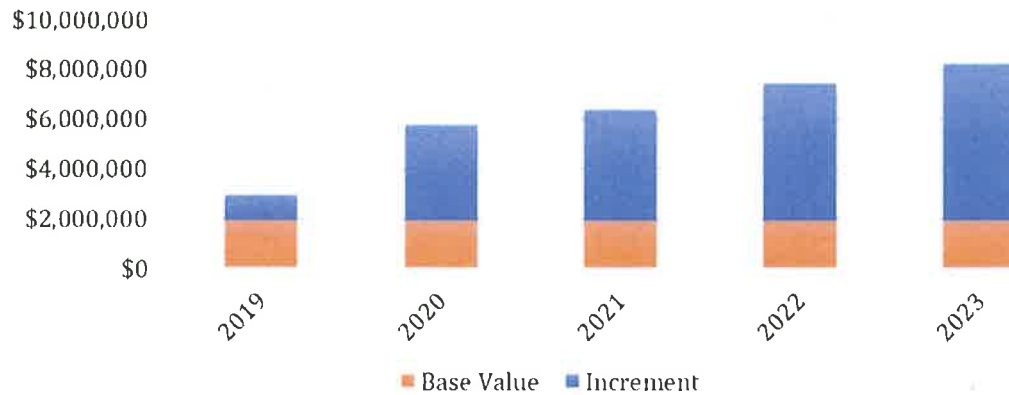
TID No. 14 – 6th St. & Rawson Ave.

- Creation Date = 4/13/2018
- Termination Date = 4/13/2046
- Type = Blighted
- Remaining acres = 0
- Increment (1/1/2023) = \$8,865,000
- Fund Balance (12/31/2022) = \$124,466
- G.O. Debt (12/31/2023) = \$780,000
- Active FDAs = One
 - HSA Rawson (Upfront + PAYGO)



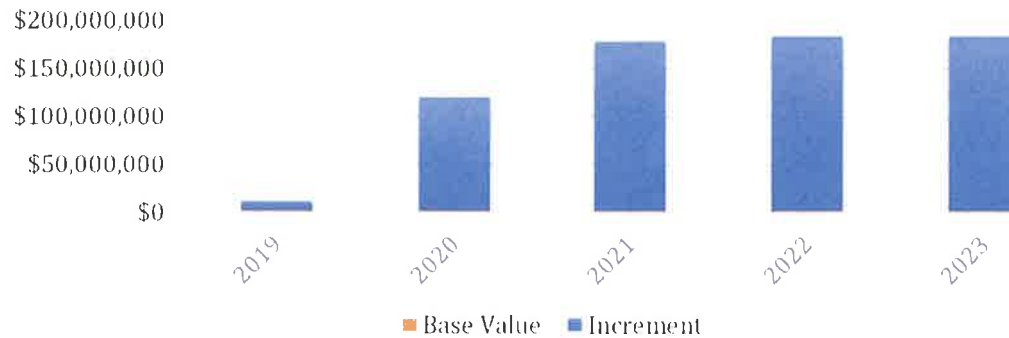
TID No. 15 – Drexel Ave. & 6th St.

- Creation Date = 4/13/2018
- Termination Date = 4/13/2046
- Type = Blighted
- Remaining acres = 0
- Increment (1/1/2023) = \$6,314,300
- Fund Balance (12/31/2022) = \$3,735
- G.O. Debt (12/31/2022) = \$0
- Active FDAs = One
 - I-Kenosha (PAYGO)



TID No. 16 – Ryan Business Park

- Creation Date = 8/21/2018
- Termination Date = 8/21/2038
- Type = Mixed Use
- Remaining acres = 30.6
- Increment (1/1/2023) = \$193,288,100
- Fund Balance (12/31/2022) = \$539,475
- G.O. Debt (12/31/2023) = \$0
- Active FDAs = Two
 - Ryan Business Park LLC (Upfront)
 - Commerce 94 Project (PAYGO)



Q&A

COMMON COUNCIL REPORT

- Informational:** Review and Discuss Plan- Building Capacity and Resilience in our City Organization
- Fiscal Impact:** The organizational plan will require various strategic and financial decisions moving forward. Fiscal analyses and impacts range from additional investments in human resources, consultant services, space needs/build-outs and the potential for downsizing the City's building footprint, and investments in technology.
- 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: Numerous iterations of the City's SAP dating back to 2016 have requested analyses into City resources, services, and organizational structure. The resulting Plan is a management framework and conceptual City organizational chart to continue incrementally addressing resource overlap, enhance business practice, provide more public service and internal service resiliency, and most importantly, add staffing capacity to address several of the City's highest customer service stress points.

This Plan was released to the Common Council and affected staff in late June 2023. The Plan was revised in several areas based on insights from the staff, management team, Mayor, and Councilmembers over the course of the summer. The conceptual organizational chart (Appendix C) was unanimously endorsed by the Personnel & Finance Committee members on August 9, 2023 and is being advanced for full Common Council consideration this evening.

While this item is for information and discussion on the Plan recommendations, the subsequent agenda item requests Common Council approval of a new conceptual organizational chart (i.e., the framework) as the platform for Plan implementation.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Attachments:

Common Council Discussion Outline

Document entitled: Building Capacity and Resilience in our City Organization

“Building Capacity and Resilience in our City Organization”

Common Council Discussion Outline

September 5, 2023

1) Common Council Directives (past and present)

2017 SAP and 2020 SAP: Inspired, Aligned, and Proactive City Leadership:

- a) *Enact Better Alignment between City and Utility- eliminate resource overlap;*
- b) *Evaluate and revise City organization chart/structure including committee structure.*

2023-2027 SAP: Inspired, Aligned, and Proactive City Organization:

Implement a reorganization plan that optimizes alignment, capacity-building, and business resilience;

2023-2027 SAP: Financial Stability:

Centralize and streamline City and Utility finance and accounting functions.

2023 Common Council Goal for City Administrator (per performance evaluation): “Carry out organizational restructuring/rightsizing/realignment”

2) Scope of the Recommendations in the Plan- from Executive Summary

- a) No recommendations consider downsizing staff, reducing working hours, compensation, etc. the Plan is to build up capacity, not economize;
- b) This is a new management “framework”, not a construction blueprint. New departments and functional details (and new resources) need to be built out by managers and staff that do the work- not the City Administrator’s Office via this Plan;
- c) The recommendations are fluid and intentionally flexible- most require further and deep analysis (i.e. decision on consolidating utility office and DPW building);
- d) The Plan does not attempt to address all resource or service stress points, real or perceived, in the organization, or to answer every hanging question. It is a framework to begin populating.

3) Review of conceptual City Organizational Chart, before and after- Appendix B and Appendix C

- a) Community Development Department becomes part of *Infrastructure, Land Use, and Community Building* Portfolio;
- b) Create a Community Enhancement/Investment Division of the Community Development Department (this is fluid and a secondary priority-discuss);
- c) Buildings & Facilities Division moves from *Central Business & Financial Services* portfolio to *Infrastructure, Land Use, and Community Building* Portfolio;
- d) Utility finances folded under one City Finance Department;
- e) Current “Water & Sewer Utility Department” is reconfigured- 1) Create a new Water Quality/Engineering Department; and 2) potentially combine Public Works and Utility (field) Services into one Department;
- f) Create a Marketing and Public Relations Department.

4) Addressing Feedback on the Plan to-date

5) Immediate Implementation Priorities- 2023 & 2024

- a) Common Council approval of new Organizational Chart and Chapter 2 revisions;
- b) 2024 Budget discussions/strategies around public safety staffing goals;
- c) Continue/complete migration of finance software and IT network/capability to enable future integration of utility finance/admin staff into existing City department structure;
- d) Work flow and staffing analysis within *Infrastructure, Land Use, and Community Building* portfolio- identify additional required resources to meet work demand;
- e) Create a financial plan around new Marketing and Public Relations Department- get buy in from Tourism Commission and DTS Owners Association for cost share, and begin recruitment for Director position;
- f) Ensure seamless succession of retiring Community Development Director;
- g) Begin examining spaces needs/costs- short term- for the Marketing and Public Relations staff and centralized finance functions. A future space needs phase includes examining a consolidated DPW and Utility field operation.



BUILDING CAPACITY AND RESILIENCE IN OUR CITY ORGANIZATION

Common Council Consideration // September 5, 2023

As our community grows, service demands increase, yet City revenues cannot keep up to provide adequate human resources to deliver the high-quality services our community expects. State limitations and financial policies require municipalities to examine all staffing options and arrangements to provide for success. Numerous areas are understaffed in our City organization. Because of the hard work and dedication from our employees, the City meets its present service burden and excels at the public services it provides. The goal is for the organization and staff to continue excelling, and not continue moving toward a point of simply 'treading water' as service responsibilities grow.

Staff in many departments expressed concerns about growing job demands and limited resources in the 2022 Employee Sentiments Survey. Despite the City's tax base growth, the local government funding model in Wisconsin relies almost exclusively on property taxes, yet also caps how much additional taxes a municipality can increase for operating expenditures annually. These and other factors prevent the City from addressing staffing needs across all departments and functions; it's just not financially sustainable over time to do so.

This Plan is about building additional capacity and resiliency in our City organization and meeting the community's needs now and into the future. The Plan is not about "economizing" or finding ways to save money. The strategies center on investments in our people and our public services. While some reporting structures may look a little different moving forward, the work will remain largely the same.

Certain Plan recommendations can be implemented immediately; others will encounter difficulty or cost that pose barriers to implementation. Space needs are a major consideration in most instances, and will need to be worked out. Some recommendations may have short-term costs in favor of longer-term benefits; others apply new resources or reconfigure existing resources to handle workloads, as well as aspirational new initiatives in our 2023-2027 SAP. Certain recommendations seek to ensure our City business is resilient and continues with minimal disruption when we experience normal position vacancies. It is critical to emphasize:

- 1) No recommendations consider downsizing staff, reducing any employee's working hours, or reducing compensation. This will remain a fact throughout the process. The

overarching goal is building capacity, and working a bit differently, to help staff manage an increasingly busy City across all departments;

- 2) This Plan is a management framework, not a construction blueprint. The more detailed reporting structures within these departments or service portfolios will be refined by the managers within them, including feedback from employees performing the work. The result of this work likely includes additional requests for personnel or contracted resources to continue building capacity identified among technical or field staff;
- 3) These recommendations are fluid and represent the outline of an amended business structure. If something does not make business sense, it will not be implemented. A great example of this is the question of whether the City should consolidate Utility and DPW buildings. While that may seem logical on the surface, it requires a much deeper analysis to determine if it's the right decision. This research will take time;
- 4) This Plan does not pretend to address all resource stress points, real or perceived, across the entire organization. It also does not address numerous ways that technology can provide opportunities for additional capacity and customer service efficiencies.

RECOMMENDATIONS

Implementation details, considerations, and challenges are provided under each of the new departments or new service portfolios throughout the document, but the following is a broad overview of structure changes and important decision points:

Short Term- 0-1 year:

- Modernize Municipal Code Chapter 2 generally, and consider amendments that capture the City's current operating environment and that enable new operating structures recommended in this Plan;
- Create the *Infrastructure, Land Use, and Community Building* portfolio and implement reporting structure. Determine additional staffing or contracting needs within the various functions comprising the portfolio;
- Council should determine its desired additional Public Safety staffing and staff will create a financial plan to achieve it;
- Create and staff a *Marketing and Public Relations Department* (see Appendix A);
- Succession plan for Community Development Director retirement and add an additional 1.5 FTE to the Department;
- Create the *Central Business & Financial Services* portfolio:
 - Merge general city and utility finances and migrate to central finance/HR/payroll software (BS&A);

- Centralize IT framework including GIS systems/functions;
- Determine staffing and reporting structure among all finance and accounting functions;
- Look at space needs for relocating certain utility staff to City Hall.
- Prepare staffing or contracting recommendations for the *City Attorney's Office*;
- Consider new management purview, job duties, and overall responsibility within the organization for these various positions and adjust compensation accordingly.

Medium Term- 1-3 years:

- Create the *Water Quality and Utility Engineering* Department;
 - Develop space needs analysis and facility improvement requirements (budget);
 - Determine if certain technical staff within the Department should remain located at the Utility Office or relocated to City Hall;
- Analyze and determine if City should consolidate the Utility field office and DPW Municipal Services building or keep separate. If the decision is a consolidated building:
 - Then, create the *Public Works and Utility Services* Department;
 - Further assess and refine reporting structure and areas of responsibility;
 - Analyze building and space improvements/needs, scope, and a realistic timeline for consolidation. This is likely a substantial community investment;
 - Determine future re-purpose of Utility Office building/property;
 - As an alternative, the City could examine different groupings of City functions/staff that can maximize continued use of the Utility building.
- Consider new management purview, job duties, and overall responsibility within the organization for these various positions and adjust compensation accordingly.

CONCLUSION:

What follows is a series of flow charts that categorize suites of services into “portfolios” or, in some cases, in newly created departments. The Plan represent a different way to structure various functions with certain managers overseeing multiple departments and services, with more detailed staff reporting structures forthcoming after a general framework is agreed upon.

The following recommendations and considerations attempt to address both capacity issues that have already built-up as well as to allocate additional resources to help us achieve the vision in our 2023-2027 SAP. This Plan as well as other human resources analyses, such as a pending compensation study and review of benefits, should provide a more solid foundation of human capital to advance Council’s vision, and to continue improving our community and employee quality-of-life.



A more precise portfolio flow chart would be developed to further outline staff reporting within the portfolio. The ACA/Engineer would organize this reporting structure and determine what human resource or contracted service needs remain.

Notes and Considerations:

- This service portfolio is ***Infrastructure, Land Use, and Community Building***;
- Building and Facilities Maintenance moves to this service portfolio from current Central Services portfolio presently managed by the Assistant City Administrator/Comptroller;
- A new Community Development Director would replace retiring Director. The Director would report daily to the Assistant City Administrator/Engineer, and remain a part of the executive team;
- The position of City Planning Manager (or similar title) will be created and filled. This position reports to the Director of Community Development;
- An additional community/economic development “specialist” (title and position scope TBD) will be created. This position reports to the Director. The next Community Development Director would assess this position’s scope for the greatest impact, and be hiring manager for the position;
- City to examine if storm water engineering and management should report to the Water Quality & Utility Engineer in the future- this function is currently overseen by the City Engineer as part of Engineering Services;
- **Office/Space Considerations:** Some open-office re-configurations may be required when the portfolio is fully-staffed.

Central Business and Financial Services

Deputy Administrator/Finance Officer
(Maxwell Gagin)



A more precise portfolio flow chart would be developed to further outline staff reporting within the portfolio. The managers and technical experts within this reporting structure would determine how to best utilize and incorporate the Utility finance/accounting functions and customer service into the Portfolio.

Notes and Considerations:

- This service portfolio is **Central Business and Financial Services**;
- Migration to shared software platforms and centralizing the City and Utility finances and accounting is an immediate priority per the 2023-2027 SAP;
- General City treasury and utility treasury management would be under one purview within this portfolio;
- Information Technologies Services staff/functions within the Utility should migrate to a central IT framework and be housed at City Hall. Present IT framework already handles City-wide GIS functions/capabilities. Certain staff may also be focused on general engineering and have office space there;
- Current Utility Finance and Accounting staff/functions should eventually re-locate to **Central Business and Financial Services** function on City Hall 2nd floor;
- The vacant Utility Accounting Manager position will be absorbed into the new structure, modified and filled, or otherwise not filled;
- **Office/Space Considerations:** a logical staff-seating solution for City Hall 2nd floor can be achieved with minimal office build-out required, but is also impacted by what is determined for space needs for the Marketing and Public Relations staff.



Notes and Considerations:

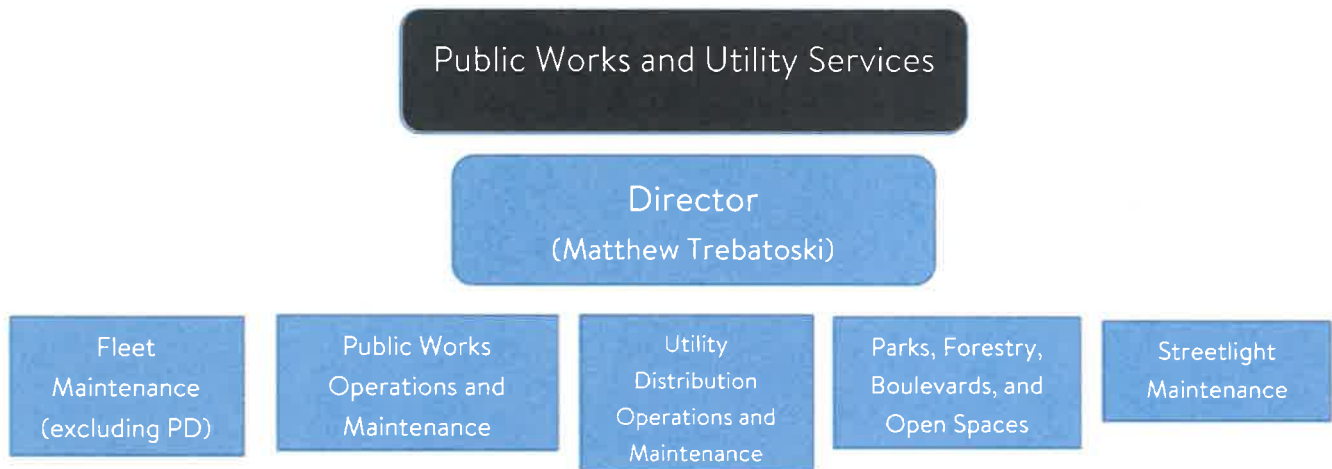
- This newly-created Department is the ***Marketing and Public Relations Department***;
- Current government communications functions would be housed in this office, and the goal is building a realistically-staffed team to recapture the organization’s emphasis on internal and external public relations and marketing. “Showing our work” , and promoting our employees and our community assets/initiatives are clear priorities in our 2023-2027 SAP, as are many economic development and tourism goals;
- Department will serve as marketing, communications, and public relations agent/advisor for all departments. It will have a slightly unique relationship with the Community Development (**see Appendix A*) relating to destination marketing/tourism, events, and DTS activity management and promotion. These partnerships and programs will be take time and experimentation to develop;
- Presently two full time and one part time position within the Department have a funding source. Funding this Department to agreed-upon capacity in a realistic timeframe is prerequisite to achieving numerous priorities in our 2023-2027 SAP. A funding strategy for the Department and its activities should include financial involvement and partnership with both the Tourism Commission and the DTS Owners Association. These contracted services relationships will require formalized contracts with each entity, and are important to sustainably construct this Department.
- **Office space limitations:** potential space accommodation could require building out offices in the current EOC executive workroom (2nd floor) or looking at available leased space in DTS. *The DTS option requires a more strategic conversation and vision.*



A more precise department flow chart would be developed to further outline staff reporting and functions within the Department

Notes and Considerations:

- This Department is **Water Quality & Utility Engineering**;
- A Water Quality/Utility Engineer will replace the current Utility General Manager position upon retirement;
- There is no recommended staffing or reporting structure changes among management or operators at the Water Treatment Plant. The Water Plant Manager would eventually report to the Water Quality/Utility Engineer upon the retirement of the current General Manager;
- Storm water Utility management engineering/oversight is not included in this Department, but could be moved from *Infrastructure, Land Use, and Community Building* to this Department in the future;
- Department collaborates closely with *Infrastructure, Land Use, and Community Building* and the *Public Works and Utility Services*;
- **Office/Space Considerations:** One potential outcome is to have the Water Quality/Utility Engineer and specific Utility technical/engineering staff supporting this Department relocate to City Hall. This would come with at least one office build-out and other space challenges (and costs) to consider. This is also impacted by the decision to continue field services at the Utility office, or not.



A more precise department flow chart would be developed to further outline staff reporting and functions within the Department.

Notes and Considerations:

- This Department is **Public Works and Utility Services**;
- These potential actions do not affect any staff working at the Water Treatment Plant;
- Department collaborates closely with *Infrastructure, Land Use, and Community Building* and the *Water Quality and Utility Engineering*;
- **Office/Space Considerations:** In the near term, Common Council will provide direction whether the preference is: 1) Keeping a Utility Services office at the present site, or 2) Consolidating Public Works and Utility Services offices to the current DPW property. This is a decision of making a longer-term investment in the build-out of consolidated space or continuing with short-term operating costs for two separate properties.
 - An alternative option is to keep the buildings separate and/or explore consolidating different functions to/within the Utility office building and use it differently than we do today.
- Should consolidation be a preferred option, distinctions will remain between Utility Service workers and functions, and Public Works Technicians and functions. It is not intended for these skills and responsibilities to be merged into one consolidated employee group. Public Works Services and Utility Services could become separate divisions of the *Public Works and Utility Services* Department;
- Consolidation actions are a future implementation phase, require considerable space/function analysis, and may not be the best course of action. There are business cases for consolidating or leaving separate DPW and Utility offices. This outcome is also impacted by the decision to consolidate the *Water Quality and Utility Engineering* Department to City Hall or keeping utility engineering and technical experts at the current Utility office.



A more precise flow chart would be developed to further outline staff reporting within the office.

Notes and Considerations:

- This Office currently consists of one full-time City Attorney, and two part-time attorneys that handle municipal court prosecution. As is normal for local government, the City relies on outside legal counsel for expertise in areas such as environmental, labor relations, worker's comp/workplace liability, real estate, and where unique legal conflicts may occur;
- Within the next two budget cycles, formalize an Assistant Attorney position or a contract for outside services. The Common Council has reserved some financial capacity for this in past budgets so additional resources in that timeframe may be attainable;
- Determine if the new staff handles municipal court/ prosecution or City retains an additional part time attorney position to continue municipal court/prosecution;
- **Office space limitations:** Space required depends on where the new Assistant City Attorney is housed (City Hall, at PD office, or in a private law office).

LISTING OF APPENDICES

Appendix A: Flow Charts and Relationship among Marketing and Public Relations and Community Development Departments

Appendix B: Current City Organizational Chart

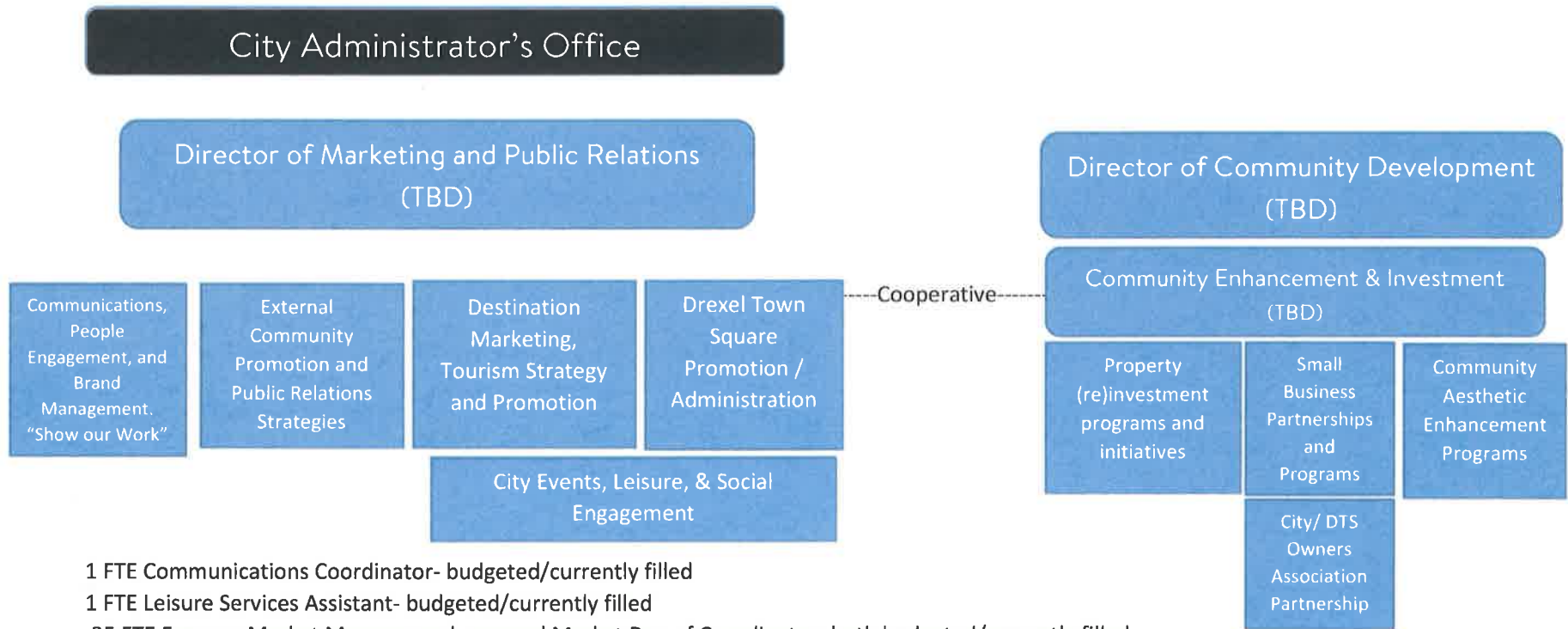
Appendix C: Proposed City Organizational Chart with DPW & Utility Field Consolidation

Appendix D: Proposed City Organizational Chart without DPW & Utility Field Consolidation

Appendix E: Proposed Changes to Municipal Code, Chapter 2 *Government and Administration* (note: the Common Council will consider this item on September 19, 2023)

APPENDIX A:

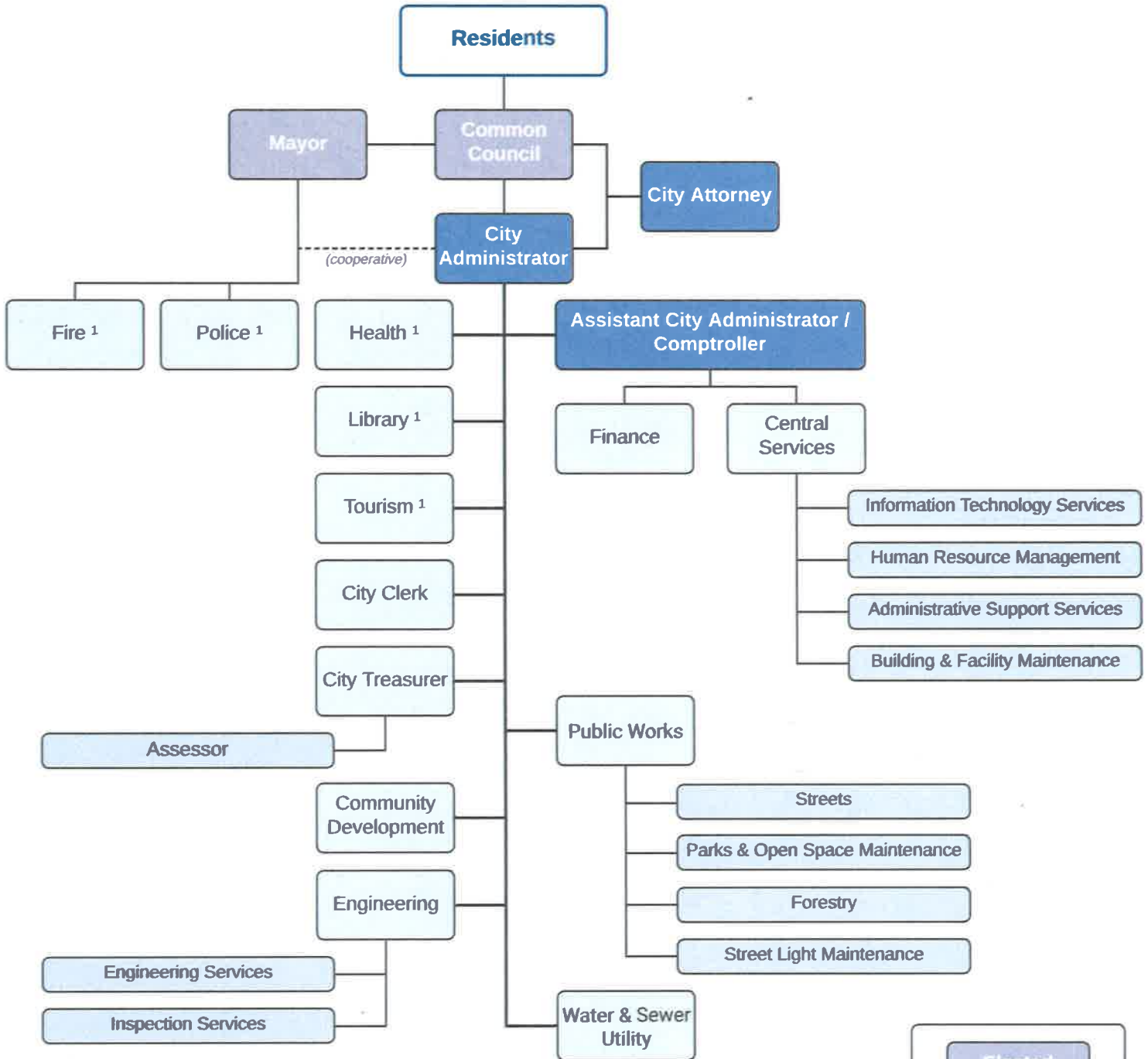
Relationship among Marketing and Public Relations and Community Development Departments



- 1 FTE Communications Coordinator- budgeted/currently filled
- 1 FTE Leisure Services Assistant- budgeted/currently filled
- .25 FTE Farmers Market Manager and seasonal Market Day-of Coordinator- both budgeted/currently filled
- 1 FTE destination marketing specialist-budgeted, **but vacant**
- .5 FTE communications "specialist"-budgeted, **but vacant (recommending move from .5 FTE to 1 FTE)**
- 1 FTE Director position-not budgeted
- 1 FTE public relations "specialist"- not budgeted



City of Oak Creek Organizational Chart



Elected

Executive

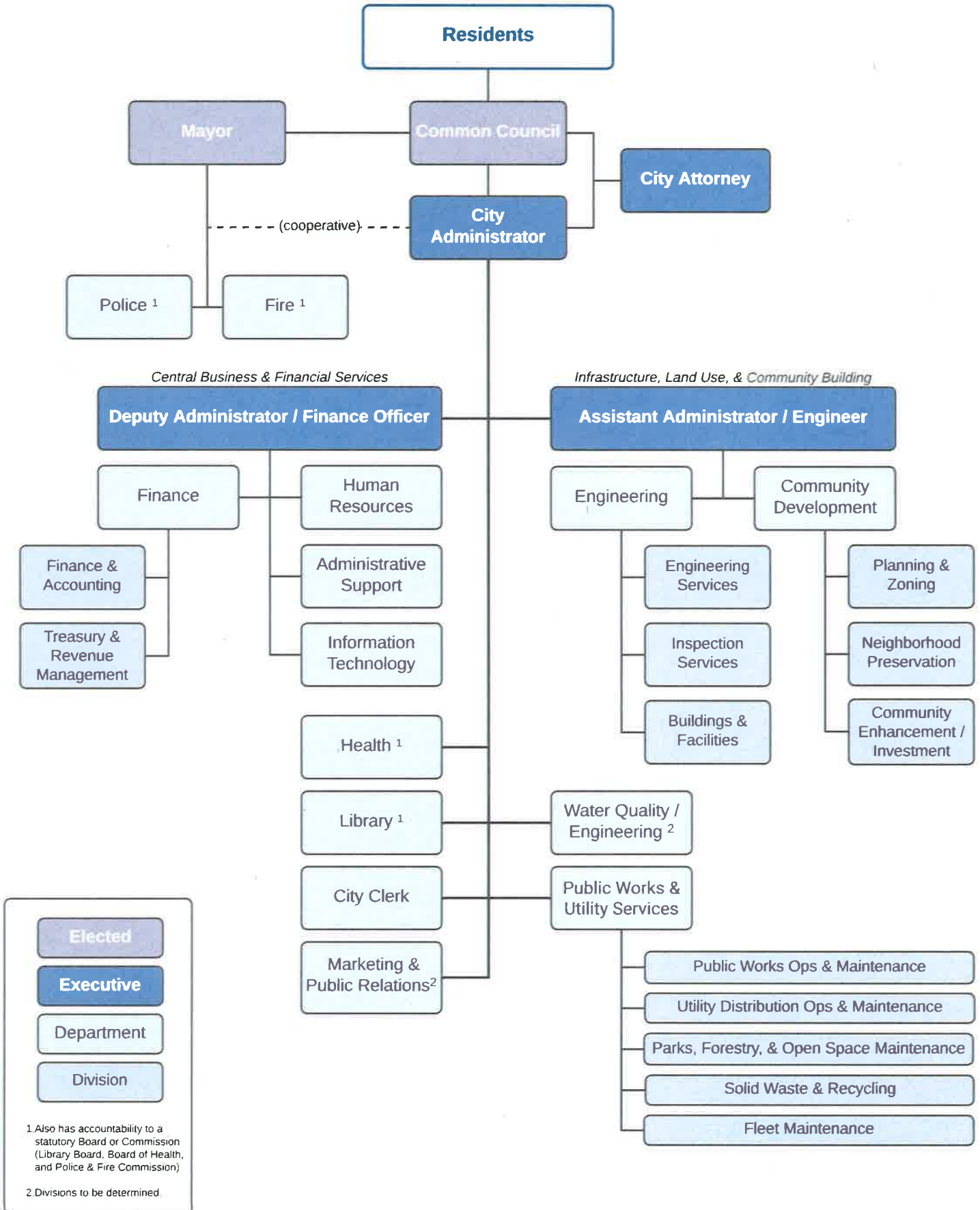
Department

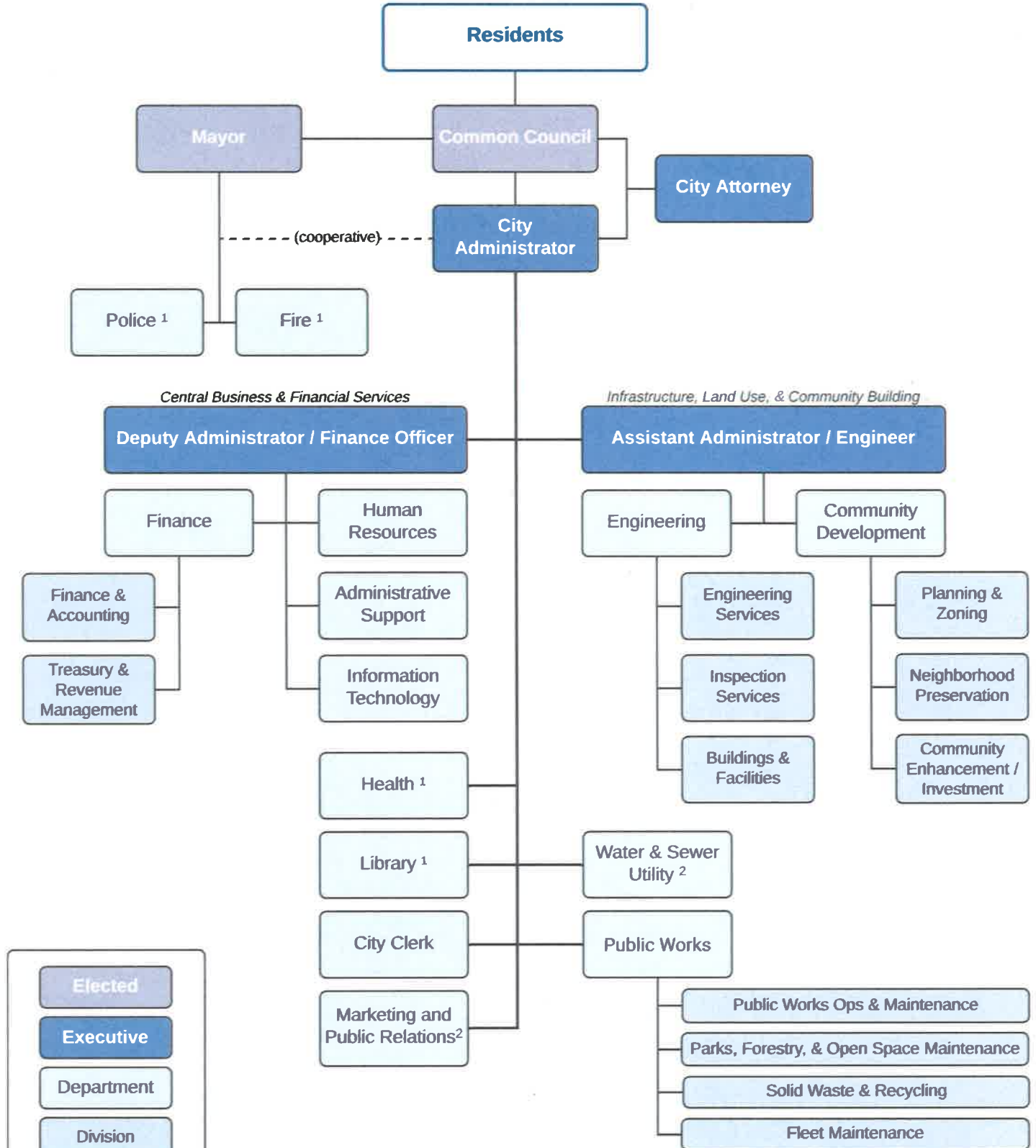
Division

1. Also has accountability to a statutory Board or Commission (Library Board, Board of Health, Tourism Commission, and Police & Fire Commission)

City of Oak Creek Organizational Chart

APPENDIX C: City Organizational Chart as proposed in the Plan with DPW & Utility Field Consolidation





Elected

Executive

Department

Division

1. Also has accountability to a statutory Board or Commission (Library Board, Board of Health, and Police & Fire Commission)

2. Divisions to be determined.

COMMON COUNCIL REPORT

Item: Amending prohibited hours of sale and closing hours for Class “A” fermented malt beverages and “Class A” intoxicating liquor (off-site consumption).

Recommendation: That the Common Council adopt Ordinance No. 3082, repealing and recreating Section 7.89(a) of the Municipal Code, Closing Hours for Class “A” fermented malt beverages and “Class A” intoxicating liquors.

Fiscal Impact: There is no anticipated fiscal impact.

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: Ald. Kurkowski was approached by a business owner to make a change to the Municipal Code changing the closing hours for the purchase of fermented malt beverages and intoxicating liquors for off-site consumption (i.e. grocery stores, gas stations, liquor stores).

Currently, the City allows Class A establishments to sell beer and/or intoxicating liquors between the hours of 8:00 a.m. and 9:00 p.m.

State Statutes allow Class “A” (beer) sales between 6:00 a.m. and midnight and “Class A” (intoxicating liquor) sales between 6:00 a.m. and 9:00 p.m., but provides municipalities the authority to impose stricter hours.

The Clerk’s office queried 10 surrounding municipalities and found the following:

	Beer	Liquor
Allowed by Statute:	6:00 a.m. – midnight	6:00 a.m. – 9:00 p.m.
Greendale	6:00 a.m. – midnight	6:00 a.m. – 9:00 p.m.
St. Francis	6:00 a.m. – midnight	6:00 a.m. – 9:00 p.m.
South Milwaukee	6:00 a.m. – midnight	6:00 a.m. – 9:00 p.m.
Greenfield	6:00 a.m. – 9:00 p.m.	6:00 a.m. – 9:00 p.m.
Cudahy	6:00 a.m. – 9:00 p.m.	6:00 a.m. – 9:00 p.m.
Oak Creek	8:00 a.m. – 9:00 p.m.	8:00 a.m. – 9:00 p.m.
Franklin	8:00 a.m. – 9:00 p.m.	8:00 a.m. – 9:00 p.m.
Hales Corners	8:00 a.m. – 9:00 p.m.	8:00 a.m. – 9:00 p.m.
Milwaukee	8:00 a.m. – 9:00 p.m.	8:00 a.m. – 9:00 p.m.
West Allis	8:00 a.m. – 9:00 p.m.	8:00 a.m. – 9:00 p.m.
West Milwaukee	8:00 a.m. – 9:00 p.m.	8:00 a.m. – 9:00 p.m.

Half of the queried municipalities allowed alcohol sales beginning at 6:00 a.m. and the other half, which includes Oak Creek, set their starting sales time at 8:00 a.m., with the majority of all municipalities queried having a closing time of 9:00 p.m. for both fermented malt beverages and intoxicating liquors.

The Police Chief was contacted for comments or concerns. He felt that if a change were to be made to the allowable hours of sale, that the time for sales of both fermented malt beverages and intoxicating liquors be the same to avoid any confusion by the consumer and/or business owner. He further noted that with several municipalities surrounding Oak Creek allowing sales as early as 6:00 a.m., he didn't feel it would have a negative affect on the City, but rather, could bring more revenue to Oak Creek business owners with these licenses.

The Committee agreed that the 9:00 p.m. restriction on sales would not be affected, but felt that allowing a 6:00 a.m. beginning time for sales to be acceptable.

It should be noted that if the Council chooses to approve this change, each establishment would still have the authority to set the allowable sales times for their business, provided that those hours fall within the hours approved by Council.

If approved, of the 69 Oak Creek establishments that currently hold alcohol licenses, this change would affect only Class "A" or "Class A" licenses (28 establishments).

Options/Alternatives: The Council could opt to keep the Closing Hours for Class A alcohol establishments as currently set.

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Christa J. Miller CMC/WCMC
Deputy City Clerk

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Attachments: Surrounding Municipality Hours of Operation; Ordinance No. XXXX

ORDINANCE NO. 3082

BY: _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 7.89(a)
OF THE OAK CREEK MUNICIPAL CODE RELATING TO CLOSING HOURS
OF CLASS "A" FERMENTED MALT BEVERAGES AND "CLASS A"
INTOXICATING LIQUOR LICENSED PREMISES.

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

SECTION 1: Section 7.89(a) hereby is repealed and recreated as follows:

- (a) Class "A" fermented malt beverage and "Class A" intoxicating liquor licensed premises may remain open between the hours of 9:00 p.m. and 6:00 a.m. for the conduct of regular business, but may not sell fermented malt beverages or liquor between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 2: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION 3: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced this 5th day of September, 2023.

Passed and adopted this ___ day of _____, 2023.

President, Common Council

Approved this ___ day of _____, 2023.

Mayor

ATTEST:

City Clerk

Vote: Ayes _____ Noes _____



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 9/5/23 License Committee Report.

Fiscal Impact: License fees in the amount of \$2,409.31 were collected.

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

Background:

The License Committee met on 8/24/2023. Recommendations are as follows:

1. Grant an Operator’s license to Kawanda Hampton (Kwik Trip).
2. Deny an Operator’s license to Richard Lein (Pick ‘n Save) based on his felony OWI convictions.

The following items were received after the License Committee met. Favorable background reports were received:

3. Grant Operator licenses to the following:

* Madelyn M. Brillowski (Route 41/Sidetracked)	* Emily F. Lipke (Ryan Road Mobil)
* Kim M. Cook (Community Center)	* Erin E. Timm (South Shore Cinema)
* Kendra L. DeBaets (Legion)	* Taylor L. Haase (Target)
* Elizabeth L. Stroh (Target)	* Grace P. Wellstein (Target)
* Benjamin M. LaPlante (Target)	* Kim A. Schires (Target)
* Michael J. Golden (Target)	* Madeline S. Mikula (Kwik Trip)
* Sara J. Clark (Sidetracked / Route 41)	* Ryli Malloy A. Decorah (no employer)
* Isabel A. Fleischmann (no employer)	* Erika C. Ramirez (Target)
4. Grant a Change of Agent on the Class A Combination alcohol license for Aldi, Inc. (Wisconsin) dba Aldi 01, 6810 S. 27th St., from Makayla Olson to Jared Eggold.
5. Grant a Change of Agent on the Class B Combination alcohol license for Marcus Cinemas of Wisconsin, LLC dba South Shore Cinemas, 7241 S. 13th St., from David Metz to Mark A. Peterson, Sr.
6. Grant a renewal Reserve Class B Combination alcohol license to A1 Investments LLC dba Sports Café, 928/930 E. Rawson Ave., with release of license subject to final departmental approvals and receipt of Occupancy Permit (this premises has been under reconstruction since the July 2022 fire).

-
7. Grant a Temporary Class "B" and "Class B" alcohol license to the Oak Creek Tourism Commission for the CAFÉ: A Celebration of Culture event to be held in Drexel Town Square on September 23, 2023.

 8. Grant a Temporary Class "B" alcohol license to St. Matthew Congregation, 9329 S. Chicago Rd., for their Adult Field Night event to be held on September 23, 2023.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator / Comptroller

Prepared:



Christa J. Miller CMC/WCMC
Deputy City Clerk

Attachments: none

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the August 30, 2023 Vendor Summary Report in the total of \$645,807.57.

Fiscal Impact: Total claims paid of \$645,807.57.

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: Of note are the following payments:

1. \$14,500.71 to ADK Design Inc (pg #1) for bond refunds.
2. \$25,298.04 to Deere & Co. (pg #4) for new diesel mower. Project #23025.
3. \$7,514.50 to Dept. of Ag, Trade, & Consumer Protection (pg #4) for DATCP licenses.
4. \$25,864.38 to E. H. Wolf & Sons, Inc. (pg #5) for fuel inventory.
5. \$35,090.60 to Enterprise FM Trust (pgs #5 & 6) for DPW vehicle lease monthly payment. Project #19024.
6. \$5,219.00 to Gerber Leisure Products, Inc. (pg #7) for sand volleyball court at Willow Heights Park. Project #23026.
7. \$103,502.88 to GFL Environmental (pg #7) for August trash and recycling.
8. \$15,058.00 to Godfrey & Kahn S.C. (pg #7) for legal services regarding Emerald Row and redevelopment of lakefront site.
9. \$31,625.88 to Graef (pg #7) for Puetz/Liberty Intersection Improvements. Project #22006.
10. \$10,282.74 to John Fabick Tractor Co. (pg #9) for skid loader and mulcher rental.
11. \$9,143.01 to M Squared Engineering (pg #11) for construction inspection.
12. \$7,336.96 to Oak Creek Water & Sewer Utility (pgs #12 & 13) for Digger's Hotline services and water/sewer quarterly fees.
13. \$5,141.23 to Ramboll US Consulting Inc. (pg #14) for professional services related to Beazer & Connell and Lakefront properties.
14. \$19,920.30 to Sherwin Industries, Inc. (pg #16) for road maintenance supplies, Project #22003.

-
15. \$8,115.23 to Signs & Lines by Stretch (pg #16) for signs, renumbering squad, and wrapping events trailer. Project #17027.
 16. \$11,144.00 to Trane (pg #18) for City Hall and Station 1 building management upgrade, Station 3 dehumidifier. Project #17026.
 17. \$16,875.00 to Tyler Technologies, Inc. (pg #18) for consulting services.
 18. \$80,635.00 to Vermeer - Wisconsin Inc. (pg #18) for new stump cutter. Project #23023.
 19. \$15,993.00 to Visionary Light Shows LLC (pg #18) for 2023 Christmas display.
 20. \$57,983.49 to WE Energies (pgs #21 & 22) for street lighting, electricity & natural gas.
 21. \$39,109.86 to WI Dept. of Transportation (pg #19) for construction services relating to 5th Avenue Relocation.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory T. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gaglin, MPA
Assistant City Administrator/Comptroller

Attachments: 08/30/2023 Invoice GL Distribution Report