



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

COMMON COUNCIL MEETING AGENDA

OCTOBER 3, 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: 9/19/23.

Recognition

4. **Resolution:** Consider Resolution No. 12433-100323, a Resolution of Commendation to Greg Price, retiring Senior Service Worker – Meters (by Committee of the Whole).
5. **Mayoral Proclamation:** White Cane Safety Day, October 15, 2023.

New Business

6. **Informational:** Presentation by humanworks8 regarding City's Values Discovery process and resulting Core Organizational Values.
7. **Presentation:** 2024 Executive Draft Operating and Capital Improvement Projects Budget.
8. **Resolution:** Consider Resolution No. 12436-100323, approving a Tax Incremental District (TID) Affordable Housing Extension for the City of Oak Creek TID No. 6 (by Committee of the Whole).

DEPARTMENT OF PUBLIC WORKS AND UTILITY

9. **Resolution:** Consider Resolution No. 12434-100323, approving the T-Mobile First Amendment to Lease Agreement for the Howell Avenue Monopole Tower Lease (Tax Key No. 765-9000-000) (1st District).

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

ENGINEERING

10. **Resolution:** Consider Resolution No. 12435-100323, accepting dedication of the public improvements and releasing the developer from the Development Agreement for the Ryan Business Park Development (Project Nos. 19052 and 19053) (5th District).

LICENSE COMMITTEE

11. **Motion:** Consider a motion to approve the various license requests as listed on the 10/3/23 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

12. **Motion:** Consider a motion to approve the September 27, 2023 Vendor Summary Report in the amount of \$1,348,662.88 (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.

RESOLUTION NO. 12433-100323

**RESOLUTION OF COMMENDATION
TO
GREG PRICE**

WHEREAS, Greg Price began his employment with the City of Oak Creek Water and Sewer Utility on February 12, 2007, as a Utility Service Worker; and

WHEREAS, Greg was promoted Senior Service Worker – Meters on November 12, 2012; and

WHEREAS, Greg achieved certification as a DNR Municipal Water Operator in the Distribution and Groundwater classes; and

WHEREAS, Greg was responsible for ensuring public health by helping to operator the distribution system to deliver award-winning water quality that far exceeded water quality regulations; and

WHEREAS, Greg responded to emergency calls at any time of the day or night, including weekends and holidays for such things as assisting customers with water and sewer related concerns, repairing water main breaks or providing emergency service; and

WHEREAS, Greg believed that the customers were always the top priority and treated them with the utmost courtesy and professionalism; and

WHEREAS, on August 4, 2023, Greg retired from his position as Senior Service Worker - Meters after serving 16 years, 7 months with the City of Oak Creek Water and Sewer Utility; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that for and on behalf of the Citizens of Oak Creek, sincere gratitude and appreciation be extended to Greg Price for his 16 years, 7 months of dedicated service to the City of Oak Creek and that best wishes for good health and happiness be extended to Greg Price and his family in his retirement years.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting and the City Clerk be, and is hereby directed, to transmit a suitable copy thereof to Greg Price.

Passed and adopted this 3rd day of October, 2023.

Kenneth Gehl, Council President

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes: _____ Noes: _____

**MAYORAL PROCLAMATION
WHITE CANE SAFETY DAY
OCTOBER 15, 2023**

WHEREAS, on October 6, 1964, the United States Congress designated October 15 of each year as White Cane Safety Day; and

WHEREAS, blindness and severe visual impairment affect approximately 109,000 Wisconsin residents; and

WHEREAS, the majority of these persons use travel aids, such as a white cane or a service animal to get around public streets and sidewalks and places of public accommodation; and

WHEREAS, these travel aids are universally recognized as symbols representing vision loss; and

WHEREAS, Wisconsin's White Cane Law requires that motorists come to a full stop before approaching closer than 10 feet of a pedestrian who is using a white cane or service animal; and

WHEREAS, greater awareness of the White Cane Law leads to safer, more attentive driving in general, enhancing the safety of all pedestrians, including children, elders and people with disabilities; and

WHEREAS, communities implement many proven features to enhance the safety of all pedestrians, including sidewalks, accessible pedestrian signals and curb ramps.

NOW, THEREFORE, BE IT RESOLVED, that I, Daniel Bukiewicz, Mayor of the City of Oak Creek, do hereby proclaim Saturday, October 15, 2023 as WHITE CANE SAFETY DAY in Oak Creek and hereby also acknowledge the importance of pedestrian safety year-round.

Dated this 3rd day of October, 2023.

Daniel J. Bukiewicz, Mayor

ATTEST:

Catherine A. Roeske, City Clerk



Meeting Date: October 3, 2023

Item No. 6

COMMON COUNCIL REPORT

Informational: Presentation by humanwork8 regarding the City's Values Discovery process and resulting Core Organizational Values for the City of Oak Creek.

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: In previous Strategic Action Plan (SAP) documents, the City identified the following organizational values: IMPACT. Integrity. Mutual Respect. Professionalism. Accountability. Commitment. Teamwork. These values were developed through a survey process with employees in 2016. However, the City never fully implemented these values into the organization, and the values have lost impact over time.

For the 2023-2027 SAP implementation, we wanted to be more intentional about our core values and better brand them into our organizational culture. To that end, the 2023-2027 SAP has the following goal:

Inspired, Aligned, and Proactive City Organization: Establish core organizational values and create a meaningful employer brand.

This summer, the City partnered with a local HR consulting firm, humanworks8, to lead a values discovery process with our workforce. This process started with a professional development session with humanworks8 and the larger leadership team. Next, 25% of our workforce, spanning all departments and workplaces, engaged in small group workshops to talk about the work we do in public service, why we do it, and what it means to us.

Shawn Gulyas, humanworks8, will be in attendance to give a brief presentation of the discovery process, discuss where the management team ultimately landed with the value statements, and to gather insight from the Elected Officials regarding our future value statements.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Toni Vanderboom
HR Manager

Fiscal Review:

Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

COMMON COUNCIL REPORT

Item: One year extension to TID No. 6 to make funds available for future affordable housing initiatives.

Recommendation: That the Common Council adopts Resolution No. 12346-100323, A Resolution Approving a Tax Incremental District (TID) Affordable Housing Extension for the City of Oak Creek TID No. 6.

Fiscal Impact: Approving the extension would provide approximately \$344,300 to the City of Oak Creek for future affordable housing programs and projects. Should the Common Council not wish to extend TID No. 6, under WI Stats., the City would retain approximately 30% (\$103,350) and then make payments to all other taxing jurisdictions for the remaining 70% (\$241,010).

There are no tax impacts/benefits for the 2023 levy collected in 2024 because the TID was not terminated prior to April 15, 2023. The City is already required to levy this amount in 2023 for collection in 2024.

Critical Success Factor(s):

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

Background: The City created TID No. 6 in 2000, fulfilled all obligations in the TID No. 6 Project Plan, and has no outstanding financial liabilities. TID No. 6 reaches its maximum life on October 17, 2023. Wisconsin TIF law allows the extension of a TID for up to one year to capture increment for affordable housing purposes, which purposes are not defined in the statutes.

The City's 2023-2027 SAP contains the following goal under the Thoughtful Growth and Prosperous Local Economy Critical Success Factor: "Consider opportunities and policies concerning housing density, affordability, and "age-in-place" preferences."

While the Common Council has not yet defined what "affordability" means for the Oak Creek community, what programs the City may create, or what partnerships could be achieved with regard to housing, the TID No. 6 extension would make funds available for future initiatives.

Further, 75% of the increment made available by the extension is required to be for new housing, but 25% can also be used to improve existing housing stock. There exists a lot of flexibility for how the City may determine to use these funds, and there is no timeline associated with spending the funds.

Options/Alternatives: The Common Council could decide to not extend TID No. 6 in this manner. Effectively, this alternative would then require the City to remit approximately \$241,010 back to the other taxing jurisdictions (see fiscal impact above) in 2024.

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Reviewed:



Doug Seymour, AICP
Director of Community Development

Fiscal Review:



Maxwell Gaglin, MPA
Assistant City Administrator / Comptroller

Attachments: Resolution No. 12346-100323

RESOLUTION NO. 12346-100323

RESOLUTION APPROVING A TAX INCREMENTAL DISTRICT (TID)
AFFORDABLE HOUSING EXTENSION FOR CITY OF OAK CREEK TID NO. 6

WHEREAS, on October 17, 2000, the Common Council adopted Resolution No. 9896-101700, creating Tax Increment Financing District No. 6 and Approving the Project Plan; and

WHEREAS, on April 4, 2011, the Common Council adopted Resolution No. 11107-040411, approving Amendment No. 1 to Tax Incremental District No. 6 Project Plan; and

WHEREAS, on May 16, 2017, the Common Council adopted Resolution No. 11813-051617, approving Amendment No. 2 to Tax Incremental District No. 6 Project Plan; and

WHEREAS, the City of Oak Creek successfully completed implementation of the Project Plan and sufficient increment was collected or will be collected in 2023 from the 2022 tax roll to pay off its aggregate costs; and

WHEREAS, state law requires termination of a TID after all project costs have been paid, and state law (Sec. 66.1105(6)(g) Wis. Stats.) does allow extension of a TID up to one year, using the last year of tax increment to improve the City's housing stock; and

WHEREAS, both the City of Oak Creek Comprehensive Plan and Strategic Action Plan include policies and initiatives to promote high quality and affordable housing for all members of the community or those wishing to reside in the community; and

WHEREAS, the implementation of these policies and future programs developed for these policies requires allocation of funds from various sources, and

WHEREAS, at least 75 percent of the final increment must benefit affordable housing with the remaining portion used to improve housing stock; and

THEREFORE, BE IT RESOLVED, the City of Oak Creek hereby extends the life of TID No. 6 to use the final year's increment collected in 2024 from the 2023 tax roll to benefit affordable housing; and

BE IT FURTHER RESOLVED the City of Oak Creek shall use the final increment to improve housing quality and affordability by developing and implementing programs, grants, and/or low interest loans for housing repair, public-private partnerships for construction of new housing, reducing costs of public improvements, and other strategies that positively leverage local, state, and federal programs aimed at providing additional housing in the community; and

BE IT FURTHER RESOLVED the City shall adopt a termination resolution for TID No. 6 by April 14, 2024; and

BE IT FURTHER RESOLVED the City Clerk shall notify the Wisconsin Department of Revenue by providing a copy of this resolution.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd day of October, 2023.

Passed and adopted this ____ day of _____, 2023.

Common Council President Kenneth Gehl

Approved this ____ day of _____, 2023.

Mayor Daniel J. Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____



Meeting Date: October 3, 2023

Item No. 9

COMMON COUNCIL REPORT

Item: T-Mobile First Amendment to Howell Avenue Monopole Tower Lease Agreement

Recommendation: That the Common Council adopts Resolution No. 12434-100323, a resolution approving the T-Mobile First Amendment to the Howell Avenue Monopole Tower Lease. (Tax Key No. 765-9000-000)(1st Aldermanic District)

Fiscal Impact: The lease rent will increase to \$60,840.00 per year.

- 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: T-Mobile currently has cellular equipment on the monopole on Howell Avenue at the water tower site. The lease rent will increase as indicated and includes a 4% annual escalator to the rent amount. T-Mobile is looking to upgrade the cellular equipment on the site as well. The plans for the upgrade will be approved after the lease is executed.

Options/Alternatives: The Council could not renew the lease and the cellular equipment would be removed from the tower. This would lose revenue from the tower space rental.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Michael J. Sullivan, PE
General Manager

Fiscal Review:

Kristina Strmsek
Assistant Comptroller

Attachments: Resolution 12434-100323, First Amendment to Howell Avenue monopole tower lease agreement

RESOLUTION NO. 12434-100323

BY: _____

RESOLUTION FOR APPROVAL OF THE FIRST AMENDMENT TO THE HOWELL AVENUE MONOPOLE LEASE AGREEMENT

(TAX KEY NO. 765-9000-000)

(1ST ALDERMANIC DISTRICT)

WHEREAS, T-Mobile is requesting the first amendment to the Howell Avenue monopole tower lease agreement; and

WHEREAS, the current lease is dated February 9, 2001 and;

WHEREAS, T-Mobile desires to upgrade the existing cellular equipment on the Howell Avenue monopole tower; and

WHEREAS, with this lease amendment the rent shall be increased to \$60,840.00 per year; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the first amendment to the Howell Avenue monopole tower lease agreement be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to record the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd day of October, 2023.

Passed and adopted this 3rd day of October, 2023.

President, Common Council

Approved this 3rd day of October, 2023.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Site #ML14130C

Market: ML

FIRST AMENDMENT TO LEASE AGREEMENT

THIS AMENDMENT TO LEASE AGREEMENT ("Amendment") is made and entered into by and between the City of Oak Creek ("Oak Creek"), and T-Mobile Central, LLC ("T-Mobile").

Recitals

The parties hereto recite, declare and agree as follows:

Oak Creek and T-Mobile (or as applicable, their predecessors in interest) entered into a LEASE AGREEMENT dated February 9, 2001 (the "Lease"), with respect to tower located at 7337 South Howell Avenue, Oak Creek, WI, Tax Key Number 765-9000-000.

Oak Creek and T-Mobile desire to enter into this Amendment in order to modify and amend certain provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Oak Creek and T-Mobile covenant and agree as follows:

1. Effective as of _____, 20__, (a) T-Mobile will have the right to modify its Antenna Facilities as described and depicted on Exhibit B-1, in all respects; (b) Exhibit C (Mount Replacement Report) and Exhibit D (Structural Analysis Report) are hereby incorporated; (c) The Rent T-Mobile pays Oak Creek will be increased to a total of Sixty Thousand Eight Hundred and Forty and 00/100 Dollars (\$60,840.00) per year.
2. T-Mobile's addresses for notice purposes in Paragraph 12 of the Lease are hereby deleted and replaced with the following:

T-Mobile USA, Inc.
12920 SE 38th Street
Bellevue, WA 98006
Attn: Lease Compliance/Site No. ML14130C
3. The Terms and conditions of the Lease are incorporated herein by this reference, and capitalized terms used in this Amendment shall have the same meanings such terms are given in the Lease. Except as specifically set forth herein, this Amendment shall in no way modify, alter or amend the remaining terms of the Lease, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Lease and this Amendment, the terms and conditions of this Amendment will govern and control.
4. Oak Creek represents and warrants to T-Mobile that the consent or approval of no third party, including without limitation, a lender, is required with respect to the execution of this Amendment, or if such third-party consent or approval is required, Oak Creek has obtained any and all such consents or approvals.

Site #ML14130C
Market: ML

- 5. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute a single instrument. Signed facsimile and electronic copies of this Amendment shall legally bind the parties to the same extent as original documents.

IN WITNESS WHEREOF, the parties have executed this Amendment effective as of the date of execution by the last party to sign.

City of Oak Creek

T-Mobile Central LLC

By: _____
 Name: _____
 Title: _____
 Date: _____

DocuSigned by:
Lucia Renteria
 0CED37BCA7214F7...
 By: _____
 Name: Lucia Renteria
 Title: Sr Director, Eng. Development
 Date: 9/24/2023

TMO Legal
 Digitally signed by TMO Legal
 Date: 2023.09.13 15:04:55 -0400

DS TE DS JP



COMMON COUNCIL REPORT

Item: Dedication and Release - Ryan Business Park

Recommendation: That the Common Council adopts Resolution No. 12435-100323, a resolution accepting dedication of the public improvements and releasing the developer from the development agreement for the Ryan Business Park Development (Project Nos. 19052 and 19053) (5th Aldermanic District).

Fiscal Impact: None

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

Background: The Developer has completed, to the satisfaction of the Engineering Department, all required public improvements for the Ryan Business Park Development that facilitated the required public infrastructure to serve future site development. The Developer, Ryan Business Park, LLC, entered into a development agreement dated April 22, 2019, and recorded on May 8, 2019, as Document #10868555. This agreement was approved by Council by Resolution 12057-041619. This project was extensive expansions to Ryan Road (STH 100) and S. 13th Street (CTH V) and installation of new City street (Bartel Court). Improvements included bridge construction, street lighting, roadway/traffic signals, storm sewer, sanitary sewer, water main and site grading for a future commercial development. There are no current outstanding assessments against the properties, and all required City fees and costs have been paid.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared/Approved:

Matthew J. Sullivan, PE
City Engineer

Fiscal Review:

Maxwell Gaggin, MPA
Assistant City Administrator / Comptroller

Attachments: Resolution No. 12435-100323, Dedication and Release

RESOLUTION NO. 12435-100323

BY: _____

**RESOLUTION ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AND
RELEASING THE DEVELOPER FROM THE DEVELOPMENT AGREEMENT**

RYAN BUSINESS PARK DEVELOPMENT

Lots 1, 2, 3 & 4 of CSM 9085, and 1199 & 1203 W. Ryan Road

(5TH ALDERMANIC DISTRICT)

WHEREAS, RYAN BUSINESS PARK, LLC, (collectively the "Developer") and the City of Oak Creek ("City") entered into a Development Agreement dated April 22, 2019 and recorded with the Milwaukee County Register of Deeds as Document No. 10868555; and

WHEREAS, the Developer has successfully constructed and installed all required public improvements for said project at the expense of the Developer and in accordance with the plans and specifications conforming to applicable City ordinances and approved by the City; and

WHEREAS, the City Engineer certifies that all conditions and restrictions of the Development Agreement have been fully satisfied; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek that dedication of the public improvements is hereby accepted and that the Developer is released from the terms and conditions of the Development Agreement.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said Dedication and Release on behalf of the City, and upon execution by both the City and the Developer, the City Clerk is hereby directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd day of October, 2023.

Passed and adopted this 3rd day of October, 2023.

Approved this 3rd day of October, 2023.

Common Council President Kenneth Gehl

Mayor Daniel J. Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

Document Number

DEDICATION OF PUBLIC
IMPROVEMENTS AND RELEASE
FROM THE RYAN BUSINESS PARK
DEVELOPMENT AGREEMENT
Document Title

Recording Area

Douglas W. Seymour, Director
Department of Community Development
8040 S. 6th St.
Oak Creek, WI 53154
Name and Return Address

Part of 905-9999-006; Part of 925-9999-000;
Part of 905-9994-001; Part of 905-9993-003;
Part of 905-9995-001; Part of 905-9992-001;
and Part of 905-9993-004

Parcel Identification Number (PIN)

WHEREAS, THE CITY OF OAK CREEK, a municipal corporation of Milwaukee County, State of Wisconsin, hereinafter referred to as the "City", and Ryan Business Park, LLC, a Wisconsin limited liability company, and hereinafter referred to as "Developer", entered into a Ryan Business Park Development Agreement For Public Improvements dated April 22, 2019 (the "Development Agreement") which was approved by City of Oak Creek Common Council Resolution No. 12057-041619 for Ryan Business Park and more particularly described as follows;

WHEREAS, the Developer proposed to develop the following described lands situated in the City of Oak Creek, County of Milwaukee and State of Wisconsin, to-wit:

LOT 2 OF CERTIFIED SURVEY MAP NO. 9085, RECORDED IN THE REGISTER OF DEEDS OFFICE FOR MILWAUKEE COUNTY AS DOCUMENT NO. 10823469, BEING LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 9075, LOT 1 OF CERTIFIED SURVEY MAP NO. 9076, LOT 2 OF CERTIFIED SURVEY MAP NO. 9074 AND ADDITIONAL LANDS IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29 AND THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION

29, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

THE NORTH 400 FEET OF THE EAST 20 ACRES OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 29, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN. EXCEPTING THEREFROM LANDS CONVEYED IN DEED RECORDED NOVEMBER 5, 1968, ON REEL 449, IMAGE 12, AS DOCUMENT NO. 4427750. FURTHER EXCEPTING THEREFROM LANDS CONVEYED IN WARRANTY DEED RECORDED OCTOBER 1, 2013 AS DOCUMENT NO. 10299272.

WHEREAS, the Developer has completed the construction and installation of said public improvements in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the Municipal Code of the City, and the City Engineer has certified the improvements; and

WHEREAS, the Development Agreement was recorded with the Milwaukee County Register of Deeds office on May 8, 2019, in Document #10868555; and

NOW, THEREFORE, in consideration of \$1.00 and other good and valuable consideration, to it in hand paid, receipt of which is herein acknowledged and confessed.

1. The Developer hereby quit claims, in its as-is condition, to the City of Oak Creek, forever, all of Developer's right, title and interest (if any) in and to those portions of the General Infrastructure that are public improvements as described in Exhibit C-1 of that certain the Tax Incremental District No. 16 Finance Development Agreement by and between Developer and the City, dated as of November 5th, 2018, as amended.
2. The Developer is hereby released and discharged from the terms of the Development Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument under their several seals the day and year first above written, the name and corporate seal of each corporate body being hereto affixed, and the instrument duly signed by its duly authorized representatives.

In presence of:

DEVELOPER:

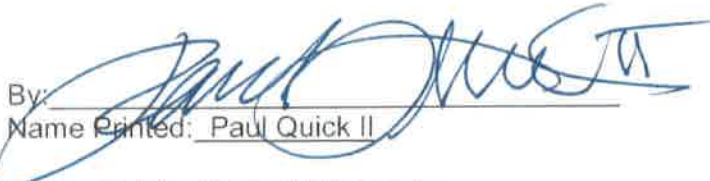
Ryan Business Park, LLC

By: Capstone Development Company,
Manager

By: 
Michael Faber, Principal

STATE OF WISCONSIN)
SS).
WAUKESHA COUNTY)

Personally came before me this 26th day of September, 2023, the above-named Michael Faber, as Principal of Capstone Development Company, manager of Ryan Business Park, LLC, to me known to be the person who executed the foregoing instrument and to me known to be such Principal of said corporation, acknowledged that he executed the foregoing instrument as such officer.

By: 
Name Printed: Paul Quick II
Notary Public, State of Wisconsin
My Commission Expires: 1-2-27



CERTIFICATE OF THE CITY ENGINEER

I, Matthew J. Sullivan, City Engineer of the City of Oak Creek, do hereby certify:

That the construction and installation of public improvements, installed by the Developer of Ryan Business Park, in the City of Oak Creek, have been completed in accordance with the approved designs, plans and specifications therefore, or in accordance with approved changes, variations, alterations and modifications; and

That the public improvements are in satisfactory operating condition; and

That I further certify that the Developer has submitted satisfactory written evidence that they have paid all of the costs incurred in the construction and installation of said systems and improvements.

Dated this _____ day of _____, 2023.

Matthew J. Sullivan, P.E
City Engineer



COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 10/3/23 License Committee Report.

Fiscal Impact: License fees in the amount of \$430.00 were collected.

Critical Success Factor(s):

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

Background:

1. Grant an Operator’s license to (favorable background reports received):
 - * Zachary D. Cieszki (Applebee’s)
 - * Miranda L. Paulson (BelAir Cantina)
 - * Honesty A. Johnson (BelAir Cantina)
2. Grant a Temporary “Class B” (wine) license to All Saints Lutheran Church - ELCA., for a Paint ‘n Sip Gathering scheduled for November 12, 2023.
3. Grant a Change of Agent for the Class A Combination alcohol license issued to Mega Marts LLC dba Pick ‘n Save #387, 2320 W. Ryan Rd., from Pamela Bluemner to Tracy Engeriser.
4. Grant a Change of Agent for the Class A Combination alcohol license issued to Mega Marts LLC dba Pick ‘n Save #862, 8770 S. Howell Ave., from Charles Stauche to Stephanie A. McCabe.
5. Grant a 2023 Transient Merchant solicitor license to Jarin D. Thryselius, selling home improvement products for Advocate Construction (business approved at the 9/19/23 meeting).

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Christa J. Miller, CMC/WCMC
Deputy City Clerk

Fiscal Review:

Maxwell Gaglin, MPA
Assistant City Administrator / Comptroller

Attachments: none

COMMON COUNCIL REPORT

Item: Vendor Summary Report

Recommendation: That the Common Council approve the September 27, 2023 Vendor Summary Report in the total of \$1,348,662.88.

Fiscal Impact: Total claims paid of \$1,348,662.88.

Critical Success Factor(s):c

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

Background: Of note are the following payments:

1. \$6,500.00 to ABT Mailcom (pg #1) for advance postage for 2023 tax bill mailing.
2. \$6,032.00 to Air Temperature Services, Inc. (pg #1) for bond refund.
3. \$93,540.30 to Edgewater Resources, LLC (pg #4) for construction observation services for revetment/bluff stabilization. Project #23005.
4. \$103,502.88 to GFL Environmental (pg #5) for September trash and recycling.
5. \$7,577.30 to Graef (pg #6) for Creekside Crossing Wetland Park and Puetz/Liberty Intersection Improvements. Project #22006.
6. \$50,498.83 to M Squared Engineering (pg #9) for construction inspection. Projects #18021, #20028, and #22003.
7. \$211,824.71 to Oak Creek Hotel Ventures LLC (pg #11) for payment per development agreement.
8. \$57,730.65 to Paragon Development Systems, Inc. (pg #12) for Badger Books. Project #23029.
9. \$5,336.94 to Poms Tire Service (pg #12) for tires.
10. \$118,777.50 to R.N.O.W. Inc (pg #13) for 2022 International HV607 truck chassis. Project #22022.
11. \$542,459.27 to Stark Pavement Corp (pg #14) for Road Improvements. Project #22003.
12. \$16,875.00 to Tyler Technologies, Inc. (pg #15) for consulting services.
13. \$63,445.26 to WE Energies (pgs #18-19) for street lighting, electricity & natural gas.

Options/Alternatives: None

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Prepared:



Rory T. Vircks
Staff Accountant

Fiscal Review:



Maxwell Gagin, MPA
Assistant City Administrator/Comptroller

Attachments: 09/27/2023 Invoice GL Distribution Report