



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

COMMON COUNCIL MEETING AGENDA

AUGUST 5, 2024

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 driving the future of the south shore.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance.
3. Approval of Minutes: 7/16/24.

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. **Zoning Text Amendment:** Consider a proposed amendment to Table 17.0304(c), Nonresidential District Permitted and Conditional Uses of Chapter 17 of the Municipal Code (Zoning and Sign Ordinance) (by Committee of the Whole).
5. **Ordinance:** Consider Ordinance No. 3107, amending Table 17.0304(c) of the Municipal Code to allow General retail, less than 50,000 square feet, and warehouse, storage, less than 200,000 square feet, as conditional uses in the LM-1, Light Manufacturing Zoning District (by Committee of the Whole).

New Business

FIRE

6. **Resolution:** Consider Resolution No. 12512-080524, approving the acceptance of the Assistance to Firefighters Grant (AFG) Award for the purchase of Self-Contained Breathing Apparatus (SCBA) (by Committee of the Whole).

COMMUNITY DEVELOPMENT

7. **Motion:** Consider a motion to accept the conceptual use of Henry Miller Park (as depicted on Exhibit A) and direct staff to prepare formal agreements if the project proceeds (3rd District).

Visit our website at www.oakcreekwi.gov 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

8. **Resolution:** Consider Resolution No. 12511-080524, establishing a determination of necessity for acquisition of lands for public street purposes, temporary easements for grading, authorizing negotiation for such acquisition, and authorizing condemnation if necessary (Project No. 22006) (2nd & 6th Districts).

LICENSE COMMITTEE

9. **Motion:** Consider a motion to approve the various license requests as listed on the 8/5/24 License Committee Report (by Committee of the Whole).

VENDOR SUMMARY

10. **Motion:** Consider a motion to approve the July 31, 2024 Vendor Summary Report in the amount of \$1,821,534.91 (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 JULY 10 & 17, 2024

OFFICIAL NOTICE

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

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

Hearing Date:
August 5, 2024

Time:
7:00 PM

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

Proposal: The proposal would amend Table 17.0304(c), Nonresidential District Permitted and Conditional Uses of Chapter 17 of the Municipal Code to allow Retail/Small-Scale Warehouse as a Conditional Use in the Lm-1, Light Manufacturing district.

The existing text of the above Sections of the Municipal Code can be found on the City's website at <https://ecode360.com/38790368>. The entire text of the proposed amendments listed above is available for review upon request.

The Common Council has scheduled other public hearings for August 5, 2024 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed changes may contact the City of Oak Creek at (414) 766-7002, during regular business hours (7:30 AM – 4:00 PM).

Date of Notice: July 3, 2024

CITY OF OAK CREEK COMMON COUNCIL
By: Dan Bukiewicz, Mayor

PUBLIC NOTICE

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



COMMON COUNCIL REPORT

Item: Zoning Text Amendment - Table 17.0304(c)

Recommendation: That the Council considers Ordinance 3107, an ordinance to amend Table 17.0304(c) of the Municipal Code to allow General retail, less than 50,000 square feet, and warehouse, storage, less than 200,000 square feet, as conditional uses in the LM-1, Light Manufacturing Zoning District.

Fiscal Impact: Approval will allow for the future cohesive development within a single zoning district on the reconfigured property, which is anticipated for development in relation to the existing restaurant. Development will yield positive fiscal impacts in terms of assessed value, review fees, permitting fees, and approximately impact fees. The property is not located in TID.

- 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: A request was submitted to amend the Permitted and Conditional Uses Table in Section 17.0304(c), allowing retail and small-scale warehousing in the Lm-1, Light Manufacturing District. Currently, general retail, less than 50,000 square feet and warehouse, storage, less than 200,000 square feet uses are not allowed in the Lm-1, Light Manufacturing District. Staff are proposing that both be allowed as Conditional Uses. The request is in anticipation for future development in the Lm-1 District.

As stated in the City of Oak Creek's Zoning Code, the purpose of Lm-1, Light Manufacturing District is to "allow for a mix of low-impact manufacturing, industrial, wholesaling, limited warehousing, research and development, engineering and testing, and related service facilities and uses which occur within enclosed buildings, and which will not have adverse effect upon the district in which the use is located." Staff recognize that general retail, less than 50,000 square feet and warehouse, storage, Less than 200,000 square feet as Conditional Uses would not negatively impact or change the overall purpose of the Lm-1 Zoning District.

After careful consideration at the July 9, 2024 meeting, the Plan Commission recommended approval.

Options/Alternatives: Council may request modifications or clarifications to the proposed zoning text amendment provided such modifications or clarifications are in conformance with Wisconsin Statutes.

Prepared and Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Melanie Pérez
Planner

Fiscal Review:

Maxwell Gagin

Maxwell Gagin, MPA

Deputy City Administrator / Finance Officer

Approved:

Kristi Laine

Kristi Laine

Community Development Director

Attachments:

Ord. 3107

ORDINANCE NO. 3107

BY: _____

AN ORDINANCE TO AMEND TABLE 17.0304(c) OF THE MUNICIPAL CODE TO ALLOW GENERAL RETAIL, LESS THAN 50,000 SQUARE FEET, AND WAREHOUSE, STORAGE, LESS THAN 200,000 SQUARE FEET, AS CONDITIONAL USES IN THE LM-1, LIGHT MANUFACTURING ZONING DISTRICT.

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

PART I. Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts, of the Oak Creek Municipal Code is hereby amended to read the following, with all other listed uses remaining unaltered:

Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts											
Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	LM-1	M-1	I-1	P-1
Retail Uses											
General retail, less than 50,000 square feet			P	C		P	P	C			
Industrial Uses											
Warehouse, storage, less than 200,000 square feet								C	P		

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PART III. All ordinance or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Oak Creek on this _____ day of _____, 2024.

President, Common Council

Approved this _____ day of _____, 2024.

ATTEST: _____ Mayor

City Clerk

VOTE: Ayes _____ Noes _____



COMMON COUNCIL REPORT

Item: Assistance to Firefighters Grant (AFG) Award for Self-Contained Breathing Apparatus (SCBA)

Recommendation: That the Common Council adopts Resolution No. 12512-080524, approving the acceptance of the AFG Award for the purchase of SCBA.

Fiscal Impact: The City's overall fiscal impact is \$115,000. The City's portion of the grant-approved SCBA purchase requires a 10% match, or \$27,000. This amount, along with an estimated \$88,000 for SCBA equipment not included in the grant, will be included in the 2025 Capital Improvement Program (CIP).

- 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 planning for the replacement of the Department's SCBA was initiated in 2023 through an AFG submittal. The Department did not receive an award during that process. Subsequently, the department submitted a \$500,000 CIP request for SCBA replacement as part of the 2024 Budget with the understanding that another grant application would be submitted in 2024. This application has resulted in the award presented for your review.

This grant was submitted as a collaborative effort between the Oak Creek, Wauwatosa, Greendale, and Hales Corners Fire Departments for the replacement of equipment common to Milwaukee County departments that share services. Oak Creek's portion of the award includes funding for 27 SCBA and associated equipment. The award represents an award for 75% of our current SCBA inventory, funding to support the purchase of additional SCBA and equipment to complete our inventory will be included in a 2025 CIP.

The City of Oak Creek will serve as the fiscal agent for the four municipalities participating in the grant. Each of the participating agencies have expressed their approval for moving ahead with the award.

Options/Alternatives: Reject the grant award and fund the entirety of the SCBA purchase cost through the 2025 CIP.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Michael A. Kressuk, Jr
Fire Chief

Fiscal Review:



Maxwell Gagin, MPA

Deputy City Administrator / Finance Officer

Attachments:

Resolution No. 12512-080524

FEMA Award Packet

Participating Agencies MOU

RESOLUTION NO. 12512-080524

RESOLUTION APPROVING RECEIPT OF FEDERAL ASSISTANCE TO FIREFIGHTERS GRANT FOR SELF-CONTAINED BREATHING APPARATUS

WHEREAS the City of Oak Creek (the "City"), in conjunction with the Village of Greendale, Village of Hales Corners, and City of Wauwatosa (the "Participating Agencies"), submitted a 2023 FEMA Assistance to Firefighters regional grant application for receipt of federal funding to support the purchase of self-contained breathing apparatus (SCBA) personal protective equipment; and

WHEREAS the U.S. Department of Homeland Security awarded the Assistance to Firefighters Grant funding in the amount of \$863,090.90 with a required 10 percent match from each of the Participating Agencies (the "Grant"); and

WHEREAS the City intends to serve as the fiscal agent for receipt of the Grant; and

WHEREAS the AFG did not fund the replacement of all Oak Creek Fire Department SCBA personal protective equipment; and

WHEREAS the Oak Creek Fire Department desires to replace all SCBA personal protective equipment; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby approve the receipt of the Grant, direct staff to proceed with accepting same, authorize the City to act as the fiscal agent for the Participating Agencies, and direct staff to include \$115,000 in the 2025 Capital Improvement Program (CIP) for the City's portion of the SCBA personal protective equipment purchase.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5th day of August, 2024.

Passed and adopted this ____ day of _____, 2024.

Common Council President Kenneth Gehl

Approved this ____ day of _____, 2024.

Mayor Daniel J. Bukiewicz

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

**Memorandum of Understanding between the City of Oak Creek Fire Department and
Participating Agencies of Milwaukee County
FY 2023 FEMA Assistance to Firefighter Grant Program**

This memorandum of understanding (MOU) will serve as an agreement between the City of Oak Creek Fire Department and the other agencies that are signatories to this MOU, which includes those fire agencies in Milwaukee County that will be participating in the 2023 FEMA Assistance to Firefighters regional grant application for self-contained breathing apparatus (SCBA) and associated equipment.

It is understood that:

1. Participating agencies agree that the City of Oak Creek Fire Department will submit an application for funds from the 2023 FEMA Assistance to Firefighters Grant on behalf of four agencies in Milwaukee County. All financials and reports required under this grant will be administered by the City of Oak Creek.
2. Participating agencies agree to meet all of the requirements of the FY 2023 Assistance to Firefighters Grant Notice and the criteria within the grant for recipients. Participating agencies warrant that they will provide all necessary information for the grant reporting within a timely manner.
3. The regional grant requires a 10% matching contribution for each participating department. The 10% contribution will be determined by the amount of equipment requested for your department.
4. Agencies must submit their 10% matching contribution to the City of Oak Creek prior to the order for equipment being made. Transfer of funds by the participating agencies to the City of Oak Creek shall be made in the form of electronic funds transfer (EFT). Nothing in this section or this Agreement shall limit the ability of either party to modify this Agreement at a later date in order to provide for an alternative method(s) of payment timeline or transfer.
5. Should any party refuse to pay their matching contribution as calculated by the above listed method, that party/parties will be responsible for all action taken against the City of Oak Creek Fire Department and the other parties in this MOU from any outside agency regarding this grant. Said party refusing to pay shall be responsible to reimburse the remaining parties any fees associated with this grant process.
6. Equipment distribution will be completed according to the proposed equipment lists established for each department. Schedules of planned implementation will be completed upon successful awarding of the grant project. Departments shall keep proper inventory of any equipment received.
7. Mounting of SCBA on apparatus is the responsibility of each individual department and is not included in the project costs.
8. Each party to this Agreement shall protect, indemnify, and hold harmless every other party and their officers, agents, and employees from and against any and all claims, costs,

and/or issues whatsoever arising from actions and/or inactions by such party and/or its subcontractors pursuant to this MOU. Each party shall defend, at its own expense, all claims, demands, suits, penalties, losses, damages, or costs of any kind whatsoever (hereinafter "claims") brought forth and arising out of or incident to such party's execution of, performance of and/or failure to perform this MOU. This Agreement does not confer any rights or benefits on and/or to any third party.

8. This MOU constitutes the entire agreement between the parties pertaining to the subject matter in this MOU, and it supersedes all prior and contemporaneous agreements and understandings, whether oral or written, of the parties.
9. If any provision of this MOU or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this MOU that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this MOU is severable.
10. Any amendment to this MOU must be in writing and approved by the parties.
11. Point of Contact: The point of contact for this Agreement is:

Michael Kressuk, Fire Chief
Oak Creek Fire Department
7000 S 6th St
Oak Creek, WI 53154
mkressuk@oakcreekwi.gov
414-570-5641

12. The parties shall comply with all applicable laws, rules, and regulations pertaining to them in connection with the matters covered herein. This MOU shall be deemed to be made and construed in accordance with the laws of the State of Wisconsin. Jurisdiction and venue for any action arising out of this MOU shall be in Milwaukee County, Wisconsin.
13. This MOU has been carefully and fully read by the parties, who understand its contents and are satisfied with the MOU herein mentioned and the same shall be binding upon and inure to the benefit of the parties' agents, officers, directors, shareholders, and employees respectively.
14. The MOU will be in effect from the latest date of signing stated with the parties' signatures until either of the agencies receive notification that the grant was not successful, or the grant is received, and the units have been distributed to each agency.

IN WITNESS WHEREOF, the parties agree to the above terms and have executed this Memorandum of Understanding as the last date written below:

For the Oak Creek Fire Department


Signature

Michael Kressuk, Jr, Fire Chief
Printed Name and Rank

Date: March 8, 2024

For the Wauwatosa Fire Department

James Case
Signature

James Case, Fire Chief
Printed Name and Rank

Date: 3/8/24

For the Greendale Fire Department



Signature

Kenten Kais, Fire Chief

Printed Name and Rank

Date: March 7th, 2024

For the Hales Corners Fire Department


Signature

Peter R Jaskulski, Fire Chief
Printed Name and Rank

Date: March 7, 2024

**Memorandum of Understanding between the City of Oak Creek Fire Department and
Participating Agencies of Milwaukee County
FY 2023 FEMA Assistance to Firefighter Grant Program
Addendum**

1. Participating agency Employer Identification Numbers (EIN):
 - a. City of Oak Creek – 396022803
 - b. Village of Greendale – 396006279
 - c. Village of Hales Corners – 396008499
 - d. City of Wauwatosa - 396005650

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 07/08/2024



Maxwell Gagin
OAK CREEK, CITY OF
8040 S. 6TH STREET
OAK CREEK, WI 53154

EMW-2023-FG-03636

Dear Maxwell Gagin,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2023 Assistance to Firefighters Grant (FG) Grant funding opportunity has been approved in the amount of \$863,090.90 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$86,309.10 for a total approved budget of \$949,400.00. Please see the FY 2023 FG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2023 FG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Williams', is positioned above the typed name.

PAMELA WILLIAMS
Assistant Administrator, Grant Programs

Summary Award Memo

Program: Fiscal Year 2023 Assistance to Firefighters Grant

Recipient: OAK CREEK, CITY OF

UEI-EFT: C16RUE5AZTK4

DUNS number: 013494471

Award number: EMW-2023-FG-03636

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2023 Assistance to Firefighters Grant funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$923,330.00
Supplies	\$26,070.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$863,090.90
Non-federal	\$86,309.10
Total	\$949,400.00
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2023 FG NOFO.

Approved request details:

Personal Protective Equipment (PPE)

Additional funding

DESCRIPTION

G1 RECHARGEABLE BATTERY 6-BANK CHARGER FOR SCBA

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	11	\$795.00	\$8,745.00	Equipment

Additional funding

DESCRIPTION

G1 RECHARGEABLE BATTERY

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	66	\$395.00	\$26,070.00	Supplies

CHANGE FROM APPLICATION

Budget class from Equipment to Supplies

JUSTIFICATION

Batteries are reclassified as supplies because they are exhaustible.

Face Pieces (not associated with SCBA requests)

DESCRIPTION

MSA G1 FACEPIECE; NFPA 2018 EDITION; W/ 4-PT HARN/NKSTRAP

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	118	\$410.00	\$48,380.00	Equipment

CHANGE FROM APPLICATION

Quantity from 83 to 118

JUSTIFICATION

The award reflects an increase from the amount requested in the application. This increase is due to the reduction in SCBA based on the number of eligible seated riding positions. This will enable each member to have their own Face Piece.

Additional funding

DESCRIPTION

MSA G1 RIT PACK COMPLETE WITH UEBSS, G1 REGULATOR, L3 BAG

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	9	\$4,550.00	\$40,950.00	Equipment

SCBA Spare Cylinders

DESCRIPTION

60-MINUTE (4500PSI) CARBON CYLINDERS FOR RIT PACKS

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	9	\$1,495.00	\$13,455.00	Equipment

SCBA: SCBA Unit includes: Harness/Backpack, Face Piece and 2 cylinders

DESCRIPTION

MSA G1 FIRE SERVICE SCBA; 2018 EDITION; TO INCLUDE:4500 PSI, QC REMOTE CONNECTION, STANDARD HARNESS WITH SERVICABLE SHOULDER/CHEST STRAP, METAL CYLINDER BAND,ADJ SWIVELING LUMBAR PAD, SOLID COVER REGULATOR,MSA G1 FACEPIECE; NFPA 2018 EDITION; WITH 4-PT HARNESS, UNIVERSAL RIT CONNECTION, HEADS UP DISPLAY SYSTEM,INTEGRATED VOICE AMPLIFIER SYSTEM, RIGHT SHOULDER, PASS ALARM, and RECHARGEABLE BATTERY PACK, 45-MINUTE (4500 PSI) CARBON CYLINDERS W/QUICK CONNECT, MSA G1 FACEPIECE;NFPA 2018 EDITION; WITH 4-PT HARNESS

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	88	\$9,225.00	\$811,800.00	Equipment

CHANGE FROM APPLICATION

Quantity from 123 to 88

JUSTIFICATION

The award reflects a reduction from the amount requested in the application. This reduction is because the number of SCBA requested exceeds the number of seated riding positions in your department.

Additional funding

DESCRIPTION

QUANTIFIT 2 RESPIRATOR FIT TESTING SYSTEM WITH BLUETOOTH, SOFTWARE, CASE, USB CABLE, POWER SUPPLY, AND LIFETIME POWERTRAIN WARRANTY.
OHD QUANTIFIT 2 FIT TEST ADAPTER FOR MSA G1 FCPC.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	0	\$0.00	\$0.00	Equipment

CHANGE FROM APPLICATION

Quantity from 1 to 0

Unit price from \$10,191.00 to \$0.00

JUSTIFICATION

The award reflects a reduction from the amount requested in the application. This reduction removes costs for the requested fit tester, which is ineligible for funding in PPE.

Agreement Articles

Program: Fiscal Year 2023 Assistance to Firefighters Grant

Recipient: OAK CREEK, CITY OF

UEI-EFT: C16RUE5AZTK4

DUNS number: 013494471

Award number: EMW-2023-FG-03636

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Article 1**Assurances, Administrative Requirements, Cost Principles, Representations, and Certifications**

I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the federal awarding agency.

Article 2**General Acknowledgements and Assurances**

Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located at 2 C.F.R. Part 200 and adopted by DHS at 2 C.F.R. § 3002.10. All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities and personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or federal awarding agency program guidance. V. Recipients must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receiving the Notice of Award for the first award under which this term applies. Recipients of multiple federal awards from DHS should only submit one completed tool for their organization, not per federal award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active federal award, not every time a federal award is made. Recipients must submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in these DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension to the 30-day deadline if the recipient identifies steps and a timeline for completing the tool. Recipients must request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

<p>Article 3</p>	<p>Acknowledgement of Federal Funding from DHS Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.</p>
<p>Article 4</p>	<p>Activities Conducted Abroad Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.</p>
<p>Article 5</p>	<p>Age Discrimination Act of 1975 Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (codified as amended at 42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.</p>
<p>Article 6</p>	<p>Americans with Disabilities Act of 1990 Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.</p>
<p>Article 7</p>	<p>Best Practices for Collection and Use of Personally Identifiable Information Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.</p>
<p>Article 8</p>	<p>Civil Rights Act of 1964 – Title VI Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.</p>

Article 9**Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284 (codified as amended at 42 U.S.C. § 3601 et seq.) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10**Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

Article 11**Debarment and Suspension**

Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12**Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13**Duplicative Costs**

Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior budget period. (See 2 C.F.R. § 200.403(f)). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal financial assistance award terms and conditions.

- Article 14** **Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX**
Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of an award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA’s implementing regulations at 44 C.F.R. Part 19.
- Article 15** **E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety**
Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.
- Article 16** **Energy Policy and Conservation Act**
Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
- Article 17** **False Claims Act and Program Fraud Civil Remedies**
Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
- Article 18** **Federal Debt Status**
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
- Article 19** **Federal Leadership on Reducing Text Messaging while Driving**
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of E.O. 13513.

<p>Article 20</p>	<p>Fly America Act of 1974 Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: Certificated Air Carriers List US Department of Transportation, https://www.transportation.gov/policy/aviation-policy/certificated-air-carriers-list) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.</p>
<p>Article 21</p>	<p>Hotel and Motel Fire Safety Act of 1990 Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a.</p>
<p>Article 22</p>	<p>John S. McCain National Defense Authorization Act of Fiscal Year 2019 Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.</p>
<p>Article 23</p>	<p>Limited English Proficiency (Civil Rights Act of 1964, Title VI) Recipients must comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov.</p>

Article 24 Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).

Article 25 National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article 26 Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article 27 Non-Supplanting Requirement

Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.

Article 28 **Notice of Funding Opportunity Requirements**
All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the Award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

Article 29 **Patents and Intellectual Property Rights**
Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

Article 30 **Procurement of Recovered Materials**
States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 31 **Rehabilitation Act of 1973**
Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 32 **Reporting of Matters Related to Recipient Integrity and Performance**
If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.

Article 33

Reporting Subawards and Executive Compensation

For federal awards that equal or exceed \$30,000, recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

Article 34**Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements. (a) When the Federal agency has determined that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. Definitions The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

<p>Article 35</p>	<p>SAFECOM Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment CISA.</p>
<p>Article 36</p>	<p>Terrorist Financing Recipients must comply with E.O. 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the E.O. and laws.</p>
<p>Article 37</p>	<p>Trafficking Victims Protection Act of 2000 (TVPA) Recipients must comply with the requirements of the government-wide financial assistance award term which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated by reference.</p>
<p>Article 38</p>	<p>Universal Identifier and System of Award Management Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.</p>
<p>Article 39</p>	<p>USA PATRIOT Act of 2001 Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c.</p>
<p>Article 40</p>	<p>Use of DHS Seal, Logo and Flags Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.</p>
<p>Article 41</p>	<p>Whistleblower Protection Act Recipients must comply with the statutory requirements for whistleblower protections at 10 U.S.C § 470141 U.S.C. § 4712.</p>

Article 42**Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website at:

<https://www.fema.gov/grants/guidance-tools/environmental-historic>. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archaeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43**Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

Article 44**Acceptance of Post Award Changes**

In the event FEMA determines that an error in the award package has been made, or if an administrative change must be made to the award package, recipients will be notified of the change in writing. Once the notification has been made, any subsequent requests for funds will indicate recipient acceptance of the changes to the award. Please call FEMA Grant Management Operations at (866) 927-5646 or via e-mail to: ASK-GMD@fema.dhs.gov if you have any questions.

Article 45 Disposition of Equipment Acquired Under the Federal Award
For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state sub-recipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state sub-recipients must follow the disposition requirements in accordance with state laws and procedures.

Article 46 Prior Approval for Modification of Approved Budget
Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 47 Indirect Cost Rate
2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 48 Award Performance Goals
FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Obligating document

1. Agreement No. EMW-2023-FG-03636	2. Amendment No. N/A	3. Recipient No. 396022803	4. Type of Action AWARD	5. Control No. WX03513N2024T		
6. Recipient Name and Address OAK CREEK, CITY OF 8040 S 6TH ST OAK CREEK, WI 53154		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Maxwell Gagin		9a. Phone No. 4147667601	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 07/08/2024	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 07/15/2024 to 07/14/2026 Budget Period 07/15/2024 to 07/14/2026		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
FG	97.044	2024-F3-GB01 - P410-xxxx-4101-D	\$0.00	\$863,090.90	\$863,090.90	\$86,309.10
Totals			\$0.00	\$863,090.90	\$863,090.90	\$86,309.10
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
PAMELA WILLIAMS, Assistant Administrator, Grant Programs	07/08/2024

COMMON COUNCIL REPORT

Item: Potential Use of a portion of Henry Miller Park for recreational purposes; parking lot

Recommendation: That the Common Council considers a motion to accept the conceptual use of Henry Miller Park (as depicted on Exhibit A) and direct staff to prepare formal agreements if the project proceeds.

Fiscal Impact: tbd; the OCFJSD would be required to pay for all future improvements.

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: As Common Council is aware, the OCFJSD is planning to propose a ballot question to the voters regarding an investment in community aquatics amenities (natatorium) and other upgrades. One of the options for this project would require additional parking facilities and a partnership with the City for use/lease of a portion of Henry Miller Park.

At this time the District is asking Common Council to view the proposed site layout, gain concurrence on a conceptual use, and work toward a formal agreement if necessary pending the outcome of the ballot question in November. Any proposed use of the park would require plan submittals and approvals in the same manner as other building projects in the City.

The Parks & Recreation Commission met July 18 and recommended the Common Council consider conceptual use of that portion of Henry Miller Park as depicted on Exhibit A for future recreational use.

Options/Alternatives: The Common Council could determine to not entertain use of the park as proposed.

Prepared and Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Reviewed:



Kristi Laine
Community Development Director

Fiscal Review:

Maxwell Gagin

Maxwell Gagin, MPA

Deputy City Administrator / Finance Officer

Attachments: Draft Parks & Recreation Commission minutes- July 18, 2024

Exhibit A

**MINUTES OF THE SPECIAL MEETING
CITY OF OAK CREEK PARKS & RECREATION COMMISSION
July 18, 2024**

1. Call Meeting to Order/Roll Call

Chairperson Schreiber-Johnson called the meeting to order at 6:22 pm. The following members were present at roll call: Secretary Beyer, Commissioner Steve Bautch, Commissioner Theys, Commissioner Dudzik. Alderman Guzikowski, Commissioner Druckrey and Commissioner Damask were excused.

Chairperson Schreiber-Johnson introduced the School Board Representative Commissioner Mike Dudzik.

Also present: Planner Melanie Perez, City Engineer Matt Sullivan, Oak Creek Recreation Director Heather Ryan, and Blaise Paul, Chief Business & Finance Officer.

2. Approval of Minutes - June 6, 2024

The Minutes for June 6, 2024 are held over to the August 1, 2024 meeting.

3. New Business

a. Consideration of potential use of a portion of Henry Miller Park for a parking lot to support recreational purposes, pending Oak Creek Franklin School District referendum approval in November 2024.

School Board Commissioner Dudzik provided an overview of the project.

Commissioner Theys talked about the established oak trees and hope that there will be minimal removal of the oak trees. Mr. Blaze stated that the information from the last meeting was taken into consideration to minimized taking down trees. Also the suggested walking path to the pavilion will be considered in the concept plan.

Director Ryan stated that the few trees that will need to be taken down are not oak trees except for one that is not as mature as the others.

Secretary Beyer asked if the trees could be incorporated in the parking lot, and it was said that the trees would go in the middle of the parking lot.

Commissioner Bautch asked about the driveway access to Knights Place.

City Engineer Sullivan commented that this is a conceptual plan, and things can be added to the plan later. Explained the responsibility and the role of the Commission for this plan and any other plans would go through.

Secretary Beyer asked if the parking lot would take away any amenities of the park. City Engineer Sullivan responded that it is an open greenspace and there are no future plans for the use of this park.

Commissioner Bautch ask who would be responsible for building the parking lot since it is City property. City Engineer Sullivan stated that is dependent on the terms and conditions with the School Board. The Commission will make that determination and come up with the terms and conditions if this plan does go forward. But the Common Council will have the final say.

Secretary Beyer asked about the Art in the Park event. Director Ryan stated that the paths and parking lot would help with the event. City Engineer Sullivan stated that the Commission can make recommendation on how the future use of the parking lot can be utilized. The parking lot is part of the park and will follow the park rules.

Commissioner They asked if there was any discussion on materials that will be used. City Engineer Sullivan said the project would follow the green infrastructure requirements because it being over 5,000 square feet and the retention pond will not be needed. Also stated that there are different ways to incorporate the green infrastructure

Secretary Beyer wondered if this would help with the parade routes.

Commissioner Bautch asked about a potential retention pond. City Engineer Sullivan stated that there may not be a retention pond as big. There are several different ways that can be created with the green infrastructure ways to incorporate that would look and work really well.

Commissioner Bautch mentioned the tree replacement ratio. City Engineer Sullivan stated that there is a tree replacement ordinance that must be followed.

Commissioner Bautch moved that the Parks and Recreation Commission recommends that the Common Council consider conceptual use of that portion of Henry Miller Park as depicted on Exhibit A for future recreational use. Seconded by Commissioner Dudzik. All voted aye.

All agreed that this may bring attention to the park. City Engineer Sullivan stated that this will go to the August 5th Common Council meeting.

4. Adjournment

Secretary Beyer moved to adjourn. Commissioner Theys seconded. All voted aye. The meeting was adjourned at 6:39 pm.

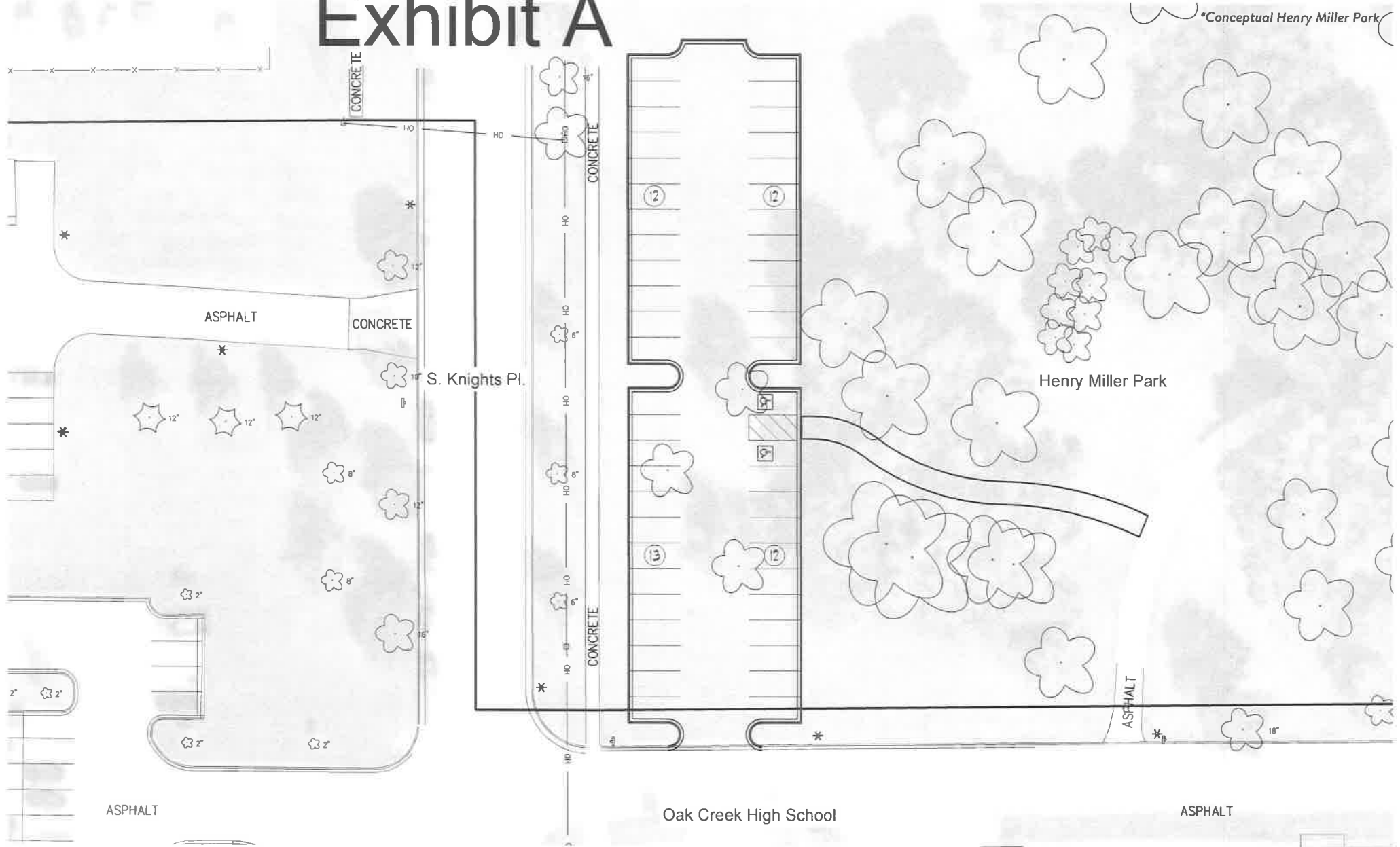
Prepared By:

Respectfully Submitted,

Melanie Perez
Planner
Community Development

Anne Beyer
OCPR Secretary

Exhibit A





COMMON COUNCIL REPORT

Item: Relocation Order - Liberty and Puetz Intersection Improvements

Recommendation: That the Common Council adopts Resolution No. 12511-080524, a resolution establishing a determination of necessity for acquisition of lands for public street purposes, temporary easements for grading, authorizing negotiation for such acquisition and authorizing condemnation if necessary (Project No. 22006) (2nd and 6th Aldermanic Districts)

Fiscal Impact: The real estate acquisition will be funded with money allocated in the 2024 budget under CIP #22006

- 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 retained GRAEF in the fall of 2022 to study the intersection of W. Puetz Rd., S. Liberty Ln., and S. Wood Creek Dr. GRAEF evaluated the existing traffic conditions and intersection geometry and analyzed several intersection design alternatives for current and design year (2043) operations. Based on the study, it was recommended that the intersection be reconstructed as a full size roundabout to improve traffic operations and safety. The Common Council passed a motion on February 20, 2023 to proceed with design of a roundabout at the intersection of W. Puetz Rd., S. Liberty Ln., and S. Wood Creek Dr. Following the meeting GRAEF was retained to develop final design plans for the roundabout, and prepare a ROW plat and legal descriptions needed for acquisitions.

There are portions of 5 parcels to acquire as ROW or temporary easements. The parcels are identified and detailed on the attached resolution. The total area of ROW to be acquired is 7,205 SF (0.166 acres) and temporary easements is 11,525 SF (0.265 acres)

Options/Alternatives: If the relocation order is not approved construction of the project will not be able to move forward and the intersection will continue to operate at unacceptable levels of service.

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Prepared:

Andrew Ledger, PE
Design Engineer

Fiscal Review:



Maxwell Gagrin, MPA

Deputy City Administrator / Finance Officer

Approved:



Matthew J. Sullivan, PE

Assistant City Administrator/Engineer

Attachments: 12511-080524 Resolution Puetz and Liberty Intersection Relocation Order, 12511-080524 Puetz and Liberty Intersection Relocation Order, 12511-080524 Puetz and Liberty Intersection Plat, 12511-080524 Puetz and Liberty Intersection Legal Descriptions

RESOLUTION NO. 12511-080524

BY: _____

RESOLUTION ESTABLISHING A DETERMINATION OF NECESSITY FOR ACQUISITION OF LANDS FOR PUBLIC STREET PURPOSES, TEMPORARY EASEMENTS FOR GRADING, AUTHORIZING NEGOTIATION FOR SUCH ACQUISITION AND AUTHORIZING CONDEMNATION IF NECESSARY

(PROJECT NO. 22006)

(2nd and 6th ALDERMANIC DISTRICTS)

WHEREAS, the City of Oak Creek decided that public necessity demands the construction of Puetz and Liberty Intersection Improvements at the intersection of W. Puetz Road, S. Liberty Lane, and S. Wood Creek Drive, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the fee simple titles of the lands required for street construction purposes, as indicated on the plat and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the temporary easements required for grading, as indicated on the plat and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, the properties affected are listed below, on the plat and on the attached legal descriptions.

Parcel Number	Tax Key Number	Area (SF)	
		Fee	TLE
1	828-9013-000	470	1721
2	828-9026-000	1487	3440
3	859-9006-000	4612	1944
4	859-9012-000	129	1352
5	859-9013-000	507	3068

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the determination of necessity for acquisition of lands for public street purposes and temporary easements for grading that the lands as described, and as shown on the attached plat and legal descriptions, be acquired for said purposes, and

BE IT FURTHER RESOLVED that the ROW plat identified as City I.D. 22006 is approved and directed to be filed with the County Clerk for Milwaukee County, and

BE IT FURTHER RESOLVED that the attached Relocation Order for this project with City I.D. 22006 beginning at STA 501+00.00 and ending at STA 512+00.00 is hereby approved and the City Attorney or agent for the City of Oak Creek, at the direction of the City Attorney, is hereby authorized and directed to serve the Relocation Order on the County Clerk in and for Milwaukee County, Wisconsin; and

BE IT FURTHER RESOLVED that the Assistant City Administrator/Engineer, or agent for the City of Oak Creek at the direction of the Assistant City Administrator/Engineer, is hereby authorized and directed to negotiate for the acquisition of those lands required for the purposes above stated, and in the event said lands cannot be obtained by negotiation, the City Attorney and Special Counsel are hereby authorized and directed to take by condemnation those lands as required for said purposes.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5th day of August, 2024.

Passed and adopted this 5th day of August, 2024.

President, Common Council

Approved this 5th day of August, 2024

Mayor

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

ORDER BY THE COMMON COUNCIL OF THE CITY OF OAK CREEK FOR ACQUISITION OF LANDS FOR PUBLIC STREET PURPOSES, TEMPORARY EASEMENTS FOR GRADING, AUTHORIZING NEGOTIATION FOR SUCH ACQUISITION AND AUTHORIZING CONDEMNATION IF NECESSARY

WHEREAS, the Oak Creek Common Council on August 5, 2024 adopted Resolution No. 12511-080524, a Resolution Establishing a Determination of Necessity for Acquisition of Lands for Public Street Purposes, Temporary Easements for Grading, Authorizing Negotiation for such Acquisition and Authorizing Condemnation if Necessary and,

WHEREAS, public necessity demands that the City of Oak Creek acquire the fee simple titles of the lands required for street expansion purposes, as indicated on ROW plat identified as City I.D. 22006 and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the temporary easements required for grading, as indicated on ROW plat identified as City I.D. 22006 and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, that the Relocation Order for this project with City I.D. 22006 begins at STA 501+00.00 and ends at STA 512+00.00, and

WHEREAS, the fee simple titles of lands area and temporary easement areas are depicted on the ROW plat identified as City I.D. 22006 attached hereto and as described on legal descriptions attached hereto and both exhibits are incorporated herein by reference.

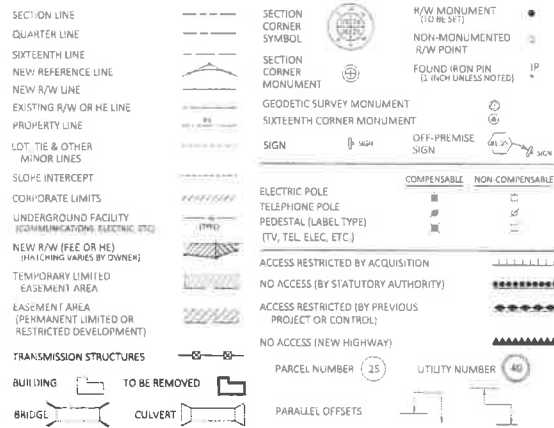
NOW, THEREFORE IT IS ORDERED by Common Council of the City of Oak Creek, Milwaukee County, Wisconsin that the aforementioned fee simple titles and temporary easement be acquired in accordance with Resolution Number 12511-080524.

Dated this _____ day of _____, 2024.

Daniel J. Bukiewicz, Mayor

Catherine A. Roeske, City Clerk

CONVENTIONAL SYMBOLS



CONVENTIONAL UTILITY SYMBOLS



CONVENTIONAL ABBREVIATIONS

ACCESS RIGHTS	AR	POINT OF COMPOUND CURVE	PCC
ACRES	AC	POINT OF INTERSECTION	PI
AHEAD	AH	PROPERTY LINE	PL
ALUMINUM AND OTHERS	ET AL	RECORDED AS (100')	R/A
BACK	BK	REFERENCE LINE	R/L
BLOCK	BLK	RELEASE OF RIGHTS	ROM
CENTERLINE	CL	REMAINING	REM
CERTIFIED SURVEY MAP	CSM	RESTRICTIVE DEVELOPMENT EASEMENT	RDE
CONCRETE	CONC		
COUNTY	CO	RIGHT	RT
COUNTY TRUNK HIGHWAY	CTH	RIGHT OF WAY	R/W
DISTANCE	DIST	SECTION	SEC
CORNER	COR	SEPTIC VENT	SEPV
DOCUMENT NUMBER	DOC	SQUARE FEET	SF
EASEMENT	EASE	STATE TRUNK HIGHWAY	STH
EXISTING	EX	STATION	STA
GAS VALVE	GV	TELEPHONE PEDESTAL	TP
GRID NORTH	GN	TEMPORARY LIMITED EASEMENT	TLE
HIGHWAY EASEMENT	HE		
IDENTIFICATION	ID	TRANSPORTATION PROJECT PLAT	TPP
LAND CONTRACT	LC	UNITED STATES HIGHWAY	USH
LEFT	LT	VOLUME	V
MONUMENT	MON		
NATIONAL GEODETIC SURVEY NUMBER	NGS		
OUTLOT	OL		
PAGE	P		
POINT OF TANGENCY	PT		
PERMANENT LIMITED EASEMENT	PLLE		
POINT OF BEGINNING	POB		
POINT OF CURVATURE	PC		

CURVE DATA ABBREVIATIONS

LONG CHORD	LCH
LONG CHORD BEARING	LCB
RADIUS	R
DEGREE OF CURVE	D
CENTRAL ANGLE	Δ / DELTA
LENGTH OF CURVE	L
TANGENT	T
DIRECTION AHEAD	DA
DIRECTION BACK	DB

NOTES:

COORDINATES ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983 (2011), US SURVEY FOOT. GROUND TO OBTAIN GRID COORDINATES MULTIPLY GROUND COORDINATES BY THE COMBINATION FACTOR 0.999994417

ALL NEW RIGHT-OF-WAY AND PERMANENT EASEMENT MONUMENTS WILL BE TYPE 2 (TYPICALLY 1/2" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

ALL RIGHT-OF-WAY LINES DEPICTED IN THE NON-ACQUISITION AREAS ARE INTENDED TO RE-ESTABLISH EXISTING RIGHT-OF-WAY LINES AS DETERMINED FROM PREVIOUS PROJECTS, OTHER RECORDED DOCUMENTS, CENTERLINE OF EXISTING PAVEMENTS AND/OR EXISTING OCCUPATIONAL LINES.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO THE NEW REFERENCE LINES.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS" OF PUBLIC RECORD.

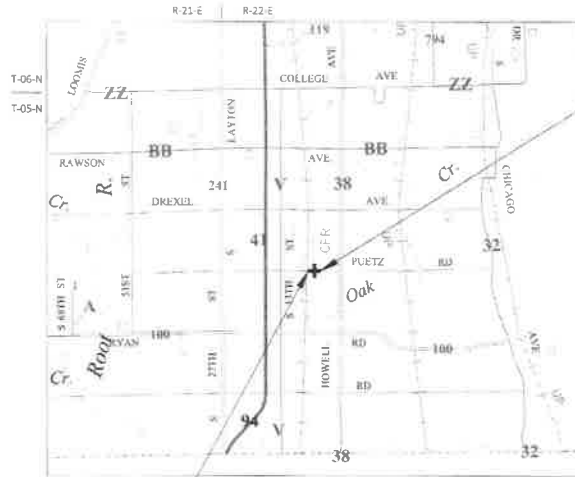
FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE ENGINEERING UNIT OF THE INFRASTRUCTURE, LAND USE AND COMMUNITY BUILDING DIVISION IN THE CITY OF OAK CREEK.

PARCEL AND UTILITY IDENTIFICATION NUMBERS MAY NOT POINT TO ALL AREAS OF ACQUISITION, AS NOTED ON THE DETAIL PAGES.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL (TLEs) ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.

INFORMATION FOR THE BASIS OF EXISTING HIGHWAY RIGHT-OF-WAY POINTS OF REFERENCE AND ACCESS CONTROL ARE LISTED ON THE DETAIL PAGES.

PROPERTY LINES SHOWN ON THIS PLAT FOR PROPERTIES BEING IMPACTED ARE DRAWN FROM DATA DERIVED FROM FILED/RECORDED MAPS AND DOCUMENTS OF PUBLIC RECORD. THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING RIGHT-OF-WAY, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.



BEGIN RELOCATION ORDER
STA. 501+00.00
2317.03 FT EAST AND 13.78 FT SOUTH OF THE SOUTHWEST CORNER OF SEC. 17, T05N., R22E.
X= 330180.44
Y= 2525191.81

END RELOCATION ORDER
STA. 512+00.00
1837.70 FT WEST AND 12.38 FT NORTH OF THE SOUTHEAST CORNER OF SEC. 17, T05N., R22E.
X= 330173.27
Y= 2526291.79

LAYOUT
SCALE 0 1.0 MI
TOTAL NET LENGTH OF CENTERLINE = 0.21 MI

R/W PROJECT NUMBER 22006	SHEET NUMBER 4.01	TOTAL SHEETS 3
FEDERAL PROJECT NUMBER N/A	PLAT OF RIGHT OF WAY REQUIRED FOR W. PUETZ ROAD EAST LINE OF SOO LINE / CANADIAN PACIFIC TO S. COUNTRY DRIVE	
W. PUETZ ROAD	MILWAUKEE COUNTY	
CONSTRUCTION PROJECT NUMBER 22006		

THIS PLAT IS A GRAPHIC REPRESENTATION AND IS FOR REFERENCE PURPOSES ONLY. DEEDS MUST BE CHECKED TO DETERMINE PROPERTY BOUNDARIES AND ACCESS RIGHTS.

ORIGINAL PLANS PREPARED BY



275 W. WISCONSIN AVENUE, SUITE 300
MILWAUKEE, WI 53203



Carla Hollins
(Date) (Signature)

APPROVED FOR
CITY OF OAK CREEK
ENGINEERING DEPARTMENT

REVISION DATE	DATE	ASSISTANT CITY ADMINISTRATOR/ENGINEER
	DATE	(Signature)

SCHEDULE OF LANDS & INTERESTS REQUIRED

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE CITY OF OAK CREEK.

AREAS SHOWN IN THE TOTAL ACRES COLUMN MAY BE APPROXIMATE AND ARE DERIVED FROM TAX ROLLS OR OTHER AVAILABLE SOURCES AND MAY NOT INCLUDE LANDS OF THE OWNER WHICH ARE NOT CONTIGUOUS TO THE AREA TO BE ACQUIRED.

PARCEL NUMBER	SHEET NUMBER	OWNER(S)	INTEREST REQUIRED	TOTAL S.F.	R/W REQUIRED (ACRES OR S.F.)			REMAINING S.F.	P.L.E. S.F.	T.L.E. S.F.
					NEW	EXISTING	TOTAL			
1	4.03	SPRINGBROOK DEVELOPMENT, LLC, A WISCONSIN LIMITED LIABILITY COMPANY	FEE & TLE	327571	470	0	470	327101	0	1721
2	4.03	SGC, LIMITED LIABILITY COMPANY, A SUBSIDIARY OF SPRINGBROOK DEVELOPMENT AND ROBERT P. FRANSWAY, AS THEIR INTEREST MAY APPEAR	FEE & TLE	611147	1487	0	1487	609660	0	3440
3	4.03	AREC 19, LLC, A NEVADA LIMITED LIABILITY COMPANY	FEE & TLE	150543	4612	0	4612	145931	0	1944
4	4.03	WOOD CREEK ASSOCIATES LIMITED PARTNERSHIP	FEE & TLE	193711	129	0	129	193582	0	1352
5	4.03	WOOD CREEK ASSOCIATES LIMITED PARTNERSHIP	FEE & TLE	208347	507	0	507	207840	0	3068

4

UTILITY INTERESTS REQUIRED

UTILITY NUMBER	SHEET NUMBER	OWNER(S)	INTEREST REQUIRED
100	4.03	WE ENERGIES - ELECTRIC	RELEASE OF RIGHTS
101	4.03	AT&T - TELEPHONE	RELEASE OF RIGHTS
102	4.03	CITY OF OAK CREEK - WATER	RELEASE OF RIGHTS

4

REVISION DATE	_____	_____	_____	_____
_____	_____	_____	_____	_____

DATE 07/26/2024
GRID FACTOR 0.99994417



HWY: W. PUETZ ROAD
COUNTY: MILWAUKEE

STATE R/W PROJECT NUMBER 22006
CONSTRUCTION PROJECT NUMBER 22006

PLAT SHEET 4.02
PS&E SHEET _____

E

UTILITY TABLE				
UTILITY NO.	OWNER	WIDTH	DOCUMENT NO.	PARCEL
100	WE ENERGIES - ELECTRIC	30" WIDE DISTRIBUTION BASEMENT UNDERGROUND	989/078	1
		10" WIDE UTILITY EASEMENT	8234188	1,2
		0" WIDE DISTRIBUTION BASEMENT UNDERGROUND	989/078	1
		BLANKET UTILITY EASEMENT	3597315	3
		22" WIDE UTILITY EASEMENT	6085471	5
101	AT&T WISCONSIN	30" WIDE UTILITY EASEMENT	8234188	1,2
		10" X 23" TELEPHONE EASEMENT	8509529	3
		BLANKET UTILITY EASEMENT	3597315	3
		22" WIDE UTILITY EASEMENT	6085471	5
102	CITY OF OAK CREEK - WATER	20" WIDE WATER MAIN EASEMENT	7153670	3

COURSE TABLE PARCEL 1		
POINT	BEARING	DISTANCE
100-101	N41°31'17"E	37.84'
101-102	N52°34'41"E	17.77'
102-103	SEE CURVE 1	
103-100	S89°36'50"W	27.10'

R/W STATION & OFFSET TABLE		
PT #	STATION	OFFSET
100	507+39.48	63.00' LT
101	507+37.70	85.00' LT
102	507+43.81	108.00' LT
103	507+47.21	63.00' LT

COURSE TABLE PARCEL 2					
POINT	BEARING	DISTANCE	POINT	BEARING	DISTANCE
111-112	S00°39'54"W	30.04'	P1	S04°47'07"	P1-25+00.00
112-113	N89°29'28"W	230.11'	Y	S301°18'55"	Y=330176.09
113-114	N01°09'54"E	201.08'	X	S252°50'28.88"	X=2525874.14
114-111	S89°30'34"W	228.53'	SA	S07°09'34"W	SA=070934' RT

NOTES:
 COORDINATES ARE BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83). US SURVEY FOOT. GROUND TO OBTAIN GRID COORDINATES MULTIPLY GROUND COORDINATES BY THE COMBINATION FACTOR 0.9994417.

ALL NEW RIGHT-OF-WAY AND PERMANENT EASEMENT MONUMENTS WILL BE TYPE 2 (TYPICALLY 6" X 24" IRON REBAR), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

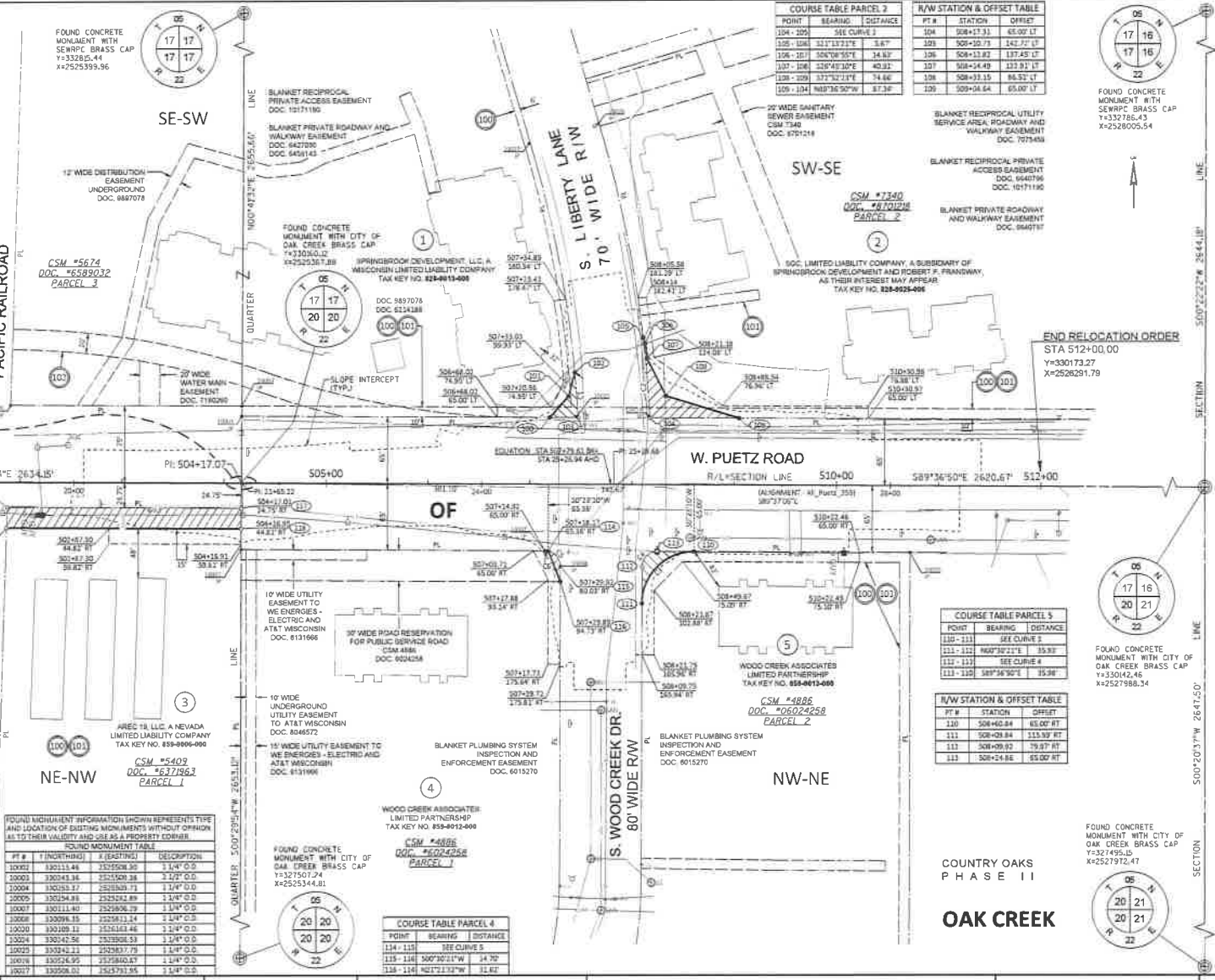
FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE ENGINEERING UNIT OF THE INFRASTRUCTURE, LAND USE AND COMMUNITY BUILDING DIVISION IN THE CITY OF OAK CREEK.

BUILDINGS ARE NOT AFFECTED BY THIS.

BASIS OF EXISTING RIGHT-OF-WAY			
ROUTE	BASIS	WIDTH	YEAR
W. PUETZ ROAD	CSM #8886	130'	1987
W. PUETZ ROAD	CSM #5408	24.75' TO C.C.	1987
W. PUETZ ROAD	CSM #9374	VARIABLE	1991
W. PUETZ ROAD	CSM #7140	62'	REV. 2001
S. LIBERTY LANE	CSM #5434	70'	1991
S. WOOD CREEK DR.	CSM #8486	80'	1987

CURVE TABLE						
CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	44.00'	1136.00'	60°18'18"	44.00'	S03°33'11"E	S16°20'37"E
C2	76.00'	1206.00'	69°42'22"	76.00'	N04°27'01"W	N18°29'37"W
C3	60.00'	31.00'	89°24'49"	72.00'	S43°24'49"W	N89°38'00"W
C4	33.47'	15.00'	89°38'15"	21.15'	N03°20'37"E	N00°30'21"E
C5	20.32'	15.00'	77°36'18"	18.80'	S18°17'01"E	S00°30'21"W
C6	3.38'	15.00'	13°32'23"	3.38'	S89°11'13"E	M3°36'50"E

REVISION DATE	DATE	07/26/2024
	GRID FACTOR	0.99994417



DATE	07/26/2024	HWY	W. PUETZ ROAD	STATE R/W PROJECT NUMBER	22006	PLAT SHEET	4.03
GRID FACTOR	0.99994417	COUNTY	MILWAUKEE	CONSTRUCTION PROJECT NUMBER	22006	PS&E SHEET	E

COMMON COUNCIL REPORT

Item: License Committee Report

Recommendation: That the Common Council grant the various license requests as listed on the 8/5/24 License Committee Report.

Fiscal Impact: License fees in the amount of \$1,760.00 were collected.

Critical Success Factor(s):

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

Background:

The following item was presented to the License Committee at their 7/31/2024 meeting. Recommendation is as follows:

1. Grant an Operator license to Aaron J. Gross (Gary's Beer & Liquor).

The following items came in after License Committee met. Tentative recommendations are as follows:

2. Grant an Operator's license to:
 - * Giancarlo L. Ramirez (Kwik Trip)
 - * Briana R. Weems (South Bound Again)
 - * Brittany N. Hetchler (Piggly Wiggly)
 - * April L. Langdon (Piggly Wiggly)
 - * Cecilia M. Cruzatte (Woodman's)
 - * Alexandra K. Lindner (Buffalo Wild Wings)
 - * Alyssa M. Dama (South Bound Again)
 - * Dorian J. Montgomery (Buffalo Wild Wings)
 - * Caitlyn M. Conway (Trattoria di Carlo)
 - * Tiana E. Kahauolopua (Buffalo Wild Wings)
 - * Joshua S. Tippett (Pick 'n Save)
 - * Michael E. Taylan (Pick 'n Save)
 - * Bryelynn M. Miller (Pick 'n Save)
 - * Cynthia A. Pickard (Pick 'n Save)
 - * Torey R. Lanza (Buffalo Wild Wings)
 - * Tara J. Ziglinski (BelAir Cantina)
3. Grant a Temporary Class B Beer license to St. Matthew Parish, Steve Schmidt, Agent, 9303 S. Chicago Rd., for their St. Matthew Fish Boils scheduled for 10/4/2024, 4/4/2025 and 5/16/2025 .
4. Grant a Change of Agent on the 2024-25 Class B Combination alcohol license issued to Milwaukee Yard Corporation dba Milwaukee Yard, 7727 S. Longwater Dr., from Dylan Swenson to Michele Quiles.

Options/Alternatives: None

Respectfully submitted:

Andrew J. Vickers, MPA
City Administrator

Fiscal Review:


Maxwell Gagin, MPA
Deputy City Administrator / Finance Officer

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 July 31, 2024 Vendor Summary Report in the total of \$1,821,534.91

Fiscal Impact: Total claims paid of \$1,821,534.91

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. \$14,130.28 to 9th Avenue Auto Body (pg #11) for hail damage repair.
2. \$190,607.01 to All Ways Contractors (pg #1) for Abendschein parking lot and entrance road. Project #23003.
3. \$7,155.00 to Aurora Medical Group (pg #2) for Fire Department wellness exams and pre-employment physicals.
4. \$14,605.00 to Baycom, Inc. (pgs #2 & 3) for radio maintenance.
5. \$67,641.70 to Bestco UA (pg #3) for August retiree insurance.
6. \$14,644.62 to Butters-Fetting Co. (pg #3) for air conditioner repairs.
7. \$9,700.00 to Cellebrite Inc (pg #21) for annual renewal.
8. \$109,923.57 to City of Oak Creek Police Department (pg #11) for asset forfeitures.
9. \$12,054.70 to Clean Energy (pg #4) for Board of Review Tax Correction.
10. \$56,255.00 to Discover Mediaworks, Inc. (pg #21) for Discover Wisconsin Television Series featuring Oak Creek.
11. \$11,647.00 to DoorMaster Garage Door Co. LLC (pg #5) for door repairs.
12. \$22,511.65 to E. H. Wolf & Sons, Inc. (pg #5) for fuel inventory.
13. \$878,558.81 to Edgerton Contractors, Inc. (pg #5) for work on Lakefront Bluff Stabilization. Project #23005.
14. \$6,999.46 to Edgewater Resources, LLC (pg #5) construction observation. Project #23005.

-
15. \$106,090.45 to GFL Environmental (pg #7) for July trash and recycling.
 16. \$14,298.00 to Godfrey & Kahn S.C. (pg #21) for legal services regarding F Street, Ryan Business Park, Oakview Business Park, redevelopment of lakefront site, and audit response.
 17. \$14,026.48 to Interstate Power Systems, Inc. (pg #8) for starter and injector repairs.
 18. \$20,844.00 to JMB & Associates, LLC (pgs 8 & 9) for Police Station & Fire Station #3 VFD replacement. Project #24008.
 19. \$36,552.62 to Payne & Dolan, Inc. (pg #12) for asphalt and annual road improvement project. Project #22003.
 20. \$5,120.00 to Professional Service Industries (pg #12) for semi-annual monitoring of Drexel landfill.
 21. \$14,358.01 to Ramboll America Engineering Solutions, Inc. (pgs #21 & 22) for professional services related to Lakeshore Commons, Peter Cooper, and DTS Closure.
 22. \$8,938.98 to Ray O'Herron Co., Inc. (pg #11) for vest carrier, patches, and ammo.
 23. \$62,337.76 to WE Energies (pgs #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
Deputy City Administrator / Finance Officer

Attachments: 07/31/2024 Invoice GL Distribution Report