



CITY OF OAK CREEK

COMMON COUNCIL MEETING AGENDA

Common Council
Chambers
8640 S. Howell Ave.
PO Box 27
Oak Creek, WI 53154
(414) 768-6500

**TUESDAY, MARCH 20, 2012
AT 7:00 P.M.**

VISIT OUR WEBSITE AT WWW.OAKCREEKWI.ORG FOR THE AGENDA
AND ACCOMPANYING COMMON COUNCIL REPORTS.

COUNCIL MEETINGS CAN BE SEEN LIVE ON GOVERNMENT ACCESS CHANNELS 25 AND 99

1. Call Meeting to Order
2. Pledge of Allegiance
3. Approval of Minutes: 3/6/2012.

Recognition

4. **Council Proclamation:** Consider Council Proclamation No. 12-04, to Donald Schantzen for dedicated service to the City of Oak Creek as a member of the Board of Zoning Appeals / Board of Housing Appeals (by Committee of the Whole).
5. **Council Proclamation:** Consider Council Proclamation No. 12-05, to Patricia Glatch for dedicated service to the City of Oak Creek as a member of the Parks, Recreation and Forestry Commission (by Committee of the Whole).
6. **Council Proclamation:** Consider Council Proclamation No. 12-06, to Patricia Toman for dedicated service to the City of Oak Creek as a member of the Library Board (by Committee of the Whole).

New Business

MAYOR & COMMON COUNCIL

7. **Ordinance:** Consider Ordinance No. 2649, confirming adoption of the Settlement Agreement between the City of Oak Creek and the Oak Creek Professional Police Officers Association and Fixing the Salary for Members of the Association from January 1, 2012 through December 31, 2014, as detailed in the March 1, 2012 document attached (by Committee of the Whole).
8. **Discussion:** Consider City of Oak Creek Lake Parkway Study recommendations and provide input as the Council determines appropriate.
9. **Motion:** Consider a motion to concur with the Mayor's appointments as follows:
 - a. Celebrations Commission – 3-year term to expire 4/2015
Kristen M. Archambeau, 10655 S. Shangri-La Ct.
Kevin Archambeau, 10655 S. Shangri-La Ct.
 - b. Library Board – to complete a 3 year term expiring 6/2012, replacing Patricia Toman
Pamela L. Aiken, 8455 S. Parknoll Dr.
 - c. Parks, Recreation & Forestry Commission – to complete a 3-year term expiring 4/2012, replacing Pete Wagner
Michael W. Theys, 3050 E. Emily Ave.

10. **Motion:** Consider a *motion* to approve the 2012 Vendor Summary Report in the amount of \$414,826.38 (by Committee of the Whole).

STREETS, PARKS & FORESTRY

11. **Motion:** Consider a *motion* to concur with the recommendation of the Street, Parks and Forestry Superintendent and approve the purchase of one (1) 2012, Toro Groundsmaster 4100-D lawn mower from Reinders Inc., for a total cost of \$47,152.66 (by Committee of the Whole).
12. **Motion:** Consider a *motion* to concur with the recommendation of the Street, Parks and Forestry Superintendent and approve the purchase of one (1) 2012, Vermeer Chipper Model BC 1000 XL to be used by the Forestry Department, for a total cost of \$28,511 (by Committee of the Whole).

COMMUNITY DEVELOPMENT

13. **Resolution:** Consider *Resolution* No. 11227-032012, approving a certified survey map for the properties at 4431 & 4401 E. Oakwood Rd. (Joel Kinlow) (4th District).

ENGINEERING

14. **Motion:** Consider a *motion* to enter into a contract with R.A. Smith National, Inc. for design services and floodplain modeling for W. Weatherly Drive culverts, not to exceed \$30,500 (Project No. 12021) (2nd District).
15. **Resolution:** Consider *Resolution* No. 11224-032012, accepting the 2011 Annual Report for Oak Creek's WPDES Storm Water (NR 216) permit (by Committee of the Whole).

LICENSING

The License Committee met on 3/9/2012 meeting. Recommendations are being made as follows:

16. **Motion:** Consider a *motion* to *grant* an Operator's license to Laura Scott, 6025 22nd Ave., Kenosha (The Dish).
17. **Motion:** Consider a *motion* to *grant* an Operator's license to Eric Mielke, 5804 S. Delaware Ave., Cudahy (Bootz Saloon).
18. **Motion:** Consider a *motion* to *grant* a 2012 Landfill license to Mark Nicholson, Apple Tower Development, Inc., 8400 S. 27th St., 8380 S. 27th St., 8432 S. 27th St., 8351 S. 20th St.

The following items were received after the License Committee met on 3/9/2012. Tentative recommendations are being made as follows (favorable background reports received):

19. **Motion:** Consider a *motion* to grant an Operator's license to the:
 - Valerie Swan, 301 Fox Horn Dr., Waterford (Aldi)
 - Gabriel Mack, 1505 Mower Ct., Wauwatosa (Noodles)
 - Shane Szukalski, 6023 N. 37th St., Milwaukee (Noodles)
 - Douglas J. Smith, 8605 S. Deerwood Ln., Franklin (Noodles)

MISCELLANEOUS

20. **Motion:** Consider a *motion* to convene into Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes to discuss the following:
- a. Section 19.85 (1)(e) to discuss the Purchase and Sale Agreement for the purchase of approximately 30 acres, which is a portion of the property at 9006 S. 5th Avenue, from Wispark LLC.
 - b. Section 19.85 (1)(e) to discuss an Exchange Agreement with the Oak Creek Franklin School District to exchange the 12 acre Civic Center Site at 8640 S. Howell Ave and 16.6 acres on W. Drexel Ave. with the School District for 50 acres on Oakwood and Howell.
 - c. Section 19.85 (1)(e) to discuss an Exchange Agreement to exchange 50 acres on Oakwood and Howell with One West Drexel LLC for 7 acres at the Delphi site at 7929 S. Howell Ave.
 - d. Section 19.85 (1)(e) to discuss the possible sale of the property at 601R W. Forest Hill Ave.
21. **Motion:** Consider a *motion* to reconvene into Open Session.
22. **Resolution:** Consider *Resolution* No. 11228-032012, Approving a Purchase and Sale Agreement by and between the City of Oak Creek and Wispark LLC. (by Committee of the Whole).
23. **Resolution:** Consider *Resolution* No. 11225-032012, Approving the Exchange Agreement with the Oak Creek/Franklin Joint School District to exchange the 12 acre Civic Center Site at 8640 S. Howell Ave and 16.6 acres on W. Drexel Ave. with the School District for 50 acres on Oakwood and Howell (by Committee of the Whole).
24. **Resolution:** Consider *Resolution* No. 11226-032012, A Resolution Approving the Exchange Agreement by and between the City of Oak Creek and One West Drexel LLC. (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 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 S. Howell Avenue, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at 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.

COUNCIL PROCLAMATION NO. 12-04

TO

DONALD SCHANTZEN

**FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
BOARD OF ZONING APPEALS / BOARD OF HOUSING APPEALS**

WHEREAS, Donald Schantzen was appointed to the Board of Zoning Appeals / Board of Housing Appeals in May, 2003 and has served for eight years and eight months; and

WHEREAS, Donald Schantzen has resigned from the Board of Zoning Appeals / Board of Housing Appeals effective December, 2011; and

WHEREAS, Donald Schantzen has served the City in a thorough, conscientious and professional manner.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Donald Schantzen for his dedicated service to the City of Oak Creek as a member of the Board of Zoning Appeals / Board of Housing Appeals.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and that the City Clerk be and she is hereby directed to transmit a suitable copy thereof to Donald Schantzen.

Introduced and adopted this 20th day of March, 2012.

President, Common Council

Approved this 20th day of March, 2012.

Mayor

ATTEST:

Acting City Clerk

Vote: Ayes _____ Noes _____

COUNCIL PROCLAMATION NO. 12-05

TO

PATRICIA GLATCH

**FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
PARKS, RECREATION AND FORESTRY COMMISSION**

WHEREAS, Patricia Glatch was appointed to the Parks, Recreation and Forestry Commission in May, 2004 and has served for seven years and ten months; and

WHEREAS, Patricia Glatch has resigned from the Parks, Recreation and Forestry Commission effective March 8, 2012; and

WHEREAS, Patricia Glatch has served the City in a thorough, conscientious and professional manner.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Patricia Glatch for her dedicated service to the City of Oak Creek as a member of the Parks, Recreation and Forestry Commission.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and that the City Clerk be and she is hereby directed to transmit a suitable copy thereof to Patricia Glatch.

Introduced and adopted this 20th day of March, 2012.

President, Common Council

Approved this 20th day of March, 2012.

Mayor

ATTEST:

Acting City Clerk

Vote: Ayes _____ Noes _____

COUNCIL PROCLAMATION NO. 12-06

TO

PATRICIA TOMAN

**FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
LIBRARY BOARD**

WHEREAS, Patricia Toman was appointed to the Library Board in August, 2003 and has served for eleven and 1/2 years; and

WHEREAS, Pat Toman has resigned from the Library Board due to other community commitments; and

WHEREAS, Pat Toman has served the City in a thorough, conscientious and professional manner.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Pat Toman for her dedicated service to the City of Oak Creek as a member of the Library Board.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of this meeting and that the City Clerk be and she is hereby directed to transmit a suitable copy thereof to Pat Toman.

Introduced and adopted this 20th day of March, 2012.

President, Common Council

Approved this 20th day of March, 2012.

Mayor

ATTEST:

City Clerk

Vote: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 7

Recommendation: That the Common Council ratify and approve the provisions of a new contract with the Oak Creek Professional Police Officers Association for years 2012, 2013 and 2014 and approve Ordinance 2649, attached.

Background: Meetings between the Personnel Committee and Oak Creek Professional Police Officers Association has led to agreement and ratification by the Association of new terms for a labor agreement which covers the years 2012, 2013 and 2014. Attached are provisions of the agreement which have been negotiated and recommended for Council consideration. Of note, wages have been adjusted 3.0% in 2012, 3.0% for 2013 and 2.0% for 2014, and covered employees will be making Wisconsin Retirement System pension contributions of 3% in 2012 and 2.9% (or the State adjusted rate) in 2013. In addition, the agreement provides for the discontinuation of health insurance for retirees and their spouses when they become age-eligible for Medicare.


Fiscal Impact: The net increase in cost to the City, taking into consideration WRS contributions by employees and wage increases over the three years of the contract, will be approximately \$67,000. Additionally, the City will pay approximately \$210,000 to employees in exchange for eliminating a post-65 health insurance benefits while reducing the City's OPEB liability by an estimated \$6-7 million.

Fiscal Review by:



Mark Wyss
Finance Director

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

By _____

An Ordinance Confirming Adoption of the Settlement Agreement Between the City of Oak Creek and the Oak Creek Police Officers Association and Fixing the Salary for Members of the Association of the Oak Creek Police Department from January 1, 2012 through December 31, 2014

WHEREAS, the Common Council of the City of Oak Creek has adopted the Labor Agreement between the City of Oak Creek and the Oak Creek Police Officers Association for the period January 1, 2012 through December 31, 2014, and wishes to confirm the adoption of said agreement and fix the salary for members of the bargaining unit of the Police Department.

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

Section 1: The adoption of the agreement between the City of Oak Creek and the Oak Creek Police Supervisors Association for the period January 1, 2012 to December 31, 2014, incorporated herein by reference as though fully set forth, is hereby confirmed.

Section 2: The basic salary of the members of the Oak Creek Police Department shall be as set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 3: All fringe benefits as set forth in the agreement shall inure to the benefit and shall be payable to the specified members of the Police Department.

Section 4: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Section 5: This ordinance shall be in force from and after its passage and publication and shall be effective as of January 1, 2012.

Introduced at a meeting of the Common Council of the City of Oak Creek this 20th day of March, 2012.

Passed and adopted this ___ day of _____, 2012.

President, Common Council

Approved this ___ day of _____, 2012.

Mayor

ATTEST:

Acting City Clerk

VOTE: Ayes ___ Noes ___

**TENTATIVE AGREEMENT
BETWEEN
CITY OF OAK CREEK
AND
PROFESSIONAL POLICE OFFICER'S ASSOCIATION**

Reached on

March 1, 2012

1. Article 8 – Grievance Procedure.

Revise the last sentence of Paragraph B of this section as follows:

All matters of discipline which are within the jurisdiction of the Police and Fire Commission under Section 62.13, Stats., shall not be subject to the grievance and arbitration procedure of this Article; ~~except as provided in paragraph E below;~~ provided, however, disciplinary matters not covered under Section 62.13, Stats., shall be grievable and will commence at Step 3.

Revise Paragraph E, by deleting language as follows:

~~To the extent permitted by law, a Police and fire Commission Order may be appealed to Arbitration as follows:~~

~~Any person suspended, reduced, suspended and reduced or removed by the Commission, as a result of charges filed in accordance with the procedures set forth in Section 62.13(5)(i), Wis. Stats. may, as an alternative to a circuit court appeal under Section 62.14(5)(i) or pursuant to a writ of certiorari, appeal the order of the Commission to arbitration under Article VIII by serving written notice of the appeal to arbitration on the Chief and Board of Police and Fire Commissioners within ten (10) days after the order is filed with the secretary of the Commission. An appeal of the Commissioner's order to arbitration shall preclude a party from appealing to the circuit court under Section 62.13(5)(i) or pursuant to a writ of certiorari, just as an appeal of the Commission's order to the circuit court under Section 62.14(5)(i) or pursuant to a writ of certiorari shall preclude a party from appealing to arbitration. Both the Association and the accused will execute a waiver to that effect as a condition of proceeding to either arbitration or the circuit court. The language of this paragraph may be reopened upon the request of either party if or when the Wisconsin Employment Relations Commission's declaratory ruling on the City of Menasha matter is ultimately overturned.~~

2. Article 9 -- Wages, Wage Schedule, Paragraph A:

1/1/2012	-	3.0%
1/1/2013	-	3.0%
1/1/2014	-	2.0%

(Resulting wage schedules attached hereto.)

3. Article 9, Paragraph E, Gun Allowance. Maintain status quo.

4. Article 11, Vacations. Revise the last paragraph of this Article as follows:

~~No employee~~ **Current employees and new employees hired prior to September 1st in a calendar year shall not be allowed to carry unused vacation into the succeeding year. Any vacation not taken by December 31st shall be deemed waived. Employees hired after September 1st in a calendar year shall be allowed to carry over any vacation days earned on or after the anniversary date into the succeeding calendar year. Said employees shall be allowed to use the vacation at any time during the succeeding calendar year.**

5. Article 15, E, Sick Leave Payout. Revise as follows:

Revise the last sentence of this Section as follows:

For employees who are hired after September 7, 2010, ~~March 1, 2012~~, who have attained ten (10) or more years of continuous service with the department and who retire under the Wisconsin Retirement System (WRS) and are immediately paid retirement benefits under one of the plans administered by the State of Wisconsin, such payment shall consist of a lump sum payment based on one-half of unused, accumulated sick leave, not however to exceed four hundred eight (480) hours.

Add the following language as a second paragraph of this Subsection:

All members of the bargaining unit employed as of March 1, 2012, shall have a one-time payment of one hundred fifty (150) hours calculated based on the bargaining unit member's actual base wage rate as of December 31, 2011, paid into a VEBA account for his/her benefit, as follows: Within thirty (30) days of ratification of this tentative agreement by both the Association and the City, one-half of one hundred fifty (150) hours (75 hours), as calculated above, will be paid into the VEBA account. The remaining one-half (75 hours) as calculated above, will be paid into the VEBA account in 2013 on or about the anniversary date of the 2012 payment.

6. Article 20 – Medical Insurance. Add the following as introductory paragraph:

Nothing in this article or this Agreement shall prohibit the City from exercising the City's rights, or in any way limit the City's rights under the language of Acts 10 and 32 (2011-2013 Budget Bill) which prohibits the City from bargaining over the design and selection of health care plans and the impact of the design and selection of health care plans. Any language in this Article or Agreement in conflict with such right or prohibition shall be governed by the provisions of Acts 10 and 32 and not this Agreement.

This provision shall not be enforceable as it relates to the specific issue(s) decided in the Eau Claire County WERC decision to the extent that the Wisconsin Court of Appeals or the Supreme Court find that the specific issue(s) decided in the Eau Claire County WERC case are not consistent with the rights afforded in Acts 10 and 32.

Revise Subparagraph E as follows:

E. Drug Card Coverage: ~~Employees electing the drug card coverage shall have the cost of the monthly premium paid for by the City. Effective January 1, 2004, employees and dependents shall pay a \$10 co-payment for generic drugs, \$20 co-payment for preferred brand drugs, and \$30 co-payment for non-preferred brand drugs. [Illegal subject of bargaining.]~~

Article 20, H, Revise as follows:

H. Current Employees Who Retire: The City agrees to enroll retired employees in one of their hospital and surgical programs (which are offered to active employees) and to pay the premium as specified below, **until the retiree becomes eligible for Medicare.** For purposes of this paragraph, a retired employee shall be defined as:

a. An employee who has attained ten (10) or more years of continuous service with the City if hired before January 1, 2006, or who has attained fifteen (15) years of full time continuous service with the City if hired on or after January 1, 2006.

b. In addition, the employee who retires from employment with the City and is immediately paid retirement benefits under one of the plans administered by the State of Wisconsin shall be eligible for coverage under the City's health insurance programs subject to these provisions. This benefit shall accrue to the surviving spouse of the employee and eligible dependents of the retiree at the time of retirement only, if the retiree was receiving health insurance benefits prior to his/her death. If the surviving spouse remarries, then the spouse shall only be eligible for single plan coverage. Further, if the retiree remarries, divorces, or their marital status changes in any way after retirement, only the retiree and their eligible dependents (who were dependents at the time of retirement) shall be eligible for the applicable single or family plan coverage (any future spouse or new dependents are not covered).

1. Medicare: The City will provide pre-Medicare retiree health insurance benefits until the retiree **or their spouse** is age-eligible for Medicare benefits. Once a retiree **or their spouse** is age-eligible for Medicare, the City will ~~provide Medicare supplement benefits but not pay or reimburse for Medicare premium (modified 01/01/06).~~ For employees hired after September 7, 2010, once the employee reaches age sixty five (65), the City will not pay for any Medicare reimbursement or any Medicare supplement premiums and eligibility for any City paid retiree insurance after age sixty-five (65) will cease. [*Bargaining History Note: Post 65 Medicare supplement and Medicare premium reimbursement eliminated for all employees as of the date of the ratification of the 2012-14 contract.*] The retiree's spouse and dependents may remain on the City's health insurance plan, with the City continuing to pay the premiums until age sixty-five (65) is reached or until the child's dependent status ceases. Thereafter, COBRA coverage will remain available at the retiree's sole expense.

[#2-6 of Section 20,H to remain status quo except for updating #5, applicability to reflect the date of January 1, 2012].

Revise Subparagraph J as follows:

J. ~~Health Plan Modification: The City agrees that it will not change or modify the insurances set forth in this article without the mutual agreement of the Association.~~ [*Illegal subject of bargaining.*]

7. Article 23 – Retirement Program. Revise this Article as follows:

Each employee shall be covered under the State of Wisconsin Retirement System, in accordance with Chapter 41 of the Wisconsin Statutes. ~~The City shall pay one hundred percent (100%) of the employee's contribution to the Retirement Fund as authorized by Section 41.07(2), Wisconsin Statutes.~~ **Effective January 1, 2012, all employees will pay that portion of the employee's contribution which shall be three percent (3.0%) of the employee's wages, by payroll deduction. Effective January 1, 2013, employees will pay a percentage of each payment of earnings equal to the full amount of the employee's share of the WRS payment as approved by the Department of Employee Trust Funds from time to time.**

8. Article 30 – Effective Date; Article 31 – Duration: January 1, 2012 through December 31, 2014.

9. Incorporate the following Side Letter of Agreement which will automatically sunset and be removed from the contract effective December 31, 2014:

SIDE LETTER OF AGREEMENT ON HEALTH INSURANCE

The employer will provide health insurance for all bargaining unit members consistent with the health insurance provided uniformly to all other City employees at the same level of employee/employer premium contribution. (This Side Letter will not limit implementation of this tentative agreement, including, but not limited to the elimination of the post-65 medical supplement.)

The parties agree that this Side Letter of Agreement will automatically expire effective December 31, 2014.

10. All remaining items status quo.

OAK CREEK POLICE LABOR CONTRACT 2012-14

Appendix C 2012 Wage Settlement at: **3.0%** (effective 1/1/12)

Position	Current Hourly	New Hourly Rate	Monthly Rate	Annual Rate
Police Officer				
After Three Years	\$32.321	\$33.291	\$5,770	\$69,245
Investigator				
First 6 Months	\$34.264	\$35.292	\$6,117	\$73,407
Detective				
New Appointment	\$36.200	\$37.286	\$6,463	\$77,555

Police Officers hired after January 1, 1995 in 2012				
Position	Current Hourly	New Hourly Rate	Monthly Rate	Annual Rate
New Hire	\$22.168	\$22.833	\$3,958	\$47,493
After One Year	\$24,199	\$24.925	\$4,320	\$51,844
After Two Years	\$26.229	\$27.016	\$4,683	\$56,193
After Three Years	\$28.264	\$29.112	\$5,046	\$60,553
After Four Years	\$30.292	\$31.201	\$5,408	\$64,898
After Five Years	\$32.321	\$33.291	\$5,770	\$69,245

Note: The controlling number on the page is the hourly rate. The totals for monthly and annual rates may be different due to rounding.

OAK CREEK POLICE LABOR CONTRACT 2012-14

Appendix C 2013 Wage Settlement at: 3.0% (effective 1/1/13)

Position	Current Hourly	New Hourly Rate	Monthly Rate	Annual Rate
Police Officer				
After Three Years	\$33.291	\$34.290	\$5,944	\$71,323
Investigator				
First 6 Months	\$35.292	\$36.351	\$6,301	\$75,610
Detective				
New Appointment	\$37.286	\$38.405	\$6,657	\$79,882

Police Officers hired after January 1, 1995 in 2013				
Position	Current Hourly	New Hourly Rate	Monthly Rate	Annual Rate
New Hire	\$22.833	\$23.518	\$4,076	\$48,917
After One Year	\$24.925	\$25.673	\$4,450	\$53,400
After Two Years	\$27.016	\$27.826	\$4,823	\$57,878
After Three Years	\$29.112	\$29.985	\$5,197	\$62,369
After Four Years	\$31.201	\$32.137	\$5,570	\$66,845
After Five Years	\$33.291	\$34.290	\$5,944	\$71,323

Note: The controlling number on the page is the hourly rate. The totals for monthly and annual rates may be different due to rounding.

OAK CREEK POLICE LABOR CONTRACT 2012-14

Appendix C 2014 Wage Settlement at: **2.0%** (effective 1/1/14)

Position	Current Hourly	New Hourly Rate	Monthly Rate	Annual Rate
Police Officer				
After Three Years	\$34.290	\$34.976	\$6,063	\$72,750
Investigator				
First 6 Months	\$36.351	\$37.078	\$6,427	\$77,122
Detective				
New Appointment	\$38.405	\$39.173	\$6,790	\$81,480

Police Officers hired after January 1, 1995 in 2014				
Position	Current Hourly	New Hourly Rate	Monthly Rate	Annual Rate
New Hire	\$23.518	\$23.988	\$4,158	\$49,895
After One Year	\$25.673	\$26.186	\$4,539	\$54,467
After Two Years	\$27.826	\$28.383	\$4,920	\$59,037
After Three Years	\$29.985	\$30.585	\$5,301	\$63,617
After Four Years	\$32.137	\$32.780	\$5,682	\$68,182
After Five Years	\$34.290	\$34.976	\$6,063	\$72,750

Note: The controlling number on the page is the hourly rate. The totals for monthly and annual rates may be different due to rounding.

City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 8

Recommendation: Consider City of Oak Creek Lake Parkway Study recommendations and provide input as the Council might determine appropriate.

Background: A planning study of the extension for the Lake Parkway has been staffed by the Southeastern Wisconsin Regional Planning Commission and considered by an advisory committee led by County Supervisor Pat Jursik. Attached is a newsletter developed by the committee which includes the recommendations they have made and for which there was a public hearing on February 28th. The Council should consider the recommendations contained in the report and particularly the access points within the City of Oak Creek which are recommended at College Avenue, Rawson Avenue, Drexel Avenue, Puetz Road, and State Highway 100. The Council has been provided committee minutes and background material over the course of this planning study. A meeting to finalize the committee recommendations is scheduled for Monday, March 26th in South Milwaukee. Approval recommendations are to be presented to the Wisconsin Department of Transportation for their further review and consideration into the State's planning efforts for roadways.

Fiscal Impact: Cost for the roadway extension has been estimated at \$207.2 million with some discussion as to whether or not any local participation might be required in the future. The City's position is that no local share should be required, consistent with the original construction of the Lake Parkway.

Fiscal Review by:


Mark Wyss
Finance Director

Prepared and Submitted by:


Gerald R. Peterson, ICMA-CM
City Administrator



LAKE PARKWAY EXTENSION STUDY: PRELIMINARY RECOMMENDATIONS

SUMMARY BROCHURE 1

FEBRUARY 2012

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) is studying an extension of the Lake Parkway (STH 794) from its current terminus at Edgerton Avenue to STH 100. The study was requested by Milwaukee County and the Cities of Cudahy, Oak Creek, St. Francis, and South Milwaukee.

The study will ultimately recommend whether an extension of the Lake Parkway should be added to the regional transportation plan and a request be made that the Wisconsin Department of Transportation (WisDOT) subsequently conduct the necessary preliminary engineering and environmental impact study for the Lake Parkway extension.

PLANNING PROCESS

As part of the study effort, SEWRPC staff first developed alternative designs for a Lake Parkway extension, including alternative alignments, cross-sections, and roadway crossing treatments. These alternatives were developed under guidance from the Advisory Committee, and attempted to minimize impact on existing and planned land uses. The Advisory Committee reviewed the alternative designs and selected a recommended design for a Lake Parkway extension. SEWRPC staff then evaluated the recommended design's benefits, estimated construction cost, and right-of-way acquisition and impacts.

Based upon the evaluation, the Advisory Committee made a preliminary recommendation for the extension of the Lake Parkway, including an alignment, cross-section, and roadway crossing treatments. The preliminary recommendations to be presented to the public for comment are summarized in this brochure.

NEXT STEPS

Following the public meeting and public comment period, SEWRPC staff will prepare a record of the public comments received and present it to the Lake Parkway Extension Study Advisory Committee. The Advisory Committee will then consider whether additional alternatives and/or analyses need to be considered, and will make a final recommendation to SEWRPC and SEWRPC's Advisory Committee on Regional Transportation System Planning as to whether a Lake Parkway extension should be added to the regional transportation plan and a request be made that WisDOT subsequently conduct the necessary preliminary engineering and environmental impact study for the Lake Parkway extension.

LAKE PARKWAY EXTENSION STUDY ADVISORY COMMITTEE

The study is guided by an Advisory Committee composed primarily of elected officials. The Advisory Committee is responsible for making the preliminary and final study recommendations.

- Patricia Jursik, Chair.....Supervisor, 8th District,
Milwaukee County Board
- Frank Busalacchi.....Director of Transportation and
Public Works, Milwaukee County
- Paul Cesarz.....Supervisor, 9th District,
Milwaukee County Board
- Tony Day.....Mayor, City of Cudahy
- Marina Dimitrijevic.....Supervisor, 4th District,
Milwaukee County Board
- Allan Foeckler.....Mayor, City of Oak Creek
- Mark Honadel.....State Representative,
21st Assembly District,
State of Wisconsin
- Ghassan Korban.....Commissioner of Public Works,
City of Milwaukee
- Christopher J. Larson.....Senator, 7th Senate District,
State of Wisconsin
- Al Richards.....Mayor, City of St. Francis
- Jon Richards.....State Representative,
19th Assembly District,
State of Wisconsin
- Christine Sinicki.....State Representative,
20th Assembly District,
State of Wisconsin
- Thomas Zepecki.....Mayor, City of South Milwaukee

PUBLIC MEETING

The public meeting on the preliminary recommendations for a Lake Parkway extension will be held on Wednesday, February 29, 2012. Staff will be available in an "open house" format starting at 6:00 pm to individually answer questions and provide information. A brief presentation will be made by staff at 6:30 pm followed by a question and answer period. At any time during the meeting, oral comment may be given to a court reporter, or written comment may be submitted. The public meeting will be held:

Wednesday, February 29, 2012, 6:00-8:00 pm
South Milwaukee Performing Arts Center
901 15th Avenue, South Milwaukee

Comments will be accepted through **March 15, 2012**, and can be provided in written or oral form at the meeting, electronically via email or through the Lake Parkway extension webpage, or via letter:

Mail: Southeastern Wisconsin Regional Planning Commission
PO Box 1607, Waukesha, WI 53187-1607
Website: www.sewrpc.org/LakeParkway
E-mail: LakeParkway@sewrpc.org
Fax: (262) 547-1103

Persons with special needs are asked to contact the SEWRPC offices at (262) 547-6721 a minimum of 48 hours prior to the meeting date so that appropriate arrangements can be made regarding site access, mobility, materials review or interpretation, questions or comments, or other needs.

**PRELIMINARY RECOMMENDED
LAKE PARKWAY EXTENSION DESIGN**

Alignment

Map 1 shows the potential alignment of the preliminary recommended Lake Parkway extension. Between Edgerton Avenue and Rawson Avenue, the Lake Parkway extension would be routed adjacent to the Union Pacific Railroad (UPR) rail line, partly within the UPR rail right-of-way and the We Energies right-of-way, requiring relocation of We Energies electric and gas facilities and American Transmission Company electric transmission lines along the alignment. The extension would be outside but adjacent to the We Energies right-of-way between Rawson Avenue and Forest Hill Avenue. The extension would continue adjacent to the UPR rail right-of-way between Forest Hill Avenue and STH 100.

Cross-section

The cross-section for the preliminary recommended Lake Parkway extension is proposed as an urban divided roadway with four travel lanes, two auxiliary lanes, and a multi-use trail. The cross-section is designed for a speed limit of 40 miles per hour, similar to the existing Lake Parkway, and would require an overall right-of-way width of about 130 feet. Reductions to the right-of-way width may be possible between major arterial roadways.

Roadway Crossing Treatments

Access to the Lake Parkway extension is proposed to be restricted to main arterial roadways, and would be provided at Layton Avenue, Edgerton Avenue, College Avenue (CTH ZZ), Rawson Avenue (CTH BB), Drexel Avenue, Puetz Road, and STH 100. Table 1 provides the preferred crossing treatment for each roadway crossing along the Lake Parkway extension.

Table 1

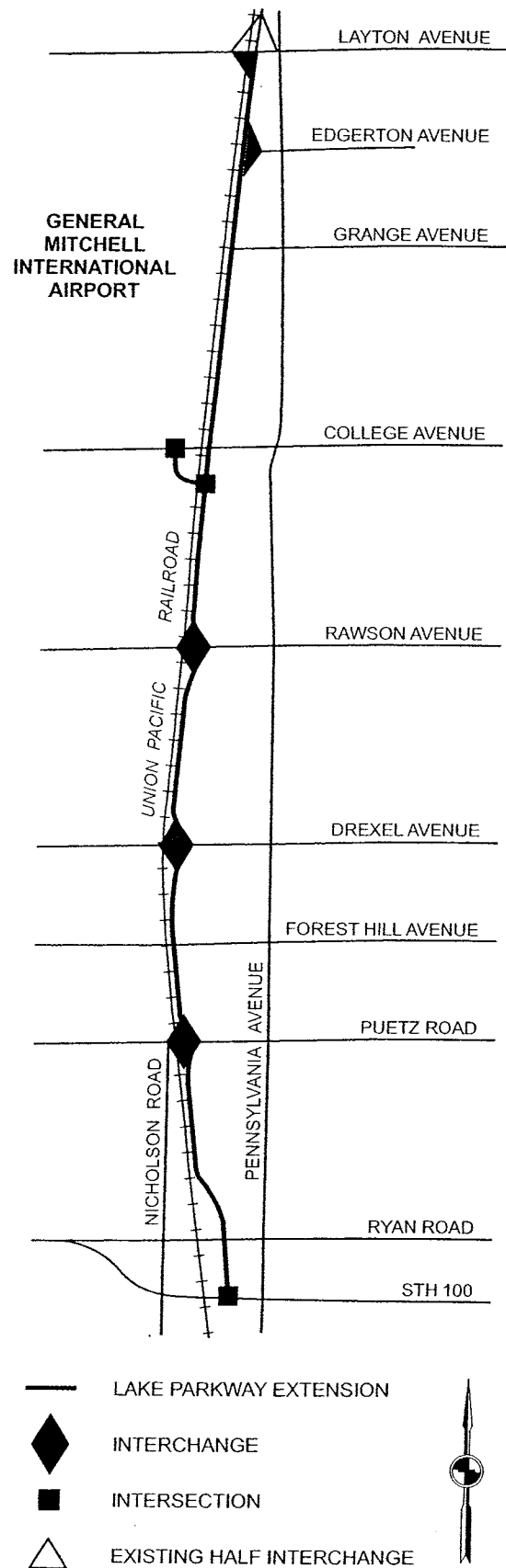
**PREFERRED ROADWAY CROSSING
TREATMENTS ALONG THE LAKE PARKWAY EXTENSION**

Roadway Crossing	Potential Crossing Treatment
Layton Avenue	Add southbound on-ramp to existing half interchange
Edgerton Avenue	Replace current connection with northbound on-and off-ramps
Grange Avenue	No access
College Avenue (CTH ZZ)	Overpass with "jughandle" ramp access
Rawson Avenue (CTH BB)	Grade-separated interchange
Drexel Avenue	Grade-separated interchange
Forest Hill Avenue	Overpass with no access
Puetz Road	Grade-separated interchange
Ryan Road	Cul-de-sac on each side of Lake Parkway
STH 100	At-grade intersection west of Pennsylvania Avenue

Source: SEWRPC.

Map 1

**GENERAL ALIGNMENT OF THE
LAKE PARKWAY EXTENSION**



Source: SEWRPC.

POTENTIAL BENEFITS, IMPACTS, AND COSTS OF LAKE PARKWAY EXTENSION

Anticipated Benefits

Improvement in Traffic Congestion (Comparing Year 2035 Forecast Traffic Volumes)

The preliminary recommended Lake Parkway extension is forecast to carry 24,000 to 29,000 vehicles per average weekday between Edgerton Avenue and Puetz Road, and about 9,000 vehicles per average weekday between Puetz Road and STH 100.

On north-south arterial roadways adjacent to the Lake Parkway extension—including Pennsylvania Avenue, Howell Avenue, 13th Street, Puetz Road, and STH 32 (Chicago Avenue)—traffic volumes would be reduced with the Lake Parkway extension. Projected future congestion would be expected to be eliminated on Pennsylvania Avenue between College Avenue and Edgerton Avenue, and on Howell Avenue between Puetz Road and Drexel Avenue. One exception would be on the segment of Pennsylvania Avenue between Edgerton Avenue and Layton Avenue, where traffic volumes would increase, resulting in modest congestion, due to northbound traffic exiting the Lake Parkway extension at Edgerton Avenue to get to Layton Avenue.

On east-west arterial roadways that would be used to access the Lake Parkway extension—including Rawson Avenue, Drexel Avenue, Puetz Road, and STH 100—traffic volumes on some segments would be increased with the Lake Parkway extension. These increases would not result in congestion, with the exception of modest congestion on STH 100 between Pennsylvania Avenue and 15th Avenue.

With a Lake Parkway extension, planned widening from two to four travel lanes on Pennsylvania Avenue between Rawson Avenue and Milwaukee Avenue and on 13th Street between Rawson Avenue and Puetz Road may no longer be needed.

Improvement in Accessibility

Implementation of a Lake Parkway extension would be expected to reduce by five minutes the estimated travel time between STH 100 and Layton Avenue (10 minutes on a Lake Parkway extension compared to 15 minutes on Pennsylvania Avenue without a Lake Parkway extension).

Improvement in Safety

Based on an analysis of estimated crash rates, an overall reduction of vehicular crashes with the implementation of a Lake Parkway extension would be expected. Between intersections, the crash rate on the Lake Parkway extension would be about half that of Pennsylvania Avenue—the primary arterial which would carry traffic in the absence of a Lake Parkway extension. At crossing roadways, through traffic on the Lake Parkway extension would generally flow freely and avoid conflicts with crossing traffic given that grade-separated interchanges are recommended at most crossings where access would be provided.

Potential Impacts

Right-of-way Impacts

Table 2 provides a summary of the principal right-of-way impacts estimated to result from a Lake Parkway extension. The Lake Parkway extension is estimated to require the acquisition or relocation of one residential structure, but no commercial, industrial, or institutional structures would need to be acquired or relocated. Implementation of the Lake Parkway extension is estimated to disrupt 56 residential units and 12 commercial/industrial structures located along or adjacent to the extension. A unit or structure was considered as being disrupted if it was located within about 200 feet of the right-of-way required for the Lake Parkway extension.

The Lake Parkway extension would impact environmentally sensitive areas, specifically an estimated 41 acres of primary environmental corridor, 27 acres of wetlands, and 20 acres of park or recreational land. No secondary environmental corridors, isolated natural resource areas, or prime agricultural land would be impacted. It was also determined that where the Lake Parkway extension alignment is located within the We Energies right-of-way, We Energies electric and gas facilities and American Transmission Company electric transmission lines would need to be relocated.

Other Potential Issues

In addition to right-of-way impacts, two primary issues have been identified that WisDOT would need to address should the Lake Parkway extension be advanced to preliminary engineering and environmental impact study. First, the Lake Parkway extension would need to be constructed to follow Federal Aviation Administration (FAA) and Milwaukee County height restrictions for new structures along and near General Mitchell International Airport. Second, potential security concerns relating to existing and planned 128th Air Refueling Wing facilities would need to be addressed.

Estimated Cost

The estimated capital costs for a Lake Parkway extension are provided in Table 3.

Table 2

POTENTIAL RIGHT-OF-WAY IMPACTS OF A LAKE PARKWAY EXTENSION

Evaluation Measure	Lake Parkway Extension
Residential structure acquisition/relocation	1
Right-of-way acquisition (acres)	118
Primary environmental corridors impacted (acres)	41
Wetlands impacted (acres)	27
Park/recreational land impacted—Oak Creek Parkway	20

Source: SEWRPC.

Table 3

ESTIMATED CAPITAL COSTS (YEAR 2010 DOLLARS) FOR THE LAKE PARKWAY EXTENSION

Item	Capital Costs
Construction	\$192.8 million
Right-of-way	5.7 million
Utility Relocation	8.7 million
Total	\$207.2 million

Source: SEWRPC.

Public Meeting

You are invited to attend an upcoming public meeting on the Lake Parkway extension study. At the meeting, you can learn more about the study, discuss it with Southeastern Wisconsin Regional Planning Commission staff, and comment on the work performed to date.

If you cannot attend the meeting, please visit the study website to view the information presented, request a briefing by study staff, or comment on the study. You can submit written comments via mail, e-mail, or fax through March 15, 2012.

Contacts:

Website: www.sewrpc.org/LakeParkway
E-mail: LakeParkway@sewrpc.org
Fax: (262) 547-1103
Mail: PO Box 1607, Waukesha, WI 53187-1607

Kenneth R. Yunker, Executive Director
Southeastern Wisconsin Regional Planning Commission
Phone: (262) 547-6721

Eric Lynde, Senior Engineer
Southeastern Wisconsin Regional Planning Commission
Phone: (262) 547-6721

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South Milwaukee Performing Arts Center
901 15th Avenue, South Milwaukee

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PO Box 1607, Waukesha, WI 53187-1607
Website: www.sewrpc.org/LakeParkway
E-mail: LakeParkway@sewrpc.org
Fax: (262) 547-1103

Persons with special needs are asked to contact the SEWRPC offices at (262) 547-6721 a minimum of 48 hours prior to the meeting date so that appropriate arrangements can be made regarding site access, mobility, materials review or interpretation, questions or comments, or other needs.

EMPLOYMENT HISTORY:

Employer	Dates Served	Position
CITY OF OAK CREEK (DPW)	09-25-95 TO PRESENT	EQUIPMENT OPERATOR
DELTA GROUP FOUNDRY	01-01-89 TO 09-25-95	SUPERVISOR
MENARDS	1985 TO 01-01-89	ASST. MANG. / MANAGER

OTHER RELEVANT EXPERIENCE OR EXPERTISE: CURRENTLY WORK FOR OAKCREEK STREET DEPT
I HAVE SOME KNOWLEDGE OF SETTING UP EVENTS AND HOW THE
CITYS CEIEBRATION EVENTS ARE RUN.

WHY ARE YOU SEEKING APPOINTMENT TO THIS BOARD/COMMISSION/COMMITTEE? HELP PLAN,
ORGANIZE, RUN AND BRING NEW IDEAS TO THE YEARLY CELEBRATIONS

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THE BOARD /COMMISSION /
 COMMITTEE YOU HAVE SELECTED? TO ATTEND ALL COMMISSION MEETINGS, WORK
EVENTS WHEN POSSIBLE. HELP ORGINIZE AND VOTE ON NEW IDEAS.

ARE YOU INVOLVED IN ANY ORGANIZATIONS OR ACTIVITIES THAT MAY RESULT IN A CONFLICT OF
 INTEREST IF YOU ARE APPOINTED TO ANY BOARD /COMMISSION / COMMITTEE? NO

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

DEWNN'S ANICH 414 764-4639
MIKE LAMPE

PLEASE LIST ANY POLICE CONVICTIONS OTHER THAN MOVING TRAFFIC VIOLATIONS (ALSO INCLUDE
 CITY/STATE; YEAR). NONE

(Appointees will be required to take an Oath of Office.)

Return to: City Clerk's Office
 8640 S. Howell Ave.
 Oak Creek, WI 53154

DATE: _____

SIGNATURE: _____

I hereby consent to a police record check being conducted prior to any appointment
 by the Common Council.

SIGNATURE: Kim J. Richardson

DATE: 11-28-11





RECEIVED
NOV 29 2011

**CITY OF OAK CREEK
BOARD / COMMISSION / COMMITTEE
APPLICATION**

*This application for appointment is kept on file for 2 years
and is a public document open for inspection and reproduction.*



3 yr - exp - 4/2015

I wish to be considered for appointment to the following Board, Commission or Committee *:

(PLEASE CHECK)

- Cable Advisory Committee
- Celebrations Commission
- Civil Service Commission
- Community Development Authority
- Environmental Advisory Committee
- Board of Health
- Library Board
- Parks, Recreation & Forestry Commission
- Plan Commission
- Police & Fire Commission
- Board of Review
- Traffic & Safety Commission
- Water & Sewer Utility Commission
- Zoning/Housing Board of Appeals
- Ad-Hoc Committee—Bender Park
- Ad-Hoc Committee—Lakeview Village
Redevelopment Plan
- Other _____

*A list of the various Commissions, Committees and Boards with a brief description of responsibilities is available in the City Clerk's office.

(Please Print) DATE: 10-11-11

NAME: KRISTEN MARIE ARCHAMBEAU
 First Middle Last

ADDRESS: 10655 S. SHANERI LA CT

CITY/STATE/ZIP: OAK CREEK, WI 53154

DATE OF BIRTH: 7-13-69

LENGTH OF RESIDENCE IN OAK CREEK: 37 YRS

HOME PHONE: 414 WORK PHONE: 571-6265

FAX: 414 571-6110

E-MAIL: Karchie@wi.rr.com

OCCUPATION/EMPLOYER: ATT

COMMUNITY SERVICE EXPERIENCE:

Organization	Dates Served	Position
<u>OCHS CHEER CLUB</u>	<u>2006-2011</u>	<u>PRESIDENT</u>
<u>OCHS CHEER CLUB</u>	<u>2005-2012</u>	<u>VOLUNTEER</u>
<u>DAN'S HOUSE OF HOPE</u>	<u>2009-2010</u>	<u>BOARD MEMBER</u>

EDUCATION:

School	Major	Graduation Date / Degree

EMPLOYMENT HISTORY:

Employer	Dates Served	Position
AT&T	JUNE 1989 - PRESENT	ENTERPRISE ACCT. EXEC.

OTHER RELEVANT EXPERIENCE OR EXPERTISE: VARSITY OCHS CHEER COACH 2010-PRESENT, SERVED ON NUMEROUS COMMITTEES DURING MY TENURE AT AT&T

WHY ARE YOU SEEKING APPOINTMENT TO THIS BOARD/COMMISSION/COMMITTEE? _____

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THE BOARD /COMMISSION / COMMITTEE YOU HAVE SELECTED? PLAN, ORGANIZE AND RUN COMMUNITY EVENTS SUCH AS THE 4TH OF JULY CELEBRATION, THE ANNUAL PIG/CHICKEN ROAST, TREE LIGHTING, MUSIC IN THE PARK, ETC. FOR THE CITIZENS OF OC.

ARE YOU INVOLVED IN ANY ORGANIZATIONS OR ACTIVITIES THAT MAY RESULT IN A CONFLICT OF INTEREST IF YOU ARE APPOINTED TO ANY BOARD /COMMISSION / COMMITTEE? NO

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

HEATHER PIPER 414 731-1923

DOGER KENNEDY 920 475-9654

PLEASE LIST ANY POLICE CONVICTIONS OTHER THAN MOVING TRAFFIC VIOLATIONS (ALSO INCLUDE CITY/STATE; YEAR).

NONE

(Appointees will be required to take an Oath of Office.)

Return to: City Clerk's Office
8640 S. Howell Ave.
Oak Creek, WI 53154

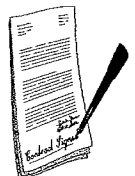
DATE: _____

SIGNATURE: _____

I hereby consent to a police record check being conducted prior to any appointment by the Common Council.

SIGNATURE: [Signature]

DATE: 10-31-11



Complete Pat Toman's term
exp. 6-2012.



Oak Creek

**CITY OF OAK CREEK
BOARD / COMMISSION / COMMITTEE
APPLICATION**

*This application for appointment is kept on file for 2 years
and is a public document open for inspection and reproduction.*



I wish to be considered for appointment to the following Board, Commission or Committee*:

(PLEASE CHECK)

- Cable Advisory Committee
- Celebrations Commission
- Civil Service Commission
- Community Development Authority
- Environmental Advisory Committee
- Board of Health
- Library Board
- Parks, Recreation & Forestry Commission
- Plan Commission
- Police & Fire Commission
- Board of Review
- Traffic & Safety Commission
- Water & Sewer Utility Commission
- Zoning/Housing Board of Appeals
- Ad-Hoc Committee—Bender Park
- Ad-Hoc Committee—Lakeview Village Redevelopment Plan
- Other _____

*A list of the various Commissions, Committees and Boards with a brief description of responsibilities is available in the City Clerk's office.

(Please Print) DATE: 2/17/2012

NAME: Pamela L Aiken
First Middle Last

ADDRESS: 8455 S Parknoll Dr

CITY/STATE/ZIP: Oak Creek, WI 53154

DATE OF BIRTH: 3/19/1974

LENGTH OF RESIDENCE IN OAK CREEK: 14 years

HOME PHONE: 768-0825 WORK PHONE: 232-8141 (cell)

FAX: _____

E-MAIL: pamaiken@gmail.com

OCCUPATION/EMPLOYER: homemaker

COMMUNITY SERVICE EXPERIENCE:

Organization	Dates Served	Position
Girl Scouts of WI Southeast	September 2004 -- present	Troop Leader
Girl Scouts of WI Southeast	August 2010 -- present	Site Organizer, Carollton Elementary
So. Milw/Oak Creek Interfaith	September -- December 2010	Volunteer, Grant proposal writing
WI Horseshoe Newsletter	October 2006 -- August 2010	Editor in Chief

EDUCATION:

School	Major	Graduation Date / Degree
Gateway Technical College	Technical Communications	Dec 2010 / 8 of 12 credits earned
UW-Milwaukee	Business Administration	June 1998 / Bachelor of Arts
UW-Waukesha	General Studies	Dec 1993 / Associate's Degree

EMPLOYMENT HISTORY:

Employer	Dates Served	Position
Harley-Davidson Motor Co.	Sept 1997 -- Sept 1998	Intern
Wacker Corp.	May -- Sept 1997	Intern
ARI Network Services	Nov 1996 -- May 1997	Administrative Assistant
Osmonics Autotrol	May 1994 -- Nov 1996	International Customer Svc Rep

OTHER RELEVANT EXPERIENCE OR EXPERTISE: I have completed coursework at Gateway Technical College in Technical Communications, including a class in grant and proposal writing.

WHY ARE YOU SEEKING APPOINTMENT TO THIS BOARD/COMMISSION/COMMITTEE? It is an exciting time for Oak Creek and for the library. I want to be part of the planning process for our new facility.

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THE BOARD /COMMISSION / COMMITTEE YOU HAVE SELECTED? I read the description of responsibilities on the city's website.

Along with appointing a City Librarian and other personnel, the board also has control of expenditures of all monies appropriated or donated to the Library, as well as Library property.

ARE YOU INVOLVED IN ANY ORGANIZATIONS OR ACTIVITIES THAT MAY RESULT IN A CONFLICT OF INTEREST IF YOU ARE APPOINTED TO ANY BOARD /COMMISSION / COMMITTEE/? No.

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

Jennifer Rundell, Director SM/OC Interfaith 414-762-1998
Jennifer Pennington 414-571-9351

PLEASE LIST ANY POLICE CONVICTIONS OTHER THAN MOVING TRAFFIC VIOLATIONS (ALSO INCLUDE CITY/STATE; YEAR).

None.

(Appointees will be required to take an Oath of Office.)

Return to: City Clerk's Office
8640 S. Howell Ave.
Oak Creek, WI 53154

DATE: 2-17-2012

SIGNATURE: *Pamela L. Arkin*

I hereby consent to a police record check being conducted prior to any appointment by the Common Council.

SIGNATURE: *Pamela L. Arkin*

DATE: 2-17-12



Christa Miller

From: dhaveylibrary@wi.rr.com
nt: Monday, March 05, 2012 2:43 PM
To: Jill lininger; Christa Miller
Subject: Fw: Library Board Appointment

Hi,

Forwarding email sent to Mayor Foeckler regarding the LB vacancy - Dennis

From: dhaveylibrary@wi.rr.com
Sent: Monday, March 05, 2012 2:40 PM
To: afoeckler@oakcreekwi.org
Subject: Library Board Appointment

Dear Mayor Foeckler,

Knowing there are two applicants for the Library Board vacancy, the Library Director and myself are recommending the appointment of Pamela Aiken to fill the position. Either applicant would be acceptable but we feel that Ms Aiken brings a needed perspective that will give the Board a broader composite to deal with current and future library needs.

We're hoping that whomever you choose can be notified of the appointment prior to our March 13 Library Board meeting so they can attend and observe while waiting for final Common Council confirmation on March 20th.

Sincerely,

Dennis Havey – President Oak Creek Public Library Board



OakCreek

CITY OF OAK CREEK
BOARD / COMMISSION / COMMITTEE
APPLICATION

This application for appointment is kept on file for 2 years
and is a public document open for inspection and reproduction.

FEB 27 2012



I wish to be considered for appointment to the following Board, Commission or Committee*:

(PLEASE CHECK)

- Cable Advisory Committee
- Celebrations Commission
- Civil Service Commission
- Community Development Authority
- Environmental Advisory Committee
- Board of Health
- Library Board
- Parks, Recreation & Forestry Commission *preferred*
- Plan Commission
- Police & Fire Commission
- Board of Review
- Traffic & Safety Commission
- Water & Sewer Utility Commission
- Zoning/Housing Board of Appeals
- Ad-Hoc Committee—Bender Park
- Ad-Hoc Committee—Lakeview Village Redevelopment Plan
- Other _____

*A list of the various Commissions, Committees and Boards with a brief description of responsibilities is available in the City Clerk's office.

(Please Print) DATE: Feb. 27, 2012
NAME: Michael Wayne Theys
First Middle Last

ADDRESS: 3050 E. Emily Ave.

CITY/STATE/ZIP: Oak Creek, WI 53154

DATE OF BIRTH: 05/15/68

LENGTH OF RESIDENCE IN OAK CREEK: 12 yrs

HOME PHONE: _____ WORK PHONE: _____
414-570-9772 414-765-6824

FAX: 414-333-5230
Cell

E-MAIL: Mtheys@WI.RR.COM

OCCUPATION/EMPLOYER: Banker

U. S. Bank - Milwaukee

COMMUNITY SERVICE EXPERIENCE:

Organization	Dates Served	Position
<u>Junior Achievement</u>	<u>2/16/2011</u>	<u>Volunteer</u>
<u>Milwaukee Riverkeepers</u>	<u>4/16/2010</u>	<u>Volunteer</u>
<u>Hope House Milwaukee</u>	<u>2008-2009</u>	<u>Volunteer</u>
<u>Next Door Foundation</u>	<u>2009</u>	<u>Volunteer</u>

EDUCATION:

School	Major	Graduation Date / Degree
<u>Lakeland College</u>	<u>Accounting</u>	<u>1995 / B.S.</u>
<u>Keller Graduate School</u>	<u>Business</u>	<u>2004 / M.B.A.</u>

City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 10

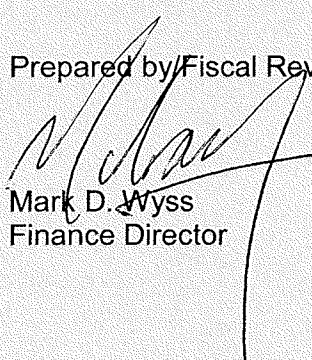
Recommendation: That the Common Council approve payment of the obligations as listed on the Vendor Summary Report.

Background: Of note are the following payments:

1. \$17,003.35 to Buelow Vetter (pg#4) for February legal services.
2. \$5,958.70 to Demco, Inc (pg #6) for renewals for magazine subscriptions for the library.
3. \$13,751.00 to Environ (pg #7) for environment services related to Lakeview Village.
4. \$33,629.67 to Godfrey & Kahn (pg #9) for legal services related to Delphi and Lakeview projects.
5. \$3,499.33 to Lawrence Haskin (pg #10) for litigation services.
6. \$37,066.26 to JP Morgan Chase (pg #13-16) for P-Card purchases. Purchases include Journal advertising, Verizon phone charges, computer equipment, and building supplies.
7. \$5,959.80 to Minnesota Life (pg #18) for life insurance coverage. 75% of this cost is borne by employees.
8. \$27,433.78 to North American Salt (pg #19) for snow and ice removal supplies.
9. \$6,740.00 to Tyler Technologies (pg#24) for assessment services.
10. \$53,394.82 to Veolia Solid Waste (pg #24) for solid waste and recycling landfill charges.
11. \$46,714.00 to Viking Land Mobile (pg #24) for payment as part of the citywide narrowbanding project, project number 11008 as approved in the 2011 CIP.
12. \$10,316.88 to WE Energies (pg #26) for street lighting.
13. \$8,533.75 to Wisconsin DOT (pg #26) for costs related to the Drexel interchange.
14. \$27,851.59 to World Fuel (pg #26) for diesel and unleaded fuel.

Fiscal Impact: Total claims paid of \$414,826.38.

Prepared by/Fiscal Review by:


Mark D. Wyss
Finance Director

Respectfully submitted,


Gerald R. Peterson,
City Administrator

City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: ||

Recommendation: That the Common Council approve the recommendation of the Street, Parks and Forestry Superintendent to purchase one (1) 2012, Toro Groundsmaster 4100-D lawn mower from Reinders Inc. for a total cost of \$47,152.66

Background: The CIP/CEP committee approved the purchase of several pieces of equipment for the Street Department. At the March 6, 2012 Common Council meeting, the Council approved the purchase of this mower using surplus monies from several 2012 CEP/CIP project numbers.

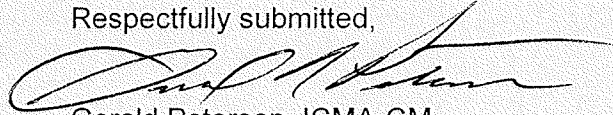
Fiscal Impact: The money for this mower would come from the 2012 CEP/CIP Capital Projects. The total amount for the purchase of this mower is \$47,152.66 with a trade allowance of \$4,500.00

Prepared by:



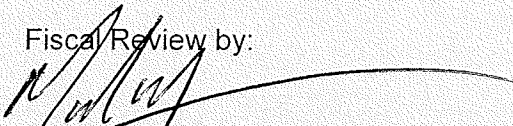
Michael Lampe
Street, Parks and Forestry Superintendent

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Mark Wyss
Finance Director

Reinders



Count on it.

Mark Robel, SCPS
 Territory Manager
 W227 N6225 Sussex Road
 Sussex, WI 53089-3969
 Cell # (414) 313-5296
 Main Fax (262) 786-6111
mrobelt@reinders.com

For: Oak Creek Parks
 8640 S. Howell Ave.
 Oak Creek, WI 53154

Acct. # 238545
Attn: Mike Rozina

Quote ID GM4100 w/Trades	Quote Good for 30 days
Quote Date 3/2/12	Tax Not Included In Quote

Page 1 of 2

PRICE QUOTATION

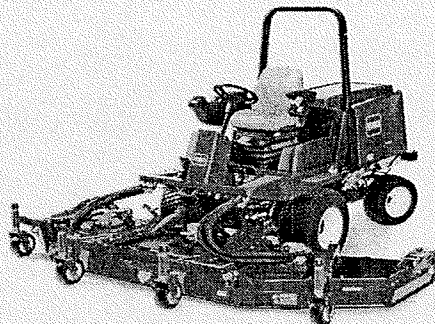
Qty	Model #	Description	MSRP:	
1	30449	Toro Groundsmaster 4100-D	\$66,052.00	
1	30445	4WD Hydraulic Flow Divider Kit Kubota® Diesel Engine, 10.5' (3.2 m) Width of Cut Full-Time Bi-Directional 4-Wheel Drive <i>SmartCool™ Auto-Reversing Fan</i>	<u>Discount:</u>	<u>(\$14,399.34)</u>
			Total:	\$51,652.66

Trade Allowance:

Jacobsen HR 5111
 Toro GM580

(\$4,000.00)
 (\$500.00)

Total w/Trades:	\$47,152.66
------------------------	--------------------



Proposal Summary

I am pleased to submit the attached proposal for your consideration

This is a proposal on the goods named, subject to the following conditions: The prices and terms on this proposal are not subject to verbal changes or other agreements unless approved in writing by the seller. All proposals and agreements are contingent on availability of product from the manufacturer. Typographical errors are subject to correction.

All prices quoted include delivery to your facility unless otherwise stated. The preceding pricing is valid for 30 days unless otherwise stated. Prices include assembly where applicable and accessibility to parts and service manuals. Timing at delivery may vary and is subject to manufacturer's availability. Purchaser is responsible for applicable taxes. All financed items will require lease documentation be returned to the finance company and approved for shipment by the lessor before delivery can be completed.

To accept this proposal, sign here and return: _____ Date: _____

Thank you for considering Reinders, Inc for your equipment needs. If I can be of any further assistance, please do not hesitate to contact me.

Mark Robel, SCPS
Territory Manager
Reinders, Inc



City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 12


Recommendation: That the Common Council approve the recommendation of the Street, Parks and Forestry Superintendent to purchase one (1) 2012, Vermeer Chipper Model BC 1000 XL to be used by the Forestry Department at a price of \$28,511.

The City of Oak Creek (#31007) and Vermeer Wisconsin (#10097-FCC) are both members of the NJPA (National Joint Power Alliance). Vermeer Wisconsin was the lowest priced company for chippers in the NJPA at \$28,511.00.

Background: The CIP/CEP committee approved the purchase of several pieces of equipment for the Street Department. Per the Common Council meeting from March 6, 2012 this chipper could be purchased with surplus monies from several different project numbers.

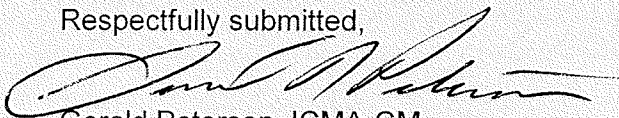
Fiscal Impact: The money for this Chipper would come from the 2012 CEP/CIP Capital Projects. The total amount for the purchase of this chipper is \$28,511.00

Prepared by:



Michael Lampe
Street, Parks and Forestry Superintendent

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Mark Wyss
Finance Director

City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 13

Recommendation: That the Council adopt Resolution No. 11227-032012 approving a certified survey map for the properties at 4311 & 4401 E. Oakwood Road

Background: The owner of the properties at 4311 and 4401 E. Oakwood Road is requesting approval of a certified survey map that would redraw the property line between the two properties. The reason for this request is that the applicant has a buyer for the property at 4311 E. Oakwood Road, which is the site of the TV antenna tower (formerly Channel 49) and the buyer would like the tower and all support structures on the property they are purchasing. There is currently one guy-wire anchor point located on the property at 4401 E. Oakwood Road, behind the garage. Staff had suggested a private easement but the applicant has indicated the buyer didn't want to go that route.

The house on 4401 E. Oakwood Road is already non-conforming due to it being partially in the right-of-way. This new configuration would not make it any more or less conforming. Should the home be destroyed it would have to be rebuilt on the eastern part of the property where there is adequate room to meet all setbacks. The new lot line is 5 feet from the back of the garage in order to maintain the 5-foot setback requirement for accessory structures. The residential parcel will exceed the width and area minimums of the Rs-4, Single Family Residential zoning district, which requires a minimum lot width of 75 feet and 10,000 square feet in area. The B-4 parcel (where the antenna is) will exceed the minimums in the B-4, Highway Business district, which requires 150 feet of lot width and 30,000 square feet of lot area.


The Plan Commission has reviewed this request and recommends that it be approved subject to any technical corrections being made prior to recording.

Fiscal Impact: There is no fiscal impact for this certified survey map since it is not creating any new parcels.

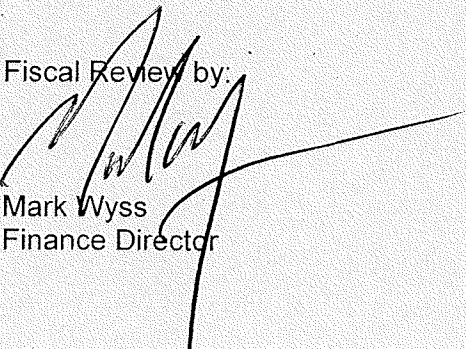
Prepared by:


Doug Seymour, AICP
Director of Community Development

Respectfully submitted,


Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:


Mark Wyss
Finance Director

BY: _____

RESOLUTION APPROVING A CERTIFIED SURVEY MAP
FOR JOEL KINLOW

4311 & 4401 E. Oakwood Road
(4th Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by JOEL KINLOW, hereinafter referred to as the subdivider, is in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved subject to any technical corrections being made prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to any technical corrections being made prior to recording:

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 20th Day of March, 2012

Passed and adopted this ___ Day of _____, 2012.

President, Common Council

Approved this ___ Day of _____, 2012.

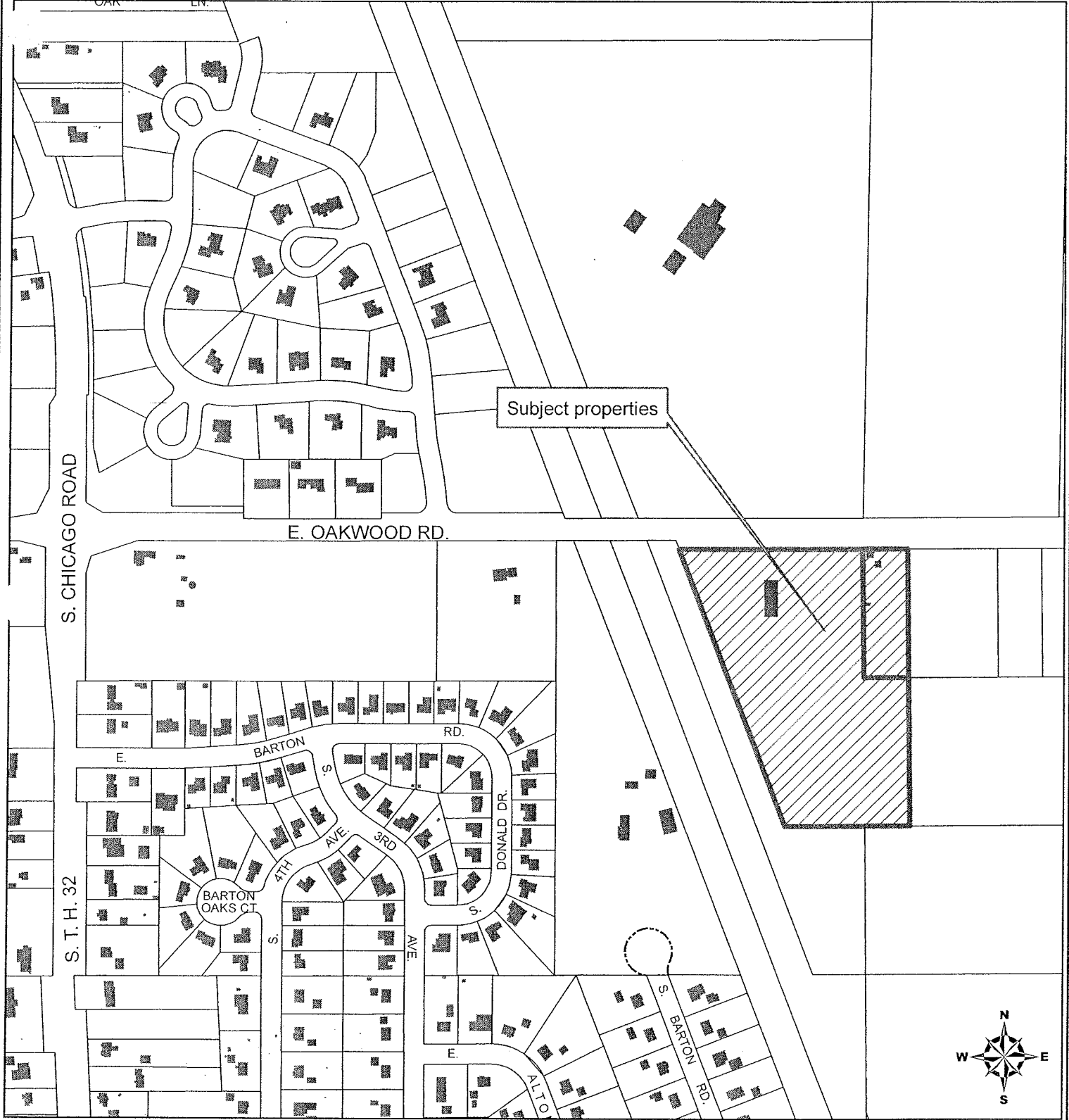
Mayor

ATTEST:

City Clerk

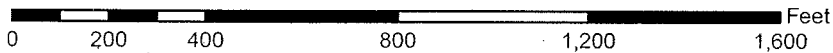
VOTE: Ayes _____ Noes _____

Joel Kinlow
Certified Survey Map
4311 & 4401 E. Oakwood Road






OakCreek

Department of Community Development



Legend

-  Joel Kinlow CSM
-  Parcels
-  Existing Street Pattern



Joel Kinlow
 Certified Survey Map
 4301 & 4401 E. Oakwood Road

CERTIFIED SURVEY MAP NO. _____ SHEET 1 OF 3
 BEING A REDIVISION OF PARCEL #1 OF CERTIFIED SURVEY MAP NO. 5261 AND LOT #1 OF
 CERTIFIED SURVEY MAP NO. 88, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST
 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 36, TOWN 5 NORTH, RANGE
 22 EAST, IN THE CITY OF OAK CREEK, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

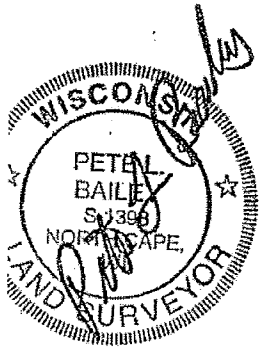
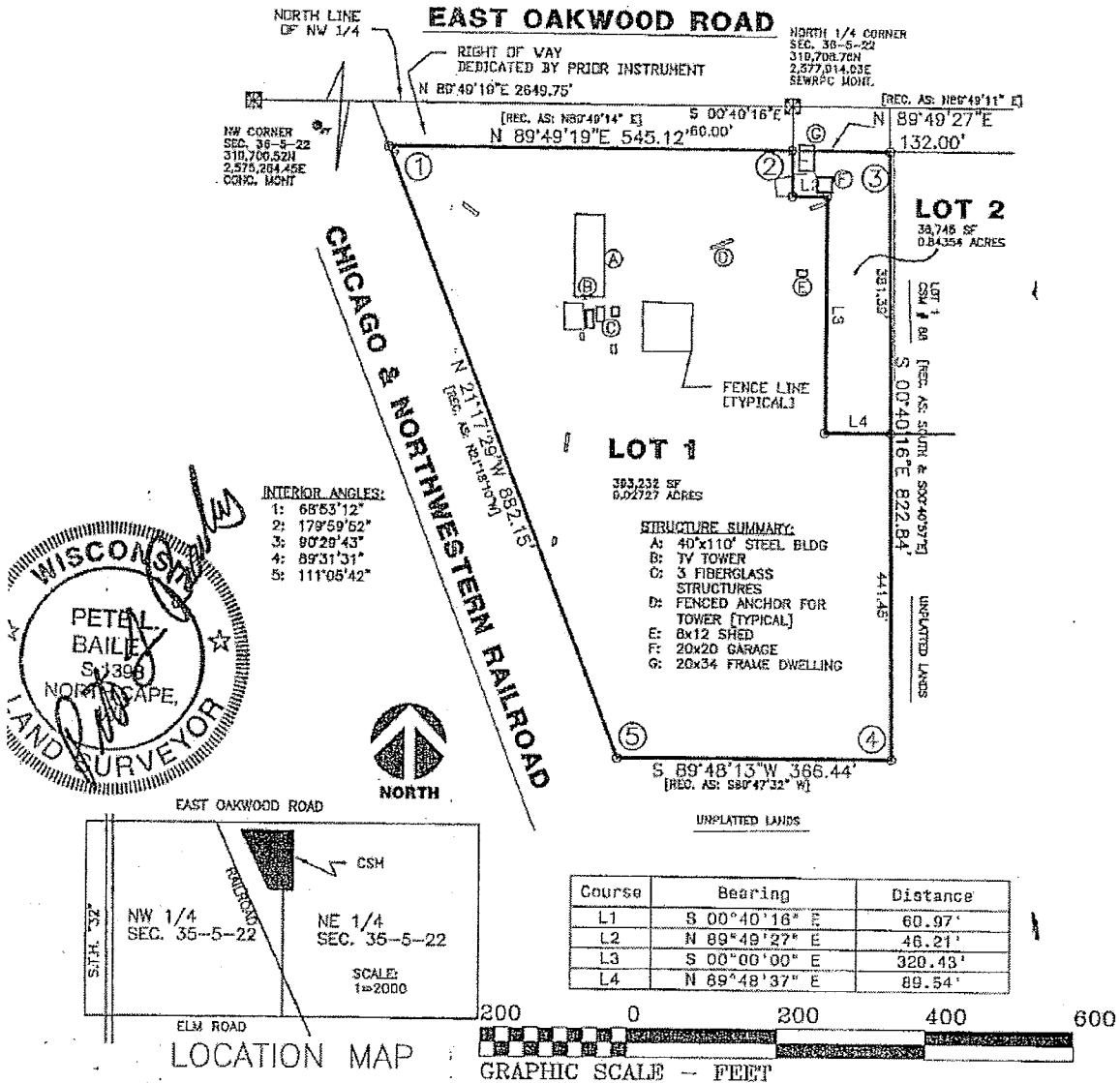
PREPARED BY:
 AMERICAN SURVEYING COMPANY, INC
 12207 COUNTY ROAD "K"
 FRANKSVILLE, WI. 53126-9693
 (262) 835-4774

OWNER:
 JOEL KINLOW
 3124 WEST SHERIDAN
 MILWAUKEE, WI. 53209

LEGEND:

- Denotes No. 6 Rebar, 24" Long, 3/4" Dia., 1.50 Lbs/Lnft W/cap
- Denotes Iron Rod/Pipe found and accepted.

All Bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, Southern Zone. The North line of the Northwest 1/4 published to bear N89°49'14" E.



City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 14

Recommendation: That the Common Council consider a motion to enter into a contract with R.A. Smith National, Inc. for design services and floodplain modeling for W. Weatherly Drive culverts not to exceed \$30,500. (Project No. 12021) (2nd Aldermanic District)

Background: This project was funded through the 2012 Capital Improvement Project fund. The segment of W. Weatherly Drive between S. Wilding Drive and S. Waring Drive routinely floods and needs to be upgraded to a permanent roadway providing the Willow Heights and Creekside Manor subdivisions a wet weather access. The proposed project will raise the road above the floodplain and size the culverts accordingly. The street will be designed by the Engineering department and the culverts will be designed under this contract with R.A. Smith National. The design services include updating the regulatory floodplain models, structure sizing and end wall design, wetland delineation, geotechnical investigation, permitting and development of plans and specifications.

R.A. Smith was selected for this project for both their expertise in this type of work and their familiarity with the floodplain models.

Fiscal Impact: The design service fee is not to exceed \$30,500 and will be funded through Project No. 12021.

Prepared by:



Philip J. Beiermeister, P.E.
Environmental Design Engineer

Respectfully submitted:



Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer, P.E.

Fiscal review by:

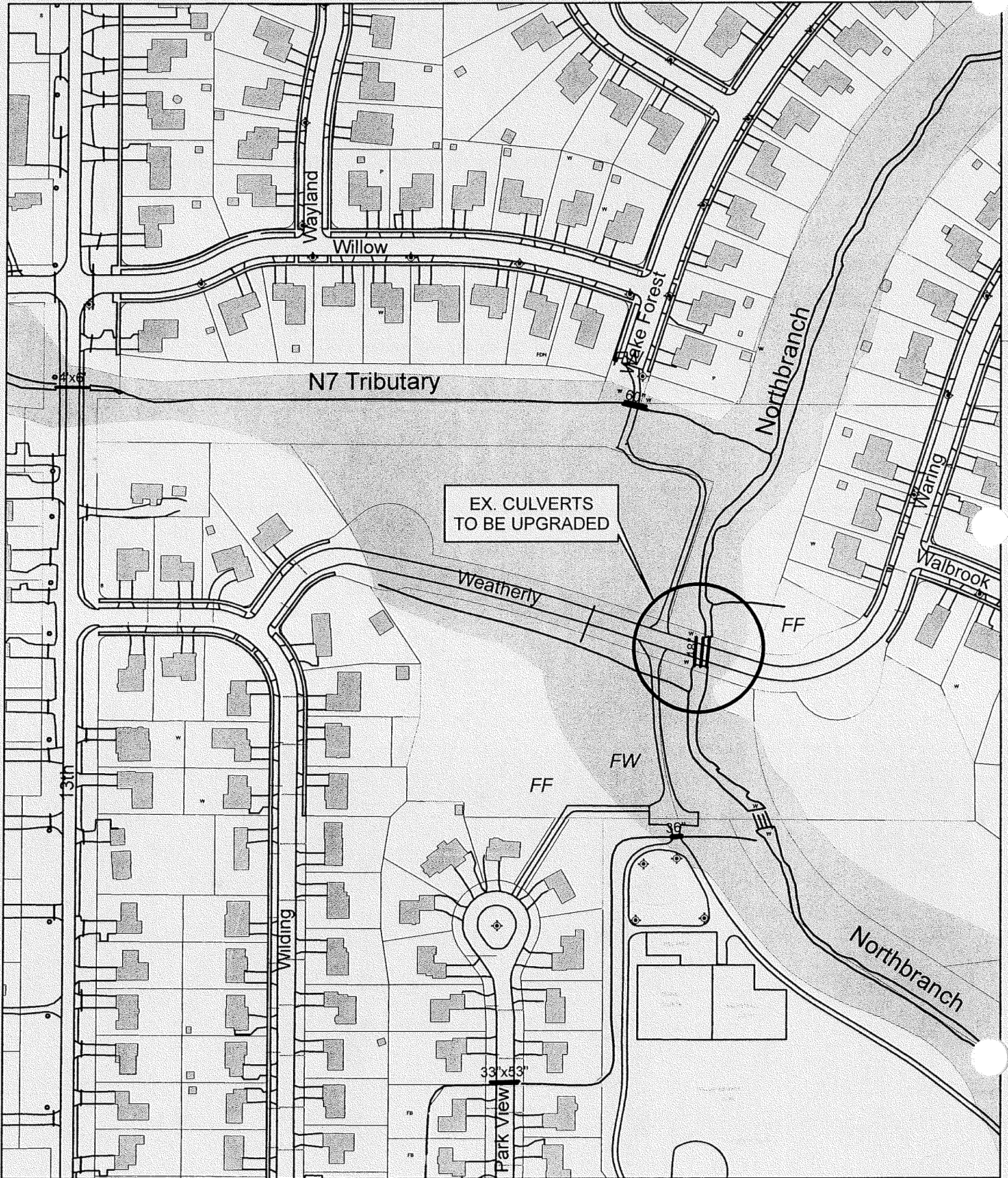


Mark D. Wyss
Finance Director

W. WEATHERLY DRIVE CULVERTS
NORTHBRANCH OF THE OAK CREEK
CITY OF OAK CREEK
NW 1/4 SECTION 17, T5N, R22E



1 inch = 200 feet



March 2, 2012

Mr. Philip Beiermeister, P.E.
Engineering Department
City of Oak Creek
8640 South Howell Avenue
Oak Creek, WI 53154

Re: Proposal for Professional Services
West Weatherly Drive Culverts, Project No. 12021

Dear Phil,

Thank you for this opportunity to provide a quotation for professional services. We have reviewed your request and prepared this proposal based on our familiarity with the project areas and your scope of services. The contents of this proposal letter spell out the Scope of Services to be provided, the Services Not Included, the proposed Completion Schedule, the Professional Fees, and the Assumptions and Conditions under which this proposal is being made.

- I. PROJECT NAME: West Weatherly Drive Culverts
- II. DESCRIPTION OF SERVICES TO BE PERFORMED:
 - A. Obtain the regulatory hydraulic models and upgrade them to current version. Use the FIS regulatory flows for North Branch Oak Creek.
 - B. Make Corrected Effective/Existing Condition HEC-RAS model using survey data from City.
 - C. Evaluate alternative size stream crossing structures, including Conspan and box culverts, for the primary channel and secondary high-flow path. All alternative analyses will include removal of the private crossing south of West Weatherly Drive. The sizing will be based on no adverse impacts on the floodplain elevations.
 - D. Meet with the City once to discuss alternatives.
 - E. Finalize the hydraulic analysis of the selected alternative.
 - F. Prepare and submit hydraulic analysis to WDNR for review and approval.
 - G. Identify utilities in the vicinity of the proposed stream crossing.
 - H. Delineate the boundaries of wetlands in the vicinity of the proposed improvements – along North Branch Oak Creek from the confluence with N7 Tributary south to just past the private crossing. Flag the boundaries in the field and prepare a wetland delineation report for submittal to WDNR and ACOE.
 - I. Engage a subconsultant to conduct a geotechnical investigation for the stream crossing structures. Four boring locations are anticipated with analysis and recommendations appropriate for shallow structure foundation.
 - J. Provide field survey of the wetland boundaries, soil boring locations, and utilities.
 - K. Coordinate design of stream crossing structures with City roadway design.
 - L. Coordinate with WDNR, ACOE, and SEWRPC on the stream crossing designs. The project is assumed to be covered under Trans 207 regulations as a public road.
 - M. Prepare construction drawings and specifications for stream crossing structures. Submit to City for review and respond to review comments with revisions as appropriate.
 - N. Prepare preliminary and final quantity and construction cost estimates for stream crossings.

Deliver excellence, vision, and responsive service to our clients.

Mr. Philip Beiermeister, P.E.
Page 2 / March 2, 2012

III. COMPLETION SCHEDULE:

We anticipate the services described above will be conducted on the following project schedule.

Alternative evaluation and meeting with City	March – April 2012
Wetland delineation	May 2012
Preliminary design and coordination with agencies and utilities	April – June 2012
Construction drawings and cost estimates	July – August 2012

IV. PROFESSIONAL FEES:

The above-described services will be provided for on a time and expense basis with the total fees not exceeding \$30,500. The fee for attending additional meetings will be \$500.00 per meeting.

Usual and customary expenses such as mileage, postage, delivery, printing, and applicable taxes will be invoiced at cost. We will bill you monthly with an itemized statement for the time and expenses incurred on the project.

V. ASSUMPTIONS AND CONDITIONS:

Our estimated fees are based on the following set of assumptions and conditions. Deviations from these may result in additional fees:

- A. The hourly rates shown on the Standard Hourly Rate Schedule are subject to change on an annual basis.
- B. The City will provide field survey of existing roadway, drainage facilities, trees, and topography data pertinent to the proposed project. Verification of information provided by others is not a part of the Scope of Services; therefore, any problems arising out of the use of such information shall not be the responsibility of R.A. Smith National, Inc.
- C. The City will pay for any and all review and permit fees.
- D. The City will prepare bid documents, advertise, and receive bids for the project.

VI. SERVICES NOT INCLUDED:

Additional or extended services beyond those specifically described above are not included as part of this project and, therefore, are not reflected in our estimate of fees. If requested, these services will be performed on an hourly, time-and-material basis according to the attached Standard Hourly Rate Schedule, unless other arrangements are agreed upon.

The attached Standard General Contract Terms for Professional Services are hereby made part of this agreement. If there are any questions concerning those, or the terms as presented, please contact us. We look forward to a very successful project!

Sincerely,
R.A. Smith National, Inc.



Gary E. Raasch, P.E., CFM
Senior Water Resources Engineer

STANDARD GENERAL CONTRACT TERMS
FOR PROFESSIONAL SERVICES

1. All of the work described herein shall be completed in accordance with generally and currently accepted engineering and surveying principles and practices.

2. Unless otherwise specifically included in the proposal, PROFESSIONAL'S scope of work shall not include geotechnical or environmental audits for the identification of hazardous wastes, wetlands, floodplains or any other structural or environmental qualities of land or air. It is understood that the Scope and the Completion Schedule defined in the Proposal are based on the information provided by the CLIENT. Verification of the accuracy and completeness of any information provided by others is beyond the scope of this agreement. Therefore, PROFESSIONAL cannot be held responsible for any design or construction problems resulting from the use of this information.

3. PROFESSIONAL strongly recommends that a geotechnical ENGINEER be engaged in the preliminary phases of the work to conduct field investigations, and analysis and prepare a report on the soils conditions.

4. PROFESSIONAL shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor or CLIENT, or the safety precautions and programs incident to the work of the Contractor, nor shall he be responsible for the failure of the Contractor to perform the construction work in accordance with the Contract Documents.

5. All original papers, electronic files, and documents, and copies thereof, produced as a result of this contract shall remain the property of the PROFESSIONAL.

6. In the event all or any portion of the work prepared or partially prepared by the PROFESSIONAL is suspended, abandoned, or terminated, the CLIENT shall pay the PROFESSIONAL all fees, charges and expenses incurred to date. Professional may suspend or terminate this Agreement upon seven (7) days written notice if the CLIENT fails to substantially perform in accordance with this Agreement. Failure to make payments in accordance herewith shall constitute substantial nonperformance.

7. PROFESSIONAL cannot be held responsible for project schedule delays caused by weather, violence, acts of God, and public agencies or private businesses over which it has no control. PROFESSIONAL shall act only as an advisor in all governmental relations. Such delays as caused by said occurrences, if not solely the result of PROFESSIONAL'S failure to meet submittal deadlines, may result in adjustments to said schedules and estimates/fees.

8. All electronic files transferred to CLIENT or his DESIGNEE by PROFESSIONAL are provided solely for the convenience of the CLIENT and are warranted only to the extent that they conform to the original document(s) produced by PROFESSIONAL. All electronic file(s) are transmitted in trust for the sole use of the CLIENT and his DESIGNEE and acceptance constitutes assumption of responsibility for its use and safekeeping. Any use by third parties shall be at the sole risk of the CLIENT. Any alterations to or tampering with the files shall constitute the agreement of the CLIENT to release, defend and hold harmless PROFESSIONAL from all claims and causes of action by said CLIENT and third parties.

9. Payment for invoices is due upon receipt; amounts outstanding after 30 days from the date of invoice will be considered delinquent and subject to a service charge at the rate of 1% compounded monthly. Invoices will usually be sent monthly for work performed during the previous month. CLIENT understands, and agrees to pay for all services rendered regardless of CLIENT'S ability or inability to proceed with the project for any reason, gain governmental approvals or permits, or secure financing for the project. The CLIENT shall provide PROFESSIONAL with a clear, written statement within twenty (20) days of the date of the invoice of any objections to the invoice. Failure to provide such a written statement shall constitute acceptance of the invoice as submitted. PROFESSIONAL reserves the right to immediately suspend work and/or terminate this agreement due to lack of timely payment of uncontested invoices by CLIENT.

The CLIENT further agrees to pay PROFESSIONAL any and all expenses incurred in recovering any delinquent amounts due, including attorney's fees and court costs.

10. The CLIENT agrees to limit PROFESSIONAL, by its agents or employees, total liability to the CLIENT and to all Construction Contractors and Subcontractors on the Project, due to PROFESSIONAL'S professional negligent acts, errors, omissions, strict liability, breach of contract, or breach of warranty and for any and all injuries, claims, losses, expenses, damages, or claim expenses arising out of this Agreement from any cause or causes, such that the total aggregate liability of PROFESSIONAL to those named shall not exceed the percentage share that PROFESSIONAL'S negligence bears to the total negligence of all negligent entities and individuals, and shall not exceed Fifty

Thousand Dollars (\$50,000.00) or the total fee for services rendered under this Agreement, whichever is less.

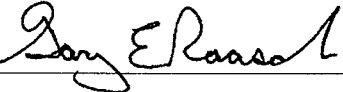
11. Both parties agree that all disputes, including, but not limited to errors, liability, claims for services and fees, expenses, losses, etc., shall, at the sole and exclusive option of PROFESSIONAL, be submitted for non-binding mediation, a prerequisite to further legal proceedings. PROFESSIONAL shall have the sole and exclusive right to choose the mediator. Any fees and/or expenses charged by the mediator shall be shared equally between PROFESSIONAL and CLIENT.

12. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the CLIENT or the PROFESSIONAL. The PROFESSIONAL'S services under this Agreement are being performed solely for the CLIENT'S benefit, and no other entity shall have any claim against the PROFESSIONAL because of this Agreement or the performance or nonperformance of services hereunder. The CLIENT agrees to include a provision in all contracts with contractors and other entities involved in this project to carry out the intent of this paragraph.

13. AS REQUIRED BY THE WISCONSIN LIEN LAW, PROFESSIONAL HEREBY NOTIFIES CLIENT THAT PERSONS OR COMPANIES FURNISHING LABOR FOR ENGINEERING OR SURVEYING FOR THE CONSTRUCTION ON OWNER'S LAND, MAY HAVE LIEN RIGHTS ON OWNER'S LAND AND BUILDING IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED, ARE THOSE WHO GIVE THE CLIENT NOTICE WITHIN 60 DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, CLIENT PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR OR MATERIALS FOR THE SURVEYING OR ENGINEERING SERVICES, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO THE OWNER AND MORTGAGE LENDER, IF ANY. PROFESSIONAL AGREES TO COOPERATE WITH THE CLIENT AND THE CLIENT'S LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID, IF APPLICABLE.

R.A. Smith National, Inc.
16745 West Bluemound Road, Suite 200
Brookfield, WI 53005
Gary E. Raasch, P.E., CFM
Senior Water Resources Engineer

PROFESSIONAL

By: 

Date: March 2, 2012

PROJECT: West Weatherly Drive Culverts
Project No. 12021

The above and foregoing proposal is hereby accepted and PROFESSIONAL is authorized to proceed with the work.

City of Oak Creek
8640 South Howell Avenue
Oak Creek, WI 53154

By: _____

Printed Name: _____

CLIENT and R.A. Smith National, Inc. agree that digital and electronically reproduced signatures such as by facsimile transmission or email are valid for execution or amendment of this Agreement and that electronic transmission/facsimile is an authorized form of notice to proceed.

Title: _____ Date: _____

City of Oak Creek Common Council Report

Meeting Date: March 20, 2012

Item No.: 15

Recommendation: That the Common Council adopt Resolution No. 11224-032012, a resolution accepting the 2011 Annual Report for Oak Creek's WPDES Storm Water (NR 216) permit.

Background: The City is required to submit an annual report to the Department of Natural Resources summarizing the status of implementation of storm water management programs and compliance with schedules outlined in Oak Creek's NR 216 permit. The permit requirements are water-quality based.

Fiscal Impact: None.

Prepared by:



Philip J. Beiermeister, P.E.
Environmental Design Engineer

Respectfully submitted:



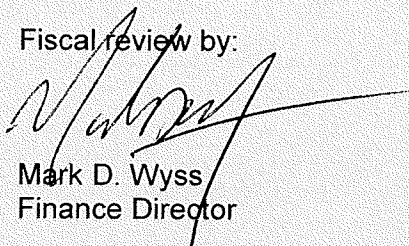
Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Mark D. Wyss
Finance Director

RESOLUTION NO. 11224-032012

BY: _____

**RESOLUTION ACCEPTING THE 2011 ANNUAL REPORT FOR
OAK CREEK'S WPDES STORM WATER (NR 216) PERMIT**

WHEREAS, the City of Oak Creek is required to prepare and submit an annual report for compliance with Oak Creek's WPDES Storm Water (NR 216) permit to the Department of Natural Resources; and

WHEREAS, the annual report outlines Oak Creek's status of implementation of storm water management programs and compliance with schedules contained in the permit.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Oak Creek that the 2011 Annual Report for Oak Creek's WPDES storm water (NR 216) permit has been reviewed and accepted.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 20th day of March, 2012.

Passed and adopted this 20th day of March, 2012.

President, Common Council

Approved this 20th day of March, 2012.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____



OakCreek

NR 216

2011 Annual Report

City of Oak Creek
WPDES Permit No. WI-S049905-2

Annual Report Contents

- A. Status of implementing the storm water management program and compliance with schedules.
- B. Updated storm sewer system map including new outfalls and structural controls.
- C. Summary describing the number and nature of enforcement actions, inspections, public education programs, spill responses and any other activity in the storm water management program that have measurable results.
- D. Summary of revisions to the storm water management program.
- E. Proposed revisions to the storm water management program.
- F. Summary of the monitoring data required in Section D.
- G. Proposed revisions to the storm water monitoring program.
- H. Summary of the pollutant loading calculations.
- I. Summary of the assessment of controls required in Section F.
- J. Fiscal analysis which includes expenditures from previous year and budget for current year.
- K. Identification of water quality improvements or degradation.
- L. Program proposals.

A. Status of implementing the storm water management program and compliance with schedules

I. City of Oak Creek Management Program

(a) Source area controls and structural best management practices.

A. Catch Basins

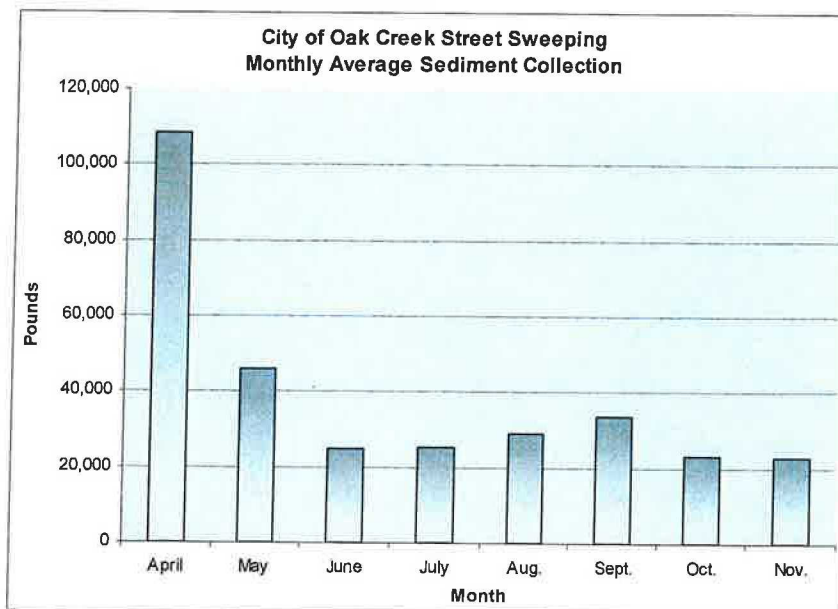
The City's catch basin cleaning program was implemented in March, 2001. City owned inlets and catch basins were inspected in the spring and fall of 2011, both for structural maintenance and cleaning needs. A total of 5,258 catch basin inspections were conducted in the 2011 cleaning program resulting in the removal of 16 tons (32,000 pounds) of sediment. This was a slight increase from 2010 (15 tons). All removed sediment was disposed of at the Waste Management Metro landfill in Franklin. The 2011 program continued using a GIS based inspection and record keeping system.

B. Sweeping of Streets with Curb

The City continued to follow the approved street sweeping schedule in 2011. Major city curbed roadways were swept twice per month and minor city curbed roadways were swept once per month. Sweeping operations began in April and were suspended in November for the winter. The figure entitled "City of Oak Creek Street Sweeping" shows the location and proposed schedule for the streets included in the City's street sweeping program.




The frequency of street sweeping remained the same between 2010 and 2011. Between 2010 and 2011 sediment collection decreased from 202.51 tons (405,020 pounds) to 178.33 tons (356,660 pounds). Leave collection at the recycling yard totaled 825 cubic yards. The collected sediment and leaves were disposed of at the Waste Management Metro landfill in Franklin.

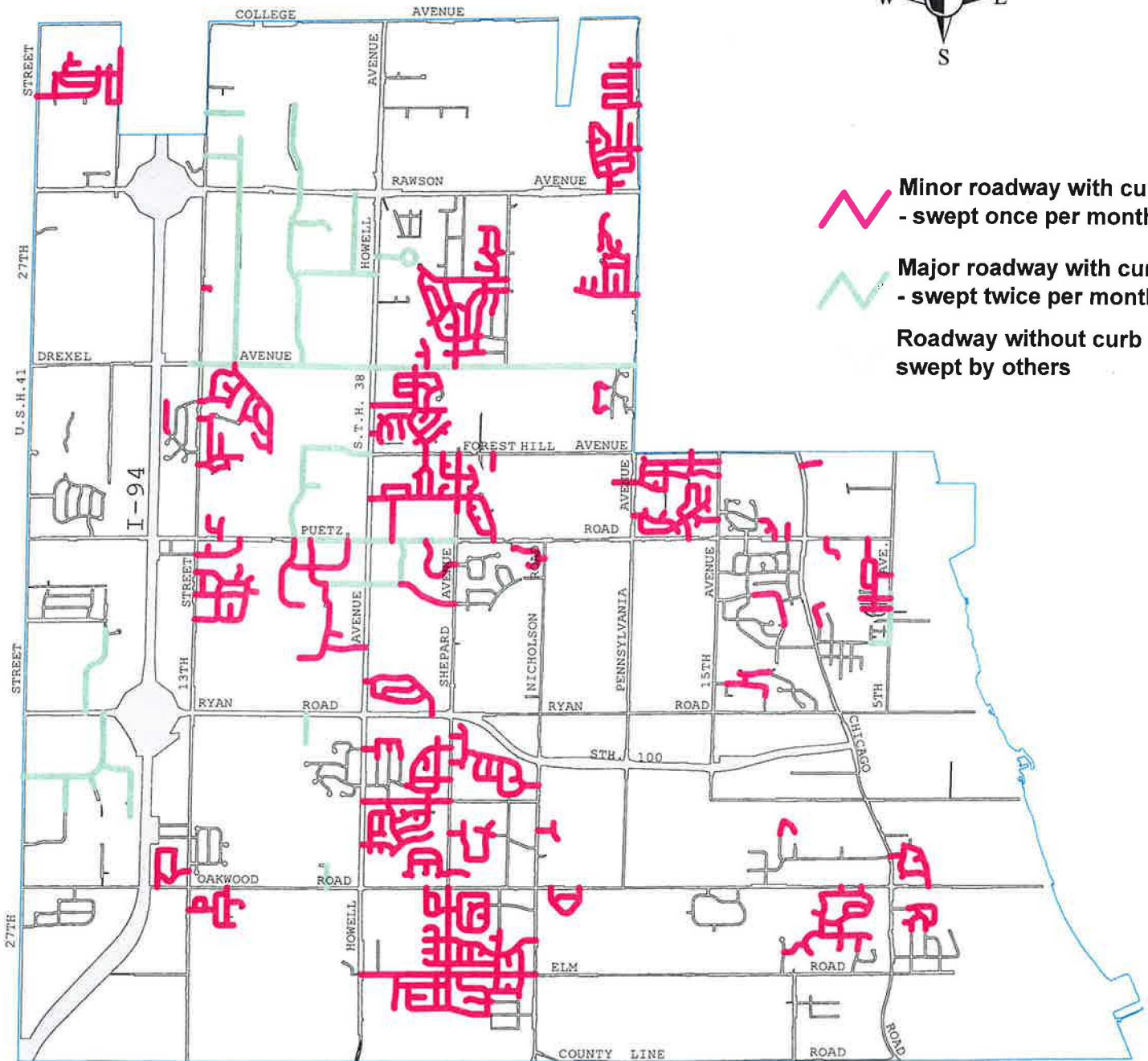
The following chart shows Oak Creek's historical trend for sweepings collected on a monthly basis.



CITY OF OAK CREEK 2012 STREET SWEEPING



-  Minor roadway with curb - swept once per month
-  Major roadway with curb - swept twice per month
-  Roadway without curb or swept by others



C. Structural Control Maintenance

City owned detention basins and swales are mowed three to five times a year depending on conditions. Cut material is removed if there was significant growth between mowing.

The City currently owns nine detention basins. Three of the detention basins are located at the Oak Creek Street Department (800 W. Puetz Road). The other basins are located at Abendschein Park (1900 E. Drexel Avenue), 10101 S. Shepard Avenue (Shepard Hills), 7000 S. 6th Street (fire station), 301 W. Ryan Road (police station), 3480 E. Puetz Road (Lake Forest) and David Lane extended (South of Twin Oaks Drive). These basins were inspected three times for proper operation and sediment buildup in 2011.

The City of Oak Creek also inspects the regional detention basin at the southeast corner of I-94 and W. College Avenue in accordance with an intergovernmental agreement between the Wisconsin Department of Transportation, Milwaukee County and Oak Creek.

The basin at 10101 S. Shepard Avenue was converted to a regional storm water quality and quantity facility in 2003. The slopes were planted with native prairie plants which are mowed or burned once annually.

Routine maintenance (mowing, removal of litter and branches, spot reseeding, minor erosion, etc.) was done on all the detention basins. Seven cubic yards of sediment were removed in 2011.

D. Roadway Maintenance

Salt is applied to roadways when they become slippery. A full-scale plow operation will begin if the snow continues. Additional salt will be applied at the conclusion of the plowing operation if there are cold or falling temperatures. All road salt is stored in a fully enclosed storage building located at 800 W. Puetz Rd.

(b) Discharges from areas of new development and redevelopment after construction is completed.

The Oak Creek Municipal Code requires an 80% removal of total suspended solids on developments creating 0.5 acres or more of impervious area.

The Oak Creek Municipal Code was amended in September, 2004 to incorporate the performance standards contained in NR 151. Developments creating 0.5 acres or more of impervious area are subject to requirements relating to infiltration, protective areas and fueling and vehicle maintenance areas. A copy of the adopted ordinance was submitted to the DNR in October, 2004.

Two storm water management permits were issued in 2011. These permits covered a total of 17 acres of new development within the City.

(c) Assessment of water quality impacts from flood management projects.

Assessments are made on each individual project. Water quality components are implemented into the designs where it is feasible. The box culvert installation on W. Pelton Drive did not have an impact on water quality.

- (d) Evaluation of the feasibility of retrofitting City owned structural flood control devices to provide pollutant removal from storm water.

Each of the City owned detention basins were evaluated to determine the feasibility of retrofitting them for water quality purposes. It was previously recommended that the basins located at 10101 S. Shepard Avenue and 3480 E. Puetz Road be retrofitted for water quality. The basin at 10101 S. Shepard Avenue was retrofitted for both water quality and quantity in 2003. Retrofitting the basin located at David Lane Extended is not recommended if the downstream regional wetland treatment system is implemented. Retrofitting the basin at 7000 S. 6th Street is not recommended because it would serve a very small tributary area.

- (e) Implementation of a program to promote the management of streambanks and shorelines by riparian landowners to minimize erosion, and restore or enhance the ecological values of waterways.

The City utilizes the Education and Information program described in Section V of this report to promote the management of streambanks and shorelines by riparian landowners to minimize erosion, and restore or enhance the ecological values of waterways. This program includes periodic articles in the local newsletter and provides educational literature available to the public at City Hall and the public library.

Streambank stabilization projects may be implemented in the future if matching funds can be secured through the DNR's Urban and Nonpoint Source and Storm Water Grants program.

II. Illicit Connection/Discharge Program

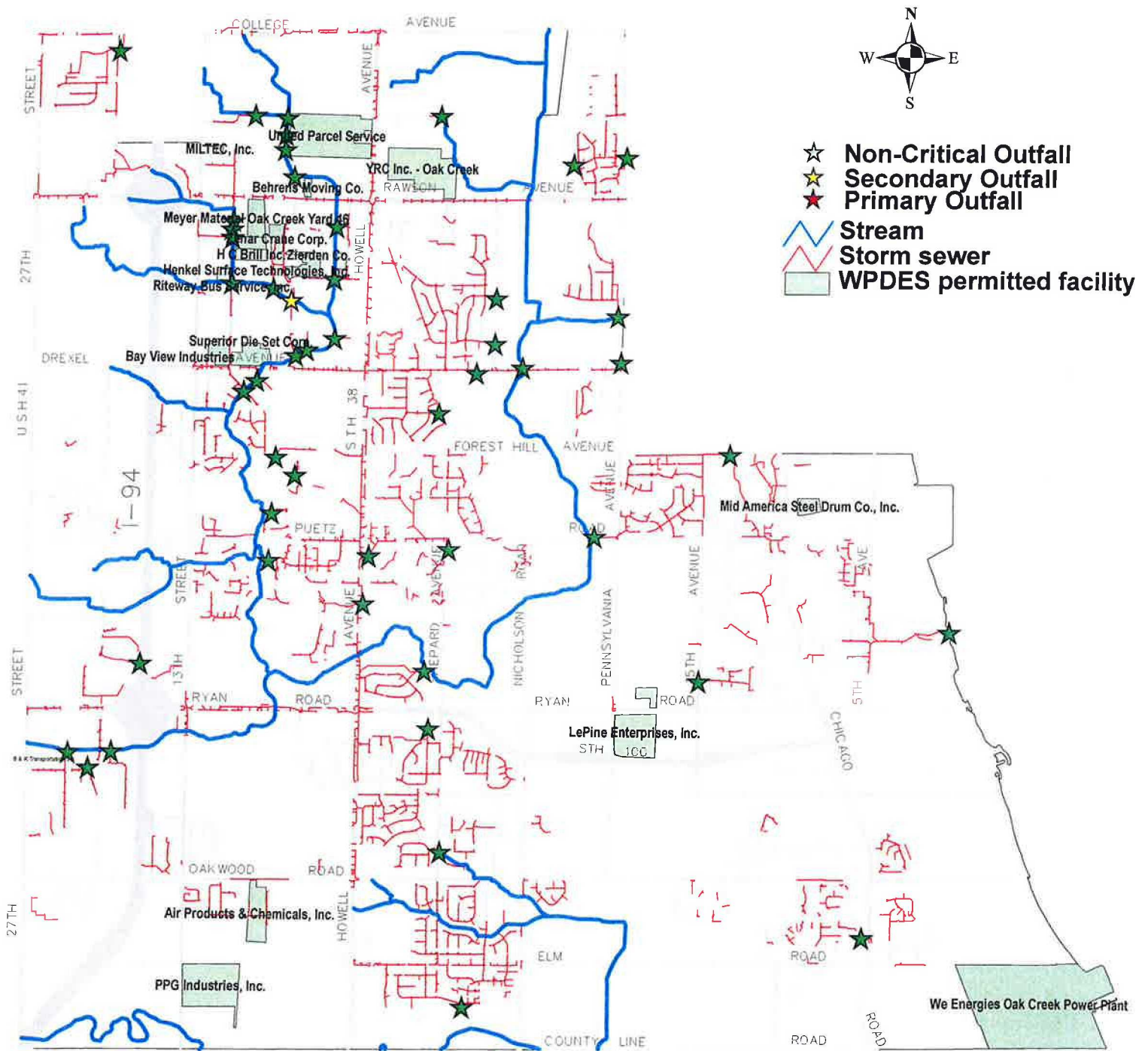
The illicit connection/discharge program proposal was approved by the DNR on September 8, 2003. This program includes all storm sewer outfalls 36 inches or larger. Initial field screening for the storm sewer outfalls began in 2004.

The outfalls were screened and categorized as primary (screened every six months), secondary (screened each year) or non-critical (screened every five years). The following table illustrates the criteria used to categorize the outfalls based on the field screening results:

Category:	Non-Critical	Non-Critical	Secondary	Secondary	Secondary	Primary	Primary	Primary	Primary
Visual observations (abnormal vegetation, residue or structural damage present)	No	No	No	Yes	Yes	Yes	No	No	Yes
Dry weather flow present	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
Field Screening (odor, turbidity, color or surface scum present)	No	No	Yes	No	No	Yes	No	Yes	Yes
Field analysis (tests positive for detergents, chlorine, copper, phenols or pH)	NA	No	No	NA	No	No	Yes	Yes	Yes

The outfall categories and locations for this program are illustrated in the attached figure. The 2011 screenings resulted in one outfall being categorized as secondary.

CITY OF OAK CREEK ILLICIT DISCHARGE PROGRAM OUTFALLS 2011



The City did not receive any reports of illicit discharges in 2011.

III. Industrial/High Risk Runoff Program

The proposed Industrial/High Risk Runoff program proposal was approved by the DNR on September 8, 2003. This program includes all storm sewer outfalls larger than 18 inches in critical basins identified in Oak Creek's Storm Water Management Master Plan. Because this program is similar to the illicit connection/discharge program, both programs were combined into one program.

IV. Construction Site Runoff

The City reduces pollutants in storm water runoff from construction sites by enforcing the City's erosion control ordinance. The building inspection department has enforcement over individual buildings and the engineering division reviews all erosion control plans and has enforcement over subdivisions and public works projects. Building inspection first post the site with a notice of erosion control violations giving the owner a specified time to correct the situation. If the owner does not comply within the specified time period, a stop work order is imposed. Further non-compliance will result in the issuance of a citation. The building inspection division did not issue any citations and about five stop work orders in 2011. The engineering division did not send out any erosion control compliance related letters in 2011.

V. Public Education and Outreach Program

Oak Creek joined the Southeast Wisconsin Clean Water Network in 2009. The Network called Keep Our Waters Clean, is comprised of 17 municipalities and is designed to satisfy the education and outreach activities required by the NR 216 storm water quality permit. This consolidated effort enables a more efficient and effective information and education program.

The 2011 Public Education and Outreach Program included the following components that correspond to the conditions of the reissued NR 216 permit:

(a) Educational Articles

(1) Local Newsletter - The City publishes a local newsletter called the Acorn. This newsletter is mailed to the city residents three times each year (Winter-Spring, Summer and Fall) and available at City Hall and the public library. Educational articles were included in each of the issues and summarized below:

- Keeping Our Water Clean (Winter-Spring, 2011)
- Beautiful Rain Gardens (Winter-Spring, 2011)
- Pet Waste and Water Quality (Summer, 2011)
- Construction and Erosion Control (Summer, 2011)
- Control Stormwater Runoff with Trees (Fall, 2011)

(2) Placement of Educational Materials at Public Buildings - Pamphlets on rain gardens, lawn care, fertilizer use, management of pet waste, car care, erosion control, shoreland buffers, etc. are displayed in the lobby of the City Hall and public library for public pick up. Approximately 20 brochures were distributed in 2011.

(b) Send Educational information to Select Businesses

Educational information on methods of storm water pollution prevention is sent to target audiences that may pose a storm water contamination concern. In 2011, information was dispersed regarding routine maintenance of detention basin to businesses, apartment complexes and homeowners associations.

(c) Education of Developers, Designers and Contractors

- (1) Engineering Design Manual – The City of Oak Creek has developed an Engineering Design Manual to inform and educate designers about design requirements including erosion control and storm water management practices. The manual is updated periodically and references the Department of Natural Resources' Technical Standards.
- (2) Planning and Design Correspondence - Meetings and written correspondence are conducted with developers and designers throughout the planning and design stages of developments.
- (3) Plan Review – During review of plans submitted for approval, the City reviews storm water management plans and erosion control measures to be implemented by the construction site operator. If the erosion control measures are considered to be inadequate, comments regarding requirements are conveyed to the site applicant. Incorporation of adequate erosion control measures into the final plans and specifications are required prior to issuing a permit.
- (4) Pre-Construction Meetings – Implementation of storm water management and erosion control measures are discussed with construction site operators during pre-construction meetings. Erosion control is also monitored throughout the construction process.
- (5) Maintenance Agreements – In addition to assigning maintenance responsibilities, the agreements contain maintenance standards that outline all the components the responsible party should be looking for in their routine inspections of the post development storm water management facilities. Storm water maintenance agreements are required for all new developments creating more than 0.5 acres of impervious area.

The following summary report from Keeps Our Waters Clean is a synopsis of their 2011 activities.

Report, Keep Our Waters Clean
Submitted by Root-Pike Watershed Initiative Network
Report Period: January 1-December 31, 2011
Submitted: March 1, 2012

Scope/Deliverables

Advertising Campaign-Root-Pike WIN will collaborate with the S.E. Wisconsin Watersheds Trust to plan, create and implement a media campaign that will be targeted to our audience a air during between the months of May-October.

January 1-December 31, 2011

RPW wrote a WIDNR Planning Grant to fund a mass media campaign in 2012. The Village of Mt. Pleasant agreed to be the fiscal agent. We were notified in December that the \$80,000.00 grant was funded. Sweet Water (S.E. Wisconsin Watersheds Trust) has also been funded (\$70,000.00) and we are discussing the possibility of pooling our funds for one combined campaign, since we are in the same media market.

The grant requires \$53,500.00 in matching funds from the municipalities, which would come from funds they have paid for the Keep Our Waters Clean program. RPW recommends carrying over \$26,217.00 from 2011 and allocating \$27,283.00 from the 2012 funding for the media campaign that would run May-October 2012.

Media Publicity--Through direct contacts with reporters and the distribution of news releases, Root-Pike WIN will attract media publicity to include radio and television interviews, and newspaper and magazine feature stories.

The *Greening Up Your Yard* workshops and rain garden grants received the following media publicity:

Racine Journal Times

- March 25, 2011, *Learn how your yard can help reduce water pollution.*
- June 1, 2011, *Yard care workshops start Saturday*

Milwaukee Journal Sentinel, Home & Garden announcements on April 16, May 20, May 27
Kenosha News

- March 30, 2011, *Free workshops can help you create rain gardens*
- May 26, 2011, *Rain gardens can be beautiful and functional.* Also appeared in Prime Magazine, a publication of Kenosha News.

Patch.com (Fox6 Now)

- May 31, 2011, *Last two Greening Up Your Yard workshops in June*

Radio Interviews

May 12, 2011, WRJN-Racine May 13, 2011, WGTD-Kenosha.

	<p><u>Municipal Newsletters and Websites</u></p> <p>RPW focused this year on gaining more publicity in the municipal newsletters and websites of our Clean Water Network members and we were pleased to see how many announced the workshops and rain garden grant opportunity. In June we completed an audit of each municipality's website and recent newsletters to determine if they contained information about actions homeowners can take to reduce stormwater runoff; announced the <i>Greening Up Your Yard</i> workshops, provided a link to the Keep Our Waters Clean portion of RPW's website or directly to the RPW website.</p>
<p>Municipal Newsletters--Root-Pike WIN will provide news releases and articles for municipal newsletters and websites on the topics areas. Materials will be submitted electronically in January (Spring newsletters), April (Summer newsletters), June (Fall newsletters), August (winter newsletters).</p>	<p>A new electronic newsletter targeted to members of the S.E. WI Clean Water Network and titled, <i>Clean Water News</i>, was launched in 2011 and published/ emailed in April, June, September, and December prior to the quarterly meetings. The newsletter announces upcoming meetings of the Clean Water Network; updates on Keep Our Waters Clean campaign; announcements of other projects that may be of interest to the members, such as the Root River and Pike River Watershed Restoration Planning and stormwater best management practices being implemented by member municipalities.</p>
<p>Electronic Newsletter--Root-Pike WIN will send monthly electronic newsletters to municipal residents on our topic areas to include articles, announcements of upcoming workshops and grant opportunities. Municipalities will be invited to submit information for the newsletter. Email addresses will be gathered from people who attended workshops and/or applied for grants associated with Root-Pike WIN and from other lists, such as UW-Extension.</p>	<p>A new electronic newsletter, titled <i>Greening Up Your Yard</i>, was launched in 2011 and published/distributed in May, June and July, August, September. RPW contracted with Constant Contact, an online service that helps manage electronic publications and contacts. As of December 31 we were emailing the newsletter to 664 people. People who attended workshops and received rain garden grants in 2008-2011 were added to the email list. People have the option of unsubscribing to the newsletter.</p>
<p>Publications: brochures, posters, manuals</p>	<p>Root-Pike WIN received grant funding from Michigan State University, Racine Community Foundation and Freshwater Future printed materials: workshop brochure, poster and workshop manual. The brochure and posters were distributed to municipalities, libraries and other public facilities. The workshop manual, <i>Rain Gardens, A How-To Manual for Homeowners</i>, was given to attendees of the workshops.</p>

<p>Website--Root-Pike WIN will continue to update information in the "Keep Our Waters Clean" section of its website and will use it to focus on our topic areas.</p>	<p>Root-Pike WIN's website homepages were redesigned October-December, 2011 and the <i>Keep Our Waters Clean</i> program is more prominently featured (www.rootpikewin.org).</p>
<p>Speakers Bureau--Root-Pike WIN will be available to give presentations to service and professional groups about the S.E. WI Clean Water Network and its role in reducing polluted stormwater runoff. A Powerpoint presentation and handout will be created and made available to members of the Network.</p>	<p>No presentations.</p>
<p>Exhibitions--Root-Pike WIN will participate in fairs and conferences as an exhibitor. We will create new artwork for the display unit and a handout for distribution at the events. The S.E. Wisconsin Clean Water Network will be prominently recognized on these materials. The exhibit will be made available to municipalities for display. A second tabletop display will be purchased if there is a large call from municipalities for the display.</p>	<p>Root-Pike Win participated in the following fairs and exhibitions in 2011:</p> <ul style="list-style-type: none"> ● April 16--Gateway Technical College-Kenosha Earth Day Fair, Kenosha ● April 30--Racine Humble Park Fair, Racine ● May 2-13, Greendale Public Library, Greendale ● May 14, Hoy Audubon bird Day Fair, Root River Environmental Education & Community Center, Racine ● June 25—Village of Mt. Pleasant Open House, Mt. Pleasant ● September 24—Petrifying Springs Park, Pike River Revival clean-up, Somers ● October 8—WIDNR's Open House of Steelhead Facility, Racine
<p>Workshops/Education</p>	<p>Root Pike WIN held six <i>Greening Up Your Yard</i> workshops that presented a variety of ways homeowners could reduce polluted stormwater runoff. A total of 138 people attended the workshops that were held in Kenosha (April 16), Bristol (April 23), Greendale, (May 7) Somers (June 4), Racine (May 14, June 25). A list of attendees is available on request.</p>
<p>Rain Gardens</p>	<p>Root-Pike WIN funded 17 rain gardens thanks to funding from Michigan State University and the Great Lakes Protections Fund and Freshwater future. A list of the recipients and locations</p>

<p>Meetings--Root-Pike WIN will plan and attend quarterly meetings of the Network, scheduled to be held on the third Thursday in March, June, September, December, and will organize one or more additional meeting on a topic of general interest to the group. In addition, RPW will be available to meet with Randy Kerkman on issues related to this contract.</p>	<p>is attached.</p> <p>Root-Pike WIN planned and organized meetings for the Clean Water Network in March and June, September, December.</p> <ul style="list-style-type: none"> • March meeting, held in Franklin, featured a presentation by Racine county Conservationist Chad Sampson and Kenosha county conservationist Dan Treloar on the topic of managing agricultural runoff and examples of projects their counties have funded. • June meeting, held in Greendale, featured a presentation and tour of Greendale's Grange Avenue that was reconstructed with vegetated bioswales in the median. • September meeting, held in Mount Pleasant, featured a presentation and tour of Mount Pleasant's restoration of the upper Pike River. • December meeting, held in New Berlin, featured a presentation on porous pavement.
<p>Written Progress Reports--Root-Pike WIN will submit a written report twice a year describing progress of the project. In September RPW will send an email listing the cost share for the following year.</p>	<p>This progress report is for the period, January 1-December 31, 2011</p>
<p>Project Evaluation--Root-Pike WIN will create and distribute an evaluation instrument to gather input from municipal members about the project for the purpose of improving the program and increasing its effectiveness.</p>	<p>UW-Extension has been asked to develop an online evaluation survey of the Keep Our Waters Clean program that would be distributed to members of the Clean Water Network.</p>

VI. Spills Program

The City of Oak Creek is part of the area served by the Milwaukee County Hazardous Response Team. The Fire Department logged 3 Hazmat incidents in the year 2011 which had the potential to impact storm water quality. None of the incidents resulted in a direct release into surface water. The following is a summary of the reported spills:

- Two spill incidents of diesel fuel totaling approximately 51 gallons.
- One spill incident of gasoline totaling approximately 1 gallon.

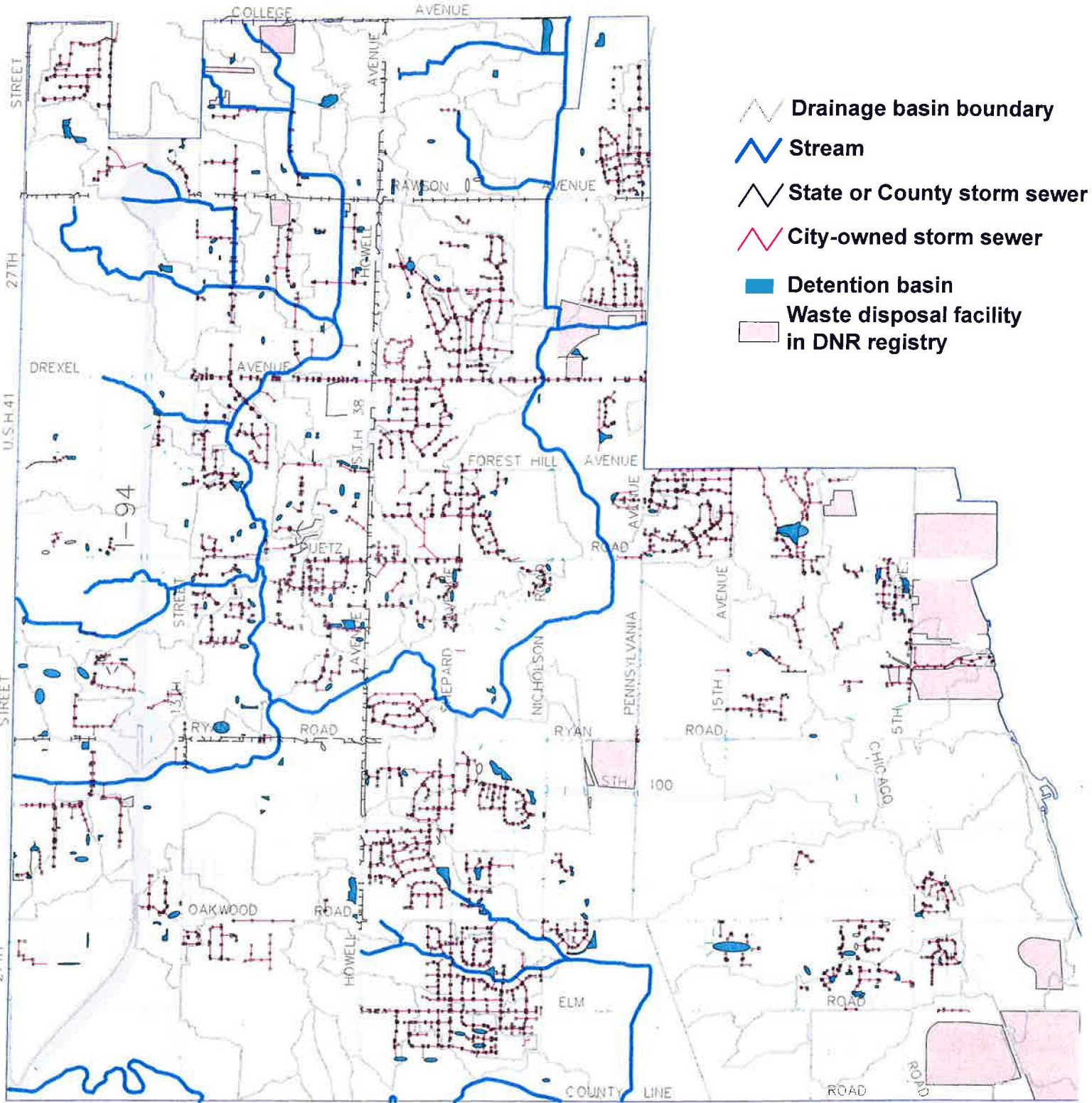
VII. Program Revisions

None.

B. Updated storm sewer system map including new outfalls and structural controls.

Please see attached maps.

CITY OF OAK CREEK DRAINAGE MAP



C. Summary describing the number and nature of enforcement actions, inspections, public education programs, spill responses and any other activity in the storm water management program that have measurable results

Activities	2007	2008	2009	2010	2011
Erosion Control Permits Issued	107	96	48	55	68
Erosion Control Citations issued	1 ¹	1 ¹	0 ¹	0 ¹	0 ¹
Erosion Control Ordinance Compliance Letters	2	4	4	5	1
Spills (Hazmat incidents) relating to storm water	4	5	5	5	3
Structural Control Inspections	15	15	21	27	27
Number of Catch Basins Inspected for Cleaning	2,338	2,673	5,136	3,118	5,258
Number of educational activities undertaken	3	5	6	6	6

¹ Note: Citations are issued only if a request for correction or stop work order has not been effective in obtaining the desired corrections to erosion control measures. Approximately 10 stop work orders are issued each year.

D. Summary of revisions made to the storm water management program.

Inspection of City-owned detention basins was changed from four to three times annually (spring, summer and fall). This revision was approved by the DNR in July, 2002. No revisions to the program were made in 2011.

E. Proposed revisions to the storm water management program.

None.

F. Summary of monitoring data.

The Department of Natural Resources approved Oak Creek's monitoring program proposal in November of 2000. The City has previously submitted all of the monitoring data to the DNR.

G. Proposed revisions to the storm water monitoring program.

None.

H. Summary of pollutant loading calculations.

Pollutant loadings for all 579 subbasins in Oak Creek using the Source Loading and Management Model (SLAMM) were submitted with the City's 2006 Annual Report. The analysis showed a 36% City-wide reduction in total suspended solids. Oak Creek was in compliance with the NR151 requirement of 20% suspended solids reduction by March 10, 2008.

In 2010 the City of Oak Creek contracted with AECOM to field verify swale infiltration rates within the City. The DNR subsequently reviewed and approved the new infiltration rate of 0.35 inches per hour, which is a significant increase over the previously used rate of 0.05 inches per hour.

The City is currently in the process of further revising the SLAMM model files to incorporate DNR comments received in 2011, as well as updating the swale infiltration rate. Preliminary results using the new infiltration rate indicate that Oak Creek should be right around 40% reduction in total suspended solids. The revisions will be completed in 2012.

I. Summary of the assessment of controls required in Section F.

Part I, Section F(1)(b)

Indirect Measurements	2007	2008	2009	2010	2011
Number and type of illicit connections found and eliminated	0	0	1	1	0
Number of erosion control permits issued	107	96	48	55	68
Number of enforcement actions taken (citations)	1 ¹	1 ¹	0 ¹	0 ¹	0 ¹
Number of spills (Hazmat incidents) relating to storm water	4	5	5	5	3
Number of educational activities undertaken	5	5	6	6	6
Number of sewer inlets stenciled	0	0	0	0	0
Volume of used oil collected (gallons)	10,120	11,060	11,595	10,925	8,290
Mass of leaves collected (c.y.)	700	850	825	800	825
Mass of sediment captured from street sweeping	118.35 Tons	451.69 Tons	226.98 Tons	202.51 Tons	178.33 Tons
Mass of sediment removed from catch basins	7.90 Tons	20 Tons	13 Tons	15 Tons	16 Tons
Mass of sediment removed from structural controls	3 Tons	3 Tons	5 c.y.	8 c.y.	7 c.y.

¹ Note: Citations are issued only if a request for correction or stop work order has not been effective in obtaining the desired corrections to erosion control measures. Approximately 5 stop work orders were this each year.

J. Fiscal analysis.

Summary of previous year's expenditures and current year's budget of the major elements in the NR 216 storm water management program.

Fund / Department	2009 Actual	2010 Actual	2011 Budget	2011 Estimate	2012 Budget
Special Revenue Fund - Storm Water Utility - Fund 38					
Beginning Fund Balance	\$79,900	\$48,236	\$101,857	\$85,062	\$190,029
REVENUES					
Taxes and Assessments					
300.00 Property Tax	0	0	0	0	0
Subtotal	\$0	\$0	\$0	\$0	\$0
Grants and Aids					
324.20 Storm Water Grant	0	0	0	0	0
Subtotal	\$0	\$0	\$0	\$0	\$0
Charges for Services					
Storm Water Management					
338.20 Permit	600	900	1,500	1,500	1,500
346.50 Storm Water Fees	609,692	605,072	693,750	697,877	709,500
Subtotal	\$610,292	\$605,972	\$695,250	\$699,377	\$711,000
Commercial Revenues					
360.00 Interest Income	0	0	1,500	2,000	1,500
360.10 Interest on Storm Water Fees	0	0	0	0	0
368.00 Miscellaneous Revenue	26	0	0	0	0
Subtotal	\$26	\$0	\$1,500	\$2,000	\$1,500
Total Revenues	\$610,318	\$605,972	\$696,750	\$701,377	\$712,500
EXPENDITURES					
Direct Employee Costs					
100.00 Salaries, Full Time	331,529	337,279	360,700	358,000	362,000
105.00 Salaries, Part Time	0	0			0
110.00 Salaries, Overtime	254	603	500	500	500
130.00 Retirement	35,651	37,474	41,850	41,000	21,400
135.00 Social Security	25,624	25,318	27,600	27,000	27,750
150.00 Insurance, Active Employees	61,010	58,800	70,430	70,430	77,600
160.00 Insurance, Work Comp	12,587	13,795	14,250	14,250	12,000
165.00 Insurance, Disability	1,175	1,273	1,300	1,300	1,300
170.00 Insurance, Dental	4,235	4,320	4,740	4,740	5,100
175.00 Insurance, Group Life	663	618	660	660	700
180.00 Longevity	780	780	800	800	0
185.00 Section 125 Administration	103	57	100	100	100
Subtotal	\$473,611	\$480,317	\$522,930	\$518,780	\$508,450

Indirect Employee					
200.00	Travel/Training	0		0	500
205.00	Recruitmnt/Testng/Physicals	106	50	0	0
215.00	Uniforms and Clothing	748	725	1,000	900
	Subtotal	\$854	\$775	\$1,000	\$900
					\$1,500
Utility Costs					
315.00	Telephone	0	0	0	0
	Subtotal	\$0	\$0	\$0	\$0
Supplies					
400.00	Office Supplies	0	0	100	50
440.00	Medical and Safety	317	16	500	250
460.00	Minor Equipment	0	0	500	500
462.00	Field Supplies	431	0	600	350
	Subtotal	\$748	\$0	\$1,700	\$1,150
					\$1,500
Other Services					
514.00	Consulting	3,150	16,286	5,500	6,780
520.00	Landfill Charges	5,774	8,393	7,500	7,500
525.00	Misc. Permits	4,000	4,300	5,000	4,000
595.00	Miscellaneous	0	0	0	0
	Subtotal	\$12,924	\$28,979	\$18,000	\$18,280
					\$22,500
Maintenance					
640.00	Street Maintenance Materials	0			0
650.00	Storm Drainage System	34,229	37,036	35,000	35,000
	Subtotal	\$34,229	\$37,036	\$35,000	\$35,000
					\$35,000
Vehicles					
700.00	Vehicle Maintenance	1,308	2,463	5,000	2,000
705.00	Equipment Maintenance	7,640	8,006	10,000	6,000
710.00	Gas/Oil/Fluids	7,668	8,785	10,000	12,000
715.00	Tires	3,000	2,785	1,000	2,300
	Subtotal	\$19,616	\$22,039	\$26,000	\$22,300
					\$28,500
	Subtotal Operations	\$541,982	\$569,146	\$604,630	\$596,410
					\$597,450
Interfund Transfers					
900.00	To CIP #40	100,000	0	0	0
900.00	Reserve for Unsettled Wages	0	0	0	0
	Subtotal	\$100,000	\$0	\$0	\$0
					\$110,000
	Total Expenditures	\$641,982	\$569,146	\$604,630	\$596,410
					\$707,450
	Use of Reserves	\$0	\$0	\$0	\$0
					\$0
	Ending Fund Balance	\$48,236	\$85,062	\$193,977	\$190,029
					\$195,079
	Fund Balance Percentage	7.5%	14.9%	32.1%	31.9%
					27.6%

K. Identification of water quality improvements or degradation.

The City of Oak Creek was issued its NR 216 permit in June of 2000 and subsequently re-issued in April of 2006. Implementation of water quality improvement programs began in 2001 on a phased basis. The following programs or projects have resulted in water quality improvements:

- The street sweeping and catch basin cleaning programs have resulted in the collection of a significant amount of sediment. Street sweeping has collected 3,062,260 pounds of sediment and catch basin cleaning has removed 177,660 pounds of sediment.
- The Shepard Hills detention basin was retrofitted in 2003 to provide for water quality which should improve the conditions downstream.
- The Arthur Avenue storm sewer project constructed in 2005 diverted the untreated storm sewer runoff from 33 acres of a developed residential area through a wet detention basin.
- Installation of a hydrodynamic separator in the Southbranch Industrial Park in 2006.
- Portions of the Northbranch industrial park (Marquette Ave., 1st St. and 10th St.) were reconstructed with curb & gutter and inlets were replaced with catch basins in 2007. This enables catch basin cleaning and street sweeping on these roads.
- The regional detention basin at the southeast corner of I-94 and W. College Avenue constructed through an intergovernmental agreement between Wisconsin Department of Transportation, Milwaukee County and Oak Creek, treats about 230 acres of tributary area prior to discharging into the N2 Tributary.

L. Program Proposals.

- New program proposals are not required under the permit for 2012.

16-17-18

**MINUTES
LICENSE COMMITTEE
FRIDAY, MARCH 9, 2012 AT 8:30 A.M.**

This meeting was called to order at 8:30 a.m. Present were: Ald. Scaffidi and Ald. Gehl. Ald. Jakubczyk was absent. Also in attendance were Assistant City Attorney Melissa Karls and Acting City Clerk Christa Miller.

1. The Committee reviewed the application for an Operator's license submitted by Laura Scott, 6025 22nd Ave., Kenosha (The Dish). Ms. Scott's application had been previously reviewed by the Committee on 2/3/2012 and at that time, the Committee had asked that an invitation be extended to Ms. Scott to appear before the Committee for questions regarding her application. Ms. Scott was in attendance for the meeting, as well a representative from her place of employment, Val Secor (The Dish).

Background: Ms. Scott submitted a listing of her police record as follows: Theft (3/25/02), Liquor Possession by Underage (1/18/03, 4/4/04), Disorderly Conduct/Person (1/18/03), Domestic Abuse (9/11/03), Misrepresentation of Age (4/4/04), Fraud/Other (7/15/04), Theft (7/15/04), OWI (2005), Liquor License Violation (1/22/06), DWI (2/13/08).

Ms. Scott does not have a felony conviction. Ms. Scott is not considered a habitual offender.

It appears that Ms. Scott had attempted to provide a complete listing of her police record, however, there were inconsistencies regarding the dates. Ms. Scott did not list the convictions for Operate Vehicle Without Consent (10/18/05) and Party to Unauthorized Use of Entity's ID to Obtain Credit (10/18/05).

Ms. Scott was questioned about the two conviction omissions and she advised that in the process of trying to recall her convictions and be as thorough as possible, she had been under the impression that they were expunged and simply forgot. Mr. Secor advised the Committee that he is the General Manager at The Dish and that Ms. Scott is second in command and that they are hopeful to open other locations under this name, and Ms. Scott was being "groomed" to take over the manager position at one of those potential future sites.

Ald. Gehl, seconded by Ald. Scaffidi, moved to grant an operator's license to Laura Scott, 6025 22nd Ave., Kenosha (The Dish), All voted aye; motion carried.

2. The Committee reviewed the application for an Operator's license submitted by Eric Mielke, 5804 S. Delaware Ave., Cudahy (Bootz Saloon). Mr. Mielke's application had been previously reviewed by the Committee on 2/3/2012 and at that time, the Committee had asked that an invitation be extended to Mr. Mielke to appear before the Committee for questions regarding his prior convictions. Mr. Mielke was in attendance for the meeting.

Background: Mr. Mielke disclosed the following convictions: OWI (2004, 2010) and exposing a minor to harmful material.

Mr. Mielke does not have a felony conviction. Mr. Mielke is not considered a habitual offender.

Mr. Mielke appears to have included all of the information provided in our police record check, however, the License Committee had questions regarding Mr. Mielke's convictions.

The Committee questioned Mr. Mielke regarding his conviction of exposing a minor to harmful material. Mr. Mielke advised that the minor was 17 and that he had sent a document to this individual via the internet. Mr. Mielke confirmed it was not alcohol related.

Ald. Gehl, seconded by Ald. Scaffidi, moved to grant an operator's license to Eric Mielke, 5804 S. Delaware Ave., Cudahy (Bootz Saloon). All voted aye; motion carried.

3. The Committee reviewed the application for a 2012 Landfill license submitted by Mark Nicholson, Apple Tower Development, Inc., 8400 S. 27th St., 8380 S. 27th St., 8432 S. 27th St., 8351 S. 20th St. This application had been previously reviewed by the Committee on 2/3/2012 and at that time, the Committee had asked that the Alderperson of that district (2nd District) be contacted to see if they had received any complaints in the past year regarding the Landfill.

Acting City Clerk Christa Miller contacted Ald. Daniel Bukiewicz and he advised that there have been no complaints, but that it would be helpful if Apple Tower would rough grade their dirt rather than leaving piles during the year. The Committee discussed whether or not this is a licensing issue or a code enforcement issue and it was determined that it was more a code enforcement issue and that the Acting City Clerk should bring this to the attention of the Zoning Administrator/Planner Peter Wagner.

Ald. Scaffidi, seconded by Ald. Gehl, moved to grant a 2012 Landfill license to Mark Nicholson, Apple Tower Development, Inc., 8400 S. 27th St., 8380 S. 27th St., 8432 S. 27th St., 8351 S. 20th St. All voted aye; motion carried.

Ald. Scaffidi, seconded by Ald. Gehl, moved to adjourn this meeting at 8:48 a.m. On roll call, all voted aye; motion carried.

APPLICATION FOR LICENSE TO SERVE FERMENTED MALT BEVERAGE AND INTOXICATING LIQUORS IN THE CITY OF OAK CREEK, WISCONSIN

SCHEDULE: LICENSE FEE PAID \$100.00 (refund for denial \$25.00)
PROVISIONAL FEE PAID \$15.00 DUPLICATE FEE PAID \$10.00

NEW/RENEWAL October 31, 2011

To the City Clerk of the City of Oak Creek, Wisconsin: I hereby apply for a license to serve, from date hereof to June 30, 20__ inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the City of Oak Creek Municipal Code Section 12.11(7) and Wis. State Statutes Section 125 and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, federal, state or local, affecting the sale of such beverages and liquors if a license is granted to me.

I certify that I am 27 years of age. X Laura Scott (signature of applicant)

Name Laura K Scott PLEASE PRINT Telephone No. (262) 515-7803
Address 6025-22nd Ave Kenosha Zip 53143
Driver's License No. S300 5318 4674 06 Date of Birth 5/14/84
Male Female X Place of Birth Kenosha, WI Aliases used, maiden name, previous married names:

List city and state in which you resided during last 5 years: Kenosha, WI.

Do you now or have you ever held any other bartender or intoxicating liquor license in the state of Wisconsin? Yes No X
If so, where?

Have you been convicted of any of the following:
a. Felony
b. Misdemeanor
c. Violation of any federal laws
d. Violation of any Wisconsin laws
e. Violation of laws of any other states
f. Violation of ordinances of any municipality?
Yes X No If so, state nature of offense:
Date of conviction Name of court Kenosha

Please SEE ATTACHED

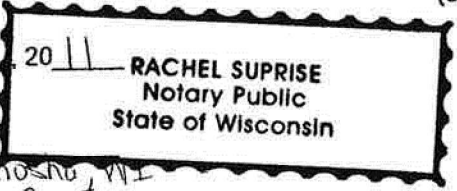
Have you been convicted of violating any license law or ordinance regulating the sale of intoxicating liquors? Yes X No
Date of conviction 1/22/2006 Name of court Kenosha

STATE OF WISCONSIN MILWAUKEE COUNTY

X Laura Scott, being first duly sworn on oath says that he/she is the person who made and signed the foregoing application for an operator's license; that all the statements made by the applicant are true. I hereby verify that I have read and understand the "Important Notice to All Bartender (Operator) Applicants" bulletin and authorize the Oak Creek Police Department to conduct a police record check.

PLEASE BE ADVISED THAT A POLICE RECORD CHECK WILL BE CONDUCTED ON ALL APPLICANTS. X Laura Scott (signature of applicant)

Subscribed and sworn to before this day of October



Provisional license # Date

Rachel Suprise Notary Public, Milwaukee Co., WI Kenosha, WI Employer: July 26, 2015

License # Date

OMISSION OR FALSIFICATION OF INFORMATION ON THIS APPLICATION IS GROUNDS FOR DENIAL

Oak Creek Police Department

Name Detail

A-000165701

Scott, Laura K

Address 6025 22nd Ave
CSZ Kenosha, WI 53143
Phone# (H)262-515-7803

SS# 397-02-5004
FBI# 700312CC0
SBI# WI 962674
Jacket# 124662
DL# S300-5318-4674-06-WI

FLAGS

Sex Female
Race White
DOB 05/14/1984 - 27
Height 503
Weight 135
Eye Blue
Hair Blonde or Strawberry

Alias Name(s)	Address(s)
Scott, Laura Katherine	
Scott, Laura Katheryn	
Scott, Laura Kathryn	

Activities	Date	Time	Activity#	CFS	ActivityType	BookingDtI
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Narrative

11/09/2011 Alcohol Bev Lic App (New) (Mobil Oasis/The Dish)

OWI Arrests:

08/11/04 - Whitewater City PD - Convicted 09/01/04 * *
02/13/08 - Kenosha County - Convicted 04/28/08

Non-Felony Arrests:

11/11/03 - Kenosha PD - Disorderly Conduct Domestic Abuse Related Misdemeanor - Convicted of Disorderly Conduct Non-Criminal
11/25/03 fined
07/22/04 - Kenosha PD - Retail Theft Misdemeanor - Dismissed 10/18/05
01/06/05 - Kenosha County Sheriff - Theft-Movable Property Party To Misdemeanor - Convicted 10/18/05 2 years probation (same as count 1)

Felony Arrests:

01/06/05 - Kenosha County Sheriff - Take and Drive Vehicle Without Owner's Consent Party To (count 1) - Amended by Prosecutor to Operate Vehicle Without Consent-Abandon-24 hrs Party To Misdemeanor - Convicted 10/18/05 2 years probation, fine, restitution, community service, do not possess or consume alcoholic beverages, do not possess or consume controlled substances except by prescription

01/06/05 - Kenosha County Sheriff - Theft-Movable Property Party To - Dismissed 10/18/05

01/06/05 - Kenosha County Sheriff - Unauthorized Use of an Entity's ID to Obtain Credit Party To - Amended by Prosecutor to Financial Transaction Card-Fraudulent Use (<\$2500) Party To Misdemeanor - Convicted 10/18/05 2 years probation (same as count 1)

01/06/05 - Kenosha County Sheriff - Forgery Party To - Dismissed 10/18/05

Record checked by D. Paget 11/09/11



Oak Creek

OFFICE OF THE
CITY ATTORNEY

Lawrence J. Haskin
City Attorney

Melissa L. Karls,
Assistant City Attorney

MEMORANDUM

TO: Christa Miller, Acting City Clerk

FROM: Melissa L. Karls, Assistant City Attorney *MLK*

DATE: November 23, 2011

RE: **Operator License Application for Laura Scott**

You asked our office to review the operator license application for Laura Scott. Ms. Scott submitted her application on October 31, 2011. She indicates that she has a record of convictions from Kenosha and that she has a conviction for an offense regulating the sale of intoxicating liquors from January 22, 2006 in Kenosha. Ms. Scott submitted a listing of her police record as follows:

- Theft: 5/25/02, Kenosha
- Liquor Possession by Underage: 1/18/03, Kenosha
- Disorderly Conduct/Person: 1/18/03, Kenosha
- Domestic Abuse: 9/11/03, Kenosha
- Liquor Possession by Underage: 4/04/04, Kenosha
- Misrepresentation of Age: 4/04/04, Kenosha
- Minor Loiter in Tavern: 4/04/04, Kenosha
- Fraud/Other: 7/15/04, Kenosha
- Theft: 7/15/04, Kenosha
- OWI: 2005 (date not sure), Whitewater
- Liquor License Violation: 1/22/06, Kenosha
- DWI: 2/13/08, Kenosha

Our police record check lists the following information:

- Disorderly Conduct: (non-criminal) arrested 11/11/03, convicted 11/25/03; Kenosha
- Retail Theft: (misdemeanor) arrested 7/22/04, dismissed 10/18/05; Kenosha
- Theft: (misdemeanor) arrested 1/06/05, convicted 10/18/05; Kenosha
- Theft: (misdemeanor) arrested 1/06/05, dismissed 10/18/05; Kenosha
- Operate Vehicle Without Consent: (misdemeanor) arrested 1/06/05, convicted 10/18/05; Kenosha
- Party to Unauthorized Use of Entity's ID to Obtain Credit (misdemeanor), arrested 1/06/05, convicted 10/18/05; Kenosha

Christa Miller, Acting City Clerk
November 23, 2011
Page Two

- Party to Forgery: arrested 1/06/05, dismissed 10/18/05; Kenosha
- OWI: arrested 8/11/04, convicted 9/01/04, Whitewater
- OWI: arrested 2/13/08, convicted 4/28/08, Kenosha

Sections 7.82 and 7.83 of the Municipal Code list the license investigation requirements. An application may be denied if the applicant has been convicted of a felony or habitually been a law offender. A person is a habitual offender if in the five years prior to application she has been arrested or convicted of at least two offenses which are substantially related to the licensed activity. An application may be denied if the applicant has falsified her application or has been convicted of possession or delivery of a controlled substance in the five years prior to application.

Ms. Scott does not have a felony conviction. She is not a habitual offender, and she has not been convicted of possession or delivery of a controlled substance in the five years prior to application. It appears that Ms. Scott has attempted to provide a complete listing of her police record. She listed more offenses than were included in our police record check, though there appear to be some inconsistencies regarding the dates. Ms. Scott did not list the convictions for Operate Vehicle Without Consent and Party to Unauthorized Use of Entity's ID to Obtain Credit. The License Committee and Common Council will need to determine whether these omissions would constitute falsification and, if so, this could result in the denial of her application.

APPLICATION FOR LICENSE TO SERVE FERMENTED MALT BEVERAGE AND INTOXICATING LIQUORS IN THE CITY OF OAK CREEK, WISCONSIN

FEE SCHEDULE: LICENSE FEE PAID \$100.00 (refund for denial \$25.00)
 PROVISIONAL FEE PAID \$15.00 _____ DUPLICATE FEE PAID \$10.00 _____

NEW / RENEWAL _____ 1-10 _____, 20 12

To the City Clerk of the City of Oak Creek, Wisconsin:
 hereby apply for a license to serve, from date hereof to June 30, 2012 inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors, subject to the City of Oak Creek Municipal Code Section 12.11(7) and Wis. State Statutes Section 125 and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, federal, state or local, affecting the sale of such beverages and liquors if a license is granted to me.

certify that I am 31 years of age. X Eric Mielke
 (signature of applicant)

 PLEASE PRINT

Name ERIC CHRISTOPHER MIELKE Telephone No. (414) 416-6103
 (first) (middle) (last)
 Address 5804 S DEZAWARE AVE CUDAHY Zip 53110
 (street) (city)
 Driver's License No. M420-2038-0121-00 Date of Birth 4-1-80

Male Female Place of Birth CUDAHY Aliases used, maiden name, previous married names: _____

List city and state in which you resided during last 5 years:
CUDAHY, WI

Do you now or have you ever held any other bartender or intoxicating liquor license in the state of Wisconsin? Yes No
 If so, where? St. FRANCIS, MILWAUKEE,

Have you been convicted of any of the following:
 a. Felony d. Violation of any Wisconsin laws
 b. Misdemeanor e. Violation of laws of any other states
 c. Violation of any federal laws f. Violation of ordinances of any municipality?
 Yes No If so, state nature of offense: 2nd DUI, ~~EXPOSURE~~ + MINOR TO HARMFUL MATERIAL
1st DUI - 2004
 Date of conviction MARCH 2010 Name of court MILWAUKEE COUNTY

Have you been convicted of violating any license law or ordinance regulating the sale of intoxicating liquors? Yes No
 Date of conviction _____ Name of court _____

STATE OF WISCONSIN
 MILWAUKEE COUNTY
X ERIC MIELKE, being first duly sworn on oath, says that he/she is the person who made and signed the foregoing application for an operator's license; that all the statements made by the applicant are true.
 I hereby verify that I have read and understand the "Important Notice to All Bartender (Operator) Applicants" bulletin and authorize the Oak Creek Police Department to conduct a police record check.

PLEASE BE ADVISED THAT A POLICE RECORD CHECK WILL BE CONDUCTED ON ALL APPLICANTS.
X Eric Mielke
 (signature of applicant)

Subscribed and sworn to before this
10 day of January, 2012
Daggy J. Dlapa
 Notary Public, Milwaukee Co., WI
 Employer: BOOTZ hired to PD
 Provisional license # _____
 Date _____
 License # _____
 Date _____

Oak Creek Police Department

Name Detail

A-000188696

Mialke, Eric C

Address 5804 S Delaware Ave

CSZ Cudahy, WI 53110

Phone# (H)414-416-6103

Sex Male

Race White

DOB 04/01/1980 - 31

Height 600

Weight 165

Eye Blue

Hair Blonde or Strawberry

SS# 388-98-3998

FBI# 489750CD8

SBI# WI 1232313

Jacket# 127648

DL# M420-2038-0121-00-WI

FLAGS

Alias Name(s)

Address(s)

Activities

Date Time	Activity#	CFS	ActivityType	BookingDtI
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Narrative

01/11/2012 Alcohol Bev Lic App (New) (Bootz)

OWI Arrests:

05/29/05 - Oneida County - Convicted 06/13/05

09/18/09 - St. Francis PD - Convicted 03/22/10

Non-Felony Arrests:

None

Felony Arrests:

06/07/08 - Cudahy PD - Exposing Child/Harmful Material-Sale, Etc-Attempt - Convicted as Misdemeanor 08/07/09, 60 days HOC

12/01/08 - Cudahy PD - Exposing Child/Harmful Material-Sale, Etc-Attempt - Dismissed 08/07/09

Record checked by D. Paget 01/11/12

*17 yr. old.
exposure to
unmailed doc.*



OFFICE OF THE
CITY ATTORNEY

Lawrence J. Haskin,
City Attorney

Melissa L. Karls,
Assistant City Attorney

MEMORANDUM

TO: Christa Miller, Acting City Clerk

FROM: Melissa L. Karls, Assistant City Attorney *MUK*

DATE: January 30, 2012

RE: **Operator License Application for Eric Christopher Mielke**

You asked our office to review the operator license application for Eric Christopher Mielke. Mr. Mielke submitted his application on January 10, 2012. He indicates that he has misdemeanor convictions in Milwaukee County and lists the following:

- 2nd OWI—March 2010
- exposing a minor to harmful material
- 1st OWI—2004

Our police record check lists the following information for Mr. Mielke:

- OWI: arrested 05/29/05, convicted 06/13/05; Oneida County
- Exposing Child/Harmful Material-Sale, etc.—Attempt: (misdemeanor) arrested 06/07/08, convicted 08/07/09; Cudahy
- Exposing Child/Harmful Material-Sale, etc.—Attempt: (misdemeanor) arrested 12/01/08, dismissed 08/07/09; Cudahy
- OWI: arrested 09/18/09, convicted 03/22/10; St. Francis

Sections 7.82 and 7.83 of the Municipal Code list the license investigation requirements. An application may be denied if the applicant has been convicted of a felony or habitually been a law offender. A person is a habitual offender if in the five years prior to application he has been arrested or convicted of at least two offenses which are substantially related to the licensed activity. An application may be denied if the applicant has falsified his application or has been convicted of possession or delivery of a controlled substance in the five years prior to application.

Mr. Mielke does not have a felony conviction. He is not a habitual offender, and he has not been convicted of possession or delivery of a controlled substance in the five years prior to application. Mr. Mielke appears to have included all of the information provided in our police record check. It is my opinion that the License Committee and Common Council would have the authority to grant his application.