



## 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

WEDNESDAY, JANUARY 2, 2013  
AT 7:00 P.M.

VISIT OUR WEBSITE AT [WWW.OAKCREEKWI.ORG](http://WWW.OAKCREEKWI.ORG) FOR THE AGENDA  
AND ACCOMPANYING COMMON COUNCIL REPORTS.

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

Call Meeting to Order

Pledge of Allegiance

Mayoral Announcements

Approval of Minutes: 12/18/12.

New Business

#### MAYOR & COMMON COUNCIL

1. **Resolution:** Consider resolution No. 11324-010213, requesting legislation to establish the method of allocating water supply costs between water supplier and wholesale customer (by Committee of the Whole).
2. **Motion:** Consider a motion to approve the 2012 and 2013 Vendor Summary Reports in the total amount of \$495,833.90 for 2012 and \$125,293.47 for 2013. (by Committee of the Whole).

#### STREETS, PARKS AND FORESTRY

3. **Resolution:** Consider resolution No. 11326-010213 authorizing the City Forestry Division of the Streets, Parks and Forestry Department to submit an application for a 2013 Department of Natural Resources Urban Forestry Grant. (by Committee of the Whole).

#### LICENSE COMMITTEE

The License Committee did not meet prior to the 01/02/13 meeting. Tentative recommendations are being made as follows:

4. **Motion:** Consider a motion to grant an Operator's license to the following (favorable background reports received):
  - Joshua J. Abelt, 2415 Nicholson Ave. South Milwaukee (7 Eleven)
  - Kevin J. Carlson, 8396 South Chicago Rd. Oak Creek (Victors Again)

**MISCELLANEOUS**

5. **Motion:** Consider a *motion* to convene into Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes 19.85 (1)(c) to discuss COBRA benefits for a former firefighter.
6. **Motion:** Consider a *motion* to reconvene into Open Session.
7. **Motion:** Consider a *motion* to take action, if required.

***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.

# City of Oak Creek Common Council Report

Meeting Date: January 2, 2013

Item No.: 1

**Recommendation:** That the Common Council adopt Resolution No. 11324-010213 a resolution requesting legislation to establish the method of allocating water supply costs between water supplier and wholesale customer.

**Background:** The Public Service Commission of Wisconsin's current rate-setting methodology does not allocate costs between the communities of Oak Creek, Franklin and Caledonia proportionately. Oak Creek has routinely had to engage its wholesale customers in contested rate cases that have cost the Utility very significant dollar amounts. The proposed legislation would mandate the proportionate allocation of costs between retail and wholesale customers. This would effectively eliminate the majority of future contested rate case issues.

**Fiscal Impact:** The changes explained above would provide a financial incentive to provide regional water service. Regionalization with proportionate sharing of costs would benefit Oak Creek ratepayers by distributing costs across a larger customer base. Infrastructure increases to serve a larger customer base also would increase the Utility's tax equivalent payment to the City.

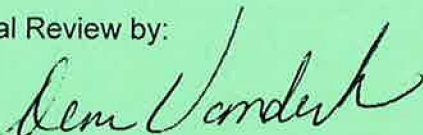
Prepared by:

  
Steven N. Yttri, CPA  
Utility General Manager

Respectfully submitted,

  
Gerald Peterson  
City Administrator

Fiscal Review by:

  
Denise Vandebush  
Interim Finance Director

**RESOLUTION NO. 11324-010213**

**A RESOLUTION REQUESTING LEGISLATION TO ESTABLISH THE METHOD OF ALLOCATING WATER SUPPLY COSTS BETWEEN WATER SUPPLIER AND WHOLESALE CUSTOMER**

WHEREAS, the City of Oak Creek, through the Oak Creek Water and Sewer Commission, owns and operates a state-of-the-art water utility that provides potable water to Oak Creek residents, as well as the City of Franklin and the Village of Caledonia; and

WHEREAS, approximately 55% of all water sales from the Oak Creek Utility are made to Oak Creek residents, while 45% of all water sales are made to the City of Franklin and Village of Caledonia; and

WHEREAS, the cost of the facilities used to serve Oak Creek, Franklin and Caledonia should be shared in proportion to the costs imposed by each community receiving water service; and

WHEREAS, the current rate-setting methodology of the Public Service Commission of Wisconsin ("PSC") does not allocate costs between the communities of Oak Creek, Franklin and Caledonia proportionately; and

WHEREAS, the PSC's current rate-setting methodology provides a disincentive for a municipality, such as Oak Creek, to serve other communities with wholesale water because the supplying municipality's residents are required to pay more than their proportionate share for the cost of water; and

WHEREAS, the City's Letter of Intent to negotiate a water purchase agreement with the City of Waukesha is contingent upon the City being able to recover its total cost to provide wholesale water from all its wholesale customers; and

WHEREAS, legislation is needed to establish a methodology that will allocate costs between the community supplying water and its wholesale municipal customers in proportion to the costs imposed by each community receiving water service;

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Oak Creek requests that legislation be introduced, passed and signed, to create a statute that establishes a methodology that proportionately allocate costs between a municipality that supplies water, and its wholesale municipal customers, based upon the costs imposed by each community receiving water service.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 2<sup>nd</sup> day of January 2013.

\_\_\_\_\_  
President, Common Council

Passed and adopted this 2nd day of January 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

# City of Oak Creek Common Council Report

Meeting Date: January 2, 2013

Item No.: 2

**Recommendation:** That the Common Council approve payment of the obligations as listed on the December 26, 2012 Vendor Summary Report and December 27, 2012 Check Register.

**Background:** Of note are the following 2012/2013 payments:

1. \$65,260.89 to Advanced Disposal-Muskego-C6 (pg #1) for drop off yard disposal, recycling, and landfill charges.
2. \$104,336.16 to Black Diamond Group Inc. (pg #2) for the Bluffs final asphalt payment.
3. \$27,600.00 to Butters-Fetting Co., Inc. (pg #3) for installation of air cooled scroll chiller at fire station #3.
4. \$4,925.00 to Custom Structural Inc. (pg #4) for steel for the Streets Dept. chipper box and for galvanizing work for maintenance.
5. \$8,016.52 to Emergency Apparatus Maint., Inc. (pg #7) for pump maintenance.
6. \$27,092.90 to Godfrey & Kahn S.C. (pg #9) for November legal services Delphi and Lakeview Village.
7. \$8,185.75 to Oak Creek Water & Sewer Utility (pgs #16-17) for August, September, October and November locating services.
8. \$13,650.25 to R. A. Smith National (pg #20) for November services Weatherly Drive Crossing design and floodplain remodeling.
9. \$76,101.52 to Strand Associates, Inc. (pg #21) for November engineering S. 5<sup>th</sup> Avenue relocation and W. Drexel construction services.
10. \$40,378.69 to WE Energies (pgs #23-24) for street lighting and utilities.
11. \$34,221.04 to WI Dept. of Transportation (pg #24) for Drexel Avenue interchange, Drexel, Rawson, & College intersections, 13<sup>th</sup> & Puetz, and 5<sup>th</sup> Avenue relocation.
12. \$65,639.10 to Benistar/UA (pg #1) for January retiree Medicare supplement.
13. \$25,000.00 to Burkwald & Associates, Inc. (pg #1) for 2013 consulting services.
14. \$4,860.00 to Command Central (pg #1) for 2013 maintenance agreement.
15. \$8,689.22 to League of Wisconsin (pg #1) for 2013 dues.
16. \$9,416.98 to Milwaukee Area Domestic Animal (pg #2) for 1<sup>st</sup> quarter operating costs/capital projects.
17. \$9,826.93 to National Insurance Company (pgs #2-3) for January disability insurance.

**Fiscal Impact:** Total claims paid of \$495,833.90 for 2012. Total claims paid of \$125,293.47 for 2013.

Prepared by/Fiscal Review by:

Respectfully submitted,



Denise Vandenkush  
Interim Finance Director



Gerald R. Peterson,  
City Administrator

# City of Oak Creek Common Council Report

Meeting Date: January 2, 2013

Item No.:

3

**Recommendation:**

That the Council approve Resolution Number 11326-010213, authorizing the City Forestry Division of the Streets, Parks and Forestry Department to submit an application for a 2013 Department of Natural Resources Urban Forestry Grant.

**Background:**

In 2013 the City will fill a vacant arborist position.

The 2013 DNR Urban Forestry Grant request is for arborist training to include: New employee/arborist development and training, removal training, and contractor large tree pruning training.

**Fiscal Impact:**

Initial City costs for this work would be approximately \$14,565 with a 50 percent reimbursement of \$7,282.50. Over 75 percent of estimated training costs are labor hours (including fringe).

Removal instructor fees would be shared by outside attendees further reducing the cost of internal removal training.

See attached cost estimate worksheet.

A sum of \$1,000 was allocated in the 2013 budget for Forestry Division arborist training.

Prepared by:



Rebecca Lane  
City Forester

Respectfully submitted,



Gerald Peterson  
City Administrator

Approved by:



Mike Lampe  
Streets, Parks & Forestry Superintendent

Fiscal Review by:



Denise Vandebush  
Interim Finance Director

9. Cost Estimate Worksheet (instructions are on page 11 of the grant application guidelines)

USE A SEPARATE WORKSHEET FOR EACH COMPONENT CHECKED ON PAGE 1 OF YOUR APPLICATION.

If more space is needed in Column 1, type "See Attached Document" in space provided and create separate MS Word compatible document providing the project tasks as needed.

Project Component: Staff Training and Continuing Education	Estimated Cost	Donation Value
<b>Labor &amp; Services</b> (specify project tasks on lines below, as appropriate)		
Applicant's Staff: Rebecca Lane, Scot Bartels, Spencer Szuta and other	\$8,097.44	
Fringe Benefits: Rebecca Lane, Scot Bartels, Spencer Szuta and other (see attached)	\$3,082.17	
Other: Conference Fees Rebecca Lane, Spencer Szuta, Other 3 @ \$185	\$555.00	
Other ISA Certified Arborist Exam (\$250); Climbing & Rigging classes at MATC (\$1K)	\$1,250.00	
Consultants/Contractors/other hired project labor: Rmvl. Instructor Consultant \$2k - fees*	\$1,580.00	
Volunteers/donated services:		
Laborer (\$8.00/hr):		
Other project workers (\$16.00/hr):		
<b>Equipment</b> (specify type of equipment and DOT class code on lines below, as appropriate See page 13 of application guidelines for a list of commonly used equipment codes.)		
Purchased:		
Rented or Contracted:		
Provided by Applicant:		
Donated by third parties:		
<b>Supplies</b> (specify items on lines below, as appropriate)		
Purchased:		
Provided by Applicant:		
Donated by third parties:		
Other (specify): *See explanation under Significant Aspects of Grant		
Estimated Cost/Donation Value for THIS component:	1. \$14,564.61	2. \$7,282.31
<b>SUBTOTAL -- Add Box 1 and Box 2:</b>	3. \$14,564.61	

Two copies of this component sheet are included here. Please copy this sheet as necessary for additional project components.

**RESOLUTION NO. 11326-010213**

**BY:** \_\_\_\_\_

**RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION  
FOR THE WDNR URBAN FORESTRY GRANT PROGRAM**

WHEREAS, the City of Oak Creek is seeking financial assistance under s. 20.370, Wis. Stats., and Chapter NR 47, Wis. Admin. Code, for the purpose of funding urban and community forestry or urban forestry catastrophic storm projects specified in s. 20.370(5)(bw) and (1)(mv), Wis. Stats.,

THEREFORE, BE IT RESOLVED, that the Mayor and Common Council HEREBY AUTHORIZE Rebecca Lane, City Forester, to act on behalf of the City of Oak Creek to submit an application to the State of Wisconsin Department of Natural Resources for any financial assistance under s. 20.370, Wis. Stats., and Chapter NR 47, Wis. Admin. Code and to sign necessary documents and submit a final report to the Wisconsin Department of Natural Resources.

Introduced at a regular meeting of the Common Council of the City of Oak Creek, held this 2<sup>nd</sup> day of January, 2013.

Passed and adopted this \_\_\_\_\_ day of January, 2013.

\_\_\_\_\_  
President, Common Council

Approved this \_\_\_\_ day of January, 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_