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reports.



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

## COMMON COUNCIL MEETING AGENDA

TUESDAY, NOVEMBER 5, 2013  
AT 7:00 P.M.

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

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1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 10/15/13

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

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

4. **Conditional Use:** Consider a proposal for a conditional use permit application by Pasa Ece of Wisconsin Granite Depot for outdoor storage located at 6720 S. 27<sup>th</sup> St. (2<sup>nd</sup> District).
5. **Ordinance:** Consider Ordinance No. 2696, approving a conditional use permit for an outdoor storage area located at 6720 S. 27<sup>th</sup> St. (2<sup>nd</sup> District).

### New Business

### MAYOR & COMMON COUNCIL

6. **Resolution:** Consider Resolution No. 11419-110513, authorizing the issuance and sale of \$5,925,000 Taxable General Obligation Promissory Notes (by Committee of the Whole).
7. **Resolution:** Consider Resolution No. 11420-110513, authorizing the issuance and sale of \$17,625,000 General Obligation Promissory Notes (by Committee of the Whole).
8. **Motion:** Consider a motion to approve the Internal Control Policy as recommended by the Finance Committee at their September 17, 2013 meeting, replacing the previously approved policy from December 5, 2006 (by Committee of the Whole).
9. **Resolution:** Consider Resolution No. 11424-110513, a Resolution rescinding Resolution No. 10566-111505 and restating the policy on the handling of delinquent personal property taxes and authorize the publication and write-off of the attached list of 2011 and 2012 delinquent personal property tax per City policy (by Committee of the Whole).
10. **Motion:** Consider a motion to approve or revise as the Council deems appropriate, a proposed Term Sheet for Dispatch Services between the City of St. Francis and the City of Oak Creek, as presented (by Committee of the Whole).

11. **Motion:** Consider a *motion* to take action on a request to waive all fees for Oelschlaeger – Dallmann American Legion Post 434 for approved construction of a porch at 9327 South Shepard Ave. (3<sup>rd</sup> District).
12. **Motion:** Consider a *motion* to establish combined meeting dates for 2014 (by Committee of the Whole).
13. **Resolution:** Consider *Resolution* No. 11413-110513, designating official holiday's for 2014 (by Committee of the Whole).
14. **Motion:** Consider a *motion* to approve the 2013 Vendor Summary Report in the amount of \$1,807,109.27 (by Committee of the Whole).

## FIRE

15. **Resolution:** Consider *Resolution* No. 11417-110513 which establishes Fire Department Ambulance Rates, Plan Review Fees, Fire Inspection Fees, and for the creation of incident billing charges for motor vehicle crashes and other highway responses, repealing Resolution No. 11368-061813.

## COMMUNITY DEVELOPMENT

16. **Resolution:** Consider *Resolution* No. 11414-110513, approving a certified survey map for the properties at 7929 S. Howell Ave. and 8100 S. 6<sup>th</sup> St. (2<sup>nd</sup> District).
17. **Resolution:** Consider *Resolution* No. 11415-110513, approving a certified survey map for the properties at 7929 S. Howell Ave. and 8051 S. Howell Ave. (2<sup>nd</sup> District).
18. **Resolution:** Consider *Resolution* No. 11422-110513, approving an Interlocal Cooperation Agreement regarding land use planning and economic development activities within the Milwaukee Gateway Aerotropolis area (by Committee of the Whole).
19. **Motion:** Consider a *motion* to authorize staff to take preliminary steps to amend the project plan for Tax Increment Financing District No. 11 to include the property at 400 W. Forest Hill Ave. and provide for additional development incentives (2<sup>nd</sup> District).

## ENGINEERING

20. **Resolution:** Consider *Resolution* No. 11404-110513, acquiring fee property (right-of-way), and temporary easements, for the S. Howell Ave. Wisconsin Department of Transportation maintenance project from Oakwood Road to Grange Ave; and to send payment in the amount of the Award of Damages to the affected property owner (Project No. 12025) (1<sup>st</sup> District).
21. **Resolution:** Consider *Resolution* No. 11412-110513, acquiring fee property (right-of-way), and temporary easements, for the S. Howell Ave. Wisconsin Department of Transportation maintenance project from Oakwood Road to Grange Ave; and to send payment in the amount of the Award of Damages to the affected property owner (Project No. 12025) (1<sup>st</sup> & 2<sup>nd</sup> Districts).
22. **Resolution:** Consider *Resolution* No. 11416-110513, accepting the workmanship and authorizing final payment to Super Western Inc. for the reconstruction/expansion of W. Drexel Ave. from 27<sup>th</sup> St. to the Drexel / I-94 interchange (Project No. 06010) (2<sup>nd</sup> District).

23. **Resolution:** Consider Resolution No. 11418-110513, a resolution of necessity for acquisition of lands for public street purposes, temporary easements for grading, and authorizing negotiations for such acquisition and condemnation, if necessary, for the Drexel Town Square project along S. Howell Ave. (STH 38), from Forest Hill Avenue to Drexel Avenue (Project No. 13051) (1<sup>st</sup> & 2<sup>nd</sup> Districts).
24. **Resolution:** Consider Resolution No. 11421-110513, approving a License Agreement by and between the City of Oak Creek and Woodman's Food Market Inc. (Woodman's), 400 W. Forest Hill Ave. and 8131 S. Howell Ave. (Tax Key Nos. 813-9014-005 & 813-9014-006) (Project No. 13051) (2<sup>nd</sup> District).
25. **Resolution:** Consider Resolution No. 11423-110513, authorizing the vacation of an existing combined sanitary and water main easement on Parcels 3 and 4 of Certified Survey Map No. 6765 (Tax Key Nos. 860-9024 & 860-9026) (3<sup>rd</sup> District).
26. **Resolution:** Consider Resolution No. 11425-110513, adopting the Equivalent Charge of \$29.00 for the Storm Water Management Service Charges (by Committee of the Whole).

### LICENSE COMMITTEE

The License Committee did not meet prior to the 11/5/13 meeting. Tentative recommendation is being made as follows.

The following items were received after the License Committee met:

27. **Motion:** Consider a motion to grant an Operator's license to the following (*favorable background report received*):
  - Maryam Alwindy, 3055 W. Green Ave., Milwaukee (Pick 'n Save)
  - Dawn Keller, 2836 E. Edgerton Ave., Cudahy (Pick 'n Save)
  - Tiffany Kloskey, 8160 S. Wildwood Dr., Oak Creek (Pick 'n Save)
  - Ricardo Santiago, 3058 S. 40<sup>th</sup> St., Milwaukee (Pick 'n Save)
  - Jessica Ball, 1703 Jefferson Ave., Waukesha (Bootz)
28. **Motion:** Consider a motion to grant a change of agent to Apple Hospitality Group, LLC dba Applebee's Neighborhood Grill & Bar, 7135 S. 13<sup>th</sup> St., from Brian Holten to Jacob Woods.

### MISCELLANEOUS

29. **Motion:** Consider a motion to convene in to Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes, Section 19.85 (1)(e) to discuss the terms of a development agreement, including a TIF incentive grant, with Barrett Visionary Properties for a multi-family development at Drexel Town Square.
30. **Motion:** Consider a motion to reconvene into Open Session.
31. **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.

TO BE PUBLISHED OCTOBER 17 & OCTOBER 24, 2013

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING  
BEFORE THE OAK CREEK COMMON COUNCIL

**PURPOSE:** The purpose of this public hearing is to consider a conditional use permit application by Pasa Ece of Wisconsin Granite Depot for outdoor storage located at 6720 S. 27th St.

**Hearing Date:** Tuesday, November 5, 2013  
**Time:** 7:00 p.m.  
**Place:** Oak Creek City Hall  
8640 South Howell Avenue  
Oak Creek, WI 53154  
Common Council Chambers

**Applicant:** Pasa Ece  
**Property Owner:** Wisconsin Granite Depot, LLC  
**Property Location:** 6720 S. 27<sup>th</sup> St.  
**Tax Key(s):** 737-9038

**Legal Description:**

Parcel 1 of Certified Survey Map No. 7794, being in the Northwest 1/4 of the Southwest 1/4 of Section 6, Township 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for November 5, 2013 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

Any person(s) with questions regarding the proposed change may call the Department of Community Development at (414) 768-6527, during regular business hours.

Date of Notice: October 10, 2013  
CITY OF OAK CREEK COMMON COUNCIL  
By: Steve Scaffidi, Mayor

PUBLIC NOTICE

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# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 5

**Recommendation:** That the Council adopts Ordinance No. 2696, approving a conditional use permit for an outdoor storage area located at 6720 S. 27<sup>th</sup> Street.


**Background:** At the September 24, 2013 meeting the Plan Commission recommended Common Council approval of a conditional use permit that would allow Wisconsin Granite Depot to store materials related to the business behind an exterior fence at 6720 S. 27<sup>th</sup> Street. At the October 8, 2013 Plan Commission meeting, the Commission recommended adoption of the conditions and restrictions as part of the conditional use permit after a public hearing.

The north and east sides of the fence were required to be 100% opaque using materials such as treated wood, cedar, or similar material. The southern portion of the fence may be chain-link with privacy screening attached to the fence to provide at least 50% opacity. No items stored within the fenced area are permitted to exceed 6 feet in height in order to reduce the potential visual impact to surrounding properties. Outdoor storage is limited to only those items that are associated with the principal use of the premises (sale and installation of granite and tile products).


Should a portion of the property be sold or leased, Wisconsin Granite Depot or the subsequent landowner will be required to come before the Plan Commission for approval of the use on that portion of the property. Additionally, since this use commenced prior to the Applicant's submission of applications for required permits and approvals, compliance with Plan Commission approvals shall occur within two months of approval. The Applicant will be required to submit an application for site plan review for a proposed building addition within one year of the date of approval. Failure to submit an application by that deadline will result in an immediate expiration of the Conditional Use Permit. If an application is received within one year of approval, the Conditional Use Permit will expire upon issuance of an Occupancy Permit for the addition.

**Fiscal Impact:** There is no fiscal impact associated with this change.

Prepared by:

  
Doug Seymour, AICP  
Director of Community Development

Respectfully Submitted,

  
Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

  
Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

ORDINANCE NO. 2696

By: \_\_\_\_\_

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR THE PROPERTY  
AT 6720 S. 27<sup>th</sup> STREET FOR THE OUTDOOR STORAGE OF MERCHANDISE

(2nd Aldermanic District)

WHEREAS, Wisconsin Granite Depot has applied for a Conditional Use Permit that would allow for the outdoor storage of granite and tile products behind a 6-foot tall fence located at 6720 S. 27<sup>th</sup> Street; and

WHEREAS, this property is more precisely described as follows:

Parcel 1 of Certified Survey Map Number 7794 located in the Southwest  $\frac{1}{4}$  of Section 6, Township 5 North, Range 22 East in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the Plan Commission reviewed the request and recommended that the Conditional Use Permit be approved; and

WHEREAS, the Common Council held a public hearing on said request on November 5, 2013 at which time all interested parties appeared and were heard; and

WHEREAS, the Plan Commission had recommended that the application for a Conditional Use Permit be approved and authorized subject, however, to the imposition of certain conditions and restrictions upon the construction, location and operation of this Conditional Use and which conditions and restrictions are incorporated by reference into the Conditional Use Permit; and

WHEREAS, following said public hearing and upon recommendation of approval of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the Conditional Use Permit was approved and authorized for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Conditional Use.

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for the outdoor storage of granite and tile products behind a 6-foot tall fence located at 6720 S. 27<sup>th</sup> Street, which shall include the aforementioned conditions and restrictions.

SECTION 2: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for the outdoor storage of granite and tile products behind a 6-foot tall fence.

SECTION 3: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 4: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 5: This ordinance shall take effect and be in force from and after its passage and publication.

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

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

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

\_\_\_\_\_  
Mayor

ATTEST:

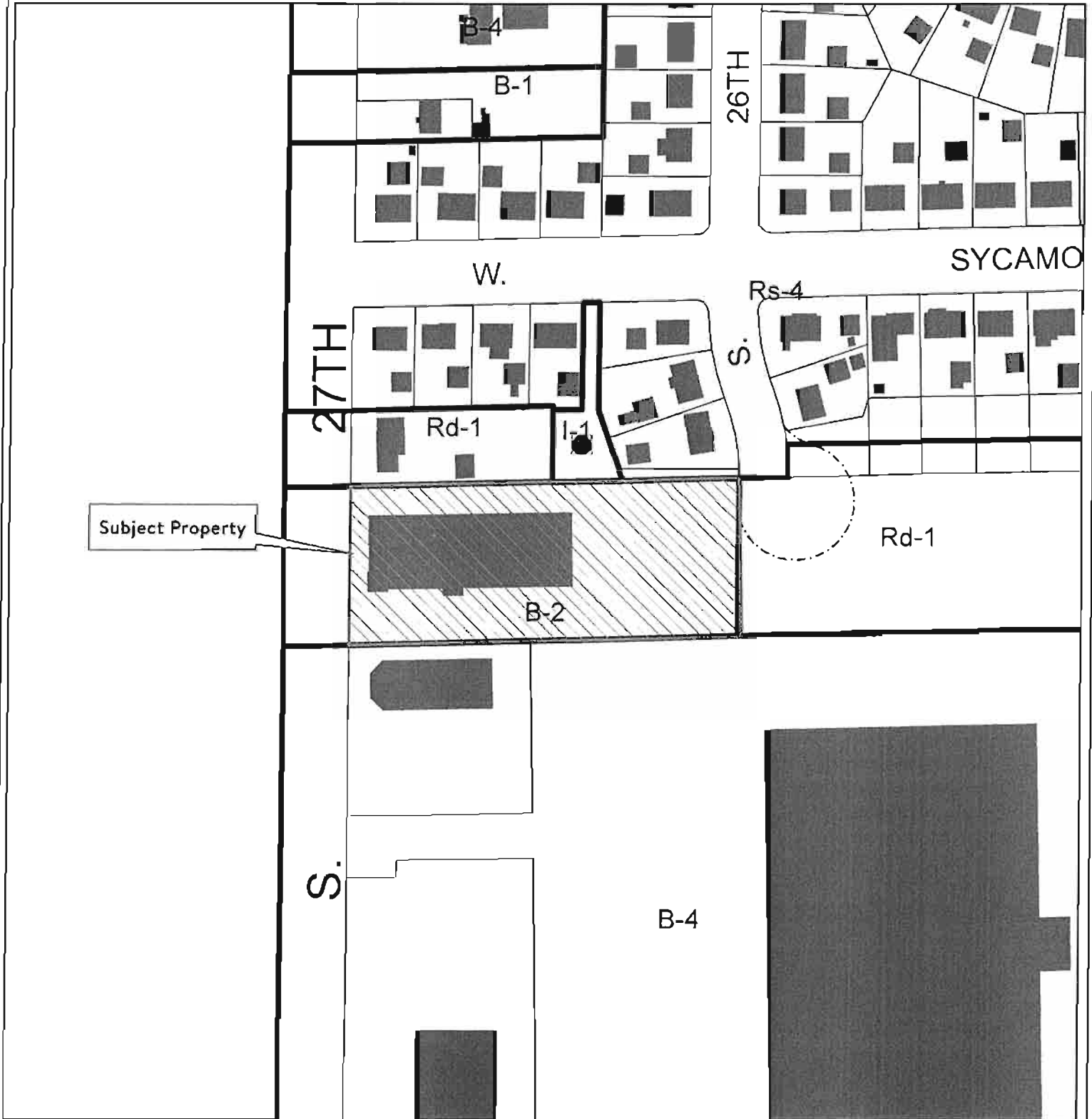
\_\_\_\_\_  
City Clerk

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



# Location Map

## 6720 S. 27th St.



Subject Property



**OAKCREEK**  
— WISCONSIN —

Department of Community Development



Legend	
	6720 S. 27th St.
	Existing Street Pattern

### **Conditions and Restrictions**

**Wisconsin Granite Depot - 6720 S. 27<sup>th</sup> Street**

**Tax Key No. 737-9038**

Ms. Papelbon explained that staff has prepared conditions and restrictions for review. She referred to a plan that showed where the tile will be stored, and explained that the commissioners approved the 6-foot tall fence with the condition that prevented the height of the outdoor storage from going above the fence. Within the conditions and restrictions we would like to clarify that the height of the materials will not extend above 6 feet and the reason for that is because since the fence has to be pulled back to meet the buffering requirements. Ms. Papelbon went through the conditions and restrictions.

Commissioner Dickmann stated that the way it is written it says, "this will hold the conditional permit until the building permit is issued," but it takes how many months to add to it--three or four months to add to this building--so in the meantime he would be in violation with all the material out there. Should we be adding something more to the effect, the "occupancy permit" rather than the "building permit," because we have a time factor that he would be in violation.

Commissioner Johnston stated that along with Commissioner Dickmann's comment that No. 15 would also be included with No. 12. It would be an occupancy permit not a building permit. He also asked if we would like to include anything on page 3 of 7, (H), the screening of outdoor storage that would direct what we allowed for the fence as far as opacity of the fence and materials of the fence. It's already been approved, but does it need to be reiterated in the C & R's? Ms. Papelbon stated that it can be added.

Commissioner Chandler asked about No. 11 – Time of Compliance. She asked if the two-month time period was to be compliant with the materials and to add the fence? Ms. Papelbon stated that's to come into compliance with the approvals that have already been granted. When we spoke at the last meeting the fence was being installed and there were some conditions placed on that. This also gives the applicant two months to come into compliance with the opacity of the fence and the height of the storage of the materials.

Commissioner Dickmann moved that the Plan Commission recommend to the Common Council to adopt the conditions and restrictions as presented with the changes in No. 12 and 15 to read as occupancy permit as part of the conditional use permit allowing for outdoor storage of granite and tile products located at 6720 S. 27<sup>th</sup> Street after a public hearing.

Alderman Bukiewicz seconds. All aye. Motion approved.

City of Oak Creek – Conditional Use Permit  
Conditions and Restrictions

Applicant: Wisconsin Granite Depot  
Property Address: 6720 S. 27<sup>th</sup> St.  
Tax Key Number: 737-9038  
Conditional Use: Outdoor storage of granite and tile products within fenced area.

Approved by Plan Commission: 10/8/2013  
Approved by Common Council: 11/5/2013  
(Ord. #2696)

1. LEGAL DESCRIPTION

Parcel 1 of Certified Survey Map Number 7794 located in the Southwest ¼ of Section 6, Township 5 North, Range 22 East in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

A. A precise detailed site plan for the area affected by the conditional use shall be submitted to, and approved by, the Plan Commission prior to the issuance of any building or occupancy permits. This plan shall show and describe the following:

1) **General Development Plan**

- a) detailed building locations with setbacks
- b) square footage of building
- c) areas for future expansion
- d) area to be paved
- e) access drives (width and location)
- f) sidewalk locations
- g) parking layout and traffic circulation
  - i) location
  - ii) number of employees
  - iii) number of spaces
  - iv) dimensions
  - v) setbacks
- h) location of loading berths
- i) location of sanitary sewer (existing and proposed)
- j) location of water (existing and proposed)
- k) location of storm sewer (existing and proposed)
  - i) including detention/retention basins if needed
- l) precise location of outdoor storage
- m) location of wetlands (field verified)
- n) location, square footage and height of signs
- o) a description of the vehicles, materials and equipment to be stored at the site

- b) number, initial size and type of plantings
- c) parking lot screening/berming

3) **Building Plan**

- a) architectural elevations
- b) building floor plans
- c) materials of construction

4) **Lighting Plan**

- a) types of fixtures
- b) mounting heights
- c) type of poles
- d) photometrics of proposed fixtures

5) **Grading, Drainage and Stormwater Management Plan**

- a) contours (existing and proposed)
- b) location of storm sewer (existing and proposed)
- c) location of stormwater management structures and basins (if required)

6) **Fire Protection**

- a) location of existing and proposed fire hydrants (public and private)
- b) interior floor plan
- c) materials of construction

2) **Landscape Plan**

- a) screening plan for outdoor storage

B. All plans for new buildings, additions, or exterior remodeling shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.

C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.

- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

### 3. PARKING AND ACCESS

- A. Parking shall be provided at a minimum of fifty-nine (59) spaces outside of the fenced outdoor storage area.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.
- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.

### 4. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Electrical Inspector in accordance with Section 17.0808 of the Municipal Code.

### 5. LANDSCAPING

- A. The site containing this conditional use shall be maintained in accordance with the site, building, landscaping and lighting plans approved by the City of Oak Creek Plan Commission on May 23, 2000 and September 24, 2013.

- B. **Parking Lot Screening.** Those parking areas for five (5) or more vehicles if adjoining a residential zoning district line or public right-of-way shall be screened from casual view by an earth berm, a solid wall, fence, evergreen planting of equivalent visual density or other effective means approved by the City Plan Commission. Such fence or berm and landscaping together shall be an average of three (3) feet in height between the parking and the street right-of-way. All screening materials shall be placed and maintained at a minimum height of three (3) feet.
1. At least one ornamental deciduous tree, no less than 2.5" caliper, shall be incorporated into the design for every 35 linear feet of public street frontage.
  2. At least 25% of the total green space area shall be landscaped utilizing plant materials, other than maintained turf, that contribute to ground coverage.
  3. For purposes of determining the number of plants necessary to meet the minimum 25% ground coverage requirement, plant types are categorized by their general size and potential mature at-grade coverage area.

<u>Plant Type</u>	<u>Area of Coverage Provided</u>
Evergreen Tree (>8' Dia.)	75 sq. ft.
Large Shrub (6-8' Dia.)	38 sq. ft.
Medium Shrub (4-6' Dia.)	20 sq. ft.
Small Shrub (2-4' Dia.)	12 sq. ft.
Perennial (4.5" Pot)	6 sq. ft.

\* Note shade and ornamental trees are not considered a plant type contributing to "at grade" coverage.

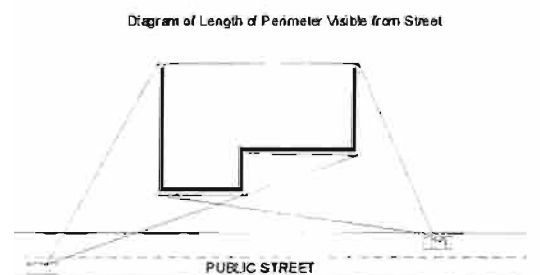
4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.
- C. **Interior Landscape Area.** All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping.
- D. **Perimeter Landscape Area.** In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.
- E. **Landscaping Adjacent to Buildings.** There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation of the building.
- F. **Screening of Trash.** Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- G. **Screening of Ground Mounted Mechanical Equipment.** Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- H. **Screening of Outdoor Storage –** Outdoor storage shall not be located within the front yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure

and landscaping. Outdoor storage shall be limited to only those items that are associated with the principal use of the premises (sale and installation of granite and tile products), and must be completely within the fenced area approved by the Plan Commission on September 24, 2013. No items shall exceed 6 feet in height.

- I. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.
- J. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, railroad ties, or concrete
- K. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- L. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205 (d) of the Municipal Code, and in accordance with the plans approved by the Plan Commission on May 23, 2000 and September 24, 2013.
- M. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
  - 1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
  - 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
  - 3. The location and percent of slope of all proposed berms using one (1) foot contours.
  - 4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
  - 5. Methods used in staking, mulching, wrapping or any other early tree care used.
  - 6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

## 6. ARCHITECTURAL STANDARDS

- A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- B. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials



must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete masonry units (CMU's). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material.

- C. The facade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with glass, brick or decorative masonry material.
- D. Material and color samples shall be submitted to the Plan Commission for review and approval.
- E. The Plan Commission has the discretion to adjust this minimum for building additions.
- F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- H. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- I. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- J. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.

7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	25'	25'	20'
Accessory Structure*	25'	25'	10'
Off-street Parking	10'	0'	0'

*\* No accessory structures shall be permitted in the front yard.*

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. Outdoor storage shall be limited in accordance with Section 5(H). A detailed plan for the storage areas shall be submitted for review and approval.

D. Should a portion of the property be sold or leased, Wisconsin Granite Depot or the subsequent landowner will be required to come before the Plan Commission for approval of the use on that portion of the property.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code. All signs must be approved by the Plan Commission as part of the site plan review process.

10. PERMITTED USES

- A. All permitted uses in the B-2, Community Business zoning district.
- B. Outdoor storage limited to only those items that are associated with the principal use of the premises (sale and installation of granite and tile products) within the fenced area approved by the Plan Commission on September 24, 2013.
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use shall submit a detailed site plan in accordance with Section 2 prior to any occupancy of the site. The operator of the conditional use shall have completed the installation and construction of all elements required in these conditions and restrictions to the required minimum specifications for the conditional use(s) within two (2) months from the date of site plan approval by the Plan Commission. Failure to complete the installation and construction of these elements within this time period shall constitute a surrender of the conditional use permit and the owner shall immediately cease any use of the property authorized by this conditional use permit.

12. OTHER REGULATIONS

Compliance with all other applicable City, State, DNR and Federal regulations, laws, ordinances, and orders not heretofore stated or referenced, is mandatory. The conditional use permit pertaining to the outdoor storage of granite and tile products shall be valid until such time that an occupancy permit is issued for an addition to the existing building. Applicant shall submit an application for site and building plan review by the Plan Commission for an addition to the existing building no less than twelve (12) months from the date of approval of these conditions and restrictions.

13. VIOLATIONS & PENALTIES

Any violations of the terms of this conditional use permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances. If the owner, applicant or operator of the conditional use permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12 month period the city shall have the right to revoke this conditional use permit, subject to the provisions of paragraph 14 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this conditional use permit or to seek an injunction regarding any violation of this conditional use permit or any other city ordinances.

14. REVOCAION

Should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code.



15. EXPIRATION

The conditional use for the outdoor storage of granite and tile products shall expire 1) upon issuance of an occupancy permit for the addition to the existing building OR 2) immediately if an application for site and building plan review by the Plan Commission for the addition is not received within twelve (12) months of the date of adoption by the Common Council.

\_\_\_\_\_  
Owner's authorized representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
(please print name)

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 6

**Recommendation:** Approve Resolution #11419-110513 Authorizing the issuance and sale of \$5,925,000 in Taxable General Obligation Promissory Notes.

**Background:** Attached is Resolution #11419-110513 which would authorize the issuance and sale of \$5,925,000 in general obligation notes to provide financing for non-public infrastructure expenses to ready Drexel Town Square for development. These expenses include such items as: grading, roads, lighting, etc.

The City has utilized the services of Quarles & Brady as well as Paul Thompson of Hutchinson, Shockey, Erley & Co. to prepare and issue all of the required documentation and the sale of these notes. Mr. Thompson will be at the Council meeting to answer questions and to provide the City with the rates obtained for the sale of these notes. Moodys Investor Service has issued a MIG1 rating for these notes and affirmed the City's Aa2 rating on outstanding bonds.

**Fiscal Impact:** The annual principal and interest payable for these notes is expected to be paid by the tax increment from development which is expected from Drexel Town Square. The City also has cash and mortgage protection from the note principal and interest payments from Wispark. At build-out, \$160 million in tax increment is estimated for the site from various developments.

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

RESOLUTION NO. 11419-110513

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
\$5,925,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Oak Creek, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying project costs of Tax Incremental District No. 11 (the "Project"), and there are insufficient funds on hand to pay said cost;

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such general obligation promissory notes on a taxable rather than tax-exempt basis; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the taxable general obligation promissory notes to Hutchinson, Shockey, Erley & Co. (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of FIVE MILLION NINE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$5,925,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, taxable general obligation promissory notes aggregating the principal amount of FIVE MILLION NINE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$5,925,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$5,925,000; shall be dated their date of delivery; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rate per annum and mature on November 1, 2016 as set forth on the Pricing Summary attached hereto as

Exhibit B-1 and incorporated herein by this reference. Interest is payable semi-annually on May 1 and November 1 of each year commencing on May 1, 2014. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes shall be subject to redemption prior to maturity, at the option of the City, on November 1, 2015 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2013 through 2015 for the payments due in the years 2014 through 2016 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$5,925,000 Taxable General Obligation Promissory Notes, dated November 19, 2013" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes: Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser

upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 9. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 10. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 11. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the

Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 13. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Official Statement to be distributed to the Purchaser.

Section 14. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 15. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 16. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 17. Conflicting Resolutions: Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 5, 2013.

---

Stephen Scaffidi  
Mayor

ATTEST:

---

Catherine A. Roeske  
City Clerk

(SEAL)



EXHIBIT A

Note Purchase Proposal

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

EXHIBIT B-1

Pricing Summary

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

EXHIBIT B-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
MILWAUKEE COUNTY  
NO. R-\_\_\_\_ CITY OF OAK CREEK \$\_\_\_\_\_  
TAXABLE GENERAL OBLIGATION PROMISSORY NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP  
November 1, 2016 November 19, 2013 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$ \_\_\_\_\_)

FOR VALUE RECEIVED, the City of Oak Creek, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on May 1 and November 1 of each year commencing on May 1, 2014 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$5,925,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying

project costs of Tax Incremental District No. 11, all as authorized by a resolution of the Common Council duly adopted by said governing body at a meeting held on November 5, 2013. Said resolution is recorded in the official minutes of the Common Council for said date.

The Notes are subject to redemption prior to maturity, at the option of the City, on November 1, 2015 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding

the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Oak Creek, Milwaukee County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF OAK CREEK,  
MILWAUKEE COUNTY, WISCONSIN

By: \_\_\_\_\_  
Stephen Scaffidi  
Mayor

(SEAL)

By: \_\_\_\_\_  
Catherine A. Roeske  
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 7

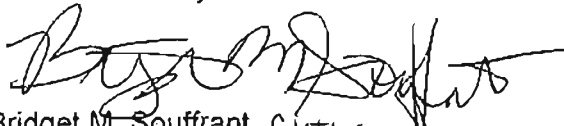
**Recommendation:** Approve Resolution #11420-110513 Authorizing the issuance and sale of \$17,625,000 in General Obligation Promissory Notes.

**Background:** Attached is Resolution #11420-110513 which would authorize the issuance and sale of \$17,625,000 in general obligation notes to provide financing for public infrastructure expenses to ready Drexel Town Square for development. These expenses include such items as: grading, roads, lighting, etc.

The City has utilized the services of Quarles & Brady as well as Paul Thompson of Hutchinson, Shockey, Erley & Co. to prepare and issue all of the required documentation and the sale of these notes. Mr. Thompson will be at the Council meeting to answer questions and to provide the City with the rates obtained for the sale of these notes. Moodys Investor Service has issued a MIG1 rating for these notes and affirmed the City's Aa2 rating on outstanding bonds.

**Fiscal Impact:** The annual principal and interest payable for these notes is expected to be paid by the tax increment from development which is expected from Drexel Town Square. The City also has cash and mortgage protection from the note principal and interest payments from Wispark. At build-out, \$160 million in tax increment is estimated for the site from various developments.

Fiscal Review by:

  
Bridget M. Souffrant, City  
Finance Director/Comptroller

Prepared and Submitted by:

  
Gerald R. Peterson, ICMA-CM  
City Administrator



RESOLUTION NO. 11420-110513

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
\$17,625,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Oak Creek, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying project costs of Tax Incremental District No. 11 (the "Project"), and there are insufficient funds on hand to pay said cost,

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the general obligation promissory notes to Hutchinson, Shockey, Erley & Co. (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SEVENTEEN MILLION SIX HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$17,625,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, general obligation promissory notes aggregating the principal amount of SEVENTEEN MILLION SIX HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$17,625,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$17,625,000; shall be dated their date of delivery; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rate per annum and mature on November 1, 2016 as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest is payable semi-annually on May 1 and November 1 of each year commencing on May 1, 2014. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the

Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes shall be subject to redemption prior to maturity, at the option of the City, on November 1, 2015 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2013 through 2015 for the payments due in the years 2014 through 2016 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$17,625,000 General Obligation Promissory Notes, dated November 19, 2013" (the "Debt Service Fund Account") and such account shall be

maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes: Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall

certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial

information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 5, 2013.

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Stephen Scaffidi  
Mayor

ATTEST:

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Catherine A. Roeske  
City Clerk

(SEAL)

EXHIBIT A

Note Purchase Proposal

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)



EXHIBIT B-1

Pricing Summary

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

EXHIBIT B-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
MILWAUKEE COUNTY  
NO. R-\_\_\_ CITY OF OAK CREEK \$\_\_\_\_\_  
GENERAL OBLIGATION PROMISSORY NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
November 1, 2016 November 19, 2013 \_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Oak Creek, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on May 1 and November 1 of each year commencing on May 1, 2014 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$17,625,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying

project costs of Tax Incremental District No. 11, all as authorized by a resolution of the Common Council duly adopted by said governing body at a meeting held on November 5, 2013. Said resolution is recorded in the official minutes of the Common Council for said date.

The Notes are subject to redemption prior to maturity, at the option of the City, on November 1, 2015 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding

the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Oak Creek, Milwaukee County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF OAK CREEK,  
MILWAUKEE COUNTY, WISCONSIN

By: \_\_\_\_\_  
Stephen Scaffidi  
Mayor

(SEAL)

By: \_\_\_\_\_  
Catherine A. Roeske  
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

# City of Oak Creek Common Council Report

Meeting Date: 11/5/13

Item No.: 8

**Recommendation:** That the Common Council approves the Internal Control Policy as recommended by the Finance Committee at their September 17, 2013 meeting, replacing the previously approved policy from December 5, 2006.

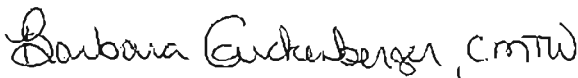
**Background:** On December 5, 2006, the Common Council approved the Internal Control Study Report of Reilly, Penner and Benton, LLC (RPB), authorized the City Treasurer to execute the Treasurer's recommendations, and required all City departments to implement the approved policy changes. On July 1, 2008, the Common Council established an exception to Water and Sewer Utility allowing them to utilize their own Cash Receipting and Petty Cash Policies established through their independent internal control study.

I have recently made changes to the policy; most of which are simple language changes. A document that describes any major changes is attached for your review. I will work with departments to implement these policy changes and to resolve any issues that may arise. As organizational changes occur, the policy will be updated to reflect these changes.

The Finance Committee discussed this at their meeting on September 17, 2013 and is recommending it for approval by the Common Council.

**Fiscal Impact:** There is no fiscal impact with approving these policy changes. The impact of having appropriate policies in place is for the protection of City funds and is considered by the auditor for expressing an opinion as to the fair presentation of the City's financial statements.

Prepared by:

 Barbara Guckenberger, CMTW

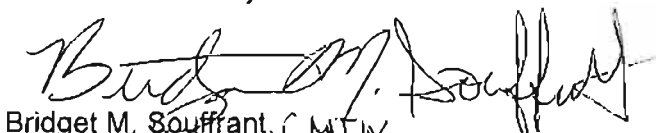
Barbara Guckenberger, CMTW  
City Treasurer

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffant, CMTW  
Finance Director / Comptroller

## **Internal Control Policy - Major Changes – Common Council Meeting November 5, 2013**

### **Under Cash Receipts #5-#8**

**Current Process:** When another department brings their daily receipts to the Treasurer's office, a Treasurer employee counts the cash in the presence of the individual presenting it. Then we either issue them a receipt immediately or both parties sign a form verifying the amount of cash delivered and the Treasurer's Office sends a computer receipt to that department by the following day.

**Proposed Process:** When presented to the Treasurer's office both parties sign a form verifying the bag delivered and the Treasurer's Office will send a computer receipt to that department by the following day. The department receiving the money initially will follow the same procedures that the Treasurer's office does as follows:

1. All denominations of \$20 or more will be run through the money counter, or hand checked, for authenticity at time of payment.
2. When preparing receipts for deposit, the teller will verify all cash with a supervisor or other authorized employee in their department. Both will sign a cash verification form, created by the Treasurer ensuring the correct amount of cash has been placed in the locked bag. The key will be kept separate from the custodian of the bag that contains the deposit.
3. The teller will reconcile their cash drawer daily with a supervisor or other authorized employee in their department, or if the teller is not available, with another authorized employee in that department.

This will eliminate other department employees from having to verify cash with Treasurer's office employee.

### **Under Software Security:**

**Current Process:** The only program that addresses how to handle voids/deletes/modifications to the software program is in GCS (our tax program).

**Proposed Process:** All cash receipting programs in all departments will need to follow the process of having voids/deletes/modifications approved by a supervisor or authorized employee.

### **Under Safe Security and Contents:**

#4 specifies that the Department Manager is responsible to periodically conduct inventories of money in the safe (count drawers to be sure all is accounted for).

### **Under Cash Short and Over:**

This restricts an employee from covering up an overage or shortage.

### **Under Petty Cash Drawers:**

#4 specifies that a petty cash slip must be signed by a supervisor or other authorized employee of that department.

### **Under Water and Sewer Utility:**

After the policy was approved by the Common Council in 2006, the Water and Sewer Utility had their own study done and the Utility Commission established and approved their own policy. This section removes the requirement for Water and Sewer Utility to follow this Internal Control Policy and all references to Utility are removed throughout the policy.

**Additional Changes made:** Account Clerk II references are replaced with Deputy Treasurer.



## **Internal Control Policy – Cash Receipting and Petty Cash**

### **Reconciliation of Subsidiary Taxes Receivable Records to the General Ledger Control Account**

1. Reconcile taxes receivable per “GCS” records to taxes receivable per the general ledger monthly. Reconciliation should be reviewed by an individual knowledgeable about such matters and independent of their preparation.

### **Immediate Recording and Timely Deposit of All Receipts**

1. All receipting transactions are recorded immediately using the cash receipting software, except copy charges of less than \$1.00 may be accumulated and receipted at approximately \$10.00.
2. Unusual and Large Receipts are immediately entered in the MSI software using a suspense account when necessary. Large receipts, as determined by the City Treasurer or Deputy Treasurer, are deposited the same day.

### **Cash Receipts**

1. Tellers in every department use a separate locking, cash drawer, cash box or cash bag.
2. When any teller leaves the area, the drawer is locked and the teller takes the key and logs out of, or locks, the computer system. No teller may enter transactions using another teller’s login.
3. Every cash drawer, cash box, or cash bag will be unique. Each teller operating the drawer, box or bag will keep custody of their unique key. The Treasurer will be the custodian of all spare keys; except the Clerk, or other employee separate of the Treasurer’s Office and designated by the Clerk, will maintain custody of the spare keys for the Treasurer’s Office.
4. All departments that use cash drawers shall use standard teller drawers to secure receipts. All cash receipts are secured in a safe at night.
5. All denominations of \$20 or more will be run through the money counter, or hand checked, for authenticity at time of payment.
6. When preparing receipts for deposit, the teller will verify all cash with a supervisor or other authorized employee in their department. Both will sign a cash verification form, created by the Treasurer ensuring the correct amount of cash has been placed in the locked bag. The key will be kept separate from the custodian of the bag that contains the deposit.
7. The teller will reconcile their cash drawer daily with a supervisor or other authorized employee in their department, or if the teller is not available, with another authorized employee.
8. All decentralized departments are required to deliver each day’s receipts in a locked bag by noon the following business day, unless previously approved by the Treasurer. When presented to the Treasurer’s office both parties sign a form verifying the bag delivered and the Treasurer’s Office will send a computer receipt to that department by the following day.

### **Software Security**

1. Each employee should create unique passwords.
2. Treasurer's Office: Transactions such as voids, deletes and other modifications in any cash receipting program is restricted to, or authorized by, the Treasurer, Deputy Treasurer, or the Finance Department in the absence of the Treasurer and Deputy Treasurer. Void or modified receipts are initialed by the teller and the person voiding or authorizing the modification.
3. Decentralized Departments: Transactions such as voids or other modifications to receipts is restricted to a supervisor or other authorized employee in their department. Void or modified receipts are initialed by the teller and the supervisor or authorized employee.
4. Upon termination of an employee, the Department Manager will immediately notify the IT Department via email. A copy of such email will be attached to the PAR form. Administration will follow-up with IT upon receipt of PAR.

#### **Refunds of Overpayments**

1. All cash refunds on payment by check are limited to less than one dollar through petty cash, unless authorized by the Treasurer. All refunds not meeting these requirements will be issued through the Finance Department voucher system and refunded by check.

#### **Decentralized Collections**

1. The following decentralized departments may collect receipts for various transactions solely related to their department, and must follow the recommendations set forth in this Internal Control Policy: Fire, Health, Highway, Library, Recreation and Police. Any department that retains receipts in their office overnight must use a safe and follow approved recommendations under "Safe Security and Contents". Furthermore, no other department may accept payment of any type and must immediately forward any person wanting to make a payment, or any check received by mail, to the Treasurer's Office.
2. The immediate recording of all transactions and issuing of standard receipts, except as noted for copies totaling less than one dollar per occurrence; and except where otherwise required by law that money must remain in its present form.
3. Each decentralized department shall provide the Finance Department with a summary form of receipts being delivered to the Treasurer's Office.
4. Credit card payment reports must accompany other computer or cash register documentation and receipts, for all decentralized departments who use credit card services.

#### **Safe Security and Contents**

1. All receipts are monitored by the appropriate City employee at all times.
2. Only appropriate City employees are allowed the combination to any safe.
3. When purchasing a safe, it must have the capability of changing the combination. The combination must be changed upon termination of employee who has the combination to that safe.
4. Department Manager is to conduct periodic inventories of safe contents.

5. Only Treasurer's Office personnel are allowed to use the signature stamp and no incomplete checks will be signed.
6. City credit cards not issued to a particular City employee must be kept in the safe. Any City employee wishing to use such City credit card must sign the card out and sign it back in upon returning it.
7. All performance bond and escrow money is deposited upon receipt and, if necessary, refunded by voucher through the Finance Department.

#### **"GCS" Batches**

1. Close batches as drawers are closed.
2. The ability to close a batch is restricted to the Treasurer or Deputy Treasurer.

#### **Teller Drawer Change Banks**

1. Teller drawers shall contain minimal dollar amounts for beginning change.

#### **Cashing of Personal Checks**

1. The City prohibits cashing of personal checks.

#### **Cash Short and Over**

1. Teller cash overages and shortages must be disclosed to the Treasurer's office to be recorded in a separate general ledger account. Replacing of funds to make up shortages or accumulating overages is strictly prohibited.
2. Shortages and overages are tracked by the Treasurer for use in trend analysis.

#### **Physical Security**

1. Lock doors to Treasurer's Department.
2. Security cameras will be implemented as part of the future facility remodeling/rebuilding plans for all departments allowed to receive City funds.
3. Keypad entry or identification card system will be implemented as part of the future facility remodeling/rebuilding plans for all departments allowed to receive City funds.

#### **Segregation of Duties**

1. Segregation of duties are to be implemented for all essential duties.

#### **Job Descriptions**

1. Review and revise current job descriptions.

#### **Training and Manuals**

1. Review and update "MSP" manual.

2. Review and update "GCS" manual.
3. Review and update "Treasurer's Office Procedures" manual.
4. All employees, including part-time and seasonal, who handle money will be properly trained and provided with departmental procedures on cash handling.

**Petty Cash Drawers**

1. Maximum petty cash amounts will be established for the following departments:
  - a. Treasurer's Office
  - b. Fire Station #3
  - c. Police
2. No other department may hold petty cash
3. Only one person may be established as custodian for each petty cash drawer. Petty cash must be secured in a locked cash drawer, box or bag and the key must remain with the petty cash custodian. All petty cash must be kept in a locked cabinet or safe.
4. A City approved petty cash slip must be completed and signed by a supervisor or employee in their department authorized by the Department Manager and City Treasurer, and must include a receipt for expenditure. If requesting petty cash prior to purchase, requestor must return with receipt and change from purchase.
5. Petty cash reimbursements must be limited to \$25.00, with the exception of the Treasurer's Office limited to \$50.00.
6. In the absence of the petty cash custodian, reimbursement will be processed within two business days of the custodians return to work.
7. Petty cash must be properly balanced whenever drawer is replenished; and no less than once per month.
8. Receipts must be attached to replenishment voucher for verification and signed by a supervisor, and reimbursement check must be made payable to a supervisor, other than the custodian.
9. Replenishment checks must be endorsed and brought to the Treasurer's Office for petty cash replenishment; signature will be required as verification of receipt of petty cash replenishment. In the absence of the petty cash custodian in the Treasurer's Office, the replenishment check may be presented to the City's bank for cashing as needed.
10. City Treasurer or Deputy Treasurer will cash replenishment checks to replenish Treasurer's Office petty cash drawer as requested by custodian.

**Water and Sewer Utility**

**Water and Sewer Utility will be subject to Cash Receipting and Petty Cash Policies established through their independent internal control study as approved by the Water and Sewer Commission.**

Approval: \_\_\_\_\_  
City Treasurer

Approval: \_\_\_\_\_  
City Administrator

**Revision History:**  
December 5, 2006  
(Finance Committee) September 12, 2013  
November 5, 2013

# City of Oak Creek Common Council Report

Meeting Date: 11/5/13

Item No.: 9

**Recommendation:** That the Common Council adopt Resolution No. 11424-110513, a Resolution Rescinding Resolution No. 10566-111505 and restating the policy on the handling of delinquent personal property taxes and authorize the publication and write-off of the attached list of 2011 and 2012 delinquent personal property tax per City policy.

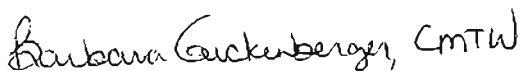
**Background:** The City adopted Resolution 10566-111505 which established a policy on the handling of delinquent personal property taxes. However, effective with the 2011 assessment year, the WI State Statutes only allow delinquent personal property tax to be charged back to the other taxing districts, if the taxes are owed by an entity that has ceased operations, or filed a petition for bankruptcy, or are due on personal property that has been removed from the next assessment roll. The attached resolution reflects these changes in State Law.

As part of this policy, the delinquent amount due for all taxing districts, including interest and penalty, is published in the City's official newspaper. Also, to provide an accurate reflection of the City's financial position as recommended by the City's auditors, at this same time the City's share of delinquent tax from the preceding year is written-off the City's books. The allowable delinquent tax has been proportionately charged back to all the other taxing districts.

Attached is a list of 2011 (\$5,834.38) and 2012 (\$21,377.09) delinquent personal property tax to be approved for publication in the City's official newspaper. The list of 2011 delinquent personal property tax (\$3,633.13) also indicates the City's principal portion of those delinquent accounts for which the likelihood of collection appears remote, to be approved for removal from the City's general account. However, collection efforts will continue on these accounts through the City's collection agency.

**Fiscal Impact:** Improve the accuracy of the City's financial position and enhance budgeting procedures by the timely and efficient collection of monies due to the City while updating the policy to correctly reflect current WI State Statutes.

Prepared by:



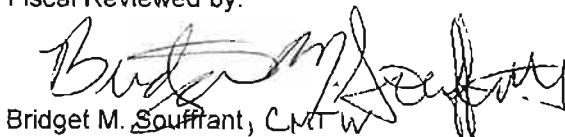
Barbara Guckenberger, CMTW  
City Treasurer

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffant, CMTW  
Finance Director / Comptroller

**RESOLUTION NO. 11424-110513**

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

**RESOLUTION TO REVISE THE POLICY ON THE HANDLING OF  
DELINQUENT PERSONAL PROPERTY TAXES**

WHEREAS, the City of Oak Creek must pay unpaid personal property taxes to the other taxing districts in February; and

WHEREAS, the uncollected personal property taxes may be charged back to each taxing district in the following year and thus will have an adverse effect on that years' tax levy for each taxing district; and

WHEREAS, the City adopted Resolution 10566-111505 which established a policy on the handling of delinquent personal property taxes; and

WHEREAS, effective with the 2011 assessment year, the WI State Statutes have changed thus creating limits on the delinquent personal property tax that is allowed to be charged back to the other taxing districts; and

WHEREAS, the taxation district treasurer may only charge back to each taxing jurisdiction within the taxation district, if the taxes are owed by an entity that has ceased operations, or filed a petition for bankruptcy, or are due on personal property that has been removed from the next assessment roll.

WHEREAS, the timely and efficient collection of monies due to the City of Oak Creek will benefit the taxpayer and enhance budgeting procedures of the City Government.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council that Resolution No. 10566-111505 is hereby rescinded; and,

BE IT FURTHER RESOLVED that the following shall be considered as the policy on the handling of delinquent personal property taxes as allowed by WI State Statutes:

1. Those accounts determined by the City Treasurer to be delinquent as of February 1, will receive a notice of delinquency.
2. Those accounts determined by the City Treasurer to be delinquent as of March 1, will receive a copy of this policy and a letter of delinquency from the City Attorney, which will advise the taxpayer of the ramifications of nonpayment.
3. If not paid on or before March 31, those delinquent accounts in which the City has no other recourse will be turned over to the City's collection agency. The City Treasurer will work with the collection agency to

determine, and approve, which delinquent accounts will be subject to a lawsuit initiated by the City's collection agency.

- 4. Any delinquent amount still outstanding on October 1, regardless of whether in collection or in legal proceedings will be noticed in the City's official newspaper, showing the taxpayer's name and/or business name, address, the delinquent principal amount plus interest.

As of October 1, the Treasurer shall also prepare a list of names and amounts of delinquent personal property for which the likelihood of collection appears remote, which shall be written off the books subject to approval by the Common Council; however, collection efforts will continue.

- 5. By the following April 1, the City Treasurer may charge back to each taxing jurisdiction within the taxation district, except this state, its proportionate share of those personal property taxes for which the taxation district settled in full the previous year, which were delinquent at the time of settlement, which have not been collected in the intervening year, and which remain delinquent, if the taxes are owed by an entity that has ceased operations, or filed a petition for bankruptcy, or are due on personal property that has been removed from the next assessment roll.

An amount equal to any delinquent personal property taxes charged back which are subsequently collected by the taxation district, minus the cost of collecting those taxes, shall be proportionately distributed to each taxing jurisdiction to which the delinquent taxes were charged back. Distributions shall be made on May 15, August 15, November 15 and February 15.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

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

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

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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



CITY OF OAK CREEK  
 WRITE-OFF AND PUBLICATION

DELINQUENT PERSONAL PROPERTY

YEAR 2011	PERSONAL PROPERTY NAME AND ADDRESS	City Portion of Principal Only		Total Due for November Including Interest & Penalty	
		AMOUNT	WRITE-OFF	AMOUNT	PUBLISH
	CB Improvements LLC 2517 W Hilltop Lane	\$ 135.92	X	\$ 180.77	X
	Breathe Hair Salon 8652 S Market Place	\$ 64.61	X	\$ 85.93	X
	Brumm Landfill 9282 S Pennsylvania Avenue	\$ 1,232.20	X	\$ 1,638.82	X
	Longball Transportation, Inc 3418 E Oak Lane	\$ 28.95	X	\$ 38.50	X
	CTL Industries, LLC 180 W Fairfield Court	\$ 64.61	X	\$ 85.93	X
	Itpromark, Inc 181 W Aspen Court, Unit 4	\$ 24.51	X	\$ 32.80	X
	Mad Scientist Designs, LLC 1122 W Oakwood Road	\$ 22.29	X	\$ 29.64	X
	The Flowers Landscape Service 2127 W Rawson Avenue	\$ 91.36	X	\$ 121.51	X
	Hughes Cleaning Service 10030 S Windsor Drive	\$ 198.32	X	\$ 263.77	X
	Bluebird Antiques 8625 S Market Place	\$ 80.20	X	\$ 106.66	X
	Oak Creek Roofing 6807 S Pennsylvania Avenue	\$ 412.22	X	\$ 548.25	X
	Oakwood Terrace, Inc 1110 W Oakwood Road	\$ 35.12	X	\$ 46.71	X
	Pegasus Investments, LLC DBA Fantastic Sam's 8880 S Howell Avenue, Ste 1100	\$ 82.76	X	\$ 403.01	X
	EJR Tool Sales, LLC 8736 S 11th Avenue	\$ 37.88	X	\$ 50.38	X
	Scoop 2 Nuts, LLC DBA Coldstone Creamery 8880 S Howell Avenue, Ste 1000	\$ 74.25	X	\$ 361.54	X

CITY OF OAK CREEK  
 WRITE-OFF AND PUBLICATION

DELINQUENT PERSONAL PROPERTY

YEAR 2011	PERSONAL PROPERTY NAME AND ADDRESS	City Portion of Principal Only		Total Due for November Including Interest & Penalty	
		AMOUNT	WRITE-OFF	AMOUNT	PUBLISH
	The Working Man Roofing & Siding, Inc. 9075 S Chicago Court	\$ 33.43	X	\$ 44.46	X
	Sportcuts 8621 S Howell Avenue	\$ 822.23	X	\$ 1,093.57	X
	The Top Shop / Home Visions / Modern Elegance 6418 S Howell Avenue, Ste B	\$ 61.47	X	\$ 299.32	X
	Tri Star Recycling, Inc 6524 S 13th Street	\$ 13.35	X	\$ 17.76	X
	Two-Hundred (200) Ryan, LLC 200 E Ryan Road	\$ 38.34	X	\$ 186.70	Bankruptcy
	Victoria Motel 10131 S Chicago Road	\$ 79.11	X	\$ 385.25	X
<b>DELINQUENT TOTAL</b>		<b>\$ 3,633.13</b>		<b>\$ 6,021.08</b>	
Bankruptcies/Receiverships/Corrections Less than \$10				<b>\$ 186.70</b>	
<b>DELINQUENT PUBLICATION TOTAL</b>				<b>\$ 5,834.38</b>	

The remaining principal balance has been charged back to the other taxing jurisdictions.  
 The City received payment for these charge backs earlier this year.

SYSTEM: TREASURER'S COLLECTIONS  
 REPORT NAME: Tax Audit Report  
 REPORT #: TAXAUDITLST  
 RUN DATE: 10/31/2013  
 RUN TIME: 03:05 PM

THE OPTIONS BELOW WERE USED FOR THIS REPORT:

Property type	Personal Property
Municipalities	265 - CITY OF OAK CREEK
Limited to District	
For Tax Years	2011
Owner information to use	Name on record for each year
Interest and Penalty Date	11/30/2013
Parcels/Personal Properties to be included	Limit to Delinquent parcels/properties
Sort by	Parcel/Personal Property Number
Delinquency flags that were excluded from this report	No flags were selected to be excluded.

MILWAUKEE  
PERSONAL PROPERTY TAX AUDIT  
CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
RUN DATE: 10/31/2013  
RUN TIME: 03:05 PM  
PAGE: 2

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC	ASMT	SPEC	CHRG	OWNER NAME	DEL	CHRG	OCCUP	OTH	CHRG	NOV 2013		NOV 2013		TOTAL
												GEN INT	SPEC INT	GEN PEN	SPEC PEN	
046100	135.92	0.00	0.00	0.00	0.00	CHRISTOPHER BEJERLE, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	135.92
PAID	0.00	0.00	0.00	0.00	0.00	DBA CB Improvements LLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	135.92	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	14.95	0.00	0.00	0.00	180.77
058600	64.61	0.00	0.00	0.00	0.00	BREATHE HAIR SALON	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.61
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	64.61	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	7.11	0.00	0.00	0.00	85.93
061900	1,232.20	0.00	0.00	0.00	0.00	BRUMM LANDFILL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,232.20
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	1,232.20	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	271.08	0.00	0.00	135.54	1,638.82
073700	28.95	0.00	0.00	0.00	0.00	NATE CHADWICK, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.95
PAID	0.00	0.00	0.00	0.00	0.00	DBA Longball Transportation, Inc	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	28.95	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	6.37	0.00	0.00	3.18	38.50
097900	64.61	0.00	0.00	0.00	0.00	CTL INDUSTRIES LLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.61
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	64.61	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	14.21	0.00	0.00	7.11	85.93
103600	24.51	0.00	0.00	0.00	0.00	SUREN DHARANIKOTA, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.51
PAID	0.00	0.00	0.00	0.00	0.00	DBA ITBromm, Inc	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	24.51	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	5.39	0.00	0.00	2.70	32.60
148000	22.29	0.00	0.00	0.00	0.00	JESSICA CRISTAN FRANTAL, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.29
PAID	0.00	0.00	0.00	0.00	0.00	DBA Mad Scientific Designs, LLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	22.29	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	4.90	0.00	0.00	2.45	29.64
181100	91.36	0.00	0.00	0.00	0.00	JOSE J HERNANDEZ, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	91.36
PAID	0.00	0.00	0.00	0.00	0.00	DBA The Flower Landscapes Svc	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	91.36	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	20.10	0.00	0.00	10.05	121.51
188500	198.32	0.00	0.00	0.00	0.00	HUGHES CLEANING SVC INC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	198.32
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	198.32	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	43.63	0.00	0.00	21.82	263.77

MILWAUKEE  
PERSONAL PROPERTY TAX AUDIT  
CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
RUN DATE: 10/31/2013  
RUN TIME: 03:05 PM  
PAGE: 3

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC	ASMT	SPEC	CHRG	OWNER NAME	DEL	CHRG	OCCUP	OTH	CHRG	NOV 2013			TOTAL
												GEN INT	SPRC INT	GEN PEN	
205283	80.20	0.00	0.00	0.00	0.00	MICHAEL JANIKOWSKI, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	80.20	
	PAID	0.00	0.00	0.00	0.00	<i>DBA Bluebird Antiques</i>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	80.20	0.00	0.00	0.00		0.00	17.64	0.00	0.00	0.00	8.82	0.00	106.66	
307000	412.22	0.00	0.00	0.00	0.00	OAK CREEK ROOFING	0.00	0.00	0.00	0.00	0.00	0.00	0.00	412.22	
	PAID	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	412.22	0.00	0.00	0.00		0.00	90.69	0.00	0.00	45.34	0.00	0.00	548.25	
309200	733.08	0.00	0.00	0.00	0.00	OAKWOOD TERRACE INC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	733.08	
	PAID	697.96	0.00	0.00	0.00		0.00	35.54	0.00	17.77	0.00	0.00	0.00	751.27	
	DUE	35.12	0.00	0.00	0.00		0.00	7.73	0.00	3.86	0.00	0.00	0.00	46.71	
321175	303.02	0.00	0.00	0.00	0.00	PEGASUS INVESTMENTS LLC, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	303.02	
	PAID	0.00	0.00	0.00	0.00	<i>DBA Fantastic Same</i>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	303.02	0.00	0.00	0.00	<i>Out of Business - changed Back \$300.26</i>	0.00	66.66	0.00	33.33	0.00	0.00	0.00	403.01	
349200	37.88	0.00	0.00	0.00	0.00	ERIC REPINSKI, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37.88	
	PAID	0.00	0.00	0.00	0.00	<i>DBA FJR Tool Sales, LLC</i>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	37.88	0.00	0.00	0.00		0.00	8.33	0.00	4.17	0.00	0.00	0.00	50.38	
365100	271.84	0.00	0.00	0.00	0.00	SCOOP 2 NUTS LLC, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	271.84	
	PAID	0.00	0.00	0.00	0.00	<i>DBA Coldstone Creamery</i>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	271.84	0.00	0.00	0.00	<i>Out of Business - changed Back \$17.59</i>	0.00	59.80	0.00	29.90	0.00	0.00	0.00	361.54	
386028	33.43	0.00	0.00	0.00	0.00	SAMUEL SPENCER, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	33.43	
	PAID	0.00	0.00	0.00	0.00	<i>DBA The Working Man Roofing + Siding, Inc</i>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	33.43	0.00	0.00	0.00		0.00	7.35	0.00	3.68	0.00	0.00	0.00	44.46	
386040	822.23	0.00	0.00	0.00	0.00	SPORTCUTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	822.23	
	PAID	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	822.23	0.00	0.00	0.00		0.00	180.89	0.00	90.45	0.00	0.00	0.00	1,093.57	
404440	225.05	0.00	0.00	0.00	0.00	THE TOP SHOP/ HOME VISIONS / MODERN ELEGANCE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	225.05	
	PAID	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	DUE	225.05	0.00	0.00	0.00	<i>Out of Business - changed Back \$163.58</i>	0.00	49.51	0.00	24.76	0.00	0.00	0.00	299.32	

*City Portion \$61.47*

MILWAUKEE  
 PERSONAL PROPERTY TAX AUDIT  
 CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
 RUN DATE: 10/31/2013  
 RUN TIME: 03:05 PM  
 PAGE: 4

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC ASMT	SPEC CHRG	OWNER NAME	DEL CHRG	OCCUP	OTH CHRG	NDV 2013 GEN INT	NDV 2013 SPEC INT	GEN PEN	SPEC PEN	TOTAL
416000				TRI STAR RECYCLING INC								
2011 TAX	2,007.62	0.00	0.00		0.00	0.00	0.00					2,007.62
PAID	1,994.27	0.00	0.00		0.00	0.00	0.00	199.43	0.00	99.71	0.00	2,293.41
DUE	13.35	0.00	0.00		0.00	0.00	0.00	2.94	0.00	1.47	0.00	17.76
423100				TWO-HUNDRED (200) RYAN LLC								
2011 TAX	140.38	0.00	0.00		0.00	0.00	0.00					140.38
PAID	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	140.38	0.00	0.00		0.00	0.00	0.00	30.88	0.00	15.44	0.00	186.70
437000				VICTORIA MOTEL								
2011 TAX	289.66	0.00	0.00		0.00	0.00	0.00					289.66
PAID	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	289.66	0.00	0.00		0.00	0.00	0.00	63.73	0.00	31.86	0.00	395.25
CITY OF OAK CREEK TOTALS	7,219.38	0.00	0.00		0.00	0.00	0.00	234.97	0.00	117.48	0.00	7,219.38
TAX PAID	2,692.23	0.00	0.00		0.00	0.00	0.00	995.94	0.00	497.99	0.00	3,044.68
DUE	4,527.15	0.00	0.00		0.00	0.00	0.00	995.94	0.00	497.99	0.00	6,021.08

*Bankruptcy*

*Changed Back \$ 102.00*

*Out of Business Changed Back \$ 210.55*

*City Portion # 38.34*

*City Portion # 79.11*

CITY OF OAK CREEK  
PUBLICATION

DELINQUENT PERSONAL PROPERTY

YEAR 2012	PERSONAL PROPERTY NAME AND ADDRESS	Total Due for November Including Interest & Penalty	
		AMOUNT	PUBLISH
	Aloha Tan and Spa, LLC 930 E. Rawson Avenue	\$ 2.28	Less than \$10
	Auberry House Inc 10320 S Hummingbird Lane	\$ 1,369.67	X
	B & W Heating & Cooling 9473 S Chicago Road	\$ 67.83	X
	CB Improvements LLC 2517 W Hilltop Lane	\$ 161.73	X
	Bender Park Pub 9117 S. 5th Avenue	\$ 161.73	X
	Biogenesis Enterprises 610 W. Rawson Avenue	\$ 2,684.53	X
	Bliffert Lumber and Fuel Co. 6826 S. 13th Street	\$ 14.92	X
	Blue Diamond Express Inc. 9809 S. 13th Street	\$ 279.15	X
	Breathe Hair Salon 8652 S. Market Plance	\$ 75.65	X
	Brumm LLC, Perry 9282 S. Pennsylvania Avenue	\$ 1,299.24	X
	Carwurx, LLC 6900 S. 27th Street	\$ 30.21	X
	Center for Integrated Care 8825 S Howell Avenue Ste #201	\$ 359.03	X
	Longball Transportation, Inc 3418 E Oak Lane	\$ 33.90	X
	Coleman Music & Entertainment LLC 2031 W. Ryan Road	\$ 159.15	X
	Colorall Auto Body Repair 8020 S. 27th Street Suite A	\$ 33.90	X

CITY OF OAK CREEK  
PUBLICATION

DELINQUENT PERSONAL PROPERTY

YEAR 2012	PERSONAL PROPERTY NAME AND ADDRESS	Total Due for November Including Interest & Penalty	
		AMOUNT	PUBLISH
	Commercial Collections, Inc. 7071 S. 13th Street Suite 108	\$ 135.68	X
	Crestwood Healthcare Management 7550 S. 13th Street	\$ 313.07	Bankruptcy
	Itpromark, Inc 181 W Aspen Court, Unit 4	\$ 28.70	X
	DK Systems Inc. 9555 S. Howell Avenue Suite 500	\$ 2.51	Less than \$10
	Mad Scientist Designs, LLC 1122 W Oakwood Road	\$ 26.11	X
	The Flowers Landscape Service 2127 W Rawson Avenue	\$ 106.97	X
	Homesale Realty 7801 S. Howell Avenue Suite 102	\$ 8.13	Less than \$10
	Bluebird Antiques 8625 S Market Place	\$ 93.91	X
	JMB Express Trucking, LLC 9810 S Ridgeview Drive	\$ 1.79	Less than \$10
	States Drywall & Painting, Inc. 422 E. Oak Street Suite 2	\$ 0.79	Less than \$10
	Lodgenet Interactive Corp	\$ 0.91	Bankruptcy
	Midwest Urgent Medical Services 2603 W. Rawson Avenue Suite 6	\$ 46.96	X
	Miracle Physical Therapy & Rehab Specialists 2333 W. Ryan Road	\$ 537.43	X
	Smiles of Oak Creek 7872 S. Howell Avenue	\$ 140.89	X
	Depure Cleaning Company 8540 S, Liberty Lane #3112	\$ 52.19	X



CITY OF OAK CREEK  
PUBLICATION

DELINQUENT PERSONAL PROPERTY

YEAR 2012	PERSONAL PROPERTY NAME AND ADDRESS	Total Due for November Including Interest & Penalty	
		AMOUNT	PUBLISH
	Oak Creek Roofing 6807 S. Pennsylvania Avenue	\$ 493.08	X
	Oakwood Terrace Inc. 1110 W. Oakwood Road	\$ 873.97	X
	PJ Milwaukee LLC DBA Papa John's Pizza 8645 S Howell Avenue	\$ 0.35	Less than \$10
	Prodigy Salons LLC 8880 S. Howell Avenue Suite 1100	\$ 691.35	X
	EJR Tool Sales LLC 8736 S. 11th Avenue	\$ 44.36	X
	The Working Man Roofing & Siding Inc. 9075 S. Chicago Court	\$ 39.13	X
	Sportcuts 8621 S. Howell Avenue	\$ 540.17	X
	Star Nails - 27th Street 6508 S. 27th Street Suite 2	\$ 5.89	Less than \$10
	Technical Enterprises, Inc. 7044 S. 13th Street	\$ 4.47	Less than \$10
	Tri Star Recycling Inc. 6524 S. 13th Street	\$ 2,734.10	X
	Tru-Kleen Inc. 422 E. Oak Street Suite 1B	\$ 0.79	Less than \$10
	Two-Hundred (200) Ryan LLC 200 E. Ryan Road	\$ 169.58	Bankruptcy
	USA Tae Kwon Do 2151 E. Rawson Avenue	\$ 0.43	Less than \$10
	Victory Martial Arts School 9549 S. Chicago Road	\$ 39.13	X

CITY OF OAK CREEK  
PUBLICATION

DELINQUENT PERSONAL PROPERTY

Total Due for November  
Including Interest & Penalty

<u>YEAR</u> 2012	<u>PERSONAL PROPERTY</u> <u>NAME AND ADDRESS</u>	<u>AMOUNT</u>	<u>PUBLISH</u>
	Wisconsin Real Estate, LLC 9502 S. Howell Avenue	\$ 8,022.32	X
		<u>\$ 21,888.08</u>	
	Bankruptcies/Receiverships	\$ 483.56	
	Less than \$10	\$ 27.43	
	<b>DELINQUENT PUBLICATION TOTAL</b>	<b><u>\$ 21,377.09</u></b>	

SYSTEM: TREASURER'S COLLECTIONS  
 REPORT NAME: Tax Audit Report  
 REPORT #: TAXAUDITLST  
 RUN DATE: 10/31/2013  
 RUN TIME: 03:04 PM

THE OPTIONS BELOW WERE USED FOR THIS REPORT:

Property type	Personal Property
Municipalities	265 - CITY OF OAK CREEK
Limited to District	
For Tax Years	2012
Owner Information to use	Name on record for each year
Interest and Penalty Date	11/30/2013
Parcels/Personal Properties to be included	Limit to Delinquent parcels/properties
Sort by	Parcel/Personal Property Number
Delinquency flags that were excluded from this report	No flags were selected to be excluded.

MILWAUKEE  
 PERSONAL PROPERTY TAX AUDIT  
 CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
 RUN DATE: 10/31/2013  
 RUN TIME: 03:04 PM  
 PAGE: 2

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC	ASMT	SPEC	CHRG	OWNER NAME	DEL	CHRG	OCCUP	OTH	NOV 2013		NOV 2013		TOTAL
											GEN	SPEC	INT	INT	
017280	68.07	0.00	0.00	0.00	0.00	ALOHA TAN AND SPA, LLC	0.00	0.00	0.00	0.00	1.32	0.00	0.00	0.66	68.07
PAID	66.09	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	1.32	0.00	0.00	0.66	68.07
DUE	1.98	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.20	0.00	0.00	0.10	2.28
032300	1,191.02	0.00	0.00	0.00	0.00	ADBERRY HOUSE INC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,191.02
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	1,191.02	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	119.10	0.00	0.00	59.55	1,369.67
038200	58.98	0.00	0.00	0.00	0.00	B & W HEATING & COOLING	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	58.98
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	58.98	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	5.90	0.00	0.00	2.95	67.83
046100	140.64	0.00	0.00	0.00	0.00	CHRISTOPHER BEIERLE, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	140.64
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	140.64	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	14.06	0.00	0.00	7.03	161.73
047000	140.64	0.00	0.00	0.00	0.00	BENDER PARK FDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	140.64
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	140.64	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	14.06	0.00	0.00	7.03	161.73
052000	2,334.37	0.00	0.00	0.00	0.00	BIOGENESIS ENTERPRISES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,334.37
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	2,334.37	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	233.44	0.00	0.00	116.72	2,684.53
054000	877.95	0.00	0.00	0.00	0.00	BLIFFERT LDMBR AND FUEL CO	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	877.95
PAID	864.98	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	8.65	0.00	0.00	4.32	877.95
DUE	12.97	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	1.30	0.00	0.00	0.65	14.32
055100	242.74	0.00	0.00	0.00	0.00	BLUE DIAMOND EXPRESS INC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	242.74
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	242.74	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	24.27	0.00	0.00	12.14	279.15
058500	65.78	0.00	0.00	0.00	0.00	BEAATHE HAIR SALON	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	65.78
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	65.78	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	6.58	0.00	0.00	3.29	75.65

*Free than #10*

*DBA CB Improvements*

MILWAUKEE  
 PERSONAL PROPERTY TAX AUDIT  
 CITY OF OAK CREEK

REPORT #: TAXAUDIT1ST  
 RUN DATE: 10/31/2013  
 RUN TIME: 03:04 PM  
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PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC	ASMT	SPEC	CHRG	OWNER NAME	DEL	CHRG	OCCUP	OTH	NOV 2013		NOV 2013		TOTAL	
											GEN INT	SPEC INT	GEN PEN	SPEC PEN		
061800																
2012 TAX	1,129.77	0.00	0.00	0.00	0.00	BRDWM LLC, PERRY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,129.77
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	1,129.77	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	112.98	0.00	56.49	0.00	0.00	1,299.24
069650																
2012 TAX	1,313.53	0.00	0.00	0.00	0.00	CARWORX, LLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,313.53
PAID	1,287.26	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	90.11	0.00	45.05	0.00	0.00	1,422.42
DUE	26.27	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	2.63	0.00	1.31	0.00	0.00	30.21
072000																
2012 TAX	1,746.81	0.00	0.00	0.00	0.00	CENTER FOR INTEGRATIVE CARES SC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,746.81
PAID	1,434.61	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	114.77	0.00	57.38	0.00	0.00	1,606.76
DUE	312.20	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	31.22	0.00	15.61	0.00	0.00	359.03
073750																
2012 TAX	29.48	0.00	0.00	0.00	0.00	MATE CHADWICK, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29.48
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	29.48	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	2.95	0.00	1.47	0.00	0.00	33.90
086920																
2012 TAX	138.39	0.00	0.00	0.00	0.00	COLEMAN MUSIC & ENTERTAINMENT LLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	138.39
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	138.39	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	13.84	0.00	6.92	0.00	0.00	159.15
087100																
2012 TAX	29.48	0.00	0.00	0.00	0.00	COLEBALL AUTO BODY REPAIR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29.48
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	29.48	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	2.95	0.00	1.47	0.00	0.00	33.90
090500																
2012 TAX	117.98	0.00	0.00	0.00	0.00	COMMERCIAL COLLECTIONS, INC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	117.98
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	117.98	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	11.80	0.00	5.90	0.00	0.00	135.68
097720																
2012 TAX	272.24	0.00	0.00	0.00	0.00	CRESTWOOD HEALTHCARE MGT, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	272.24
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	272.24	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	27.22	0.00	13.61	0.00	0.00	313.07
103600																
2012 TAX	24.95	0.00	0.00	0.00	0.00	SUREW DHARAMIKOTA, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.95
PAID	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	24.95	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	2.50	0.00	1.25	0.00	0.00	28.70

*DBA Shogball Transportation, Inc*

*Bankruptcy*

*DBA ITF somak, Inc*

MILWAUKEE  
PERSONAL PROPERTY TAX AUDIT  
CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
RUN DATE: 10/31/2013  
RUN TIME: 03:04 PM  
PAGE: 4

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC ASMT	SPEC CHRG	OWNER NAME	DEL CHRG	OCCUP	OTH CHRG	NOV 2013 GEN INT	NOV 2013 SPEC INT	NOV 2013 GEN PEN	NOV 2013 SPEC PEN	TOTAL
107050	74.86	0.00	0.00	DK SYSTEMS INC	0.00	0.00	0.00	1.45	0.00	0.73	0.00	74.86
2012 TAX PAID	72.68	0.00	0.00		0.00	0.00	0.00					74.86
DUE	2.18	0.00	0.00		0.00	0.00	0.00	0.22	0.00	0.11	0.00	2.51
148000	22.70	0.00	0.00	JESSICA CRISTIAN FRANTAL, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	22.70
2012 TAX PAID	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	22.70	0.00	0.00		0.00	0.00	0.00	2.27	0.00	1.14	0.00	26.11
181100	93.02	0.00	0.00	JOSE J HERNANDEZ, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	93.02
2012 TAX PAID	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	93.02	0.00	0.00		0.00	0.00	0.00	9.30	0.00	4.65	0.00	106.97
185600	242.74	0.00	0.00	HOMESALE REALTY	0.00	0.00	0.00	4.71	0.00	2.36	0.00	242.74
2012 TAX PAID	235.67	0.00	0.00		0.00	0.00	0.00					242.74
DUE	7.07	0.00	0.00		0.00	0.00	0.00	0.71	0.00	0.35	0.00	8.13
205283	81.66	0.00	0.00	MICHAEL JANIKOWSKI, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	81.66
2012 TAX PAID	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	81.66	0.00	0.00		0.00	0.00	0.00	8.17	0.00	4.08	0.00	93.91
209500	106.64	0.00	0.00	MIROSLAV JOVIC, ET AL	0.00	0.00	0.00	2.10	0.00	1.05	0.00	106.64
2012 TAX PAID	105.09	0.00	0.00		0.00	0.00	0.00					108.24
DUE	1.55	0.00	0.00		0.00	0.00	0.00	0.16	0.00	0.08	0.00	1.79
212000	47.64	0.00	0.00	DOYLE KEITH, ET AL	0.00	0.00	0.00	0.94	0.00	0.47	0.00	47.64
2012 TAX PAID	46.95	0.00	0.00		0.00	0.00	0.00					48.36
DUE	0.69	0.00	0.00		0.00	0.00	0.00	0.07	0.00	0.03	0.00	0.79
244000	27.24	0.00	0.00	LOGNET INTERACTIVE CORP	0.00	0.00	0.00	0.53	0.00	0.26	0.00	27.24
2012 TAX PAID	26.45	0.00	0.00		0.00	0.00	0.00					27.24
DUE	0.79	0.00	0.00		0.00	0.00	0.00	0.08	0.00	0.04	0.00	0.91
264500	40.84	0.00	0.00	MIDWEST URGENT MED SVCS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	40.84
2012 TAX PAID	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	40.84	0.00	0.00		0.00	0.00	0.00	4.08	0.00	2.04	0.00	46.96

*Less than \$10*

*DBA Mad Scientist Designs, LLC*

*DBA The Flowero Landscaper Svc*

*Less than \$10*

*DBA Bluebird Antiques*

*DBA JMB Express Trucking*

*Less than \$10*

*DBA States Drywall + Painting, Inc*

*Less than \$10*

*Bankruptcy*

*Less than \$10*

MILWAUKEE  
PERSONAL PROPERTY TAX AUDIT  
CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
RUN DATE: 10/31/2013  
RUN TIME: 03:04 PM  
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PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPSC ASMT	SPEC	CHRG	OWNER NAME	DEL CHRG	OCCUP	OTH CHRG	NOV 2013		NOV 2013		TOTAL
									GEN INT	SPEC INT	GEN PEN	SPEC PEN	
270700	467.33	0.00	0.00	0.00	MIRACLE PHYSICAL THERAPY & REHAB SPECIALISTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	467.33
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	467.33	0.00	0.00	0.00				0.00	46.73	0.00	23.37	0.00	537.43
282200	122.51	0.00	0.00	0.00	SHREKH MAZAR, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	122.51
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	122.51	0.00	0.00	0.00	<i>DBA Smiles of Oak Creek</i>			0.00	0.00	12.25	6.13	0.00	140.89
284900	45.38	0.00	0.00	0.00	HUBERT NOWAKOWSKI, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.38
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	45.38	0.00	0.00	0.00	<i>DBA Depue Clearing Co.</i>			0.00	4.54	0.00	2.27	0.00	52.19
307000	428.76	0.00	0.00	0.00	OAK CREEK ROOFING	0.00	0.00	0.00	0.00	0.00	0.00	0.00	428.76
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	428.76	0.00	0.00	0.00				0.00	42.88	0.00	21.44	0.00	493.08
309500	759.97	0.00	0.00	0.00	OAKWOOD TERRACE INC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	759.97
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	759.97	0.00	0.00	0.00				0.00	76.00	0.00	38.00	0.00	873.97
322060	1,374.78	0.00	0.00	0.00	PJ MILWAUKEE LLC, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,374.78
PAID	1,374.48	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	1,374.48
DUE	0.30	0.00	0.00	0.00	<i>DBA Papa John's Pizzeria</i>			0.00	0.03	0.00	0.02	0.00	0.35
334670	601.17	0.00	0.00	0.00	PRODIGY SALONS LLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	601.17
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	601.17	0.00	0.00	0.00				0.00	60.12	0.00	30.06	0.00	691.35
349200	38.57	0.00	0.00	0.00	ERIC REPINSKI, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	38.57
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	38.57	0.00	0.00	0.00	<i>DBA EJR Tool Sales LLC</i>			0.00	3.86	0.00	1.93	0.00	44.36
386028	34.03	0.00	0.00	0.00	SAMUEL SPENCER, ET AL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	34.03
PAID	0.00	0.00	0.00	0.00				0.00	0.00	0.00	0.00	0.00	0.00
DUE	34.03	0.00	0.00	0.00	<i>DBA The Working Man Roofing &amp; Siding, Inc</i>			0.00	3.40	0.00	1.70	0.00	39.13

MILWAUKEE  
 PERSONAL PROPERTY TAX AUDIT  
 CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
 RUN DATE: 10/31/2013  
 RUN TIME: 03:04 PM  
 PAGE: 6

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC ASMT	SPEC CHRG	OWNER NAME	DEL CHRG	OCCUP	OTH CHRG	NOV 2013 GEN INT	NOV 2013 SPEC INT	NOV 2013 GEN PEN	NOV 2013 SPEC PEN	TOTAL
386040				SPORTCUTS								
2012 TAX	855.27	0.00	0.00		0.00	0.00	0.00	9.62	0.00	4.82	0.00	855.27
PAID	385.56	0.00	0.00		0.00	0.00	0.00					400.00
DUE	469.71	0.00	0.00		0.00	0.00	0.00	46.97	0.00	23.49	0.00	540.17
389000				STAR NAILS - 27TH ST								
2012 TAX	351.63	0.00	0.00		0.00	0.00	0.00	6.93	0.00	3.47	0.00	351.63
PAID	346.51	0.00	0.00		0.00	0.00	0.00					356.91
DUE	5.12	0.00	0.00		0.00	0.00	0.00	0.51	0.00	0.26	0.00	5.89
400500				TECHNICAL ENTERPRISES, INC								
2012 TAX	267.69	0.00	0.00		0.00	0.00	0.00	5.27	0.00	2.64	0.00	267.69
PAID	263.80	0.00	0.00		0.00	0.00	0.00					271.71
DUE	3.89	0.00	0.00		0.00	0.00	0.00	0.39	0.00	0.19	0.00	4.47
416000				TRI STAR RECYCLING INC								
2012 TAX	2,377.48	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,377.48
PAID	0.00	0.00	0.00		0.00	0.00	0.00					0.00
DUE	2,377.48	0.00	0.00		0.00	0.00	0.00	237.75	0.00	118.87	0.00	2,734.10
421250				TRU-KLEEN INC								
2012 TAX	47.64	0.00	0.00		0.00	0.00	0.00	0.94	0.00	0.47	0.00	47.64
PAID	46.95	0.00	0.00		0.00	0.00	0.00					48.36
DUE	0.69	0.00	0.00		0.00	0.00	0.00	0.07	0.00	0.03	0.00	0.79
423100				TWO-HUNDRED (200) RYAN LLC								
2012 TAX	147.46	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	147.46
PAID	0.00	0.00	0.00		0.00	0.00	0.00					0.00
DUE	147.46	0.00	0.00		0.00	0.00	0.00	14.75	0.00	7.37	0.00	169.58
432000				USA TAE KWON DO								
2012 TAX	24.95	0.00	0.00		0.00	0.00	0.00	0.45	0.00	0.25	0.00	24.95
PAID	24.50	0.00	0.00		0.00	0.00	0.00					25.32
DUE	0.37	0.00	0.00		0.00	0.00	0.00	0.04	0.00	0.02	0.00	0.43
437100				VICTORY MARTIAL ARTS SCHOOL								
2012 TAX	34.03	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	34.03
PAID	0.00	0.00	0.00		0.00	0.00	0.00					0.00
DUE	34.03	0.00	0.00		0.00	0.00	0.00	3.40	0.00	1.70	0.00	39.13
452500				WISCONSIN REAL ESTATE, LLC								
2012 TAX	6,975.93	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,975.93
PAID	0.00	0.00	0.00		0.00	0.00	0.00					0.00
DUE	6,975.93	0.00	0.00		0.00	0.00	0.00	697.59	0.00	348.80	0.00	8,022.32

*dear then #10*

*dear then #10*

*dear then #10*

*Bankruptcy*

*dear then #10*



MILWAUKEE  
 PERSONAL PROPERTY TAX AUDIT  
 CITY OF OAK CREEK

REPORT #: TAXAUDITLST  
 RUN DATE: 10/31/2013  
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 PAGE: 7

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC ASMT	SPEC CHRG	OWNER NAME	DEL CHRG	OCCUP	OTH CHRG	NOV 2013		NOV 2013		TOTAL
								GEN INT	SPEC INT	GEN PEN	SPEC PEN	
	TAX	25,614.74	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,614.74
	PAID	6,581.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	123.93	0.00	6,953.42
	DUE	19,033.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	951.66	0.00	21,888.08
CITY OF OAK CREEK TOTALS												

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 10

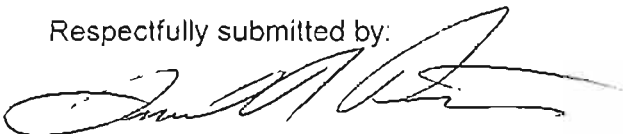
**Recommendation:** Review and approve or revise as the Council deems appropriate, a proposed Term Sheet for Dispatch Services between the City of St. Francis and the City of Oak Creek, as presented.

**Background:** The City of Oak Creek was approached by City of St. Francis officials to determine the potential for exploring joint dispatch operations between the two communities. City of Oak Creek staff responded in the affirmative based upon stated Council support for exploring shared, cooperative, or joint operations with other communities. There is community support to seek out opportunities for multi-agency services recognized for potential to maintain or improve service levels and produce cost efficiencies for all participants. Dispatch services are considered a prime opportunity for joint operations, as evidenced by existing North Shore community dispatch operations and other examples which can be found nationwide.

The basis upon which discussions between the two communities has proceeded regarding dispatch operations is for Oak Creek to provide required services under a 10 year fee contract basis. In order for this service to work, it will be necessary to maintain a strong working relationship between the police, fire, IT and administrative staff, from both communities. Commitment to problem solving, fair treatment, and service excellence must be maintained. In developing key elements of an effective working relationship, the appropriate staff from both communities have met on multiple occasions to develop terms for an agreement to work for both communities. These terms can be found in the attached document.

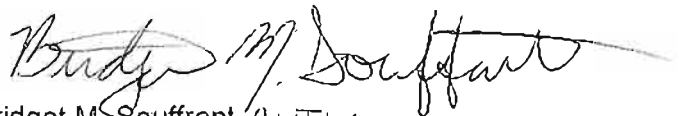
**Fiscal Impact:** It is anticipated that this agreement will produce a neutral impact on the City's 2014 budget and positive impacts thereafter in the range of \$80,000.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 11

**Recommendation:** That the Common Council considers waiving all fees for Oelschlaeger – Dallmann American Legion Post 434 for approved construction of a Porch at 9327 South Shepard Ave.

**Background:** American Legion Post 434 is a Military Organization of veterans who have served this country with pride. The American Legion runs various activities throughout the community and gives back to the Community in donations and service. The organization is requesting a waiver of all fees associated with recently approved project plans submitted by Gregory Hajek for a proposed porch addition onto the American Legion building located at 9327 S. Shepard Ave. (Tax Key No. 874-9999).

**Fiscal Impact:** The American Legion is requesting a refund of \$350.00 previously submitted. In addition, a request is made to waive all permit fees that would be required to complete this project.

Prepared by:



Catherine A. Roeske  
City Clerk

Respectfully submitted,



Gerald Peterson  
City Administrator

Fiscal Review by:



Bridget Souffrant, CMTA  
Finance Director/Comptroller



001 37

## **Oelschlaeger – Dallmann**

### **American Legion Post 434**

**9327 S Shepard Avenue**

**Oak Creek, Wisconsin 53154**

[www.oakcreekpost434.com](http://www.oakcreekpost434.com)

October 10, 2013

City of Oak Creek  
8640 S Howell Ave.  
Oak Creek, WI 53154

The Honorable Steven Scaffidi, Mayor  
and the Common Council of  
the City of Oak Creek

Dear Mayor and Council Members,


American Legion Post 434 is a Military Organization of veterans who have served this country with pride.

Our organization runs various activities though out the community and we give back to the Community in donations and service. We are asking that our organization be given the benefit of the waiver of all fees in regarding our proposed roof addition to our post hall. It would include the Plan Commission and construction permit fees.

With that money saved we can then with the savings fund such programs as Badger Boy's State, Provide lunch with the vets here at our post during veterans week in November, Help fund the Children's Christmas Party which will now include the children of the military personal of the Oak Creek National Guard just to name few of the things that we do for the community.

Therefore we ask that city please accept our request in waving the entire city fees involved with the construction of our roof project.

Respectfully yours

  
Kyle Riffle  
Post Commander

**2014**  
**SCHEDULE OF REGULAR COMBINED**  
**COMMON COUNCIL MEETINGS**

TUESDAY	JANUARY 7	
TUESDAY	JANUARY 21	
TUESDAY	FEBRUARY 4	
<u>MONDAY</u>	FEBRUARY 17	(due to Spring Primary Election, Tuesday, February 18, if required)
TUESDAY	MARCH 4	
TUESDAY	MARCH 18	
<u>MONDAY</u>	MARCH 31	(due to Spring General Election, Tuesday, April 1)
TUESDAY	APRIL 15	
TUESDAY	MAY 6	
TUESDAY	MAY 20	
TUESDAY	JUNE 3	
TUESDAY	JUNE 17	
TUESDAY	JULY 1	
TUESDAY	JULY 15	
<u>MONDAY</u>	AUGUST 4	(due to National Night Out, Tuesday, August 5)
TUESDAY	AUGUST 19	
TUESDAY	SEPTEMBER 2	
TUESDAY	SEPTEMBER 16	
TUESDAY	OCTOBER 7	
TUESDAY	OCTOBER 21	
<u>WEDNESDAY</u>	NOVEMBER 5	(due to Fall General Election, November 4)
<u>MONDAY</u>	NOVEMBER 10	Budget Hearing (tentative only)
OR		
<u>MONDAY</u>	NOVEMBER 17	
TUESDAY	NOVEMBER 18	
TUESDAY	DECEMBER 2	
TUESDAY	DECEMBER 16	

RESOLUTION NO. 11413-110513

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

RESOLUTION DESIGNATING OFFICIAL HOLIDAYS FOR 2014

RESOLVED that the following days are hereby declared to be the official holidays for all employees of the City of Oak Creek during the year of 2014, exclusive of the Police and Fire Departments, to wit:

- 1. New Year's Day (Wednesday, January 1)
- 2. Friday before Easter (Friday, April 18)
- 3. Memorial Day (Monday, May 26)
- 4. Independence Day (Friday, July 4)
- 5. Labor Day (Monday, September 1)
- 6. Thanksgiving Day (Thursday, November 27)
- 7. The Day After Thanksgiving (Friday, November 28)
- 8. Christmas Eve Day (Wednesday, December 24)
- 9. Christmas Day (Thursday, December 25)
- 10. New Year's Eve Day (Wednesday, December 31)

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this \_\_\_\_ day of \_\_\_\_\_, 2013.

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

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

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

\_\_\_\_\_  
Mayor

ATTEST:

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

Vote: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 14

**Recommendation:** That the Common Council approve payment of the obligations as listed on the October 30, 2013 Vendor Summary Report.

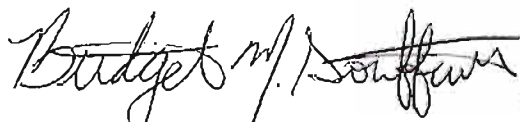
**Background:** Of note are the following payments:

1. \$210,000.00 to ADL Enterprises II, LLC (pg #1) for developer contract payment.
2. \$63,935.88 to Advanced Disposal-Muskego-C6 (pg #1) for recycling and landfill charges.
3. \$66,561.63 to Benistar/UA (pg #3) for retiree Medicare supplement.
4. \$253,754.50 to Bucyrus Wisconsin Property LLC (pg #3) for developer contract payment.
5. \$23,806.00 to Chamberlin Group, LLC (pg #4) for August/September DTS facility development.
6. \$6,652.80 to Engberg Anderson, Inc. (pg #6) for September OC Civic Center FF&E.
7. \$17,689.00 to First Choice Tree Care, Inc. (pg #6) for standard pruning of trees.
8. \$164,427.85 to Liberty Property Trust (pg #12) for developer contract payment.
9. \$10,040.00 to MSA Professional Services, Inc. (pg #13) for July through September real estate services.
10. \$9,991.15 to National Insurance Company (pg #14) for disability insurance.
11. \$8,564.77 to Oak Creek Water & Sewer Utility (pg #15) for June, July, and August locating services.
12. \$33,534.00 to One West Drexel, LLC (pg #15) for WEDC site assessment grant.
13. \$7,916.00 to Outdoor Lighting Construction (pg #16) for furnishing and installing EVP system at Drexel Avenue & 13<sup>th</sup> Street.
14. \$516,021.55 to Payne & Dolan Inc. (pg #16) for paving contract payments.
15. \$9,782.17 to SHI (pg #19) for software and licenses.
16. \$47,298.34 to SmithgroupJJR (pg #19) for Lakefront grant work.
17. \$35,000.00 to Super Western, Inc. (pg #20) for West Drexel Avenue contract payment.
18. \$122,144.29 to 2201 W Southbranch LLC (pg #21) for developer contract payment.
19. \$57,623.16 to WE Energies (pgs #23-24) for street lighting and gas/electric utilities.
20. \$25,926.31 to World Fuel Services, Inc. (pg #24) for fuel inventory.

**Fiscal Impact:** Total claims paid of \$1,807,109.27

Prepared by/Fiscal Review by:

Respectfully submitted,



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller



Gerald R. Peterson  
City Administrator

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 15

**Recommendation:** That The Common Council adopt Resolution No. 11417-110513 which establishes Fire Department Ambulance Rates, Plan Review Fees, Fire Inspection Fees, and for the creation of incident billing charges for motor vehicle crashes and other highway responses, repealing Resolution No. 11368-061813.

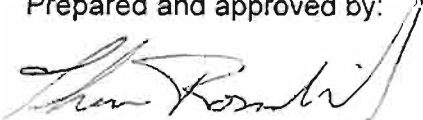
**Background:** The main purpose of this requested change is to offset costs associated with response and recovery on our streets and highways.

Any resident or nonresident having a vehicle incident on Wisconsin city, county, state or federal highways involving vehicle fire, a pedestrian, a vehicle accident involving fluid spilled or extrication of a victim will be charged a fee to recover the fire department's cost. The fee will be \$500 per resident and nonresidents. An alternative would be to charge less for residents as determined by the Common Council.

The collection of these fees will be handled by our ambulance billing agent, Lifequest. Current cities in Milwaukee County charging these fees are Cudahy, Greendale, Greenfield, Hales Corners, North Shore and St. Francis.

**Fiscal Impact:** Charges offset in 2013 may exceed \$40,000.

Prepared and approved by:



Thomas Rosandich  
Fire Chief

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Respectfully submitted:



Gerald R. Peterson ICMA-CM  
City Administrator



## RESOLUTION NO. 11417-110513

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

A RESOLUTION ESTABLISHING FIRE DEPARTMENT AMBULANCE RATES, PLAN REVIEW FEES, FIRE INSPECTION FEES, AND FIRE INCIDENT BILLING FEES, REPEALING RESOLUTION NO. 11368-061813.

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that Fire Department fees relating to ambulance rates shall be established as follows and shall be effective upon approval by the Common Council.

### FIRE DEPARTMENT

a. Definitions.

1. **Advanced Life Support (ALS) Services:** An advanced level of pre-hospital and inter-hospital emergency care and non-emergency medical care that includes basic life support care, cardiac monitoring, cardiac defibrillation, electrocardiography, intravenous therapy, administration of medications, drugs and solution, use of adjunctive medical devices, trauma care, on scene care and other authorized techniques and procedures, as provided in rules adopted by the Department of Health Services under Chapter HFS 112.
2. **Advanced Life Support Service, Level 1 (ALS-1):** The provision of ALS Services and/or assessment at a level below that specified for ALS-2 Services in (a)(3), below.
3. **Advanced Life Support, Level 2 (ALS-2):** The provision of ALS Service and/or assessment with treatment including the administration of three or more different medications and the provision of at least one of the following ALS procedures:
  - Manual defibrillation/cardioversion
  - Endotracheal intubation
  - Central venous line insertion
  - Chest decompression
  - Intraosseous line insertion
4. **Basic Life Support (BLS) Services:** A basic level of pre-hospital, on scene care/assistance and inter-hospital non-emergency medical care and emergency care that includes airway management, cardiopulmonary resuscitation (CPR), control of shock and bleeding and splinting of fractures, as provided in rules adopted by the Department of Health Services under Chapter HFS 110.
5. **Department:** The City of Oak Creek Fire Department.
6. **Mileage Fee:** A fee for each mile, or portion thereof, that an ambulance travels when transporting a patient in need of medical care to a hospital or medical facility.
7. **Resident:** A person whose primary home address is within the city limits of the City of Oak Creek.
8. **Non-Resident:** A person whose primary home address is not within the city limits of the City of Oak Creek.

9. **Group-1 Drugs:** Albuterol, Amioderone (30 Mg), Atropine, Benadryl, Heparin Sodium by IV, Lasix, Lidocaine, Ativan, Versed, Sodium Chloride, Solumedrol (up to 40 Mg), Terbutline, Diazepam, Dextrose 50%, Nitro Spray LS, Normal Saline (capped), D50, D5W and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.
10. **Group-2 Drugs:** Calcium Chloride, Epinephrine (IM or IV, not by Epi Pen), Dopamine, Lidocaine, Sodium Bicarbonate and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.
11. **Group-3 Drugs:** Morphine, Narcan, Normal Saline and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.
12. **Specific Drug Group:** Epinephrin (by Epi-pen), Adenosine, Glucagon (up to 1 Mg), Solmedrol (41-125 Mg), EZ-IO, and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.

NOTE: The confidentiality of all patient information shall be maintained pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all other applicable Federal and/or State Laws.

b. Advanced Life Support Fees.

1. Resident Fees: Every resident of the City of Oak Creek receiving advanced emergency service from the City by way of an advanced life support unit transport to a health care facility shall pay for such service the sum of ALS-1 \$678.00 and ALS-2 \$781.00 base rate, plus \$103.00 for defibrillation, plus \$62.00 for IV and supplies, plus \$77.00 for intubation, plus \$82.00 for ALS supplies, plus \$77.00 for oxygen and supplies, plus \$103.00 for EKG, plus \$150.00 for Spinal Immobilization, plus \$33 for each drug in Group-1, plus \$38.00 for each drug in Group-2, plus \$49.00 for each drug in Group-3, plus \$98.00 for Epinephrine by Epi-Pen, plus \$92.00 for Adenosine, plus \$92.00 for Glucagon, up to 1 Mg, plus \$60.00 for Solumedrol, 41 to 125 Mg, and \$123.00 for EZ-IO for the Specific Drug Group, plus \$3.00 for triage barcode wristbands, plus \$924.00 for Cyano-kits, plus \$46.00 for CPAP Mask. If the Department provides ALS level treatment that does not end in a transport, the patient shall be charged \$128.00 for non-invasive and invasive treatment plus services and drug group charges noted above.
2. Non-Resident Fees: Every non-resident of the City of Oak Creek receiving advanced emergency service from the City by way of advanced life support unit transport to a health care facility shall pay for such service the sum of ALS-1 \$801.00 and ALS-2 \$924.00 base rate, plus \$103.00 for defibrillation, plus \$62.00 for IV and supplies, plus \$77.00 for intubation, plus \$82.00 for ALS supplies, plus \$77.00 for oxygen and supplies, plus \$103.00 for EKG, plus \$150.00 for Spinal Immobilization, plus \$33 for each drug in Group-1, plus \$38.00 for each drug in Group-2, plus \$49.00 for each drug in Group-3, plus \$98.00 for Epinephrine by Epi-Pen, plus \$92.00 for Adenosine, plus \$92.00 for Glucagon, up to 1 Mg, plus \$60.00 for Solumedrol, 41 to 125 Mg, and \$123.00 for EZ-IO for the Specific Drug Group, plus \$3.00 for triage barcode wristbands, plus \$924.00 for Cyano-kits, plus \$46.00 for CPAP Mask. If the Department provides ALS level treatment that does not end in a transport, the patient

shall be charged \$180.00 for non-invasive and invasive treatment plus services and drug group charges noted above.

3. Mileage Fees: Every resident and non-resident shall pay \$15.00 for each mile, or portion thereof, that an ambulance travels when transporting a patient in need of medical care to hospital or medical facility.

c. Basic Life Support Fees.

1. Resident Fees: Every resident of the City of Oak Creek receiving basic emergency service from the City by way of basic life support unit transport to a health care facility shall pay for such service the sum of \$525.00 base rate, plus \$77.00 for oxygen, plus \$62.00 for supplies, plus \$25.00 for EKG, plus \$150.00 for Spinal Immobilization. If the Department provides medical treatment and or assistance only, that does not end in a transport; the patient shall not be charged a fee for the first 1-3 assists within one calendar year but shall be charged \$75.00 per assist for 4 or more assists within one calendar year and no additional fees will apply for medical care.
2. Non-Resident Fees: Every non-resident of the City of Oak Creek receiving basic emergency service from the City by way of basic life support unit transport to a health care facility shall pay for such service the sum of \$700.00 base rate, plus \$77.00 for oxygen, plus \$62.00 for supplies, plus \$25.00 for EKG, plus \$150.00 for Spinal Immobilization. If the Department provides medical treatment and or assistance only, that does not end in a transport; the patient shall be charged a flat \$77.00 fee. No additional fees will apply for medical care.
3. Fees for Transfer Services: In all cases where the ambulance service of the City is requested to transfer an Oak Creek resident from a hospital in Milwaukee County to a nursing facility in Milwaukee County or to the resident's home in Oak Creek, such person shall pay a base rate of \$375.00, plus \$77.00 for oxygen, plus \$62.00 for consumables, plus \$25.00 for EKG's, plus \$150.00 for Spinal Immobilization. All transfers shall be and are limited to Oak Creek residents.
4. In-City Facility Fees: Every resident or non-resident of the City of Oak Creek receiving basic emergency service from the City by way of basic life support unit transport to a health care facility located within the boundaries of the City shall pay for such service the sum of \$275.00.
5. Mileage Fees: Every resident and non-resident shall pay \$14.50 for each mile, or portion thereof, that an ambulance travels when transporting a patient in need of medical care to hospital or medical facility.

d. Fire alarm connections.

1. Every person, firm or corporation connecting to the console system of the Oak Creek Fire Department or fire alarm service shall pay for such service as follows: \$50.00 for installation of service lines; \$100.00 annual charge.
2. Annual charges shall be billed by the Fire Department on January 1<sup>st</sup> of each year. For service installed subsequent to January 1<sup>st</sup>, the annual charge shall be pro-rated on a monthly basis.

- e. Hazardous materials. Replacement of cost of any extinguishment agent, neutralizers, chemicals or materials. Any person, firm or corporation shall reimburse the City for personnel costs, equipment expenses and replacement costs of any extinguishing agent,

chemical, neutralizer, or materials used in the extinguishment, confinement, neutralizing or cleanup of any flammable or combustible liquid, gas, solid or any hazardous material or chemical involved in any fire or accidental spill.

- f. False alarm. Any person, firm or corporation having a fire alarm, smoke detector or any other type of alarm, and the alarm calls for response from the Fire Department, shall not be charged a fee for the first 1-3 alarms within one calendar year but shall be charged \$50.00 per alarm for 4-7 alarms within one calendar year and \$200.00 per alarm for 8 or more alarms within one calendar year.
- g. Nuisance fire alarms. Any person, industry, commercial establishment, railroad, apartment house complex or other who shall cause nuisance fires (multiple rubbish fires, grass fires, etc.) shall be liable for the sum of \$300.00 per hour or fraction thereof.
- h. Plan Review.
  - 1. Sprinkler review \$66.36
  - 2. All underground plan \$66.36
  - 3. Fire alarm system \$66.36
  - 4. Hood systems \$33.18
  - 5. Dry chemical systems \$66.36
  - 6. Special systems \$66.36
  - 7. Final Occupancy \$49.77
- i. Rescue Services. Any person, firm, contractor, or corporation requiring rescue services beyond the capacity of the Fire Department, shall reimburse the City for personnel costs, equipment and supplies, and outside rescue services.

**Fire Inspection Fees**

Fire Inspection fees are as follows, with each level based on the estimated time in minutes to conduct such inspections:

Inspection Type	Estimated Time in Minutes	Inspection Pay Rate	Total Fee
Level 1	0-15	49.87	\$16.82
Level 2	16-30	49.87	\$30.05
Level 3	31-45	49.87	\$43.28
Level 4	46-60	49.87	\$56.50
Level 5	61-75	49.87	\$82.96
Level 6	76-90	49.87	\$96.18

**Fire Incident Billing Fees**

Any resident or nonresident having a vehicle incident on Wisconsin city, county, state or federal highways within the City of Oak Creek involving vehicle fire, a pedestrian, a vehicle accident involving fluid spilled or extrication of a victim will be charged a fee to recover the fire department's cost. The fee will be \$500 per resident and nonresidents.

Introduced this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

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

Approved this this 5<sup>th</sup> day of November, 2013 .

\_\_\_\_\_  
Mayor

Attest:

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

Vote: Ayes \_\_\_\_\_ Noes \_\_\_\_\_

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 16

**Recommendation:** That the Council adopt Resolution No. 11414-110513 approving a certified survey map for the properties at 7929 S. Howell Ave. and 8100 S. 6th St.

**Background:** This certified survey map is one of two for review this evening in accordance with the development plan for Drexel Town Square. Four lots will be created from the larger parcel:

1. Lot 1 will be in the Mixed-Use sub-district. Per the General Development Plan and Regulating Plan, buildings in this area will have commercial/retail on the street-level floors with office and/or residential spaces on the upper floors. Future access will be through this parcel for Main Street, leading to the Town Square, and along the westernmost part of the parcel for the 6th Street extension.
2. Lot 2 will be the Town Square, the central part of the development.
3. Lot 3 will be in the Mixed-Use sub-district, and is currently proposed as a site for a hotel.
4. Lot 4 will be in the Civic and Mixed-Use sub-districts, and is the location of the new City Hall/Library building.

All proposed lots are compliant with the requirements of the DTSMPDD.

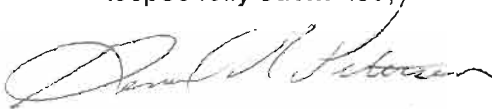
The Plan Commission has reviewed this request and has recommended its approval with the condition that all technical corrections are made prior to recording.

**Fiscal Impact:** Development of Lots 1 and 3 of this certified survey map will create tax base which will contribute towards the project costs of TID 11. Once the TID is closed the taxes from the additional development will revert to all taxing jurisdictions. Lot 2 will be the location of the Town Square and Lot 4 will be owned by the City and will be tax exempt.

Prepared by:

  
Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,

  
Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

  
Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11414-110513

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR ONE WEST DREXEL, LLC

7929 S. Howell Avenue & 8100 S. 6<sup>th</sup> Street  
(2<sup>nd</sup> Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by ONE WEST DREXEL, LLC, and the CITY OF OAK CREEK hereinafter referred to as the subdividers, is in compliance with all statutory requirements; and

WHEREAS, the subdividers have 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 bring 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 bring made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5th Day of November, 2013.

Passed and adopted this \_\_\_ Day of \_\_\_\_\_, 2013.

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

Approved this \_\_\_ Day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

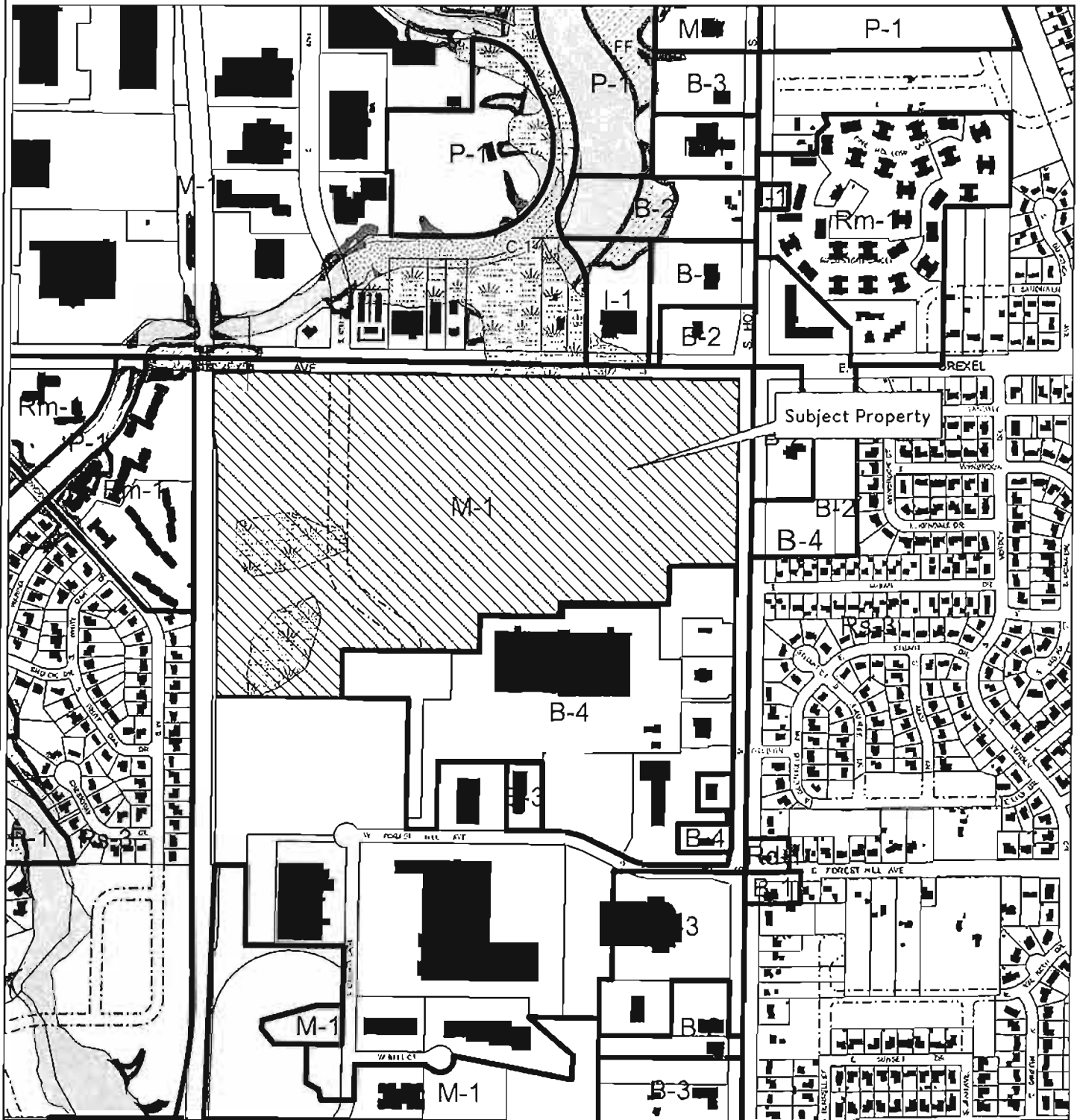
ATTEST:

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

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

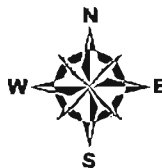
# Location Map

## 7929 S. Howell Ave.






**OAKCREEK**  
— WISCONSIN —

Department of Community Development



### Legend

-  7929 S. Howell Ave.
-  Existing Street Pattern
-  Welland
-  Floodway



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

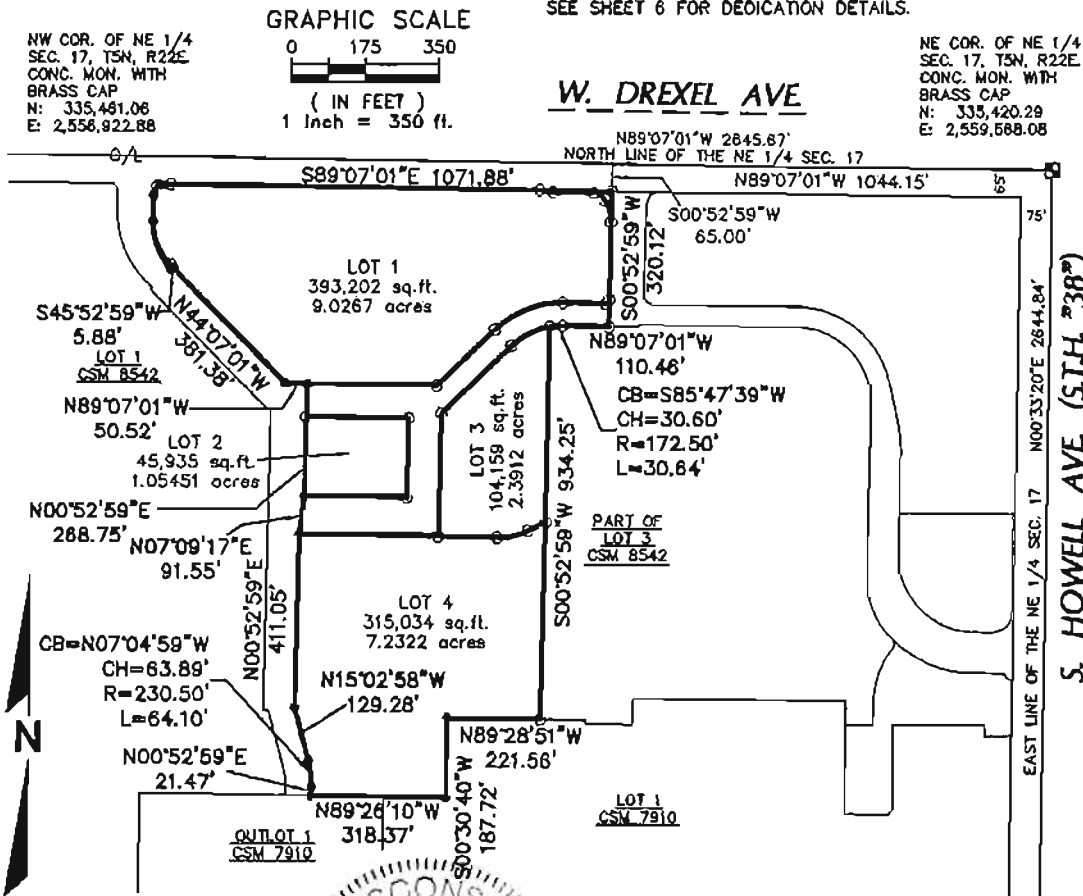
A division of Lot 2 and a part Lot 3 of Certified Survey Map No. 8542, in the Northwest 1/4, Northeast 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

THESE PARCELS ARE AFFECTED BY OFFICIALLY MAPPED STREETS.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. ALL BEARINGS ARE REFERENCED TO THE N. LINE OF THE NE 1/4 OF SECTION 17, T 5 N, R 22 E, WHICH BEARS N89°07'01"W OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE

SEE SHEETS 2-5 FOR LOT DETAILS. SEE SHEET 6 FOR DEDICATION DETAILS.

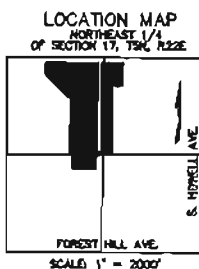


**R.A. Smith National, Inc.**

Beyond Surveying and Engineering

18745 W. Bluemound Road, Brookfield, WI 53005  
262-781-1000 Fax 262-797-7373 www.ra-smithnational.com  
Appleton, WI Orange County, CA Pittsburgh, PA

53168895Wgh  
CS101411.DWG SHEET 1



# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 17

**Recommendation:** That the Council adopt Resolution No. 11415-110513 approving a certified survey map for the properties at 7929 S. Howell Ave. and 8051 S. Howell Ave.

**Background:** This certified survey map is the second of two for review this evening in accordance with the development plan for Drexel Town Square. Four parcels will be created from the larger parcel:

1. Lot 1 will be in the Large Format Retail sub-district. This is the parcel for the Meijer main store.
2. Lot 2 will be in the Perimeter Commercial sub-district, and will be on the south side of the second main entrance (off Howell Avenue).
3. Lot 3 will be in the Perimeter Commercial sub-district. This is the parcel for the Meijer fuel center.
4. Lot 4 will be in the Perimeter Commercial sub-district. The northeastern corner of this lot will allow for mixed uses. Per the General Development Plan and Regulating Plan, small-to-medium format commercial buildings will occupy this area.

All proposed lots are compliant with the requirements of the DTSMUPDD.

**Fiscal Impact:** Development of the parcels created by this certified survey map will create tax base which will contribute towards the project costs of TID 11. Once the TID is closed the taxes from the additional development will revert to all taxing jurisdictions.

Prepared by:



Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,



Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11415-110513

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR ONE WEST DREXEL, LLC

7929 S. Howell Avenue & 8051 S. Howell Avenue  
(2<sup>nd</sup> Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by ONE WEST DREXEL, LLC, and the CITY OF OAK CREEK hereinafter referred to as the subdividers, is in compliance with all statutory requirements; and

WHEREAS, the subdividers have 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 bring 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 bring made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5th Day of November, 2013.

Passed and adopted this \_\_\_ Day of \_\_\_\_\_, 2013.

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

Approved this \_\_\_ Day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

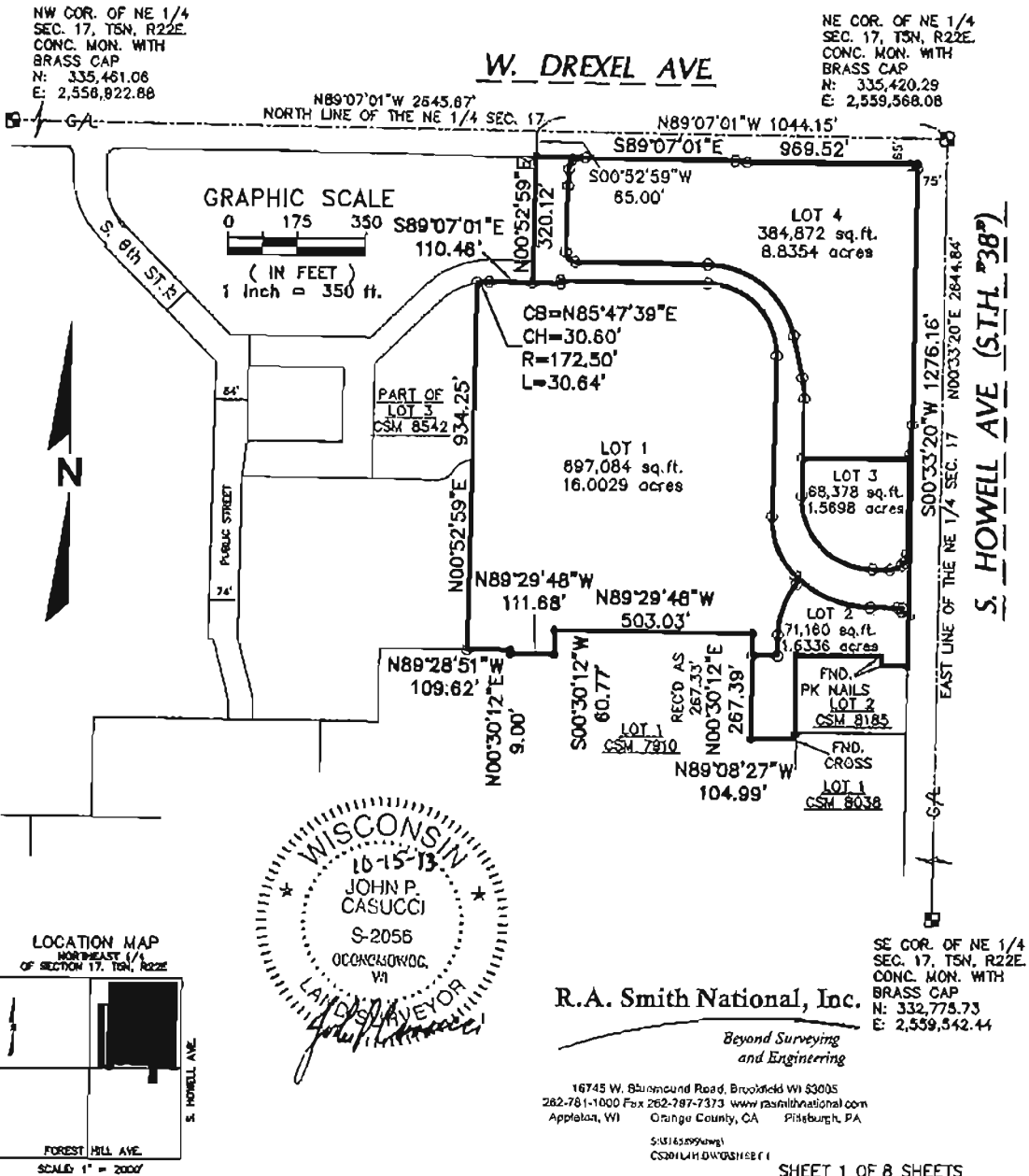
A division of Lot 1 of Certified Survey Map No. 8185 and a part Lot 3 of Certified Survey Map No. 8542, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

THESE PARCELS ARE AFFECTED BY OFFICIALLY MAPPED STREETS.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.88 LBS. PER LINEAL FOOT.

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. ALL BEARINGS ARE REFERENCED TO THE N. LINE OF THE NE 1/4 OF SECTION 17, T 5 N, R 22 E, WHICH BEARS N89°07'01"W OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE

SEE SHEETS 2-4 FOR LOT DETAILS.  
SEE SHEET 5 FOR DEDICATION DETAILS.



# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 18

**Recommendation:** That the Council adopt Resolution No. 11422-110513, approving an Interlocal cooperation agreement regarding land use planning and economic development activities within the Milwaukee Gateway Aerotropolis area.

**Background:** The City of Oak Creek is a member of the Milwaukee Gateway Aerotropolis Corporation (MGAC), or Aerotropolis Milwaukee as it is now referred to. Aerotropolis Milwaukee is a public-private partnership centered around General Mitchell International Airport that fosters economic collaboration by linking the region's air, rail, road and shipping transportation capabilities. The partnership focuses on the evolution and implementation of a comprehensive strategy to generate the growth of business and communities in an aesthetically inviting aerotropolis area.


As part of that effort the member communities are examining opportunities to collaborate on land use planning and economic development activities within the area surrounding the airport in connection with attracting commercial, industrial and other business activity.

This Interlocal agreement is a continuing step in that effort. Under its terms the member communities would seek to identify and implement projects related to


- Design and development principles
- Streamlined or expedited permitting processes
- Economic incentives, including creation of tax incremental financing districts within and across municipal boundaries
- Joint marketing and promotion
- Infrastructure development

**Fiscal Impact:** The Interlocal agreement does not in and of itself have any fiscal impact. Implementation of the resulting recommendations may require some additional investment.

Prepared by:

  
Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,

  
Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

  
Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11422-110513

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

RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT REGARDING LAND USE PLANNING AND ECONOMIC DEVELOPMENT ACTIVITIES WITHIN THE MILWAUKEE GATEWAY AEROTROPOLIS AREA

WHEREAS, the City of Oak Creek is a founding member of the Milwaukee Gateway Aerotropolis Corporation, referred to as Aerotropolis Milwaukee; and

WHEREAS, one of the founding principles of Aerotropolis Milwaukee states that the greater good of the Aerotropolis Milwaukee region, its communities, businesses and residents will be best achieved through a collaborative effort aimed at benefiting the region as a whole. and

WHEREAS, Aerotropolis Milwaukee, and its member communities seek to further this goal by cooperating on land use planning and economic development activities within the Interlocal Aerotropolis Area ; and

WHEREAS, the Interlocal Cooperation Agreement attached and further identified as Exhibit A, provides a framework for the Aerotropolis Milwaukee member communities to undertake these activities.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council that this Interlocal Cooperation Agreement between the City of Oak Creek and Aerotropolis Milwaukee is hereby approved.

BE IT RESOLVED that the Mayor is hereby authorized and directed to execute the attached Interlocal Cooperation Agreement on behalf of the Common Council of the City of Oak Creek.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

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

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

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

**Exhibit A**  
**Interlocal Cooperation Agreement**

This Interlocal Cooperation Agreement (this "Agreement") is entered into as of \_\_\_\_\_ day of \_\_\_\_\_, 2013 (the "Effective Date") by, between, and among the Local Government Parties (as hereinafter defined).

**RECITALS**

WHEREAS, each Local Government Party conducts planning and development activities designed in part to foster and enhance economic development for the benefit of the residents and businesses within its geographic boundaries;

WHEREAS, in March 2008, the Airport Area Economic Development Task Force (AAEDTF) was organized with the objective of improving collaboration of planning efforts and development standards among the Local Government Parties for the areas surrounding General Mitchell International Airport (GMIA);

WHEREAS, following an 18-month process, including a review of their respective land use plans for the GMIA area, the Local Government Parties, together with the Southeastern Wisconsin Regional Planning Commission, GMIA, elected officials and staff representing Milwaukee County, the Port of Milwaukee, the State of Wisconsin, and the Federal Government, and business owners, representatives and staff from the Airport Gateway Business Association, the South Suburban Chamber of Commerce, the Milwaukee Metropolitan Association of Commerce, the Greater Milwaukee Committee, Spirit of Milwaukee, and Visit Milwaukee, authorized the incorporation of the AAEDTF as a 501(c)3 organization for the purpose of carrying on the work of the AAEDTF on behalf of the Local Government Parties;

WHEREAS, the AAEDTF developed a Vision Statement, Mission Statement, Goals, and Founding Principles for the Milwaukee Gateway Aerotropolis Corporation (Aerotropolis Milwaukee), which was incorporated in 2010 as a membership corporation that is controlled by its member governments and government instrumentalities, but also has representation appointed from local business associations;

WHEREAS, by previous resolutions, the Local Government Parties have become members of Aerotropolis Milwaukee and directed it to (1) conduct studies and evaluations on their behalf, (2) make the results of such studies and evaluations available to its members and the general public, and (3) coordinate planning and development efforts of the Local Government Parties with respect to the GMIA area;

WHEREAS, in furtherance of the efforts of Aerotropolis Milwaukee, the Local Government Parties desire to cooperate with each other with respect to regional land use planning and economic development within the areas surrounding GMIA ;

WHEREAS, each Local Government Party has the statutory power and authority to perform various economic development and regional planning activities within the Interlocal Geographic Area, as well as administrative functions in support thereof; and



WHEREAS, the Local Government Parties have been, and are, duly authorized to enter into this Agreement.

NOW, THEREFORE, in consideration of the premises and mutual covenants set forth herein, the Local Government Parties hereby agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide a cooperative intergovernmental process for land use planning and economic development activities within the Interlocal Aerotropolis Area, in connection with attracting commercial, industrial, and other businesses and activities having a direct or indirect relationship to intermodal transportation, logistics, air commerce and the use of GMIA (the "Purpose").

2. **Duration.** The initial term of this Agreement shall commence on the Effective Date and be in effect for a period of three (3) years thereafter, unless sooner terminated pursuant to the terms of this Agreement. At the conclusion of the initial term, this Agreement shall renew automatically for periods of three (3) years each, until and unless a majority of the Local Government Parties provide written notice of their intention not to renew this Agreement at least six (6) months prior to the expiration of the then-current term.

3. **Interlocal Aerotropolis Area.** The Interlocal Aerotropolis Area, as well as the particular Local Government Parties participating in this Agreement, may be changed or modified by amendment to this Agreement signed by all of the Local Government Parties. Notwithstanding the foregoing, any Local Government Party may modify its designated Interlocal Aerotropolis Area at any time, provided the same shall reasonably relate, directly or indirectly, to intermodal transportation, logistics, air commerce, or the use and development around GMIA.

4. **Governance.**

The implementation of the Operational Requirements of this Agreement shall be carried out by the Milwaukee Gateway Aerotropolis Corporation and its participating members. Responsibilities of this Agreement including but not limited to provision of public notice and compliance with all applicable laws shall be carried out by the Milwaukee Gateway Aerotropolis Corporation.

5. **Operational Requirements.**

- a. **Cooperation.** The Local Government Parties agree to cooperate reasonably and in good faith with respect to land use planning and economic development activities within the Interlocal Aerotropolis Area.
- b. **Projects.** The Local Government Parties may identify, discuss, and approve projects that are beneficial to, and support, the Purpose. In addition, the Local Government Parties may discuss and approve other matters to which they may agree, including, by way of example and not of limitation, and shall pursue in good faith:
  - i. Design and development principles;

- ii. Streamlined or expedited permitting processes;
- iii. Economic incentives, including creation of tax incremental financing districts within and across municipal boundaries;
- iv. Joint marketing and promotion;
- v. Infrastructure development;
- vi. Changes to boundaries or size of the Interlocal Aerotropolis area.

**6. Withdrawal.**

Any Local Government Party may withdraw from this Agreement at any time upon not less than six (6) months prior written notice given to all of the other Local Government Parties.

**7. Applicable Law.**

This Agreement shall be subject to, governed by, and construed under the laws of the State of Wisconsin. The Local Government Parties hereby acknowledge that this is a simple cooperative agreement which does not authorize or establish a budget, financing or supplies of any kind, or permit the acquisition, holding or disposition of any real or personal property in connection with the Purpose; and, if the Local Government Parties hereafter desire to authorize or permit any of the foregoing, this Agreement must be amended accordingly. Each Local Government Party acknowledges that it may be necessary to amend this Agreement, from time to time, in order to ensure its compliance with all applicable laws, rules and regulations.

**8. General.**

This Agreement sets forth the entire agreement of the Local Government Parties. This Agreement shall be amended or modified only by a written instrument signed by all of the Local Government Parties. If any provision of this Agreement is held to be invalid, illegal or unenforceable by a court of competent jurisdiction, then, in such event, that provision shall be stricken and all other provisions of this Agreement which can operate independently of such stricken provision(s) shall continue in full force and effect. This Agreement may be executed by counterparts, each of which (taken together) is an original by all of which constitute one instrument.

**IN WITNESS WHEREOF**, the following governmental entities have caused their duly authorized representatives to execute this Agreement as of the Effective Date.

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 19

**Recommendation:** That the Council authorize staff to take preliminary steps to amend the project plan for Tax Increment Financing District No. 11 to include the property at 400 W. Forest Hill Avenue and provide for additional development incentives.

**Background:** The project plan for Tax Incremental Financing District No. 11 was approved by the Council in April of 2012. It establishes the boundaries of the district as well as providing an accounting of its anticipated project costs.

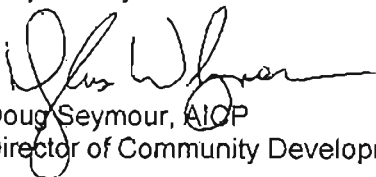
At the time of the adoption of the initial project plan the details for Drexel Town Square were still evolving. The initial project plan was based on an earlier concept plan that was prepared by GRAEF. Since that time more detailed plans for the Drexel Town Square project have been prepared based on the Drexel Town Square Mixed Use Planned Development zoning that was put in place by the City. These include more detailed project cost estimates based on the infrastructure identified in the general development plan, including those funds set aside for development incentives.

The project plan for TID 11 should be amended to reflect the general development plan adopted as part of the zoning, and should reflect the changes to those project costs, including the line item for development incentives. As part of this amendment the boundaries of the district are being amended to include the property at 400 West Forest Hill Avenue. This is property that is currently owned by Woodman's, and is the subject of a memorandum of understanding with the City regarding the extension of South 6<sup>th</sup> Street and the development and maintenance of stormwater management facilities.

Should the Council authorize staff to proceed, staff will formally begin the process of amending this TIF district, including convening a joint review board (JRB), and amending the project plan. The Council will be asked to designate a representative from the City, as well as a citizen member to serve on the JRB. The Council would be kept apprised of the progress of the TIF district amendment as staff, including our financial and legal consulting team works on agreements to implement the project plan.

**Fiscal Impact:** The costs incurred in the planning of a TIF district are eligible to be reimbursed as part of the district. The additional investment made possible by the amendment of this TIF district will have a positive fiscal impact on the City, and ultimately all of the taxing jurisdictions.


Prepared by:

  
Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,

  
Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

  
Bridget M. Souffrant  
Finance Director/Comptroller

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 20

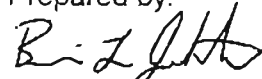
**Recommendation:** That the Common Council adopt Resolution No. 11404-110513, acquiring fee property (right-of-way), and temporary easements, for the S. Howell Avenue Wisconsin Department of Transportation maintenance project from Oakwood Road to Grange Avenue; and, to send a payment in the amount of the Award of Damages to the affected property owner (Project No. 12025) (1<sup>st</sup> District).

**Background:** The acquisition (approved with Resolution No. 11298-110712) of real estate and easements is necessary for construction of sidewalks along the Howell Avenue corridor. The required acquisition has been determined to be agreeable by the affected property owners. The City has hired MSA Professional Services to handle all of the real estate acquisitions for the project. The City must acquire TLE and PLE on 63 parcels. The Council approved payment for 60 parcels previously. The acquisition acquired at this time is listed below.

Owner	Property Address	Tax Key Number	Parcel No.	Acquisition Type	Amount
Morton Community Bank	6448 & 6460 S. Howell Avenue	719-9986 & 719-9987-002	112	PLE & TLE	\$4,400

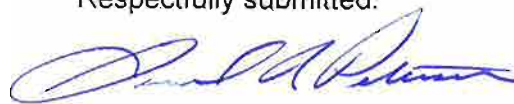
**Fiscal Impact:** The total cost of this action is \$4,400, and is to be paid from CIP funds reserved in Project No. 12025.

Prepared by:



Brian L. Johnston, P.E.  
Development Engineer

Respectfully submitted:



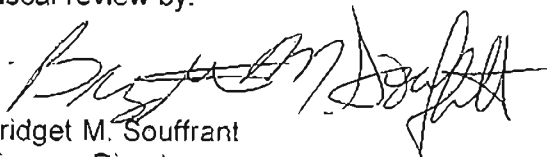
Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant  
Finance Director

RESOLUTION NO. 1404-110513

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

RESOLUTION ACCEPTING FEE PROPERTY, AND TEMPORARY EASEMENTS FOR THE HOWELL AVENUE RECONSTRUCTION PROJECT

(PROJECT NO. 12025)

(1<sup>st</sup> DISTRICT)

WHEREAS, the City of Oak Creek decided that public necessity demands the construction of sidewalk with the Wisconsin Department of Transportation maintenance project (2060-15-71); and

WHEREAS, the acquisition of fee simple title, and temporary easements were approved with Resolution No. 11298-110712, and

WHEREAS, the plat and relocation order for this project, with State I.D. 2060-15-21, have been approved and filed with the County Clerk for Milwaukee County, and

WHEREAS, the property owner listed below has agreed to land acquisition and grants easements to the City,

Owner	Property Address	Tax Key Number	Parcel No.	Acquisition Type	Amount
Morton Community Bank	6448 & 6460 S. Howell Avenue	719-9986 & 719-9987-002	112	PLE & TLE	\$4,400

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the attached land acquisition and easements be approved and the same is hereby accepted; and

BE IT FURTHER RESOLVED, the Finance Director is hereby authorized and directed to prepare a check(s) in the amount(s) and to the owner(s) shown above for a closing to be scheduled and upon closing MSA is hereby authorized and directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

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

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 21

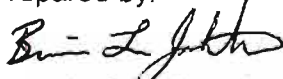
**Recommendation:** That the Common Council adopts Resolution No. 11412-110513, acquiring fee property (right-of-way), and temporary easements, for the S. Howell Avenue Wisconsin Department of Transportation maintenance project from Oakwood Road to Grange Avenue; and, to send a payment in the amount of the Award of Damages to the affected property owner (Project No. 12025) (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, & 6<sup>th</sup> Aldermanic Districts).

**Background:** The acquisition (approved with Resolution No. 11298-110712) of real estate and easements is necessary for construction of sidewalks along the Howell Avenue corridor. The required acquisition has been determined to be agreeable by the affected property owners. The City has hired MSA Professional Services to handle all of the real estate acquisitions for the project. The City must acquire TLE and PLE on 63 parcels. The Council approved payment for 61 parcels previously. The acquisition acquired at this time is listed below.

Owner	Property Address	Tax Key Number	Parcel No.	Acquisition Type	Amount
Kurter	6419 S. Howell Avenue	718-9966	108	TLE & Landscaping	\$900
Gateway Jackson, Inc.	8581 S. Howell Avenue	828-9009	51	TLE & Landscaping	\$2,000

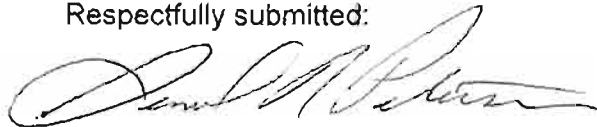
**Fiscal Impact:** The total cost of this action is \$2,900, and is to be paid from CIP funds reserved in Project No. 12025.

Prepared by:



Brian L. Johnston, P.E.  
Development Engineer

Respectfully submitted:



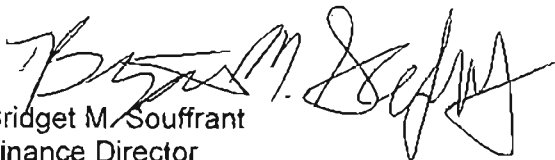
Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant  
Finance Director

RESOLUTION NO. 11412-110513

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

RESOLUTION ACCEPTING FEE PROPERTY, AND TEMPORARY EASEMENTS FOR THE HOWELL AVENUE RECONSTRUCTION PROJECT

(PROJECT NO. 12025)

(1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup> & 6<sup>th</sup> ALDERMANIC DISTRICTS)

WHEREAS, the City of Oak Creek decided that public necessity demands the construction of sidewalk with the Wisconsin Department of Transportation maintenance project (2060-15-71); and

WHEREAS, the acquisition of fee simple title, and temporary easements were approved with Resolution No. 11298-110712, and

WHEREAS, the plat and relocation order for this project, with State I.D. 2060-15-21, have been approved and filed with the County Clerk for Milwaukee County, and

WHEREAS, the property owner listed below has agreed to land acquisition and grants easements to the City,

Owner	Property Address	Tax Key Number	Parcel No.	Acquisition Type	Amount
Kurter	6419 S. Howell Avenue	718-9966	108	TLE & Landscaping	\$900
Gateway Jackson, Inc.	8581 S. Howell Avenue	828-9009	51	TLE & Landscaping	\$2,000

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the attached land acquisition and easements be approved and the same is hereby accepted; and

BE IT FURTHER RESOLVED, the Finance Director is hereby authorized and directed to prepare a check(s) in the amount(s) and to the owner(s) shown above for a closing to be scheduled and upon closing MSA is hereby authorized and directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

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

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 22

**Recommendation:** That the Common Council approves Resolution No. 11416-110513, accepting the workmanship and authorizing final payment to Super Western Inc., for Project No. 06010. The project involved the reconstruction/expansion of W. Drexel Avenue from 27<sup>th</sup> Street to the Drexel/I-94 Interchange. (2<sup>nd</sup> Aldermanic District)

**Background:** The project was authorized by the Common Council as part of the Capital Improvement Program. The unit price contract was awarded on February 6, 2012 to Super Western Inc. based on its low bid of \$5,896,797.24

The final construction cost of the project is \$6,270,486.36, or 6.3% above the awarded amount. As this is a unit price contract, payment is based on actual installed and measured quantities. Overages are mainly attributable to: increased tree clearing and related grass restoration in the area southwest of 20<sup>th</sup>/Drexel; higher excavation, stone backfill, and asphalt quantities; and, based on contract change orders, two home demolitions, and dewatering of the GeoPier platform area and related downstream channel work. The additional work became apparent and necessary as the project progressed. The contract change orders involved the removal of pre-existing sanitary sewer and water main.

**Fiscal Impact:** Final payment of \$35,000.00 is to be paid from the capital project budget.

Prepared by:



J. John Ozolins  
Senior Engineering Technician

Respectfully submitted:



Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller



RESOLUTION NO. 11416-110513

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

RESOLUTION ACCEPTING THE WORKMANSHIP OF SUPER WESTERN, INC.,  
AND AUTHORIZING FINAL PAYMENT FOR THE  
RECONSTRUCTION OF W. DREXEL AVENUE

PROJECT NO. 06010

(2<sup>nd</sup> ALDERMANIC DISTRICT)

WHEREAS, the City of Oak Creek, hereinafter referred to as the City, and Super Western, Inc., hereinafter referred to as the Contractor, entered into a contract whereby the Contractor agreed to perform certain public works improvements under Project No. 06010 for the installation of street improvements in the City of Oak Creek, in accordance with plans and specifications prepared by the City Engineer for the unit price bid of \$5,896,797.24 based on plan quantities; and,

WHEREAS, the final contract price has been determined to be \$6,270,486.36 as computed by the City Engineer using actual constructed quantities as measured and applied to contract unit prices; and all necessary agreed upon additions and deletions to the contract; and,

WHEREAS, the Contractor has completed all of the work set forth in the plans and specifications; and,

WHEREAS, the Contractor has filed with the City an affidavit stating that he has complied fully with the provisions and requirements of Section 66.0903, Wis. Stats.; and,

WHEREAS, the City Engineer has submitted his final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account, the sum of \$35,000.00.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineer be accepted.

BE IT FURTHER RESOLVED that the City of Oak Creek does hereby accept the workmanship furnished by the Contractor, subject to all guarantees and other obligations set forth in the contract which the City of Oak Creek hereby reserves, and subject to the right of the City of Oak Creek to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Oak Creek as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that in order to guarantee said workmanship and materials on the street reconstruction for a period of 12 months after the acceptance of the work, the performance or contract bond, which has been made a part of the contract, shall be in effect until 12 months after the passage of this resolution.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$35,000.00 to the Contractor in full and final payment of the City's obligations under this contract.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Common Council President, City of Oak Creek

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor, City of Oak Creek

ATTEST:

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

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_

**FINAL PROJECT PAYMENT COST BREAKDOWN**

**CITY PROJECT NO.** 06010  
**PROJECT LOCATION:** WEST DREXEL AVENUE  
**PROJECT DESCRIPTION:** STREET RECONSTRUCTION  
**GENERAL CONTRACTOR:** SUPER WESTERN, INC.

**PREPARED BY:** J. John Ozofins  
SENIOR ENGINEERING TECHNICIAN  
CITY OF OAK CREEK  
ENGINEERING DEPARTMENT

**DATE PREPARED:** October 29, 2013

**COUNCIL**

**MEETING DATE:** Tuesday, November 05, 2013

**COUNCIL  
RESOLUTION  
NUMBER:**

11416110513

<b>CONTRACT BID AMOUNT:</b>	\$	5,896,797.24
<b>AUTHORIZED ADDITIONS TO ORIGINAL CONTRACT AMOUNT:</b>	\$	251,654.13
<b>REVISED CONTRACT AMOUNT:</b>	\$	6,148,451.37
<b>AS-BUILT PROJECT COST:</b>	\$	6,270,486.36
<b>AMOUNT OVER / UNDER ORIGINAL CONTRACT AMOUNT:</b>	\$	373,689.12

# FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE

GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
201.0115	Clearing	5 AC	\$ 1,333.33 Per AC	\$ 6,666.65	5.72 AC	\$ 7,626.65	\$ 960.00
201.0120	Clearing	150 ID	\$ 12.12 Per ID	\$ 1,818.00	759 ID	\$ 9,199.08	\$ 7,381.08
201.0215	Grubbing	5 AC	\$ 888.89 Per AC	\$ 4,444.45	5.72 AC	\$ 5,084.45	\$ 640.00
201.0220	Grubbing	150 ID	\$ 8.08 Per ID	\$ 1,212.00	759 ID	\$ 6,132.72	\$ 4,920.72
203.0100	Removing small pipe culverts	22 Each	\$ 110.00 Each	\$ 2,420.00	25 Each	\$ 2,750.00	\$ 330.00
204.0115	Removing asphalt surface butt joints	45 SY	\$ 20.00 Per SY	\$ 900.00	9.78 SY	\$ 195.60	\$ (704.40)
204.0120	Removing asphaltic surface milling	12,633 SY	\$ 0.01 Per SY	\$ 126.33	0 SY	\$ -	\$ (126.33)
204.0150	Removing curg & gutter	187 LF	\$ 3.00 Per LF	\$ 561.00	288 LF	\$ 864.00	\$ 303.00
204.0195	Removing concrete bases	6 Each	\$ 125.00 Each	\$ 750.00	7 Each	\$ 875.00	\$ 125.00
204.0220	Removing inlet/catch basin	4 Each	\$ 250.00 Each	\$ 1,000.00	4 Each	\$ 1,000.00	\$ -
204.0245	Removing storm sewer	589 LF	\$ 13.00 Per LF	\$ 7,657.00	560 LF	\$ 7,280.00	\$ (377.00)
205.0100	Excavation, common	62,568 CY	\$ 5.95 Per CY	\$ 372,279.60	76056.46 CY	\$ 452,535.94	\$ 80,256.34
205.0400	Excavation, marsh	16,781 CY	\$ 5.95 Per CY	\$ 99,846.95	14453.1 CY	\$ 85,995.95	\$ (13,851.00)
209.0100	Backfill, granular (Roadway Fill)	3,493 CY	\$ 11.56 Per CY	\$ 40,379.08	6435 CY	\$ 74,388.60	\$ 34,009.52
305.0110	Base aggregate, dense, 3/4"	19 Ton	\$ 10.41 Per Ton	\$ 197.79	0 Ton	\$ -	\$ (197.79)
				\$ 540,258.85		\$ 653,927.99	\$ 113,669.14

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE

GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
305.0120	Base aggregate, dense, 1 1/4"	67,088 Ton	\$ 7.60 Per Ton	\$ 509,868.80	59267.54 Ton	\$ 450,433.30	\$ (59,435.50)
310.0110	Base aggregate, open graded	958 Ton	\$ 27.13 Per Ton	\$ 25,990.54	1051.36 Ton	\$ 28,523.40	\$ 2,532.86
311.0110	Breaker run	10,145 Ton	\$ 7.77 Per Ton	\$ 78,826.65	15035.94 Ton	\$ 116,829.25	\$ 38,002.60
312.0110	Celect crushed material	6,118 Ton	\$ 7.41 Per Ton	\$ 45,334.38	4513.81 Ton	\$ 33,447.33	\$ (11,887.05)
415.0080	Concrete pavement, 8"	18,711 SY	\$ 26.78 Per SY	\$ 501,080.58	19014.17 SY	\$ 509,199.47	\$ 8,118.89
416.0610	Drilled tie bars	8 Each	\$ 15.00 Each	\$ 120.00	2 Each	\$ 30.00	\$ (90.00)
440.4410.S	QMP Ride, Incentive IRI Ride	8,000 DOL	\$ 1.00 DOL	\$ 8,000.00	0 DOL	\$ -	\$ (8,000.00)
455.0105	Asphaltic material (PG58-28)	25 Ton	\$ 500.00 Per Ton	\$ 12,500.00	23.3 Ton	\$ 11,650.00	\$ (850.00)
455.0115	Asphaltic material (PG64-22)	13 Ton	\$ 600.00 Per Ton	\$ 7,800.00	59.17 Ton	\$ 35,502.00	\$ 27,702.00
455.0605	Tack coat	53 Gal.	\$ 5.50 Per Gal.	\$ 291.50	0 Gal.	\$ -	\$ (291.50)
460.1100	HMA pavement, Type E-0.3	791 Ton	\$ 41.50 Per Ton	\$ 32,826.50	694.45 Ton	\$ 28,819.68	\$ (4,006.82)
460.1101	HMA pavement, Type E-1.0	670 Ton	\$ 37.50 Per Ton	\$ 25,125.00	882.74 Ton	\$ 33,102.75	\$ 7,977.75
465.0315	Asphaltic flumes	6 SY	\$ 75.00 Per SY	\$ 450.00	9.64 SY	\$ 723.00	\$ 273.00
522.1012	Apron endwalls for culvert pipe reinforced concrete, 12"	2 Each	\$ 650.00 Each	\$ 1,300.00	2 Each	\$ 1,300.00	\$ -
522.1015	Apron endwalls for culvert pipe reinforced concrete, 15"	3 Each	\$ 670.00 Each	\$ 2,010.00	3 Each	\$ 2,010.00	\$ -
				\$ 1,251,523.95		\$ 1,251,570.18	\$ 46.23

# FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
522.1018	Apron endwalls for culvert pipe reinforced concrete, 18"	1 Each	\$ 885.00 Each	\$ 885.00	1 Each	\$ 885.00	\$ -
522.1054	Apron endwalls for culvert pipe reinforced concrete, 54"	1 Each	\$ 2,500.00 Each	\$ 2,500.00	1 Each	\$ 2,500.00	\$ -
532.0200.S	Wall, modular block, gravity	525 SF	\$ 30.00 Per SF	\$ 15,750.00	561.61 SF	\$ 16,848.30	\$ 1,098.30
601.0331	Concrete curb & gutter, 31"	7,582 LF	\$ 9.82 Per LF	\$ 74,455.24	7710.2 LF	\$ 75,714.16	\$ 1,258.92
602.0410	Concrete sidewalk, 5"	10,110 SF	\$ 2.85 Per SF	\$ 28,813.50	10216.77 SF	\$ 29,117.79	\$ 304.29
602.0505	Concrete ramp, detectable warning field, yellow	80 SF	\$ 30.00 Per SF	\$ 2,400.00	100 SF	\$ 3,000.00	\$ 600.00
606.0200	Rip-rap, medium	40 CY	\$ 65.00 Per CY	\$ 2,600.00	32.89 CY	\$ 2,137.85	\$ (462.15)
606.0300	Rip-rap, heavy	70 CY	\$ 65.00 Per CY	\$ 4,550.00	97.98 CY	\$ 6,368.70	\$ 1,818.70
608.0315	Storm sewer pipe, RCP CL III, 15"	96 LF	\$ 36.00 Per LF	\$ 3,456.00	94 LF	\$ 3,384.00	\$ (72.00)
608.033	Storm sewer pipe, RCP CL III, 30"	41 LF	\$ 85.00 Per LF	\$ 3,485.00	0 LF	\$ -	\$ (3,485.00)
608.0418	Storm sewer pipe, RCP CL IV, 18"	127 LF	\$ 49.00 Per LF	\$ 6,223.00	148 LF	\$ 7,252.00	\$ 1,029.00
608.0454	Storm sewer pipe, RCP CL IV, 54"	102 LF	\$ 146.00 Per LF	\$ 14,892.00	100 LF	\$ 14,600.00	\$ (292.00)
608.0512	Storm sewer pipe, RCP CL V, 12"	1,773 LF	\$ 54.00 Per LF	\$ 95,742.00	1948.44 LF	\$ 105,215.76	\$ 9,473.76
608.0515	Storm sewer pipe, RCP CL V, 15"	105 LF	\$ 60.00 Per LF	\$ 6,300.00	95 LF	\$ 5,700.00	\$ (600.00)
608.0524	Storm sewer pipe, RCP CL V, 24"	97 LF	\$ 78.00 Per LF	\$ 7,566.00	0 LF	\$ -	\$ (7,566.00)
				\$ 269,617.74		\$ 272,723.56	\$ 3,105.82

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
608.0548	Storm sewer pipe, RCP CL V, 48"	35 LF	\$ 159.00 PER LF	\$ 5,565.00	35.7 LF	\$ 5,676.30	\$ 111.30
610.0134	Storm sewer pipe, RCP Horizontal, elliptical, CL HE III, 34" x 53"	542 LF	\$ 130.00 PER LF	\$ 70,460.00	544.1 LF	\$ 70,733.00	\$ 273.00
610.0138	Storm sewer pipe, RCP Horizontal, elliptical, CL HE III, 38" x 60"	1,096 LF	\$ 210.00 PER LF	\$ 230,160.00	1089.3 LF	\$ 228,753.00	\$ (1,407.00)
612.0404	Pipe underdrain, wrapped, 4"	3,800 LF	\$ 2.50 PER LF	\$ 9,500.00	3803.6 LF	\$ 9,509.00	\$ 9.00
612.0600	Underdrain trench	3,800 LF	\$ 3.25 PER LF	\$ 12,350.00	3644.6 LF	\$ 11,844.95	\$ (505.05)
615.0100	Guard fence, timber, rail	110 LF	\$ 45.00 PER LF	\$ 4,950.00	101.3 LF	\$ 4,558.50	\$ (391.50)
619.1000	Mobilization	1 Each	\$ 184,000.00 Each	\$ 184,000.00	1 Each	\$ 184,000.00	\$ -
620.0300	Concrete median, sloped nose	171 SF	\$ 8.00 Per SF	\$ 1,368.00	183.92 SF	\$ 1,471.36	\$ 103.36
623.0200	Dust control surface treatment	20,283 SY	\$ 0.01 Per SY	\$ 202.83	20283 SY	\$ 202.83	\$ -
625.0100	Topsoil	33,276 SY	\$ 3.50 Per SY	\$ 116,466.00	42708.77 SY	\$ 149,480.70	\$ 33,014.70
628.1504	Silt fence	6,195 LF	\$ 1.80 PER LF	\$ 11,151.00	6835 LF	\$ 12,303.00	\$ 1,152.00
628.2004	Erosion mat, CL I, Type B	17,047 SY	\$ 0.90 Per SY	\$ 15,342.30	37312.05 SY	\$ 33,580.85	\$ 18,238.55
628.7005	Inlet protection, Type A	65 Each	\$ 75.00 Each	\$ 4,875.00	0 Each	\$ -	\$ (4,875.00)
628.7010	Inlet protection, Type B	25 Each	\$ 45.00 Each	\$ 1,125.00	58 Each	\$ 2,610.00	\$ 1,485.00
628.7020	Inlet protection, Type D	40 Each	\$ 90.00 Each	\$ 3,600.00	0 Each	\$ -	\$ (3,600.00)
				\$ 671,115.13		\$ 714,723.49	\$ 43,608.36

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. **06010**

PROJECT LOCATION: **WEST DREXEL AVENUE** GENERAL CONTRACTOR: **SUPERWESTERN**

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
629.0210	Fertilizer, Type B	2 CWT	\$ 50.00 CWT	27 CWT	27.00 CWT	54 CWT	\$ 1,350.00	\$ 2,700.00
630.0110	Seeding mixture, No. 10	20 LB	\$ 5.25 Per LB	190 LB	190.00 LB	380 LB	\$ 997.50	\$ 1,995.00
630.0140	Seeding mixture, No. 40	50 LB	\$ 5.25 Per LB	550 LB	550.00 LB	1100 LB	\$ 2,887.50	\$ 5,775.00
631.0300	Sod water	346 MGAL	\$ 18.00 MGAL	22.5 MGAL	22.50 MGAL	45 MGAL	\$ 405.00	\$ 810.00
631.1000	Sod lawn	13,773 SY	\$ 3.20 Per SY	11136.75 SY	11,136.75 SY	22273.5 SY	\$ 35,637.60	\$ 71,275.20
634.0618	Posts, wood, 4" x 6" x 18'	12 Each	\$ 65.00 Each	10 Each	10.00 Each	20 Each	\$ 650.00	\$ 1,300.00
634.0812	Posts, tubular steel, 2" x 2" x 12'	25 Each	\$ 90.00 Each	32 Each	32.00 Each	64 Each	\$ 2,880.00	\$ 5,760.00
637.0202	Signs, reflective, Type II	459 SF	\$ 15.00 Per SF	483.17 SF	483.17 SF	966.34 SF	\$ 7,247.55	\$ 14,495.10
638.2601	Removing signs, Type 1	22 Each	\$ 30.00 Each	13 Each	13.00 Each	26 Each	\$ 390.00	\$ 780.00
642.5401	Field office, Type D	1 Each	\$ 20,000.00 Each	1 Each	1.00 Each	2 Each	\$ 20,000.00	\$ 40,000.00
643.0100	Traffic control (Detour)	1 Each	\$ 4,000.00 Each	1 Each	1.00 Each	2 Each	\$ 4,000.00	\$ 8,000.00
643.0101	Traffic control (Work Zone)	1 Each	\$ 14,000.00 Each	1 Each	1.00 Each	2 Each	\$ 14,000.00	\$ 28,000.00
645.0120	Geotextile fabric, Type HR	248 SY	\$ 2.50 Per SY	206.16 SY	206.16 SY	412.32 SY	\$ 515.40	\$ 1,030.80
646.0106	Pavement marking, epoxy, 4" , yellow	260 LF	\$ 0.75 Per LF	312 LF	312.00 LF	624 LF	\$ 234.00	\$ 468.00
646.0841.S	Pavement marking, grooved, wet reflective contrast tape, 4"	1,890 LF	\$ 7.95 Per LF	1865 LF	1,865.00 LF	3730 LF	\$ 14,826.75	\$ 29,653.50
<b>TOTAL COST THIS PAGE:</b>							<b>\$ 106,021.30</b>	<b>\$ 212,042.60</b>



# FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. **06010**

PROJECT LOCATION: **WEST DREXEL AVENUE**      GENERAL CONTRACTOR: **SUPERWESTERN**

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
646.0843.S	Pavement marking, grooved, wet reflective contrast tape, 8"	3,206 LF	\$ 10.75 PER LF	1650 LF	0 LF	1650 LF	\$ -	\$ 17,737.50
647.0456	Pavement marking, curb, epoxy	172 LF	\$ 5.50 PER LF	540.7 LF	0 LF	540.7 LF	\$ -	\$ 2,973.85
647.0606	Pavement marking, island nose, epoxy	10 Each	\$ 150.00 Each	9 Each	0 Each	9 Each	\$ -	\$ 1,350.00
647.0726	Pavement marking, diagonal, epoxy 12"	625 LF	\$ 5.50 PER LF	598 LF	0 LF	598 LF	\$ -	\$ 3,289.00
652.0225	Conduit, rigid, non-metallic Schedule 40, 2"	7,507 LF	\$ 3.75 PER LF	6493.3 LF	0 LF	6493.3 LF	\$ -	\$ 24,349.88
652.0235	Conduit, rigid, non-metallic Schedule 40, 3"	430 LF	\$ 4.74 PER LF	552.5 LF	0 LF	552.5 LF	\$ -	\$ 2,618.85
652.0325	Conduit, rigid, non-metallic Schedule 80, 2"	330 LF	\$ 3.84 PER LF	175 LF	0 LF	175 LF	\$ -	\$ 672.00
652.0615	Conduit, special, 3"	526 LF	\$ 13.81 PER LF	546 LF	0 LF	546 LF	\$ -	\$ 7,540.26
652.0800	Conduit, loop detector	704 LF	\$ 3.76 PER LF	1536 LF	0 LF	1536 LF	\$ -	\$ 5,775.36
653.0135	Pull boxes, steel, 24" x 36"	4 Each	\$ 606.15 Each	5 Each	0 Each	5 Each	\$ -	\$ 3,030.75
653.0140	Pull boxes, steel, 24" x 42"	9 Each	\$ 619.18 Each	9 Each	0 Each	9 Each	\$ -	\$ 5,572.62
653.0905	Remove pull boxes	8 Each	\$ 99.20 Each	8 Each	0 Each	8 Each	\$ -	\$ 793.60
654.0101	Concrete bases, Type 1	4 Each	\$ 520.53 Each	3 Each	0 Each	3 Each	\$ -	\$ 1,561.59
654.0102	Concrete bases, Type 2	3 Each	\$ 797.54 Each	5 Each	0 Each	5 Each	\$ -	\$ 3,987.70
654.0105	Concrete bases, Type 5	56 Each	\$ 607.84 Each	48 Each	0 Each	48 Each	\$ -	\$ 29,176.32
<b>TOTAL COST THIS PAGE:</b>							\$ -	\$ 110,429.28

# FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE

GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
654.0200	Concrete control cabinet bases, Type 6	1 Each	\$ 764.93 Each	1 Each	0 Each	1 Each	\$ -	\$ 764.93
654.0217	Concrete control cabinet bases, Type 9, Special	1 Each	\$ 1,015.01 Each	1 Each	0 Each	1 Each	\$ -	\$ 1,015.01
655.0230	Cable, traffic signal, 5-14 AWG	450 LF	\$ 0.97 Per LF	369 LF	0 LF	369 LF	\$ -	\$ 357.93
655.0240	Cable, traffic signal, 7-14 AWG	132 LF	\$ 1.18 Per LF	126 LF	0 LF	126 LF	\$ -	\$ 148.68
655.0260	Cable, traffic signal, 12-14 AWG	3,378 LF	\$ 1.77 Per LF	3,578.5 LF	0 LF	3,578.5 LF	\$ -	\$ 6,333.95
655.0305	Cable, Type UF, 2-12 AWG, grounded	1,360 LF	\$ 0.84 Per LF	1,852 LF	0 LF	1,852 LF	\$ -	\$ 1,555.68
655.0510	Electrical wire, traffic signals, 12 AWG	1,998 LF	\$ 0.52 Per LF	819 LF	0 LF	819 LF	\$ -	\$ 425.88
655.0515	Electrical wire, traffic signals, 10 AWG	1,620 LF	\$ 0.65 Per LF	1,313.5 LF	0 LF	1,313.5 LF	\$ -	\$ 853.78
655.0610	Electrical wire, lighting, 12 AWG	6,296 LF	\$ 0.52 Per LF	5,346 LF	0 LF	5,346 LF	\$ -	\$ 2,779.92
655.0625	Electrical wire, lighting, 6 AWG	22,506 LF	\$ 1.10 Per LF	22,384.1 LF	0 LF	22,384.1 LF	\$ -	\$ 24,622.51
655.0700	Loop detector, lead in cable	1,902 LF	\$ 1.00 Per LF	5,905 LF	0 LF	5,905 LF	\$ -	\$ 5,905.00
655.0800	loop detector wire	2,026 LF	\$ 0.59 Per LF	2,578 LF	0 LF	2,578 LF	\$ -	\$ 1,521.02
656.0200	Electrical service, meter breaker pedestal	2 Each	\$ 846.20 Each	2 Each	0 Each	2 Each	\$ -	\$ 1,692.40
657.0100	Pedestal bases	3 Each	\$ 176.18 Each	4 Each	0 Each	4 Each	\$ -	\$ 704.72
657.0255	Transformer bases, breakaway, 11 1/2" bolt circle	5 Each	\$ 314.71 Each	6 Each	0 Each	6 Each	\$ -	\$ 1,888.26
TOTAL COST THIS PAGE:							\$ -	\$ 50,569.67

# FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
657.0310	Poles, Type 3	2 Each	\$ 2,289.47 Each	2 Each	0 Each	2 Each	\$ -	\$ 4,578.94
657.0322	Poles, Type 5	3 Each	\$ 1,005.78 Each	3 Each	0 Each	3 Each	\$ -	\$ 3,017.34
657.0420	Traffic signal standards, aluminum, 13'	1 Each	\$ 476.05 Each	1 Each	0 Each	1 Each	\$ -	\$ 476.05
657.0425	Traffic signal standards, aluminum, 15'	2 Each	\$ 505.65 Each	3 Each	0 Each	3 Each	\$ -	\$ 1,516.95
657.0595	Trombone arms, 25'	2 Each	\$ 1,327.73 Each	2 Each	0 Each	2 Each	\$ -	\$ 2,655.46
657.0625	Luminaire arms, single member, 6" clamp, 6'	6 Each	\$ 202.22 Each	8 Each	0 Each	8 Each	\$ -	\$ 1,617.76
658.0110	Traffic signal faces, 3-12 inch vertical, LED modules	8 Each	\$ 479.68 Each	10 Each	0 Each	10 Each	\$ -	\$ 4,796.80
658.0115	Traffic signal faces, 4-12 inch vertical, LED modules	6 Each	\$ 359.21 Each	6 Each	0 Each	6 Each	\$ -	\$ 2,155.26
658.0155	Traffic signal faces, 3-12 inch horizontal LED modules	2 Each	\$ 529.99 Each	2 Each	0 Each	2 Each	\$ -	\$ 1,059.98
658.0215	Backplates, 3 section, 12" signal faces	10 Each	\$ 65.35 Each	12 Each	0 Each	12 Each	\$ -	\$ 784.20
658.0220	Backplates, 4 section, 12" signal faces	6 Each	\$ 71.27 Each	6 Each	0 Each	6 Each	\$ -	\$ 427.62
658.0416	Pedestrian signal faces, 16", LED modules	4 Each	\$ 412.25 Each	4 Each	0 Each	4 Each	\$ -	\$ 1,649.00
658.0500	Pedestrian push buttons	4 Each	\$ 192.68 Each	4 Each	0 Each	4 Each	\$ -	\$ 770.72
658.0615	Traffic signal face, arrow, red, LED modules	8 Each	\$ 50.91 Each	10 Each	0 Each	10 Each	\$ -	\$ 509.10
658.0620	Traffic signal face, arrow, yellow, LED modules	16 Each	\$ 62.75 Each	20 Each	0 Each	20 Each	\$ -	\$ 1,255.00
TOTAL COST THIS PAGE:							\$ -	\$ 27,270.18

# FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
658.0625	Traffic signal face, arrow, green, LED Modules	6 Each	\$ 65.12 Each	7 Each	0 Each	7 Each	\$ -	\$ 455.84
658.5069	Traffic signal mounting hardware STH 241 & Drexel Ave.	1 LS	\$ 1,974.53 LS	1 LS	0 LS	1 LS	\$ -	\$ 1,974.53
659.0115	Luminaries, utility, 150 W	4 Each	\$ 422.09 Each	6 Each	0 Each	6 Each	\$ -	\$ 2,532.54
659.0125	Luminaries, utility, 250 W	2 Each	\$ 424.46 Each	2 Each	0 Each	2 Each	\$ -	\$ 848.92
661.0200.01	Temporary signals for intersections STH 241 & Drexel Ave.	1 LS	\$ 46,659.94 LS	1 LS	0 LS	1 LS	\$ -	\$ 46,659.94
690.0150	Sawing asphalt	317 LF	\$ 1.50 Per LF	615.7 LF	0 LF	615.7 LF	\$ -	\$ 923.55
SPV.0035.01	Excavation below subgrade	615 CY	\$ 35.00 Per CY	1209.85 CY	0 CY	1209.85 CY	\$ -	\$ 42,344.75
SPV.0060.05	Lighting units, single pole	54 Each	\$ 1,118.54 Each	54 Each	0 Each	54 Each	\$ -	\$ 60,401.16
SPV.0060.07	Luminaries, HPS, 150 Watts	54 Each	\$ 784.07 Each	54 Each	0 Each	54 Each	\$ -	\$ 42,339.78
SPV.0060.08	Directional boring, Sched. 80 PVC, 2"	330 LF	\$ 13.01 Per LF	0 LF	0 LF	0 LF	\$ -	\$ -
SPV.0060.09	Circuit breaker panel, transformer & photo control system	1 Each	\$ 3,999.36 Each	1 Each	0 Each	1 Each	\$ -	\$ 3,999.36
SPV.0060.10	Lighting control cabinet	1 Each	\$ 1,629.11 Each	1 Each	0 Each	1 Each	\$ -	\$ 1,629.11
SPV.0060.11	Restoration, wetland & channel	1 Each	\$ 7,500.00 Each	1 Each	0 Each	1 Each	\$ -	\$ 7,500.00
SPV.0060.12	Precast Concrete wingwalls (4' x 8')	8 Each	\$ 2,340.00 Each	8 Each	0 Each	8 Each	\$ -	\$ 18,720.00
SPV.0060.13	Precast concrete wingwalls (3' x 8')	4 Each	\$ 2,340.00 Each	4 Each	0 Each	4 Each	\$ -	\$ 9,360.00
TOTAL COST THIS PAGE:							\$ -	\$ 239,689.48

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. 06010

PROJECT LOCATION: WEST DREXEL AVENUE GENERAL CONTRACTOR: SUPERWESTERN

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
SPV.0060.14	Inlets	64 Each	\$ 675.00 Each	62 Each	0 Each	62 Each	\$ -	\$ 41,850.00
SPV.0060.15	Storm sewer manholes (48" Dia.)	3 Each	\$ 1,100.00 Each	4 Each	0 Each	4 Each	\$ -	\$ 4,400.00
SPV.0060.16	Storm sewer manholes (72" Dia.)	2 Each	\$ 2,935.00 Each	1 Each	0 Each	1 Each	\$ -	\$ 2,935.00
SPV.0060.17	Storm sewer manholes (96" Dia.)	5 Each	\$ 6,725.00 Each	5 Each	0 Each	5 Each	\$ -	\$ 33,625.00
SPV.0060.18	Storm sewer manholes (108" Dia.)	2 Each	\$ 8,000.00 Each	1 Each	0 Each	1 Each	\$ -	\$ 8,000.00
SPV.060.19	Storm sewer manholes (120" Dia.)	2 Each	\$ 9,525.00 Each	3 Each	0 Each	3 Each	\$ -	\$ 28,575.00
SPV.0060.20	CASTING, NEENAH, R-3222-1A	64 Each	\$ 460.00 Each	64 Each	0 Each	64 Each	\$ -	\$ 29,440.00
SPV.0060.21	CASTING, NEENAH, R-1661	13 Each	\$ 575.00 Each	13 Each	0 Each	13 Each	\$ -	\$ 7,475.00
SPV.0060.22	CASTING, NEENAH, R-2577-1	1 Each	\$ 730.00 Each	1 Each	0 Each	1 Each	\$ -	\$ 730.00
SPV.0060.24	Adjusting sanitary manhole frame/cover	15 Each	\$ 795.00 Each	14 Each	0 Each	14 Each	\$ -	\$ 11,130.00
SPV.0060.25	Remove & relocate fire hydrant	5 Each	\$ 1,050.00 Each	3 Each	0 Each	3 Each	\$ -	\$ 3,150.00
SPV.0060.26	Adjust existing water service curb stop with valve box top	14 Each	\$ 225.00 Each	8 Each	0 Each	8 Each	\$ -	\$ 1,800.00
SPV.0060.27	Adjust existing water valve box	17 Each	\$ 125.00 Each	17 Each	0 Each	17 Each	\$ -	\$ 2,125.00
SPV.0060.28	Extend existing water service	5 Each	\$ 1,195.00 Each	5 Each	0 Each	5 Each	\$ -	\$ 5,975.00
SPV.0060.30	Remove & relocate mail box	15 Each	\$ 75.00 Each	17 Each	0 Each	17 Each	\$ -	\$ 1,275.00
<b>TOTAL COST THIS PAGE:</b>							\$ -	\$ 182,485.00

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. **06010**

PROJECT LOCATION: **WEST DREXEL AVENUE**

GENERAL CONTRACTOR: **SUPERWESTERN**

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
SPV.0060.31	Settlement plate	12 Each	\$ 1,250.00 Each	12 Each	0 Each	12 Each	\$ -	\$ 15,000.00
SPV.0060.32	Pavement marking, grooved preformed plastic arrows, Type 2	17 Each	\$ 605.00 Each	12 Each	0 Each	12 Each	\$ -	\$ 7,260.00
SPV.0060.33	Pavement marking, grooved preformed plastic words	12 Each	\$ 680.00 Each	12 Each	0 Each	12 Each	\$ -	\$ 8,160.00
SPV.0090.01	Precast concrete box culvert (4' x 8')	356 LF	\$ 575.00 Per LF	354 LF	0 LF	354 LF	\$ -	\$ 203,550.00
SPV.0090.02	Precast concrete box culvert (3' x 8')	130 LF	\$ 465.00 Per LF	127 LF	0 LF	127 LF	\$ -	\$ 59,055.00
SPV.0090.03	6" PVC Fire hydrant lead	166 LF	\$ 54.00 Per LF	163.2 LF	0 LF	163.2 LF	\$ -	\$ 8,812.80
SPV.0090.04	Integral curb & gutter	5,832 LF	\$ 19.70 Per LF	5856.5 LF	0 LF	5856.5 LF	\$ -	\$ 115,373.05
SPV.0090.05	6" Storm drain	130 LF	\$ 45.00 Per LF	122 LF	0 LF	122 LF	\$ -	\$ 5,490.00
SPV.0090.06	Pavement marking, grooved preformed plastic stop line, 18"	133 LF	\$ 15.10 Per LF	126.4 LF	0 LF	126.4 LF	\$ -	\$ 1,908.64
SPV.0090.07	Pavement marking, grooved Preformed plastic crosswalk, 6"	461 LF	\$ 8.90 Per LF	331 LF	0 LF	331 LF	\$ -	\$ 2,945.90
SPV.0105.01	Rammed aggregate piers	1 LS	\$ 1,735,000.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 1,735,000.00
SPV.0105.02	Geopier excavation, spoil removal	1 LS	\$ 90,719.70 LS	1 LS	0 LS	1 LS	\$ -	\$ 90,719.70
SPV.0105.03	Contractor staking	1 LS	\$ 24,930.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 24,930.00
SPV.0105.04	Water main offset	1 LS	\$ 19,500.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 19,500.00
SPV.0105.05	Remove traffic signals, STH 241 & Drexel Ave.	1 LS	\$ 2,815.31 LS	1 LS	0 LS	1 LS	\$ -	\$ 2,815.31
<b>TOTAL COST THIS PAGE:</b>							\$ -	\$ 2,300,520.40

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. **06010**

PROJECT LOCATION: **WEST DREXEL AVENUE**

GENERAL CONTRACTOR: **SUPERWESTERN**

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
SPV.0105.06	Remove loop detector wire & lead in cable, STH 241 & Drexel Ave.	1 LS	\$ 447.54 LS	1 LS	0 LS	1 LS	\$ -	\$ 447.54
SPV.0105.07	Traffic signals & intersection lighting, STH 241 & Drexel Ave.	1 LS	\$ 594.34 LS	1 LS	0 LS	1 LS	\$ -	\$ 594.34
SPV.0105.08	Install vendor supplied traffic signal cabinet, STH 241 & Drexel Ave.	1 LS	\$ 924.66 LS	1 LS	0 LS	1 LS	\$ -	\$ 924.66
SPV.0105.09	Temporary drainage	1 LS	\$ 2,273.01 LS	1 LS	0 LS	1 LS	\$ -	\$ 2,273.01
SPV.0105.10	Detention pond outlet structure	1 LS	\$ 2,665.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 2,665.00
SPV.0180.01	Geogrid	44,402 SY	\$ 2.80 Per SY	47505.3 SY	0 SY	47505.3 SY	\$ -	\$ 133,014.84
SPV.0090.08 CM #1	Removing sanitary sewer	0 LF	\$ 30.00 Per LF	1243 LF	0 LF	1243 LF	\$ -	\$ 37,290.00
SPV.0090.09 CM #1	Removing waterman	0 LF	\$ 9.25 Per LF	1281 LF	0 LF	1281 LF	\$ -	\$ 11,849.25
SPV.0060.34 CM #1	Removing sanitary manhole	0 Each	\$ 500.00 Each	2 Each	0 Each	2 Each	\$ -	\$ 1,000.00
SPV.0105.11 CM #2	Razing 2431 W. Drexel Ave	0 LS	\$ 8,800.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 8,800.00
SPV.0105.12 CM #2	Razing 2509 W. Drexel Ave.	0 LS	\$ 9,400.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 9,400.00
SPV.0105.13 CM #3	Additional trucking costs due to conflicts with work under separate contract	0 LS	\$ 8,500.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 8,500.00
SPV.0105.14 CM #3	Dewatering of project due to drainage problems with existing channel elev.	0 LS	\$ 777.40 LS	1 LS	0 LS	1 LS	\$ -	\$ 777.40
SPV.0105.14 CM #4	Dewatering for rammed aggregate piers	0 LS	\$ 41,757.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 41,757.00
SPV.0105.16	Relay 30" HDPE storm sewer	0 LS	\$ 2,000.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 2,000.00
0	0	0 LS		0 LS	0 LS	0 LS	\$ -	\$ -
<b>TOTAL COST THIS PAGE:</b>								<b>\$ 261,293.04</b>

**FINAL PROJECT PAYMENT COST BREAKDOWN**

PROJECT NO. **06010**

PROJECT LOCATION: **WEST DREXEL AVENUE**

GENERAL CONTRACTOR: **SUPERWESTERN**

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	PREVIOUS QUANTITIES	QUANTITIES THIS PERIOD	TOTAL QUANTITIES	COST THIS PERIOD	TOTAL COST TO DATE
SPV.0105.17 CM #4	Additional contractor staking	1 LS	\$ 514.50 LS	1 LS	0 LS	1 LS	\$ -	\$ 514.50
SPV.0105.18 CM #4	Rammed aggregate piers	1 LS	\$ 2,350.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 2,350.00
SPV.0110 CM #4	Reset 54" apron endwall 0	400 SY	\$ 2.00 Per SY	381.31 SY	0 SY	381.31 SY	\$ -	\$ 762.62
SPV.0105.19 CM #4	Removing asphaltic surface 0	1 LS	\$ 13,350.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 13,350.00
SPV.0105.20 CM #5	Parcel clean up @ 2509 W. Drexel Ave. 0	1 LS	\$ 3,887.31 LS	1 LS	0 LS	1 LS	\$ -	\$ 3,887.31
SPV.0105.21 CM #5	Abandon sanitary sewer & water building service lateral	1 LS	\$ 1,125.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 1,125.00
SPV.0105.22 CM #5	Connect existing storm sewer 0	1 LS	\$ 636.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 636.00
SPV.0105.23 CM #5	Restrain existing water valves 0	1 LS	\$ 1,485.00 LS	1 LS	0 LS	1 LS	\$ -	\$ 1,485.00
645.0111 CM #5	Reconstruct sanitary manhole 0	2200 SY	\$ 1.90 Per SY	1619.82 SY	0 SY	1619.82 SY	\$ -	\$ 3,077.66
SPV.0105.24 CM #6	Geotextile fabric, Type DF 0	1 LS	\$ 3,546.98 LS	1 LS	0 LS	1 LS	\$ -	\$ 3,546.98
SPV.0105.25 CM #6	Curb Revisions 0	1 LS	\$ 764.50 LS	1 LS	0 LS	1 LS	\$ -	\$ 764.50
SPV.0055.01 CM #6	Remove pavement markings 0	1035.82 DOL	\$ (1.00) DOL	1035.82 DOL	0 DOL	1035.82 DOL	\$ -	\$ (1,035.82)
646.0126 CM #6	Nonconforming material Out of spec curb & gutter	1600 LF	\$ 1.45 Per LF	1659.5 LF	0 LF	1659.5 LF	\$ -	\$ 2,406.28
SPV.0105.26 CM #6	Pavement marking, 8" epoxy 0	1 LS	\$ 62,963.78 LS	1 LS	0 LS	1 LS	\$ -	\$ 62,963.78
SPV.0105.26 CM #7	Channel improvements 0	0 LS	\$ 3,128.98 LS	1 LS	0 LS	1 LS	\$ -	\$ 3,128.98
<b>TOTAL COST THIS PAGE:</b>							\$ -	\$ 98,962.79





# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 23

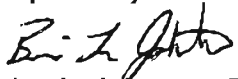
**Recommendation:** That the Common Council adopts Resolution No. 11418-110513, a resolution of necessity for acquisition of lands for public street purposes, temporary easements for grading, and authorizing negotiation for such acquisition and condemnation, if necessary, for the Drexel Town Square project along S. Howell Avenue (STH 38), from Forest Hill Avenue to Drexel Avenue. (Project No. 13051) (1<sup>st</sup> & 2<sup>nd</sup> Aldermanic Districts)

**Background:** Additional turn lanes and intersection improvements along S. Howell Avenue (STH 38) are required for the Drexel Town Square project. The work will be completed as part of the WisDOT Howell Avenue maintenance project (2060-15-71) during the 2014 construction season. One West Drexel has hired a sub-consultant (EMCS) to design the project. EMCS has prepared the right-of-way plat to reflect the preferred design. EMCS was the original designer of the Howell Avenue maintenance project for WisDOT. The City and WisDOT have an agreement that the City will acquire the right-of-way needed for the construction for the work to be included in the State project. The Common Council awarded the real estate acquisition to MSA Professional Services for the sidewalk construction at the September 4, 2012 meeting. The City and MSA will continue to work together to acquire the required parcels for the Drexel Town Square project.


There are portions of seven parcels from which the City needs to acquire right-of-way or temporary easements. The parcels are identified and detailed on the attached resolution. The total area of right-of-way to be acquired is 0.152 acres; the total area of the temporary easement is 0.343 acres.

**Fiscal Impact:** This work will be paid from TIF 11 funds.

Prepared by:

  
Brian L. Johnston, P.E.  
Development Engineer

Respectfully submitted:

  
Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:

  
Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:

  
Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11418-110513

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

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

(PROJECT NO. 13051)

(1<sup>st</sup> & 2<sup>nd</sup> ALDERMANIC DISTRICTS)

WHEREAS, the City of Oak Creek (the "City") has decided that public necessity demands the construction of public streets providing additional turn lanes and intersection improvements along W. Forest Hill Avenue, E. Susan Drive, and S. Howell Avenue for Drexel Town Square, which is a planned mixed-use development of the former Delphi property at 7925 S. Howell Avenue, and

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

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

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

Parcel Number	Tax Key Number	Owner	Area (acre)	
			Fee	TLE
1	813-9004	C. S. Milwaukee, LLC	0.090	0.129
2	813-9017	DEMCO Wisconsin 1, LLC	0.019	0.053
3	813-9016	Howell Oaks II, LLC	0.018	0.076
7	814-0027	Kari S. Mann	---	0.012
8	814-0016	Scott Buth	---	0.008
9	782-9049	R D Investments of Wisconsin, LLC	0.005	0.014
11	782-9051	Guardian Credit Union	0.020	0.051

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

BE IT FURTHER RESOLVED that the right-of-way plat identified as R/W Project Number 2060-15-22 is approved and directed to be filed with the County Clerk for Milwaukee County, and

BE IT FURTHER RESOLVED that the attached Relocation Order for this project with RW Project Number 2060-15-22 beginning at STA 260+00 and ending at STA 295+00 is hereby approved and the City Attorney or agent for the City of Oak Creek, at the direction of the City Attorney, is hereby authorized and directed to serve the Relocation Order on the County Clerk in and for Milwaukee County, Wisconsin; and

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

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

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_

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

WHEREAS, the Oak Creek Common Council on November 5, 2013 adopted Resolution No. 11418-110513, a Resolution Establishing a Determination of Necessity for Acquisition of Lands for Public Street Purposes, Temporary Easements for Grading, Authorizing Negotiation for such Acquisition and Authorizing Condemnation if Necessary and,

WHEREAS, public necessity demands that the City of Oak Creek acquire the fee simple titles of the lands required for street expansion purposes, as indicated on right-of-way plat identified as RW Project Number 2060-15-22 attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the temporary easements required for grading, as indicated on the right-of-way plat identified as RW Project Number 2060-15-22 hereto and incorporated herein by reference, and

WHEREAS, the Relocation Order for this project with RW Project Number 2060-15-22 begins at STA 260+00 and ends at STA 295+00, and

WHEREAS, the fee simple titles of lands area and temporary easement areas are depicted on the ROW plat identified as RW Project Number 2060-15-22 attached hereto and the exhibit is incorporated herein by reference.

NOW, THEREFORE IT IS ORDERED by Common Council of the City of Oak Creek, Milwaukee County, Wisconsin that the aforementioned fee simple titles and temporary easements be acquired in accordance with Resolution Number 11418-110513.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Stephen A. Scaffidi, Mayor

\_\_\_\_\_  
Catherine A. Roeske, City Clerk











# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 24

**Recommendation:** That the Common Council approves Resolution No. 11421-110513, a resolution approving a License Agreement by and between the City of Oak Creek and Woodman's Food Market Inc. (Woodman's), 400 W. Forest Hill Avenue and 8131 S. Howell Avenue (Tax Key Nos. 813-9014-005 & 813-9014-006) (Project No. 13051)(2<sup>nd</sup> Aldermanic District).

**Background:** As part of the Drexel Town Square project, the City of Oak Creek was required to obtain a license agreement from Woodman's for the construction of a storm sewer main, storm water retention pond, and grass restoration on Woodman's property. There is an existing private storm sewer that serves the Sonic parcel that runs through the old Delphi storm sewer system. This existing storm sewer is being removed for the Drexel Town Square project. A new storm sewer was designed to carry the storm water from the Sonic restaurant located at 8081 S. Howell Avenue (Tax Key No. 813-9002) to a storm water retention pond on the west side of the Drexel Town Square project. The agreement provides the City of Oak Creek and its agents with the right to install the storm sewer main needed to serve Sonic.

**Fiscal Impact:** None.

Prepared by:



Brian L. Johnston, P.E.  
Development Engineer

Respectfully submitted,



Gerald Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

RESOLUTION NO. 11412-110513

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

RESOLUTION TO APPROVE A LICENSE AGREEMENT BY AND BETWEEN THE CITY OF  
OAK CREEK AND WOODMAN'S FOOD MARKET, INC. (WOODMAN'S)  
400 W. FOREST HILL AVENUE & 8131 S. HOWELL AVENUE

(TAX KEY NOS. 813-9014-005 & 813-9014-006)

(2<sup>ND</sup> ALDERMANIC DISTRICT)

WHEREAS, The City of Oak Creek was required to obtain a License Agreement from Woodman's at 400 W Forest Hill Avenue and 8131 S. Howell Avenue to allow the construction of a storm sewer main, storm water retention pond and grass restoration on Woodman's property, and;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the License Agreement be approved and the Mayor and City Clerk are herby authorized to execute the same.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

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

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

Document Number	<p style="text-align: center;">LICENSE AGREEMENT</p> <p style="text-align: center;">Document Title</p>	Recording Area	
<p>EASEMENT NO.: _____</p> <p>PROJECT NO.: _____</p> <p>RESOLUTION NO.: _____</p> <p>ADDRESS: 400 West Forest Hill Avenue Oak Creek, WI 53154</p> <p>8131 S. Howell Avenue Oak Creek, WI 53154</p> <p>GRANTOR(S): Woodman's Food Market, Inc.</p> <p>MAILING ADDRESS: 2631 Liberty Ln Janesville, WI 53545</p>			
		TAX KEY NO.	813-9014-005 & 813-9014-006
<small>Parcel Identification Number (PIN)</small>			

LICENSE AGREEMENT

THIS INDENTURE, made this 16<sup>th</sup> day of October, 2013, by and between WOODMAN'S FOOD MARKET, INC., parties of the first part, hereinafter referred to as "Grantors", and the CITY OF OAK CREEK, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

Grantor does hereby grant to the Grantee a license to construct storm sewer main, stormwater retention pond, and restore grass cover; including for such purposes the right to operate the necessary equipment thereon, the right of ingress and egress, and the right to preserve, protect, or remove any vegetation the Grantee may deem necessary, across the real property of Grantors situated in the City of Oak Creek, County of Milwaukee and State of Wisconsin, as shown in Exhibit "A", and more particularly described as follows:

That part of Lot 1 and Outlot 1 of Certified Survey Map No. 7910 in the Northeast 1/4 of Section 17,

Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, more particularly described as follows;

Commencing at the southeast corner of said Northeast 1/4, thence North 89°21'45" West, on and along the south line of said Northeast 1/4, 1413.15 feet; thence North 00°30'40" East, 885.93 feet to the point of beginning; thence North 89°20'23" West, 718.73 feet to the west line of said Lot 1; thence North 00°39'37" East, on and along said west line, 252.53 feet to the north line of said Lot 1; thence South 89°26'10" East, on and along said north line, 718.07 feet; thence South 00°30'40" West, 253.74 feet to the point of beginning.

Containing 181,851 square feet (4.17 acres), more or less.

Said license shall terminate on July 1, 2014. At that time, the Grantee shall execute and deliver a release of this license agreement, if Grantee has caused it to be recorded.

The Grantee shall have the right to enter upon and pass and repass over the aforesaid land, and to employ the necessary construction methods for the purposes of pipe installation, pond construction and grass restoration.

The Grantee agrees to restore or cause to have restored the property as nearly as is reasonably possible to the condition existing prior to such entry by the Grantee or its agents.

The Grantors reserve the right, to themselves and to their heirs, personal representatives, successors and assigns, to have the full use and enjoyment of the aforesaid land, except as to the rights herein granted.

If Grantor, Grantee, and certain other parties to a Memorandum of Understanding do not enter into a final and binding contract with respect to the subject matter of the Memorandum of Understanding, then Grantee agrees to restore Grantor's property to the condition in which it existed before this instrument was executed.



**CITY OF OAK CREEK**

By: \_\_\_\_\_  
STEPHEN SCAFFIDI, Mayor

By: \_\_\_\_\_  
CATHERINE ROESKE, City Clerk

STATE OF WISCONSIN    )  
  )SS.  
MILWAUKEE COUNTY    )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013, STEPHEN SCAFFIDI, Mayor and CATHERINE ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument, as such officers, as the deed of said municipal corporation, by its authority, pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Notary Public, Milwaukee County, WI

My commission expires: \_\_\_\_\_

This instrument was drafted by Michael C. Simmons, P.E., of the City of Oak Creek Engineering Division.

Approved as to form by:

Lawrence J. Haskin, City Attorney  
My commission is permanent.

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 25

**Recommendation:** That the Common Council adopts Resolution No. 11423-110513 authorizing the vacation of an existing combined sanitary and water main easement on Parcels 3 and 4 of Certified Survey Map No. 6765 (Tax Key Nos. 860-9024 & 860-9026) (3<sup>rd</sup> Aldermanic District).

**Background:** The existing combined sanitary and water main easement recorded on CSM No. 6765 was created to cover the proposed sanitary sewer and water main. The building layout changed from the original concept, and the easement was no longer in the correct location. The property owners of Village Green apartments have requested the removal of the easement, currently located through an existing building. There are no impacts to the sanitary sewer and water main that service the buildings.

**Fiscal Impact:** None.

Prepared by:



Brian L. Johnston, P.E.  
Development Engineer

Respectfully submitted,



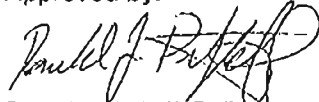
Gerald Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Approved by:



Ron J. Pritzlaff, P.E.  
Utility Engineer

Fiscal review by:



Bridget M. Souffrant, CMFR  
Finance Director / Comptroller



RESOLUTION NO. 11423-110513

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

RESOLUTION AUTHORIZING THE VACATION OF  
A COMBINED SANITARY AND WATER MAIN EASEMENT  
ON PARCELS 3 AND 4 OF CERTIFIED SURVEY MAP NO. 6765  
(TAX KEY NOS. 860-9024 & 860-9026)

(3<sup>RD</sup> ALDERMANIC DISTRICT)

WHEREAS, a combined sanitary and water main easement was granted to the City of Oak Creek, recorded on Parcels 3 & 4 on Certified Survey Map No. 6765 and located in the SE ¼ of the NW ¼ of Section 21, T5N, R22E, City of Oak Creek, Milwaukee County, Wisconsin, more fully described as follows:

Part of Parcel 1 of Certified Survey Map No. 6766, and part of Parcel 3 of Certified Survey Map No. 6765, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows;

Commencing at the Southeast Corner of Parcel 3 of Certified Survey Map 6765; thence North 00°34'53" West along the East line of said Parcel 3 a distance of 125.79 feet to a point; thence North 59°25'00" West 14.06 feet to the point of beginning of lands to be described; thence South 89°30'08" West 359.79 feet to a point; thence North 00°29'52" West 20.00 feet to a point; thence North 89°30'08" East 181.92 feet to a point; thence North 13°47'17" West 24.14 feet to a point; thence North 89°30'14" East 11.81 feet to a point; thence South 00°29'46" East 13.49 feet to a point; thence North 89°30'08" East 171.72 feet to a point; thence South 00°17'14" East 30.00 feet to the point of beginning. Containing 9126 Square feet, or 0.21 acres.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that said combined sanitary and water main easement is hereby vacated, and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to cause a certified copy of this resolution to be recorded in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

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

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# EASEMENT RELEASE EXHIBIT

Part of Parcel 1 of Certified Survey Map No. 6766, and part of Parcel 3 of Certified Survey Map No. 6765, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows;

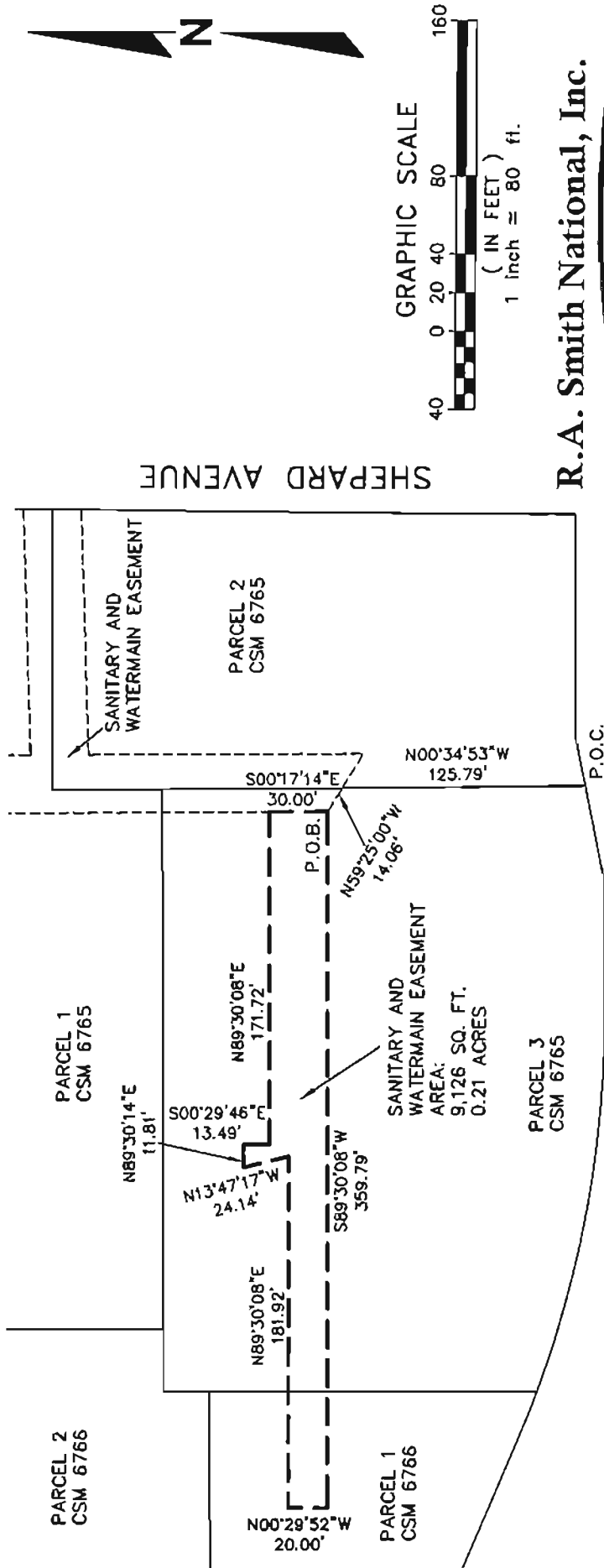
Commencing at the Southeast Corner of Parcel 3 of Certified Survey Map 6765; thence North 00°34'53" West along the East line of said Parcel 3 a distance of 125.79 feet to a point; thence North 59°25'00" West 14.06 feet to the point of beginning of lands to be described; thence South 89°30'08" West 359.79 feet to a point; thence North 00°29'52" West 20.00 feet to a point; thence North 89°30'08" East 181.92 feet to a point; thence North 13°47'17" West 24.14 feet to a point; thence North 89°30'14" East 11.81 feet to a point; thence South 00°29'46" East 13.49 feet to a point; thence North 89°30'08" East 171.72 feet to a point; thence South 00°17'14" East 30.00 feet to the point of beginning.

Containing 9126 Square feet, or 0.21 acres.

October 31, 2013

Prepared For: Village Green

Drawing No.165765--CRW



**R.A. Smith National, Inc.**

*Beyond Surveying  
and Engineering*

16745 W. Bluemound Road, Brookfield WI 53005  
262-781-1000 Fax 262-797-7373 www.rasmithnational.com  
Appleton, WI Orange County, CA Pittsburg, PA

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SHEET 1 OF 1

# City of Oak Creek Common Council Report

Meeting Date: November 5, 2013

Item No.: 26

**Recommendation:** That the Common Council adopts Resolution No. 11425-110513, a resolution adopting the Equivalent Charge of \$29.00 for the Storm Water Management Service Charges.

**Background:** The City adopted the storm water management system user charge ordinance in 2003. The Equivalent Charge has been \$27.50 since 2010, which is not adequate to cover the City's storm water management costs. The 2014 budget reviewed by the Common Council recommended raising the equivalent charge to \$29.00.


**Fiscal Impact:** An Equivalent Charge of \$29.00 will generate approximately \$735,000.

Prepared by:



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

Respectfully submitted:



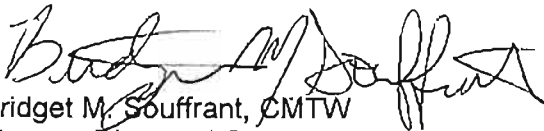
Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

RESOLUTION NO. 11425-110513

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

RESOLUTION TO ESTABLISH STORM WATER MANAGEMENT  
SERVICE CHARGES  
FOR THE CITY OF OAK CREEK

WHEREAS, Section 3.50 of the Oak Creek Municipal Code established a storm water service charge, and,

WHEREAS, the storm water service charge imposed is based upon customer classifications outlined in Section 3.50(h) of the Oak Creek Municipal Code, and,

WHEREAS, the charges for storm water management services are calculated on an Equivalent Charge (EC) basis, and,

WHEREAS, the Common Council has reviewed the 2014 budget which recommends the Equivalent Charge (EC) be increased to \$29.00,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek, that the storm water management service charge be based on a yearly Equivalent Charge (EC) of \$29.00.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of November, 2013.

Passed and adopted this 5<sup>th</sup> day of November, 2013.

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

Approved this 5<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_