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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 19, 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: 11/5/13

### Presentation

4. Oak Creek Lions Club donation presentation to the Library Foundation.

### New Business

### MAYOR & COMMON COUNCIL

5. **Motion:** Consider a *motion* to authorize the City Administrator to advertise and seek candidate applications for a Human Resource Manager (by Committee of the Whole).
6. **Motion:** Consider a *motion* to create an Assistant City Engineer position with an annual salary of \$87,881 and eliminate the positions of Construction Engineer and Development Engineer (by Committee of the Whole).
7. **Motion:** Consider a *motion* to create a new job classification of Environmental Engineer, eliminating the job classification Civil Engineer, Environmental and place the position in the same pay grade as other department engineers (\$74,602-\$82,881) (by Committee of the Whole).
8. **Motion:** Consider a *motion* to reclassify individuals to Administrative Support Assistants effective January 1, 2014, with pay as indicated and that until a Human Resource Manager is hired, these individuals continue to be under the supervision of their existing department manager (by Committee of the Whole).
9. **Ordinance:** Consider *Ordinance* No. 2699, fixing the salary ranges, salary, wages, and allowances for part-time personnel and other city offices and positions for the year 2014 (by Committee of the Whole).
10. **Ordinance:** Consider *Ordinance* No. 2700, fixing the salary ranges, salary, wages and allowances for non-union, general, management personnel and other city offices and positions for the year 2014 (by Committee of the Whole).

11. **Motion:** Consider a *motion* to reclassify a part-time Fire Department Clerical Help position to Administrative Support Assistant (by Committee of the Whole).
12. **Ordinance:** Consider *Ordinance* No. 2701, an Ordinance to Repeal and Recreate Section 2.48 of the Municipal Code regarding Residency (by Committee of the Whole).
13. **Motion:** Consider a *motion* to approve the 2013 Vendor Summary Report in the amount of \$723,478.30 (by Committee of the Whole).

## FIRE

14. **Resolution:** Consider *Resolution* No. 11432-111913, establishing Fire Department Rescue Services, repealing Resolution No. 11417-110513 (by Committee of the Whole).

## ENGINEERING

15. **Resolution:** Consider *Resolution* No. 11426-111913, approving the State/Municipal Agreement for a State-Let Highway Project along STH 38 (S. Howell Ave.) from Oakwood Rd. to College Ave. (various districts).
16. **Resolution:** Consider *Resolution* No. 11427-111913, granting WE Energies a permanent easement at 7115 S. Howell Ave. (Tax Key No. 765-9019) (1<sup>st</sup> District).

## COMMUNITY DEVELOPMENT

17. **Resolution:** Consider *Resolution* No. 11428-111913, approving a certified survey map for the properties at 9770 S. 20<sup>th</sup> St. and 9846 S. 20<sup>th</sup> St. (Black Bear) (6<sup>th</sup> District).
18. **Resolution:** Consider *Resolution* No. 11429-111913, approving a certified survey map for the properties at 7221 S. 13<sup>th</sup> St. and 7223 S. 13<sup>th</sup> St. (Sportland 2) (1<sup>st</sup> District).
19. **Resolution:** Consider *Resolution* No. 11430-111913, approving a certified survey map for the property at 500 W. Opus Dr. (Opus North) (5<sup>th</sup> District).
20. **Resolution:** Consider *Resolution* No. 11431-111913, affirming the City's intention to proceed with existing streetscape designs for the South 27<sup>th</sup> Street corridor (2<sup>nd</sup> District).
21. **Resolution:** Consider a motion to hold *Resolution* No. 11434-111913, vacating a portion of Glen Oaks Drive right-of-way until after the required public hearing scheduled for January 7, 2014 (5<sup>th</sup> District).

## LICENSE COMMITTEE

The License Committee did not meet prior to the 11/19/13 meeting. Tentative recommendations are being made as follows:

22. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
  - Aliya B. Jonic, 1810 Rawson Ave., South Milwaukee (7-Eleven)
  - Jamie L. Lotharius, 307A South 69<sup>th</sup> St., Milwaukee (7-Eleven)
  - Stephanie L. Schuler, S107 W19883 North Shore Dr., Muskego (Legion)
  - Mark L. Willson, 622 E. Conway St., Milwaukee (Branded Steer)
  - Brittany M. Leister, 2090 E. Norwood Dr., Oak Creek (7-Eleven)

23. **Motion:** Consider a *motion* to convene in to Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes to discuss the following:
- a. Section 19.85 (1)(e) to discuss the terms of a development agreement, including a TIF incentive grant, with Barrett Visionary Properties for a multi-family development at Drexel Town Square.
  - b. Section 19.85(1)(c)(e)(g) to discuss a resignation agreement and potential litigation involving police officer Clint Bauer.
24. **Motion:** Consider a *motion* to reconvene into Open Session.
25. **Motion:** Consider a *motion* to take action, if required.

***Adjournment.***

Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 S. Howell Avenue, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 5

**Recommendation:** The Personnel Committee recommends the Council authorize the City Administrator to advertise and seek candidate applications for a Human Resource Manager.

**Background:** The Personnel Committee and Common Council have previously approved reorganization concepts for administrative services including the hiring of a Human Resource Manager. The Finance Director/Comptroller and City Administrator recently completed the City's 2014 Budget. The 2014 Budget presented for consideration to the Council is balanced and it includes costs for recruiting and filling a new Human Resource Manager position.

Currently, human resource functions are performed by the City Administrator and Personnel Specialist with assistance from the City's labor attorneys. Human resource management is a significant, complex, and important part of effectively managing the operations and services of the City. Staff has for many years held that a full-time dedicated professional trained Human Resources Manager is vital to assist with these aspects of the City organization and expectations.

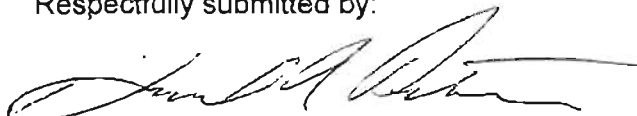
The City currently has 268 full-time employees, 133 part-time employees, 246 seasonal employees, and 177 retirees who are provided pay and/or benefits by the City, amounting to \$27 million dollars in expenditures. Staff resources are inadequate to properly manage, evaluate, research, develop management reports, and adequately prepare and distribute appropriate communications to employees, to department managers, Common Council, and the public.

Attached is a proposed job description which contains the duties contemplated for the position along with the educational background and job expectations desired by applicants for the position. The pay range for the position is recommended to be \$74,602 to \$82,881. A copy of a 2013 salary survey performed by Carlson Dettman Consulting including 42 southeastern Wisconsin municipalities showing results for pay for the position of Human Resources/Personnel Director are attached. The median pay for this position is \$91,749. The pay range proposed for the City's position is likely inadequate to recruit a seasoned senior Human Resource Manager. More likely, the applicants will be from recent graduates and individuals who have served in "Assistant" roles in human resource management or a Human Resource Manager from a small organization or from the private sector with no or limited governmental experience.

Hiring a Human Resource Manager will allow the City to use its labor attorneys in a more focused and limited way. A \$50,000 savings in labor attorney costs are included in the 2014 budget. It is expected that a Human Resource Manager will become part of a core administration team to develop, lead, and direct significant organization decisions.

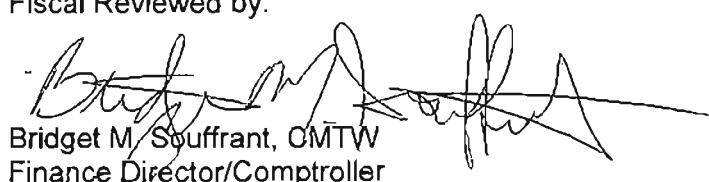
**Fiscal Impact:** The 2014 budget includes \$85,195 which is the estimated wage and benefit costs for filling this position for nine (9) months.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, OMTW  
Finance Director/Comptroller

**Human Resources/Personnel Director**

Responsible for developing and managing a comprehensive human resource program. Advises department heads on human resource issues. Oversees recruitment, compensation, collective bargaining, training, and policy administration. Serves as custodian of personnel records. Contributes to collective bargaining; may serve as chief spokesperson. Typically requires a Bachelor's degree in human resource management and masters degree preferred.

# of Org.	# of Emp.	Org. Wid. Average	Emp. Average	25th Perc.	Median	Average Control Pt.	75th Perc.	Org.'s w/Range	Average Min	Average Max
14	14	\$44.82	\$44.82	\$38.81	\$44.11	\$43.58	\$53.35	11	\$38.02	\$49.14

TOTAL RESPONSES

**Information Services Hardware/Software Specialist**

A technical position that provides support and assistance to computer users with PC software issues. Installs and configures software and computer equipment. Troubleshoots and repairs computer equipment. Serves as resource person in response to questions about computer operating systems. Assists in training employees to use hardware and PC applications. Researches and recommends improvements to existing applications.

# of Org.	# of Emp.	Org. Wid. Average	Emp. Average	25th Perc.	Median	Average Control Pt.	75th Perc.	Org.'s w/Range	Average Min	Average Max
12	21	\$24.67	\$25.30	\$21.91	\$23.32	\$25.44	\$28.06	10	\$22.48	\$28.09

TOTAL RESPONSES

# City of Oak Creek

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**Class Title:** Human Resource Manager  
**Department:** Administrative Support Services

**Location:** City Hall  
**FLSA Status:** Exempt

## **Summary Description**

This is advanced professional, administrative, and management work in the development and administration of the City's personnel program and assisting the City Administrator in policy development and the coordination of City human resources, safety, and risk management functions and programs.

Under the direction of the City Administrator, establishes and coordinates policies and procedures in the personnel areas of recruitment and selection, classification and compensation, employee benefits, employee relations, contract negotiations, education and training, workers compensation, and personnel records. Work also involves assisting the City Administrator on special projects and assignments. Work is performed under administrative direction from the City Administrator and is reviewed through conferences and reports for overall program effectiveness.

## **Major Duties/Essential Functions**

Develops and implements City personnel policies and procedures; advises and counsels departments on personnel problems and proper procedures; prepares policies for review by City Administrator and Personnel Committee.

Serves on and may lead the City's negotiation team for all collective bargaining contracts; develops and coordinates the gathering and analyses of data for negotiations; administers contracts.

Oversees employee recruitment and hiring.

Conducts analyses of and approves requests for position reclassifications; reviews and recommends actions on personnel transactions; recommends professional consultants' services as necessary.

Researches, completes reports, and recommends action on personnel and employee relations questions; resolves employee questions and complaints.

Oversees the City's benefits, compensation, safety, and risk management programs.

Develops and coordinates general training programs for employees including documentation and accounting.

Develops and implements performance evaluation for the City.

Maintains and monitors access to personnel files; responds to inquiries about current and former City employees.

Supervises and evaluates a pool of Administrative Support Assistants.

Participates in the development and review of City budget; provides assistant to City Administrator on projects.

Provides effective and efficient customer services and promotes and maintains responsive community relations.

Prepares annually at least one (1) realistic, achievable objective which will improve the operations of the department.

**Minor Duties/Responsibilities**

Develops programs to promote positive employee relations.

Informs department managers and City Administrator of changes in personnel-related laws; determines the impact of such laws on the City and revises programs or practices to comply.

Provides professional advice to department managers and supervisors on a variety of issues.

Ensures that the City is in compliance with all appropriate state and federal laws and regulations and maintains related records.

Prepares and implements budget requests.

May be required to travel for business meetings or to attend training.

Performs related work tasks as required.

**Supervision/Accountability**

Directly accountable to City Administrator; responsible for supervision of Administrative Support staff.

**Knowledge**

Thorough knowledge of the principles and practices of modern public personnel administration, employee classification, compensation and benefits, recruitment, selection, training and labor relations. Thorough knowledge of budgeting, accounting, statistics and record-keeping principles and procedures. Thorough knowledge of applicable federal, state, and local laws, rules, and regulations. Comprehensive knowledge of office methods and procedures, equipment and filing systems; business letter and report-writing techniques; proofreading. Comprehensive knowledge of networked computers, Windows operating systems, word processing and spreadsheet software.

**Skill/Ability**

Ability to plan and develop effective personnel policies and procedures; ability to analyze problems and situations and determine and apply solutions; ability to plan, organize, lead, and evaluate

personnel programs. The ability to accept responsibility, to make decisions and to effectively supervise the work of others. Interpersonal communications, verbal and written, with a diverse range of people, including the proper handling of emotional situations; ability to establish and maintain cooperative relationships with employees and citizens contacted in the course of work; meeting the public tactfully, and courteously answering questions in person and over the telephone. Ability to speak and understand the English language fluently and use proper grammar, punctuation and spelling. Ability to research and obtain pertinent information through various resources. Considerable ability and proficiency with desktop computer equipment to process, access, retrieve, or input information using Windows, word processing and spreadsheet software or other standardized software common to the work unit or as assigned. Ability to research and obtain pertinent information through various resources.

### **Education/Experience**

Graduation from a four year college or university with major course work in personnel or public administration, business administration or a related field is required; a Master's degree in one of the above fields is desirable. Must have seven (7) years experience in personnel administration with experience in labor relations and contract negotiation, public sector experience preferred.

### **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is required to sit, talk and hear. The employee is required use hands to type, finger, handle, or feel objects, tools, or controls; and reach with hands and arms. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus. The employee is required to hear and respond to telephone conversations.

### **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet and would be representative of a business office.

### **Tools and Equipment Used**

The ability to use the tools and equipment listed below is essential to perform the functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.



Personal computer including Human Resource Information System, spreadsheet, and word processing software; high speed printers; laser printers; scanners; telephone; 10-key calculator; typewriter; copy machine and FAX machine.

**License/Certifications**

Must possess a valid Wisconsin motor vehicle operator's license.

**Special Conditions of Work**

Must be able to respond to emergencies during off hours.

**Selection Guidelines**

As a non-union position this job is covered by a process that includes, but is not limited to the completion of a formal application, the rating and verification of education and experience, oral interviews and a reference check. Job related tests may be required as determined by the city. All applicants may be required to submit to a stringent medical examination prior to appointment consistent with requirements of the position. All appointees may be fingerprinted and a record check made of local, state or federal authorities. A conviction is not an automatic bar to employment.

*The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.*

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

**Revision History:**  
November 13, 2013

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 6

**Recommendation:** The Personnel Committee recommends the City create an Assistant City Engineer position with an annual salary of \$87,881 and eliminate the positions of Construction Engineer and Development Engineer.

**Background:** See the attached October 18, 2013 memo from City Engineer Mike Simmons for background on this topic. Creation of a new Assistant City Engineer position is recommended to help the City Engineer perform the necessary duties of the department while leaving the Construction Engineer position vacant and moving Development Engineer Brian Johnston to the position of Assistant City Engineer. A copy of the proposed Assistant City Engineer job description is attached. Both the Construction Engineer position and Development Engineer position vacated by Mr. Johnston will be eliminated. Funding for the Construction Engineer position has remained in the Engineering Department budget so there are adequate funds available to pay for the recommended \$5,000 position adjustment pay increase. The Construction Engineer and Development Engineer positions are recommended for elimination. Funds remaining may be used for construction inspection and design work if the workload in the department merits it.

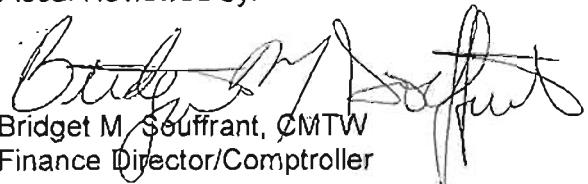
**Fiscal Impact:** The cost of the recommended action is \$5,000 for 2014 and is included in the department's budget request.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Reviewed by:



Michael Simmons, PE  
City Engineer/Acting Building Commissioner



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**DATE:** October 18, 2013

**TO:** Jerry Peterson, City Administrator

**FROM:** Mike Simmons, City Engineer

**RE:** Proposed 2014 Engineering Department Personnel Change – Brian Johnston

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This 2014 Engineering Department personnel request involves the vacant Construction Engineer position and Brian Johnston (Development Engineer).

The Engineering Department has been functioning with a vacant Construction Engineer position since the retirement of the previous City Engineer in 2010. As the Construction Engineer was my previous position these duties have remained with me since that time. The economic slowdown allowed the work to get done without filling the position. This was accomplished with contributions from many in the department, and with no additional compensation. Nonetheless, this past summer's busy construction season had more than its share of issues due in part to disjointed coverage on construction. The construction climate is progressing as the Oakview Business Park and Drexel Town Square developments will be very busy with construction activities in the coming months. There is also increased interest in new residential developments.

We have discussed how to handle this and it is proposed that, due to the ever-tightening budgetary constraints, the position not be filled with a new hire. Rather, the bulk of the duties could be assigned by a restructuring of departmental positions. Under this proposal, the Development Engineer and Construction Engineer positions would be combined into the new position of "Assistant City Engineer". The proposed job description revisions are attached to this memo. The Development Engineer and Construction Engineer positions would be a good fit to combine as developer projects from start to finish are coordinated primarily by these two positions.

The request is that Brian Johnston moves into the new position of Assistant City Engineer. Brian has been with the city since 2000. I have seen him progress as an engineer over that time. He has taken the lead in coordinating the efforts of the rather large Drexel Town Square development team, and has taken Oakview to its recent construction start. He has developed a good rapport with developers, engineers, city staff and elected officials; all of which will serve him and the department well as he takes on this new position.

Brian's current salary is \$82,881, and the request is that he be increased to \$87,881 (+6.02%). While not being filled over the past few years, the Construction Engineer position has continued to be budgeted, so there would be no need to find new resources to cover this salary increase.

## City of Oak Creek

**Class Title:** Assistant City Engineer~~Development Engineer~~

**Job Code Number:**

**Department:** Engineering~~Public Works~~

**Grade Number:**

**Division:** Engineering

**Unit:** ~~Non-union and non-civil service~~

**Location:** City Hall

**Exempt Position**

**Civil Service Position**

### Summary Description

Under the general direction of the City Engineer provide engineering services related to the design, construction and administration of the installation and maintenance of capital improvements.

### Major Duties/Essential Functions

Supports and assists the City Engineer in the management of all Engineering staff functions and initiatives.

Supervises and coordinates the various functions of the Engineering Department's field staff, including construction inspection and field survey. This includes procuring and managing temporary consultant field personnel to supplement city forces as workload requires. Monitors daily progress of construction projects and visits project sites as needed to make decisions that require professional engineering judgment.

Coordinates with commercial, industrial and residential developers related to the design and approvals for all required public improvements. Prepares and administers development agreements, development cost estimates, financial guarantees, lien waivers and other documents related to all residential, commercial and industrial development within the City. Works closely with the Community Development Department and other departments to ensure~~insure~~ satisfactory~~proper~~ development and construction in accordance with established~~installation per~~ proper engineering practices, specifications and the Design Manual, City ordinances, and conditions of approval, ~~and guidelines.~~ Reviews and recommends various neighborhood improvement plans and proposed land divisions.

Prepares complex development documents and detailed specifications for assigned projects. Prepares project resolutions, Council action items and prepare appropriate advertising for bids. Prepares detailed project estimates and obtains necessary information for the final design of projects. Prepares final computations and design for various projects. Analyzes bids and proposals and develops recommendations for projects.

Provides guidance and makes recommendations to the Plan Commission, both in the form of written reports and verbally~~orally~~ at meetings on Engineering issues for development related projects.

| Reviews, coordinates and evaluates proposed plans and specifications to ~~ensure~~insure that construction complies with engineering design specifications for public works improvements and private development projects.

| Assists in the acquisition of right-of-way by working with the acquisition team in accordance with, ~~per~~ approved City policies. Directs and provides guidance to developers, consulting engineers, land owners and the general public with regard to existing and proposed facilities, potential residential, commercial and industrial development, City standards, ordinances and policies.

| Prepares special assessment data and reports for when needed for public improvements related to various projects ~~for all developments~~.

Coordinates public utility installations and extensions with the appropriate utility companies.

| Responsible for maintaining an awareness of all departmental projects active in design or in the field and for reporting any conflicts ~~problems~~ or deficiencies to City Engineer.

## Assistant City Engineer~~Development Engineer~~

Conducts public informational meetings on new developments and engineering projects as directed.

Attends Plan Commission meetings. Serves as a member of the Plan Commission.

Assists the City Engineer with the yearly budgetary process, providing projections for expenditures and revenues based on current figures and anticipated needs.

~~Recommends improvements to the City Engineer for inclusion in the Capital Improvement Plan.~~

Provides regular verbal and/or written monthly reports to the City Engineer on the status of development plans, construction projects and field personnel activities.

Manages Engineering field personnel workload, scheduling, and assignments; and makes recommendations to the City Engineer when outside consultant assistance becomes necessary. Interprets and administers plans and specifications, and all other city and contract requirements for city and development driven public improvement projects.

Monitors training of field personnel in the effort to keep current on required certifications and safety procedures (work zone, PPE, etc.).

Reviews and approves payments to contractors and makes recommendations to the City Engineer in the negotiation of contract change orders and settlements of disputes. Verifies project completion status, reviews pay estimates and prepares final report and resolution for Common Council acceptance and project closeout.

Provides information and other assistance to the public, elected officials and city staff on development projects and all other public improvement projects, including assisting the City Engineer in the prompt response to citizen inquiries and complaints.

Supervises field personnel to ensure the proper level of inspection of construction activities, including quality control testing by certified labs, and the documentation/maintenance of accurate field construction diaries, bid quantities, and as-built measurements for construction projects.

### **Minor Duties/Responsibilities**

Resolves customer service issues either personally, by telephone, or in writing. Maintains records and documents of customer service issues and resolutions.

Assistant City Engineer~~Development Engineer~~

Reviews trends and developments in the field of public works construction, and recommends revisions to construction inspection practices and procedures; and to codes, ordinances and local regulations.

Coordinates construction and development activities with building officials, inspectors, planners, engineers, fire inspectors and various regulatory and transportation agencies.

Works cooperatively with Street Department personnel in their construction activities to ensure compliance with construction standards.

Maintains a current development status reporting system and a project plan review tracking log.

~~Prepares revisions to codes, ordinances and local regulations.~~

Resolves problems and questions presented by subordinate staff regarding work processes, policies, organization or methods. Confers with City Engineer presenting or resolving difficult problems or questions and discussing plans and actions to be taken.

Attends professional seminars and meetings in order to improve working knowledge and skills.

Provides notifications to other city departments regarding perceived city ordinance or regulation violations not in the primary area of responsibility of this position.

~~Responsible for notification to other City departments of any violations of City ordinances or regulations not in the primary area of responsibility of this position that may become obvious.~~

Evaluates work performance of subordinates and prepares and conducts performance evaluations. Provides recommendations regarding ~~Recommends~~ termination, suspension and other disciplinary matters to the City Engineer.

Ensures field personnel present a professional appearance at all times, including demeanor when addressing citizens in the field and in the wearing of the required neat and clean work attire (uniform).

Assists in the design and development of plans and specifications for projects as designated by the City Engineer.

Performs such tasks as designated by the City Engineer in the absence of the City Engineer.

Attends meetings of the Common Council and other various committees or boards as required.

~~Performs related work tasks as required.~~

### **Supervision/Accountability**

Directly accountable to the City Engineer; responsible for direction and supervision of work assignments to for field personnel~~design personnel~~ and for assisting the City Engineer in the same direction of work assignments tofor all Engineering Department~~design~~ staff.

### **Knowledge**

Thorough knowledge of principles, methods, materials and equipment common to public works and utility operations. Knowledge of concepts, principles and practices of civil~~City~~ engineering, construction and design; knowledge of engineering calculation, surveying and drawing; knowledge of CADD systems and personal computers; knowledge of residential, commercial and industrial development, major construction specifications, planning, zoning and code enforcement, knowledge of policies and procedures established for the department. Knowledge of construction inspection, contract administration and dispute settlement procedures.

### **Skill/Ability**

Ability to perform all duties and essential functions in a manner consistent with the department's~~division's~~ vision and mission. Considerable ability to plan, organize, manage and administer projects requiring coordination with others. Ability to work effectively with contractors, developers, other agencies and the public. The ability to accept responsibility, to make decisions, to meet deadlines, to delegate responsibility, to write clear and concise reports and letters, and to motivate people toward a coordinated effort; the ability to establish and maintain effective interpersonal relationships with employees, other departments~~divisions~~ and the public; ability to communicate effectively, verbally and in writing; ability to ensure compliance with and follow standard safety practices and procedures common to public works programs. Skill in the operations of the equipment common to the work unit including Auto-Cad. Skill in the application of the knowledge of design, engineering drafting and drawing and construction specifications to acceptable standards. Ability to research and obtain pertinent information through various resources including tax records, abstracts, state statutes and affidavits. Ability to read and understand codes, ordinances and complicated blueprints and drawings. Ability to work independently with only occasional review of work performance or records. Ability to use personal computer equipment to access, retrieve, or input information using CADD, civil engineering programs, Windows, word processing and spreadsheet software or other standardized software common to the work unit or as assigned.

### **Education/Experience**

Qualified applicants must possess a bachelor's degree in civil engineering or related field; and seven (7) years responsible civil engineering experience, with at least two years of supervisory



## Assistant City Engineer~~Development Engineer~~

experience. Previous experience in municipal design, construction, planning, and real estate is highly desirable.

### **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Work is performed mostly in office settings. Some outdoor work is required in the inspection of various land use developments, construction sites, or public works facilities. Must be physically capable of moving about on construction work sites. A high degree of hand-eye coordination is necessary to operate drafting instruments, computers and various pieces of office equipment. While performing the duties of this job, the employee is regularly required to stand; walk; use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is regularly required to sit; climb or balance; stoop, kneel, crouch, or crawl; talk or hear. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

### **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee occasionally works in outside weather conditions. The noise level in the work environment is usually quiet and would be representative of a business office.

### **Tools and Equipment Used**

The ability to use the tools and equipment listed below is essential to perform the functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Personal computer, including spreadsheet, word processing, civil engineering and computer aided drafting design software; standard drafting tools, telephone; engineering calculator; mobile radio, cell phone, car, copy machine and fax~~FAX~~ machine.

### **License/Certifications**

Possession of a valid Wisconsin mMotor vehicle operator's license is required. Must be a registered professional engineer with the Wisconsin Examining Board of Architects, Professional Engineers, Designers and Surveyors, or be able to obtain within six months of

Assistant City Engineer~~Development Engineer~~

starting employment with the City. Loss of license or registration may be cause for demotion or termination.

**Special Conditions of Work**

Must reside inside area described by Ordinance No.1646 as amended.

**Selection Guidelines**

As a non-union non-civil service position this job is covered by a process that includes, but is not limited to the completion of a formal application, the rating and verification of education and experience, oral interviews and a reference check. Job related tests may be required as determined by the City. All applicants may be required to submit to a stringent medical examination and job trait assessment examination prior to appointment consistent with requirements of the position. All appointees may be fingerprinted and a record check made of local, state or federal authorities. A conviction is not an automatic bar to employment.

*The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.*

Approval: \_\_\_\_\_

Supervisor

Approval:

City Administrator

Revision History:

October 19, 2013~~October 18, 2013~~ (Note 1)

January 18, 2000

November 6, 1995

March 18, 1994

June 14, 1993

June 16, 1992

Note 1: New postion of Assistant City Engineer created based on the Development Engineer and Construction Engineer positions being combined.

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 7

**Recommendation:** The Personnel Committee recommends the City create a new job classification of Environmental Engineer, eliminating the job classification Civil Engineer, Environmental and place the position in the same pay grade as other department engineers (\$74,602-\$82,881).

**Background:** See attached October 18, 2013 memo from City Engineer Mike Simmons, for background on this request and recommendation. The request is to recognize a change in focus and added responsibilities for Sue Winnen, who currently fills the position of Civil Engineer, Environmental to Environmental Engineer with significant responsibilities for searching out, applying for, and managing a variety of grants to advance City projects. A revised job description has been provided.

It is also requested that the pay range for this position be adjusted to that of other department engineers (\$74,602-\$82,881) and that Ms. Winnen's pay be increased from \$76,288 to \$78,485 in 2014.

**Fiscal Impact:** This recommendation would increase costs by \$2,197 in 2014 which are included in the proposed 2014 Engineering Department Budget.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Reviewed by:



Michael Simmons, PE  
City Engineer/Acting Building Commissioner



**DATE:** October 18, 2013

**TO:** Jerry Peterson, City Administrator

**FROM:** Mike Simmons, City Engineer

**RE:** Proposed 2014 Engineering Department Personnel Change – Sue Winnen

This 2014 Engineering Department personnel request involves Sue Winnen (Civil Engineer, Environmental).

The request is that Sue’s job duties be officially recognized as revised and expanded, and that her position be changed from “Civil Engineer, Environmental” to “Environmental Engineer”. The proposed job description revisions are attached to this memo. Sue has worked under Phil Beiermeister since beginning employment with the Engineering Department in 2000, primarily working on issues related to storm water, and development and ongoing administration of the Storm Water Fund. Over that time, many historical storm water problems have been resolved which has helped free her up to work on other engineering projects. For the past year or so Sue has assumed a leading role in moving environmental and green infrastructure projects forward on the redeveloping lakefront sites and Drexel Town Square. She has been an integral part of the development teams as she has worked closely with our environmental consultants; and with MMSD, DNR and EPA. Her work has been a major contribution as the city has secured in excess of \$1.5 million in various grants. She has exhibited an enthusiasm and talent for grant writing, and has involvement in just about all of Engineering’s projects. Sue has grown as an engineer in her abilities to lead complex projects and communicate effectively with residents and with the regulatory agencies. She has been doing work on the level of the other engineers in the department. This proposed position upgrade would put her on a track to get up to their salary level (\$82,881), with the salary increase proposed to be phased in over three or four years.

Three-year Plan (+2.88%)	Four-year Plan (+2.16%)
Current: \$76,288	Current: \$76,288
2014: \$78,485	2014: \$77,936
2015: \$80,684	2015: \$79,584
2016: \$82,881	2016: \$81,233
	2017: \$82,881

## City of Oak Creek

~~Class Title: Civil Engineer (Environmental)~~ Environmental Engineer      **Job Code Number:**  
~~Department: Public Works Engineering~~      **Grade Number:**  
~~Division: Engineering~~      **Unit: Local-133 Exempt Position**  
~~Location: City Hall~~

### Summary Description

~~Under the general direction of the Design Engineer and the indirect supervision of the City Engineer, provide complex engineering services related to design, construction, administration, review, and enforcement of improvements related to drainage, landfills, and environmental regulations, brownfields, green infrastructure (GI), and grants.~~

### Major Duties/Essential Functions

Manages, oversees and coordinates the preparation and submission of grant applications and similar functions related to drainage and environmental regulation in the engineering division.

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Identifies opportunities, develops initiatives, assigns work, supervises, coordinates the work force and reviews project progression in the areas of grant applications occurring in the City, using a combination of City work force and consulting services.

Provides professional engineering judgment assisting in the development of the City by identifying and applying for grant opportunities to advance the identified development goals and long term plan of the City.

Identifies opportunities for Green Infrastructure in City. Coordinate with City Engineer and other engineers in the department to implement where appropriate and cost effective for storm water management.

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Directs the preparation of bid documents and detail specifications for environmentally sensitive projects or other special drainage projects as assigned by the City Engineer or City Administrator. Using a combination of City work force and consulting services: prepare Common Council resolutions; prepare preliminary and detailed project estimates; obtain necessary information for the final design of projects; prepare final computations and design for various projects; prepare appropriate advertising for bids; analyze bids and develop recommendations for projects.

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~~Design, prepare plans, bid documents and detailed specifications for capital improvement and assigned projects. Prepare preliminary project resolutions and appropriate advertising for bids, preliminary and detailed project estimates and obtain necessary information for the final design of drainage projects. Analyze bids and develop recommendations for public works projects. Develop special assessment reports.~~

~~Work directly with citizens and other departments to resolve storm drainage complaints.~~

~~Conduct storm drainage studies~~ and make recommendations to the City Engineer.

~~Coordinate with other engineers in the department to~~ Review and recommend for approval all site grading, drainage and storm water management plans for private development projects. Enforce City ordinances relating to storm water management, with assistance from other engineers as directed by City Engineer when appropriate due to department workload.

~~Work with the Design Engineer-Environmental to~~ Administer landfill permits/licenses, landfill closures, and dump closures, and site remediation.

Prepare project documentation and coordinate approvals by various agencies ~~such as~~ Dept. including the Department of Natural Resources, Milwaukee Metropolitan Sewerage District, Army Corps of Engineers, and Southeastern Wisconsin Regional Planning Commission.

~~With with the Design Engineer-Environmental and City Engineer to~~ Over-seeoversee the City's compliance with all environmental regulations such as the Clean Air Act, Clean Water Act, and NR 216.

~~Work with the Design Engineer-Environmental to~~ provide recommendations to maintain and improve the City's storm drainage courses. ~~Provide recommendations to maintain and improve the City's storm drainage courses.~~

Make periodic field visits to inspect and insure compliance with approved grading and drainage plans and to review the status of City drainage projects.

~~Work with the Design Engineer-Environmental to~~ implement and update the City's storm water management master plan, adopted SEWRPC technical reports on Oak Creek watersheds, and the DNR priority watershed plan.

Review grading certification plans and make recommendations to the City Engineer.

Prepares annually at least one realistic, achievable objective which will improve the operations of the department.

#### **Minor Duties/Responsibilities**

Attend public informational, committee, commission, and Common Council meetings as assigned.

~~Provide design support on City projects. Occasionally work under the direction of the Development Engineer on related projects.~~

Confer with City Engineer, Design Engineer, Development Engineer, and Construction Coordinator to resolve difficult problems or questions in discussing plans and actions to be taken.

Attend professional seminars and meetings in order to improve working knowledge and skills.

### Civil Engineer - Environmental

Work directly with consulting engineers hired by the City on environmental engineering projects.

~~Maintains the City storm sewer as built and master drainage maps. Direct the completion of periodic updates to keep all maps current. (Phil does this – remove this note once finalized)~~

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Visit construction sites as needed to gather design data or make determinations that require engineering judgement.

Responsible for project management for the design of the municipal public works projects.

Assists in the management of designed projects during construction.

Using computer aided drafting software, designs, reviews and updates construction plans for public works projects.

Prepares project documentation and obtains necessary approvals and permits from required agencies. Assists in right-of-way acquisition by preparing legal descriptions and maintaining contact with the City Attorney and property owners.

Responds to inquiries from developers, consulting engineers, landowners and the general public with regard to existing and proposed projects, requests for service, City standards, and policies.

Responsible for maintaining and updating city design details.

Reads incoming correspondence and formulates response or subsequent action.

### Supervision/Accountability

~~Accountable to the Design City Engineer; some direction of work assignments to the division department technical employees or administrative support staff.~~

### Knowledge

~~Thorough knowledge of principles, methods, materials, and equipment common to public works and utility operations. Knowledge of requirements and skills in the application of sound engineering concepts and theories. Knowledge of construction contract administration and dispute settlement basic concepts, principles, and practices of city engineering, construction, and design; Knowledge of engineering calculations, surveying, and drawings; Knowledge of grading and environmental remediation principles; Knowledge of real estate development and major construction specifications; Knowledge of hydrology and hydraulics; Knowledge of policies and procedures established for the department. Knowledge of current hydraulic, hydrologic, and water quality modeling.~~

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## Civil Engineer - Environmental

### Skill/Ability

Ability to perform all duties and essential functions in a manner consistent with the division's vision and mission. Considerable ability to plan, organize, manage and administer projects requiring coordination with others. ~~Ability to perform and review detailed storm water runoff calculations, complex pond sizing by manual and computer models.~~ The ability to plan, organize, manage, and administer projects requiring coordination with others. Ability to work effectively with contractors, developers, other agencies, and the public. The ability to accept responsibility, to make decisions, to delegate responsibility and to motivate people toward a coordinated effort; The ability to establish and maintain effective interpersonal relationships with employees, other departments, and the public; Ability to communicate effectively both ~~orally~~ verbally and in writing; Ability to insure compliance with city, county, state, and federal regulations. Skill in the equipment common to the work unit including AutoCAD. Skill in the application of the knowledge of design, engineering drafting, and drawing and construction specifications to accepted standards. Ability to research and obtain pertinent information through various resources including tax records, abstracts, state statutes, and affidavits. Ability to read and understand codes, ordinances, and complicated blueprints and drawings. Ability to work independently with only occasional review of work performance or records. Ability to use retrieve, or input information using CADD, civil engineering programs, Windows, word processing, Haested methods, HEC-I, HEC-RAS, SWMM, SLAMM, and spreadsheet software or other standardized software common to the work unit.

### Education/Experience

Qualified applications must possess a bachelors degree in Civil Engineering from an accredited college with emphasis in water resources or environmental engineering. Minimum of 5-7 years civil engineering work experience in a related field. Previous experience in public works construction desirable.

### License/Certification

Must be a registered professional engineer in Wisconsin or be able to obtain within 6 months of hire. Possession of a valid Wisconsin motor vehicle operator's license required. Loss of required license or registration is cause for demotion/termination.

### Physical Demands



### **Civil Engineer - Environmental**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Work is performed mostly in office settings. Some outdoor work is required in the inspection of various land use developments, construction sites or public works facilities. Must be physically capable of moving about on construction work sites. A high degree of hand-eye coordination is necessary to operate drafting instruments, computers, and various pieces of office equipment. While performing the duties of this job, the employee is regularly required to stand; walk; use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is regularly required to sit, climb, or balance, stoop, kneel, crouch, or crawl, talk or hear. The employee must occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

### **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee occasionally works in outside weather conditions. The noise level in the work environment is usually quiet and would be representative of a business office.

### **Tools and Equipment Used**

The abilities to use the tools and equipment listed below is essential to perform the functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Personal computer, including spreadsheet, word processing, civil engineering, and computer-aided drafting design software, standard drafting tools, telephone, engineering calculator, mobile radio, copy machine, and FAX machine.

### **Special Conditions of Work**

Must reside inside area described by Ordinance No. 1646 as amended.

### **Selection Guidelines**

As a non-union civil service position this job is covered by a process that includes, but is not limited to the completion of a formal application, the rating and verification of education and experience, oral interviews and a reference check. Job related tests may be required as determined by the City. All applicants may be required to submit to a stringent medical examination and job trait assessment examination prior to appointment consistent with requirements of the position. All appointees may be fingerprinted and a record check made of local, state or federal authorities. A conviction is not an automatic bar to employment.

**Civil Engineer - Environmental**

*The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer as the needs of the employer and requirements of the job change.*

Approval: \_\_\_\_\_  
Supervisor

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

**Revision History:**

~~October 19, 2013~~ ~~October 14, 2013~~ ~~October 8, 2013~~  
January 19, 2000  
August 19, 1998  
January 10, 1996

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# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 8

**Recommendation:** The Personnel Committee recommends that the Common Council reclassify the following individuals to Administrative Support Assistants effective January 1, 2014, with pay as indicated and that until a Human Resource Manager is hired, these individuals continue to be under the supervision of their existing department manager.

**Background:** Reorganization of City administrative services was approved, in concept, by the Oak Creek Common Council at its September 17, 2013 meeting. Various positions, both full-time and part-time, from different departments were recommended to be assigned to a pool of Administrative Support Assistants in order to serve the public in an efficient and effective manner. A common job description for these full-time and part-time positions has been created and approved (see attached job description).

The following individuals who now hold a variety of jobs with various rates of pay are recommended for assignment to the employee pool of Administrative Support Assistants with pay, as shown, to be effective 1/1/2014.

Peggy Dlapa	\$47,688/year
Maggie Woolford	\$47,688/year
Mellena Hoppe	\$14.50/hour
Barb Congdon	\$47,688/year
Helena Dowd	\$47,688/year
Dana Johnson	\$14.24/hour
Debbie Lukasik	\$47,688/year
Renee Gray	\$13.34/hour
Donna Benn	\$12.50/hour
Sandy Deford	\$47,688/year
Melissa Gerum	\$13.00/hour
Diane Robinette	\$13.00/hour
Susan Novak	\$12.00/hour
Kathleen Graham	\$12.00/hour

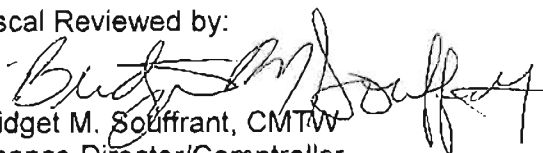
**Fiscal Impact:** Annual wages are reduced for two employees in the amount of \$7,155 annually by this action. Over the next 12-24 months, City costs are expected to be decreased as a result of employee attrition.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Reviewed by:



Barbara Guckenberger, CMTW  
City Treasurer

Reviewed by:



Catherine A. Roeske  
City Clerk

# City of Oak Creek

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**Class Title:** Administrative Support Assistant

**Location:** City Hall

**Department:** Administrative Services

**Classification:** Non-exempt Non-union

## **Summary Description**

Under the supervision of the Human Resource Manager and/or Administrative Support Lead with a primary focus in administrative services for all City Hall Departments. Will provide administrative support to department managers, customer service to the public and perform a variety of clerical duties.

## **Major Duties/Essential Functions**

Provide effective call handling and in-person response to telephone and service counter inquiries and concerns from residents, customers, visitors and departmental staff. Employee rotates between service counters, call centers and back office operations. This position provides opportunity for additional compensation and professional advancement based upon demonstrated skills and knowledge.

Provide support services as directed during emergency operations or upon activation of an emergency operation center.

Answer basic questions related to City Hall administrative services such as: property information and taxes, zoning and land use, licensing, public infrastructure projects, private property improvements, permit requirements, parks facility rentals and related fees, and health department operations.

Process and receipt payments including but not limited to, health services, property taxes, licensing, permits and other miscellaneous fees received in person, by mail, depository, lockbox or an outside source.

Process applications for plumbing, electrical, new building construction and renovations (well & septic), erosion control, public excavation, landfill and driveway approach permits; variances, rezoning, land divisions and other development related approvals, and health services.

Schedule and maintain calendars of appointments, professional organization activities, associated travel arrangements and contact contractors for service for elected and appointed officials, City Assessor, and City staff.

Maintain list of city officials, committees, and boards.

Assist with voter registration and absentee ballot process, organizing poll worker supplies, and inventory of election forms.

Assist in the compilation and distribution of reports and meeting packets for boards and commissions.

Basic data entry to information systems, city software and/or spreadsheets to prepare and track multiple applications, licenses and forms. Maintain permit master list, monitor progress/status; prepare plans.

Process outgoing mail; open, date stamp and sort incoming mail.

Prepare daily correspondence of form letters/notices and proof to insure that they meet minimum organizational standards for spelling, punctuation and grammar.

File, copy/scan, compile, reproduce & distribute documents.

Prepare and process purchase orders in accordance with City policies.

Research and gather information for ownership, tax, assessment and open records requests, returned mail, property status letters, surveys, reports and problematic items.

Obtain background information and documents from various departments for city licensing.

Prepare, distribute, and retrieve ordinances, resolutions, public hearing notices, public meeting packets, meeting minutes, agendas; transcribe common council, commission and committee and board meeting minutes and post notices for public meetings. Post maps, plats & charts, and city calendar. Maintain file of decisions made at common council, committee and board meetings. Attend commission, board and committee daytime/evening meetings: Act as secretary - take & transcribe minutes.

Maintain confidentiality when required.

Provide support to other staff for lunches and vacations.

Other clerical duties as assigned.

### **Supervision**

Accountable to the Human Resource Manager and/or Administrative Support Lead; no supervisory duties.

**Knowledge**

Modern office methods and procedures; office equipment and filing systems; business letter and report-writing techniques; proofreading; statistical and record keeping principles and procedures.

**Skill/Ability**

Ability to speak and understand the English language fluently and use proper grammar, punctuation, and spelling. Perform responsible secretarial and clerical work requiring independent judgment with speed and accuracy; learning, interpreting and applying organizational policies, laws, rules and regulations; word processor typing accurately at a speed of 50 words per minute; making basic arithmetic calculations with speed and accuracy; meeting the public tactfully, and courteously answering questions in person and over the telephone; communicating with all segments of the community and government. Ability to research and obtain pertinent information through various resources. Ability to use networked personal computer equipment to process, access, retrieve, or input information using Windows, word processing and spreadsheet software or other standardized software common to the work unit or as assigned. Ability to understand and apply principles of personal computer input and output capabilities. Possess and maintain a valid drivers license.

**Education/Experience**

Must have a high school diploma or G.E.D.; Three years clerical and cashiering experience required.

**Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is required to sit, talk and hear. The employee is required to use hands to type, finger, handle, or feel objects, tools, or controls; and reach with hands and arms. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

**Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet and would be representative of a business office.

**Tools and Equipment Used**

The ability to use the tools and equipment listed below is essential to perform the functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Personal computer, including spreadsheet and word processing software; network computer system; telephone; 10-key calculator; typewriter; copy machine; TDD machine, mail equipment, FAX machine, and various printers.

**Selection Guidelines**

This job is covered by a process that includes, but is not limited to the completion of a formal application, the rating and verification of education and experience, oral interviews and a reference check. Job related tests may be required as determined by the city. All applicants may be required to submit to a stringent medical examination prior to appointment consistent with requirements of the position. All appointees may be fingerprinted and a record check made of local, state or federal authorities. A conviction is not an automatic bar to employment.

*The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.*

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Human Resource Manager

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City Administrator

**Revision History:**  
November 1, 2013

# City of Oak Creek Common Council Report

**Meeting Date:** November 19, 2013

**Item No.:** 9

**Recommendation:** The Personnel Committee recommends approval of Ordinance No. 2699, fixing the salary ranges, salary, wages and allowances for part time personnel and other city offices and positions for the year 2014 as presented.

**Background:** Annually the Common Council reviews and approves a wage ordinance which sets pay for all the City's part-time employees. The Personnel Committee reviewed and has recommended this Ordinance for Council approval.

Ordinance No. 2699, attached for your review, includes no general step or range adjustments for part-time employees. In 2013, the position of Administrative Support Assistant was added to this list of employees. An increase in insurance coverages for employees who use their own vehicles for City business was proposed and the Committee will make its recommendation on the proposal tonight.

**Fiscal Impact:** The 2014 budget includes no increase in pay for part-time employees.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller



Ordinance No. 2699

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

An Ordinance Fixing the Salary Ranges, Salary, Wages  
and Allowances for Part Time Personnel and Other  
City Offices and Positions for the year 2014

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

Section 1: There is herewith established the uniform rates of pay of those certain offices and positions in the City services under the control of the Common Council of the City of Oak Creek affecting part-time and miscellaneous personnel for the year 2014. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City, pursuant to this ordinance.

Section 2: Hourly Paid Employees (Part-Time)

Administrative Support Assistant	\$	12.00	to	\$	16.73
Clerical Help (Clerk Typist)	\$	7.25	to	\$	10.00
Clerical Help (Clerk-Secretary, Planning Aide)	\$	9.00	to	\$	14.50
Miscellaneous Part-Time Students and Others	\$	7.25	to	\$	9.36
Student Interns	\$	9.00	to	\$	12.10
Secretary - Board and Commissions	\$	10.00	to	\$	12.60
Public Health Nurse/Public Health Specialist	\$	21.61	to	\$	28.00
Clinical Assistant (RN)	\$	18.00	to	\$	21.75
IT Technician	\$	18.00	to	\$	22.38
Evidence Technician	\$	9.29	to	\$	12.98
Police Aide	\$	9.29	to	\$	12.72
Part Time Custodian I	\$	9.29	to	\$	13.99
Part Time Custodian II	\$	10.33	to	\$	14.98
Leader - Recreation Department	\$	7.25	to	\$	10.10
Specialist - Recreation Department	\$	7.25	to	\$	22.00
Recreation Coordinator	\$	9.00	to	\$	15.00
Park & Highway Laborer - Long Term	\$	11.00	to	\$	14.67
Summer Laborers	\$	8.50	to	\$	12.35
Crisis Negotiator Consultant	\$	12.00	to	\$	15.10
Emergency Services Dispatcher	\$	17.640	to	\$	21.309
Mechanic Helper	\$	9.50	to	\$	18.10
Building Inspector (part time)	\$	30.00	to	\$	35.10
Arborist	\$	8.00	to	\$	22.38

Section 3: Miscellaneous Employees

Assistant City Attorney (Part-Time)	\$	576.92	bi-weekly
Weed Commissioner Inspection	\$	20.00	per inspection
Weed Cutting with Tractor	\$	85.00	per hour
Election Poll Workers	\$	7.25	to \$ 10.10
Chief Election Inspector	\$	7.25	to \$ 10.10

Note: All Election Poll Workers shall be required to attend briefing sessions the day prior to an election. Upon compliance with these requirements, each Election Poll Worker shall be entitled to additional pay for training hours. Poll Workers are entitled to two (2) breaks of one-half (½) hour each on election day. The Chief Election Inspector shall be responsible for delivering the election returns to the City Clerk.

Section 4: Auto Expense. The following personnel or members of the following departments shall be paid the rate allowed under current IRS regulations per the Travel Policy or shall be assigned City vehicles for their usage.

Assessor's Office; Police Department-including Captains; Fire Department-including Assistant Fire Chief; Inspection Department; Treasurer; Engineering Department; Street Department; City Clerk's Office; City Administrator's Staff; Park, Recreation and Forestry Department; Community Development Department; Health Department Staff, Information Technology Staff.

In order to qualify for the above mentioned auto mileage reimbursement, the officials and employees designated must provide proof of insurance by a reasonable insurance company for bodily injury and property damage liability within minimum policy limits of \$50,000/\$100,000/\$25,000. In order to receive mileage reimbursement, a Declaration of Coverage page stating the policy limits shall be provided annually by January 31 or upon policy renewal to the Personnel Office.

Section 5: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Section 6: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of January 1, 2014.

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

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

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 10

**Recommendation:** The Personnel Committee recommends approval of Ordinance No. 2700 fixing the salary ranges, salary, wages and allowances for non-union, general, management personnel and other city offices and positions for the year 2014.

**Background:** Annually the Common Council reviews and approves a wage ordinance which sets pay for all the City's full-time employees. The Personnel Committee has reviewed and recommended this Ordinance for Council consideration.

Ordinance No.2700, attached for your consideration, includes no general advances and no general range adjustments for non-represented full-time employees. New positions, previously union-represented positions, and authorized revisions to existing positions are included such as; Deputy Treasurer, Assistant City Engineer, Public Health Specialist; Environmental Engineer, Administrative Support Assistant (Lead, New, Existing), Emergency Service Dispatcher, Police Clerk, Human Resource Manager, and Labor/Driver. Adjustments of 2.0% have been included for (6) Police Sergeant and (4) Police Lieutenant positions consistent with 2014 negotiated wage increases with the Police union. A proposal to increase insurance coverages for employees who use their own vehicle for City work will be considered and reported on by the Committee.

**Fiscal Impact:** Costs for the various positions as proposed have been included in the 2014 City Budget.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

ORDINANCE No. 2700

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

AN ORDINANCE FIXING THE SALARY RANGES, SALARY, WAGES AND  
ALLOWANCES FOR NON-UNION, GENERAL, MANAGEMENT PERSONNEL AND OTHER  
CITY OFFICES AND POSITIONS FOR THE YEAR 2014

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

SECTION 1: There is herewith established the uniform rates of pay of those certain offices and positions under the control of the Common Council of the City of Oak Creek affecting non-union, management, general, and miscellaneous personnel for the year 2014. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City pursuant to this ordinance. The bi-weekly rate will prevail in years with more or less than 26 payrolls.

SECTION 2: The pay ranges and rates of pay of those certain offices and positions under the control of the Common Council of the City of Oak Creek affecting management, supervisory and non-union personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current Personnel Manual. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Civil Service Position Title	Current Salary	Salary as of 1/1/2014	Bi-weekly Rate	Starting Salary	Top Salary
Personnel Specialist	\$64,896	\$64,896	\$2,496.00	\$60,853	\$67,597
Deputy Clerk	\$64,896	\$64,896	\$2,496.00	\$60,853	\$67,597
Deputy Treasurer	Vacant	\$53,987	\$2,070.42	\$53,987	\$59,985
Inspector – Building	\$67,597	\$67,597	\$2,599.88	\$60,853	\$67,597
Inspector – Electrical	\$67,597	\$67,597	\$2,599.88	\$60,853	\$67,597
Street Light Maintenance Electrician	\$62,193	\$62,193	\$2,392.04	\$60,853	\$67,597
Planner	\$64,224	\$64,224	\$2,470.16	\$60,853	\$67,597
Zoning Administrator/Planner	\$66,257	\$66,257	\$2,548.35	\$60,853	\$67,597
Facility Maintenance Superintendent	\$82,881	\$82,881	\$3,187.73	\$74,602	\$82,881
Deputy Health Officer	\$72,245	\$72,245	\$2,778.65	\$67,727	\$75,228
Full Time Public Health Nurse	\$64,896	\$64,896	\$2,496.00	\$60,853	\$67,597
Public Health Specialist	Vacant	N/A	N/A	\$60,853	\$67,597

Civil Service Position Title	Current Salary	Salary as of 1/1/2014	Bi-weekly Rate	Starting Salary	Top Salary
Registered Sanitarian	\$66,257	\$66,257	\$2,548.35	\$60,853	\$67,597
Assistant City Engineer	Vacant	N/A	N/A	\$87,881	\$87,881
Development Engineer	\$82,881	\$82,881	\$3,187.73	\$74,602	\$82,881
Design Engineer	\$82,881	\$82,881	\$3,187.73	\$74,602	\$82,881
Environmental Engineer	Vacant	N/A	N/A	\$74,602	\$82,881
Inspection Supervisor	\$75,228	\$75,228	\$2,893.38	\$67,727	\$75,228
Computer Specialist	\$66,257	\$66,257	\$2,548.35	\$60,853	\$67,597
Park Maintenance Supervisor	\$67,597	\$67,597	\$2,599.88	\$60,853	\$67,597
Recreation Manager	\$66,257	\$66,257	\$2,548.35	\$60,853	\$67,597
City Forester	\$64,896	\$64,896	\$2,496.00	\$60,853	\$67,597
Street, Park & Forestry Supervisor	\$70,732	\$70,732	\$2,720.46	\$67,727	\$75,228
ES Dispatch Supervisor	\$57,241	\$57,241	\$2,201.58	\$47,710	\$61,091
Dispatch Manager	Vacant	N/A	N/A	\$60,853	\$67,597

SECTION 3: The pay ranges and rates of pay of those certain offices and positions covered by the Police and Fire Commission service under the control of the Common Council of the City of Oak Creek affecting management and supervisory personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the clothing allowance and other fringe benefits set forth in the current Personnel Manual. Employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. These employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Police/Fire Commission Position Title	Current Salary	Salary as of 1/1/2014	Bi-weekly Rate	Starting Salary	Top Salary
Fire Chief	\$105,772	\$105,772	\$4,068.15	\$95,180	\$105,772
Assistant Fire Chief	\$90,296	\$90,296	\$3,472.92	\$88,239	\$98,120
Battalion Chiefs (4)	\$82,881	\$82,881	\$3,187.73	\$73,863	\$82,881
Police Chief	\$105,772	\$105,772	\$4,068.15	\$95,180	\$105,772
Police Captains (2)	\$98,120	\$98,120	\$3,773.85	\$88,329	\$98,120
Police Lieutenants (4)	\$87,928	\$89,687	\$3,449.50	\$74,602	\$89,687
Police Sergeant (6)	\$81,697	\$83,331	\$3,205.04	\$83,331	\$83,331

SECTION 4: The pay ranges and rates of pay of those certain offices and positions not covered by civil service under the control of the Common Council of the City of Oak Creek affecting management and supervisory personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current Personnel Manual. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA

certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Non-Civil Service Position Title	Current Salary	Salary as of 1/1/2014	Bi-weekly Rate	Starting Salary	Top Salary
City Attorney	\$101,553	\$101,553	\$3,905.88	N/A	N/A
City Engineer	\$90,490	\$90,490	\$3,480.38	\$81,475	\$90,490
Building Commissioner	vacant	N/A	N/A	N/A	N/A
Community Development Director	\$88,674	\$88,674	\$3,410.54	\$81,475	\$90,490
Community Public Health Officer	\$86,879	\$86,879	\$3,341.50	\$81,475	\$90,490
Street, Park, Forestry Superintendent	Vacant	N/A	N/A	\$81,475	\$90,490
Information Technology Manager	\$90,490	\$90,490	\$3,480.38	\$81,475	\$90,490
Finance Director/Comptroller	\$88,329	\$88,329	\$3,397.27	\$88,329	\$98,120
Human Resources Manager	Vacant	N/A	N/A	\$74,602	\$82,881

SECTION 5: GENERAL EMPLOYEES. The pay ranges and rates of pay of those positions under the control of the Common Council of the City of Oak Creek affecting general personnel shall be as follows. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current employee Personnel Manual. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Civil Service Position Title	Starting Salary	Top Salary
Facility Maintenance Technician	\$34,998	\$57,753
Administrative Support Assistant Lead		\$52,688
Secretary, Administrative Support Assistant, Existing	\$34,998	\$47,688
Administrative Support Assistant, New (1/1/2014)	\$24,960	\$34,798
Account Clerk II, Police/Fire Secretary	\$34,998	\$50,471
Account Clerk III	\$36,741	\$52,990
Engineering Tech., GIS, CAD, Survey	\$41,999	\$57,716
Emergency Services Dispatcher	\$38,850	\$46,711
Police Clerk	\$37,484	\$45,608
Information Technology Technician	\$41,999	\$59,931
Equipment Operator, Maintenance Tech., Arborist	\$34,998	\$57,753
Senior Engineering Tech., GIS Coordinator	\$49,001	\$67,463
Civil Engineer	\$54,248	\$76,288
Laborer/Driver	\$34,998	\$57,753
Mechanic II, Fabricator/Welder	\$41,999	\$61,427
Chief Mechanic	\$45,498	\$64,609

SECTION 6: AUTO EXPENSE. The following personnel or members of the following departments shall be paid the rate allowed under current IRS regulations per the Travel Policy or shall be assigned City vehicles for their usage.

Assessor's Office, Police Department-including Captains, Fire Department-including Assistant Fire Chiefs, Inspection Division, Treasurer, Engineering Division, Street Division, City Clerk's Office, City Administrator's Staff, Finance Department, Park and Recreation Department, Community Development Department, Health Department Staff.

The following personnel shall be paid a car allowance as set forth opposite their positions, to-wit:

- City Engineer (1), \$150.00 monthly
- Fire Chief (1), \$250.00 monthly
- Assistant Fire Chief (1), \$150.00 monthly
- Information Technology Manager (1), \$200.00 monthly
- Computer Specialist (1), \$100.00 monthly
- Information Technology Technician (1), \$100.00 monthly

In order to qualify for the afore mentioned auto mileage and/or allowance, the officials and employees designated must provide proof of insurance by a reasonable insurance company for bodily injury and property damage liability within minimum policy limits of \$50,000/\$100,000/\$25,000. In order to receive reimbursement, a Declaration of Coverages page stating the policy limits shall be provided annually by January 31 or upon policy renewal to the Personnel Office.

SECTION 7: VALIDITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Oak Creek hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof, may be declared invalid or unconstitutional.

SECTION 8: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION 9: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of January 1, 2014, except where otherwise noted.

Introduced 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 19, 2013

Item No.: 11

**Recommendation:** The Personnel Committee recommends a reclassification of a part-time Fire Department Clerical Help position to Administrative Support Assistant.

**Background:** The Fire Department has requested a pay increase for a part-time Clerical Help position (\$9.50/hour currently with a pay range of \$9.00-\$14.50/hour) from \$9.50/hour to \$12.00/hour. The basis for this requested increase as presented by the Fire Department is that the duties of the position are comparable to those of an Administrative Support Assistant (pay range \$12.00-\$16.73/hour). After considering options and listening to discussion from the Fire Department and City Administrator (see attached Personnel Committee report), the Personnel Committee agreed to a reclassification of the individual currently in the position to Administrative Support Assistant with an increase in hourly pay to \$12.00 beginning 1/1/2014. It was noted this individual should be able to fill in and assist with duties at City Hall and be cross-trained with other departments to meet the job duties of the position.

**Fiscal Impact:** Based upon an average of 25 hours per week, this increase will cost \$3,250 per year. Fire inspection fees are used to fund this position.

Fiscal Review by:

  
Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Prepared and Submitted by:

  
Gerald R. Peterson, ICMA-CM  
City Administrator

# City of Oak Creek Personnel Committee Report

Meeting Date: November 5, 2013

Item No.: 6

**Recommendation:** Consider a request for a part-time pay adjustment in the Fire Department.

**Background:** The 2014 Fire Department and EMS budget contains \$10,250 for part-time clerical help to assist with departmental operations (see May 7, 2013 Personnel Committee actions regarding this position). The pay for this "Clerical Help" position is set by City Ordinance with a range of \$9.00 to \$14.50/hour. Recently, the Council approved the new part-time position of Administrative Support Assistant with a pay range of \$12.00 to \$16.73/hour. Persons filling this position will be part of a pool of departmentally cross-trained employees who will assist in providing administrative services and support to the public and various department operations.

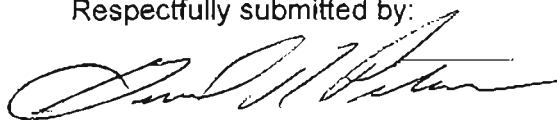
A request from Assistant Fire Chief Mike Kressuk has been received (attached) requesting the pay for the Department's "Clerical Help" be adjusted to that of Administrative Support Assistants. This request is based upon his observation that, "a review of the job description for both employee classes found them to be similar". A review of the two job descriptions (attached) could result in either agreement or disagreement with this statement.

While considering this request, the Committee should note and consider:

1. Complexity, skill, experience, training, and education needed to perform the job duties of each position.
2. If the hourly rate for part-time fire department clerical assistant is increased, a reduction in hours needs to occur as no general increase in pay for any part-time or full-time position is provided for in the 2014 Budget.
3. Determine whether the position requested for adjustment in the Fire Department should be classified as "Clerical Help" or "Administrative Support Assistant". Increasing the pay rate for "Clerical Help" might impact other employees who are in that classification.

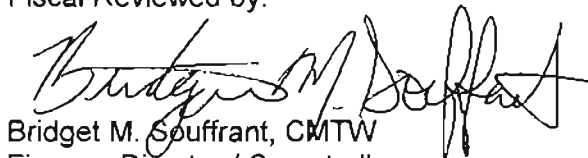
**Fiscal Impact:** The fiscal effects of this decision could be neutral if departmental expenditures are not adjusted based upon the hourly pay rate for this position.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Spuffant, CMTW  
Finance Director / Comptroller



# OAK CREEK FIRE DEPARTMENT

## *Memo*

**To:**

**From:** Assistant Chief Mike Kressuk

**Subject:** Part Time Secretarial Staff Wages

**Date:** September 11, 2013

The Fire Department is requesting that the wages for our part-time secretarial staff are adjusted to levels consistent with other City part-time secretarial staff.

Currently, our part-time secretary is paid \$9.50 per hour. This employee received wages of \$9.00 per hour upon initial employment. The top of this employees' pay scale is currently \$14.30.

As identified in ordinance 2681, Administrative Support Assistants for City Hall Departments have a pay range of \$12.00 to \$16.73 per hour.

A review of the job descriptions for both employee classes found them to be similar. Our part-time secretary is required to perform many of the general functions identified in the City Hall position in addition to specific tasks pertinent to the Fire Department. It is our opinion that these two positions are equivalent in their scope of job related duties. Because of these similarities, we believe the wage increase for our part-time secretarial staff is warranted.

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 12

**Recommendation:** The Personnel Committee recommends approval of Ordinance No. 2701, an Ordinance to Repeal and Recreate Section 2.48 of the Municipal Code Regarding Residency.

**Background:** The 2013-15 Biennial State of Wisconsin Budget, 2013 Wisconsin Budget Act 20, contains a provision that prohibits the City of Oak Creek and other local governments from requiring a current or prospective employee to reside within its boundary as a condition of employment (see attached Wisconsin Legislative Council Informational Memorandum on Municipal Residency Requirements).

The City Administrator, working with our labor counsel and City Attorney, has drafted revisions to the City's residency requirements and has provided these proposed revisions to the Personnel Committee for its review. Proposed Ordinance No. 2701 complies with new state residency requirements and retains a 20 mile residency requirement for Police, Fire and Emergency employees currently found in labor contracts.

**Fiscal Impact:** None anticipated by this.

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

ORDINANCE NO. 2701

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

AN ORDINANCE TO REPEAL AND RECREATE SECTION 2.48 OF  
THE MUNICIPAL CODE REGARDING RESIDENCY.

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

SECTION 1: Section 2.48 of the Municipal Code is repealed and recreated to read as follows:

**SECTION 2.48 RESIDENCY REQUIREMENTS**

Notwithstanding the provisions of any other ordinances, rules or regulations, no employee of the City of Oak Creek shall be and is required to be a resident of the City of Oak Creek, subject to the following provisions and conditions:

- (a) **Full Time Employees Under Labor Contract.** Any full time union employee who is not required to be a resident of the City of Oak Creek shall comply with the residency provisions of the labor contract for that union in which he/she is a member, provided that the contract's provisions are consistent with Wis. Stats. §66.0502 and any future amendment thereto.
- (b) **Fire Department Non-Union Full-Time Emergency Employees.** All non-union fire emergency employees shall reside within twenty (20) miles of the jurisdictional boundaries of the City of Oak Creek.
- (c) **Police Department Non-Union Full-Time Emergency Employees.** All non-union emergency employees of the Police Department shall reside within (20) miles of the jurisdictional boundaries of the City of Oak Creek.
- (d) **Other Emergency Personnel.** All other non-union emergency employees of the City of Oak Creek as defined by the applicable employee handbook shall reside within twenty (20) miles of the jurisdictional boundaries of the City of Oak Creek.
- (e) **Contract Employees.** Any employee who is required to be a resident of Oak Creek by virtue of a contract with the City is required to comply with the residency requirements of the contract until the contract is terminated, extended, nullified or renewed.
- (f) **Noncompliance.** Failure to comply with the provisions of this Section shall be grounds for termination.

SECTION 2: All ordinances or parts of ordinances contravening the provision of this ordinance are hereby repealed.

SECTION 3: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced 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 \_\_\_\_\_

~~such compensation as may be determined by the~~

Common Council from time to time.

*Ordinance # 2357, A 6/7/05 Sec. 2.46(a)(12)*

*Ordinance # 2359, A 7/19/05 Sec. 2.46(a)(13)*

*Ordinance # 2361, A 8/1/05 Sec. 2.46(a)(11)*

*Ordinance # 2394, A 5/2/06, Sec. 2.46(a)(5)*

*Ordinance #2444, A 2/6/07, Sec. 2.46(a)(11)*

*Ordinance #2547, A 2/16/09, Sec. 2.46*

#### **SEC. 2.47 COMPLIANCE WITH FAIR LABOR STANDARDS ACT.**

The City of Oak Creek shall comply with all provisions of the Federal Fair Labor Standards Act. The City Clerk-Comptroller shall develop and establish record keeping payment inclusions and payroll practices to assure good faith compliance with the Act. The following positions shall be exempt from the provision of the Fair Labor Standards Act:

- (a) **Parks and Recreation Department.** Director of Parks and Recreation.
- (b) **Public Works Department; Highway Division.** Street Superintendent and Street Division Supervisor.
- (c) **Community Development Department.** Director of Community Development and Assistant Director of Planning.
- (d) **Inspection Department.** Building Commissioner, Inspection Supervisor, Building Inspector, Building/Fire Inspector, Plumbing Inspector and Electrical Inspector.
- (e) **Public Works Department; Engineering Division.** City Engineer, Design Engineers, Construction Engineer and Development Engineer.
- (f) **Water and Sewer Utility.** Utility Manager, Operations Supervisor, Field Operations Supervisor, Chief Operator, and Administrative Supervisor.
- (g) **Police Department.** Police Chief, Captain, Lieutenants and Sergeants.
- (h) **Fire Department.** Fire Chief, Assistant Fire Chiefs, Captains and Lieutenants.
- (i) **Health Department.** Community Public Health Officer and Public Health Nurses.
- (j) **General Government.** City Administrator, City Clerk, City Assessor, City Treasurer, Finance Director/Comptroller, IT Manager, City Attorney, Municipal Judge, Mayor and Aldermen.

*Ordinance # 2359, A 7/19/05 Sec. 2.47(d)*

*Ordinance # 2408, A 6/6/06 Sec. 2.47(f)*

*Ordinance #2679 A 5/7/13 Sec. 2.47(f)*

#### **SEC. 2.48 RESIDENCY REQUIREMENTS.**

Notwithstanding the provisions of any other ordinances, rules or regulations, all employees of the City of Oak Creek, in the classified service and in the police and fire service, shall be and are required to be residents of the City of Oak Creek, subject to the following provisions, conditions and exceptions:

- (a) **Department Managers.** The City Administrator, Fire Chief, and Police Chief shall become a resident of the City of Oak Creek within one year of satisfactory completion of his/her introductory period and shall remain a resident during his/her employment.
- (b) **Full Time Employees Under Labor Contract.** Any full time union employee who is not required to be a resident of the City of Oak Creek shall comply with the residency provisions of the labor contract for that union in which he/she is a member.
- (c) **Fire Department Non-Union Full-Time Employees.** All non-union employees of the Fire Department, except the Fire Chief, shall reside in an area bounded by Oklahoma Avenue on the north, 92<sup>nd</sup> Street on the west, 4 Mile Road on the south and Lake Michigan on the east.
- (d) **Police Department Non-Union Full Time Employees.** All non-union employees of the Police Department, except the Police Chief, shall reside not more than twenty (20) miles from the city limits of the City of Oak Creek.
- (e) **Non-Union City Employees.** All non-union employees of the City of Oak Creek, except those subject to (a) – (d) above, shall reside not more than twenty (20) miles from the city limits of the City of Oak.
- (f) **Part Time and Auxiliary Employees.** Except for part time employees and auxiliary personnel of the Fire Department, there shall be no residency requirement for part time employees of the City of Oak Creek.
- (g) **Exempt Employees.** Those persons who were employed by the City of Oak Creek as of July 1, 1974 and who were nonresidents of the City of Oak Creek as of July 1, 1974, and have not become residents of the City of Oak Creek since July 1, 1974, shall not be required to be residents of the City of Oak Creek.
- (g) **Noncompliance.** Failure to comply with the provisions of this Section shall be grounds for termination.

*Ordinance #2408, A 6/6/06, Sec. 2.48(a)*

*Ordinance #2627 A 6/7/11, Sec. 2.48(a)*



WISCONSIN LEGISLATIVE COUNCIL  
INFORMATION MEMORANDUM

**Municipal Residency Requirements**

The 2013-15 Biennial Budget, 2013 Wisconsin Act 20, includes a provision that prohibits a local governmental unit from requiring a current or prospective employee to reside within any jurisdictional limit, as a condition of employment. The provision allows some exceptions that generally relate to law enforcement, fire, or emergency personnel.

This Information Memorandum describes the provisions of the 2013-15 Biennial Budget that affect a local governmental unit's residency requirements. It also discusses the operation and effect of the law, including its applicability to volunteers, to jurisdictional limits, and to a collective bargaining agreement or individual contract, and briefly discusses the enforceability of the law under Wisconsin's constitutional home rule authority.

Briefly, under the Act, a local governmental unit may not impose a residency restriction on its employees, on any basis, except as explicitly allowed. However, it appears that a municipality may impose a residency requirement for appointed officers and board members, and may apply a 15-mile residency requirement for law enforcement, fire, and emergency personnel, including volunteers who are not otherwise employees of a local governmental unit.

Furthermore, it appears that a municipality may enter into an individual contract or collective bargaining agreement that includes an agreement to adhere to a residency restriction, and an individual contract or collective bargaining agreement containing a residency restriction that was in effect on July 2, 2013, may remain in effect until the contract or agreement is terminated, extended, modified, or renewed.

Ultimately, if challenged, any questions about the interpretation or effect of the Act's residency provisions would be decided by a court based on the particular facts and circumstances presented.

**RESIDENCY REQUIREMENTS IN 2013 WISCONSIN ACT 20**

***GENERAL PROHIBITION***

The Act provides that no local governmental unit may require a current or prospective employee to reside within any jurisdictional limit, as a condition of employment, except in certain circumstances. The Act specifies that any such residency requirement by a city, village,



town, county, or school district is inapplicable as of July 2, 2013, and cannot be enforced. [s. 66.0502, Stats.]

The Act declares that the Legislature finds that public employee residency requirements are a matter of statewide concern.

### ***EXCEPTIONS***

#### ***Law Enforcement, Fire, or Emergency Personnel***

The Act specifies that a local governmental unit may impose a requirement on law enforcement, fire, or emergency personnel to reside within 15 miles of its jurisdictional boundaries. If the local governmental unit is a county, the 15-mile limit applies to the jurisdictional boundaries of the city, village, or town to which personnel are assigned.

However, a local governmental unit may not impose a 15-mile residency requirement on volunteer law enforcement, fire, or emergency personnel who are employees of a local governmental unit.

#### ***Elected Officials and State Residency***

The Act specifies that if a state statute imposes a requirement to reside within the jurisdictional limits of a local governmental unit, that requirement is unaffected by the general prohibition against requiring residency within a jurisdictional limit. For example, state law requires local elected officials to be residents of the district, and requires school board members in a first class city to reside within the boundaries of the district. These laws remain in effect. [ss. 59.20 (1) (county), 60.30 (2) (a) (town), 61.19 (village), 62.09 (2) (a) (city), and 119.08 (1) (c) (first class city school board), Stats.]

Likewise, the Act specifies that if either a state statute or local ordinance requires residency within the State of Wisconsin, that requirement is unaffected by the general prohibition against requiring residency.

Thus, if a state statute requires residency within the jurisdictional limits of a local governmental unit, or a statute or ordinance requires residency within the state, that statute or ordinance prevails over the general prohibition of the Act.

### ***REPEALED STATUTORY RESIDENCY REQUIREMENTS***

The Act repeals a number of statutory provisions that had required residency within local jurisdictions for certain public employees. The repealed provisions include residency requirements for a deputy sheriff, mayoral appointments in a first class city, or town employees, and residency requirements for particular civil service examinations. Additionally, the Act specifies that if a person appointed to a local position moves outside the local jurisdiction, the move does not create a vacancy in the position. [ss. 59.26 (1) (c) and 62.53, 2011 Stats.; ss. 17.03 (4) (d), 60.37 (1), 62.13 (4) (d), 62.50 (5), 63.08 (1) (a), and 63.25 (1) (a), Stats.]

## **OPERATION AND EFFECT OF THE LAW**

### ***MUNICIPAL OFFICERS AND VOLUNTEER BOARD MEMBERS***

Under the general prohibition of the Act, a municipality may not require an “employee” to reside within any jurisdictional limit. An “employee” is not defined for purposes of the general prohibition, although the term has specific, different meanings under various laws. This may raise questions as to whether the general prohibition on residency restrictions applies to unelected municipal officers and to volunteer members of a municipality’s various boards.

According to the League of Wisconsin Municipalities, appointed officers, including members of boards and commissions, are generally not considered “employees” of a municipality. [*Handbook for Wisconsin Municipal Officials*, League of Wisconsin Municipalities, p. 79 (2012).] Consequently, it appears that appointed officers and board members may not be “employees” within the meaning of the Act, and a municipality generally may impose any residency requirement it deems appropriate for appointed officers and board members, subject to any specific statutory limitations.

### ***LAW ENFORCEMENT, FIRE, OR EMERGENCY PERSONNEL***

Under the Act, a municipality may require law enforcement, fire, or emergency personnel, including volunteers who are not employees of a local governmental unit, to reside within 15 radial miles of its jurisdictional limits. The Act’s authorization to apply a 15-mile residency requirement applies to law enforcement, fire, and emergency “personnel,” which is broader than “employees,” and appears to include volunteers. The Act prohibits a local governmental unit from imposing a 15-mile residency requirement on a volunteer law enforcement, fire, or emergency responder only when the person is an employee of a local governmental unit.

The exception for volunteer emergency personnel may raise a question as to the law’s application if a volunteer emergency responder is an employee of a different governmental unit than the one for which the person volunteers. The law applies to a volunteer who is an employee of “a” local governmental unit. This implies that if a volunteer separately works for any municipality, even if the volunteering is not for “the” local governmental unit where the person is employed, the volunteer would be exempt from a municipality’s requirement for law enforcement, fire, or emergency personnel to reside within 15 miles of its jurisdictional boundaries. A volunteer emergency responder who is otherwise employed in the private sector would be subject to a municipality’s 15-mile residency requirement.

Lastly, the Act does not define “emergency” personnel, though that may commonly be understood to include an emergency medical technician, paramedic, or other first responder. [s. 256.01 (5) to (9), Stats.] It may also include other members of an emergency medical services team, such as an ambulance driver. [ss. 256.15 (4) and 941.37 (1) (c), Stats.]

### ***JURISDICTIONAL LIMIT***

For purposes of the general prohibition, the Act does not define what a “jurisdictional limit” means. The Act states specifically that a local governmental unit may only impose a residency restriction that is within 15 miles of its jurisdictional boundaries, for law enforcement, fire, or

emergency personnel. However, it may be less clear whether the Act's general prohibition for other employees applies to any residency-based criteria within a jurisdictional limit, or whether a municipality could require employees to reside in a location that is within a particular amount of time distance from a job location.

Under the broad language of the Act, it appears that a municipal requirement for residency on a different basis than geographic location, such as time distance from the job location, conflicts with the Act's general prohibition against requiring residency within "any" jurisdictional limit.

Furthermore, for the allowed residency restriction, it appears that the limitation to "within 15 miles" applies only to that exact radial distance from the jurisdictional boundaries. The distance is not restricted by any actual travel route miles. It also appears under this language that a greater or lesser distance may not be imposed by a residency requirement for law enforcement, fire, or emergency personnel.

#### ***COLLECTIVE BARGAINING AGREEMENTS AND INDIVIDUAL CONTRACTS***

The language of the Act prohibits a local governmental unit from "requiring" residency within its jurisdictional limits. It appears that this language does not prohibit a local governmental unit from bargaining with an individual or a union to voluntarily limit employees' residency to within its jurisdictional limits.

The Wisconsin Supreme Court has recognized the authority of a municipality to bargain on the issue of residency requirements. In particular, the Court has held that if a provision of a collective bargaining agreement conflicts with an ordinance requiring residency for municipal employees, then the contract provision prevails. [*City of Madison v. Madison Professional Police Officers Ass'n*, 144 Wis. 2d 576 (1988).]

This holding raises two implications under the Act's residency provisions. First, it appears that if a collective bargaining agreement or individual contract is in effect on July 2, 2013, and the provisions of the agreement or contract restrict residency for an employee, those restrictions may remain in effect, under the Contracts Clause of the Wisconsin Constitution, until the agreement or contract is terminated, extended, modified, or renewed. [Art. I, s. 12, Wis. Const.]

On the other hand, the Act specifies that a local residency requirement does not apply and may not be enforced on or after July 2, 2013. It could be argued that this provision prohibits any residency requirement, whether the residency restriction was imposed by ordinance or agreed to in a contract or collective bargaining agreement. However, if enforcement of a contract or agreement's residency provision is challenged, the challenger must show that the law does not unconstitutionally impair the contract.

Second, it appears that a municipality may continue to bargain on the issue of residency restrictions, by offering incentives to live within a defined area. It seems under the specific language of the Act that an agreement to adhere to a residency restriction is not a prohibited imposition of a residency "requirement."

However, it could be argued that if the Act's language is unclear, under the general intent of the law a municipality is prohibited from bargaining on the issue of residency restrictions. Under this argument, even if voluntarily agreed upon, any residency restriction operates as an impermissible requirement for a condition of employment, making the contract provision illegal in its performance. In general, a contract provision is illegal if adhering to the contract would violate a statute. It could be considered that although a municipality may choose to ignore its own residency ordinance in entering into a contract or collective bargaining agreement, a municipality may not ignore state law that generally prohibits residency restrictions as a condition of employment.

### **ENFORCEABILITY OF THE LAW**

At least one municipality in Wisconsin, the City of Milwaukee, is continuing to enforce its own local residency requirements, on the basis of its constitutional home rule authority.

### ***HOME RULE AUTHORITY***

The Wisconsin Constitution provides that cities and villages "may determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or village." [Art. XI, s. 3, cl. (1), Wis. Const.]

Correspondingly, "administrative" home rule authority is granted under the statutes to every county, and is limited in the same manner as the constitutional home rule authority, if a legislative enactment of statewide concern affects all counties. Similarly, if a town has adopted village powers, an ordinance that conflicts with a state statute is reviewed by a court in the same manner as the constitutional home rule authority for a village.

Under the home rule powers, if a policy is entirely a matter of a municipality's local affairs and government, a municipality is authorized to regulate that matter, and the Legislature is prohibited from enacting a law that would preempt the local regulation of the matter. However, if a matter is exclusively of statewide concern, or a legislative enactment applies uniformly to every local governmental unit of the same type, the Legislature may prohibit a municipality from enacting an ordinance on the matter and may regulate the matter through state laws.

### ***HOME RULE ANALYSIS***

If a court were to find that an issue is solely a matter of local concern, the court's inquiry could end there, because an ordinance on the matter would be within the municipality's home rule authority. However, the Wisconsin Supreme Court has noted that if a state law deals with local affairs and government of a municipality, an ordinance may still be subordinate if the statute affects every municipality with uniformity. [*Van Gilder v. Madison*, 222 Wis. 58, 84 (1936).]

If a statute states that the subject is a matter of statewide concern, a court is likely to give great weight to this statement of the Legislature's opinion. [*Id.*, at 73-74.] A court could nevertheless determine that the matter is not exclusively of statewide concern, if the matter affects local concerns that have traditionally been regulated at the local level. Consequently,

even if a matter is paramountly of statewide concern, local regulations could be allowed to remain in place, if, under a detailed analysis, the state legislation does not expressly or implicitly forbid local regulation. [*Local Union No. 487, IAFF-CIO v. Eau Claire*, 147 Wis. 2d 519, 524-525 (1988).]

When a topic has mixed statewide and local character, a court must make a case-by-case evaluation of whether the statute involved is primarily or paramountly a matter of local affairs and government or of statewide concern. Whichever is paramount will prevail. [*State ex rel. Michalek v. LeGrand*, 77 Wis. 2d 520, 526-527 (1977); *Gloudeman v. City of St. Francis*, 143 Wis. 2d 780, 789 (Ct. App. 1988); *Anchor Sav. & Loan Ass'n v. Equal Opportunities Comm'n*, 120 Wis. 2d 391, 397 (1984).]

Wisconsin courts have not addressed the question of whether residency requirements are primarily a matter of local affairs or statewide concern, and will first look to the Act's declaration that the matter is of statewide concern. A court could also turn to other jurisdictions for comparisons. Decisions from other courts are varied, based on their particular laws and the facts presented. For example, state laws affecting local residency requirements were upheld in Missouri and Ohio, based on specific limitations on those states' constitutional home rule authority. On the other hand, the Supreme Court of Colorado determined that residency of employees was of local concern, and held that a state statute could not limit the municipalities' authority to require residency within corporate limits as a condition of continuing employment. [*City of St. Louis v. State*, 382 S.W.3d 905 (Mo. 2012); *City of Lima v. State*, 122 Ohio St. 3d 155 (2009); *Denver v. State*, 788 P. 2d (Colo. 1990).]

## **SUMMARY**

The 2013-15 Biennial Budget prohibits a local governmental unit from requiring a current or prospective employee to reside within any jurisdictional limit, as a condition of employment. However, a local governmental unit may generally require law enforcement, fire, or emergency personnel to reside within 15 miles of its jurisdictional boundaries.

Under the Act, a local governmental unit may not impose a residency restriction on its employees, on any basis, except as explicitly allowed. However, it appears that a municipality may impose a residency requirement for appointed officers and board members, and may apply a 15-mile residency requirement for law enforcement, fire, and emergency personnel, including volunteers who are not otherwise employees of a local governmental unit.

Furthermore, it appears that a municipality may enter into an individual contract or collective bargaining agreement that includes an agreement to adhere to a residency restriction, and an individual contract or collective bargaining agreement containing a residency restriction that was in effect on July 2, 2013, may remain in effect until the contract or agreement is terminated, extended, modified, or renewed.

Ultimately, if challenged, any questions about the interpretation or effect of the Act's residency provisions would be decided by a court based on the particular facts and circumstances presented.

This memorandum is not a policy statement of the Joint Legislative Council or its staff.

This memorandum was prepared by Margit Kelley, Staff Attorney, on August 23, 2013.

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**WISCONSIN LEGISLATIVE COUNCIL**

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# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 13

**Recommendation:** That the Common Council approve payment of the obligations as listed on the November 13, 2013 Vendor Summary Report.

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

1. \$5,482.00 to Aurora Medical Group (pg #2) for employee HRAs.
2. \$7,424.02 to Badger Lubrication Tech, Inc. (pg #2) for oils, transmission, hydraulic and washer fluids.
3. \$66,334.83 to Benistar/UA (pg #3) for retiree Medicare supplement.
4. \$23,937.30 to Buelow Vetter Buikema Olson (pgs #3-4) for October legal services.
5. \$5,968.75 to Environ (pg #7) for September Lakeview consulting services.
6. \$5,296.00 to Gerber Leisure Products, Inc. (pg #9) for Riverton play structure – wood fiber, timbers and stakes.
7. \$7,248.81 to Graef (pg #9) for Drexel Town Square grant work.
8. \$30,826.00 to Holz Motors, Inc. (pgs 10-11) for police vehicle.
9. \$34,850.00 to John's Disposal Service (pg #11) for October garbage services.
10. \$8,567.00 to Johnson's Nursery, Inc. (pg #11) for trees.
11. \$57,639.22 to JPMorgan Chase Bank NA (pgs #12-17) for travel/training, minor equipment, building/grounds maintenance, medical/safety supplies, September Verizon charges, software license fees, street lighting supplies, and books.
12. \$37,197.44 to Milwaukee Area Tech College (pg #19) for TIF #5 refund.
13. \$88,591.95 to Milwaukee County Treasurer (pg #20) for TIF #5 refund.
14. \$28,608.15 to Milwaukee Metropolitan (pg #20) for TIF #5 refund
15. \$6,583.15 to Minnesota Life Insurance Co. (pg #20) for group life insurance.
16. \$165,744.04 to Oak Creek-Franklin Joint (pg #22) for TIF #5 refund.
17. \$5,000.00 to Reserve Account (pg #24) for postage.
18. \$13,718.91 to WE Energies (pg #28) for street lighting and gas/electric utilities.
19. \$24,297.92 to World Fuel Services, Inc. (pg #29) for fuel inventory.

**Fiscal Impact:** Total claims paid of \$723,478.30

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 19, 2013

Item No.: 14

**Recommendation:** That The Common Council adopt Resolution No. 11432-111913 which establishes Fire Department Rescue Services, repealing Resolution No. 11417-110513.

**Background:** The Common Council approved the establishment of fire incident billing fees during the meeting on November 5, 2013. This resolution amends language related to the approved charges.


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

Prepared and approved by:



Michael A. Kressuk  
Assistant Fire Chief

Fiscal Review by:



Bridget M. Souffrant, CMTA  
Finance Director / Comptroller

Respectfully submitted:

Gerald R. Peterson ICMA-CM  
City Administrator



RESOLUTION NO. 11432-111913

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

A RESOLUTION AMENDING THE FIRE DEPARTMENT RESCUE SERVICES,  
RESOLUTION NO. 11417-110513.

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), Terbutaline, 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.~~

The Fire Incident Billing Fees language is amended to read as –

**Incident Billing Fees**

The Oak Creek Fire Department will bill for rescue services provided as a result of motor vehicle crashes occurring within the City of Oak Creek. Motor vehicle crashes include, but are not limited to, accidents involving vehicles, motorcycles; or pedestrians or bicyclists struck by vehicles.

Incident billing will only occur for those incidents involving the extrication, packaging, and removal of patients from a vehicle or scene.

The amount of the bill will be \$500 per incident. Billing is applicable to non-residents only; residents of the City of Oak Creek will not be billed for rescue services.

Introduced this 19<sup>th</sup> day of November, 2013.

Passed and adopted this 19<sup>th</sup> day of November, 2013.

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

Approved this this 19<sup>th</sup> day of November, 2013 .

\_\_\_\_\_  
Mayor

Attest:

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

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

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

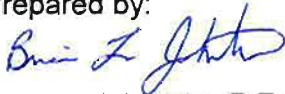
Item No.: 15

**Recommendation:** That the Common Council approves Resolution No. 11426-111913, a resolution approving the State/Municipal Agreement for a State – Let Highway Project along STH 38 (S. Howell Avenue) from Oakwood Road to College Avenue (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup> and 6<sup>th</sup> Aldermanic Districts).

**Background:** This agreement is a part of the Wisconsin Department of Transportation (WisDOT) project to reconstruct STH 38 (S. Howell Avenue) from Oakwood Road to College Avenue). The agreement states that the State will pay 100 percent of the road design, standard road real estate, and road construction. The City will pay 20 percent of the sidewalk construction cost and 100 percent of the real estate cost for the sidewalk. The real estate work was completed this year. The agreement also includes the road work required along S. Howell Avenue for the development of Drexel Town Square and OakView Business Park. This will be a lump sum payment to WisDOT for the work to be completed under their project. The improvements will be completed during the construction season next year. Combining the projects will decrease the impact to area businesses and drivers.

**Fiscal Impact:** A lump sum payment of \$1,277,000 will be provided by the City to WisDOT. Of this amount, \$1,081,000 will be funded from TIF #11 for Drexel Town Square, and \$196,000 will be funded from TIF #8 for OakView Business Park. The sidewalk construction cost is estimated to be \$80,000 and will be funded from the \$3 million construction bond. Also, a cost of \$35,000 is estimated for utility relocations. The funding for the relocations will either come from the TIFs, or the \$3 million dollar bond, depending on whether the work is for the sidewalk construction or the proposed developments.

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. 11426-111913

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

RESOLUTION TO APPROVE A STATE/MUNICIPAL AGREEMENT FOR A STATE – LET HIGHWAY PROJECT ALONG STH 38 FROM OAKWOOD ROAD TO COLLEGE AVENUE

(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 and the Wisconsin Department of Transportation are entering into an agreement for the funding of the reconstruction project of STH 38 (S. Howell Avenue) from Oakwood Road to College Avenue, and;

WHEREAS, The Wisconsin Department of Transportation agrees to pay 100% of the design, road real estate and construction costs, and 80% of the sidewalk costs, and;

WHEREAS, the City of Oak Creek agrees to pay 100% of the sidewalk real estate cost and 20% of the sidewalk construction costs, and;

WHEREAS, the City of Oak Creek agrees to a lump sum payment of \$1,081,000 to the Wisconsin Department of Transportation for the improvements required for Drexel Town Square and \$196,000 for the improvements required for OakView Business Park, and;

WHEREAS, the lump sum payment will be funded from the Tax Increment Districts, Drexel Town Square TIF #11 and OakView Business Park TIF #8, and

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the State/Municipal agreement be approved and the Mayor and City Clerk are hereby authorized to execute the same, and

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 19<sup>th</sup> day of November, 2013.

Passed and adopted this 19<sup>th</sup> day of November, 2013.

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

Approved this 19<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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





**1st REVISION  
STATE/MUNICIPAL AGREEMENT  
FOR A STATE- LET HIGHWAY  
PROJECT**

*This agreement supercedes the agreement signed by the Municipality on October 20, 2009 and signed by DOT on January 12, 2010.*

Revised Date: November 4 2013  
Date: October 15 2009  
I.D.: 2030-15-30/71  
Road Name: STH 38  
Limits: Oakwood Rd to Grange Ave  
County: Milwaukee  
Roadway Length: 6.24 Miles

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

**NEEDS AND ESTIMATE SUMMARY:**

**Existing Facility - Describe and give reason for request:** Improvement

**Proposed Improvement - Nature of work:** As determined by project scoping.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:** A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

**TABLE 1: SUMMARY OF COSTS**

Phase		Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Preliminary Engineering:						
Plan Development		\$ 1,100,000	\$ 1,100,000	100%	\$ -	0%
Real Estate Acquisition:						
Acquisition		\$ 775,000	\$ 775,000	100%	\$ -	0%
Compensable Utilities		\$ 20,000	\$ 20,000	100%	\$ -	0%
Construction:						
Participating		\$ 11,040,000	\$ 11,040,000	100%	\$ -	0%
New Sidewalk		\$ 400,000	\$ 320,000	80%	\$ 80,000	20%
Non-Participating		\$ -	\$ -	0%	\$ -	100%
Utilities		\$ 35,000	\$ -	0%	\$ 35,000	100%
DTC Development	1	\$ 1,081,000	\$ -	0%	\$ 1,081,000	Lsum
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<b>Total Cost Distribution</b>		<b>\$ 14,647,000</b>	<b>\$ 13,255,000</b>		<b>\$ 1,375,900</b>	

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Signed for and in behalf of the <b>City of Oak Creek</b> (please sign in blue ink)		
Name	Title	Date
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Name	Title <b>SE Region Planning Chief</b>	Date

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[END]



**1st REVISION  
STATE/MUNICIPAL AGREEMENT  
FOR A STATE- LET HIGHWAY  
PROJECT**

*This agreement supercedes the agreement signed by the Municipality on October 20, 2009 and signed by DOT on January 12, 2010.*

Revised Date: November 4 2013  
Date: October 15 2009  
I.D.: 2030-15-30/71  
Road Name: STH 38  
Limits: Oakwood Rd to Grange Ave  
County: Milwaukee  
Roadway Length: 6.24 Miles

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

**NEEDS AND ESTIMATE SUMMARY:**

**Existing Facility - Describe and give reason for request:** Improvement

**Proposed Improvement - Nature of work:** As determined by project scoping.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:** A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

**TABLE 1: SUMMARY OF COSTS**

Phase		Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
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Plan Development		\$ 1,100,000	\$ 1,100,000	100%	\$ -	0%
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Construction:						
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[END]

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 16

**Recommendation:** That the Common Council adopts Resolution No. 11427-111913, a resolution granting to We Energies a permanent easement at 7115 S. Howell Avenue (Tax Key No. 765-9019)(1<sup>st</sup> Aldermanic District).

**Background:** We Energies requested the City grant a permanent easement to replace a gas main along the west side of Howell Avenue. We Energies indicated the project became necessary because of Wisconsin Department of Transportation's 2014 Howell Avenue rehabilitation project, as well as the advanced age of the existing gas main. The 25-foot-wide easement would run along the eastern edge of the City-owned parcel, 7115 S. Howell Avenue, located at the southwest corner of Howell and Rawson Avenues. The property is undeveloped land housing an American Transmission Company tower.

The easement would provide We Energies the right to construct and maintain the gas main within the easement limits on the property.

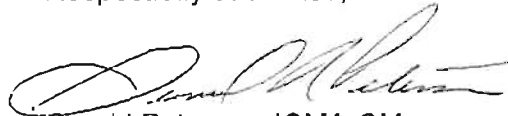
**Fiscal Impact:** None.

Prepared by:



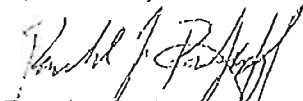
Michael C. Simmons, P.E.  
City Engineer

Respectfully submitted,



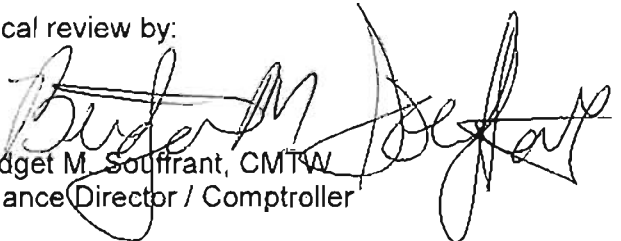
Gerald Peterson, ICMA-CM  
City Administrator

Approved by:



Ronald J. Pritzlaff, P.E.  
Utility Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

RESOLUTION NO. 11427-111913

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

RESOLUTION GRANTING TO WE ENERGIES A  
PERMANENT EASEMENT AT 7115 S. HOWELL AVENUE

(TAX KEY NO. 765-9019)

(1<sup>ST</sup> ALDERMANIC DISTRICT).

WHEREAS, We Energies has requested a permanent easement to replace and relocate a gas main due to a proposed WisDOT project and advanced age of the main, and;

WHEREAS, the proposed 25-foot-wide easement would be located along the eastern edge of the undeveloped City-owned parcel at 7115 S. Howell Avenue, which houses an American Transmission Company (ATC) tower, and;

WHEREAS, the easement agreement has a provision that We Energies would be responsible for the cost of relocating the gas main if it becomes necessary due to any future development, road, utility or other city public works project;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the permanent We Energies easement at 7115 S. Howell Avenue be granted and the Mayor and City Clerk are hereby authorized to execute the same, and;

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to record the easement 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 19<sup>th</sup> day of November, 2013.

Passed and adopted this 19<sup>th</sup> day of November, 2013.

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

Approved this 19<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

**DISTRIBUTION EASEMENT  
GAS**

Document Number

WR NO. 3521183

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, The City of Oak Creek, a Wisconsin Municipal Corporation, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a strip of land twenty-five (25) feet in width, being a part of Parcel 2 of Certified Survey Map No. 2448, recorded on November 15, 1974, Reel 821, Image 511 as Document No 4882116, being a part of the Northeast (1/4) of Section 8, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee State of Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM A252  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

765-9019  
(Parcel Identification Number)

Grantor agrees to comply with the Addendum - General Construction Requirements and Restrictions for We Energies Gas Pipeline Easement Areas which is attached hereto, marked Exhibit "B", consisting of two pages, and made a part hereof by this reference.

1. **Purpose:** The purpose of this easement is to install, operate, maintain repair, replace and extend underground utility facilities, pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin gas codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Relocation:** In the event that Grantor, requires the relocation of the gas facilities within the easement area due to a sewer or water main project, building construction, installation of roads and/or driveways, or development and

redevelopment activities on land surrounding the easement area, Grantee agrees to relocate said gas facilities at its expense, on a one-time basis, upon reasonable written notice from grantor, provided that grantor provides a suitable alternate location for said facilities with all necessary easement rights using standard easement language for their construction and maintenance at the new location.

Grantor:

The City of Oak Creek, a Wisconsin Municipal Corporation

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, \_\_\_\_\_,

the above named \_\_\_\_\_, the \_\_\_\_\_

and \_\_\_\_\_, the \_\_\_\_\_

of The City of Oak Creek, a Wisconsin Municipal Corporation, for the municipal corporation, by its authority, and pursuant to Resolution File

No. \_\_\_\_\_ adopted by its \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

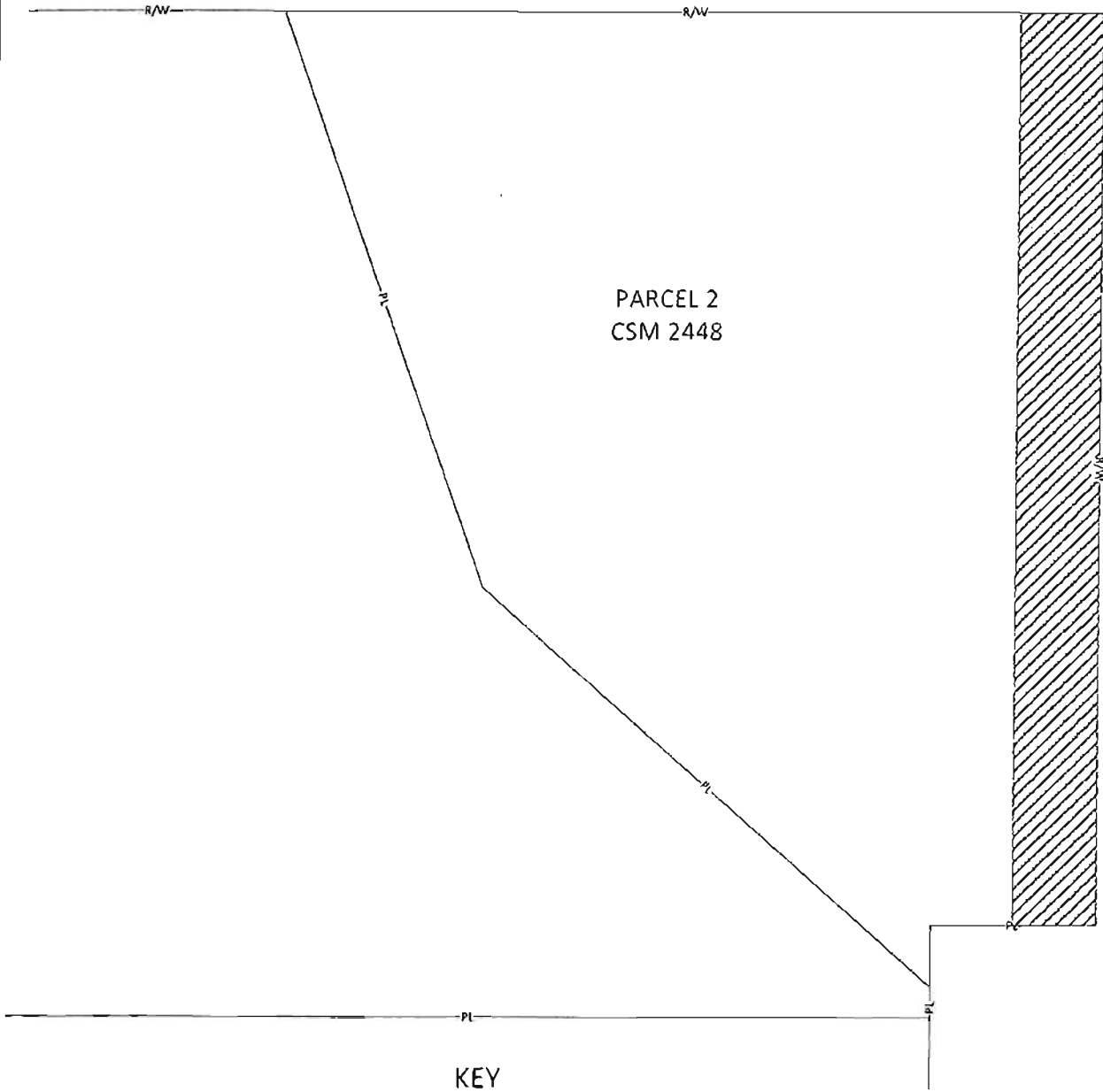
My commission expires \_\_\_\_\_

This instrument was drafted by Maria Koerner on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.





W RAWSON AVE A/K/A CTH BB



S HOWELL AVE A/K/A STH 38

PARCEL 2  
CSM 2448

KEY



**EXHIBIT "A"**

NOT TO SCALE

IDO 3521183	PARCEL 2, CSM 2448 IN THE NE ¼, SECTION 8, TOWN 5 NORTH, RANGE 22 EAST IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.	DRAWN BY M KOERNER
REVISIONS		DATE 10/31/2013

EXHIBIT "B"

ADDENDUM

General Construction Requirements and Restrictions  
for We Energies Pipeline Easement Areas

1. The easement area must be accessible to We Energies personnel or their agents.
2. Fill material, rubble, scrap, pavement, berms or earthworks may not be placed within the easement area without We Energies' prior written approval.
3. The elevation or grade over the gas pipeline may not be altered by more than 4 inches without We Energies' prior written approval. A minimum of 36 inches of cover over the gas pipeline must be maintained at all times; however, 48 inches of cover is permitted.
4. Retention ponds and their inlets/outlets are not permitted within the easement area. However, a storm sewer is permitted within the easement area upon prior written approval from We Energies as to the location of same.
5. No drainage ditches or drain tiles may be constructed within the gas pipeline easement area unless approved in writing by We Energies with proper cover and erosion protection. Plans must be submitted to We Energies for written approval.
6. Septic fields or mound systems may not be constructed within the easement area. Laterals to or from the field or mound may cross the gas pipeline, provided that they maintain an 18 inch separation from the gas pipeline. If it is necessary to locate and expose the gas pipeline, excavation must be done by hand-digging with a We Energies representative present.
7. Underground culverts, pipelines, cables, sewers or any utility must not be placed within 18 inches of the gas pipeline in any direction and must be hand dug when within 4 feet of the gas pipeline. We Energies must be notified when excavation is planned in proximity to the gas pipeline to view and inspect excavation activities. Plans must be submitted to We Energies for prior written approval. There will be no charge to Grantor for the We Energies representative to view and inspect any underground excavation.
8. Digger's Hotline must be contacted at least 3 days prior to any excavation or construction activities within the easement area. The current phone number for Digger's Hotline is 1-800-242-8511.
9. Structures or above ground improvements are not allowed within the easement area. These prohibited structures include but are not limited to: houses, garages, outbuildings, storage sheds, decks, swimming pools, gazebos, satellite dish antennas and dog kennels/runs.

EXHIBIT "B" – Page 2

10. Landscaping, including trees and shrubs, is not permitted within fifteen (15) feet of the centerline of the pipeline.
11. The installation of future roadways must be supported by sound structural fill around the gas pipeline. We Energies may require soil borings to establish the subgrade load bearing characteristics of the site and prove that unstable soils are not present around the gas pipeline. Plans must be submitted to We Energies for written approval.
12. A paved/compacted surface, such as a driveway, is allowed within the easement area provided that a minimum cover of 48 inches is maintained over the gas pipeline. Plans must be submitted to We Energies for prior written approval.
13. Heavy earth moving equipment may not be routed over the gas pipeline without providing load bearing protection, such as temporary pavement, heavy mats, additional compacted cover or other adequate bridging methods. Prior notification to and written approval from We Energies are required.
14. We Energies must be contacted at least three (3) working days prior to any excavation activity within the easement area to coordinate oversight or inspection, or to confirm compliance with these provisions. The current phone number for We Energies Gas Emergency Response is 1-800-261-5325. There will be no charge to Grantor for any oversight, inspection, or compliance information.
15. Additional protective requirements may be necessary upon review of Grantor's construction plans submitted to We Energies as required by the Easement Agreement.

# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 17

**Recommendation:** That the Council adopt Resolution No. 11428-111913 approving a certified survey map for the properties at 9770 S. 20th St. and 9846 S. 20th St.

**Background:** Black Bear Bottling, Inc. is requesting approval to combine their two parcels at 9770 and 9846 S. 20<sup>th</sup> St. in anticipation of constructing an addition onto the rear of the existing building on the property. Once combined, the parcel size will be over 2.9 acres. Below are technical corrections that are in process and must be made prior to recording the CSM.

1. The east boundary as shown, with regard to Lot 1 from CSM 623, does not coincide with local GIS data. Previous CSMs show a more square lot than the proposed CSM for Black Bear; however, County data appears to be consistent with the proposal. This issue will be resolved prior to recording.
2. A water main easement is required along the western property boundary. The dimensions should be 175' (L) x 20' (W).

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:** The proposed 15,000 sq. ft. warehouse addition to the existing building will have a positive fiscal impact for the City, including Fire and Police Impact Fees in excess of \$6,000.


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. 11428-111913

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR BLACK BEAR BOTTLING GROUP

9770 S. 20<sup>th</sup> St. and 9846 S. 20<sup>th</sup> St.  
(6th Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by PETER CARUSO, BLACK BEAR BOTTLING GROUP, hereinafter referred to as the subdivider, 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 19th Day of November, 2013.

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

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

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

\_\_\_\_\_  
Mayor

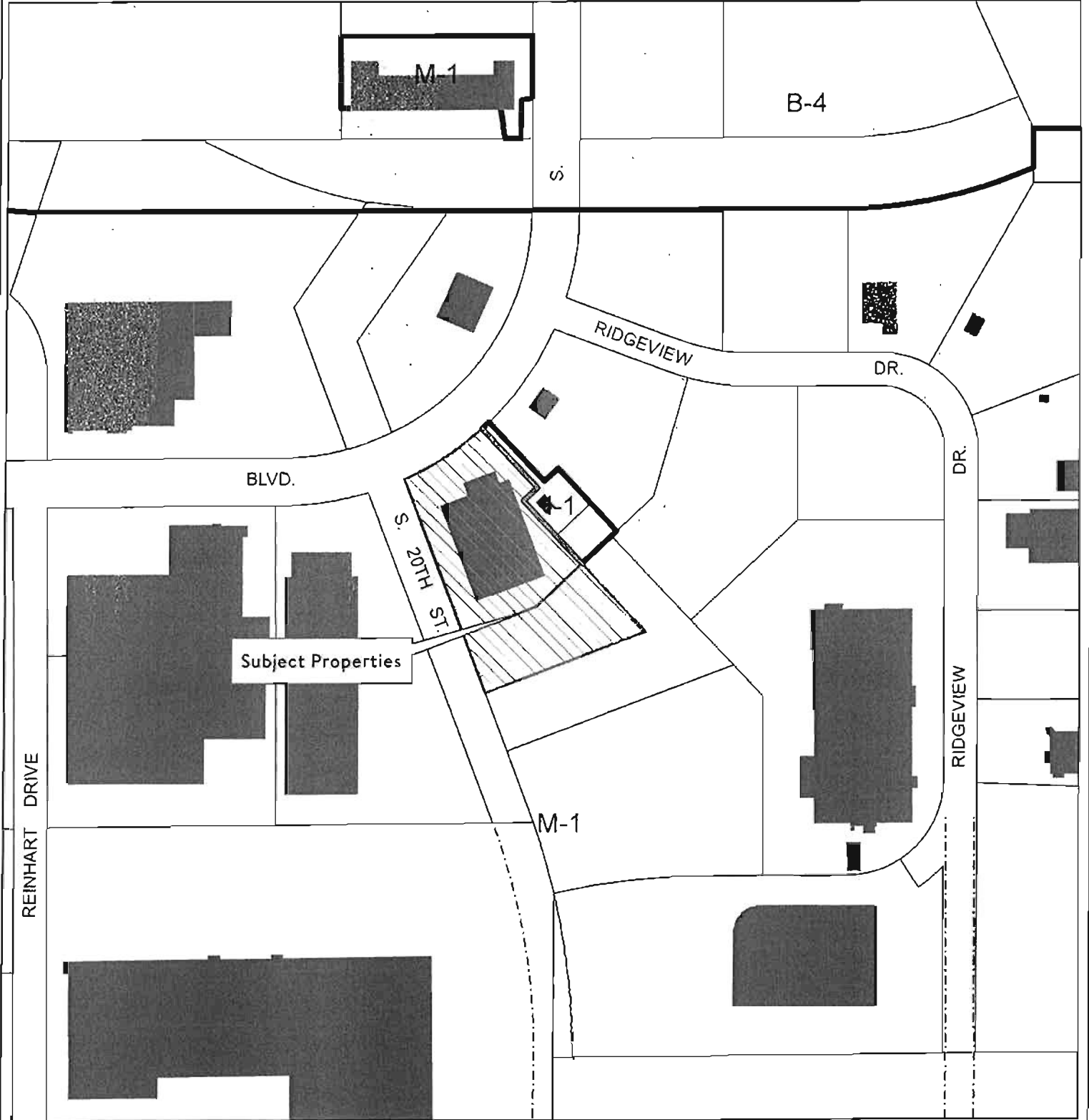
ATTEST:

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

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

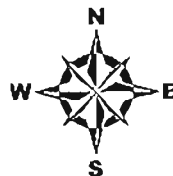
# Location Map

## 9770 & 9846 S. 20th St.

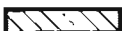
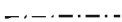


**OAKCREEK**  
— WISCONSIN —

Department of Community Development

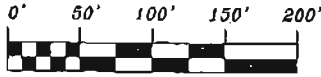


### Legend

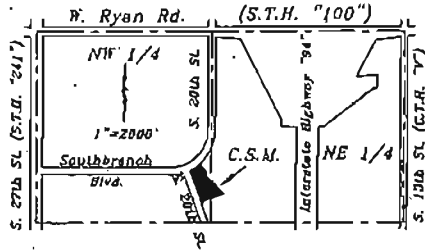
-  9770 & 9846 S. 20th St.
-  Existing Street Pattern

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

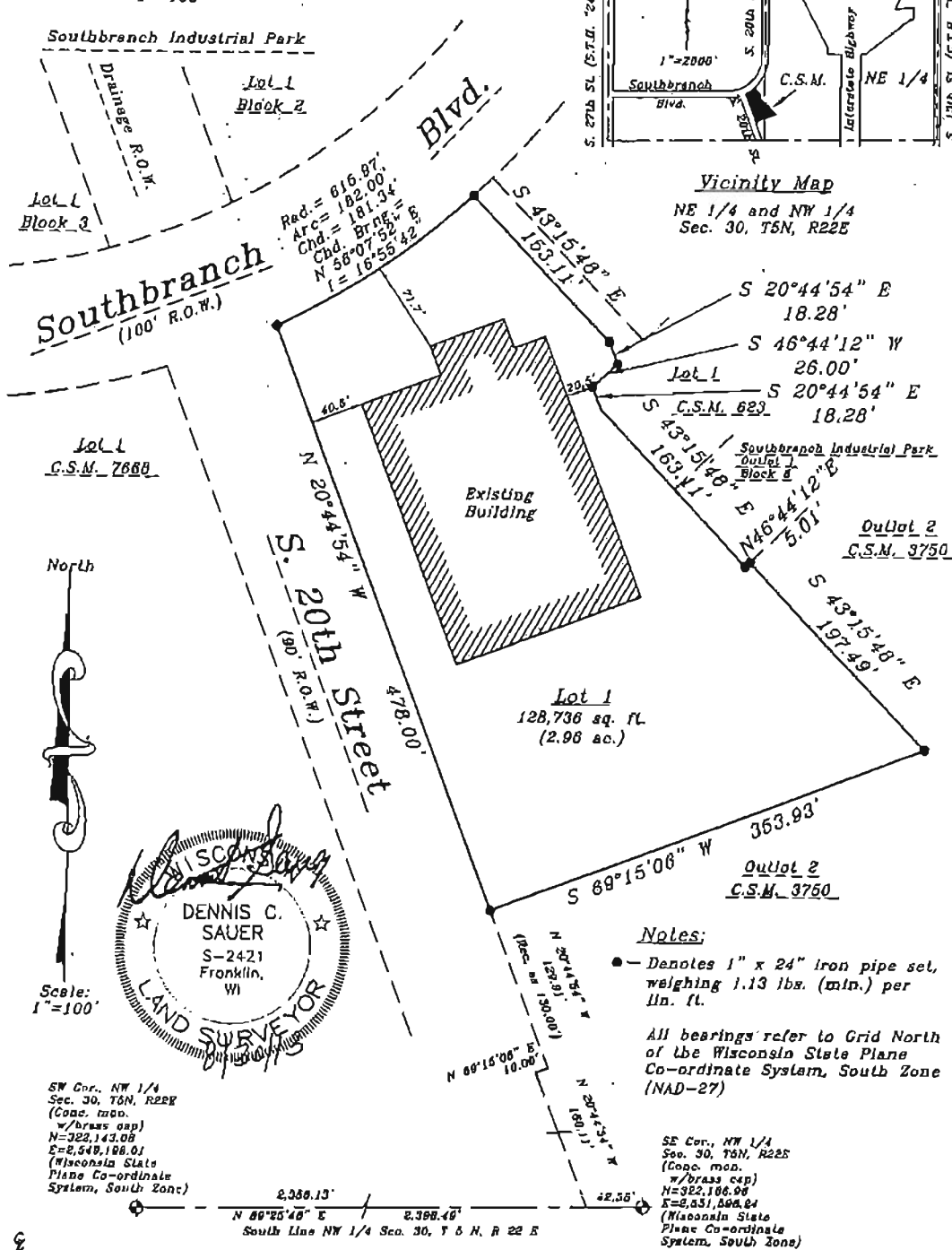
Being a part of Lot 1 of C.S.M. No. 623, part of Parcel 1 of C.S.M. No. 857, and all of Outlot 1 of C.S.M. No. 3750, all being a part of the Southwest 1/4 of the Northeast 1/4 and part of the Southeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



Graphic Scale:  
1"=100'



Vicinity Map  
NE 1/4 and NW 1/4  
Sec. 30, T5N, R22E



# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 18

**Recommendation:** That the Council adopt Resolution No. 11429-111913 approving a certified survey map for the properties at 7221 S. 13th St. and 7223 S. 13th St.

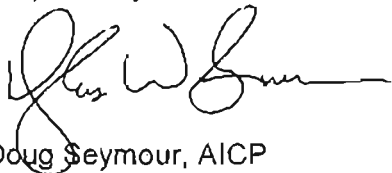
**Background:** Sportland 2 is requesting approval to combine their two parcels at 7221 and 7223 S. 13<sup>th</sup> St. in anticipation of constructing a proposed storage building on the property. Once combined, the parcel size will be over 2.8 acres. No changes to the existing building are proposed, and the building will be unaffected by the merger.

An 8-foot-wide easement along the northern property line is shown on the map along with an access easement. The access easement should be revised to reflect the correct full easement width (75') along the eastern portion of both parcels. Oak Creek is misspelled in the first paragraph of the CSM and should be corrected prior to recording.

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:** A proposed storage building on the combined parcel will have a positive fiscal impact for the City, including Fire and Police Impact Fees of approximately \$2000.

Prepared by:



Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,

Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:



Bridget M. Soufrant, CMTW  
Finance Director/Comptroller



RESOLUTION NO. 11429-111913

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR SPORTLAND 2

7221 S. 13th St. and 7223 S. 13th St.  
(1<sup>st</sup> Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by THOMAS WOLF, SPORTLAND 2, hereinafter referred to as the subdivider, 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 19th Day of November, 2013.

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

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

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

\_\_\_\_\_  
Mayor

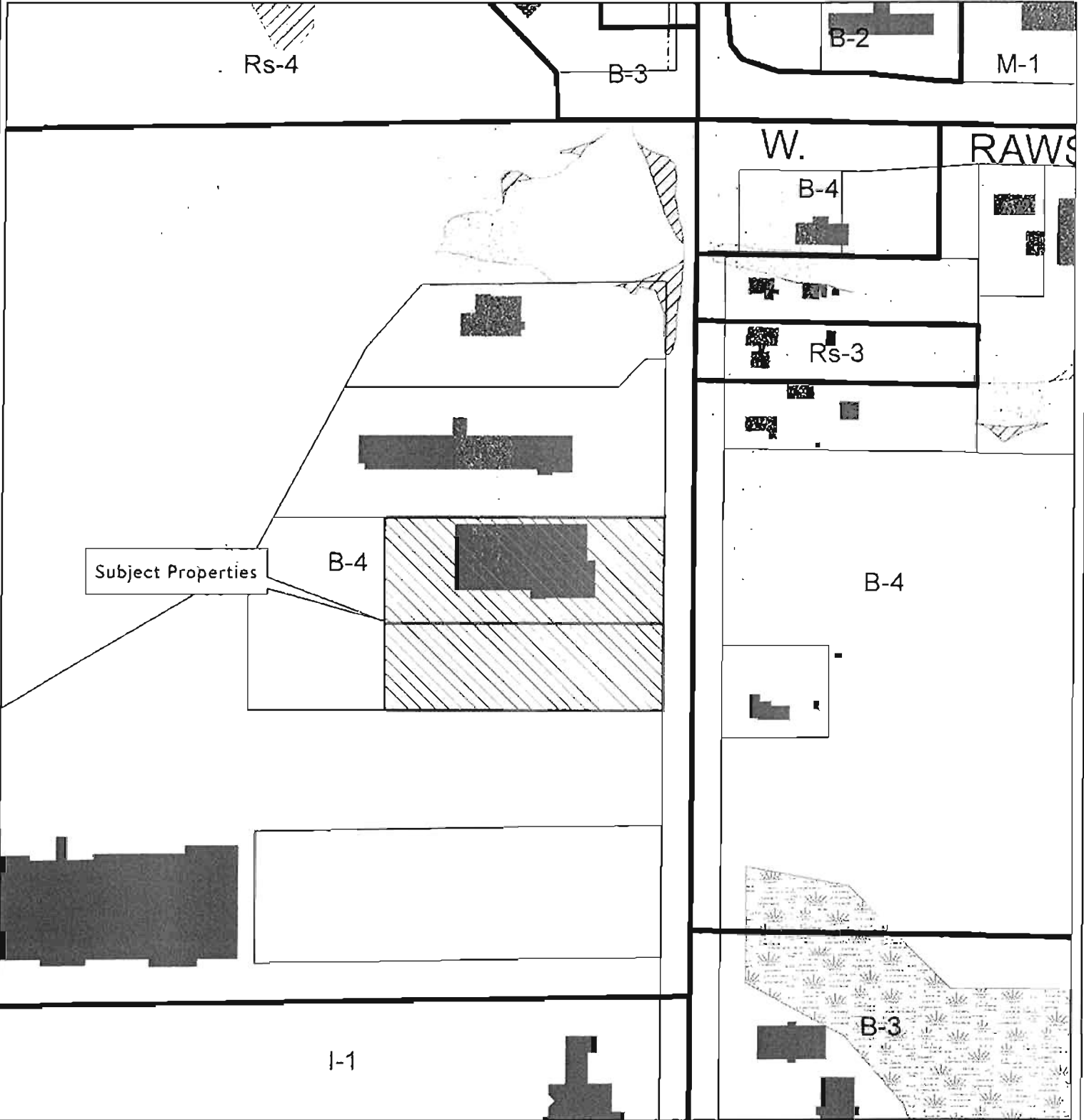
ATTEST:

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

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

# Location Map

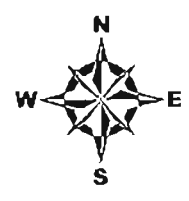
## 7221 & 7223 S. 13th St.



**OAKCREEK**

— WISCONSIN —

Department of Community Development



Legend	
	7221 & 7223 S. 13th St.
	Existing Street Pattern
	Floodfringe
	Wetland
	Floodway



Stock No. 26273

CERTIFIED SURVEY MAP NO. \_\_\_\_\_ SHEET 1 OF 3

BEING A REDIVISION OF PARCEL 1 AND PARCEL 2 OF CERTIFIED SURVEY MAP NO. 6599, REEL 448, IMAGE 979 TO 981, BEING A REDIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5030 AND PARCEL 2 OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 4958, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

**LEGEND:**

o- Denotes No. 6 Rebar, 24" Long,  
1.50lbs/ln.ft, w/cap  
●-Denotes Iron Pipe Found  
ALL BEARING ARE REFERENCED TO GRID  
NORTH OF THE WISCONSIN STATE PLANE  
COORDINATE SYSTEM, SOUTHERN ZONE,  
EAST LINE OF NE 1/4 PUBLISHED TO BEAR:  
S00°05'26"E

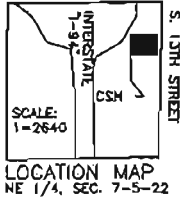
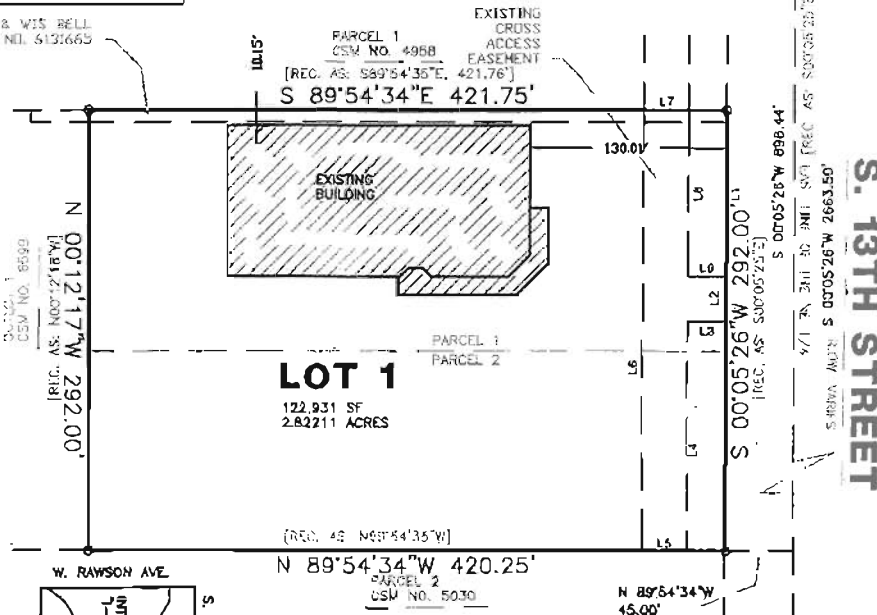


**A** AMERICAN SURVEYING COMPANY, INC.  
12207 C.I.H. 'X' FRANKSVILLE, WISCONSIN 53126  
TEL (262) 635-4774 FAX: (262) 636-2379

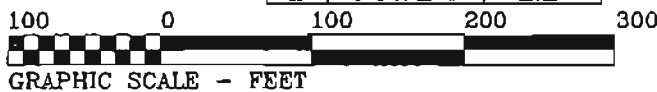
**OWNERS:**  
SL2 real estate, LLC  
7221 SOUTH 13TH STREET  
OAK CREEK, WI. 53154

NORTHEAST CORNER  
SEC. 7-5-22  
340,817.41N  
2,554,284.71E  
CONC. MONT.  
W/BRASS CAP

BY WPCD & WIS BELL  
CASE/FIRM NO. NEL 5131665



Course	Bearing	Distance
L1	S 00°05'26" W	110.17'
L2	S 00°05'25" W	30.00'
L3	N 89°54'35" W	25.25'
L4	S 00°05'26" W	151.82'
L5	N 89°54'34" W	30.00'
L6	N 00°05'26" E	292.00'
L7	S 89°54'34" E	30.00'
L8	S 00°05'26" W	110.17'
L9	S 89°54'35" E	25.25'



# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 19

**Recommendation:** That the Council adopt Resolution No. 11430-111913 approving a certified survey map for the property at 500 W. Opus Dr.

**Background:** Opus North is submitting a corrected CSM for the property at 500 W. Opus Dr., which will dedicate improved right-of-way for W. Opus Drive within the Oakwood Crossings Business Park. The extended right-of-way will allow for development on the western end of the business park. This certified survey map will not create any new lots and is only being done for the purpose of road dedication.

This request was originally reviewed by the Plan Commission on November 10, 2009. Although the CSM was recorded, the County noticed "several distance errors regarding the road that is being dedicated" as well as "a reference to Outlot 1 of Certified Survey Map No. 7843." These errors were corrected on the submitted CSM dated March 28, 2011; however, the Engineering Department notes that the wetland delineation conducted on Lot 1 (and Lot 1 for CSM 7843) is outdated.

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:** Future development of Lot 1 in the M-1, Manufacturing zoning district will have a positive fiscal impact on the City. This property is also within the boundaries of Tax Incremental District #8.

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. 11430-111913

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR OPUS NORTH CORPORATION

500 W. Opus Dr.  
(5<sup>th</sup> Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by OPUS NORTH CORPORATION, hereinafter referred to as the subdivider, 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 19th Day of November, 2013.

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

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

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

\_\_\_\_\_  
Mayor

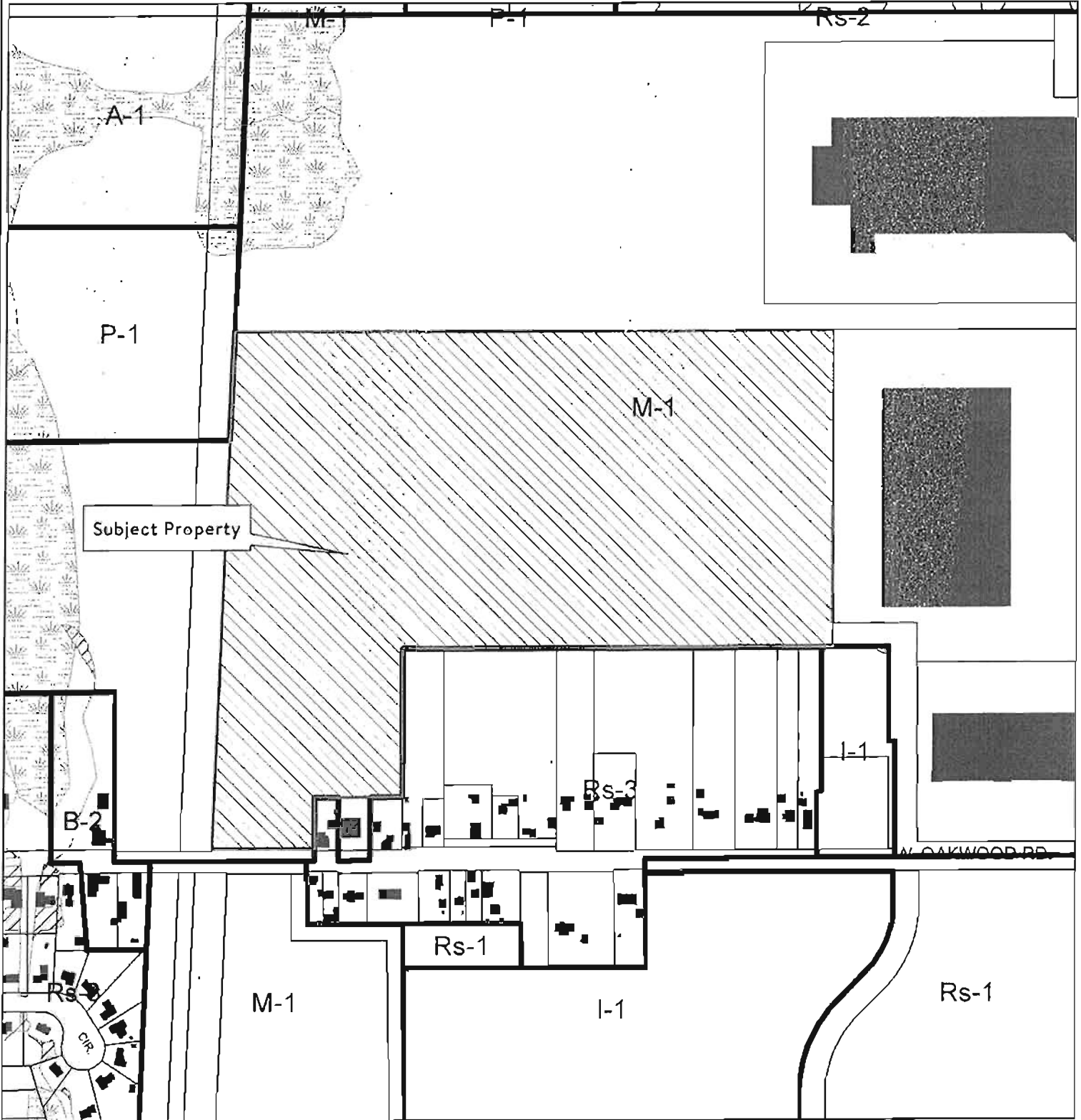
ATTEST:

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

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

# Notification Map

## 500 W. Opus Dr.



**OAKCREEK**  
— WISCONSIN —

Department of Community Development



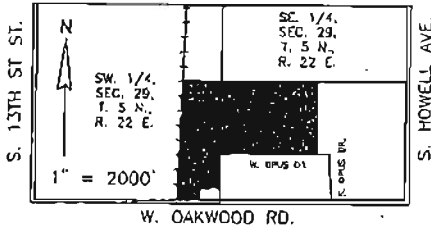
**Legend**

-  500 W. Opus Dr.
-  Existing Street Pattern
-  Floodringes
-  Wetland
-  Floodway

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

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7843 (DOCUMENT NO. 9344389), BEING A PART OF THE SE 1/4, SW 1/4, NW 1/4 AND NE 1/4 OF THE SE 1/4 OF SECTION 29 AND BEING A PART OF THE SE 1/4 AND NE 1/4 OF THE SW 1/4 OF SECTION 29, ALL IN TOWNSHIP 5 NORTH; RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

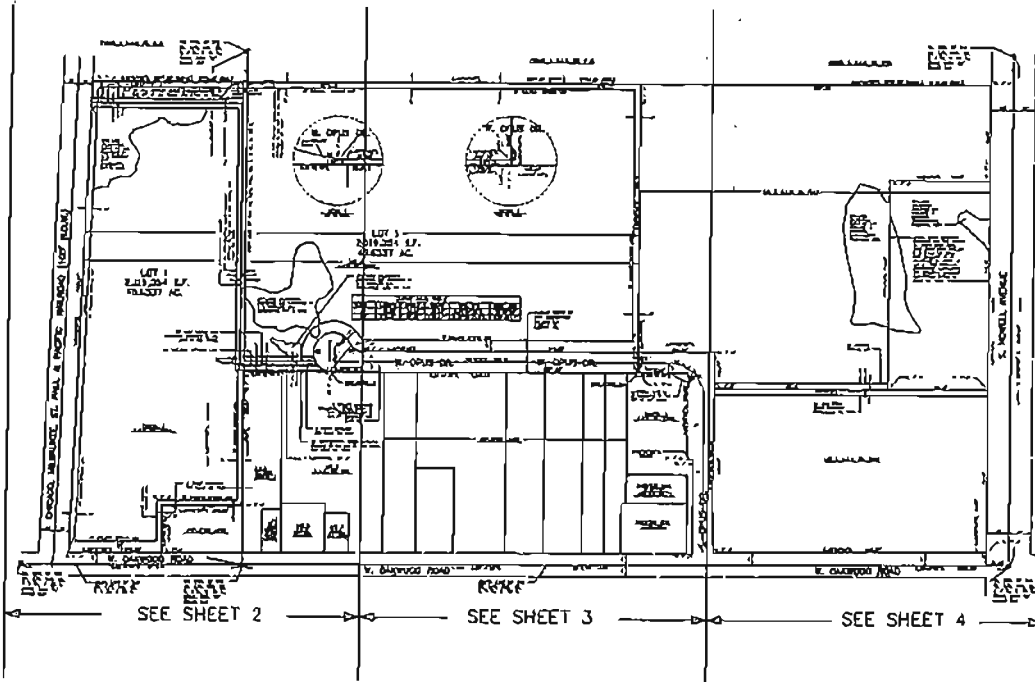
LOCATION MAP



PREPARED FOR:  
Opus Development Corporation  
330 E. Kilbourn Ave.  
Milwaukee, Wisconsin 53202  
(414) 266-9393

INDEX MAP

SCALE IN FEET



NOTES:

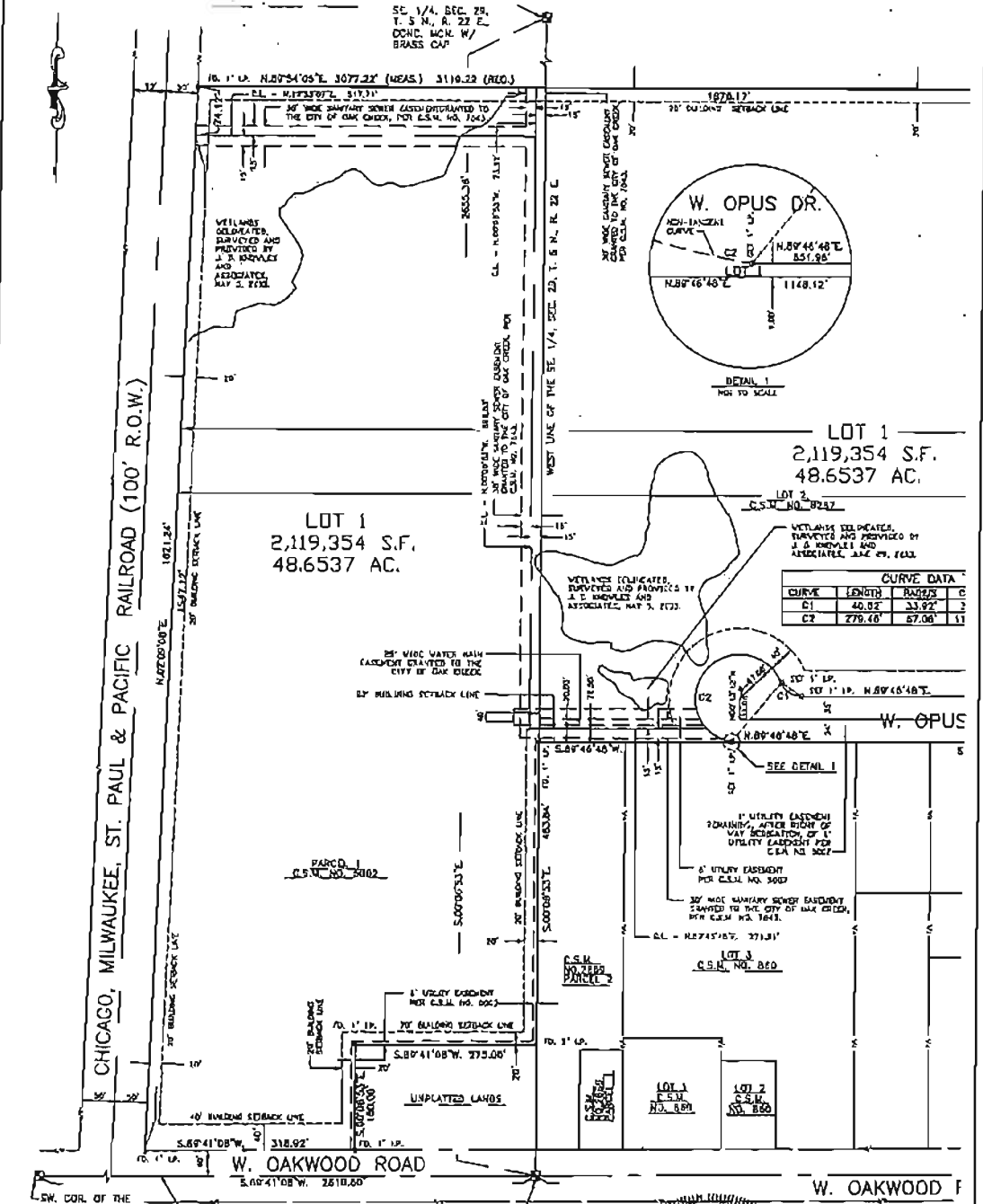
1. ALL SET IRON PIPES ARE 1" X 24" IRON PIPES, WEIGHING 1.13 LBS. PER LINEAL FOOT.
2. ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 29, TOWN 5 NORTH, RANGE 22 EAST WHICH IS ASSUMED TO BEAR NORTH 00°01'15" WEST.
3. SUBJECT TO EASEMENTS OF RECORD.
4. ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDRETH OF A FOOT. ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.
5. LOTS 2 AND 3 ARE ZONED M-1, MANUFACTURING.



REVISED THIS 28TH DAY OF MARCH, 2011.  
REVISED THIS 25TH DAY OF MAY, 2010.  
REVISED THIS 8TH DAY OF MARCH, 2010.  
DATED THIS 18TH DAY OF APRIL, 2006.  
THIS INSTRUMENT WAS DRAFTED BY RICHARD H. STENZEL, S-1078

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

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7843 (DOCUMENT NO. 9344389), BEING A PART OF THE SE 1/4, SW 1/4, NW 1/4 AND NE 1/4 OF THE SE 1/4 OF SECTION 29 AND BEING A PART OF THE SE 1/4 AND NE 1/4 OF THE SW 1/4 OF SECTION 29, ALL IN TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN



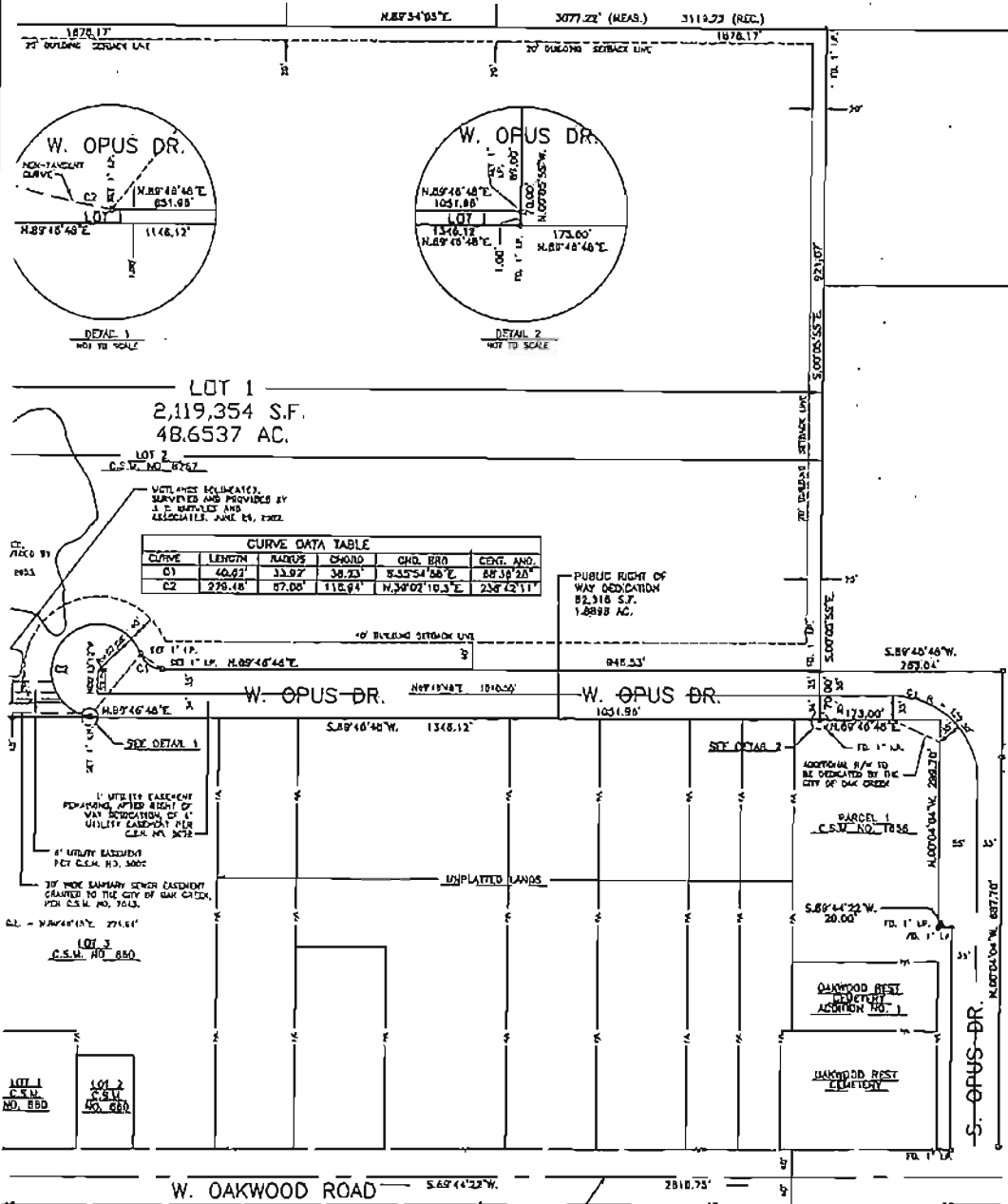
SW. COR. OF THE SW 1/4, SEC. 29, T. 5 N., R. 22 E. CONC. MON. W/ BRASS CAP  
 SOUTH LINE OF THE SW 1/4, SEC. 29, T. 5 N., R. 22 E.  
 SW. COR. OF THE SE 1/4, SEC. 29, T. 5 N., R. 22 E. CONC. MON. W/ BRASS CAP  
 SCALE 1" = 200'  
 RICHARD H. STENZEL  
 S-1078  
 MILWAUKEE, H. WIS.  
 LAND SURVEYOR  
 REVISED THIS 28TH DAY OF MARCH, 2011.  
 REVISED THIS 25TH DAY OF MAY, 2010.  
 REVISED THIS 8TH DAY OF MARCH, 2010.  
 DATED THIS 18TH DAY OF APRIL, 2008.  
 THIS INSTRUMENT WAS DRAFTED BY RICHARD H. STENZEL, S-1078, SHEET 2 OF 7



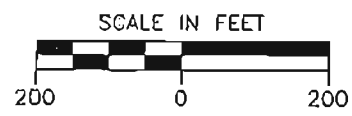
# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7843 (DOCUMENT NO. 9344389), BEING A PART OF THE SE 1/4, SW 1/4, NW 1/4 AND NE 1/4 OF THE SE 1/4 OF SECTION 29 AND BEING A PART OF THE SE 1/4 AND NE 1/4 OF THE SW 1/4 OF SECTION 29, ALL IN TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

PARCEL 2, C.S.M. NO. 8168



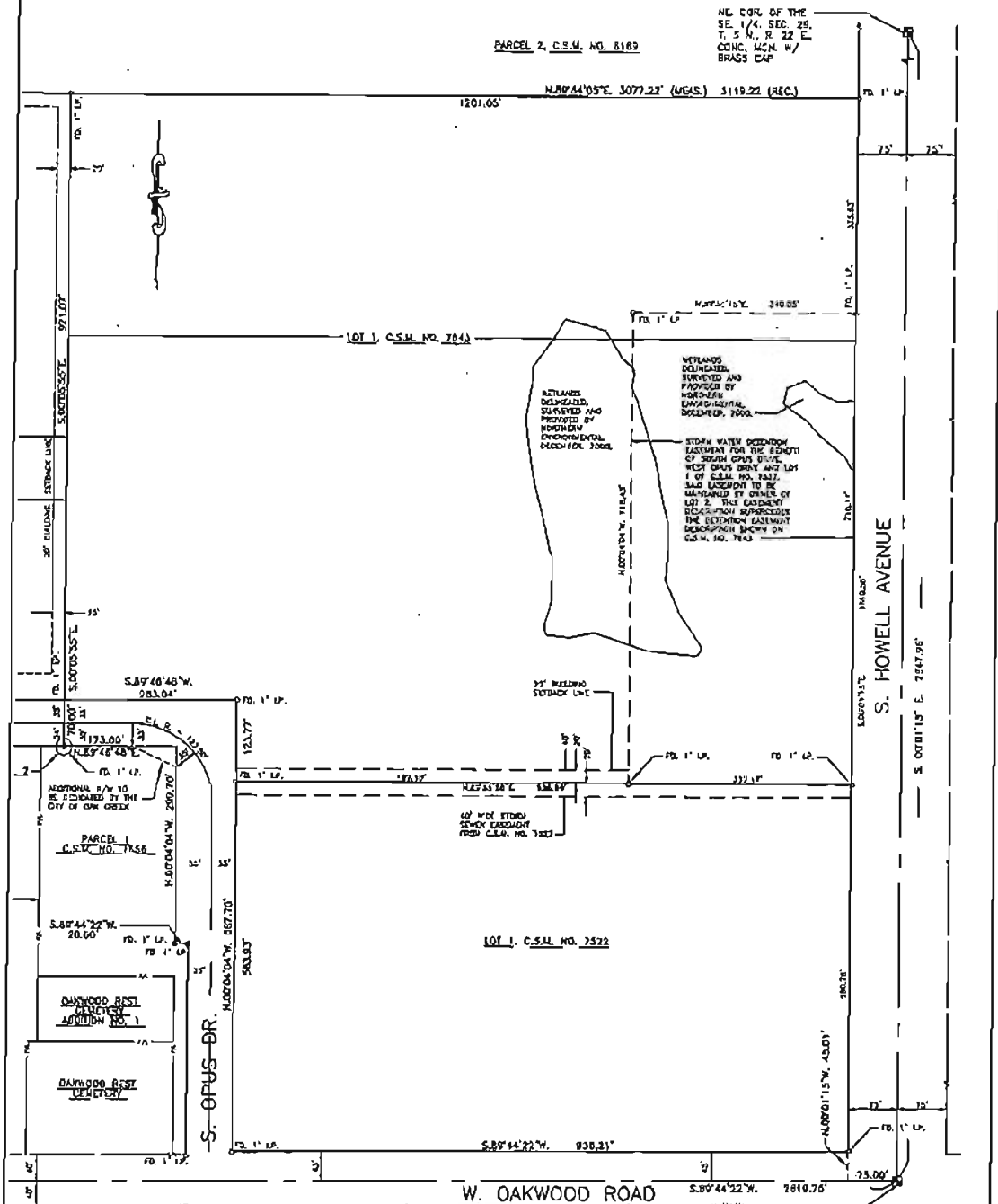
CURVE	LENGTH	RADIUS	CHORD	CHD. BRG.	CENT. ANG.
C1	40.82'	33.97'	38.23'	S.55°54'56"E	88.38°28'
C2	278.48'	87.00'	118.94'	N.38°02'10.3"E	238°42'11"



REVISED THIS 28TH DAY OF MARCH, 2011.  
 REVISED THIS 25TH DAY OF MAY, 2010.  
 REVISED THIS 8TH DAY OF MARCH, 2010.  
 DATED THIS 18TH DAY OF APRIL, 2008.  
 THIS INSTRUMENT WAS DRAFTED BY RICHARD H. STENZEL, S-1078, SHEET 3 OF 7

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

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7843 (DOCUMENT NO. 9344389), BEING A PART OF THE SE 1/4, SW 1/4, NW 1/4 AND NE 1/4 OF THE SE 1/4 OF SECTION 29 AND BEING A PART OF THE SE 1/4 AND NE 1/4 OF THE SW 1/4 OF SECTION 29, ALL IN TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN



NE COR. OF THE SE 1/4, SEC. 29, T. 5 N., R. 22 E. CONC. W/M. W/ BRASS CAP

PARCEL 2, C.S.M. NO. 8169

WETLANDS DELINEATED, SURVEYED AND PROVIDED BY WISCONSIN ENVIRONMENTAL DEPARTMENT, DECEMBER, 2008.

STORM WATER SEDIMENT TREATMENT FOR THE BENEFIT OF SOUTH OAK DRIVE, WEST OAKS DRIVE AND LOT 1 OF C.S.M. NO. 7843, AND DESIGN TO BE MAINTAINED TO ORDER OF LOT 2. THE EXISTING DESIGN SHALL REPRESENTS THE EXISTING EASEMENT DESCRIBED IN MAP ON C.S.M. NO. 7843.

ADDITIONAL P/W TO BE PROVIDED BY THE CITY OF OAK CREEK

PARCEL 1, C.S.M. NO. 7458

DANWOOD REST MANICURE ADDITION NO. 1

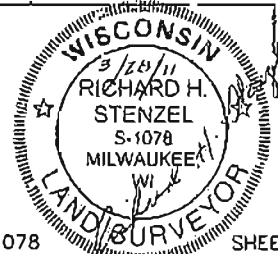
DANWOOD REST DECK

SE COR. OF THE SE 1/4, SEC. 29, T. 5 N., R. 22 E. CONC. W/M. W/ BRASS CAP

SCALE IN FEET



REVISED THIS 28TH DAY OF MARCH, 2011.  
 REVISED THIS 25TH DAY OF MAY, 2010.  
 REVISED THIS 8TH DAY OF MARCH, 2010.  
 DATED THIS 18TH DAY OF APRIL, 2008.  
 THIS INSTRUMENT WAS DRAFTED BY RICHARD H. STENZEL, S-1078



# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 20

**Recommendation:** That the Council adopt Resolution No. 11431-111913 , affirming the City's intention to proceed with existing streetscape designs for the South 27<sup>th</sup> Street corridor.

**Background:** As part of its planned 2015 reconstruction of the South 27th Street Corridor between College Avenue and (just south of) West Drexel Avenue, the Wisconsin Department of Transportation has requested that the communities (Franklin and Oak Creek) provide the final streetscape design so that it can be incorporated into the final design plans.

Last year the Common Council adopted Resolution No. 11269, which adopted the streetscape elements that are currently being proposed for the reconstructed corridor.

The Joint South 27th Street Steering Committee met recently to discuss the plans and address related issues. At this meeting, it was discussed that the organizers of the Historic Highway 41 Business Improvement District (which is a combination of BIDs in the Cities of Greenfield and Milwaukee on 27th Street north of College to Oklahoma Ave) have been discussing expanding that BID to include the Franklin-Oak Creek part of the corridor. As part of this expansion, the Highway 41 BID would look to extend their marketing and image south.

In discussing this issue, the Steering Committee recognized that there was conflict between the Committee's long-standing efforts related to the design and image of the Franklin-Oak Creek Corridor and the possibility that the Historic 41 BID would want to use their design and image. The Steering Committee, recognizing that a decision to forward the present streetscape design to WisDOT might result in the Historic 41 BID altering its plans for expansion, determined that the common councils of both cities needed to decide whether to continue with the present proposed streetscape design or to reconsider that design in favor of using the Historic 41 elements. The Community Development Authority was asked to provide a recommendation to the Common Council on this matter.

Some issues they considered when making that recommendation included:

1. Significant funds have been expended to develop the proposed streetscape plan.
2. One of the primary goals of the streetscape plan was to distinguish the corridor from other similar roadways in SE Wisconsin.
4. A BID is business driven, should the cities dictate one branding and design concept one over the other, or should the businesses choose?
5. A BID, whether it is Historic 41, or a new management, could provide for the maintenance of the streetscape elements, thereby saving the cities money. However, given the size of the corridor, would the BID(s) operating budget be

sufficient to properly maintain the streetscape elements without additional community investment?

6. While the design of the streetscape elements is nearing completion, the selection of a brand for the corridor has yet to be reconsidered.
7. The use of the existing Historic 41 streetscaping elements may require redesign in order to be acceptable to WisDOT.
8. The length and size of the proposed joint BID district(s) (nearly 10 miles) raises some concern whether the land uses, goals and objectives are compatible throughout.

After careful consideration, the CDA voted to recommend that the city(s) continue to use the existing streetscape designs, rather than changing to those currently used by the Historic 41 BIDs.

The City of Franklin Community Development Authority and Common Council have considered this proposal, and have voted to continue under our existing agreements.

**Fiscal Impact:** The capital costs for eligible streetscaping improvements are being shared by the Wisconsin Department of Transportation (including the use of 3% of the project cost for CSS – Context Sensitive Solutions) as well as the cities of Franklin and Oak Creek. If a BID were to be created, it would assist in maintenance and operational costs for the corridor.


Prepared by:

  
Doug Seymour, AICP  
Director of Community Development

Respectfully submitted by:

Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:

  
Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

RESOLUTION NO.11431-111913

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

RESOLUTION REAFFIRMING THE CITY'S INTENTION TO PROCEED WITH EXISTING STREETScape DESIGNS FOR THE SOUTH 27TH STREET CORRIDOR AS IDENTIFIED IN THE THIRTY PERCENT PLANS FOR THE RECONSTRUCTION OF SOUTH 27<sup>TH</sup> STREET (STH 241) BETWEEN WEST COLLEGE AVENUE AND WEST DREXEL AVENUE

(2<sup>nd</sup> Aldermanic District)

WHEREAS, On July 17, 2012 the Common Council adopted Resolution No. 11269-071712, adopting the streetscape elements identified in the thirty percent (30%) plans for the reconstruction of South 27<sup>th</sup> Street between West College Avenue and West Drexel Avenue; and

WHEREAS, Business owners along the 27<sup>th</sup> Street corridor in the cities of Franklin and Oak Creek have been exploring the option to create a business improvement district (BID); the purpose of which is to promote the corridor and to assist in the maintenance of those streetscape elements that are being developed as part of the reconstruction of the roadway by the Wisconsin Department of Transportation in 2015; and

WHEREAS, as part of that exploration, those business owners have been in contact with the Historic Highway 41 Business Improvement District (which is a combination of BIDs in the Cities of Greenfield and Milwaukee on 27th Street north of College) and have been discussing expanding that BID to include the Franklin-Oak Creek part of the corridor. As part of this expansion, the Highway 41 BID would look to extend their marketing and image south to include the entire (up to) ten mile corridor; and

WHEREAS, the branding and design of the streetscaping elements of the Historic 41 BID differ from those which were previously approved by the cities of Franklin and Oak Creek; and

WHEREAS, the Oak Creek Community Development Authority, after carefully considering the issues surrounding the changes has recommended to the Council that the City continue to use the existing streetscape designs, rather than changing to those currently used by the Historic 41 BIDs; and

WHEREAS, the Community Development Authority for the City of Franklin has made a similar recommendation to its Common Council, which in turn voted to move forward under existing agreements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council that cities of Oak Creek and Franklin continue to use the streetscape designs identified in the South 27<sup>th</sup> Street Corridor Streetscape Manual, as further approved by Resolution No. 11269-071712

BE IT FURTHER RESOLVED that the City Clerk provide a copy of this resolution to the City of Franklin as well as the Executive Director of the Historic 41 Business Improvement District.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 19th day of November, 2013.

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

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

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

\_\_\_\_\_  
Mayor

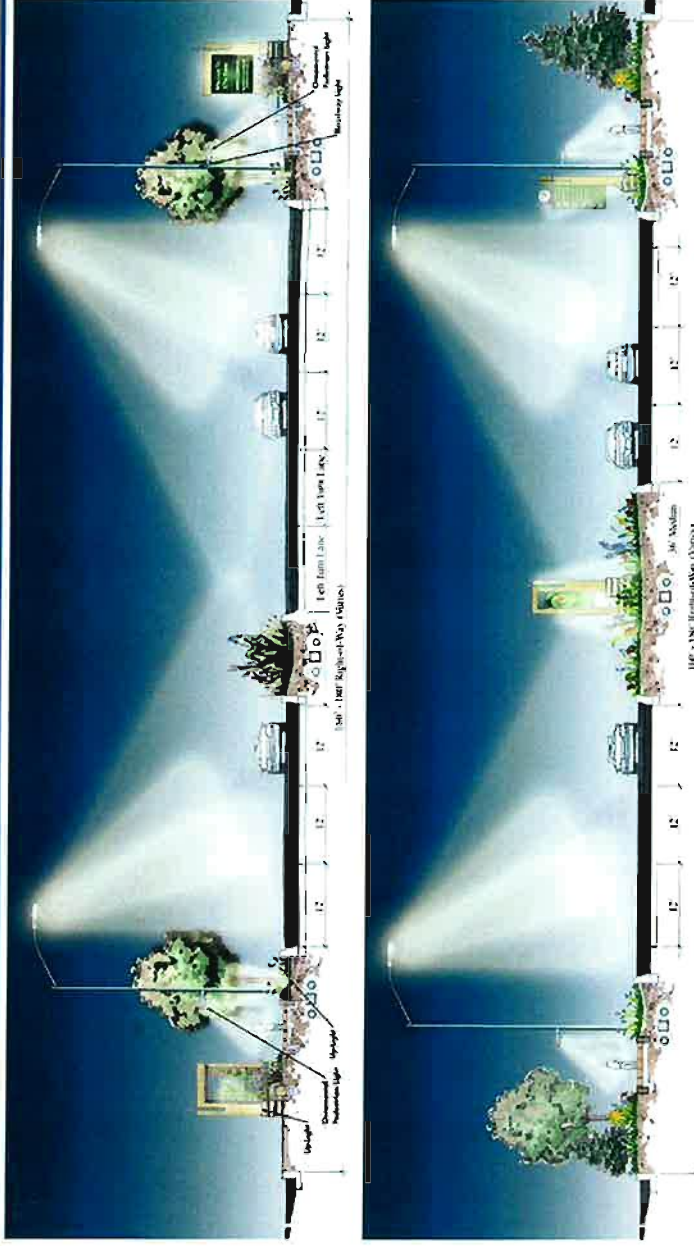
ATTEST:

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

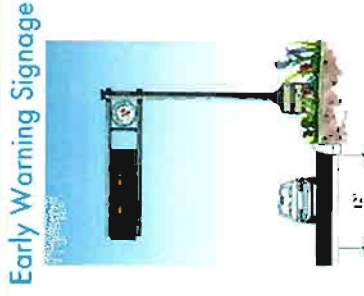
VOTE: Ayes \_\_\_\_ Noes \_\_\_\_

Previously Approved by Oak Creek and Franklin

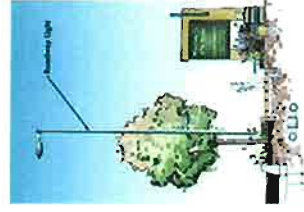
# DESIGN TREATMENT: Lighting Enhancements



Prototypical Section  
Night View - Zone B



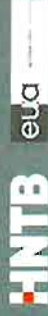
Early Warning Signage



Desired Street Lighting  
- No Arm Required For Fixture

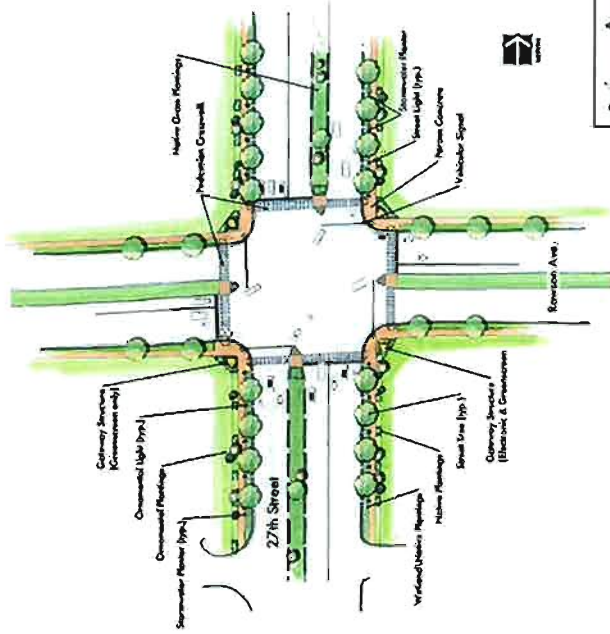
*27th Street*

corridor plan and streetscape design

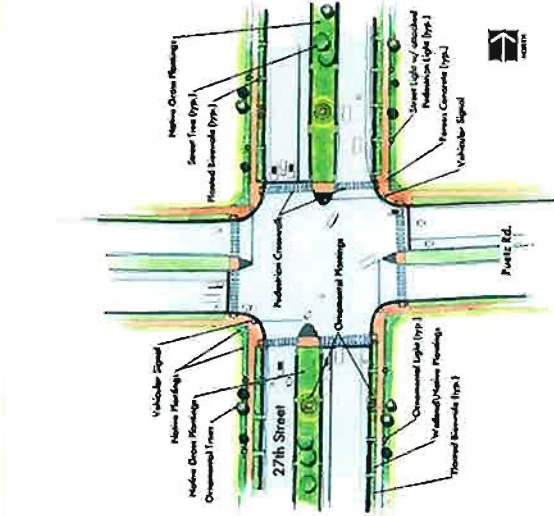
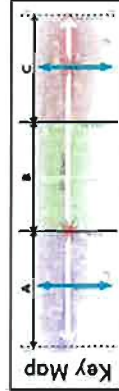


Previously Approved by Oak Creek and Franklin

# DESIGN TREATMENT: Special Enhancement Areas



Prototypical Plan View A & C



Prototypical Plan View B



## 27th Street

corridor plan and streetscape design

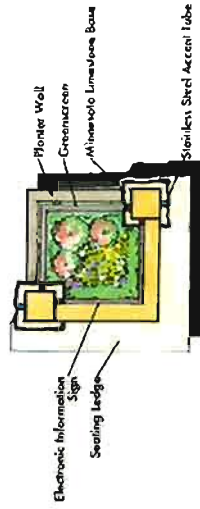




Previously Approved by Oak Creek and Franklin

# DESIGN TREATMENT: Gateway

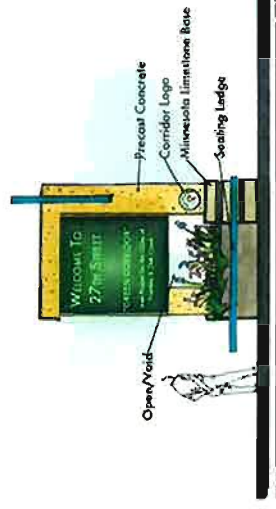
### Gateway Marker Plan View: Square Option



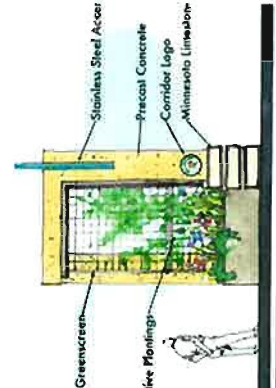
### Gateway Marker Plan View: Triangle Option



### Gateway Marker Front Elevation



### Gateway Marker Side Elevations



### Prototypical Gateway Section

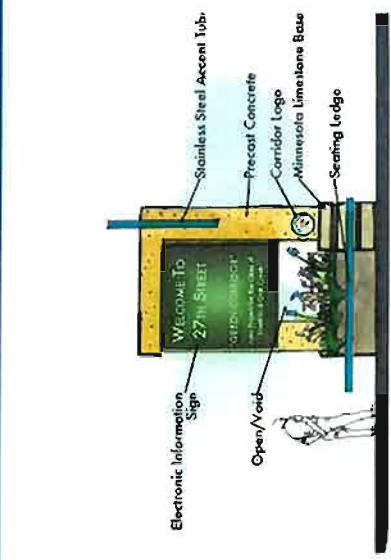
# 27th Street

corridor plan and streetscape design



Previously Approved by Oak Creek and Franklin

# DESIGN TREATMENT: Graphic & Signage Application

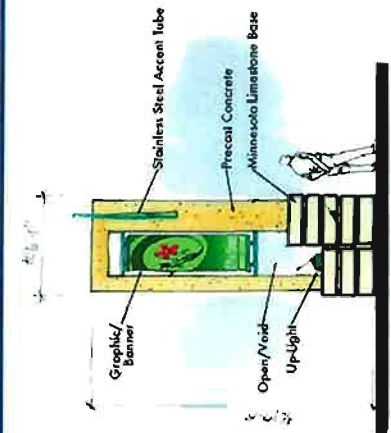


Gateway Marker  
Front Elevation



### Inspiration

Reinforce concept through the use of natural materials in geometric patterns.

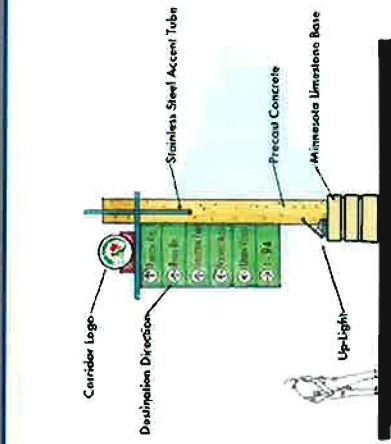


Median Monument  
Front Elevation



### Color

Use uniform and consistent color to tie corridor elements together.



Vehicular Wayfinding  
Front Elevation



### Graphic / Logo

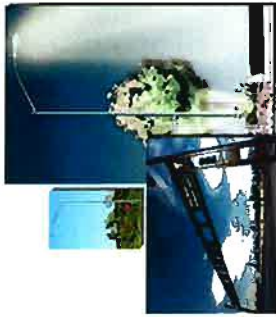
Develop branding to reinforce character / identity of corridor.

## 27th Street

corridor plan and streetscape design



# DESIGN TREATMENT: Furniture Board



## Lighting & Signals

The lighting in the area will be selected to illuminate the roadway, and will include the W-200 luminaires. To provide additional lighting, streetlights, the area will be illuminated with decorative lighting. The lighting design will be coordinated with the overall design of the area. The lighting design will help improve the overall appearance of the area and will be applied to a variety of street and landscape situations.



## Pedestrian Signals

Pedestrian signals will be recommended at each signalized intersection. The signals will be designed to provide the most visibility and safety for pedestrians. Pedestrian signals will be designed to provide the most visibility and safety for pedestrians.



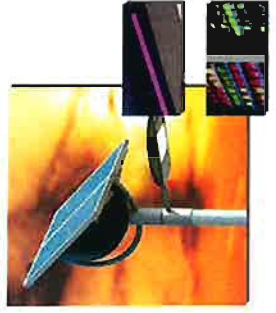
## Ornamental Lighting

To bring the corridor into pedestrian scale and create a sense of place, ornamental lighting will be used. The lighting design will be coordinated with the overall design of the area. The lighting design will help improve the overall appearance of the area and will be applied to a variety of street and landscape situations.



## Porous Pavement

Porous pavement will be used throughout the corridor. The porous pavement will help reduce runoff and improve water quality. The porous pavement will be designed to provide the most visibility and safety for pedestrians.



## Accent Lighting

Accent lighting will be used to highlight key features of the corridor. The lighting design will be coordinated with the overall design of the area. The lighting design will help improve the overall appearance of the area and will be applied to a variety of street and landscape situations.



## Site Furniture

Site furniture will be selected to complement the overall design of the area. The lighting design will be coordinated with the overall design of the area. The lighting design will help improve the overall appearance of the area and will be applied to a variety of street and landscape situations.



## Bollard

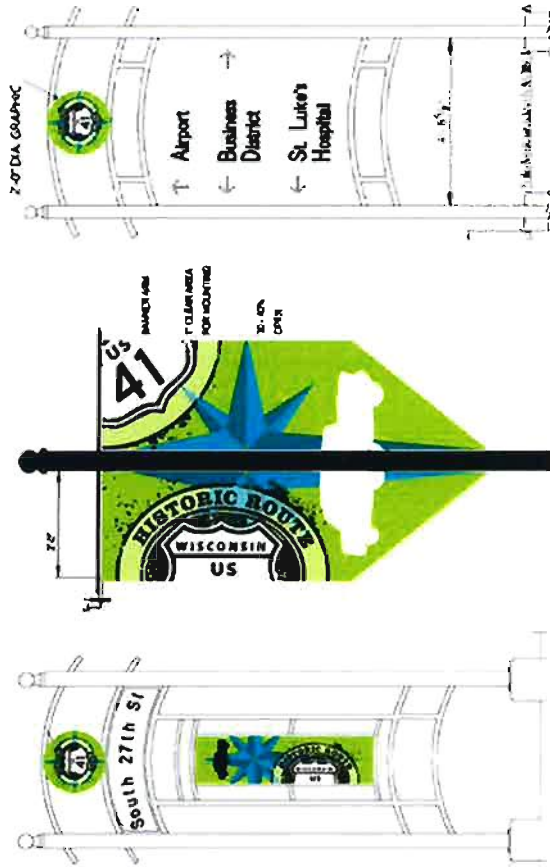
Bollards will be used to provide safety and security for pedestrians. The bollards will be designed to provide the most visibility and safety for pedestrians.

# 27th Street

corridor plan and streetscape design



Design currently constructed north of College Avenue



Design currently constructed north of College Avenue



# City of Oak Creek Common Council Report

Meeting Date: November 19, 2013

Item No.: 21

**Recommendation:** That the Council adopt Resolution No. 11434-111913 vacating a portion of the Glen Oaks Drive right-of-way.

**Background:** The City is requesting that the Glen Oaks Drive right-of-way, beginning at the intersection with S. Howell Ave., be vacated. This request was reviewed by the Plan Commission in July 2009 following the City's purchase and subsequent sale of property that is being developed as OakView Business Park. As part of the closing agreement for the sale of the property, the City agreed to vacate this right-of-way.

Once vacated, the land will be owned by Wispark, since they own the land on both sides of the right-of-way. There is an existing water main in this right-of-way that comes from S. Howell Avenue, along Glen Oaks Drive, and then north to W. Oakwood Road in an easement. This water main will remain in an easement after the right-of-way is vacated per Wisconsin State Statutes Section 66.1005, which stipulates that all easements and structures existing in vacated streets remain after vacation and all rights of entrance, maintenance, construction and repair shall continue as if such public way had not been vacated.

The Plan Commission reviewed this request on July 14, 2009 and recommends its approval.

This resolution is only being introduced this evening. The public hearing will be held on January 7, 2014. The Council may act on the resolution at that time.

**Fiscal Impact:** This vacation will return the right of way to private ownership, will allow for the use of a vacant site with the resulting increase in non-residential tax base. Additionally, Police and Fire impact fees for non-residential development are currently assessed at \$0.30/square foot and \$0.13/square foot respectively.

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. 11434-111913

RESOLUTION VACATING AND DISCONTINUING A PART OF A  
PUBLIC STREET IN THE CITY OF OAK CREEK  
(Glen Oaks Drive in the NE and SE ¼ of Section 32-5-22)  
(5<sup>th</sup> Aldermanic District)

WHEREAS the public interest requires that a part of a public street in the City of Oak Creek, Milwaukee County, Wisconsin, be discontinued and vacated, the legal description of the street being:

Commencing at the Northeast corner of the Southeast ¼ of Section 32, thence S 89°36'06" W along the North line of the Southeast ¼ aforesaid 75.01 feet to the point of beginning of the lands to be described,

Thence S 89°36'09" W, 215.99 feet to a point,

Thence N 01°07'15" W, 133.78 feet to a point,

Thence Northwesterly 151.62 feet along the arc of a curve, whose center lies to the Southwest, whose radius is 146.55 feet and whose chord bears N 30°45'32" W 144.94 feet to a point,

Thence N 60°23'50" W, 255.00 feet to a point,

Thence N 29°36'10" E, 66.00 feet to a point,

Thence S 60°23'50" E, 255.00 feet to a point,

Thence Southeasterly 219.90 feet along the arc of a curve, whose center lies to the Southwest, whose radius is 212.55 feet and whose chord bears S 30°45'32" E 210.22 feet to a point,

Thence S 01°07'15" E, 53.80 feet to a point,

Thence Southeasterly 23.37 feet along the arc of a curve, whose center lies to the Northeast, whose radius is 15.00 feet and whose chord bears S 45°45'33" E 21.08 feet to a point,

Thence N 89°36'09" E, 135.19 feet to a point,

Thence S 01°06'00" E, 66.00 feet to the point of beginning.

provided that pursuant to Section 66.1005 Wis. Stats. such vacation shall not terminate the easements acquired and the rights of the public in any of the underground structures, improvements or services as enumerated or otherwise existing in said public way and in said description of lands hereinbefore described, but such easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if such public way had not been vacated.

and,

WHEREAS it appears that this resolution was introduced before the Common Council of the City of Oak Creek pursuant to Wis. Stats. Sec. 66.1003(4)(a) on November 19, 2013 and a Notice of Public Hearing was published in the Oak Creek NOW, the official City newspaper on November 28, 2013, December 5, 2013 and December 12, 2013, that a copy of said Notice was duly served on the following property owners in accordance with Wisconsin State Statutes:

OWNER  
Wispark, LLC

PROPERTY ADDRESS  
10711 S. Howell Ave., Oak Creek, WI 53154  
(Mailing address: 301 W. Wisconsin Ave., Ste. 400, Milwaukee, WI 53203)

and it further appears that no sufficient written objection to said discontinuance and vacation was filed with the City Clerk; and it appears that a public hearing was held before the Common Council of the City of Oak Creek on the 7<sup>th</sup> day of January, 2014, at 7:00 p.m.; and

WHEREAS, A Notice of Pendency of Application to Vacate in the above matter was filed with the Register of Deeds for Milwaukee County, Wisconsin on the 18th day of November, 2013 and a report was received by the Plan Commission, all as required by law, and

NOW THEREFORE, in accordance with the authority vested in the Common Council by Section 66.1003(4)(a) of the Wisconsin Statutes,

BE IT RESOLVED by the Common Council of the City of Oak Creek that the following public street legally described as:

Commencing at the Northeast corner of the Southeast ¼ of Section 32, thence S 89°36'06" W along the North line of the Southeast ¼ aforesaid 75.01 feet to the point of beginning of the lands to be described,

Thence S 89°36'09" W, 215.99 feet to a point,

Thence N 01°07'15" W, 133.78 feet to a point,

Thence Northwesterly 151.62 feet along the arc of a curve, whose center lies to the Southwest, whose radius is 146.55 feet and whose chord bears N 30°45'32" W 144.94 feet to a point,

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provided that pursuant to Section 66.1005 Wis. Stats. such vacation shall not terminate the easements acquired and the rights of the public in any of the underground structures, improvements or services as enumerated or otherwise existing in said public way and in said description of lands hereinbefore described, but such easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if such public way had not been vacated.

be and the same are hereby discontinued and vacated.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held the 19th day of November, 2013.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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



Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

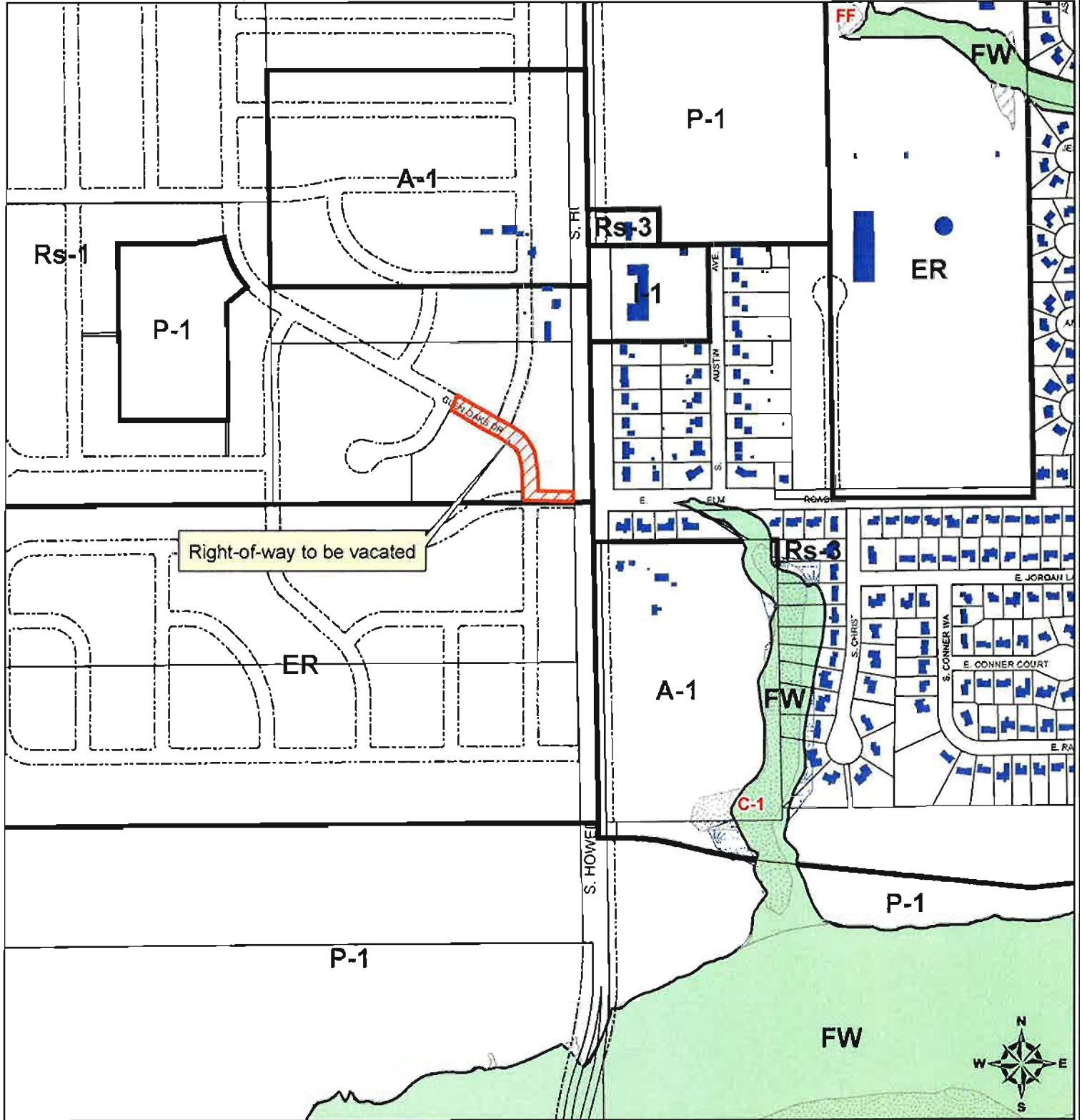
ATTEST:

\_\_\_\_\_  
Mayor

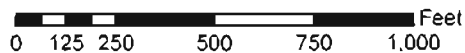
\_\_\_\_\_  
City Clerk

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

Glen Oaks Drive Right-of-way vacation  
 Section 32  
 Location Map



**OAKCREEK**  
 — WISCONSIN —



**Legend**

- Parcels
- Existing Street Pattern