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

COMMON COUNCIL MEETING AGENDA

TUESDAY, FEBRUARY 4, 2014
AT 7:00 P.M.

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

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 1/21/14

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

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

4. **Street Vacation:** Consider a proposed street vacation and discontinuation of a portion of a public street right-of-way in the City of Oak Creek (E. Forest Hill Ave.) (held 11/19/13) (3rd District).
5. **Resolution:** Consider Resolution No. 11441-121713, vacating and discontinuing a portion of a public street in the City of Oak Creek (E. Forest Hill Ave.) (held 12/17/13) (3rd District).

Recognition

6. **Council Proclamation:** Consider Council Proclamation 14-01, Congratulations to Wheaton Franciscan Healthcare, South Suburban Chamber of Commerce 2013 Business of the Year (by Committee of the Whole).
7. **Council Proclamation:** Consider Council Proclamation 14-02, Congratulations to Staybridge Suites Milwaukee Airport South, South Suburban Chamber of Commerce 2013 Pride in Premises Award Winner (by Committee of the Whole).

Presentations

8. **Presentation:** Presentation by Bray Architects; Owner's Representative, Steve Chamberlin; and Community Development Director, Douglas Seymour, to update the Council on the City Hall, Library and Fire Station project.

New Business

MAYOR & COMMON COUNCIL

9. **Motion:** Consider a *motion* to establish an effective date for the marketing service contract with Connect The Dots, which was approved by the Council on 12/17/13 (by Committee of the Whole).
10. **Motion & Ordinance:** Consider a *motion* to disband various ad hoc committees, reserving the right to re-establish each group, if necessary; and to consider *Ordinance* No. 2706, repealing Sections 2.75 and 2.75 of the Municipal Code to eliminate the Environmental Advisory Committee and the Cable Advisory Committee (by Committee of the Whole).
11. **Motion:** Consider a *motion* to approve the 2013 Vendor Summary Report in the amount of \$321,031.19 and 2014 Vendor Summary Report in the amount of \$272,614.20, for a total of all claims of \$593,645.39 (by Committee of the Whole).

FIRE

12. **Motion:** Consider a *motion* to approve the purchase of the Locution Station Alerting System in the amount of \$220,000 (by Committee of the Whole).

LICENSE COMMITTEE

The License Committee met on 1/28/14. Minutes are attached. Recommendations are being made as follows:

13. **Motion:** Consider a *motion* to *deny* an Operator's license to Cornelius S. Williams, 2610 W. Holton., Milwaukee (Applebee's) for felony convictions and falsification of application.

The following items were received after the License Committee met. Tentative recommendations are being made as follows:

14. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
 - John Lindstrom, 3521 S. Herman St, Milwaukee (Aldi's)
 - Heather Holmes, 8920 S. Woodcreek Dr., Oak Creek (7-Eleven)
 - Blaine Scherrer, 3849 S. Packard Ave., St. Francis (PDQ)
 - Jessica Scherz, 2020 S. 82nd St., West Allis (7-Eleven)
 - Judith Stewart, 234 Menomonee Ave., South Milwaukee (Walgreens)
 - Caitlyn Folts, 7554 S. Crane Dr., Oak Creek (7-Eleven)
 - Laura Strong, 3713 S. Rutland Ave., St. Francis (PDQ)
15. **Motion:** Consider a *motion* to grant a 2014 Dog Kennel license to Deborah Lipstreuer, 8411 S. Liberty Ln., Oak Creek (*favorable department approvals received*).
16. **Motion:** Consider a *motion* to grant a 2014 Secondhand Article Dealer license to (*favorable department approvals received*):
 - Richard Radtke for Oak Creek Currency & Coin, 616 E. Ryan Rd.
 - Michael L. Nichols for GameStop #6246, 8171 S. Howell Ave., Suite 300

17. **Motion:** Consider a *motion* to grant a 2014 Mobile Home Park license to TCSC LLC, dba Hy-View Mobile Home Court, 2331 W. College Ave. (*favorable department approvals received*).
18. **Motion:** Consider a *motion* to grant an Athletic Events, Parades and Related Event Permit to Katie Seeley, Relay Director, Ragnar Events for 6/6-6/7/14 (*favorable department approvals received*).

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

*** * * OFFICIAL NOTICE * * ***

NOTICE OF COMMON COUNCIL ACTION

The Common Council of the City of Oak Creek will hold a Public Hearing at 7:00 p.m. on Tuesday, February 4, 2014, in the Common Council Chambers of the City Hall located at 8640 South Howell Avenue, Oak Creek, Wisconsin, upon the resolution herein described and will act upon said resolution at said time and place. Said resolution was introduced by the Common Council of the City of Oak Creek on December 17, 2013, pursuant to Wis. Stats. Sec. 66.1003(4), and proposes the discontinuing and vacation of the public street right-of-way in the City of Oak Creek, Milwaukee County, Wisconsin, the legal description thereof being as follows:

Commencing at the Northwest Corner of the of said Southeast ¼; thence N89°21'22"E along the North line of said Southeast ¼ a distance of 398.22 feet; thence S00°36'38"W a distance of 40.01 feet; thence N89°21'22"E a distance of 208.18 feet to the point of beginning of the description; thence Southeasterly 23.83 feet along the arc of a 15 foot radius concave curve whose chord bears S45°07'46"E, 21.40 feet; thence S00°23'29"W a distance of 106.76 feet; thence S21°15'54"E a distance of 327.71 feet; thence Northerly 220.18 feet along the arc of a 580.00 foot radius convex curve whose chord bears N10°23'21"W a distance of 218.86 feet; thence N00°23'29"E a distance of 198.32 feet; thence Northeasterly 23.29 feet along a 15 foot radius concave curve whose chord bears N44°52'15"E, a distance of 21.02 feet; thence N89°21'31"W along the southerly right-of-way line of E. Forest Hill Avenue distance of 110.02 feet to the point of beginning.

Provided, that pursuant to Section 66.1005, Wisconsin Statutes, 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.

A copy of the map depicting the street proposed to be vacated is available in the Department of Community Development.

All interested persons, firms and corporations wishing to be heard are invited to be present and may be heard at this hearing.

The Common Council has scheduled other public hearings for February 4, 2014, at 7:00 p.m. This hearing may begin at 7:00 p.m. or as soon thereafter as is practicable, following the conclusion of other scheduled public hearings.

Published by the authority of the Common Council of the City of Oak Creek this 17th day of December, 2013.

Catherine Roeske, City Clerk

Any person(s) with questions regarding the proposed change may call the City Engineer at 768-6538.

PUBLIC NOTICE

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

City of Oak Creek Common Council Report

Meeting Date: February 4, 2014

Item No.: 5

Recommendation: That the Council adopt Resolution No. 11441-121713 vacating a portion of the E. Forest Hill Avenue right-of-way.

Background: A request was made in 2012 by the owner of 1101 E. Forest Hill Avenue to vacate a portion of the unimproved right-of-way between his property and 931 E. Forest Hill Avenue. The owner would like to complete the vacation process at this time.

The area to be vacated is approximately 80 feet in width at its widest and tapers toward the east south of 1101 E. Forest Hill Avenue. Originally this right-of-way was intended to connect to Puetz Road; however, the lands are now part of the Oak Leaf Trail and were removed from the official map. An officially-mapped north-south street exists to the east of the Applicant's property that, once constructed, will connect E. Forest Hill Avenue to Puetz Road. Once vacated, the lands will be distributed to the property owners abutting each side of the right-of-way. No utilities exist within the right-of-way, so no additional easements will be needed.

Staff raised a concern for trail safety considering the proximity of the proposed area to be vacated to the bike trail in terms of the potential for a residential driveway onto E. Forest Hill Avenue. Staff recommended, and the Plan Commission approved, an access restriction along the entire width of the former right-of-way. The Plan Commission recommends approval with this access restriction.

This resolution was previously introduced at the December 17, 2013 meeting, and held to allow for publication and a public hearing.

Fiscal Impact: This vacation will return the right-of-way to private ownership. There are currently homes on three of the four affected parcels and no plans for further development. Therefore, there is no fiscal impact at this time.

Prepared by:



Doug Seymour, AICP
Director of Community Development

Respectfully Submitted,

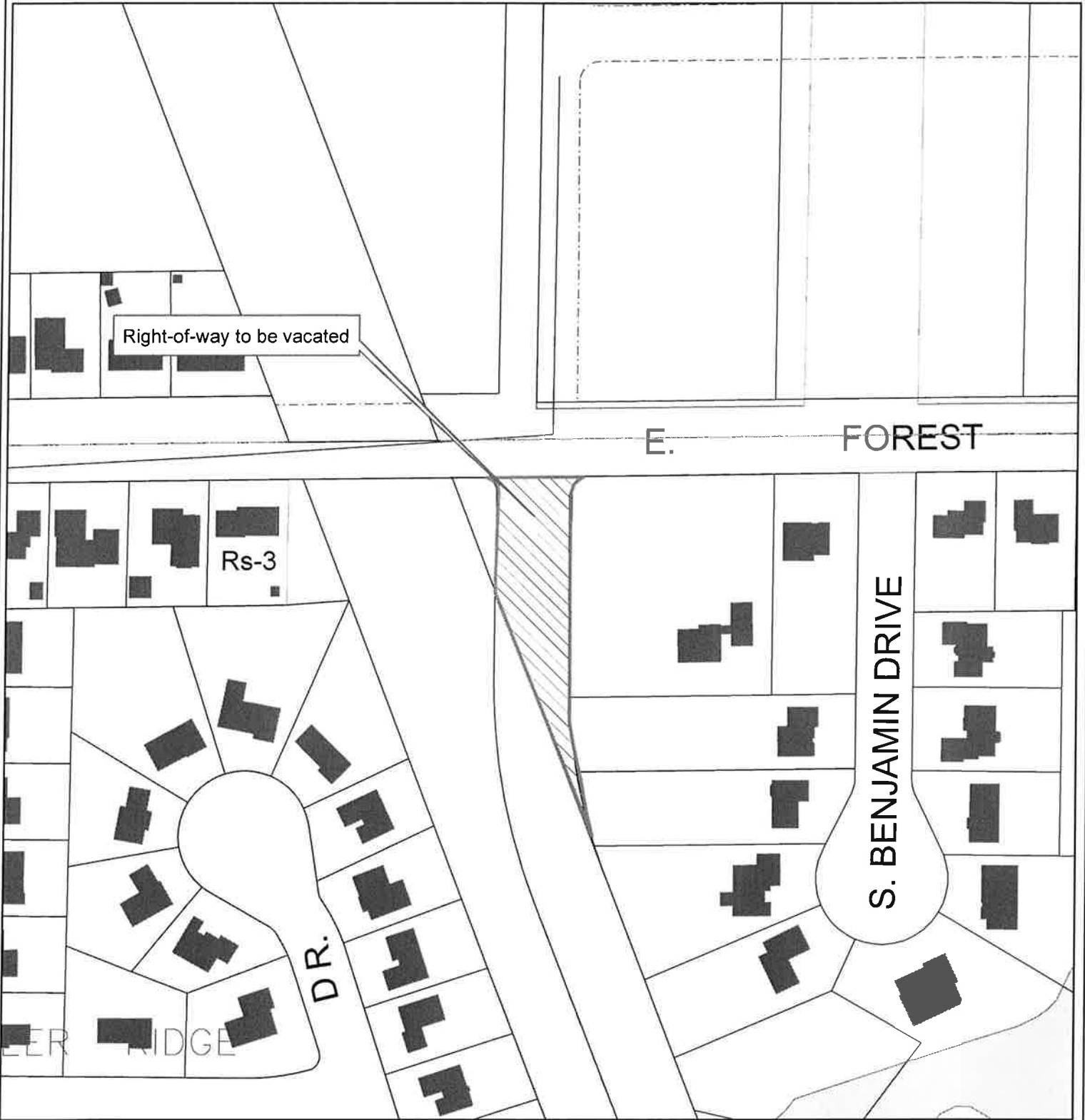


Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:

Bridget M. Souffrant
Finance Director/Comptroller

Right-of-way vacation Lands between 931 & 1101 E. Forest Hill Location Map



OAKCREEK
— WISCONSIN —

Department of Community Development



Legend

-  R-O-W to be Vacated
-  Parcels 2012
-  Existing Street Pattern
-  Floodway

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, December 10, 2013

Mayor Scaffidi called the meeting to order at 6:00 p.m. The following Commissioners were present at roll call: Commissioner Dickmann, Commissioner Johnston, Commissioner Carrillo, Alderman Bukiewicz, Mayor Scaffidi, Alderman Michalski, Commissioner Siefert, Commissioner Correll and Commissioner Chandler. Also present were Kari Papelbon, Planner, Pete Wagner, Zoning Administrator/Planner, Assistant Fire Chief Mike Kressuk and Doug Seymour, Director of Community Development

Right of Way

Omar Barasneh

931 and 1101 E. Forest Hill Avenue

Ms. Papelbon explained that the applicant is requesting this right-of-way vacation which began in 2012 be brought forward and completed. The area to be vacated is approximately 80 feet in width at its widest and tapers toward the east, south of 1101 E. Forest Hill Avenue. Originally this right-of-way was intended to connect to Puetz Road; however, the lands are now part of the Oak Leaf Trail and were removed from the Official Map. An officially mapped north-south street exists to the east of the applicants property that once constructed will connect E. Forest Hill Avenue to Puetz Road. Once vacated, the lands will be distributed to the property owners abutting each side of the right-of-way. Concerns were raised by staff for the location of a potential future driveway. Staff recommends that the Plan Commission include a condition that no new driveways would be allowed within the vacated area.

Mr. Iglinski, 8341 S. Benjamin Drive, asked if his taxes will increase if he accepts the small piece of land. Mr. Seymour stated that yes, but not by very much.

Commissioner Dickmann motioned that the Plan Commission recommends to the Common Council that the unimproved right-of-way of a portion of the Northwest ¼ of the Southeast ¼ of Section 16 (lands between 931 and 1101 E. Forest Hill Avenue be vacated after a public hearing and with the condition that no new driveways are allowed within the vacated area. Alderman Bukiewicz second. All voted aye. Motion carries.

RESOLUTION NO. 11441-121713

RESOLUTION VACATING AND DISCONTINUING A PART OF A
PUBLIC STREET IN THE CITY OF OAK CREEK
(Between 931 and 1101 E. Forest Hill Avenue in the SE ¼ of Section 16-5-22)
(3rd 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:

Dedicated Public Street lands on Certified Survey Map No. 5717 and being a part of the Northwest ¼ of the Southeast ¼ Section 16, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, more particularly described as follows:

Commencing at the Northwest Corner of the of said Southeast ¼; thence N89°21'22"E along the North line of said Southeast ¼ a distance of 398.22 feet; thence S00°36'38"W a distance of 40.01 feet; thence N89°21'22"E a distance of 208.18 feet to the point of beginning of the description; thence Southeasterly 23.83 feet along the arc of a 15 foot radius concave curve whose chord bears S45°07'46"E, 21.40 feet; thence S00°23'29"W a distance of 106.76 feet; thence S21°15'54"E a distance of 327.71 feet; thence Northerly 220.18 feet along the arc of a 580.00 foot radius convex curve whose chord bears N10°23'21"W a distance of 218.86 feet; thence N00°23'29"E a distance of 198.32 feet; thence Northeasterly 23.29 feet along a 15 foot radius concave curve whose chord bears N44°52'15"E, a distance of 21.02 feet; thence N89°21'31"W along the southerly right-of-way line of E. Forest Hill Avenue distance of 110.02 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 December 17, 2013 and a Notice of Public Hearing was published in the Oak Creek NOW, the official City newspaper on December 26, 2013, January 2, 2014 and January 9, 2014, that a copy of said Notice was duly served on the following property owners in accordance with Wisconsin State Statutes:

OWNER	PROPERTY ADDRESS
Omar & Aliceann Barasneh	931 E. Forest Hill Ave., Oak Creek, WI 53154
Omar & Aliceann Barasneh	1101 E. Forest Hill Ave., Oak Creek, WI 53154
James Iglinski & Shelley Jaeck-Iglinski	8341 S. Benjamin Dr., Oak Creek, WI 53154
Sherri Swerdlow	8343 S. Benjamin Dr., Oak Creek, WI 53154
Larry & Sandra Deford	8355 S. Benjamin Dr., Oak Creek, WI 53154
Milwaukee County	915 & 925 E. Forest Hill Ave., Oak Creek, WI 53154 (Mailing address: 901 N. 9 th St., Milwaukee, WI 53233)

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 4th day of February, 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 16th day of December, 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:

Dedicated Public Street lands on Certified Survey Map No. 5717 and being a part of the Northwest ¼ of the Southeast ¼ Section 16, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, more particularly described as follows:

Commencing at the Northwest Corner of the of said Southeast ¼; thence N89°21'22"E along the North line of said Southeast ¼ a distance of 398.22 feet; thence S00°36'38"W a distance of 40.01 feet; thence N89°21'22"E a distance of 208.18 feet to the point of beginning of the description; thence Southeasterly 23.83 feet along the arc of a 15 foot radius concave curve whose chord bears S45°07'46"E, 21.40 feet; thence S00°23'29"W a distance of 106.76 feet; thence S21°15'54"E a distance of 327.71 feet; thence Northerly 220.18 feet along the arc of a 580.00 foot radius convex curve whose chord bears N10°23'21"W a distance of 218.86 feet; thence N00°23'29"E a distance of 198.32 feet; thence Northeasterly 23.29 feet along a 15 foot radius concave curve whose chord bears N44°52'15"E, a distance of 21.02 feet; thence N89°21'31"W along the southerly right-of-way line of E. Forest Hill Avenue distance of 110.02 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.

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 17th day of December, 2013.

Passed and adopted this _____ day of _____, 2014.

President, Common Council

Approved this _____ day of _____, 2014.

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

**COUNCIL PROCLAMATION NO. 14-01
CONGRATULATIONS TO
WHEATON FRANCISCAN HEALTHCARE
SOUTH SUBURBAN CHAMBER OF COMMERCE
2013 BUSINESS OF THE YEAR**

WHEREAS, the South Suburban Chamber of Commerce conducts an annual search for the business most deserving of recognition because of their contributions to the south suburban communities, their organizations, and its youth; and

WHEREAS, the South Suburban Chamber of Commerce will be hosting a banquet on Thursday, January 30, 2014, to honor the "2013 Business of the Year"; and

WHEREAS, Wheaton Franciscan Healthcare has been chosen by the South Suburban Chamber of Commerce to receive the "2013 Business of the Year" award; and

WHEREAS, since its opening in 2008 Wheaton Franciscan Healthcare vision has always been to meet the needs of the community and to treat each patient with respect and dignity; and

WHEREAS, Wheaton Franciscan Healthcare and its associates have been heavily involved in the community through such programs as Yoga Therapy for MS, Su Salud, Mental Health Community Education Series and the STRIDES program; and

WHEREAS, Wheaton Franciscan Healthcare partnered with Mayor Steve Scaffidi in the Mayor's Fitness Challenge, an annual community challenge that goes beyond weight loss and now includes an emphasis on total lifestyle improvements; and

WHEREAS, Wheaton Franciscan Healthcare and its associates have readily embraced volunteerism, having participated in annual food drives and Christmas toy collections through the Salvation Army as well as other programs such as the Hunger Task Force, park clean-ups and serving food at St. Vincent De Paul; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby congratulate Wheaton Franciscan Healthcare for being selected the "2013 Business of the Year".

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

Passed and adopted this ____ day of _____, 2014.

President, Common Council

Approved this ____ day of _____, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes ____ Noes ____

**COUNCIL PROCLAMATION NO. 14-02
CONGRATULATIONS TO
STAYBRIDGE SUITES MILWAUKEE AIRPORT SOUTH
SOUTH SUBURBAN CHAMBER OF COMMERCE
2013 PRIDE IN PREMISES AWARD WINNER**

WHEREAS, the Pride in Premises award is given annually by the South Suburban Chamber of Commerce to the Chamber member who exemplifies pride in their community through the design, construction and maintenance of their facilities and landscaping; and

WHEREAS, the South Suburban Chamber of Commerce will be hosting a banquet on Thursday, January 30, 2014 to honor the "Pride in Premises" award winner; and

WHEREAS, the Staybridge Suites Milwaukee Airport South has been chosen by the South Suburban Chamber of Commerce to receive the "Pride in Premises" award; and

WHEREAS, the Staybridge Suites Milwaukee Airport South uses natural plantings, cattails and shrubs to create a welcoming entrance to the hotel. Areas that previously were overgrown are now mulched, a fire pit serves as a gathering spot and the environmentally friendly parking lot with a pervious brick surface all contribute to the well-designed premises of the hotel; and

WHEREAS, the Staybridge Suites Milwaukee Airport South purchased 10 acres of wet lands to preserve them and created the brick paver parking lot to filter water while returning it to the surrounding area.; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby congratulate the Staybridge Suites Milwaukee Airport South for being selected the winner of the "2013 Pride in Premises" award.

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

Passed and adopted this ____ day of _____, 2014.

President, Common Council

Approved this ____ day of _____, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes ____ Noes ____

City of Oak Creek Common Council Report

Meeting Date: February 4, 2014

Item No.: 9

Recommendation: Establish an effective date for the marketing service contract with Connect The Dots LLC.

Background: On December 17, 2013 the Common Council approved a marketing service contract with Connect The Dots LLC. At that meeting, the City Administrator indicated the contractor had requested the start date be established as 11/01/2013 as he had been talking with perspective businesses on the behalf of the City since at least that time. The Council did not establish a date for the contract in their motion. The Council should consider the effective date for the contract.

Fiscal Impact: The contract includes a retainer of \$1,000 per month and a success fee based on business occupancies which occur as a result of the marketing efforts under the contract.

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
MARKETING SERVICES CONTRACT**

THIS CONTRACT, made and entered into this _____ day of _____ 2013, by and between CONNECT.THE.DOTS L.L.C., hereinafter called the "Contractor" and the CITY OF OAK CREEK, a municipal corporation of the State of Wisconsin, hereinafter called "City",

W I T N E S S E T H:

That the Contractor, and the City, for the consideration stated herein, agree as follows:

1. SCOPE OF WORK

The Contractor shall provide marketing services to facilitate economic development in the City of Oak Creek. Services shall include initiating contact, arranging meetings, and developing relationships with a variety of businesses in order to attract, retain and expand the presence of those businesses in the City. The Contractor shall provide City with minutes from those meetings and follow-up strategy.

The Contractor shall provide all labor, equipment, services, expertise and everything necessary for the completion of the work more fully hereinafter set forth, all in strict accordance with this contract. The Contractor shall do everything required by this contract and other documents constituting a part hereof and in the manner specified herein.

The City shall be the exclusive public sector client of the Contractor. The Contractor may provide services hereunder to other private clients, and the same shall not be considered a violation of this contract. The Contractor shall disclose said other clients to the City, which City agrees to keep confidential.

The Contractor agrees to keep confidential any and all proprietary information of the City obtained by the Contractor in providing the services hereunder. The Contractor agrees to execute any reasonable confidentiality agreement of the City acknowledging same.

The parties agree that the rules of engagement surrounding the addition of accounts to a target list is a mutual event, but the final decision for inclusion or exclusion lies with the City. All qualifying accounts or leads shall be approved in writing or via email by the City of Oak Creek City Administrator to the Contractor prior to the commencement of activity by the Contractor. It is understood that quality of account leads rather than quantity is sought by this service contract. Contractor shall propose and jointly develop leads with the City including possible approach strategies.

City agrees that the Contractor will be providing the services utilizing the Contractor's reasonable best efforts, however, the City acknowledges that the services are purely advisory only, and that the Contractor will not be responsible for any losses, costs, expenses or damages incurred by the City as a result of the provision of the Contractor's services. The City agrees to defend, indemnify and hold the Contractor harmless from any and all liability, costs, damages or expense, including attorney's fees, incurred by the Contractor, brought by or against any third party, as a result of the Contractor's providing the services to the City hereunder assuming Contractor was not working outside the scope of his authority.

Contractor shall be required to prepare and submit on a quarterly basis written reports detailing lead contacts, development, strategy, and timing estimates on decision making and building plans when appropriate. Additional information may be required which will be jointly discussed and agreed to between the parties.

2. TERM

The term of this Contract shall be for a period of one (1) year commencing _____ (the "Commencement Date") and terminating _____. Thereafter this Contract may be renewed for additional terms of one year by mutual written agreement of the parties.

3. FEES AND PAYMENT

City shall pay the Contractor a monthly retention fee of one thousand and no/100 dollars (\$1,000.00) on or about the first of each month, consistent with internal processing schedules, which retention fee shall entitle City up to eight (8) hours of billable time each month.

A "Success Fee" shall be available to the Contractor under the following conditions and based upon the City taxes produced for the first full year of improved values. This Success Fee is paid by the City to the Contractor for a business which expands or locates in the City based upon leads generated by the Contractor or jointly agreed to by the City. The Success Fee shall be determined as follows:

- For City levied real estate property taxes received which amount to less than \$100,000.00, the Contractor shall be paid 10% of the City taxes collected.
- For City levied real estate property taxes received which amount to more than \$100,000.00, the Contractor shall be paid 7.5% of the City taxes collected.

Payment of a Success Fee is due within 30 days of the City Assessor's valuation of the completed project. The Contractor acknowledges that a business has the right to appeal any assessment valuation and, therefore, payment of any Success Fee due shall be paid

after all appeals are finalized. Assessments for payment of "Success Fee" shall include land improvements, building and personal property. The City portion of taxes for purposes of making a Success Fee payment are the only taxes to be considered.

City shall be responsible for reimbursing the Contractor for any ordinary and reasonable business expenses incurred in providing the services hereunder, with mileage expenses at \$0.55 per mile and reasonable costs for hotels and meals when travel time outside of southeastern Wisconsin is required. For any single business expense exceeding \$250.00, the Contractor shall first obtain City approval in writing for said business expense before incurring that expense.

The Contractor shall be paid as an independent contractor to City for liability and tax purposes. The Contractor shall be paid all gross fees and be responsible for any tax withholding.

4. PROFESSIONAL SERVICES LIABILITY AND INSURANCE

The Contractor shall provide the City with certificates of insurance acceptable to the City prior to commencement of the work. It is hereby agreed and understood that the insurance required by the City is primary coverage and that any insurance or self insurance maintained by the City, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing work and remain in force until all services are completed and the length of time specified, if any, in the contract or listed below, whichever is longer.

5. TERMINATION

Either party may terminate this contract prior to the expiration of the term upon 30 days prior written notice. In addition, the Contractor shall be entitled to a bonus payment or commission upon the closing or completion of any success fee events the Contractor was working on prior to termination, which is subsequently closed or completed for up to one (1) year after City's termination of this contract.

6. AMENDMENTS

This Contract constitutes the entire understanding of the parties regarding the provision of the services, and there are no other understandings or agreements between the parties other than what is contained in this contract. This contract may only be amended upon the mutual signed written agreement of the parties. This agreement shall be governed by and construed in accordance with the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in four (4) original counterparts the day and year first above written.

Contractor Witnesses:

CONNECT.THE.DOTS
175 W. Summerhill Pl.
Oak Creek, WI 53154

By: _____
Gary F. Billington, CEO

Other Witnesses:

CITY OF OAK CREEK

By: _____
Stephen A. Scaffidi, Mayor

ATTEST:

By: _____
Catherine Roeske, City Clerk

COUNTERSIGNED:

I hereby certify that sufficient funds are in the
Treasury to meet the expense hereof.

Bridget M. Souffrant
Finance Director/Comptroller

Examined and approved as to form this
_____ day of _____, 2013.

Lawrence J. Haskin, City Attorney

City of Oak Creek Common Council Report

Meeting Date: 2/4/14

Item No.: 10

Recommendation: That the Common Council disbands the following ad-hoc committees, but reserve the right to re-establish each group, if necessary, and that the Common Council adopts Ordinance No. 2706 to repeal Sections 2.75 and 2.76 of the Municipal Code to eliminate the Environmental Advisory Committee and the Cable Advisory Committee.

Ad hoc Bender Park Committee	est. 8/1990
Ad hoc Fire Station No. 1 Committee	est. 12/2010
Ad-hoc Lakeview Village Redevelopment Plan Committee	est. 01/2001
Ad-hoc City Facility Space Needs Committee	est. 02/2006
Ad-hoc Civic Center Design Steering Committee	est. 7/2007
Ad-hoc Joint Library Exploratory Committee	est. 8/2007
Environmental Advisory Committee	est. 12/1999
Cable Advisory Committee	est. 11/1997

Background: Pursuant to Section 2.23 of the Municipal Code the Mayor may from time to time, appoint Special Committees or ad hoc committees to review a particular project or a particular issue. The staff recommends that the listed ad hoc committees as well as the Environmental Advisory Committee and the Cable Advisory Committee, both of which are standing committees be disbanded because they have been inactive for some time. The following is a brief description of the status of each committee listed above.

ad hoc Bender Park Committee

Formed in August of 1990, this committee met in support of Milwaukee County Board's Bender Park Advisory Committee to evaluate the shore line protection measures and planned uses at the Bender Park site.

ad hoc Fire Station No. 1 Committee

Formed in December of 2010, this committee was created for the purpose of determining design parameters for construction of a new fire station 1 on a property acquired by the City. At this time full RFP recommendations are complete.

ad hoc Lakeview Village Redevelopment Plan Committee

This committee, formed in January 2001, was created to assist the Community Development Authority and the consultants in creating a redevelopment plan for the Carrollville area of Oak Creek. This committee comprised of the CDA and 10 property owners from the district. Today a master development plan does exist for this site, thus placing this Committee as inactive.

ad hoc City Facility Space Needs Committee

This Committee was created to determine the future needs of City facilities such as the City Hall building, the Library, the garage, and Fire Station #1. Space needs would be the focus of this group. Development plans are in place at this time.

ad hoc Civic Center Design Steering Committee

Established in July 2007, the Committee was approved by Council to further study and make recommendations regarding design of the new buildings and site design considerations for the Oak Creek Civic Center. The site for the new city hall and library has been selected and construction plans are being finalized. Additionally, the Council approved creation of a Library Foundation.

ad hoc Joint Library Exploratory Committee

In February of 2007, Mayor Bolender commenced preliminary exploration into the feasibility of constructing a City of Oak Creek / Milwaukee Area Technical College (MATC) Joint Library Facility on the MATC South Campus site. A decision has been made to not construct a joint library with MATC and the City is finalizing construction plans for a new library at Drexel Town Square.

Environmental Advisory Committee

This Committee was created by Ordinance in 2001, its major function being to guide the city thru the mandatory recycling regulations. This Committees objective is complete.

Cable Advisory Committee

The City signed a Franchise Agreement with Time Warner Cable back in 1997. At that time the City formed a Committee to conduct business related to the agreement and to handle all citizen complaints properly. The Franchise agreement does not state the City must maintain this Committee. This Committee no longer meets and is not needed.

Fiscal Impact: None.

Prepared by:



Catherine A. Roeske
City Clerk

Submitted by:



Gerald Peterson, ICMA-CM
City Administrator

Reviewed by:



Lawrence J. Haskin
City Attorney

City of Oak Creek Common Council Report

Meeting Date: February 4, 2014

Item No.: 11

Recommendation: That the Common Council approves payment of the obligations as listed on the January 29, 2014 - 2013 & 2014 Vendor Summary Report.

Background: Of note are the following payments:

1. \$61,122.37 to Advanced Disposal-Muskego-C6 (pg #1) for recycling and landfill charges.
2. \$20,940.00 to Godfrey & Kahn S.C. (pg #3) for November legal services regarding 220 acre lakefront redevelopment and Emerald Row project.
3. \$9,275.00 to MSA Professional Services Inc. (pg #5) for contract amendment South 38 Forest Hill to Drexel.
4. \$27,541.70 to Oak Creek-Franklin Joint School District (pg #5) for 2013 mobile home park fees.
5. \$13,860.19 to Oak Creek Water & Sewer Utility (pg #5) for 4th quarter project inspection costs and December locating services.
6. \$5,032.00 to R. A. Smith National (pg #6) for November DTS services.
7. \$102,314.24 to City of South Milwaukee (pg #7) for city's portion due per agreement regarding Pennsylvania Avenue.
8. \$10,500.00 to Strand Associates, Inc. (pg #7) for December South 5th Avenue relocation services.
9. \$41,397.81 to WE Energies (pgs #8-9) for street lighting and gas/electric utilities.
10. \$61,340.52 to Benistar/UA (pg #2) for February retiree Medicare supplement.
11. \$5,000.00 to Milwaukee 7 (pg #8) for 2014 economic development payment.
12. \$9,918.03 to National Insurance Company (pg #9) for disability insurance.
13. \$97,625.11 to North American Salt Co (pg #10) for road salt.
14. \$7,181.72 to Tredroc Tire/024Wallis (pgs #12-13) for tires.
15. \$23,488.30 to WE Energies (pg #14) for street lighting.

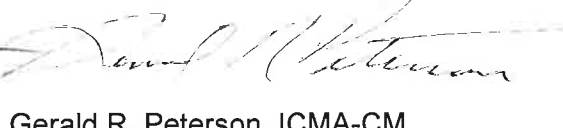
Fiscal Impact: Total claims paid of \$321,031.19 for 2013 and \$272,614.20 for 2014. Total of all claims \$593,645.39.

Prepared by/Fiscal Review by:

Respectfully submitted,



Bridget M. Souffrant, CMTW
Finance Director/Comptroller



Gerald R. Peterson, ICMA-CM
City Administrator

City of Oak Creek Common Council Report

Meeting Date: February 4, 2014

Item No.: 12

Recommendation: The Common Council approves the purchase of the Locution Station Alerting System in the amount of \$220,000.

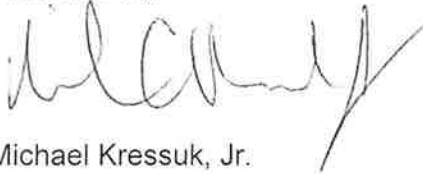
Background: A station alerting system notifies department personnel of incidents. These systems can help reduce overall response times by quickly providing clear information to the appropriate stations.

The Fire Department has been exploring several station alerting options as part of the Fire Station 1 reconstruction. We identified four systems; Locution, Comtech, Zetron, and Phoenix G2, and had each company submit a price quote. The Locution system was selected due to its integration with our current CAD system and overall alerting features. This system will be installed at all three fire stations.

The implementation of this system will help us to reduce our call processing and turnout times, which will allow us to improve our total response times to emergencies.

Fiscal Impact: \$160,000 has been approved through the CIP process; the remaining \$60,000 has been included in the Fire Station 1 construction budget.

Prepared by:



Michael Kressuk, Jr.
Assistant Fire Chief

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Reviewed by:

Bridget M. Souffrant, CMTW
Finance Director / Comptroller

**MINUTES
LICENSE COMMITTEE
TUESDAY, JANUARY 28, 2014 AT 11:30 A.M.**

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This meeting was called to order at 11:32 a.m. Present were: Ald. Ruetz, Ald. Gehl and Ald. Kurkowski. Also in attendance were Assistant City Attorney Melissa Karls and Deputy City Clerk Christa Miller.

1. The Committee reviewed the application for an Operator's license submitted by Cornelius S. Williams, 2610 W. Holton, Milwaukee (Applebee's). Mr. Williams was invited to the meeting, but did not attend.

On his application, Mr. Williams disclosed a conviction for aggravated battery in 2010.

The police report presented the following convictions:

- Home Invasion/Cause Injury (felony) (Cook County, IL) convicted 8/13/07
- Child Abduction (felony) (Cook County, IL) convicted 2/20/07
- Aggravated Battery/Weapon (felony) (Canton, IL) convicted 8/13/10

Mr. Williams has three felony convictions, two of which were omitted on his application. The License Committee determined that these omissions constituted falsification by omission. Additionally, an application can be denied on the basis that he had been convicted of felony charges.

Ald. Gehl, seconded by Ald. Kurkowski, moved to deny the Operator's license application submitted by Cornelius S. Williams, 2610 W. Holton, Milwaukee, for falsification of application and for felony convictions. On roll call, all voted aye.

Ald. Gehl, seconded by Ald. Ruetz, moved to adjourn this meeting at 11:41 a.m. On roll call, all voted aye.