

Visit our website at
www.oakcreekwi.org
for the agenda and
accompanying
common council
reports.



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

COMMON COUNCIL MEETING AGENDA

TUESDAY, MARCH 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: 2/17/14 .

Recognition

4. **Council Proclamation:** Consider Council Proclamation No. 14-03 to Sandra Schneider for dedicated service to the City as a member of the Board of Health (by Committee of the Whole).
5. **Ordinance:** Consider Ordinance No. 2714, amending Section 2 of Ordinance No. 2700, relating to the salary for the Deputy Health Officer (by Committee of the Whole).
6. **Council Proclamation:** Consider Council Proclamation No. 14-04 to Grant Norman Rissley for receiving the Eagle Scout Award (by Committee of the Whole).

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.

7. **PUD Amendment:** Consider a request by WisPark, LLC to amend the parking setback requirement in the Planned Unit Development ordinance and general development plan for Oak View Business Park located at 405 & 641 W. Oakwood Rd. and 10303 & 10711 S. Howell Ave. (5th District) (see Item 8 for action on this hearing).
8. **Ordinance:** Consider Ordinance No. 2708, amending the Planned Unit Development and General Development Plan for the OakView Business Park properties at 405 W. Oakwood Rd., 641 W. Oakwood Rd., 10303 S. Howell Ave., and 10711 S. Howell Ave. (5th District)
9. **Drexel Town Square Mixed Use Planned Development District General Development Plan and Regulating Plan Amendment:** Consider a request to amend the location of the build-to-zone in Figures 4a and 4b of the General Development Plan and Regulating Plan for the Drexel Town Square Mixed Use Planned Development District located at 7929 S. Howell Ave., 8051 S. Howell Ave., 331 W. Drexel Ave., 361 W. Town Square Way, 7980 S. Market St., 8040 S. 6th St., 171 W. Town Square Way, 8041 S. Howell Ave., 8031 S. Howell Ave., and 7941 S. Howell Ave. (2nd District) (see item 10 for action on this hearing).

10. **Ordinance:** Consider Ordinance No. 2713, amending the location of the build-to-zone in Figures 4a and 4b of the General Development Plan and Regulating Plan for the Drexel Town Square Mixed Use Planned Development District located at 7929 S. Howell Ave., 8051 S. Howell Ave., 331 W. Drexel Ave., 361 W. Town Square Way, 7980 S. Market St., 8040 S. 6th St., 171 W. Town Square Way, 8041 S. Howell Ave., 8031 S. Howell Ave., and 7941 S. Howell Ave. (2nd District)

New Business

MAYOR & COMMON COUNCIL

11. **Motion:** Consider a motion to authorize staff to seek issuance of \$20.5 million in notes to help finance the cost for constructing a new City Hall/Library building, Fire Station #1, and a communications tower (by Committee of the Whole).
12. **Motion:** Consider a motion to authorize Enberg Anderson, Inc. to bid purchase of furnishings, fixtures, and equipment for the City Hall and Library when the City review team determines its legal reviews, technical reviews, plan refinements and the identification of purchase deducts and alternatives is complete (by Committee of the Whole).
13. **Resolution:** Consider Resolution No. 11458-030414, approving a Memorandum of Understanding by and between the City of Oak Creek and the City of St. Francis for Dispatch Services (by Committee of the Whole).
14. **Motion:** Consider a motion to approve the 2014 Vendor Summary Report in the amount of \$439,794.64 (by Committee of the Whole).

STREETS, PARKS & FORESTRY

15. **Motion:** Consider a motion to waive the bids and purchase as a single source to match existing equipment, a Toro Sand Pro 5040 infield groomer with attachments from Reinders in the amount of \$24,200 (by Committee of the Whole).
16. **Motion:** Consider a motion to approve the bid price purchase of a John Deere 997 60" deck mower with rear discharge from Highway C Services in the amount of \$16,700 (by Committee of the Whole).
17. **Motion:** Consider a motion to approve the bid price purchase of a John Deer 997 72" deck mower with side discharge from Highway C Services in the amount of \$17,008 (by Committee of the Whole).
18. **Motion:** Consider a motion to award the 2014 street tree bid to Goodmark Nurseries, LLC, in the amount of \$20,685.00 (Project No. 14014) (by Committee of the Whole).

ENGINEERING

19. **Resolution:** Consider Resolution No. 11457-030414, establishing a storm sewer easement at OakView Business Park (Tax Key 974-1003) (5th District).

LICENSE COMMITTEE

The License Committee met on 2/21/14. Minutes are attached. Recommendations are being made as follows:

20. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
- Thomas Malecki, 10075 S. Cindy Lane, Oak Creek (Gary's Beer & Liquor)
 - Dawn Liegler, 363 W. Lagoon Ln., Oak Creek (Classic Lanes)

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

21. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
- Erica Garcia, 1920 Mt. Pleasant St., Racine (Applebee's)
 - Jane Michel, 3720 W. 7 Mile Rd., Caledonia (Oasis Mobil)
22. **Motion:** Consider a *motion* to *grant* a transient merchant license to Instile Acquisitions, Inc., 3380 S. 108th St., Milwaukee, WI, selling AT&T U-Verse, and for the following salesperson (*favorable police record received*):
- Denisa Ice, 485 W. Puetz Rd., Oak Creek
23. **Motion:** Consider a *motion* to grant a change of agent to Mega Marts, LLC, dba Pick 'n Save #6348, 6462 S. 27th St., from Kristi O'Connor to Matthew J. Meyer, 10312 63rd St., Kenosha (*favorable background report 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

City of Oak Creek Common Council Report

Meeting Date: 3/04/2014

Item No.:

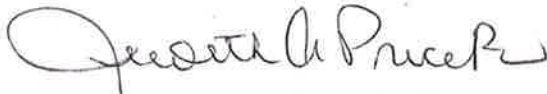
4

Recommendation: That the Common Council adopt Council Proclamation No.14-03, for Dedicated Service to the City of Oak Creek as a member of the Board of Health. Sandra Schneider resigned from the Oak Creek Board of Health effective March 1, 2014.

Background: Sandra Schneider served on the Board of Health for the City of Oak Creek for 10 years and 10 months, and her dedication dictates that she be honored with this Resolution of Appreciation.

Fiscal Impact: None.

Prepared by:



Judith Price, RN, BSN, MSHCA
Community Public Health Officer

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

COUNCIL PROCLAMATION NO. 14-03

**TO SANDRA SCHNEIDER
FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
BOARD OF HEALTH**

WHEREAS, Sandra Schneider was appointed to the Board of Health on May 6, 2003; and

WHEREAS, Sandra Schneider has resigned from the Board of Health effective March 1, 2013; and

WHEREAS, Sandra Schneider has been a dedicated member of the Board of Health and has served for 10 years and 10 months; and

WHEREAS, Sandra Schneider served as the Chairman on the Board of Health for 2 years and 11 days; and

WHEREAS, Sandra Schneider has served the City and Board of Health in a compassionate, conscientious, and professional manner.

WHEREAS, Sandra Schneider has been a magnificent historical resource for issues related to the City of Oak Creek and the Board of Health.

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

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 Sandra Schneider.

Presented and adopted this 4th day of March, 2014.

Council President Kenneth Gehl

Mayor Steve Scaffidi

ATTEST:

City Clerk Catherine Roeske

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 5

Recommendation: That the Common Council adopt Ordinance No. 2714 amending Section 2 of Ordinance 2700 relating to the salary for the Deputy Health Officer.

Background: On February 7, 2014, Sue Wojcinski, retired as the Deputy Health Officer for the Health Department thus creating a vacancy with this position. During the internal posting of this position, Anne Barberena, full-time Public Health Nurse applied for and was offered the Deputy Health Officer Position which she accepted. Ms. Barberena has been with the Health Department for over 8 years, 5 of which has been at full-time status. Ms. Barberena has demonstrated her leadership qualities within the Department and has respect of her co-workers. Ms. Barberena began her duties on Monday, February 24, 2014. The final step in this hiring process is the adoption of a salary ordinance by the Council. Ms. Barberena will begin at the starting salary of \$67,727 as shown in Ordinance No. 2700.

Fiscal Impact: There are sufficient funds in 2014 Budget.

Prepared by & Fiscal Review By:



Judith Price, RN, BSN, MSHCA
Community Public Health Officer

Respectfully submitted,



Gerald Peterson
City Administrator

ORDINANCE NO. 2714

BY: _____

AN ORDINANCE AMENDING ORDINANCE NO. 2700
RELATING TO THE SALARY FOR THE DEPUTY HEALTH OFFICER

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

SECTION 1: Section 2 of Ordinance No. 2700 is hereby amended to read as follows:

Civil Service Position Title	Current Pay	Salary as of 02/24/14	Bi-weekly Rate	Starting Salary	Top Salary
Deputy Health Officer	\$72,245	\$67,727	\$2,604.88	\$67,727	\$75,228

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

SECTION 3: This ordinance shall take effect and be in force upon its passage and publication and shall be effective as of February 24, 2014.

Introduced this 4th day of March, 2014.

Passed and adopted this 4th day of March, 2014.

President, Common Council

Approved this 4th day of March, 2014.

Mayor

ATTEST:

City Clerk

Vote: Ayes: _____ Noes: _____

COUNCIL PROCLAMATION NO. 14-04
CONGRATULATIONS TO
GRANT NORMAN RISSLEY
FOR RECEIVING THE EAGLE SCOUT AWARD

WHEREAS, the conferring of an Eagle Scout is one of the highest awards that can be bestowed upon a Boy Scout; and

WHEREAS, such award is an earned award in that the recipient must perform and successfully complete and pass the rigid requirements exacted to achieve an Eagle Scout Award; and

WHEREAS, less than four percent of all Scouts actually achieve this goal; and

WHEREAS, at a Court of Honor held at Divine Mercy Parish on March 2, 2014 at 1:00 p.m., an Eagle Award was conferred upon Grant Rissley; and

WHEREAS, as his Eagle project, Grant organized and coordinated the efforts of five volunteers to repaint the front doors of the Jeremiah Curtin House, the windows and doors of the Stone Barn, and replaced the plywood for a double barn door at a state and local landmark, Trimborn Farm, putting in a total of over 66.5 man hours of work. Trimborn Farm spans 7.5 acres, has nine buildings and is listed on the National Register of Historic Places; and

WHEREAS, the Oak Creek Common Council wishes to recognize this noteworthy achievement of Grant Rissley.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby extend their congratulations to Eagle Scout Grant Norman Rissley for having an Eagle Scout Award conferred upon him by the Boy Scouts of America.

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

Dated this 2nd day of March, 2014.

Presented and adopted this ____ day of March, 2014.

President, Common Council

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

TO BE PUBLISHED FEBRUARY 6 AND FEBRUARY 13, 2014

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider a request by WisPark, LLC to amend the parking setback requirement in the Planned Unit Development ordinance and general development plan for Oak View Business Park located at 405 & 641 W. Oakwood Rd. and 10303 & 10711 S. Howell Ave.

Hearing Date: March 4, 2014
Time: 7:00 p.m.
Place: Oak Creek City Hall
8640 South Howell Avenue
Oak Creek, WI 53154
Common Council Chambers

Applicant: WisPark, LLC
Property Owner: WisPark, LLC & City of Oak Creek
Tax Key(s): 955-1001-000, 975-1004, 955-1002-000, 974-1003-000

Legal Description:

Part of the Northeast ¼, Northwest ¼, and Southeast ¼ of Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin described as follows:

Lots 1, 2, and 3 (Outlot 1 unaffected) of Certified Survey Map 8154 recorded as Document Number 09747350 in the Registrar's Office, Milwaukee County, Wisconsin on June 3, 2009; the right of way of Glen Oaks Drive as recorded on said Certified Survey Map; the right of way of ABC Street as shown said Certified Survey Map; and parts of the Exception (as noted on the Certified Survey Map) – Unplatted Land (Mardeand Park).

Containing 250.3846 acres (including Outlot 1), more or less all being in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings March 4, 2014 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

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

Date of Notice: January 30, 2014
CITY OF OAK CREEK COMMON COUNCIL
By: Stephen Scaffidi, Mayor

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 South Howell Avenue, Oak Creek, Wisconsin 53154.

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 8

Recommendation: That the Common Council adopt ordinance 2708 amending the Planned Unit Development and General Development Plan for the OakView Business Park properties at 405 W. Oakwood Rd., 641 W. Oakwood Rd., 10303 S. Howell Ave., and 10711 S. Howell Ave.

Background: WisPark, LLC is requesting approval of an amendment to the existing Planned Unit Development (PUD) for OakView Business Park at the addresses above. The change would be limited to reducing the front setback requirement from 40 feet for off-street parking to 30 feet. Reducing the front setback allows for more flexibility of development on parcels within the PUD, while preserving sufficient areas for landscaping.

The amended conditions and restrictions and the general development plan are included with this report. Changes are highlighted with bold lettering.


The Plan Commission has reviewed this application and has recommended its approval.

Fiscal Impact: Taxes generated from the development of this project would result in a positive fiscal impact for the City. These properties are part of TID 8.

Prepared by:


Doug Seymour, AICP
Director of Community Development

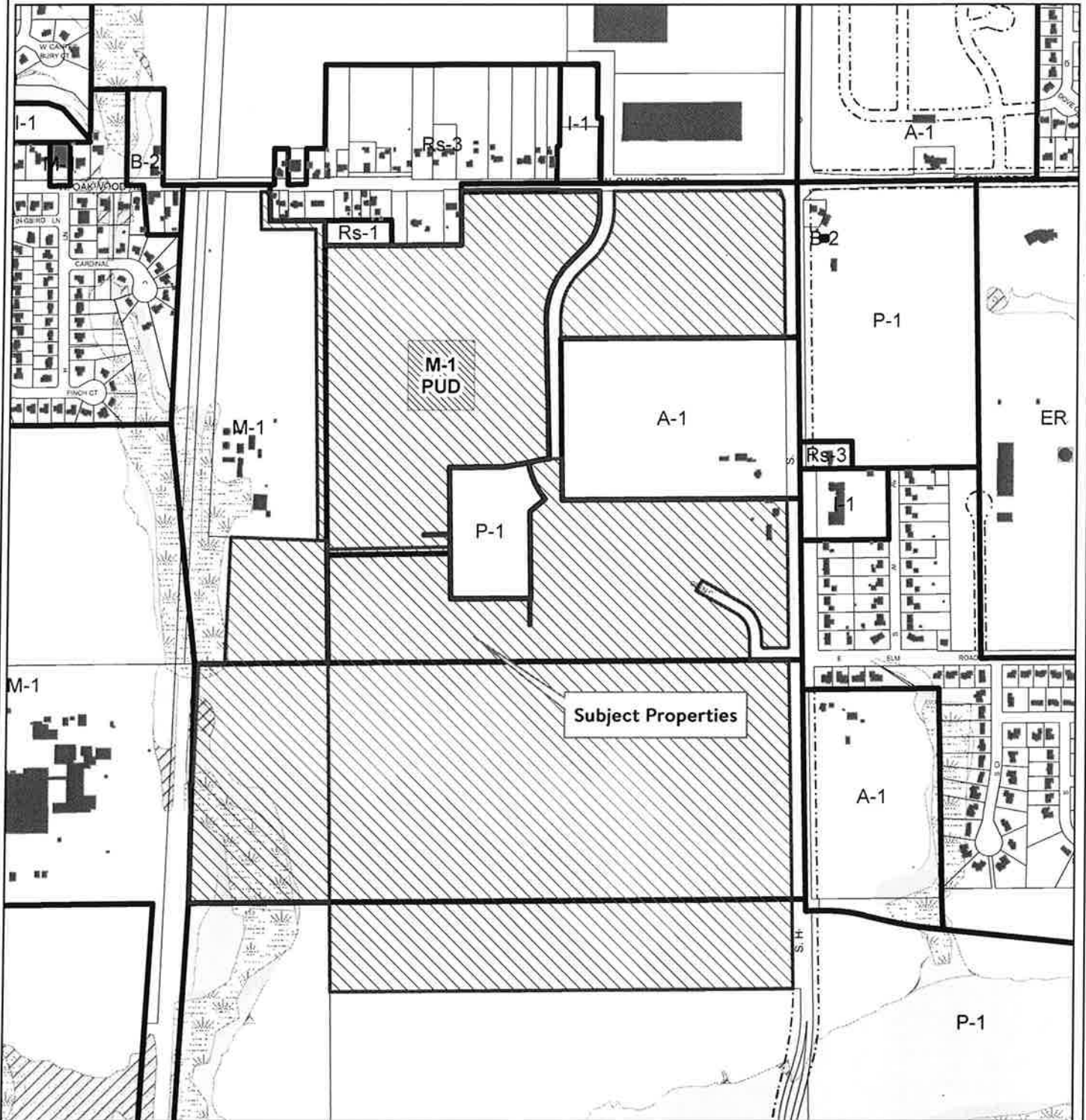
Respectfully submitted,


Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:


Bridget M. Souffrant
Finance Director / Comptroller

Location Map OakView Business Park



OAKCREEK
— WISCONSIN —

Department of Community Development



Legend	
	OakView Business Park
	Existing Street Pattern
	Floodfringe
	Wetland
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakeport Overlay District (LOD)
	Mass Like Neighborhood Overlay (NO)
	Mass Like Office Overlay (OO)
	Regional Retail Overlay District (RR)

Landscaping plans indicate that the existing landscape area along the front façade (west) of the building will continue along the addition to just past the northwest corner of the addition. This satisfies the requirements for landscaping adjacent to buildings.

Commissioner Chandler asked about the façade. Ms. Papelbon stated to add windows, change the color or materials, or add awnings would be normal methods to break up that wall façade. However, such articulations do not exist currently or on other portions of the building.

A Commissioner asked if the utility box needed to be relocated. David Gehrt, Briohn Design, stated that there is an electrical transformer on the east side of the building, but there is no reason that would need to be relocated for the addition.

Commissioner Correll moved that the Plan Commission approve site, building and landscaping plans for the property at 6724 S. 13th Street. Alderman Michalski seconded. All voted aye. Motion carried.

**Right-of-Way Vacation
Glen Oaks Drive**

The City and WisPark are requesting that the Glen Oaks Drive right-of-way, beginning at the intersection with S. Howell Ave., be vacated. This request was originally 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 as there are no other affected property owners. As mentioned in the 2009 Plan Commission report, an existing water main crosses S. Howell Avenue, through the centerline of Glen Oaks Drive, and continues north to W. Oakwood Road in an easement. The report also clarified that "[t]his 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."

Alderman Michalski moved that the Plan Commission recommends to the Common Council that West Glen Oaks Drive in Section 32 be vacated following a public hearing. Commissioner Siepert seconded. All voted aye. Motion carried.

**Planned Unit Development Amendment
OakView Business Park**

WisPark, LLC is requesting approval of an amendment to the existing Planned Unit Development (PUD) for OakView Business Park. The change would be limited to reducing the front setback requirement from 40 feet for off-street parking to 30 feet. Reducing the front setback allows for more flexibility of development on parcels within the PUD while still preserving sufficient areas for landscaping.

Commissioner Correll asked what the basis was for changing from 40 feet to 30. Doug Seymour, Director of Community Development, explained that this came to light from reviewing a development proposal for a perspective user of the park. While reviewing the parking there were a few issues with the layout that led staff to explore what would be an appropriate parking setback for not only this

park, but in the future. This, perhaps, would mean looking at our code for something more comprehensive.

Jerry Franke, WisPark, 301 W. Wisconsin Avenue, stated that this park has 40% open space out of 250 acres. Many times front yards get used by individual retention ponds. There will be five ponds that will serve the park, rather than the 26 that you could have had on each of the lots. Mr. Frank stated that this is a PUD, which is formed-based development where you try to be more flexible with setbacks.

Commissioner Chandler asked about setbacks in other Oak Creek business parks. Doug Seymour stated that the other business parks do have 40 foot setbacks. The intent is to have a uniform, consistent look throughout the park, to have appropriate areas for parking, and to have enough areas for landscaping to provide an attractive street front for the park.

Commissioner Johnston stated that the site has a 70-foot right-of-way, and there is a path that they are putting in, generally on the east side of the proposed road, which will have access to that [Mardeand] park. It will also be tied in to the Milwaukee County trail system. We want to push this back and not crowd it up on the road, so the 30 foot setback works with that and the utility easement.

Commissioner Correll moved that the Plan Commission recommend to the Common Council that the planned unit development for the WisPark properties (OakView Business Park) at 405 W. Oakwood Drive, 641 W. Oakwood Drive, 10303 S. Howell Avenue and 10711 S. Howell Avenue be amended to allow a front and street setback for off-street parking at 30 feet following a public hearing. Alderman Michalski seconded. All voted aye. Motion carried.

Commissioner Carrillo moved for adjournment at 6:29 p.m. Commissioner Siefert seconded. All voted aye. Meeting adjourned.

City of Oak Creek – Planned Unit Development
DRAFT Conditions and Restrictions

Applicant: WisPark LLC
Project: Oak View Business Park
Property Addresses: 405 & 641 W. Oakwood Rd.,
10303 & 10711 S. Howell Ave.
Tax Key Numbers: 955-1001-000, 975-1004, 955-1002-000, 974-1003-000

Approved by Plan Commission: 1-28-14
Approved by Common Council: 3-4-14
(Ord. # 2708)

1. LEGAL DESCRIPTION

This planned unit development shall be confined to the following legally described parcels:

Part of the Northeast ¼ and Southeast ¼ of Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin described as follows:

Lots 1, 2, and 3 of Certified Survey Map 8154 recorded as Document Number 09747350 in the Registrar's Office, Milwaukee County, Wisconsin on June 3, 2009; the right of way of Glen Oaks Drive as recorded on said Certified Survey Map; the right of way of ABC Street as shown said Certified Survey Map; and parts of the Exception (as noted on the Certified Survey Map) – Unplatted Land (Mardeand Park).

Containing 223.18 acres, more or less all being in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

1) **General Development Plan**

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

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

3) **Building Plan**

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

4) **Lighting Plan**

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

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

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

6) **Fire Protection**

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

2) **Landscape Plan**

- a) screening plan for outdoor storage

c) materials of construction

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

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

D. A Development Agreement shall be completed between the owner and the City if deemed necessary by the City Engineer so as to ensure the construction or installation of public or other improvements required in Item 1E and/or as specified by these conditions and restrictions.

E. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.

F. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.

G. If there are any future land divisions, a plat or certified survey map shall be prepared, submitted for approval and recorded. If required by the Common Council, a development agreement also shall be completed between the owner and the City prior to approval of said land division document, so as to ensure the construction or installation of public improvements required in these conditions and restrictions and Chapter 14 of the Municipal Code.

H. All electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.

I. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

J. For all new buildings, additions and uses shall make appropriate use of open spaces. A minimum of 30% of the entire planned unit development shall be set aside as open space.

3. PARKING AND ACCESS

A. Parking within this planned unit development shall be provided based on Section 17.0403(j)(5) of the Municipal Code.

B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.

C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.

D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.

- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0403(g) & (h) of the Municipal Code.

Landscape Area. All public off-street parking lots which serve five (5) vehicles or more and are created or extended subsequent to the adoption of this Ordinance shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. For parking lots designed for twenty-five (25) parking spaces or more, at least one-half of the minimum five- (5) percent landscaped area shall be within the parking lot. Location of landscape areas, plant materials, protection afforded the plantings, including curbing and provision for maintenance shall be subject to approval by the City Plan Commission. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. All plans for such proposed parking areas shall include a topographic survey or grading plan, which shows existing and proposed grades and location of improvements. The preservation of existing trees, shrubs, and other natural vegetation in the parking area may be included in the calculation of the required minimum landscape area.

Parking Lot Screening. Those parking areas for five (5) or more vehicles if adjoining a residential zoning district line or public right-of-way shall be screened from casual view by an earth berm, a solid wall, fence, evergreen planting of equivalent visual density or other effective means approved by the City Plan Commission. Such fence or berm and landscaping together shall be an average of three (3) feet in height between the parking and the street right-of-way and six (6) feet in height between the parking and any adjacent residential property line. All screening materials shall be placed and maintained at a minimum height of three (3) feet. The Plan Commission may require greater screening requirements for parking of large trucks, semi-trailers, and large equipment.

4. LIGHTING

All plans for new outdoor lighting shall be reviewed and approved by the Plan Commission and shall conform with the standards in Section 17.0808 of the Municipal Code.

5. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	40 ft.	20 ft.	20 ft.
Accessory Structure*	40 ft.	5 ft.	5 ft.
Off-street Parking	30 ft.	5 ft.	5 ft.

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

6. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to

approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.

B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.

7. SIGNS

A. All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code.

8. PERMITTED USES

A. All permitted uses in the M-1, Manufacturing District.

B. Usual and customary accessory uses to the above listed permitted uses.

9. TIME OF COMPLIANCE

The operator of the PUD use shall begin installing or constructing the elements required in these conditions and restrictions for the PUD within twelve (12) months from the date of adoption of the ordinance authorizing the planned unit development. This planned unit development shall expire within eighteen (18) months after commencing construction, if the public infrastructure for which an approval has been issued is not substantially completed as determined by the City Engineer. The applicant shall re-apply for a PUD approval, prior to recommencing work or construction.

10. OTHER REGULATIONS

Compliance with all other applicable City, State and Federal regulations not heretofore stated or referenced, is mandatory.

11. REVOCAION

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

12. ACKNOWLEDGEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the City, or terminated by mutual agreement of the City and the owner, and their subsidiaries, related entities, successors and assigns.

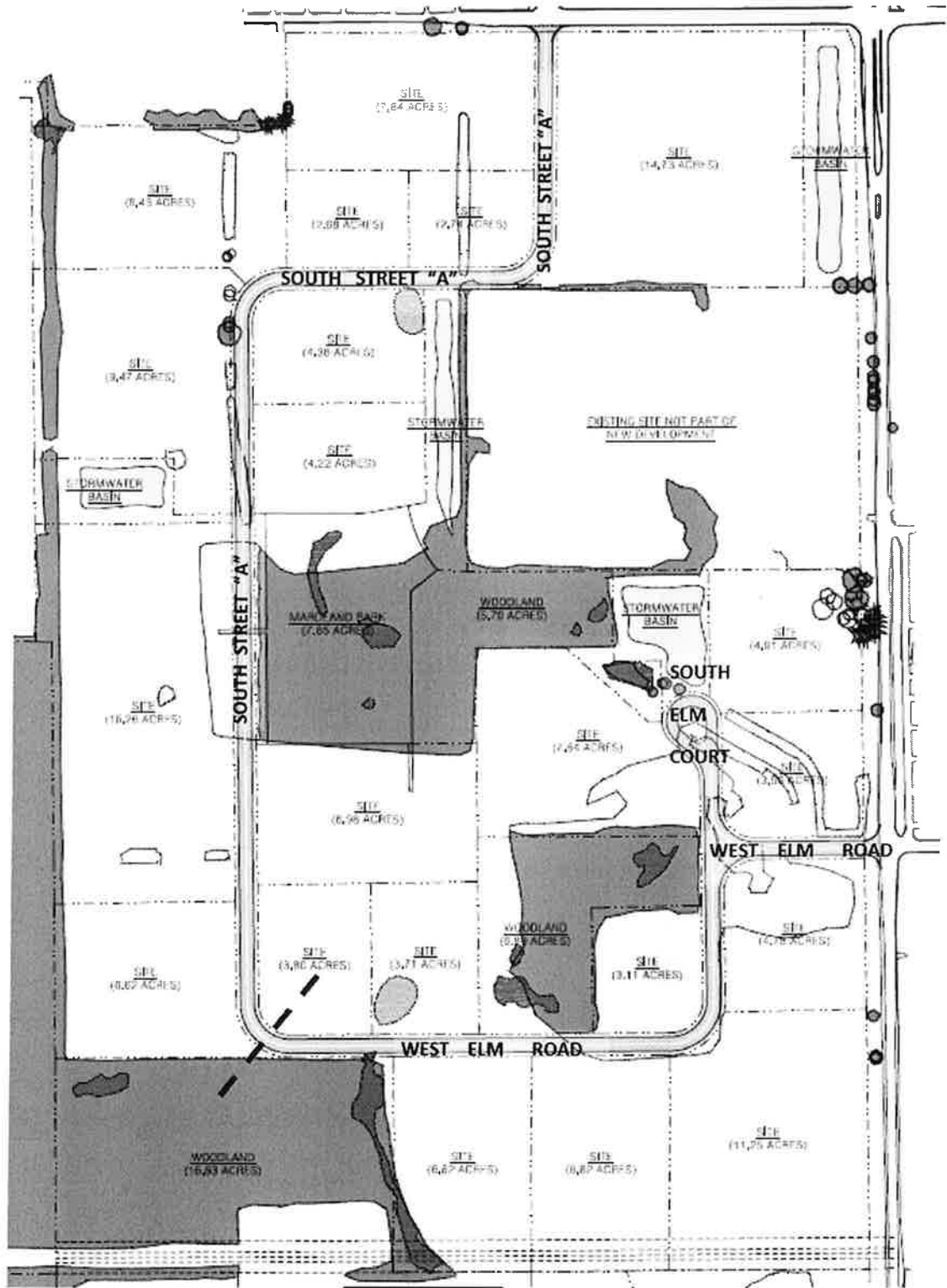
Owner's authorized representative

Date

(please print name)

EXHIBIT A
General Development Plan

Oakview Business Park — Preliminary Street Name Plan



ORDINANCE NO. 2708

By: _____

AN ORDINANCE TO AMEND THE CONDITIONS AND RESTRICTIONS IN ORDINANCE NO. 2676 FOR THE PLANNED UNIT DEVELOPMENT (PUD) FOR OAKVIEW BUSINESS PARK (WISPARK, LLC)

(5th Aldermanic District)

WHEREAS, on May 7, 2013 the Oak Creek Common Council adopted Ordinance No. 2676, approving the rezone of properties located at 10303 & 10711 S. Howell Avenue and 405 & 641 W. Oakwood Road from Rs-1, Single Family Residential, ER, Equestrian Residential, I-1, Institutional to M-1 (PUD), Manufacturing Planned Unit Development; and

WHEREAS, that ordinance affected the following legally described property;

Part of the Northeast ¼ and Southeast ¼ of Section 32, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin described as follows:

Lots 1, 2, and 3 of Certified Survey Map 8154 recorded as Document Number 09747350 in the Registrar's Office, Milwaukee County, Wisconsin on June 3, 2009; the right of way of Glen Oaks Drive as recorded on said Certified Survey Map; the right of way of ABC Street as shown said Certified Survey Map; and parts of the Exception (as noted on the Certified Survey Map) – Unplatted Land (Mardeand Park).

Containing 223.18 acres, more or less all being in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the owner, WisPark, LLC is now requesting that the conditions and restrictions adopted pursuant to Ordinance No. 2676 be amended to reduce the front setback requirement from 40 feet to 30 feet for off-street parking; and

WHEREAS, the Plan Commission reviewed the application and recommended that the requested amendment be approved; and

WHEREAS, the Common Council held a public hearing on said application on March 4, 2014, at which time all interested parties appeared and were heard; and

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the conditions and restrictions adopted pursuant to Ordinance No. 2676 affecting the lands hereinabove described, are amended as follows:

SECTION 2: Section 5, Building and Parking Setbacks (chart), of the conditions and restrictions is amended to read "Front and Street Setback, Off-street Parking – 30 ft."

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

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

SECTION 5: This ordinance shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this ___ day of _____, 2014

President, Common Council

Approved this ___ day of _____, 2014

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

TO BE PUBLISHED FEBRUARY 13 AND FEBRUARY 20, 2014

OFFICIAL NOTICE

**NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL**

PURPOSE: The purpose of this public hearing is to consider an amendment to the location of the build-to-zone in Figures 4a and 4b of the General Development Plan and Regulating Plan for the Drexel Town Square Mixed Use Planned Development District located at 7929 S. Howell Ave., 8051 S. Howell Ave. 331 W. Drexel Ave., 361 W. Town Square Way, 7980 S. Market Street, 8040 S. 6th Street, 171 W. Town Square Way, 8041 S. Howell Ave., 8031 S. Howell Ave., 7941 S. Howell Ave.

Hearing Date: March 4, 2014
Time: 7:00 p.m.
Place: Oak Creek City Hall
8640 South Howell Avenue
Oak Creek, WI 53154
Common Council Chambers

Applicant: One West Drexel, LLC & City of Oak Creek
Property Owner: One West Drexel, LLC & City of Oak Creek
Tax Key(s): 813-9023-003, 813-9023-005

Legal Description:

Commencing at the Northwest corner of the Northeast ¼ of Section 17-5-22; thence S00°18'04"E, 65 feet to the point of beginning of the lands to be described:

thence S 89°07'01" E, 2570.94 feet ; thence S 00°33'20" W, 1449.85 feet ; thence N 89°26'40" W, 272.6 feet ; thence southwesterly 24.36 feet along the arc of a curve whose center lies to the South, whose radius is 15.50 feet and whose chord bears S 45°32'20" W, 21.93 feet ; thence S 01°31'21" W, 0.89 feet ; thence N 89°08'27" W, 104.99 feet; thence N 00°30'12" E, 267.39 feet ; thence N 89°29'48" W, 503.03 feet ; thence S 00°30'12" W, 60.77 feet ; thence N 89°29'48" W, 111.68 feet ; thence N 00°30'12" E, 9.00 feet ; thence N 89°28'51" W, 331.17 feet ; thence S 00°30'40" W, 187.72 feet ; thence N 89°26'10" W, 147.17 feet; thence S 00°33'50" W, 253.49 feet; thence N 89°20'23" W, 144.00 feet; thence S 00°39'37" W, 623.62 feet; thence N 89°20'23" W, 80.00 feet; thence S 00°39'37" W, 60.00 feet; thence N 89°20'23" W, 255.41 feet ; thence southwesterly 269.322 feet along the arc of a curve whose center lies to the Southeast, whose radius is 65 feet and whose chord bears S 29°22'51" W, 114.029 feet ; thence S 00°41'14" W, 645.67 feet ; thence southwesterly 878.23 feet along the arc of a curve whose center lies to the southeast, whose radius is 407.32 feet and whose chord bears S 70°33'07 W, 717.73 feet; thence northeasterly, 302.76 feet along the arch of a curve whose center lies to the West, whose radius is 22988.33 feet and whose chord bears N 00°47'41" E, 302.76 feet; thence northeasterly, 47.70 feet along the arc of a curve whose center lies to the West, whose radius is 735.76 feet and whose chord bears N 07°15'01" E, 47.69 feet; thence N 80°14'06" W, 15.53 feet; thence northeasterly, 107.83 feet along the arc of a curve whose center lies to the West, whose radius is 715.88 feet and whose chord bears N 05°26'59" E, 107.73 feet ; thence N 00°00'50" W, 10.00 feet ; thence N 05°13'10" W, 17.07 feet ; thence N 03°28'50" E, 22.63 feet ;

thence N 00°00'50" W, 279.70 feet ; thence S 89°28'52" E, 1.62 feet ; thence N 00°08'46" W, 2075.34 feet ; thence northwesterly 193.99 feet along the arc of a curve whose center lies to the West, whose radius is 822.79 feet and whose chord bears N 06°54'02" W, 193.54 feet ; thence N 00°10'30" W, 324.85 feet ; thence S 89°17'21" E, 182.71 feet to the point of beginning. (Contains 120.6 acres)

The Common Council has scheduled other public hearings March 4, 2014 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

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

Date of Notice: February 6, 2014
CITY OF OAK CREEK COMMON COUNCIL
By: Stephen Scaffidi, Mayor

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 South Howell Avenue, Oak Creek, Wisconsin 53154.

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 10

Recommendation: That the Common Council adopt ordinance 2713 amending the location of the build-to-zone in Figures 4a and 4b of the General Development Plan and Regulating Plan for the Drexel Town Square Mixed Use Planned Development District located at 7929 S. Howell Ave., 8051 S. Howell Ave. 331 W. Drexel Ave., 361 W. Town Square Way, 7980 S. Market Street, 8040 S. 6th Street, 171 W. Town Square Way, 8041 S. Howell Ave., 8031 S. Howell Ave., 7941 S. Howell Ave.

Background:

One West Drexel, LLC, the City of Oak Creek, and Four Points by Sheraton are requesting approval of an amendment to the existing Drexel Town Square Mixed Use Planned Development District General Development Plan and Regulating Plan ("the Plan"). The proposed amendment involves the location of the build-to-zone in Figures 4a and 4b of the Plan.

The proposal is to replace the build-to zone (BTZ) along the east side of Market Street with a mixed building and landscaping zone (MLZ). A mixed building and landscaping zone is described in the Plan as an area "in which it is difficult to prescribe the precise locations of buildings on the lot...In such circumstances, the zone along the outer perimeter of the lot, abutting the public right-of-way, should be a combination of a build-to-zone and a landscape zone." The change will allow flexibility in the development of the hotel property to be consistent with both the hotel's design requirements and the goals of the DTSMUPDD. No other changes to the Plan are proposed.

The Plan Commission has reviewed this application and has recommended its approval.

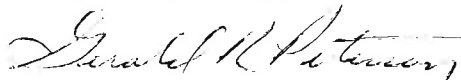
Fiscal Impact: Taxes generated from the development of this project would result in a positive fiscal impact for the City. These properties are part of TID 11.

Prepared by:



Doug Seymour, AICP
Director of Community Development

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

ORDINANCE NO. 2713

By: _____

AN ORDINANCE TO AMEND THE GENERAL DEVELOPMENT PLAN AND REGULATING PLAN ADOPTED IN ORDINANCE NO. 2688 FOR THE DREXEL TOWN SQUARE MIXED USE PLANNED DEVELOPMENT DISTRICT (DTSMUPDD)

(2nd Aldermanic District)

WHEREAS, on August 5, 2013 the Oak Creek Common Council adopted Ordinance No. 2688, approving the rezone the properties at 7929 S. Howell Avenue and 300 W. Drexel Avenue from M-1, Manufacturing to DTSMUPD – Drexel Town Square Mixed Use Planned Development and the General Development Plan and Regulating Plan for this District; and

WHEREAS, that ordinance affected the following legally described property;

Lot 1 and Outlot 1 of Certified Survey Map No. 8468, being in the Northeast and Northwest one-quarters of Section 17, Town 5 North, Range 22 East, City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the owner, One West Drexel, LLC is now requesting that the location of the build-to-zone in Figures 4a and 4b the Drexel Town Square Mixed Use Planned Development District General Development Plan and Regulating Plan adopted pursuant to Ordinance No. 2688 be amended (see Exhibits A and B); and

WHEREAS, the Plan Commission reviewed the application and recommended that the requested amendment be approved; and

WHEREAS, the Common Council held a public hearing on said application on March 4, 2014, at which time all interested parties appeared and were heard; and

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Drexel Town Square Mixed Use Planned Development District General Development Plan and Regulating Plan adopted pursuant to Ordinance No. 2688 affecting the lands hereinabove described, are amended as follows:

SECTION 2: Figures 4a and 4b – Build-to-zone (BTZ) along the east side of Market Street is replaced by a mixed building and landscaping zone (MLZ). See Exhibits A and B.

SECTION 3: The several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

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

SECTION 5: This ordinance shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this ___ day of _____, 2014

President, Common Council

Approved this ___ day of _____, 2014

Mayor

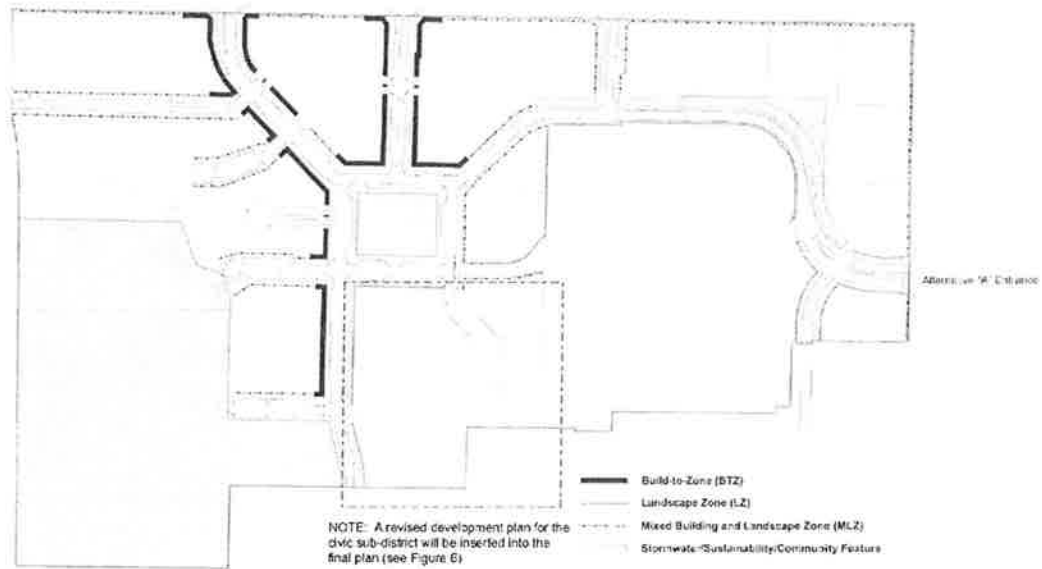
ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Exhibit A

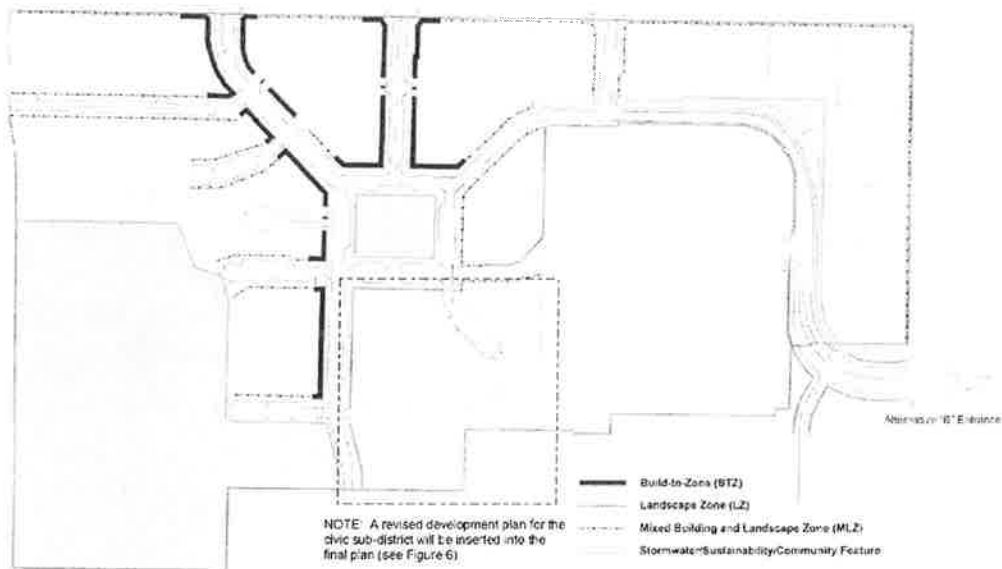
FIGURE 4a. BUILD-TO-ZONE



NOTE: Please refer to TABLE 2. REGULATIONS FOR BUILDING TYPES to see specific BTZ distances

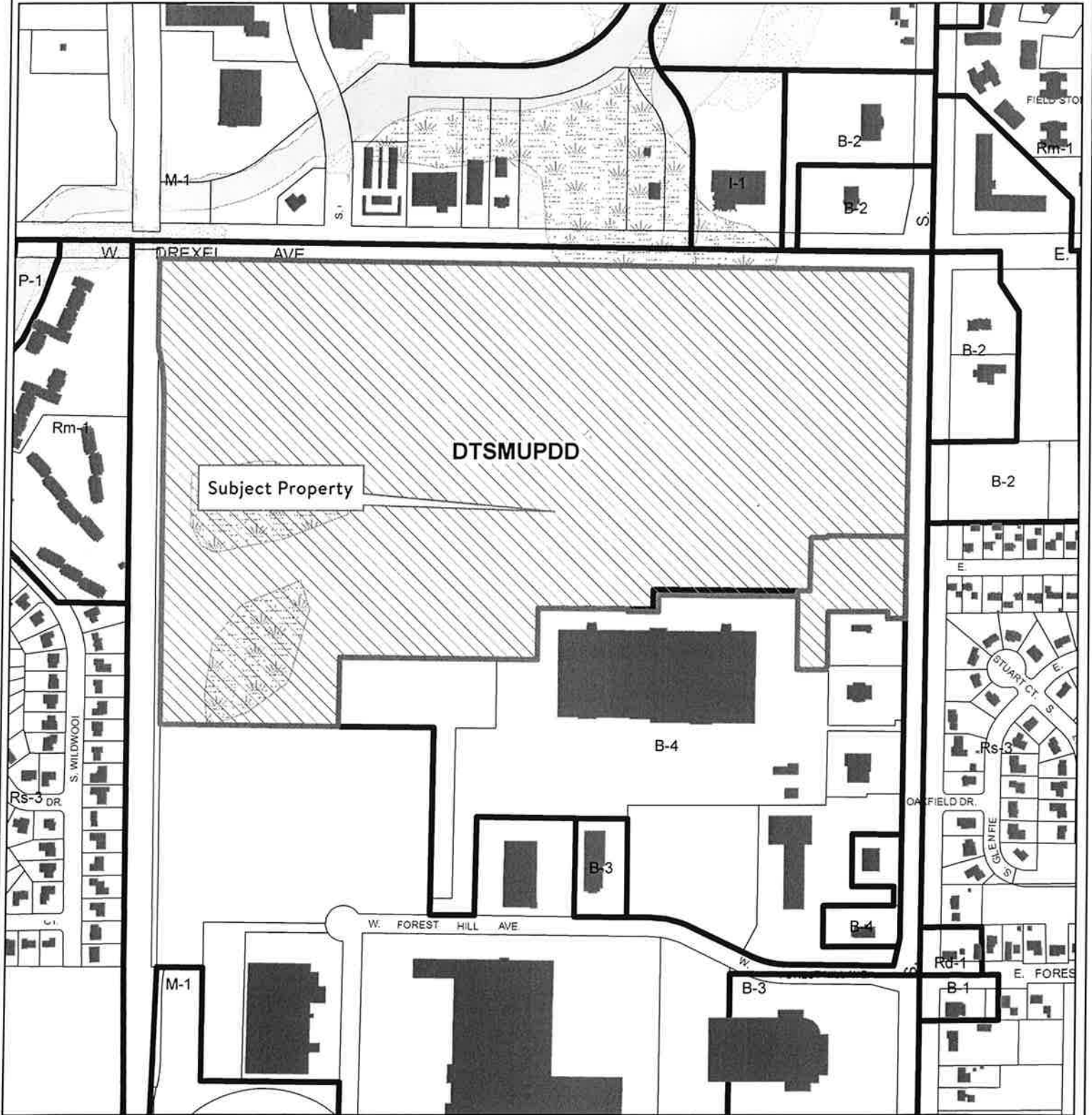
Exhibit B

FIGURE 4b. BUILD-TO-ZONE



NOTE: Please refer to TABLE 2. REGULATIONS FOR BUILDING TYPES to see specific BTZ distances

Location Map Drexel Town Square



OAKCREEK
— WISCONSIN —

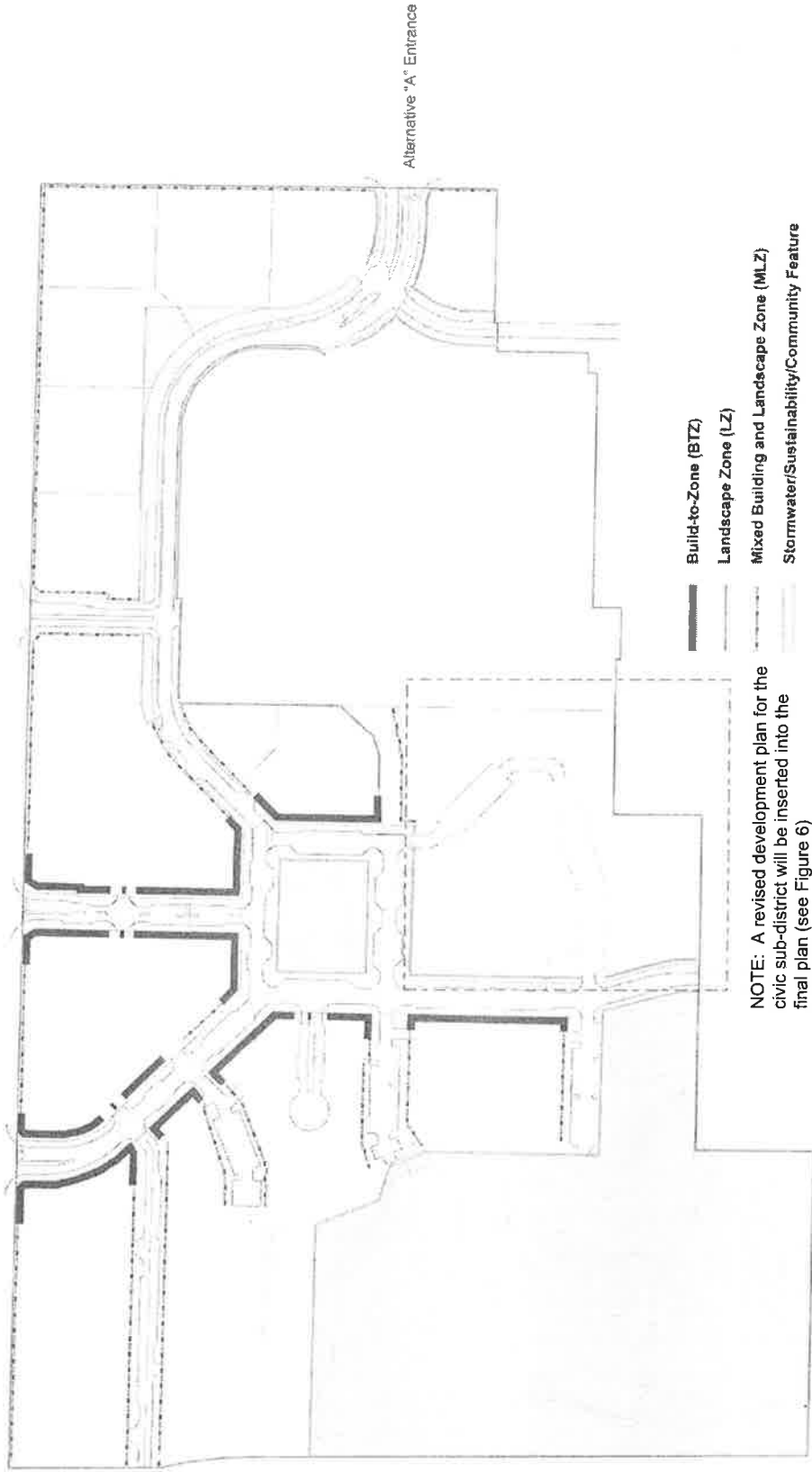
Department of Community Development



Legend

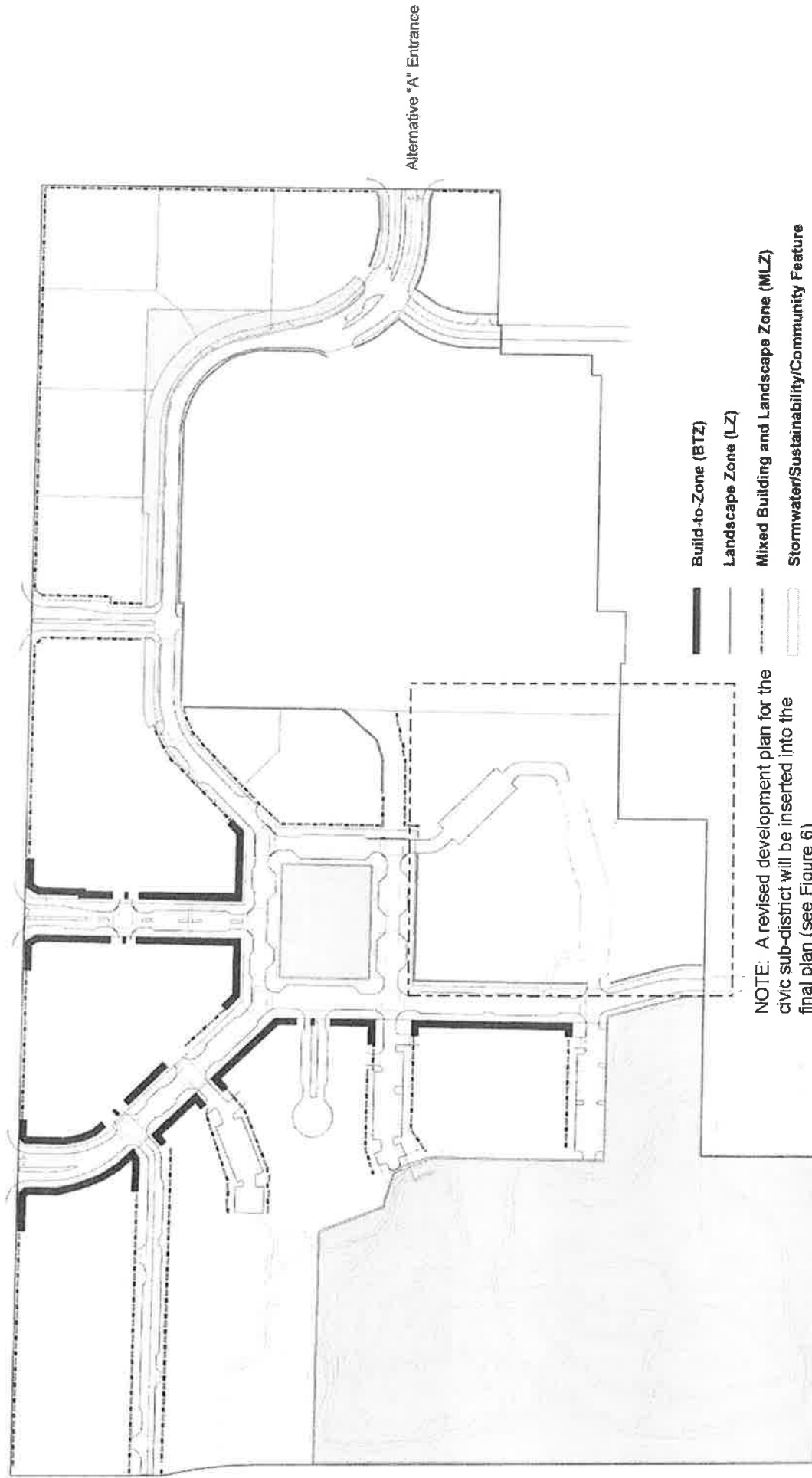
- Drexel Town Square
- Welland
- Floodway
- Flood Fringe (FF)
- Shoreland Welland Conservancy (C-1)
- Lakefront Overlay District (LOD)
- Mixed Use Neighborhood Overlay (NO)
- Mixed Use Office Overlay (OO)
- Regional Retail Overlay District (RR)

CURRENT
FIGURE 4a. BUILD-TO-ZONE



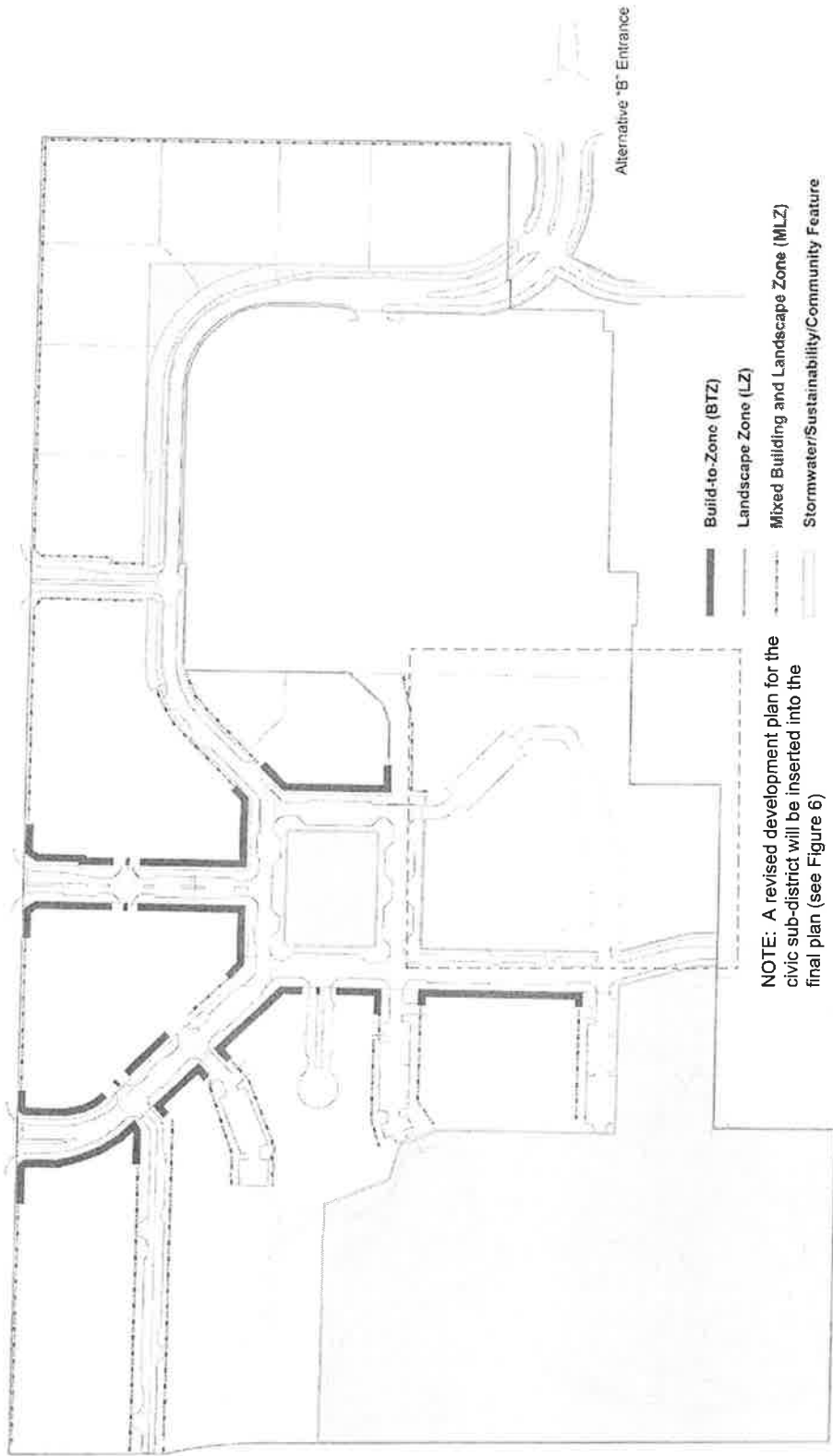
NOTE: Please refer to TABLE 2. REGULATIONS FOR BUILDING TYPES to see specific BTZ distances

FIGURE 4a. BUILD-TO-ZONE



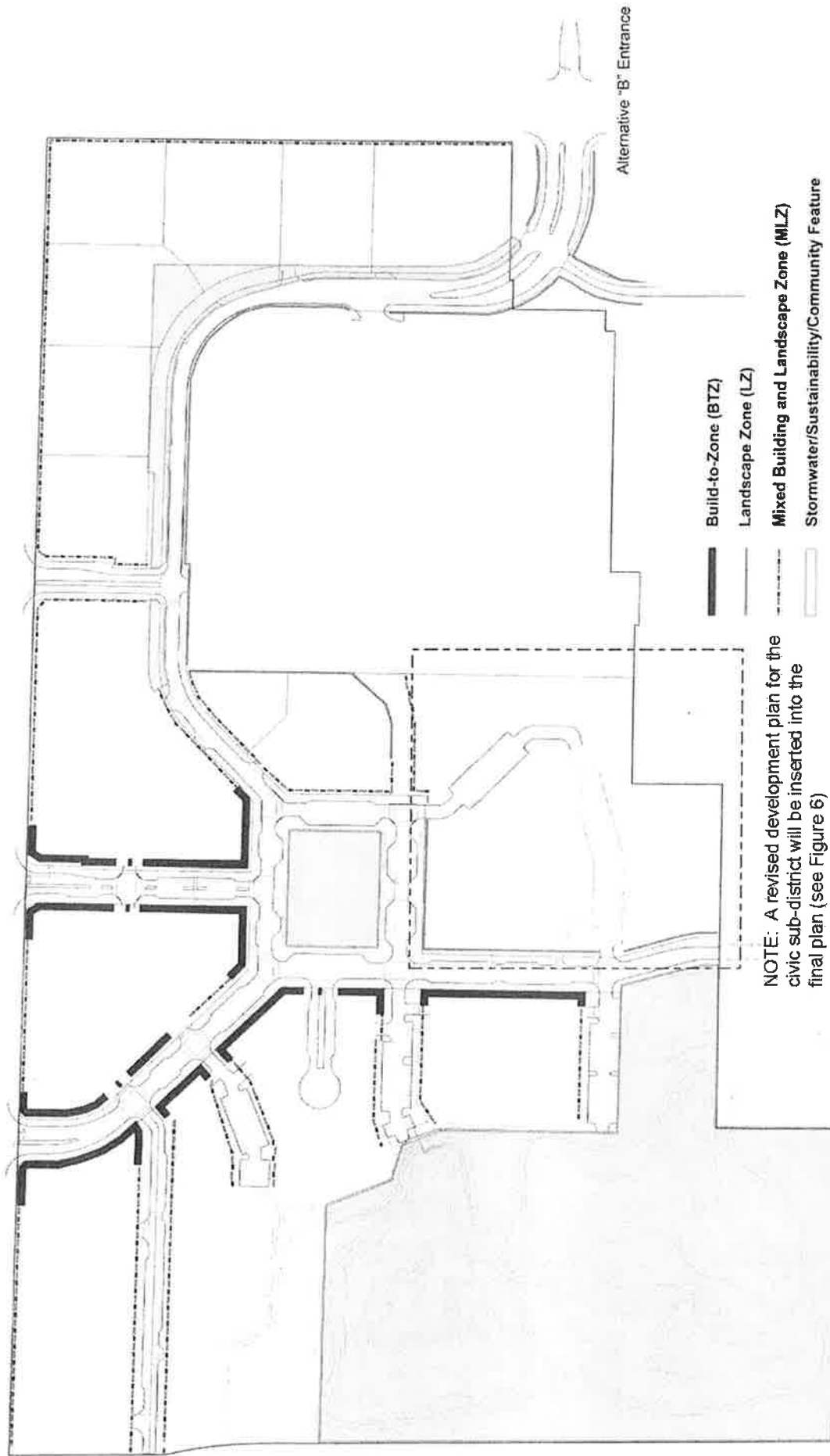
NOTE: Please refer to TABLE 2. REGULATIONS FOR BUILDING TYPES to see specific BTZ distances

CURRENT
FIGURE 4b. BUILD-TO-ZONE



NOTE: Please refer to TABLE 2. REGULATIONS FOR BUILDING TYPES to see specific BTZ distances

FIGURE 4b. BUILD-TO-ZONE



NOTE: Please refer to TABLE 2. REGULATIONS FOR BUILDING TYPES to see specific BTZ distances

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 11

Recommendation: It is recommended the Council authorize staff to seek issuance of \$20.5 million in notes to help finance the cost for constructing a new City Hall/Library building, Fire Station #1, and a Communications Tower.

Background: It is anticipated bids for constructing a new City Hall/Library building, Fire Station #1, and a Communications Tower will be received in mid-April and awarded soon thereafter. The Council has authorized \$28.4 million for this work.

Attached to this report is a budget which shows the various funding sources anticipated for construction of these buildings including \$20.5 million in notes. It is now necessary for us to begin the process of rating these notes and getting the necessary legal and financial reviews in place for the Council to consider sale of the notes.

Fiscal Impact: It is anticipated all costs for payment of these notes will be made from existing funding sources and no new or additional taxes, fees, or other revenues will be required to pay the principal and interest on these notes.

Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:


Gerald R. Peterson, ICMA-CM
City Administrator

DREXEL TOWN SQUARE

City Hall/Library	
BUDGET	\$24,100,000
<u>Funding Sources</u>	
Bonds	\$16,700,000
Library Impact Fees	\$1,000,000
MMSD funds	\$250,000
Storm Water Fund	\$100,000
CIP Sweep	\$217,000
Fund 19 (Community Mitigation) Sweep	\$1,350,000
Library Fundraising	\$1,500,000
DTS Property Sales/Amortization Fund 21	\$2,050,000
Urban Non-Point Source Grant	\$150,000
Focus on Energy Grant	\$100,000
Impact Fees (Advanced from future collections)	\$1,000,000

Fire Station/Communications Tower	
BUDGET	\$4,300,000
<u>Funding Sources</u>	
Bonds	\$3,800,000
CIP Sweep/Fire Impact Fees	\$500,000

Additional Funds Available for Projects	
2013 EOC Grant match	\$50,000
2014 CIP Available funding from Tower	\$135,000
2006 CIP Fiber Optic, Estimated	\$250,000
Amortization Fund 21 (incalculable until final bonds are determined)	

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 12

Recommendation: Authorize Enberg Anderson, Inc. to bid purchase of furnishings, fixtures, and equipment for the City Hall and Library when the City review team determines its legal reviews, technical reviews, plan refinements, and the identification of purchase deducts and alternatives is complete.

Background: The Library-City Hall development team has been working with the architectural firm Engberg Anderson to develop the program and bid specifications for furniture, fixtures and equipment (FFE) for the new Library and City Hall. As part of that effort, the development team continues to seek out opportunities to minimize project costs through the bidding process. These items will be bid at the same schedule as the construction work.

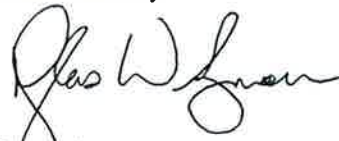
Fiscal Impact: \$3.08 million has been previously assigned to the Library – City Hall budget for this purpose (\$2,295,000 for FFE and \$787,000 for equipment and technology).

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Submitted by:



Doug Seymour
Director of Community Development

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

City of Oak Creek Common Council Report

Meeting Date: 3/4/14

Item No.: 13

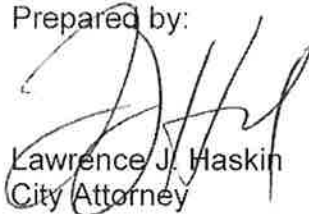
Recommendation: That the Common Council adopt Resolution No. 11458-030414 a Resolution Approving a Memorandum of Understanding by and between the City of Oak Creek and the City of St. Francis for Dispatch Services.

Background: On November 5, 2013, the Common Council approved a Term Sheet for dispatch services between the City of St. Francis and the City of Oak Creek. A copy of the Common Council Report, the Term Sheet and the attachment to the Term Sheet are attached to this report.


The Memorandum of Understanding ("MOU") memorializes the Term Sheet. The MOU provides that within the next 90 days the parties will meet to identify the issues involved in implementation of the MOU and the entry of St. Francis into a contract to purchase dispatch services from Oak Creek for a 10 year period. At the end of the 90 day period, both cities will determine whether or not they wish to proceed to finalize the agreement or terminate the negotiations for the MOU. The reason for the 90 day review period is that St. Francis is constructing a new City Hall and Public Safety Building and need to make a commitment by then as to whether to include a dispatch center in their new facility. The MOU is a non-binding expression of intent for the parties to enter into an agreement to incorporate the provisions of the MOU.

Fiscal Impact: As outlined in the MOU.

Prepared by:


Lawrence J. Haskin
City Attorney

Respectfully submitted,


Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director / Comptroller

RESOLUTION NO. 11458-030414

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BY AND
BETWEEN THE CITY OF OAK CREEK AND THE CITY OF ST. FRANCIS FOR
DISPATCH SERVICES

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Memorandum of Understanding by and between the City of Oak Creek and the City of St. Francis for dispatch services be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the same in behalf of the City of Oak Creek.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 4th day of March, 2014.

Passed and adopted this 4th day of March, 2014.

President, Common Council

Approved this 4th day of March, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

MEMORANDUM of UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into this ___ day of _____, 2014 (the "Effective Date") by and between The City of Oak Creek, Wisconsin ("Oak Creek"), the City of St. Francis, Wisconsin ("St. Francis").

WHEREAS, Oak Creek and St. Francis each operate a Municipal Police Department and a Municipal Fire Department; and,

WHEREAS, Oak Creek and St. Francis each provide dispatch services to support their current police and fire operations; and,

WHEREAS, in order to reduce costs and to increase efficiencies, the Parties wish to pursue entry into an agreement under which St. Francis will purchase dispatch services from Oak Creek.

NOW THEREFORE, the Parties express their intention as follows:

1. St. Francis and Oak Creek will enter into an agreement under which police and fire dispatch services will be provided to the Parties using Oak Creek personnel, equipment, facilities and procedures.
2. Oak Creek will provide personnel, human resources, and supervision, conduct hiring and disciplinary proceedings and maintain employment relationships with employees concerning services provided, however, that all four (4) full-time dispatchers employed by St. Francis as of 1/1/2014 who wish to apply for dispatcher positions with Oak Creek shall be provided the opportunity for employment with the Oak Creek Police Department. Such employment shall be subject to application for employment to Oak Creek and review of qualifications by the Oak Creek Chief of Police or his designee. St. Francis and Oak Creek shall agree as to the appropriate time to make and accept such application. Any offers of employment are to be determined prior to entering into an agreement for dispatch services between the parties and may be contingent upon such agreement.
3. Oak Creek commits to working with St. Francis to identify all issues related to establishment of appropriate dispatch operations between the parties. On or before June 3, 2014 the parties shall determine the likelihood of reaching a final agreement regarding dispatch services unless that date is extended by _____ mutual agreement of the parties. On or before June 3, 2014, the respective governing bodies of Oak Creek and St. Francis shall each adopt a resolution which either terminates this MOU or allows the MOU to remain in effect. Each respective City Clerk shall advise the City Clerk of the other party of the decision by the governing body on or before June 6, 2014. If either governing body adopts a resolution to terminate the MOU then effective as of the date of the written notice this MOU shall be deemed to be terminated. If both governing bodies adopt a resolution to continue the MOU then and in that event the review of a proposed Agreement may take up to an additional 7 months to complete.

4. The Oak Creek Chief of Police or his designee shall make all final decisions regarding dispatch procedures consistent with the terms and intentions of any agreement between the parties.
5. In the event that the Oak Creek dispatch services are interrupted, suspended or otherwise not available, such dispatch services will be provided by an alternate agency as designated by Oak Creek without additional cost to St. Francis.
6. The Parties contemplate a ten (10) year service agreement with a formal review to occur within six (6) months of completion of year eight (8). Both communities will identify terms for a ten (10) year extension by the end of the ninth (9th) year of the contract in order to allow for continued, uninterrupted operations or afford alternative service delivery options for review by St. Francis.
7. All technical start-up work and ongoing Information Technology ("IT") support will be provided by Oak Creek and its service providers under the fixed costs of the Agreement. The Parties agree that they will work in good faith to identify potential technical and operational issues and to work in good faith to identify solutions to any identified issues.
8. Software license upgrades and annual maintenance costs needed to serve St. Francis will be assessed and billed to St. Francis, which shall be encouraged to actively participate in discussions regarding software license upgrades and annual maintenance costs. Exhibit A shows current estimates for license upgrades and maintenance costs attributable to each party.
9. New or additional equipment, technology upgrades and advancement, or other non-personnel costs including station paging equipment, vehicle computers, GPS mapping, software upgrades and/or changes needed to directly service St. Francis in a manner consistent with Oak Creek dispatch services for its police and fire services will be assessed and billed to St. Francis. St. Francis is encouraged to establish a sinking fund for this expense to stabilize its annual budget. Exhibit A shows current estimates of equipment, costs attributable to each party.
10. Appropriate representatives shall be designated by the St. Francis to participate in all reviews, meetings, and discussions necessary to attempt to work through all issues believed necessary or desirable to accomplish the services contemplated to be encompassed within a contract between the Parties.
11. The Parties expect that a contract will commence on or before January 1, 2015.
12. A fixed-term contract and payments are proposed as follows:

Year 1: \$200,000
Year 2: \$204,000

Year 3: \$208,000
Year 4: \$212,000
Year 5: \$216,000
Year 6: \$220,000
Year 7: \$224,000
Year-8: \$228,000
Year 9: \$232,000
Year 10: \$240,000

13. A contract between the Parties will be non-exclusive. Oak Creek may provide dispatch services to other communities in the future, but would only do so to further improve efficiency, effectiveness, professionalism and quality of dispatch services.
14. A contract between the Parties will provide that St. Francis shall receive from Oak Creek quality, attentive and professional dispatch services in a manner consistent with the current and future standards of conduct of services.
15. A contract between the Parties will provide that St. Francis may choose to enter into different arrangements for ALS/BLS services in the future, which shall not affect the fixed costs for this service contract and Agreement.
16. A contract will bring financial benefits to each City without loss of service quality. The potential for additional future financial and service benefits is anticipated.
17. Oak Creek shall have authority to provide shift staffing of its dispatch operations at a level which Oak Creek determines necessary provided, however, that such staffing shall be at a level necessary to provide St. Francis with the same level of service as is currently enjoyed by Oak Creek public safety services. Oak Creek shall utilize sufficient dispatch personnel to ensure such service is maintained on a 24/7 basis, but staffing will not be less than one supervisor, one manager and thirteen dispatchers.
18. This MOU is a non-binding expression of intent for the Parties to enter, into an Agreement incorporating the provisions of this MOU.

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed on the day and year first above written.

CITY OF OAK CREEK

By: _____

Title: _____

CITY OF ST. FRANCIS

By: _____

Title: _____

City of Oak Creek Common Council Report



APPROVED

Meeting Date: November 5, 2013

Item No.: 10

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

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

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

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

① G
② K

Respectfully submitted by:

Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Reviewed by:

Bridget M. Souffrant, CMTW
Finance Director / Comptroller

Term Sheet for Dispatch Services between the City of St. Francis and the City of Oak Creek

This recital is intended to describe the major deal points for a service agreement and contract between the Cities of St. Francis and Oak Creek. Services which are contemplated to include dispatch services for Police and Fire operations by City of Oak Creek dispatch personnel which are currently provided by City of St. Francis dispatch personnel. This term sheet is intended to determine whether or not detailed contract language should be developed for consideration by the governing boards of each city.

1. A service contract for Police and Fire dispatch services using City of Oak Creek personnel, equipment, facilities, and procedures is contemplated. Oak Creek commits to working with its St. Francis counterparts to address concerns over dispatch procedures in a prompt and professional manner. Final decisions regarding dispatch procedures shall rest with the Oak Creek Chief of Police or designee. An appropriate work group to address issues related to dispatch services transition and ongoing operations is/will be established/maintained.

2. In the event the City of Oak Creek dispatch services are interrupted, suspended, or otherwise not available, such dispatch services will be provided by the City of Bayside dispatch through written agreement with Oak Creek.

3. St. Francis full-time dispatchers will be allowed to apply and if they qualify by reasonable standards they will be hired at rank, shift, and employment terms as Oak Creek determines. Hiring determinations will occur prior to the execution of this agreement.

4. A 10-year service agreement is proposed with a formal review to occur within six (6) months of completion of year eight (8). Both communities will identify terms for a 10 (ten) year extension by the end of year nine (9) in order to allow for continued uninterrupted operations or afford alternate service delivery options to be researched. This Agreement may be terminated. In the event St. Francis and Oak Creek both elect to participate in regional or County-wide dispatch services. The parties further agree that in the event of any dispute over the terms, performance, or administration of this agreement they will submit first to arbitration by a single mediator. In any litigation thereafter, the substantially prevailing party shall be entitled to its attorney's fees and costs.

5. All technical start up work and ongoing IT support will be provided by the City of Oak Creek and its service providers under the fixed costs of this agreement. Staff from both communities have met and allocated operating and capital costs between the two communities as shown in

Attachment 1. Both parties pledge to meet jointly over the course of the Agreement if adjustments are needed or desired by either party.

6. Software license upgrades and annual maintenance costs needed to serve the City of St. Francis will be assessed and billed to St. Francis. St. Francis will be encouraged to and may actively participate in these considerations. See Attachment 1.
7. New or additional equipment, technology upgrades and advancements, or other non-personnel (wages and benefits) costs needed to directly service City of St. Francis in a manner consistent with Oak Creek operations will be assessed and billed to St. Francis. These may include, but not be limited to: station paging equipment, vehicle computers, GPS mapping, software upgrades and/or changes. St. Francis is encouraged to establish a sinking fund for this expense to stabilize its annual budget expenses.

8. The St. Francis Fire Chief and Police Chief or their designated representative is encouraged to participate in quarterly dispatch review meetings intended to address any and all dispatch issues which might arise as well as to participate with any and all appropriate staff to facilitate transitional dispatch operations. Both parties are committed to address all issues in timely and professional fashion.

9. A January 1, 2013 start date, or as is mutually agreeable, is proposed for this service contract and agreement.

10. A fixed term contract and payments are proposed as follows:

Year 1: \$200,000
Year 2: \$204,000
Year 3: \$208,000
Year 4: \$212,000
Year 5: \$216,000
Year 6: \$220,000
Year 7: \$224,000
Year 8: \$228,000
Year 9: \$232,000
Year 10: \$240,000

11. It is recognized Oak Creek dispatch services may serve other communities in the future but would do so under terms intended to further improve efficiency, effectiveness, professionalism, and quality of its dispatch services. Should regional or County-wide dispatch operations not under the control of Oak Creek be considered in the future, it is expressly agreed that sunk capital costs by the two communities will need to be credited before such a change in dispatch operations could occur.

12. The City of St. Francis will receive quality, attentive and professional dispatch services under this agreement in ways consistent with the current and future standards of conduct of service which might be created. The City of St. Francis may choose to enter into different arrangements for ALS services in the future which shall not affect the fixed costs for this service contract and agreement. Oak Creek commits to providing for all dispatch requirements of St. Francis as they currently exist or as they may be required in the future.

13. Both parties to this agreement will work to ensure a successful transition intended to maintain the confidence of the public which will be served.

14. It is recognized this agreement will bring financial benefits to each City without loss of service quality. The potential for additional future financial and service benefits is also recommended by both parties.

15. The agreement may be amended by the written approval of both parties. Opportunities to further enhance services, reduce costs, or improve quality of operations will be considered as appropriate reasons for contract amendments.

16. Oak Creek is committed to providing appropriate shift staffing of its dispatch operations consisting of one (1) supervisor, one (1) manager, and thirteen (13) dispatchers, and any staff hired from St. Francis which shall not reduce the number of dispatchers below fifteen (15).

Joint Dispatch Data Center

Capital Equipment Costs

Capital Equipment/Resources	Estimated Cost	Oak Creek	St Francis	Total
Servers/Storage	\$24,000.00	\$24,000.00		\$24,000.00
Network Switches	\$5,000.00	\$5,000.00		\$5,000.00
Windows Server and SQL Software Cost	\$17,000.00	\$17,000.00		\$17,000.00
Pro Phoenix Software Multi-Juris Upgrade (Data Conversion?)	\$60,000.00	\$30,000.00	\$30,000.00	\$60,000.00
Net Motion Licenses (\$200 each Squad x 10)	\$2,000.00		\$2,000.00	\$2,000.00
Telestaff 10 user License	\$2,000.00	\$2,000.00		\$2,000.00
Backup Appliance in remote building	\$5,000.00	\$5,000.00		\$5,000.00
Pro-Phoenix Rip n Run printer installation in St Francis Fire Station	\$1,000.00		\$1,000.00	\$1,000.00
TSU/DSU Equipment for T1's to St Francis (Transfer from West Allis?)	\$1,000.00		\$1,000.00	\$1,000.00
Wireless Communication Link between Cities or Internet VPN?	\$10,000.00		\$10,000.00	\$10,000.00
911 system (in 2014 CEP)	\$200,000.00	\$150,000.00	\$50,000.00	\$200,000.00
Telephone/radio call recording equipment (Nice)				\$0.00
VHS/UHF radio interfaces between PD's				\$0.00
Cameras & telephone in St Francis Reception Area?				\$0.00
Fire Station Alerting System in Dispatch Center (in 2014 CEP)	\$65,000.00	\$65,000.00		\$65,000.00
Fire Station Alerting System (\$55,000 per Fire Station in 2014 CEP)	\$220,000.00	\$165,000.00	\$55,000.00	\$220,000.00
ProPhoenix to Image Trends data interface (Fire)				\$0.00
ProPhoenix to TIPS data interface (Court)				\$0.00
IT Technician (Estimated 200 hours)				\$0.00
Total	\$612,000.00	\$463,000.00	\$149,000.00	\$612,000.00

Additional Improvements to Add Additional Agencies (planned or future purchases)

Remodel OC Dispatch Center	\$20,000.00	\$20,000.00		\$20,000.00
Setup 4 existing Bayside dispatch consoles	\$4,000.00	\$4,000.00		\$4,000.00
MapPoint or GIS (4 dispatch Consoles)	\$2,000.00			\$0.00
Cabling for rearrangement of consoles	\$8,000.00	\$8,000.00		\$8,000.00
4 phones and headsets for new consoles	\$2,000.00			\$0.00
Dispatch console hardware (4 PC's- Pro-Phoenix & dual monitors)	\$8,000.00			\$0.00
Dispatch console hardware (4 PC's - Radios)	\$6,000.00			\$0.00
Dispatch console hardware (4 PC's - 911/Phone)	\$6,000.00			\$0.00
Additional 911 Phone equipment per city added (future)	\$50,000.00			\$0.00
Additional dispatch printer	\$1,500.00	\$1,500.00		\$1,500.00
Total	\$107,500.00	\$33,500.00	\$0.00	\$33,500.00

Yearly Operating Costs

T1 Line - OC to St Francis (\$250 per month - St Francis currently paying)	\$3,000.00		\$3,000.00	\$3,000.00
BadgerNet Line (\$625 per Month if needed)	\$7,500.00			\$0.00
Pro Phoenix Software Support (current OC cost \$45,500)	\$46,600.00	\$45,600.00	\$1,000.00	\$46,600.00
Net Motion Software (current OC cost \$3000)	\$3,200.00	\$3,000.00	\$200.00	\$3,200.00
Telestaff 10 user Client Software (current OC cost \$9000 for F & P)	\$9,200.00	\$9,200.00		\$9,200.00
911 Equipment Yearly Support	\$19,000.00	\$14,250.00	\$4,750.00	\$19,000.00
Total	\$60,300.00	\$48,600.00	\$4,200.00	\$52,800.00

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 14

Recommendation: That the Common Council approves payment of the obligations as listed on the February 26, 2014 Vendor Summary Report.

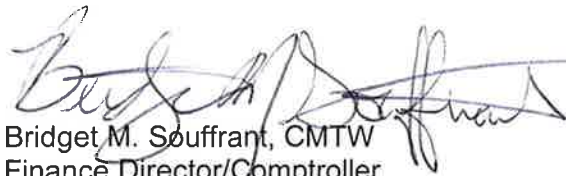
Background: Of note are the following payments:

1. \$61,563.19 to Advanced Disposal-Muskego-C6 (pg #1) for recycling and landfill charges.
2. \$60,834.09 to Benistar/UA (pg #3) for March retiree Medicare supplement.
3. \$67,149.34 to Godfrey & Kahn S.C. (pg #6) for Drexel Town Square and Lakeview Development legal services.
4. \$5,277.48 to Lakeside International Truck (pg #9) for vehicle/equipment maintenance.
5. \$9,887.06 to National Insurance Company (pg #11) for disability insurance.
6. \$7,301.70 to National Spring, Inc. (pg #11) for vehicle maintenance.
7. \$62,113.02 to North American Salt Co (pg #12) for road salt.
8. \$56,260.23 to WE Energies (pgs #18-19) for street lighting and gas/electric utilities.
9. \$26,603.89 to World Fuel Services, Inc. (pg #19) for fuel inventory.

Fiscal Impact: Total claims paid of \$439,794.64.

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: March 4, 2014

Item No.: 15

Recommendation: Waive bids and purchase as a single source to match existing equipment a Toro Sand Pro 5040 infield groomer with attachments from Reinders in the amount of \$24,200.

Background: The City currently uses a 1998 Smithco infield groomer and a 2006 Toro infield groomer to maintain 18 softball diamonds, 1 hardball diamond, and 7 volleyball courts from March through October. These machines operate almost continuously during the peak baseball months, preparing 7-8 ball diamonds daily for games. The 1998 Smithco groomer has reached its useful life and needs to be replaced. Parks Maintenance staff feels that maintenance and parks efficiencies can be gained by purchasing a second Toro infield groomer (interchangeable attachments) and they have requested bidding be waived to purchase this single source equipment. The discounted cost purchase price for this infield groomer has been obtained from the Toro distributor. The 2014 budget includes purchase of this equipment to help maintain City ballfields. A copy of the CIP submission is attached to this report.

Fiscal Impact: Purchase price of \$24,200 was included in the City's 2014 budget for this purchase.

Submitted by:



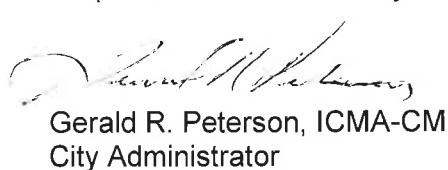
Jeffrey Wendt
Parks Maintenance Supervisor

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 2014 Annual Budget

Capital Equipment Program

Department: Parks	Date: 9/18/13
General Type: Infield Groomer	Contact Person: Jeff Wendt
Equipment Description and Location: Current model Toro Sand Pro 5040 infield groomer Parks Maintenance Building 800 W. Puetz Road	
Equipment Justification and Intent: Intent: To replace 1998 Smithco infield groomer Justification: Parks Department currently maintains 18 softball diamonds, 1 hardball diamond & 7 sand volleyball courts from the end of March until the end of October. This machine is out most of the day during the peak baseball months preparing 7-8 diamonds a day for games.	
Describe alternatives to purchasing the equipment: Rely on 2006 Toro infield groomer to handle this workload by itself which is getting harder to do due to the increased ballfield rentals by select baseball teams and park rentals with volleyball courts.	
If this replaces existing equipment describe old equipment and disposal intent: 1998 Smithco groomer - worn out engine needs replacing; scrap it.	
Annual Impact: \$24,200.00	
Priority: A - High	

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 16

Recommendation: To approve bid price purchase of John Deere 997 60" deck mower with rear discharge from Highway C Services in the amount of \$16,700.

Background: Parks Maintenance staff has been unable to keep up with grass cutting in City parks, medians, and other areas which it is responsible for maintaining. Since 2000, the City has used five production mowers with cutting decks ranging from 5 feet to 10.5 feet to perform grass cutting operations. During this time, the area maintained by the Parks Division has increased by 33% from 215 acres to 285 acres with additional responsibilities for the lakefront and Drexel Town Square properties on the horizon.

During peak growing times, the City has received complaints from the Council and residents due to the lack of timely grass cutting. Equipment and manpower challenges (and sometimes wet weather conditions) have prevented a more timely response from the City. The proposed purchase of a 60" rear discharge mower will help the City achieve more timely grass cutting of medians and heavy pedestrian areas to be mowed. Rear discharge mowers prevent grass from being blown into street areas and toward pedestrians who may be in the area. Purchase of this equipment was approved and included in the 2014 budget. A copy of the CIP write-up is attached to this report.

Fiscal Impact: The bid price received for purchase of this mower is \$16,700.

Submitted by:



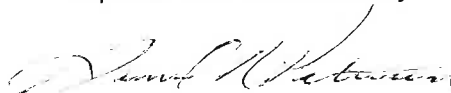
Jeffrey Wendt
Parks Maintenance Supervisor

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 2014 Annual Budget

Capital Equipment Program

Department: Parks	Date: 9/18/13
General Type: Rear discharge mower	Contact Person: Jeff Wendt
Equipment Description and Location: Current model John Deere 997 60" deck, rear discharge mower Parks Maintenance Building 800 W. Puetz Road	
Equipment Justification and Intent: Intent: To add to existing fleet Justification: This type of mower is essential for mowing boulevards, terrace areas and other heavy pedestrian traveled areas such as City Hall because the rear discharge of cut material, prevents foreign objects from flying into the roadway or at pedestrians. These areas increase yearly and we are having a hard time keeping up with just one mower with this type set up.	
Describe alternatives to purchasing the equipment: Rely on the one we have, 2007 John Deere, and hope we can keep up and that it never has a breakdown.	
If this replaces existing equipment describe old equipment and disposal intent: None	
Annual Impact: \$16,700.00	
Priority: A - High	

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 17

Recommendation: To approve bid price purchase of John Deere 997 72" deck mower with side discharge from Highway C Services in the amount of \$17,008.

Background: Parks Maintenance staff has been unable to keep up with grass cutting in City parks, medians, and other areas which it is responsible for maintaining. Since 2000, the City has used five production mowers with cutting decks ranging from 5 feet to 10.5 feet to perform grass cutting operations. During this time, the area maintained by the Parks Division has increased by 33% from 215 acres to 285 acres with additional responsibilities for the lakefront and Drexel Town Square properties on the horizon.

During peak growing times, the City has received complaints from the Council and residents due to the lack of timely grass cutting. Equipment and manpower challenges (and sometimes wet weather conditions) have prevented a more timely response from the City. The proposed purchase of a 72" side discharge mower will help the City achieve more timely grass cutting. Purchase of this equipment was approved and included in the 2014 budget. A copy of the CIP write-up is attached to this report.

Fiscal Impact: The bid price received for purchase of this mower is \$17,008.

Submitted by:



Jeffrey Wendt
Parks Maintenance Supervisor

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 2014 Annual Budget

Capital Equipment Program

Department: Parks	Date: 9/18/13
General Type: Side discharge mower	Contact Person: Jeff Wendt
Equipment Description and Location: Current model John Deere 997 72" side discharge mower Parks Maintenance Building 800 W. Puetz Road	
Equipment Justification and Intent: Intent: Add to existing fleet Justification: Our current fleet of mowers has been having a hard time keeping up with the cutting of grass during the peak growing season due to increased areas being added yearly. An additional mower would allow another worker to be out cutting grass as needed. As part time personnel are switched to 25 hour work weeks, we will need to be out cutting with everything available and we will be short on mowers.	
Describe alternatives to purchasing the equipment: Continue as we are, which has been falling behind during peak growing times, which in turn, starts generating complaints.	
If this replaces existing equipment describe old equipment and disposal intent: None	
Annual Impact: \$17,008.00	
Priority: A - High	

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

Item No.: 18

Recommendation: That the Council award the 2014 street tree bid (Project No.14014) to Goodmark Nurseries, LLC, in the amount of \$20,685.00.

Background: In 2014 we have planned to plant considerably less trees than in previous years due to less allocation of funds for forestry operations. Of the proposed 150 trees, approximately 35 trees would be new, developer reimbursed plantings; approximately 70 trees would be ash replacements and, the remaining 45 trees would be general replacements.

The 2014 request for tree purchase bids was advertised and the following 6 (six) bids were received for 150 trees, including delivery:

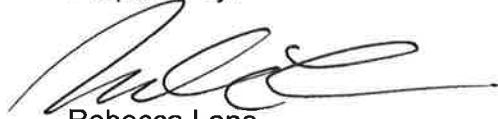
Nursery/Location	Total	No. of trees	Comments	Average price/tree
Goodmark Nursery Wonder Lake, IL	\$20,685	150	100% of bid	\$137.90
Johnson's Nursery Jackson, WI	\$18,090	120	80% of bid	\$150.75
Kendall Hill Nursery Newark, IL	\$22,525	138	92% of bid	\$163.22
Beaver Creek Poplar Grove, IL	\$28,915	138	92% of bid	\$209.53
Minor's Nursery Milwaukee	\$5,425	55	37% of bid	\$98.64
St. Aubin Nursery Kirkland, IL	\$14,965	83	55% of bid	\$180.30

Bid award recommendation is based on: ability to meet specifications/stock quality and bid price, ability to provide quantity, in-field inspections prior to award of bid, past experience with nursery/stock.

We received six reasonable bids this year and recommend obtaining stock from Goodmark Nursery in 2014 because they are able to provide 100 percent of the order. Field checks have confirmed quality and availability.

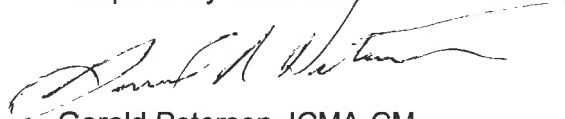
Fiscal Impact: The \$20,685 needed for this tree purchase is available in the 2014 Capital Improvement Budget (Project No. 14014 and remaining funds from previous years).

Prepared by:



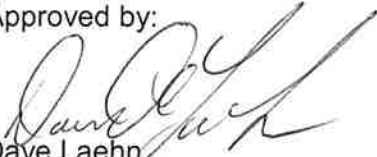
Rebecca Lane,
City Forester

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

Approved by:



Dave Laehn
Acting Streets, Parks & Forestry
Superintendent

Fiscal Review by:



Bridget M. Souffrant
Finance Director / Comptroller

City of Oak Creek Common Council Report

Meeting Date: March 4, 2014

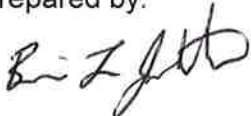
Item No.: 19

Recommendation: That the Common Council adopts Resolution No. 11457-030414, a resolution establishing a storm sewer easement at OakView Business Park (Tax Key 974-1003)(5th Aldermanic District).

Background: WisPark LLC is developing the land at 10711 S. Howell Avenue which is known as OakView Business Park. A public storm sewer pipe runs across private property and creates the need for the storm sewer easement. The public storm sewer is designed to accept the ditch drainage along S. Howell Avenue (STH 38) and the road drainage of W. Elm Road. The 35-foot easement that runs along the eastern property line will provide the City and WisDOT with the right to access and maintain the storm sewer within the easement limits on the property.

Fiscal Impact: None.

Prepared by:



Brian L. Johnston, P.E.
Assistant City Engineer

Respectfully submitted,



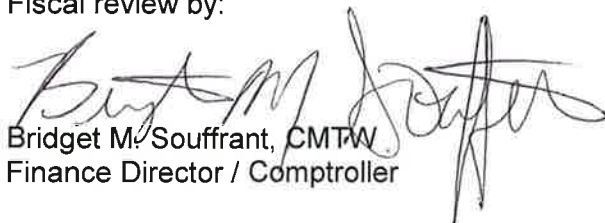
Gerald Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

RESOLUTION NO. 11457-030414

BY: _____

**RESOLUTION ESTABLISHING A STORM SEWER EASEMENT AT
OAKVIEW BUSINESS PARK**

(TAX KEY NO. 974-1003)

(5TH ALDERMANIC DISTRICT).

WHEREAS, WisPark, LLC is required to provide a storm sewer for the development of the OakView Business Park at 10711 S. Howell Avenue, and;

WHEREAS, the proposed 35-foot-wide easement would be located along the eastern property line of the OakView Business Park project, as shown in the exhibit, and;

WHEREAS, the easement will give the City and the Wisconsin Department of Transportation the right to access and maintain the storm sewer within the easement limits on the property;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the storm sewer easement at OakView Business Park 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 4th day of March, 2014.

Passed and adopted this 4th day of March, 2014.

President, Common Council

Approved this 4th day of March, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Document Number	Document Title		
EASEMENT NO	_____	Recording Area	
PROJECT NO.	_____		
RESOLUTION NO.	_____		
ADDRESS NO.			
GRANTOR(S) M/A		Brian Johnston P.E. City of Oak Creek 8640 S. Howell Ave. Oak Creek, WI 53154	Andrew Maxwell Wisconsin DOT 141 NW. Barstow St PO Box 798 Waukesha, WI 53187

TAX KEY NO. 974-1003

Parcel Identification Number (PIN)

STORM SEWER AND DRAINAGE EASEMENT

THIS INDENTURE, made this _____ day of _____, 2014, by and between, **WISPARK, LLC**, party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation and State of Wisconsin, party of the second part, hereinafter referred to as "Grantees";

WITNESSETH:

Grantor does hereby grant to the Grantees an easement to construct, maintain, operate and reconstruct where necessary storm sewer and appurtenances in, under, over and across the real property of Grantors in the City of Oak Creek, County of Milwaukee, as shown on Exhibit "A", and more particularly described as follows:

Being a part of the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 32, Township 5 North, Range 22 East, located in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of said Northeast 1/4 section; thence North 01°06'28" West along the east line of said Northeast 1/4 section, 892.04 feet; thence South 89°40'14" West, 75.01 feet to the northeast corner of Lot 3 of Certified Survey Map No. 8154, the west line of South Howell Avenue (State Trunk Highway "38") and the point of beginning; thence South 01°06'28" East along said west line, 893.21 feet; thence South 01°13'09" East along said west line, 50.82 feet; thence North 48°46'15" West, 32.75 feet; thence North 01°15'43" West, 67.12 feet; thence North 05°55'19" West, 156.93 feet; thence North 01°14'52" West, 699.00 feet to the north line of said Lot 3; thence North 89°40'13" East along said north line, 39.17 feet to the point of beginning.

TO HAVE AND TO HOLD said easement unto the Grantees, and unto its successors and assigns forever.

The Grantees shall have the right to enter upon and to pass and repass over and along the aforesaid land whenever and wherever necessary for the purpose of installation, maintenance, operation and repair of the aforesaid storm sewer and appurtenances thereto.

The Grantees agree to restore or cause to have restored the property as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or its agents. However, the Grantees' obligation to restore the property does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots which may interfere with the Grantees' use of the aforesaid easement.

The Grantees shall have the right to trim or remove any trees, bushes, branches or roots so as not to interfere with the grantees use of the aforesaid easement.

Structures, which are defined as anything constructed or erected, the use of which requires more or less permanent location on ground or attached to something having permanent location on the ground and fences, shall not be located over Grantees' facilities or in, upon or over the property within aforesaid easement without the prior written consent of the City Engineer.

The aforesaid storm sewer and appurtenances shall be maintained and kept in good order and condition at the expense of the Grantees.

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

If the premises herein are discontinued or abandoned for the purpose granted, the

easement herein conveyed shall, without notice, demand or re-entry, revert to the Grantors, their heirs, personal representatives, successors and assigns. In such event, the City agrees to reconvey by quit claim deed to Grantors, their heirs, personal representatives, successors and assigns, the premises described herein.

The City and State shall and does hereby agree to indemnify and save harmless the Grantors, their heirs, personal representatives, successors and assigns, from any and all loss of damage to property or injury to or death of any and all persons, or from any suits, claims, liability or demand in connection therewith however caused, resulting directly or indirectly by reason of the installation, operation, maintenance, removal, use or existence of the aforesaid storm sewer and appurtenances thereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Grantor:



Jerold P. Franke, President
WISPARK, LLC

STATE OF WISCONSIN)
)SS.
MILWAUKEE COUNTY)

Personally came before me this 19th day of FEBRUARY, 2014, the above-named, Jerold P. Franke, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



Notary Public, Milwaukee County, WI

My commission expires: 10-18-2015



CITY OF OAK CREEK

By: _____
STEPHEN SCAFFIDI, Mayor

By: _____
CATHERINE A. ROESKE, City Clerk

STATE OF WISCONSIN)
)SS.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2014, STEPHEN SCAFFIDI, Mayor and CATHERINE A. ROESKE, City Clerk, of the above-named municipal corporation, CITY OF OAK CREEK, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument, as such officers, as the deed of said municipal corporation, by its authority, pursuant to Resolution No. _____, adopted by its Common Council on the _____ day of _____, 2014.

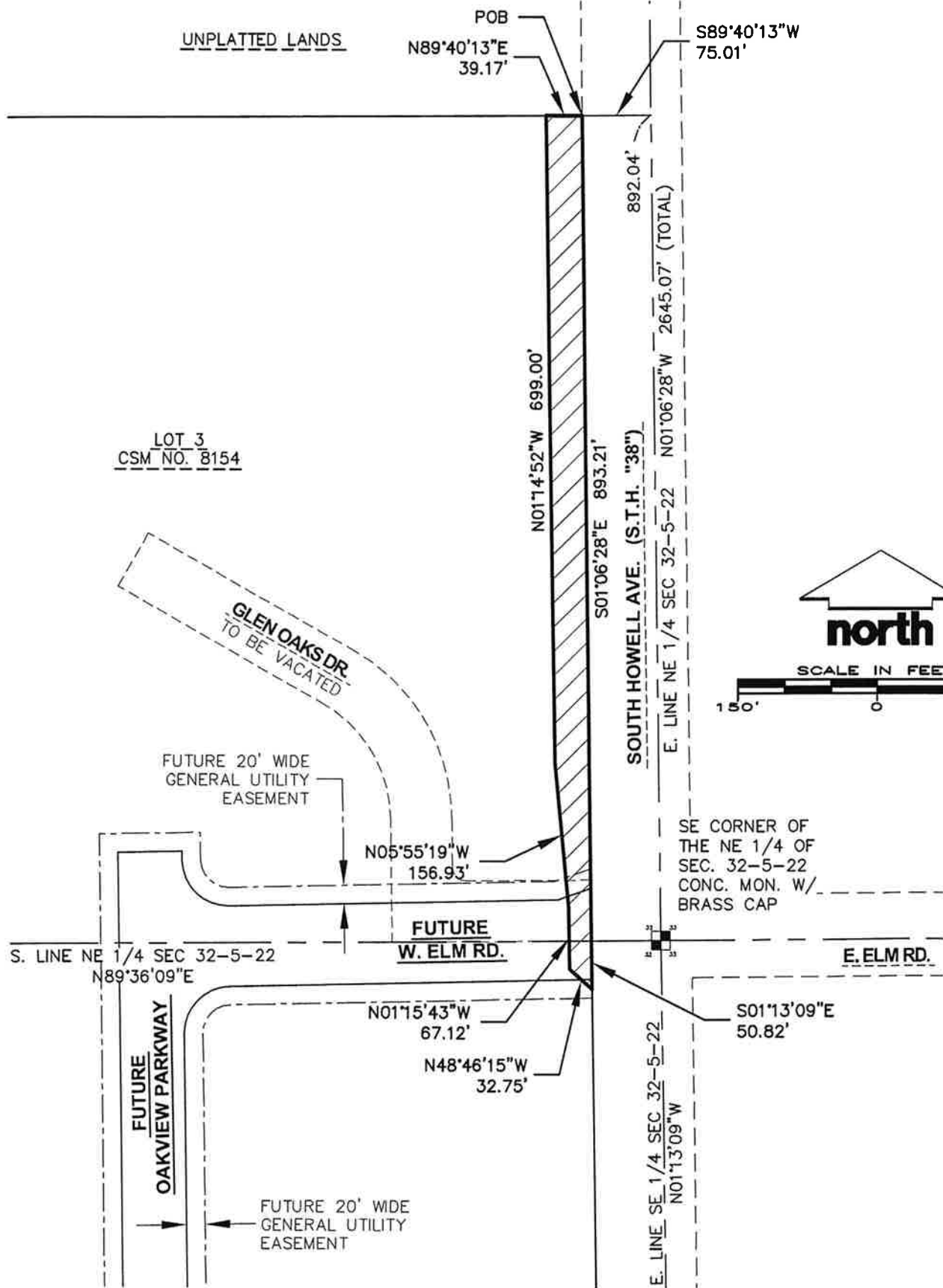
Notary Public, Milwaukee County, WI

My commission expires: _____

This instrument was drafted by _____.

Approved as to form by:

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



JSD Professional Services, Inc.
 • Engineers • Surveyors • Planners
 MILWAUKEE REGIONAL OFFICE
 N22 W22831 NANCY'S COURT SUITE 3
 WAUKESHA, WISCONSIN 53186
 262.513.0686 PHONE | 262.513.1232 FAX
www.jsdinc.com

PROJECT:
**OAKVIEW BUSINESS PARK
 STORM/UTILITY EASEMENT**
 CITY OF OAK CREEK, WI

SHEET TITLE:
EXHIBIT "A"

JSD PROJECT NUMBER:
 DRAWN BY: RWI CHECKED BY: RKW
 DATE:
 02-12-14

SHEET NUMBER:
EX-A

**MINUTES
LICENSE COMMITTEE
FRIDAY, FEBRUARY 21, 2014 AT 9:00 A.M.**

This meeting was called to order at 9:00 a.m. Present were: Ald. Gehl and Ald. Kurkowski. Ald. Ruetz was excused. 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 Thomas S. Malecki, 10075 S. Cindy Ln., Oak Creek (Gary's Beer & Liquor). Mr. Malecki was present for the meeting.

On his application, Mr. Malecki disclosed a conviction for possession of THC in 2011.

The police report presented the following convictions:

- Possession of THC Non-Criminal – convicted 2/15/11
- Underage Alcohol – convicted 11/15/11

Mr. Malecki was asked to explain the omission of the Underage Alcohol conviction to the Committee. Mr. Malecki explained that he received an underage alcohol consumption ticket when he was 20 and he believed it to be a monetary ticket versus an actual conviction, and therefore, he hadn't thought to list it.

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Thomas S. Malecki, 10075 S. Cindy Ln., Oak Creek (Gary's Beer & Liquor). On roll call, all voted aye.

2. The Committee reviewed the application for an Operator's license submitted by Dawn Liegler, 303 W. Lagoon Ln., Oak Creek (Classic Lanes). Ms. Liegler was present for the meeting.

On her application, Ms. Liegler disclosed speeding tickets.

The police report presented the following convictions:

- Disorderly Conduct Non-Criminal – convicted 12/02/98
- Possession of Cocaine Misdemeanor – convicted 9/10/99

Ms. Liegler was asked to explain the omissions of the above convictions. Ms. Liegler noted that the possession of cocaine conviction was the result of being pulled over and a friend in Ms. Liegler's car had paraphilia on her, but because it was found in Ms. Liegler's vehicle, it was she that received the ticket/conviction. Ms. Liegler did note that these convictions happened over fifteen years in the past and that since that time she had gotten married, had a family and has had no further arrests or convictions.

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant an Operator's license to Dawn Liegler, 303 W. Lagoon Ln., Oak Creek (Classic Lanes). On roll call, all voted aye.

Ald. Gehl, seconded by Ald. Ald. Kurkowski, moved to adjourn this meeting at 9:14 a.m. On roll call, all voted aye.