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

## COMMON COUNCIL MEETING AGENDA

TUESDAY, JUNE 3, 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: 5/20/14

### Recognition

4. **Council Proclamation:** Consider Council Proclamation No. 14-09, Congratulations to Edward Siira, 2014 Oak Creek Citizen of the Year (by Committee of the Whole).
5. **Resolution:** Consider Resolution No. 11495-060314, Resolution of Commendation to Kenneth L. Bury, retiring Facility Maintenance Technician (by Committee of the Whole).
6. **Council Proclamation:** Consider Council Proclamation No. 14-10, Congratulations to Jacob Joseph Lutzke 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. **Conditional Use:** Consider a conditional use permit application by Southeast Wisconsin Baseball Booster Club, Inc. and the Eugene J. Eder Living Trust for an indoor commercial recreation facility (The Zone) located at 6758 S. 13<sup>th</sup> St. (1<sup>st</sup> District).
8. **Ordinance:** Consider Ordinance No. 2725, approving a conditional use permit for an indoor commercial recreation facility located at 6758 S. 13<sup>th</sup> St. (The Zone) (1<sup>st</sup> District).

### New Business

### MAYOR & COMMON COUNCIL

9. **Motion:** Consider a motion to approve a state/municipal agreement for a Transportation Economic Assistance Grant (by Committee of the Whole).
10. **Resolution:** Consider Resolution No. 11497-060314, extending a Memorandum of Understanding by and between the City of Oak Creek and the City of St. Francis regarding Police and Fire Dispatch Services (by Committee of the Whole).

11. **Resolution:** Consider Resolution No. 11500-060314, approving the first amendment to the Tax Incremental District No. 11 Finance Development Agreement and authorizing execution of an Inter-Creditor Subordination and Assignment Agreement with Hall Milwaukee FP, LLC (2<sup>nd</sup> District).
12. **Motion:** Consider a motion to authorize staff to take preliminary steps to amend the boundaries of and project plan for Tax Increment Financing District No. 11 to include the portions of the property at 8131 S. Howell Avenue (2<sup>nd</sup> District).
13. **Resolution:** Consider Resolution No. 11501-060314, approving an amendment to the Sanitary and Water Main Easement with One West Drexel, LLC, Meijer Stores Limited Partnership and the City of Oak Creek (2<sup>nd</sup> District).
14. **Resolution:** Consider Resolution No. 11502-060314, approving the release of the Access Easement as contained in the Special Warranty Deed from One West Drexel, LLC ("OWD") to the City of Oak Creek ("City") dated August 30, 2012 and recorded with the Milwaukee County Register of Deeds Office on August 31, 2012 as Document No. 10156307 (2<sup>nd</sup> District).
15. **Resolution:** Consider Resolution No. 11498-060314, approving a certified survey map for the property at 8041 S. Howell Ave., with the condition that all technical corrections are made prior to recording (2<sup>nd</sup> District).
16. **Resolution:** Consider Resolution No. 11499-060314, approving a certified survey map for the properties at 8131 S. Howell Ave. and 400 W. Forest Hill Ave., with the condition that all technical corrections are made prior to recording (2<sup>nd</sup> District).
17. **Motion:** Consider a motion to approve the 2014 Vendor Summary Report in the amount of \$254,766.80 (by Committee of the Whole).

**ENGINEERING**

18. **Resolution:** Consider Resolution No. 11496-060314, approving a storm water management practices maintenance agreement with Centennial Park South, LLC for their Centennial Park Apartments expansion located at 9026 S. Shepard Ave. (Tax Key Nos. 860-9005, 860-9006) (3<sup>rd</sup> District).

**LICENSE COMMITTEE**

The License Committee met on 5/19/14. Minutes are attached. Recommendations are being made as follows:

19. **Motion:** Consider a motion to grant Renewal alcoholic beverage licenses for the period July 1, 2014 through June 30, 2015, subject to payment of fees and department approvals as listed.

**CLASS A BEER**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Speedway LLC Marcos A. Acevedo, Agent (Speedway #4462)	8667 S. Howell Ave.	550 W. Warnimont Ave. Milwaukee
Ryan Road LLC James Gedig, Agent (Ryan Road Shell)	2170 W. Ryan Rd.	7240 S. North Cape Rd. Franklin

Sandra R. Strasser Rosemarie Bartel (Sandy's Port of Call)	10075 S. Chicago Rd.	4303 S. 51st St., Franksville 913 W. Ryan Rd., Oak Creek
Ryan Road Oil Greg Puetz, Agent (Ryan Road Mobil)	9444 S. Chicago Rd.	3369 E. Woodview Ave. Oak Creek
Pilot Travel Centers George Kutschma, Agent (Pilot Travel Center #040)	2031 W. Ryan Rd.	N2239 Wilmot Blvd Lake Geneva
Walgreens Co. Cynthia Smith, Agent (Walgreens #04887)	9449 S. Howell Ave.	10958 W. Cortez Rd. Franklin
Butcher Block Meat Market, LLC Douglas Alan Shulta, Agent (Butcher Block Meat Market)	9340 S. Chicago Rd.	1975 S. 93 <sup>rd</sup> St. West Allis

**CLASS B BEER**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Panda Gourmet LLC Xiao Xiong Liang, Agent (Panda Gourmet)	8880 S. Howell Ave., # 900	1385 E. Prairie View Dr. Oak Creek
Ki Sin Phil Sun K. Phil (Yen Hwa Chinese)	2345 W. Ryan Rd.	8690 W. Elm Ct. Franklin
Milwaukee Area Tech College District Richard Busalacchi, Agent (Milwaukee Area Tech College District - South Campus)	6665 S. Howell Ave.	6070 Oriole Ln. Greendale
The Noodle Shop, Co. – Colorado, Inc. Keri Jo Hesselbein, Agent (Noodles & Company)	8609 S. Howell Ave.	8020 S. 68 <sup>th</sup> St. Franklin
St. Matthew Congregation Michael J. Sullivan, Agent (St. Matthew Parish) <i>Auxiliary document</i>	9303 S. Chicago Rd.	10855 S. Harrian Ln. Oak Creek
Willkomm Foods LLC Val Secor, Agent (The Dish)	9540 S. 27 <sup>th</sup> St.	5822 80 <sup>th</sup> St. Kenosha
Oak Pro II, LLC Nicole Taylor, Agent (Fairfield Inn & Suites)	6460 S. 13th St.	450 W. Swan Cir. Oak Creek
Lisa Marie's LLC Laurel Ann Red Cloud (Sadie's Ristorante) <i>Inspection Department</i>	9454 S. Howell Ave.	9454 S. Howell Ave. Oak Creek
St. Stephen's Congregation Laura Maniaci, Agent (St. Stephen's Congregation)	1441 W. Oakwood Rd.	9380 S. Burrell Oak Creek

**CLASS C WINE**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Panda Gourmet LLC Xiao Xiong Liang, Agent (Panda Gourmet)	8880 S. Howell Ave., # 900	1385 E. Prairie View Dr. Oak Creek
Ki Sin Phil Sun K. Phil (Yen Hwa Chinese)	2345 W. Ryan Rd.	8690 W. Elm Ct. Franklin
Milwaukee Area Tech College District Richard Busalacchi, Agent (Milwaukee Area Tech College District - South Campus)	6665 S. Howell Ave.	6070 Oriole Ln. Greendale

The Noodle Shop, Co. – Colorado, Inc. Keri Jo Hesselbein, Agent (Noodles & Company)	8609 S. Howell Ave.	8020 S. 68 <sup>th</sup> St. Franklin
Willkomm Foods LLC Val Secor, Agent (The Dish)	9540 S. 27 <sup>th</sup> St.	5822 80 <sup>th</sup> St. Kenosha
Lisa Marie's LLC Laurel Ann Red Cloud (Sadie's Ristorante) <i>Inspection Department</i>	9454 S. Howell Ave.	9454 S. Howell Ave. Oak Creek

**CLASS A COMBINATION**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Kwik Trip Inc. Stacy Ann Anderson, Agent (Kwik Trip #422)	9535 S. 13 <sup>th</sup> St.	8616 Hart Dr. Wind Lake
PDQ Food Stores, Inc. Ken Kysely, Agent (PDQ Store #355)	6300 27 <sup>th</sup> St.	W289 N7951 Park Drive Hartland
P&K Kooner LLC Kulwant Singh (Checker Liquor)	9110 S. Chicago Rd.	830 E. Deer Ridge Pass. Oak Creek
Gary's Corporation of Oak Creek Gary Hintz, Agent (Gary's Beer & Liquor)	9555 S. Howell Ave.	10065 S. McGraw Dr. Oak Creek
Target Corporation Louisa Ann Wertzler, Agent (Target Store T-1925)	8989 S. Howell Ave.	4876 S. 21 <sup>st</sup> St. Milwaukee
Charles Potter, Inc. Charles Potter, Agent (Potter's Piggly Wiggly)	2201 E. Rawson Ave.	2580 Gaywood Ct. Brookfield
Himalayan Corporation Ramkrishna Subedi, Agent (Oak Creek Mobil)	1200 W. Rawson Ave.	2860 Smith Ct. Brookfield
Mega Marts, LLC Andrew Gifford, Agent (Pick 'n Save #6862)	8770 S. Howell Ave.	8670 S. Maize Dr. Oak Creek
Mega Marts, LLC Matthew Meyer, Agent (Tri-City Pick 'n Save #6348)	6462 S. 27th St.	10312 63 <sup>rd</sup> St. Kenosha
Mega Marts, LLC Richard T. Romel, Agent (Pick 'n Save #6387)	2320 W. Ryan Rd.	1226 Dundee Drive Racine
Woodman's Food Market, Inc. David J. Keeseey, Agent (Woodman's Food Market)	8131 S. Howell Ave.	5301 26 <sup>th</sup> St. Kenosha
Love's Travel Stops & Country Stores, Inc. Jerry Jarvis, Agent (Love's Travel Stop #432)	9650 S. 20 <sup>th</sup> St.	246 Quail Dr. Genoa City
Sal's Beer & Wine LLC Salvatore J. Colla, Agent (Sal's Beer & Wine)	7872 S. Howell Ave.	3833 W. Leah Ave. Franklin
JC Stores Inc. Jane A. Studebaker-Harlan, Agent (Oasis Mobil)	9510 S. 27 <sup>th</sup> St.	1532 Orchard St. Racine
Aldi, Inc. (Wisconsin) Nancy Baker, Agent (Aldi #01)	6810 S. 27th St.	2652 Iris Ct. Racine
Rawson Citgo LLC Adail Hamdan, Agent (Rawson 66)	150 W. Rawson Ave.	4481 W. Victory Creek Franklin

Order & Save Distributing, Inc. Sukhdev Khalsa, Agent (Oak Creek Marathon)	9502 S. Howell Ave.	10759 S. Christina Ct. Oak Creek
Midwest Retail Group–Oak Creek, Inc. James F. Fiene, Agent (7 Eleven #35841A)	1225 W. Rawson Rd.	W303 N1584 Arbor Dr. Delafield

**CLASS B COMBINATION**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Cellar on Oakwood, LLC Shirley Miksa, Agent (The Cellar) <i>Inspection Department</i>	812 W. Oakwood Rd.	8655 S. Stonefield Dr. Oak Creek
120 Rawson, Inc. Brett Mazzone, Agent (The Saloon)	120 E. Rawson Ave.	1121 N. Waverly Pl. Milwaukee
Melrose Eatery, Inc. Konstantinos Spyropoulos, Agent (Melrose Eatery)	6840 S. 27 <sup>th</sup> St.	3965 S. Sunnyslope Rd. New Berlin
Oak Creek Diner II, Owned by Donald Bourdo Dorothy Boudro, Agent (Oak Creek Diner II)	6874 S. 13 <sup>th</sup> St.	6918 S. 13 <sup>th</sup> St. Oak Creek
Woodland Golf, Inc. Mary Ellen Joncas, Agent (Woodland Golf)	3025 E. Elm Rd.	3003 E. Elm Rd. Oak Creek
Pedone Restaurant & Catering Alison S. Pedone, Agent (Trattoria diCarlo & Catering)	8469 S. Howell Ave.	109 Accipiter Ct. Burlington
Classic Oak Creek Bowling LLC Ed Vahradian Jr., Agent (Classic Lanes Oak Creek) <i>Inspection Department</i>	7501 S. Howell Ave.	1504 Sherman South Milwaukee
Butch's Co., Inc. Mary Anne Schettle, Agent (Butch's Big Mouth Frog.)	7126 S. 27 <sup>th</sup> St	16001 W. Riveria Dr. New Berlin
Mazatlan Mexican Restaurant Oak Creek, Inc. Cesar Soto Deanda, Agent (Mazatlan Mexican Restaurant Oak Creek)	10166 S. 27 <sup>th</sup> St.	2221D Circle Ridge Delafield
Southbound Saloon & Eatery LLC Aleshia L. Sieren, Agent (Southbound Saloon & Eatery)	9504 S. Chicago Rd.	9504 S. Chicago Rd. Oak Creek
Oak Creek Community Center Richard Duchniak, Agent (Oak Creek Community Center)	8580 S. Howell Ave.	1035 E. Stonegate Dr. Oak Creek
EAK, Inc. Danielle Baerwald, Agent (Erv's Mug)	130 W. Ryan Rd.	6104 Churchwood Cir. Greendale
Jim Dandy's Inc. Karen Iwinski, Agent (Jim Dandy's) <i>Inspection Department</i>	8900 S. 27 <sup>th</sup> St.	9676 S. Fox Run Oak Creek
Oelschlaeger-Dallman Post No. 434 of the American Legion Department of Wisconsin Robert LaBrosse, Agent (Oelschlaeger-Dallman Post No. 434 of the American Legion Department of Wisconsin)	9327 S. Shepard Ave.	8570 S. 13 <sup>th</sup> St. Oak Creek
1750 LLC Michael LaSusa, Agent (Michael LaSusa's) <i>Treasurer Department</i>	8955 S. 5 <sup>th</sup> Ave.	3960 E. Maple Oak Creek

Tracy Rae's LLC Tracy Johanneck-Utphall, Agent (Tracy Rae's) <i>Inspection Department</i>	823 W. Oakwood Rd.	3248 Shortridge Dr. Racine.
John Sagan Joyce M. Mueller (Cozy Inn)	9509 S. Chicago Rd.	2410 E. Elm Rd., Oak Creek 1490 51 <sup>st</sup> St., Caledonia
St. Ledger Enterprises, Inc. James J. St. Ledger, Jr., Agent (Oak Hills Golf)	10360 S. Howell Ave.	1806 Forest Hill Ave. South Milwaukee
Apple Hospitality Group, LLC Jacob Woods, Agent (Applebee's Neighborhood Grill & Bar)	7135 S. 13 <sup>th</sup> St.	119 N. 71 <sup>st</sup> St. Milwaukee
Brian's Restaurant LLC Luljeta Abazi, Agent (Brian's Restaurant)	924 E. Rawson Ave.	601 E. Jordan Ln. Oak Creek
Zeqiri Corp. Lirim Zeqiri, Agent (Market Place Café)	3570 E. Puetz Rd.	3270 Normandy Dr. Oak Creek
Diane Dorothy Spingola (Diane's Second Chance Saloon)	9430 S. 27 <sup>th</sup> St.	9430 S. 27 <sup>th</sup> St. Oak Creek
Brickler's Restaurant, LLC Marla J. Brickler, Agent (Back to Lucy's)	1000 E. Rawson Ave.	1126 E. Drexel Ave. Oak Creek
Comfort South, Inc. Teresa A. D'Amato, Agent (Comfort Suites)	6362 S. 13 <sup>th</sup> St.	3865 Pilgrim Rd. Brookfield
Lotus Restaurant LLC Wan Yi Zuo, Agent (Lotus)	9011 S. Howell Ave.	8219 S. Four Oaks Ct. Franklin
Blazin' Wings, Inc. Jared S. Bellis, Agent (Buffalo Wild Wings Grill & Bar)	8171 S. Howell Ave.	3704 92 <sup>nd</sup> Place Sturtevant
KMDG LLC Dennis Giannopoulos, Agent (Branded Steer)	1229 W. College Ave.	1243 Kerechun Rd. Hubertus
Maria Cobian (Victor's Again) <i>Inspection Department</i>	9117 S. 5 <sup>th</sup> Ave.	9117 S. 5 <sup>th</sup> Ave. Oak Creek
Struga, Inc. Driton Etemi, Agent (Prime Table Family Restaurant)	7864 S. Howell Ave.	1623 Menomonee Ave. South Milwaukee

**RESERVE CLASS B COMBINATION**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
El Fogon Tacos and Beer, Inc. Filiberto Landa, Agent (El Fogon Tacos and Beer)	8701 S. Howell Ave.	417 E. Arbor Circle Oak Creek
Hush, LLC Christina S. Clausen, Agent (Bootz Saloon & Grill)	8950 S. 27 <sup>th</sup> St.	4830 W. Vollmer Ave. Greenfield

20. **Motion:** Consider a *motion* to grant Amusement Operator and Amusement Device licenses to (favorable Department approvals received):

- Red's Novelty Ltd, 1921 S. 74<sup>th</sup> St., West Allis
- Wisconsin P & P Amusement, 12565 W. Lisbon Rd., Brookfield
- Sam's Amusement Company, 930 Washington Pond, Kenosha
- National Entertainment Network, 325 Interlocken Pkwy. – B, Broomfield, CO
- Games Are Us Inc., 4905 S. Woodlawn Pl., Greenfield

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

21. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
  - Tonia A. Pauley, 2050 W. Meyer Ln., Oak Creek (Pick 'n Save)
  - Pilar N. Azmani, 5620 S. Kurtz Rd., Hales Corners (Bootz Saloon)
  - Alyssa C. Gottsacker, 8922 W. Metcalf Pl., Milwaukee (Piggly Wiggly)
  - Alyssa A. Falvey, 2625 N. 111<sup>th</sup> St., Wauwatosa (Oak Creek Community Center)
  - Nicole A. Kingery, 405 N. Chicago Ave., South Milwaukee (The Cellar)
  - Nicole E. Haney, 8810 S. Wood Creek Dr., Oak Creek (Pick 'n Save)
  - Tiffany M. Kender, 2285 W. Heaven View Ln., Oak Creek (Kwik Trip)
22. **Motion:** Consider a *motion* to grant an Athletic Events, Parades and Related Event Permit to George Honein, Event Coordinator for the St. Mary & St. Antonious Coptic Orthodox Church Stomp Out Hunger Run/Walk on 8/22/14 (department approvals received).
23. **Motion:** Consider a *motion* to grant an Athletic Events, Parades and Related Event Permit to Shawn Follis, Event Coordinator for the Oak Creek Assembly of God Speed the Light 5k Run/Walk on 9/20/14 (department approvals received).
24. **Motion:** Consider a *motion* to grant a Temporary Class B Beer license, with a waiver of fees, to the Oak Creek Celebrations Commission, Carolyn Bukiewicz, Agent, for the Oak Creek Celebrations Pig & Chicken Roast, September 7, 2014.

## MISCELLANEOUS

25. **Motion:** Consider a *motion* to convene in to Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes Section 19.85 (1)(g) to discuss a settlement agreement with The Dillon Group regarding violation of the Development Agreement for the Belmont Grove Subdivision (3<sup>rd</sup> District).
26. **Motion:** Consider a *motion* to reconvene into Open Session.
27. **Motion:** Consider a *motion* to take action, if required.

## **Adjournment.**

### Public Notice

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

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

**COUNCIL PROCLAMATION 14-09**

**CONGRATULATIONS TO**

**EDWARD SIIRA**

**2014 OAK CREEK CITIZEN OF THE YEAR**

WHEREAS, the Oak Creek Citizen of the Year Committee conducts an annual search for the person who, in its judgment, is most deserving of acknowledgment because of loyal, unselfish and patriotic service to the community; and

WHEREAS, the Oak Creek Citizen of the Year Committee has selected Edward Siira as its 2014 Citizen of the Year, for which he will be duly honored at a recognition dinner on Sunday, June 1, 2014; and

WHEREAS, Ed Siira is a lifelong resident of Oak Creek, is married to his wife Yvonne; and has two children, Sally and Evan; and

WHEREAS, Ed Siira, a 1980 graduate of Oak Creek High School, received a Bachelor of Science degree in Architectural Studies and a Masters of Architecture from the University of Wisconsin-Milwaukee, and as his Master's Thesis, designed a "future" Oak Creek Community Center, which included detailed demographic analysis, size and site studies on the needs and makeup of the community, and a final proposed building design; and

WHEREAS, Ed Siira, is an original committee member of the Oak Creek Alumni Club which raises scholarship money for Oak Creek High School, and was on the Knights Stadium Committee assisting with the architectural drawings and design of the football stadium concessions building and ticket sales/entry gate building; and

WHEREAS, Ed Siira has been a member of the Oak Creek Community Center Board of Directors for the past seven years and has volunteered countless hours at the Annual Fundraising Auctions, Septemberfest fundraisers, Dream Drawing Fundraising events, "Evening of Blessings" Thanksgiving Dinners, Oak Creek High School Cheer Club Pancake Breakfasts, and Breakfast with Santa programs; and

WHEREAS, Ed Siira served on the Oak Creek Plan Commission for fifteen years as well as the Oak Creek Architectural Standards Committee, the Oak Creek Police Department Future Needs Committee, and the Oak Creek Ad Hoc Facility Space Needs Committee, and was instrumental in elevating the City's architectural design and growth, transforming Oak Creek into a commercial hub; and

WHEREAS, Ed Siira because of his enthusiasm and love for the young people in the community, has coached Oak Creek youth soccer, volleyball and basketball teams, was a volunteer for twelve years at the annual "Field Day" event held at St. Matthew Parish and School, and has been a career day speaker at Edgewood School; and

WHEREAS, Ed Siira has been instrumental in recruiting young adult volunteers to participate in Oak Creek Community Center events, training a core group to assume leadership roles for the future; and

WHEREAS, Ed Siira, was a Cub Scout Den Leader for three years and since July 2000, has worked with the Boy Scouts of America mentoring various Eagle Scout candidates with the planning and design of their Eagle projects; and

WHEREAS, Ed Siira has rendered countless hours of community service, and is truly deserving of this recognition.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby congratulate Edward Siira on being selected the 2014 Oak Creek Citizen of the Year.

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

Approved this 3<sup>rd</sup> day of June, 2014.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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



**RESOLUTION 11495-060314**

**RESOLUTION OF COMMENDATION  
TO  
KENNETH L. BURY**

WHEREAS, Kenneth L. Bury began his employment with the City of Oak Creek on March 25, 2002, and has worked as a Facility Maintenance Technician; and

WHEREAS, Kenneth L. Bury was a very effective employee during his years of service with the City of Oak Creek, answering many calls for maintenance service to the City; and

WHEREAS, Ken will forever be affectionately known for his tidbits of trivia and his famous end of day announcement, "two-minutes ladies"; and

WHEREAS, Ken is retiring from his position of Facility Maintenance Technician with the City of Oak Creek effective May 30, 2014, completing over 12 years of full-time service to the City of Oak Creek.

NOW, THEREFORE, BE IT RESOLVED that the best wishes for good health and happiness be extended to Ken in his retirement years.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting and the City Clerk be and is hereby directed to transmit a suitable copy thereof to Kenneth L. Bury.

Dated this 30<sup>th</sup> day of May, 2014.

\_\_\_\_\_  
Mayor Steve Scaffidi

ATTEST:

\_\_\_\_\_  
City Clerk Catherine Roeske

\_\_\_\_\_  
Ald. Steven Kurkowski, 1st District

\_\_\_\_\_  
Ald. Michael Toman, 4th District

\_\_\_\_\_  
Ald. Daniel Bukiewicz, 2nd District

\_\_\_\_\_  
Ald. Kenneth Gehl, 5th District

\_\_\_\_\_  
Ald. James Ruetz, 3rd District

\_\_\_\_\_  
Ald. Christopher Guzikowski, 6th District

COUNCIL PROCLAMATION NO. 14-10  
CONGRATULATIONS TO  
JACOB JOSEPH LUTZKE  
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 to be held at Grace Lutheran School on June 1, 2014, at 2:00 p.m., an Eagle Award will be conferred upon Jacob Lutzke; and

WHEREAS, as his Eagle project, Jacob chose to create a trail through an undeveloped piece of property behind Grace Lutheran Church and School; which included an arbor at the entrance, benches, birdhouses and numbered trail markers that correspond to numbers on a trail guide describing plants and wildlife along the trail.

WHEREAS, Jacob organized and coordinated the efforts of 23 volunteers to assist with the development and construction of this project, putting in a total of over 160 man hours of work; thereby beautifying the area for all to enjoy; and

WHEREAS, the Oak Creek Common Council wishes to recognize this noteworthy achievement of Jacob Lutzke.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek hereby extend their congratulations to Eagle Scout Jacob Joseph Lutzke 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 Jacob Lutzke.

Dated this 3<sup>rd</sup> day of June, 2014.

Presented and adopted this \_\_\_\_ day of June, 2014.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

TO BE PUBLISHED MAY 15 & 22, 2014

OFFICIAL NOTICE

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

**PURPOSE:** The purpose of this public hearing is to consider a conditional use permit application by Southeast Wisconsin Baseball Booster Club, Inc. and the Eugene J. Eder Living Trust for an indoor commercial recreation facility (The Zone) located at 6758 S. 13<sup>th</sup> St.

**Hearing Date:** Tuesday, June 3, 2014  
**Time:** 7:00 p.m.  
**Place:** Oak Creek City Hall  
8640 South Howell Avenue  
Oak Creek, WI 53154  
Common Council Chambers

**Applicant:** Southeast Wisconsin Baseball Booster Club, Inc. and the Eugene J. Eder Living Trust  
**Property Owner:** Eugene J. Eder Living Trust  
**Property Location:** 6758 S. 13<sup>th</sup> St  
**Tax Key(s):** 735-9044

**Legal Description:**

Lot 1 of Certified Survey Map No. 7727, being all that part of Outlot 1 College Park Business Center & Parcel 1 CSM #1333, located in part of the Northeast  $\frac{1}{4}$  and Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 5, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for June 3, 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: May 8, 2014  
CITY OF OAK CREEK COMMON COUNCIL  
By: Steve 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, preferable 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: June 3, 2014

Item No.: 8

**Recommendation:** That the Council adopts Ordinance No. 2725 approving a conditional use permit for an indoor commercial recreation facility located at 6758 S. 13th St.

**Background:** At the April 22, 2014 meeting, the Plan Commission recommended Common Council approval of a conditional use permit for an indoor commercial recreation facility at 6758 S. 13th St. Indoor commercial recreation facilities are considered conditional uses in the M-1, Manufacturing District.

The business, operated by the Southeast Wisconsin Baseball Booster Club, Inc., will occupy a portion (Units A & B = 15,000 sf) of the existing building as an indoor baseball and softball team training facility to be known as The Zone.

The indoor facilities will include padded turf and netted infield, batting cages/pitching tunnels, pitching machines, and a soft toss and tee work area. The Zone will accommodate a maximum of 2 teams at a time (max. 40 players and coaches) during assigned two-hour blocks. Parents may stay at the facility during the assigned time. General hours of operation are below:

- Weekdays - 4:00 PM to 10:00 PM
- Weekends – 8:00 AM to 10:00 PM

Currently, the parking lot is striped for approximately 40 stalls in the front of the building to be shared by all tenants. Based on the proposed use, at least one parking stall is required for every four patrons plus one space for each employee during the largest work shift. As the plan will only allow two teams totaling 40 people using the facility at any given time, this equates to 10 parking stalls. It is unknown how many parents would remain at the facility; however, an additional 30 stalls at the front of the building would be available. No employees will staff the facility. Instead, the facility will operate much like a fitness facility with an access card and code provided to coaches.

Trash receptacles currently exist on the property. No new trash receptacles are proposed. No sign details have been included as part of this proposal. Should the applicant wish to add a monument or wall sign a permit will be required.

The attached conditions and restrictions were recommended for approval by the Plan Commission at their May 13, 2014 meeting.

**Fiscal Impact:** Approval of this use will allow a business to occupy a portion of an existing multitenant building that is currently vacant.

Prepared by:



Doug Seymour, AICP  
Director of Community Development

Respectfully Submitted,



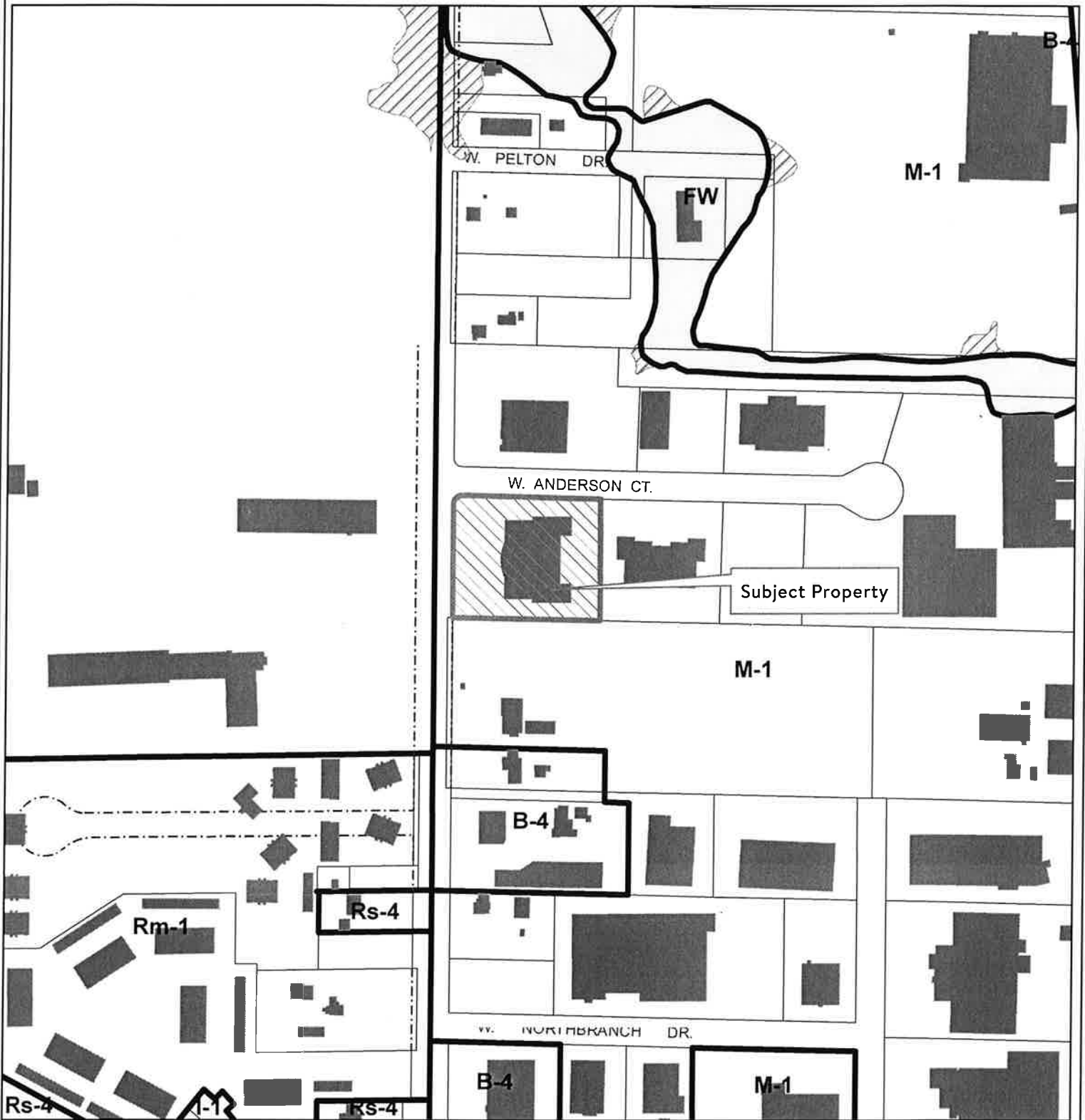
Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

Bridget M. Souffrant  
Finance Director / Comptroller

# Location Map

## 6758 S. 13th St.



**OAKCREEK**  
— WISCONSIN —

Department of Community Development



Legend	
	6758 S. 13th St.
	Existing Street Pattern
	Floodfringe
	Wetland
	Floodway

# THE ZONE

INDOOR BASEBALL AND SOFTBALL TEAM TRAINING FACILITY

[www.ZoneBaseball.net](http://www.ZoneBaseball.net)  
[info@ZoneBaseball.net](mailto:info@ZoneBaseball.net)  
414-405-7079

Date: April 1, 2014  
To: Oak Creek Common Council & Plan Commission  
From: Southeast Wisconsin Baseball Booster Club, Inc. d/b/a **The ZONE**

**The ZONE is excited to become a part of Oak Creek!** Opening July 1, 2014, **The ZONE** will be a 15,000 square foot indoor baseball and softball team training facility located at 6758 South 13<sup>th</sup> Street. **The ZONE** will offer affordable year-round indoor practice space to baseball and softball teams in the south suburban area.

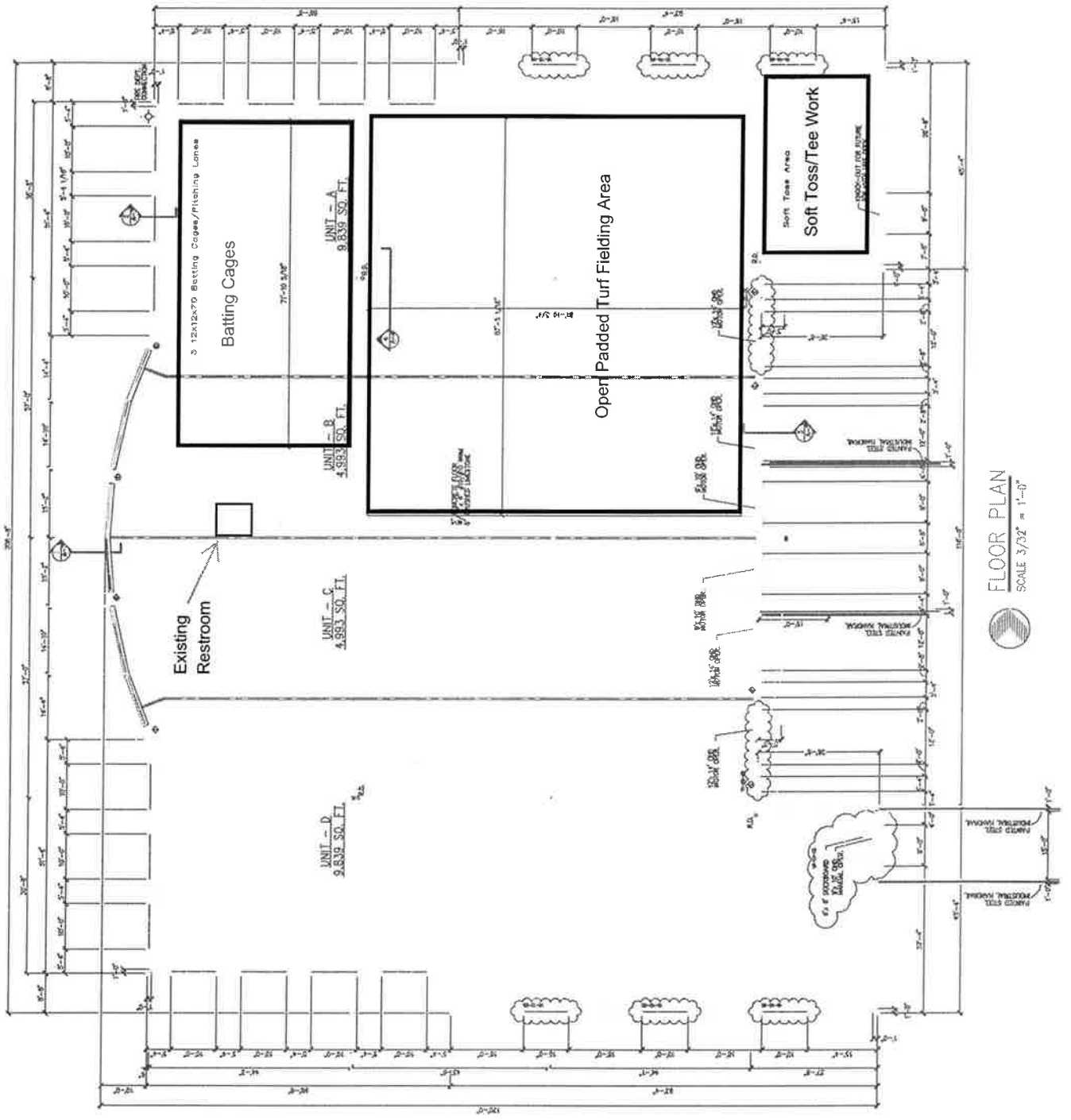
**The ZONE will be a quality indoor team training facility.** Each member team will have year-round access to the facility for a predetermined two hour time slot each week including one hour of access to a full padded turf and netted infield (nearly 7,500 sf) and one hour of access to 3-4 batting cages/pitching tunnels, two Iron Mike pitching machines, and a nearly 1,200 sf “soft toss and tee work area.” Professional installation of padded turf, netting and high efficiency lighting will assure a quality facility for member teams. Parents will enjoy free WiFi for those that want to stay and wait or watch.

**The ZONE will be a safe and secure training facility.** **The ZONE** will operate weekdays from 4 p.m. to 10 p.m. (three 2 hour timeslots) and weekends from 8 a.m. to 10 p.m. (seven 2 hour timeslots) and will have an eight camera 24/7 video surveillance system including outside cameras and 360 degree coverage of the inside of the facility. **The ZONE** will have team member-only access with less than 40 players and coaches combined occupying the 15,000 sf facility at one time. Only two teams will be allowed to use the facility at one time. All areas in which baseballs or softballs are used will be fully netting (ceiling netting and fully enclosed side netting). Ample parking out front will accommodate drop off and pick up.

**The ZONE supports youth teams** by operating as a 501(c)(3) non-profit public charitable organization in order to offer an affordable option for a year-round quality indoor training facility.

**The ZONE challenges the status quo.** The reality in Southeast Wisconsin is that available indoor practice space has been limited to school and church gymnasiums and select “baseball businesses,” which focus on providing space and services to select players at premium prices. The lack of indoor practice space results in shortening the “baseball season” to a few short months between April and July- weather permitting. Even during the “good weather” of spring and summer, demand for practice fields outweighs supply, and when it rains – managers have no choice but to cancel practice – again. **The ZONE** is stepping up to the plate to provide youth baseball and softball teams with an affordable indoor option.

ROOM NUMBER	DOOR MARKER	ENT. MARK	FIN. EXT. TO TYPE AREA	SECTION	WALL TYPE	PROP. MARK
100	100	100	100	100	100	100
101	101	101	101	101	101	101
102	102	102	102	102	102	102
103	103	103	103	103	103	103
104	104	104	104	104	104	104
105	105	105	105	105	105	105
106	106	106	106	106	106	106
107	107	107	107	107	107	107
108	108	108	108	108	108	108
109	109	109	109	109	109	109
110	110	110	110	110	110	110



MULTI-TENANT BUILDING  
 CORNER OF 13TH STREET & ANDERSON  
 OAK CREEK, WI

FLOOR PLAN  
 SCALE 3/32" = 1'-0"



City of Oak Creek – Conditional Use Permit  
**DRAFT** Conditions and Restrictions

Applicant: Southeast Wisconsin Baseball Booster Club, Inc. & Eugene J. Eder Living Trust

Property Address: 6758 S. 13<sup>th</sup> St.

Tax Key Number: 735-9044

Conditional Use: Indoor Commercial Recreation Facility

Approved by Plan Commission: 5-13-14

Approved by Common Council: TBD  
(Ord. #2725)

1. LEGAL DESCRIPTION

Lot 1 of Certified Survey Map No. 7727, being all that part of Outlot 1 College Park Business Center & Parcel 1 CSM #1333, located in part of the Northeast ¼ and Northwest ¼ of the Southwest ¼ of Section 5, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

1) **General Development Plan**

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

2) **Landscape Plan**

- a) screening plan for outdoor storage
- b) number, initial size and type of plantings
- c) parking lot screening/berming

3) **Building Plan**

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

4) **Lighting Plan**

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

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

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

6) **Fire Protection**

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

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

C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if



required. The City Engineer's approval must be received prior to the issuance of any building permits.

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

### 3. PARKING AND ACCESS

- A. Parking requirements for this project shall be provided in accordance with Section 17.0403 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.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.

### 4. LIGHTING

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

### 5. LANDSCAPING

- A. The site containing this conditional use shall be maintained in accordance with the site, building, and landscaping plans approved by the City of Oak Creek Plan Commission on September 13, 2005. All

proposed changes to the approved landscaping plans shall be submitted to the Plan Commission for review and approval prior to the issuance of an occupancy permit.

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

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

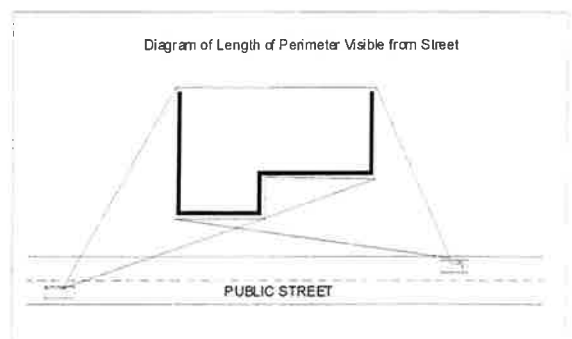
\* Note shade and ornamental trees are not considered a plant type contributing to "at grade" coverage.

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

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

6. ARCHITECTURAL STANDARDS

- A. The site and building containing this conditional use shall be constructed and maintained in accordance with the site, building, landscaping and lighting plans approved by the Plan Commission on September 13, 2005. Any changes to these plans shall be submitted to the Plan Commission for their review and approval.
- B. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- C. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete



masonry units (CMUs). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material.

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

7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	40'	20'	20'
Accessory Structure*	40'	20'	20'
Off-street Parking	40'	0'	0'

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

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.

9. SIGNS

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

approved by the Plan Commission as part of the site plan review process.

10. PERMITTED USES

- A. All permitted uses in the M-1, Manufacturing (PUD) zoning district.
- B. **One (1) indoor commercial recreation facility (no outdoor storage).**
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use shall commence operations in accordance with these conditions and restrictions for the conditional use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit. This conditional use approval shall expire within twelve (12) months after the date of adoption of the ordinance if an occupancy permit has not been issued for this use. The applicant shall re-apply for a conditional use approval, prior to recommencing work or construction.

12. OTHER REGULATIONS

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

13. VIOLATIONS & PENALTIES

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

14. REVOCATION

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

15. 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)

ORDINANCE NO. 2725

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

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR THE PROPERTY AT 6758 S. 13th ST. FOR AN INDOOR COMMERCIAL RECREATION FACILITY

(1st Aldermanic District)

WHEREAS, the Southeast Wisconsin Baseball Booster Club, Inc. and the Eugene J. Eder Living Trust have applied for a Conditional Use Permit that would allow for an indoor commercial recreation facility located at 6758 South 13<sup>th</sup> St.; and

WHEREAS, this property is more precisely described as follows:

Lot 1 of Certified Survey Map No. 7727, being all that part of Outlot 1 College Park Business Center & Parcel 1 CSM #1333, located in part of the Northeast  $\frac{1}{4}$  and Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 5, Town 5 North, Range 22 East, in the City of Oak Creek, County of Milwaukee, State of Wisconsin.

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

WHEREAS, the Common Council held a public hearing on said request on June 3, 2014 at which time all interested parties appeared and were heard; and

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

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

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for an indoor commercial recreation facility located at 6758 South 13<sup>th</sup> St., which shall include the aforementioned conditions and restrictions.

SECTION 2: The Conditional Use is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for the indoor commercial recreation facility.

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

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

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

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# City of Oak Creek Common Council Report

**Meeting Date:** June 3, 2014

**Item No.:** 9

**Recommendation:** That the Common Council approve state/municipal agreement for a Transportation Economic Assistance Grant.

**Background:** City staff and our consultant have been working with the Wisconsin Department of Transportation to submit a Transportation Economic Assistance Grant which will provide funding to construct roadway improvements and other appurtenances as part of the Oakview Business Park. This grant has been submitted in conjunction and cooperation with Stella and Chewy's which will be building a 165,000 square foot manufacturing and office facility at the business park for their use. The City's development agreement with Stella and Chewy's provides that they would be responsible for repaying \$650,000 of the grant should they not reach and maintain the expected 160 jobs that will be maintained and created as part of this project. This agreement is in the standard form required by the State.

**Fiscal Impact:** This grant provides \$800,000 for roadway improvements as part of the Oakview Business Park development.

Fiscal Review by:

Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator



STATE/MUNICIPAL AGREEMENT  
FOR A  
TRANSPORTATION ECONOMIC  
ASSISTANCE GRANT (TEA GRANT)

Date: May 19 2014

I.D.: 2987-02-70

Description: Stella & Chewy's/City of Oak Creek  
STH 38 to W Oakwood Rd  
New Construction

The State of Wisconsin, Department of Transportation, hereinafter called the State, hereby delegates to the signatory, City of Oak Creek, hereinafter called the Municipality, and to the Municipality's undersigned duly authorized officers or officials, the responsibility for the facilities development process for the road construction hereinafter described.

The authority for the State of Wisconsin to delegate this responsibility to the Municipality is described in Chapter Trans. 510.09, Wisconsin Administrative Code, relating to the Transportation Facilities Economic Assistance and Development Program (TEA).

The following conditions will, however, be applied (pages 1 through 7):

1. General Conditions

- a) Highway improvements must employ the services of a registered professional engineer to be responsible for design and construction engineering.
- b) Funding of project phases is subject to inclusion in an approved program.
- c) The Municipality must assume all responsibility for complying with all germane environmental requirements for a transportation improvement of its type, and certify that the environmental analysis was done and that all applicable environmental laws were followed.
- d) A design study report for highway and road improvements and a copy of the preliminary plans must be submitted to the State for approval prior to preparing final plans.
- e) A copy of the bidding documents, plans and specifications containing the engineer's seal as prepared for bidding purposes must be provided to the State for approval prior to advertising the project for bids.
- f) All real estate acquisition and required relocation of persons, families, businesses, or farms must be accomplished in accordance with existing State law. A written Right of Way certification from the Municipality to this effect will be required after the real estate is acquired.
- g) If applicable, the Municipality will apply for a permit to do work within the STH Right of Way through WisDOT SE Region and abide by the conditions of the approved permit.

- h) All contracts must be let by competitive bid with contracts awarded to the "lowest responsible bidder". Municipality must submit a certification of the date bids were taken, listing all bidders and bid amounts. A written explanation must accompany any certification where the contract is awarded to someone other than the low bidder.
  - i) In general, State reimbursements will be made after the improvement is complete and sufficient "proof of payment" is sent to the State. On the more costly improvements, that is those totaling greater than \$100,000, the State may reimburse on the basis of actual costs, quarterly but no more frequently than monthly. Upon completion of the project, a final audit will be made to determine the final division of costs.
  - j) Any contract change orders must be submitted to the State for acceptance prior to State reimbursement of these costs.
  - k) A "D" size (11"x17") copy of "As-Built" road improvements plans must be submitted to the State after completion of construction. The Municipality must provide a written certification that the project was completed in accordance with the approved plans and specifications as may have been amended by Contract Change Order.
  - l) Municipality agrees to comply with the criteria established in the Direct Jobs Guarantee, as attached, and this overall Project Agreement.
2. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
3. It is understood that this "State/Municipal Agreement" only pertains to the TEA Grant portion of the overall development. TEA Grant financing will be limited to 50 percent (%) participation up to a maximum of \$800,000 for the eligible completion costs of the following items:
- a. Preliminary Engineering.
  - b. The removal of existing roadway, grading of ditches, slopes & the new roadbed, the installation of roadway bases, pavement, curb and gutter, and sidewalk.
  - c. Manholes, storm sewer, catch basins, inlets, detention basins and box culvert extensions necessary for the surface water drainage of the improvement.

- d. Construction engineering incidental to inspection and supervision of actual construction work. This includes the actual cost of staff time plus overhead at the rate of 105% for the Municipality staff who provides in-field construction inspection and/or survey work under the supervision of the Consultant.
  - e. Signing, traffic signals, standard lighting, pavement marking, topsoil, sod/seeding, mulch and associated erosion control items as shown on the plans.
  - f. Real Estate needed for the improvement.
4. The Municipality will pay 100% of all costs incurred in connection with the improvement, which exceed State-financing commitments under the TEA Grant or are ineligible for State and/or Federal financing.
  5. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
    - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
    - b. Damages to abutting property due to changes in street or sidewalk widths, grades or drainage.
    - c. Conditioning, if required, and maintenance of detour routes.
    - d. Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
    - e. Administrative costs associated with the preparation of the TEA Grant application.
    - f. All storm sewers in excess of what is required to drain TEA Grant improvements.
    - g. All work related to underground storage tanks and contaminated soils.
    - h. All decorative, patterned or colored pavements; decorative lighting costs in excess of standard lighting costs.
  6. The State will, at its cost, finance State expenses of a purely administrative nature.
  7. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
  8. The work eligible for State participation will be administered by the Municipality and under its supervision. Such work may also include items not eligible for State participation, which are considered necessary to complete the project.
  9. Work to be performed by the Municipality without State highway fund participation, necessary to insure a complete improvement acceptable to the Federal Highway

Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.

10. It is further agreed by the Municipality that:
  - a. It will maintain, at its own cost and expense, all portions of the project that lie within its jurisdiction, through statutory requirements, in a manner satisfactory to the State or the Federal Highway Administration or both, and will make ample provision for such maintenance each year.
  - b. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such "Manual of Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.
  - c. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under Federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by Federal or State highway regulations will not be permitted within the right-of-way limits of the project. The Municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to erected or maintained in the future.
  - d. It will prohibit all on-street parking, which would restrict the free flow of 2-lane traffic.
  - e. It will assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
  - f. It will use the State Utility Accommodation Policy unless it adopts a policy, which has equal or more restrictive controls.

g. Regarding Federal Single Audits of Local Government Units:

- 1) The Municipality shall have a single organization audit performed by a qualified independent auditor if required to do so under federal law and regulations. (See Federal Circular No. A-133.)
- 2) This audit shall be performed in accordance with Federal Circular A-133 issued by the Federal Office of Management and Budget (OMB) and State single audit guidelines issued by the Wisconsin Department of Administration (DOA).
- 3) The Municipality will keep records of costs of construction, inspection tests and maintenance done by it to enable the State to review the amount and nature of the expenditures for these purposes; that the accounts and records of such expenditures, together with all supporting documents, will be kept open at all times to inspection by authorized representatives of the State; and that it will furnish copies thereof when requested. Such accounting records and any other related records should be subject to an audit as directed by the State within eight years.

h. For streets constructed in excess of WisDOT standard street width, the excess shall be the responsibility of the Municipality. For this class of facility, the eligible street width approved is 40 feet face to face of curb. This design exception is granted over the standard 36-foot face to face of curb because it is compatible and complementary to other urban designed roadways within business and industrial parks community-wide.

**Existing Facility:** None.

**Proposed Improvement:** Construction of two municipal streets, Oakwood Parkway and W Elm Road. Oakwood Parkway and W Elm Road will be 40 ft wide urban cross-section roads with on road bike accommodations and 6-foot wide ADA conforming sidewalks on both sides of the roads.

**Non-Participating Items:**

The ***Municipality*** will be fully responsible for all non-TEA eligible costs including but not limited to the costs associated with the following work:

- a. All portions of roadway work that exceeds 40 feet face-to-face of curb.
- b. All storm sewer and detention basin costs in excess of what is required to drain the TEA eligible roadways and improvement.
- c. All sanitary sewer, water mains and laterals, electric and gas services and extensions, telephone and other utilities adjustments, installation and relocation.

Many of the above non-participating improvements costs have been separated out of this construction contract. The remaining non-participating improvement costs, that are still part of this

contract, are NOT eligible for TEA Grant financing and will NOT be submitted to the State for reimbursement.

The following is an estimate of the total project cost. The State will contribute 13% of the eligible costs up to a maximum of \$800,000 for the road project. The balance of the project is 100% funded by the **Municipality**.

**ESTIMATED COSTS**

	Total Estimated Cost	State TEA Grant	Municipal / Other Funds
Preliminary Engineering	\$1,235,418	\$160,000	\$1,075,418
Construction	\$3,706,252	\$480,000	\$3,226,252
Engineering & Contingency	\$1,235,418	\$160,000	\$1,075,418
Totals	\$6,177,088	\$800,000 (max)	\$5,377,088

This agreement is made by the undersigned under proper authority to make such agreements for the above-designated Municipality, and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of the

\_\_\_\_\_  
Signature Title Date

Signed for and in behalf of the State:

\_\_\_\_\_  
Signature SE Region Planning Chief Title Date

**End Document**

# City of Oak Creek Common Council Report

**Meeting Date:** 6/3/14


**Item No.:** 10

**Recommendation:** That the Common Council adopt Resolution No. 11497-060314 a Resolution Extending a Memorandum of Understanding by and between the City of Oak Creek and the City of St. Francis Regarding Police and Fire Dispatch Services.

**Background:** On March 4, 2014, the City of Oak Creek ("Oak Creek") and the City of St. Francis ("St. Francis") entered into a non-binding Memorandum of Understanding ("MOU") expressing their intent to enter into an agreement under which police and fire dispatch services would be provided to St. Francis by Oak Creek using Oak Creek personnel, equipment, facilities and procedures. The MOU provided further that Oak Creek committed to working with St. Francis to identify all issues related to the establishment of appropriate dispatch operations between Oak Creek and St. Francis and that on or before June 3, 2014 both Oak Creek and St. Francis would determine the likelihood of reaching a final agreement regarding dispatch services unless that date was extended by mutual agreement of the parties. Representatives of Oak Creek and St. Francis have met and have determined that at this time there do not appear to be any major stumbling blocks to a final agreement being reached. However, the upgrades to the computer software that supports the dispatch system will need to be obtained at some considerable expense. The parties do not want to purchase the software unless an agreement (rather than an MOU) is in place. The Resolution will extend the MOU to June 17<sup>th</sup> to give both sides an opportunity to finalize the agreement. This Resolution will extend the MOU to June 20, 2014.

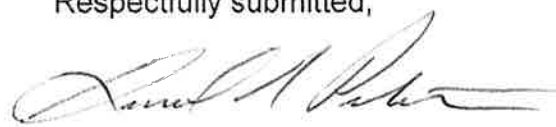
**Fiscal Impact:** As outlined in the MOU.

Prepared by:



Lawrence J. Haskin  
City Attorney

Respectfully submitted,

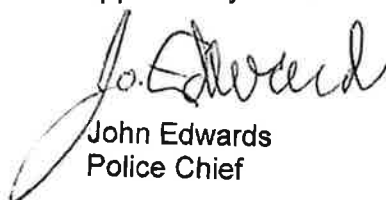


Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

Approval by:



John Edwards  
Police Chief

RESOLUTION NO. 11497-060314

RESOLUTION EXTENDING A MEMORANDUM OF UNDERSTANDING  
BY AND BETWEEN THE CITY OF OAK CREEK AND THE CITY OF ST. FRANCIS  
REGARDING POLICE AND FIRE DISPATCH SERVICES

WHEREAS, the City of Oak Creek ("Oak Creek") and the City of St. Francis ("St. Francis") entered into a non-binding Memorandum of Understanding ("MOU") effective March 4, 2014 for Oak Creek to provide police and fire dispatch services to St. Francis; and,

WHEREAS, the MOU provided that Oak Creek committed to working with St. Francis to identify all issues related to the establishment of appropriate dispatch operations between St. Francis and Oak Creek; and,

WHEREAS, the MOU provides that on or before June 3, 2014 Oak Creek and St. Francis shall determine the likelihood of reaching a final agreement regarding dispatch services unless that date is extended by mutual agreement of the parties; and,

WHEREAS, representatives of Oak Creek and St. Francis have met and have agreed that, in light of information received to date from technical consultants and City personnel, they believe that it is beneficial to extend the MOU until June 20, 2014 to permit preparation of a more specific agreement for consideration by the parties.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the MOU by and between Oak Creek and St. Francis be and the same is hereby extended until June 20, 2014.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of June, 2014.

Passed and adopted this 3<sup>rd</sup> day of June, 2014.

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

Approved this 3<sup>rd</sup> day of June, 2014.

\_\_\_\_\_  
Mayor Stephen Scaffidi

ATTEST:

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

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



# City of Oak Creek Common Council Report

**Meeting Date:** 6/3/14

**Item No.:** 11

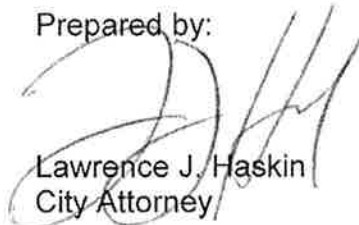
**Recommendation:** That the Common Council adopt Resolution No. 11500-060314, a Resolution approving the First Amendment to the Tax Incremental District No. 11 Finance Development Agreement and Authorizing Execution of an Inter-Creditor Subordination and Assignment Agreement with Hall Milwaukee FP, LLC.

**Background:** On April 15, 2014, the City and Oak Creek Hotel Group, LLC (the "LLC") entered into a Tax Incremental District No. 11 Finance Development Agreement. That Agreement calls for a city grant in the amount of \$1,450,000 to the LLC to construct a Sheraton Four Points hotel at Drexel Town Square. That Agreement provides that the primary lender is Hall Structured Finance. The Amendment provides that the name of the lender has changed from Hall Structured Finance to Hall Milwaukee FP, LLC ("Hall"), a Texas Limited Liability Company.

The Inter-Creditor Subordination and Assignment Agreement provides that in the event that the LLC defaults in performance either by failing to commence construction in a timely manner or failing to complete construction that Hall could step into the shoes of the LLC and receive the benefit of the city grant in order to complete construction of the hotel. In that event, the lender would be subject to all of the conditions and requirements currently existing in the TIF Agreement.


**Fiscal Impact:** As stated above.

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. 11500-060314

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE TAX  
INCREMENTAL DISTRICT NO. 11 FINANCE DEVELOPMENT AGREEMENT  
AND AUTHORIZING EXECUTION OF AN INTER-CREDITOR SUBORDINATION  
AND ASSIGNMENT AGREEMENT WITH HALL MILWAUKEE FP, LLC  
(Oak Creek Hotel Group, LLC)  
(Drexel Town Square)  
(2<sup>nd</sup> Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the First Amendment to the Tax Incremental District No. 11 Finance Development Agreement by and between the City of Oak Creek and Oak Creek Hotel Group, LLC be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Inter-Creditor Subordination and Assignment Agreement with Hall Milwaukee FP, LLC be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the First Amendment to the Tax Incremental District No. 11 Finance Development Agreement in behalf of the City of Oak Creek.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Inter-Creditor Subordination and Assignment Agreement 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 3<sup>rd</sup> day of June, 2014.

Passed and adopted this 3<sup>rd</sup> day of June, 2014.

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President, Common Council

Approved this 3<sup>rd</sup> day of June, 2014.

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Mayor Stephen Scaffidi

ATTEST:

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Catherine A. Roeske, City Clerk

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

# City of Oak Creek Common Council Report

Meeting Date: June 3, 2014

Item No.: 12

**Recommendation:** That the Council authorize staff to take preliminary steps to amend the boundaries of and project plan for Tax Increment Financing District No. 11 to include the portions of the property at 8131 S. Howell Avenue.

**Background:** The project plan for Tax Incremental Financing District No. 11 was first approved by the Council in April of 2012. It established the boundaries of the district as well as providing an accounting of its anticipated project costs. The project plan and boundaries were further amended in November of last year to include the property at 400 W. Forest Hill Avenue.


The City recently entered into a memorandum of understanding with Woodman's that covers (among other things) the dedication of right of way for the extension of S. 6<sup>th</sup> Street through Drexel Town Square to W. Forest Hill Avenue. The certified survey map (CSM) that creates this right of way is before the Council this evening for approval. As part of the reconfiguration of property via this CSM additional land from the main Woodman's property at 8131 S. Howell Avenue is being added to the new property formerly at 400 W. Forest Hill Avenue (that is currently in the TIF district).

Since Wisconsin Statutes require that TIF districts be comprised of whole parcels, it is necessary that the boundary for TID 11 be amended to include the entirety of this reconfigured parcel. This would be the second boundary amendment for this TID. As a note, TIF districts are limited to a total of four boundary amendments during their lifetime.

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

**Fiscal Impact:** The reconfigured parcel will increase the potential value of any development on this property and within the TID. The additional investment made possible by the amendment of this TIF district will have a positive fiscal impact on the City, and ultimately all of the taxing jurisdictions.

Prepared by:

  
Doug Seymour, AICP  
Director of Community Development

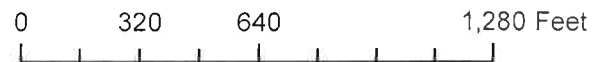
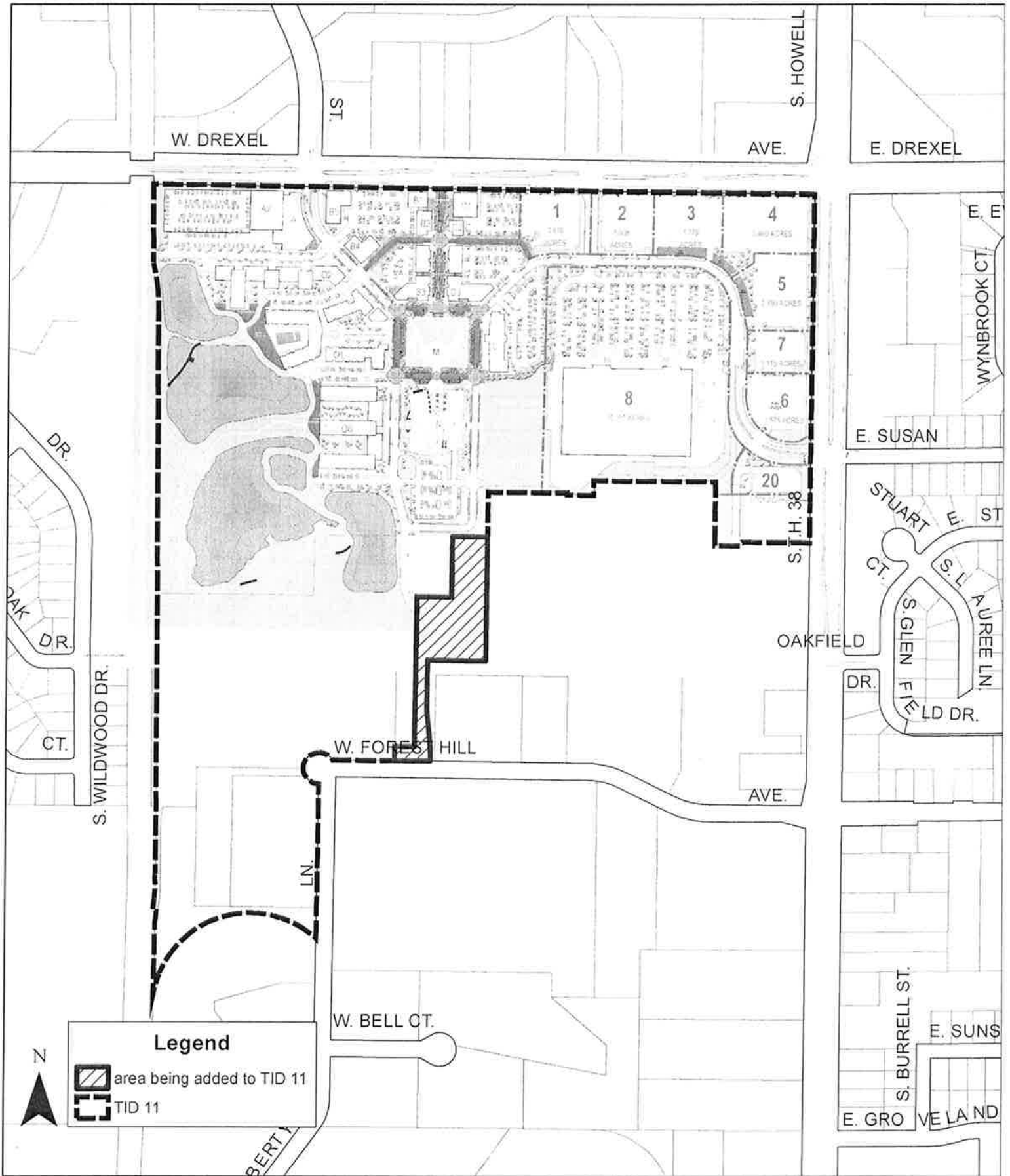
Respectfully submitted,

Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

# Map 6 TIF #11 - Legal Description



# City of Oak Creek Common Council Report

**Meeting Date:** 6/3/14

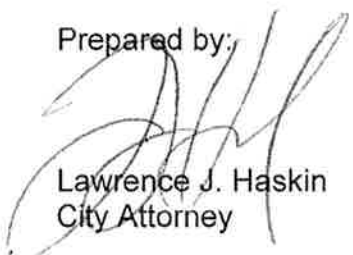
**Item No.:** 13

**Recommendation:** That the Common Council adopt Resolution No. 11501-060314, a Resolution Approving an Amendment to the Sanitary and Water Main Easement with One West Drexel, LLC ("OWD"), Meijer Stores Limited Partnership ("Meijer") and the City of Oak Creek ("City").

**Background:** The City and OWD entered into a Sanitary Sewer and Water Main Easement dated as of December 23, 2013 which was recorded with the Milwaukee County Register of Deeds office on December 24, 2013 as Document No. 10323432 (the "Easement"). The Easement needs to be relocated approximately eight feet. The Amendment includes a new legal description which effectively moves the Easement approximately eight feet.

**Fiscal Impact:** None.

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. 11501-060314

RESOLUTION APPROVING AN AMENDMENT TO THE SANITARY AND WATER  
MAIN EASEMENT WITH ONE WEST DREXEL, LLC, MEIJER STORES LIMITED  
PARTNERSHIP AND THE CITY OF OAK CREEK  
(Meijer Store Limited Partnership)  
(Drexel Town Square)  
(2<sup>nd</sup> Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Amendment to the Sanitary Sewer and Water Main Easement by and among One West Drexel, LLC (“OWD”) Meijer Stores Limited Partnership (“Meijer”) and the City of Oak Creek (“City”) be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the same in behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of June, 2014.

Passed and adopted this 3<sup>rd</sup> day of June, 2014.

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

Approved this 3<sup>rd</sup> day of June, 2014.

\_\_\_\_\_  
Mayor Stephen Scaffidi

ATTEST:

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

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

AMENDMENT TO SANITARY SEWER  
AND WATER MAIN EASEMENT

Document Number

This Amendment to Sanitary Sewer and Water Main Easement (this "Amendment") is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2014 (the "Effective Date"), by and among One West Drexel LLC, a Wisconsin limited liability company ("OWD"), the City of Oak Creek, Wisconsin, a Wisconsin municipal corporation (the "City"), and Meijer Stores Limited Partnership, a Wisconsin limited liability company ("Meijer").

RECITALS:

A. OWD is the fee simple owner of certain real property known as Lot 3 of Certified Survey Map No. 8573 ("CSM 8573"), as more particularly described on Exhibit A attached hereto (the "OWD Parcel").

B. The City is the fee simple owner of certain real property known as Lot 4 of CSM 8573, as more particularly described on Exhibit B attached hereto (the "City Parcel").

C. Meijer is the fee simple owner of certain real property known as Lot 1 of Certified Survey Map No. 8572 ("CSM 8572"), as more particularly described on Exhibit C attached hereto (the "Meijer Parcel").

D. The OWD Parcel, the City Parcel and the Meijer Parcel are all subject to that certain Sanitary Sewer and Water Main Easement with approximate dimensions of 296.68' x 33', as shown on CSM 8572 and CSM 8573, and as set forth in that certain Sanitary Sewer and Water Main Easement dated as of December 23, 2013 and recorded with the Milwaukee County Register of Deeds on December 24, 2013 as Document No. 10323432 (the "Easement").

E. OWD, the City and Meijer now desire to amend and relocate the Easement Area (as defined in the Easement) to the location, which includes parts of the OWD Parcel, City Parcel and Meijer Parcel, described on Exhibit D attached hereto (the "New Easement Area").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, OWD, the City and Meijer agree that effective as of the Effective Date hereof the Easement is amended so that the location of the Easement Area is the New Easement Area.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the Effective Date.

[Signatures appear on the following pages]

Recording Area

Name and Return Address

Joseph E. Puchner, Esq.  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202

See the attached Exhibits A, B and C  
Parcel Identification Number (PIN)



[Signature page to Amendment to Sanitary Sewer and Water Main Easement]

**ONE WEST DREXEL LLC:**

By: WISPARK LLC, its Manager

By: \_\_\_\_\_  
Jerold P. Franke, President

STATE OF WISCONSIN            )  
  ) SS  
COUNTY OF MILWAUKEE        )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_ 2014, the above-named Jerold P. Franke, as the President of WISPARK LLC, the Manager of One West Drexel LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Notary Public, Milwaukee County, WI  
My commission expires: \_\_\_\_\_

[Signature page to Amendment to Sanitary Sewer and Water Main Easement]

IN WITNESS WHEREOF, the City of Oak Creek, Wisconsin has executed this Agreement as of the date first above written.

CITY OF OAK CREEK, WISCONSIN

By: \_\_\_\_\_  
Steven Scaffidi, Mayor

Attest:

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

STATE OF WISCONSIN        )  
  ) SS.  
COUNTY OF \_\_\_\_\_     )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above-named Steven Scaffidi and Catherine A. Roeske, to me known to be the Mayor and City Clerk for the City of Oak Creek, Wisconsin, and the persons who executed the foregoing instrument on behalf of the City of Oak Creek, Wisconsin, by its authority and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My Commission: \_\_\_\_\_

[Signature page to Amendment to Sanitary Sewer and Water Main Easement]

**MEIJER STORES LIMITED  
PARTNERSHIP**, a Michigan limited partnership

By: Meijer Group, Inc., a Michigan corporation, its General Partner

By: \_\_\_\_\_  
Name: Michael L. Kinstle  
Title: Vice President

STATE OF MICHIGAN     )  
  )SS.:  
COUNTY OF KENT     )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me, a Notary Public duly authorized in and for the said County in the State aforesaid to take acknowledgments, personally appeared \_\_\_\_\_, known to me to be the person(s) whose name(s) (is) (are) subscribed to the foregoing instrument and acknowledged having executed the same as a free and voluntary act for the purposes therein contained.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

My Commission Expires:

\_\_\_\_\_ Notary Public

**EXHIBIT A**

Legal Description of the OWD Parcel

Lot 3 of Certified Survey Map No. 8573, recorded with the Milwaukee County Register of Deeds on December 12, 2013 as Document No. 10320408, being a division of Lot 2 and a part of Lot 3 of Certified Survey Map No. 8542, in the Northwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  and Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Tax Key Numbers: 813-9033

**EXHIBIT B**

Legal Description of the City Parcel

Lot 4 of Certified Survey Map No. 8573, recorded with the Milwaukee County Register of Deeds on December 12, 2013 as Document No. 10320408, being a division of Lot 2 and a part of Lot 3 of Certified Survey Map No. 8542, in the Northwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  and Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Tax Key Numbers: 813-9034

**EXHIBIT C**

Legal Description of the Meijer Parcel

Lot 1 of Certified Survey Map No. 8572, recorded with the Milwaukee County Register of Deeds on December 12, 2013 as Document No. 10320407, being a division of Lot 1 of Certified Survey Map No. 8185 and a part of Lot 3 of Certified Survey Map No. 8542, in the Northeast  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Tax Key Numbers:      813-9027

**EXHIBIT D**

Description of the New Easement Area

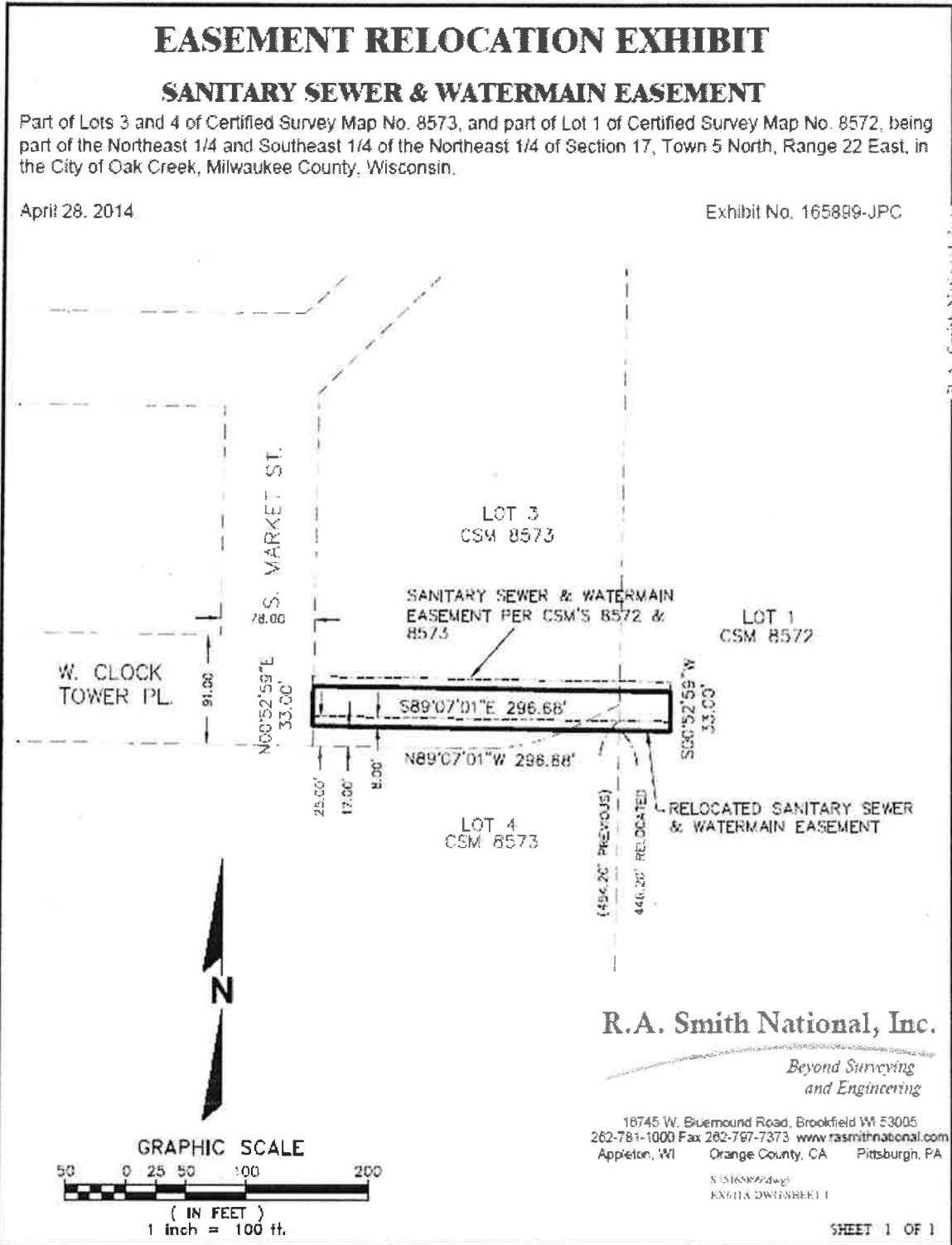
**EASEMENT RELOCATION EXHIBIT**

**SANITARY SEWER & WATERMAIN EASEMENT**

Part of Lots 3 and 4 of Certified Survey Map No. 8573, and part of Lot 1 of Certified Survey Map No. 8572, being part of the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

April 28, 2014

Exhibit No. 165899-JPC



R.A. Smith National, Inc.

# City of Oak Creek Common Council Report

Meeting Date: 6/3/14

Item No.: 1A

**Recommendation:** That the Common Council adopt Resolution No. 11502-060314, a Resolution Approving the Release of the Access Easement as contained in the Special Warranty Deed from One West Drexel, LLC ("OWD") to the City of Oak Creek ("City") dated August 30, 2012 and recorded with the Milwaukee County Register of Deeds Office on August 31, 2012 as Document No. 10156307.

**Background:** On August 30, 2012, OWD conveyed to the City what was then known as Outlot 1 of Certified Survey Map No. 8468. Since that time, a new Certified Survey Map has been created which relocated the City property to its current location where the new City Hall and Library will be constructed. As part of the Deed, a copy of which is attached, the City received an Access Easement off of West Drexel Avenue so that it could access what was then going to be the site of the new City Hall and Library.

Since that time, Sixth Street has been dedicated which provides public access to the new City Hall along with other internal streets in Drexel Town Square. The Access Easement as depicted on Exhibit A1 to the Deed is no longer needed. Therefore, the Release of that Access Easement has been prepared to eliminate that Access Easement. The Access Easement as depicted on Exhibit A1 runs right through the parcel which is being purchased by the Oak Creek Hotel Group LLC. This release needs to be executed as part of the closing on the sale of the property from OWD to Oak Creek Hotel Group LLC for the Sheraton Four Points Hotel.

**Fiscal Impact:** None.

Prepared by:

  
Lawrence J. Haskin  
City Attorney

Fiscal Review by:

Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

Respectfully submitted,

  
Gerald R. Peterson, ICMA-CM  
City Administrator



RESOLUTION NO. 11502-060314

RESOLUTION APPROVING RELEASE OF AN ACCESS EASEMENT  
(Oak Creek Hotel Group, LLC)  
(Drexel Town Square)  
(2<sup>nd</sup> Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Release of the Access Easement as contained in the Special Warranty Deed from One West Drexel, LLC ("OWD") to the City of Oak Creek ("City") dated August 30, 2012 and recorded with the Milwaukee County Register of Deeds Office on August 31, 2012 as Document No. 10156307 be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the same in behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of June, 2014.

Passed and adopted this 3<sup>rd</sup> day of June, 2014.

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

Approved this 3<sup>rd</sup> day of June, 2014.

\_\_\_\_\_  
Mayor Stephen Scaffidi

ATTEST:

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

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

State Bar of Wisconsin Form 6-2003  
SPECIAL WARRANTY DEED

DOC.# 10156307

RECORDED  
08/31/2012 01:23PM

JOHN LA FAVE  
REGISTER OF DEEDS  
Milwaukee County, WI  
AMOUNT: \$30.00  
TRANSFER FEE: \$3,708.90  
FEE EXEMPT #: 0  
0

\*\*\*This document has been electronically recorded and returned to the submitter. \*\*

Document Number

Document Name

THIS DEED, made between ONE WEST DREXEL LLC, a Wisconsin limited liability company

(“Grantor,” whether one or more), and

CITY OF OAK CREEK (“Grantee,” whether one or more).

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee County, State of Wisconsin (“Property”) (if more space is needed, please attach addendum):

See Exhibit A attached hereto and incorporated herein by reference.

Recording Area

Name and Return Address

Larry Haskin, City Attorney  
7300- South 13th Street, Suite 104  
Oak Creek, WI 53154

Part of 813-9013

Parcel Identification Number (PIN)

This is not homestead property.  
(is) (is not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances arising by, through, or under Grantor, except: the permitted encumbrances set forth on the attached Exhibit B.

Dated as of the 30<sup>th</sup> day of August, 2012.

ONE WEST DREXEL LLC, a Wisconsin limited liability company

By: WISPARK LLC, its Manager

\_\_\_\_\_  
(SEAL) By: [Signature] (SEAL)  
\* Jerold P. Franke, President

\_\_\_\_\_  
(SEAL) By: [Signature] (SEAL)  
\* Todd J. Rizzo, Vice President

AUTHENTICATION

Signature(s) of Jerold P. Franke and Todd J. Rizzo

authenticated on August 29, 2012

[Signature]  
\* Joseph E. Puchner

TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Joseph E. Puchner, Esq.

Quarles & Brady LLP

ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss.  
\_\_\_\_\_ COUNTY )

Personally came before me on \_\_\_\_\_  
the above named \_\_\_\_\_ to me known to be the  
person(s) who executed the foregoing instrument and acknowledge the  
same.

\_\_\_\_\_  
\* \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: \_\_\_\_\_)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

SPECIAL WARRANTY DEED

© 2003 STATE BAR OF WISCONSIN

FORM NO. 6-2003

\*Type name below signatures.

**EXHIBIT A**

**LEGAL DESCRIPTION**

(City Hall/Library Property)

**Parcel A:**

Outlot One (1) of Certified Survey Map No. 8468, recorded August 24, 2012 as Document Number 10153384, being a division of Lots 1 of Certified Survey Map No. 7819, in the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

**Parcel B:**

Together with the perpetual, non-exclusive easements set forth in Section Six (6) of Amended and Restated Reciprocal Easement Agreement recorded December 15, 2006 as Document Number 9354092.

**Parcel C:**

Together with 100' non-exclusive access easement, as depicted on Exhibit A-1 attached hereto and incorporated herein by reference.

**EXHIBIT A-1**

Depiction of 100' Non-Exclusive Access Easement

**ACCESS EASEMENT**

THE EAST 100 FEET OF THE WEST 1325.00 FEET OF THE NORTH 930.72 FEET OF LOT 1, CERTIFIED SURVEY MAP NO. \_\_\_\_\_, BEING A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7819, IN THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWN 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, EXCEPT THE NORTH 85' THEREOF LYING IN WEST DREXEL AVE.

AUGUST 6, 2012

ONE WEST DREXEL LLC

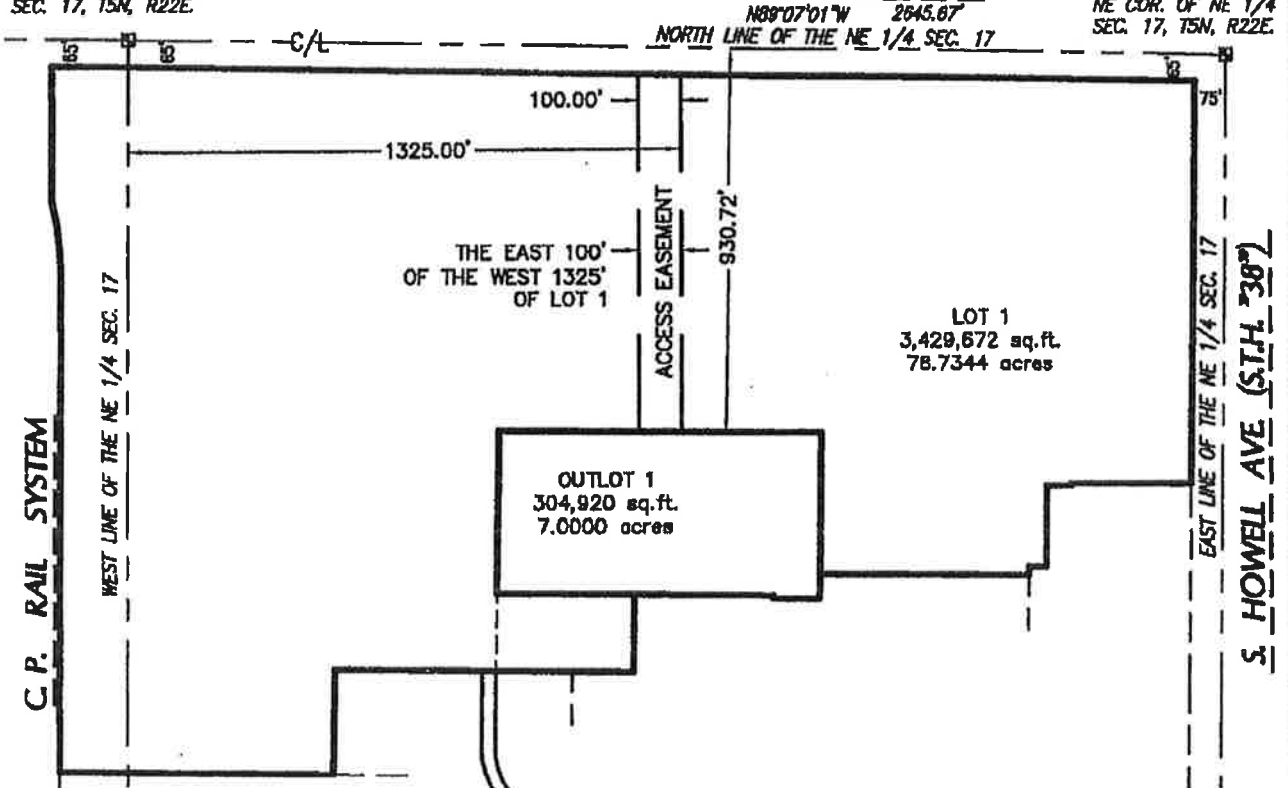
EXHIBIT NO. 163345-JPC

R.A. Smith National, Inc.

NW COR. OF NE 1/4  
SEC. 17, T5N, R22E

**W. DREXEL AVE**

NE COR. OF NE 1/4  
SEC. 17, T5N, R22E

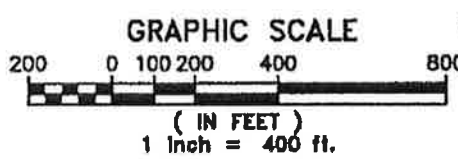


C.P. RAIL SYSTEM

WEST LINE OF THE NE 1/4 SEC. 17

EAST LINE OF THE NE 1/4 SEC. 17

S. HOWELL AVE (S.T.H. 38")



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

*Beyond Surveying  
and Engineering*

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

SAS163345xrwg1  
PX101A4HLDVGPX101A4H

SHEET 1 OF 1

**EXHIBIT B**

Permitted Encumbrances

1. Taxes, general and special for the year 2012, not now due and payable.
2. Special taxes, assessments or charges, if any.
3. Municipal and zoning ordinances.
4. Any facts, rights, interests, or claims that are not shown by the public records but that could be ascertained by an inspection of the Property or by making inquiry of persons in possession of the Property.
5. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
6. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including, discrepancies, conflict in boundary lines, shortages in area, or any other facts that would be disclosed by an accurate and complete land survey of the Property, and that are not shown in the public records.
7. Special taxes, assessments or charges, if any.
8. Easements and wetlands as shown on Certified Survey Map No. 7819, recorded September 26, 2006 as Document Number 9307621.
9. Easements and wetlands as shown on Certified Survey Map No. 7619, recorded June 24, 2005 as Document Number 9036278.
10. Easements, setback restriction and noise abatement as shown on Certified Survey Map No. 6759, recorded December 10, 1999 in Reel 4709, Image 553 as Document Number 7846552; as corrected by Affidavit of Correction recorded September 12, 2001 in Reel 5156, Image 1668 as Document Number 8132178 and further corrected by Affidavit of Correction recorded August 27, 2008 as Document Number 9642782, amending the Improvement Setback Line and Notice Abatement per WDOT Trans233 etc. Said Trans 233 Note shall now say 30 foot improvement Setback Line instead of 50 foot as shown on Certified Survey Map.
11. Easement granted to Wisconsin Electric Power Company and conditions as set forth in instrument recorded October 9, 1958 in the Office of the Register of Deeds for Milwaukee County, Wisconsin in Volume 3861, Page 373 as Document Number 3689802.
12. Easement granted to Wisconsin Electric Power Company and conditions as set forth in instrument recorded April 27, 1977 in Reel 1009, Image 75 as Document Number 5094262; as modified by We Energies Superseding Distribution Easement Underground recorded February 10, 2005 as Document Number 8956997.
13. Covenants, conditions, restrictions, reservations, provisions and/or easements as set forth in Amended and Restated Reciprocal Easement Agreement recorded December 15, 2006 as Document Number 9354092.

14. Survey prepared by Stephan G. Southwell, dated May 2, 2011 and last revised August 9, 2011, under Job No. 163345-RMK, shows the following: (A) Apparent unrecorded easements as evidenced by water, storm sewer, sanitary sewer and overhead wires easements shown on survey.
15. Notes as shown on Certified Survey Map. No. 8468 recorded as Document No. 10153384.
16. Lack of direct access to an openly dedicated public road.
17. Restrictions as set forth below in Quit Claim Deed dated August 17, 2011 and recorded on August 18, 2011, as Document No. 10024614:

Grantee, on behalf of itself and its successors, assigns, licensees and tenants, acknowledges and agrees as follows:

1. the development, use and occupancy of the Property shall be in accordance with the applicable standards of the Wisconsin Department of Natural Resources ("DNR"); and
2. future residential development of the Property shall be restricted to high-density, multi-family development that would be subject to a controlled ownership structure created to prevent disturbance of any contaminated soil and ensure adherence to the applicable performance standards of the DNR (by way of example, and not as a limitation, parking lot caps).

Any contract, agreement, deed, lease, or other instrument transferring title or possession of all or any part of the Property, by sale, lease, or otherwise, to any successor, assignee, or tenant must incorporate these restrictions. The restrictions contained herein are deemed covenants running with the land and will inure to the benefit of Grantor, or its successors and assigns. The restrictions are not intended to and will not be deemed to create in the Grantor a possibility of reverter, a power of termination, or any other future interest in the Property.

Except as expressly set forth herein, there shall be no limitations on site development related to the conveyance of the Property by Grantor to Grantee.

# City of Oak Creek Common Council Report

Meeting Date: June 3, 2014

Item No.: 15

**Recommendation:** That the Council adopts Resolution No. 11498-060314 approving a certified survey map for the property at 8041 S. Howell Ave. with the condition that all technical corrections are made prior to recording.

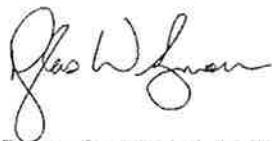
**Background:** One West Drexel, LLC is requesting approval of a Certified Survey Map that would split the property at 8041 S. Howell Avenue into one building lot and two outlots. Lot 1 is part of Drexel Town Square and is the location for the proposed Conditional Use for a restaurant with drive-through facility. Outlot 2 and the southern part of Outlot 1 are part of a private ingress/egress road easement between Town Square Way and the properties south of Drexel Town Square.

Two additional easements are shown on the proposed CSM: a storm sewer/sanitary sewer/ waterman easement, and a storm sewer easement along the northern property line of Outlot 1. A restriction on vehicular access is also depicted along the north (per Municipal Code requirements) and east (along Howell Avenue) property lines of Lot 1.

The Plan Commission has reviewed this request and has recommended its approval with the condition stated above.

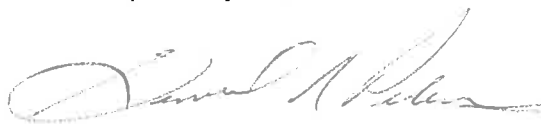
**Fiscal Impact:** This CSM affects a parcel that will be developed with a restaurant, which will result in estimated impact fees of \$1,700. The restaurant lot is part of TID 11. Outlot 2 is dedicated for private ingress/egress and will not create a significant fiscal impact. Outlot 1 will become part of an existing developed lot.

Prepared by:



Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,



Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:

Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11498-060314

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

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

8041 S. Howell Ave.  
(2<sup>nd</sup> Aldermanic District)

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

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved subject to any technical corrections bring made prior to recording;

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to any technical corrections bring made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd Day of June, 2014.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

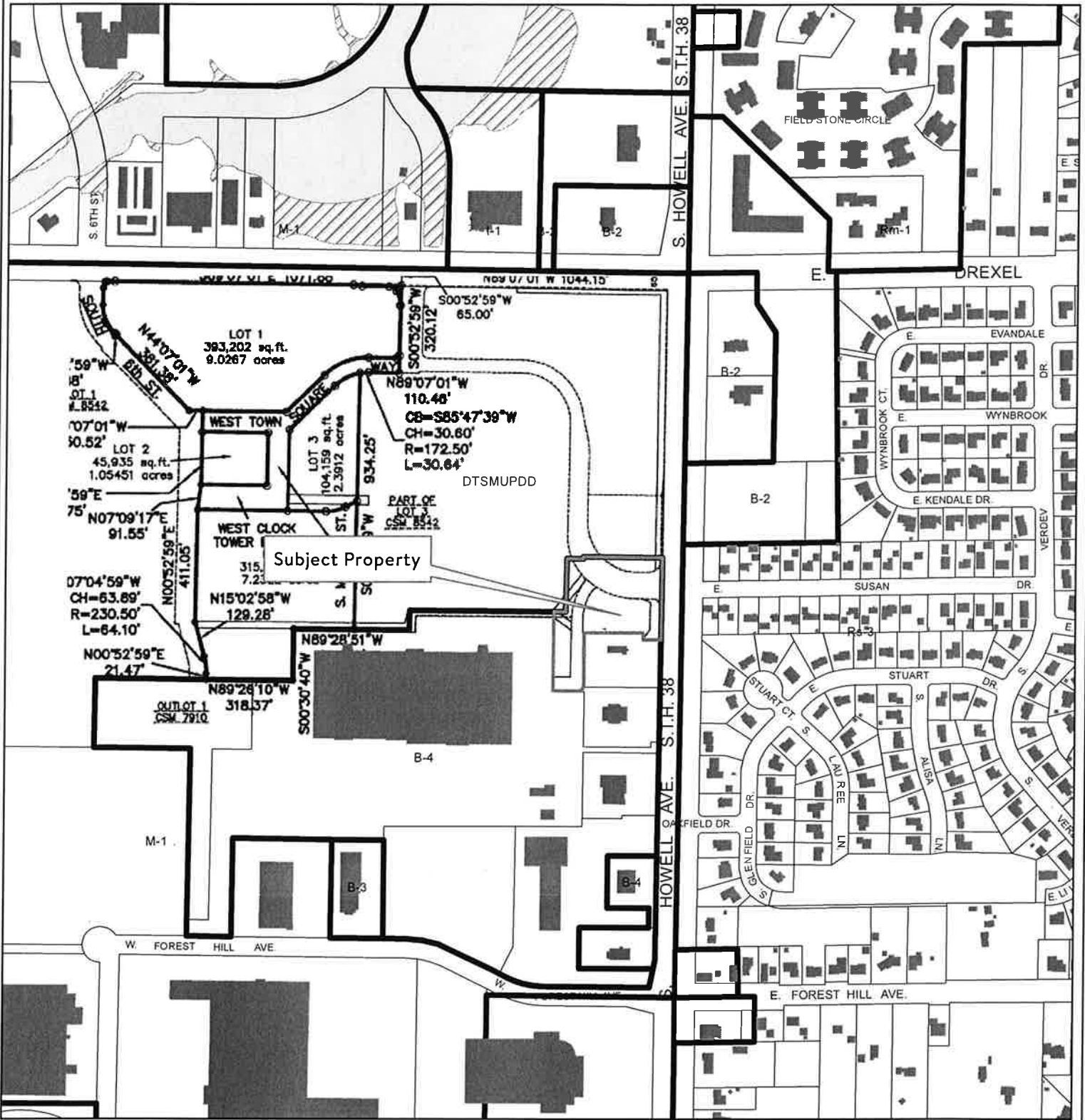
\_\_\_\_\_  
City Clerk

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



# Location Map

## 8041 S. Howell Ave.



**OAKCREEK**  
— WISCONSIN —

Department of Community Development



Legend	
	8041 S. Howell Ave.
	Floodfringe
	Floodway

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

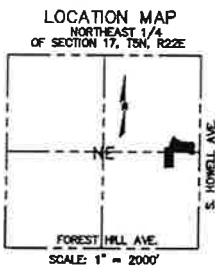
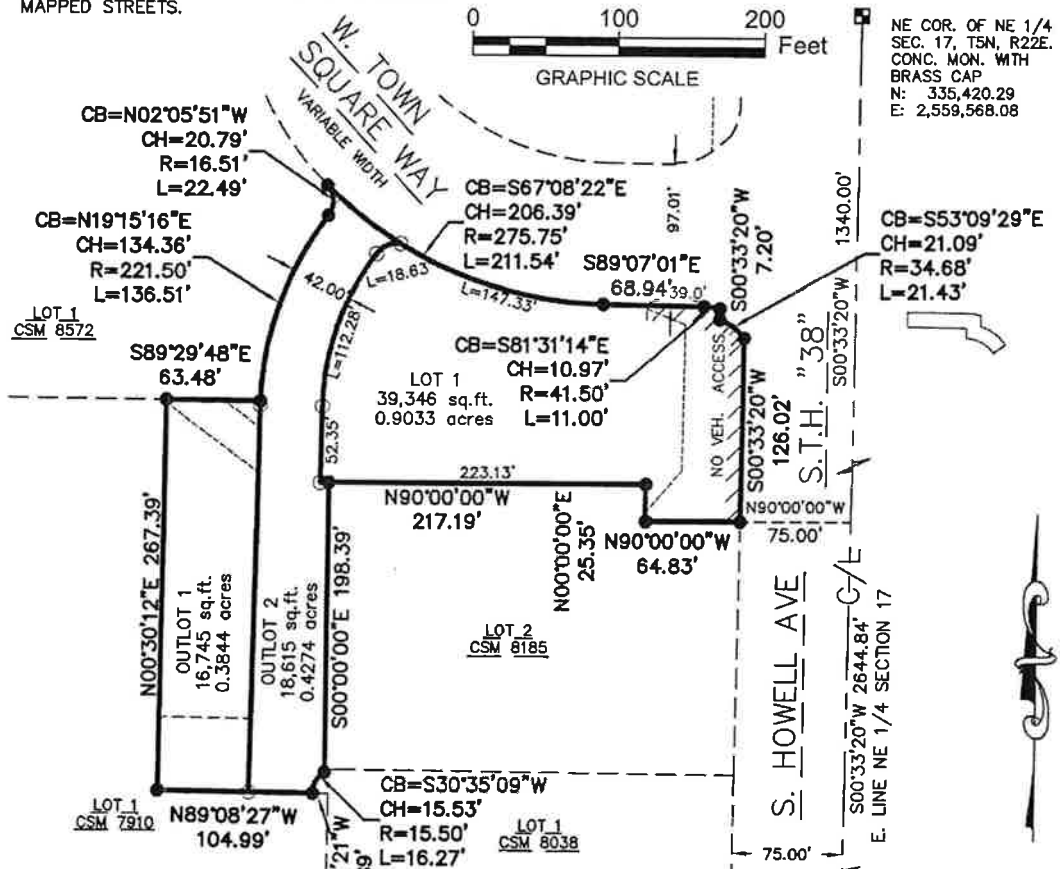
A division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

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

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.  
 ALL BEARINGS ARE REFERENCED TO THE E. LINE OF THE NE 1/4 OF SECTION 17, T 5 N, R 22 E, WHICH BEARS S00°33'20"W OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE

SEE SHEETS 2 & 3 FOR LOT AND EASEMENT DETAILS.

THESE PARCELS ARE AFFECTED BY OFFICIALLY MAPPED STREETS.



JOHN P. CASUCCI  
 S-2055  
 060805002  
 REV 5-16-14

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

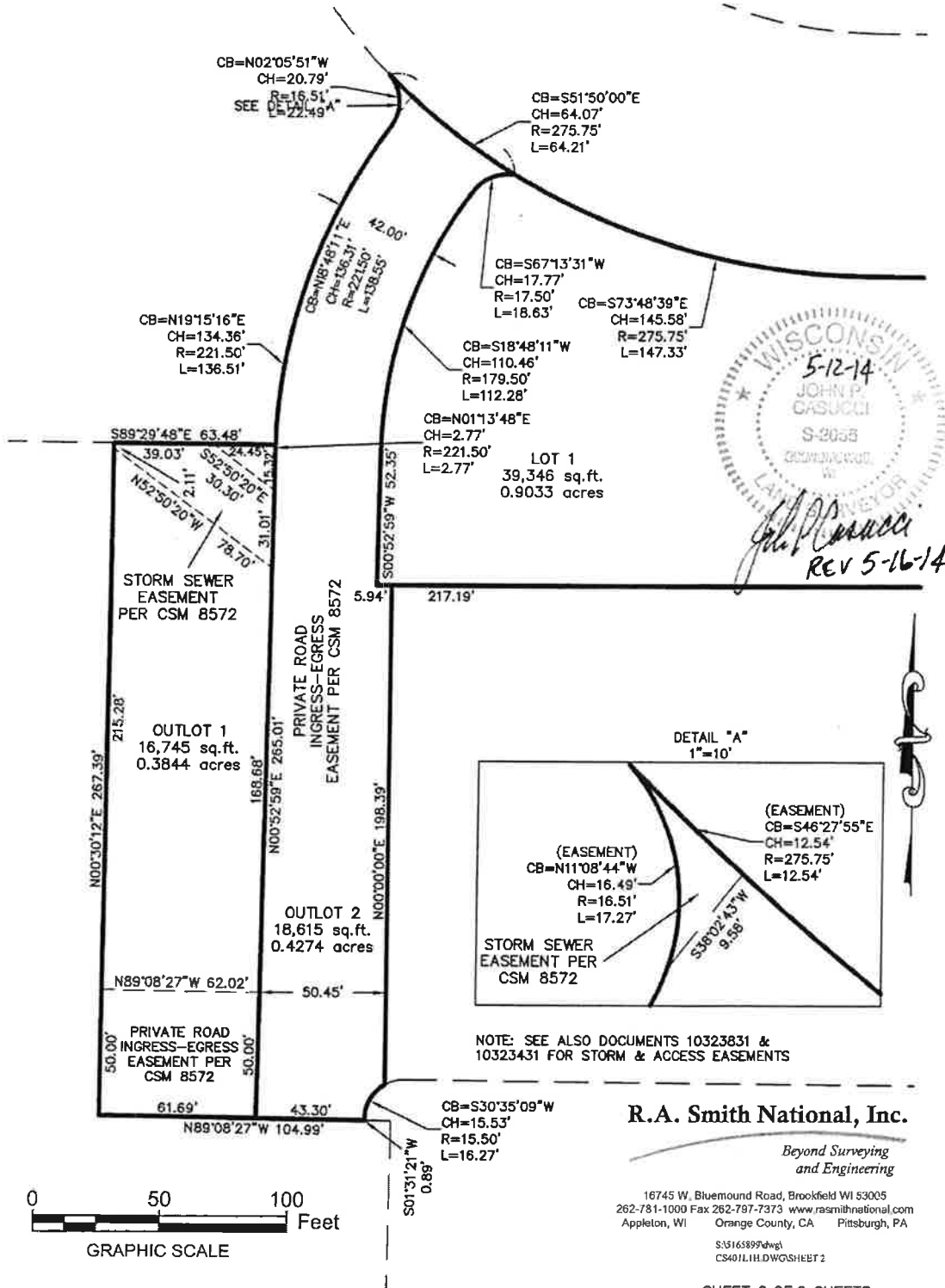
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S35165899dwg  
 CS401LH.DWG/SHEET 1

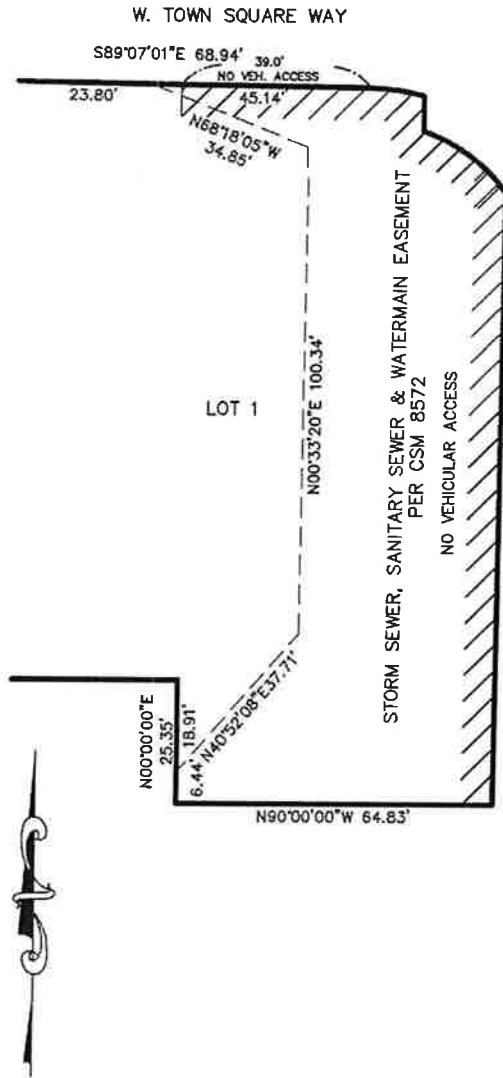
CERTIFIED SURVEY MAP NO. \_\_\_\_\_

A division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



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

A division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



**NOISE ABATEMENT**

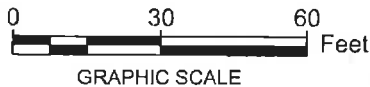
The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04 Table 1. These levels are based on federal standards. Owners of these lots are responsible for abating noise sufficient to protect these lots.

**ACCESS RESTRICTION**

All lots and blocks are hereby restricted so that no owner, possessor, user, licensee or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of S.T.H. "38", it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s. 236.293, Stats., and shall be enforceable by the department or its assigns.

**TRAFFIC VISIBILITY**

Per SEC. 17.0401 of the City of Oak Creek Zoning Code, No obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of two and one-half (2 1/2) feet and 10 feet above the plane through the mean curb grades within the triangular space formed by any two (2) existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of 15 feet from their intersection. In the Case of Arterial Streets intersecting with other streets or railways, the corner cut-off distances establishing the vision triangle clearance space shall be increased to 50 feet. Illustrations are provided in SEC 17 of the Zoning Code.



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

*Beyond Surveying  
and Engineering*

16746 W. Bluemound Road, Brookfield WI 53005  
262-781-1000 Fax: 262-797-7373 www.rasmithnational.com  
Appleton, WI Orange County, CA Pittsburgh, PA

S:\3163899\dwg\CS401L111.DWG\SHEET 3

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

A division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN     }  
                                      :SS  
WAUKESHA COUNTY       }

I, JOHN P. CASUCCI, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

Said land contains 74,706 square feet or 1.7150 acres.

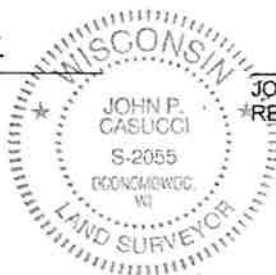
THAT I have made the survey, land division and map by the direction of ONE WEST DREXEL LLC, owners.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code in surveying, dividing, dedicating and mapping the same.

DATE

*May 12, 2014*



*John P. Casucci* (SEAL)  
JOHN P. CASUCCI  
REGISTERED LAND SURVEYOR S-2055

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

A division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

As owners, ONE WEST DREXEL LLC, hereby certify that we have caused the land described on this map, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code

ONE WEST DREXEL LLC, as owners, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

ONE WEST DREXEL LLC

By: WISPARK LLC, its Manager

By: \_\_\_\_\_  
Jerold P. Franke, President

STATE OF WISCONSIN    }  
                                  }SS  
MILWAUKEE COUNTY    }

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above named Jerold P. Franke, President of WISPARK LLC, Manager of ONE WEST DREXEL LLC, to me known to be the person who executed the foregoing instrument.

\_\_\_\_\_(SEAL)  
Notary Public, State of Wisconsin

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



CERTIFIED SURVEY MAP NO.

A division of Lot 2 of Certified Survey Map No. 8572, in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

PLANNING COMMISSION OF APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
MAYOR STEPHEN SCAFFIDI, CHAIRMAN

\_\_\_\_\_  
DOUGLAS SEYMOUR, SECRETARY

COMMON COUNCIL APPROVAL

Certified Survey Map approved by the Common Council of the City of Oak Creek and dedication accepted on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Resolution No. \_\_\_\_\_.

\_\_\_\_\_  
STEPHEN SCAFFIDI, MAYOR

\_\_\_\_\_  
CATHERINE ROESKE, CITY CLERK



# City of Oak Creek Common Council Report

Meeting Date: June 3, 2014

Item No.: 16

**Recommendation:** That the Council adopts Resolution No. 11499-060314 approving a certified survey map for the properties at 8131 S. Howell Ave. and 400 W. Forest Hill Ave. with the condition that all technical corrections are made prior to recording.

**Background:** Woodman's is requesting approval of a Certified Survey Map to divide the properties at 8131 S. Howell Avenue and 400 W. Forest Hill Avenue for the 6<sup>th</sup> Street extension and related improvements for Drexel Town Square. Lot 1 is currently 21.778 acres and the location for the Woodman's store, fuel center, vehicle service center, and car wash. This lot will be reconfigured and reduced in size to 18.5163 acres. Lot 2 will be comprised of a portion of Lot 1 as well as a portion of 400 W. Forest Hill Avenue. Outlot 1 will be formed from the northwestern portion of 400 W. Forest Hill Avenue and the 6<sup>th</sup> Street extension. Outlot 2 will be formed from the remainder of 400 W. Forest Hill Avenue. All proposed lots meet the minimum lot size requirements for the B-4 district.

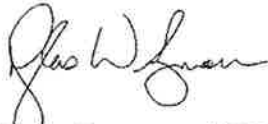
Wetlands do appear on the western portion of the proposed Outlot 1; however, none of the proposed S. 6<sup>th</sup> Street improvements will affect the existing wetlands. Two easements will affect Lots 1 & 2 and Outlot 1 in the CSM: an east-west storm sewer easement across Outlots 1 and 2 for the benefit of Lot 1, and a sanitary sewer & water main easement along the eastern side of the proposed 6<sup>th</sup> Street extension.

Two specific technical corrections that must be made prior to recording the map are to remove the storm sewer easement through 6<sup>th</sup> Street, and to show the sanitary and water easement on Sheet 1.

The Plan Commission has reviewed this request and has recommended its approval with the condition stated above.

**Fiscal Impact:** Approval of this CSM will allow the planned 6<sup>th</sup> Street extension through Drexel Town Square to be completed. It also allows a former outlot to become a development lot, which will result in positive future fiscal impacts for the City. Additionally, the reconfiguration of the two lots will result in a second amendment to 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



RESOLUTION NO. 11499-060314

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR BRET BACKUS, WOODMAN'S FOOD MARKETS, INC.

8131 S. Howell Ave. & 400 W. Forest Hill Ave.  
(2<sup>nd</sup> Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by BRET BACKUS, WOODMAN'S FOOD MARKETS, INC., hereinafter referred to as the subdivider, is in compliance with all statutory requirements; and

WHEREAS, the subdivider has complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

WHEREAS, the Plan Commission has recommended that this certified survey map be approved subject to any technical corrections bring made prior to recording;

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved by the Common Council subject to any technical corrections bring made prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd Day of June, 2014.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor

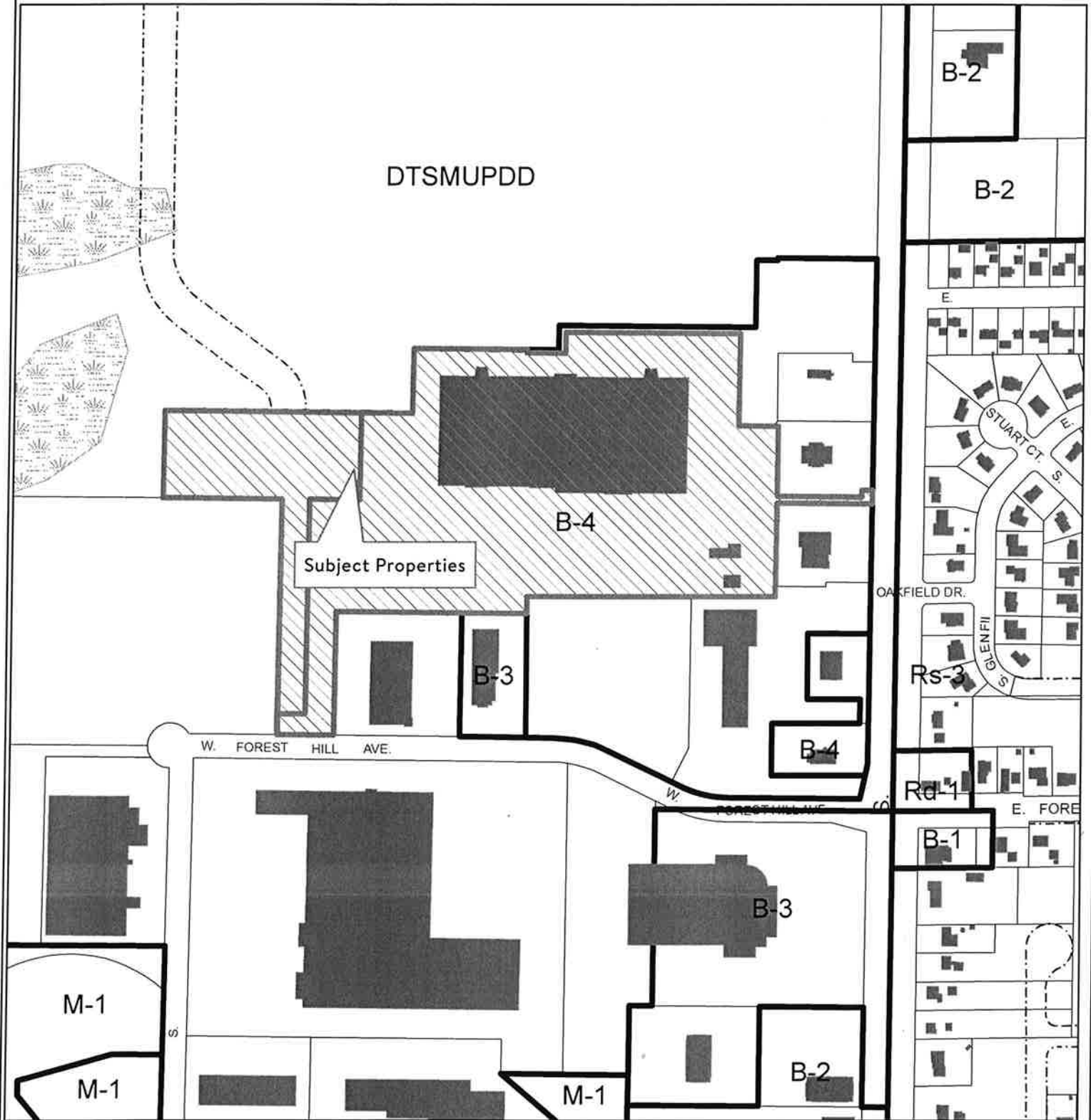
ATTEST:

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

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

# Location Map

## 8131 S. Howell Ave, & 400 W. Forest Hill Ave.



**OAKCREEK**  
— WISCONSIN —

Department of Community Development



### Legend

- 8031 S. Howell Ave. & 400 W. Forest Hill Ave.
- Existing Street Pattern
- Floodfringe
- Wetland
- Floodway

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

A division of Lot 1 and Outlot 1 of Certified Survey Map No. 7910 and a part of Lot 2 of Certified Survey Map No. 8038, in the Southwest 1/4, Southeast 1/4, Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.  
ALL BEARINGS ARE REFERENCED TO THE EAST LINE OF THE NE 1/4 OF SECTION 17, T7N, R22E, WHICH BEARS S00°33'20"W OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

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

SEE SHEET 2 FOR LOT & EASEMENT DETAILS

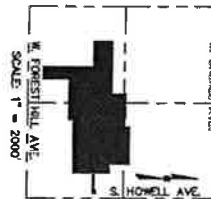
R.A. Smith National, Inc.

Beyond Surveying  
and Engineering

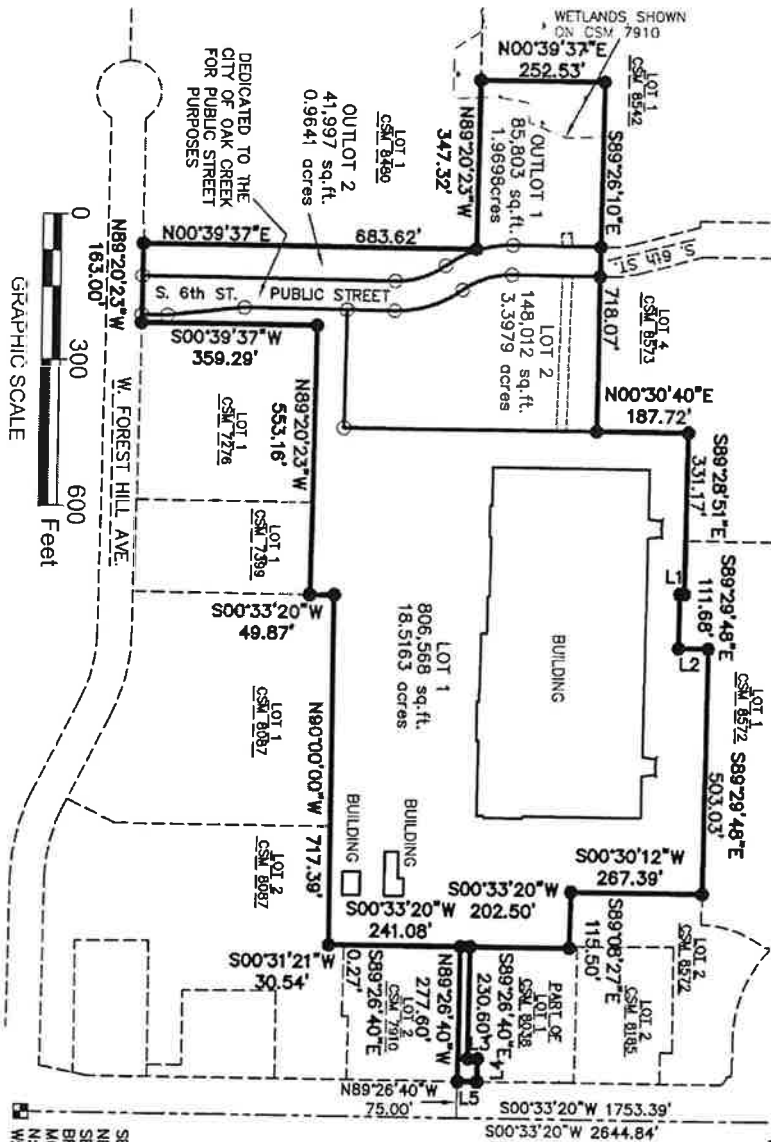
16745 W. Bluemund Road, Brookfield, WI 53005  
262-761-1000 Fax 262-797-7373 www.ra-smithnational.com  
Appleton, WI Orange County, CA Pittsburgh, PA

CS16602#shp  
CS100L-40/SHEET 1

LOCATION MAP  
NORTHEAST 1/4  
OF SECTION 17, T7N, R22E



Line Table		
Line #	Direction	Length
L1	S00°30'12"W	9.00
L2	N00°30'12"E	60.78
L3	N00°33'20"E	20.00
L4	S89°26'40"E	47.00
L5	S0°33'20"W	40.00

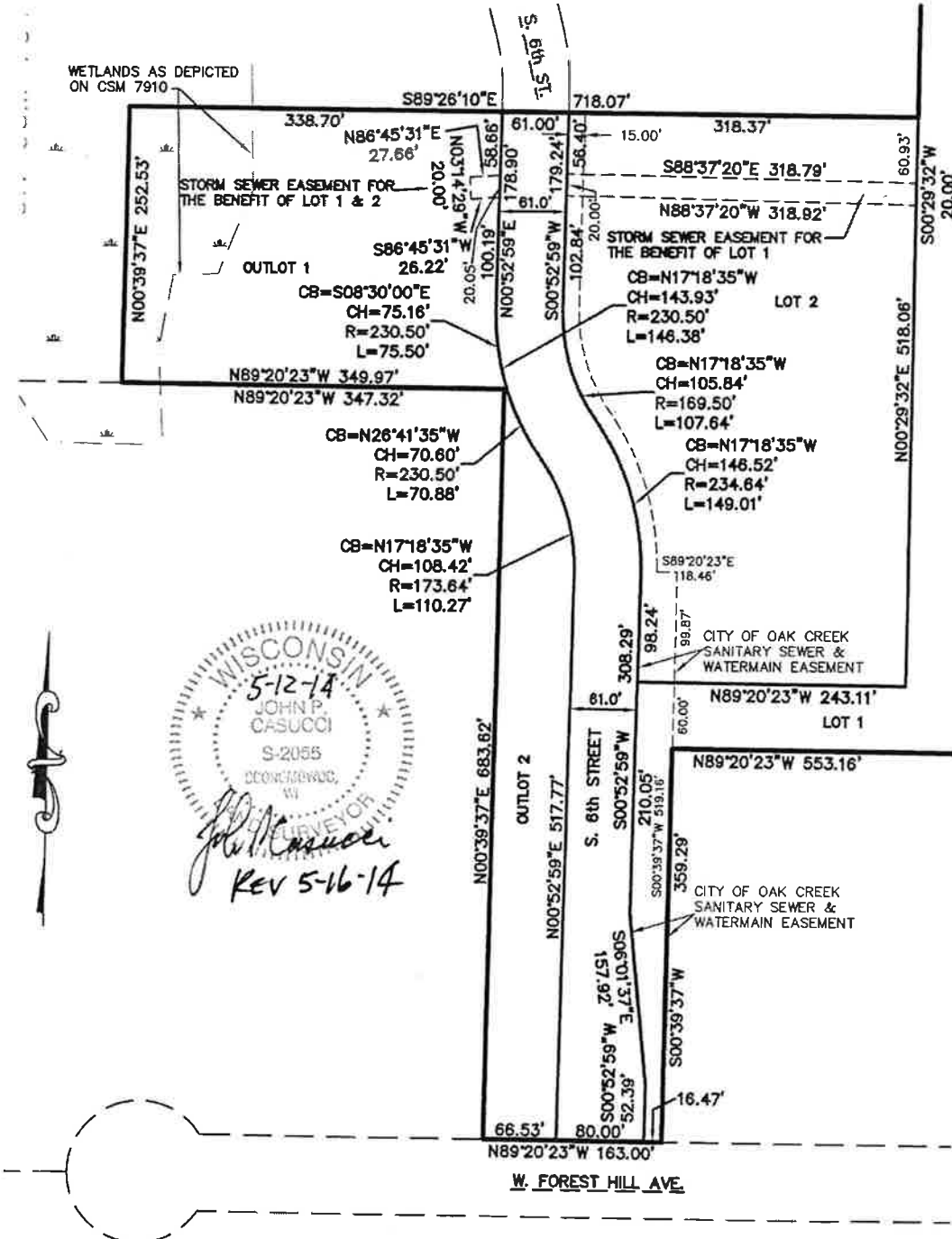


SE COR. OF  
NE 1/4 OF  
SEC. 17-5-22  
BRASS CAP  
MONUMENT  
N. 332.775.73  
W. 2,559.512.44

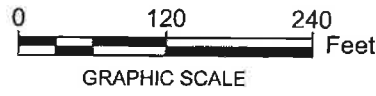
NE COR. OF  
NE 1/4 OF  
SEC. 17-5-22  
BRASS CAP  
MONUMENT  
N. 335.420.29  
W. 2,559.568.08

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

A division of Lot 1 and Outlot 1 of Certified Survey Map No. 7910 and a part of Lot 2 of Certified Survey Map No. 8038, in the Southwest 1/4, Southeast 1/4, Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.



JOHN P. CASUCCI
   
 S-2055
   
 SURVEYOR
   
*John P. Casucci*
  
 REV 5-16-14



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

A division of Lot 1 and Outlot 1 of Certified Survey Map No. 7910 and a part of Lot 2 of Certified Survey Map No. 8038, in the Southwest 1/4, Southeast 1/4, Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }  
  }SS  
WAUKESHA COUNTY     }

I, JOHN P. CASUCCI, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of Lot 1 and Outlot 1 of Certified Survey Map No. 7910 and a part of Lot 2 of Certified Survey Map No. 8038, in the Southwest 1/4, Southeast 1/4, Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, which is bounded and described as follows:

COMMENCING at the Northeast corner of the Northeast 1/4 of said Section 17; thence South 00°33'20" West along the East line of said 1/4 Section 1753.39 feet to a point; thence North 89°26'40" West 75.00 feet to the Northeast corner of Lot 2 in Certified Survey Map No. 7910 and the point of beginning of lands to be described; thence continuing thence North 89°26'40" West along the North line of said Lot 277.60 feet to the Northeast corner of said Lot; thence South 00°33'20" West along the West line of said Lot 241.08 feet to a point; thence South 89°26'40" East along said West line 0.27 feet to a point; thence South 00°31'21" West along said West line and its extension 30.54 feet to a point in the North line of Certified Survey Map No. 8087; thence North 90°00'00" West along the North line of said Certified Survey Map 717.39 feet to the Northwest corner of said Map; thence South 00°33'20" West along the West line of said Map 49.87 feet to the Northeast corner of Lot 1 in Certified Survey Map No. 7399; thence North 89°20'23" West along the North line of said Map and the North line of Lot 1 in certified Survey Map No. 7276 a distance of 553.16 feet to the Northwest corner of Said Lot 1 in Certified Survey Map No. 7276; thence South 00°39'37" West along the West line of said Lot 359.29 feet to a point in the North line of West Forest Hill Avenue; thence North 89°20'23" West along said North line 163.00 feet to the Southeast corner of Lot 1 in Certified Survey Map No. 8480; thence North 00°39'37" East along the East line of said Lot 683.62 feet to the Northeast corner of said Lot; thence North 89°20'23" West along the North line of said Lot 347.32 feet to a point in the Southerly line of Lot 1 in Certified Survey Map No. 8542; thence North 00°39'37" East along said Southerly line 252.53 feet to a point; thence South 89°26'10" East along said Southerly line and the Southerly line of Certified Survey Map No. 8573 a distance of 718.07 feet to a point; thence North 00°30'40" East along the Southerly line of Certified Survey Map No. 8573 a distance of 187.72 feet to a point; thence South 89°28'51" East along said Southerly line and the Southerly line of Certified Survey Map No. 8572 a distance of 331.17 feet to a point; thence South 00°30'12" West along said Southerly line 9.00 feet to a point; thence South 89°29'48" East along said Southerly line 111.68 feet to a point; thence North 00°30'12" East along said Southerly line 60.78 feet to a point; thence South 89°29'48" East along said Southerly line 503.03 feet to a point; thence South 00°30'12" West along said Southerly line 267.39 feet to a point; thence South 89°08'27" East along said Southerly line 115.50 feet to a point in the west line of Lot 2 in Certified Survey Map No. 8038; thence South 00°33'20" West along said West line 202.50 feet to the Southwest corner of said Lot; thence South 89°26'40" East along the South line of said Lot 230.60 feet to a point; thence North 00°33'20" East 20.00 feet to a point; thence South 89°26'40" East 47.00 feet to a point in the West line of South Howell Avenue; thence South 00°33'20" West along said West line 40.00 feet to the point of beginning.  
Said lands contain 1,143,022 square feet or 26.2402 acres.

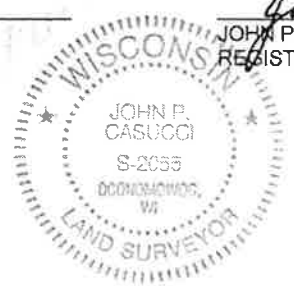
THAT I have made the survey, land division and map by the direction of WOODMAN'S FOOD MARKET, INC., owners.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code in surveying, dividing, dedicating and mapping the same.

DATE May 12, 2014

John Casucci (SEAL)  
JOHN P. CASUCCI  
REGISTERED LAND SURVEYOR S-2055



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

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OWNER'S CERTIFICATE

As owners, WOODMAN'S FOOD MARKET, INC., hereby certify that we have caused the land described on this map, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes and Chapter 14 of the City of Oak Creek Municipal Code

WOODMAN'S FOOD MARKET, INC., as owners, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

**WOODMAN'S FOOD MARKET, INC**

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

STATE OF WISCONSIN     }  
                                      }SS  
MILWAUKEE COUNTY     }

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above named \_\_\_\_\_ of WOODMAN'S FOOD MARKET, INC., to me known to be the person who executed the foregoing instrument.

\_\_\_\_\_(SEAL)  
Notary Public, State of Wisconsin

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



## CERTIFIED SURVEY MAP NO.

A division of Lot 1 and Outlot 1 of Certified Survey Map No. 7910 and a part of Lot 2 of Certified Survey Map No. 8038, in the Southwest 1/4, Southeast 1/4, Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 17, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

### PLANNING COMMISSION OF APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
MAYOR STEPHEN SCAFFIDI, CHAIRMAN

\_\_\_\_\_  
DOUGLAS SEYMOUR, SECRETARY

### COMMON COUNCIL APPROVAL

Certified Survey Map approved by the Common Council of the City of Oak Creek and dedication accepted on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Resolution No. \_\_\_\_\_.

\_\_\_\_\_  
STEPHEN SCAFFIDI, MAYOR

\_\_\_\_\_  
CATHERINE ROESKE, CITY CLERK



# City of Oak Creek Common Council Report

Meeting Date: May 20, 2014

Item No.: 17

**Recommendation:** That the Common Council approves payment of the obligations as listed on the May 27, 2014 Vendor Summary Report.

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

1. \$59,566.60 to Benistar/UA (pg #2) for June retiree Medicare supplement.
2. \$5,625.00 to MSA Professional Services Inc. (pg #8) for real estate services contract STH 38 – Forest Hill to Drexel.
3. \$9,922.28 to National Insurance Company (pgs #8-9) for disability insurance.
4. \$6,817.00 to 3M Company (pg #11) for RFID 2 year maintenance agreement.
5. \$5,068.38 to Voorhees Associates, LLC (pg #12) for street division superintendent recruitment services.
6. \$15,300.00 to Wheaton Franciscan Medical Grp (pg #12) for April clinic services.
7. \$69,208.54 to WE Energies (pg #13) for gas/electric utilities and street lighting.
8. \$26,761.73 to World Fuel Services (pg #14) for fuel inventory.

**Fiscal Impact:** Total claims paid of \$254,766.80

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 June 3, 2014

Item No.: 18

**Recommendation:** That the Common Council adopt Resolution No. 11496-060314, a resolution approving a storm water management practices maintenance agreement with Centennial Park South, LLC for their Centennial Park Apartments expansion located at 9026 S. Shepard Avenue (Tax Key Nos. 860-9005, 860-9006) (3<sup>rd</sup> Aldermanic District).

**Background:** The proposed Centennial Park expansion requires onsite storm water management practices in accordance with Sections 13.100 through 13.114 of the Municipal Code. Section 13.109 of the Municipal Code requires a maintenance agreement between the City and the permittee for the future maintenance of the required storm water management practices.

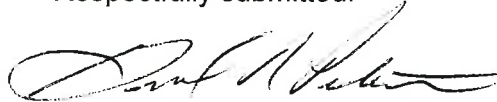
**Fiscal Impact:** None. The owner is responsible for all costs per the Storm Water Management Practices maintenance agreement.

Prepared by:



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

Respectfully submitted:



Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:

Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

**RESOLUTION NO. 11496-060314**

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

**RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT FOR CENTENNIAL PARK EXPANSION**

**(TAX KEY NOS. 860-9005 AND 860-9006)**

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

WHEREAS, Centennial Park South, LLC (Owner), requires onsite storm water management practices for their proposed Centennial Park Apartments expansion, and,

WHEREAS, the City requires that the Owner enter into a Storm Water Management Practices Maintenance Agreement, and,

WHEREAS, the required Storm Water Management Practices Maintenance Agreement has been prepared and signed by the Owner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the attached Storm Water Management Practices Maintenance Agreement, as signed by the Owner, is hereby approved by the City.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to execute the attached agreement on behalf of the Common Council of the City of Oak Creek and upon execution by both the City of Oak Creek and the Owner, the City Attorney is hereby authorized and directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of June, 2014.

Passed and adopted this 3<sup>rd</sup> day of June, 2014.

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

Approved this 3<sup>rd</sup> day of June, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

11496-060314

Document Number

CENTENNIAL PARK EXPANSION  
Storm Water Management Practices Maintenance  
Agreement  
Document Title

Recording Area

Michael C. Simmons  
Engineering Department  
8640 South Howell Avenue  
Oak Creek, WI 53154  
Name and Return Address

860-9005, 860-9006

Parcel Identification Number (PIN)

**STORM WATER MANAGEMENT PRACTICES  
MAINTENANCE AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, 2013, by and between Centennial Park South, LLC, hereinafter called the "Owner", and the City of Oak Creek, hereinafter called the "City".

WITNESSETH:

WHEREAS, the Owner is the owner of the following described lands situated in the City of Oak Creek, County of Milwaukee, State of Wisconsin, to-wit:

Lots 2, 3 and 4 of CSM No. 8499 being a part of the Southeast ¼ of the Northwest ¼ of Section 21, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as Centennial Park Expansion, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site storm water management practices within the confines of the Property; and

WHEREAS, the City and the Owner, its successors and assigns, including any homeowners association, agree that the health, safety, and welfare of the residents of the City of Oak Creek, require that on-site storm water management practices as defined in Section 13.103 of the Oak Creek Municipal Code be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site storm water management practices as shown on the Plan be constructed and adequately maintained by the Owner, its successors and assigns, including any homeowners association.

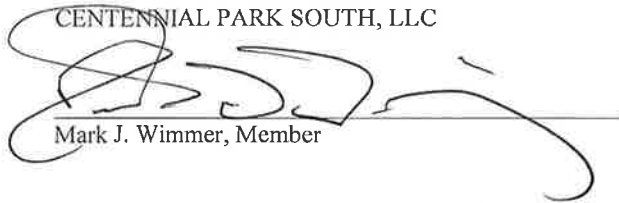
NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site storm water management practices shall be constructed by the Owner, its successors and assigns, including any homeowners association, in accordance with the plans and specifications identified in the Plan. The storm water management practices shall serve the drainage area designated in the Plan.
2. The Owner, its successors and assigns, including any homeowners association, shall regularly inspect the storm water management practices as often as conditions require, but in any event at least once each year. The standard Operation and Maintenance Report attached to this agreement as Exhibit A and by this reference made a part hereof shall be used for the purpose of the regular inspections of the storm water management practices. The Owner, its successors and assigns shall keep the Operation and Maintenance Reports from past inspections as well as a log of maintenance activity indicating the date and type of maintenance completed. The Reports and maintenance log shall be made available to the City for review. The purpose of the inspections is to assure safe and proper functioning of the facilities. The inspections shall cover all facilities including but not limited to berms, outlet structures, subsurface structures, infiltration areas, pond areas and access roads. Deficiencies shall be noted in the Operation and Maintenance Report.
3. The Owner, its successors and assigns, including any homeowners association, shall adequately maintain the storm water management practices, including but not limited to all pipes and channels built to convey storm water to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the storm water. Adequate maintenance is herein defined as keeping the storm water management facilities in good working condition so that these facilities are performing their design functions and are in accordance with the Detention Basin Maintenance Standards attached to this agreement as Exhibit B and by this reference made a part hereof.
4. The Owner, its successors and assigns, including any homeowners association, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water management practices whenever the City deems necessary. The purpose of inspection is to investigate reported deficiencies and/or to respond to citizen complaints. The City shall provide the Owner, its successors and assigns, including any homeowners association, copies of the inspection findings and a directive to commence with the repairs if necessary. Corrective actions shall be taken within a reasonable time frame as established by the City Engineer.
5. If the Owner, its successors and assigns, including any homeowners association, fails to maintain the storm water management practices in good working condition acceptable to the City and does not perform the required corrective actions in the specified time, the City may:
  - a) Issue a citation to the Owner, its successors and assigns. The penalty for violation of this section shall be not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense, and
  - b) Perform the corrective actions identified in the inspection report and assess the Owner, its successors and assigns for the cost of such work. The cost of such work shall be specially assessed against the Property pursuant to Wisconsin Statutes Section 66.0703. If the facilities are located on an outlot owned collectively by a homeowners association, the City may assess each member of the homeowners association according to the ownership interest in the facilities located on the property. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the storm water management practices. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said storm water management practices, and in no event shall this Agreement be construed to impose any such obligation on the City.

6. The Owner, its successors and assigns, including any homeowners association, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the storm water management practices (including sediment removal) is outlined on the approved plans, the schedule will be followed. The minimal amount of maintenance on the storm water management practices shall be in accordance with the Detention Basin Maintenance Standards (Exhibit B).
7. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, including any homeowners association, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the City and the Owner agrees to hold the City harmless from any liability in the event the storm water management practices fail to operate properly.
9. This Agreement shall be attached as an exhibit to any document which creates a homeowners association that is responsible for maintenance of the storm water management practices and be recorded at the Milwaukee County Register of Deeds, and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association. The owner shall provide the City with a copy of any document which creates a homeowners association that is responsible for the storm water management practices.

WITNESS the following signatures and seals:

CENTENNIAL PARK SOUTH, LLC

  
Mark J. Wimmer, Member

The foregoing Agreement was acknowledged before me this 20<sup>th</sup> day of March, 2013,  
by Mark J. Wimmer, Member of Centennial Park South, LLC.

Patricia A. Love  
NOTARY PUBLIC

My Commission Expires: 8-31-2014



CITY OF OAK CREEK, WISCONSIN

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

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

The foregoing Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2013,  
by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

This document was prepared by Philip J. Beiermeister, P.E. of the City of Oak Creek Engineering Division.

Approved as to Form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

**EXHIBIT A**



**OPERATION AND MAINTENANCE INSPECTION REPORT  
STORM WATER MANAGEMENT PONDS**

Inspector Name: \_\_\_\_\_

Tax Key No.: \_\_\_\_\_

Inspection Date: \_\_\_\_\_

Location: \_\_\_\_\_

Detention Basin Type:   Wet Pond    \_\_\_\_\_    Underground \_\_\_\_\_  
                                   Extended Dry \_\_\_\_\_    Bioretention \_\_\_\_\_  
                                   Artificial Wetland \_\_\_\_\_

Watershed \_\_\_\_\_

Items Inspected (Pond components)	Checked (Yes/ No/ NA)	Maintenance Needed (Yes/ No/ NA)	Remarks
<b>Embankment and Emergency spillway</b>			
1. Trash and debris			
2. Vegetation and ground cover adequate			
3. Embankment erosion			
4. Animal burrows			
5. Unauthorized plantings/tree growth			
6. Cracking, bulging, or sliding of embankment			
a. Upstream face and toe of slope			
b. Downstream face and toe of slope			
7. Settlement			
8. Seeps/leaks on downstream face			
9. Emergency spillway			
a. Clear of trash and debris			
b. Settlement			
c. Slope protection or riprap failures			
10. Other (specify)			
<b>Inlet/Outlet Structures</b>			
Type: Pipe (RCP/CMP/Plastic)			
Stand pipe/inlet box with orifice			
Weir (V-notch/Rectangular)			
Other _____			
1. Erosion/scouring/undermining at inlet or outlet			
2. Primary outlet structure			
a. Debris or sediment removal necessary			
b. Damaged			
c. Orifice plate damaged, out of place or missing			
3. Trash rack/hood maintenance			
a. Trash or debris removal necessary			
b. Damaged or missing			
c. Corrosion/rust control			
<b>Pond Bottom/Pool Area</b>			
1. Sediment accumulation (estimate depth)			
2. Water level at normal pool elevation			
3. Oil sheen on water			

**EXHIBIT B**  
**DETENTION BASIN MAINTENANCE STANDARDS**

Maintenance Component	Defect	Conditions When Maintenance Is Needed	Results Expected When Maintenance Is Performed
Side Slopes and Embankments	Trash & Debris	Any visual evidence of dumping, trash or debris.	Trash and debris cleared from site.
	Unmowed vegetation/ Ground Cover	Unless designated by the Common Council as a nature center or wildlife preserve, if the facility is located in a platted subdivision, multi-family apartment complex, planned development or a mobile home district, mowing is needed when vegetation exceeds 6 inches in height. In all other areas, mowing is needed when vegetation exceeds one foot in height. Mowed vegetation should be removed from areas where it could enter the pond, either when the pond level rises or by rainfall runoff.	When mowing is needed, grass/ground cover should be mowed to 2 inches in height. Trees and bushes should be removed where they interfere with pond maintenance activities; that is, at the inlet, outlet and near engineered structures. Nature centers and wildlife preserves should follow the maintenance guidelines in the approving resolution and approved storm water management plan.
	Rodent Holes	Any evidence of rodent holes if facility is acting as a dam or berm, or any evidence of water piping through dam or berm via rodent holes.	Rodents destroyed and dam or berm repaired.
	Tree Growth	Tree growth does not allow maintenance access or interferes with maintenance activity (i.e., slope mowing, silt removal or equipment movements).	Trees do not hinder maintenance activities.
	Erosion	Eroded damage over 2 inches deep where cause of damage is still present or where there is potential for continued erosion.	Slopes should be stabilized by using appropriate erosion control measures; e.g., rock rip-rap, planting of grass, erosion mat, compaction.
Inlet/ Outlet Pipe	Debris and Sediment	Sediment and/or debris clogging more than 10% of the pipe opening.	No clogging or blockage in the inlet and outlet piping.
	Damaged	Rust is causing more than 50% deterioration to any part of metal pipes, cracks in plastic pipe or cracks or exposed rebar in concrete pipes.	Pipe repaired or replaced.
		Any dent that decreases the cross section area of pipe by more than 10% or retards the flowage of water.	Pipe repaired or replaced.
	Erosion/Scouring	Eroded or scoured bottom at inlet or outlet pipes; undermining of structure or end section.	Area should be stabilized by using appropriately sized rock rip-rap.
	Damaged or Missing Orifice Plate	Control device is not working properly due to missing, out of place, or bent orifice plate.	Plate is in place and works as designed.
	Orifice Plate Obstructions	Any trash, debris, sediment, or vegetation blocking the plate.	Plate is free of all obstructions and works as designed.
Trash Racks/Hoods	Trash and Debris	Trash or debris that is plugging more than 20% of the openings in the barrier.	Barrier clear to receive capacity flow.
	Damaged/ Missing Bars or Hood.	Bars or hood are bent out of shape more than 3 inches.	Bars in place with no bends more than 3/4 inch.
		Bars are missing or entire barrier missing.	Bars in place according to design.
		Bars are loose and rust is causing 50% deterioration to any part of barrier.	Repair or replace barrier to design standards.
Pool Area	Sediment Accumulation in Pond Bottom	Sediment accumulations in pond bottom that exceeds the design sediment depth.	Sediment cleaned out to designed pond shape and depth; pond reseeded if necessary to control erosion.
	Water Level	Water level does not drain down to normal designed pool elevation.	Check outlet structure and downstream conveyance system for obstructions.
	Oil Sheen on Water	Prevalent and visible oil sheen.	Remove oil from water by use of oil-absorbent pads or by vacator truck. Refer problem to locate source and correct.
Emergency Overflow/Spillway and Dikes	Settlements	Any part of these components that has settled 4-inches lower than the design elevation, or inspector determines dike/ berm is unsound.	Dike should be built back to the design elevation and repaired to specifications.
	Rock Missing	Only one layer of rock exists above native soil in area five square feet or larger, or any exposure of native soil at the top emergency spillway.	Replace rocks to design standards.



**MINUTES  
LICENSE COMMITTEE  
Thursday, May 22, 2014 at 8:00 A.M.**

This meeting was called to order at 8:00 a.m. Present were: Ald. Ruetz, Ald. Gehl and Ald. Kurkowski. Also in attendance were Assistant City Attorney Melissa Karls and Deputy City Clerk Christa Miller.

1. The Committee reviewed an Operator's license application submitted by Kaitlyn Hince, 190 E. Lisa Dr., Oak Creek (Tracy Rae's, Woodman's). This item was held from the May 12, 2014 License Committee meeting to allow Ms. Hince another opportunity to attend the meeting. Ms. Hince was invited, however, did not attend.

On her application, Ms. Hince indicated that he had been convicted of speeding in Milwaukee County. The police record check lists a conviction for Underage Alcohol on July 11, 2012. The License Committee discussed whether or not this omission constituted falsification of application. If so, the falsification could be considered a basis for denial of the license.

Because this is a renewal and not an original application, Davis would be afforded a due process hearing before the Common Council.

Ald. Gehl, seconded by Ald. Kurkowski, moved to deny the request for a renewal Operator's license to Kaitlyn Hince, 190 E. Lisa Dr., Oak Creek (Tracy Rae's, Woodman's) and to direct staff to proceed with a non-renewal hearing. On roll call, all voted aye.

2. The Committee reviewed applications for Amusement Operator and Amusement Device licenses submitted by:

- Red's Novelty Ltd, 1921 S. 74<sup>th</sup> St., West Allis
- Wisconsin P & P Amusement, 12565 W. Lisbon Rd., Brookfield
- Sam's Amusement Company, 930 Washington Pond, Kenosha
- National Entertainment Network, 325 Interlocken Pkwy. – B, Broomfield, CO
- Games Are Us Inc., 4905 S. Woodlawn Pl., Greenfield

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant the request for Amusement Operator and Amusement Device licenses as listed. On roll call, all voted aye.

3. Ald. Gehl, seconded by Ald. Kurkowski, moved to grant alcoholic beverage license licenses for the period July 1, 2014 through June 30, 2015, with issuance subject to outstanding department approval(s), as follows as follows.

**CLASS A BEER**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Speedway LLC Marcos A. Acevedo, Agent (Speedway #4462)	8667 S. Howell Ave.	550 W. Warnimont Ave. Milwaukee
Ryan Road LLC James Gedig, Agent (Ryan Road Shell)	2170 W. Ryan Rd.	7240 S. North Cape Rd. Franklin
Sandra R. Strasser Rosemarie Bartel (Sandy's Port of Call)	10075 S. Chicago Rd.	4303 S. 51st St., Franksville 913 W. Ryan Rd., Oak Creek
Ryan Road Oil Greg Puetz, Agent (Ryan Road Mobil)	9444 S. Chicago Rd.	3369 E. Woodview Ave. Oak Creek
Pilot Travel Centers George Kutschma, Agent (Pilot Travel Center #040)	2031 W. Ryan Rd.	N2239 Wilmot Blvd Lake Geneva

Walgreens Co. Cynthia Smith, Agent (Walgreens #04887)	9449 S. Howell Ave.	10958 W. Cortez Rd. Franklin
Butcher Block Meat Market, LLC Douglas Alan Shulta, Agent (Butcher Block Meat Market)	9340 S. Chicago Rd.	1975 S. 93 <sup>rd</sup> St. West Allis

**CLASS B BEER**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Panda Gourmet LLC Xiao Xiong Liang, Agent (Panda Gourmet)	8880 S. Howell Ave., # 900	1385 E. Prairie View Dr. Oak Creek
Ki Sin Phil Sun K. Phil (Yen Hwa Chinese)	2345 W. Ryan Rd.	8690 W. Elm Ct. Franklin
Milwaukee Area Tech College District Richard Busalacchi, Agent (Milwaukee Area Tech College District - South Campus)	6665 S. Howell Ave.	6070 Oriole Ln. Greendale
The Noodle Shop, Co. – Colorado, Inc. Keri Jo Hesselbein, Agent (Noodles & Company)	8609 S. Howell Ave.	8020 S. 68 <sup>th</sup> St. Franklin
St. Matthew Congregation Michael J. Sullivan, Agent (St. Matthew Parish) <i>Auxiliary document</i>	9303 S. Chicago Rd.	10855 S. Harrian Ln. Oak Creek
Willkomm Foods LLC Val Secor, Agent (The Dish)	9540 S. 27 <sup>th</sup> St.	5822 80 <sup>th</sup> St. Kenosha
Oak Pro II, LLC Nicole Taylor, Agent (Fairfield Inn & Suites)	6460 S. 13th St.	450 W. Swan Cir. Oak Creek
Lisa Marie's LLC Laurel Ann Red Cloud (Sadie's Ristorante) <i>Inspection Department</i>	9454 S. Howell Ave.	9454 S. Howell Ave. Oak Creek
St. Stephen's Congregation Laura Maniaci, Agent (St. Stephen's Congregation)	1441 W. Oakwood Rd.	9380 S. Burrell Oak Creek

**CLASS C WINE**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Panda Gourmet LLC Xiao Xiong Liang, Agent (Panda Gourmet)	8880 S. Howell Ave., # 900	1385 E. Prairie View Dr. Oak Creek
Ki Sin Phil Sun K. Phil (Yen Hwa Chinese)	2345 W. Ryan Rd.	8690 W. Elm Ct. Franklin
Milwaukee Area Tech College District Richard Busalacchi, Agent (Milwaukee Area Tech College District - South Campus)	6665 S. Howell Ave.	6070 Oriole Ln. Greendale
The Noodle Shop, Co. – Colorado, Inc. Keri Jo Hesselbein, Agent (Noodles & Company)	8609 S. Howell Ave.	8020 S. 68 <sup>th</sup> St. Franklin

Willkomm Foods LLC Val Secor, Agent (The Dish)	9540 S. 27 <sup>th</sup> St.	5822 80 <sup>th</sup> St. Kenosha
Lisa Marie's LLC Laurel Ann Red Cloud (Sadie's Ristorante) <i>Inspection Department</i>	9454 S. Howell Ave.	9454 S. Howell Ave. Oak Creek

**CLASS A COMBINATION**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Kwik Trip Inc. Stacy Ann Anderson, Agent (Kwik Trip #422)	9535 S. 13 <sup>th</sup> St.	8616 Hart Dr. Wind Lake
PDQ Food Stores, Inc. Ken Kysely, Agent (PDQ Store #355)	6300 27 <sup>th</sup> St.	W289 N7951 Park Drive Hartland
P&K Kooner LLC Kulwant Singh (Checker Liquor)	9110 S. Chicago Rd.	830 E. Deer Ridge Pass. Oak Creek
Gary's Corporation of Oak Creek Gary Hintz, Agent (Gary's Beer & Liquor)	9555 S. Howell Ave.	10065 S. McGraw Dr. Oak Creek
Target Corporation Louisa Ann Wertzler, Agent (Target Store T-1925)	8989 S. Howell Ave.	4876 S. 21 <sup>st</sup> St. Milwaukee
Charles Potter, Inc. Charles Potter, Agent (Potter's Piggly Wiggly)	2201 E. Rawson Ave.	2580 Gaywood Ct. Brookfield
Himalayan Corporation Ramkrishna Subedi, Agent (Oak Creek Mobil)	1200 W. Rawson Ave.	2860 Smith Ct. Brookfield
Mega Marts, LLC Andrew Gifford, Agent (Pick 'n Save #6862)	8770 S. Howell Ave.	8670 S. Maize Dr. Oak Creek
Mega Marts, LLC Matthew Meyer, Agent (Tri-City Pick 'n Save #6348)	6462 S. 27th St.	10312 63 <sup>rd</sup> St. Kenosha
Mega Marts, LLC Richard T. Romel, Agent (Pick 'n Save #6387)	2320 W. Ryan Rd.	1226 Dundee Drive Racine
Woodman's Food Market, Inc. David J. Keeseey, Agent (Woodman's Food Market)	8131 S. Howell Ave.	5301 26 <sup>th</sup> St. Kenosha
Love's Travel Stops & Country Stores, Inc. Jerry Jarvis, Agent (Love's Travel Stop #432)	9650 S. 20 <sup>th</sup> St.	246 Quail Dr. Genoa City
Sal's Beer & Wine LLC Salvatore J. Colla, Agent (Sal's Beer & Wine)	7872 S. Howell Ave.	3833 W. Leah Ave. Franklin
JC Stores Inc. Jane A. Studebaker-Harlan, Agent (Oasis Mobil)	9510 S. 27 <sup>th</sup> St.	1532 Orchard St. Racine
Aldi, Inc. (Wisconsin) Nancy Baker, Agent (Aldi #01)	6810 S. 27th St.	2652 Iris Ct. Racine
Rawson Citgo LLC Adail Hamdan, Agent (Rawson 66)	150 W. Rawson Ave.	4481 W. Victory Creek Franklin

Order & Save Distributing, Inc. Sukhdev Khalsa, Agent (Oak Creek Marathon)	9502 S. Howell Ave.	10759 S. Christina Ct. Oak Creek
Midwest Retail Group–Oak Creek, Inc. James F. Fiene, Agent (7 Eleven #35841A)	1225 W. Rawson Rd.	W303 N1584 Arbor Dr. Delafield

**CLASS B COMBINATION**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
Cellar on Oakwood, LLC Shirley Miksa, Agent (The Cellar) <i>Inspection Department</i>	812 W. Oakwood Rd.	8655 S. Stonefield Dr. Oak Creek
120 Rawson, Inc. Brett Mazzone, Agent (The Saloon)	120 E. Rawson Ave.	1121 N. Waverly Pl. Milwaukee
Melrose Eatery, Inc. Konstantinos Spyropoulos, Agent (Melrose Eatery)	6840 S. 27 <sup>th</sup> St.	3965 S. Sunnyslope Rd. New Berlin
Oak Creek Diner II, Owned by Donald Bourdo Dorothy Boudro, Agent (Oak Creek Diner II)	6874 S. 13 <sup>th</sup> St.	6918 S. 13 <sup>th</sup> St. Oak Creek
Woodland Golf, Inc. Mary Ellen Joncas, Agent (Woodland Golf)	3025 E. Elm Rd.	3003 E. Elm Rd. Oak Creek
Pedone Restaurant & Catering Alison S. Pedone, Agent (Trattoria diCarlo & Catering)	8469 S. Howell Ave.	109 Accipiter Ct. Burlington
Classic Oak Creek Bowling LLC Ed Vahradian Jr., Agent (Classic Lanes Oak Creek) <i>Inspection Department</i>	7501 S. Howell Ave.	1504 Sherman South Milwaukee
Butch's Co., Inc. Mary Anne Schettle, Agent (Butch's Big Mouth Frog.)	7126 S. 27 <sup>th</sup> St	16001 W. Riveria Dr. New Berlin
Mazatlan Mexican Restaurant Oak Creek, Inc. Cesar Soto Deanda, Agent (Mazatlan Mexican Restaurant Oak Creek)	10166 S. 27 <sup>th</sup> St.	2221D Circle Ridge Delafield
Southbound Saloon & Eatery LLC Aleshia L. Sieren, Agent (Southbound Saloon & Eatery)	9504 S. Chicago Rd.	9504 S. Chicago Rd. Oak Creek
Oak Creek Community Center Richard Duchniak, Agent (Oak Creek Community Center)	8580 S. Howell Ave.	1035 E. Stonegate Dr. Oak Creek
EAK, Inc. Danielle Baerwald, Agent (Erv's Mug)	130 W. Ryan Rd.	6104 Churchwood Cir. Greendale
Jim Dandy's Inc. Karen Iwinski, Agent (Jim Dandy's) <i>Inspection Department</i>	8900 S. 27 <sup>th</sup> St.	9676 S. Fox Run Oak Creek
Oelschlaeger-Dallman Post No. 434 of the American Legion Department of Wisconsin Robert LaBrosse, Agent (Oelschlaeger-Dallman Post No. 434 of the American Legion Department of Wisconsin)	9327 S. Shepard Ave.	8570 S. 13 <sup>th</sup> St. Oak Creek

1750 LLC Michael LaSusa, Agent (Michael LaSusa's) <b>Treasurer Department</b>	8955 S. 5 <sup>th</sup> Ave.	3960 E. Maple Oak Creek
Tracy Rae's LLC Tracy Johanneck-Utphall, Agent (Tracy Rae's) <b>Inspection Department</b>	823 W. Oakwood Rd.	3248 Shortridge Dr. Racine.
John Sagan Joyce M. Mueller (Cozy Inn)	9509 S. Chicago Rd.	2410 E. Elm Rd., Oak Creek 1490 51 <sup>st</sup> St., Caledonia
St. Ledger Enterprises, Inc. James J. St. Ledger, Jr., Agent (Oak Hills Golf)	10360 S. Howell Ave.	1806 Forest Hill Ave. South Milwaukee
Apple Hospitality Group, LLC Jacob Woods, Agent (Applebee's Neighborhood Grill & Bar)	7135 S. 13 <sup>th</sup> St.	119 N. 71 <sup>st</sup> St. Milwaukee
Brian's Restaurant LLC Luljeta Abazi, Agent (Brian's Restaurant)	924 E. Rawson Ave.	601 E. Jordan Ln. Oak Creek
Zeqiri Corp. Lirim Zeqiri, Agent (Market Place Café)	3570 E. Puetz Rd.	3270 Normandy Dr. Oak Creek
Diane Dorothy Spingola (Diane's Second Chance Saloon)	9430 S. 27 <sup>th</sup> St.	9430 S. 27 <sup>th</sup> St. Oak Creek
Brickler's Restaurant, LLC Marla J. Brickler, Agent (Back to Lucy's)	1000 E. Rawson Ave.	1126 E. Drexel Ave. Oak Creek
Comfort South, Inc. Teresa A. D'Amato, Agent (Comfort Suites)	6362 S. 13 <sup>th</sup> St.	3865 Pilgrim Rd. Brookfield
Lotus Restaurant LLC Wan Yi Zuo, Agent (Lotus)	9011 S. Howell Ave.	8219 S. Four Oaks Ct. Franklin
Blazin' Wings, Inc. Jared S. Bellis, Agent (Buffalo Wild Wings Grill & Bar)	8171 S. Howell Ave.	3704 92 <sup>nd</sup> Place Sturtevant
KMDG LLC Dennis Giannopoulos, Agent (Branded Steer)	1229 W. College Ave.	1243 Kerechun Rd. Hubertus
Maria Cobian (Victor's Again) <b>Inspection Department</b>	9117 S. 5 <sup>th</sup> Ave.	9117 S. 5 <sup>th</sup> Ave. Oak Creek
Struga, Inc. Driton Etemi, Agent (Prime Table Family Restaurant)	7864 S. Howell Ave.	1623 Menomonee Ave. South Milwaukee

**RESERVE CLASS B COMBINATION**

<u>Name</u>	<u>Location</u>	<u>Home Address</u>
El Fogon Tacos and Beer, Inc. Filiberto Landa, Agent (El Fogon Tacos and Beer)	8701 S. Howell Ave.	417 E. Arbor Circle Oak Creek
Hush, LLC Christina S. Clausen, Agent (Bootz Saloon & Grill)	8950 S. 27 <sup>th</sup> St.	4830 W. Vollmer Ave. Greenfield

Ald. Kurkowski, seconded by Ald. Gehl, moved to adjourn this meeting at 9:24 a.m. On roll call, all voted aye.