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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, JULY 1, 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: 6/17/14

Recognition

4. **Resolution:** Consider Resolution No. 11513-070114, Condolences upon the death of Police and Fire Commissioner, Terry Peterson (by Committee of the Whole).
5. **Council Proclamation:** Consider Council Proclamation No. 14-12, to Donald Gassenhuber for dedicated service to the City of Oak Creek as a member of the Community Development Authority (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.

6. **Conditional Use:** Consider a request for a conditional use permit by Panda Restaurant Group for a restaurant with drive-through facility (Panda Express) located at 8041 S. Howell Ave. (2nd District)
7. **Ordinance:** Consider Ordinance No. 2729, approving a conditional use permit for a restaurant with drive-through facility located at 8041 S. Howell Ave. (Panda Express) (2nd District).

New Business

MAYOR & COMMON COUNCIL

8. **Motion:** Consider a motion to authorize the Finance Department to enter into an agreement with BS&A Software, for public sector computer software and implementation services (by Committee of the Whole).
9. **Motion:** Consider a motion to concur with the Mayor's appointments as follows:
 - a. Police and Fire Commission – 5 year term to expire 4/2019
Jeffrey Sageser, 1431 W. Lois Ln.

- b. Celebrations – 3 year term to expire 4/2017
Melanie J. Lindseth, 3105 E. Emily Ave.
- c. Landscape and Beautification Committee – 2 year term to expire 5/2016
Dave Chvilicek, 9667 S. Chicago Rd.

- 10. **Informational:** Mayor's Aldermanic Appointment of Ald. Guzikowski replacing Ald. Toman, to the Library Board.
- 11. **Informational:** Common Council President Aldermanic Appointment of Ald. Toman replacing Ald. Guzikowski, to Finance Committee.
- 12. **Motion:** Consider a motion to approve the 2014 Vendor Summary Report in the amount of \$481,601.78 (by Committee of the Whole).

COMMUNITY DEVELOPMENT

- 13. **Motion:** Consider a motion to approve a contract for marketing services with Savage Solutions, LLC in the amount of \$55,000 for 2014 (by Committee of the Whole).

ENGINEERING

- 14. **Ordinance:** Consider Ordinance No. 2730, creating Section 13.22(j) of the Oak Creek Municipal Code regarding landfilling (by Committee of the Whole).
- 15. **Motion:** Consider a motion to award the W. Oakwood Road storm sewer improvement project contract to the lowest responsive, responsible bidder, All-Ways Contractors, Inc., at an estimated cost of \$119,484.00 (Project No. 14033) (6th District).
- 16. **Motion:** Consider a motion to reject the W. Weatherly Drive reconstruction project bids because the City's official newspaper failed to publish the ad that was provided to them (Project No. 14034) (2nd District).

LICENSE COMMITTEE

The License Committee met on 6/27/14. Minutes are attached. Recommendations are as follows:

- 17. **Motion:** Consider a motion to grant an Operator's license to Mary K. Butchko, 3224 Fox Dr., Racine (Erv's Mug).
- 18. **Motion:** Consider a motion to grant an Operator's license to Joshua Howard, 3913 E. High St., Oak Creek (Ryan Road Mobil).
- 19. **Motion:** Consider a motion to grant an Operator's license to Derek M. Panoch, 1521 W. Edgerton, Milwaukee (Applebee's).

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

- 20. **Motion:** Consider a motion to grant an Operator's license to the following (*favorable background report received*):
 - Millicent F. Hynes, 4336 S. 46th St., Greenfield (Comfort Suites)
 - Lisa M. Gammon, 8814 W. Rogers, West Allis (Buffalo Wild Wings)
 - David Beebe, 8070 Long Meadow Dr., Oak Creek (Speedway)

- Emberly L. Russell, 8660 S. Liberty Lane, Oak Creek (Ryan Road Shell)
 - Kasondra L. Brown, 11130 W. Morgan Ave., Greenfield (Noodles)
 - Dennis J. Canzoneri, 8974 S. Chicago Rd., Oak Creek (Oak Creek Community Center)
 - Claudia Y. Guerrero, 8756 S. Country Dr., Oak Creek (El Fogon)
 - Alexandria M. Anselment, 8736 S. Country Dr., Oak Creek (Southbound)
 - Barbara K. Cox, 7860 S. Clement Ave., Oak Creek (Back to Lucy's)
 - Samantha N. Sell, 2545 E. Emily Ave., Oak Creek (Kwik Trip)
 - Karin K. Thayer, 7280 S. Clement Ave., Oak Creek (Jim Dandy's)
 - Stephanie E. St. Vincent, 2712 16th Ave., South Milwaukee (Southbound)
21. **Motion:** Consider a motion to grant a Special Class B Beer license to Robert Kastelic, Agent, South Milwaukee Amateur Radio Club, for one day only, 7/12/2014, at Legion Post #434, 9327 S. Shepard Ave.
22. **Motion:** Consider a *motion* to grant a 2014 transient merchant license to Kris Kristl, N1577 Washington Ave., Lake Geneva, selling home improvement products on behalf of The Window Store (*favorable background report received*).
23. **Motion:** Consider a *motion* to grant a Temporary Class B Beer and Wine license to the Oak Creek OJs at the Shepard Hills and Senior High softball diamonds, and Legion Post 434 Lower Diamond from 8/2 - 8/3/14 (rain dates 8/9 - 8/10/14), with a waiver of fees.

MISCELLANEOUS

24. **Motion:** Consider a *motion* to convene in to Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes, Section 19.85 (1) (e) to consider a transfer agreement by and among the City of Oak Creek (the "City"), E.I. DuPont De Nemours and Company ("DuPont") and EPEC Polymers, Inc. ("EPEC").
25. **Motion:** Consider a *motion* to reconvene into Open Session.
26. **Resolution:** Consider *Resolution* No. 11514-070114, approving the transfer agreement by and among the City of Oak Creek (the "City"), E.I. DuPont De Nemours and Company ("DuPont") and EPEC Polymers, Inc. ("EPEC") (4th District)

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

RESOLUTION NO. 11513-070114

BY COMMITTEE AS A WHOLE

**RESOLUTION OF CONDOLENCE UPON THE DEATH
OF TERRY ANN PETERSON**

WHEREAS, the City of Oak Creek has received the sad news that TERRY A. PETERSON, passed away suddenly at her home on June 19, 2014; and

WHEREAS, Terry Peterson was appointed to the Oak Creek Plan Commission on May 20, 2003 and to the Oak Creek Police and Fire Commission on February 6, 2007; serving several years in the capacity of President; and

WHEREAS, during her tenure, Terry Peterson did discharge the duties of her appointment with the greatest devotion and utmost loyalty and integrity; and

WHEREAS, the loss of Terry to her family will be shared by many members of this community whom she touched and on whom she had a significant impact.

NOW, THEREFORE, BE IT RESOLVED that we, the citizens of the City of Oak Creek and the Common Council of this City, do hereby express our deep sorrow on the death of Terry Peterson and extend our sincere and heartfelt sympathy to her family.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting and a suitable copy thereof be forwarded to the family of the late Terry Peterson.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 1st day of July, 2014.

Passed and adopted this 1st day of July, 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. 14-12

TO

DONALD GASSENHUBER

**FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
COMMUNITY DEVELOPMENT AUTHORITY**

WHEREAS, Donald Gassenhuber was appointed to the Community Development Authority in May, 2004 and has served for ten years; and

WHEREAS, Donald Gassenhuber has served the City in a thorough, conscientious and professional manner.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby show their appreciation and gratitude to Donald Gassenhuber for his dedicated service to the City of Oak Creek as a member of the Community Development Authority.

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 Donald Gassenhuber.

Introduced and adopted this 1st day of July, 2014.

President, Common Council

Approved this 1st day of July, 2014.

Mayor

ATTEST:

City Clerk

Votes: Ayes: _____ Noes _____

TO BE PUBLISHED JUNE 12 & 19, 2014

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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 Panda Restaurant Group for restaurant with drive-through facility (Panda Express) located at 8041 S. Howell Ave.

Hearing Date: Tuesday, July 1, 2014
Time: 7:00 p.m.
Place: Oak Creek City Hall
8640 South Howell Avenue
Oak Creek, WI 53154
Common Council Chambers

Applicant: Panda Restaurant Group
Property Owner: One West Drexel, LLC
Property Location: 8041 S. Howell Ave.
Tax Key(s): 813-9028-000

Legal Description:

Situated on West Town Square Way, in the City of Oak Creek, Milwaukee County, Wisconsin. Part of Lot 2 of Certified Survey Map No. 8572, recorded 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 ¼ and Southeast ¼ of the Northeast ¼ of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

The Common Council has scheduled other public hearings for July 1, 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: June 5, 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: July 1, 2014

Item No.: 7

Recommendation: That the Council adopts Ordinance No. 2729 approving a conditional use permit for a restaurant with drive-through facility located at 8041 S. Howell Ave.

Background: At the May 27, 2014 meeting, the Plan Commission recommended Common Council approval of a conditional use permit for a restaurant with drive-through facility at 8041 S. Howell Ave. The Panda Restaurant Group will be opening a Panda Express on this lot, which is located adjacent to the existing Sonic restaurant and the southeastern entrance to Drexel Town Square (W. Town Square Way). Restaurants with drive-through facilities are considered conditional uses in the B-4, Highway Business zoning district.

Two potential ingress/egress points to the lot are proposed off of the private access drive on the west and off of West Town Square Way on the north. Additionally, a connection to the lot to the south through the parking aisle on the east is shown on the plans. While this connection currently exists as an access drive to the Sonic restaurant off of Howell Avenue, it is unlikely that this connection will be utilized post-construction.

The proposed 13-foot-wide drive-through is located along the south side of the lot, originating at the rear of the property. As shown on Sheet A-100, the lane can accommodate at least 8 vehicles, which exceeds the minimum queuing requirement of four vehicles in Chapter 17. Staff recommends that the Applicant consider including in future plans striping between the parking stalls and east entrance as a caution to vehicles exiting the drive-through that pedestrians may be crossing from the east parking stalls.

While site, building, landscaping, lighting, and signage plan review will occur at a later date, there are a few items that staff has asked the applicant's consultants to address. Staff is currently working with the consultants to ensure compliance with local requirements. Site plan review is scheduled to occur at the July 8 Plan Commission meeting should the Common Council approve of the Conditional Use Permit.

Staff will be reviewing the plans for compliance with the B-4, Highway Business zoning district as well as the Drexel Town Square Mixed Use Planned Development District (DTSMUPDD) in the event that the property is rezoned. Considering the property's proximity to Drexel Town Square, this rezone is anticipated. Restaurants with drive-through facilities are also Conditional Uses in the DTSMUPDD; therefore, the Conditional Use Permit will be unaffected by a rezone.

The attached conditions and restrictions were recommended for approval by the Plan Commission at their June 10, 2014 meeting.

Fiscal Impact: Approval of this use will allow a business to construct a new restaurant on a currently vacant lot that is part of TID 11. Taxes and impact fees generated from the development of this project would result in a positive fiscal impact for the City. Impact fees are estimated at \$1,700.

Prepared by:



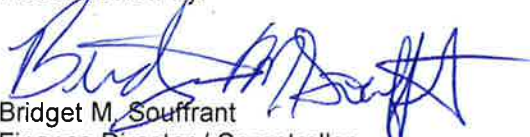
Doug Seymour, AICP
Director of Community Development

Respectfully Submitted,



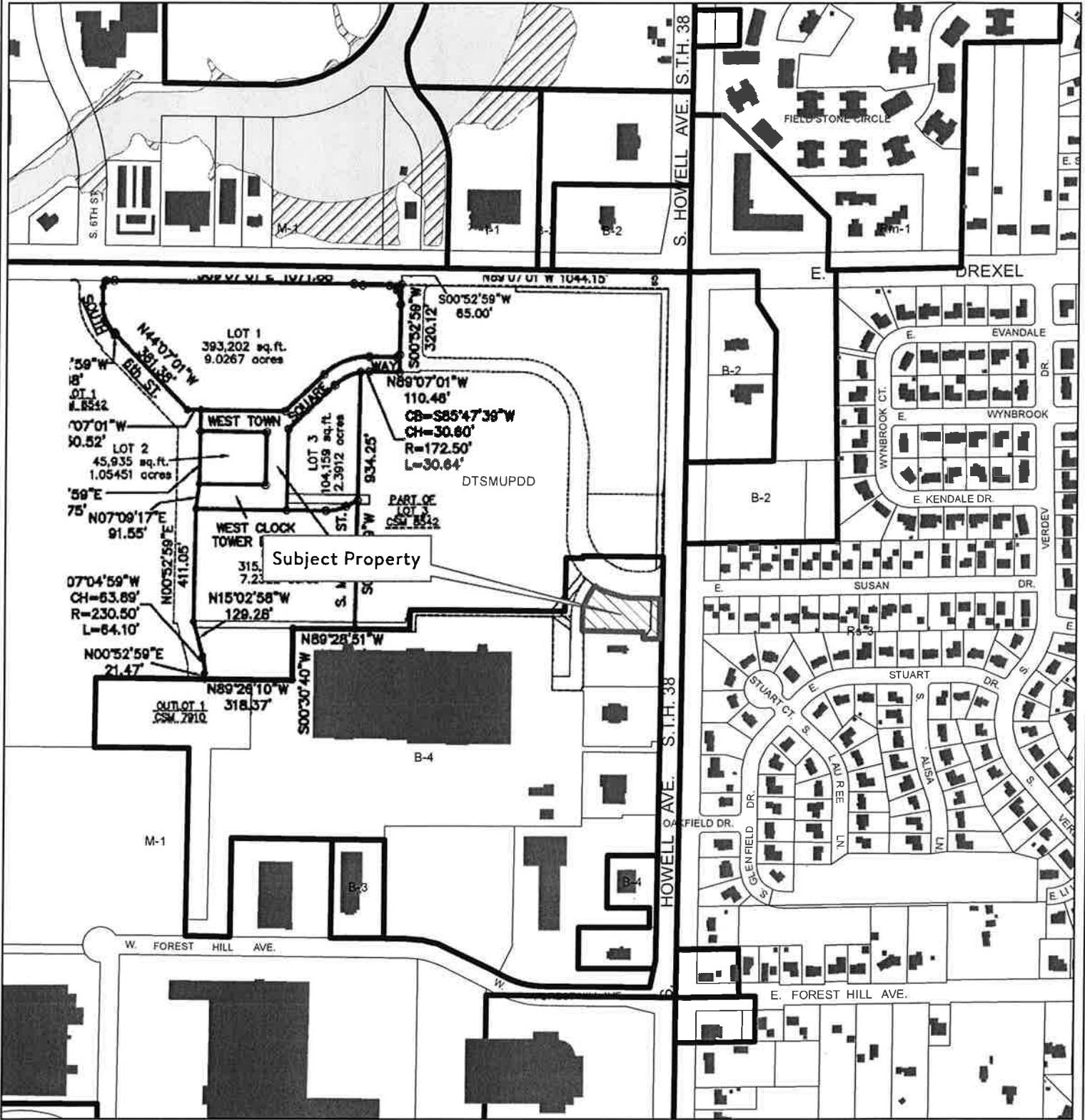
Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant
Finance Director / Comptroller

Location Map 8041 S. Howell Ave.






OAKCREEK
— WISCONSIN —

Department of Community Development



Legend

-  8041 S. Howell Ave.
-  Floodfringe
-  Floodway

This map is not a survey of the actual boundary of any property this map depicts.

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, June 10, 2014

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

Commissioner Dickmann moved to approve the May 27, 2014 Plan Commission minutes as revised. Commissioner Siepert seconded. Roll call: all voted aye. Motion carried.

Conditions and Restrictions

Panda Express

8041 S. Howell Avenue

Tax Key No. 813-9028

At the May 27, 2014 meeting, the Plan Commission recommended Common Council approval of a conditional use permit for a restaurant with drive-through facility for a proposed Panda Express restaurant at 8041 S. Howell Ave.

It was discovered that the zoning classification (Drexel Town Square Mixed Use Planned Development District or DTSMUPDD) in the previous staff report was incorrect, and that the parcel is actually located in the B-4, Highway Business district. However, as restaurants with drive-through facilities are conditional uses in the B-4, Highway Business district, this process is still valid. As a reminder, site, building, landscaping, lighting, and signage plan review will occur at a later date.

Staff has prepared conditions and restrictions for this conditional use permit for the Commission's review. If the Plan Commission is comfortable with the conditions and restrictions, the appropriate action would be to recommend that the Common Council adopt them as part of the conditional use permit.

Ms. Papelbon went through the conditions and restrictions, but stated that she will verify the Time of Compliance section. The rest of the conditions and restrictions are standard.

Mayor Scaffidi asked if it will be similar in appearance to the one on 76th Street. Ms. Papelbon stated that it will be similar.

Commissioner Dickmann asked if Panda Express will have to follow the requirements for the DTSMUPDD since it is located in B-4 zoning. Ms. Papelbon stated that for the architectural standards and other requirements, staff would make sure that the plans would meet the standards for both zoning districts in the event the parcel is rezoned into the DTSMUPDD.

Commissioner Siepert asked if the lighting would match the lighting of Drexel Town Square or will they have separate lighting fixtures. Ms. Papelbon stated that detailed lighting plans have not been submitted for this site at this time; however, staff believes there has been some discussion about making sure the exterior lighting in the parking lot will match the rest of Drexel Town Square.

Commissioner Dickmann moved that the Plan Commission recommend that the Common Council adopt the conditions and restrictions as part of the conditional use permit for a restaurant with drive-through facilities located at 8041 S. Howell Avenue after a public hearing.

Commissioner Chandler seconded. Roll call: all voted aye. Motion to approve carried.

City of Oak Creek – Conditional Use Permit
Conditions and Restrictions

Applicant: Panda Restaurant Group

Property Address: 6758 S. 13th St.

Tax Key Number: 735-9044

Conditional Use: Restaurant with drive-through facility

Approved by Plan Commission: 6/10/14

Approved by Common Council: 7/1/14

(Ord. #2729)

1. LEGAL DESCRIPTION

Situated on West Town Square Way, in the City of Oak Creek, Milwaukee County, Wisconsin. Part of Lot 2 of Certified Survey Map No. 8572, recorded 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 ¼ and Southeast ¼ of the Northeast ¼ of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin (0.9033 acres).

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 and access 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. All parking areas and private drives, within a phase, shall be in place prior to the issuance of an occupancy permit for any building in that phase.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330, 17.0403, and 17.1010 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. All plans for landscaping changes shall be submitted to the Plan Commission for their 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.

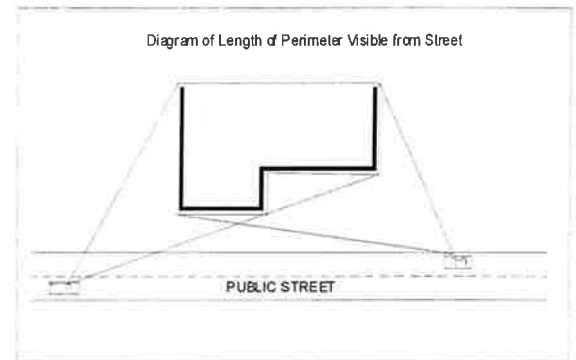
D. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter 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 Outdoor Storage – Outdoor storage shall not be located within the front yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- I. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.
- J. Screening of utility meters. New utility meters shall be screened with a mix of plantings and a screening fence or wall, which shall be approved by the Community Development Department prior to the issuance of building permits. Said screening shall be installed prior to final occupancy.
- K. Screening of drive-through menu board. The drive-through menu board shall be screened from S. Howell Avenue with a mix of plantings and a screening fence or wall which shall be approved by the Plan Commission and City Forester.
- L. 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
- M. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- N. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205(d) of the Municipal Code.
- O. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
 - 1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
 - 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
 - 3. The location and percent of slope of all proposed berms using one (1) foot contours.

4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
5. Methods used in staking, mulching, wrapping or any other early tree care used.
6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

6. ARCHITECTURAL STANDARDS

- A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- B. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete masonry units (CMU's). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material.
- C. The facade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with glass, brick or decorative masonry material.
- D. Material and color samples shall be submitted to the Plan Commission for review and approval.
- E. The Plan Commission has the discretion to adjust this minimum for building additions.
- F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- H. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- I. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- J. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.



7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	25'	25'	15'
Accessory Structure*	25'	5'	5'
Off-street Parking	10'	0'	0'

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

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. Fire department connection on the building shall not be blocked with any fencing, signage, or landscaping.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code. The applicant shall submit a sign package with all proposed signs (menu board, wall signs, tenant panel on monument sign, and directional signs) to the Department of Community Development prior to the issuance of permits.

10. PERMITTED USES

- A. All permitted uses in the B-4, Highway Business zoning district.
- B. One (1) restaurant with drive-through.
- 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 twenty-four (24) 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 a building 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. REVOCAION

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

15. 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. 2729

By: _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE PERMIT FOR THE PROPERTY
AT 8041 S. HOWELL AVE. FOR A RESTAURANT WITH DRIVE-THROUGH FACILITY

(3rd Aldermanic District)

WHEREAS, the Panda Restaurant Group has applied for a Conditional Use Permit that would allow for restaurant with drive-through facility located at 8041 S. Howell Ave.; and

WHEREAS, this property is more precisely described as follows:

Situated on West Town Square Way, in the City of Oak Creek, Milwaukee County, Wisconsin. Part of Lot 2 of Certified Survey Map No. 8572, recorded 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 ¼ and Southeast ¼ of the Northeast ¼ of Section 17, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin (0.9033 acres).

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 July 1, 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 restaurant with drive-through facility located at 8041 S. Howell Ave., 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 restaurant with drive-through 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: July 1, 2014

Item No.:

8

Recommendation: That the Common Council considers a motion authorizing the Finance Department to enter into an agreement with BS&A Software, for public sector computer software and implementation services.

Background: During the 2014 budget process, the Capital Improvement Committee and Common Council approved \$275,000 (project 14016) over a three year period for purchasing a new computer software for City financial, Community Development, and Inspection needs. Attached is the capital equipment request that was included with the 2014 budget.

A team consisting of Becky Benish (IT), Pete Wagner (Community Development), Jeff Lynch (Inspection), and Bridget Souffrant (Finance) was formed to lead the City through this process and transition. The software team received and reviewed five submissions for an informational request which helped form the basis for the RFP (attached). The software team then released a public request for proposal (RFP) and received 3 base bids.

Vision Municipal Solutions, LLC:	\$100,350
BS&A Software:	\$340,270
Tyler Technologies (Munis):	\$395,930

Given the significant variance of the Vision Municipal Solutions proposal, the software team called a reference as well as one of the company representatives and discovered that not all of the modules have been released and some are still in beta testing. Our team does not feel Vision Municipal Solutions would be a reasonable and responsible bidder nor do we feel they met the criteria outlined in the RFP.

On June 23rd we held an all-day demonstration with BS&A Software and on the 24th with Tyler Technologies (Munis). We had 20 -25 City staff from the Finance, IT, Inspection, Community Development, Engineering, Treasurer, Clerk, Library, Police, Fire, Human Resources and Street Department involved in the demonstrations on both days. All participants filled out an evaluation form and submitted comments about each company. The software team reviewed the comments and evaluations and with the exception of Human Resources, all parties involved felt that BS&A Software would be the best fit for the City.

A summary of comments from staff regarding Tyler Technologies (Munis) is: Tyler has the stronger HR functionality, all modules are very capable, but overwhelming, not user friendly, potential to be slow because it is internet based, and not as customer friendly.

A summary of comments from staff regarding BS&A Software is: BS&A is very user friendly, easily navigated, very intuitive in the work flow process, great customer service, over all better product for Oak Creek's needs.

After reviewing the comments from staff the software team called 12 of BS&A's references, some of which converted from Tyler Technologies (Munis) to BS&A. Some comments from the references were: Yes, BS&A has exceptional customer service with a 15 minutes or less response time, some references switched from Munis because the product they received was

not what they thought they saw during the demonstrations, the software is very user friendly, easy to train on, and implementation was smooth.

It was evident to all staff involved in these software demonstrations that BS&A software would change our current procedures making us more customer friendly and more efficient. We will be able to improve work flows and are excited about the changes and efficiencies that this software would bring to our organization.

In addition to the base bid from the software vendor, there is a technology piece that also needs to be funded in order to realize efficiencies and work flow improvements. This would include tablets and wireless printers for field inspectors, additional monitors for the financial staff, receipt printers for the front counter, another server to host the solution, and a time clock solution to integrate with BS&A; these hardware needs are estimated to cost an additional \$60,000. We would need this additional \$60,000 for either vendor.

Fiscal Impact: Project 14016 for \$275,000 is in place in the CIP for roughly \$91,600 for 2014, 2015, and 2016. The BS&A software base bid of \$340,270 plus \$60,000 in technology results in total project cost of \$400,270. This leaves a difference of \$125,270 that I am asking to be allocated and funded out of the CIP in 2017. The staff intends to seek financing from the State Trust Fund Loan program or another third party for short term financing to make this purchase. This item will be brought to the Council for approval in upcoming months.

Prepared by & Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

Respectfully submitted:



Gerald Peterson, ICMA-CM
City Administrator

City of Oak Creek 2013 Annual Budget

Capital Equipment Program

Department: Finance/Inspection/Information Technology	Date: 9/23/13
General Type: Computer Software	Contact Person: Bridget M. Souffrant
Equipment Description and Location: Software package that is all inclusive for virtually all financial operations, inspection, and code enforcement.	
Equipment Justification and Intent: The current financial software, MSI is from 1995 and is incredibly outdated. There are numerous other software options out there that will allow the City to automate some of the current procedures, move more towards paperless procedures, and gain significant efficiencies in the payroll, budgeting, accounts payable, and accounting, and reporting processes. In addition to the financial piece, there are modules that include inspection and code enforcement pieces as well. Having a software that can work with all of the modules together is in the City's best interest maximizing efficiency. The existing inspection software vendor filed bankruptcy a few years ago and we have been using their old software. There is no support or upgrade path for this software. Our current financial software is no longer being sold and will support will be phased out within the next few years. We are looking for a software package that will automate our entire our operations acrosss and between the departments as well as allowing contractors to apply for permits online, pay for them online and check the progress of the review/inspections/approvals during the entire process. Also, the software would allow the inspectors to take tablets in the field and complete inspections electronically. The estimate for a software package of this size is \$275,000.	
Describe alternatives to purchasing the equipment: Continue to use our existing various software packages throughout City Hall and continue with our paper forms and procedures.	
If this replaces existing equipment describe old equipment and disposal intent: NA	
Annual Impact: The cost of software support would be approximately \$30,000.	
Priority: A	

City of Oak Creek Wisconsin



Request for Proposal for Public Sector Software and Implementation Services

Date of Issue: April 18, 2014

Responses must be received by: May 9, 2014, 12p.m. CST

INFORMATION ABOUT THE CITY

The City of Oak Creek encompasses an area of 28 square miles in Milwaukee County in southeastern Wisconsin. The City is adjacent to the City of Milwaukee and 85 miles north of Chicago. The City's 2013 population estimate was 34,695. The City has 247 full time and approximately 100 part-time employees. Our organization is housed at seven locations: City Hall/Library, Police Station, Fire stations (3), Water Utility, and Public Works facility.

PROJECT SUMMARY

The City of Oak Creek is requesting proposals from qualified firms for a full range public sector software application that includes software, implementation services, ongoing training, and technical support. Ideally, the City of Oak Creek would like to acquire these software modules as one integrated solution from one vendor. However, the City of Oak Creek is open and reserves the right to use multiple vendors. The City of Oak Creek expects to achieve gains in productivity, efficiency, and accuracy while insuring the safety and protection of City data through the implementation of a new software application.

The current MSI (Harris) software is utilized by the City of Oak Creek for general ledger, financial reporting, budgeting, payroll, human resources, job costing, cash receipting, accounts receivable, purchase orders and accounts payable. The City is a Microsoft Windows environment using AD (Active Directory), Exchange and Microsoft SQL server. PTWin 32 is the current inspection software. The property and mapping data for the City is integrated in ESRI (GIS software). Due to the fact that the City of Oak Creek is in Milwaukee County, we are required to use the GCS tax software and will need to integrate the data in this Microsoft SQL database with the cash receipting and general ledger modules.

The City is looking for a software solution that will handle all of those mandatory functions and requests that pricing information is broken down by those categories. Information submitted for this project should include all applicable costs for software and annual licensing fees, transfer of all stored data, training for all employees that utilize the software, and all other applicable costs to allow software to be fully functional for the City of Oak Creek employees. The information should not include costs to upgrade or purchase individual computers or servers.

Deadline for receipt of the proposal is 12:00pm Central Standard Time on May 9, 2014. Proposals received after the deadline may not be accepted. One hard copy proposal must be submitted in a sealed envelope to the Oak Creek City Clerk's Office, marked "**Public Sector Software**." In addition to that, please prepare and submit an electronic PDF file(s) which includes all required information to bsouffrant@oakcreekwi.org. Note: if more than 10MB in size you will need to send multiple files.

VENDOR INQUIRIES

The Finance Department for the City of Oak Creek has prepared this request for proposal. Please direct questions or comments concerning either the administrative or technical requirements of this request to **Bridget Souffrant**, Finance Director/Comptroller. (email bsouffrant@oakcreekwi.org or phone 414-768-6514).

CONFIDENTIALITY OF DOCUMENTS

All responses submitted by vendors shall be deemed public documents at the time they are opened

by the City of Oak Creek. This request is intended to be worded in a manner so as not to elicit proprietary information from the vendor.

PROJECTED SCHEDULE OF EVENTS

- Release of request for information: April 18, 2014
- Responses are to be received by: 12:00p.m. CST on May 9, 2014
- Review of responses: May 12, 2014 – May 30, 2014
- Vendor demonstrations: June/July 2014
- Recommendation of preferred vendor to Finance Committee and/or Common Council: August 2014 (anticipated)

RESPONSE FORMAT

Vendors are asked to complete an informational summary with item description and estimated cost that breaks out software, training, data conversion, and any annual maintenance plan. Responses should be prepared as simply as possible and provide a straightforward, concise description of the vendor's capabilities.

Given the continuing levy freeze and tight budgets, the City is interested in various payment plan options ranging from a single payment to three, four, and five year payment options if possible.

Hardware Specifications

Provide a complete itemized listing of minimum hardware requirements needed to run your software and a recommended hardware listing necessary for optimal performance. The City may choose to purchase hardware meeting your requirements independently. Also include any additional costs for non-vendor specific software necessary to facilitate implementation.

Software Specifications

The City has identified the following system modules or features as mandatory:

- General Ledger and Reporting System
- Cash Receipting
- Accounts Payable
- Payroll
- Time Clock Integration
- Accounts Receivable
- Job Costing
- Work Orders
- Animal Licensing
- Human Resources (not applicant tracking)
- Performance Evaluations and Employee Training
- Purchase Orders
- Budgeting
- Fixed assets (including GASB 32 reporting)
- Citizen Interaction/Information on the Internet
- Case/project/Grant management
- Code Enforcement
- Building Inspection:

1. Tracking property control (permits, licenses, inspection, code enforcement and contact management)
2. Inspection activity reports
3. Inspector field input for building permits and inspections
4. Certified Contractor lists
5. Online permit application and payment processes
6. Online citizen tracking progress of permits/code violations

If you are recommending an optional module outside of this required list please submit it in a separate portion of your proposal and please do not include that cost in the basis of your proposal.

The City of Oak Creek would prefer to use AD (Active Directory) for users, groups and security permissions, but will entertain other options. Specify whether your software is licensed by using named users or concurrent users (estimated 35).

Specify the database software used for your software. After further consideration, the City does not wish to work with a Cloud based solution.

Training

Please summarize your approach to training. Responses should detail the estimated number of hours of training included and method of training: on-site training, off-site training, etc. Also indicate whether on-going training is available after the initial training and conversion timeframe. In considering this topic, please consider potential training needs for a refresher course perhaps needed one year after implementation, training for new employees and training for upgrades. The informational request should specify if costs are required for these needs.

Timeline

The City operates on a calendar year end. Please include in your response an estimated conversion, training and implementation timeline covering all modules. The City is considering a staggered implementation approach possibly beginning the first quarter of 2015 depending on the software chosen.

Conversion Process

Enclose a narrative describing your firm's approach to data conversion. Be sure to include details on what data your firm will convert. The City currently uses MSI (Harris Software), PTWin by Black Bear (building inspection), GCS and ESRI (GIS) software.

Maintenance plan

Specify any costs related to system maintenance beyond initial installation of the system. Also include whether annual maintenance fees include system upgrades, annual license fees or other components.

Client experience

Please include in your response a listing of other Wisconsin municipalities that are similar in size and complexity to the City that are current clients.

City of Oak Creek Common Council Report

Meeting Date: July 1, 2014

Item No.: 12

Recommendation: That the Common Council approves payment of the obligations as listed on the June 25, 2014 Vendor Summary Report.

Background: Of note are the following payments:

1. \$77,022.03 to Advanced Disposal-Muskego-C6 (pg #1) for recycling and landfill charges.
2. \$60,731.39 to Advance Construction, Inc. (pg #1) for 2nd contract payment on Puetz Road to Forest Hill Avenue drainage improvements.
3. \$60,615.89 to Benistar/UA (pg #3) for July retiree Medicare supplement.
4. \$10,168.18 to Davis & Kuelthau (pg #6) for May street garage construction litigation.
5. \$9,967.11 to Milwaukee Area Domestic Animal (pg #16) for 3rd quarter operating costs and capital projects.
6. \$9,944.38 to National Insurance Company (pg #17) for disability insurance.
7. \$29,024.75 to Payne & Dolan Inc. (pg #19) for lost check issued in April for contract payments.
8. \$7,954.50 to R.A. Smith National (pg #23) for engineering/surveying services pertaining to floodplain remodeling.
9. \$12,430.00 to Tyler Technologies, Inc. (pg #25) for assessment consulting contract payment.
10. \$59,333.86 to WE Energies (pgs #27-28) for street lighting and gas/electric utilities.
11. \$27,210.77 to World Fuel Services, Inc. (pg #29) for fuel inventory.

Fiscal Impact: Total claims paid of \$481,601.78

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: July 1, 2014

Item No.: 13

Recommendation: That the Common Council approves a contract for marketing services with Savage Solutions, LLC in the amount of \$55,000 for 2014.

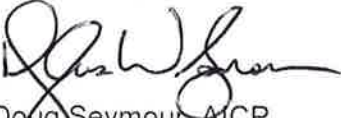
Background: In October of 2012 the Council approved a contract with Savage Communications, LLC to provide marketing and branding services for the City. Since that time staff has worked with Savage Solutions to market the City in accordance with that contract. The attached contract for the remainder of 2014 will continue and build upon the work done as part of the initial contract.

The terms of the proposed contract are for \$55,000. Staff will monitor this contract, as well as the hotel tax revenues directed to the CDA to ensure that the fund balances remain stable.

The Community Development Authority has reviewed the terms of the contract and has recommended its approval.

Fiscal Impact: The City's costs for this contract will be \$55,000 and will be funded entirely through Fund 31 – Economic Development with hotel/motel room tax revenues. Additional funding (such as the Packers Radio Network partnership) for media placement has also been budgeted as part of the Economic Development fund.

Prepared by:



Doug Seymour, AICP
Director of Community Development

Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

PROJECT INITIATION / SUMMARY FORM

S O L U T I O N S

DATE:	6/16/14	CLIENT:	City of Oak Creek
PROJECT:	2014 Contract	PROJECT TYPE:	2014 Contract Services
JOB #:	OC-1406	Review URL (if available):	
<input checked="" type="checkbox"/> Check this box if this is a new project outside of retainer		<input type="checkbox"/> Check this box if this is part of a retainer contract	
PROJECT APPROVALS			
SS, LLC Management Approval(s):		Cory Savage	
SS, LLC Project Manager(s):		Justine Halsema	
Client Approval(s):		Doug Seymour	
PROJECT DETAILS			
OVERVIEW:	Outlined below are two core service offering categories; identified within each category are executions of that service offering. Each execution has particular deliverables, responsibilities, and estimated budget allocation (as it relates to the overall proposed budget) associated with it.		

PROJECT INITIATION / SUMMARY FORM

S O L U T I O N S

1. Creative Services			
Project Element	Tasks / Deliverables / Notes:	Responsible Party:	Estimated Budget Allocation:
Account Management	Includes a dedicated Project Manager Assumes one(1) regularly scheduled monthly meeting at client location	Justine H Justine H	\$3,500.00
Three (3) MyOakCreek Stories	MyOakCreek Stories Planning (Identifying and soliciting appropriate participants) Draft interview questions / script, finalize acquisition schedule, and prep participants Up to eight(8) hours of acquisition per MyOakCreek Story (including set up and travel) Post-Production: Up to four(4) hours of editing Videos will be put into CMS *Music, Animation, and Voice-Overs are not included- if needed, will be billed separately	Justine H & Mark H Justine H Mark H Mark H Jackie M N/A	\$17,000.00
Campaign Development (Release of MyOakCreek Stories)	Campaign Planning and Strategy Session Up to three(3) Campaign Concepts Provided Upon chosen concept, a full-scaled mockup presentation will be completed Copy and Headline Development Final Campaign Concept Approval *Does not include printing, postage, or additional distribution fees	Justine H & Mark H Mark H Mark H Lara E City of Oak Creek N/A	\$7,500.00
Email Marketing (Two per month)	High-level content inspiration and execution schedule Email content outline, at a minimum, to be provided by City of Oak Creek Email Marketing distribution lists (and any updates) to be provided by City of Oak Creek Content development and finalization (based on initial outline) Preview email, with finalized content, sent to specified City of OC contacts for approval Email analytics and reporting tools available in Campaign Monitor	Justine H & Lara E City of Oak Creek City of Oak Creek Lara E Joel H City of Oak Creek	\$3,500.00
Ad Campaign Development	Ad Campaign Planning and Strategy Session Up to three(3) Campaign Concepts Provided Upon chosen concept, a full-scaled mockup presentation will be completed Copy and Headline Development Final Campaign Concept Approval *Does not include printing, postage, or additional distribution fees	Justine H & Mark H Mark H Mark H Lara E City of Oak Creek N/A	\$7,500.00
Content Creation	Content Creation Planning Session Applied to social media outlets, website, PR, email marketing, campaign development, etc. Assumes approximately 15 hours per month Includes a draft and up to two(2) rounds of revisions following the initial draft Implementation of approved copy	Justine H & Lara E Lara E Lara E Lara E Lara E	\$6,000.00

PROJECT INITIATION / SUMMARY FORM



Project Element	Tasks / Deliverables / Notes:	Responsible Party:	Estimated Budget Allocation:
Website Maintenance	Identify Wish-List Items Reorganization of Website Homepage Business Development Section Build-Out General Website Support + Maintenance	Jackie M Jackie M Jackie M Jackie M	\$10,000.00

PROJECT INITIATION / SUMMARY FORM

S O L U T I O N S

BUDGET, HOURS & PAYMENT PLAN			
Department	Staff	Estimated Total Timeframe	Total Est. Budget
Creative Services	Mark H & Lara E	TBD, Per Deliverable Timeframe	\$45,000.00
Website Maintenance and Support	Jackie M	TBD, Per Deliverable Timeframe	\$10,000.00
Contract Milestone		Contract Total:	\$55,000.00
Option 1 - Monthly: Actual Hours		Hours used each month invoiced on the first of next month	
Option 2 - Monthly: % of contract total		\$9,167.00 invoiced on the first of each month beginning July 1	

PROJECT AUTHORIZATION

An authorized representative is required to sign and return Insertion Order / Project Initiation Form. Once executed by signing and returning to Savage Solutions, LLC, this document is a binding contract. By executing this contract, Customer hereby enters into this contract with full understanding and acceptance of all terms, conditions and policies as stated in their Agreement for Services contract.

Client: City of Oak Creek

Signature

Printed Name:

Title

Date



Savage Solutions, LLC

Cory C. Savage

President

Savage Solutions, LLC

PROJECT INITIATION / SUMMARY FORM

S O L U T I O N S

TERMS AND CONDITIONS

DUTIES OF SAVAGE SOLUTIONS, LLC: Savage Solutions, LLC (SSLLC) will produce the work on behalf of Client pursuant to the Scope of Project (the "Work") provided with the Agreement for Services (the "Agreement"). Client acknowledges that SSLLC shall only be required to produce the Work described in and in accordance with the assumptions specifically stated within the Scope of Project. SSLLC does not undertake any other obligations unless agreed to in writing.

ACCEPTANCE OF SCOPE OF PROJECT: Client shall be required to provide its written acceptance of each element and phase of the creation and production of the Work, as provided within the timetable provided to Client by SSLLC, prior to SSLLC's obligation to proceed to the next production element. Client's written acceptance of each element shall create a conclusive presumption that the element is acceptable to Client without objection.

MISCELLANEOUS CHARGES: In addition to the cost contained in the Payment Plan, Client shall reimburse SSLLC for all documented out of pocket costs and expenses incurred in the performance charges of the Agreement including, but not limited to, all courier fees, overnight mail expenses, shipping expenses (including the shipping of the work to client's designated location), travel expenses, etc. SSLLC may submit periodic invoices for all expenses. Additional reimbursable fees, not covered within the Agreement, include:

- Copyright, trademark, and legal fees
- Materials (CD's, DVD's, ZIP Disks, binders, photocopies, etc.)
- Specialized software (internet applications, design applications outside those listed in SOFTWARE & HARDWARE COMPATIBILITY section)
- Computer output fees (digitizing, drum scanning, film, production)
- Printing and production costs, proofs, reproductions
- Photography and image licensing

SAFEGUARDING PROPERTY: Under no circumstances shall SSLLC be liable to Client or any other party for incidental, consequential, special or punitive damages arising out of, or related to, the Agreement, SSLLC's maximum liability under the Agreement shall not exceed the Agreement Price.

CLIENT RESPONSIBILITIES:

- All text will be submitted in electronic format by way of email or on disk
- Client will submit all feedback by email to the Project Manager designated by SSLLC.
- Upon the signing of the Agreement, Client will designate no more than two (2) primary contacts for SSLLC / Client interaction

SOFTWARE & HARDWARE COMPATIBILITY: All print and electronic materials will be developed using the following PC-based software packages:

- Print Materials - (banners, signs, logos, stationary) Adobe Illustrator CS3 / CS4 / CS5
- Books, multi-page spreads, page layout - Adobe InDesign CS3 / CS4 / CS5
- Electronic banner ads, photo-editing - Adobe Photoshop CS3 / CS4 / CS5
- Flash - Adobe Flash CS3 / CS4 / CS5
- HTML, e-Newsletters Custom coding & Adobe Dreamweaver - CS3 / CS4 / CS5
- Compatibility with software, hardware, formats, and files other than those listed above are not guaranteed.

MOBILE DEVICE COMPATIBILITY: Websites and/or code are not guaranteed mobile device compatible unless otherwise stated in the Agreement. SSLLC cannot be held responsible or liable for any issues arising from incompatibility with any such devices.

NOTICES: Unless specified otherwise, all notices, demands or other writings in this Agreement provided to be given or made or sent, shall be agreed to have been fully given or made or sent, when made in writing and personally delivered or when deposited in the United States mail, with postage prepaid, and addressed as follows:

If to Client:
City of Oak Creek

PROJECT INITIATION / SUMMARY FORM

S O L U T I O N S

If to SLLC:
Cory Savage, President
Savage Solutions, LLC
233 N. Water St., Suite 300
Milwaukee, WI 53202

INDEPENDENT CONTRACTOR: SLLC shall perform all services and discharge all liabilities as an independent contractor. No relationship of employer-employee, owner-agent, lessor-lessee, partnership or joint venture is created by this Agreement.

SCHEDULES, OVERTIME, AND RUSH WORK: SLLC reserves the right to adjust the schedule and/or charge additionally in the event the Client fails to meet the agreed-upon deadlines for delivery of information, materials, approvals, payments, and for changes and additions to the services outlined in the Scope of Project.

CREDIT: SLLC reserves the right to include the contracted work completed for Client in SLLC promotional activities such as submitting to design competitions. This includes web, print, and multimedia projects designed by SLLC, as well as project specific technologies and applications utilized and/or designed for my client.

TAXES AND FEES: Client shall be responsible for all sales and/or use taxes and all fees.

TITLE TO MATERIALS & IDEAS: Prior to the completion of the Work and SLLC's receipt of full and final payment, all right, title and interest in and to all tangible and intangible Work and Work products, and all right, title and interest in and to copyrights, trade secrets, trademarks and other intellectual property derived from such Work and Work products, shall remain the sole and exclusive property of SLLC. Upon receipt of final payment, SLLC shall convey to Client all of its right, title and interest in and to the final Work to the extent of SLLC's title. Notwithstanding SLLC's conveyance of the copyrights to the Work, all concepts and ideas utilized in the creation of the Work shall remain the property of SLLC, and Client's ownership of the Work and related materials will not prevent SLLC from applying the same or similar concepts reflected in the Scope of Project to other projects undertaken by SLLC. All materials submitted to and rejected by Client will remain the property of SLLC regardless of whether the physical embodiment of the creative work is in Client's possession in the form of memoranda, copy, artists' renderings, art work plates, recordings, films, tapes, computer discs, etc.

THIRD PARTY CONTRACTS: SLLC may contract with other individuals or companies acting on behalf of the Client to provide additional services such as writing, photography, database design, scripting, illustration, printing, and fabrication. The Client agrees to be bound by any terms and conditions, including required credits and usage rights, with respect to reproduction of the materials that may be imposed on SLLC by those third parties.

CANCELLATION: In the event Client cancels this Agreement, Client shall pay to SLLC, as liquidation damages and not as penalty, an amount equal to (a) a sum determined by calculating all recorded time at SLLC's standard billing rates, as determined by SLLC's time records, plus (b) SLLC's documented out of pocket expenses, plus a factor of twenty-percent (20%) of those expenses; plus (c) a cancellation fee in the amount of ten percent (10%) of the Cost of the Project.

INDEMNIFICATION: Client shall indemnify, defend and hold SLLC harmless from any and all losses, costs, damages, and expenses (including reimbursement for SLLC's reasonable attorneys fees incurred), arising out of any claims, demands, suits, actions and proceedings brought against SLLC arising out of the use of the Work or any of the materials prepared by SLLC pursuant to this Agreement.

ARBITRATION: Any dispute arising under, or in any way related to, this contract shall be submitted to binding arbitration in Milwaukee, WI, to be governed by and conducted in accordance with the rules and regulations of the American Arbitration Association. The cost of any such proceedings shall be divided evenly between Client and SLLC.

CONTROLLING LAW: The validity, interpretation and performance of this contract shall be controlled by and interpreted under the laws of the State of Wisconsin.

DISABILITY / ADA COMPATIBILITY: Websites and/or code are not guaranteed ADA or Disability compatible unless otherwise stated in the SCOPE of Work. SLLC is not responsible or liable for any issues arising from incompatibility with text readers, translators, or other disability assistance devices.

ENTIRE CONTRACT: This Agreement contains the entire agreement between SLLC and Client. No representations, assurances, promises, guarantees or warranties were made or relied upon by either party other than those expressly set forth in writing in this Agreement.

LATE CHARGES: A late charge of 1.5% per month will be incurred on past due amounts, until paid in full.

PROJECT INITIATION / SUMMARY FORM

S O L U T I O N S

ENFORCEMENT: Client shall pay all of SLLC's costs and fees, including reasonable attorneys' fees, incurred by SLLC to enforce this Agreement.

SEVERABILITY: Any provision of this Agreement prohibited or unenforceable under applicable law shall be ineffective only to the extent and without invalidating the remaining provisions of this Agreement.

WARRANTY: SLLC shall pass through all manufacturers' warranties to Client. SLLC will provide reasonable assistance to Client in coordinating the repair or replacement of the product by the manufacturer. **THIS WARRANTY IS EXCLUSIVE, AND EXCEPT AS EXPRESSLY SET OUT IN THIS AGREEMENT, SLLC MAKES NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, AND DISCLAIMS ALL OTHER WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. NO WAIVER, ALTERATION, ADDITION OR MODIFICATION OF THE FOREGOING CONDITIONS SHALL BE VALID, UNLESS MADE IN WRITING AND SIGNED BY SLLC.**

FORCE MAJEURE: SLLC shall not be liable for any loss, damage, delays, changes in shipment schedules or failure to deliver caused by any event beyond its control, including, without limitation, accident, fire, actual or threatened strike or riot, explosion, mechanical breakdown (including technological or information systems), plant shutdown, unavailability of or interference with necessary transportation, any raw material or power shortage, compliance with any law, regulation or order, acts of God or public enemy, prior orders from others, or limitations on SLLC or its suppliers' products or marketing activities.

City of Oak Creek Common Council Report

Meeting Date: July 1, 2014

Item No.: 14

Recommendation: That the Common Council adopts Ordinance No. 2730, an ordinance to create Section 13.22(j) relating to landfilling.

Background: In instances where a property owner wants to complete landfilling operations on his property, and the landfilling would be beneficial to a City public works project, this addition to the Municipal Code would allow for the for the issuance of a landfill license or permit.

Landfilling would have to be in accordance with an approved grading plan, and the City Engineer would have to affirm that the benefit to the City project is substantial.

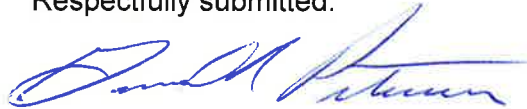
Fiscal Impact: City public works projects would realize cost savings.

Prepared by:



Michael C. Simmons, P.E.
City Engineer

Respectfully submitted:



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

ORDINANCE NO. 2730

BY: _____

AN ORDINANCE TO CREATE SECTION 13.22(j) OF THE
OAK CREEK MUNICIPAL CODE REGARDING LANDFILLING

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

SECTION 1: Section 13.22(j) of the Municipal Code is newly created to read as follows:

- (j) A person may fill pursuant to a grading plan approved by the City Engineer if, in the opinion of the City Engineer, the fill will substantially benefit a City public works project, provided the person obtains a landfill license or permit.

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

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

Introduced this 1st day of July, 2014.

Passed and adopted this 1st day of July, 2014.

President, Common Council

Approved this 1st day of July, 2014.

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: July 1, 2014

Item No.: 15

Recommendation: That the Common Council considers a motion to award the W. Oakwood Road storm sewer improvement project contract to the lowest responsive, responsible bidder, All-Ways Contractors, Inc., at an estimated cost of \$119,484.00 (Project No. 14033) (6th Aldermanic District).

Background: The W. Oakwood Road storm sewer improvement project will provide additional capacity and reroute a drain tile along the north side of W. Oakwood Road from S. Steeple Chase Drive to S. Judith Place. The Engineering Department prepared plans and specifications for the project, and the work was advertised. This is a unit price contract, thus the bids have been evaluated based on estimated quantities. The following bids were received.

Contractor	Bid
All-Ways Contractors, Inc.	\$119,484.00
BCF Construction Corp	\$125,445.00
DF Tomasini, Inc.	\$140,485.00
MJ Construction Corp	\$148,385.00
Advance Construction, Inc.	\$150,880.00
Willkomm Excavating & Grading	\$151,895.00
Bradford Contractors, LLC	\$191,031.00

Fiscal Impact: This project was funded through the 2014 CIP Project No. 14033. The budget for Project No. 14033 is \$250,000 and is being funded through the Storm Water fund. The Street Department will be performing additional work under this project with the material cost of \$25,000.

Prepared by:



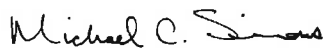
Philip J. Beiermeister, P.E.
Environmental Design Engineer

Respectfully submitted:



Gerald Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

City of Oak Creek Common Council Report

Meeting Date: July 1, 2014

Item No.: **KG**

Recommendation: That the Common Council considers a motion to reject the W. Weatherly Drive reconstruction project bids because the City's official newspaper failed to publish the ad that was provided to them. (Project No. 14034) (2nd Aldermanic District)

Background: The Engineering Department prepared specifications and R.A. Smith prepared the plans for the project. Standard City bidding procedures were followed, however, the Milwaukee Journal Sentinel (Oak Creek NOW) failed to advertise the ad that was provided to them. This came to the City's attention after receiving and opening two bids for the project. The City Attorney determined that the bids cannot be accepted. This project will be advertised for bidding next week.

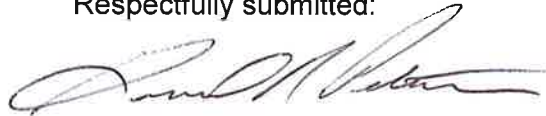
Fiscal Impact: None at this time.

Prepared by:



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

Respectfully submitted:



Gerald Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director /Comptroller

Phil Beiermeister

From: Christa Miller
Sent: Friday, June 20, 2014 3:24 PM
To: Phil Beiermeister
Cc: Matt Sullivan
Subject: FW: FW: Oak Creek Legals
Attachments: 14034Weatherly notice to bidders.docx

Christa Miller, WCMC

From: John Kaphingst [<mailto:jkaphing@jrn.com>]
Sent: Friday, June 20, 2014 3:19 PM
To: Christa Miller
Cc: Maria DeVelice
Subject: Fwd: FW: Oak Creek Legals

Hi Christa,

This email is to confirm that, due to an oversight on my part, the attached Legal Notice for the Weatherly Drive Bidding was not published in the newspaper.

Please accept my apologies for the omission, and let me know if you have any other questions or concerns.

Thank you,
John Clark, 414-224-2550

----- Forwarded message -----

From: Christa Miller <cmiller@oakcreekwi.org>
Date: Fri, Jun 20, 2014 at 1:56 PM
Subject: FW: Oak Creek Legals
To: "jclark@journal sentinel.com" <jclark@journal sentinel.com>

John,

After speaking with our Engineering staff, they have instructed me to obtain written confirmation that the Weatherly publication (attached, and send in for publication on 5/29) was not published.

Thanks!

Christa Miller, WCMC

Deputy City Clerk

City of Oak Creek

**MINUTES
LICENSE COMMITTEE
Friday, June 27, 2014 at 1:00 P.M.**

This meeting was called to order at 1:00 p.m. Present were: Ald. Gehl and Ald. Kurkowski. Ald. Ruetz was excused. Also in attendance were Assistant City Attorney Melissa Karls and Deputy City Clerk Christa Miller.

- 1. The Committee reviewed an Operator's license application submitted by Mary K. Butchko, 3224 Fox Dr., Racine (Erv's Mug). Ms. Butchko was in attendance, along with her employer, Danielle Baerwald.

On her application, Ms. Butchko indicated that he had convictions for OWI in May 2010 and OWI 2nd in January 2011. The police record check confirms these convictions.

The Committee discussed denial based on being a habitual offender. A person is a habitual offender if in the five years prior to application, the applicant has been arrested or convicted of at least two offenses which are substantially related to the licensing activity. Ms. Baerwald indicated that Ms. Butchko has worked for Erv's Mug for approximately one year and that consumption is not allowed during working hours.

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant an operator's license to Mary K. Butchko, 3224 Fox Dr., Racine (Erv's Mug). On roll call, all voted aye.

- 2. The Committee reviewed an Operator's license application submitted by Joshua Howard, 3913 E. High St., Oak Creek (Ryan Road Mobil). Mr. Howard was in attendance.

On his application, Mr. Howard indicated that he had convictions for party to a crime, criminal damage to property, petty theft in December 2010 and underage drinking in July 2010.

The police record check shows convictions for Underage Alcohol in 9/2010, Criminal Damage to Property in 12/10 and Underage Alcohol in 1/11.

The Committee discussed denial based on being a habitual offender. A person is a habitual offender if in the five years prior to application, the applicant has been arrested or convicted of at least two offenses which are substantially related to the licensing activity. Mr. Howard indicated that the party to a crime-criminal damage to property was a high school senior prank in which he was in a parked vehicle during which several friends performed a prank.

Ald. Kurkowski, seconded by Ald. Gehl, moved to grant an operator's license Joshua Howard, 3913 E. High St., Oak Creek (Ryan Road Mobil). On roll call, all voted aye.

- 3. The Committee reviewed an Operator's license application submitted by Derek M. Panoch, 1521 W. Edgerton, Milwaukee (Applebee's). Mr. Panoch was in attendance.

On his application, Mr. Panoch listed no convictions.

The police record check shows convictions for Underage Alcohol Operation 9/09, Underage Alcohol 6/09, and Underage Alcohol 5/10.

The Committee discussed denial based on being a habitual offender and for falsification by omission. A person is a habitual offender if in the five years prior to application, the applicant has been arrested or convicted of at least two offenses which are substantially related to the licensing activity. Mr. Panoch advised the Committee that he hadn't read the application clearly and did not realize that his underage consumption convictions should have been listed. He noted that he has been employed with Applebee's for approximately one month and that consumption during working hours is not allowed by his employer. He also indicated while it is not a requirement that he holds a bartender license to be employed by Applebee's, it is encouraged.

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an operator's license Derek M. Panoch, 1521 W. Edgerton, Milwaukee (Applebee's). On roll call, all voted aye.

4. The Committee reviewed an Operator's license application submitted by Cassandra I. Reilly, 1825 W. Luzerne Ct., Milwaukee (Big Mouth Frog). Ms. Reilly was invited, but did not attend.

On her application, Ms. Reilly indicated that she had convictions for driving with suspended license, underage drinking, open intoxicant, disorderly conduct and speeding tickets in oak Creek and South Milwaukee.

The police record check shows convictions for Violation of Absolute Sobriety 9/09, Underage Drinking Possess/Consume 12/07, Underage Drinking Possess/Consume 5/09, and Disorderly Conduct 3/10.

The Committee discussed denial based on being a habitual offender and for falsification by omission. A person is a habitual offender if in the five years prior to application, the applicant has been arrested or convicted of at least two offenses which are substantially related to the licensing activity.

Ald. Gehl, seconded by Ald. Kurkowski, moved to hold action on the Operator's license application submitted by Cassandra I. Reilly, 1825 W. Luzerne Ct., Milwaukee (Big Mouth Frog) and invite Ms. Reilly to the next License Committee meeting to speak on behalf of her convictions. On roll call, all voted aye.

Ald. Kurkowski, seconded by Ald. Gehl, moved to adjourn this meeting at 1:28 p.m. On roll call, all voted aye.