



COMMON COUNCIL MEETING AGENDA

TUESDAY, NOVEMBER 18, 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: 11/5/14.

Old Business

4. **Motion:** Consider a *motion* to approve 2015 City health plan design changes (held 11/5/14) (by Committee of the Whole).

New Business

MAYOR & COMMON COUNCIL

5. **Motion:** Consider a *motion* to authorize the Police Department to enter into an agreement with Mission Critical Partners to conduct a study analyzing the possibility of the City's radio communications to migrate to WISCOM (Wisconsin Interoperable System for Communication) (by Committee of the Whole).
6. **Motion:** Consider a *motion* to amend the professional services agreement with Graef for assistance in applying for WEDC Idle Industrial Site Redevelopment grant, in an amount not to exceed \$10,000 (by Committee of the Whole).
7. **Motion:** Consider a *motion* to concur with the Mayor's reappointments as follows:

Board of Health – 3 year term to expire 9/2017

Linda Struhar

Community Development Authority – 4 year term to expire 12/2018

Nicole Druckrey

Balhair Dulai

Jerry Hammernik

Marie Myszkowski

8. **Ordinance:** Consider *Ordinance* 2737, establishing the salary and allowances for the City Clerk and City Treasurer offices for the terms beginning May 1, 2015 (by Committee of the Whole).

9. **Motion:** Consider a *motion* to establish combined meeting dates for 2015 (by Committee of the Whole).
10. **Resolution:** Consider *Resolution* No. 11557-111814, designating official holiday's for 2015 (by Committee of the Whole).
11. **Motion:** Consider a *motion* to approve the 2014 Vendor Summary Report in the amount of \$379,690.18 (by Committee of the Whole).

TREASURER

12. **Resolution:** Consider *Resolution* No. 11558-111814, authorizing an intergovernmental cooperation agreement pursuant to Wis. Stats., Section 66.0301 with Milwaukee County for GCS software, effective January 1, 2015, for a period of five (5) years, with an automatic extension for an additional five (5) years, unless either party terminates at least six (6) months prior to the expiration of the first five-year period (by Committee of the Whole).
13. **Resolution:** Consider *Resolution* No. 11559-111814, authorizing the Internal Control Policy as recommended by the Finance Committee at their October 24, 2014, meeting, replacing the policy dated November 5, 2013 (by Committee of the Whole).

ENGINEERING

14. **Resolution:** Consider *Resolution* No. 11560-111814, authorizing the CIP-recommended road improvement projects to be advertised for public bid for construction in 2015 (Various Districts).

COMMUNITY DEVELOPMENT

15. **Resolution:** Consider *Resolution* No. 11561-111814, approving a certified survey map for the property at 324 E. Forest Hill Ave. (1st District).
16. **Resolution:** Consider *Resolution* No. 11562-111814, approving a certified survey map for the property at 400 E. Lily Dr. (1st District).
17. **Resolution:** Consider *Resolution* No. 11563-111813, approving a certified survey map for the property at 8870 S. Mayhew Dr. (2nd District).
18. **Resolution:** Consider *Resolution* No. 11564-111814, to add territory to Tax Incremental Financing District No. 11 and to amend the Project Plan for Tax Incremental District No. 11 (2nd District).

LICENSE COMMITTEE

The License Committee did not meet prior to the 11/18/14 meeting. Tentative recommendations are being made as follows:

19. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
 - Jamie Cain, 1417 Larson St., Racine (Erv's Mug)
 - Susan Nelson, 1301 Rawson Ave., South Milwaukee (Pick 'n Save)
 - Tanya M. Shiels, 3931 E. High St., Oak Creek (Ryan Road Mobil)
 - Alyssa Manteras, 921 E. Manitowoc Ave., Oak Creek (Woodman's)

- Debra Aurich, 722 Columbia Ave., South Milwaukee (Pick 'n Save)
- Jesse Vanderlinden, 9325 W. Adler St., Milwaukee (Pick 'n Save)

20. **Motion:** Consider a *motion* to grant an original 2014-15 Reserve Class B Combination license to Kimberly Barengo, Agent, Family Entertainment, LLC dba South Shore Cinemas, 7241 S. 13th Street, with issuance subject to final approval by the Inspection Department.

MISCELLANEOUS

21. **Motion:** Consider a *motion* to convene in to Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes to discuss the following:
- a. Section 19.85 (1)(e) to consider a proposed Tax Incremental District No. 11 Finance Development Agreement by and between the City of Oak Creek and Barrett Visionary Properties, Inc. (Drexel Town Square).
 - b. Section 19.85 (1)(e) to consider a proposed Tax Incremental District No. 11 Finance Development Agreement by and between the City of Oak Creek and HSA Commercial Real Estate (Drexel Town Square).
 - c. Section 19.85(1)(c)(e)(g) to discuss a medical termination and settlement agreement for Manojlo Verzich.
22. **Motion:** Consider a *motion* to reconvene into Open Session.
23. **Resolution:** Consider *Resolution* No. 11565-111814, approving Tax Incremental District No. 11 Finance Development Agreement by and between the City of Oak Creek and Barrett Visionary Properties, Inc. (2nd District).
24. **Motion:** Consider a *motion* to take action, if required.

Adjournment.

Public Notice

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

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

City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 4

Recommendation: Approve 2015 City health plan design changes as proposed or as the Council might otherwise direct.

Background: At its November 5th meeting the Common Council was provided with information about the City's Health Insurance Fund which has seen a decrease in net costs from the period 2010-2013 of 12.41%. This decrease in net plan costs has allowed the Health Insurance Fund balance to recover from a low balance of \$191,107 to an estimated \$1,400,000 at the end of 2014. This projected balance is at the low end of a range believed to be fiscally prudent.

The Common Council has provided policy guidance to the staff regarding health insurance in the form of Budget Guidelines which read, "Stabilize health care costs and eliminate the OPEB liability over time while minimizing exposure to health care risk." In order to stabilize health care costs, an analysis of health care cost trends in the market and the City's claim history need to be made. Following are health care cost escalation factors which must be accounted for in order to achieve health care cost stability as directed by Council policy:

1. A 6% medical inflation cost projection for active employees and under age 65 retirees enrolled in the City plan amounting to \$165,000
2. Projected Medicare supplement health insurance cost increases of \$58,000 for retired employees and spouses over 65
3. Compliance with Federal Affordable Care Act requirements amounting to \$82,000
4. Presumed 3.5% employee annual retirement rate which adds to the number of participants in the City's health insurance plan with a conservative cost estimate of \$67,500

The total 2015 health plan cost escalating factors as described above amount to \$372,500. There may be other unaccounted factors (both positive and negative) which may affect the City's costs to provide health insurance.

In order to account for and mitigate these cost escalation factors, City management has worked hard with our insurance consultant to identify ways to offset expected cost pressures and achieve stable health care costs while minimizing exposure to health care (cost) risk and providing the best quality health insurance to employees. Following are cost containment measures recommended for the City's 2015 Health care plan to achieve financial stability and minimize risk:

1. Change pharmacy benefit manager carrier with a projected savings of \$164,000
2. Create a separate prescription drug out of pocket maximum with a projected savings of \$41,000

3. Eliminate medical co-pays, replace co-pays with tiered first dollar deductibles and create a 4th tier prescription drug benefit with a projected savings of \$69,000
4. Accept reductions in fixed costs (primarily from specific stop loss overage) while also purchasing a new transplant policy which will help reduce future exposure to health care cost increases with a projected savings of \$80,000

The total 2015 health plan cost containment recommendations total \$354,000. It is projected there will be a reduction in the Health Insurance Fund balance growth over what has been achieved in the last two years based on these recommendations and funding for projected 2015 salary adjustments.


The Council requested a meeting of the City's Health Insurance Committee to consider other health plan adjustment options. It was suggested at the Council's November 5th meeting that elimination of the tiered medical deductible should be considered. Attached is a plan summary which shows the City's current health plan, tiered deductible plan, and a combined deductible plan. Similar cost savings might be expected from the alternative. Committee members discussed the potential for City consideration of a fully insured health plan option in the future. This consideration will require significant review and discussion before a recommendation could be made to the Council changing our approach to health insurance.

Fiscal Impact:

Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:


Gerald R. Peterson, ICMA-CM
City Administrator

**City of Oak Creek
Medical Plan -- UMR ~ PPO
Effective January 1, 2015**

	Effective 1/1/2014		Tier 1 - All Other Employees		Tier 2 - Police & Fire		Alternative 2	
	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network
Deductible								
Single	\$1,500	\$2,000	\$1,000	\$2,000	\$2,000	\$3,000	\$1,500	\$3,000
Single + 1	\$2,000	\$3,000	\$1,500	\$3,000	\$3,000	\$4,000	\$2,250	\$4,500
Family	\$2,500	\$4,000	\$2,000	\$4,000	\$4,000	\$5,000	\$3,000	\$6,000
Coinsurance	100%	80% (up to Annual Out of Pocket Maximum)	100%	80% (up to Annual Out of Pocket Maximum)	100%	80% (up to Annual Out of Pocket Maximum)	100%	80% (up to Annual Out of Pocket Maximum)
Annual Out of Pocket Max								
Single	\$1,500	\$4,000	\$1,000	\$4,000	\$2,000	\$4,000	\$1,500	\$4,000
Single + 1	\$2,000	\$6,000	\$1,500	\$6,000	\$3,000	\$6,000	\$2,250	\$6,000
Family	\$2,500	\$8,000	\$2,000	\$8,000	\$4,000	\$8,000	\$3,000	\$8,000
Annual Maximum	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Lifetime Maximum	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Benefits								
Office Visit Copay (may not include lab/x-ray)	\$30 Copay	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%
Routine Annual Exams (may not include lab/x-ray)	100%	Ded, 80%	100%	Ded, 80%	100%	Ded, 80%	100%	Ded, 80%
Inpatient Hospital/Surgical	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%
Outpatient Hospital/Surgical	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%
Urgent Care	\$60, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%
Emergency Room Copay	\$250, 100% (waived if admitted)	\$250, 100%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%	Ded, 100%	Ded, 80%
Prescription Drugs								
Rx Annual OOP Maximum (Separate)	N/A		Single \$1,000 Single+1 \$1,500 Family \$2,000		Single \$1,000 Single+1 \$1,500 Family \$2,000		Single \$1,000 Single+1 \$1,500 Family \$2,000	
Generic	\$10		\$10		\$10		\$10	\$10
Brand Name	\$40		\$40		\$40		\$40	\$40
Non-Formulary	\$70		\$70		\$70		\$70	\$70
Specialty	N/A		\$100		\$100		\$100	\$100
Mail-Order Copay	90 day Supply for 2 copays		90 day Supply for 2 copays		90 day Supply for 2 copays		90 day Supply for 2 copays	
	<u>Retirees (under age 65)</u>		<u>Retirees (under age 65)</u>		<u>Retirees (under age 65)</u>		<u>Retirees (under age 65)</u>	
All Prescription Drugs	Ded, 100%		Ded, 100%		Ded, 100%		Ded, 100%	

Note: This is not a legal document. This overview is merely a highlight of the benefits provided under the plans and should not be relied upon to fully determine coverage. Please refer to your Plan Document for a full description of your benefits.

Effective January 1, 2014, copays will apply to Annual Out of Pocket Maximum.

Effective January 1, 2015 the following changes were made:

~ Elimination of medical copays (OV,UC,ER)

~ Addition of Rx Annual OOP maximum

~Limit chiropractic/manipulations to 26 visits per year



Insurance Committee

Thursday,
August 7, 2014

City of Oak Creek

AGENDA:

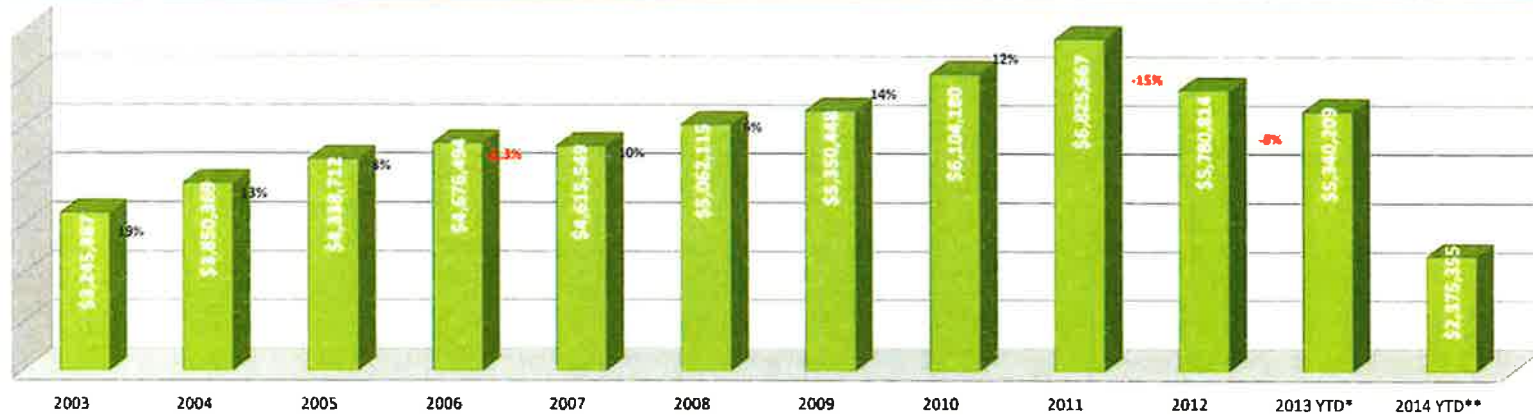
- 1) Final 2013 Medical Plan Costs and 2014 Year-To-Date
- 2) Health Care Reform Fees
- 3) Smart Choice MRI
- 4) Cost Containment Strategies



OAKCREEK
— WISDOM —

**City of Oak Creek
Total Costs
2003 - 2014**

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013 YTD*	2014 YTD**
Group Medical/Rx Insurance	\$2,593,684	\$3,065,747	\$3,476,781	\$3,754,182	\$3,605,503	\$4,014,771	\$4,370,695	\$5,060,246	\$5,730,479	\$4,604,297	\$4,283,510	\$1,528,523
Medicare Supplement and Part D Rx Plan	\$481,221	\$600,586	\$674,442	\$714,584	\$788,362	\$822,505	\$732,628	\$787,786	\$825,834	\$917,126	\$797,837	\$726,879
Self Insured Dental Plan	\$124,754	\$135,969	\$139,650	\$162,154	\$158,601	\$224,840	\$247,125	\$256,148	\$269,354	\$259,391	\$258,862	\$119,953
Fully Insured Dental Plan	\$44,224	\$48,066	\$47,839	\$45,574	\$63,083	N/A	N/A	N/A	N/A	N/A	N/A	N/A
GRAND TOTAL	\$3,245,887	\$3,850,369	\$4,338,712	\$4,676,494	\$4,615,549	\$5,062,115	\$5,350,448	\$6,104,180	\$6,825,667	\$5,780,814	\$5,340,209	\$2,375,355



*Note: Costs do not include Flexible Spending Account or Patient Care.
*2013 also includes Section 105 Reimbursement costs and administration costs.
** 2014 includes fixed costs & claims paid through 6/30/2014.*



**City of Oak Creek
Insurance Committee
2014-2015 Costs and Cost Containment Proposals**

2015 Costs

Health Care Reform

- 2014 Transitional Reinsurance Fee (\$63/member) due in 2015
 - Fee used to help pay claims in the Marketplace
 - 775 members would equate to \$48,825
 - Can be included in COBRA and active employee premium calculation
- PCORI Fee - \$2/member due 7/31/2014 for Medical and HRA reimbursement plans (combined)
- 2015 Transitional Reinsurance Fee (\$44/member) due early in 2016
 - 775 members would equate to \$34,100

Medical-Related Renewal Costs (Fixed only)

- Medicare Supplement (Current premium - \$405,336)
 - 8% increase would result in additional premiums of \$32,427
- Part D Prescription Drug Plan (Current premium - \$321,543)
 - 8% increase would result in additional premiums of \$25,723
- UMR Plan – Administration Fees (Current premium - \$235,676)
 - 3% increase would result in additional premiums of \$7,070
- UMR Plan – Specific Stop Loss (Current premium - \$569,536)
 - 10% increase would result in additional premiums of \$56,954

2015 Cost Containment Options

Pharmacy Benefit Manager Change (WI Rx/CVS)

- Effective January 1, 2015
- Estimated savings (re-pricing and rebates) of approximately \$163,848 using opt-out strategy

UMR Plan – Adding Fourth Tier to Prescription Drug Card of \$100

- Currently reviewing potential savings with Express Scripts and CVS

UMR Plan – Limiting “Spinal Manipulations” to 26 Annually

- Estimated savings of approximately \$16,900

UMR Plan – Removal of Medical Co-pays

- Initial renewal from Stop Loss around August 20th

UMR Plan – Change Coinsurance from 100% to 90% with \$500 OOP Increase per Tier

- Awaiting estimates from Stop Loss but 2014 estimate was \$67,308



**City of Oak Creek
Insurance Committee
2014-2015 Costs and Cost Containment Proposals**

2015 Cost Containment Options (continued)

Medicare Supplement – Mirror Changes to UMR Plan

- Awaiting estimates from Benistar

Part D Prescription Drug Plan – Mirror Changes to UMR/CVS Plan

- Awaiting estimates from Benistar

CVS Prescription Drug Plan – Increase OOP for Prescription Drugs

- Health Care Reform requires prescription co-pays track towards the OOP in 2015
- Maximum OOP limits in 2015 will be \$6,600/\$13,200
- Two options for increasing OOP for Prescription Drugs ONLY
 - Separate OOP for medical and prescriptions
 - Combined OOP for medical and prescriptions
- Previously, there was no limit on the amount of Prescription Drug co-pays

Potential Future Cost Containment Options

Dental Plan Benefit Alterations

Prescription Drug Plan – Clinical Programs (E.g. Step Therapy)

Increase Stop Loss from \$100,000 to \$110,000 (only if needed)

Dual Choice Plan Design

- Alternative plan (e.g. HSA eligible plan but risks with clinic)
- Alternative network (e.g. Integrated Health or Aurora)

**City of Oak Creek
Medical Plan -- Midwest Security ~ PPO
Effective January 1, 2014**

	Effective 1/1/2014	
	In Network	Out of Network
Deductible		
Single	\$1,500	\$2,000
Single + 1	\$2,000	\$3,000
Family	\$2,500	\$4,000
Coinsurance	100%	80% (up to Annual Out of Pocket Maximum)
Annual Out of Pocket Max*		
Single	\$1,500	\$4,000
Single + 1	\$2,000	\$6,000
Family	\$2,500	\$8,000
Annual Maximum	Unlimited	Unlimited
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Benefits		
Office Visit Copay (may not include lab/x-ray)	\$30 Copay	Ded, 80%
Routine Annual Exams (may not include lab/x-ray)	100%	Ded, 80%
Inpatient Hospital/Surgical	Ded, 100%	Ded, 80%
Outpatient Hospital/Surgical	Ded, 100%	Ded, 80%
Urgent Care	\$60, 100%	Ded, 80%
Emergency Room Copay	\$250, 100%	\$250, 100%
	(waived if admitted)	
Prescription Drugs		
Generic	\$10	
Brand Name	\$40	
Non-Formulary	\$70	
Mail-Order Copay	90 day Supply for 2 copays	
	Retirees (under age 65)	
All Prescription Drugs	Ded, 100%	

Note: This is not a legal document. This overview is merely a highlight of the benefits provided under the plans and should not be relied upon to fully determine coverage. Please refer to your Plan Document for a full description of your benefits.

Effective January 1, 2012, the City of Oak Creek implemented two Pharmacy programs:
1) Mandatory Mail Order (after 3 Retail Fills) and
2) Generic Substitution.

Effective January 1, 2013, the City of Oak Creek eliminated the Common Accident deductible and also eliminated Transplant Benefits regarding travel expenses, lodging, and crediting of out of pocket expenses.

Effective January 1, 2014, copays will apply to Annual Out of Pocket Maximum.



OAKCREEK

CITY
ADMINISTRATOR'S
OFFICE

March 7, 2014

Re: Your New Preferred MRI Provider Card

Dear City of Oak Creek Health Plan Participant:

In an effort to keep our member healthcare quality exceptionally high and to maintain reasonable plan costs, the City of Oak Creek is pleased to announce Smart Choice MRI as a preferred MRI provider.

Several key criteria were taken into consideration, including quality of care. Smart Choice MRI is accredited by the American College of Radiology and has garnered an A rating from American Imaging Management (AIM), an independent evaluator of clinical imaging. In addition, they utilize the same board-certified, sub-specialized radiologists and MRI technology as the Cleveland Clinic, recently ranked among the country's top four hospitals by *U.S. News & World Report*.

When you utilize Smart Choice for your MRI services, you have access to the following Member Benefits:

- **\$100 Incentive for Making the Smart Choice**
- **Priority Scheduling**
- **Preferred Lunchtime and Evening Appointments**
- **Specially Negotiated Pricing**
- **Dedicated Patient Service Phone Number**

By partnering with this high quality, cost conscious entity, the City of Oak Creek is enabling you to positively affect the financial future of your health care costs. Smart Choice charges a low, flat fee of just \$600 compared to the regional average of \$2,947. Taking into consideration that an average of one in ten of our plan members will have an MRI this year, this measure could save you and our plan significantly. MRI services will apply to your deductible and coinsurance. When a lower charge is incurred, this directly affects your out-of-pocket costs.

For your convenience, we have provided you with a Preferred MRI Provider card that should be placed alongside your insurance card. Should you have questions, please contact me.

Sincerely,

Marie Kreif
Personnel Specialist



Incentive Program

Back in March, the City shared information with you regarding Smart Choice MRI and the \$100 incentive if you use this preferred provider. We also gave you wallet cards to remind you to make the smart choice. Now you are wondering..."how do I get the incentive"?

The process is simple. All you have to do is submit a copy of the Explanation of Benefits (EOB) from UMR showing that you had a service performed at Smart Choice MRI to Marie Kreif. The \$100 incentive will be included in your paycheck shortly thereafter.

Please let Marie know if you have any questions about this program.

If you would like to learn more about Smart Choice MRI, visit their website: www.smartchoicemri.com.

City of Oak Creek

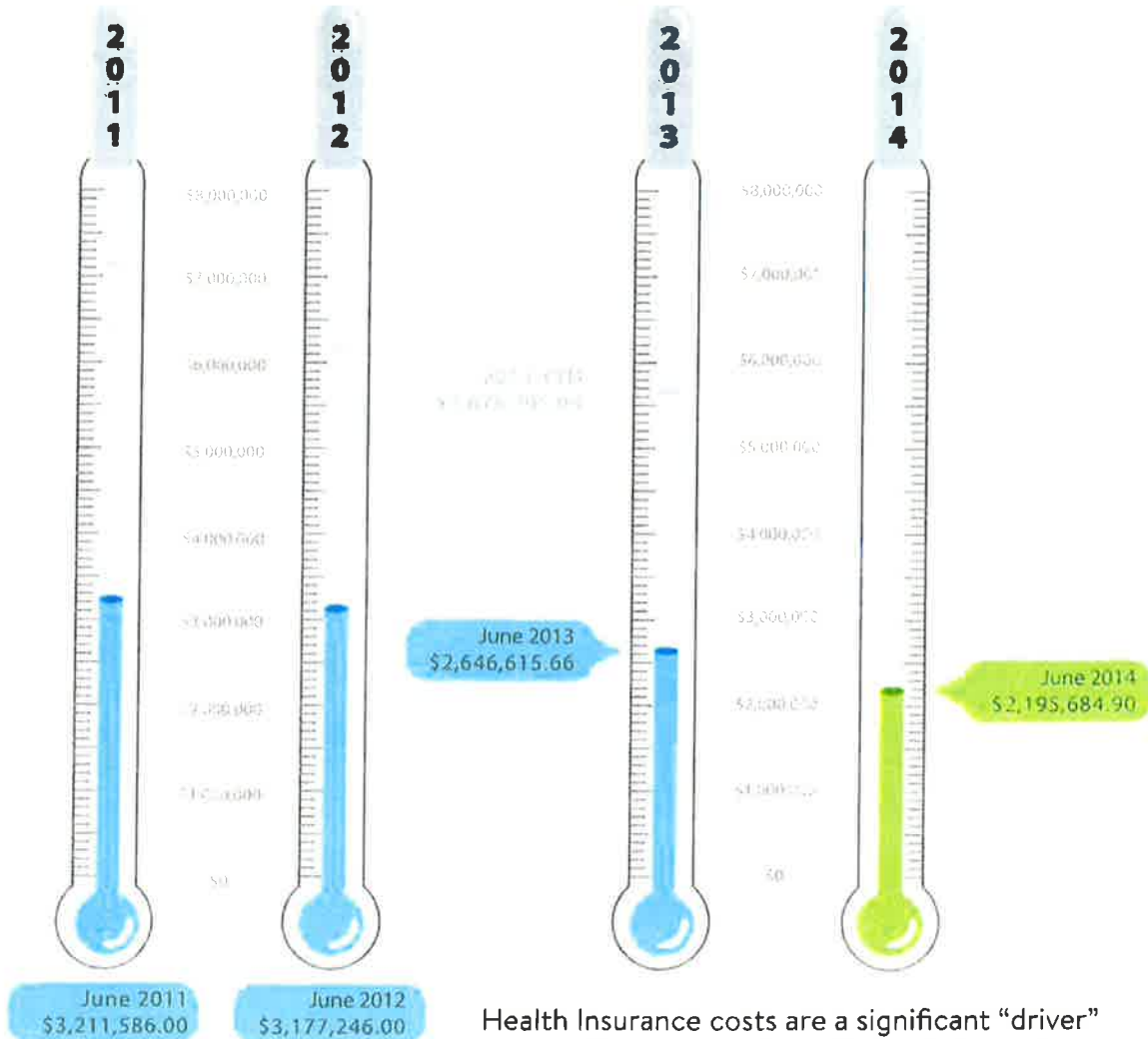
Health Insurance Cost History 2003-2013

YEAR	PAID CLAIMS	ADMIN FEES	PAID BY			% CHANGE	TOTAL TAX LEVY	% CHANGE	ENDING	
			STOP LOSS	NET COSTS					FUND BALANCE	% CHANGE
2013	\$ 4,806,144	\$ 869,651	\$ 88,113	\$ 5,675,705	-8.2%	\$ 19,087,115	1.0%	\$ 665,369	201.5%	
2012	\$ 5,596,715	\$ 863,621	\$ 274,704	\$ 6,185,632	-13.5%	\$ 18,909,370	0.5%	\$ 220,669	15.5%	
2011	\$ 7,328,695	\$ 675,800	\$ 852,646	\$ 7,151,849	12.1%	\$ 18,819,420	-0.2%	\$ 191,107	-83.3%	
2010	\$ 6,439,900	\$ 662,500	\$ 722,700	\$ 6,379,700	13.7%	\$ 18,861,420	0.3%	\$ 1,145,957	-45.3%	
2009	\$ 5,036,100	\$ 663,500	\$ 90,700	\$ 5,608,900	4.8%	\$ 18,807,600	1.2%	\$ 2,093,659	-18.3%	
2008	\$ 5,022,100	\$ 651,500	\$ 319,400	\$ 5,354,200	7.6%	\$ 18,585,140	2.3%	\$ 2,562,438	-11.6%	
2007	\$ 4,907,000	\$ 539,500	\$ 468,700	\$ 4,977,800	16.4%	\$ 18,164,740	4.0%	\$ 2,897,390	9.8%	
2006	\$ 3,992,600	\$ 475,000	\$ 189,800	\$ 4,277,800	-6.3%	\$ 17,461,998	2.6%	\$ 2,638,777	34.9%	
2005	\$ 4,567,775	\$ 449,825	\$ 453,000	\$ 4,564,600	12.8%	\$ 17,013,363	3.0%	\$ 1,955,473	-0.1%	
2004	\$ 3,810,050	\$ 428,950	\$ 194,000	\$ 4,045,000	11.9%	\$ 16,513,363	1.6%	\$ 1,957,272	24.9%	
2003	\$ 3,388,800	\$ 419,700	\$ 192,400	\$ 3,616,100		\$ 16,251,238		\$ 1,566,495		
AVERAGE ANNUAL INCREASE:			\$ 205,961	5.1%	\$ 283,588	1.6%	12.8%			
AVERAGE ANNUAL LEVY INCREASE NEEDED TO COVER HEALTH COSTS:							1.6%			

Health Insurance Premium History 2003-2014

Insurance Type	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Family	\$1,206.62	\$1,319.11	\$1,474.69	\$1,381.11	\$1,353.02	\$1,625.80	\$1,727.96	\$1,851.14	\$1,909.53	\$2,211.40	\$2,137.28	\$1,960.42
Employee +1	-	-	-	-	-	-	-	-	-	\$1,555.51	\$1,505.58	\$1,378.27
Employee	\$520.23	\$572.90	\$556.75	\$584.47	\$523.11	\$624.99	\$661.23	\$710.29	\$833.05	\$844.83	\$821.12	\$754.64

Paid Claims



Health Insurance costs are a significant “driver” of the City budget. As such, this information is provided for your consideration.

Date: August 7, 2014

Attendees: Marie Kreif, Steve Wilding, Fred Fairbanks, Doug Schwartz, Debi Paget, Jesse Teichmiller, Mary Casey, Bridget Souffrant, Kyle Pionek (Burkwald) and Valerie Hansen (Burkwald)



Summary

1. **Final 2013 Medical Plan Costs and 2014 Year-to-Date**— Kyle reviewed the 2013 final medical plan numbers which are 8% less than last year. Year to date numbers are \$2.3 million dollars.
2. **Health Care Reform Fees**— The 2014 Transitional Reinsurance Fee is \$48,825 the PCORI fee is \$2 per member for the Health Reimbursement Arrangement and Medical plan for 2013. The 2015 Transitional Reinsurance Fee will be \$34,100.
3. **Cost Containment Strategies**—Kyle reviewed the cost containment strategies that are up for discussion. These items are for consideration and not necessarily going to be implemented. It still depends on where the renewal comes out at and if adjustments need to be made.
4. **Smart Choice MRI**—Valerie reviewed the Smart Choice MRI program. She reviewed how the program works and how to get rewarded for using the facility. There is a \$100 incentive for using the facility. At this time the visit is also coded as an office visit.

Follow-up Items:

1. n/a

Due Date:

City of Oak Creek Common Council Report

Meeting Date:

Item No.: 5

Recommendation: That the Common Council considers a motion authorizing the Police Department to enter into an agreement with Mission Critical Partners to conduct a study analyzing the possibility of the City's radio communications to migrate to WISCOM (Wisconsin Interoperable System for Communications).

Background: City radio communications have been on the Milwaukee County 800 MHz system since it was established in 2000. Over the past year there is a mandate for radio systems to switch from the current analog format to P-25 (digital) format. Milwaukee County has been communicating the process they are proceeding with to provide a P-25 system. During the discussions there was information indicating that fees would be charged to municipalities for use of the radio system.

After numerous meetings the Police and Fire Departments began researching the option of switching to WISCOM as an alternative to the Milwaukee County system. After speaking with the chief from the Greenfield Police Department (WISCOM users), we wrote for a grant and were awarded monies to conduct a coverage study and needs to switch to WISCOM.

A request for RFP was advertised and four proposals were received and reviewed by members of the Police, Fire, Information Technology departments, and an outside representative from Milwaukee Police Communications Center. All four firms met the criteria of the RFP.

The firms were Mission Critical Partners, RCC Consultants, Elert & Associates, and C.D.I. L.R. Kimball. After evaluating the four proposals, the review committee selected Mission Critical Partners as the best fit to conduct the study for the migration to WISCOM. The cost of the study services proposed by Mission Critical Partners is \$29,744.00.

Fiscal Impact: The work will be paid for through a grant awarded from the State of Wisconsin Department of Military Affairs that was awarded to the City for this project.

Respectfully submitted,



Gerald R. Peterson
City Administrator

Prepared/Approved by:



John O. Edwards
Chief of Police

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 6

Recommendation: Amend professional services agreement with Graef for assistance in applying for WEDC Idle Industrial Site Redevelopment grant in an amount not to exceed \$10,000.

Background: At its October 21, 2014 meeting the Common Council approved a professional services agreement with Graef in an amount not to exceed \$7,000 for assistance to the City in applying for a WEDC Idle Industrial Site Redevelopment (IISR) grant. The grant application was to be made in the amount of \$1 million to extend public water and sanitary sewer services to development sites at Lake Vista (see attached October 21, 2014 Common Council Report).

Since the Council's approval, City staff has been in discussions with a developer who has proposed a substantial project as part of Drexel Town Square which requires a funding gap to be filled in order to be able to finance the project. A four-tiered 550 car parking deck and a 250 car surface parking lot are elements of the projects which are necessary to support proposed uses. The application by the City for an IISR grant will help to close the financing gap to enable this project to proceed. Only one IISR grant can be submitted by the City in this round. Our recommendation is to adjust course and submit an IISR grant from the DTS development project rather than for water and sewer extension at Lake Vista. As Graef had already devoted 25 hours to the Lake Vista grant application, it will be necessary to adjust their contract by \$3,000 to complete the work.

Fiscal Impact: \$3,000 of this contract work will be charged to Lake Vista costs and up to \$7,000 will be charged to DTS project costs reimbursable through the TID.

Fiscal Review by:



Bridget M. Souffrant, CMT/W
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator



collaborāte / formulāte / innovāte

November 7, 2014

Jerry Peterson
City of Oak Creek
8640 S. Howell Ave.
Oak Creek, WI 53154

Subject: 2014 Idle Industrial Site Redevelopment Grant Application Services –
Addendum #1

Dear Mr. Peterson:

Per your request, Graef-USA Inc. (GRAEF) is pleased to provide this proposal to amend our services to City of Oak Creek (Client). An executed copy of this proposal will amend our Agreement dated October 15, 2014.

This proposal is for professional services for Wisconsin Economic Development Corporation – Idle Industrial Site Redevelopment (IISR) Grant Application Services (Project). This proposal is subject to GRAEF's Standard Terms and Conditions, which were attached to our original proposal.

It is our understanding that the nature of the Project is to reflect additional work resulting from a change in the proposed project selected by the City of Oak Creek from Lake Vista Redevelopment to a new medical facility in Drexel Town Square. The Idle Industrial Site Redevelopment grant application scope of work will remain the same for the new proposed project.

For this Project, GRAEF proposes to provide the following additional Basic Services:

- Additional fees reflect work completed to date on the Lake Vista Redevelopment site that will no longer be used for the grant application.

GRAEF will endeavor to perform the proposed additional Basic Services per the following schedule:

- The schedule remains the same with the grant application due November 21, 2014.



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At your written request, GRAEF will provide the following Additional Services for additional compensation as detailed below:

- Total project compensation raised from \$7,000 lump sum to \$10,000 lump sum to reflect 25 hours of work @ \$120/hour completed to date on the Lake Vista Redevelopment project that will not be used for the new medical facility grant application.

For all additional Basic Services, Client agrees to compensate GRAEF as follows:

Services provided to date will be invoiced on a per diem basis of \$120/hour x 25 hours = \$3,000. Services for the original scope of work will be redirected toward the medical facility site in Drexel Town Square and will be invoiced according to the original contract scope of work for a lump sum cost of \$7,000. Total compensation for all services will be \$10,000.

To accept this proposal for additional Basic Services, please sign and date both enclosed copies and return one to us. Upon receipt of an executed copy, GRAEF will commence work on the additional Basic Services for the Project.

Graef-USA Inc. looks forward to providing additional services to the City of Oak Creek.

Sincerely,

Graef-USA Inc.

Ron Van Straten
Grant Specialist

Michael J. Lefebvre
Vice President

Accepted by: City of Oak Creek

(Signature)

Gerald Peterson
(Name Printed)

City Administrator

Date: _____

City of Oak Creek Common Council Report

Meeting Date: October 21, 2014

Item No.: 4

Recommendation: Approve professional services agreement with Graef for assistance in applying for WEDC Idle Industrial Site Redevelopment grant in an amount not to exceed \$7,000.

Background: At its October 7th meeting, the Common Council approved various project components and budgets for the Lake Vista Development. Following that meeting, the City Administrator, along with representatives from Graef and JJR, met in Madison with WEDC officials to consider additional grants that might be available to help the City further develop these properties for both private and public use. Based upon discussions at that meeting, it was determined application for an Idle Industrial Site grant in the amount of \$1 million to extend water and sanitary sewer for private development sites as shown on the attached site plan map should be sought.

Last year Ron Van Straten from GRAEF assisted the City in applying for a \$1 million Idle Site grant application for the Drexel Town Square site. The City did not receive this grant in part because of its success in obtaining other grants for the property. Although not a firm date, we expect the grant application to be out very shortly and due to the WEDC by November 17th.

We expect additional assistance in developing the grant application will come from JJR.

Fiscal Impact: The City's plan to match funds for this grant will be approximately \$7 million from the planned extension of roadway infrastructure and sidewalks to the site. The cost for these professional services will come out of the \$7 million allocated for those projects.

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 8

Recommendation: That the Common Council adopt Ordinance #2737 establishing the salary and allowances for the City Clerk and City Treasurer offices for the terms beginning May 1, 2015.

Background: Ordinance 2737 will establish the pay range, insurance co-pays, and allowances for the three-year term beginning May 1, 2015 for the City Clerk and City Treasurer.

Per Wisconsin Statutes updated in 2011, the pay for these elected positions must be established prior to the deadline for taking out nomination papers, which is December 1st annually. Furthermore, per the recent statutory changes, the pay range for the *entire term* must be established prior to the election.

Fiscal Impact: As determined by the Common Council for these positions.

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

ORDINANCE No. 2737

BY: _____

AN ORDINANCE FIXING THE SALARY, WAGES AND
ALLOWANCES FOR ELECTED CITY CLERK AND CITY TREASURER OFFICES
FOR THE THREE-YEAR TERM
MAY 1, 2015- APRIL 30, 2018

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

SECTION 1: There is herewith established the uniform rates of pay of those certain offices and positions in the City services under the control of the Common Council of the City of Oak Creek affecting non-union, management and miscellaneous personnel for the term listed above. The proper city officials are authorized and directed to make the required payments to those affected employees of the City pursuant to this ordinance.

SECTION 2: The City Clerk and City Treasurer shall be eligible for all fringe benefits as provided in the City Personnel Manual, and by practice, except as prohibited by State Law and City ordinance. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Elected Position Title	Current Salary	Salary as of 5/1/2015	Salary as of 5/1/2016	Salary as of 5/1/2017
City Clerk	\$71,400	\$71,400	\$71,400	\$71,400
City Treasurer	\$71,400	\$71,400	\$71,400	\$71,400

SECTION 3: AUTO EXPENSE. The following personnel shall be paid either but not both a car allowance and use of city pool vehicle, as set forth opposite their positions, to-wit:

City Treasurer, \$250.00 monthly
City Clerk, \$250.00 monthly

In order to qualify for the above mentioned auto mileage and/or allowance, the officials designated must provide proof of insurance by an insurance company authorized to do business in Wisconsin as follows:

Liability insurance limits: \$250,000 per person
Liability insurance limits: \$500,000 per occurrence
Property damage: \$25,000.

As an alternative to providing proof of the above minimum insurance coverage limits, an elected official as a condition of receiving the car allowance or mileage reimbursement, may provide proof of umbrella coverage when combined with liability coverage meets or exceeds the above

described insurance limits. A Declaration of Coverages page stating the policy limits shall be provided annually to the personnel office on or before January 31 or upon policy renewal.

SECTION 4: VALIDITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Oak Creek hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof, may be declared invalid or unconstitutional.

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

SECTION 6: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of May 1, 2015, except where otherwise noted.

Introduced this 18th day of November, 2014.

Passed and adopted this _____ day of _____, 2014.

President, Common Council

Approved this _____ day of _____, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

2015
SCHEDULE OF REGULAR COMBINED
COMMON COUNCIL MEETINGS

TUESDAY	JANUARY 6	
TUESDAY	JANUARY 20	
TUESDAY	FEBRUARY 3	
<u>MONDAY</u>	FEBRUARY 16	(due to Spring Primary Election, Tuesday, February 17, if required)
TUESDAY	MARCH 3	
TUESDAY	MARCH 17	
<u>MONDAY</u>	APRIL 6	(due to Spring General Election, Tuesday, April 7)
TUESDAY	APRIL 21	
TUESDAY	MAY 5	
TUESDAY	MAY 19	
TUESDAY	JUNE 2	
TUESDAY	JUNE 16	
TUESDAY	JULY 7	
<u>MONDAY</u>	AUGUST 3	(due to National Night Out, Tuesday, August 5)
TUESDAY	AUGUST 18	
TUESDAY	SEPTEMBER 1	
TUESDAY	SEPTEMBER 15	
TUESDAY	OCTOBER 6	
TUESDAY	OCTOBER 20	
TUESDAY	NOVEMBER 3	
<u>MONDAY</u>	NOVEMBER 9	Budget Hearing (tentative only)
<u>OR</u>		
<u>MONDAY</u>	NOVEMBER 16	Budget Hearing (tentative only)
TUESDAY	NOVEMBER 17	
TUESDAY	DECEMBER 1	
TUESDAY	DECEMBER 15	

RESOLUTION NO. 11557-111814

BY: _____

RESOLUTION DESIGNATING OFFICIAL HOLIDAYS FOR 2015

RESOLVED that the following days are hereby declared to be the official holidays for all employees of the City of Oak Creek during the year of 2015, exclusive of the Police and Fire Departments, to wit:

- 1. **New Year's Day** (Thursday, January 1)
- 2. **Friday before Easter** (Friday, April 3)
- 3. **Memorial Day** (Monday, May 25)
- 4. **Independence Day** (Friday, July 3) (the last normal workday before Independence Day)
- 5. **Labor Day** (Monday, September 7)
- 6. **Thanksgiving Day** (Thursday, November 26)
- 7. **The Day After Thanksgiving** (Friday, November 27)
- 8. **Christmas Eve Day** (Thursday, December 24)
- 9. **Christmas Day** (Friday, December 25)
- 10. **New Year's Eve Day** (Thursday, December 31)

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this ____ day of _____, 2014.

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: November 18, 2014

Item No.: 11

Recommendation: That the Common Council approves payment of the obligations as listed on the November 12, 2014 Vendor Summary Report.

Background: Of note are the following payments:

1. \$7,020.40 to Buelow Vetter Buikema Olson (pgs #2-3) for October legal services regarding police/fire negotiations and personnel matters.
2. \$16,573.26 to CDW Government, Inc. (pg #3) for Microsoft software support.
3. \$17,819.65 to Environ (pg #5) for September technical assistance with Lakeview project.
4. \$14,547.95 to Godfrey & Kahn S.C. (pg #7) for September legal services regarding Drexel Town Square and Lakeview projects.
5. \$8,694.00 to Healics Inc. (pg #8) for health risk assessments.
6. \$34,850.00 to John's Disposal Service, Inc. (pg #9) for October service.
7. \$40,690.14 to JPMorgan Chase Bank NA (pgs #9-14) for equipment maintenance, travel/training, September Verizon charges, dues/publications, supplies, books, printing/copying, and building maintenance.
8. \$6,196.51 to Kronos Incorporated (pg #14) for Telestaff support.
9. \$6,708.39 to Minnesota Life Insurance Co (pg #16) for group life insurance.
10. \$6,891.88 to The Sherwin-Williams Co. (pg #18) for road maintenance supplies.
11. \$21,736.56 to SmithgroupJJR (pg #19) for professional grant services regarding Lakeview.
12. \$27,120.00 to Tyler Technologies, Inc. (pg #20) for assessment contract services.
13. \$5,000.00 to Baker Tilly Virchow Krause, LLP (pg #20) for audit on WEDC contracts.
14. \$7,171.48 to WE Energies (pg #22) for street lighting.
15. \$24,893.10 to WI Department of Transportation (pg #22) for final bill 13th Avenue OPUS work.
16. \$22,361.23 to World Fuel Services, Inc. (pg #22) for fuel inventory.
17. \$15,000.00 to Gregory P. Schmidt (pg #23) for return of grading bond escrow.

Fiscal Impact: Total claims paid of \$379,690.18

Prepared by/Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Respectfully submitted,



Gerald R. Peterson, ICMA-CM
City Administrator

City of Oak Creek Common Council Report

Meeting Date: 11/18/14

Item No.: 12

Recommendation: That the Common Council approve Resolution No. 11558-111814, authorizing an intergovernmental cooperation agreement pursuant to Wis. Stats. Sec. 66.0301 with Milwaukee County for GCS software, effective January 1, 2015, for a period of five (5) years, with an automatic extension for an additional five (5) years, unless either party terminates at least six (6) months prior to the expiration of the first five-year period.

Background: Over the past several months, the Milwaukee County Office of the Treasurer has been working with all municipal governments (excluding the City of Milwaukee) within Milwaukee County in preparation of an intergovernmental cooperation agreement. It assures the use of GCS software for the preparation, collection and settlement of real estate and personal property taxes and establishes a standard set of rules to ensure data is entered in a consistent format. In return, Milwaukee County agrees to pay the City of Oak Creek's annual GCS licensing fees (approximately \$8,000) for the Term of this Agreement.

This agreement would take effect on January 1, 2015, for a period of five (5) years and would be automatically extended for an additional five (5) years, unless either party forwards to the other written notice of intent to terminate at least six (6) months prior to the expiration of the first five-year period.

The City currently uses GCS software and has no plans to change during this time period. I support this initiative and would be willing to serve as the City's primary contact. The agreement has been reviewed and approved by the City Attorney's Office.

Fiscal Impact: The City will save annual licensing fees of approximately \$8,000 (\$40,000 over five (5) years, and \$80,000 if extended to ten (10) years).

Prepared by:



Barbara Guckenberger, CMTW
City Treasurer

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant
Finance Director / Comptroller

RESOLUTION NO. 11558-111814

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
PURSUANT TO WIS. STATS. SEC. 66.0301 WITH MILWAUKEE COUNTY
FOR GCS SOFTWARE

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Intergovernmental Agreement between the City of Oak Creek and Milwaukee County for GCS Software be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the 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 18th day of November, 2014.

Passed and adopted this 18th day of November, 2014.

President, Common Council

Approved this 18th day of November, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____



Rex B. Queen

RECEIVED

Milwaukee County Deputy Treasurer

NOV - 3 2014

October 31, 2014

**CITY OF OAK CREEK
TREASURER**

First of all,

Thank you for agreeing to participate in a project to help Milwaukee County taxpayers by providing a single standardized and uniform land records management database for the purpose of property tax assessment, billing, collection and receipting.

Enclosed, you will find an Intergovernmental Cooperation Agreement.

In August of this year, the basic content of this agreement was verbally agreed to by all municipalities (with the exception of the City of Milwaukee). It was also agreed that all municipalities would participate in this project or we would not be able to go forward with it.

In return for your efforts, Milwaukee County will agree to pay your annual maintenance and licensing fee for your GCS software for the next five years and hopefully five more after that. That is the basis of this agreement.

Please sign and date the agreement and return it to my office in the self-addressed stamped envelope provided you no later than November 17, 2014.

I will be looking forward to speaking with you in the near future.

Once again,

Thank you for helping to provide a single, county-wide, quality product that will benefit all municipalities, the county and their residents.

If you have any questions please call me @ 414-278-4040

Thank you,

Rex B. Queen
Milwaukee County
Deputy Treasurer

INTERGOVERNMENTAL COOPERATION AGREEMENT
GCS Software

THIS AGREEMENT (“Agreement”) is made by and between Milwaukee County, a Wisconsin municipal body corporate (“County”), as represented by its Office of the Treasurer, and the City of Oak Creek, (“Municipality”), located within Milwaukee County, pursuant to § 66.0301, Wis. Stats.

WITNESSETH:

WHEREAS, GCS Software (“GCS”) is a provider of a land records management software database used primarily for property tax assessment, billing, collection and receipting; and

WHEREAS, each of the parties currently pays annual licensing fees to maintain its software licenses purchased from GCS prior to this Agreement; and

WHEREAS, the County has offered, in an attempt to make sure the Municipality continues to use GCS, and does so in a manner proscribed by the County, to pay the Municipality’s annual licensing fees, and

WHEREAS, the parties have the authority to enter into this Agreement pursuant to Wis. Stat. § 66.0301.

NOW, THEREFORE, upon the consideration of the mutual promises contained herein, it is agreed between the County and the Municipality as follows:

PROVISIONS:

1. **Purpose.** The parties agree that is in the interests of the residents of Milwaukee County to have all municipal governments (excluding the City of Milwaukee) within Milwaukee County use the same property tax assessment, billing, collection and receipting software so as to reduce costs and add efficiency and consistency across the tax collection process.
2. **Term.** The Agreement shall take effect on January 1, 2015, and shall remain in effect for a period of five (5) years. Further, this Agreement will be automatically extended for an additional five years unless either party forwards to the other written notice of intent to terminate at least six (6) months prior to the expiration of the first five-year period.
3. **GCS Software.** During the Term of this Agreement the Municipality agrees to use GCS Software for the preparation, collection, and settlement of property and personal property taxes. The Municipality further agrees to follow all operating and technical requirements that may be established by the County; and to work with GCS, the Milwaukee County Office of the Treasurer and any other authorized representative of the County or Municipality to establish a standardized set of data entry rules to ensure data is entered in the correct format.

4. **Annual Licensing Fee.** In exchange for the Municipality agreeing to use GCS for its property assessment and tax billing purposes, the County agrees to pay the Municipality's annual licensing fees for the Term of this Agreement.
5. **Contact Person.** Each party shall assign one (1) contact person who will serve as its primary contact for all purposes under this Agreement.
6. **Termination.** The County reserves the right to terminate this Agreement if it decides to no longer use GCS for property tax assessment, billing, collection and receipting purposes; provided it gives the Municipality at least sixty (60) days written notice of such termination. This section also applies should GCS terminate its contract with the County or should the Milwaukee County Board of Supervisors fail to appropriate additional monies required for performance of the Agreement.
7. **Liability.** Each party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, agents, and officers and shall be responsible for any losses, claims, and liability which are attributable to such acts, errors, or omissions including providing its own defense.
8. **Entire Agreement.** This Agreement contains the entire understanding and agreement between the parties concerning the subject matter hereof and supersedes all prior agreements, understanding, discussion, negotiation and undertakings, whether written or oral, between the parties with respect thereto. No amendment to this Agreement will be effective unless it is in writing and signed by each of the parties.
9. **No Joint Venture.** This is an agreement among the parties for sharing services. This Agreement does not create joint venture or partnership between or among the parties, nor does it constitute any party as an agent of the other.
10. **Notices.** All notices with respect to this Agreement shall be in writing. Except as otherwise expressly provided in this Agreement, a notice shall be deemed duly given and received upon delivery, if delivered by hand, or three days after posting via US Mail, to the party addressed as follows:

To County:
 Milwaukee County Courthouse
 Office of the Treasurer
 Attn.: Rex B. Queen
 901 N. 9th St., RM 102
 Milwaukee, WI 53233

To Municipality:
 City of Oak Creek
 Attn.: _____
 8640 S. Howell Ave.
 Oak Creek, WI 53154

Either party may designate a new address for purposes of this Agreement by written notice to the other party.

Signature Page Follows:

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed and effective on the day, month and year first above written.

MUNICIPALITY

City of Oak Creek

By: _____ Date: _____
Title: _____

MILWAUKEE COUNTY

By: Devin Drees Date: 10-29-14
Title: Deputy Treasurer

Reviewed by:

By: [Signature] Date: 10/15/14
Risk Management

Approved for execution:

By: Paul Kyzlinski Date: 10/14/14
Corporation Counsel

Approved:

By: [Signature] Date: 10/22/14
Comptroller

Approved:

By: [Signature] Date: 10/22/14
County Executive

Approved as compliant under sec. 59.42(2) (b) 5, Stats.

By: Paul Kyzlinski Date: 10/30/14
Corporation Counsel

[Signature Page to GCS Software Intergovernmental Agreement]

City of Oak Creek Common Council Report

Meeting Date: 11/18/14

Item No.: 13

Recommendation: That the Common Council approve Resolution No. 11559-111814, authorizing the Internal Control Policy as recommended by the Finance Committee at their October 24, 2014 meeting, replacing the policy dated November 5, 2013.

Background: On December 5, 2006 the Common Council approved an Internal Control Policy. Changes to the policy were reviewed by the Finance Committee on September 17, 2013 and approved by the Common Council on November 5, 2013.

The Finance Committee reviewed the Internal Control Policy at their meeting on October 24, 2014. A copy of the Internal Control Policy (with proposed changes in red), along with a document that describes the proposed changes, is attached.

Prior to tonight, the Internal Control Policy has not been approved by Resolution; however; after discussion with the City Attorney's Office, it was determined that a Resolution is appropriate for such action and is also included for approval.

The Finance Committee is recommending this updated Internal Control Policy for approval by the Common Council. If approved, the Treasurer's Office will work with departments to implement these policy changes and to resolve any issues that may arise.

Fiscal Impact: There is no fiscal impact with approving these policy changes. The impact of having appropriate policies in place is for the protection of City funds and is considered by the auditor for expressing an opinion as to the fair presentation of the City's financial statements.

Prepared by:



Barbara Guckenberger, CMTW
City Treasurer

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant
Finance Director / Comptroller

RESOLUTION NO. 11559-111814

A RESOLUTION STATING THE INTERNAL CONTROL POLICY ON CASH
HANDLING AND CASH RECEIPTING FOR THE CITY OF OAK CREEK

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Internal Control Policy on Cash Handling and Cash Receipting be and the same is hereby approved.

BE IT FURTHER RESOLVED that the City Treasurer and City Administrator are hereby authorized to sign the Internal Control Policy 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 18th day of November, 2014.

Passed and adopted this 18th day of November, 2014.

President, Common Council

Approved this 18th day of November, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

Internal Control Policy - Major Changes – Finance Committee Meeting October 24, 2014

Multiple Sections

- Moving around or rewording of information for better flow and clarity. Also provides generic software titles so that any future software changes do not require a change in the policy
- Replace “teller” with “employee” or “cash”

Cash Receipts

- Provides a better description of purpose for certifying amounts for deposit and adds follow-up action for any discrepancies

Software Security

- Due to Finance employees not always being available, not having access to software programs, and separate location, this less restrictive wording of “other authorized employee” for voids/deletes/modifications will avoid delays to customers at the counter while maintaining same internal control measures

Safe Security and Contents

- In an emergency situation (i.e. closing on a property), this provides temporary authority to stamp a check while maintaining same internal control measures

Cash Short and Over

- Adds explanation of follow-up based on current process

Job Descriptions

- Clarifies how often some items are reviewed and updated

Training and Manuals

- Clarifies how often some items are reviewed and updated
- Better describes manuals and procedures

Petty Cash Drawers

- Added “with a list of authorized signatories provided to the City Treasurer” to provide additional internal control measures and removes assumptions by the person charged with petty cash responsibilities

Internal Control Policy – Cash Receipting and Petty Cash

Reconciliation of Subsidiary Taxes Receivable Records to the General Ledger Control Account

1. Reconcile taxes receivable per “~~GCS~~computer receipting software” records to taxes receivable per the general ledger monthly. Reconciliation should be reviewed by an individual knowledgeable about such matters and independent of their preparation.

Immediate Recording and Timely Deposit of All Receipts

1. All receipting transactions are recorded immediately using the cash receipting software, except copy charges of less than \$1.00 may be accumulated and receipted at approximately \$10.00. ~~Unusual receipts are entered in the cash receipting software using a suspense account when necessary.~~
2. ~~Unusual and Large Receipts are immediately entered in the MSI software using a suspense account when necessary. All receipts are prepared for deposit on the next business day,~~ except large receipts, as determined by the City Treasurer or Deputy Treasurer, are deposited the same day.

Cash Receipts

1. ~~Tellers in every department~~All employees who collect city funds must use a separate locking cash drawer, cash box or cash bag. ~~Every cash drawer, cash box, or cash bag will be unique. Each employee operating the drawer, box or bag will keep custody of their unique key at all times.~~
2. When any ~~teller-employee~~ leaves the area, the drawer is locked and the ~~teller-employee takes the key and must~~ logs out ~~of out of~~, or locks, the computer system. No ~~teller-employee~~ may enter transactions using another ~~teller's employee's~~ login.
3. ~~Every cash drawer, cash box, or cash bag will be unique. Each teller operating the drawer, box or bag will keep custody of their unique key.~~The Treasurer's office will be the custodian of all spare keys; except the Clerk, or other employee separate of the Treasurer's Office and designated by the Clerk, will maintain custody of the spare keys for the Treasurer's Office.
4. All departments that use cash drawers shall use standard teller drawers to secure receipts. All cash receipts are secured in a safe at night.
5. All denominations of \$20 or more will be ~~verified for authenticity run through using a -the money counter machine,~~ or by hand, ~~checked, for authenticity~~ at time of payment.
6. When preparing receipts for deposit, the ~~teller-employee~~ will verify all cash with a supervisor or other authorized employee in their department. Both will sign a ~~cash-verification form,~~ ~~created provided~~ by the Treasurer, ~~ensuring certifying that the correct~~ amount of cash ~~has been~~ placed in the locked bag ~~has been verified, and is equal to, the departmental generated report. The Treasurer will be notified of any discrepancies to verified amounts. Treasurer will review such discrepancies with the Department Manager and Finance Manager/Comptroller to discuss appropriate action.~~ The key will be kept separate from the custodian of the bag that contains the deposit.

7. The **teller-employee** will reconcile their cash drawer daily with a supervisor or other authorized employee in their department, or if the **teller-employee** is not available, with another authorized employee.
8. All decentralized departments are required to deliver each day's receipts in a locked bag by noon the following business day, unless previously approved by the Treasurer. When presented to the Treasurer's office both parties sign a form verifying the bag delivered, **and** ~~the~~ **The Treasurer's Office will verify for accuracy, send a computer receipt such funds the same day and provide a receipt** to that department **by the following day.**

Software Security

1. Each employee should create unique passwords.
2. Treasurer's Office: Transactions such as voids, deletes and other modifications in any cash receipting program is restricted to, or authorized by, the Treasurer, Deputy Treasurer, or ~~the Finance Department~~ **other authorized employee** in the absence of the Treasurer and Deputy Treasurer. Void or modified receipts are initialed by the **teller-employee** and the person voiding or authorizing the modification.
3. Decentralized Departments: Transactions such as voids or other modifications to receipts is restricted to a supervisor or other authorized employee in their department. Void or modified receipts are initialed by the **teller-employee** and the supervisor or authorized employee.
4. Upon termination of an employee, the Department Manager will immediately notify the IT Department **via email in writing**. A copy of such **email correspondence** will be attached to the PAR form. Administration will follow-up with IT upon receipt of PAR.

Refunds of Overpayments

1. All cash refunds on payment by check are limited to less than one dollar through petty cash, unless authorized by the Treasurer. All refunds not meeting these requirements will be issued through the Finance Department voucher system and refunded by check.

Decentralized Collections

1. The following decentralized departments may collect receipts for various transactions solely related to their department, and must follow the recommendations set forth in this Internal Control Policy: Fire, Health, Highway, Library, Recreation and Police. Any department that retains receipts in their office overnight must use a safe and follow approved recommendations under "Safe Security and Contents". Furthermore, no other department may accept payment of any type and must immediately forward any person wanting to make a payment, or any check received by mail, to the Treasurer's Office.
2. The immediate recording of all transactions and issuing of standard receipts, except as noted for copies totaling less than one dollar per occurrence; and except where otherwise required by law that money must remain in its present form.
3. Each decentralized department shall provide the Finance Department with a summary form of receipts being delivered to the Treasurer's Office.
4. Credit card payment reports must accompany other computer or cash register documentation and receipts, for all decentralized departments who use credit card services.

Safe Security and Contents

1. All receipts are monitored by the appropriate City employee at all times.
2. Only appropriate City employees are allowed the combination to any safe.
3. When purchasing a safe, it must have the capability of changing the combination. The combination must be changed upon termination of employee who has the combination to that safe.
4. Department Manager is to conduct periodic inventories of safe contents.
5. Only Treasurer's Office personnel are allowed to use the signature stamp, **unless previously authorized by the Treasurer**, and no incomplete checks will be signed.
6. City credit cards not issued to a particular City employee must be kept in the safe. Any City employee wishing to use such City credit card must sign the card out and sign it back in upon returning it.
7. All performance bond and escrow money is deposited upon receipt and, if necessary, refunded by voucher through the Finance Department.

"GCS" Tax Batches

1. Close batches as drawers are closed.
2. The ability to close a batch is restricted to the Treasurer or Deputy Treasurer.

Teller-Cash Drawer Change Banks

1. **Teller-Cash** drawers shall contain minimal dollar amounts for beginning change.

Cashing of Personal Checks

1. The City prohibits cashing of personal checks.

Cash Short and Over

1. **Teller-e**Cash overages and shortages must be disclosed to the Treasurer's office to be recorded in a separate general ledger account. Replacing of funds to make up shortages or accumulating overages is strictly prohibited.
2. Shortages and overages are tracked by the Treasurer for use in trend analysis. **A report is provided to applicable Department Managers annually, or upon determination to as an issue needing immediate attention.**

Physical Security

1. Lock doors to Treasurer's Department.
2. Security cameras will be implemented as part of the future facility remodeling/rebuilding plans for all departments allowed to receive City funds.

3. Keypad entry or identification card system will be implemented as part of the future facility remodeling/rebuilding plans for all departments allowed to receive City funds.

Segregation of Duties

1. Segregation of duties ~~are to~~will be implemented for all essential duties.

Job Descriptions

1. ~~Annually R~~review and revise current job descriptions and revise as needed.

Training and Manuals

1. ~~R~~Annually review and update "MSF" all cash receipting manuals and update as changes occur; provide access to employees charged with cash receipting duties.
2. ~~Review and update~~ "GCS" manual.
- 3.2. ~~Review~~ Annually review and update "Treasurer's Office" "Cash Handling and Office Procedures" manual and update as changes occur.
- 4.3. All employees, including part-time and seasonal, who handle money will be properly trained and provided with access to all procedure manuals ~~departmental procedures related to~~ ~~on~~ cash handling.

Petty Cash Drawers

1. Maximum petty cash amounts will be established for the following departments:
 - a. Treasurer's Office
 - b. Fire Station #3
 - c. Police Department
2. No other department may hold petty cash
3. Only one person may be established as custodian for each petty cash drawer. Petty cash must be secured in a locked cash drawer, box or bag and the key must remain with the petty cash custodian. All petty cash must be kept in a locked cabinet or safe.
4. A City approved petty cash slip must be completed and signed by a supervisor or employee in their department authorized by the Department Manager, with a list of authorized signatories provided -and to the City Treasurer, -and All petty cash requests must include a receipt for expenditure. If requesting petty cash prior to purchase, requestor must return with receipt and change excess funds from purchase.
5. Petty cash reimbursements must be limited to \$25.00, with the exception of the Treasurer's Office limited to \$50.00.
6. In the absence of the petty cash custodian, reimbursement will be processed within two business days of the custodians return to work.
7. Petty cash must be properly balanced whenever drawer is replenished; and no less than once per month.
8. Receipts must be attached to replenishment voucher for verification and signed by a supervisor, and reimbursement check must be made payable to a supervisor, other than the custodian.
9. Replenishment checks must be endorsed and brought to the Treasurer's Office for petty cash replenishment; signature will be required as verification of receipt of petty cash replenishment. In the absence of the petty cash custodian in the Treasurer's Office, the replenishment check may be presented to the City's bank for cashing as needed.
10. City Treasurer or Deputy Treasurer will cash replenishment checks to replenish Treasurer's Office petty cash drawer as requested by custodian.

Water and Sewer Utility

Water and Sewer Utility will be subject to Cash Receipting and Petty Cash Policies established through their independent internal control study as approved by the Water and Sewer Commission.

Approval: _____
City Treasurer

Approval: _____
City Administrator

Revision His Formatted: Right

December 5, 2006

(Finance Committee) September 12, 2013

November 5, 2013

(Finance Committee) October 24, 2014

City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 14

Recommendation: That the Common Council considers adoption of Resolution No. 11560-111814, a resolution authorizing the CIP-recommended road improvement projects to be advertised for public bid for construction in 2015. (Various Aldermanic Districts)

Background: The Common Council approved Resolution No. 11463-031814, a list of roads to be improved in 2014 under public contract. The bids were advertised relatively late and it was believed that was the primary reason for the very high bids received. The Council rejected the bids with the direction to staff that the 2014 road selections be combined with the list of 2015 roads as a larger bid package to be bid out in early 2015 in the effort to secure lower bid prices.

On October 29, 2014, the CIP Committee discussed the 2015 road improvement candidates and recommended the following streets be combined with the approved 2014 streets for rehabilitation under public contract. Construction estimates have been revised based on evaluation of updated construction cost data. Upon authorization under this resolution, the Engineering Department will prepare the plans, specifications and bid documents; and advertise the work for public bid.

	Proposed Street	From	To	Length (Feet)	Treatment Type	Cost Estimate
1	2014 Road Selections	Resolution No.11463-031814				\$874,000*
2	McGraw Drive	Sommers Dr.	10720 S. McGraw	815	Repair & asphalt surfacing	\$88,000
3	Highfield Drive	6840 S. Highfield	Oak Street	965	Repair & asphalt surfacing	\$174,000
4	6 th Street	0.3 miles north of Rawson	N. cul-de-sac end	1,200	Repair & asphalt surfacing	\$237,000
Estimate Total:						\$1,373,000

*This figure represents the original 2014 estimate of \$760,000, plus 15%.

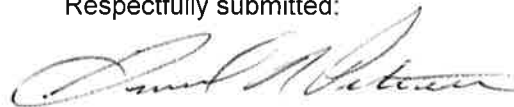
Fiscal Impact: There is currently \$721,000 reserved under CIP Nos. 14019 and 14022 from the work that was deferred in 2014. Adding the \$671,000 that has been approved in the 2015 budget brings the total available funding to \$1,392,000 for the proposed road projects.

Prepared by:




Matthew J. Sullivan, P.E.
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

RESOLUTION NO. 11560-111814

BY: _____

**RESOLUTION AUTHORIZING THE CIP-RECOMMENDED ROAD IMPROVEMENT
PROJECTS TO BE ADVERTISED FOR PUBLIC BID FOR CONSTRUCTION IN 2015**

(VARIOUS ALDERMANIC DISTRICTS)

WHEREAS, in the judgment of the Common Council of the City of Oak Creek, it is deemed to be expedient and necessary and in the best interest of the city that it proceeds with the following road improvement projects:

	Proposed Street	From	To	Length (Feet)	Treatment Type	Cost Estimate
1	2014 Road Selections	Resolution No.11463-031814				\$874,000
2	McGraw Drive	Sommers Dr.	10720 S. McGraw	815	Repair & asphalt surfacing	\$88,000
3	Highfield Drive	6840 S. Highfield	Oak Street	965	Repair & asphalt surfacing	\$174,000
4	6 th Street	0.3 miles north of Rawson	N. cul-de-sac end	1,200	Repair & asphalt surfacing	\$237,000
Estimate Total:						\$1,373,000

and,

WHEREAS, the City Engineer has approved preliminary plans and specifications for said improvements.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek:

1. That the aforementioned improvements be designed and constructed.
2. That payment for said improvements shall be made from funds reserved under CIP Nos. 14019 and 14022, along with CIP funding provided in the 2015 budget.
3. That the City Engineer is hereby authorized to develop and approve final plans, specifications and bid documents.
4. That the City Clerk is hereby authorized to advertise for bids for said improvements and that she shall advertise for such bids in the city's Official Newspaper, the Western Builder and the Daily Reporter.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th day of November 2014.

Passed and adopted this 18th day of November 2014.

President, Common Council

Approved this 18th day of November 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes ____ Noes ____

RESOLUTION NO. 11463-031814

BY: Ald. Gehl

**RESOLUTION OF AUTHORIZATION TO PROCEED WITH
2014 ROAD IMPROVEMENT PROJECTS
IN VARIOUS LOCATIONS**

(VARIOUS ALDERMANIC DISTRICTS)

WHEREAS, in the judgment of the Common Council of the City of Oak Creek, it is deemed to be expedient and necessary and in the best interest of the city that it proceed with the following road improvement projects:

	Proposed Street	From	To	Length (Feet)	Treatment Type	Cost Estimate
1	Shepard Avenue	Mary Lane	Elm Road	332	Repair & asphalt surfacing	\$52,000
2	Country Drive	Surface Change	Puetz Road	1053	Repair & asphalt surfacing	\$129,000
3	Emerald Meadows Drive	Elm Road	10600 Emerald Meadows	695	Repair & asphalt surfacing	\$34,000
4	Emerald Meadows Drive	10600 Emerald Meadows	Green Meadows Drive	490	Repair & asphalt surfacing	\$27,000
5	Singing Lark Drive	Green Meadows Drive	10482 Singing Lark	168	Repair & asphalt surfacing	\$10,000
6	Singing Lark Court	Cul-De-Sac	Green Meadows Drive	1112	Repair & asphalt surfacing	\$60,500
7	Green Meadows Court	Emerald Meadows Drive	Cul-De-Sac	336	Repair & asphalt surfacing	\$23,500
8	Green Meadows Drive	Rosemont Drive	Emerald Meadows Drive	1221	Repair & asphalt surfacing	\$66,500
9	Rosemont Court	Cul-De-Sac	Alpine Drive	355	Repair & asphalt surfacing	\$25,000
10	Rosemont Drive	Alpine Drive	10480 Rosemont Drive	738	Repair & asphalt surfacing	\$40,500
11	Alpine Drive	Shangri La Court	Rosemont Drive	744	Repair & asphalt surfacing	\$40,500
12	Belmont Court	Cul-De-Sac	Pennsylvania Avenue	595	Repair & asphalt surfacing	\$32,500
13	Kender Court	Cul-De-Sac	40' W of Shire Place	209	Repair & asphalt surfacing	\$23,000
14	Willow Creek Drive	Oakwood Drive	Redwood Lane	995	Repair & asphalt surfacing	\$54,000
15	Redwood Lane	Willow Creek Drive	Oakwood Road	966	Repair & asphalt surfacing	\$52,500
16	Lilac Lane	Willow Creek Drive	Redwood Lane	857	Repair & asphalt surfacing	\$46,500
17	Transfer to Street Department Annual Roadway Maintenance Account					\$43,000
Estimate Total:						\$760,000

and,

WHEREAS, the City Engineer has approved preliminary plans and specifications for said improvements.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek:

1. That the aforementioned improvements be designed and constructed.
2. That payment for said improvements shall be made from funds in the "Unspecified Streets" control account reserved in the 2014 CIP budget.
3. That the City Engineer is hereby authorized to develop and approve final plans, specifications and bid documents.
4. That the City Clerk is hereby authorized to advertise for bids for said improvements and that she shall advertise for such bids in the official newspaper, the Western Builder and the Daily Reporter.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th day of March 2014.

Passed and adopted this 18th day of March 2014.



President, Common Council

Approved this 18th day of March 2014.



Mayor

ATTEST:



City Clerk

VOTE: Ayes 5 Noes 0
**Ald. Toman was excused.

24. **COUNCIL REJECTS BIDS FOR 2014 ANNUAL ROAD IMPROVEMENT PROJECT (PROJECT NOS. 14019 & 14022); DIRECTS STAFF TO PLACE SINGLE BID FOR WILLOW CREEK SUBDIVISION.**

Ald. Toman moved to reject the bid for the 2014 Annual Road Improvement project (Project Nos. 14019 & 14022). The motion was not seconded. Motion dies.

Ald. Kurkowski, seconded by Ald. Gehl, moved to reject the bid for the 2014 Annual Road Improvement project (Project Nos. 14019 & 14022) and to direct staff to place a single bid for Road Improvements for the Willow Creek Subdivision. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, no; Ald. Gehl, aye; and Ald. Guzikowski, aye.

25. **COUNCIL GRANTS OPERATOR'S LICENSE TO CARRIE A. FULLINGTON, 459 ADELINE DR., FRANKSVILLE (7-ELEVEN).**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Operator's license to Carrie A. Fullington, 459 Adeline Dr., Franksville (7-Eleven). On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

26. **COUNCIL GRANTS OPERATOR'S LICENSE TO MICAH KURKOWSKI, 1110 E. MILWAUKEE AVE., OAK CREEK (BOOTZ SALOON & GRILL).**

Ald. Gehl, seconded by Ald. Guzikowski, moved to grant an Operator's license to Micah Kurkowski, 1110 E. Milwaukee Ave., Oak Creek (Bootz Saloon & Grill). On roll call, the vote was as follows: Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. Ald. Kurkowski abstained from voting.

27. **COUNCIL GRANTS AMUSEMENT OPERATOR AND AMUSEMENT DEVICE LICENSES TO REGGIE'S AMUSEMENTS LLC, 4718 S. PACKARD AVE., CUDAHY.**

Ald. Gehl, seconded by Ald. Kurkowski, moved to grant an Amusement Operator and Amusement Device licenses to Reggie's Amusements LLC, 4718 S. Packard Ave., Cudahy. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

28. **CLOSED SESSION HELD.**

Ald. Gehl, seconded by Ald. Toman, moved to convene in Closed Session at 9:12 p.m., pursuant to Wisconsin State Statutes Section 19.85 (1)(d) to consider a strategy for security measures at city owned buildings as it relates to crime prevention. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye.

29.-30. **COUNCIL RECONVENES INTO OPEN SESSION; NO ACTION TAKEN.**

Ald. Gehl, seconded by Ald. Toman, moved to reconvene into Open Session at 9:48 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Guzikowski, aye. No action was taken.

City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 15

Recommendation: That the Council adopts Resolution No. 11561-111814 approving a certified survey map for the property at 324 E. Forest Hill Avenue.

Background: Steve Mark, Lily Drive Developments, LLC, is requesting approval of a Certified Survey Map (CSM) that would split the property at 324 E. Forest Hill Ave into three building lots and one outlot. Council Members may recall that this property was the subject of a CSM review in August of 2013, in relation to the proposal for the Oakfield Village Addition #2. Due to several factors, including the identification of a wetland on Lot 2/Outlot 1, the original CSM was not recorded. Therefore, the review process must be repeated.

The City's adopted Comprehensive Plan designates E. Forest Hill Avenue as a minor arterial roadway and recommends managing and controlling access on arterial and collector roadways. It goes on to state that only major facilities such as large shopping centers or other significant traffic generators should be allowed direct access to arterial roadways. Staff has historically gone on record with concerns regarding single-family lots each taking direct access to arterial streets. However, in this instance, the officially mapped street pattern leaves no realistic alternative. In this case, considering the increasing traffic on the street and its minimal cross section, Staff recommended in 2013 that a restriction be placed on the CSM requiring a paved turnaround area on each of the lots to avoid vehicles having to back out into the traffic lanes of the minor arterial street. This is depicted as a note on page 1.

Staff also recommended at the meeting in 2013 that a minimum front setback of 40 feet be illustrated on Lots 1 – 3 for consistency with the front setbacks of the adjacent parcels. This recommendation has been incorporated for the three lots along E. Forest Hill Ave.

A 10-foot-wide utility and drainage easement is depicted along the western lot line for Outlot 2. This easement may need to be widened, and Staff recommends coordinating with the Water and Sewer Utility as well as the Engineering Department to determine the width specifications.

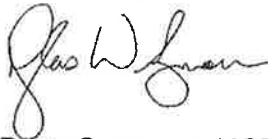
Each proposed parcel meets the minimum lot width and area requirements for the zoning district. The Applicant has indicated that a wetland permit application will be submitted to the Department of Natural Resources for Lot 2 following local approval. This CSM will incorporate comments received from the County, and correspond to the CSM for 400 E. Lily Drive and the Preliminary Plat for Oakfield Village Addition No. 2.

The Plan Commission has reviewed this request and has recommended its approval with the following conditions:

1. That all technical corrections are made prior to recording.
2. That the utility and drainage easement along the western property line of the proposed Outlot 1 is updated per the requirements of the Water and Sewer Utility and Engineering Department prior to recording.
3. That a detailed grading plan is submitted for review and approval by the City of Oak Creek Engineering Department prior to recording.
4. That a paved turnaround area be required on all building lots.

Fiscal Impact: Residential development of the three lots will generate \$11,988 in impact fees.

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. 11561-111814

BY: _____

RESOLUTION APPROVING A CERTIFIED SURVEY MAP
FOR STEVE MARK, LILY DRIVE DEVELOPMENTS, LLC

324 E. Forest Hill Avenue
(1st Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by STEVE MARK, LILY DRIVE DEVELOPMENTS, 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 the following conditions:

1. That all technical corrections are made prior to recording.
2. That the utility and drainage easement along the western property line of the proposed Outlot 1 is updated per the requirements of the Water and Sewer Utility and Engineering Department prior to recording.
3. That a detailed grading plan is submitted for review and approval by the City of Oak Creek Engineering Department prior to recording.
4. That a paved turnaround area be required on all building lots.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved, and the dedication of public easements accepted, by the Common Council subject to the following conditions:

1. That all technical corrections are made prior to recording.
2. That the utility and drainage easement along the western property line of the proposed Outlot 1 is updated per the requirements of the Water and Sewer Utility and Engineering Department prior to recording.
3. That a detailed grading plan is submitted for review and approval by the City of Oak Creek Engineering Department prior to recording.
4. That a paved turnaround area be required on all building lots.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th Day of November, 2014.

Passed and adopted this ___ Day of _____, 2014.

President, Common Council

Approved this ___ Day of _____, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWN 5 NORTH, RANGE 22 EAST

CORPORATE OWNER'S CERTIFICATE:

LILY DRIVE DEVELOPMENTS LLC., a Wisconsin Corporation, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said corporation has caused the land described on this C.S.M. to be surveyed, divided and mapped as represented on this C.S.M.

We also certify that this C.S.M. is required to be submitted to the following for approval: CITY OF OAK CREEK.

LILY DRIVE DEVELOPMENTS, LLC
RODNEY OILSCHLAGER - MEMBER

STATE OF WISCONSIN)
COUNTY OF MILWAUKEE) ^{SS}

Personally came before me this _____ day of _____, 2014 the above named RODNEY OILSCHLAGER, to me known to be the person who executed the foregoing instrument and acknowledge the same.

My commission expires _____

- NOTARY PUBLIC

PLAN COMMISSION APPROVAL:

Approved by the Plan Commission, City of Oak Creek, this _____ day of _____ 2014.

STEPHEN SCAFFIDI - CHAIRMAN


DOUGLAS SEYMOUR - SECRETARY

COMMON COUNCIL APPROVAL:

Approved by the Common Council, City of Oak Creek, and Street Vacation accepted this _____ day of _____, 2014, by Resolution No. _____.

STEPHEN SCAFFIDI - MAYOR

CATHERINE A. ROESKE - CITY CLERK

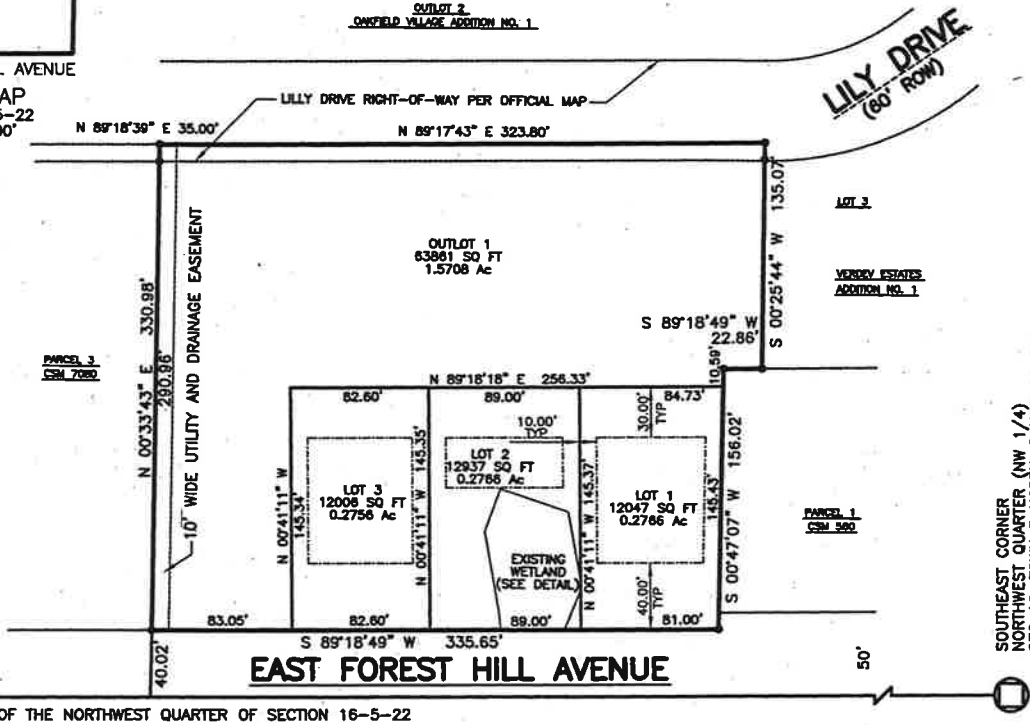
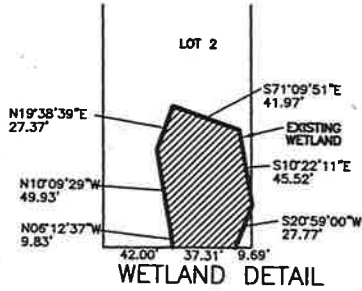
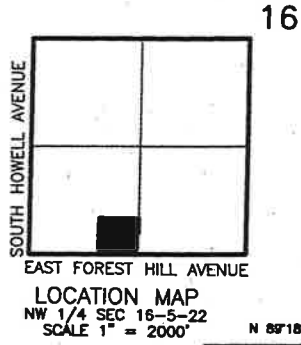
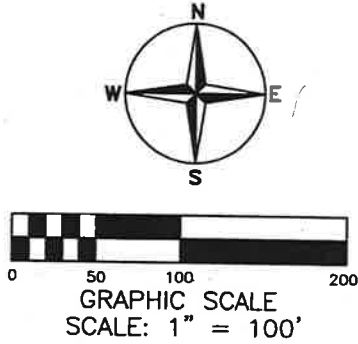


KALVIN K. KLIMECK - Wis Reg. No. S-2209
Dated this 11th day of August, 2014

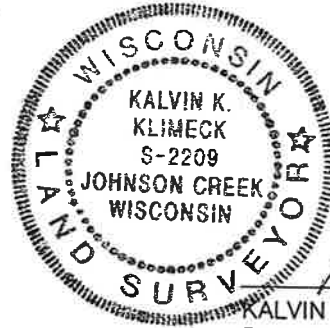


THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWN 5 NORTH, RANGE 22 EAST CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

REFERENCE BEARING: The south line of the Northwest Quarter (NW 1/4) was used as the reference bearing and bears North 89°18'49" East



NOTE:
A PAVED TURNAROUND IS
REQUIRED FOR LOTS 1-3



KALVIN K. KLIMECK - Wis Reg. No. S-2209
Dated this 11th day of August, 2014

THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWN 5 NORTH, RANGE 22 EAST CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, KALVIN K. KLIMECK, registered land surveyor, being duly sworn on oath, hereby depose and say that I have surveyed, divided and mapped all that part of the the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 16, Town 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, being particularly described as follows:

All of Parcel 2 of Certified Survey Map No. 560 together with the northerly 10' of right-of-way of E. Forest Hill Avenue fronting said Certified Survey Map No. 560 per Resolution No. _____, adopted by the Common Council of the City of Oak Creek on the _____ day of _____, 2013 being more particularly described as follows: Commencing at the southwest corner of of said Northwest Quarter (NW 1/4) thence North 89°18'49" East along the south line of said Northwest Quarter (NW1/4) 982.00 feet to the west line of said Parcel 2 and its extension; thence North 00°33'43" East 40.02 feet to the north right-of way line of East Forest Hill Avenue as vacated per Resolution No. _____ adopted by the City of Oak Creek on October _____, 2013 and to the point of beginning of the lands hereinafter to be described: thence continuing North 00°33'43" East 290.96 feet; thence North 89°18'39" East 35.00 feet; thence North 89°17'39" East 323.80 feet; thence South 00°25'44" West 135.05 feet; thence South 89°18'49" West 22.86 feet; thence South 00°47'07" West 156.02 feet to the north line of said East Forest Hill Avenue (as vacated); thence South 89°18'49" West along the said north right-of-way line (as vacated) 335.65 feet to the place of beginning.

Containing a gross area of 100,850 square feet or 2.3152 Acres of land.

I further certify that I have made such survey, land division and map by the direction of the owners of said land; that such map is a correct representation of the exterior boundaries of the land surveyed and map thereof made; and that I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes pertaining to Certified Survey Maps (S 236.34) and the subdivision regulations of the City of Oak Creek in surveying, dividing and mapping the same.

STATE OF WISCONSIN) ss
COUNTY OF _____)

The above certificate subscribed and sworn to me this _____ day of _____, 2014.

My commission expires _____

- NOTARY PUBLIC



KALVIN K. KLIMECK - Wis Reg. No. S-2209
Dated this 11th day of August, 2014



City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 16

Recommendation: That the Council adopts Resolution No. 11562-111814 approving a certified survey map for the property at 400 E. Lily Dr.

Background: Steve Mark, Lily Drive Developments, LLC, is requesting approval of a Certified Survey Map (CSM) that would split the property at 400 E. Lily Dr. into two outlots. Council Members may recall that this property was the subject of a CSM review in August of 2013, in relation to the proposal for the Oakfield Village Addition #2. Due to several factors, the Applicant was unable to record the previous CSM by the deadline. Therefore, the review process must be repeated.

Each parcel meets the minimum lot width and area requirements for the zoning district; however, it should be noted that this is a required step prior to the subdivision of Outlot 2. As with the CSM for 324 E. Forest Hill Ave., comments from the County will be incorporated (e.g., updating the street labels) and both CSMs will correspond to the Preliminary Plat for Oakfield Village Addition No. 2.

The Plan Commission has reviewed this request and has recommended its approval with the following conditions:

1. That all technical corrections are made prior to recording.
2. That all utility and drainage easements are updated prior to recording.

Fiscal Impact: There is no fiscal impact as a result of this CSM. Future development of the outlots would have positive fiscal impacts for the City.

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

RESOLUTION NO. 11562-111814

BY: _____

RESOLUTION APPROVING A CERTIFIED SURVEY MAP
FOR STEVE MARK, LILY DRIVE DEVELOPMENTS, LLC

400 E. Lily Dr.
(1st Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by STEVE MARK, LILY DRIVE DEVELOPMENTS, 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 the following conditions:

1. That all technical corrections are made prior to recording.
2. That all utility and drainage easements are updated prior to recording.

NOW, THEREFORE, BE IT RESOLVED that this certified survey map, in the City of Oak Creek, Wisconsin, is hereby approved, and the dedication of public easements accepted, by the Common Council subject to the following conditions:

1. That all technical corrections are made prior to recording.
2. That all utility and drainage easements are updated prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th Day of November, 2014.

Passed and adopted this ___ Day of _____, 2014.

President, Common Council

Approved this ___ Day of _____, 2014.

Mayor

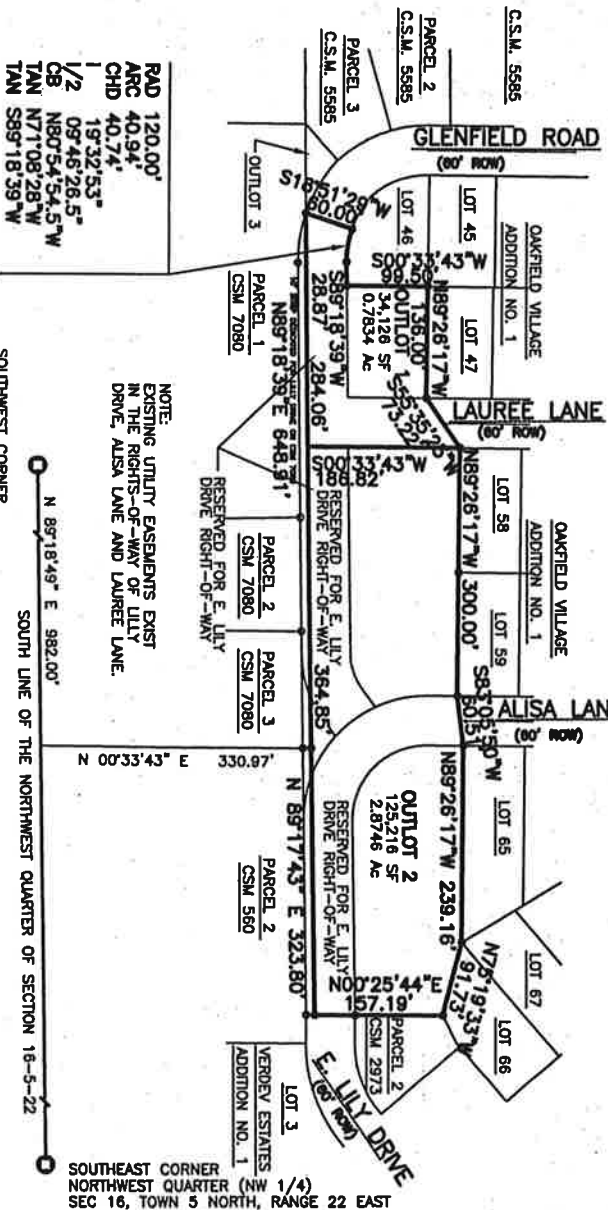
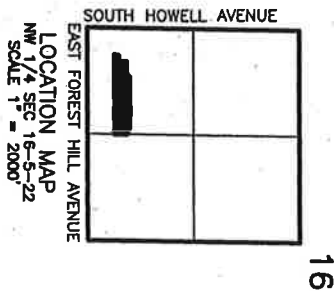
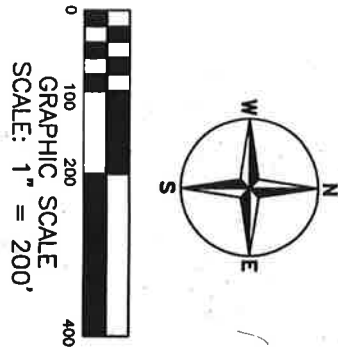
ATTEST:

City Clerk

VOTE: Ayes _____, Noes _____

THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWN 5 NORTH, RANGE 22 EAST CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

REFERENCE BEARING: The south line of the Northwest Quarter (NW 1/4) was used as the reference bearing and bears North 89°18'49" East



NOTE:
EXISTING UTILITY EASEMENTS EXIST IN THE RIGHTS-OF-WAY OF LILLY DRIVE, ALISA LANE AND LAUREE LANE.



[Signature]
KALVIN K. KLIMECK - Wis Reg. No. S-2209
Dated this 11th day of August, 2014

OWNER: LILY DRIVE DEVELOPMENTS LLC. 2990 Universal St, Suite C Oshkosh, WI 53904 (920)426-2001
This instrument prepared by KALVIN K. KLIMECK, P.E., R.L.S., of PIONEER ENGINEERING AND SURVEYING, L.L.C. 3902 C.T.H. "B", Johnson Creek, Wisconsin, 53038 phone no. (414) 651-0490 e-mail: kalpioneereng@tds.net

THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWN 5 NORTH, RANGE 22 EAST CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, KALVIN K. KLIMECK, registered land surveyor, being duly sworn on oath, hereby depose and say that I have surveyed, divided and mapped all that part of the the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 16, Town 5 North, Range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin, being particularly described as follows:

All of Outlot 2 of Oakfield Village Addition No. 1, being a subdivision in part of of the Southwest Quarter (SW 1/4) and Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 16, Town 5 North, range 22 East in the City of Oak Creek, Milwaukee County, Wisconsin.

I further certify that I have made such survey, land division and map by the direction of the owners of said land; that such map is a correct representation of the exterior boundaries of the land surveyed and map thereof made; and that I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes pertaining to Certified Survey Maps (S 236.34) and the subdivision regulations of the City of Oak Creek in surveying, dividing and mapping the same.

STATE OF WISCONSIN)
COUNTY OF) ss

The above certificate subscribed and sworn to me this _____ day of _____, 2014.

My commission expires _____

- NOTARY PUBLIC

CORPORATE OWNER'S CERTIFICATE:

LILLY DRIVE DEVELOPMENTS LLC., a Wisconsin Corporation, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as Owner, does hereby certify that said corporation has caused the land described on this C.S.M. to be surveyed, divided and mapped as represented on this C.S.M.

We also certify that this C.S.M. is required to be submitted to the following for approval: CITY OF OAK CREEK.

LILY DRIVE DEVELOPMENTS, LLC.
RODNEY OILSCHLAGER - MEMBER



KALVIN K. KLIMECK - Wis Reg. No. S-2209
Dated this 11th day of August, 2014



THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER
(NW 1/4) OF SECTION 16, TOWN 5 NORTH, RANGE 22 EAST

STATE OF WISCONSIN)
COUNTY OF MILWAUKEE) ^{ss}

Personally came before me this _____ day of _____, 2014 the above
named RODNEY OILSCHLAGER, to me known to be the person who executed the
foregoing instrument and acknowledge the same.

My commission expires _____

- NOTARY PUBLIC

PLAN COMMISSION APPROVAL:

Approved by the Plan Commission, City of Oak Creek, this _____ day of _____ 2014.

STEPHEN SCAFFIDI - CHAIRMAN

DOUGLAS SEYMOUR - SECRETARY

COMMON COUNCIL APPROVAL:

Approved by the Common Council, City of Oak Creek this _____ day of _____ 2014,
by Resolution No. _____.

STEPHEN SCAFFIDI - MAYOR

CATHERINE A. ROESKE - CITY CLERK



KALVIN K. KLIMECK - Wis Reg. No. S-2209
Dated this 11th day of August, 2014



City of Oak Creek Common Council Report

Meeting Date: November 18, 2014

Item No.: 17

Recommendation: That the Council adopts Resolution No. 11563-111814 approving a certified survey map for the property at 8870 S. Mayhew Dr.

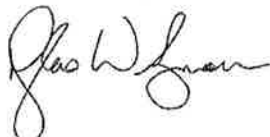
Background: Matthew Lyons, Azura, LLC, and 8870 Mayhew Drive, LLC, are requesting approval of a Certified Survey Map to divide the 5.68-acre parcel at 8870 S. Mayhew Dr. into two lots. Lot 2 will retain the existing professional office condo building. No changes to the existing building are proposed, and required setbacks will be maintained or exceeded. An application has also been submitted to rezone the part of the property that will be Lot 1 from B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use in anticipation of constructing a Community-Based Residential Facility (CBRF).

Staff has reviewed this request, and concerns were raised regarding easements, and water and sewer infrastructure. These concerns were provided to the Applicant, and will be incorporated into the CSM as technical corrections prior to recording.

The Plan Commission has reviewed this request and has recommended its approval with the condition that all technical corrections are made prior to recording.

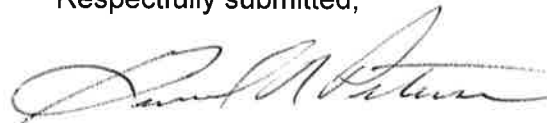
Fiscal Impact: This CSM affects property that will be developed with a Community-Based Residential Facility, generating approximately \$78,880 for Phase I (40 beds) and \$39,440 for Phase II (20 beds).

Prepared by:



Doug Seymour, AICP
Director of Community Development

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

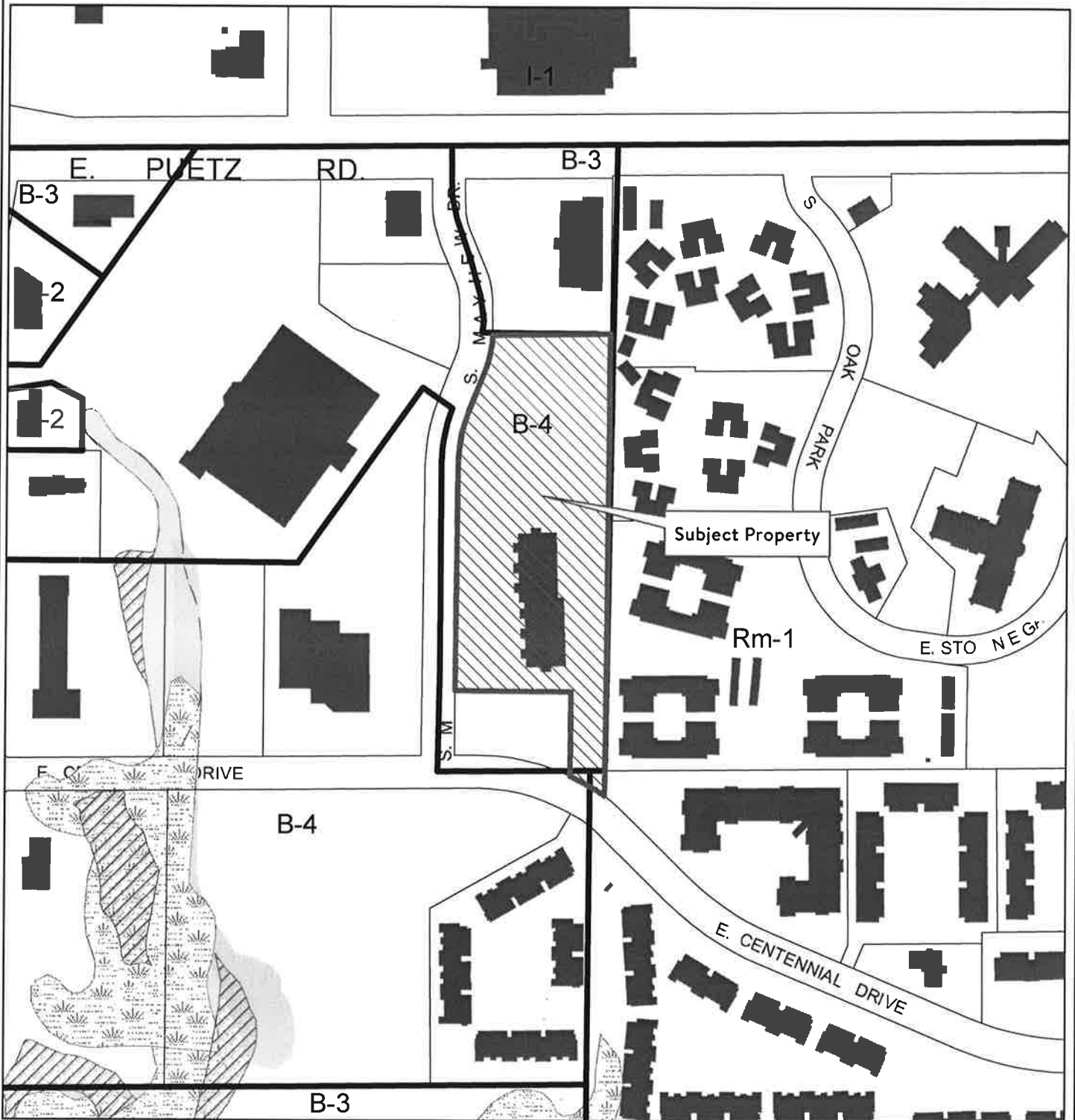
Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

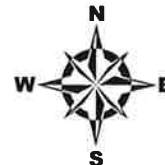
Location Map

8870 S. Mayhew Dr.



OAKCREEK
— WISCONSIN —

Department of Community Development



Legend	
	8870 S. Mayhew Dr.
	Wetland
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)

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

CERTIFIED SURVEY MAP NO. _____

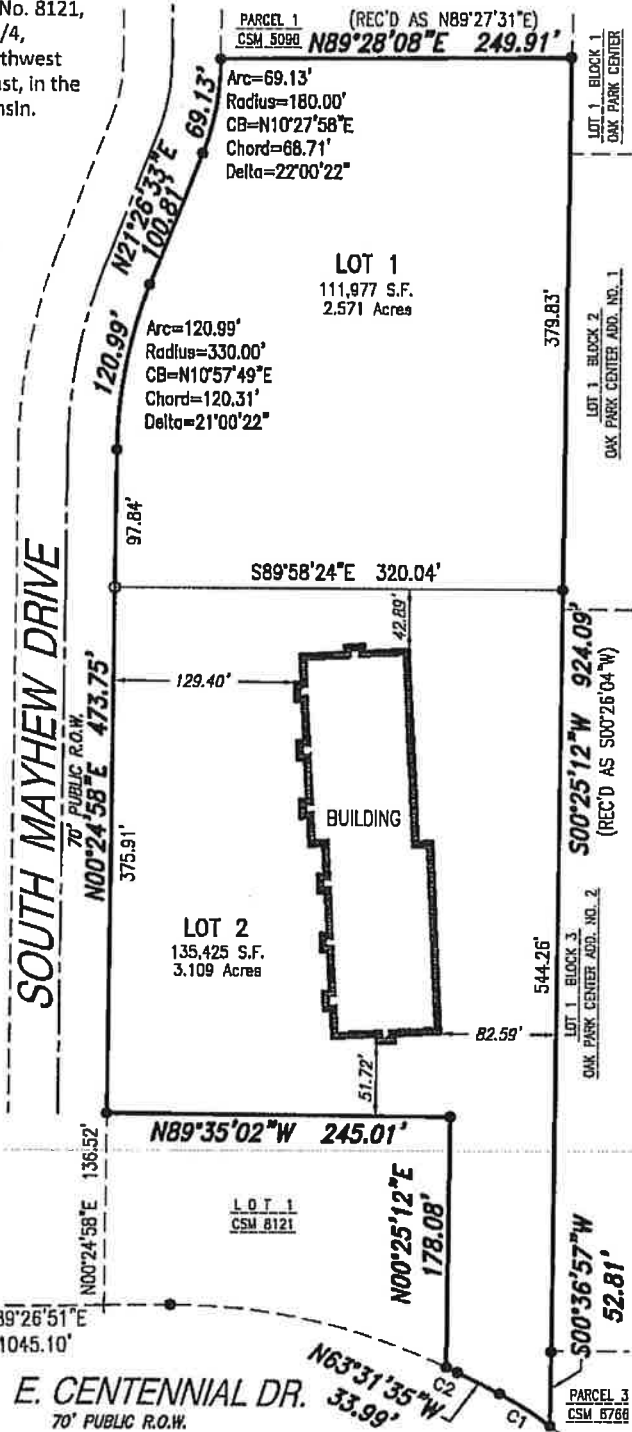
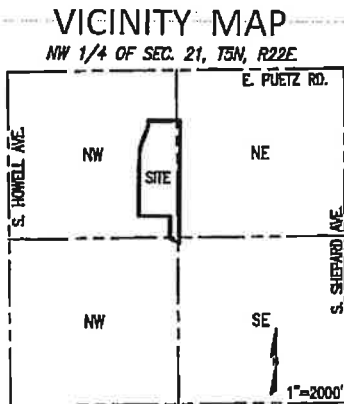
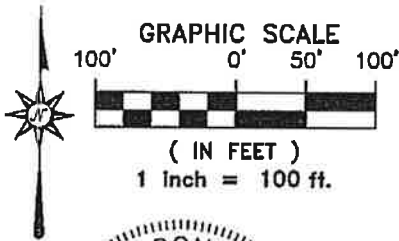
A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- Indicates set 1" iron pipe, 18" in length, 1.68 lbs. per lineal foot.
- Indicates found 1" iron pipe.

Bearings are referenced to grid North of the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the West line of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, bears N 00°20'37" E.

Owner (Lot 1):
Mayhew Development LLC, A WI LLC
13890 Bishops Dr. #120
Brookfield, WI

Owner: (Lot 2):
Mayhew Professional Center
Condominium Association



CURVE	ARC	RADIUS	DELTA	C. BEARING	C. LENGTH
C1	43.01'	254.17'	9°41'45"	N58°16'38"W	42.96'
C2	8.41'	445.65'	1°04'52"	N63°50'17"W	8.41'

CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chapullandsurveys.com

Drawing No. 1818-tjn
SHEET 1 OF 4 SHEETS

This instrument was drafted by Donald C. Chaput
Registered Land Surveyor S-1316

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
:SS
MILWAUKEE COUNTY)

I, DONALD C. CHAPUT, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, 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 Southwest corner of the Northwest 1/4 of said Quarter Section; thence North 00°20'37" East along the East line of said Quarter Section 1358.05 feet to a point; thence North 89°26'51" East along the North line of East Centennial Drive 1045.10 feet to a point; thence North 00°24'58" East along the East line of South Mayhew Drive 136.52 feet to the point of beginning of the land to be described; thence North 00°24'58" East along said East line 473.75 feet to a point; thence Northeasterly 120.99 feet along said East line and the arc of a curve whose center lies to the East, whose radius is 330.00 feet and whose chord bears North 10°57'49" East 120.31 feet to a point; thence North 21°26'33" East along said East line 100.81 feet to a point; thence Northeasterly 69.13 feet along the arc of a curve whose center lies to the West, whose radius is 180.00 feet and whose chord bears North 10°27'58" East 68.71 feet to a point; thence North 89°28'08" East along the South line of Parcel 1 of Certified Survey Map No. 5096 a distance of 249.91 feet to a point; thence South 00°25'12" West 924.09 feet to a point; thence South 00°36'57" West 52.81 feet to a point on the North line of East Centennial Drive; thence Northwesterly 43.01 feet along said North line and the arc of a curve whose center lies to the Southwest, whose radius is 254.17 feet and whose chord bears North 58°16'38" West 42.96 feet to a point; thence North 63°31'35" West along said North line 33.99 feet to a point; thence Northwesterly 8.41 feet along said North line and the arc of a curve whose center lies to the Southwest, whose radius is 445.65 feet and whose chord bears North 63°50'17" West 8.41 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 8121; thence North 00°25'12" East along the East line of said Lot 178.08 feet to the Northeast corner of said Lot; thence North 89°35'02" West along the North line of said Lot 245.01 feet to the point of beginning.

Said lands as described contains 247,402 square feet or 5.680 Acres.

THAT I have made the survey, land division and map by the direction of Mayhew Development LLC, A WI LLC and Mayhew Professional Center Condominium, owner.

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 119 of the Milwaukee Code in surveying, dividing and mapping the same.

September 17, 2014
DATE


DONALD C. CHAPUT
REGISTERED LAND SURVEYOR S-1316



This instrument was drafted by Donald C. Chaput
Registered Land Surveyor S-1316

Sheet 2 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, In the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

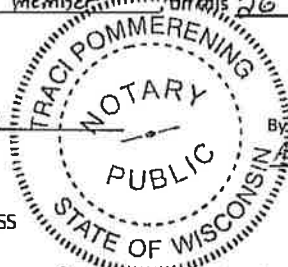
As to Lot 1, Mayhew Development LLC, A WI LLC, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said Association caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of the City of Oak Creek.

Mayhew Development LLC, A WI LLC, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF, Mayhew Development LLC, A WI LLC, has caused these presents to be signed by the hand of Andrew Dumike, member, on this 26 day of Sept., 2014.

In the presence of:

Traci Pommerening
(Witness)



By Andrew Dumike, member

STATE OF WISCONSIN)

MILWAUKEE COUNTY)

Personally came before me this 26 day of September, 2014, Andrew Dumike, member of Mayhew Development LLC, A WI LLC, to be known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Traci Pommerening
Notary Public
State of Wisconsin
My commission expires. 7/17/17
My commission is permanent.

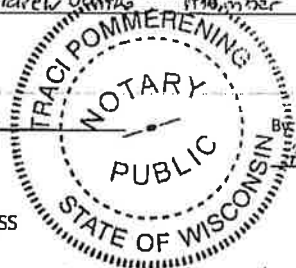
As to Lot 2, Mayhew Professional Center Condominium Association, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of the City of Oak Creek.

Mayhew Professional Center Condominium Association, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek.

IN WITNESS WHEREOF, Mayhew Professional Center Condominium Association, has caused these presents to be signed by the hand of Andrew Dumike, member, on this 26 day of September, 2014.

In the presence of:

Traci Pommerening
(Witness)



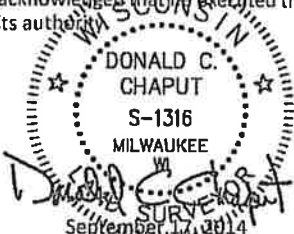
By Andrew Dumike, member

STATE OF WISCONSIN)

MILWAUKEE COUNTY)

Personally came before me this 26 day of September, 2014, Andrew Dumike, member of Mayhew Professional Center Condominium Association, to be known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Traci Pommerening
Notary Public
State of Wisconsin
My commission expires. 7/17/17
My commission is permanent.



This instrument was drafted by Donald C. Chaput
Registered Land Surveyor S-1316

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 2 of Certified Survey Map No. 8121, being part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 21, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

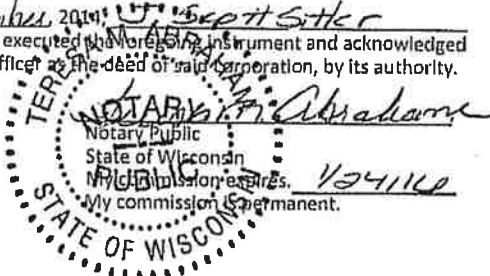
CONSENT OF CORPORATE MORTGAGEE

As to Lot 1, Choice Bank, N.A., mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping the land described on this map and does hereby consent to the above certificate of Mayhaw Development LLC, A WI LLC, OWNER.

By [Signature] Its
Name: J. Scott Sitter
Title: President / CEO

STATE OF WISCONSIN)
:SS
Waukesha COUNTY)

Personally came before me this 20th day of September, 2014, J. Scott Sitter
of Choice Bank to be known as the person who executed the foregoing instrument and acknowledged
that he executed the foregoing instrument as such officer of the deed of said corporation, by its authority.



CITY OF OAK CREEK COMMON COUNCIL APPROVAL

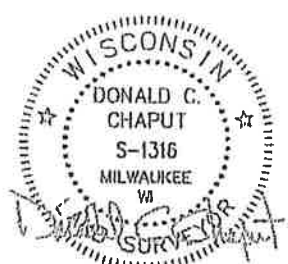
This Certified Survey Map, located in the City of Oak Creek, Milwaukee County, Wisconsin, is hereby approved by Resolution No. _____ on this _____ day of _____, 20____.

_____, Mayor
_____, City Clerk

PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission for the City of Oak Creek, Milwaukee County, Wisconsin on this _____ day of _____, 20____.

_____, Mayor
_____, City Clerk



September 17, 2014

This instrument was drafted by Donald C. Chaput
Registered Land Surveyor S-1316

Drawing No. 1818-tjn
SHEET 4 OF 4 SHEETS

RESOLUTION NO. 11563-111814

BY: _____

RESOLUTION APPROVING A CERTIFIED SURVEY MAP
FOR MATTHEW LYONS, AZURA, LLC AND 8870 MAYHEW DRIVE, LLC

331 W. Ave.
(2nd Aldermanic District)

WHEREAS, it appears that the certified survey map submitted by MATTHEW LYONS, AZURA, LLC, and 8870 MAYHEW DRIVE, LLC, hereinafter referred to as the subdividers, is in compliance with all statutory requirements; and

WHEREAS, the subdividers have complied with all of the applicable ordinances and resolutions of the City of Oak Creek, and

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

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th Day of November, 2014.

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: November 18, 2014

Item No.: 18

Recommendation: That the Council adopts Resolution No. 11564-111814 to add territory to Tax Increment Financing District No. 11 and to amend the Project Plan for Tax Increment District No. 11.

Background: At the November 11, 2014 Plan Commission meeting, the Commission adopted Resolution 2014-01 approving and amendment to the boundaries (a portion of 8142 S. 6th St.) of TID 11 and amendments to the Project Plan.

Tax Incremental District No. 11 (the "District") was created on April 3, 2012 as a mixed-use tax increment district. It is comprised of approximately 120 acres of formerly vacant industrial property now currently being redeveloped as Drexel Town Square.

The development includes the City Hall and Library, a Meijer large-format retail store, retail shops, restaurants, apartments, a hotel, and other appropriate uses. In January of 2014, an Amendment was finalized to include an adjacent parcel, formerly known as 400 W. Forest Hill Avenue. The purpose of this Amendment No. 2 to the Tax Incremental District 11 Project Plan is to update the boundary for the district to include a portion of 8131 S. Howell Avenue, which was reconfigured and included in a Certified Survey Map that divided the property at 400 W. Forest Hill Avenue. Part of this reconfiguration will allow for the construction of the proposed South 6th Street connection between Drexel Avenue and West Forest Hill Avenue. This reconfiguration and amendment is necessary to comply with Wisconsin Statutes that require TIF districts to be comprised of whole parcels.

City of Oak Creek Tax Incremental District No. 11 and the supporting project plan are hereby amended to update the district boundary. Maps detailing this boundary amendment are:

1. Map 3 – Conceptual Land Uses
2. Map 4 – Proposed Improvements

All other sections of the original Project Plan as revised by that certain Amendment No. 1 to the Tax Incremental District No. 11 Project Plan approved by the Plan Commission on December 10, 2013; the Common Council on January 7, 2014; and the Joint Review Board on January 8, 2014 remain in full force and effect.

Fiscal Impact: Development within this District will generate taxes for all taxing jurisdictions upon closure of the TID.

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

CITY OF OAK CREEK, WISCONSIN

AMENDMENT NO. 2 TO
TAX INCREMENTAL DISTRICT NO. 11
PROJECT PLAN

PREPARED BY;
THE CITY OF OAK CREEK
AND
HUTCHINSON, SHOCKEY, ERLEY & CO.

DRAFT
NOVEMBER 2014

APPROVED

Plan Commission: November 11, 2014

Common Council:

Joint Review Board:

INTRODUCTION

Tax Incremental District No. 11 (the "District") was created on April 3, 2012 as a mixed-use tax increment district. It is comprised of approximately 120 acres of primarily vacant industrial property with a base value of \$11,835,700. The current total value for 2014 is \$16,942,500.

The District is an area to the west of South Howell Avenue (STH 38) between Drexel Avenue and West Forest Hill Avenue. The District will be an important gateway to the City of Oak Creek with the 2012 completion of a freeway interchange at Drexel Avenue with Interstate 94.

The development is known as Drexel Town Square, and will include the City Hall and Library, a large-format retail store, retail shops, restaurants, apartments, a hotel, and other appropriate uses. In January of 2014, an Amendment was finalized to include an adjacent parcel, formerly known as 400 W. Forest Hill Avenue. The purpose of this Amendment No. 2 to the Tax Incremental District 11 Project Plan is to update the boundary for the district to include a portion of 8131 S. Howell Avenue, which was reconfigured and included in a Certified Survey Map that divided the property at 400 W. Forest Hill Avenue. Part of this reconfiguration will allow for the construction of the proposed South 6th Street connection between Drexel Avenue and West Forest Hill Avenue.

City of Oak Creek Tax Incremental District No. 11 and the supporting project plan are hereby amended to update the district boundary. Maps detailing this boundary amendment are:

1. Map 3 – Conceptual Land Uses
2. Map 4 – Proposed Improvements

All other sections of the original Project Plan as revised by that certain Amendment No. 1 to the Tax Incremental District No. 11 Project Plan approved by the Plan Commission on December 10, 2013; the Common Council on January 7, 2014; and the Joint Review Board on January 8, 2014 remain in full force and effect.

[_____] , 2014

Mayor Stephen Scaffidi
and Members of the Common Council
City of Oak Creek
8640 S. Howell Avenue
Oak Creek, WI 53154

RE: City of Oak Creek, Amendment No. 2 to Tax Incremental District No. 11 Project Plan

Dear Mayor Scaffidi and Members of the Common Council:

We have acted as special counsel to the City of Oak Creek in connection with the preparation of Amendment No. 2 to Tax Incremental District No. 11 Project Plan (the "Amendment") and the adoption of the Amendment. In that capacity we have reviewed the Project Plan for Tax Incremental District No. 11, as amended by that certain Amendment No. 1 to Tax Incremental District No. 11, and as further amended by the Amendment (collectively, the "Project Plan"), examined the proceedings in connection with the approval of the Amendment, and reviewed pertinent statutory provisions including Section 66.1105 of the Wisconsin Statutes. We have not been engaged to, nor have we undertaken to, verify the accuracy of any assumptions, estimates, or financial projections contained in the Project Plan or the financial feasibility of the Project Plan and express no opinion relating to those items.

Based upon our examination and review, and in reliance on the accuracy of the statements set forth in the Project Plan, we are of the opinion that the Project Plan is complete and is in compliance with Section 66.1105 of the Wisconsin Statutes.

This opinion is being provided solely for the purpose of complying with the requirements of Section 66.1105(4)(f) of the Wisconsin Statutes, and is being rendered solely for the benefit of the City of Oak Creek, Wisconsin. This opinion may not be used or relied upon for any other purpose or relied upon by any other party without our prior written consent.

Very truly yours,

GODFREY & KAHN, S.C.

Michael J. Dwyer

MJD:rlc

12514741.1

BOUNDARY DESCRIPTION

The description of the existing territory and boundaries of TID 11 ("Territory Amended") are:

Commencing at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 17-5-22; thence S00°18'04"E, 65 feet to the point of beginning of the lands to be described:

thence S 89°07'01" E, 2570.94 feet; thence S 00°33'20" W, 1449.85 feet; thence N 89°26'40" W, 272.6 feet; thence southwesterly 24.36 feet along the arc of a curve whose center lies to the South, whose radius is 15.50 feet and whose chord bears S 45°32'20" W, 21.93 feet; thence S 01°31'21" W, 0.89 feet; thence N 89°08'27" W, 104.99 feet; thence N 00°30'12" E, 267.39 feet; thence N 89°29'48" W, 503.03 feet; thence S 00°30'12" W, 60.77 feet; thence N 89°29'48" W, 111.68 feet;

thence N 00°30'12" E, 9.00 feet; thence N 89°28'51" W, 331.17 feet; thence S 00°30'40" W, 187.72 feet; thence N 89°26'10" W, 147.17 feet; thence S 00°33'50" W, 253.49 feet; thence N 89°20'23" W, 144.00 feet; thence S 00°39'37" W, 623.62 feet; thence N 89°20'23" W, 80.00 feet; thence S 00°39'37" W, 60.00 feet; thence N 89°20'23" W, 255.41 feet; thence southwesterly 269.322 feet along the arc of a curve whose center lies to the Southeast, whose radius is 65 feet and whose chord bears S 29°22'51" W, 114.029 feet; thence S 00°41'14" W, 645.67 feet; thence southwesterly 878.23 feet along the arc of a curve whose center lies to the southeast, whose radius is 407.32 feet and whose chord bears S 70°33'07" W, 717.73 feet;

thence northeasterly, 302.76 feet along the arch of a curve whose center lies to the West, whose radius is 22988.33 feet and whose chord bears N 00°47'41" E, 302.76 feet; thence northeasterly, 47.70 feet along the arc of a curve whose center lies to the West, whose radius is 735.76 feet and whose chord bears N 07°15'01" E, 47.69 feet; thence N 80°14'06" W, 15.53 feet; thence northeasterly, 107.83 feet along the arc of a curve whose center lies to the West, whose radius is 715.88 feet and whose chord bears N 05°26'59" E, 107.73 feet; thence N 00°00'50" W, 10.00 feet; thence N 05°13'10" W, 17.07 feet; thence N 03°28'50" E, 22.63 feet;

thence N 00°00'50" W, 279.70 feet; thence S 89°28'52" E, 1.62 feet; thence N 00°08'46" W, 2075.34 feet; thence northwesterly 193.99 feet along the arc of a curve whose center lies to the West, whose radius is 822.79 feet and whose chord bears N 06°54'02" W, 193.54 feet;

thence N 00°10'30" W, 324.85 feet; thence S 89°17'21" E, 182.71 feet to the point of beginning. (Contains 120.6 acres)

The Existing Territory is commonly known as 7929 S. Howell Avenue, 8051 S. Howell Avenue, 601 W. Drexel Avenue, 8050 S. 6th Street, 400, 500 and 535 W. Forest Hill Avenue.

The description of the territory to be added ("Additional Territory") is:

Commencing at the Center corner of Section 17-5-22; thence S 89°21'45" E, 820.47; thence N 00°38'07" E 202.34 feet to the point of beginning of the lands to be described:

thence N 89°39'37" E, 60.00 feet; thence S 89°20'23" E, 80.00 feet; thence N 00°39'37" E, 623.62 feet; thence S 89°20'23" E, 144.00 feet; thence N 00°33'50" W, 253.49 feet; thence S 89°26'10" E, 147.17 feet; thence S 00°29'32" W, 518.06 feet; thence N 89°20'23" W, 243.11 feet; thence S 00°52'59" W, 210.05 feet; thence S 06°01'37" E, 157.92 feet; thence S 00°52'59" W, 52.39 feet; thence N 89°20'23" W, 146.53 feet to the point of beginning.
(Contains 3.26 acres)

The Additional Territory is commonly known as a portion of 8142 S. 6th St.

The description of the combined Territory Amended and Additional Territory is:

Commencing at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 17-5-22; thence S00°18'04"E, 65 feet to the point of beginning of the lands to be described:

thence S 89°07'01" E, 2570.94 feet; thence S 00°33'20" W, 1449.85 feet; thence N 89°26'40" W, 272.6 feet; thence southwesterly 24.36 feet along the arc of a curve whose center lies to the South, whose radius is 15.50 feet and whose chord bears S 45°32'20" W, 21.93 feet; thence S 01°31'21" W, 0.89 feet; thence N 89°08'27" W, 104.99 feet; thence N 00°30'12" E, 267.39 feet; thence N 89°29'48" W, 503.03 feet; thence S 00°30'12" W, 60.77 feet; thence N 89°29'48" W, 111.68 feet;

thence N 00°30'12" E, 9.00 feet; thence N 89°28'51" W, 331.17 feet; thence S 00°30'40" W, 187.72 feet; thence S 00°29'32" W, 518.06 feet; thence N 89°20'23" W, 243.11 feet; thence S 00°52'59" W, 210.05 feet; thence S 06°01'37" E, 157.92 feet; thence S 00°52'59" W, 52.39 feet; thence N 89°20'23" W, 401.94 feet; thence southwesterly 269.322 feet along the arc of a curve whose center lies to the Southeast, whose radius is 65 feet and whose chord bears S 29°22'51" W, 114.029 feet; thence S 00°41'14" W, 645.67 feet; thence southwesterly 878.23 feet along the arc of a curve whose center lies to the southeast, whose radius is 407.32 feet and whose chord bears S 70°33'07 W, 717.73 feet;

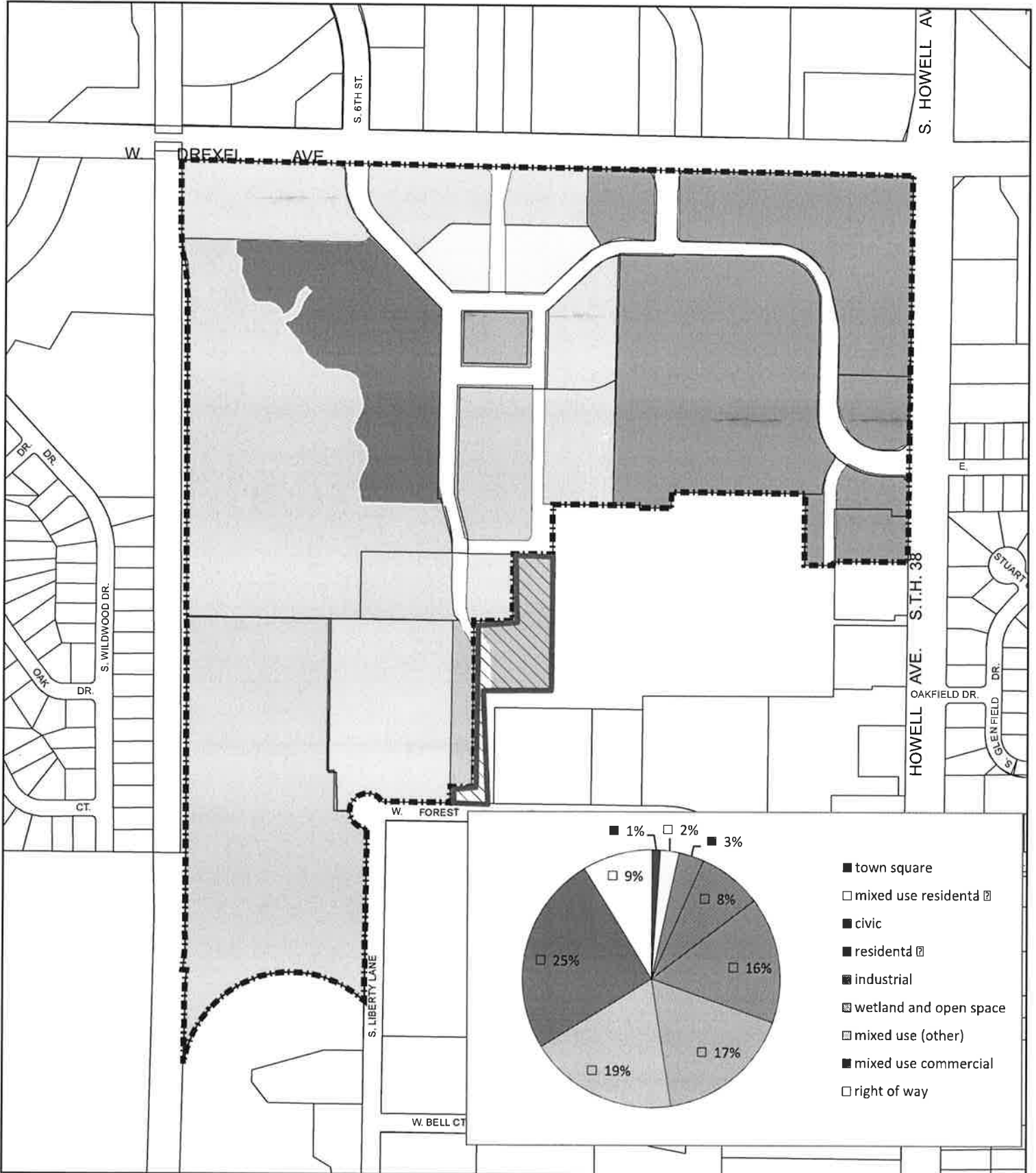
thence northeasterly, 302.76 feet along the arch of a curve whose center lies to the West, whose radius is 22988.33 feet and whose chord bears N 00°47'41" E, 302.76 feet; thence northeasterly, 47.70 feet along the arc of a curve whose center lies to the West, whose radius is 735.76 feet and whose chord bears N 07°15'01" E, 47.69 feet; thence N 80°14'06" W, 15.53 feet; thence northeasterly, 107.83 feet along the arc of a curve whose center lies to the West, whose radius is 715.88 feet and whose chord bears N 05°26'59" E, 107.73 feet; thence N 00°00'50" W, 10.00 feet; thence N 05°13'10" W, 17.07 feet; thence N 03°28'50" E, 22.63 feet;

thence N 00°00'50" W, 279.70 feet; thence S 89°28'52" E, 1.62 feet; thence N 00°08'46" W, 2075.34 feet; thence northwesterly 193.99 feet along the arc of a curve whose center lies to the West, whose radius is 822.79 feet and whose chord bears N 06°54'02" W, 193.54 feet;

thence N 00°10'30" W, 324.85 feet; thence S 89°17'21" E, 182.71 feet to the point of beginning. (Contains 123.86 acres)

Map 3

TIF #11 - Conceptual Land Uses



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



OAKCREEK
— WISCONSIN —



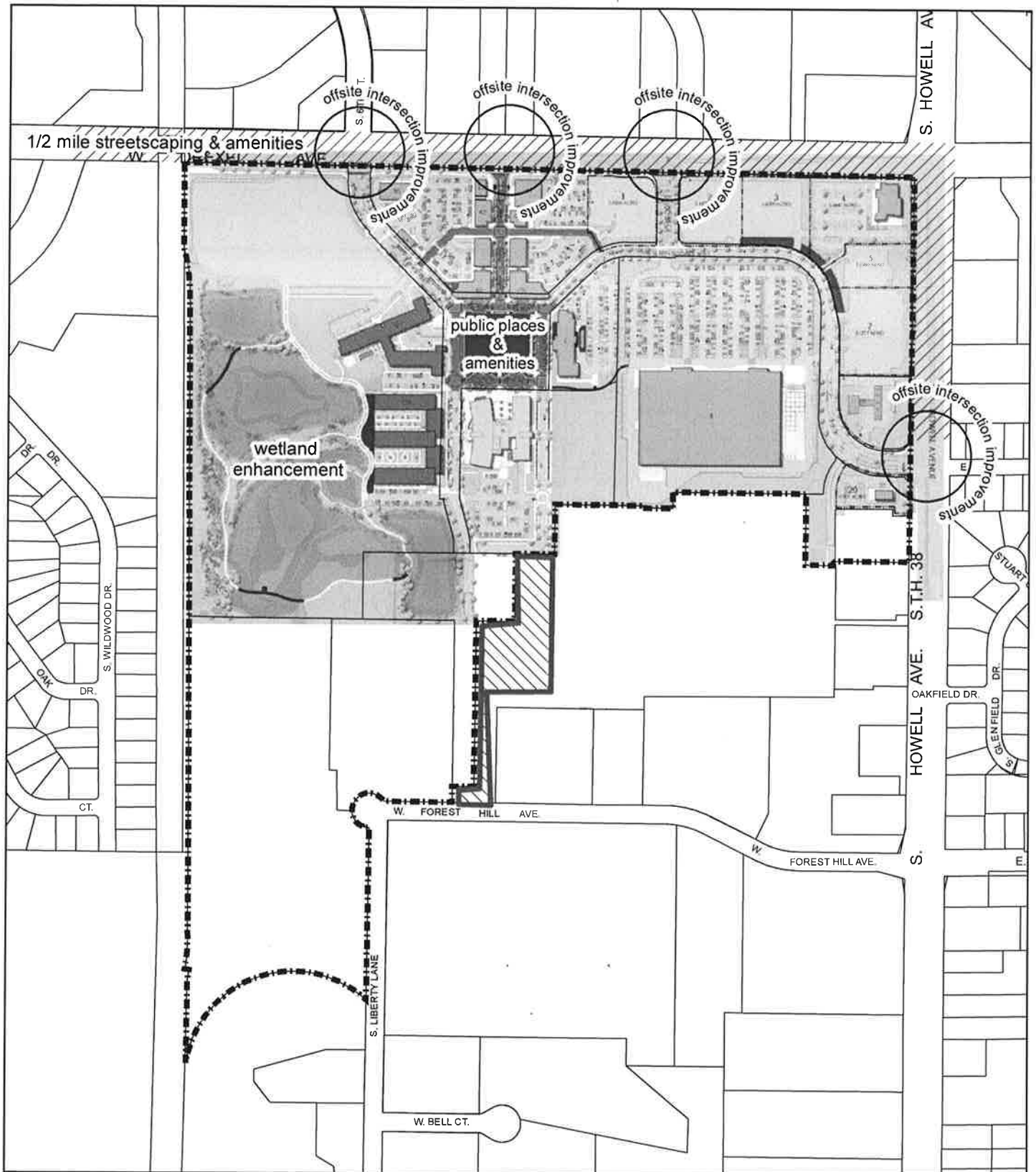
0 125 250 500 750 1,000 Feet

Legend

- Area to be Added to TID 11
- Existing TID 11 Boundary

Map 4

TIF #11 - Proposed Improvements



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






OAKCREEK
— WISCONSIN —



0 125 250 500 750 1,000 Feet

Legend

-  public places & amenities
-  Existing TID 11 Boundary
-  Area to be Added to TID 11

RESOLUTION NO. 11564-111814

**A RESOLUTION BY THE COMMON COUNCIL
MAKING CERTAIN FINDINGS AND APPROVING AMENDMENT NO. 2 TO THE
PROJECT PLAN AND TERRITORY AMENDMENT NO. 2 FOR
TAX INCREMENTAL DISTRICT NO. 11,
CITY OF OAK CREEK, WISCONSIN**

WHEREAS, the overall development of the City of Oak Creek is recognized as a major need of the City; and

WHEREAS, the City on April 3, 2012, adopted Resolution No. 11229-040312 to create Tax Incremental District No. 11, City of Oak Creek, Wisconsin (“District”), as a mixed-use district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (“Tax Increment Law”), in order to provide a viable method of financing the costs of needed public improvements within said District and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, the City of Oak Creek Joint Review Board on April 20, 2012, adopted Resolution No. 2012-01 that approved the creation of the District; and

WHEREAS, the Common Council for the City of Oak Creek (“Council”) on January 7, adopted Resolution No. 11449-010714 that approved Amendment No. 1 to Tax Incremental District No. 11 Project Plan; and

WHEREAS, the City of Oak Creek Joint Review Board on January 8, 2014, adopted Resolution No. 2014-01 that approved that certain Amendment No. 1 to Tax Incremental District No. 11 Project Plan; and

WHEREAS, in order to further the goals contained in the original project plan for the District (“Project Plan”), the City now finds it desirable to amend the District’s territorial boundaries to add additional property to the District as set forth in Exhibit A attached hereto and incorporated herein (“Territory Amendment”), and this is the second territory amendment to the District; and

WHEREAS, the property to be added in the Territory Amendment is contiguous to the District and will be served by improvements in the District Project Plan; and

WHEREAS, the City of Oak Creek desires to amend the Project Plan for the District for the purpose of reflecting the change to the District’s boundaries as set forth in the Amendment No. 2 to Tax Incremental District No. 11 Project Plan attached hereto as Exhibit B and incorporated herein (“Project Plan Amendment”), which amendment shall be the second amendment to the Project Plan for the District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on November 11, 2014, after giving proper Class 2 public notice and having a quorum present, held a public hearing concerning the proposed Territory Amendment and

Project Plan Amendment during which interested parties from the public were afforded a reasonable opportunity to express their views (“Public Hearing”); and

WHEREAS, prior to its first publication, a copy of the notice of said Public Hearing was sent via first class mail to the chief executive officer of Milwaukee County, the Oak Creek Franklin Joint School District, the Milwaukee Metropolitan Sewerage District, the Milwaukee County Technical College District, and the other entities having the power to levy taxes on property located within the proposed District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said Public Hearing, the Plan Commission approved and recommended to the City Common Council that it adopt the Territory Amendment and Project Plan Amendment; and

WHEREAS the Plan Commission has prepared the Project Plan Amendment, attached as Exhibit B and incorporated herein, which includes the following amendments:

- a. Map 3, Conceptual Land Uses;
- b. Map 4, Proposed Improvements;
- c. An opinion of the City Attorney or of an attorney retained by the City advising the plan is complete and complies with Wisconsin Statutes, Section 66.1105(4)(f); and

WHEREAS, the Plan Commission has submitted the Territory Amendment and the Project Plan Amendment to the City Common Council and recommended approval thereof.

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

1. That the City Common Council, pursuant to the Tax Increment Law, hereby adopts the Territory Amendment to amend the territorial boundaries of the District to add and include the property set forth in the attached Exhibit A and incorporated herein, and
2. The City Common Council hereby finds and declares that:
 - (a) The Project Plan, as amended, is feasible and in conformity with the master plan; and
 - (b) Not less than 50% by area of the real property within the District remains suitable for and will directly serve to promote a combination of industrial, commercial, and residential uses, defined as “mixed-use development,” within the meaning of Section 66.1105(2)(cm) of the Wisconsin Statutes; and

- (c) Based upon the findings, as stated in (b) above, the District remains a mixed-use district based on the identification, classification, and zoning of the property included within the District; and
- (d) The project costs directly serve to promote mixed-use development consistent with the purpose for which the District is created; and
- (e) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District; and
- (f) The equalized value of taxable property of the District plus the value increment of all existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City; and
- (g) The City does not estimate that more than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Section 66.1105(6)(am)1. of the Wisconsin Statutes; and
- (h) Lands proposed for newly platted residential development as shown in the Project Plan, as amended, do not exceed 35% by area, of the real property within the District; and
- (i) Costs related to newly platted residential development are identified as part of the Project Plan and such residential developments, as identified on Map 3 in the Project Plan, as amended, will result in residential density of at least three residential units per acre; and
- (j) The property to be added in the Territory Amendment is contiguous to the District and will be served by improvements in the District Project Plan.

BE IT FURTHER RESOLVED THAT, the City Common Council of the City of Oak Creek approves the Territory Amendment attached as Exhibit A and incorporated herein and the Project Plan Amendment attached hereto as Exhibit B and incorporated herein, both as recommended and adopted by the Plan Commission, and finds that:

1. Such Project Plan, as amended, for the District in the City are feasible; and
2. Such Project Plan, as amended, is in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT, except as specifically amended by the Territory Amendment or the Project Plan Amendment, the District territory and Project Plan remains unchanged and in full force and effect, except as amended by any and all previous amendments.

BE IT FURTHER RESOLVED THAT, the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for approval of the Territory Amendment and Project Plan Amendment and for a redetermination of

the tax incremental base, as of January 1, 2014, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT, the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property which are within or have been added to the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted this _____ day of _____, 2014.

Stephen Scaffidi, Mayor

Attest:

Catherine Roeske, Clerk

EXHIBIT A

AMENDMENT NO. 2 TO TERRITORY

The description of the territory to be added ("Additional Territory") is:

Commencing at the Center corner of Section 17-5-22; thence S 89°21'45" E, 820.47; thence N 00°38'07" E 202.34 feet to the point of beginning of the lands to be described:

thence N 89°39'37" E, 60.00 feet; thence S 89°20'23" E, 80.00 feet; thence N 00°39'37" E, 623.62 feet; thence S 89°20'23" E, 144.00 feet; thence N 00°33'50" W, 253.49 feet; thence S 89°26'10" E, 147.17 feet; thence S 00°29'32" W, 518.06 feet; thence N 89°20'23" W, 243.11 feet; thence S 00°52'59" W, 210.05 feet; thence S 06°01'37" E, 157.92 feet; thence S 00°52'59" W, 52.39 feet; thence N 89°20'23" W, 146.53 feet to the point of beginning. (Contains 3.26 acres)

The Additional Territory is commonly known as a portion of 8142 S. 6th St.

The description of the combined existing District territory and Additional Territory is:

Commencing at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 17-5-22; thence S00°18'04"E, 65 feet to the point of beginning of the lands to be described:

thence S 89°07'01" E, 2570.94 feet; thence S 00°33'20" W, 1449.85 feet; thence N 89°26'40" W, 272.6 feet; thence southwesterly 24.36 feet along the arc of a curve whose center lies to the South, whose radius is 15.50 feet and whose chord bears S 45°32'20" W, 21.93 feet; thence S 01°31'21" W, 0.89 feet; thence N 89°08'27" W, 104.99 feet; thence N 00°30'12" E, 267.39 feet; thence N 89°29'48" W, 503.03 feet; thence S 00°30'12" W, 60.77 feet; thence N 89°29'48" W, 111.68 feet; thence N 00°30'12" E, 9.00 feet; thence N 89°28'51" W, 331.17 feet; thence S 00°30'40" W, 187.72 feet; thence S 00°29'32" W, 518.06 feet; thence N 89°20'23" W, 243.11 feet; thence S 00°52'59" W, 210.05 feet; thence S 06°01'37" E, 157.92 feet; thence S 00°52'59" W, 52.39 feet; thence N 89°20'23" W, 401.94 feet; thence southwesterly 269.322 feet along the arc of a curve whose center lies to the Southeast, whose radius is 65 feet and whose chord bears S 29°22'51" W, 114.029 feet; thence S 00°41'14" W, 645.67 feet; thence southwesterly 878.23 feet along the arc of a curve whose center lies to the southeast, whose radius is 407.32 feet and whose chord bears S 70°33'07 W, 717.73 feet; thence northeasterly, 302.76 feet along the arch of a curve whose center lies to the West, whose radius is 22988.33 feet and whose chord bears N 00°47'41" E, 302.76 feet; thence northeasterly, 47.70 feet along the arc of a curve whose center lies to the West, whose radius is 735.76 feet and whose chord bears N 07°15'01" E, 47.69 feet; thence N 80°14'06" W, 15.53 feet; thence northeasterly, 107.83 feet along the arc of a curve whose center lies to the West, whose radius is 715.88 feet and whose chord bears N 05°26'59" E, 107.73 feet; thence N 00°00'50" W, 10.00 feet; thence N 05°13'10" W, 17.07 feet; thence N 03°28'50" E, 22.63 feet; thence N 00°00'50" W, 279.70 feet; thence S 89°28'52" E, 1.62 feet; thence N 00°08'46" W, 2075.34 feet; thence northwesterly 193.99 feet along the arc of a curve whose center lies to the West, whose radius is 822.79 feet and whose chord bears N 06°54'02" W, 193.54 feet; thence N 00°10'30" W, 324.85 feet; thence S 89°17'21" E, 182.71 feet to the point of beginning. (Contains 123.86 acres)

EXHIBIT B

AMENDMENT NO. 2 TO PROJECT PLAN

[TO BE ATTACHED]

RESOLUTION NO. 11565-111814

RESOLUTION APPROVING TAX INCREMENTAL DISTRICT NO. 11
FINANCE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF
OAK CREEK AND BARRETT VISIONARY PROPERTIES, INC.
(Drexel Town Square)
(2nd Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Tax Incremental District No. 11 Finance Development Agreement by and between the City of Oak Creek and Barrett Visionary Properties, Inc. be and the same are hereby approved.

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

BE IT FURTHER RESOLVED that Amendments to the Agreement that do not substantively change the terms of the Agreement and that are approved by the City Administrator and the City Attorney are hereby authorized.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th day of November, 2014.

Passed and adopted this 18th day of November, 2014.

President, Common Council

Approved this 18th day of November, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____