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

COMMON COUNCIL MEETING AGENDA

TUESDAY, DECEMBER 16, 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: 12/2/14

Recognition

4. **Resolution:** Consider *Resolution* No. 11576-121614, a Resolution of Appreciation to E. I. Du Pont De Nemours ("DuPont") and EPEC Polymers, Inc. ("EPEC") (by Committee of the Whole).

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

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

5. **Rezone & Conditional Use:** Consider a request by Matthew Lyons, Azura LLC to rezone the property at 8870 S. Mayhew Dr. B-4, Highway Business to Rm-1, Multifamily residential with a Conditional Use for a Community-Based Residential Facility with a capacity for more than 15 persons (3rd District).

New Business

MAYOR & COMMON COUNCIL

6. Presentation by SmithGroup JJR on the Lake Vista Park Concept Plan.
7. **Resolution:** Consider *Resolution* No. 11578-121614, accepting the Lake Vista Active and Passive Recreation (Community Park & Playground / Terrace & Access to Lake) Concept Plan (4th District).
8. **Resolution:** Consider *Resolution* No. 11570-121614, approving the second amendment to the Tax Incremental District No. 7 Finance Development Agreement between the City and Liberty Property Limited Partnership (6th District).
9. **Resolution:** Consider *Resolution* No. 11571-121614, approving the Tax Incremental District No. 6 Finance Development Agreement with CenterPoint Properties Trusts (6th District).

10. **Resolution:** Consider Resolution No. 11573-121614, approving the First Amendment to the Tax Incremental District No. 11 Finance Development Agreement (Oak Creek Hotel Group, LLC) (2nd District).
11. **Resolution:** Consider Resolution No. 11574-121614, approving the First Amendment to the Tax Incremental District No. 8 Finance Development Agreement (Stella & Chewy's, LLC) (5th District).
12. **Motion:** Consider a motion to approve the 2014 Vendor Summary Report in the amount of \$2,484,593.12 (by Committee of the Whole).
13. **Ordinance:** Consider Ordinance No. 2743, fixing the Salary Ranges, Salary, Wages and Allowances for Non-Union, General, Management Personnel and Other City Offices and Positions for the Year 2015 (by Committee of the Whole).
14. **Ordinance:** Consider Ordinance No. 2739, fixing the Salary Ranges, Salary, Wages and Allowances for Part Time Personnel and Other City Offices and Positions for the Year 2015 (by Committee of the Whole).

LIBRARY

15. **Resolution:** Consider Resolution No. 11577-121614, acknowledging and filing the 2015 Calendar Year Salary Grade Plan and Benefits for Library Personnel (by Committee of the Whole).

STREETS, PARKS & FORESTRY

16. **Motion:** Consider a motion to award a prairie seed and plant purchase to Taylor Creek Restoration Nurseries in the amount of \$6,075.42 (by Committee of the Whole).

ENGINEERING

17. **Resolution:** Consider Resolution No. 11572-121614, accepting the workmanship and authorizing final payment to Payne & Dolan, Inc. for installation of street improvements in W. Puetz Rd. (Project No. 13028) (2nd District).
18. **Motion:** Considers a motion to award the 2015-2016 Private Property Maintenance contract to the lowest responsive, responsible bidder, Robie's Grading, for the unit bid price of \$102.00/ton (by Committee of the Whole).

LICENSE COMMITTEE

The License Committee did not meet prior to the 12/18/14 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*):
 - Donald A. Baldwin, 4740 S. 43rd St., Greenfield (Classic Lanes)
 - Sara M. Frievault, 2432 13th Ave., South Milwaukee (Bootz Saloon)

20. **Motion:** Consider a *motion* to issue renewal dog kennel licenses to the following, with issuance subject to payment of personal property taxes (*favorable background report received*):
 - Bradley Osgood, Brentwood Animal Hospital, 318 W. Ryan Rd.
 - Deborah M. Lipstreuer, Puppy Playground, LLC, 8411 S. Liberty Ln.
 - Sue Ann McCotter, Club K-9, LLC dba Central Bark Doggy Day Care, 1075b W. Northbranch Dr.
21. **Motion:** Consider a *motion* to grant a Secondhand Article Dealer license to the following, with issuance subject to payment of personal property taxes (*favorable background report received*):
 - Laura E. Moss for ecoATM, Inc. ecoATM has a kiosk inside of Woodman's Food Market, 8151 S. Howell Ave.
 - Theresa J. Tang for Tangs Gamers Paradise LLC dba Gorilla Games, 8880 S. Howell Ave., Suite 1200.
22. **Motion:** Consider a *motion* to grant a renewal adult entertainment business license for the 2015 licensing year to SJB LLC, Stephanie Higgins, agent, doing business as The New Spice II, 7070 S. 27th Street, with issuance subject to payment of 2014 personal property taxes (*favorable background reports received*).
23. **Motion:** Consider a *motion* to grant an Employee license for the 2015 licensing year for an adult entertainment business for The New Spice II to the following (*favorable background reports received*):
 - Mary E. Staat, employee
 - Calvin H. Wiley, employee

MISCELLANEOUS

24. **Motion:** Consider a *motion* to convene in to Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes Section 19.85 (1)(e) to consider a 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) (2nd District).
25. **Motion:** Consider a *motion* to reconvene into Open Session.
26. **Resolution:** Consider *Resolution* No. 11575-121614, approving the Tax Incremental District No. 11 Finance Development Agreement with HAS Commercial Real Estate (2nd District).

Adjournment.

Public Notice

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

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

City of Oak Creek Common Council Report

Meeting Date: 12/16/14

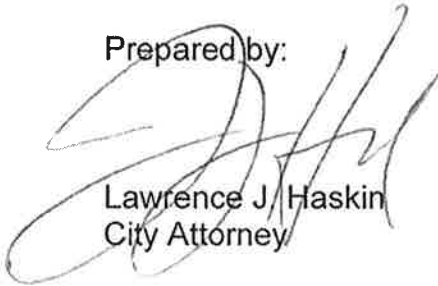
Item No.: 4

Recommendation: That the Common Council adopt Resolution No. 11576-121614, a Resolution of Appreciation to E. I. Du Pont De Nemours ("Du Pont") and EPEC Polymers, Inc. ("EPEC").

Background: The purpose of this Resolution is to extend gratitude and appreciation to Du Pont and EPEC for their environmental investigation and remediation of 98 acres along Oak Creek's lakefront and the donation of the property to the City for its future use.

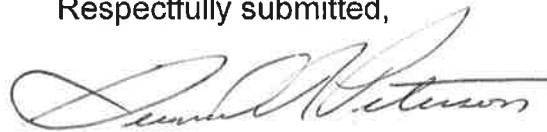
Fiscal Impact: As stated above.

Prepared by:



Lawrence J. Haskin
City Attorney

Respectfully submitted,



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

RESOLUTION NO. 11576 - 121614

RESOLUTION OF APPRECIATION TO E. I. DU PONT DE NEMOURS
("DU PONT") AND EPEC POLYMERS, INC. ("EPEC")
(Lake Vista Project)
(4th Aldermanic District)

WHEREAS, Du Pont and EPEC owned approximately 98 acres located on Oak Creek's lakefront east of 5th Avenue and north of E. Ryan Rd. (the "Properties"); and,

WHEREAS, beginning in October, 2008, Du Pont and EPEC engaged in a collaborative process with the City of Oak Creek (the "City"), the Wisconsin Department of Natural Resources ("DNR") and the United States Environmental Protection Agency ("EPA") to investigate environmental contamination on the Properties and remediate the Properties through the Wisconsin Voluntary Party Liability Exemption ("VPLE") Program; and,

WHEREAS, Du Pont and EPEC conducted a rigorous environmental investigation of the Properties under the direction and supervision of the DNR and in collaboration with the City; and,

WHEREAS, representatives of Du Pont and EPEC participated in numerous conference calls and meetings with the City, DNR, EPEC and the EPA regarding the environmental investigation of the Properties and ultimately the environmental remediation of the Properties; and,

WHEREAS, the east half of the Du Pont property was formerly a major chemical plant in the 1920's and 1930's; and,

WHEREAS, the disposal site for the waste from the chemical plant was located primarily on a portion of the EPEC property; and,

WHEREAS, arsenic and other contaminants on the EPEC property were removed to a depth of 17 feet in 2003 under the supervision and control of the EPA; and,

WHEREAS, the EPA is in the process of transferring jurisdiction to the DNR; and

WHEREAS, Du Pont and EPEC spent approximately \$18 million to conduct the environmental investigation and to implement the environmental remediation plan; and,

WHEREAS, one of the key elements of the environmental remediation was a two-foot engineered clay cap over the majority of the Properties, the soil for which was obtained from excavation of soils during reconstruction of the Mitchell interchange project and was the result of a collaborative effort among the Department of Transportation, DNR, the City, Du Pont and EPEC; and,

WHEREAS, Doug Fletcher, the project manager for Du Pont, and Joe Wiley, the project manager for EPEC, displayed professionalism, persistence, conscientiousness, trustworthiness and calmness under pressure during the difficult and trying six year process; and,

WHEREAS, Jonathan Pohl, Senior Engineer with MWH, was the lead outside environmental consultant for EPEC and Matt Brill, Principal Hydrogeologist with URS Corporation, was the lead outside consultant to Du Pont and both were invaluable to the successful outcome of this project; and,

WHEREAS, on December 5, 2014, Du Pont and EPEC transferred the Properties to the City as a donation to the City; and,

WHEREAS, Du Pont and EPEC have been terrific corporate citizens in restoring and remediating the property and in transferring the Properties at no cost to the City; and,

WHEREAS, the east 20 acres of the Du Pont property will remain in open space owned by the City in perpetuity as well as the areas adjacent to Lake Michigan on both Du Pont and EPEC Properties and the wetlands area on the EPEC property; and,

WHEREAS, approximately 55 acres will be available for redevelopment.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that an expression of gratitude and appreciation be extended to Du Pont and EPEC for their efforts in remediating the properties in a manner that will allow for productive reuse of the properties and for their generous donation of the Properties to the City.

BE IT FURTHER RESOLVED that special thanks are hereby extended to Doug Fletcher, Matt Brill, Joe Wiley and Jonathan Pohl for their tremendous efforts in completing this project.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of December, 2014.

Passed and adopted this 16th day of December, 2014.

President, Common Council

Approved this 16th day of December, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

TO BE PUBLISHED NOVEMBER 20 & 27, 2014

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider a request by Matthew Lyons, Azura LLC, to rezone the property at 8870 S. Mayhew Dr. B-4, Highway Business to Rm-1, Multifamily Residential with a Conditional Use for a Community-Based Residential Facility with a capacity for more than 15 persons.

Hearing Date: Tuesday, December 16, 2014
Time: 7:00 p.m.
Place: Oak Creek City Hall
 8640 South Howell Avenue
 Oak Creek, WI 53154
 Common Council Chambers

Applicant: Matthew Lyons, Azura LLC
Property Owner: 8870 Mayhew Drive, LLC, c/o Keystone Development
Property Location: 8870 S. Mayhew Dr. (to become 8760 S. Mayhew Dr.)
Tax Key(s): 860-1001 to 860-1208

Legal Description:

Lot 1 of a Certified Survey Map dated September 17, 2014 (to be recorded).

Part of Lot 2 of Certified Survey Map No. 8121 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on December 18, 2009 as Doc. No. 9681598 being a redivision of Parcel 4 of Certified Survey Map No. 6866 and part of Parcel 3 of Certified Survey Map No. 6766 located in part of the NE ¼, NW ¼, and SW ¼ of the NW ¼, Section 21, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, described as follows:

Beginning at an iron pipe stake found marking the Northeast corner of said Lot 2; thence South 00°25'12" West 379.83 feet; thence North 89°58'24" West 320.04 feet to the Easterly right of way line of Mayhew Road; thence along said road, North 00°24'58" East, 97.84 feet; thence continuing along said road, 120.99 feet along the arc of a curve to the right having a radius of 330.00 feet and a chord which bears North 10°57'49" East 120.31 feet; thence continuing along said road, North 21°26'33" East, 100.81 feet; thence continuing along said road, 69.13 feet along the arc of a curve to the left having a radius of 180.00 feet and a chord which bears North 10°27'58" East 68.71 feet to the Northwest corner of said Lot 2; thence North 89°28'08" East 249.91 feet to the point of beginning.

The Common Council has scheduled other public hearings for December 16, 2014 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

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

Date of Notice: November 13, 2014
 CITY OF OAK CREEK COMMON COUNCIL
 By: Steve Scaffidi, Mayor

PUBLIC NOTICE

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

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

Item No.: 7

Recommendation: That the Council adopts Resolution No. 11578-121614 accepting the Lake Vista Active and Passive Recreation (Community Park & Playground/Terrace & Access to Lake) Concept Plan.

Background: Since the adoption of the 2011 Lakefront Redevelopment Action Plan, City Staff and consultants have been discussing project elements to successfully implement the plan. In October and November of this year, the Common Council approved the funding allocations for the four main implementation projects as well as the contracts for consulting services with SmithGroupJJR. This report focuses on the Community Park and Playground and Terrace and Access to the Lake components.

On December 2, City Staff met with SmithGroupJJR to discuss three initial concept plans for the Active Recreation (Community Park and Playground) and Terrace and Access to the Lake projects. These conceptual plans were discussed in a meeting that was held at the City Hall on December 4, and attended by members of the public; staff; Police Department; Common Council; Plan Commission; Community Development Authority; Parks, Recreation & Forestry Commission. It was at this meeting that a visual preference exercise was conducted to determine the elements of the plans that garnered the most support. SmithGroupJJR consultants then incorporated those comments into a final concept plan that was presented to staff on December 9 and at a follow-up public meeting on December 10. Example images were also presented to highlight options for programming the playgrounds, shelters, overlooks, and special events at the site.

Comments that were received during the follow-up meeting were incorporated into final adjustments to the concept plan, which will be presented by SmithGroupJJR to the Council this evening.

Fiscal Impact: Acceptance of the final concept plan will direct staff and the consultants to proceed with developing architectural design and bid documents. Fifty percent of the cost of this work will be charged to the budgets (Community Park & Playground \$2.5M/Terrace and Access to Lake \$3.0M) approved for these projects.

Prepared by:



Kari Papelbon, CFM, AICP
Planner



Pete Wagner
Planner/Zoning Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Respectfully Submitted,

Gerald Peterson, ICMA-CM
City Administrator

RESOLUTION NO. 11578-121614

A RESOLUTION APPROVING THE LAKE VISTA ACTIVE AND PASSIVE RECREATION
(COMMUNITY PARK AND PLAYGROUND / TERRACE AND ACCESS TO LAKE)
CONCEPT PLAN

WHEREAS, on February 20, 2012, the Common Council approved the Lakefront Redevelopment Action Plan (“Action Plan”), which created a redevelopment vision and framework for the lakefront site by identifying general land uses, main vehicular and pedestrian connections and ways to provide public access to the waterfront; and

WHEREAS, on October 7, 2014, the Common Council approved the capital improvements budget for the Action Plan and authorized staff to proceed to design the specific projects; and

WHEREAS, City staff has finalized a concept plan for both the Active Recreation (Community Park and Playground) and Passive Recreation (Terrace and Access to Lake) for Common Council approval; and

WHEREAS, this concept plan was preceded by City staff meeting with consultant JJR on December 2, 2014, discussion with members of the community on December 4, 2014, presentation to City staff by JJR on December 9, 2014 and a follow-up public meeting on December 10, 2014; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek, that this final concept plan be approved and is hereby accepted.

BE IT FURTHER RESOLVED that City staff and consultant JJR are authorized to proceed with developing architectural design and bid documents in order to construct these improvements.

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.

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____



Consensus Design & Programing Concept (DRAFT)

- Park Facility Organization**
 - Turf for informal use or dedicated athletic events, flexibility in programing
 - Small shelters within meadows or naturalized areas
 - Parking along north boundary of park
 - Series of outdoor rooms
 - Large traditional playground, woodland adventure area for nature-based exploratory play
- Landscape Character**
 - Primarily naturalized landscaping with small areas of mown turf and meadow
 - Mix of flat areas with artful topography / earth forms
- Bluff Facilities**
 - Multiple overlooks at top of stabilized bluff
 - Multiple trailhead locations
 - Twelve month pull-up parking facing the lake with a view
 - Bluff trail terminates at existing beach, upland trail continues to Bender Park
- Potential Programmatic Uses**
 - Farmer's Market
 - Disc Golf
 - Kite Flying
 - Winter Sports (Cross Country Skiing, Snowshoe, Hockey, Ice Skating)
 - Bird Watching
 - Model Airplanes
 - Food Truck Rodeo
 - Art Installations
 - Temporary Beer Garden
 - Fire / Council Ring(s)
 - Public Fireworks Viewing
 - Zip Line / Adventure Play
 - Wellness Course
 - Smart Phone Apps

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

Item No.: 8

Recommendation: That the Council adopt Resolution No. 11570-121614, approving the second amendment to the Tax Incremental District No. 7 finance development agreement between the City and Liberty Property Limited Partnership.

Background Liberty Property Trust is the developer of the Liberty Corporate Preserve at Oak Creek, a Class "A" office and industrial park within the 27th Street corridor along an extension of Reinhart Drive between Southbranch Blvd. and Oakwood Road. The development was planned in phases. When completed there will be five buildings totaling app. 300,000 square feet.

In August of 2007 the Council adopted Resolution No. 10780, approving the financial development agreement between the City and Liberty Property Limited Partnership for development of the Liberty Corporate Preserve at Oak Creek. The terms of that development agreement directed 100 percent of the tax increment generated for the first five years to Liberty Property Trust (LPT). After that, and throughout the maximum 17-year payout period (or until the \$3 million dollar plus interest is reached), LPT would receive 73 percent of the increment generated. The remaining 27 percent would be put back into the TIF District for use in other designated projects.

The development agreement also established a phasing schedule. As part of that schedule, the first phase of the park (which includes the existing office and flex buildings) was to be completed by 2008 (which it has been). Phase II, which includes the largest industrial building on the east side of the property needed to be completed on or before December 31, 2011. The completion date for Phase II was extended to December 31, 2014 under an amendment approved by the Council in 2010 (Resolution No. 11073-092110). This building is nearing completion and occupancy.

Phase III (the final phase) of the park was also to have been completed by the end of this year. Phase III encompasses commercial outlots north of the existing office building and to the south of Corporate Preserve Drive.

The market for commercial development along 27th Street in this location continues to underperform, resulting in little or no demand for the additional commercial space in Phase III. While Liberty Property Trust will continue to market these sites, their substantial completion (by the end of 2014) would not be required under this amendment to the development agreement.

Fiscal Impact: The development agreement sets forth the terms under which Liberty Property Trust is being reimbursed through the tax increment they generate as part of this \$24 million dollar development. Any shortfalls within the first five years will reduce the amount of increment generated, which ultimately goes back to Liberty. After the first five years, the formula changed to 73% Liberty – 27% to the District. There is a provision in the original development agreement that allows them to make up that shortfall in subsequent years if the park performs better than expected. The completion of phases I and II will produce tax increment sufficient to fulfill the

terms of this development agreement, even though TID 7, in its entirety continues to struggle to rebound from decreases to property values that have occurred over the past years.

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. 11570-121614

BY _____

RESOLUTION APPROVING THE SECOND AMENDMENT TO THE TAX INCREMENTAL DISTRICT NO. 7
FINANCE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OAK CREEK AND LIBERTY
PROPERTY LIMITED PARTNERSHIP

(6th Aldermanic District)

WHEREAS, on August 6, 2007 the Common Council adopted Resolution No. 10781-080607, approving the development agreement (the "Agreement") with Liberty Property Limited Partnership for the Liberty Business Park; and

WHEREAS, on September 21, 2010 the Common Council adopted Resolution No. 11073-092110, approving an amendment to the Agreement to revise the dates for substantial completion of phases II and III; and

WHEREAS, Section II of the Agreement established dates for the substantial completion of phase III of the development; and

WHEREAS, Phase III was required to be substantially completed on or before December 31, 2014; and

WHEREAS, given the current economic conditions , and despite the best efforts of Liberty Property Limited Partnership to secure tenants, Phase III will not be completed by the December 31, 2014, deadline; and

WHEREAS, Liberty Property Limited Partnership has requested that the City amend the terms of the Agreement to remove the required completion date for Phase III; and

WHEREAS, it is in the best interest of the City to work cooperatively with Liberty Property Limited Partnership to ensure the continued quality development of jobs and tax base within the Liberty Corporate Preserve at Oak Creek.

NOW THEREFORE, BE IT RESOLVED that the Second Amendment to Tax Incremental District No. 7 Finance Development Agreement attached hereto and incorporated herein by reference, by and between LIBERTY PROPERTY LIMITED PARTNERSHIP, as parties of the first part, and the CITY OF OAK CREEK as party of the second part, be and the same is hereby approved.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day December, 2014.

President, Common Council

Approved this ____ day _____, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes: ____ Noes: ____

**SECOND AMENDMENT TO TAX INCREMENTAL DISTRICT NO.7
FINANCE DEVELOPMENT AGREEMENT**

(Liberty Property Limited Partnership)

THIS AMENDMENT is made this __ day of , 2014, ("Amendment") between by and between Liberty Property Limited Partnership, a Pennsylvania limited partnership (the "Developer"), and the City of Oak Creek, a municipal corporation of the State of Wisconsin, located in Milwaukee County, Wisconsin (the "City").

RECITALS

WHEREAS, the City established Tax Incremental District No. 7 as a mixed use district in which certain costs incurred by the City for development of the district may be reimbursed from the property tax increment as provided by State law; and,

WHEREAS, the Developer owns the Property described in EXHIBIT A attached hereto and incorporated herein; and

WHEREAS, the City and the Developer entered into the Tax Incremental District No. 7 Finance Development Agreement on August 8, 2007 (the "TIF Agreement"); and

WHEREAS, the City and the Developer entered into an amendment to the Tax Incremental District No. 7 Finance Development Agreement on October 6, 2010 to extend the deadline for substantial completion of Phase II; and

WHEREAS, upon the Developer's request, the parties desire to amend the TIF Agreement to delete the deadline for Substantial Completion of Phase III as set forth in this Amendment.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Developer hereby agree to amend the TIF Agreement as follows:

I. GENERALLY.

A. Recitals. The Recitals set forth above are incorporated herein and are made an enforceable part of this Amendment.

B. Terms. All of the capitalized terms used herein shall have the same definition and meaning as set forth in the TIF Agreement, except as otherwise expressly defined in this Agreement.

C. Amendment. Except as specifically and expressly modified in this Amendment, all of the terms, conditions, and provisions of the TIF Agreement remain in full force and effect.

II. AMENDMENTS.

A. Article I.F. is amended to delete the last sentence thereof.

B. Article I.N is deleted.

C. Article II.A.3. is deleted.

D. The last paragraph of Article II.A is amended to read (change underlined):

Notwithstanding the foregoing, if a grading permit for the Property is not issued by the City on or before August 24, 2007, through no fault or delay of the Developer, the Substantial Completion dates of Phase I and Phase II, ~~and Phase III~~ set forth above shall be extended by the same amount of days that elapse between August 24 and the date on which the grading permit is issued by the City, and such extension shall apply throughout the Agreement to the Substantial Completion date for Phase I and Phase II, ~~and Phase~~ wherever written.

E. Article II.B.2. is amended to read (change underlined):

Except to an Affiliate (as hereinafter defined) of Developer, Developer shall not sell, transfer, or assign all or any part of its interest in and to the Property without the express prior written consent of the City unless and until the Public Improvements have been constructed and approved by the City in accordance with the Development Agreement. Notwithstanding the foregoing, the Developer may sell, transfer, or assign all or any part of its interest in and to the Building I Property and the Restaurant Property(each a "Building I/Restaurant Transfer") without the consent of the City and prior to the Public Improvements having been constructed in accordance with the Development Agreement; provided, however, in the event of any such Building I/Restaurant Transfer, the Building I Property and the Restaurant Property shall remain subject to the provisions of Article IX.E., including, without limitation, the requirement for the City' s prior written consent contained therein. A purchaser pursuant to a Building I/Restaurant Transfer shall not be obligated to construct the Public Improvements and such obligation shall remain with the Developer and such purchaser shall not be obligated to comply with any of Developer' s other obligations hereunder; provided, however, any Building I/Restaurant Transfer shall remain subject to Article IX.E. of this Agreement, the Development Plan, and the City' s zoning, use, development, and related approvals and regulations for the improvement and development of the Building I Property and Restaurant Property. Except as set forth in Article IX.D.2., any Building I/ Restaurant Transfer shall not, nor be construed to, amend or modify any provision of this Agreement and shall not, nor be construed to, relieve the Developer of any Responsibilities or obligations under the Development Agreement, the Development Plan or this Agreement, in particular, as to Developer's

obligation to attain or cause to be attained Substantial Completion of Phase I on or before December 31, 2008 and to attain or cause to be attained the Substantial Completion of Phase II on or before December 31, 2014, as such dates may be extended as more particularly set forth herein.

F. Article VII.A.3. is deleted.

G. All other references in the TIF Agreement to the Substantial Completion of Phase III are hereby deleted.

III. MISCELLANEOUS.

A. Entire Agreement. This Amendment and all other documents and agreements expressly referred to herein contain the entire agreement between the Developer and the City with respect to the matters set forth in this Amendment. This Amendment may be modified only in writing signed by all parties.

B. Law Applicable. This Amendment shall be construed in accordance with the internal laws of the State of Wisconsin.

C. Originals and Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original.

D. Amendments to TID Agreement. The TID Agreement shall not be further amended except only with the written agreement of the parties signed by the appropriate representatives of each party and with the actual authority of each party.

E. Amendment Binding. This Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective representatives, successors, and assigns (subject to the City's approval and consent rights).

F. Severance. If any portion of this Amendment is deemed invalid or unenforceable by a court of competent jurisdiction, then, unless in the judgment of the party adversely affected thereby such provision was a material part of the consideration for its entering into this Amendment and that without it they would not have entered into the Amendment, the remainder of this Amendment shall remain in full force and effect and enforceable to the fullest extent permitted by law.

[signature page follows]

CITY OF OAK CREEK

Stephen Scaffidi, Mayor

Attest: _____
Catherine Roeske, City Clerk

STATE OF WISCONSIN }
 } SS
COUNTY OF MILWAUKEE }

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

* _____
Notary Public, State of Wisconsin
My Commission: _____

Exhibit A

Legal Description

Lots 1, 2, 3, and 4 of Certified Survey Map No. 8201, recorded in the Register of Deeds for Milwaukee County on November 20, 2009, as Document No. 09817090, being a part of the Northeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 30, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin; and

Lot 2 and Outlot 1 of Certified Survey Map No. 8088, recorded in the Register of Deeds for Milwaukee County on September 30, 2008, as Document No. 09654907, being a part of the Northeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 30, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

City of Oak Creek Common Council Report

Meeting Date: 12/16/14

Item No.: 9

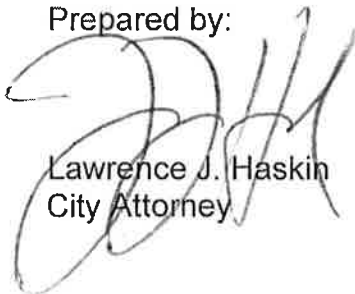
Recommendation: That the Common Council adopt Resolution No. 11571-121614, a Resolution Approving the Tax Incremental District No. 6 Finance Development Agreement with CenterPoint Properties Trusts.

Background: Tax Incremental Financing District No. 6, Creekside Corporate Park, is located on South 13th Street between Highway 100 and Oakwood Road. The proposed TIF Agreement calls for a developer incentive payment of \$150,210.00. This is intended to reimburse the developer for public improvement costs incurred in developing the site for Crothall Industries. Those project costs are itemized in Exhibit B as follows:

- Excess Fill Removal: \$ 88,071.00
- Roadway Completion: \$ 47,520.00
- Topsoil, Seed and Mulch: \$ 1,161.60
- Engineering Fee: \$ 13,457.50
- Total: \$150,210.00

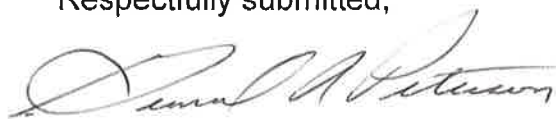
Fiscal Impact: Verification of all costs has been provided. Funding is provided for in the Project Plan. There is adequate increment being generated to cover these costs.

Prepared by:



Lawrence J. Haskin
City Attorney

Respectfully submitted,



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTM
Finance Director / Comptroller

Approved by:



Douglas Seymour,
Director of Community Development

RESOLUTION NO. 11571 - 121614

RESOLUTION APPROVING THE TAX INCREMENTAL DISTRICT NO. 6
FINANCE DEVELOPMENT AGREEMENT WITH CENTERPOINT PROPERTIES
TRUSTS

(CenterPoint Properties Trust)
(Creekside Corporate Park)
(6th Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Tax Incremental District No. 6 Finance Development Agreement by and between CenterPoint Properties Trust and the City of Oak Creek be at the same is hereby approved.

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of December, 2014.

Passed and adopted this 16th day of December, 2014.

President, Common Council

Approved this 16th day of December, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: 12/16/14

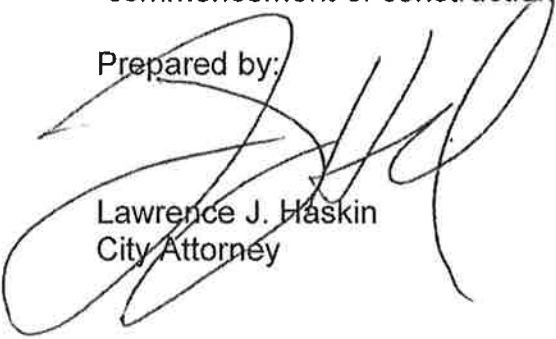
Item No.: 10

Recommendation: That the Common Council adopt Resolution No. 11573-121614, a Resolution Approving the First Amendment to the Tax Incremental District No. 11 Finance Development Agreement (Oak Creek Hotel Group, LLC).

Background: On April 15, 2014, the City of Oak Creek and Oak Creek Hotel Group entered into a Tax Incremental District No. 11 Finance Development Agreement whereby the City agreed to provide a City Grant as an incentive to the Developer in the amount of \$1,450,000 for a Sheraton Four Points Hotel. The Agreement provided that Oak Creek Hotel Group was to commence construction on or before July 1, 2014 and complete construction on or before August 31, 2015. Due to market conditions and the timing of construction of other projects at Drexel Town Square, commencement of construction of the Sheraton Four Points Hotel has been delayed. The First Amendment provides that Oak Creek Hotel Group is to begin construction by no later than May 30, 2015 and complete construction by no later than March 30, 2016. It also clarifies the name of the Primary Lender

Fiscal Impact: None except for the delay in receipt of increment due to delay in the commencement of construction.

Prepared by:


Lawrence J. Haskin
City Attorney

Respectfully submitted,


Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director / Comptroller

Approved by:


Douglas Seymour,
Director of Community Development

RESOLUTION NO. 11573 - 121614

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE TAX
INCREMENTAL DISTRICT NO. 11 FINANCE DEVELOPMENT AGREEMENT
(OAK CREEK HOTEL GROUP, LLC)
(Drexel Town Square)
(2nd Aldermanic District)

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

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of December, 2014.

Passed and adopted this 16th day of December, 2014.

President, Common Council

Approved this 16th day of December, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

City of Oak Creek Common Council Report

Meeting Date: 12/16/14

Item No.: 11

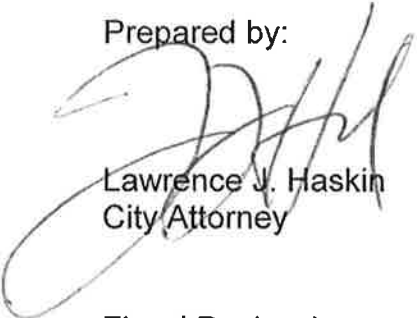
Recommendation: That the Common Council adopt Resolution No. 11574-121614, a Resolution Approving the First Amendment to the Tax Incremental District No. 8 Finance Development Agreement (Stella & Chewy's, LLC).

Background: On May 27, 2014, the City of Oak Creek and Stella & Chewy's, LLC, entered into a TIF Finance Agreement for TIF 8. Stella & Chewy's is currently in the midst of constructing a 164,000 square foot building and related improvements for exclusive use as their corporate offices, manufacturing and warehousing facilities. According to the terms of the TIF Agreement, the City will be receiving a Transportation Facilities Economic Assistance and Development Grant ("TEA Grant") from the State of Wisconsin in the amount of \$800,000. The TEA Grant is based on \$5,000 per job for 160 jobs to be created through the project. The Agreement provides that the City would provide an incentive payment to Stella & Chewy's of \$650,000 when the TEA Grant was received.

Stella & Chewy's has requested expedited payment of the TIF Incentive Grant of \$650,000. The proposed Amendment would authorize this expedited payment to be made now and be reimbursed to the City in the unlikely event the TEA Grant is not received. When the \$800,000 TEA Grant is received, the City will retain the entire amount if the Common Council approves this Amendment.

Fiscal Impact: As stated above.


Prepared by:


Lawrence J. Haskin
City Attorney

Respectfully submitted,


Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director / Comptroller

RESOLUTION NO. 11574 - 121614

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE TAX
INCREMENTAL DISTRICT NO. 8 FINANCE DEVELOPMENT AGREEMENT
(Stella & Chewy's, LLC)
(5th Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that First Amendment to the Tax Incremental District No. 8 Finance Development Agreement by and between Stella & Chewy's and the City of Oak Creek be and the same is hereby approved.

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of December, 2014.

Passed and adopted this 16th day of December, 2014.

President, Common Council

Approved this 16th day of December, 2014.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

Item No.: 12

Recommendation: That the Common Council approves payment of the obligations as listed on the December 10, 2014 Vendor Summary Report.

Background: Of note are the following payments:

1. \$64,920.83 to Advanced Disposal-Muskego-C6 (pg #1) for November recycling and landfill charges.
2. \$151,614.75 to Bray Associates Architects Inc. (pg #3) for city hall/library and fire station architectural services.
3. \$14,776.00 to Buelow Vetter Buikema Olson (pg #4) for November services regarding police/fire negotiations, disability, and other personnel matters.
4. \$1,725,851.30 to Corporate Contractors Inc. (pg #5) for city hall/library and fire station construction.
5. \$12,056.84 to Engberg Anderson, Inc. (pg #7) for July through November civic center FF&E services.
6. \$26,182.14 to City of Franklin (pg #8) for S 27th Street construction and for the S 27th Street Streetscape Contract and Supplemental Agreements.
7. \$25,694.00 to Arthur J. Gallagher & Co (pg #8) for builder's risk insurance for city hall/library and fire station.
8. \$9,600.00 to Goodmark Nurseries, LLC (pg #9) for trees for city hall/library and fire station.
9. \$34,850.00 to John's Disposal Service, Inc. (pg #10) for November disposal service.
10. \$26,879.23 to JPMorgan Chase Bank NA (pgs #11-15) for printing/copying, travel/training, building maintenance, street lighting, books, legal notices, medical/safety supplies, equipment maintenance, minor equipment and office supplies.
11. \$5,759.33 to Mayer Repair LLC (pg #16) for fire vehicle repairs.
12. \$7,052.28 to Minnesota Life Insurance Co (pg #17) for January group life insurance.
13. \$95,656.72 to One West Drexel, LLC (pg #18) for Drexel town square pavement removal.
14. \$8,276.00 to Payne & Dolan Inc. (pg #19) for final contract payment on W Puetz Road & railroad quiet zone street surfacing & reconstruction.
15. \$5,000.00 to Reserve Account (pg #20) for postage refill.
16. \$69,456.00 to R.A. Smith National (pg #21) for September & October surveying & engineering services Drexel Town Square.
17. \$7,823.33 to SmithgroupJJR (pg #21) for Lake Vista redevelopment.
18. \$34,268.00 to Wheaton Franciscan Medical Grp (pg #23) for September/October clinic services.
19. \$29,863.50 to WE Energies (pg #24) for street lighting.
20. \$21,054.03 to World Fuel Services, Inc. (pg #24) for fuel inventory.
21. \$5,690.00 to Ziad Salameh LLC (ZSLLC) (pg #25) for building envelope consulting services.

Fiscal Impact: Total claims paid of \$2,484,593.12

Prepared by/Fiscal Review by:

Respectfully submitted,



Bridget M. Souffrant, CMTW
Finance Director/Comptroller



Gerald R. Peterson, ICMA-CM
City Administrator

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

Recommendation: The Personnel Committee recommends approval of Ordinance Nos. 2743 and 2739 fixing the salary ranges, salary, wages and allowances for non-union, full-time and part-time general, management personnel, and other city offices and positions for the year 2015, including allowances agreed to in Labor Association of Wisconsin negotiations.

Background: On September 16, 2014, wage adjustments for non-represented employees were recommended and approved by the Personnel Committee. The fiscal expenditures for these adjustments were reflected in the proposed 2015 City budget.

Fiscal Impact: The 2015 City of Oak Creek budget approved by the Common Council on November 17, 2014 includes an increase to annual wages of \$103,575 on a recurring basis with a one-time additional expenditure of \$63,649 to address wage adjustments for non-represented employees. Ordinances incorporating and allocating these wage adjustments are attached.

The budgeted expenditures are allocated as follows:

- \$67,358 total to increase base pay for 64 non-represented full time employees by \$0.51 per hour;
- \$21,217 to provide an increase in base pay for full time employees who have not reached the top of their pay range as recommended by the HR Manager and Finance Director/Comptroller and approved by the City Administrator. Criteria used included wage compression, assignment of higher level duties, comparisons to like positions.
- \$15,000 to increase base pay for regular part time employees based on recommendation of the HR Manager after consulting with supervisors and approved by the City Administrator.
- \$63,649 to provide non-base building future merit pay for full time non-represented employees in 2015.
- LAW adjustments agreed to in September 2014 negotiations.

Wage adjustments to positions now represented by the Labor Association of Wisconsin are documented in Ordinance #2733 approved by Council on August 4, 2014. No adjustment to Police Sergeant and/or Police Lieutenant wages has been posted pending settlement of Police and Fire union negotiations. Increase insurance coverages for employees who use their own vehicle for City work as reflected in approved Safety Manual.

Prepared by:



Mary Casey
Human Resources Manager

Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

ORDINANCE No. 2743

BY: _____

AN ORDINANCE FIXING THE SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR NON-UNION, GENERAL, MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR THE YEAR 2015

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 under the control of the Common Council of the City of Oak Creek affecting non-union, management, general, and miscellaneous personnel for the year 2015. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City pursuant to this ordinance. The bi-weekly rate will prevail in years with more or less than 26 payrolls.

SECTION 2: The pay ranges and rates of pay of those certain offices and positions under the control of the Common Council of the City of Oak Creek affecting management, supervisory and non-union personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current Personnel Manual. 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.

Civil Service Position Title	Current Salary	Salary as of 1/1/2015	Bi-weekly Rate	Starting Salary	Top Salary
Assistant City Engineer	\$87,880	\$88,942	\$3,420.85	\$82,942	\$88,942
Benefits Coordinator	\$64,896	\$67,598	\$2,599.92	\$61,914	\$68,658
Building Inspector	\$67,597	\$68,659	\$2,640.73	\$61,914	\$68,658
Building Inspector	\$64,224	\$65,285	\$2,510.96	\$61,914	\$68,658
City Forester	\$64,896	\$65,957	\$2,536.81	\$61,914	\$68,658
Computer Specialist	\$66,257	\$67,318	\$2,589.15	\$61,912	\$68,658
Deputy Clerk	\$64,896	\$65,957	\$2,536.81	\$61,914	\$68,658
Deputy Comptroller/ Payroll Coordinator	\$60,852	\$61,914	\$2,381.30	\$61,914	\$68,658
Deputy IT Director	Vacant	Vacant	Vacant	\$75,663	\$83,942
Deputy Health Officer	\$68,140	\$69,201	\$2,661.58	\$68,788	\$76,289
Deputy Treasurer	\$53,986	\$55,567	\$2,137.20	\$55,048	\$61,046
Design Engineer	\$82,881	\$83,942	\$3,228.54	\$75,663	\$83,942
Dispatch Manager	\$63,107	\$64,168	\$2,468.00	\$61,914	\$68,658
Dispatcher Supervisor	\$47,708	\$51,058	\$1,963.77	\$48,771	\$62,152
Electrical Inspector	\$67,597	\$68,658	\$2,640.69	\$61,914	\$68,658
Environmental Civil Engineer	\$78,432	\$80,684	\$3,103.23	\$75,663	\$83,942
Environmental Design Engineer	\$82,881	\$83,942	\$3,228.54	\$75,663	\$83,942
Facility Manager	\$82,881	\$83,942	\$3,228.54	\$75,663	\$83,942

Civil Service Position Title	Current Salary	Salary as of 1/1/2015	Bi-weekly Rate	Starting Salary	Top Salary
Inspection Supervisor	\$75,227	\$76,289	\$2,934.19	\$68,788	\$76,289
IT Technician	\$47,902	\$48,963	\$1,883.19	\$43,060	\$60,992
Parks Maintenance Supervisor	\$67,597	\$68,658	\$2,640.69	\$43,060	\$60,992
Planner	\$64,230	\$66,331	\$2,551.19	\$61,914	\$68,658
Public Health Nurse	\$60,852	\$61,914	\$2,381.31	\$61,914	\$68,658
Public Health Specialist	\$60,852	\$61,914	\$2,381.31	\$61,914	\$68,658
Recreation Manager	\$66,256	\$67,838	\$2,609.15	\$61,914	\$68,658
Sanitarian	\$66,248	\$67,318	\$2,589.15	\$61,914	\$68,658
Street Light Maintenance Electrician	\$62,192	\$64,293	\$2,472.81	\$61,914	\$68,658
Streets Supervisor	\$70,732	\$71,793	\$2,761.27	\$68,788	\$76,289
Zoning Administrator	\$66,256	\$67,318	\$2,589.15	\$61,914	\$68,658

SECTION 3: The pay ranges and rates of pay of those certain offices and positions covered by the Police and Fire Commission service under the control of the Common Council of the City of Oak Creek affecting management and supervisory personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the clothing allowance and other fringe benefits set forth in the current Personnel Manual. Employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. These 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.

Police/Fire Commission Position Title	Current Salary	Salary as of 1/1/2015	Bi-weekly Rate	Starting Salary	Top Salary
Fire Chief	\$105,772	\$106,833	\$4,108.96	\$96,241	\$106,833
Assistant Fire Chief	\$95,105	\$96,687	\$3,718.73	\$89,300	\$99,181
Battalion Chief (3)	\$90,490	\$91,551	\$3,521.20	\$74,924	\$91,561
Police Chief	\$105,772	\$106,833	\$4,108.96	\$96,241	\$106,833
Police Captain (2)	\$98,120	\$99,181	\$3,814.65	\$89,390	\$99,181
Police Lieutenants (4)	\$89,687	TBD	TBD	\$74,602	\$89,687
Police Sergeant (6)	\$83,331	TBD	TBD	\$83,331	\$83,331

SECTION 4: The pay ranges and rates of pay of those certain offices and positions not covered by civil service under the control of the Common Council of the City of Oak Creek affecting management and supervisory personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current Personnel Manual. 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.

Non-Civil Service Position Title	Current Salary	Salary as of 1/1/2015	Bi-weekly Rate	Starting Salary	Top Salary
City Attorney	\$101,553	\$101,553	\$3,905.88	N/A	N/A
City Engineer	\$90,490	\$93,000	\$3,576.92	\$82,536	\$99,181
Director of Community Development	\$88,674	\$90,491	\$3,480.40	\$82,536	\$91,561
Finance Director/Comptroller	\$88,329	\$93,000	\$3,576.92	\$89,390	\$99,181
Human Resources Manager	\$80,000	\$81,061	\$3,117.76	\$75,663	\$83,942
IT Manager	\$90,490	\$91,551	\$3,521.60	\$82,536	\$91,561
Public Health Officer	\$86,879	\$90,491	\$3,480.40	\$82,536	\$91,561
Streets, Parks, Forestry Director	\$90,490	\$91,551	\$3,521.20	\$82,536	\$91,561

SECTION 5: GENERAL EMPLOYEES. The pay ranges and rates of pay of those positions under the control of the Common Council of the City of Oak Creek affecting general personnel shall be as follows. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current employee Personnel Manual. 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.

Civil Service Position Title	Starting Salary	Top Salary
Clerk/Matron (5)	\$38,545	\$46,669
Dispatcher (11)	\$39,911	\$47,772

SECTION 6: AUTO EXPENSE. The following personnel or members of the following departments shall be paid the rate allowed under current IRS regulations per the Travel Policy or shall be assigned City vehicles for their usage.

Assessor's Office, Police Department-including Captains, Fire Department-including Assistant Fire Chiefs, Inspection Division, Treasurer, Engineering Division, Street Division, City Clerk's Office, City Administrator's Staff, Finance Department, Park and Recreation Department, Community Development Department, Health Department Staff.

The following personnel shall be paid a car allowance as set forth opposite their positions, to-wit:

- City Engineer (1), \$150.00 monthly
- Fire Chief (1), \$250.00 monthly
- Assistant Fire Chief (1), \$150.00 monthly
- Information Technology Manager (1), \$200.00 monthly
- Computer Specialist (1), \$100.00 monthly
- Information Technology Technician (1), \$100.00 monthly

In order to qualify for the afore mentioned auto mileage and/or allowance, the officials and employees designated must provide proof of insurance by a reasonable insurance company for bodily injury and property damage liability within minimum policy limits of \$250,000/\$500,000/\$25,000. In order to receive reimbursement, a Declaration of Coverages page stating the policy limits shall be provided annually by January 31 or upon policy renewal to the Personnel Office.

SECTION 7: 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 8: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION 9: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of January 1, 2015, except where otherwise noted.

Introduced 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 _____

By: _____

An Ordinance Fixing the Salary Ranges, Salary, Wages and Allowances for Part Time Personnel and Other City Offices and Positions for the year: 2015

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 part-time and miscellaneous personnel for the year 2015. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City, pursuant to this ordinance.

Section 2: Hourly Paid Employees (Part-Time)

Administrative Support Assistant	\$	14.00	to	\$	16.73
Clerical Help (Clerk-Secretary, Planning Aide)	\$	10.00	to	\$	14.50
Miscellaneous Part-Time Students and Others	\$	9.00	to	\$	9.00
Student Interns	\$	10.50	to	\$	12.50
Secretary – Boards and Commissions	\$	10.00	to	\$	12.60
Public Health Nurse	\$	21.61	to	\$	28.00
Clinical Assistant (RN)	\$	18.00	to	\$	21.75
IT Technician	\$	18.00	to	\$	22.38
Evidence Technician	\$	10.50	to	\$	16.00
Police Aide	\$	10.00	to	\$	14.00
Custodian	\$	10.50	to	\$	14.00
Custodian-Lead	\$	10.50	to	\$	14.50
Leader - Recreation Department	\$	9.00	to	\$	12.00
Specialist - Recreation Department	\$	10.50	to	\$	23.00
Recreation Coordinator	\$	12.00	to	\$	15.00
Park & Highway Laborer - Long Term	\$	11.00	to	\$	18.00
Laborers - Seasonal	\$	10.50	to	\$	14.00
Crisis Negotiator Consultant	\$	12.00	to	\$	15.10
Emergency Services Dispatcher	\$	18.00	to	\$	24.00
Mechanic Helper	\$	10.50	to	\$	18.10
Building Inspector (part time)	\$	30.00	to	\$	35.10
Recycling Attendant	\$	11.00	to	\$	18.00

Section 3: Miscellaneous Employees

Assistant City Attorney (Part-Time)	\$	576.92	bi-weekly
Weed Cutting with Tractor	\$	100.00	per hour
Election Poll Workers	\$	9.00	to \$ 12.00
Chief Election Inspector	\$	9.00	to \$ 12.00

Note: All Election Poll Workers shall be required to attend briefing sessions the day prior to an election. Upon compliance with these requirements, each Election Poll Worker shall be entitled to additional pay for training hours. Poll Workers are entitled to two (2) breaks of one-half (½) hour each on election day. The Chief Election Inspector shall be responsible for delivering the election returns to the City Clerk.

Section 4: Auto Expense. The following personnel or members of the following departments shall be paid the rate allowed under current IRS regulations per the Travel Policy or shall be assigned City vehicles for their usage.

Assessor's Office; Police Department-including Captains; Fire Department-including Assistant Fire Chief; Inspection Department; Treasurer; Engineering Department; Streets, Parks & Forestry Department; City Clerk's Office; City Administrator's Staff; Community Development Department; Health Department Staff, Information Technology Staff.

In order to qualify for the above mentioned auto mileage reimbursement, the officials and employees designated must provide proof of insurance by a reasonable insurance company for bodily injury and property damage liability within minimum policy limits of \$250,000/\$500,000/\$25,000. In order to receive mileage reimbursement, a Declaration of Coverage page stating the policy limits shall be provided annually by January 31 or upon policy renewal to the Personnel Office.

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 January 1, 2015.

Passed and adopted this _____ day of December, 2014.

President, Common Council

Approved this _____ day of December, 2014.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

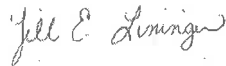
Item No. 15

Recommendation: That the Common council adopt Resolution No. 11577-121614, acknowledging and filing the 2015 calendar year salary grade plan and benefits for library personnel.

Background: Annually, the Oak Creek Public Library Board sets salary increases for their employees.

Fiscal Impact: Allocation has been made in the 2015 library budget.

Prepared by:




Jill Lininger
Library Director

Respectfully submitted,

Gerald Peterson
City Administrator

Fiscal Review by:



Bridget M. Souffrant
Finance Director

RESOLUTION ACKNOWLEDGING AND FILING THE
2015 CALENDAR YEAR SALARY GRADE PLAN AND
BENEFITS FOR LIBRARY PERSONNEL

WHEREAS, pursuant to S. 43.58(4), Wisconsin Statutes, the Library Board is authorized and empowered to set and fix the compensation to be paid to the personnel of the Public Library; and

WHEREAS, those affected full-time employees pursuant to this section shall receive the fringe benefits set forth in the current Personnel Manual; and

WHEREAS, the Library Board, in addressing retiree benefits for full-time employees who are eligible for retirement, has authorized those eligible full-time employees to receive the benefits set forth in the current Personnel Manual; and

WHEREAS, a health insurance premium co-payment of fifteen percent (15%) of the cost of the health insurance premium for a single and family medical plan, respectively will be paid by full-time Library employees. Full-time Library 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; and

WHEREAS, the Library Board has also transmitted to the Common Council a salary grade plan for Library Personnel effective January 1, 2015, which provides as follows:

	<u>2015 Salary Ranges</u>	<u>2014 Salary</u>	<u>2015 Salary</u>
Library Director	\$69,060 - \$77,061	\$71,448	\$74,069
Assistant Library Director	\$52,855 - \$58,611	\$54,100	\$55,162
Library Services Assistant	\$42,937 - \$47,591	\$46,529	\$47,590
Librarians (full-time)	\$46,438 - \$51,481		
Librarian (part-time)	\$23,219 - \$25,741		
Substitute Librarians	\$17.00 - \$22.51		
Library Associates	\$13.88 - \$16.56		
Library Aides	\$12.49 - \$14.15		
Library Pages	\$7.79 - \$9.37		

WHEREAS, Library personnel shall be paid for auto expense at the rate allowed under current I.R.S. regulation per the Travel Policy or shall be assigned City vehicles for their usage. In order to qualify for the above mentioned auto mileage reimbursement, the officials and employees designated must provide proof of insurance by a reasonable insurance company for bodily injury and property damage liability within minimum policy limits of \$250,000/\$500,000/\$25,000. In order to receive mileage reimbursement a

Declaration of Coverage page stating the policy limits shall be provided annually by January 31 to the Personnel Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Salary Grade Plan as hereinabove set forth be and the same is hereby acknowledged and filed.

BE IT FURTHER RESOLVED that the City Clerk be hereby authorized and directed to publish this resolution in the official newspaper as a Class 1 publication for public informational purposes.

This ordinance shall take effect and be in force upon its acknowledgement and publication and shall apply as of January 1, 2015.

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: December 16, 2014

Item No.: 16

Recommendation: That the Common Council award a prairie seed and plant purchase to Taylor Creek Restoration Nurseries in the amount of \$6,075.42.

Background: Bids presented below are for 2015 prairie enhancement plantings at the detention ponds of 800 W. Puetz Road (Municipal Services Building), and the S. Shepard Avenue pond north of the entrance to Quail Run Subdivision.

This MMSD funded, multi-phased grant project will be implemented throughout 2015 as seasonably applicable.

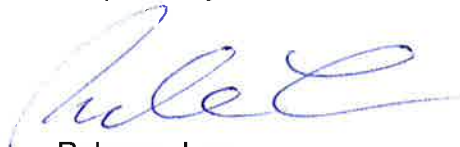
A bid was advertised for prairie seed, plugs (small plants) and a cover crop of annual rye. The following three bids were received:

Nursery/Location	Total	Details
Taylor Creek Restoration Brodhead, WI	\$6,075.42	
Cardno JFNew Walkerton, IN 46574	\$7,187.97	
Prairie Nursery Westfield, WI	NA	Partial bid, non-compliant

Taylor Creek Restoration Nurseries is the lowest responsive, qualified bidder.

FISCAL IMPACT: Grant funds from MMSD will be used to pay for this purchase. Installation will be done by City Forestry staff.

Prepared by:



Rebecca Lane,
City Forester

Respectfully submitted,



Gerald Peterson
City Administrator

Approved by:



Ted Johnson
Director, Streets, Parks & Forestry

Fiscal Review by:



Bridget M. Souffrant
Finance Director / Comptroller

Approved by:



Susan Winnen
Environmental Engineer

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

Item No.: 17

Recommendation: That the Common Council approve Resolution No. 11572-121614, accepting the workmanship and authorizing final payment to Payne & Dolan, Inc., for Project No. 13028. This project involved the installation of street improvements in W. Puetz Road. (2nd Aldermanic District)

Background: This project was authorized by the Common Council as part of the Capital Improvement Program, and was awarded on July 2, 2013.

Fiscal Impact: Final payment of \$8,276.00 is to be paid with CIP provided funding.

Prepared by:



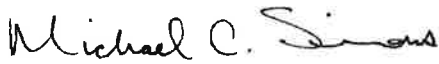
J. John Ozolins
Senior Engineering Technician

Respectfully submitted:



Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

RESOLUTION NO. 11572-121614

BY: _____

**RESOLUTION ACCEPTING THE WORKMANSHIP OF
PAYNE & DOLAN, INC.
AND AUTHORIZING FINAL PAYMENT**

**W. PUETZ ROAD
STREET IMPROVEMENTS**

PROJECT NO. 12028

(2nd ALDERMANIC DISTRICT)

WHEREAS, the City of Oak Creek, hereinafter referred to as the City, and Payne & Dolan, Inc., hereinafter referred to as the contractor, entered into a contract whereby the Contractor agreed to perform certain public works under Project No. 13028 for the installation of street improvements in the City of Oak Creek, in accordance with plans and specifications prepared by the City Engineer for the agreed price of \$376,030.30; and,

WHEREAS, said total final contract price has been determined to be \$400,436.01 as computed by the City Engineer using actual quantities, as measured, additions and deletions to the contract, and contract unit prices; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications; and,

WHEREAS, the Contractor has filed with the City an affidavit stating that he has complied fully with the provisions and requirements of Section 66.0903, Wis. Stats.; and,

WHEREAS, the City Engineer has submitted his final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account, the sum of \$8,276.00.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineer be accepted.

BE IT FURTHER RESOLVED that the City of Oak Creek does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Oak Creek hereby reserves, if any, and subject to the right of the City of Oak Creek to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Oak Creek as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that in order to guarantee said workmanship and materials on the street improvement installation for a period of 12 months after the acceptance of the work, the performance or contract bond, which has been made a part of the contract, shall be in effect until 12 months after the passage of the resolution.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$8,276.00 to the Contractor in full and final payment of the City's obligations under this contract.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 16th day of December, 2014.

Passed and adopted this 16th day of December, 2014.

President, Common Council

Approved this 16th day of December, 2014.

Mayor, City of Oak Creek

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

FINAL PROJECT PAYMENT COST BREAKDOWN

CITY PROJECT NO. **13028**

PROJECT LOCATION: West Puetz Road & Railroad Quiet Zone

PROJECT DESCRIPTION: Street Resurfacing & Reconstruction

GENERAL CONTRACTOR: Payne & Dolan

CONTRACT BID AMOUNT: \$ 376,030.30

AUTHORIZED ADDITIONS TO ORIGINAL CONTRACT AMOUNT: \$ 12,640.00

REVISED CONTRACT AMOUNT: \$ 388,670.30

AS-BUILT PROJECT COST: \$ 400,436.01

AMOUNT OVER / UNDER ORIGINAL CONTRACT AMOUNT: \$ 24,405.71

PREPARED BY: *J. John Ozolins*
SENIOR ENGINEERING TECHNICIAN
CITY OF OAK CREEK
ENGINEERING DEPARTMENT

DATE PREPARED: December 9, 2014

COUNCIL MEETING DATE: Tuesday, December 16, 2014

COUNCIL RESOLUTION NUMBER: 11572-121614

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 13028 ALD. DIST. 2nd
LOCATION: West Puetz Road (Howell to Liberty)
DESCRIPTION: Street Resurfacing

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
1	Sawcut Asphalt Pavement	360 LF	\$ 0.90 Per LF	\$ 324.00	357 LF	\$ 321.30	\$ (2.70)
2	Sawcut Concrete Pavement	10050 LF	\$ 1.30 Per LF	\$ 13,065.00	10268.3 LF	\$ 13,348.79	\$ 283.79
3	Removing Pavement, Butt joints	190 SY	\$ 7.00 Per SY	\$ 1,330.00	190 SY	\$ 1,330.00	\$ -
4	Removing Asphaltic Surface, Butt Joints	50 SY	\$ 7.00 Per SY	\$ 350.00	50 SY	\$ 350.00	\$ -
5	Remove Concrete Pavement	122800 SF	\$ 0.18 Per SF	\$ 22,104.00	122800 SF	\$ 22,104.00	\$ -
6	Remove Asphalt Pavement	1110 SY	\$ 2.50 Per SY	\$ 2,775.00	1332 SY	\$ 3,330.00	\$ 555.00
7	Excavation, Common	215 CY	\$ 27.40 Per CY	\$ 5,891.00	176 CY	\$ 4,822.40	\$ (1,068.60)
8	Base Aggregate, Dense, 1 1/4"	375 Ton	\$ 10.35 Per Ton	\$ 3,881.25	341.83 Ton	\$ 3,537.94	\$ (343.31)
9	Base Patching For Concrete Pavement	385 SY	\$ 53.70 Per SY	\$ 20,674.50	520.6 SY	\$ 27,956.22	\$ 7,281.72
10	Joint Repair	3800 LF	\$ 4.65 Per LF	\$ 17,670.00	10807 LF	\$ 50,252.55	\$ 32,582.55
11	Cracking & Seating	11800 SY	\$ 0.63 Per SY	\$ 7,434.00	11800 SY	\$ 7,434.00	\$ -
12	Grade & Compact Base Course	1960 SY	\$ 1.55 Per SY	\$ 3,038.00	1960 SY	\$ 3,038.00	\$ -
13	Concrete Curb & Gutter, 31"	880 LF	\$ 13.86 Per LF	\$ 12,196.80	864 LF	\$ 11,975.04	\$ (221.76)
14	Concrete Sidewalk, 5"	890 SF	\$ 4.00 Per SF	\$ 3,560.00	890 SF	\$ 3,560.00	\$ -
15	Remove & Replace Curb & Gutter, 31"	375 LF	\$ 30.00 Per LF	\$ 11,250.00	487 LF	\$ 14,610.00	\$ 3,360.00
				\$ 125,543.55		\$ 167,970.24	\$ 42,426.69

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. 13028 ALD. DIST. 2nd
LOCATION: West Puetz Road (Howell to Liberty)
DESCRIPTION: Street Resurfacing

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
16	Match Curb & Gutter	76 Each	\$ 15.00 Each	\$ 1,140.00	108 Each	\$ 1,620.00	\$ 480.00
17	Undercut, Undistributed 0	360 Ton	\$ 23.00 Per Ton	\$ 8,280.00	0 Ton	\$ -	\$ (8,280.00)
18	Asphalt, E-1, 19 mm	2,015 Ton	\$ 51.65 Per Ton	\$ 104,074.75	1637.21 Ton	\$ 84,561.90	\$ (19,512.85)
19	Asphalt, E-1, 12.5 mm	1,500 Ton	\$ 55.15 Per Ton	\$ 82,725.00	1480.97 Ton	\$ 81,675.50	\$ (1,049.50)
20	Concrete Surface Drains	235 SF	\$ 10.40 Per SF	\$ 2,444.00	100 SF	\$ 1,050.00	\$ (1,394.00)
21	Stone Shoulder	115 Ton	\$ 28.00 Per Ton	\$ 3,220.00	12.11 Ton	\$ 339.07	\$ (2,880.93)
22	Pavement Marking, Epoxy, 4"	2,080 LF	\$ 0.65 Per LF	\$ 1,352.00	2080 LF	\$ 1,352.00	\$ -
23 0	Pavement Marking, Epoxy, 6" 0	1,020 LF	\$ 0.85 Per LF	\$ 867.00	1020 LF	\$ 867.00	\$ -
24 0	Pavement Marking, Epoxy, 8" 0	640 LF	\$ 1.10 Per LF	\$ 704.00	773 LF	\$ 850.30	\$ 146.30
25 0	Pavement marking, Epoxy, Railroad Crossings	2 Each	\$ 550.00 Each	\$ 1,100.00	2 Each	\$ 1,100.00	\$ -
26 0	Pavement Markings, Epoxy, Arrows, Type 2	6 Each	\$ 225.00 Each	\$ 1,350.00	6 Each	\$ 1,350.00	\$ -
27 0	Pavement Marking, Epoxy, Words 0	5 Each	\$ 235.00 Each	\$ 1,175.00	5 Each	\$ 1,175.00	\$ -
28 0	Repair Storm Structure 0	26 Each	\$ 610.00 Each	\$ 15,860.00	29 Each	\$ 17,690.00	\$ 1,830.00
29 0	Adjust Valve Box 0	4 Each	\$ 100.00 Each	\$ 400.00	4 Each	\$ 400.00	\$ -
30 0	Traffic Control, Road Project 0	1 LS	\$ 15,310.00 LS	\$ 15,310.00	1 LS	\$ 15,310.00	\$ -
				\$ 240,001.75		\$ 209,340.77	\$ (30,660.98)

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. **13028** ALD. DIST. 2nd
 LOCATION: West Puetz Road, Quiet Zone
 DESCRIPTION: Street Reconstruction

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
31	Traffic Control, Detour	1 LS	\$ 10,485.00 LS	\$ 10,485.00	1 LS	\$ 10,485.00	\$ -
CM #1	Restoration	0 LS	\$ 12,640.00 LS	\$ -	1 LS	\$ 12,640.00	\$ 12,640.00
				\$ 10,485.00		\$ 23,125.00	\$ 12,640.00

City of Oak Creek Common Council Report

Meeting Date: December 16, 2014

Item No.: 18

Recommendation: That the Common Council considers a motion to award the 2015-2016 Private Property Maintenance contract to the lowest responsive, responsible bidder, Robie's Grading, for the unit bid price of \$102.00/ton.


Background: Since 2010, the Code Enforcement Group has had a contractor available at contracted prices to perform private property clean-up of unsightly debris accumulation that is in violation of City ordinance. This contract work is enacted when an offending property owner is not responsive to City-issued orders to clean up their property. That first contract was a two-year contract (2010-2011) with Robie's Grading, which exercised the allowable three one-year extensions by mutual agreement. As that agreement will expire at the end of 2014, a new contract for this work was recently advertised.

Although there appeared to be some interest in the project, as evidenced by inquiries received during the bidding period, only one bid was submitted by the December 5 deadline. The lone bidder was Robie's Grading, at \$102.00/ton.

This is an as-needed contract. Most property owners comply with City issued clean-up orders. Over the length of the first contract, the contractor's services were utilized just once, with one other instance being resolved at the eleventh hour.

Fiscal Impact: There is funding reserved for this work in the 2015 budget. The cost of private property clean-ups are invoiced back to the property owner.

Prepared by:


Michael C. Simmons, P.E.
City Engineer

Respectfully submitted:

Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:


Peter J. Wagner
Zoning Administrator/Planner

Fiscal review by:


Bridget M. Souffrant, CMTW
Finance Director/Comptroller