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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

MONDAY, AUGUST 3, 2015
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: 7/7/15

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.

4. **Conditional Use Amendment:** Consider a request by Ron Boecker, Wheaton Franciscan Healthcare, and Rushan Sinani for an amendment to correct the legal description in the Conditional Use Permit affecting the properties at 8000 and 8020 S. Howell Ave. (1st District).
5. **Ordinance:** Consider Ordinance No. 2770, amending Ordinance No. 2669 to correct the legal description in the Conditional Use Permit affecting the properties at 8000 and 8020 S. Howell Ave. (1st District).

New Business

MAYOR & COMMON COUNCIL

6. **Discussion:** Discussion relative to the interim administrative team.
7. **Resolution:** Consider Resolution No. 11630-080315, accepting the liability insurance proposal, dated July 17, 2015, from Cities and Villages Mutual Insurance Company (CVMIC) agreeing to continued membership in CVMIC for policy years 2017 and 2018, based upon guaranteed premiums from CVMIC for these years and increasing the SIR (self-insured retention) from \$50,000 to \$75,000 (by Committee of the Whole).
8. **Resolution:** Consider Resolution No. 11631-080315, approving a sanitary sewer easement by and between Connell Aluminum Properties LLC and the City of Oak Creek (4th District).

9. **Motion:** Consider a *motion* to concur with the Mayor's (re) appointments as follows:
 - a. Traffic & Safety – 3 year term to complete vacancies, expiring 10/17
Greg M. Wolf, 8800 S. Country Drive, Apt. 102
Rebecca Jeanne Vanderbeck, 910 Edgewood Court
 - b. Library Board– 3 year term to expire 6/18
Pam Aiken, 8455 S. Parknoll Drive
Carol Sagan, 10925 S. Nicholson Road
10. **Motion:** Consider a *motion* to approve the July 15, 2015 Vendor Summary Report in the amount of \$1,284,834.23 (by Committee of the Whole).
11. **Motion:** Consider a *motion* to approve the July 28, 2015 Vendor Summary Report in the amount of \$603,902.79 (by Committee of the Whole).

ENGINEERING

12. **Resolution:** Consider *Resolution* No. 11593-080315, approving a storm water management practices maintenance agreement with the Oak Creek-Franklin School District for their proposed elementary school to be located at 2200 W. Drexel Avenue. (Tax Key No. 785-9004) (2nd District).

LICENSE COMMITTEE

The License Committee met on 7/31/15. Minutes are attached. Recommendations are as follows:

13. **Motion:** Consider a *motion* to grant an Operator's license to Tanya Schwartz, 3525 E. Van Norman, Cudahy (The Saloon / Classic Lanes).
14. **Motion:** Consider a *motion* to grant a transient merchant license to William Albee, S65 W13750 Sherwood Cir., Muskego, WI, selling frozen food products on behalf of Badger Wholesale Foods.
15. **Motion:** Consider a *motion* to grant an Operator's license to Chelsea M. Logemann, 4640 S. 51st St., Greenfield (Pick 'n Save – 27th).
16. **Motion:** Consider a *motion* to grant an Operator's license to Cory Fitzpatrick, 3238 S. 60th St., Milwaukee (South Shore Cinema).
17. **Motion:** Consider a *motion* to grant an Operator's license to Torrie Hopkins, 1534 W. Vliet, Milwaukee (Meijer).
18. **Motion:** Consider a *motion* to grant a renewal Reserve Class B Combination license for the period July 1, 2015 through June 30, 2016, to Hush, LLC dba Bootz Saloon & Grill, Christina S. Clausen, Agent, 8950 S. 27th St.

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

19. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
- Alexis C. Kiescewski, 2945 S. 101st St., West Allis (Water Street Brewery)
 - Michael R. Drew, 2402 Springdale Rd., Waukesha (Water Street Brewery)
 - Taylor J. Stevenson, 4934 W. Wells St., Milwaukee (Water Street Brewery)
 - Jason W. Delmore, W237 S8060 Highland Dr., Big Bend (Noodles)
 - Raymond J. Cooper, 20840 George Hunt Cir., Waukesha (PDQ)
 - Austin J. Guth, 9931 S. Shepard Ave., Oak Creek (Kwik Trip)
 - Jill A. LeClaire, 6516 S. 35th St., Franklin (Kwik Trip)
 - James R. Annunziato, 9254 S. Annette Place, Oak Creek (Ryan Road Mobil)
 - Jamie L. Hickey, 1801 Maple St., South Milwaukee (Applebee's)
 - Amyjoy E. Shay, 2824 E. Denton Ave., St. Francis (Meijer)
 - Rebecca A. Kuras, 1105 E. Amber Ln., Oak Creek (Meijer)
 - Shayna D. Bedell, 3780 S. 43rd St., Milwaukee (Meijer)
 - Natalie K. Treder, 8481 S. 5th Ave., Oak Creek (Meijer)
 - Maryah S. Mack, 915 N. 24th St., Milwaukee (Meijer)
 - Laura A. Dyszelski, 5946 Sugarbush Ln., Greendale (Meijer)
 - Ajamu J. Toliver, 2206 S. 70th St., West Allis (Meijer)
 - Antonette Girmscheid, 520 W. Oakwood Rd., Oak Creek (Meijer)
 - Kendra L. Davis, 509 W. Keefe Ave., Milwaukee (Meijer)
 - Debbie M. Reynolds, 8238 201st Ave., Bristol (Woodmans)
20. **Motion:** Consider a *motion* to *grant* a change of agent for Mega Marts dba Pick 'n Save #3687, 2320 W. Ryan Road from Peter Duchac to Jessica Marifke, 1114 16th Ave., South Milwaukee (*favorable background report received*).

Adjournment.

Public Notice

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

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

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 Ron Boecker, Wheaton Franciscan Healthcare, and Rushan Sinani for an Amendment to correct the legal description in the Conditional Use Permit affecting the properties at 8000 and 8020 S. Howell Ave.

Hearing Date: Monday, August 3, 2015
Time: 7:00 p.m.
Place: Oak Creek City Hall
8640 South Howell Avenue
Oak Creek, WI 53154
Common Council Chambers

Applicant: Ron Boecker, Wheaton Franciscan Healthcare
Property Owner: Rushan Sinani
Property Location: 8000 S. Howell Ave. & 8020 S. Howell Ave.
Tax Key(s): 814-9047 & 814-9048

Legal Description:

This amendment would correct the legal description in the Conditional Use Permit to include 8000 S. Howell Ave., described as Lot 1 in Certified Survey Map 8516, and remove 8020 S. Howell Ave., described as Lot 2 in Certified Survey Map 8516. The description of the combined lots is:

All that part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 16, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said Northwest Quarter (NW ¼); thence North 88°08'51" East along the north line of said Northwest Quarter (NW ¼) of said Section 16, 75.02 feet; thence South 00°33'20" West along the easterly right-of-way line of S. Howell Avenue, 694.93 feet to the place of beginning of the land hereinafter described: thence North 89°08'51" East 364.99 feet to the northwest corner of Outlot 1 as recorded in Certified Survey Map 6615; thence South 00°33'20" West along the westerly line of Outlot 1 297.00 feet to a point on the northerly line of Block 2, Rawson Dale a recorded subdivision; thence South 89°12'26" West along said northerly line 364.98 feet to appoint on the easterly right-of-way of S. Howell Avenue; thence North 00°33'20" East along said right-of-way line 296.62 feet to the place of beginning. Containing 108,300 square feet (2.486 acres) of land.

The Common Council has scheduled other public hearings for August 3, 2015 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: July 9, 2015
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: August 3, 2015

Item No.: 5

Recommendation: That the Council adopts Ordinance No. 2770 amending Ordinance No. 2669 to correct the legal description in the Conditional Use Permit affecting the properties at 8000 and 8020 S. Howell Ave.

Background: In December of 2012, a Conditional Use Permit for an animal hospital/veterinary clinic was approved by the Common Council for 8020 S. Howell Ave. The legal description encompassed the entirety of what is now known as 8000 S. Howell Ave. and 8020 S. Howell Ave. (2.486 acres). In February of 2013, a CSM splitting the property into two 1.243-acre lots was approved by the Common Council. The veterinary clinic is sited wholly on Lot 1, which has a current address of 8000 S. Howell Ave. The Conditional Use Permit was not, nor was it required to be, updated to reflect the division of land by CSM. Without an amendment, the Wheaton Franciscan Healthcare plan would be required to meet the conditions and setback requirements established by the Permit. The site and building plans reviewed by the Plan Commission on July 14, 2015 meet the setbacks in Section 17.0315(f) and Section 17.0403(e); however, they do not meet the setback requirements in the Conditional Use Permit. An amendment to the permit to correct the legal description is therefore required.

Staff has worked closely with the City Attorney and determined that the most efficient way to correct the issue is to amend the legal description to exclude the property at 8020 S. Howell Ave. No other portions of the Conditional Use would be changed and it would be clear that the permit would only apply to the veterinary clinic at 8000 S. Howell Ave.

The Plan Commission has reviewed the proposed amendment, and has recommended that the amendment be approved. A copy of the revised conditions and restrictions with the amendment is included with this report.

Fiscal Impact: There is no direct fiscal impact associated with this change; however, approval will allow Wheaton Franciscan Healthcare, Inc. to construct a new clinic facility on the property at 8020 S. Howell Ave. according to the submitted site and building plans.

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

ORDINANCE NO. 2770

By: _____

AN ORDINANCE TO AMEND THE CONDITIONS AND RESTRICTIONS
IN ORDINANCE NO. 2669 FOR A CONDITIONAL USE PERMIT FOR BRYAN MAJEWSKI
(OAK CREEK VETERINARY CARE) AT 8000 S. HOWELL AVE.

(1st Aldermanic District)

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

WHEREAS, Ordinance No. 2669 (The "Ordinance"), which approved a Conditional Use Permit for an animal hospital/veterinary clinic on the property at 8020 S. Howell Ave. (now known as 8000 S. Howell Ave.), was approved on December 18, 2012, and the Conditional Use Permit contained a legal description that covered the entire 2.486 acres at 8020 S. Howell Ave. (now known as 8000 S. Howell Ave. and 8020 S. Howell Ave.); and

WHEREAS, the Ordinance affected the following legally described property;

All that part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 16, Town 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said Northwest Quarter (NW ¼); thence North 88°08'51" East along the north line of said Northwest Quarter (NW ¼) of said Section 16, 75.02 feet; thence South 00°33'20" West along the easterly right-of-way line of S. Howell Avenue, 694.93 feet to the place of beginning of the land hereinafter described: thence North 89°08'51" East 364.99 feet to the northwest corner of Outlot 1 as recorded in Certified Survey Map 6615; thence South 00°33'20" West along the westerly line of Outlot 1 297.00 feet to a point on the northerly line of Block 2, Rawson Dale a recorded subdivision; thence South 89°12'26" West along said northerly line 364.98 feet to appoint on the easterly right-of-way of S. Howell Avenue; thence North 00°33'20" East along said right-of-way line 296.62 feet to the place of beginning. Containing 108,300 square feet (2.486 acres) of land. (The "Property").

WHEREAS, the owners of the Property, Rushan Sinani and J & L Associates, LLC, and the purchasers of the property now known as 8020 S. Howell Ave. (Wheaton Franciscan Healthcare, Inc.) are requesting that Section 1 of the Ordinance be amended to correct the legal description and exclude the property now known as 8020 S. Howell Ave.; and

WHEREAS, the Plan Commission has reviewed this proposal and has recommended that the requested amendment be approved; and

WHEREAS, a public hearing was held on this matter on August 3, 2015 to hear comments from all who were interested.

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, Section 1 (Legal Description) of the conditions and restrictions approved by the Ordinance affecting the Property is amended as follows:

All of Lot 1 of CERTIFIED SURVEY MAP NO. 8516, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 16, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, on February 14, 2013 as Document No. 10216292, bounded and described as follows:

Commencing at the Northwest corner of the Northwest 1/4 of said Section 16; Thence North 89°08'51" East, 75.02 feet along the North line of said 1/4 section; Thence South 0°33'20" West, 843.24 feet along the East line of S. Howell Avenue to the Southwest corner of said Lot 1 and to the Point of Beginning; Thence North 0°33'20" East, 148.31 feet along the East line of South Howell Avenue (S.T.H. 38); Thence North 89°08'51" East, 364.99 feet along the North line of said Lot 1; Thence South 0°33'20" West, 148.50 feet along the West line of Outlot 1 of CERTIFIED SURVEY MAP NO. 6615; Thence South 89°10'39" West, 365.00 feet along the South line of said Lot 1 to the Point of Beginning. Said parcel contains 54,150 square feet or 1.243 acres of land, more or less.

SECTION 2: Except as herein modified the conditions and restrictions approved by the Ordinance shall remain in full force and effect.

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

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

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

Passed and adopted this 3rd day of August, 2015.

President, Common Council

Approved this 3rd day of August, 2015.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

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

Applicant: Bryan Majewski
Property Address: 8020 S. Howell Ave.
Tax Key Number: 814-9047
Conditional Use: Animal Hospital/Veterinary Clinic

Approved by Plan Commission: 7-14-15
Approved by Common Council: TBD
(Ord. 2770, Amending Ord. 2669)

1. LEGAL DESCRIPTION

All of Lot 1 of CERTIFIED SURVEY MAP NO. 8516, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 16, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, recorded in the Office of the Register of Deeds for Milwaukee County, on February 14, 2013 as Document No. 10216292, bounded and described as follows:

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2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

- 1) General Development Plan**
 - a) Detailed building locations with setbacks
 - b) Square footage of building
 - c) Areas for future expansion
 - d) Area to be paved
 - e) Access drives (width and location)
 - f) Sidewalk locations
 - g) Parking layout and traffic circulation
 - i) location
 - ii) number of employees
 - iii) number of spaces
 - iv) dimensions
 - v) setbacks
 - h) Location of loading berths
 - i) Location of sanitary sewer (existing & proposed)
 - j) Location of water (existing & proposed)
 - k) Location of storm sewer (existing & proposed) including detention/retention basins if needed
 - l) Location of wetlands (field verified)
 - m) Location, square footage and height of signs
- 2) Landscape Plan**
 - a) Screening plan for outdoor storage
 - b) Number, initial size and type of plantings
 - c) Parking lot screening/berming
- 3) Building Plan**
 - a) Architectural elevations
 - b) Building floor plans
 - c) Materials of construction
- 4) Lighting Plan**
 - a) Types of fixtures
 - b) Mounting heights
 - c) Types of poles
 - d) Photometrics of proposed fixtures
- 5) Grading, Drainage and Stormwater Management Plan**
 - a) Contours (existing & proposed)
 - b) Location of storm sewer (existing and proposed)
 - c) Location of stormwater management structures and basins
- 6) Fire Protection**
 - a) Location of existing and proposed fire hydrants (public and private)
 - b) Interior floor plan
 - c) Materials of construction

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

3. PARKING AND ACCESS

- A. Parking requirements for this project shall be provided in accordance with Section 17.0403 of the Municipal Code.
- B. The applicant shall provide cross access easements between this development and other non-residential developments to the north and south, and shall approach the adjacent property owners to try and secure use of the existing access drive that serves the properties to the north.

4. LIGHTING

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

5. LANDSCAPING

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

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

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

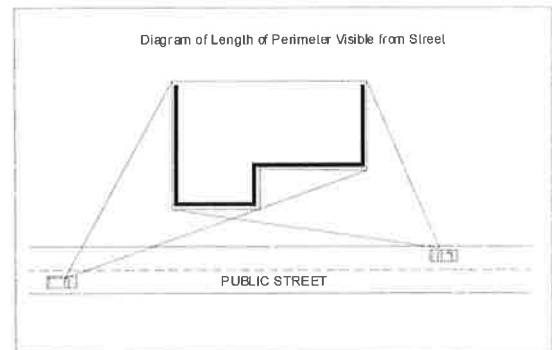
4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.
 - B. Interior Landscape Area. All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping.
 - C. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.
 - D. Landscaping Adjacent to Buildings. There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation of the building.
 - E. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
 - F. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
 - G. Screening of Outdoor Storage – Outdoor storage shall not be located within the front or side yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
 - H. Screening of Roof Mounted Mechanical Equipment. Roof mounted mechanical equipment shall be screened from casual view.
 - I. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, railroad ties, or concrete.
 - J. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
 - K. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section

17.0205 (d) of the Municipal Code. There shall be a minimum 20-foot buffer between this development and the properties on Susan Street.

- L. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
 3. The location and percent of slope of all proposed berms using one (1) foot contours.
 4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
 5. Methods used in staking, mulching, wrapping or any other early tree care used.
 6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule.

6. ARCHITECTURAL STANDARDS

- A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- B. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. Acceptable exterior materials include split face concrete masonry, decorative block, 4-inch brick veneer, 4-inch stone veneer, cut stone panels, pre-cast concrete wall panels, and terra cotta. Proposals to use other materials, including cement fiber products or cultured stone shall require a 3/4 majority of the Plan Commission. Materials such as smooth -faced concrete block, EIFS products (such as Dryvit) or pre- fabricated steel panels are not permitted as a primary exterior building material and shall only be allowed as an accent material comprising no more than 25 percent of the visible perimeter of the building.
- C. The facade of a manufacturing, commercial, office, institutional, or park building shall be finished with an aesthetically pleasing material. A minimum of seventy-five (75) percent of the visible perimeter (see diagram) shall be finished with glass, brick or decorative masonry material.
- D. Material and color samples shall be submitted to the Plan Commission for review and approval.
- E. The Plan Commission has the discretion to adjust this minimum for building additions.



- F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- H. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- I. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- J. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.

7. BUILDING AND PARKING SETBACKS

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

** In addition to the required building and parking setbacks there shall be a 20-foot buffer yard provided between these properties and adjacent residential parcels.*

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan(s). Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. Additional regulations for the Animal Hospital and Veterinary Clinic
 - 1. There shall be no outdoor kennels, runs, or other outdoor operations. Attended animals kept on a leash may be walked outdoors.
 - 2. There shall be no on-site cremations.
 - 3. There shall be no "dog day care" or overnight boarding of animals other than those receiving care at the facility.
 - 4. There shall be a number on file with the Police Department in the event of any after-hours emergencies.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code. All signs must be approved by the Plan Commission as part of the site plan review process.

10. PERMITTED USES

- A. All permitted uses in the B-4, Highway Business District.
- B. Animal Hospitals and Veterinary Clinics.
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use(s) shall begin installing or constructing the elements required in these conditions and restrictions for the conditional use(s) within twenty-four (24) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit. This conditional use approval shall expire within twelve (12) months after commencing construction, if the structure(s) and paved area(s) for which an approval has been issued are not substantially completed. The applicant shall re-apply for a conditional use approval, prior to recommencing work or construction.

12. OTHER REGULATIONS

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

13. REVOCAION

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

14. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature

Date

(please print name)

City of Oak Creek Common Council Report

Meeting Date: August 3, 2015

Item No.: 6

Discussion: Discussion relative to the interim administrative team.

Background: On February 2, 2010 Common Council discussed and gave direction to create an administrative team to meet on a weekly basis to review day to day operations of the City. The purpose of the committee is outlined in the attached Common Council Report. The team was formulated to provide coordination among various departments, provide oversight of ongoing issues, monitor legislative developments and make sure that all important issues were being addressed. The administrative team was to remain in place until a new City Administrator was elected.

Fiscal Impact: None at this time.

Prepared and Submitted by:



Mark Verhalen
3rd District Alderman

COMMON COUNCIL MEETING AGENDA

TUESDAY, FEBRUARY 2, 2010 AT 7:00 P.M.
OAK CREEK CITY HALL COUNCIL CHAMBERS
8640 S. HOWELL AVE.

VISIT OUR WEBSITE AT WWW.OAKCREEKWI.ORG FOR THE AGENDA
AND ACCOMPANYING COMMON COUNCIL REPORTS.

Call Meeting to Order

Pledge of Allegiance

Approval of Minutes: 1/19/10 and 1/25/10, as published.

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.

None

Old Business

None

Action Presentations

Mayor and Council

1. **Discussion:** Discussion relative to the formation of an interim administrative team to oversee day-to-day operations of the City until a new city administrator is selected (by Committee of the Whole).
2. **Motion:** Consider a *motion* to authorize the Mayor to sign the Commercial Card Classic Agreement between Chase Bank and the City of Oak Creek (by Committee of the Whole).
3. **Council Proclamation:** Consider *Council Proclamation* 10-02, congratulations to the Black Diamond Group, South Suburban Chamber of Commerce 2009 Business of the Year Winner (by Committee of the Whole).
4. **Motion:** Consider a *motion* to approve the 2009 Vendor Summary Report in the amount of \$247,926.71 and 2010 Vendor Summary Report in the amount of \$260,139.52 (by Committee of the Whole).

License Committee

5. **Motion:** Consider a *motion* to take action on the various license requests as listed on the attached report (by Committee of the Whole).

Fire

6. **Motion:** Consider a *motion* to approve the purchase of fire hose in the amount of \$20,000 for the Fire Department as was approved in the 2010 Capital Equipment Budget (by Committee of the Whole).

Streets

7. **Motion:** Consider a *motion* to approve using funds from the 2009 Control Account in an amount not to exceed \$27,000.00 for the Street Department walkway project (by Committee)

Engineering

8. **Motion:** Consider a *motion* to authorize payment of the South Milwaukee invoice for traffic signal improvements at E. Drexel Avenue and S. Pennsylvania Avenue intersection (Project No. 09004) (1st & 3rd Districts).

Miscellaneous

9. **Motion:** Consider a *motion* to convene into Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes, Section 19.85 (1)(g) to consider the application of Whitestone Inc. for a 2007 property tax exemption for parcel numbers 919-9990-001 and 919-9016.
10. **Motion:** Consider a *motion* to reconvene into Open Session.
11. **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

2-2-2010

Recommendation: To discuss the formation of an interim administrative team to oversee day to day operations of the City until a new city administrator is selected.

Background: Mayor Bolender has created an interim administrative team consisting of the following individuals:

Mayor Richard Bolender
City Clerk Pamela Bauer
Director of Community Development Douglas Seymour
Acting City Engineer Michael Simmons
Finance Director Mark Wyss
City Attorney Lawrence Haskin

The administrative team will meet on a weekly basis to review day to day operations of the City. The purpose of the committee will be to provide coordination among the various departments, provide oversight of ongoing issues, monitor legislative developments and make sure that all important issues are being addressed. It is anticipated that a weekly report will be provided to the Common Council.

The Mayor, by state law, is in charge of the police and fire departments. The Mayor will work directly with the Street Superintendent on any day to day street department related issues. The utility is subject to oversight by the water and sewer utility commission; the library by the library board and the health department by the Board of Health. Any major issues involving those departments that would otherwise involve intervention by the City Administrator will be referred to the interim administrative team.

The Mayor has provided an administrative directive to deal with major issues that are facing the City. Attached is a copy of that memo.

Fiscal Impact: None.

Respectfully Submitted

Mayor Richard Bolender



Oak Creek

RICHARD R. BOLENDER
MAYOR

TEL: (414) 768-6548
HOME TEL: 764-4125

MEMORANDUM

PERSONAL AND CONFIDENTIAL

TO: Department Managers
FROM: Mayor Richard Bolender *RRB*
DATE: January 26, 2010
RE: Administrative Directives

The Common Council voted at last night's meeting to not renew the contract of City Administrator Patrick DeGrave. Until a new administrator is hired, the following is a directive with respect to certain specific critical items:

1. Department Head meetings. I will run the meetings until further notice.
2. Labor negotiations. The Chairperson of the Personnel Committee will be responsible for the negotiations in conjunction with Rob Buikema, subject to the overall supervision by the Mayor and Common Council. I intend on attending the Personnel Committee meetings.
3. 27th Street Corridor. Doug Seymour, as Director of Community Development, will continue to be the point person for this project, with review and approval by the CDA and Mayor and Common Council.
4. Lakeview Village Redevelopment, Wispark Business Park (TIF 8). City Attorney Larry Haskin will be the point person for these projects, in conjunction with Doug Seymour, with review and approval by the Mayor and Common Council.
5. Budget and Finance. Finance Director Mark Wyss will be responsible for budget and finance matters subject to the overall supervision by the Mayor and Common Council.
6. Delphi Redevelopment, TIF 9. Doug Seymour will be the point person in conjunction with Larry Haskin with review and approval by the Mayor and Common Council.
7. Common Council Meeting Agenda Preparation. The Mayor in conjunction with the City Clerk shall be responsible for preparation of the agendas for Common Council meetings.

As to all other items the individual Department Head that has responsibility for administration of that item shall continue with their duties. Any policy decisions shall be directed to the Mayor and Common Council for their input and direction.

cc: Common Council Members

8640 S. Howell Ave.
Oak Creek, WI 53154
Tel:(414)768-6500
Fax:(414)768-9587

PROCEEDINGS, COMBINED COMMON COUNCIL MEETING
TUESDAY, FEBRUARY 2, 2010, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

The meeting began with the Pledge of Allegiance being said by all present.

Mayor Bolender called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Jakubczyk, Ald. Bukiewicz, Ald. Scaffidi, Ald. Toman, Ald. Gehl and Ald. Michalski. Also present were: City Attorney Lawrence Haskin, Community Development Director Doug Seymour, Acting City Engineer/Building Commissioner Michael Simmons, Finance Director Mark Wyss, Fire Chief Brian Satula, Street Superintendent Michael Lampe, and City Clerk Pamela Bauer.

Ald. Bukiewicz, seconded by Ald. Gehl, moved to approve the minutes of the 1/19/10 and 1/25/10 meetings as published. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

1. **DISCUSSION HELD RELATIVE TO FORMATION OF INTERIM ADMINISTRATIVE TEAM TO OVERSEE DAY-TO-DAY OPERATIONS OF CITY UNTIL CITY ADMINISTRATOR IS SELECTED.**

A discussion was held relative to the formation of an interim administrative team to oversee day-to-day operations of the City until a new city administrator is elected.

2. **COUNCIL AUTHORIZES MAYOR TO SIGN COMMERCIAL CARD CLASSIC AGREEMENT BETWEEN CHASE BANK AND CITY OF OAK CREEK.**

Ald. Jakubczyk, seconded by Ald. Scaffidi, moved to authorize the Mayor to sign the Commercial Card Classic Agreement between Chase Bank and the City of Oak Creek. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

3. **PRESENTED AND ADOPTED: COUNCIL PROCLAMATION 10-02, CONGRATULATIONS TO BLACK DIAMOND GROUP, SOUTH SUBURBAN CHAMBER OF COMMERCE 2009 BUSINESS OF YEAR WINNER.**

Ald. Bukiewicz, seconded by Ald. Michalski, moved to adopt Council Proclamation 10-02, congratulations to the Black Diamond Group, South Suburban Chamber of Commerce 2009 Business of the Year Winner. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

4. **COUNCIL APPROVES VENDOR SUMMARY REPORT.**

Ald. Gehl, seconded by Ald. Michalski, moved to approve the 2009 Vendor Summary report in the amount of \$247,926.71 and 2010 Vendor Summary report in the amount of \$260,139.52. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

5. **LICENSE COMMITTEE.**

Ald. Michalski, seconded by Ald. Gehl, moved to deny an Operator's license to James Mark Spinato, 2930 Wild Rose Way, Racine (Applebee's) for falsifying his application. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

Ald. Michalski, seconded by Ald. Jakubczyk, moved to grant a renewal dog kennel license to Sue Ann McCotter, Club K-9, LLC dba Central Bark Doggy Day Care, 1075B W. Northbranch Dr. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

Ald. Michalski, seconded by Ald. Jakubczyk, moved to grant a renewal mobile home park license to Joseph & Ellen Dentice, Oak Creek Estates dba Oak Creek Estates, 2137-2301 W. College Ave. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

6. **COUNCIL APPROVES PURCHASE OF FIRE HOSE IN AMOUNT OF \$20,000 FOR FIRE DEPARTMENT AS APPROVED IN 2010 CAPITAL EQUIPMENT BUDGET.**

Ald. Michalski, seconded by Ald. Bukiewicz, moved to approve the purchase of fire hose in the amount of \$20,00 for the Fire Department as was approved in the 2010 Capital Equipment Budget. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

7. **COUNCIL APPROVES USING FUNDS FROM 2009 CONTROL ACCOUNT IN AN AMOUNT NOT TO EXCEED \$27,000 FOR STREET DEPARTMENT WALKWAY PROJECT.**

Ald. Michalski, seconded by Ald. Scaffidi, moved to approve using funds from the 2009 Control Account in an amount not to exceed \$27,000.00 for the Street Department walkway project. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

8. **COUNCIL AUTHORIZES PAYMENT OF SOUTH MILWAUKEE INVOICE FOR TRAFFIC SIGNAL IMPROVEMENTS AT E. DREXEL AVE. AND S. PENNSYLVANIA AVE. INTERSECTION (PROJECT NO. 09004).**

Ald. Jakubczyk, seconded by Ald. Gehl, moved to authorize payment of the South Milwaukee invoice for traffic signal improvements at E. Drexel Ave. and S. Pennsylvania Ave. intersection (Project No. 09004). On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

9. **CLOSED SESSION HELD.**

Ald. Bukiewicz, seconded by Ald. Gehl, moved to convene in Closed Session at 7:31 p.m., pursuant to Wisconsin State Statutes, Section 19.85 (1)(g) to consider the application of Whitestone Inc. for a 2007 property tax exemption for parcel numbers 919-9990-001 and 919-9016. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

10. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Bukiewicz, seconded by Ald. Scaffidi, moved to reconvene into Open Session at 7:50 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

11. **COUNCIL TAKES ACTION ON CLOSED SESSION ITEM.**

Ald. Gehl, seconded by Ald. Michalski, moved to deny the application for Whitestone Inc. for 2007 property tax exemption for parcel numbers 919-9990-001 and 919-9016. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, no; Ald. Gehl, aye; and Ald. Michalski, aye.

ADJOURNMENT.

Ald. Gehl, seconded by Ald. Scaffidi, moved to adjourn this meeting at 7:58 p.m. On roll call, the vote was as follows: Ald. Jakubczyk, aye; Ald. Bukiewicz, aye; Ald. Scaffidi, aye; Ald. Toman, aye; Ald. Gehl, aye; and Ald. Michalski, aye.

ATTEST:

Pamela S. Bauer, CMC, City Clerk

Richard R. Bolender, Mayor

From: Pamela Bauer <Pbauer@oakcreekwi.org>
Sent: Tuesday, January 26, 2010 11:27 AM
To: All Oak Creek Mail Users
Subject: City Administrator

The Oak Creek Common Council voted on Monday, January 25, 2010, to not renew the contract of City Administrator Patrick DeGrave effective immediately.

Since this is a personnel matter, please do not comment on Mr. DeGrave's departure to the media or any other individuals outside of City government. Out of respect for Mr. DeGrave and his family, please refrain from speculation about the reasons for nonrenewal of his contract.

On an interim basis, the City has formed an administrative team consisting of Mayor Bolender, City Attorney Haskin, Director of Community Development Doug Seymour, Acting City Engineer/Building Commissioner Mike Simmons, Finance Director Mark Wyss, and myself to provide oversight on day-to-day City operations. If there are any questions, please contact your department manager.

Cc: Common Council

Pam

Pamela S. Bauer, CMC
City Clerk
City of Oak Creek
414-768-6511 (phone)
414-768-9587 (fax)
pbauer@oakcreekwi.org
Population 32,104

From: Pamela Bauer <Pbauer@oakcreekwi.org>
Sent: Tuesday, October 26, 2010 4:47 PM
To: Common Council; Department Managers
Subject: team meeting minutes 10/13
Attachments: 101310 MEETING MINUTES.doc

This is the last set of minutes from the team meetings.

Cc: Ald. Toman

Pam

Pamela S. Bauer, CMC
City Clerk
City of Oak Creek
414-768-6511 (phone)
414-768-9587 (fax)
pbauer@oakcreekwi.org
Population 32,104

City of Oak Creek Common Council Report

Meeting Date: 2/15/10

Item No.:

Recommendation: Council discussion on the process for the recruitment of a new City Administrator.

Background: The administrative team has been meeting every Wednesday to discuss current issues facing the City, as well as the process for the recruitment of a new City Administrator.

In the past, when the City hired an Administrator, the City has hired a placement firm to recruit prospective candidates for the position. In the past the cost was approximately \$15,000 to \$20,000. The team discussed handling the hiring process in-house. However, with the many other important issues that need the team's attention and with each member of the team needing to perform their assigned duties, it was felt that using an outside recruiting firm would be in the city's best interest. The first decision for the Common Council is whether to seek proposals from placement firms. In addition, the suggestion was made to seek the assistance of the former City Engineer, Wayne St. John, to coordinate the hiring process with the placement firm that may ultimately be chosen by the Council. The former City Engineer worked 12 years for the City, has been involved in the hiring process several times within his department, is aware of the current issues and priorities in the City, and has been involved in past administrator recruitments. Wayne will be contacted to determine his interest.

If the Council authorizes staff to obtain proposals from placement firms, the administrative team will solicit proposals and hopefully have a recommendation at the next meeting. In the meantime attached is a copy of Section 2.42 of the Municipal Code which identifies the duties of the Administrator. Please review it. The Council can discuss any possible changes to the duties at its next meeting as well as the issue of a proposed salary range.

Fiscal Impact: None at this time.

Submitted by:

Pamela S. Bauer, CMC
On behalf of the Administrative Team

MEMO

TO: MAYOR AND COMMON COUNCIL
DEPARTMENT MANAGERS

FROM: ADMINISTRATIVE TEAM

DATE: 3/5/10

SUBJECT; TEAM MEETING OF 3/3/10

Administrator Search

The team reviewed the Council discussion from 3/2/10. Larry reiterated that the Common Council will review the resumes of all qualified candidates as recommended by the search firm and from there, the Council will determine the final number to interview.

Drexel Interchange

There was a general continuing discussion from the 2/24/10 meeting relating to the MOU between Franklin and Oak Creek and the costs for the enhanced street lighting on 27th Street. Larry is waiting to hear from Jeff Stone; Mayor Bolender will continue discussing the matter with Mayor Taylor, who would like to wait until after election; and Larry will contact representatives of NML. Ald. Gehl commented that NML employees do not want to commute to Franklin; they are shuttled from the downtown office to the Franklin office and then back downtown at night.

Post Office

The County has told the post office they need to get a commitment from the post office by 3/16/10 that they will finance enhanced costs on College and Pennsylvania; otherwise they will go to the state with the specs without Van Beck Rd. and the roundabout. The post office told the City of Oak Creek, subject to internal funding, they will commit to paying enhanced costs on Pennsylvania between Hickory and College. The letter received by the City from the post office would reflect a change to the existing agreements, whereby the post office committed to paying all the costs for reconstruction of Pennsylvania Avenue from Hickory to College. Mike Simmons will prepare a draft letter to be signed by the Mayor reminding the post office of their obligation and that if they are asking to change the agreements with the City, they would need to be redone, with approvals from both Oak Creek and South Milwaukee.

The CSM as approved at the 3/2/10 Council meeting is being recorded today, 3/3/10. Larry has been talking with Scott Yauck who helped to broker the land. He believes that the understanding of the post office is that the recording of the CSM is their commitment that they will do what they said they would do. However, the CSM just creates right-of-way. If the matter needs further discussion, then the county, post office and the city should meet.

Roszina

This matter was discussed in closed session Tuesday and no action was taken.

Travel Requests

The team approved requests from Inspection and reviewed requests submitted by both the Police and Fire Departments. Both chiefs are being requested to attend the next meeting and to submit a brief explanation prior to that as to the need for the training and the numbers of employees being sent.

Lakeview Village

A general discussion was held regarding the status of the Lakeview Village. The City recently submitted to Senator Kohl a \$1.5 million grant application - \$500,000 for bluff stabilization and \$1 million for remediation. Highway 100 needs to be extended to 5th Ave. and the buildings need to be razed. The City should be notified of this appropriation some time in September. Doug will provide a copy of the grant request to the Council members.

Delphi

There was a general discussion of the Delphi site and its potential acquisition and development.

Treasurer Barb Guckenberger provided a memo to the team in reference to outstanding 2005 personal property taxes, now totaling \$153,249.28, which is currently tied up in bankruptcy court. Whereas the city settles with the county every year to make the city whole, any outstanding personal property taxes remain the responsibility of the city to collect.

TIF No. 8

WisPark is currently working on a term sheet for financing. They are putting in the infrastructure and the City is borrowing the funds with TIF dollars to pay the contractor, to be repaid from the increment from the district. If there is a shortfall in the amount of increment, WisPark will guarantee the debt service. At issue is the division of profits if the business park is successful. WisPark has made a proposal in the form of a term sheet. The staff is going to hire Gruen and Gruen to review WisPark's proposal.

Methane Pipeline Along College Ave.

This item was informational. Mike explained this proposed pipeline would run from the Muskego landfill, taking methane from the landfill site off Highway 36, down College Ave. and into the old unused petroleum line to Jones Island. The pipeline would be installed in county right-of-way. The methane would be used at the sludge grind facility in lieu of natural gas for a substantial savings. There is nothing required by the city.

Permit Fees

Inspection is currently working on updating their fees. Updates to the revenue analyses should be done before the budget process; there is no need to bring the documents to the administrative team for review prior to going to Council.

Street Lights on Verdev

A lump sum was budgeted for street lights in this area. Every other year, the Inspection Department takes care of an old system and switches out the old light poles. Mike inquired if this was considered CIP or maintenance. There are funds in the street light capital project and Mark understood that was the purpose of the funds. The old metal will be sold as scrap. The light pole replacement project has been done in-house versus being bid out.

Citizen Action Complaint

Larry provided the history on the Direct Legislation and restoration of the ordinance affected by the Direct Legislation. Mark Verhalen filed a complaint with the State Department of Justice for improper handling of a new Direct Legislation petition submitted to the City on 1/19/10. The petition filed had two signatures and was deemed insufficient. Though the state did not have authority to investigate the complaint, they failed to see any violations by City officials.

The meeting concluded at approximately 11:05 a.m.

MEMO

TO: MAYOR AND COMMON COUNCIL
DEPARTMENT MANAGERS

FROM: ADMINISTRATIVE TEAM

DATE: 3/16/10

SUBJECT TEAM MEETING 3/10/10

Ald. Jakubczyk was present at this meeting.

Administrator Search – Review of Proposals from Search Firms

All team members had been provided with a copy of the 15 RFPs for review prior to the 3/10/10 meeting and selected their top 3-4 companies based on that review. Most members had one or more of the same firms at the top of their lists. The team agreed to submit 4 firms rather than 3, including a firm from the Midwest, to the Council at their 3/16 meeting as follows:

The Waters Group, Dallas TX
Strategic Government Resources, Keller TX
Bob Murray & Associates Tallahassee, FL
Springsted, Inc., Milwaukee, WI

Mike Simmons agreed to prepare the Council report and Pam will notify the successful firms and send letters of regret to the remaining firms after the 3/16 Council meeting. This will be discussed at the next meeting on 3/17/10.

Travel Requests for Police and Fire (held from 3/3/10)

Chief Bauer was present for the discussion of his travel requests and provided a memo of explanation, which is attached for the Council.

Chief Satula was present for the discussion of his travel requests. This is one of the premier fire instructor schools in the country and the training officers learn new techniques and procedures. Travel requests for both departments were approved by the team.

IT Priorities – City Hall v. Police Station

Caesar Geiger was present for this discussion. The Mayor suggested designating a primary person to handle issues at the Police and Fire Departments, recognizing that certain items take precedence over minor requests, but that there are pending issues at

City Hall. Caesar attempts to prioritize. The issue with Unifers has been resolved and is current as of 2/1/10.

Caesar stated there is no room in the basement for him to work – there are only 2 work stations and 3 employees. Caesar works at the Police Department since there is space available there. Joe is currently setting up 16 PCs at the Fire Department, John is dealing with database issues, and Caesar with Time Warner Cable connection issues.

Channel 25 PEG Channel Protocol/Impact of Videotaping Council and Plan Commission Meetings

Caesar was also present for this discussion. At this time there is no audio available; Dick is waiting for AT&T. Training also needs to be done before going live. The Mayor suggested placing such things as emergency notices and current events on Channel 25. Pam will research the retention period for videotapes.

Pool Car

The pool car, #603, is an older Taurus with continuous minor mechanical issues. Pam will talk with Tom Bauer regarding the possibility of replacing it with a vehicle ready for trade-in.

Economic Development Marketing

Doug has been meeting with Cudahy and South Milwaukee and thought there may be a benefit to market the area near the airport jointly. Doug is scheduled to meet with them yet today and is proposing to promote this as “Gateway to Milwaukee”. There may be some costs involved. Doug is meeting with Steve Yttri and Karl Robe at the Utility to go over a proposal to provide free water for a year to new businesses that come to Oak Creek.

Doug is placing two items on the 3/16/10 agenda with a request to apply for stewardship grants for Abendschein Park Phase II development and Neighborhood Park acquisition.

Quota on “Class A” Licenses

Pam stated the City is near or at the quota on the Class A Combination licenses. She will discuss the matter with Larry as to how to handle current applications that are in process and those that may come in after the quota is met. There have been a number of inquiries from gas stations with the recent change.

The meeting adjourned at 10:50 a.m.

City of Oak Creek Common Council Report

Meeting Date: August 3, 2015

Item No.: 7

Recommendation: That the Common Council approve Resolution #11630-080315 accepting the liability insurance proposal dated July 17, 2015 from Cities and Villages Mutual Insurance Company (CVMIC) agreeing to continued membership in CVMIC for policy years 2017 and 2018 based upon guaranteed premiums from CVMIC for these years and increasing the SIR (self-insured retention) from \$50,000 to \$75,000.

Background: The City of Oak Creek has been a member of Cities and Villages Mutual Insurance Company (CVMIC) since 2001. The organization was created in 1988 and currently has 46 member communities. These communities share insurance risk and coordinate services to produce high quality comprehensive insurance coverages at stable rates.


Attached is Resolution #11630-080315 which accepts a multi-year proposal from CVMIC to provide liability insurance coverage for the City of Oak Creek in 2017 and 2018 at guaranteed costs of \$120,181 and \$123,185 with an SIR of \$75,000. Costs for the City's 2015 liability coverages are \$119,739 and \$122,134 for 2016. Paid claims for the City since 2001 have been \$119,739 plus any self-insured retention payments (SIR). The City's current SIR is \$50,000. It is recommended to increase this to \$75,000 in 2017 and place earned dividends of \$37,893 payable on 3/1/2016 into a restricted fund to offset any required SIR payments by the City.

Fiscal Impact: Based upon preliminary renewals and dividends earned by the City, 2016 premiums for General Liability will decrease 7.7% from \$91,247 to \$84,241. We cannot fully estimate costs for 2017 and 2018 as dividends have not yet been set for these years.

Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:


Gerald R. Peterson, ICMA-CM
City Administrator

RESOLUTION NO. 11640-080315

BY: _____

**A RESOLUTION ACCEPTING THE LIABILITY INSURANCE PROPOSAL
DATED JULY 17, 2015 FROM CITIES AND VILLAGES
MUTUAL INSURANCE COMPANY**

WHEREAS, Cities and Villages Mutual Insurance Company ("CVMIC") was created in 1988 and currently has 46 member communities who share insurance risk and coordinate services to produce high quality comprehensive insurance coverages at stable rates; and

WHEREAS, the City of Oak Creek has been a member of CVMIC since 2001 and has purchased various types of insurance through CVMIC over the past 14 years; and

WHEREAS, CVMIC has provided a very reasonable multi-year proposal for liability insurance coverage for the City of Oak Creek at reasonable rates (see attached proposal); and

THEREFORE, BE IT RESOLVED by the Common Council of the City of Oak Creek that the City of Oak Creek does hereby accept the Liability Insurance Proposal dated July 17, 2015, from Cities and Villages Mutual Insurance Company ("CVMIC") and agrees to continue its membership in CVMIC for policy years 2017 and 2018 based on the premiums guaranteed by CVMIC for said policy years.

Passed and adopted this _____ day of August, 2015.

President, Common Council

Approved this _____ day of August, 2015.

Mayor

Attest:

City Clerk

Vote: Ayes _____ Noes _____



411 East Wisconsin Avenue
Suite 2350
Milwaukee, Wisconsin 53202-4426
414.277.5000
Fax 414.271.3552
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Writer's Direct Dial: 414.277.5347
E-Mail: mark.kircher@quarles.com

Attorneys at Law in
Chicago
Indianapolis
Madison
Milwaukee
Naples
Phoenix
Tampa
Tucson
Washington, D.C.

June 30, 2015

To: CVMIC Members
From: Quarles & Brady LLP
Re: Membership Commitment for Years 2017-2018

Attachment Two

Ladies and Gentlemen:

Mr. DeMoss has asked us to provide instructions as to how members may commit for the next two year period.

First, note that there is no affirmative City Council/Village Board action which CVMIC requires in order for you to continue your membership. The letter from Mr. DeMoss which accompanies this Memorandum sets forth the guaranteed annual premiums which CVMIC offers in exchange for a two year commitment of continued membership. All CVMIC requires is that you select your SIR and return a copy of Attachment 1 with the Acceptance Form executed by an authorized officer. If City Council/Village Board action is required for you to make the commitment, we suggest the following authorization language either in the form of a motion or resolution:

RESOLVED, that _____ (City/Village) _____ accepts the Liability Insurance Proposal dated June 30, 2015, from Cities and Villages Mutual Insurance Company ("CVMIC") and agrees to continue its membership in CVMIC for policy years 2017 and 2018 based on the premiums guaranteed by CVMIC for said policy years.

Please contact me if you have any questions or if we can be of assistance in this regard.

Very truly yours,

QUARLES & BRADY LLP

Mark A. Kircher



July 17, 2015

Mr. Gerald Peterson
City of Oak Creek
8640 S. Howell Avenue
Oak Creek, WI 53154

RE: Two-Year Liability Renewal Package
2017-2018

Dear Gerald:

Cities and Villages Mutual Insurance Company (CVMIC) is pleased to provide your community with its two (2) year liability renewal package. CVMIC continues to provide your community with the best possible public entity, general liability and auto liability protection available in Wisconsin. This re-pricing continues CVMIC's approach of providing a long-term solution to your liability insurance needs.

Bickmore Risk Services has completed an actuarial review of CVMIC losses from 1988 to present. Their analysis has indicated that we continue to have very stable losses. The Board of Directors requested that Bickmore Risk Services review 2017-2018 premiums for both the current and next higher self-insured retention (SIR). Premium calculations were developed utilizing current loss data and the underwriting information members provided last fall for the reinsurance renewal.

The proposed pricing limits the experience modification to premium increases no greater than 15% and reductions no greater than 10% for 2015. Increases for 2016 will be as quoted in 2013.

Your premium options for the 2017 and 2018 policy years are set forth in Attachment One. These premiums are guaranteed for the two-year period, assuming that we achieve an adequate level of commitment for the renewal. In order to lock in these rates, we are asking that each member make their renewal commitment **by September 15, 2015**. Our general counsel, Mark Kircher of

Quarles & Brady, has provided instructions for making this two-year commitment to CVMIC (Attachment Two).

CVMIC is currently comprised of 46 member cities and villages. In addition to broad liability protection with \$5 million in limits, we also provide loss control services, risk management assistance and access to other insurance products through optional group purchases. These programs provide access to needed insurance coverage at substantial savings.

The Board of Directors continues its commitment to assisting members with their risk management and loss control programs. CVMIC's loss control representatives continue to work directly with members to provide loss control assistance. In addition, we have provided a wide range of free educational programs for your employees. These seminars have proven to be very popular and are highly rated by those attending. We believe these services have had a direct impact on losses and have helped keep premiums low. We will continue to expand our training efforts and encourage member participation. The preliminary 2015-2016 fall/winter schedule has been posted on CVMIC's website.

Liability Program Dividends

On April 1, 2007 CVMIC retired the WMIC bond. This was accomplished with CVMIC paying all principal and interest payments on behalf of members. The retirement of the WMIC debt opened the door to return excess funds from the liability program to members in the form of dividends. The first dividend was declared in 2008 and paid in early 2009. At their May 20th meeting, the Board declared a liability dividend in the amount of \$1,511,352.00 for the policy period ending 12/31/14. This dividend will be paid on or around March 1, 2016. Specific information regarding this dividend will be provided in a separate letter. The goal of the Board is to provide stable dividends while maintaining surplus at target levels.

Other Insurance Purchase Options

In addition to the liability insurance program, CVMIC offers a first-dollar Worker's Compensation program, Auto Physical Damage program and several top quality insurance products on a group-purchase basis. Group purchase options include Employment Practice Liability, Excess Worker's Compensation, Umbrella/Excess Liability, Crime, Boiler & Machinery and Special Events Liability Program insurance, and these programs have been offered in response to member requests to provide cost-effective options to meet their community's insurance needs. Renewal information for these programs will be provided at the summer meeting.

Ratings and Awards

We are extremely pleased to inform the membership that CVMIC has maintained its 'A' rating from AM Best. A.M. Best is the foremost source for insurer ratings in the world. Best's initial rating of CVMIC covered the five-year period ending December 31, 1992. Their rating is based on a thorough review of the company's financial strength. On the basis of that review, A. M. Best awarded CVMIC an A (VI) rating. A is for excellent which is assigned to companies which have achieved excellent overall performance when compared to the standards established by A. M. Best Company. Companies with an A rating have a strong ability to meet their policyholder and other contractual obligations over a long period of time. The financial size category (VI) represents policyholder's surplus between \$25 Million and \$50 Million. The A. M. Best rating is reviewed annually. We are proud to report that CVMIC has maintained an A- or better rating each year since 1992.

In 1997, we refinanced the WMIC bond and had our financial ratings reviewed by Moody's. At that time, Moody's gave CVMIC a rating of Aa2. We were very pleased with the rating and felt it reflected Moody's belief of CVMIC's strong financial position. The recognition of CVMIC's success was further enhanced when we received the Association of Governmental Risk Pools (AGRIP) Pooling Advisory Standard Recognition Award. This award demonstrates CVMIC's compliance with recommended operational practices and documentation set forth in Pooling Advisory Standards. The criteria for this recognition are reviewed every three years. CVMIC has retained this recognition for many years.

We feel the A. M. Best rating, the Moody's rating and the recognition award from AGRIP provides the membership with the assurance and peace of mind that the company is operating in a professional and financially sound manner. One of the goals when CVMIC was founded was to achieve a Best Rating of B+. The fact that we exceeded this goal by three rating categories is significant and reflects the continuing emphasis on achieving excellence by improving the way the company operates, increasing CVMIC's financial strength, expanding the level of services provided to members and strengthening the commitment of members to CVMIC. We are extremely pleased and proud of these ratings, as well as the AGRIP recognition, and continue to work hard to maintain and improve upon them.

The Board implemented the two-year pricing cycle to ensure members will always know their liability insurance cost before beginning the budget process.

To confirm your community's commitment to CVMIC for the 2017-2018 policy years as outlined in Attachment One, it will be necessary to complete and sign the acceptance form at the bottom of Attachment One and return one signed copy in the postage paid envelope provided.

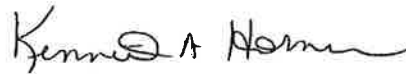
We look forward to continuing working with you. If you have any questions regarding re-pricing, please contact either Ken Horner or myself.

Yours very cordially,

CITIES AND VILLAGES MUTUAL INSURANCE CO.



Michael L. DeMoss
Executive Director



Ken Horner
Director of Operations

MLD:scp
Enc.



City of Oak Creek
ANNUAL PREMIUMS
 Policy Years 2016, 2017, 2018

ATTACHMENT ONE

- **Coverage includes:**
 - General Liability
 - Auto Liability
 - Excess Liability
 - Public Officials Liability
 - Law Enforcement Liability

- **Self-Insured Retention ("SIR")** is available at several levels.

- **Limits of Liability:**
 - \$5,000,000 per occurrence excess of SIR.

- **Defense Costs are included in the SIR.**

ANNUAL PREMIUMS:

(SIR) Occurrence/Aggregate

	<u>Current SIR</u>	<u>Optional SIR</u>
	\$50,000	\$75,000
<u>Policy Year</u>	<u>Option 1</u>	<u>Option 2</u>
2016	\$122,134	\$117,249
2017	\$125,188	\$120,181
2018	\$128,318	\$123,185

NOTE: The premiums stated herein are based on an expected number of renewals and are subject to review, depending on the actual number of renewals. With that qualification, they are guaranteed for the three-year policy period 2016, 2017 and 2018.

ACCEPTANCE

The City of Oak Creek agrees to continue as a member of CVMIC for the policy years 2016, 2017 and 2018 as outlined in Option 1 _____ (\$50,000) [or] as outlined in Option 2 _____ (\$75,000) (*please indicate*) at the corresponding guaranteed premiums set forth on the previous page.

ACCEPTED AND AGREED TO this _____ day of _____, 2015.
City of Oak Creek

By _____
Name

Its _____
Title





DATE: July 17, 2015

TO: Mr. Gerald Peterson, City of Oak Creek

FROM: Mike DeMoss, Executive Director
Ken Horner, Director of Operations

RE: 2015 Liability Dividend Report \$ 37,893 on 3/1/2016

The purpose of this letter is to provide information regarding payment of the 2015 liability program dividend. This packet includes the following information:

- 2015 Liability Program Dividend Recommendation.
- Notification of Liability Dividend Declared by the Board of Directors for the Policy Year Ending 12/31/2014. Note: This document includes the amount of the dividend to be paid to your community.

We feel it is important that all members understand the dividend process. This letter will be distributed as part of a presentation at the 2015 Summer Meeting and will be sent via email to all member representatives that do not attend the Summer Meeting. If you have any questions, or if any aspect of the process is unclear, please do not hesitate to ask for clarification.

Background: On May 20, 2015, the CVMIC Board of Directors approved a liability program dividend in the amount of \$1,511,352. This dividend was based upon operating results of the liability program for the period ending 12/31/14 and will be paid on or after March 1, 2016. The attached 2015 Liability Dividend Recommendation outlines the criteria the Board followed in declaring the current dividend. The methodology is consistent with that of 2014.

Each member has the option of determining when they receive the dividend payment. A copy of the "Notification of Liability Dividend Declared by the Board of Directors for the Policy Year Ending 12/31/14" form is attached. Please review this form and return it to the CVMIC office no later than November 1, 2015. This form must be signed by the Member Representative, Mayor or other individual with the authority to sign on behalf of your community. If you fail to return the form by the stated deadline, payment will be issued based on Option 1. You are

encouraged to review this form and contact Mike DeMoss or Ken Horner if you have any questions.

Michael L. DeMoss, Executive Director

Direct: 414-831-5999

Email: mld@cvmic.com

Kenneth A. Horner, Director of Operations

Direct: 414-831-6000

Email: kah@cvmic.com

2015 Mutual Member Participation Calculation

OAK CREEK

	Premium-(A)	Claims-(B)	SIR-(C)		
1988	\$0	\$0	\$0		
1989	\$0	\$0	\$0		
1990	\$0	\$0	\$0		
1991	\$0	\$0	\$0		
1992	\$0	\$0	\$0		
1993	\$0	\$0	\$0		
1994	\$0	\$0	\$0		
1995	\$0	\$0	\$0		
1996	\$0	\$0	\$0	CVMIC Net Premium-(D)	\$34,534,221
1997	\$0	\$0	\$0	CVMIC SIR-(E)	\$25,315,000
1998	\$0	\$0	\$0	Total Assets-(F)	\$50,607,089
1999	\$0	\$0	\$0		
2000	\$0	\$0	\$0		
2001	\$122,619	\$1,029	\$25,000	Total Liabilities-(G)	\$15,652,033
2002	\$120,718	\$0	\$25,000	Min Permanent Surplus-(H)	\$14,000,000
2003	\$123,736	\$0	\$25,000	Unencumbered Reserve (I)	\$16,028,221
2004	\$111,691	\$95,079	\$37,500		
2005	\$114,483	\$0	\$37,500		
2006	\$117,345	\$0	\$37,500		
2007	\$118,163	\$22,143	\$37,500		
2008	\$121,117	\$0	\$37,500		
2009	\$124,222	\$0	\$37,500		
2010	\$111,094	\$0	\$50,000		
2011	\$114,899	\$0	\$50,000		
2012	\$117,771	\$0	\$50,000		
2013	\$115,416	\$0	\$50,000		
2014	\$119,167	\$0	\$50,000		
2015	\$112,739				
Total	\$1,652,441	\$118,251	\$550,000		
Total-10 Years	\$1,173,677	\$22,143	\$437,500		
	(A-1)	(B-1)	(C-1)		
2016	\$122,134				\$37,893

Dividends

*\$ 7,429
\$ 10,357
\$ 28,492*

Premium Calculation

Member Premium-(A-1)	\$1,173,677
15% of Claims-(B-2)	\$3,321
Member Net Premium-(J)	\$1,170,356
CVMIC Net Premium-(D)	\$34,534,221
Percentage-(K)	3.389%

SIR Calculation

Member SIR-(C-1)	\$437,500
CVMIC SIR-(E)	\$25,315,000
Percentage-(L)	1.728%
Participation Percentage-(M)	2.891%

Participation Calculation

	Amount	Member Percentage	Mutual Member Position
Unencumbered Reserve	\$16,028,221 (I)	2.891% (M)	\$463,336 (N)

Original Principal Amount-(O)	Principal Retired by CVMIC-(P)
\$0	\$0

This is an estimate while every effort has been made to present an accurate calculation. Numbers used in the calculation are subject to change and there may be rounding errors and other discrepancies.

NOTES FOR MEMBER PARTICIPATION* – CALCULATION STEPS

Data Used for Calculation:

- A. Total premium paid to CVMIC for all years.
- A-1 Total premium paid to CVMIC for the last 10 years
- B. Total incurred claims (paid & reserved including expenses) excess of a member's SIR for all years.
- B-1 Total incurred claims excess of a member's SIR for the last 10 years.
- B-2. 15% of incurred claims excess of Member's SIR.
- C. Total per occurrence SIR for all years.
- C-1 Total per occurrence SIR for the last 10 year.
- D. CVMIC Net Premium equals the total of all premium collect for the last 10 years, minus 15% of all incurred claims (paid and reserved including expenses) excess of a Member's SIR for the last 10 years.
- E. CVMIC SIR is the total per-occurrence SIR for the last 10 years, for all Members.
- F. Total Assets equals the amount shown in the 12/31/14 audited financial statement.
- G. Total Liabilities equals the amount shown in the 12/31/14 audited financial statement for Losses and Loss Adjustment Expenses.
- H. Minimum Permanent Surplus is the minimum surplus required by the Board of Directors.
- I. Unencumbered Reserves equals the total Surplus as regards policyholders as shown in the 12/31/14 audited financial statement minus Minimum Permanent Surplus (H).
- J. Member's Net Premium equals Member's Premium (A-1) minus 15% of Claims (B2).
- K. Premium Calculation Percentage is developed by dividing the Member's Net Premium (J) by CVMIC's Net Premium (D).
- L. SIR Calculation – Percentage Ownership is developed by dividing the Member SIR (C) by CVMIC SIR (H).
- M. Participation Percentage is developed by taking the Premium Calculation Percentage (K) multiplied by seven-tenths (.7), plus SIR Calculation (L) multiplied by three tenths (.3).
- N. Participation Calculation is calculated by taking the Unencumbered Reserves (I) times the Participation Percentage (M).
- O. Bonds delivered to CVMIC at the time of joining.
- P. Principal Paid is the amount of Bond that has been retired.

*Refer to CVMIC Article VII of the Articles of Incorporations for details regarding Distribution on Dissolution.

EVERY EFFORT HAS BEEN MADE TO PRESENT AN ACCURATE CALCULATION; HOWEVER, THERE MAY BE MINOR ERRORS OR DISCREPANCIES DUE TO ROUNDING.

City of Oak Creek Common Council Report

Meeting Date: 8/3/15

Recommendation: That the Common Council adopt Resolution No. 11631-080315, a Resolution Approving a Sanitary Sewer Easement by and between Connell Aluminum Properties LLC and the City of Oak Creek.

Background: As part of the development of Lake Vista Park, sanitary sewer service is being extended from the site of the pavilion to be located on the park on the east side of the former Du Pont property to the existing Milwaukee Metropolitan Sewerage District (MMSD) Metropolitan Interceptor Sewer (MIS). A small portion of the proposed sanitary sewer will cross property currently owned by Connell Aluminum Properties LLC. The Easement grants to the City the right to construct the sanitary sewer in the location indicated on the Easement.

Fiscal Impact: None.

Prepared by:



Melissa L. Karls
City Attorney

Respectfully submitted,



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

Approved by:



Michael Simmons
City Engineer

RESOLUTION NO. 11631 - 080315

RESOLUTION APPROVING A SANITARY SEWER EASEMENT BY AND
BETWEEN CONNELL ALUMINUM PROPERTIES LLC AND THE CITY OF OAK
CREEK
(9100 S. 5th Avenue)
(4th Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Sanitary Sewer Easement by and between the City of Oak Creek and Connell Aluminum Properties 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 3rd day of August, 2015.

Passed and adopted this 3rd day of August, 2015.

President, Common Council

Approved this this 3rd day of August, 2015.

Mayor Stephen Scaffidi

ATTEST:

Catherine A. Roeske, City Clerk

VOTE: Ayes ____ Noes ____

Document Number	Sanitary Sewer Easement	Document Title
EASEMENT NO.:	_____	
PROJECT NO.:	14024	
RESOLUTION NO.:	_____	
ADDRESS NO.:	9100 S. 5 th Avenue	
GRANTOR:	Connell Aluminum Properties LLC	
M/A:	One International Place Boston, MA 02110	
		Recording Area
		Michael Simmons Engineering Department 8640 S. Howell Avenue Oak Creek, WI 53154
		Name and Return Address

Tax Key No. 868-9999-001

Parcel Identification Number (PIN)

SANITARY SEWER EASEMENT

THIS INDENTURE, made this _____ day of _____, 2015, by and between, Connell Aluminum Properties LLC, party of the first part, hereinafter referred to as "Grantor", and the City of Oak Creek, a Wisconsin municipal corporation, party of the second part, hereinafter referred to as "Grantee";

WITNESSETH:

Grantor does hereby grant to the Grantee an easement to construct, maintain, operate and reconstruct where necessary sanitary sewer and appurtenances in, under, over and across the real property of Grantor in the City of Oak Creek, County of Milwaukee and State of Wisconsin, as shown on Exhibit "A" (the "Easement Area").

TO HAVE AND TO HOLD said Sanitary Sewer Easement unto Grantee, and unto its successors and assigns forever.

Grantee shall have the right to enter upon and to pass and repass over and along the Easement Area whenever and wherever necessary for the purpose of installation, maintenance, operation and repair of the sanitary sewer within the Easement Area.

Grantee agrees to restore or cause to have restored the Easement Area as nearly as is reasonably possible to the condition existing prior to such entry by the Grantee or its agents. However, Grantee's obligation to restore the Easement Area does not apply to any structure, fence, hard surface paving of any type or configuration, trees, bushes, branches or roots within the Easement Area which may interfere with Grantee's use of the Sanitary Sewer Easement.

Grantee shall have the right to trim or remove any trees, bushes, branches or roots within the Easement Area so as not to interfere with Grantee's use of the Sanitary Sewer Easement.

Structures, which are defined as anything constructed or erected, the use of which requires more or less permanent location on ground or attached to something having permanent location on the ground and fences, shall not be located over the sanitary sewer or in, upon or over the Easement Area without the prior written consent of the City Engineer.

The sanitary sewer shall be maintained and kept in good order and condition at the expense of the Grantee.

The Grantor reserves the right, to itself and to its heirs, personal representatives, successors and assigns, to have the full use and enjoyment of the Easement Area, except as to the rights herein granted.

If the sanitary sewer is discontinued or abandoned for the purpose granted, the Sanitary Sewer Easement herein conveyed shall, without notice, demand or re-entry, revert to Grantor, its heirs, personal representatives, successors and assigns. In such event, Grantee agrees to reconvey by quit claim deed to Grantor, its heirs, personal representatives, successors and assigns, the premises described herein.

Grantee shall and does hereby agree to indemnify and save harmless the Grantor, its heirs, personal representatives, successors and assigns, from any and all loss of damage to property or injury to or death of any and all persons, or from any suits, claims, liability or demand in connection therewith however caused, resulting directly or indirectly by reason of the installation, operation, maintenance, removal, use or existence of the sanitary sewer or the user of the Sanitary Sewer Easement.

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

GRANTOR: CONNELL ALUMINUM PROPERTIES LLC

By: John V. Curtin, Attorney

STATE OF MASSACHUSETTS)
) SS
COUNTY OF BARWSTABLE)

Personally came before me this 13th day of JULY, 2015, the above-named JOHN V. CURTIN, _____ of Connell Aluminum Properties LLC, to me known to be the person who executed the foregoing instrument on behalf of said company and acknowledged the same.

Jeffrey A. Cummings

Notary Public, BARWSTABLE County, MA
My commission expires: NOV. 19, 2021

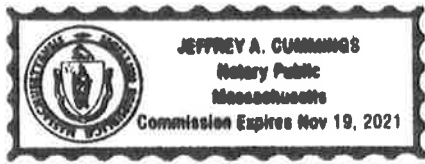


EXHIBIT A

SANITARY SEWER EASEMENT

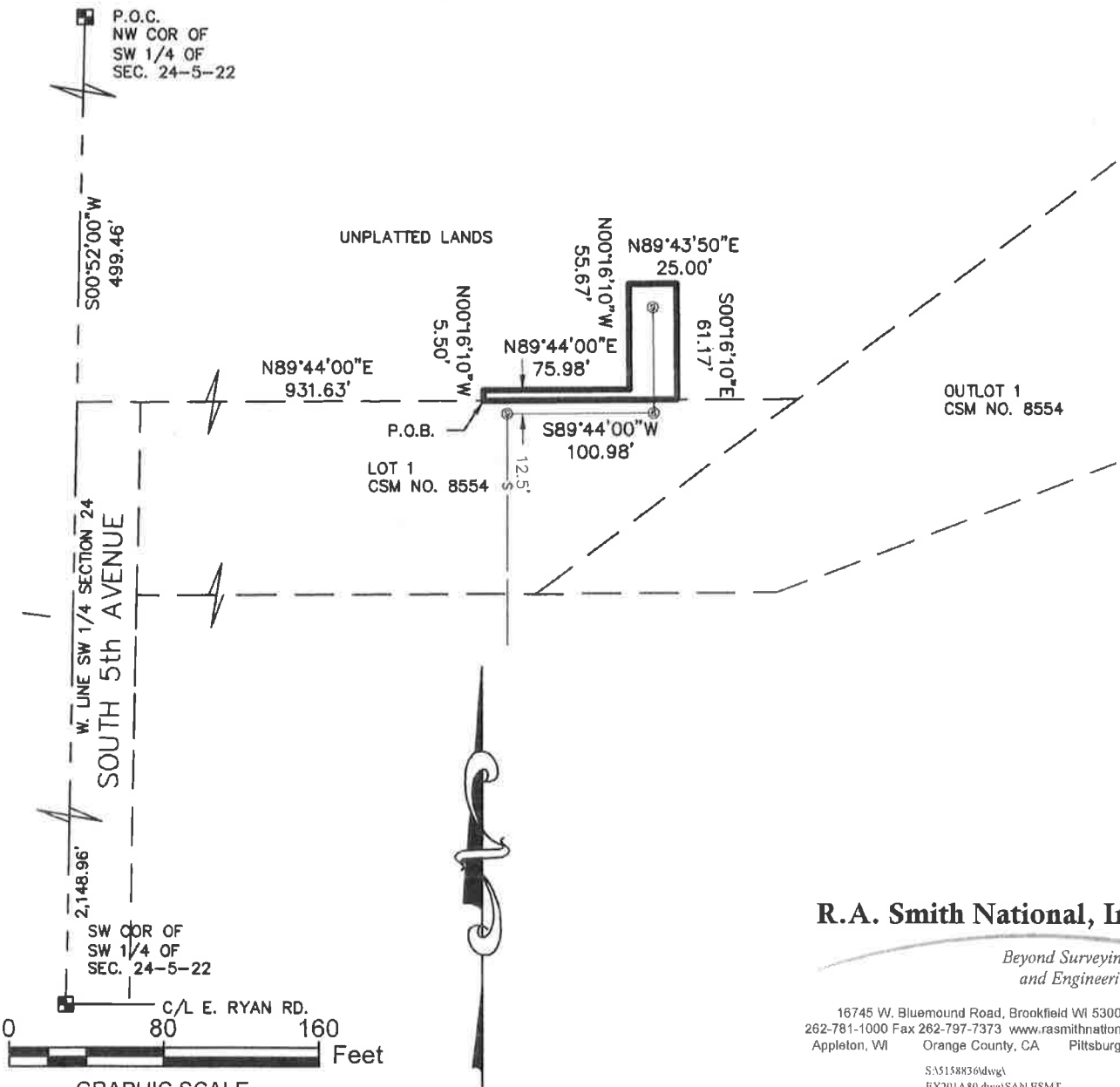
Part of the Northwest 1/4 of the Southwest 1/4 of Section 24, Town 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:
 Commencing at the Northwest corner of said 1/4 Section; thence South 00°52'00" West along the West line of said 1/4 Section 499.46 feet to a point in the extension of the North line of Lot 1 of Certified Survey Map No. 8554; thence North 89°44'00" East along said North line and its extension 931.63 feet to the point of beginning of lands to be described; thence North 00°16'00" West 5.50 feet to a point; thence North 88°44'00" East 75.98 feet to a point; thence North 00°16'00" West 55.67 feet to a point; thence North 88°44'00" East 25.00 feet to a point; thence South 00°16'00" East 61.17 feet to a point in the North line of Lot 1 of Certified Survey Map No. 8554; thence South 88°44'00" West along said North line 100.98 feet to the point of beginning.
 Said land contains 1,947 square feet.

June 30, 2015

City of Oak Creek

Drawing No. 158836-RMK

R.A. Smith National, Inc.



R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

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

SA158836.dwg
 EX201A80.dwg/SAN ESMT

City of Oak Creek Common Council Report

Meeting Date: August 3, 2015

Item No.: 10

Recommendation: That the Common Council approves payment of the obligations as listed on the July 15, 2015 Invoice GL Distribution Report.

Background: Of note are the following payments:

1. \$89,064.40 to Advanced Disposal - Muskego (pg #10) for June curbside trash & recycle removal.
2. \$90,418.72 to BCF Construction Corp. (pg #12) for project 14034 weatherly drive box culvert project.
3. \$59,463.03 to Benistar (pg #12) for retiree medicare supplement payments.
4. \$234,853.00 to BS&A Software (pg #13) for City computer software and training.
5. \$6,303.00 to Buelow Vetter Buikema Olson (pgs #13-14) legal services.
6. \$11,737.00 to Flag Center (pg #18) for flags at Veterans Park, Drexel Town, and City Hall.
7. \$38,838.28 to JPMorgan Chase Bank (pgs #1-9) for Equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.
8. \$7,246.09 to Minnesota Life Insurance (pgs #25-26) for employee life insurance.
9. \$17,714.24 to Multimedia Communication & Engineering, Inc. (pg #26) for fiber optic contract services.
10. \$12,410.75 to R.A Smith National (pg #31) for inspection services.
11. \$7,570.72 to Sherwin Industries, Inc (pg #30-31) for road saver, fiber mix. & wire brush replacements.
12. \$507,964.62 to Stark Asphalt (pg #32) for Project #14019 road improvement.
13. \$49,540.00 to Trace Technologies (pg #9) for fiber optic installation service.
14. \$19,600.00 to Tyler Technologies, Inc. (pg #33) for June maintenance fee.
15. \$6,304.18 to WE Energy (pg #34) for street lighting, electricity and Natural Gas.

Fiscal Impact: Total claims paid of \$1,284,834.23

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: August 3, 2015

Item No.: 11

Recommendation: That the Common Council approves payment of the obligations as listed on the July 28, 2015 Invoice GL Distribution Report.

Background: Of note are the following payments:


1. \$29,188.00 to Alois Roofing & Sheet Metal LLC (pg #1) for roof repairs done on the salt shed, project 15018.
2. \$10,209.00 to Arlington Computer Products (pg #1) for annual computer replacement and equipment.
3. \$16,131.89 to D&K Management V, LLC (pg #3) for tax assessment refunds for 2009 & 2011 on property 303 W Marquette ave.
4. \$5,600.00 to Gerber Leisure Products, LLC (pg #5) for playground wood chips.
5. \$34,049.00 to Locution System INC (pg #7) for Fire Department alerting system, project 14013.
6. \$5,000.00 to OCCC Services, INC (pg #9) for Summer Concert series.
7. \$8,283.86 to Short Elliott Hendrickson INC (pg #11) for Abendschein path bridge.
8. \$9,700.00 to Strand Associates, INC (pgs #12) for engineering and administration service for June 2015.
9. \$54,574.44 to WE Energies (pg #13) for street lighting, electricity and Natural Gas.
10. \$336,522.34 to Willkomm Excavating & Grading (pg #14) for Lakefront, Parkway, and pathway contract, project 14024.
11. \$17,950.58 to World Fuel Service, INC (pg #14) for fuel inventory.

Fiscal Impact: Total claims paid of \$603,902.79

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 August 3, 2015

Item No.: 12

Recommendation: That the Common Council adopts Resolution No. 11593-080315, a resolution approving a storm water management practices maintenance agreement with the Oak Creek-Franklin School District for their proposed elementary school to be located at 2200 W. Drexel Avenue. (Tax Key No. 785-9004) (2nd Aldermanic District)

Background: The proposed elementary school, to be located at 2200 W. Drexel Avenue, requires onsite storm water management practices in accordance with Sections 13.100 through 13.114 of the Municipal Code. Section 13.109 of the Municipal Code requires a maintenance agreement between the City and the permittee for the future maintenance of the required storm water management practices.

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

Prepared by:



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

Respectfully submitted:



Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

RESOLUTION NO. 11593-080315

BY: _____

**RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES
MAINTENANCE AGREEMENT FOR THE OAK CREEK ELEMENTARY SCHOOL
2200 W. DREXEL AVENUE**

(TAX KEY NO. 785-9004)

(2ND ALDERMANIC DISTRICT)

WHEREAS, the Oak Creek-Franklin School District (Owner), requires onsite storm water management practices for their proposed elementary school located at 2200 W. Drexel Avenue, and,

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

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

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

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3rd day of August, 2015.

Passed and adopted this 3rd day of August, 2015.

President, Common Council

Approved this 3rd day of August, 2015.

Mayor

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

Document Number

OAK CREEK ELEMENTARY SCHOOL
2200 W. DREXEL AVENUE
Storm Water Management Practices Maintenance
Agreement
Document Title

Recording Area

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

785-9004

Parcel Identification Number (PIN)

STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this ___ day of _____, 2015, by and between Oak Creek-Franklin Joint School District, hereinafter called the "Owner", and the City of Oak Creek, hereinafter called the "City".

WITNESSETH:

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

Lot 2 of Certified Survey Map No. 8471 in the South ½ of the Southwest ¼ of Section 7, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as Oak Creek Elementary School located at 2200 W. Drexel Avenue, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site storm water management practices within the confines of the Property; and

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

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

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

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

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

WITNESS the following signatures and seals:

OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT

Tim Culver
Dr. Tim Culver, Superintendent of Schools

The foregoing Agreement was acknowledged before me this 20th day of July, 2015,

by Cathy C. Cramer

Cathy C. Cramer
NOTARY PUBLIC

My Commission Expires: 12/18/2016

CITY OF OAK CREEK, WISCONSIN

Stephen A. Scaffidi, Mayor

Catherine A. Roeske, City Clerk

The foregoing Agreement was acknowledged before me this ____ day of _____, 2015,

by _____

NOTARY PUBLIC

My Commission Expires: _____

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

Approved as to Form:

City Attorney Date



EXHIBIT A OPERATION AND MAINTENANCE INSPECTION REPORT STORM WATER MANAGEMENT PONDS

Inspector Name: _____

Tax Key No.: _____

Inspection Date: _____

Location: _____

Detention Basin Type: Wet Pond _____ Underground _____

 Extended Dry _____ Bioretention _____

 Artificial Wetland _____

Watershed _____

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

EXHIBIT B
DETENTION BASIN MAINTENANCE STANDARDS

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

**MINUTES
LICENSE COMMITTEE
Friday, July 31, 2015 at 10:00 A.M.**

This meeting was called to order at 10:00 a.m.

Present were: Ald. Kurkowski, Ald. Verhalen, and Ald. Gehl. Also in attendance was City Attorney Melissa Karls, City Clerk Catherine Roeske, Police Captain Steven Anderson, and Deputy City Clerk Christa Miller.

1. The Committee reviewed council action from June 16, 2015, relating to an Operator license submitted by Tanya Schwartz, 3525 E. Van Norman, Cudahy (The Saloon / Classic Lanes). Ms. Schwartz was in attendance.

On her application, Ms. Schwartz indicated convictions for underage drinking 2012 (3), falsify age 2012, obstructing officer 2012 and faulty speedometer 2014.

The police record check showed convictions for intoxicant in vehicle operator – 2012, underage alcohol, 2012, underage alcohol, 2012, possession/consumption of alcohol by minor, 2012, obstructing an officer, 2012.

Ms. Schwartz indicated that she was unable to appear at the previous meeting due to her work schedule, but mentioned that the 2012 incidents were a result of a domestic breakup, but that since that time she has not been in trouble.

Ms. Schwartz also noted that while The Saloon is closed for business due to a recent fire, that she would still like to obtain the license for her other job at Classic Lanes.

Ald. Verhalen, seconded by Ald. Gehl, moved to approve an Operator's license to Tanya Schwartz, 3525 E. Van Norman, Cudahy (The Saloon / Classic Lanes). On roll call, all voted aye.

2. The Committee reviewed an application for Transient Merchant license submitted by William Allbee, S65 W13750 Sherwood Cir., Muskego, WI, selling frozen food products on behalf of Badger Wholesale Foods. Mr. Allbee was in attendance.

On his application, Mr. Allbee disclosed convictions for retail theft, speeding tickets, and parking tickets.

The police record check showed convictions for disorderly conduct 2005, retail theft 2005, transient merchant no permit 2008, disorderly conduct 2012, and criminal damage to property 2012.

Mr. Allbee indicated that he was unable to appear at the previous meeting due to his work schedule, but had submitted a letter to be reviewed by the Committee. The letter primarily detailed the events of the disorderly conviction, but not the other convictions. Mr. Allbee explained the circumstances to the disorderly conduct and criminal damage to property convictions from 2012.

Ald. Gehl, seconded by Ald. Verhalen, moved to grant a Transient Merchant license to William Allbee, S65 W13750 Sherwood Cir., Muskego, WI. On roll call, all voted aye.

3. The Committee reviewed an application for Operator license submitted by Chelsea M. Logemann, 4640 S. 51st St., Greenfield, WI (Pick 'n Save). Ms. Logemann was in attendance.

On her application, Ms. Logemann a disclosed conviction for DUI from 2014.

The police record check showed convictions for OWI (2014) and Retail Theft (2014).

Ms. Logemann indicated that she was unable to appear at the previous meeting due to her work schedule.

Ms. Logemann had submitted a letter to be presented to the Committee on behalf of her retail theft conviction, describing the incident. Ms. Logemann explained the convictions and the circumstances of both incidents.

Ald. Gehl, seconded by Ald. Verhalen, moved to hold action on the Operator license application submitted by Chelsea M. Logemann, 4640 S. 51st St., Greenfield, WI. On roll call, all voted aye.

4. The Committee reviewed an application for an Operator license submitted by Cory Fitzpatrick, 3238 S. 60th St., Milwaukee (South Shore Cinema). Mr. Fitzpatrick was not in attendance for the meeting.

Mr. Fitzpatrick disclosed no convictions on his application.

The Police Record check showed a 2001 Disorderly Conduct conviction.

The Committee discussed that the omitted conviction was from fourteen years ago and that his police report showed no convictions prior to or since that time.

Ald. Verhalen, seconded by Ald. Gehl, moved to grant an Operator license to Cory Fitzpatrick, 3238 S. 60th St., Milwaukee (South Shore Cinema). On roll call, all voted aye.

5. The Committee reviewed an application for an Operator license submitted by Torrie Hopkins, 1534 W. Vliet, Milwaukee (Meijer). Ms. Hopkins was in attendance for the meeting.

Ms. Hopkins disclosed no convictions on her application.

The Police Record check showed a 2005 Damage to Property conviction.

Ms. Hopkins indicated that she had forgotten about the conviction and explained the circumstances to the conviction.

Ald. Gehl, seconded by Ald. Verhalen, moved to grant an Operator license to Torrie Hopkins, 1534 W. Vliet, Milwaukee (Meijer). On roll call, all voted aye.

6. The Committee reviewed a Reserve Class B Combination alcoholic beverage license for the period July 1, 2015 through June 30, 2016, for Hush, LLC dba Bootz Saloon & Grill, 8950 S. 27th St., Christina S. Clausen, Agent. Ms. Clausen was in attendance. Also in attendance was Roger Pyzyk, Attorney for the applicant,

Attorney Pyzyk indicated that Soundproof Chicago had begun construction on the sound barrier wall as scheduled on July 13, 2015 and was completed by July 18, 2015.

Ms. Clausen indicated that while it was not initially part of the intended construction project, they were a heavy-duty door installed for additional soundproofing. Attorney Pyzyk indicated that this door was on backorder and installation was pending upon arrival.

Police Captain Steve Anderson indicated that Police Chief John Edwards had conducted a "walk-through" of the establishment and that the fence had been fixed, the garbage on the property had been dealt with, the sound-proofing door still remained to be done and that agreed upon signage was posted on the establishment doors asking for patrons to be respectful of the neighbors and neighborhood.

City Clerk Catherine Roeske acknowledged that since the last Committee meeting, the nuisance charges had been paid in full, but that the establishment had received three additional citations. Further review found that while these citations were received after the last meeting, they were before the completion of the sound proofing project.

Attorney Pyzyk indicated that the establishment manager, CJ, had made contact with one of the neighbors since the wall was erected. The neighbor had no complaints at that time.

Ald. Verhalen acknowledged that there was a Traffic & Safety Commission meeting scheduled where the Commission discussed erecting a "No Left Turn" sign on Hilltop Ln. Additionally, the Commission discussed erecting "No Parking" signs in the neighborhood, but ultimately, the neighbors did not want this option and asked that when there are large events being held that "Temporary – No Parking" signs be posted.

Ald. Kurkowski indicated that he visited the site on Thursday, July 30, 2015, at approximately 9:30 p.m. and found no noise concerns from the outside of the building through the newly erected sound barrier window. He did indicate that while at the back door, he could hear music, once he stepped away from the door onto the property grass, he no longer could hear music.

Ald. Gehl strongly noted that since the sound proofing project has been completed, there should be no reason for further noise complaints.

Ald. Gehl, seconded by Ald. Verhalen, moved to grant a renewal Reserve Class B Combination license for the period July 1, 2015 through June 30, 2016, to Hush, LLC dba Bootz Saloon & Grill, 8950 S. 27th St., Christina S. Clausen, Agent.

Ald. Verhalen, seconded by Ald. Gehl, moved adjourn the meeting at 10:42 a.m. On roll call, all voted aye.