



## COMMON COUNCIL MEETING AGENDA

TUESDAY, NOVEMBER 3, 2015  
AT 7:00 P.M.

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1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 10/20/15

### New Business

#### **MAYOR & COMMON COUNCIL**

4. **Resolution:** Consider *Resolution* No. 11658-110315, a Resolution amending and supplementing Resolution No. 8283-101591; Authorizing the Issuance and Sale of \$3,830,000 Waterworks System Refunding Revenue Bonds, Series 2015; and providing for the payment of said bonds and other details and covenants with respect thereto (by Committee of the Whole).
5. **Presentation:** Update by Owner's Representative, Steve Chamberlin, on the Civic Center Complex building.
6. **Motion:** Consider a *motion* to concur with cost distribution for building demolition and site preparation with the Oak Creek-Franklin Joint School District associated with the demolition of three (3) City buildings at 8640 S. Howell Avenue and one City building at 240 E. Puetz Rd. (3<sup>rd</sup> District).
7. **Resolution:** Consider *Resolution* No. 11662-110315, which provides for the City of Oak Creek withdrawal from Local Government Property Insurance Fund (LGPIF) and authorizes the City Administrator to take all necessary actions to place all withdrawn insurance coverages with the Municipal Property Insurance Company (MPIC) (by Committee of the Whole).
8. **Motion:** Consider a *motion* to approve the Vendor Summary Report in the amount of \$1,453,848.24 (by Committee of the Whole).

#### **STREETS, PARKS & FORESTRY**

9. **Resolution:** Consider *Resolution* No. 11657-110315, authorizing the City Forestry Division of the Streets, Parks and Forestry Department to submit an application for a 2016 Department of Natural Resources Urban Forestry Grant (by Committee of the Whole).
10. **Ordinance:** Consider *Ordinance* No. 2775, repealing and recreating Section 8.45 (a) (4) of the Municipal Code relating to Yard Waste Collection (by Committee of the Whole).

## **COMMUNITY DEVELOPMENT**

11. **Resolution:** Consider Resolution No. 11659-110315, approving a certified survey map for the property at 9005 S. 11<sup>th</sup> Street (4<sup>th</sup> District).
12. **Resolution:** Consider Resolution No. 11660-110315, approving a certified survey map for the properties at 8380, 8400, and 8432 S. 27<sup>th</sup> St. (2<sup>nd</sup> District).

## **LICENSE COMMITTEE**

The License Committee did not meet prior to the Council meeting. Tentative recommendations are as follows:

13. **Motion:** Consider a motion to grant an Operator's license to the following (*favorable background report received*):
  - Samuel L. Danowski, 7395 Heatheridge Court, Franklin (Kwik Trip – 10<sup>th</sup>)
  - Alissa A. Puder, 9609 Grayce Dr., Sturtevant (Kwik Trip – 10<sup>th</sup>)
  - Jamie M. West, 5150 S. Mallard Cir., Greenfield (Kwik Trip – 10<sup>th</sup>)
  - Kimberly M. Norman, 3235 N. 50<sup>th</sup> St., Milwaukee (South Shore Cinema)
  - Scott C. Neumann, 472 E. Plainfield Ave., Milwaukee (All in the Family)
  - Audra M. Bauman, 9019 Prairie Crossing Dr., Franksville (Bootz)

## **MISCELLANEOUS**

14. **Motion:** Consider a motion to convene into Closed Session pursuant to Wisconsin State Statutes Section 19.85 (1)(e) to discuss a Tri-Party Access Roadway Agreement by and Among the City of Oak Creek, the Oak Creek-Franklin Joint School District and the Northwestern Mutual Insurance Company.
15. **Motion:** Consider a motion to reconvene into Open Session.
16. **Resolution:** Consider Resolution No. 11661-110315, approving a Tri-Party Access Roadway Agreement by and Among the City of Oak Creek, the Oak Creek-Franklin Joint School District and the Northwestern Mutual Life Insurance Company (2<sup>nd</sup> District).
17. **Motion:** Consider a motion to award the S. 20<sup>th</sup> Street expansion contract to the lowest responsive, responsible bidder, DF Tomasini, Inc., at the estimated cost of \$1,430,700.60 (Project No. 15023) (2<sup>nd</sup> District).

## ***Adjournment.***

### **Public Notice**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Oak Creek Health Department, 8040 S. 6<sup>th</sup> Street, Oak Creek, Wisconsin 53154.

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

# City of Oak Creek Common Council Report

Meeting Date: November 3, 2015

Item No.: 4

**Recommendation:** That the Common Council adopts Resolution No. 11658-110315, a resolution amending and supplementing Resolution No. 8283-101591; authorizing the issuance and sale of \$3,830,000 Waterworks System Refunding Revenue Bonds, Series 2015; and providing for the payment of said bonds and other details and covenants with respect thereto.

**Background:** This resolution provides for the refinancing of \$4,180,000 outstanding water revenue bonds to take advantage of lower interest rates. The refinancing will result in a gross savings of \$696,900 (estimated) and a net present value savings of \$297,300 (estimated), which is from a combination of interest savings due to a lower rate and a reduction in the required reserve funds. Since the Water Utility will save \$346,900 (estimated) in interest costs over the life of the bonds, the current reserve fund will be reduced by \$350,000. Therefore, the Water Utility will be able to apply these released reserve funds toward the refinancing and reduce the issue size of the refunding bonds by this amount. The refunding bonds will be payable over five years, maturing on December 1, 2020. This timeframe and maturity date is the same as the original bonds; the payment schedule has not been extended due to the refinancing.

**Fiscal Impact:** All debt service will be paid with revenues (through water rates) by the Oak Creek Water and Sewer Utility.

Prepared by:



Annette L. Stenzel, CPA  
Utility Accounting Supervisor

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Approved by:



Michael J. Sullivan, PE  
Utility General Manager

Respectfully Submitted:



Gerald R. Peterson, ICMA-CM  
City Administrator

RESOLUTION NO. 11658-110315

RESOLUTION AMENDING AND SUPPLEMENTING  
RESOLUTION NO. 8283-101591; AUTHORIZING THE ISSUANCE AND SALE OF  
\$3,830,000 WATERWORKS SYSTEM REFUNDING REVENUE BONDS, SERIES 2015;  
AND PROVIDING FOR THE PAYMENT OF SAID BONDS  
AND OTHER DETAILS AND COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Oak Creek, Milwaukee County, Wisconsin (the "Municipality") owns and operates a waterworks system (the "System") which is operated for a public purpose as a public utility by the Municipality;

WHEREAS, under the provisions of Section 66.0621, Wisconsin Statutes (the "Act"), any municipality may, by action of its governing body, provide funds for the purpose of purchasing, acquiring, constructing, extending, adding to, improving, conducting, controlling, operating and managing a public utility from the proceeds of bonds, and for refunding any outstanding municipal obligations issued for the above purposes, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees;

WHEREAS, the Municipality has heretofore issued and has outstanding its (a) Waterworks System Revenue Bonds, dated November 1, 2005 (the "2005 Bonds") pursuant to Resolution No. 10555-101805 adopted by the Common Council of the Municipality (the "Governing Body") on October 18, 2005 and (b) Waterworks System Refunding Revenue Bonds, dated March 15, 2011 (the "Prior Bonds") pursuant to Resolution No. 11100-030111 adopted by the Governing Body on March 1, 2011 (the "Prior Resolution"), which amended and supplemented Resolution No. 8283-101591 adopted by the Governing Body on October 15, 1991 (the "Bond Resolution"), which authorized bonds that are no longer outstanding;

WHEREAS, the Municipality has also heretofore issued to the State of Wisconsin Safe Drinking Water Loan Program and has outstanding its (a) Waterworks System Revenue Bonds, Series 2010, dated January 13, 2010 (the "2010 Bonds") pursuant to Resolution No. 11019-121509 adopted on December 15, 2009 (the "2010 Resolution"), (b) Waterworks System Revenue Bonds, Series 2011, dated November 23, 2011 (the "2011 Bonds") pursuant to Resolution No. 11168-111511 adopted on November 15, 2011 (the "2011 Resolution"), (c) Waterworks System Revenue Bonds, Series 2013, dated May 8, 2013 (the "2013 Bonds") pursuant to Resolution No. 11349-041613 adopted on April 16, 2013 (the "2013 Resolution") and (d) Waterworks System Revenue Bonds, Series 2014, dated May 28, 2014 (the "2014 Bonds"), pursuant to Resolution No. 11488-052014 adopted by the Governing Body on May 20, 2014 (the "2014 Resolution") (the 2010 Bonds, 2011 Bonds, 2013 Bonds and 2014 Bonds shall be collectively referred to herein as the "Junior Bonds" and the 2010 Resolution, 2011 Resolution, 2013 Resolution and 2014 Resolution shall be collectively referred to herein as the "Junior Resolutions"), payable solely from the income and revenues of the System on a basis junior and subordinate to the 2005 Bonds and Prior Bonds;

WHEREAS, the Governing Body now deems it to be necessary, desirable and in the best interest of the Municipality to issue additional revenue bonds to pay the costs of refunding the 2005

Bonds (the "Refunded Obligations") for the purpose of achieving debt service cost savings (the "Refunding");

WHEREAS, such additional revenue bonds shall be issued pursuant to Section 66.0621, Wisconsin Statutes, on a parity with the Prior Bonds in accordance with the provisions of Section 9 of the Bond Resolution and senior to the Junior Bonds pursuant to the provisions of Section 11(a) of the Junior Resolutions;

WHEREAS, to the best of the Municipality's knowledge, information and belief and in reliance upon the additional bonds certificate attached hereto as Exhibit A and incorporated herein by this reference, the Municipality complies with the conditions precedent to the issuance of additional bonds on a parity with the Prior Bonds, as set forth in the Bond Resolution, as amended by the Prior Resolution, and senior to the Junior Bonds, as set forth in the Junior Resolutions;

WHEREAS, other than the Prior Bonds, the 2005 Bonds (which are being refunded by the bonds to be issued pursuant to this Resolution), and the Junior Bonds, no bonds or notes payable from the revenues of the System are now outstanding; and

WHEREAS, for the purpose of paying the cost of the Refunding (including paying legal, financing and other professional fees and issuance expenses in connection therewith and funding a deposit to the Reserve Account, if necessary), the Governing Body now deems it to be necessary, desirable and in the best interest of the Municipality to amend and supplement the Bond Resolution, as amended by the Prior Resolution, to authorize the issuance and sale of waterworks system revenue bonds on a parity with the Prior Bonds and senior to the Junior Bonds, payable solely from the revenues of the System, which bonds are to be authorized and issued pursuant to the provisions of Section 66.0621, Wisconsin Statutes, Section 9 of the Bond Resolution and Section 11 of the Junior Resolutions, and to award the sale of such bonds to Hutchinson, Shockey, Erley & Co.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Municipality that:

Section 1(a). Definitions. The definitions in the Bond Resolution and the Prior Resolution apply to and are incorporated into this Resolution except as expressly amended below or unless the context expressly or by necessary implication requires otherwise. References in the Bond Resolution and Prior Resolution to "Bonds", "Additional Bonds" and "Parity Bonds" shall apply to the Bonds being issued pursuant to this Resolution unless otherwise amended herein. All references to specific sections in the Bond Resolution and Prior Resolution also apply to the Bonds being issued pursuant to this Resolution unless otherwise amended herein.

Section 1(b). Restated, Additional and/or Amended Definitions. In addition to and/or in amendment of the terms defined in Section 1(a) above, the following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

"Annual Debt Service Requirement" means the total amount of principal and interest due on the Prior Bonds, the Bonds and any Parity Bonds in any Bond Year;

"Bonds" means the Waterworks System Refunding Revenue Bonds, Series 2015 of the Municipality, authorized to be issued by this Resolution;

"Bond Resolution" means Resolution No. 8283-101591 adopted by the Governing Body on October 15, 1991;

"Code" means the Internal Revenue Code of 1986, as amended;

"DTC" or "Depository" means The Depository Trust Company, New York, New York, or any successor securities depository for the Municipality with respect to the Bonds;

"Junior Bonds" means the 2010 Bonds, 2011 Bonds, 2013 Bonds and 2014 Bonds, collectively;

"Junior Resolutions" means the 2010 Resolution, 2011 Resolution, 2013 Resolution and 2014 Resolution, collectively;

"Original Purchaser" or "Purchaser" means Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin;

"Parity Bonds" means any additional bonds issued pursuant to the Act, other than the Prior Bonds and the Bonds, but issued on a parity and equality of rank with the Prior Bonds and the Bonds, pursuant to the restrictive provisions of Section 9 of the Bond Resolution;

"Prior Bonds" means the outstanding balance of the Municipality's Waterworks System Refunding Revenue Bonds, dated March 15, 2011;

"Prior Resolution" means Resolution No. 11100-030111 adopted on March 1, 2011 authorizing the issuance of the Prior Bonds;

"Refunded Obligations" means the outstanding balance of the 2005 Bonds;

"Refunding" means paying the cost of refinancing the Refunded Obligations;

"Record Date" means the close of business on the 15th day of the calendar month next preceding any principal or interest payment date;

"Reserve Requirement" means an amount which at no time exceeds an amount equal to the lesser of the maximum amount of principal and interest due on the Prior Bonds and the Bonds in any Bond Year or an amount not greater than 125% of average annual debt service on the Prior Bonds and the Bonds. If Parity Bonds are issued, the Reserve Requirement shall be an amount equal to the lesser of maximum amount of principal and interest due on the Prior Bonds, the Bonds and the Parity Bonds in any Bond Year or an amount not greater than 125% of average annual debt service on the Prior Bonds, the Bonds and the Parity Bonds;

"Resolution" means this resolution entitled: "Resolution Amending and Supplementing Resolution No. 8283-101591; Authorizing the Issuance and Sale of \$3,830,000 Waterworks System Refunding Revenue Bonds, Series 2015; and Providing for the Payment of Said Bonds and Other Details and Covenants with Respect Thereto" adopted by the Governing Body on November 3, 2015;

"2005 Bonds" means the Municipality's Waterworks System Revenue Bonds, dated November 1, 2005;

"2010 Bonds" means the outstanding balance of the Municipality's Waterworks System Revenue Bonds, Series 2010, dated January 13, 2010;

"2010 Resolution" means Resolution No. 11019-121509 adopted by the Governing Body on December 15, 2009 authorizing the issuance of the 2010 Bonds;

"2011 Bonds" means the outstanding balance of the Municipality's Waterworks System Revenue Bonds, Series 2011, dated November 23, 2011;

"2011 Resolution" means Resolution No. 11168-111511 adopted on November 15, 2011 authorizing the issuance of the 2011 Bonds;

"2013 Bonds" means the outstanding balance of the Municipality's Waterworks System Revenue Bonds, Series 2013, dated May 8, 2013;

"2013 Resolution" means Resolution No. 11349-041613 adopted on April 16, 2013 authorizing the issuance of the 2013 Bonds;

"2014 Bonds" means the outstanding balance of the Municipality's Waterworks System Revenue Bonds, Series 2014, dated May 28, 2014; and

"2014 Resolution" means Resolution No. 11488-052014 adopted on May 20, 2014 authorizing the issuance of the 2014 Bonds.

Section 2. Authorization of the Bonds. For the purpose of paying a portion of the cost of the Refunding (including paying legal, financial and other issuance expenses and funding a deposit to the Reserve Account, if necessary), there shall be borrowed on the credit of the income and revenue of the System the sum of \$3,830,000, and registered revenue bonds of the Municipality are hereby authorized to be issued in evidence thereof to Hutchinson, Shockey, Erley & Co. (the "Purchaser") in accordance with the terms and conditions of its bond purchase proposal (the "Proposal") attached hereto as Exhibit B and incorporated herein by this reference.

Section 3. Terms of the Bonds. The revenue bonds shall be designated "Waterworks System Refunding Revenue Bonds, Series 2015" (the "Bonds"); shall be dated their date of delivery; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates and shall mature on December 1 of each year, in the years and principal amounts as set forth on the Pricing Summary prepared by the Purchaser and attached hereto as Exhibit C-1. Interest on the Bonds shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2016. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit C-2 and incorporated herein by this reference (the "Schedule").

It is hereby determined and declared that:

- (a) the schedule of maturities of the Bonds is such that the requirements each year to pay both the principal of and interest on the Bonds is reasonable in accordance with prudent municipal utility management practices;
- (b) the Refunding is advantageous to the Municipality;
- (c) the aggregate amount of Bonds, which shall encompass sums sufficient to provide for the costs hereinabove set out, is necessary; and
- (d) the proceeds of the Bonds deposited in the Refunding Fund (referenced in Section 11(b) below), together with the interest earnings thereon and other funds of the Municipality available for that purpose shall provide an amount sufficient to pay when due the principal and redemption price of and interest on the Refunded Obligations.

Section 3A. Redemption Provisions. The Bonds shall not be subject to optional redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

Section 4. Parity with Prior Bonds; Senior to Junior Bonds. The Bonds shall be additional bonds issued as Parity Bonds within the meaning of Section 9 of the Bond Resolution, as amended by the Prior Resolution and this Resolution; shall be Additional Senior Bonds within the meaning of Section 11 of the Junior Resolutions; are issued on a parity with the Prior Bonds and senior to the Junior Bonds; and are payable from the revenues and properties of the System and the monies on deposit in the Special Redemption Fund on a basis equal to the Prior Bonds and senior to the Junior Bonds all as set forth in the Bond Resolution, as amended and supplemented by the Prior Resolution and this Resolution, and the Junior Resolutions.

Section 5. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 6. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Special Redemption Fund created and established pursuant to the Bond Resolution, as supplemented by the Prior Resolution and this Resolution, and shall be a valid claim of any holder thereof only against said Special Redemption Fund and the revenues of the System pledged to such Fund on a parity with the Prior Bonds and senior to the Junior Bonds. Sufficient revenues are hereby pledged to said Special Redemption Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due. It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund (defined in the Bond Resolution) and deposited in the Special Redemption Fund (defined in the Bond Resolution) shall be sufficient in any event to pay the principal of and interest on the Prior Bonds, the Bonds, any Parity Bonds, and the Junior Bonds as



the same becomes due and to provide any amounts required to be paid monthly into the Reserve Account (defined in the Bond Resolution) to maintain the Reserve Requirement.

Section 7. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Prior Bonds, the Bonds and any Parity Bonds, and the Junior Bonds, certain funds of the System which were established pursuant to Section 6 of the Bond Resolution, as amended by the Prior Resolution, this Resolution and the Junior Resolutions are hereby continued and shall be used solely for the purposes set forth in the Bond Resolution, as amended by the Prior Resolution and this Resolution, and the Junior Resolutions, as follows:

Subparagraphs (c)(i) and (c)(ii) of Section 6 of the Bond Resolution, are hereby amended and supplemented to read as follows:

"(i) There shall be deposited in the Interest and Principal Account from Bond and any Parity Bond proceeds all accrued interest and any premium. In addition, there shall be deposited in said account in the manner specified in Section 7 of the Bond Resolution, an amount sufficient (after giving effect to available amounts in said account from accrued interest, any premium, investment earnings and any other source) to pay the principal of and interest on, first, the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due and second, the Junior Bonds, as the same become due. The Interest and Principal Account shall be used solely for the purposes of paying principal of and interest on, first, the Prior Bonds, the Bonds and any Parity Bonds in accordance with the provisions of the Bond Resolution, as amended and supplemented by the Prior Resolution and this Resolution, and second, the Junior Bonds in accordance with the provisions of the Junior Resolutions.

The minimum amounts to be so deposited in the Interest and Principal Account for debt service on the Bonds are set forth on Exhibit C-2 and incorporated herein by this reference.

(ii) Upon the issuance of the Bonds, \$\_\_\_\_\_ of funds in the Reserve Account will be transferred to the Special Redemption Fund and applied in accordance with the provisions of the Bond Resolution so that the amount on deposit in the Reserve Account is equal to the Reserve Requirement. The Reserve Account shall be used solely for the purpose of paying principal of or interest on the Prior Bonds, the Bonds or any Parity Bonds at any time when there shall be insufficient money in the Interest and Principal Account. The Reserve Account shall be funded, replenished and maintained in the manner specified in Section 7 of the Bond Resolution, as amended by the Prior Resolution and this Resolution, except Section 7 previously was amended to provide that the Reserve Account shall be refilled monthly with an amount sufficient to replenish it and restore it to the

Reserve Requirement within twelve months if depleted. The Reserve Account is not pledged to the payment of the principal of or interest on the Junior Bonds and moneys on deposit therein shall under no circumstances be used to pay principal of or interest on the Junior Bonds."

The Reserve Account shall at all times constitute a "reasonably required reserve fund" under Section 148 of the Code and any applicable Regulations.

At the end of any Fiscal Year, if any surplus has been accumulated in any of the above funds, it may be disposed of in the order set forth in Section 66.0811(3) of the Wisconsin Statutes.

Section 8. Application of Revenues. After the delivery of the Bonds, the entire gross earnings of the System have been and will continue to be deposited as collected in the Revenue Fund and shall be retained in the Revenue Fund and transferred monthly to the funds listed in the Bond Resolution, as amended by the Prior Resolution and this Resolution, and the Junior Resolutions, in the amounts, the order of priority and in the manner set forth in the Bond Resolution, as amended and supplemented by the Prior Resolution and this Resolution, and the Junior Resolutions.

Section 9. Service to the Municipality. As stated in the Bond Resolution, the reasonable cost and value of services rendered to the Municipality by the System by furnishing water services for public purposes, shall be charged against the Municipality and shall be paid by it in quarterly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System, and out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The Bond Resolution has been previously amended to provide that the reasonable cost and value of such service to the Municipality in each year shall not exceed an amount as may be necessary in that year to pay the balance of an amount which, together with the other revenues of the System, will produce Net Revenues in each Bond Year equivalent to not less than one and one-quarter (1.25) times the Annual Debt Service Requirement. Such compensation for such service rendered to the Municipality shall be paid into the Revenue Fund created by Section 6 of the Bond Resolution. All other provisions of Section 8 of the Bond Resolution still apply and are incorporated into this Section 9.

Section 10. Sale of the Bonds. The Bonds shall be sold to the Purchaser for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 11. Application of Bond Proceeds. The proceeds of the sale of the Bonds (including any premium and accrued interest from their date to the date of delivery) shall be deposited and applied as follows:

- (a) to the Interest and Principal Account of the Special Redemption Fund, the amount of any accrued interest received from the sale of the Bonds; and
- (b) to the Refunding Fund, a special fund hereby created and established, a portion of the proceeds of the Bonds in an amount sufficient, when combined with other funds available therefore, to refund the Refunded Obligations. Said Refunding Fund shall be adequately

secured and shall be used solely for the purpose of paying the cost of refunding the Refunded Obligations, as more fully described in the preamble hereof (including paying legal, financing, and other professional fees and funding any deposit to the Reserve Account). Any balance remaining in said Refunding Fund after paying the cost of the Refunding shall be transferred to the Special Redemption Fund for use in payment of principal of or interest on the Prior Bonds, the Bonds, any Parity Bonds, and the Junior Bonds.

Section 12. Investments and Arbitrage. Monies accumulated in any of the funds and accounts referred to in Section 11 hereof which are not immediately needed for the respective purposes thereof, may be invested in legal investments subject to the provisions of Sec. 66.0603(1m), Wisconsin Statutes, until needed. All income derived from such investments shall be credited to the fund or account from which the investment was made; provided, however, that at any time that the Reserve Requirement is on deposit in the Reserve Account, any income derived from investment of the Reserve Account shall be deposited into the Special Redemption Fund and used to pay principal and interest on the Prior Bonds, Bonds and Parity Bonds. A separate banking account is not required for each of the funds and accounts established under this Resolution; however, the monies in each fund or account shall be accounted for separately by the Municipality and used only for the respective purposes thereof. The proceeds of the Bonds shall be used solely for the purposes for which they are issued but may be temporarily invested until needed in legal investments. No such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations").

An officer of the Municipality, charged with the responsibility for issuing the Bonds, shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Bonds are not "arbitrage bonds" under Section 148 of the Code or the Regulations.

Section 13. Compliance with Federal Tax Laws. (a) The Municipality represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and their ownership, management and use will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The Municipality further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The Municipality further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the Municipality charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the Municipality certifying that the Municipality can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The Municipality also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the Municipality will do so only to the extent

consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

The foregoing covenants shall remain in full force and effect, notwithstanding the defeasance of the Bonds, until the date on which all of the Bonds have been paid in full.

Section 14. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the Municipality by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the Municipality of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the Municipality has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The Municipality hereby authorizes the officers and agents of the Municipality to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, mandatory redemption agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 15. Resolution a Contract. The provisions of this Resolution, together with the Bond Resolution and the Prior Resolution, shall constitute a contract between the Municipality and the holder or holders of the Prior Bonds, Bonds and any Parity Bonds, and after issuance of any Bonds or any Parity Bonds no change or alteration of any kind in the provisions of this Resolution may be made except as provided in Section 14 of the Bond Resolution, until all of the Prior Bonds, the Bonds and any Parity Bonds have been paid in full as to both principal and interest. The holder or holders of any Bond or any Parity Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce his or their rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof, including, but without limitation, the right to require the Municipality, its Governing Body and other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution and the Bond Resolution and the Prior Resolution.

Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the Municipality agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the Municipality and on file in the City Clerk's office.

Section 16A. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 17. Ratification of Bond Resolution and Prior Resolution. Except as expressly amended and supplemented by the provisions of this Resolution, the provisions of the Bond Resolution and Prior Resolution shall remain in full force and effect.

Section 18. Persons Treated as Owners; Transfer of Bonds. The Municipality shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The Municipality shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 19. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the Municipality at the close of business on the Record Date.

Section 20. Official Statement. The Governing Body hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the Municipality in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the closing of the Bonds, the appropriate Municipality official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 21. Undertaking to Provide Continuing Disclosure. The Municipality hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the

Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the Municipality to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

The Mayor and City Clerk, or other officer of the Municipality charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the Municipality's Undertaking.

Section 22. Redemption of Refunded Obligations. The 2005 Bonds maturing in the years 2016 through 2020 are hereby called for prior payment and redemption on December 7, 2015 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit E and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 23. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 24. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the Municipality are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 25. Conflicting Ordinances or Resolutions. All prior ordinances, resolutions (other than the Bond Resolution and the Prior Resolution), rules, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the Bond Resolution or the Prior Resolution, the Bond Resolution and Prior Resolution shall control so long as any Prior Bonds are outstanding.

Adopted and recorded this 3rd day of November, 2015.

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

Attest:

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

(SEAL)

DRAFT

EXHIBIT A  
ADDITIONAL BONDS CERTIFICATE

(See Attached)

DRAFT



## ADDITIONAL BONDS CERTIFICATE

The undersigned, Bridget M. Souffrant, Finance Director/Comptroller of the City of Oak Creek, Wisconsin (the "City") and Michael J. Sullivan, General Manager of the Water Utility of the City, hereby certify the following in connection with the issuance by the City of its \$3,830,000 Waterworks System Refunding Revenue Bonds, Series 2015, dated November 17, 2015 (the "2015 Bonds"):

1. We have reviewed and are familiar with the provisions of the resolution entitled: "Resolution Amending and Supplementing Resolution No. 8283-101591; Authorizing the Issuance and Sale of \$3,830,000 Waterworks System Refunding Revenue Bonds, Series 2015; and Providing for the Payment of Said Bonds and Other Details and Covenants with Respect Thereto" (the "2015 Resolution"), which authorized the issuance of the 2015 Bonds.

2. We have also reviewed and are familiar with the provisions of the Bond Resolution and the Prior Resolution (as those terms are defined in the 2015 Resolution).

3. To the best of our knowledge, information and belief, the City meets the conditions set forth in Section 9 of the Bond Resolution necessary to issue the 2015 Bonds as additional bonds on a parity and equality of rank with the Prior Bonds (as that term is defined in the 2015 Resolution), to wit:

(i) Net Revenues. As set forth on the attached Schedule I, the Net Revenues (as defined in the Bond Resolution) for Fiscal Year 2014 were at least equal to 1.25 times the highest combined annual interest and principal requirements on the Prior Bonds and the 2015 Bonds for any succeeding fiscal year in which there shall be a principal maturity on such bonds.

(ii) No Default. The payments required to be made into the various funds and accounts provided in the Bond Resolution, as amended, are current and the City is not in default under any of the terms of the Bond Resolution, as amended.

(iii) Payment Dates. The 2015 Bonds will be payable as to principal on December 1 of each year in which principal falls due, and payable as to interest semi-annually on June 1 and December 1.

(iv) Reserve Account. The amount on deposit in the Reserve Account created by the Bond Resolution currently is \$ \_\_\_\_\_. At the time the 2015 Bonds are issued, the Reserve Account shall be reduced to \$ \_\_\_\_\_ so that the amount on deposit in the Reserve Account is equal to the lesser of the maximum annual principal and interest requirement of the Prior Bonds and the 2015 Bonds or an amount not greater than 125% of the average annual debt service of the Prior Bonds and the 2015 Bonds, as calculated on the attached Schedule II.

4. We have also reviewed and are familiar with the provisions of the Junior Resolutions (as that term is defined in the 2015 Resolution) authorizing the issuance of the Junior Bonds (as that term is defined in the 2015 Resolution).

5. To the best of our knowledge, information and belief, the City meets the conditions set forth in Section 11(a) of the Junior Resolutions necessary to issue the 2015 Bonds as Additional Senior Bonds on a basis senior to the Junior Bonds, to wit:

(i) Net Revenues. As set forth in the attached Schedule I, the Net Revenues (as defined in the Junior Resolutions) for Fiscal Year 2014 were at least equal to the maximum annual interest and principal requirements on all obligations outstanding payable from the revenues of the System and on the 2015 Bonds, times 1.25. 1.25 is the highest debt service coverage ratio to be required with respect to the 2015 Bonds or any other obligations payable from the revenues of the System now outstanding.

(ii) Rating. The rating classification of the 2015 Bonds has been confirmed by a publicly released municipal rating of the "A" quality investment group, or better, as assigned by Moody's Investors Service, or Standard & Poor's Corporation or by a similar nationally recognized rating agency, without regard to any credit enhancement provided for the 2015 Bonds.

(iii) No Default. The payments required to be made into the various funds and accounts provided in Section 6 of the Junior Resolutions are current.

(iv) Payment Dates. The 2015 Bonds will be payable as to principal as of December 1 of each year and payable as to interest semi-annually on June 1 and December 1 of each year.

(v) Purpose. The 2015 Bonds are being issued for the purpose of refunding obligations issued to provide extensions or improvements to the Waterworks System.

Dated November 17, 2015.

---

Bridget M. Souffrant  
Finance Director/Comptroller

---

Michael J. Sullivan  
General Manager of the Water Utility

EXHIBIT B

BOND PURCHASE PROPOSAL

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

DRAFT

EXHIBIT C-1

PRICING SUMMARY

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

DRAFT

EXHIBIT C-2

DEBT SERVICE SCHEDULE

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

DRAFT

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on December 1, \_\_\_\_ and \_\_\_\_ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from special redemption fund deposits which are required to be made in amounts sufficient to redeem on December 1, 20\_\_ of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on December 1, 20\_\_

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
____	\$ _____
____	_____ (maturity)
____	

For the Term Bonds Maturing on December 1, 20\_\_

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
____	\$ _____
____	_____ (maturity)]
____	

EXHIBIT D

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
MILWAUKEE COUNTY  
CITY OF OAK CREEK \$ \_\_\_\_\_  
NO. R- \_\_\_\_\_  
WATERWORKS SYSTEM REFUNDING REVENUE BOND, SERIES 2015

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
December 1, \_\_\_\_\_ November 17, 2015 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$ \_\_\_\_\_)

FOR VALUE RECEIVED, the City of Oak Creek, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), solely from the fund hereinafter specified, on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2016 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

The Bonds are not subject to optional redemption.

[The Bonds maturing in the years \_\_\_\_\_ and \_\_\_\_\_ are subject to mandatory redemption by lot as provided in the Resolution referenced below at the redemption price of par plus accrued interest to the date of redemption and without premium.

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic

transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.]

This Bond is issued pursuant to Section 66.0621, Wisconsin Statutes, Resolution No. 8283-101591 adopted by the Common Council of the City on October 15, 1991, as previously amended and supplemented (the "Bond Resolution"), and as further amended and supplemented by a resolution adopted by the Common Council on November 3, 2015 (the "2015 Resolution") (hereinafter the Bond Resolution and the 2015 Resolution shall be referred to collectively as the "Resolutions"). The City has heretofore issued and has outstanding certain obligations defined in the 2015 Resolution as the Prior Bonds and the Junior Bonds. The Bonds are issued on a parity with the Prior Bonds and are secured by an equal lien and claim to the revenues and properties of the Waterworks System and the monies on deposit in the Special Redemption Fund (referenced below). The Bonds are issued on a basis senior to the Junior Bonds as to the lien and claim to the revenues and properties of the Waterworks System and the moneys on deposit in the Special Redemption Fund.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, upon surrender of this Bond together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds [(i)] after the Record Date. [(ii)] during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. ] The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes



whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

It is hereby certified, recited and declared that all conditions, things and acts required by law to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said City from the operation of its Waterworks System has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the City of Oak Creek, Milwaukee County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF OAK CREEK,  
MILWAUKEE COUNTY, WISCONSIN

By: \_\_\_\_\_  
Stephen Scaffidi  
Mayor

(SEAL)

By: \_\_\_\_\_  
Catherine A. Roeske  
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

EXHIBIT E

NOTICE OF FULL CALL\*

Regarding

CITY OF OAK CREEK  
MILWAUKEE COUNTY, WISCONSIN  
WATERWORKS SYSTEM REVENUE BONDS  
DATED NOVEMBER 1, 2005

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have CUSIP Nos. as set forth below have been called for prior payment on December 7, 2015 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
12/01/2016	\$1,325,000	4.10%	671151DK1
12/01/2017	1,125,000	5.00	671151DL9
12/01/2020	1,730,000	5.00	671151DP0

Upon presentation and surrender of said Bonds to Associated Trust Company, National Association, the registrar and fiscal agent for said Bonds, the registered owners thereof will be paid the principal amount of the Bonds plus accrued interest to the date of prepayment.

Said Bonds will cease to bear interest on December 7, 2015.

By Order of the  
Common Council  
City of Oak Creek  
City Clerk

Dated \_\_\_\_\_

\* To be provided to Associated Trust Company, National Association at least thirty-five (35) days prior to December 7, 2015. The registrar and fiscal agent shall be directed to give notice of such prepayment by registered or certified mail, overnight express delivery, or facsimile transmission, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to December 7, 2015 and to the MSRB. Notice shall also be provided to XL Capital Assurance, Inc., or any successor, the bond insurer of the Bonds.

In addition, this Notice should be filed electronically with the MSRB through the Electronic Municipal Market Access (EMMA) System website at [www.emma.msrb.org](http://www.emma.msrb.org).

# City of Oak Creek Common Council Report

**Meeting Date:** November 3, 2015

**Item No.:** 6

**Recommendation:** Concur with cost distribution for building demolition and site preparation with the Oak Creek-Franklin Joint School District associated with the demolition of three (3) City buildings at 8640 S. Howell Avenue and one City building at 240 E. Puetz Road.

**Background:** Under the terms of a property Exchange Agreement between the City of Oak Creek and the Oak Creek-Franklin Joint School District ("District"), the City has been a tenant of three buildings which it has used to conduct community services at 8640 S. Howell Avenue and one building at 240 E. Puetz Road as a tenant since 2012. Under the terms of the Exchange Agreement, the City is required to have the four buildings removed by December 31, 2015 unless the District requests any of the buildings to remain – which it has not.

Under the agreement, Paragraph 16.6 Demolition of City Facilities, it reads, "Prior to the Termination Date, City, at City's sole cost and expense, shall, unless the City has received a District Termination Notice, indicating that the District intends to use one or more of the City's improvements on the Leased Space, demolish and remove all City facilities located upon the Leased Space, and restore the grade. Such demolition, removal, and restoration activities shall comply with all local costs and ordinances ...".

A dispute between the City and District has arisen over the interpretation of this language, specifically having to do with the removal of trees from the site and the removal of building footings and foundations below two feet from the existing surface grade. Each party holds a different view on the responsibilities related to these items.

In order to resolve these matters in the best interests of both parties, and in the interest of community taxpayers, several meetings among staff, Administrators, attorneys, and contractors have occurred seeking an agreeable solution to allow the projects to proceed and avoid any legal entanglements. The terms of the agreement would provide for the following:

1. City will remove at its cost all building footings and foundations and fill and compact the voided areas to prescribed compaction tolerances.
2. District is to install construction security fencing, soil erosion controls, and tracking pads on the site to be used by both the City's demolition contractor and the District's construction contractor.
3. District will remove trees for its project at its discretion and cost.

It is estimated by City staff that the value of the aforelisted items is approximately comparable. This agreement allows the projects to advance without delay or additional cost which winter weather conditions and any legal dispute might involve. It is expected both the City demolition project and the District construction project will proceed immediately.

**Fiscal Impact:** By prior actions the Council has awarded bids for the environmental remediation and demolition of all four City buildings from the site.

Fiscal Review by:




Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Prepared and Submitted by:



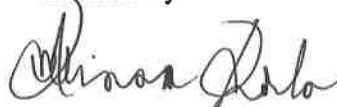
Gerald R. Peterson, ICMA-CM  
City Administrator

Review by:



Michael C. Simmons  
City Engineer

Review by:



Melissa Karls  
City Attorney

# City of Oak Creek Common Council Report

Meeting Date: November 3, 2015

Item No.: 7

**Recommendation:** Approve Resolution No. 11662-110315, which provides for the City of Oak Creek withdrawal from Local Government Property Insurance Fund and authorizes the City Administrator to take all necessary actions to place all withdrawn insurance coverages with the Municipal Property Insurance Company (MPIC).

**Background:** On April 22, 2015 (letter attached) the City received a letter from the State of Wisconsin, Office of the Commissioner of Insurance which informed the City of the Governor's proposal to close the Local Government Property Insurance Fund (LGPIF). This fund has provided a variety of insurance coverages to municipal entities throughout the State for many years, including the City of Oak Creek.

The Fund has not been adequately funded in the last several years and policy discussions at the State level about appropriateness of continuing this insurance option occurred this past year. In the end, the Fund was not closed, however rates have been dramatically increased to offset costs incurred for the Fund. The renewal quote for property insurance coverage (attached) just received by the City is for \$110,882 and will need to be further increased to reflect and include the values of our new buildings (an increase of approximately \$6,000).

The City has also obtained a property insurance quote from the Municipal Property Insurance Company (MPIC), a newly funded insurance company that serves various government agencies (attached). The premium for similar coverage from this company is \$68,534 with an additional cost of \$5,000 to add our new buildings. A four year listing of premiums and deductibles is shown below:

	<u>Premium</u>	<u>Deductible</u>
2015	\$ 51,316	\$ 15,000
2014	\$ 54,863	\$ 15,000
2013	\$ 46,051	\$ 50,000
2012	\$ 46,051	\$ 50,000

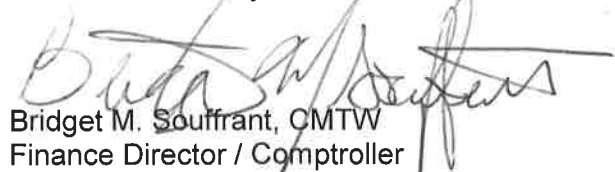
**Fiscal Impact:** Property insurance coverages for 2016 will increase to approximately \$73,534 from \$51,315 in 2015. This increase was anticipated in the budget submitted to the Common Council.

Prepared and respectfully submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

RESOLUTION NO. 11662-110315

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

RESOLUTION APPROVING WITHDRAWAL FROM THE LOCAL GOVERNMENT  
PROPERTY INSURANCE FUND (LGPIF)

WHEREAS, pursuant to the requirements of s.605.21(3) Wisconsin Statutes, City of Oak Creek, Oak Creek City and Water & Sewer Utility, provides certified notice to the Local Government Property Insurance Fund that by a majority vote, the Common Council elected to withdraw from the Fund.

Policyholder Name  
Oak Creek City and Water & Sewer Utility

Cancellation Date  
12:00 a.m. on 1/1/2016

Policy Number  
140817

BE IT RESOLVED that this Resolution be spread upon the minutes of this meeting and the City Clerk certify that by a majority vote, the above named Common Council elected to withdraw from the Fund.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a suitable copy thereof to LGPIF, 2801 Crossroads Dr., Suite 2200, Madison, WI 53718.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of November, 2015.

Passed and adopted this 3<sup>rd</sup> day of November, 2015.

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

Approved this 3<sup>rd</sup> day of November, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

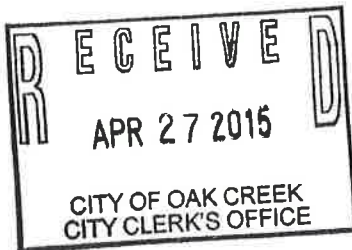


State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE



Scott Walker, Governor  
Theodore K. Nickel, Commissioner

Wisconsin.gov



Local Government Property Insurance Fund  
125 South Webster Street • P.O. Box 7873  
Madison, Wisconsin 53707-7873  
Phone: (608) 264-8118 • Fax: (608) 264-6220  
E-Mail: Brynn.BruijnHansen@wisconsin.gov  
Web Address: oci.wi.gov

April 22, 2015

Oak Creek City and Water & Sewer Util.  
Christa Miller  
8640 South Howell Avenue

Oak Creek, WI 53154-0027

Re: Dissolution of the LGPIF

Dear Policyholder,

We are finally at a point in the State Budget process where we feel that it is appropriate to communicate to our policyholders what we know regarding the future of the LGPIF. As most of you are aware the governor proposed closing the LGPIF in his bi-annual budget. The Joint Finance Committee has affirmed this budget item, with the modification to the actual ending date. Although the budget process has not been completed, LGPIF has decided to take action based upon the unanimous vote of the Joint Finance Committee affirming the Governor's Budget.

AMI Risk Consultants conducted an in-depth analysis of the Fund's current rate structure, and recommended that the Fund increase its overall rate by 45%, assuming the Fund would continue operations, or 85% should the Fund be dissolved. These rate increases are to the Fund in its entirety, individual policyholder rate changes will vary. Considering the vote taken by the Joint Finance Committee, management has decided to proceed under the assumption the Fund will be dissolved. This rate increase will be effective July 1<sup>st</sup>, 2015. The ASU Group will be mailing Altered Terms letters in accordance with s.631.36, Wisconsin Statutes.

The Fund recognizes that municipalities may choose to place their coverage elsewhere and may face challenges to find coverage before their renewal date. The Fund will be suspending its short term cancellation clause (SECTION VIII-CONDITIONS, B - Termination of Policy) for those insureds that renew from July 1<sup>st</sup>, 2015 to September 30<sup>th</sup>, 2015.

If you have questions about any of the above changes, please contact the Fund Administrator at 877-229-0009, or the undersigned at (608) 264-8118, or email me at Brynn.BruijnHansen@wisconsin.gov.

Sincerely,

Brynn Bruijn-Hansen  
Insurance Program Manager  
Local Government Property Insurance Fund

History

Year	Premium	Deductible
2015	\$ 51,316	\$ 15,000
2014	\$ 54,863	\$ 15,000
2013	\$ 46,051	\$ 50,000
2012	\$ 46,051	\$ 50,000

45% Rate Adjustment For 6 months \$ 11,546

85% Rate Adjustment For 6 months \$ 21,809





**MUNICIPAL PROPERTY INSURANCE COMPANY**  
 2801 Crossroads Drive, Suite 2200, Madison, WI 53718 – (800) 968-4670

**NEW POLICY -- Policy Quotation: 578**

**Policy:**  
**Term:** 12:01am 1/1/2016 to 1/1/2017

**Agent:**

**Named Insured:** Oak Creek City and Water & Sewer Util.  
 Christa Miller  
 8640 South Howell Avenue  
 Oak Creek, WI 53154-0027

**Phone:** (414) 768-6510  
**County:**

Coverage	Deductible	Coverage	Rate	Annual Premium
Buildings, Personal Property & Property In the Open	15,000	164,665,497	0.038	62,572
Contractors Equipment (Replacement Cost)	500	2,996,962	0.179	5,365
Monies and Securities	500	55,000	0.829	456
Monies & Securities Limited Term	500	100,000	0.141	141
<b>Total Annual Premium</b>				<b>\$68,534</b>

**Comments**

This quote is your estimated new policy premium amount with coverages and coverage amounts as shown.

**This quote becomes null and void within 30 days of transaction effective date.**

STATE OF WISCONSIN/OFFICE OF THE COMMISSIONER OF INSURANCE  
**LOCAL GOVERNMENT PROPERTY INSURANCE FUND**

2801 Crossroads Drive, Suite 2200, Madison, WI 53718 -- (877) 229-0009

**RENEWAL POLICY -- Policy Quotation: 24611**

**Term:** 12:01am 1/1/2016 to 1/1/2017

**Transaction Effective:** 1/1/2016

**Named** Oak Creek City and Water & Sewer Util.

**Phone** (414) 768-6510

**Insured** Christa Miller  
8640 South Howell Avenue

**County**

Oak Creek, WI 53154-0027

---

**Quotation - Valuation Policy**

Coverage	Agg	Deductible	Coverage	Rate	Annual Premium
Buildings, Personal Property & Property in the Open	N	15,000	169,397,347	0.068	115,189
Contractors Equipment (Replacement Cost)	N	500	2,996,962	0.179	5,365
Monies and Securities	N	500	55,000	0.829	456
Monies & Securities Limited Term	N	500	100,000	0.141	141
Special Use Animal Coverage	N	500	24,000	0.620	149
Alarm Credit 5%	N		524,323	0.004	(21)
Alarm Credit 15%	N		94,520,041	0.011	(10,397)
15.00% Dispersion Credit applied to Building Rate	N				

**Total Annual Premium** **\$110,882**

---

**Comments**

This quote is your estimated renewal policy premium amount with coverages and coverage amounts as shown.

**This quote becomes null and void within 30 days of transaction effective date.**

---

# City of Oak Creek Common Council Report

Meeting Date: November 3, 2015

Item No.: 8

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

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

1. \$108,188.11 to 3M Company (pg #14) for Library RFID sorter and return bins.
2. \$5,325.95 to Alfred Benesch & Co. (pg #2) for bridge replacement professional services.
3. \$9,426.00 to Arlington Computer Products (pg #1) for computers and equipment for new Library and City Hall.
4. \$7,000.00 to BT Equipment, LLC. (pg #2) Street Department's rental fee of Badger Excavator.
5. \$16,573.26 to CDW Government, INC. (pg #3) for annual license fee for IT support software.
6. \$5,484.00 to Embury, Ltd (pg #4) for Library furniture.
7. \$18,380.80 to Emergency Lighting & Electronics, LLC (pg #4) for Fire Station installation of security equipment.
8. \$ 55,749.29 to Holz Motors, Inc. (pg #7) for new Police unmarked squad cars.
9. \$14,800.65 to Interiorscapes, Inc. (pg #7) for interior plants in new City Hall/Library.
10. \$5,175.10 to Milwaukee Area Domestic Animal (pg #9) for County Animal Control.
11. \$5,384.75 to Milwaukee County Treasurer (pgs #9-10) for September court fines.
12. \$125,432.41 to Payne & Dolan, Inc. (pg #10) for Projects 15011-15014, Pathway and Court Improvements.
13. \$5,390.00 to Pioneer Sales and Service, Inc. (pg #10) for vending machines in new Civic Center.
14. \$7,397.35 to Ramboll Environ (pg #11) for professional services relating to Lake Vista.
15. \$12,071.50 to The Recycling Center & Supply, Inc. (pgs #11-12) for stones at Weatherly and Manor Marquette Park.
16. \$14,433.00 to Ruekert-Mielke (pg #12) for professional inspection services at Lake Vista.
17. \$5,300.00 to Southern Wisconsin Appraisal (pgs #13-14) for 5<sup>th</sup> Avenue appraisal review.
18. \$8,465.35 to Strand Associates, Inc. (pg #14) for engineering and administration services in September.
19. \$55,164.42 to WE Energies (pg #15) for street lighting, electricity and natural gas.
20. \$13,682.64 to Wheaton Franciscan Medical Grp (pg #16) for recruitment testing and contracted services.
21. \$11,809.25 to WI Court Fines & Surcharges (pg #16) for September court fines.
22. \$825,494.98 to Willkomm Excavating & Grading (pgs # 16-17) for Lakefront Parkway and Pathway , Project #14024.
23. \$17,601.58 to World Fuel Services, Inc. (pg #17) for fuel inventory.

**Fiscal Impact:** Total claims paid of \$1,453,848.24

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: November 3, 2015

Item No.: 9

**Recommendation:**

That the Common Council approve Resolution Number 11657-110315, authorizing the City Forestry Division of the Streets, Parks & Forestry Department, to submit an application for a 2016 Department of Natural Resources Urban Forestry Grant.

**Background:**

This project consists of three components which address emerald ash borer (EAB) management as well as general urban forestry management.

Component 1: Removal/Safety Training: Forest Industry Safety Training Alliance (FISTA) has provided outstanding training to our employees and those from neighboring communities who have shared the opportunity and cost of our recent past workshops. Our goal is to raise the level of removal and safety skills among arborists and equipment operators. We will be hosting a one-day advanced training course for seasoned arborists and equipment operators as well as a two-day beginner course for newer hires. Metro area municipal arborists will be invited to join us. In winter or early spring, we will host a home-owner, hands-off, removal and safety training demonstration and lecture through the Oak Creek Recreation Department.

Component 2: Arbormectin EAB Treatments are one way of maintaining ash tree canopy contributions and home values along the streets in various neighborhoods. In 2016, we plan to treat approximately 150-175 ash street trees for protection against EAB.

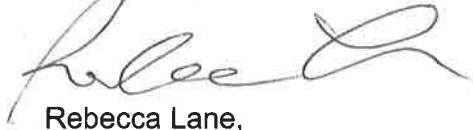
Component 3: GPS/GIS Inventory. As part of our standard management and operations, we conduct a complete street tree inventory every 5 years. We are currently designing a simple inventory system that would allow us to record the basic parameters on a handheld GIS/GPS unit. Data can be made available to the public as well as the internal GIS that City employees utilize. Forestry staff will conduct the inventory and information will be downloaded from to Esri.

**Fiscal Impact:**

Grant funds are capped at \$25,000 with a 50 percent DNR reimbursement. The grant is organized to recapture labor and benefits for training, EAB treatments and inventory which account for much of the expenditures in the grant request.

Labor Training, Treatments & Inventory:	\$26,880.00
Instructor Fees (some shared by metro area cities):	\$ 5,200.00
Supplies:	\$ 3,210.00
Total Project:	\$35,290.00
Maximum Grant:	\$25,000.00
Maximum Reimbursement:	\$12,500.00

Prepared by:



Rebecca Lane,  
City Forester

Respectfully submitted,



Gerald Peterson, ICMA-CM  
City Administrator

Approved by:



Ted Johnson  
Director of Streets, Parks & Forestry

Fiscal Review by:



Bridget M. Souffrant  
Finance Director / Comptroller

**RESOLUTION NO. 11657-110315**

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

**RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION  
FOR THE 2016 URBAN FORESTRY GRANT PROGRAM**

WHEREAS, the City of Oak Creek, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 23.097(1g) and (1r), Wis. Stats.;

WHEREAS, the City of Oak Creek attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the applicant, the City of Oak Creek, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers Rebecca Lane, City Forester, its official or employee, to act on its behalf to:

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2015,

I hereby certify that the foregoing resolution was duly adopted by the City of Oak Creek at a legal meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2015,

Introduced at a regular meeting of the Common Council of the City of Oak Creek, held this 3rd day of November, 2016.

Passed and adopted this \_\_\_\_\_ day of November, 2015.

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

Approved this \_\_\_\_\_ day of November, 2015

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# City of Oak Creek Common Council Report

**Meeting Date:** 10/3/15

**Recommendation:** That the Common Council adopt Ordinance No. 2775, an Ordinance to Repeal and Recreate Section 8.45(a)(4) of the Municipal Code relating to Yard Waste Collection.

**Background:** The proposed changes to Section 8.45 (a)(4) would move brush pickup dates forward by one month from April 1<sup>st</sup>, June 1<sup>st</sup>, August 1<sup>st</sup>, and October 1<sup>st</sup>. to May 1<sup>st</sup>, July 1<sup>st</sup>, September 1<sup>st</sup>, and November 1<sup>st</sup>. This request is based on comments the Streets, Parks & Forestry Department has received from residents stating that the April and October dates were too early for them to complete their spring and fall cleanup of their property.

**Fiscal Impact:** These changes will have no fiscal impact to the City.

Prepared by:



Ted Johnson  
Director of Streets, Parks & Forestry

Respectfully submitted,



Gerald R. Peterson, ICMA-CM  
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller



ORDINANCE NO. 2775

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

AN ORDINANCE TO REPEAL AND RECREATE SECTION 8.45(a)(4) OF THE OAK CREEK MUNICIPAL CODE REGARDING COLLECTION OF YARD WASTE

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

SECTION 1: Section 8.45(a)(4) of the Municipal Code is repealed and recreated to read as follows:

**SEC. 8.45 YARD WASTE COLLECTION.**

(a) **Collection of Yard Waste.**

- (4) In addition to the bi-annual program outlined in Subsection (a)(2) above, the City will collect and process brush and tree trimmings placed at the curb during the months of May, July, September and November. All brush must be placed with the cut off ends facing the road and on the roadside part of the ditch or curb stacked in an orderly manner prior to the first week of the pick up month. During the first week of the month, or as soon thereafter as practicable, the City will remove the materials and process them, the resulting mulch being made available to the residents. In addition, after periods of severe weather causing downed limbs and trees, the City will collect brush and tree limbs resulting from the storm.

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

SECTION 3: This ordinance shall take effect and be in force on January 1, 2016, after its passage and publication.

Introduced this 3<sup>rd</sup> day of November, 2015.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2015.

Approved this this \_\_\_\_ day of \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

# City of Oak Creek Common Council Report

**Meeting Date:** November 3, 2015

**Item No.:** 11

**Recommendation:** That the Council adopts Resolution No. 11659-110315 approving a certified survey map for the property at 9005 S. 11<sup>th</sup> Ave.

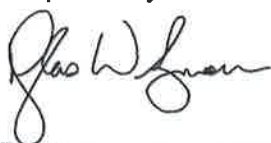
**Background:** Jared Greanya (landowner and Applicant) is requesting approval of a Certified Survey Map that will divide the property at 9005 S. 11<sup>th</sup> Ave. into two single-family residential building lots of conforming size. Outlot 1 from CSM 5347 will be slightly reconfigured with the dedication of the cul-de-sac to the City. Dedication language must be included on Sheet 5 of 5, and the Engineering Department has requested that a grading certificate be submitted to their department prior to submitting building permit applications for either lot.

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

1. That all technical corrections are made prior to recording.
2. That language for the dedication of the cul-de-sac to the City right-of-way is included on Sheet 5 of 5.
3. That a grading certificate is submitted to the Engineering Department prior recording.

**Fiscal Impact:** This CSM will create two new building lots. Taxes and impact fees generated from the development of the proposed building lots would result in a positive fiscal impact for the City.

Prepared by:



Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,



Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11659-110315

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR JARED GREANYA

9005 S. 11<sup>th</sup> Ave.  
(4<sup>th</sup> Aldermanic District)

WHEREAS, JARED GREANYA, hereinafter referred to as the subdivider, has submitted a certified survey map in compliance with all statutory requirements; and

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

WHEREAS, the Plan Commission has recommended that this certified survey map be approved subject to the following conditions:

1. That all technical corrections are made prior to recording.
2. That language for the dedication of the cul-de-sac to the City right-of-way is included on Sheet 5 of 5.
3. That a grading certificate is submitted to the Engineering Department prior recording;

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

1. That all technical corrections are made prior to recording.
2. That language for the dedication of the cul-de-sac to the City right-of-way is included on Sheet 5 of 5.
3. That a grading certificate is submitted to the Engineering Department prior recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of November, 2015.

Passed and adopted this 3<sup>rd</sup> day of November, 2015.

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

Approved this 3<sup>rd</sup> day of November, 2015.

\_\_\_\_\_  
Mayor

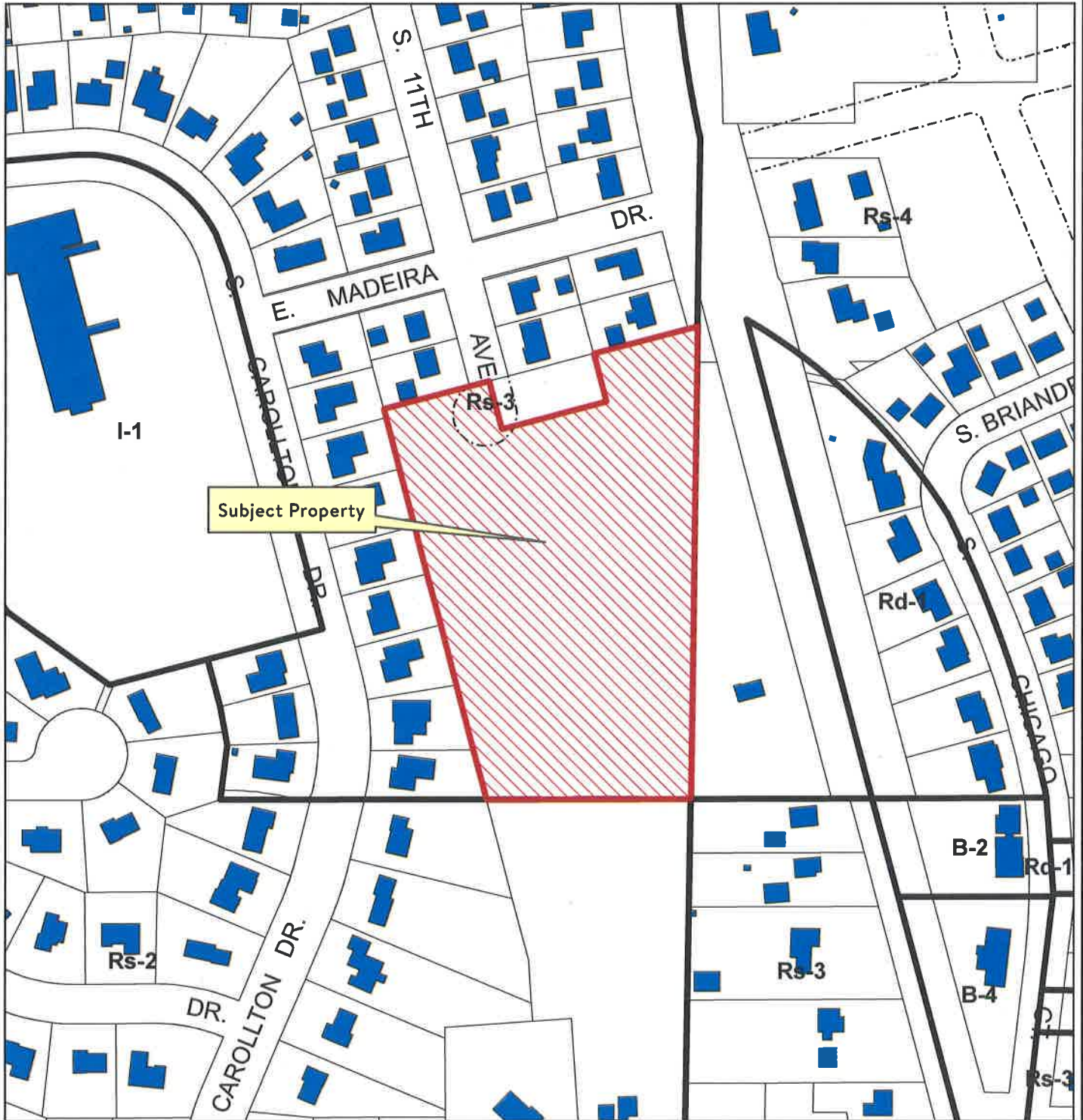
ATTEST:

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

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

# Location Map

## 9005 S. 11th Ave.



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



Legend	
	9005 S. 11th Ave.
	Existing Street Pattern

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

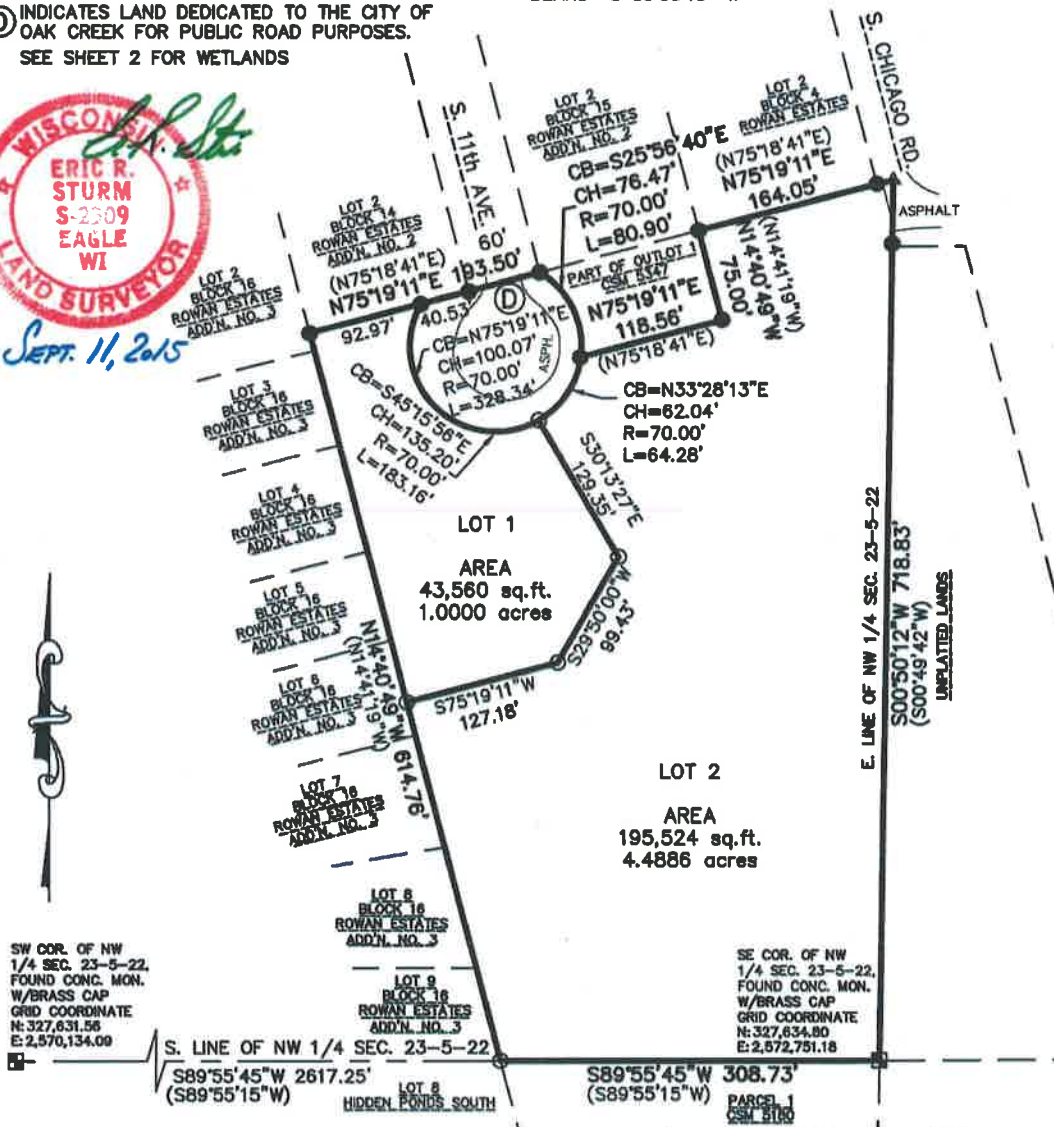
A division of part of Outlot 1 and all of Outlot 2 of Certified Survey Map No. 5347, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
  - INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.
  - △ INDICATES SET MAG NAIL
  - Ⓧ INDICATES LAND DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC ROAD PURPOSES.
- SEE SHEET 2 FOR WETLANDS

ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.  
ALL BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE NW 1/4 OF SECTION 23, T 5 N, R 22 E, WHICH BEARS S 89°55'15" W



*Sept. 11, 2015*



SW COR. OF NW 1/4 SEC. 23-5-22, FOUND CONC. MON. W/BRASS CAP  
GRID COORDINATE  
N: 327,631.56  
E: 2,570,134.09

SE COR. OF NW 1/4 SEC. 23-5-22, FOUND CONC. MON. W/BRASS CAP  
GRID COORDINATE  
N: 327,634.80  
E: 2,572,751.18

LOCATION MAP  
NORTHWEST 1/4  
OF SECTION 23, T 5 N, R 22 E  
E. PUEZ RD.



SCALE: 1" = 200'



GRAPHIC SCALE

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

*Beyond Surveying  
and Engineering*

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

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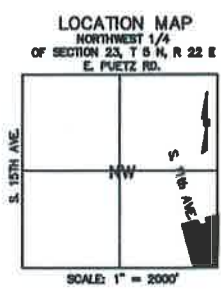
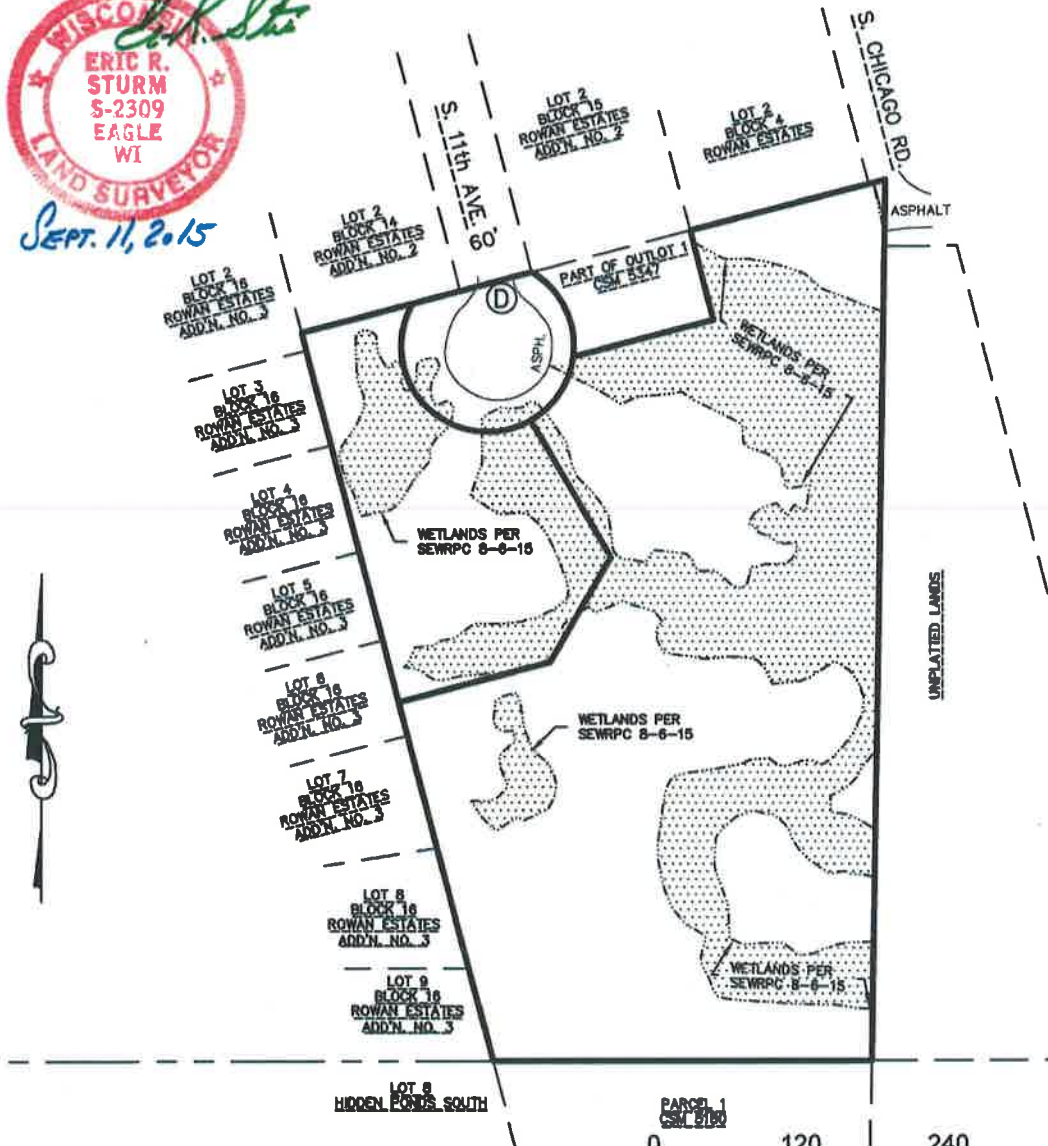
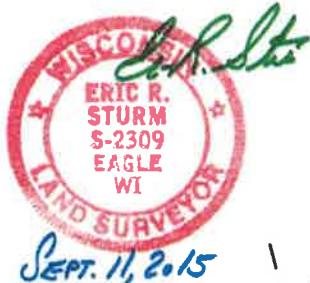
THIS INSTRUMENT DRAFTED BY:  
ERIC R. STURM, PLS S-2309

SHEET 1 OF 5 SHEETS

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

A division of part of Outlot 1 and all of Outlot 2 of Certified Survey Map No. 5347, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

ⓓ INDICATES LAND DEDICATED TO THE CITY OF OAK CREEK FOR PUBLIC ROAD PURPOSES.



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

Beyond Surveying  
and Engineering  
18745 W. Bluemound Road, Brookfield WI 53005  
262-781-1000 Fax 262-787-7373 www.ra-smithnational.com  
Appleton, WI Orange County, CA Pittsburgh, PA

THIS INSTRUMENT DRAFTED BY:  
ERIC R. STURM, PLS S-2309

S:\51663554wg\CS2001.dwg\SHEET 2  
SHEET 2 OF 5 SHEETS

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

A division of part of Outlot 1 and all of Outlot 2 of Certified Survey Map No. 5347, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN     }  
                                      :SS  
WAUKESHA COUNTY        }

I, ERIC R. STURM, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of part of Outlot 1 and all of Outlot 2 of Certified Survey Map No. 5347, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin, which is bounded and described as follows:

BEGINNING at the Southeast corner of said 1/4 Section; thence South 89°55'15" West along the South line of said 1/4 Section 308.73 feet to a point on the East line of Rowan Estates Addition No. 3; thence North 14°41'19" West along said East line 614.76 feet to a point on the South line of Rowan Estates Addition No. 2; thence North 75°18'41" East along said South line 193.50 feet to a point; thence Southeasterly 80.90 feet along the arc of a curve whose center lies to the Southwest, whose radius is 70.00 feet and whose chord bears South 25°57'10" East 76.47 feet to a point on the South line of Outlot 1 of Certified Survey Map No. 5347; thence North 75°18'41" East along said South line 118.56 feet to a point on the East line of said Outlot 1; thence North 14°41'19" West along said East line 75.00 feet to a point on the South line of Rowan Estates; thence North 75°18'41" East along said South line 164.05 feet to a point on the East line of said 1/4 Section; thence South 00°49'42" West along said East line 718.83 feet to the point of beginning.

Said lands contain 253,025 square feet or 5.8087 acres.

THAT I have made the survey, land division and map by the direction of JARED GREANYA owner.

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

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

DATE SEPTEMBER 11, 2015 \_\_\_\_\_ (SEAL)  
ERIC R. STURM  
PROFESSIONAL LAND SURVEYOR S-2309



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

A division of part of Outlot 1 and all of Outlot 2 of Certified Survey Map No. 5347, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

JARED GREANYA, as owner, I certify that I caused the land described on this map, to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map in accordance with the requirements of the City of Oak Creek Municipal Code.

JARED GREANYA, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Oak Creek

IN Witness Whereof, said owner has caused these presents to be signed This \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JARED GREANYA

STATE OF WISCONSIN     }  
                                      :SS  
\_\_\_\_\_ COUNTY     }

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument, and to me known to be such \_\_\_\_\_, and acknowledged that he/she executed the foregoing instrument.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_

CONSENT OF CORPORATE MORTGAGEE

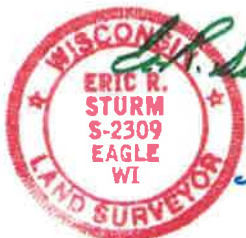
\_\_\_\_\_, a national banking association, mortgagee of that portion of the above-described land identified in this Certified Survey Map, does hereby consent to the surveying, dividing dedicating and mapping of the land described in the foregoing description, and does hereby consent to the certificate of said owner.

In witness whereof, the said \_\_\_\_\_, has caused these presents to be signed by \_\_\_\_\_, its \_\_\_\_\_, and by \_\_\_\_\_ (name) \_\_\_\_\_ (title) \_\_\_\_\_, its \_\_\_\_\_ (name), \_\_\_\_\_ (title) at \_\_\_\_\_, \_\_\_\_\_, and its corporate seal to be hereunto affixed.  
this \_\_\_ day of \_\_\_\_\_, 2015.

STATE OF                     }  
                                      :SS  
COUNTY OF             }

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument, and to me known to be such \_\_\_\_\_ of \_\_\_\_\_ and acknowledged that he/she executed the foregoing instrument.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_



*Sept. 11, 2015*



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

A division of part of Outlot 1 and all of Outlot 2 of Certified Survey Map No. 5347, being a part of the Southeast 1/4 of the Northwest 1/4 of Section 23, Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

PLANNING COMMISSION OF APPROVAL

Certified Survey Map accepted by the Planning Commission of the City of Oak Creek on this day of \_\_\_\_\_, 2015.

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

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

COMMON COUNCIL APPROVAL

Certified Survey Map approved by the Common Council of the City of Oak Creek on this day of \_\_\_\_\_, 2015, by Resolution No. \_\_\_\_\_.

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

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



*Sept. 11, 2015*

# City of Oak Creek Common Council Report

Meeting Date: November 3, 2015

Item No.: 12

**Recommendation:** That the Council adopts Resolution No. 11660-110315 approving a certified survey map for the properties at 8380, 8400, and 8432 S. 27th St.

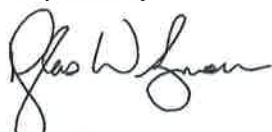
**Background:** The Applicant is requesting approval of a Certified Survey Map that will reconfigure the properties at 8380, 8400, and 8432 S. 27th St. Lot 1 is anticipated to be the future location for the Villa Healthcare facility, which received a rezone and Conditional Use Permit earlier this year. There are no immediately plans for the development of Lots 2 and 3; however, evidence of wetlands exists that would affect those parcels. A condition of approval is therefore recommended to have a delineation conducted and all identified wetlands shown on a revised CSM. Officially mapped streets also affect Lots 2 and 3, and a condition to show the S. Orchard Way pattern on the CSM is included above. Finance has indicated that there are deferred special assessments that are required to be paid prior to recording the map.

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

1. That all technical corrections are made prior to recording.
2. That the officially mapped street pattern for S. Orchard Way on Lot 3 is depicted on the map prior to recording.
3. That a wetland delineation be completed on Lots 2 & 3 by a Wisconsin DNR-approved professional prior to development of Lots 2 & 3. Should the survey indicate the presence of wetlands, a new CSM or Affidavit of Correction shall be submitted to the City of Oak Creek. Wetlands on Lot 1 shall be shown on this CSM (approved by Resolution No. 11660-110315) prior to recording.
4. That all deferred special assessments are paid in full prior to recording.

**Fiscal Impact:** This CSM will reconfigure three existing lots into one building lot anticipated for a nursing facility, and two commercial building lots (no proposal for development at this time). Taxes and impact fees generated from the development of the proposed lots would result in a positive fiscal impact for the City.

Prepared by:



Doug Seymour, AICP  
Director of Community Development

Respectfully submitted,



Gerald Peterson, ICMA-CM  
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

RESOLUTION NO. 11660-110315

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

RESOLUTION APPROVING A CERTIFIED SURVEY MAP  
FOR NORB THEINE, APPLE TOWER DEVELOPMENT, INC.

8380, 8400, 8432 S. 27<sup>th</sup> St.  
(2<sup>nd</sup> Aldermanic District)

WHEREAS, NORB THEINE, APPLE TOWER DEVELOPMENT, INC., hereinafter referred to as the subdivider, has submitted a certified survey map in compliance with all statutory requirements; and

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

WHEREAS, the Plan Commission has recommended that this certified survey map be approved subject to the following conditions:

1. That all technical corrections are made prior to recording.
2. That the officially mapped street pattern for S. Orchard Way on Lot 3 is depicted on the map prior to recording.
3. That a wetland delineation be completed on Lots 2 & 3 by a Wisconsin DNR-approved professional prior to development of Lots 2 & 3. Should the survey indicate the presence of wetlands, a new CSM or Affidavit of Correction shall be submitted to the City of Oak Creek. Wetlands on Lot 1 shall be shown on this CSM (approved by Resolution No. 11660-110315) prior to recording.
4. That all deferred special assessments are paid in full prior to recording;

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

1. That all technical corrections are made prior to recording.
2. That the officially mapped street pattern for S. Orchard Way on Lot 3 is depicted on the map prior to recording.
3. That a wetland delineation be completed on Lots 2 & 3 by a Wisconsin DNR-approved professional prior to development of Lots 2 & 3. Should the survey indicate the presence of wetlands, a new CSM or Affidavit of Correction shall be submitted to the City of Oak Creek. Wetlands on Lot 1 shall be shown on this CSM (approved by Resolution No. 11660-110315) prior to recording.
4. That all deferred special assessments are paid in full prior to recording.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 3<sup>rd</sup> day of November, 2015.

Passed and adopted this 3<sup>rd</sup> day of November, 2015.

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

Approved this 3<sup>rd</sup> day of November, 2015.

\_\_\_\_\_  
Mayor

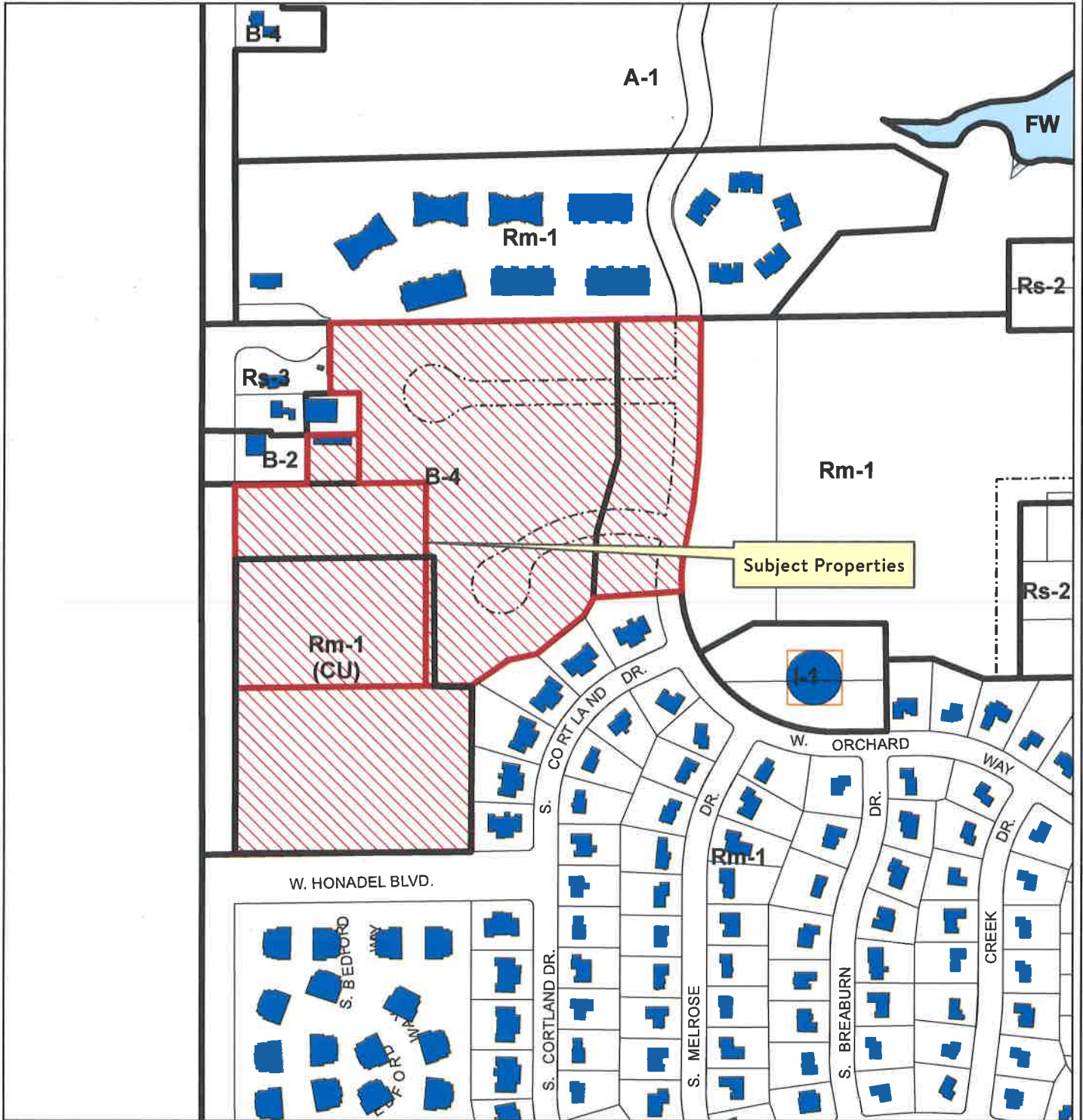
ATTEST:

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

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

# Location Map

## 8380, 8400, 8432 S. 27th St.



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



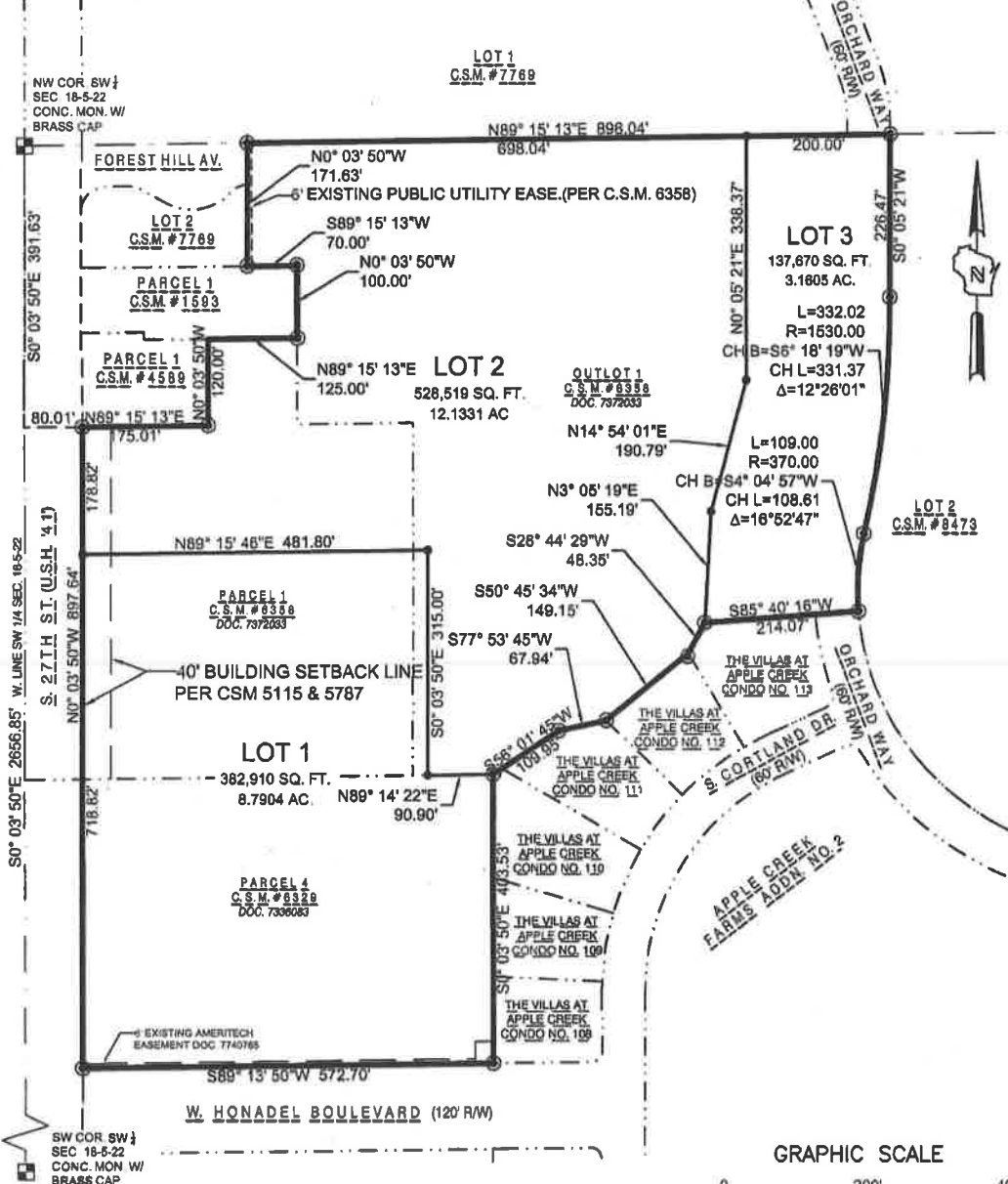
Department of Community Development



Legend	
	8380, 8400, 8432 S. 27th St.
	Floodfringe
	Floodway

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

PARCEL 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6368, RECORDED AS DOCUMENT NO. 7372033 AND PARCEL 4 OF CERTIFIED SURVEY MAP NO. 6329, RECORDED AS DOCUMENT NO. 7336083, IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN



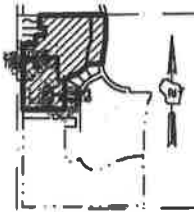
**LEGEND & NOTES:**

- INDICATES FOUND 1" DIAM. IRON PIPEUNLESS OTHERWISE NOTED.
- INDICATES SET 3/4" DIAM. REBAR, 18" LONG WEIGHING 1.50 LBS/LIN. FT.

COORDINATES & BEARINGS REFERENCED THE WISCONSIN STATE PLANE COORDINATE SYSTEM WITH THE WEST LINE OF THE SW 1/4 OF SEC. 18-5-22, ASSUMED TO BEAR N 0° 03' 50" W, AS PUBLISHED BY SEWRPC, NAD 1927.

DISTANCES MEASURED TO THE NEAREST 0.01' ANGLES MEASURED TO THE NEAREST 01'

**VICINITY MAP:**



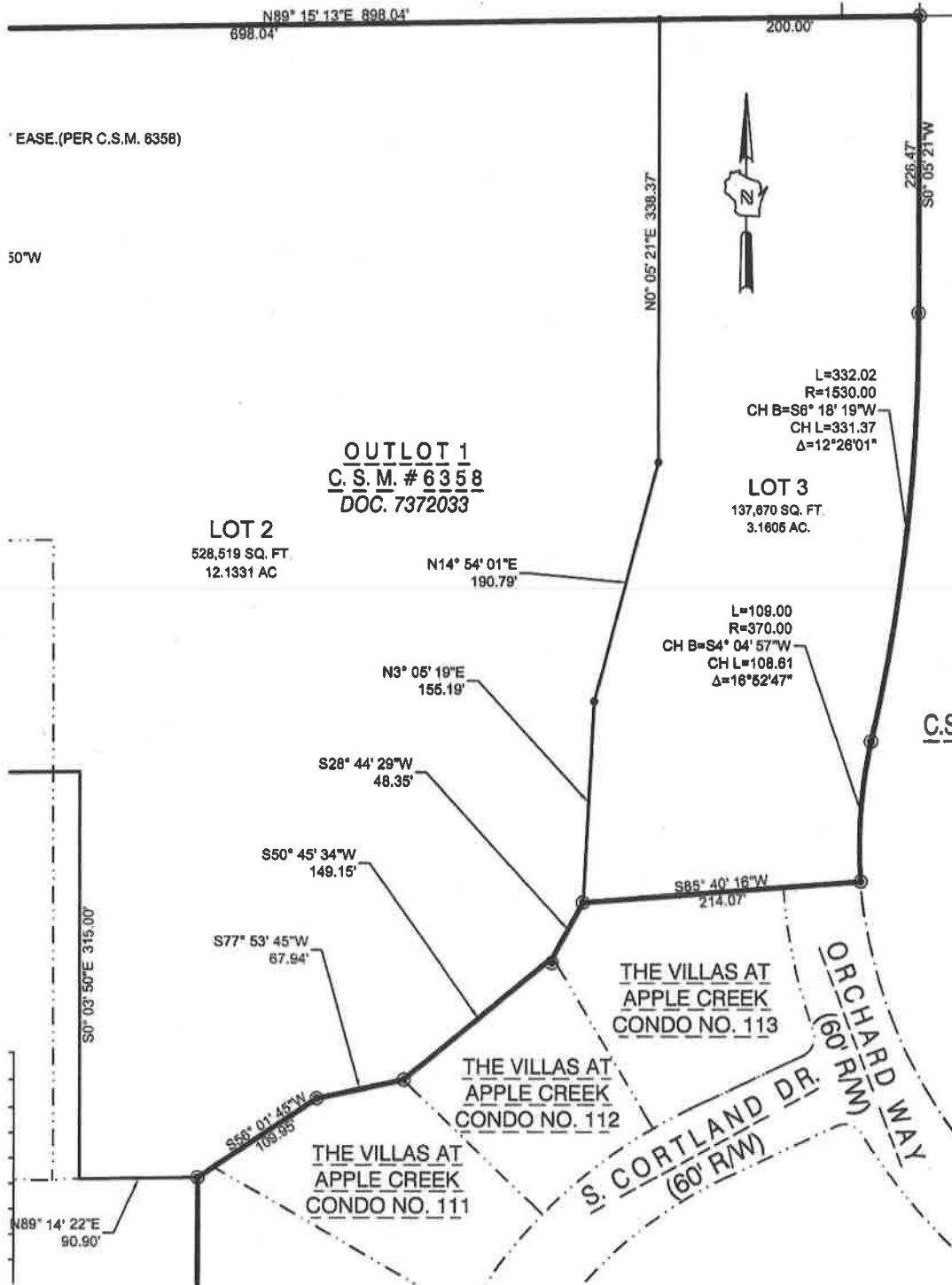
SW 1/4 SEC. 18, T5N, R22E  
SCALE: 1" = 2000'

**THE SIGMA GROUP**  
Single Source. Sound Solutions.  
www.thesigmagroup.com  
1300 West Canal Street  
Milwaukee, WI 53233  
Phone: 414-643-4200  
Fax: 414-643-4210

OWNER/SUBDIVIDER:  
APPLE TOWER DEVELOPMENT INC.  
8183 S. PACKARD AVE.  
CUDAY, WI 53110

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

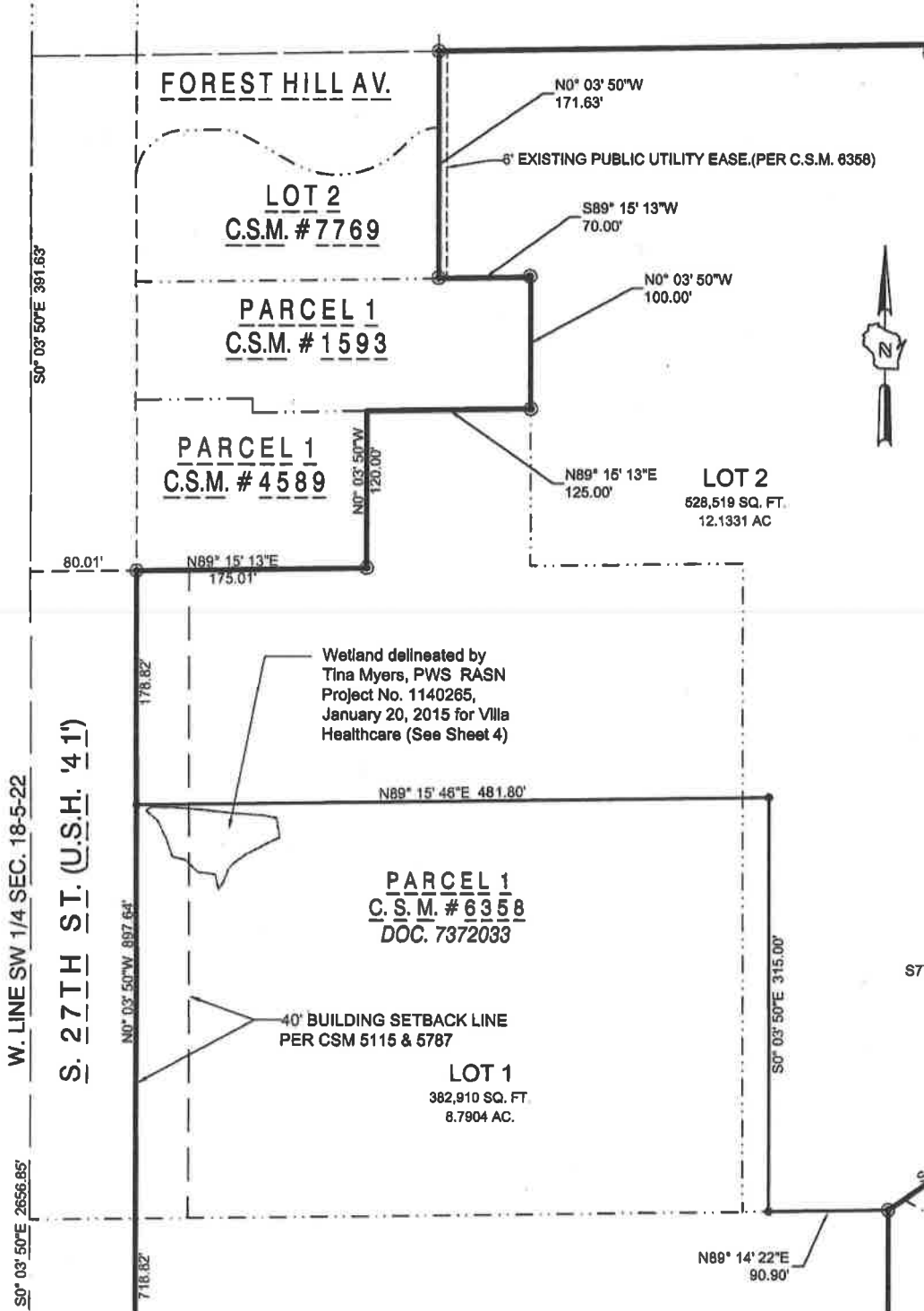
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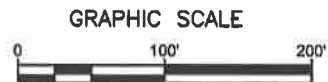
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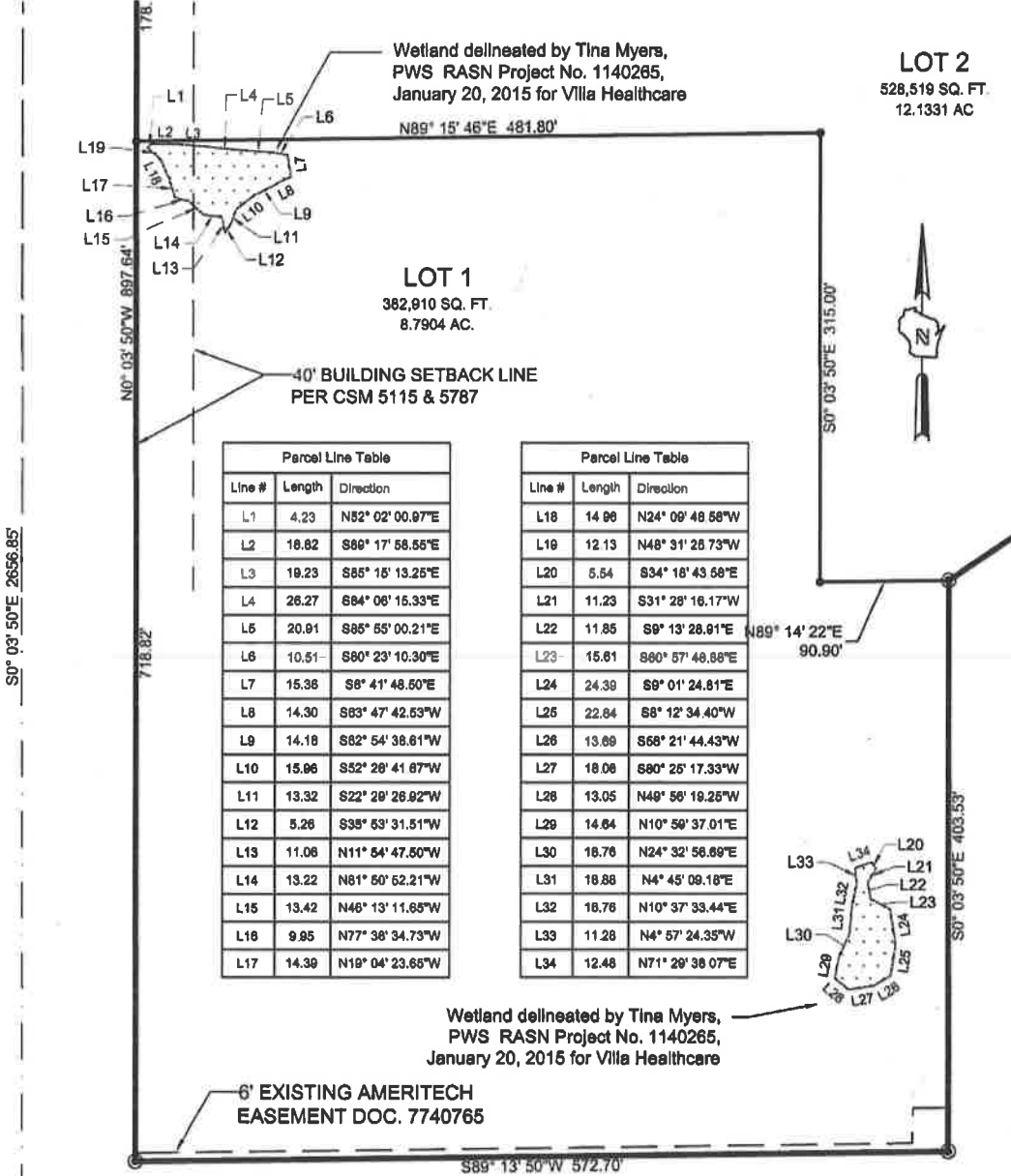
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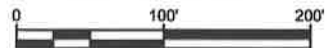
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PROJECT NUMBER 15635 DRAFTED BY B.ROZITE 8-20-2015

GRAPHIC SCALE



Sheet 4 of 7

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

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## SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
SS  
MILWAUKEE COUNTY)

I, Baiba M. Rozite, Professional Land Surveyor, hereby certify that I have surveyed, divided, mapped and dedicated Parcel 1 and Outlot 1 of Certified Survey Map No. 6358, recorded as Document No. 7372033 and Parcel 4 of Certified Survey Map No. 6329, recorded as Document No. 7336083, in the Northwest 1/4 of the Southwest 1/4 of Section 18, Township 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 Southwest  $\frac{1}{4}$  section; Thence South  $0^{\circ}03'50''$  East, 391.63 feet along the West line of said Southwest  $\frac{1}{4}$  section; Thence North  $89^{\circ}15'13''$  East, 80.01 feet to the East line of S. 27th Street (U.S.H. 41) and to the point of beginning; Continuing thence North  $89^{\circ}15'13''$  East, 175.01 feet along the South line of Parcel 1 of Certified Survey Map No. 4589; Thence North  $0^{\circ}03'50''$  West, 120.00 feet along the East line of said Parcel 1; Thence North  $89^{\circ}15'13''$  East, 125.00 feet along the South line of Parcel 1 of Certified Survey Map No. 1593; Thence North  $0^{\circ}03'50''$  West, 100.00 feet along the East line of said Parcel 1; Thence South  $89^{\circ}15'13''$  West, 70.00 feet along the North line of said parcel 1; Thence North  $0^{\circ}03'50''$  West, 171.63 feet along the East line of Lot 2 and Forest Hill Avenue in Certified Survey Map No. 7769 to the North line of the aforesaid Southwest  $\frac{1}{4}$  section, also being the South line of Lot 1 of Certified Survey Map No. 7769; Thence North  $89^{\circ}15'13''$  East, 898.04 feet along the South line of said Lot 1 and its Easterly extension; Thence South  $0^{\circ}05'21''$  West along the West line of Lot 2 of Certified Survey Map No. 8473 to the beginning of a 1530.00 foot radius curve to the right, whose chord bears South  $6^{\circ}18'19''$  West, 331.37 feet; Thence Southwesterly, 332.02 feet along the arc of said curve and along said Westerly line to the beginning of a 370.00 foot radius curve to the left, whose chord bears South  $4^{\circ}04'57''$  West, 108.61 feet; Thence Southwesterly, 109.00 feet along the arc of said curve and along said Westerly line; Thence South  $85^{\circ}40'16''$  West, 214.07 feet along the Northerly line of The Villas at Apple Creek Condo No. 113; Thence South  $28^{\circ}44'29''$  West, 48.35 feet along the Northwesterly line of said condo plat; Thence South  $50^{\circ}45'34''$  West, 149.15 feet along the Northwesterly line of The Villas at Apple Creek Condo No. 112; Thence South  $77^{\circ}53'45''$  West, 67.94 feet along the Northerly line of The Villas at Apple Creek Condo No. 111; Thence South  $56^{\circ}01'45''$  West, 109.95 feet along the Northwesterly line of The Villas at Apple Creek Condo No. 111; Thence South  $0^{\circ}03'50''$  East, 403.53 feet along the West line of The Villas at Apple Creek Condo Nos. 110-108; Thence South  $89^{\circ}13'50''$  West, 572.70 feet Long the North line of West Honadel Boulevard; Thence North  $0^{\circ}03'50''$  West, 897.64 feet along the East line of S. 27th Street (U.S.H. 41) to the point of beginning

Said parcel contains a total of 1,049,099 SQUARE FEET OR 24.084 ACRES of land, more or less.

That I have made the survey, land division and map by the direction of the owner of said land. That the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made. That I have fully complied with s. 236.34 of the Wisconsin Statutes and CHAPTER 14 OF THE CITY OF OAK CREEK MUNICIPAL CODE in surveying, dividing and mapping the same.

BAIBA M. ROZITE S-2351

DATE

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

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## OWNER'S CERTIFICATE

APPLE TOWER DEVELOPMENT INC., a corporation duly organized and existing under the laws of the State of Wisconsin, as owner, caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map.

APPLE TOWER DEVELOPMENT INC., as owner, does further certify that this map is required by s. 236.10 or 236.12 to be submitted to the following for approval or objection: The City of Oak Creek.

IN WITNESS WHEREOF, the said APPLE TOWER DEVELOPMENT INC., owner, has caused these presents to be signed by Norb Theine, at \_\_\_\_\_, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPLE TOWER DEVELOPMENT INC., by:

\_\_\_\_\_  
Norb Theine

STATE OF WISCONSIN)

)SS

MILWAUKEE COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the above-named Norb Theine, to me known to be the person who executed the foregoing instrument and to me known to be an authorized representative of APPLE TOWER DEVELOPMENT INC., and acknowledged that he executed the foregoing instrument as such member as the deed of said corporation, by its authority.

(SEAL) \_\_\_\_\_  
NOTARY PUBLIC *signature*, STATE OF WISCONSIN

\_\_\_\_\_  
*notary printed name*

MY COMMISSION EXPIRES \_\_\_\_\_.

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## CITY OF OAK CREEK PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE PLAN COMMISSION OF THE CITY OF OAK CREEK ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
STEPHEN SCAFFIDI, CHAIRMAN  
CITY OF OAK CREEK

\_\_\_\_\_  
DOUGLAS W. SEYMOUR, CORRESPONDING  
SECRETARY, CITY OF OAK CREEK

## CITY OF OAK CREEK COMMON COUNCIL CERTIFICATE OF APPROVAL

APPROVED AND DEDICATION ACCEPTED BY THE COMMON COUNCIL OF THE CITY OF OAK CREEK ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY RESOLUTION NO. \_\_\_\_\_.

\_\_\_\_\_  
STEPHEN SCAFFIDI, MAYOR  
CITY OF OAK CREEK

\_\_\_\_\_  
CATHERINE A. ROSKI, CLERK  
CITY OF OAK CREEK



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# City of Oak Creek Common Council Report

Meeting Date: November 3, 2015

Item No.: 17

**Recommendation:** That the Common Council considers a motion to award the S. 20<sup>th</sup> Street expansion contract to the lowest responsive, responsible bidder, DF Tomasini, Inc., at the estimated cost of \$1,430,700.60 (Project No. 15023)

**Background:** The Common Council awarded the road design to R.A. Smith National (RASN) at the August 18, 2015 meeting. The Engineering Department worked with RASN for the production of the plans and specifications for the project. This project includes public utilities, street lighting, concrete roadway, wetland mitigation, and flood plain compensating storage. This project was advertised for bids and is a unit price contract. Thus, the bids have been evaluated based on estimated quantities. The following bids were received:

Contractor	Bid
DF Tomasini, Inc.	\$1,430,700.60
CW Purpero Inc.	\$1,481,585.00
Advance Construction, Inc	\$1,496,092.63
Super Western, Inc.	\$1,525,112.65
Willkomm Excavating	\$1,532,250.85
Veit & Company	\$1,620,000.57
Cornerstone Pavers	\$1,662,403.92

**Fiscal Impact:** The funding is defined by the Tri-Party agreement between Northwestern Mutual, Oak Creek-Franklin School District and the City of Oak Creek.

Prepared by:



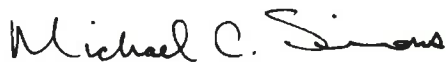
Brian Johnston, P.E.  
Assistant City Engineer

Respectfully submitted:



Gerald Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller