



COMMON COUNCIL MEETING AGENDA

TUESDAY, DECEMBER 15, 2015
AT 7:00 P.M.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 12/1/15

Recognition

4. **Council Proclamation:** Consider Council Proclamation No. 15-08, to Linda Struhar for dedicated service to the City of Oak Creek as a member of the Board of Health (by Committee of the Whole).

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

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

5. **Rezone and Conditional Use:** Consider a request by Shawn McKibben, Oak Park Place, and Legacy/Rawson, LLC, to rezone the property at 1980 W. Rawson Ave. from Rs-4, Single Family Residential, to Rm-1, Multifamily Residential, with a Conditional Use for a licensed community living arrangement with a capacity of sixteen (16) or more person and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure (2nd District).
6. **Ordinance:** Consider Ordinance No. 2782, approving the rezoning of the property at 980 W. Rawson Avenue from RS-4, Single Family Residential, to Rm-1, Multifamily Residential with a conditional Use for a licensed elderly community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwelling in excess of four (4) dwelling units per structure (2nd District).
7. **Conditional Use:** Consider a request submitted by Jason Ebert, Riteway Bus Service, Inc., for a Conditional Use Permit Amendment inflammable gas liquids storage in excess of 5,000 gallons (one 30,000 gallon propane tank) on a portion of the property located at 6970 S. 6th Street (1st District).
8. **Ordinance:** Consider Ordinance No. 2783, amending Ordinance No. 2619, to allow inflammable gas and liquids storage in excess of 5,000 gallons on the property located at 6970 S. 6th Street (1st District).

New Business

MAYOR & COMMON COUNCIL

9. **Resolution:** Consider Resolution No. 11667-121515, accepting a Quit Claim Deed from WisPark LLC for the Conservation Area at the Oakview Business Park (5th District).
10. **Resolution:** Consider Resolution No. 11668-121515, accepting a Quit Claim Deed for the Emerald Preserve Park and the Dale Richards Trail and the Town Square at Drexel Town Square (2nd District).
11. **Motion:** Consider a motion to approve the updated Schedule of Deposits per Section 1.23 of the Oak Creek Municipal Code (by Committee of the Whole).
12. **Motion:** Consider a motion to approve the Civic Center Meeting Room Policy (by Committee of the Whole).
13. **Resolution:** Consider Resolution No. 11664-120115, establishing various fees, permits and charges charged by the City of Oak Creek, effective 1/1/2016 (held 12/1/15) (by Committee of the Whole).
14. **Ordinance:** Consider Ordinance No. 2778, fixing the salary ranges, salary wages, and allowances for Non-Union, General, Management Personnel and Other City Offices and Positions for the year 2016, as recommended by the Personnel Committee (by Committee of the Whole).
15. **Ordinance:** Consider Ordinance No. 2779, fixing the salary ranges, salary, wages and allowances for Part-time Personnel and Other City Offices and Positions for the year 2016, as recommended by the Personnel Committee (by Committee of the Whole).
16. **Ordinance:** Consider Ordinance No. 2780, providing for a lump sum general fund performance based payment to certain Non-Union, General Management Personnel and Other City Offices and Positions, as recommended by the Personnel Committee (by Committee of the Whole).
17. **Resolution:** Consider Resolution No. 11670-121515, acknowledging and filing the 2016 calendar year salary grade plan and benefits for Library personnel (by Committee of the Whole).
18. **Ordinance:** Consider Ordinance No. 2784, creating Section 2.79 of the Municipal Code to establish a Board of Absentee Ballot Canvassers (by Committee of the Whole).
19. **Motion:** Consider a motion to approve the Vendor Summary Report in the amount of \$2,081,526.59 (by Committee of the Whole).

FIRE

20. **Informational:** Presentation from the Fire Department on the new insurance rating the City received in 2015

UTILITY

21. **Resolution:** Consider Resolution No. 11669-121515, a resolution authorizing a refund to WE Energies in the amount of \$78,609.80 for special assessment overpayment (4th District).

ENGINEERING

22. **Resolution:** Consider Resolution No. 11665-121515, accepting the workmanship and authorizing final payment, to Snorek Construction. This project involved the installation of sidewalk improvements in various locations city-wide (Project No. 13023) (Various Districts).
23. **Resolution:** Consider Resolution No. 11666-121515, approving a parcel 4 replacement housing payment for the 5th Avenue relocation project, and to send payment in the amount of the award of damages to the affected property owner (Project No. 12026) (4th District).
24. **Motion:** Consider a motion to concur with the Traffic and Safety Commission and:
- approve the installation of "Passive" Traffic Calming measures on E. Elm Road from S. Howell Avenue to S. Shepard Avenue (5th District); and
 - approve the installation of "Passive" Traffic Calming measures on E. Farmington Lane from S. Pennsylvania Avenue to S. Orchard View Lane (3rd District); and
 - approve the installation of "Cross Traffic Does Not Stop" Warning Plaque on S. 10th Street and S. Wildwood Drive at W. Drexel Avenue (1st and 2nd Districts); and
 - approve installation of stop sign on S. Logan Avenue at E. Milwaukee Avenue (1st Districts); and
 - deny the installation of "Slow Children at Play" signs on E. Milwaukee Avenue and S. Logan Avenue (1st District).

LICENSE COMMITTEE

The License Committee did not meet prior to the Council meeting. Tentative recommendations follow:

25. **Motion:** Consider a motion to grant an Operator's license to the following (*favorable background report received*):
- Daniel C. Walden, W327 S8060 South Oak Tree Dr., Mukwonago (Meijer)
 - Lori A. Otto, 9707 Saratoga Dr., Caledonia (Tracy Rae's)
 - Betty A. Allen, 1420 Madison Ave., South Milwaukee (Classic Lanes)
26. **Motion:** Consider a motion to grant a renewal adult entertainment business license for the 2016 licensing year to SJB LLC, Stephanie Higgins, agent, doing business as The New Spice II, 7070 S. 27th Street, with issuance subject to payment of 2015 personal property taxes (*favorable background reports received*).
27. **Motion:** Consider a motion to grant an Employee license for the 2016 licensing year for an adult entertainment business for The New Spice II to the following (*favorable background reports received*):
- Mary E. Staat, employee

MISCELLANEOUS

28. **Motion:** Consider a motion to convene into Closed Session pursuant to Wisconsin State Statutes to discuss the following:
- Section 19.85 (1)(e) to discuss an amendment to the TIF Finance Agreement with One West Drexel, LLC as it relates to the proposed hotel at Drexel Town Square.
 - Section 19.85 (1)(e) to discuss the terms of a proposed development agreement, including a TIF incentive grant, for property owned by Northwestern Mutual consisting of approximately 30 acres on the east side of extended S. 20th Street, north of Drexel Avenue and west of I-94.

- c. Section 19.85 (1)(g) to consider the application of Whitestone Inc. for a 2015 property tax exemption for parcel numbers 918-9970, 918-9971, 919-9016, and 919-9990-001.
- 29. **Motion:** Consider a *motion* to reconvene into Open Session.
- 30. **Motion:** Consider a *motion* to take action, if required.
- 31. **Ordinance:** Consider *Ordinance* No. 2781, amending the Comprehensive Plan for the City of Oak Creek affecting the properties at 7951, 8067, 8210, 8245, 8310 and 8351 S. 20th Street, 1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361, and 2500 W. Drexel Avenue and 1965 W. Rawson Avenue (2nd District).

Adjournment.

Public Notice

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

COUNCIL PROCLAMATION NO. 15-08

**TO LINDA STRUHAR
FOR DEDICATED SERVICE TO THE CITY OF OAK CREEK
AS A MEMBER OF THE
BOARD OF HEALTH**

WHEREAS, Linda Struhar was appointed to the Board of Health on May 2, 2006;
and

WHEREAS, Linda Struhar has resigned from the Board of Health effective
November 5, 2015; and

WHEREAS, Linda Struhar has been a dedicated member of the Board of Health and
has served for 9 years and 6 months; and

WHEREAS, Linda Struhar served as the Chairman on the Board of Health for 3
years; and

WHEREAS, Linda Struhar has served the City and Board of Health in a
compassionate, conscientious and professional manner.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the
City of Oak Creek do hereby show their appreciation and gratitude to Linda Struhar
for her dedicated service to the City of Oak Creek as a member of the Board of
Health.

BE IT FURTHER RESOLVED that this proclamation be spread upon the minutes of
this meeting and that the City Clerk be and she is hereby directed to transmit a
suitable copy thereof to Linda Struhar.

Introduced and adopted this 15th day of December, 2015.

President, Common Council

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

TO BE PUBLISHED NOVEMBER 19 & 26, 2015

OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING
BEFORE THE OAK CREEK COMMON COUNCIL

PURPOSE: The purpose of this public hearing is to consider a request by Shawn McKibben, Oak Park Place, and Legacy/Rawson, LLC, to rezone the property at 1980 W. Rawson Ave. from Rs-4, Single Family Residential, to Rm-1, Multifamily Residential, with a Conditional Use for a licensed community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure, after a public hearing.

Hearing Date: Tuesday, December 15, 2015
Time: 7:00 PM
Place: Oak Creek City Hall
8040 South 6th Street
Oak Creek, WI 53154
Common Council Chambers

Applicant: Shawn McKibben, Oak Park Place
Property Owner: Legacy/Rawson, LLC
Property Location: 1980 W. Rawson Ave.
Tax Key(s): 736-899-5001

Legal Description:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, IN TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 228.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 229.40 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET TO A POINT; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 435.60 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 172.50 FEET TO A POINT ON THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID 1/4 SECTION 665.00 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION TO A POINT 75 FEET NORTH OF AND AT RIGHT ANGLES TO THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL WITH SAID SOUTH LINE OF SAID 1/4 SECTION TO A POINT IN THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ON AND ALONG THE SAID WEST LINE TO THE POINT OF COMMENCEMENT.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2302.76 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; RUNNING THENCE SOUTH 00°49'00" WEST AND PARALLEL TO THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 332.63 FEET TO A POINT WHICH POINT IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 180.44 FEET TO A POINT; THENCE NORTH 00°49'00" EAST AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.56 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE NORTH 89°58'51" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 180.44 FEET TO THE POINT OF BEGINNING.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2040.18 FEET TO THE PLACE OF BEGINNING OF THE LAND ABOUT TO BE DESCRIBED; CONTINUING THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 262.08 FEET TO A POINT; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.33 FEET TO A POINT WHICH IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 262.03 FEET TO A POINT; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.46 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2040.18 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE SOUTH 00°49'00" WEST AND PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION 332.72 FEET TO A POINT; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID 1/4 SECTION

TO A POINT LOCATED 2199.42 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION AND 332.50 FEET NORTH 01°04'00" EAST AND PARALLEL WITH THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTHEASTERLY TO THE PLACE OF BEGINNING.

ALSO;

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE 1/4 SECTION; THENCE SOUTH 89°11'08" WEST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 2432.70 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 75.01 FEET TO THE POINT OF BEGINNING WHICH IS THE NORTHERLY LINE OF WEST RAWSON AVENUE; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 45.05 FEET; THENCE NORTH 38°07'03" EAST 305.23 FEET; THENCE NORTH 24°07'13" EAST 22.13 FEET; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 292.54 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 103.10 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 154.4 FEET TO THE POINT OF BEGINNING.

The Common Council has scheduled other public hearings for December 15, 2015 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

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

Date of Notice: November 12, 2015
CITY OF OAK CREEK COMMON COUNCIL
By: Steve Scaffidi, Mayor

PUBLIC NOTICE

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

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 6

Recommendation: That the Common Council adopts Ordinance No. 2782 approving the rezoning of the property at 1980 W. Rawson Ave. from RS-4, Single Family Residential, to Rm-1, Multifamily Residential with a Conditional Use for a licensed elderly community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure.

Background: At the November 10, 2015 meeting, the Plan Commission recommended Common Council approval of rezoning property at 1980 W. Rawson Ave. from Rs-4, Single Family Residential, to Rm-1, Multifamily Residential, with a Conditional Use for a licensed elderly community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure.

The concept plan submitted by the Applicant depicted a phased development that includes assisted living units, memory care units, and independent living apartments. Phase I is proposed for 40 assisted living units and 40 memory care units in a 2-story building. Phase II includes a tentative plan for 36-40 independent living units (a mix of 1- and 2-bedroom apartments) in a future 3-story expansion.

Onsite staffing for Phase I will be provided on a 24/7 basis, with 21 full-time positions and 31 part-time positions (22 employees at the most during the first shift). Meals, classes, and activities are provided to residents, as well as transportation for day trips, events, and appointments. No exterior dumpsters or outside storage areas are proposed, and it is anticipated that deliveries will be made to the site 3 times per week.

A total of 64 surface parking stalls are proposed for Phase I of the development. Parking requirements for elderly housing in the Municipal Code are 1 stall per dwelling unit, and 1.5 (efficiency/1-bedroom apartments) to 2 (for 2-bedroom apartments) parking stalls per dwelling unit for multifamily residences. As proposed, the minimum number of parking stalls required for elderly housing is not met. However, a request to use the parking ratio for nursing homes -- 1 space per 3 patient beds plus 1 space per employee -- was approved by the Plan Commission in April of this year for the Azura CBRF. Staff recommended that the reduction in parking stalls be allowed for Phase I only. Phase II, which will consist of independent living apartments, will be required to meet the minimum parking requirements for multifamily residences. The Plan Commission agreed with this requirement, which is included in the attached Conditions and Restrictions.

It should be noted that the submitted plans are conceptual and will require modifications for compliance with the Municipal Code prior to submission of site, building, landscaping, and related plan review. Staff has been and will continue to work with the Applicant on these requirements.

The attached Conditions and Restrictions were recommended for approval by the Plan Commission at their November 24, 2015 meeting.

Fiscal Impact: Approval of this use will allow the construction of a new phased licensed elderly community living arrangement and elderly/multifamily dwellings on the property, which will result in additional tax revenue and impact fees.

Prepared by:



Doug Seymour, AICP
Director of Community Development

Respectfully Submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant
Finance Director/Comptroller

ORDINANCE NO. 2782

By: _____

AN ORDINANCE TO REZONE THE PROPERTY AT 1980 W. RAWSON AVE. RS-4, SINGLE FAMILY RESIDENTIAL, TO RM-1, MULTIFAMILY RESIDENTIAL, WITH A CONDITIONAL USE FOR A LICENSED ELDERLY COMMUNITY LIVING ARRANGEMENT WITH A CAPACITY OF SIXTEEN (16) OR MORE PERSONS AND HOUSING FOR THE ELDERLY/MULTIPLE-FAMILY DWELLINGS IN EXCESS OF FOUR (4) DWELLING UNITS PER STRUCTURE

(2nd Aldermanic District)

WHEREAS, SHAWN MCKIBBEN, OAK PARK PLACE, has applied for a rezoning of the property at 1980 W. Rawson Ave. from Rs-4, Single Family Residential, to Rm-1, Multifamily Residential, with a Conditional Use for a licensed elderly community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure; and

WHEREAS, the property is more precisely described as follows:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, IN TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 229.40 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET TO A POINT; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 435.60 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 172.50 FEET TO A POINT ON THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID 1/4 SECTION 665.00 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION TO A POINT 75 FEET NORTH OF AND AT RIGHT ANGLES TO THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL WITH SAID SOUTH LINE OF SAID 1/4 SECTION TO A POINT IN THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ON AND ALONG THE SAID WEST LINE TO THE POINT OF COMMENCEMENT.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2302.76 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; RUNNING THENCE SOUTH 00°49'00" WEST AND PARALLEL TO THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 332.63 FEET TO A POINT WHICH POINT IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 180.44 FEET TO A POINT; THENCE NORTH 00°49'00" EAST AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.56 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE NORTH 89°58'51" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 180.44 FEET TO THE POINT OF BEGINNING.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION WHICH CORNER IS 665.97 FEET NORTH OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2040.18 FEET TO THE PLACE OF BEGINNING OF THE LAND ABOUT TO BE DESCRIBED; CONTINUING THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 262.08 FEET TO A POINT; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.33 FEET TO A POINT WHICH IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 262.03 FEET TO A POINT; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.46 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2040.18 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE SOUTH 00°49'00" WEST AND PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION 332.72 FEET TO A POINT; THENCE WEST AND

PARALLEL WITH THE SOUTH LINE OF SAID 1/4 SECTION TO A POINT LOCATED 2199.42 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION AND 332.50 FEET NORTH 01°04'00" EAST AND PARALLEL WITH THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTHEASTERLY TO THE PLACE OF BEGINNING.

ALSO;

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE 1/4 SECTION; THENCE SOUTH 89°11'08" WEST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 2432.70 FEET; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 75.01 FEET TO THE POINT OF BEGINNING WHICH IS THE NORTHERLY LINE OF WEST RAWSON AVENUE; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 45.05 FEET; THENCE NORTH 38°07'03" EAST 305.23 FEET; THENCE NORTH 24°07'13" EAST 22.13 FEET; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 292.54 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 103.10 FEET; THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 154.4 FEET TO THE POINT OF BEGINNING.

WHEREAS, the Plan Commission reviewed the request and recommended that the rezoning and Conditional Use be approved; and

WHEREAS, the Common Council held a public hearing on said request on December 15, 2015, at which time all interested parties appeared and were heard; and

WHEREAS, the Plan Commission had recommended that the application for a rezoning and Conditional Use be approved and authorized subject, however, to the imposition of certain conditions and restrictions upon the design, construction, location and operation of this Conditional Use and which conditions and restrictions are incorporated by reference into the amended Conditional Use Permit; and

WHEREAS, following said public hearing and upon recommendation of approval of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning and Conditional Use were approved and authorized for the lands hereinabove described, subject, however, to the imposition of certain conditions and restrictions on the design, construction, location and operation of the Conditional Use.

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are hereby rezoned from Rs-4, Single Family Residential, to Rm-1, Multifamily Residential, and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

SECTION 2: To promote the general welfare, public safety and general planning within the City of Oak Creek, the Building Commissioner is hereby authorized to grant a Conditional Use Permit for a licensed elderly community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure located at 1980 W. Rawson Ave., which shall include the aforementioned conditions and restrictions.

SECTION 3: The Conditional Use Permit is subject to the aforementioned conditions and restrictions on the design, location, construction and operation of the Conditional Use for the licensed elderly community living arrangement with a capacity of sixteen (16) or more persons and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure.

SECTION 4: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 5: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted this ___ day of _____, 2015

President, Common Council

Approved this ___ day of _____, 2015

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

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

Applicant: Shawn McKibben, Oak Park
Property Address: 1980 W. Rawson Ave.
Tax Key Number(s): 736-8995-001

Approved by Plan Commission: 11-24-15
Approved by Common Council: TBD
(Ord. #2782)

Conditional Use: Licensed elderly community living arrangement
(capacity of 16 or more persons) and housing for the elderly/multiple-family dwellings in
excess of four (4) dwelling units per structure

1. LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, IN TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 229.40 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 50.00 FEET TO A POINT; THENCE NORTH ON A LINE WHICH IS PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 435.60 FEET TO A POINT; THENCE WEST ON A LINE WHICH IS PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 172.50 FEET TO A POINT ON THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID 1/4 SECTION 665.00 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE HIGHWAY COMMISSION OF WISCONSIN IN AN AWARD OF DAMAGES RECORDED ON JUNE 20, 1962 IN VOLUME 4250, PAGE 538, AS DOCUMENT NO. 3956131, DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID 1/4 SECTION 226.02 FEET TO A POINT WHICH IS 2432.70 FEET WEST OF THE SOUTHEAST CORNER OF SAID 1/4 SECTION; THENCE NORTH ON A LINE WHICH IS PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION TO A POINT 75 FEET NORTH OF AND AT RIGHT ANGLES TO THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL WITH SAID SOUTH LINE OF SAID 1/4 SECTION TO A POINT IN THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH ON AND ALONG THE SAID WEST LINE TO THE POINT OF COMMENCEMENT.

ALSO;

THAT PART OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 22 EAST, IN THE CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID 1/4 SECTION; RUNNING THENCE NORTH 00°49'00" EAST ALONG THE EAST LINE OF SAID 1/4 SECTION 665.97 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE SOUTH 89°58'51" WEST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 2302.76 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; RUNNING THENCE SOUTH 00°49'00" WEST AND PARALLEL TO THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION 332.63 FEET TO A POINT WHICH POINT IS 332.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 180.44 FEET TO A POINT; THENCE NORTH 00°49'00" EAST AND PARALLEL TO THE EAST LINE OF SAID 1/4 SECTION 332.56 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF SAID 1/4 SECTION; THENCE NORTH 89°58'51" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2

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2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

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

1) General Development Plan

- a) Detailed building locations with setbacks
- b) Square footage of building
- c) Areas for future expansion
- d) Area to be paved
- e) Access drives (width and location)
- f) Sidewalk locations
- g) Parking layout and traffic circulation
 - i) location
 - ii) number of employees
 - iii) number of spaces
 - iv) dimensions
 - v) setbacks
- h) Location of loading berths
- i) Location of sanitary sewer (existing & proposed)
- j) Location of water (existing & proposed)
- k) Location of storm sewer (existing & proposed)
- l) Location of wetlands (field verified)
- m) Location, square footage and height of signs

2) Landscape Plan

- a) Screening plan for outdoor storage
- b) Number, initial size and type of plantings
- c) Parking lot screening/berming

3) Building Plan

- a) Architectural elevations
- b) Building floor plans
- c) Materials of construction

4) Lighting Plan

- a) Types of fixtures
- b) Mounting heights
- c) Types of poles
- d) Photometrics of proposed fixtures

5) Grading, Drainage and Stormwater Management Plan

- a) Contours (existing & proposed)
- b) Location of storm sewer (existing and proposed)
- c) Location of stormwater management structures and basins (if required)

6) Fire Protection

- a) Location of existing and proposed fire hydrants
- b) Interior floor plan
- c) Materials of construction

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

3. PARKING AND ACCESS

- A. Parking for Phase I of this project shall be provided in accordance with Section 17.0403(j)(6)(f) of the Municipal Code. The Plan Commission has approved the request to utilize this Section based on the type of facility (memory care and assisted living). Parking for Phase II of this project (independent living) shall be provided in accordance with Section 17.0403(j)(1) of the Municipal Code.
- B. Where 90° parking is indicated on the site plans, individual-parking stalls shall be nine (9) feet in width by eighteen (18) feet in length. The standards for other types of angle parking shall be those as set forth in Section 17.0403(d) of the Municipal Code.
- C. Movement aisles for 90° parking shall be at least twenty-two (22) feet in width.

- D. All off-street parking areas shall be surfaced with an all-weather wearing surface of plant mix asphaltic concrete over crushed stone base subject to approval by the City Engineer. A proposal to use other materials shall be submitted to the Plan Commission and the Engineering Department for approval.
- E. Other parking arrangements, showing traffic circulation and dimensions, shall be submitted to the Plan Commission for approval.
- F. All driveway approaches to this property shall be in compliance with all the standards set forth in Chapter 6 of the Oak Creek Municipal Code. Any off-site improvements shall be the responsibility of the property owner.
- G. All off street parking areas shall be landscaped in accordance with Sections 17.0330 & 17.0403 of the Municipal Code.

4. LIGHTING

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

5. LANDSCAPING

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

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

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

- 4. To assure a diversity of color, texture and year-round interest, the total number of plant materials must be comprised of a minimum 25% evergreens, but no more than 70%.
- B. Interior Landscape Area. All public off-street parking lots which serve five (5) vehicles or more shall be provided with accessory landscaped areas; which may be landscape islands, landscape peninsulas or

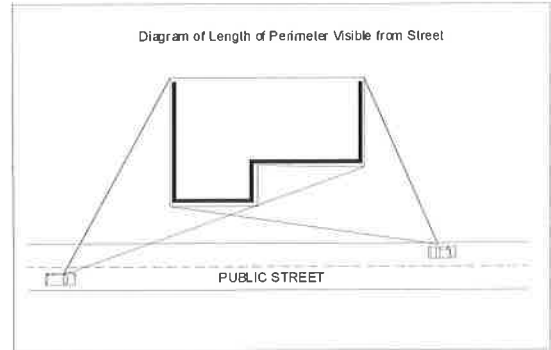
peripheral plantings totaling not less than five (5) percent of the surfaced area. Landscape islands or peninsulas shall be dispersed throughout the off-street parking area. Landscape islands shall provide a minimum 30-inch clear area for vehicle overhang and snow storage. One shade tree shall be provided within the interior planting area for every 300 square feet of interior landscaping.

- C. Perimeter Landscape Area. In an effort to prevent adjacent parking lots from becoming one large expanse of paving, perimeter landscaping shall be required. The perimeter strip shall be a minimum 5 feet in width. A minimum of one tree and five shrubs is required for every 35 linear feet of the perimeter of the parking area and located within the perimeter landscape area.
- D. Landscaping Adjacent to Buildings. There shall be a minimum three-foot landscaped area provided between the edge of pavement and the entrance elevation of the building.
- E. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- F. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- G. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.
- H. Retaining Walls. No retaining wall shall exceed four (4) feet in height unless it has been designed and its construction supervised by a Professional Engineer. A retaining wall may be stepped to achieve greater height. Each step of the wall shall be no more than four (4) feet in height and shall be set back a minimum of three (3) feet from the previous step. Acceptable materials for retaining walls are: segmental masonry type, timber, railroad ties, or concrete
- I. Berms. Side slopes of berms shall not exceed a gradient of 1-ft. vertical to 3-ft. horizontal unless approved by the City Engineer.
- J. Buffer Yards. Appropriate buffers shall be provided between dissimilar uses as set forth in Section 17.0205 (d) of the Municipal Code.
- K. Submittal Requirements. A Landscape Plan (to scale) must be submitted which includes details of all proposed landscaping, buffering and screening, including the estimated cost of the landscaping. These plans shall be prepared by a landscape professional and show the location and dimensions of all existing and proposed structures, parking, drives, right-of-ways and any other permanent features, and all other information required by the Plan Commission, including but not limited to the following:
 - 1. A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and the scientific and common names of all landscape materials used.
 - 2. The location and type of existing trees over four (4) inches in diameter (measured six (6) inches above the ground) within the area to be developed.
 - 3. The location and percent of slope of all proposed berms using one (1) foot contours.
 - 4. Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
 - 5. Methods used in staking, mulching, wrapping or any other early tree care used.
 - 6. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to

guarantee that improvements will be completed on schedule.

6. ARCHITECTURAL STANDARDS

- A. No building shall be permitted if the design or exterior appearance is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
- B. No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades of surrounding properties and presents an attractive appearance to the public. Predominant exterior building materials must be of high quality. These include, but are not limited to brick, stone and tinted/textured concrete masonry units (CMUs). Smooth-faced concrete block, EIFS products (such as Dryvit) or pre-fabricated steel panels are not permitted as a primary exterior building material.
- C. The facade of a multifamily residential building shall be provided with an acceptable brick or decorative masonry material that covers at least sixty-five (65) percent of the surface of the total exterior wall area of the building.
- D. Material and color samples shall be submitted to the Plan Commission for review and approval.
- E. The Plan Commission has the discretion to adjust this minimum for building additions.
- F. The relative proportion of a building to its neighboring buildings or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.
- G. Each principal building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.
- H. Sides of a building that are visible from adjoining residential properties and/or public streets should contribute to the pleasing scale features of the building by featuring characteristics similar to the front façade of the building.
- I. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
- J. The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.



7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure*	30'	25'	10'
Accessory Structure**	30'	See Section 17.0501	See Section 17.0501

Off-street Parking	25'	15'	15'
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** Per Section 17.0311(f)(2), no multifamily residential structure shall be located closer than fifty (50) feet to a single-family district line. Rs-4 to the west extends to the centerline of S. 20th St.*

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

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan. Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0705(a) of the Municipal Code. All signs must be approved by the Plan Commission as part of the site plan review process.

10. PERMITTED USES

- A. All permitted uses in the Rm-1, Multifamily Residential zoning district.
- B. One (1) licensed elderly community living arrangement (capacity of 16 or more persons) and housing for the elderly/multiple-family dwellings in excess of four (4) dwelling units per structure.
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use shall commence work in accordance with these conditions and restrictions as follows:

- A. Phase I of the conditional use shall commence within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit.
- B. Phase II of the conditional use shall commence within thirty-six (36) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit.
- C. This conditional use approval shall expire
 - 1. Within twelve (12) months after the date of adoption of the ordinance if a building permit for Phase I has not been issued for this use; **OR**
 - 2. Within thirty-six (36) months after the date of adoption of the ordinance if a building permit for Phase II has not been issued for this use.
- D. Upon expiration of this permit for Phase I only, the zoning for the property will revert back to Rs-4, Single Family Residential.
- E. Upon expiration of this permit per Section (C), the applicant shall re-apply for a conditional use approval prior to recommencing work or construction for either Phase of development.

12. OTHER REGULATIONS

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

13. VIOLATIONS & PENALTIES

Any violations of the terms of this conditional use permit shall be subject to enforcement and the issuance of citations in accordance with Section 1.20 of the City of Oak Creek Code of Ordinances. If the owner, applicant or operator of the conditional use permit is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the city shall have the right to revoke this conditional use permit, subject to the provisions of paragraph 14 herein. Nothing herein shall preclude the City from commencing an action in Milwaukee County Circuit Court to enforce the terms of this conditional use permit or to seek an injunction regarding any violation of this conditional use permit or any other city ordinances.

14. REVOCACTION

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

15. ACKNOWLEDGEMENT

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

Owner / Authorized Representative Signature

Date

(please print name)

EXHIBIT A: CONCEPT PLAN

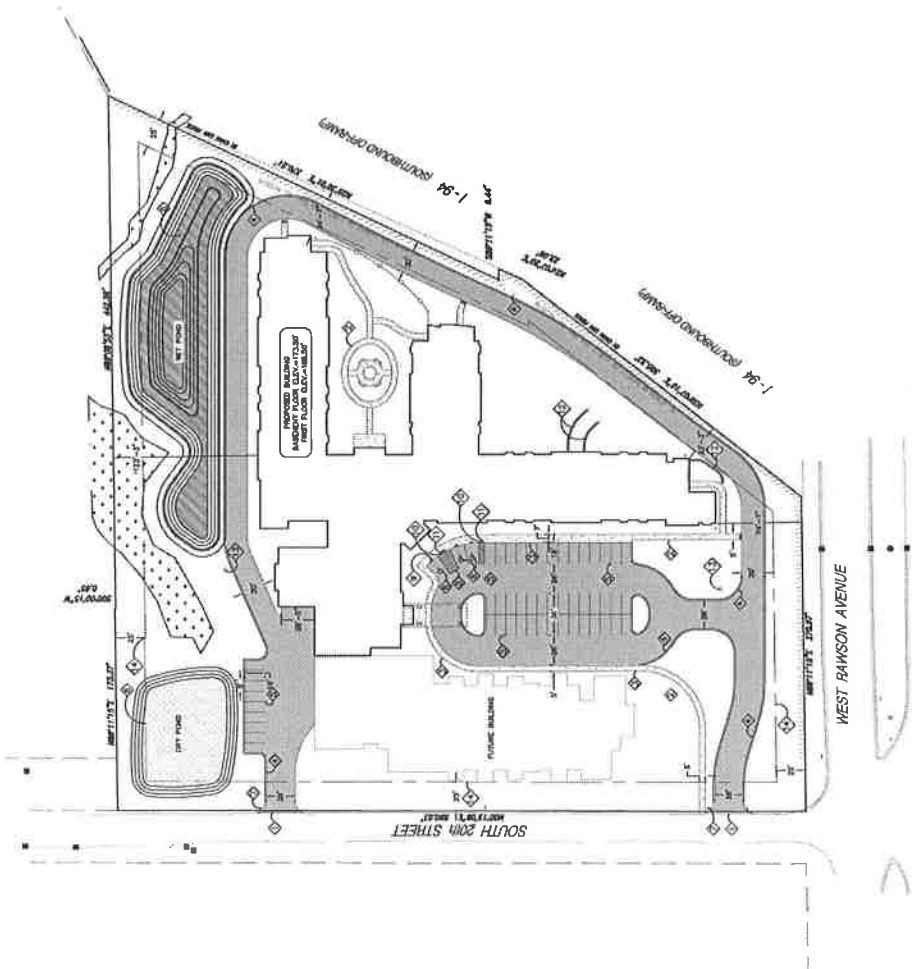
	ADCI Architectural Design Consultants, Inc. 30 Westwood Drive Parkway • P.O. Box 500 Lake Orion, MI 48451 Phone: (588) 254-0151 Fax: (588) 254-2138	OAK PARK PLACE OAK CREEK SITE PLAN	PROFESSIONAL ENGINEERING C200 8718 N. Meridian Road Yorkville, IL 60557 Phone: (815) 945-9378
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PRELIMINARY PLANS NOT FOR CONSTRUCTION

PLAN KEY
 FOR PRELIMINARY APPROVAL BY ACCORDANCE WITH MINIMUM QUALITY STANDARDS, CONTRACTOR TO VERIFY STREET DIMENSIONS START FROM THE CITY OF OAK CREEK TO MATCH TO THE RIGHT-OF-WAY.

- 1. CONCRETE SIDEWALK
- 2. INTERLOCKING CONCRETE SIDEWALK
- 3. 18" CURB AND GUTTER
- 4. PAVEMENT STRIPES WITH NON-SLIP, INTERLOCKING PAVEMENT TYP.
- 5. STORMWATER MANAGEMENT AREA
- 6. 2" NO. 1000 SAND
- 7. 100% ACCESSIBLE STAIR, TYP.
- 8. ACCESSIBLE PARKING SIGN, TYP.
- 9. CURB RAMP
- 10. RECTANGULAR MANHOLE RINGS, TYP. FOR CURB SQUARE
- 11. RETAINING WALL
- 12. THE HYDRANT
- 13. 30" BOLLARD SERVICE LINE, TYP.

- KEY**
- APPOINT PAVEMENT
 - CONCRETE
 - SETBACK ZONES AS DETERMINED BY ALL APPLICABLE NATIONAL, IL



S:\West\20th Oak Creek\Design\20th\0177 Site.dwg | 10/22/2015 10:52:14 AM

Location Map 1980 W. Rawson Ave.



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



Department of Community Development



Legend

 1980 W. Rawson Ave.

Oak Park Place Oak Creek

Proposed Senior Living Center narrative

Oak Park Place is a developer and operator of senior living communities based in Madison, WI. We have several communities, most being located in Wisconsin, with the most recent opened in the Milwaukee suburb of Wauwatosa and a soon to be opened center in Menasha, WI. We develop communities to operate them, not to sell them. Our organizational structure is we are owned by Scott Frank as a sole proprietor.

We develop communities that provide a full continuum of care with amenities and services that support a carefree, independent way of life for residents. The care alternatives we offer include Independent Living, Assisted Living, Memory Care and Skilled Nursing with varying levels of support care and assistance. We have a fully functional kitchen on-site and provide meals for our residents. We provide a wide array of activities, classes and social interaction to support an active lifestyle that fits each resident's needs. Transportation is available to take groups or individuals out for day-time trips, events, or appointments.

We "operate 24/7/365. We anticipate approximately 21 full time positions and 31 part time positions utilized on three shifts approximately as follows:

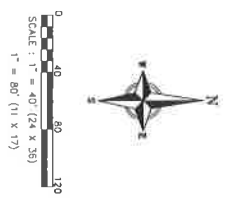
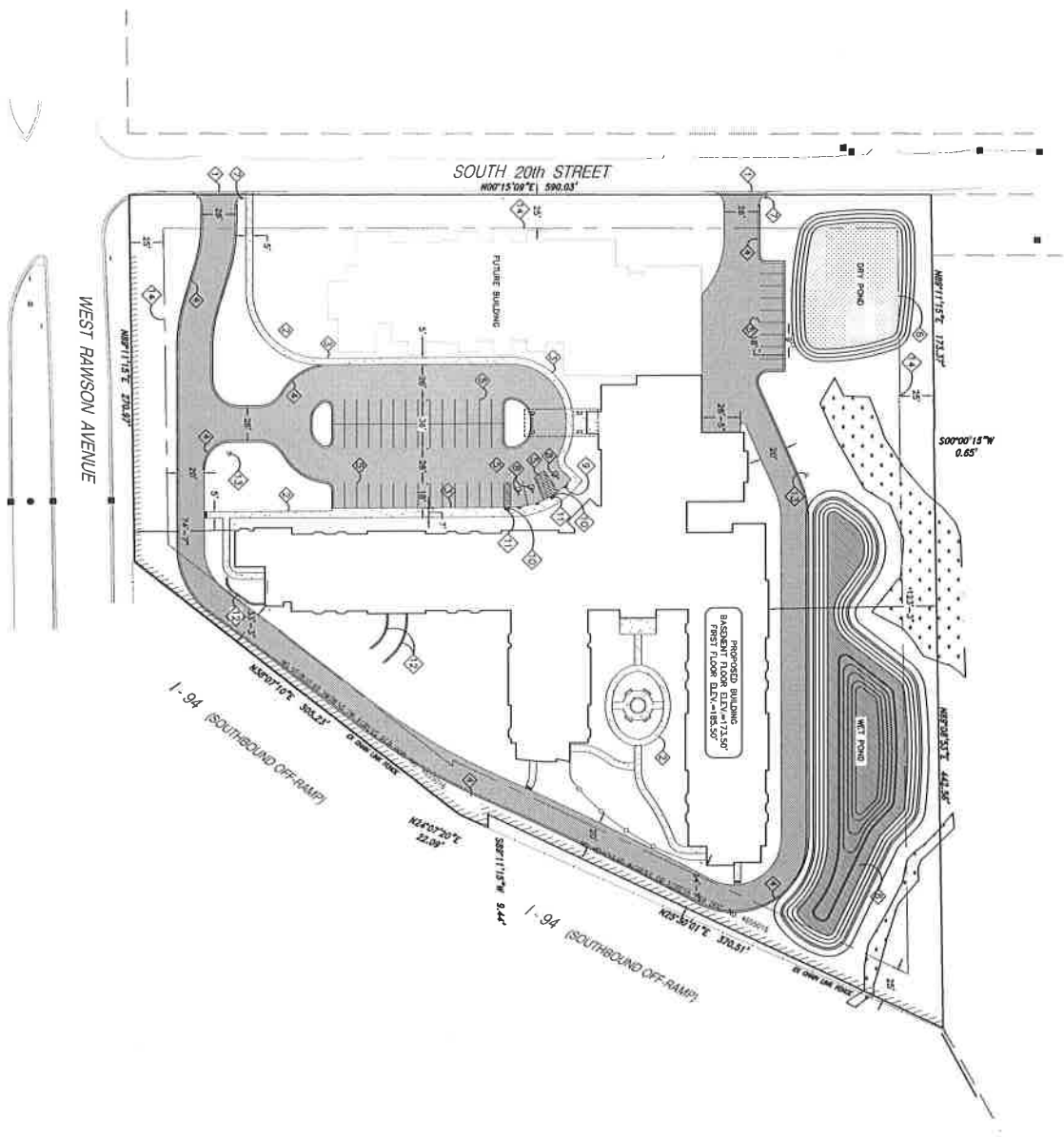
Day Shift: 8 full time, 14 part time

PM Shift: 8 full time, 12 part time

Night shift: 5 full time, 5 part time

We anticipate deliveries to the site approximately three (3) times per week. Our dumpsters will be housed inside in our maintenance areas and at this time we are not planning any outside storage structures.

At this site, we propose to develop 40 units of Assisted Living and 40 units of Memory Care on a 6.2 acre parcel of land. We will tie into city sewer and water. We intend to begin construction in early spring. Construction will take approximately 12 months, so we anticipate occupancy about one year after we start. A second phase of development would include Independent Living apartments, which are shown as future buildings on our site plan. Tentative plans for the start of those is yet to be determined.



PLAN KEY

- ◊ NEW DRIVEWAY APPROACH IN ACCORDANCE WITH LAKEWATER COUNTY STANDARDS
- ◊ CONTRACTOR TO OBTAIN STREET EXCAVATION PERMIT FROM THE CITY OF OAK CREEK TO WORK IN THE RIGHT-OF-WAY
- ◊ CONCRETE SIDEWALK
- ◊ THICKENED EDGE CONCRETE SIDEWALK
- ◊ 16" CURB AND GUTTER
- ◊ 4" PARALLEL STRIPING WITH NON-DROWN, TRAFFIC-BRAKE PAINT, TYP
- ◊ STORMWATER MANAGEMENT AREA
- ◊ 7' HIGH STOP SIGN
- ◊ VAN ACCESSIBLE STALL, TYP
- ◊ ACCESSIBLE PARKING SIGN, TYP
- ◊ CURB RAMP
- ◊ DETECTABLE WARNING FIELD, TYP FOR CURB RAMPS
- ◊ RETAINING WALL
- ◊ FINE HYDRANT
- ◊ 25' BUILDING SETBACK LINE, TYP

- KEY**
- ▬ ASPHALT PAVEMENT
 - ▬ CONCRETE
 - ▬ WETLAND AREAS AS DEMONSTRATED BY B.A. SMITH NATIONAL, INC.

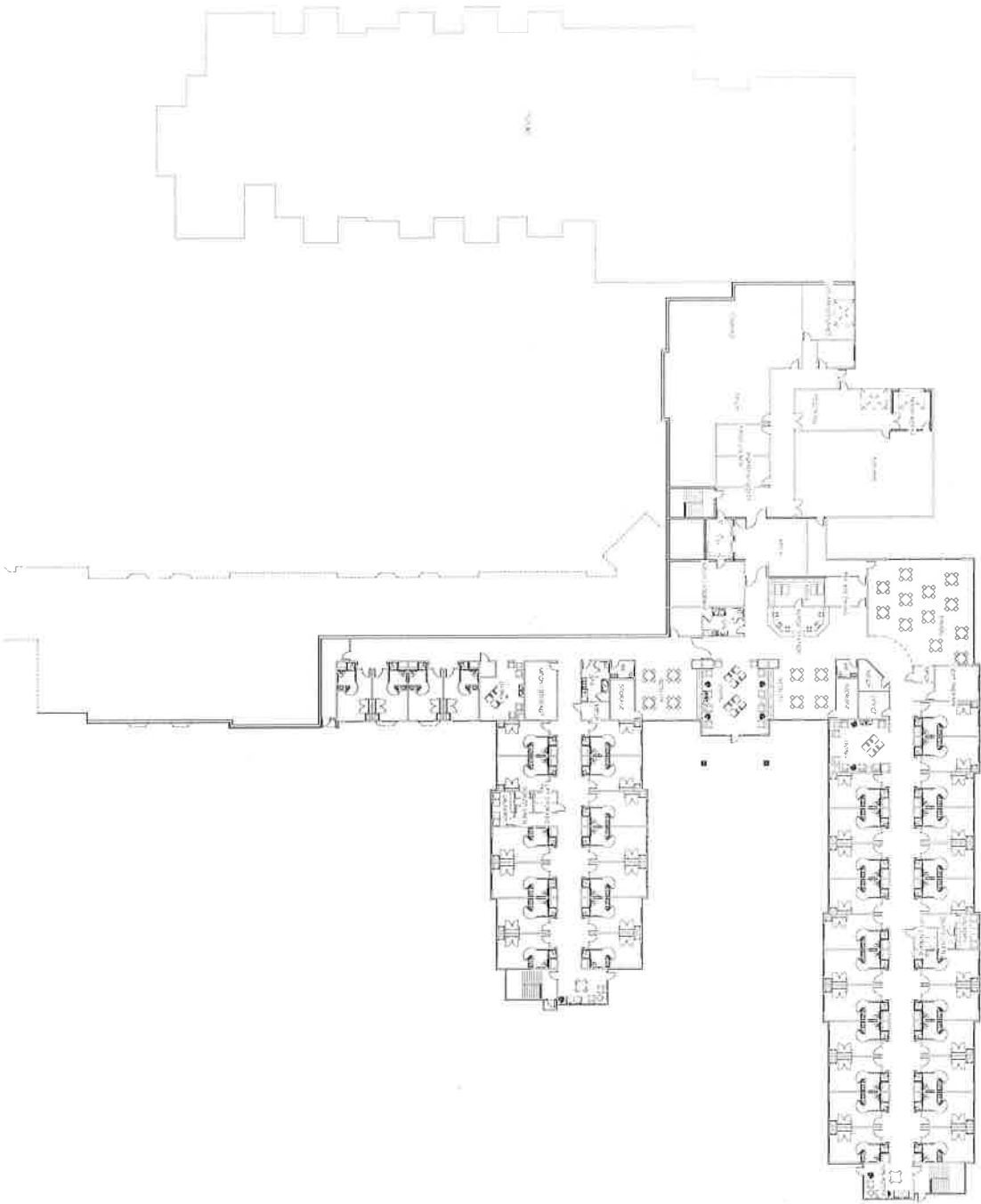
PRELIMINARY PLANS NOT FOR CONSTRUCTION

<p>C200</p>	<p>OAK PARK PLACE OAK CREEK</p>	<p>ADCI</p>	<p>Architectural Design Consultants, Inc. 30 Wisconsin Dells Parkway • P.O. Box 580 Lake Delton, WI 53940 Phone: (608) 254-6181 Fax: (608) 254-2139</p>
			<p>This document contains confidential or proprietary information of Architectural Design Consultants, Inc. It is not to be distributed, copied, or otherwise used in whole or in part without the prior written approval of Architectural Design Consultants, Inc.</p>

PROFESSIONAL ENGINEERING

618 N. Mendota Road, Ln
Madison, WI 53707
Phone: (608) 849-8378

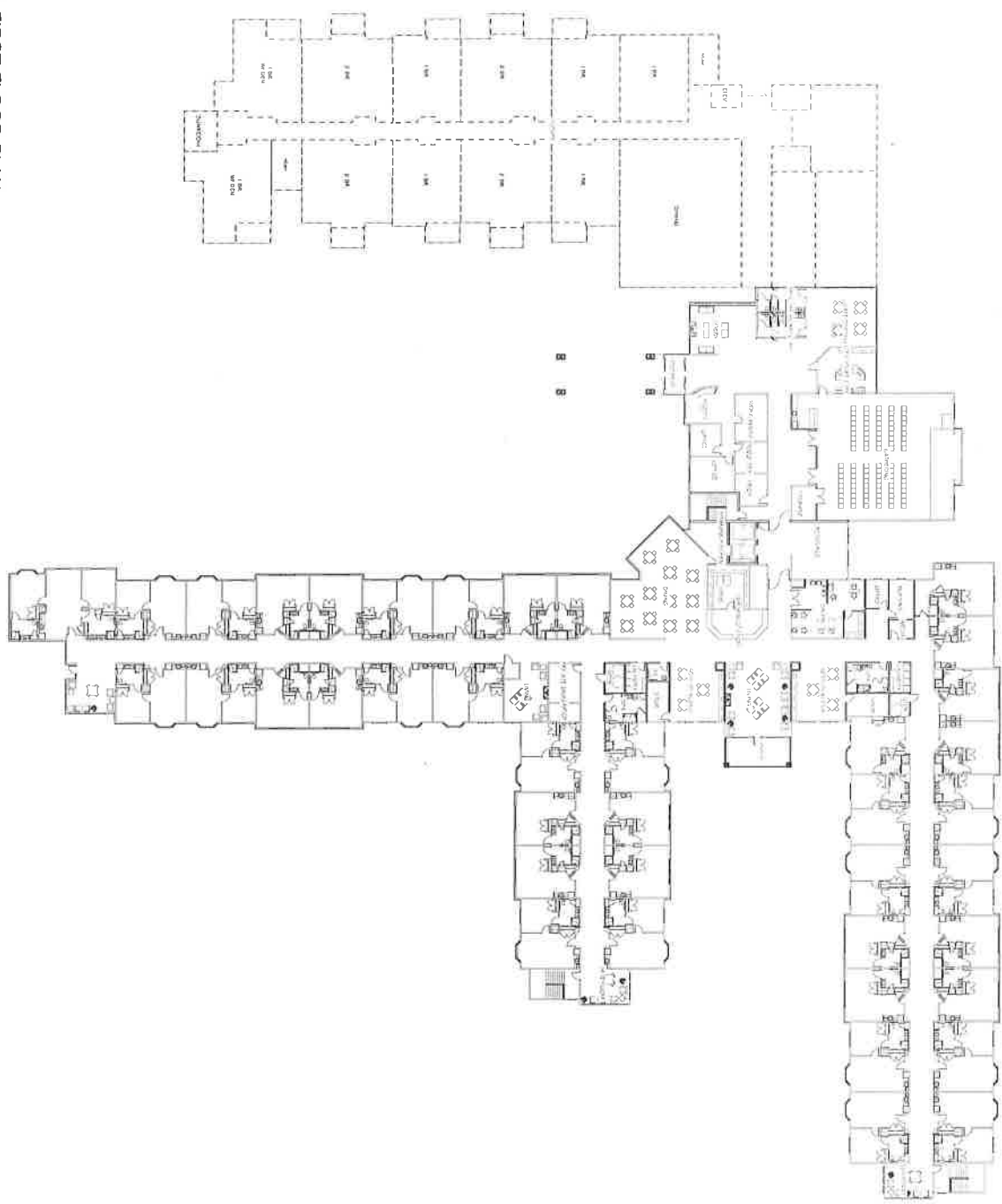
OVERALL GROUND FLOOR PLAN



PRELIMINARY PLANS NOT FOR CONSTRUCTION

A0.1	OAK PARK PLACE OAK CREEK <small>WISCONSIN</small>	ADCI Architctural Design Consultants, Inc. 30 Wisconsin Dells Parkway • P.O. Box 580 Lake Delton, WI 53940 Phone: (608) 254-6181 Fax: (608) 254-2139 <small>This document contains confidential or proprietary information. Distribution outside of the project team is strictly prohibited. Reproduction or use of this information without the written consent of ADPCI is strictly prohibited.</small>	
	OVERALL GROUND FLOOR PLAN		

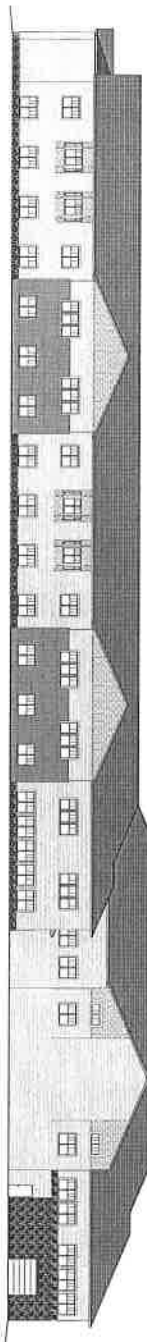
1 OVERALL FIRST FLOOR PLAN



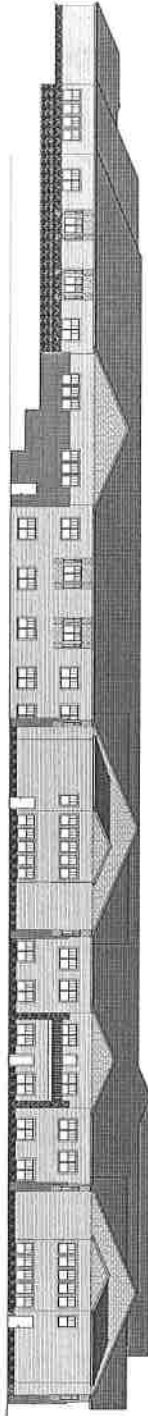
PRELIMINARY PLANS NOT FOR CONSTRUCTION

<p>A1.1</p>	<p>OAK CREEK</p>	<p>OAK PARK PLACE OAK CREEK</p> <p>OVERALL FIRST FLOOR PLAN</p>	<p>ADCI Architectural Design Consultants, Inc. 30 Wisconsin Dells Parkway • P.O. Box 580 Lake Dellon, WI 53940 Phone: (608) 254-6181 Fax: (608) 254-2139</p>	<p>DATE: 11/11/03</p> <p>BY: [Signature]</p> <p>SCALE: AS SHOWN</p> <p>PROJECT NO: 03-001</p> <p>DATE: 11/11/03</p>
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1 NORTH ELEVATION



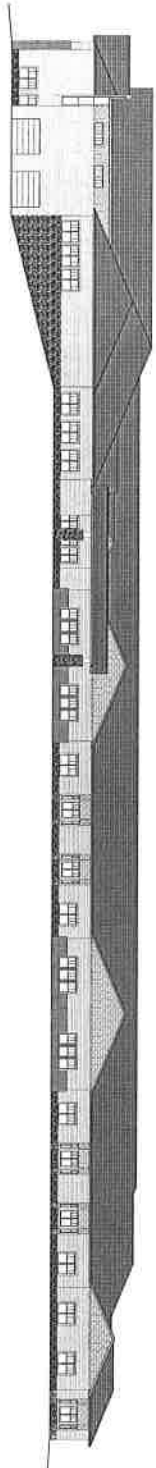
2 EAST ELEVATION



3 SOUTH ELEVATION



4 WEST ELEVATION



PRELIMINARY PLANS NOT FOR CONSTRUCTION

AS.1	OAK PARK PLACE	ADCI Architectural Design Consultants, Inc. 30 Wisconsin Dells Parkway • P.O. Box 580 Lake Delton, WI 53940 Phone: (608) 254-6181 Fax: (608) 254-2139	ELEVATIONS
	OAK CREEK		

TO BE PUBLISHED 11/26 & 12/3

OFFICIAL NOTICE

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

PURPOSE: The purpose of this public hearing is to consider a request submitted by Jason Ebert, Riteway Bus Service, Inc., for a Conditional Use Permit Amendment inflammable gas and liquids storage in excess of 5,000 gallons (one 30,000 gallon propane tank) on a portion of the property located at 6970 S. 6th St.

Hearing Date: Tuesday, December 15, 2015
Time: 7:00 p.m.
Place: Oak Creek City Hall
8040 South 6th St.
Oak Creek, WI 53154
Common Council Chambers

Applicant: Riteway Bus Service, Inc.
Property Owner: Riteway Bus, LLC
Property Location: 6970 S. 6th St.
Tax Key(s): 734-9020-000

Legal Description:

Parcel 1 of Certified Survey Map number 5303, recorded August 8, 1989, on Reel 2356, Image 1475, as Document number 6300600, being a redivision of Parcel 1 of Certified Survey Map Number 4216, being a part of the southwest ¼ of the Southeast ¼ of Section 5, Township 5 North, Range 22 East, in the City of Oak Creek, county of Milwaukee, State of Wisconsin.

The Common Council has scheduled other public hearings for December 15, 2015 at 7:00 PM. This hearing may begin at 7:00 PM or as soon as possible following the conclusion of other public hearings.

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

Date of Notice: November 19, 2015
CITY OF OAK CREEK COMMON COUNCIL
By: Steve Scaffidi, Mayor

PUBLIC NOTICE

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

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 8

Recommendation: That the Council adopts Ordinance No. 2783 amending Ordinance No. 2619 to allow inflammable gas and liquids storage in excess of 5,000 gallons on the property located at 6970 S. 6th St.

Background: On March 15, 2011 the Common Council adopted Ordinance No. 2619, approving the conditional use and corresponding conditions and restrictions for the outdoor storage of vehicles and a private bus service storage yard on the property at 6970 S. 6th St. The Applicants are requesting an amendment to the existing Conditional Use Permit that would allow a 30,000 gallon propane tank on the property. Inflammable gas and liquids storage in excess of 5,000 gallons is a conditional use in the M-1, Manufacturing district. The larger propane tank will replace the existing dual 1,900 gallon tank, and a second propane dispensing nozzle will be added for fueling purposes. The current and proposed location for the tank is approximately 60 feet from the north property line, and approximately 90 feet to the east of the existing building. An asphalt area, to the east of the existing building and approximately 17 feet from the north property line, was enlarged to accommodate the increase in the tank and driving lanes.

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

Fiscal Impact: There is no fiscal impact associated with this change.

Prepared by:



Doug Seymour, AICP
Director of Community Development

Respectfully Submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Spuffrant
Finance Director / Comptroller

ORDINANCE NO. 2783

By: _____

AN ORDINANCE TO AMEND THE CONDITIONS AND RESTRICTIONS
IN ORDINANCE NO. 2619 FOR A CONDITIONAL USE PERMIT FOR RITEWAY BUS
SERVICE, INC., AT 6970 S. 6th STREET

(1st Aldermanic District)

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

WHEREAS, Ordinance No. 2619 (The "Ordinance"), which approved a conditional use permit for the outdoor storage of vehicles and a private bus service storage yard on the property at 6970 S. 6th St., was approved on March 15, 2011; and

WHEREAS, the Ordinance affected the following legally described property;

Parcel 1 of Certified Survey Map number 5303, recorded August 8, 1989, on Reel 2356, Image 1475, as Document number 6300600, being a redivision of Parcel 1 of Certified Survey Map Number 4216, being a part of the southwest ¼ of the Southeast ¼ of Section 5, Township 5 North, Range 22 East, in the City of Oak Creek, county of Milwaukee, State of Wisconsin. (The "Property").

WHEREAS, the owner of the Property, Riteway Bus, LLC, is requesting that the Ordinance be amended to allow inflammable gas and liquids storage in excess of 5,000 gallons; and

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

WHEREAS, a public hearing was held on this matter on December 15, 2015 to hear comments from all who were interested.

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

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, Sections 2(A), 5(A), 6, 8(C), and 10(B) of the conditions and restrictions approved by the Ordinance affecting the Property are amended as follows:

2(A). The site and building containing this conditional use shall be constructed and maintained in accordance with all applicable Fire Codes, and the site, building, landscaping and lighting plans dated and approved by the City of Oak Creek Plan Commission on April 25, 2000, and Ord. 2619.

5(A). The site and building containing this conditional use shall be constructed and maintained in accordance with the site, building, landscaping and lighting plans approved by the City of Oak Creek Plan Commission on April 25, 2000, and Ord. 2619.

6. The site and building containing this conditional use shall be constructed and maintained in accordance with all applicable Fire Codes, and the site, building, landscaping and lighting plans dated and approved by the City of Oak Creek Plan Commission on April 25, 2000, and Ord. 2619.

8(C). The outdoor storage of inflammable gas and liquids storage in excess of 5,000 gallons, in accordance with all applicable Fire Codes, shall be limited to the area depicted in Exhibit 1. The outdoor storage of vehicles shall be limited to the areas south and east of the building as shown on Exhibit 2.

10(B). Outdoor storage of vehicles/private bus service storage yard; one (1) 30,000 propane tank in the located depicted in the site plan (Exhibit 1) in conformance with all applicable Fire Codes.

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

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

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

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

Passed and adopted this 15th day of December, 2015.

President, Common Council

Approved this 15th day of December, 2015.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Location Map

6970 S. 6th St.



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



Department of Community Development

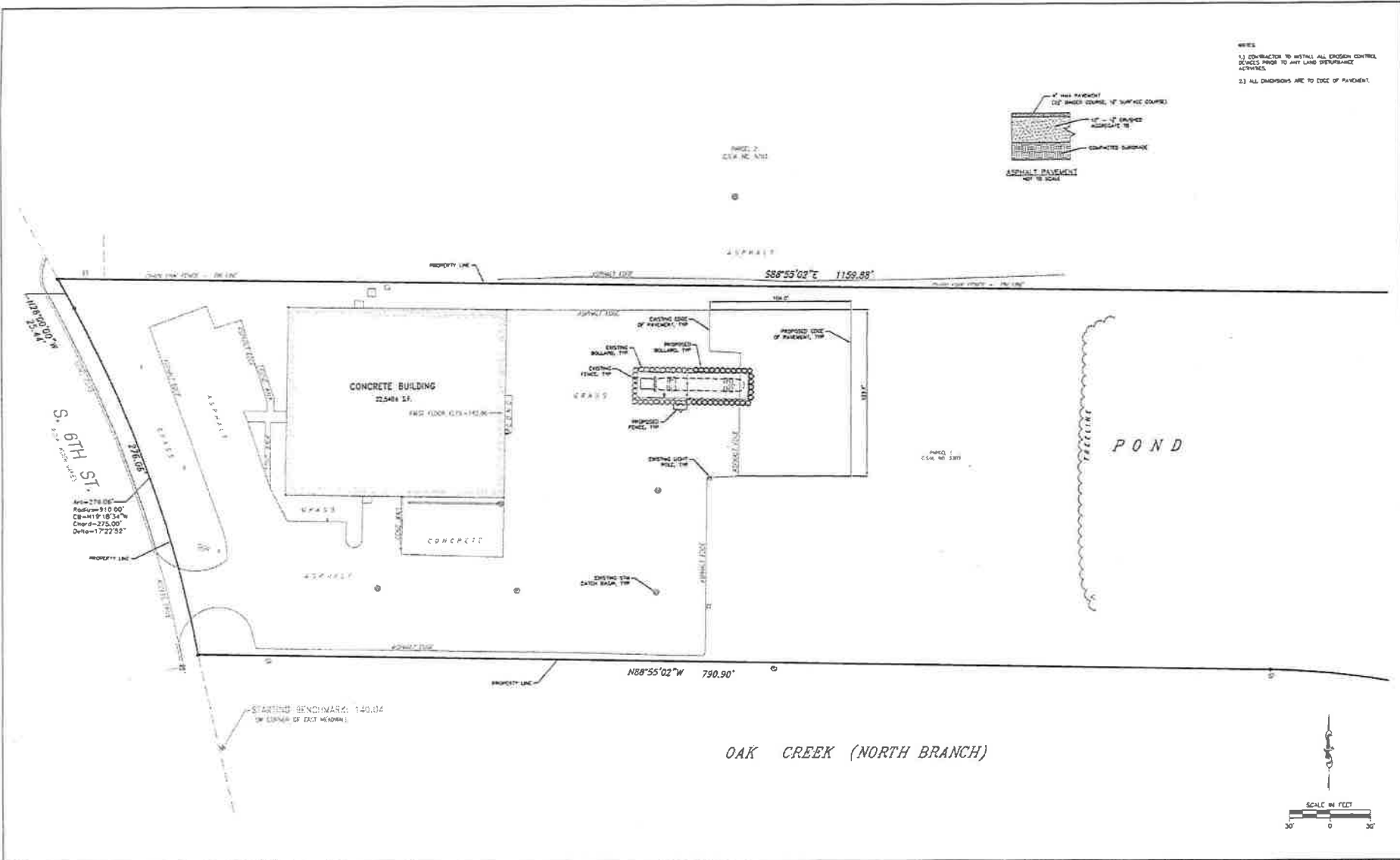
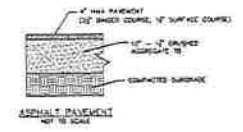


Legend	
	6970 S. 6th St.
	Wetland
	Floodfringe
	Floodway
	Flood Fringe (FF)
	Shoreland Wetland Conservancy (C-1)
	Lakefront Overlay District (LOD)
	Mixed Use Neighborhood Overlay (NO)
	Mixed Use Office Overlay (OO)
	Regional Retail Overlay District (RR)

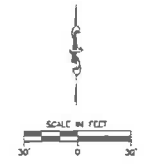
**Description of the Proposal for an amendment to the conditional use permit for
6970 S. 6th St., Oak Creek, WI:**

- Increasing of the size of the existing Dual 1990 Gallon tank Propane Refueling Site to a Single 30,000 Gallon tank Propane Refueling Site
- Adding a second propane dispensing nozzle to the South side of the fenced in Site
- All applicable state permits have been approved for the site
- All approvals necessary from the City of Oak Cree Fire Department have been obtained
- One of the Primary Goals of this project is to reduce the delivery frequency of the propane fuel to the site from a 2-3 day occurrence to a bi-monthly or monthly occurrence thus reducing the amount of delivery truck traffic to the site
- Due to the larger size of the tank the site will be expanded to the East of the existing site as indicated on the site plans
- Additional asphalt was added and previously approved by the City of Oak Creek to accommodate the additional size of the tank and maintain adequate driving lanes around the site
- The site will remain hidden from the road in the current location that it is planned by Pine Trees located on the South Side of the property and then by the building from the road on the West Side of the property. This is depicted by the picture that is attached
- Also attached is a pictures of a tank that is the same size of the tank that will be onsite in the plan
- Site operations will remain the same with the site being fenced in and only private fueling of Riteway vehicles at the site
- Asphalt expansion approval is attached in this proposal

- NOTES
- 1) CONTRACTOR TO INSTALL ALL EROSION CONTROL DEVICES PRIOR TO ANY LAND DISTURBANCE.
 - 2) ALL DIMENSIONS ARE TO EDGE OF PAVEMENT.



OAK CREEK (NORTH BRANCH)



NO.	DESCRIPTION	DATE	BY
1	DESIGNED BY	08-25-15	SAK
2	DRAWN BY	08-25-15	SAK
3	CHECKED BY	08-25-15	SAK
4	APPROVED BY	08-25-15	SAK
5	DATE PLOTTED		
6	SCALE		

SITE PLAN
6970 SOUTH 6TH STREET
GO RITWAY
OAK CREEK, WISCONSIN

THIS INSTRUMENT SHOWS THE PLOTTING ENGINEERING FIRM AND LOCATION OF UNDERGROUND UTILITIES AS GUARANTEED BY THE RECORDS OF ALL INCLUDED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS SHOWN BY THIS INSTRUMENT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN BY THIS INSTRUMENT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN BY THIS INSTRUMENT.

© 2009 Key Engineering Group LLC

KEY ENGINEERING GROUP
 1000 W. WISCONSIN STREET, SUITE 100
 MILWAUKEE, WISCONSIN 53212-1000
 TEL: 414.224.1100
 FAX: 414.224.1101

PROJECT NUMBER	2508010
PROJECT SCALE	1" = 30'
SHEET NUMBER	C-1

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

Applicant: Riteway Bus Service, Inc.

Approved by Plan Commission: 11-10-15

Property Address: 6970 S. 6th Street

Approved by Common Council: TBD

Tax Key Number: 734-9020-000

Ordinance No.: 2783 (Amending Ord. 2619)

Conditional Use: Outdoor storage of vehicles/

private bus service storage yard;

inflammable gas and liquids storage in excess of 5,000 gallons.

1. LEGAL DESCRIPTION

Parcel 1 of Certified Survey Map number 5303, recorded August 8, 1989, on Reel 2356, Image 1475, as Document number 6300600, being a redivision of Parcel 1 of Certified Survey Map Number 4216, being a part of the southwest ¼ of the Southeast ¼ of Section 5, Township 5 North, Range 22 East, in the City of Oak Creek, county of Milwaukee, State of Wisconsin

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. The site and building containing this conditional use shall be constructed and maintained in accordance with **all applicable Fire Codes**, and the site, building, landscaping and lighting plans dated and approved by the City of Oak Creek Plan Commission on April 25, 2000, **and Ord. 2619**.
- B. All plans for new buildings, additions, exterior remodeling, or site plan revisions shall be submitted to the Plan Commission for their review and approval prior to the issuance of a building permit.
- C. For any new buildings or structures and additions, site grading and drainage, stormwater management and erosion control plans shall be submitted to the City Engineer for approval, if required. The City Engineer's approval must be received prior to the issuance of any building permits.
- D. Plans and specifications for any necessary public improvements within developed areas (e.g. sanitary sewer, water main, storm sewer, etc.) shall be subject to approval by the City Engineer.
- E. If required by the City of Oak Creek, public easements for telephone, electric power, sanitary sewer, storm sewer and water main shall be granted. Said easements shall be maintained free and clear of any buildings, structures, trees or accessory outdoor appurtenances. Shrubbery type plantings shall be permitted; provided there is access to each of the aforementioned systems and their appurtenances.
- F. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of this property.
- G. For each stage of development, detailed landscaping plans showing location, types and initial plant sizes of all evergreens, deciduous trees and shrubs, and other

landscape features such as statuary, art forms, water fountains, retaining walls, etc., shall be submitted to the Plan Commission for approval prior to the issuance of a building permit.

3. PARKING AND ACCESS

Parking requirements for this project shall be provided in accordance with Section 17.0403 of the Municipal Code.

4. LIGHTING

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

5. LANDSCAPING

- A. The site and building containing this conditional use shall be constructed and maintained in accordance with the site, building, landscaping and lighting plans approved by the City of Oak Creek Plan Commission on April 25, 2000, **and Ord. 2619**.
- B. Screening of Trash. Trash receptacles shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- C. Screening of Ground Mounted Mechanical Equipment. Ground mounted mechanical equipment shall not be located within the front or street yard, and shall be screened from casual view by means of screening that is compatible with the main building/structure and landscaping.
- D. Screening of Roof Mounted Mechanical Equipment - Roof mounted mechanical equipment shall be screened from casual view.

6. ARCHITECTURAL STANDARDS

The site and building containing this conditional use shall be constructed and maintained in accordance with **all applicable Fire Codes**, and the site, building, landscaping and lighting plans dated and approved by the City of Oak Creek Plan Commission on April 25, 2000, **and Ord. 2619**.

7. BUILDING AND PARKING SETBACKS

	Front and Street Setback	Rear Setback	Side Setback
Principal Structure	40 ft.	20 ft.	20 ft.
Accessory Structure	25 ft.	5 ft.	5 ft.
Off-street Parking	40 ft.	5 ft.	5 ft.

8. MAINTENANCE AND OPERATION

- A. The number, size, location and screening of appropriate solid waste collection units shall be subject to approval of the Plan Commission as part of the required site plan(s). Solid waste collection and recycling shall be the responsibility of the owner.
- B. Removal of snow from off-street parking areas, walks and access drives shall be the responsibility of the owners.
- C. **The outdoor storage of inflammable gas and liquids storage in excess of 5,000 gallons, in accordance with all applicable Fire Codes, shall be limited to the area depicted in Exhibit 1.** The outdoor storage of vehicles shall be limited to the areas south and east of the building as shown on Exhibit 2.
- D. There shall be no outdoor storage of junked vehicles, vehicle parts), equipment, or tires.

9. SIGNS

All signs shall conform to the provisions of Sec. 17.0706 of the Municipal Code and the approved Master Sign Program for this property.

10. PERMITTED USES

- A. All permitted uses in the M-1, Manufacturing District.
- B. **Outdoor storage of vehicles/private bus service storage yard; one (1) 30,000 propane tank in the located depicted in the site plan (Exhibit 1) in conformance with all applicable Fire Codes.**
- C. Usual and customary accessory uses to the above listed permitted uses.

11. TIME OF COMPLIANCE

The operator of the conditional use shall commence operations in accordance with these conditions and restrictions for the conditional use within twelve (12) months from the date of adoption of the ordinance authorizing the issuance of a conditional use permit. This conditional use approval shall expire within twelve (12) months after the date of adoption of the ordinance if an occupancy permit has not been issued for this use. The applicant shall re-apply for a conditional use approval, prior to recommencing work or construction.

12. OTHER REGULATIONS

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

13. REVOCATION

Upon project completion, should an applicant, his heirs, successors or assigns, fail to comply with the conditions and restrictions of the approval issued by the Common Council, the Conditional Use approval may be revoked. The process for revoking an approval shall

generally follow the procedures for approving a Conditional Use as set forth in Section 17.1007 of the Municipal Code.

14. ACKNOWLEDGEMENT

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

Owner/Owner's Authorized Representative

Date

(please print name)

Exhibit 1: Propane Tank Site Plan

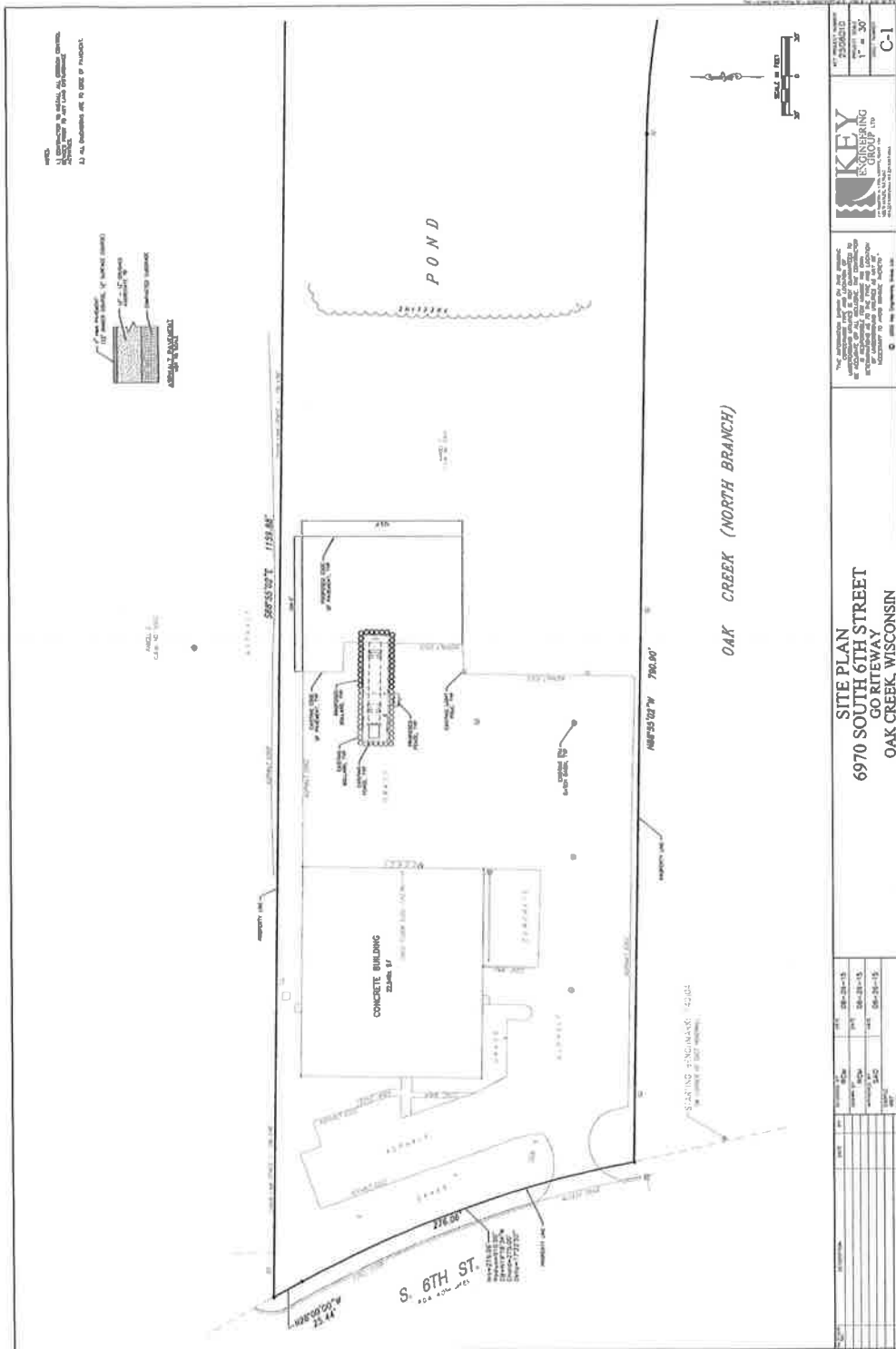
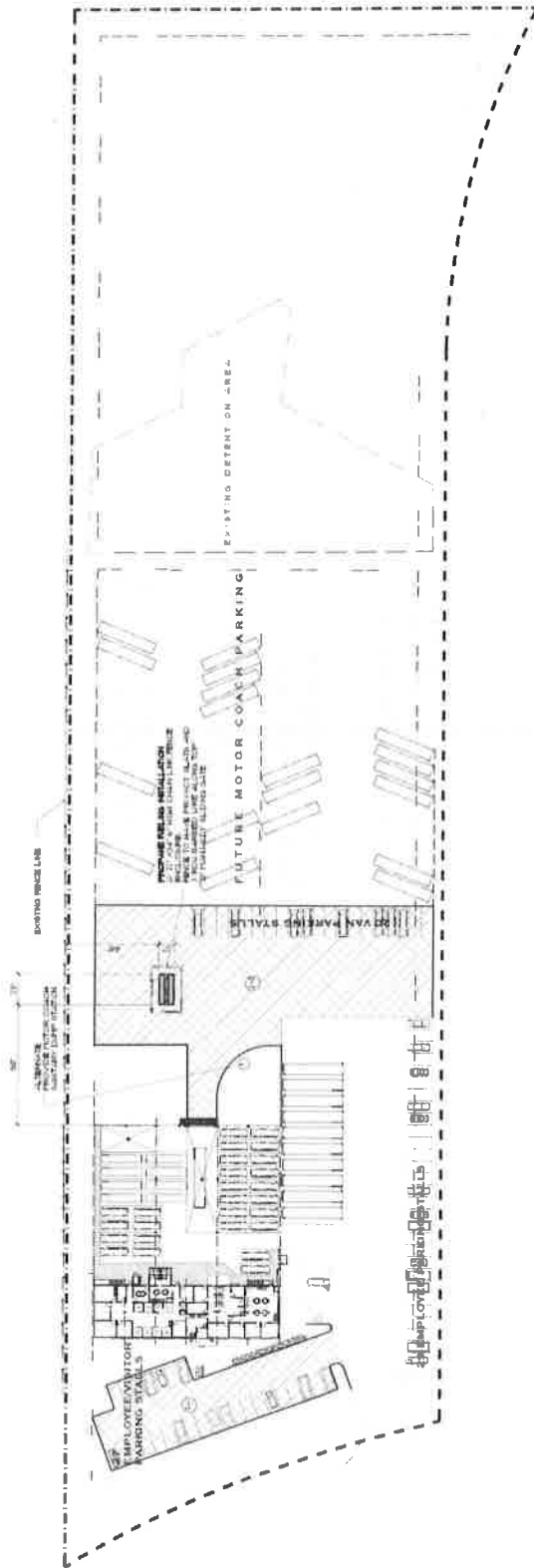


Exhibit 2: Site Plan (Designated Storage Areas Ord. 2619)





City of Oak Creek Common Council Report

Meeting Date: 12/15/15

Item No.: 9

Recommendation: That the Common Council adopt Resolution No. 11667-121515, a Resolution Accepting a Quit Claim Deed from WisPark LLC for the Conservation Area at the Oakview Business Park.

Background: By virtue of this deed, WisPark LLC as the owner of Oakview Business Park is transferring two outlots, as depicted on the attached maps, to the City. The properties are not developable and will be kept in open space by the City. Outlot 1 of Certified Survey Map ("CSM) 8718 is approximately 17 acres. Outlot 1 of CSM 8719 is approximately 4 acres.

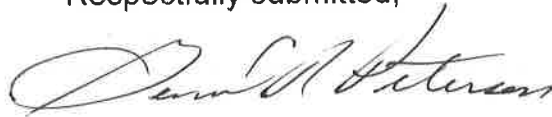
Fiscal Impact: As stated above.

Prepared by:



Melissa L. Karls
City Attorney

Respectfully submitted,



Gerald R. Peterson, ICMA-CM
City Administrator

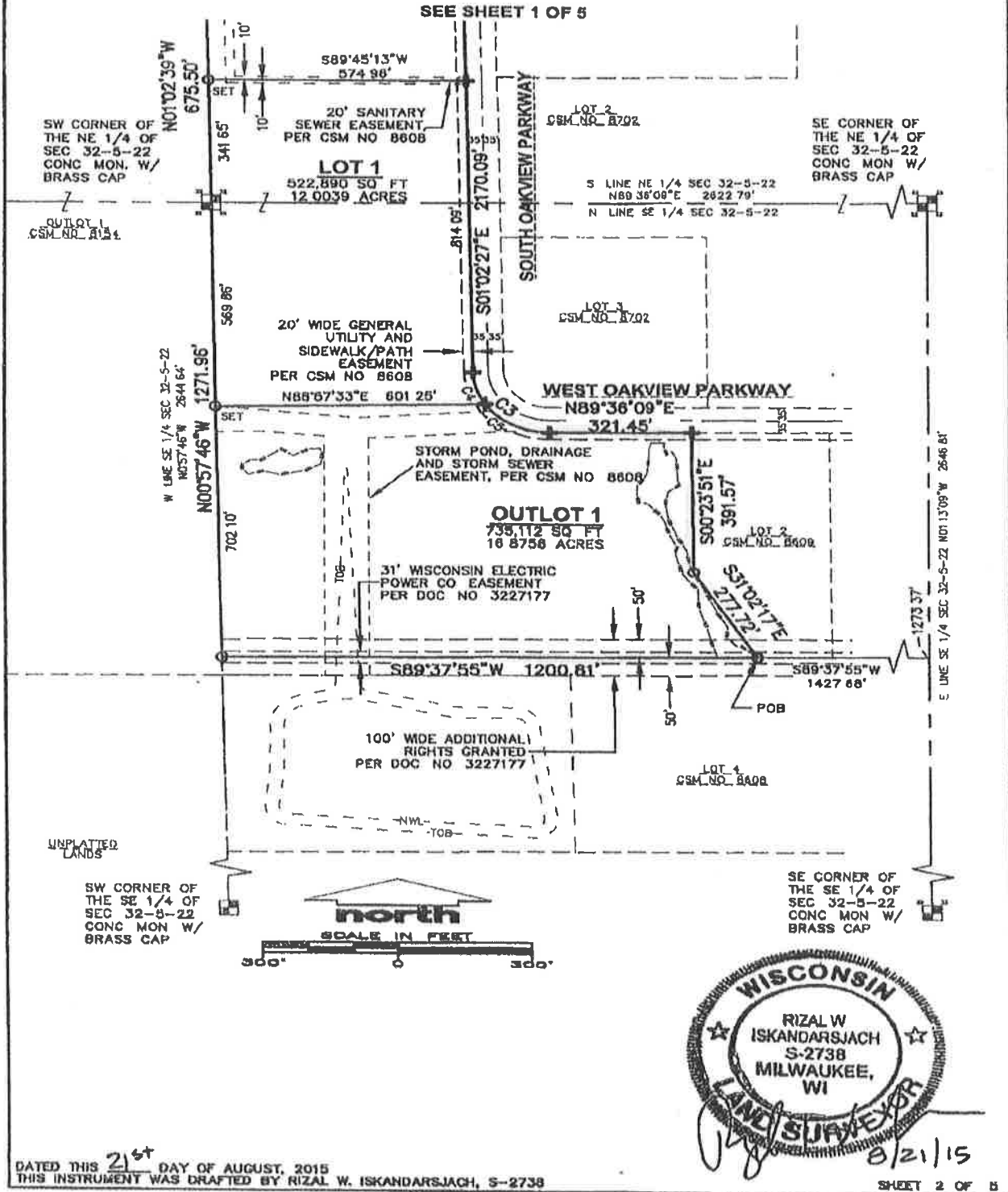
Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

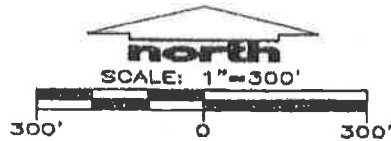
CERTIFIED SURVEY MAP No. 8218

BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8608, LOCATED IN THE NORTHEAST 1/4, SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4; NORTHWEST 1/4 OF THE SOUTHEAST 1/4; AND NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

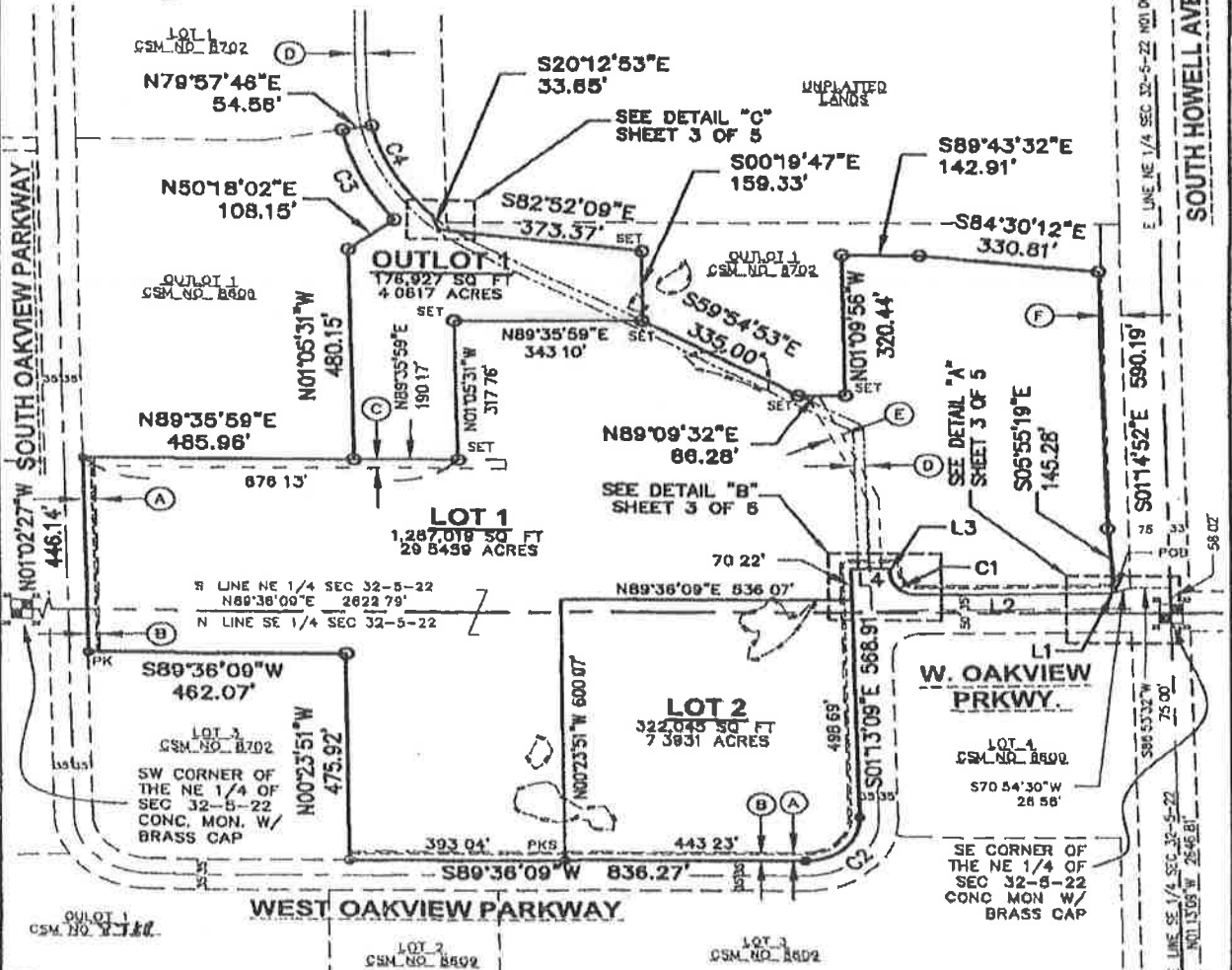


CERTIFIED SURVEY MAP No. 8719

BEING A REDIVISION OF ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8702, LOCATED IN THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4; AND THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.



NE CORNER OF THE NE 1/4 OF SEC 32-8-22 CONC MON W/ BRASS CAP



- (A) 20' WIDE GENERAL UTILITY AND SIDEWALK/PATH EASEMENT PER CSM NO 8608
- (B) 15' ELECTRIC AND COMMUNICATIONS DISTRIBUTION EASEMENT PER DOC NO 10385343
- (C) 20' SANITARY SEWER EASEMENT PER CSM NO 8608
- (D) 20' WATER MAIN EASEMENT PER CSM NO 8608
- (E) STORM POND, DRAINAGE AND STORM SEWER EASEMENT PER CSM NO 8608
- (F) WISDOT ROAD RESERVATION PER CSM NO 8608

DATED THIS 21st DAY OF AUGUST, 2015
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SE CORNER OF THE SE 1/4 OF SEC 32-8-22 CONC MON W/ BRASS CAP

RESOLUTION NO. 11667-121515

RESOLUTION ACCEPTING A QUIT CLAIM DEED FROM WISPARK LLC FOR
THE CONSERVATION AREA AT THE OAKVIEW BUSINESS PARK

(Oakview Business Park)

(5th Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Quit Claim Deed from WisPark to the City of Oak Creek for the Conservation Area at the Oakview Business Park be and the same are hereby approved.

BE IT FURTHER RESOLVED that the City Attorney is hereby authorized to record the same with the Milwaukee County Register of Deeds Office.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of December, 2015.

Passed and adopted this 15th day of December, 2015.

President, Common Council

Approved this 15th day of December, 2015.

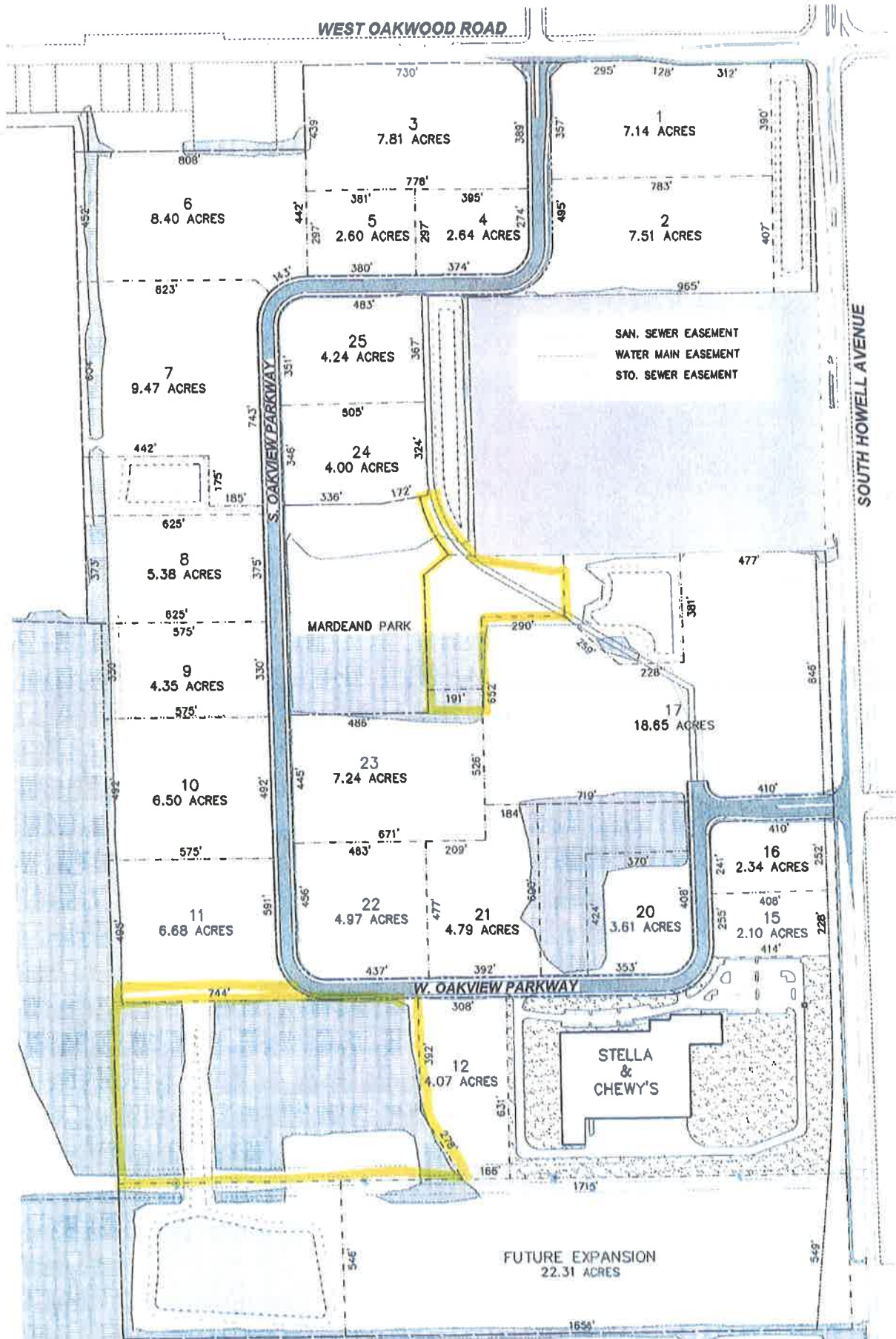
ATTEST:

Mayor Stephen Scaffidi

Catherine Roeske, City Clerk

VOTE: Ayes ____ Noes ____

Oak View Business
Park



NOTE:
DIMENSIONS AND AREAS LISTED ARE
APPROXIMATE AND SUBJECT TO SURVEY



City of Oak Creek Common Council Report

Meeting Date: 12/15/15

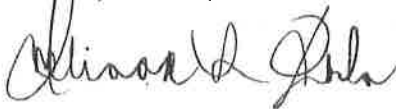
Item No.: 10

Recommendation: That the Common Council adopt Resolution No. 11668-121515, a Resolution Accepting a Quit Claim Deed for the Emerald Preserve Park and the Dale Richards Trail and the Town Square at Drexel Town Square.

Background: As part of the development of Drexel Town Square, OWD, LLC, though TIF financing, is finishing the infrastructure for Emerald Preserve and the Dale Richards Trail, the 18 acre park located west of the Oak Creek Civic Center and the Town Square. The Quit Claim Deed will transfer ownership of the Emerald Preserve Park, Dale Richards Trail and the Town Square to the City. The City will have maintenance responsibility for the Park and the Town Square.

Fiscal Impact: As stated above.

Prepared by:



Melissa L. Karls
City Attorney

Respectfully submitted,



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

RESOLUTION NO. 11668-121515

RESOLUTION ACCEPTING A QUIT CLAIM DEED FOR THE EMERALD
PRESERVE PARK AND THE DALE RICHARDS TRAIL AND THE TOWN
SQUARE AT DREXEL TOWN SQUARE
(Drexel Town Square)
(2nd Aldermanic District)

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the Quit Claim Deed from OWD, LLC to the City of Oak Creek for the Emerald Preserve Park and the Dale Richards Trail and the Town Square at Drexel Town Square be and the same are hereby approved.

BE IT FURTHER RESOLVED that the City Attorney is hereby authorized to record the same with the Milwaukee County Register of Deeds Office.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of December, 2015.

Passed and adopted this 15th day of December, 2015.

President, Common Council

Approved this 15th day of December, 2015.

ATTEST:

Mayor Stephen Scaffidi

Catherine Roeske, City Clerk

VOTE: Ayes ____ Noes ____

City of Oak Creek Common Council Report

Meeting Date: 12/15/15

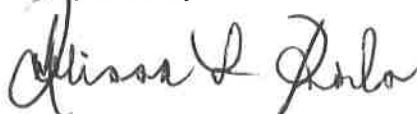
Item No.: 11

Recommendation: That the Common Council consider a motion to approve the updated Schedule of Deposits per Section 1.23 of the Oak Creek Municipal Code.

Background: Section 1.23 of the Oak Creek Municipal Code requires the Common Council to establish the schedule of cash deposits for use with citations. The Schedule of Deposits is established in accordance with the penalty provisions of the Code and the State of Wisconsin Revised Uniform Traffic Deposit Schedule as adopted by the Wisconsin Judicial Conference. 2015 Act 55 imposed a \$50.00 "safe-ride program surcharge" in addition to a fine or forfeiture for a violation of operating while intoxicated. The revenue from this surcharge is used to support the safe-ride grant program, which awards grants to local governments and non-profit organizations for the purpose of covering the costs of transporting persons suspected of having a prohibited blood alcohol concentration. Attached is the updated schedule.

Fiscal Impact: The forfeitures imposed by the Municipal Court for violations of the Municipal Code generate revenue for the City of Oak Creek.

Prepared by:



Melissa L. Karls
City Attorney

Respectfully submitted by:



Gerald R. Peterson-ICMA-CM
City Administrator

Fiscal Review by:



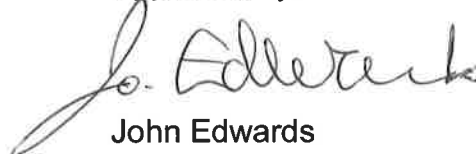
Bridget M. Souffrant
Finance Director/Comptroller

Approved by:



Hon. Alice Rudebusch
Municipal Judge

Approved by:



John Edwards
Chief of Police

DEPOSIT SCHEDULE - EFFECTIVE December 15, 2015

DEPOSIT	OWI	26% P.A.	COURT COSTS	JAIL ASSESS	C & L FEE	IID	Safe Ride	TOTAL
10.00		2.60	38.00	10.00	13.00			73.60
15.00		3.90	38.00	10.00	13.00			79.90
20.00		5.20	38.00	10.00	13.00			86.20
25.00		6.50	38.00	10.00	13.00			92.50
30.00		7.80	38.00	10.00	13.00			98.80
35.00		9.10	38.00	10.00	13.00			105.10
40.00		10.40	38.00	10.00	13.00			111.40
45.00		11.70	38.00	10.00	13.00			117.70
50.00		13.00	38.00	10.00	13.00			124.00
55.00		14.30	38.00	10.00	13.00			130.30
60.00		15.60	38.00	10.00	13.00			136.60
65.00		16.90	38.00	10.00	13.00			142.90
70.00		18.20	38.00	10.00	13.00			149.20
75.00		19.50	38.00	10.00	13.00			155.50
80.00		20.80	38.00	10.00	13.00			161.80
85.00		22.10	38.00	10.00	13.00			168.10
90.00		23.40	38.00	10.00	13.00			174.40
95.00		24.70	38.00	10.00	13.00			180.70
100.00		26.00	38.00	10.00	13.00			187.00
105.00		27.30	38.00	10.00	13.00			193.30
110.00		28.60	38.00	10.00	13.00			199.60
115.00		29.90	38.00	10.00	13.00			205.90
120.00		31.20	38.00	10.00	13.00			212.20
125.00		32.50	38.00	10.00	13.00			218.50
130.00		33.80	38.00	10.00	13.00			224.80
135.00		35.10	38.00	10.00	13.00			231.10
140.00		36.40	38.00	10.00	13.00			237.40
145.00		37.70	38.00	10.00	13.00			243.70
150.00		39.00	38.00	10.00	13.00			250.00
150.00	435.00	39.00	38.00	10.00	13.00		50.00	735.00
150.00	435.00	39.00	38.00	10.00	13.00	50.00	50.00	785.00
155.00		40.30	38.00	10.00	13.00			256.30
160.00		41.60	38.00	10.00	13.00			262.60
165.00		42.90	38.00	10.00	13.00			268.90
170.00		44.20	38.00	10.00	13.00			275.20
175.00		45.50	38.00	10.00	13.00			281.50
180.00		46.80	38.00	10.00	13.00			287.80
185.00		48.10	38.00	10.00	13.00			294.10
190.00		49.40	38.00	10.00	13.00			300.40
195.00		50.70	38.00	10.00	13.00			306.70
200.00		52.00	38.00	10.00	13.00			313.00
200.00	435.00	52.00	38.00	10.00	13.00		50.00	798.00
200.00	435.00	52.00	38.00	10.00	13.00	50.00	50.00	848.00
215.00		55.90	38.00	10.00	13.00			331.90
225.00		58.50	38.00	10.00	13.00			344.50
250.00		65.00	38.00	10.00	13.00			376.00
250.00	435.00	65.00	38.00	10.00	13.00		50.00	861.00
250.00	435.00	65.00	38.00	10.00	13.00	50.00	50.00	911.00
260.00		67.60	38.00	10.00	13.00			388.60
275.00		71.50	38.00	10.00	13.00			407.50
300.00		78.00	38.00	10.00	13.00			439.00

DEPOSIT SCHEDULE - EFFECTIVE December 15, 2015

DEPOSIT	OWI	26% P.A.	COURT COSTS	JAIL ASSESS	C & L FEE	IID	Safe Ride	TOTAL
300.00	435.00	78.00	38.00	10.00	13.00		50.00	924.00
300.00	435.00	78.00	38.00	10.00	13.00	50.00	50.00	974.00
310.00		80.60	38.00	10.00	13.00			451.60
375.00		97.50	38.00	10.00	13.00			533.50
400.00		104.00	38.00	10.00	13.00			565.00
410.00		106.60	38.00	10.00	13.00			577.60
425.00		110.50	38.00	10.00	13.00			596.50
450.00		117.00	38.00	10.00	13.00			628.00
500.00		130.00	38.00	10.00	13.00			691.00
510.00		132.60	38.00	10.00	13.00			703.60
750.00		195.00	38.00	10.00	13.00			1,006.00
760.00		197.60	38.00	10.00	13.00			1,018.60
1,000.00		260.00	38.00	10.00	13.00			1,321.00
1,500.00		390.00	38.00	15.00	13.00			1,956.00
2,000.00		520.00	38.00	20.00	13.00			2,591.00

forms/deposit schedule.xls

Indicates IID and Safe Ride surcharge

Total = Deposit + OWI Surcharge + Penalty Assessment + Court Costs + Jail Assessment Fee + C&L Fee + IID Surcharge + Safe Ride Program Surcharge

Note: Penalty Assessment = Deposit (base fine) x 26%.

Revised: 11/04/15

STATUTE / CODE	CHARGE	FORFEITURE
1.07	*Any violation of an OC Muni Ord to which penalty is not provided or which is not included in non-traffic stipulation schedule	313.00
	*Juvenile Stipulations	187.00
oc11.	Municipal Ordinances adopting state laws other than traffic which are not listed	313.00
oc10.	Municipal Ordinances adopting state traffic laws	see WI Bail Book
11.02(a) & (b)	Attempts/Party to Crime - Fine is 1/2 the deposit of original charge (ie; Retail Theft (deposit 150-fine \$250) - Take 1/2 of deposit (deposit 75-fine \$155.50)	
346.63(2)(m)	Absolute Sobriety - Under 21 yoa (4 Points)	313.00
346.63(2)(m)	Absolute Sobriety - Under 21 yoa (4 Points) If passenger under 16 yoa in vehicle	565.00
125.68(8)	Diluted Liquor	313.00
125.68(6)	Furnish Liquor at Public Auction	187.00
125.08(3)	Makes/Alters/Duplicates ID Card	250.00
125.11	Penalty for any violation of Chapter 125 for which a specific penalty is not provided	313.00
125.07(3)	Permit Juvenile to Consume on Premises - Owner	187.00
125.07(4)(b)	Possession of Intoxicant by Juvenile 13-14YOA	45.00
125.07(4)(b)	Possession of Intoxicant by Juvenile 15-16YOA 1st	98.80
125.07(4)(b)	Possession of Intoxicant by Juvenile 15-16YOA 2nd w/in 1yr	187.00
125.07(4)(b)	Possession of Intoxicant by Underaged Adult - 2nd w/in 1yr (17-20yoa)	313.00
125.07(4)(b)	Possession of Intoxicant by Underaged Adult - 3rd w/in 1yr (17-20yoa)	439.00
125.07(4)(b)	Possession of Intoxicant by Underaged Adult - 4th+ w/in 1 yr (17-20yoa)	691.00
125.07(4)(b)	Possession of Intoxicant by Underaged Adult (17-20yoa)	187.00
125.07(1) & (2)	Sale to Minor/Intoxicated Person	187.00
346.89(3)	Texting While Driving - 1st Offense	111.40
346.89(3)	Texting While Driving - 2nd & Subsequent Offense	187.00
revised 07/02/2015		

CodeValue	Sequence Number	CodeText	Scheduled Fine	Prime Key	Statute Section	Location ID	Mandatory Appearance Class
oc10.	000	Traffic Ordinance Violation	\$0.00	1002	DMV	247	
oc10.101	000	Bicycle Registration - License Required	\$313.00	1003	NTC	247	
oc10.102	000	Bicycle Lighting Equipment Required	\$313.00	1004	NTC	247	
oc10.105	000	Play Vehicles Prohibited On City Street	\$313.00	1005	NTC	247	
oc10.105(a)(1)	000	Regulation of Skateboards or Skates on City Streets	\$313.00	1006	NTC	247	
oc10.106(a)(1)	000	General Bicycle Regulation - Street Operation	\$313.00	1007	NTC	247	
oc10.108	000	Play Vehicles On Private Property/Public Owned Par	\$313.00	1008	NTC	247	
oc10.121	000	Applicability of Traffic Regulations to Snowmobile	\$313.00	1009	NTC	247	
oc10.122	000	Unattended Vehicles	\$313.00	1010	NTC	247	
oc10.123	000	Snowmobile - Operation on Public Property Prohibit	\$313.00	1011	NTC	247	
oc10.124(a)	000	Snowmobile - Speed in Excess of Posted Limit	\$313.00	1012	NTC	247	
oc10.124(b)	000	Snowmobile - Operation on Sidewalk	\$313.00	1013	NTC	247	
oc10.124(c)	000	Snowmobile - Operation on Private Property	\$313.00	1014	NTC	247	
oc10.124(d)	000	Snowmobile - Operate with less than 3" snow cover	\$313.00	1015	NTC	247	
oc10.124(f)	000	Snowmobile - Hours of Operation	\$313.00	1016	NTC	247	
oc10.141	000	Unauth operation of off-road mv on pub/priv prop	\$313.00	1017	NTC	247	
oc10.141(c)	000	Unauthorized Off-road Operation Prohibited	\$313.00	1018	NTC	247	
oc10.141(c)(1)	000	Unauthorized Off-road Operation of a Motor Vehicle	\$313.00	1019	NTC	247	
oc10.141(c)(2)	000	Operation of Motorized Play Vehicles on Public Pro	\$313.00	1020	NTC	247	
oc10.141(c)(3)a.	000	Motorized Play Vehicles - Operation on Private Pro	\$313.00	1021	NTC	247	
oc10.141(c)(3)b.	000	Unauthorized Off-Road Operation Hours Violation	\$313.00	1022	NTC	247	
oc10.141(c)(3)c.	000	Unauthorized Operation on Streets and Sidewalks	\$313.00	1023	NTC	247	
oc10.141(c)(3)d.	000	Motorized Play Vehicles - Speed in Excess of 25mph	\$313.00	1024	NTC	247	
oc10.141(c)(3)e.	000	Motorized Play Vehicles - With More than 1 Passeng	\$313.00	1025	NTC	247	
oc10.141(c)(3)f.	000	Operation of Motorized Play Vehicles w/o Headgear	\$313.00	1026	NTC	247	
oc10.141(c)(3)g.	000	Operation of Motorized Play Vehicles on Streets	\$313.00	1027	NTC	247	
oc10.141(c)(3)h.	000	Operation of Motorized Play Vehicle Under 12 year	\$313.00	1028	NTC	247	
oc10.141(c)(3)i.	000	Operation of Motorized Vehicles - Excessive Noise	\$313.00	1029	NTC	247	
oc10.141(c)(3)j.	000	Operation of Motorized Play Vehicles in City Parks	\$313.00	1030	NTC	247	
oc10.20(c)(2)	000	Violation of Restrictions on Heavy Traffic on Stre	\$313.00	1031	NTC	247	
oc10.40(a)	000	Parking Violation in Posted Street Maintenance Area	\$20.00	1032	PRK	247	
oc10.40(b)	000	Parking Violation Posted Special Event	\$20.00	1033	PRK	247	
oc10.40(c)	000	Parking Violation During Snow Removal/Emergency	\$20.00	1034	PRK	247	
oc10.41(a)(1)	000	Parking - Prohibited Within an Intersection	\$20.00	1035	PRK	247	
oc10.41(a)(10)	000	Parking - Posted No Parking Zone	\$20.00	1036	PRK	247	
oc10.41(a)(11)	000	Parking - No Parking on any Bridge	\$20.00	1037	PRK	247	
oc10.41(a)(12)	000	Parking - Facing the Wrong Way Within Lane	\$20.00	1038	PRK	247	
oc10.41(a)(13)	000	Parking - No Parking in Posted Loading Zone	\$20.00	1039	PRK	247	
oc10.41(a)(14)	000	Parking - Within 4 ft. of private drive or driveway	\$20.00	1040	PRK	247	
oc10.41(a)(15)	000	Parking - In Park After Hours	\$20.00	1041	PRK	247	
oc10.41(a)(16)	000	Parking - Within 15ft. of a Refuse Container	\$20.00	1042	PRK	247	
oc10.41(a)(2)	000	Parking - Prohibited on a Crosswalk	\$20.00	1043	PRK	247	
oc10.41(a)(3)	000	Parking - Prohibited on a Sidewalk	\$20.00	1044	PRK	247	
oc10.41(a)(4)	000	Parking - Causing a Traffic Obstruction	\$20.00	1045	PRK	247	
oc10.41(a)(5)	000	Parking - Double Parking in Roadway	\$20.00	1046	PRK	247	
oc10.41(a)(6)	000	Parking - Within a Fire Lane	\$20.00	1047	PRK	247	
oc10.41(a)(7)	000	Parking - Posted No Stopping or Standing	\$20.00	1048	PRK	247	
oc10.41(a)(8)	000	Parking - Obstructing or Impeding Traffic	\$20.00	1049	PRK	247	
oc10.41(a)(9)	000	Parking - Within 10ft. of a Fire Hydrant	\$20.00	1050	PRK	247	
oc10.41(b)	000	Parking - In Private Driveway Without Permission	\$20.00	1051	PRK	247	
oc10.41(c)	000	Parking - Block Private Drive, Alley or Fire Lane	\$20.00	1052	PRK	247	
oc10.41(d)	000	Parking - Repair of Vehicle In Public Lot or Street	\$20.00	1053	PRK	247	
oc10.41(e)	000	Sale of Motor Vehicle From Private Residence	\$313.00	1054	NTC	247	
oc10.42	001	Parking - Posted Disabled Vehicles Only	\$90.00	1055	PRK	247	
oc10.43	001	Parking - Leaving Keys in Unattended Vehicle	\$20.00	1056	PRK	247	
oc10.44(a)	000	Parking - Winter (2am-6am M-F 12/01-04/01)	\$20.00	1057	PRK	247	
oc10.44(b)	000	Parking - Winter (2:30am-6am Sat-Sun 12/01-04/01)	\$20.00	1058	PRK	247	
oc10.46	000	Unlawful Removal of Parking Citations	\$313.00	1059	NTC	247	
oc10.47	000	Operating without Valid DL - Private Property	\$313.00	1060	NTC	247	
oc10.48	000	Illegally Parked Vehicle - Red Tag	\$20.00	1061	PRK	247	
oc10.49(b)	000	Speed Limit On School Premises 15 mph	\$313.00	1062	NTC	247	

oc10.49(d)(1)	000	Unsafe Driving On School Premises	\$313.00	1063	NTC	247
oc10.50	000	Parking - Non-Motorized Vehicles for 24 hours	\$20.00	1064	PRK	247
oc10.51	000	Compression Brake Use Prohibited on Hwy.	\$313.00	1065	NTC	247
oc10.50(a)	000	Unnecessary Smoke & Odors Produced	\$313.00	1066	NTC	247
oc10.60(b)	000	Unnecessary Acceleration/Display of Power Prohibit	\$313.00	1067	NTC	247
oc10.60(c)	000	Avoidance of Traffic Control Device Prohibited	\$313.00	1068	NTC	247
oc10.60(d)	000	Operation In Restricted Area	\$313.00	1069	NTC	247
oc10.60(e)	000	Stopping and Parking In Restricted Area	\$20.00	1070	PRK	247
oc10.61(a)	000	Pedestrian Failure to Obey Traffic Control Devices	\$313.00	1071	NTC	247
oc10.61(b)	000	Pedestrian Crossing In Prohibited Area	\$313.00	1072	NTC	247
oc10.62(a)	000	Operate Motor Vehicle on Pedestrian Ways	\$313.00	1073	NTC	247
oc10.62(b)	000	Operate MV on Pedestrian Ways; Use of Highways	\$313.00	1074	NTC	247
oc10.63	000	Railroad Trains Not to Block Crossings	\$313.00	1075	NTC	247
oc10.64(a)	000	Driving Over Curbing Prohibited	\$313.00	1076	NTC	247
oc10.64(b)	000	Driving Over Safety Zones or Islands Prohibited	\$313.00	1077	NTC	247
oc10.65(c)	000	Junked Motor Vehicles Prohibited	\$124.00	1078	NTC	247
oc10.66	000	Inoperable & Unregistered Vehicle	\$313.00	1079	NTC	247
oc11.	000	Oak Creek City Ordinance Violation	\$0.00	1080	NTC	247
oc11.01	000	Receive or Possess Stolen Property	\$313.00	1081	NTC	247
oc11.02(a)(1)	000	Attempt to Commit An Act	\$156.50	1082	NTC	247
oc11.02(b)(1)	000	Parties to Acts: Knowledge	\$156.50	1083	NTC	247
oc11.100	000	Public Nuisances Prohibited	\$313.00	1084	NTC	247
oc11.102(g)	000	Noxious Odors	\$313.00	1085	NTC	247
oc11.102(i)	000	Animals Not To Run At Large	\$155.50	1086	NTC	247
oc11.167.10	000	Fireworks Regulated	\$155.50	1087	NTC	247
oc11.20(a)	000	Discharge Of Firearms Regulated	\$250.00	1088	NTC	247
oc11.20(b)	000	Hunting And Trapping Prohibited	\$300.40	1089	NTC	247
oc11.20(c)	000	Shooting Into City Limits	\$313.00	1090	NTC	247
oc11.20(d)	000	Discharging Explosive Device w/in City Limits	\$313.00	1091	NTC	247
oc11.20(e)	000	Throwing Or Shooting Missiles Prohibited	\$187.00	1092	NTC	247
oc11.20(f)	000	Shooting/Discharging Bow & Arrow or Crossbow	\$313.00	1093	NTC	247
oc11.21(a)	000	Concealed Weapons Prohibited	\$187.00	1094	NTC	247
oc11.21(b)	000	Carrying Concealed Weapon In Public Establishments	\$313.00	1095	NTC	247
oc11.21(d)(1)	000	Possession of Certain Weapons	\$313.00	1096	NTC	247
oc11.21(e)	000	Fixed blade knife longer than 3" long	\$313.00	1097	NTC	247
oc11.22(b)	000	Residential Picketing Prohibited	\$124.00	1098	NTC	247
oc11.23(a)	000	Sale and Discharge of Fireworks Prohibited	\$313.00	1099	NTC	247
oc11.23(d)	000	Certain Fireworks Prohibited on Public Property	\$313.00	1100	NTC	247
oc11.24(a)	000	Obstructing Streets	\$187.00	1101	NTC	247
oc11.24(b)	000	Obstructing Sidewalk Prohibited	\$187.00	1102	NTC	247
oc11.25(a)(1)	000	Loitering on Public Property Prohibited	\$187.00	1103	NTC	247
oc11.25(a)(5)	000	Loitering in/about school	\$187.00	1104	NTC	247
oc11.25(b)(1)	000	Loitering Prohibited - Private Property	\$187.00	1105	NTC	247
oc11.25(d)(1)	000	Loitering Prohibited Where Alcohol is Dispensed	\$187.00	1106	NTC	247
oc11.25(d)(1)	000	Loitering By Underage Person	\$187.00	1107	NTC	247
oc11.25(d)(2)	000	Permitting Loitering Where Underage Person Present	\$187.00	1108	NTC	247
oc11.25(e)	000	Soliciting Prostitution	\$187.00	1109	NTC	247
oc11.254.92	000	Possession of Cigarettes by Juvenile	\$187.00	1110	NTC	247
oc11.26(a)(1)	000	Loud and Unnecessary Noise Prohibited	\$187.00	1111	NTC	247
oc11.26(c)(2)	000	Loud & Unnecessary Noise - Sound	\$187.00	1112	NTC	247
oc11.26(c)(3)	000	Loud & Unnecessary Noise - Animals	\$187.00	1113	NTC	247
oc11.26(c)(4)	000	Loud & Unnecessary Noise - Vehicle	\$187.00	1114	NTC	247
oc11.27	000	Trespass	\$313.00	1115	NTC	247
oc11.28	000	Defecating Or Urinating In Public	\$187.00	1116	NTC	247
oc11.29(a)(1)	000	Unauthorized Presence on School Property	\$313.00	1117	NTC	247
oc11.29(c)	000	Loitering Near School Prohibited	\$313.00	1118	NTC	247
oc11.29(d)	000	Possession of Intoxicants on School Property	\$313.00	1119	NTC	247
oc11.29.288	000	Throwing Refuse in Waters	\$313.00	1120	NTC	247
oc11.30(a)	000	Failure To Obey Officer- Lawful Order	\$313.00	1121	NTC	247
oc11.30(b)	000	Resisting or Interfering With An Officer	\$376.00	1122	NTC	247
oc11.31(a)	000	Possession of Controlled Substances	\$313.00	1123	NTC	247
oc11.31(b)(1)	000	Possession of Marijuana	\$218.50	1124	NTC	247
oc11.32	000	Crossing a Police Line	\$313.00	1125	NTC	247

oc11.33(a)(1)	000	Misuse of Emergency Number - Intent/not exist	\$313.00	1126	NTC	247
oc11.33(a)(2)	000	Misuse of Emergency Number - Intent/not related	\$313.00	1127	NTC	247
oc11.33(b)	000	Misuse of Emergency Number - Parental Responsibili	\$313.00	1128	NTC	247
oc11.33(c)	000	Misuse of Emergency Number	\$313.00	1129	NTC	247
oc11.34(a)(1)	000	Hotel Registration Required	\$313.00	1130	NTC	247
oc11.35	000	Sale of Motor Vehicle From Private Residence	\$313.00	1131	NTC	247
oc11.37	000	Synthetic Marijuana	\$218.50	1132	NTC	247
oc11.38	000	Possession of Weapons in City Buildings Prohibited	\$313.00	1133	NTC	247
oc11.39	000	City Employee Carrying Weapon During Work	\$313.00	1134	NTC	247
oc11.40	000	Criminal Damage or Theft of Property Prohibited	\$313.00	1135	NTC	247
oc11.41(a)	000	Littering Prohibited	\$187.00	1136	NTC	247
oc11.41(c)	000	Illegal dumping	\$187.00	1137	NTC	247
oc11.41(d)	000	Placing Handbills in Public Prohibited	\$187.00	1138	NTC	247
oc11.41(d)(2)	000	Unlawful to leave handbills, advertising material	\$187.00	1139	NTC	247
oc11.42	000	Abandoned Refrigerators Prohibited	\$187.00	1140	NTC	247
oc11.43	000	Library Book Violation	\$124.00	1141	NTC	247
oc11.44	000	Violation of Cemetery Regulations	\$313.00	1142	NTC	247
oc11.45	000	Damage to Public Property	\$313.00	1143	NTC	247
oc11.46(a)	000	Issuance of Worthless Checks	\$313.00	1144	NTC	247
oc11.47	000	Regulation Of Smoking	\$124.00	1145	NTC	247
oc11.47(d)(2)	000	Smoking Prohibited In/On School Property	\$124.00	1146	NTC	247
oc11.48	000	Vandalism - Graffiti Related	\$313.00	1147	NTC	247
oc11.60(b)	000	Permitting Underage Person Where Alcohol Dispensed	\$313.00	1148	NTC	247
oc11.61(a)	000	Use of Alcohol Beverage on Public Property w/o CC	\$124.00	1149	NTC	247
oc11.61(b)	000	Use of Alcohol Beverage on Public Property	\$124.00	1150	NTC	247
oc11.80(a)	000	Curfew Violation	\$124.00	1151	NTC	247
oc11.80(c)	000	Curfew Violation - Parental Responsibility	\$124.00	1152	NTC	247
oc11.82(a)	000	Possession of Drug Paraphernalia by Minor	\$187.00	1153	NTC	247
oc11.83(a)	000	Contributing to Truancy	\$313.00	1154	NTC	247
oc11.83(b)(1)	000	Parent Liability for Truancy	\$510.00	1155	NTC	247 Y
oc11.83(c)(3)	000	Truancy	\$124.00	1156	NTC	247
oc11.83(c)(4)	000	Habitual Truant	\$124.00	1157	NTC	247 Y
oc11.84(a)	000	Unlawful Sheltering of Minors	\$313.00	1158	NTC	247
oc11.84(d)	000	Compulsory School Attendance	\$313.00	1159	NTC	247
oc11.85(b)(1)	000	Sale of Spray Paint/Wide Tip Markers to Minors	\$313.00	1160	NTC	247
oc11.85(b)(2)	000	Possession of Spray Paint/Markers by Minor	\$187.00	1161	NTC	247
oc11.86(c)	000	Parental Responsibility for Juvenile Misconduct	\$313.00	1162	NTC	247
oc11.940.19(1)	000	Battery - Simple Assault	\$376.00	1163	NTC	247
oc11.941.01	000	Negligent Operation of a Vehicle	\$250.00	1164	NTC	247
oc11.941.10	000	Negligent Handling of Burning Materials	\$187.00	1165	NTC	247
oc11.941.12	000	Interfering with Firefighting	\$124.00	1166	NTC	247
oc11.941.13	000	Intentionally Sounding a False Alarm	\$313.00	1167	NTC	247
oc11.941.20	000	Reckless Use of Weapon	\$376.00	1168	NTC	247
oc11.941.23	000	Carrying a Concealed Weapon	\$376.00	1169	NTC	247
oc11.941.24	000	Possession of Switchblade Knife	\$376.00	1170	NTC	247
oc11.941.36	000	Fraudulent Tapping of Electric/Gas/Water	\$313.00	1171	NTC	247
oc11.941.37	000	Obstruct Emergency or Rescue Personnel	\$376.00	1172	NTC	247
oc11.942.05	000	Opening Letters without Consent	\$313.00	1173	NTC	247
oc11.943.11	000	Entry into Locked Vehicle	\$313.00	1174	NTC	247
oc11.943.125	000	Entry into Locked Coin Box	\$313.00	1175	NTC	247
oc11.943.15	000	Entry into Locked Site	\$313.00	1176	NTC	247
oc11.943.21	000	Fraud on Restaurant or Innkeeper	\$313.00	1177	NTC	247
oc11.943.22	000	Use of Cheating Tokens	\$313.00	1178	NTC	247
oc11.943.23	000	Operating Vehicle without Owner's Consent	\$313.00	1179	NTC	247
oc11.943.34(1)	000	Receiving Stolen Property	\$313.00	1180	NTC	247
oc11.943.37	000	Alteration of Property ID Marks	\$313.00	1181	NTC	247
oc11.943.38(3)	000	Forgery	\$313.00	1182	NTC	247
oc11.943.41	000	Credit Card Crimes	\$313.00	1183	NTC	247
oc11.943.46	000	Theft of Cable Services	\$187.00	1184	NTC	247
oc11.943.50	000	Retail Theft	\$250.00	1185	NTC	247
oc11.943.55	000	Removal of a Shopping Cart	\$313.00	1186	NTC	247
oc11.943.61	000	Theft of Library Material	\$313.00	1187	NTC	247
oc11.944.15	000	Fornication	\$250.00	1188	NTC	247

oc11.944.17	000	Sexual Gratification	\$250.00	1189	NTC	247
oc11.944.20	000	Lewd and Lascivious Behavior	\$313.00	1190	NTC	247
oc11.944.21	000	Obscene Material or Performance	\$187.00	1191	NTC	247
oc11.944.23	000	Making Lewd, Obscene or Indecent Drawings	\$187.00	1192	NTC	247
oc11.944.30	000	Prostitution	\$376.00	1193	NTC	247
oc11.944.31	000	Patronizing Prostitutes	\$376.00	1194	NTC	247
oc11.944.33	000	Pandering	\$376.00	1195	NTC	247
oc11.944.36	000	Solicitation of Drinks Prohibited	\$376.00	1196	NTC	247
oc11.945.02	000	Gambling	\$313.00	1197	NTC	247
oc11.945.03	000	Commercial Gambling	\$691.00	1198	NTC	247
oc11.945.04	000	Permit Premises Use for Commercial Gambling	\$691.00	1199	NTC	247
oc11.946.40	000	Refuse to Aid Peace Officer	\$187.00	1200	NTC	247
oc11.946.41	000	Resisting or Obstructing an Officer	\$376.00	1201	NTC	247
oc11.946.42	000	Escape	\$691.00	1202	NTC	247
oc11.946.44	000	Assist or Permit Escape	\$313.00	1203	NTC	247
oc11.946.65	000	Obstructing Justice	\$313.00	1204	NTC	247
oc11.946.66	000	False Complaints of Police Misconduct	\$313.00	1205	NTC	247
oc11.946.69	000	Falsely Act as Public Officer/Employee	\$313.00	1206	NTC	247
oc11.946.70	000	Impersonating a Peace Officer	\$313.00	1207	NTC	247
oc11.946.72	000	Tampering with Public Records/Notices	\$313.00	1208	NTC	247
oc11.947.01	000	Disorderly Conduct	\$250.00	1209	NTC	247
oc11.947.015	000	Bomb Scares	\$691.00	1210	NTC	247
oc11.947.06	000	Unlawful Assembly	\$187.00	1211	NTC	247
oc11.948.40	000	Contribute to Delinquency of a Child	\$187.00	1212	NTC	247
oc11.951.02	000	Mistreating Animals	\$218.50	1213	NTC	247
oc11.961.573(1)	000	Possess Drug Paraphernalia	\$218.50	1214	NTC	247
oc11.961.573(2)	000	Possess Drug Paraphernalia - Under 17	\$187.00	1215	NTC	247
oc12.01(c)(1)	000	Parks - Littering Prohibited	\$124.00	1216	NTC	247
oc12.01(c)(10)	000	Parks - Speed in excess of 10mph in City Park	\$124.00	1217	NTC	247
oc12.01(c)(11)	000	Parks - Glass Beverage Bottles in Parks Prohibited	\$124.00	1218	NTC	247
oc12.01(c)(12)	000	Parks - Reckless Driving Prohibited	\$124.00	1219	NTC	247
oc12.01(c)(13)	000	Parks - Parking in Unauthorized Areas	\$20.00	1220	PRK	247
oc12.01(c)(14)	000	Parks - Riding Horses in Parks	\$124.00	1221	NTC	247
oc12.01(c)(15)	000	Parks - Removing Tree Protectors Prohibited	\$124.00	1222	NTC	247
oc12.01(c)(16)	000	Parks - Golfing Prohibited Except In Designated A	\$124.00	1223	NTC	247
oc12.01(c)(17)	000	Parks - No Shooting of Arrows Except in Designated	\$124.00	1224	NTC	247
oc12.01(c)(18)	000	Parks - Use of Parks Areas W/O Payment of Park Fee	\$124.00	1225	NTC	247
oc12.01(c)(19)	000	Parks - Possession or Discharge of Any Weapon Proh	\$124.00	1226	NTC	247
oc12.01(c)(2)	000	Parks - Bill Posting Prohibited	\$124.00	1227	NTC	247
oc12.01(c)(20)	000	Parks - Cleaning Fish in Non-Designated Areas Proh	\$124.00	1228	NTC	247
oc12.01(c)(21)	000	Parks - Controlled Substances in parks Prohibited	\$124.00	1229	NTC	247
oc12.01(c)(22)	000	Parks - Vendors In Parks Required to be Licensed	\$124.00	1230	NTC	247
oc12.01(c)(23)	000	Parks - No Alcoholic Beverage w/o Permit	\$124.00	1231	NTC	247
oc12.01(c)(24)	000	Parks - Violation of Posted Prohibited Activities	\$124.00	1232	NTC	247
oc12.01(c)(25)	000	Parks - Regulations on Park Hours	\$124.00	1233	NTC	247
oc12.01(c)(26)a.	000	Parks - Permit Required for Public Assemblies	\$124.00	1234	NTC	247
oc12.01(c)(26)b.	000	Parks - Interference With Park Permittee	\$124.00	1235	NTC	247
oc12.01(c)(26)c.	000	Parks - Permittee Interference With Persons in Park	\$124.00	1236	NTC	247
oc12.01(c)(28)	000	Parks - Fishing Violations	\$124.00	1237	NTC	247
oc12.01(c)(28)d.	000	Parks - Boats Prohibited in City Parks	\$124.00	1238	NTC	247
oc12.01(c)(29)	000	Parks - Unreasonably Loud Noise Prohibited	\$124.00	1239	NTC	247
oc12.01(c)(3)	000	Parks - Throwing Stones and Missiles Prohibited	\$124.00	1240	NTC	247
oc12.01(c)(30)	000	Parks - Smoking Prohibited in all Park Buildings	\$124.00	1241	NTC	247
oc12.01(c)(32)	000	Parks - Interference With Park Employees	\$124.00	1242	NTC	247
oc12.01(c)(4)	000	Parks - Removal of Park Equipment Prohibited	\$124.00	1243	NTC	247
oc12.01(c)(5)	000	Parks - Trapping	\$124.00	1244	NTC	247
oc12.01(c)(6)	000	Parks - Making of Fires	\$124.00	1245	NTC	247
oc12.01(c)(7)	000	Parks - Protection of Park Property	\$124.00	1246	NTC	247
oc12.01(c)(8)	000	Parks - Motorized Vehicles on Non-Parking Areas	\$124.00	1247	NTC	247
oc12.01(c)(9)	000	Parks - No Snowmobiles Shall Operate in City Parks	\$124.00	1248	NTC	247
oc12.02	000	Parks - Remote Controlled Air Vehicles Prohibited	\$124.00	1249	NTC	247
oc12.03	000	Parks - Damage to Turf Prohibited	\$313.00	1250	NTC	247
oc13.09(5)	000	Erosion and Sediment Control Plan	\$313.00	1251	NTC	247

oc15.12(a)	000	Building Permit Required	\$313.00	1252	NTC	247
oc15.12(b)(1)a	000	Permit Required - Structure	\$313.00	1253	NTC	247
oc15.12(D)(4)	000	Failure to Establish Lawn on Property	\$313.00	1254	NTC	247
oc15.300	000	Maintain exterior of property to be safe/clean/san	\$313.00	1255	NTC	247
oc15.48	000	Electrical Inspections	\$313.00	1256	NTC	247
oc15.50(a)	000	Electrical Contractor License Required	\$313.00	1257	NTC	247
oc15.51(a)	000	Electrical Permit Required	\$313.00	1258	NTC	247
oc15.69	000	Private Sewage System	\$1,010.00	1259	NTC	247
oc15.69(c)(1)a	000	Private Sewage System - Install without Permit	\$1,010.00	1260	NTC	247
oc15.69(i)	000	Private Sewage System - Failing Private System	\$1,010.00	1261	NTC	247
oc16.07(a)(b)	000	Requirements for Safe and Sanitary Maintenance	\$313.00	1262	NTC	247
oc16.09(j)	000	Grading, Landscaping and Drainage of Premises	\$313.00	1263	NTC	247
oc16.09(k)	000	Maintenance of Orderly Premises	\$313.00	1264	NTC	247
oc17.0204(6)	000	Use Restrictions - Christmas Tree Sales	\$313.00	1265	NTC	247
oc17.0204(d)(8)	000	Use Restrictions -- Violation of Permit	\$313.00	1266	NTC	247
oc17.0307	000	Single family housing - more than 2 people non-related to owner	\$313.00	1267	NTC	247
oc17.0315	000	Outdoor storage in B-4 district	\$313.00	1268	NTC	247
oc17.0403(f)(2)	000	Driveway surface to be asphalt/concrete	\$313.00	1269	NTC	247
oc17.0405(a)(1)	000	Car & Truck Parked on Front Yard/Lawn	\$313.00	1270	NTC	247
oc17.0405(a)(5)	000	Parking semi in res dist w/o access to Class A Hwy	\$313.00	1271	NTC	247
oc17.0405(b)(2)	000	Boat & Trailer Parked on Front Lawn of Property	\$313.00	1272	NTC	247
oc17.0405(c)	000	Limit 1 rec veh in res dist-Not [Greater Than] 8.5'w/13'hi/32'	\$313.00	1273	NTC	247
oc17.0405(g)	000	Parking Semi in Residential Zoning District	\$313.00	1274	NTC	247
oc17.0501(a)	000	Accessory use of a property - outdoor storage	\$313.00	1275	NTC	247
oc17.0501(b)(1)	000	Accessory structures in front yard	\$313.00	1276	NTC	247
oc17.0501(d)(2)(j)	000	No Ad shall be placed containing property address	\$313.00	1277	NTC	247
oc17.0704(b)	000	On Premise Signs Permitted w/o Permit	\$313.00	1278	NTC	247
oc17.0706	000	On Premise Signs Permitted w/o Permit	\$313.00	1279	NTC	247
oc17.0707	000	Off Premise Signs	\$313.00	1280	NTC	247
oc17.0709(d)	000	Temporary Banners & Construction Signs	\$313.00	1281	NTC	247
oc6.23(a)	000	Obstructions and Encroachments Prohibited	\$31.00	1282	NTC	247
oc6.24	000	Snow and Ice Removal	\$124.00	1283	NTC	247
oc6.60	000	Driveway Approaches and Sidewalks	\$313.00	1284	NTC	247
oc7.02(a)	000	Sale of Cigarettes without License	\$313.00	1285	NTC	247
oc7.101	000	Parking Outside of Mobile Home Parks	\$313.00	1286	NTC	247
oc7.101(b)(1)	000	Mobile Home Park License Required	\$313.00	1287	NTC	247
oc7.140	000	Transient Merchant License Required	\$300.40	1288	NTC	247
oc7.160(a)	000	License Required for Certain Athletic Events	\$313.00	1289	NTC	247
oc7.188(a)	000	False Alarms	\$313.00	1290	NTC	247
oc7.20(b)(1)	000	Amusement Device License Required	\$313.00	1291	NTC	247
oc7.20(b)(2)	000	Amusement Operator's License Required	\$313.00	1292	NTC	247
oc7.20(b)(3)	000	Amusement Machine License Required	\$313.00	1293	NTC	247
oc7.200(a)(1)	000	License Required Public Dance Halls	\$313.00	1294	NTC	247
oc7.2000(2)	000	License Required Tavern Dance Halls	\$313.00	1295	NTC	247
oc7.202(a)	000	License Required Auto Salvage Yards	\$313.00	1296	NTC	247
oc7.203(5)(a)(1)	000	Adult Entertainment License Required	\$313.00	1297	NTC	247
oc7.204(3)	000	Escort License Required	\$515.00	1298	NTC	247
oc7.21(c)	000	Amusement Arcade License Required	\$313.00	1299	NTC	247
oc7.23(a)	000	Arcade Business Operation Violation	\$313.00	1300	NTC	247
oc7.40(e)	000	Dog Running at Large Prohibited	\$155.50	1301	NTC	247
oc7.40(g)	000	Vicious Dog Prohibited	\$250.00	1302	NTC	247
oc7.41(a)(3)	000	Harboring Rabid Animals Prohibited	\$313.00	1303	NTC	247
oc7.42	000	Animals Biting Persons Requirements	\$313.00	1304	NTC	247
oc7.43	001	Opening Door to Allow Dog At Large	\$145.50	1305	NTC	247
oc7.44	001	Limitation of Two Dogs on Premises	\$313.00	1306	NTC	247
oc7.45	000	Dog Litter	\$313.00	1307	NTC	247
oc7.46(a)	000	Injury to Property By Animals	\$313.00	1308	NTC	247
oc7.46(b)	000	Barking Dogs and Crying Cats	\$313.00	1309	NTC	247
oc7.46(c)(6)	000	Trapping of Animals Prohibited on Public Property	\$313.00	1310	NTC	247
oc7.47(a)(1)	000	Possession and Sale of Protected Animals	\$313.00	1311	NTC	247
oc7.47(c)	000	Keeping of Wild Animals Prohibited	\$313.00	1312	NTC	247
oc7.47(c)(21)	000	Wild Animal Prohibited - Wolf Hybrids	\$313.00	1313	NTC	247
oc7.47(c)(8)	000	Wild Animals Prohibited - Snakes	\$313.00	1314	NTC	247

oc7.48(1)	000	Dangerous Animals Restricted	\$313.00	1315	NTC	247
oc7.49(a)	000	Licensing of Cats Required	\$313.00	1316	NTC	247
oc7.61	000	Operate kennel without permit	\$313.00	1317	NTC	247
oc7.81	000	Sale of Alcohol without License	\$313.00	1318	NTC	247
oc7.89	000	Liquor License Closing Hours Violation	\$313.00	1319	NTC	247
oc8.03(e)(1)	000	Human Health Hazards Prohibited	\$313.00	1320	NTC	247
oc8.04	000	Deposit of Deleterious Substances	\$313.00	1321	NTC	247
oc8.08(b)	000	Failure to Eliminate Rodent Harborage	\$313.00	1322	NTC	247
oc8.10(b)(1)(a)	000	Operate Business without State Permit/Certificate	\$313.00	1323	NTC	247
oc8.10(f)(1)	000	Operate Mobile Food Establishment without License	\$313.00	1324	NTC	247
oc8.10(m)(1)	000	Fail to Properly use Disposable Gloves	\$313.00	1325	NTC	247
oc8.21	000	Storage Of Polluting Substances	\$313.00	1326	NTC	247
oc8.23(e)4.	000	Illicit Discharges and Connections	\$313.00	1327	NTC	247
oc8.41(f)	000	Solid Waste - Trash Container Storage/Placement	\$187.00	1328	NTC	247
oc8.46(a)	000	Scavenging Prohibited	\$187.00	1329	NTC	247

City of Oak Creek Common Council Report

Meeting Date: 12/15/2015

Item No.: 12

Recommendation: The Oak Creek Public Library Board of Trustees recommends that the Common Council approve the attached Civic Center Meeting Room Policy to be effective December 15, 2015 and that it apply to all meeting rooms available for public use in the Civic Center complex.

Background: In designing the Oak Creek Civic Center, the building team made sure that there were a variety of different sized meeting rooms for both city and library use, as well as, public use. There are a total of eighteen (18) meeting rooms available for public use in the Library and Shared Lobby Space of the Oak Creek Civic Center. Eight (8) of the rooms are study rooms in the Library will be available to residents free of charge on a first-come basis. The additional ten (10) rooms will be available for public rental for a nominal fee. The Civic Center Meeting Room Policy outlines rules regulating the use and reservation of the rooms. Oak Creek Public Library Staff will be oversee the public reservation process for the rooms covered under this policy. Because the meeting spaces are located in both the Library and the Shared Spaces of the Civic Center, staff has requested the approval of the Civic Center Meeting Room Policy by both the Common Council and the Library Board of Trustees.

Fiscal Impact: Fees accessed to use the meeting rooms will be used to offset additional maintenance costs that will be incurred due to frequent use of the spaces.

Prepared by:


Jill Lininger
Library Director

Respectfully submitted by:


Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Reviewed by:


Bridget M. Souffrant, CMTW
Finance Director / Comptroller



[Printable Application](#) (please bring into the Library).

PURPOSE

The Oak Creek Civic Center's Program and Meeting Rooms fall under the control and custody of the Oak Creek Public Library Director and Oak Creek City Administrator. Use of the Civic Center's Meeting Rooms is subject to the application review and approval of the Oak Creek Public Library Director or his or her designee. Neither the Library nor the City is in any way affiliated with the events scheduled in or agencies using the Meeting Rooms; it simply provides the venue for such events.

In making the meeting room available to the public, the Library Board subscribes to the tenets of the American Library Association's *Library Bill of Rights* which states in part, "Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use."

Usage Groups and Fees

The primary purpose of these rooms is for Library or City related activity. The Library and City of Oak Creek, including board and commissions, the Friends of the Library, Library Foundation and individuals and organizations affiliated with and/or partnering with the Library and/or City to provide Community Programs will not be charged a fee to use any Civic Center meeting spaces. Library study rooms 1 – 7 and Tutor Room – Yellow are available free of charge. All other groups and organizations requesting use of Civic Center Meeting Rooms shall be classified as follows:

Class A – Oak Creek Resident Non-Profit and Charitable Organizations

- An Oak Creek Resident Organization is defined as a group having more than 50% of its members residing in the City of Oak Creek.
- Must show proof of non-profit status
- Must show proof of resident status

Class B – Oak Creek Resident for Profit Activities

- An Oak Creek Resident Organization is defined as a group having more than 50% of its members residing in the City of Oak Creek.
- Must show proof of resident status

Class C – Non-Oak Creek Resident Organization

Class D – Social Activities (available in the Multi-Purpose and Storytime Rooms only)

Usage Fees

The Oak Creek Civic Center offers a variety of types and sizes of meeting rooms available for public use. Please see the Civic Center Meeting Room Fee Schedule for exact rental fees.

All users must submit fee upon application. All funds shall be paid to the Oak Creek Public Library.



Application Process

- Applications must be filled out online at www.oakcreeklibrary.org.
- Users are responsible for reading and understanding the Meeting Room Policy and Procedure/Guidelines issued with the application.
- Dates and times of use are allocated on a first-come, first-served basis.
- Usage fee must be paid upon submittal of written application. The fee will be refunded only if cancellation is at least 2 weeks before the scheduled event.
- Reservations are not considered confirmed until a signed application has been approved.
- Application and other required material must be submitted at least two weeks prior to the scheduled meeting date. Application may be made up to three months in advance.
- A representative of each group must provide a signed copy of the meeting room policy signatory page, one week prior to using any Civic Center room. The library will keep the signed copy on record for 1 calendar year at which point each group will need to resubmit the policy signatory page.
- The Library Director, City Administrator or his or her designee must approve meeting hours.
- Series of up to twenty-four meetings per year are allowable under this policy. Requests for series requiring twenty-five or more dates are allowable subject to the approval of the Library Director and City Administrator and may require an additional fee agreement.
- Rooms may be reserved for a maximum of 4 hours per day. Requests for usage requiring more than 4 hours are allowable subject to the approval of the Library Director and City Administrator and may require additional fees.
- An officer or representative of the scheduling organization at least 18 years of age must sign the application.
- Users must confirm room reservation 48 hours before event.
- Meetings are publicly noticed by the Library and City within the building and on the Library and City websites. A copy of the organization's flyer, press release, or other promotional material must be submitted for such notice. Notices may in no way state that the Library or City is a sponsor or endorser of the event. Notices may only state the appropriate Civic Center Meeting Room as the location for scheduled events.

Room uses

- The capacity of the various Civic Center meeting rooms are as follows. These capacities cannot be exceeded.
 - Multi-Purpose Room (Capacity: 206)
 - Common Council (Capacity: 151)
 - Tower Room (Capacity: 20)
 - Lake Vista Room (Capacity: 12)
 - Heritage Room (Capacity: 10)
 - Delco Room (Capacity: 10)
 - Storytime Room (Capacity: 69)
 - Business Center (Capacity: 8)
 - Technology Training Center (Capacity: 31)
 - Study Rooms 1, 2, 3 and 4 (Capacity: 4)
 - Study Rooms 5, 6, 7 (Capacity: 6)
 - Tutor Room – Yellow (Capacity: 4)
- No advance deliveries can be accepted for meetings. Materials cannot be stored at the Library or City Hall before or after a meeting.
- All Civic Center meeting rooms are equipped with a variety of media and technology equipment. A designee or designees or groups wishing to utilize such equipment must take a staff lead training class before meeting room equipment will be made available for the group. The individual(s) that received the training must be present in order to use any equipment. A fee per individual / per training session will be assessed. Each room may require its own training session. Training must be renewed each calendar year (or as new equipment is introduced).
- Meeting room users may request Civic Center staff to set up or clean up individual meeting rooms as staffing allows. Additional charges will apply.
- When special arrangements are needed during a meeting, or an emergency arises, the person responsible for the meeting should contact the Reference Librarian at the 2nd Floor Service Desk.



- Meeting rooms are available:
 - Monday – Friday: 9:00 am – 7:30 pm
 - Saturday: 9:00 am – 3:30 pm
- Users must abide by the Program Room Procedures & Guidelines (issued during the application process).
- Light refreshments may be served in the Multi-Purpose and Storytime Rooms. Lidded beverages are allowed in all other meeting rooms. Food is not allowed in any other rooms. Members of the group are responsible for bringing all serving equipment, supplies, etc., for food setup and cleanup. See Non-Compliance Policy section below regarding excess cleanup, etc.
- Class B, C, D and E users must vacate the building 30 minutes before the library closes.

Conduct

- The Library Patron Behavior Policy must be observed at all times.
- Use of the room cannot be disruptive of the programs and activities of the Civic Center.
- No unlawful activity is permitted on Civic Center premises.

Cancellations / No-Shows

- The Library must be notified as far in advance as possible of cancellations so as to inform the public of cancellation; and if applicable, the rescheduling of the meeting.
- Usage fees will be refunded only if cancellation is at least 2 weeks before the scheduled event.
- Repeated cancellations or failure to keep appointments for meetings will be cause for denial of future meeting room requests.

Non-compliance Policy

- Non-compliance with meeting room policies and procedure/guidelines will result in loss of meeting room privileges.
- If, following a meeting, additional staff assistance is needed to clean the facility, or if any part of the Meeting Room or its contents are damaged and require repair/replacement, groups will be billed. Future meeting room use may be denied at the discretion of the Library Board or its designee.
- Meeting Room users are NOT representative of the Library, the City or its operations.

*Approved by the Library Board of Trustees and
Oak Creek Common Council
December 15, 2015*

City of Oak Creek Common Council Report

Meeting Date: 12/15/2015

Item No.: 13

Recommendation: That the Common Council adopt Resolution No. 11664-120115, a resolution establishing various fees, permits and charges charged by the City of Oak Creek, to be effective 1/1/2016.

Background:

Fire: The current ALS/BLS rates were established in January of 2015. The Milwaukee County Association of Fire Chiefs (MCAFC) annually makes an assessment of comparable rates for services and recommends a rate revision, if necessary. These rates were adjusted by 1.80%, which is the change in the medical care commodities and medical care service CPI for 2015. These proposed rates were reviewed by a number of the billing agencies used by the providers and deemed to be within reasonable limits for acceptable rates.

We are also requesting to raise all the fire inspection and permit fees by 1.8%.

Health: The last time the Health Department made any changes to the fee schedule was on April 4, 2011. Recently the Health Department staff completed a study to review our licenses and fees for the Food Safety and Recreational Licensing Program (FSRL) and the Department of Agriculture Trade and Consumer Protection Program (DATCP). On November 5, 2015, the Board of Health approved the recommendations which are now brought forth to the Common Council for review and approval. Attached is the PowerPoint Presentation viewed by the Board of Health.

Civic Center Meeting Rooms: In designing the Oak Creek Civic Center, the building team made sure that there were a variety of different sized meeting rooms for both city and library use, as well as, public use. Ten (10) Civic Center meeting rooms will be available for public rental for a nominal fee. Oak Creek Public Library staff will be overseeing the public reservation process for the rooms covered under this policy. Because the fee schedule covers spaces in both the Library and the Shared Spaces of the Civic Center, staff has requested the approval of the fee schedule by both the Common Council and the Library Board of Trustees.

Fiscal Impact:

Fire: If approved, it is anticipated the rate for emergency medical services will generate additional revenue for the City estimated at \$11,500. The fire inspection and permit fees will see an increase estimate of \$600 for 2016.

Health: With the proposed changes the increase is minimal (approximately \$225.00). The revenue generated by the addition of the "Plan Review" will depend upon the number of new establishments.

Meeting Rooms: If approved, the fees collected from public use of the meeting rooms will be used to offset additional costs that may be incurred due to the frequent use of the spaces.

Prepared by:



Tom Rosandich
Fire Chief

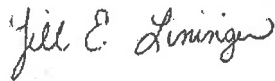
Respectfully submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator



Judith Price, RN, BSN, MSHCA
Health Department



Jill Lininger
Library Director

Fiscal Reviewed by:



Bridget M. Souffrant / CMTW
Finance Director / Comptroller

RESOLUTION NO. 11664-120115

BY: _____

A RESOLUTION ESTABLISHING VARIOUS FEES, PERMITS AND CHARGES
CHARGED BY THE CITY OF OAK CREEK

BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that various fees, permits and charges shall be established as follows and shall be effective upon approval by the Common Council:

CITY CLERK'S OFFICE

1. Adult Entertainment Business
Includes: Arcade; Bookstore; Escort; Exotic Dance; Motion Picture Theater; Novelty Store; Video Store; Hotel
New \$2,800.00
Renewal \$2,400.00
Manager/Assistant Manager \$ 100.00
Entertainer \$ 300.00
Part Time/Full-Time Employees \$ 100.00
2. Amusement Operator and Devices
Operator \$ 150.00
Each Device \$ 45.00
3. Arcades
Arcade License (annual) \$2,000.00
Arcade Operator \$50.00
Each Device \$45.00
License Transfer Fee \$50.00
(transfer of location only)
Duplicate license \$20.00
4. Athletic Events, Parades & Related Events
Application fee \$35.00
(plus actual costs for police/fire/streets)
5. Auto Salvage Yards \$500.00
6. Cigarette \$100.00
7. Dance Hall \$100.00

8.	<u>Landfill License</u>	
	Original Application Fee	\$1,200.00
	Renewal	\$300.00
	(Plus actual cost of review, inspection and administration in excess of application fee.)	
9.	<u>Kennel</u>	\$100.00
10.	<u>Mobile Home Park License</u>	\$100.00 annual per each 50 spaces or fraction thereof
	Transfer of License	\$10.00
11.	<u>Alcohol Beverage</u>	
	Class "A" Fermented Malt Beverage	\$150.00
	Class "A" Retail Liquor	\$500.00
	Class "B" Beer	\$100.00
	Class "B" Retail Liquor	\$500.00
	Class "C" Wine	\$100.00
	Wholesale Beer	\$25.00
	Special Class "B" Beer/Wine	\$10.00
	Reserve "Class B" One-Time	\$10,000.00
	Provisional Class "A", Class "B", "Class A", "Class B", Class "C"	\$15.00
	Change of Premises Description	\$25.00
	Publication Fees	
	Renewal	\$10.00
	Individual	\$20.00
12.	<u>Operator (Bartender)</u>	
	Two-year license	**\$100.00
	**Payment in full required at time of application	
	Refund for Denial	\$25.00
	Provisional License	\$15.00
	Duplicate License	\$10.00
	Temporary License	No Charge
13.	<u>Pawnbrokers, Secondhand Article & Secondhand Jewelry Dealer</u>	
	Pawnbrokers	\$210.00
	Secondhand Article Dealers	\$27.50
	Secondhand Jewelry Dealers	\$30.00
	Secondhand Article Dealer Mall or Flea Market	\$165.00

14. Transient Merchant
- | | |
|--|-----------------|
| Business License | Yearly \$375.00 |
| | Daily \$35.00 |
| Investigation fee/each salesperson | \$70.00 |
| ID Badge for each approved salesperson | \$30.00 |
- (Issued by and payable at Police Department)

COMMUNITY DEVELOPMENT

1. Bikeway Fees
- a. Bikeway fee for each new residential lot or unit - \$50.00

2. Document Sales
- a. Zoning Code (Chapter 17) \$25.00
- b. Land Division (Chapter 14) \$10.00
- c. Park Plan \$15.00
- d. City Maps
1. 1" = 1000' - \$2.00
 2. 1" = 2000' - \$1.50
- e. Official Maps (1/4 Sections)
1. 1" = 100' - \$1.50
 2. 1" = 200' - \$1.50
- f. Aerial Photographs
1. 1" = 400' - \$1.50
 2. 1" = 2000' - \$1.50
- g. All Other Documents:
1. ≤ 18" x 24" - \$.25 per page
 2. Each copy ≥ 18" x 24" and ≤ 36" x 42" - \$4.00
 3. Computer plot – standard size: \$4.50

NOTE: Add \$4.00 per sheet if map is reproduced on mylar. First two (2) drawings are free for Oak Creek property owners acquiring information on their property. Add \$1.50, plus postage, if mailing is requested.

3. Plan Commission
- a. Multifamily and building plan review - \$350.00
 - b. Commercial site and building plan review - \$350.00
 - c. Industrial site and building plan review - \$350.00
 - d. Landscaping plan review - \$150.00
 - e. Lighting plan review - \$15.00
 - f. Sign plan review - \$150.00
 - g. Special Plan Commission meeting - \$35.00/citizen member at the meeting

4. Subdivision Fees
- a. Preliminary subdivision plats - \$475.00
 - b. Final subdivision plats - \$400.00
 - c. Certified Survey Maps - \$525.00
 - d. Affidavit of Correction - \$275.00
 - e. Minor land division - \$275.00

5. Tax Increment Financing (TIF) District Financing
A filing fee of \$1,000 shall be charged for any request that the City create a Tax Increment Financing (TIF) District. If the district is approved, the fee shall be paid as an eligible cost identified in the Project Plan. If the district is not approved, the fee will be waived.
6. Zoning Fees
 - a. Basic rezoning \$775.00
 - b. Planned Unit Development (PUD) \$900.00
 - c. Amendment to Planned Unit Development (PUD) \$550.00
 - d. Conditional Use Permit \$875.00.
 - e. Amendment to Conditional Use Permit \$550.00
 - f. Zoning Text Amendment \$500.00
 - g. Temporary use or use approval \$300.00
 - h. Plan Commission consultation \$250.00
 - i. Zoning Board of Appeals \$250.00
 - j. Board of Housing Appeals \$250.00

NOTE: If an applicant withdraws their request after the Plan Commission meeting and prior to the publication of the public hearing notice, the following filing fee refunds will be provided:

- Official Map Amendment \$300.00
- Basic Rezoning \$270.00
- Planned Unit Development (PUD) \$280.00
- Amendment to Planned Unit Development \$260.00
- Conditional Use Permit \$275.00
- Amendment of Conditional Use \$280.00
- Zoning Text Amendment \$220.00

ENGINEERING

1. Engineering Fees & Erosion Control
 - a. \$60.00 plus \$3.00 for each 1,000 square feet of land greater than 20,000 square feet.
 - b. Service Fees (per hour by position)

City Engineer	\$65.00
Development Engineer/Design Engineer/Construction Coordinator	\$55.00
Civil Engineer/Senior Technician	\$50.00
Engineering Technician/Draftsperson	\$40.00
Technician CADD/Survey	\$40.00

2. Landfill Permits
 - a. \$300.00 initial application fee, plus billing of actual costs of review, inspection and administration in excess of application fee.
3. Storm Water Management Permit
 - a. \$300.00 initial application fee, plus billing actual costs of review, inspection and administration in excess of application fee.

4. Street Permits & Fees

- a. Excavation permits (Street cuts): \$50.00 plus \$3.25 per 100 feet or fraction thereof.
- b. Driveway approach permit: \$50.00.
- c. Street or other right-of-way (ROW) vacation: \$575.00.
- d. Official map amendment: \$775.00.
- e. House moving permit: \$250.00.

FIRE DEPARTMENT

a. Definitions.

1. **Advanced Life Support (ALS) Services:** An advanced level of pre-hospital and inter-hospital emergency care and non-emergency medical care that includes basic life support care, cardiac monitoring, cardiac defibrillation, electrocardiography, intravenous therapy, administration of medications, drugs and solution, use of adjunctive medical devices, trauma care, on scene care and other authorized techniques and procedures, as provided in rules adopted by the Department of Health Services under Chapter HFS 112.
2. **Advanced Life Support Service, Level 1 (ALS-1):** The provision of ALS Services and/or assessment at a level below that specified for ALS-2 Services in (a)(3), below.
3. **Advanced Life Support, Level 2 (ALS-2):** The provision of ALS Service and/or assessment with treatment including the administration of three or more different medications and the provision of at least one of the following ALS procedures:
 - Manual defibrillation/cardioversion
 - Endotracheal intubation
 - Central venous line insertion
 - Chest decompression
 - Intraosseous line insertion
4. **Basic Life Support (BLS) Services:** A basic level of pre-hospital, on scene care/assistance and inter-hospital non-emergency medical care and emergency care that includes airway management, cardiopulmonary resuscitation (CPR), control of shock and bleeding and splinting of fractures, as provided in rules adopted by the Department of Health Services under Chapter HFS 110.
5. **Department:** The City of Oak Creek Fire Department.
6. **Mileage Fee:** A fee for each mile, or portion thereof, that an ambulance travels when transporting a patient in need of medical care to a hospital or medical facility.
7. **Resident:** A person whose primary home address is within the city limits of the City of Oak Creek.
8. **Non-Resident:** A person whose primary home address is not within the city limits of the City of Oak Creek.
9. **Group-1 Drugs:** Albuterol, Amiodarone (30 mg), Aspirin, Atropine, Benadryl, Calcium Gluconate, Dextrose, D5W, Glucose (oral), Nitroglycerine, Sodium Normal Saline (bags & carpujet), Zofran Tabs, Zofran IV and to include any other drugs as

may be approved or authorized by the Intergovernmental Cooperation Council in the future.

10. **Group-2 Drugs:** Calcium Chloride, Dopamine, Epinephrine (IM or IV, not by Epi-pen), Lidocaine, Sodium Bicarbonate and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.
11. **Group-3 Drugs:** Fentanyl, Ketamine, Midazolam, Narcan and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.
12. **Specific Drug Group:** Epinephrine by Epi-pen, Adenosine, Glucagon (up to 1 Mg), Solmedrol (41-125 Mg), EZ-IO, and to include any other drugs as may be approved or authorized by the Intergovernmental Cooperation Council in the future.

NOTE: The confidentiality of all patient information shall be maintained pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all other applicable Federal and/or State Laws.

b. **Advanced Life Support Fees.**

1. **Resident Fees:** Every resident of the City of Oak Creek receiving advanced emergency service from the City by way of an advanced life support unit transport to a health care facility shall pay for such service the sum of ALS-1 \$719.11 and ALS-2 \$828.36 base rate, plus \$109.25 for defibrillation, plus \$65.76 for IV and supplies, plus \$81.67 for intubation, plus \$86.97 for ALS supplies, plus \$81.67 for oxygen and supplies, plus \$109.25 for EKG, plus \$159.10 for Spinal Immobilization, plus \$35 for each drug in Group-1, plus \$40.30 for each drug in Group-2, plus \$51.97 for each drug in Group-3, plus \$103.94 for Epinephrine by Epi-pen, plus \$97.58 for Adenosine, plus \$97.58 for Glucagon, up to 1 Mg, plus 63.64 for Solmedrol, 41-125 Mg, and \$130.46 for EZ-IO for the Specific Drug Group, plus \$3.18 for triage barcode wristbands, plus \$980.03 for Cyano-kits, plus \$48.79 for CPAP Mask. If the Department provides ALS level treatment that does not end in a transport, the patient shall be charged \$135.76 for non-invasive and invasive treatment plus services and drug group charges noted above.
2. **Non-Resident Fees:** Every non-resident of the City of Oak Creek receiving advanced emergency service from the City by way of advanced life support unit transport to a health care facility shall pay for such service the sum of ALS-1 \$849.57 and ALS-2 \$980.03 base rate, plus \$109.25 for defibrillation, plus \$65.76 for IV and supplies, plus \$81.67 for intubation, plus \$86.97 for ALS supplies, plus \$81.67 for oxygen and supplies, plus \$109.25 for EKG, plus \$159.10 for Spinal Immobilization, plus \$35 for each drug in Group-1, plus \$40.30 for each drug in Group-2, plus \$51.97 for each drug in Group-3, plus \$103.94 for Epinephrine by Epi-pen, plus \$97.58 for Adenosine, plus \$97.58 for Glucagon, up to 1 Mg, plus 63.64 for Solmedrol, 41-125 Mg, and \$130.46 for EZ-IO for the Specific Drug Group, plus \$3.18 for triage barcode wristbands, plus \$980.03 for Cyano-kits, plus \$48.79 for CPAP Mask. If the Department provides ALS level treatment that does not end in a transport, the patient shall be charged \$190.92 for non-invasive and invasive treatment plus services and drug group charges noted above.
3. **Mileage Fees:** Every resident and non-resident shall pay \$15.91 for each mile, or portion thereof, that an ambulance travels when transporting a patient in need of medical care to hospital or medical facility.

c. Basic Life Support Fees.

1. Resident Fees: Every resident of the City of Oak Creek receiving basic emergency service from the City by way of basic life support unit transport to a health care facility shall pay for such service the sum of \$556.84 base rate, plus \$81.67 for oxygen, plus \$65.76 for supplies, plus \$26.52 for EKG, plus \$159.10 for Spinal Immobilization. If the Department provides medical treatment and or assistance only, that does not end in a transport; the patient shall not be charged a fee for the first 1-3 assists within one calendar year but shall be charged \$79.55 per assist for 4 or more assists within one calendar year and no additional fees will apply for medical care.
2. Non-Resident Fees: Every non-resident of the City of Oak Creek receiving basic emergency service from the City by way of basic life support unit transport to a health care facility shall pay for such service the sum of \$742.45 base rate, plus \$81.67 for oxygen, plus \$65.76 for supplies, plus \$26.52 for EKG, plus \$159.10 for Spinal Immobilization. If the Department provides medical treatment and or assistance only, that does not end in a transport; the patient shall be charged a flat \$81.67 fee. No additional fees will apply for medical care.
3. Fees for Transfer Services: In all cases where the ambulance service of the City is requested to transfer an Oak Creek resident from a hospital in Milwaukee County to a nursing facility in Milwaukee County or to the resident's home in Oak Creek, such person shall pay a base rate of \$397.74, plus \$81.67 for oxygen, plus \$65.76 for consumables, plus \$26.52 for EKG's, plus \$159.10 for Spinal Immobilization. All transfers shall be and are limited to Oak Creek residents.
4. In-City Facility Fees: Every resident or non-resident of the City of Oak Creek receiving basic emergency service from the City by way of basic life support unit transport to a health care facility located within the boundaries of the City shall pay for such service the sum of \$291.68.
5. Mileage Fees: Every resident and non-resident shall pay \$15.38 for each mile, or portion thereof, that an ambulance travels when transporting a patient in need of medical care to hospital or medical facility.

d. Fire alarm connections.

1. Every person, firm or corporation connecting to the console system of the Oak Creek Fire Department or fire alarm service shall pay for such service as follows: \$50.00 for installation of service lines; \$100.00 annual charge.
2. Annual charges shall be billed by the Fire Department on January 1st of each year. For service installed subsequent to January 1st, the annual charge shall be pro-rated on a monthly basis.

- e. Hazardous materials. Replacement of cost of any extinguishment agent, neutralizers, chemicals or materials. Any person, firm or corporation shall reimburse the City for personnel costs, equipment expenses and replacement costs of any extinguishing agent, chemical, neutralizer, or materials used in the extinguishment, confinement, neutralizing or cleanup of any flammable or combustible liquid, gas, solid or any hazardous material or chemical involved in any fire or accidental spill.

- f. False alarm. Any person, firm or corporation having a fire alarm, smoke detector or any other type of alarm, and the alarm calls for response from the Fire Department, shall not be charged a fee for the first 1-3 alarms within one calendar year but shall be charged \$50.00 per alarm for 4-7 alarms within one calendar year and \$200.00 per alarm for 8 or more alarms within one calendar year.
- g. Nuisance fire alarms. Any person, industry, commercial establishment, railroad, apartment house complex or other who shall cause nuisance fires (multiple rubbish fires, grass fires, etc.) shall be liable for the sum of \$300.00 per hour or fraction thereof.
- h. Plan Review.
 - 1. Sprinkler review \$68.91
 - 2. All underground plan \$68.91
 - 3. Fire alarm system \$68.91
 - 4. Hood systems \$34.45
 - 5. Dry chemical systems \$68.91
 - 6. Special systems \$68.91
 - 7. Final Occupancy \$51.68
- i. Rescue Services. Any person, firm, contractor, or corporation requiring rescue services beyond the capacity of the Fire Department, shall reimburse the City for personnel costs, equipment and supplies, and outside rescue services.

Fire Inspection Fees

Fire Inspection fees are as follows, with each level based on the estimated time in minutes to conduct such inspections:

Inspection Type	Estimated Time in Minutes	Inspection Pay Rate	Total Fee
Level 1	0-15	51.79	\$17.47
Level 2	16-30	51.79	\$31.20
Level 3	31-45	51.79	\$44.94
Level 4	46-60	51.79	\$58.67
Level 5	61-75	51.79	\$86.14
Level 6	76-90	51.79	\$99.87

Incident Billing Fees

The Oak Creek Fire Department will bill for rescue services provided as a result of motor vehicle crashes occurring within the City of Oak Creek. Motor vehicle crashes include, but are not limited to, accidents involving vehicles, motorcycles; or pedestrians or bicyclists struck by vehicles.

Incident billing will only occur for those incidents involving the extrication, packaging, and removal of patients from a vehicle or scene.

The amount of the bill will be \$500 per incident. Billing is applicable to non-residents only; residents of the City of Oak Creek will not be billed for rescue services.

HEALTH DEPARTMENT

a. Health Department Fees and Charges shall be established by the Community Public Health Officer according to guidelines adopted by the Board of Health and subject to review by the Board of Health. A list of the fees and charges will be on file in the Health Department office. The Community Public Health Officer shall provide a copy of any change to the fees to the City Clerk 15 days prior to the effective date of such change. The clerk shall provide a copy to the Common Council as soon as practicable. The fees shall go into effect at the end of the 15 days period unless an Alderman or the Mayor objects in writing in which case the fee change shall be brought before the entire Common Council for consideration and approval.

b. Fee Schedule for Restaurants, Lodging, Campgrounds, Pool/Water Attractions, Tattoo/Body Piercing Establishments, and Retail Food Establishments.

1. Restaurant/Meal Food Service

a) Limited Food Service Restaurants including mobile restaurant vendors and service bases: A restaurant that serves only individually wrapped, hermetically sealed, single servings supplied by a licensed processor.

- 1) Annual License Fee: \$246.00
- 2) Pre-inspection Fee: \$120.00
- 3) Re-inspection Fee: \$134.00
- ~~4) Late Fee: \$ 90.00~~
- 4) Plan Review: \$77.00

b) Simple Complexity Restaurant: including mobile restaurant vendors and service bases: A restaurant in which all of the following criteria are met:

- ~~1) Food is cooked to order.~~
- ~~2) Food may be kept in a hot or warm condition, but only for one meal period. Such food may not be cooled and re-served at a later time.~~
- ~~3) Limited preparation of food. Pre-packaged products may be mixed together and minor preparation, such as slicing onions or pickles as condiments, is acceptable.~~
- 4) Potential for cross-contamination must be minimal. No raw chicken or other meats may be used. Pre-breaded fish or preformed burger patties (fresh or frozen) may be used.
 - (a)1) Annual License Fee: \$371.00
 - (b)2) Pre-inspection Fee: \$190.00
 - (c)3) Re-inspection Fee: \$134.00
 - (d) ~~Late Fee: \$ 90.00~~
 - 4. Plan Review: \$112.00

c) Moderate Complexity Restaurant: including mobile restaurant vendors and service bases: A restaurant in which any of the following criteria are met:

- ~~1) Any Potentially Hazardous Food, as that term is defined in Wis. Admin. Code Ch. 196, is cooled and/or reheated.~~

- ~~2) Any food products made from scratch.~~
 - ~~3) The facility seats 50 or more patrons.~~
 - ~~4) The facility has a drive-up window or walk-up service window or provides delivery of food.~~
 - ~~5) Any raw poultry, seafood, or bulk beef is served. This does not apply to use of preformed patties.~~
 - ~~6) The facility provides catering services.~~
 - ~~7) The facility provides banquet services.~~
 - ~~(a)1) Annual License Fee: \$409.00~~
 - ~~(b)2) Pre-inspection Fee: \$204.00~~
 - ~~(c)3) Re-inspection Fee: \$134.00~~
 - ~~(d) Late Fee: \$ 90.00~~
 - ~~4) Plan Review \$182.00~~
- d) High Complexity Restaurant: including mobile restaurant vendors and service bases: A moderate complexity restaurant in which five or more of the moderate complexity criteria set forth above are present.
- 1) Annual License Fee: ~~\$458.00~~ \$500.00
 - 2) Pre-inspection Fee: \$246.00
 - 3) Re-inspection Fee: \$134.00
 - 4) ~~Late Fee: \$ 90.00~~
 - 4) Plan Review \$240.00
- e) Additional Food Preparation Area
- 1) Annual License Fee: ~~\$84.00~~ \$100.00
 - 2) Pre-inspection Fee: ~~\$45.00~~
 - 3) Re-inspection Fee: ~~\$50.00~~
 - 4) Plan Review: ~~\$80.00~~
- f) ~~Late Fee: \$90.00~~

2. Temporary Food Establishments Restaurant: A restaurant that operates at a fixed location for a period of no more than 14 consecutive days in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion. Occasional means fewer than 4 days during any 12-month period. Licenses are issued at the site of the event. A temporary restaurant may be moved from location to location within the City, but may not operate from the new location until it has been inspected and found to be in compliance. A temporary restaurant license may not be used to operate more than one restaurant at a time exceeding 14 consecutive days.

- a) Temporary Restaurant:
 - 1) Annual License Fee/Inspection Fee: ~~\$165.00 for season~~ \$170.00
 - 2) Per Event License/Inspection Fee: ~~\$75.00~~
- Ⓣ(b) Temporary Retail Food (Popcorn/Cotton Candy).
 - 1) Annual License/Inspection Fee: \$25.00 \$50.00
 - 2) Per Event License/Inspection Fee: ~~\$35.00~~ \$25.00
- (c) Late Fee: ~~\$25.00~~ \$25.00

- ~~g) Additional Food Preparation Area as defined in HFS 196.05 (3)(b) which is currently adopted by reference in City Ordinance Sec. 8.10(1)~~
~~1) Annual License Fee \$ 84.00~~

2.3. Bed and Breakfast Establishments.

- | | | |
|----------------|-------------------------|---------------------|
| a) | Annual License Fee: | \$ 218.00 |
| b) | Pre-inspection Fee: | \$ 120.00 |
| c) | Re-inspection Fee: | \$ 78.00 |
| d) | Late Fee: | \$ 90.00 |
| (d) | Plan Review: | \$77.00 |
| (e) | Late Fee: | \$90.00 |

3.4. Hotels, Motels, Tourist Rooming Houses.

- | | | |
|----|-----------------------------------|------------------------------|
| a) | 05-30 Sleeping Rooms | |
| 1) | Annual License Fee: | \$312.00 |
| 2) | Pre-inspection Fee: | \$204.00 |
| 3) | Re-inspection Fee: | \$134.00 |
| 4) | Plan Review: | \$109.00 |
| b) | 31-99 Sleeping Rooms | |
| 1) | Annual License Fee: | \$404.00 |
| 2) | Pre-inspection Fee: | \$232.00 |
| 3) | Re-inspection Fee: | \$134.00 |
| 4) | Plan Review: | \$142.00 |
| c) | 100-199 Sleeping Rooms | |
| 1) | Annual License Fee: | \$439.00 |
| 2) | Pre-inspection Fee: | \$261.00 |
| 3) | Re-inspection Fee: | \$134.00 |
| 4) | Plan Review: | \$154.00 |
| d) | 200 or more Sleeping Rooms | |
| 1) | Annual License Fee: | \$481.00 \$500.00 |
| 2) | Pre-inspection Fee: | \$289.00 |
| 3) | Re-inspection Fee: | \$134.00 |
| 4) | Plan Review: | \$172.00 |
| e) | Tourist Rooming House (1-4 rooms) | |
| 1) | Annual License Fee: | \$218.00 |
| 2) | Pre-inspection Fee: | \$204.00 |
| 3) | Re-inspection Fee: | \$134.00 |
| 4) | Plan Review: | \$77.00 |
| f) | Late Fee: | \$ 90.00 |

4.-5. Campgrounds, Recreational and Educational Camps.

- | | | |
|----|--------------------------|----------|
| a) | Campgrounds (1-25 sites) | |
| 1) | Annual License Fee: | \$196.00 |
| 2) | Pre-inspection Fee: | \$134.00 |
| 3) | Re-inspection Fee: | \$134.00 |
| 4) | Plan Review: | \$59.00 |
| b) | Campground (26-50 sites) | |

1)	Annual License Fee:	\$232.00	<u>\$250.00</u>
2)	Pre-inspection Fee:	\$134.00	
3)	Re-inspection Fee:	\$134.00	
4)	<u>Plan Review:</u>	<u>\$75.00</u>	
c)	Campground (51-100 sites)		
1)	Annual License Fee:	\$237.00	<u>\$305.00</u>
2)	Pre-inspection Fee:	\$190.00	
3)	Re-inspection Fee:	\$134.00	
4)	<u>Plan Review:</u>	<u>\$92.00</u>	
d)	Campground (101-199 sites)		
1)	Annual License Fee:	\$242.00	<u>\$355.00</u>
2)	Pre-inspection Fee:	\$190.00	
3)	Re-inspection Fee:	\$148.00	
4)	<u>Plan Review:</u>	<u>\$107.00</u>	
e)	Campground (200+ sites)		
1)	Annual License Fee:	\$248.00	<u>\$410.00</u>
2)	Pre-inspection Fee:	\$218.00	
3)	Re-inspection Fee:	\$162.00	
4)	<u>Plan Review:</u>	<u>\$123.00</u>	
f)	Recreational/Educational Camps		
1)	Annual License Fee:	\$511.00	
2)	Pre-inspection Fee:	\$359.00	
3)	Re-inspection Fee:	\$162.00	
4)	<u>Plan Review:</u>	<u>\$179.00</u>	
g.)	Late Fee:	\$ 90.00	

5-6. Special Event Campgrounds.

a)	1-25 sites		
1)	Annual License Fee:	\$196.00	
2)	Pre-inspection Fee:	\$134.00	
3)	Re-inspection Fee:	\$134.00	
b)	26-50 sites		
1)	Annual License Fee:	\$232.00	
2)	Pre-inspection Fee:	\$134.00	
3)	Re-inspection Fee:	\$134.00	
c)	51-100 sites		
1)	Annual License Fee:	\$237.00	
2)	Pre-inspection Fee:	\$190.00	
3)	Re-inspection Fee:	\$134.00	
d)	100-199 sites		
1)	Annual License Fee:	\$242.00	
2)	Pre-inspection Fee:	\$190.00	
3)	Re-inspection Fee:	\$148.00	
e)	200 or more sites		
1)	Annual License Fee:	\$248.00	
2)	Pre-inspection Fee:	\$218.00	
3)	Re-inspection Fee:	\$162.00	
f)	<u>Late Fee:</u>	<u>\$25.00</u>	

6.7. Public Swimming Pool - as defined in HFS 172.04 (41) fees are applicable for each pool at site.

- a) Indoor/Outdoor Swimming Pools or Whirlpools
 - 1) Annual License Fee: \$278.00
 - 2) Pre-inspection Fee: \$190.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$98.00
- b) 5) Late Fee: \$90.00

7.8. Water Attraction - A water attraction as defined in HFS 172 (53) of the Wisconsin Administrative Code which is currently adopted by reference in City Ordinance Sec. 8.10 (a):

- a) Water Attraction with no slides
 - 1) Annual License Fee: \$309.00
 - 2) Pre-inspection Fee: \$190.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$109.00
- b) Water Attraction with up to 2 slides per basin (Pool Slide/Water Slide); Pool Slide and Water Slide as defined in HFS 172 (40) and (55) respectively of the Wisconsin Administrative Code which is currently adopted by reference in City Ordinance Sec. 8.10(a):
 - 1) Annual License Fee: \$330.00
 - 2) Pre-inspection Fee: \$190.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$116.00
- c) Additional Slide, in excess of 2 per basin
 - 1) Annual License Fee: \$194.00
 - 2) Pre-inspection Fee: \$78.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review Fee: \$68.00
- d) Late Fee: \$90.00

8.9. Tattooing and Body Piercing.

- a) Tattoo or Body Piercing Establishment
 - 1) Annual License Fee: \$305.00
 - 2) Pre-inspection Fee: \$204.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$97.00
 - 5) Late Fee: \$90.00
- b) Combined Tattoo/Body Piercing Establishment
 - 1) Annual License Fee: \$341.00
 - 2) Pre-inspection Fee: \$261.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$119.00
 - 5) Late Fee: \$90.00
- c) Temporary Tattoo or Body Piercing Establishment:
 - 1) Annual License /Inspection Annual License Fee: \$150.00

- 2) Late Fee: \$25.00
- d) Temporary Combined Tattoo/Body Piercing Establishment:
 - 1) Annual License/Inspection Fee: \$173.00
 - 2) Late Fee: \$25.00

9-10. School Food Service Facilities.

- a) Inspection Fee: Full Kitchen
 - 1) Full Kitchen Inspection Fee: \$319.00
 - 2) Pre-inspection Fee: \$152.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$128.00
- b) Food Reheat \$207.00
 - 1) Inspection Fee: \$207.00
 - 2) Pre-Inspection Fee: \$75.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review: \$75.00
- c) Late Fee: \$90.00

10-11. Retail Food Establishments.

- a) Retail food establishments which have food sales of at least \$1,000,000 and process potentially hazardous food, including mobile retail vendors and service bases.
 - 1) Annual License Fee: \$698.00
 - 2) Pre-inspection Fee: \$261.00
 - 3) Re-inspection Fee: \$148.00
 - 4) Plan Review Fee: \$290.00
- b) Retail food establishments which have food sales of at least \$25,000, but less than \$1,000,000, and process potentially hazardous food, including mobile retail vendors and service bases.
 - 1) Annual License Fee: \$374.00
 - 2) Pre-inspection Fee: \$232.00
 - 3) Re-inspection Fee: \$148.00
 - 4) Plan Review Fee: \$112.00
- c) Retail food establishments which have food sales of at least \$25,000, and engage in food processing, but do not process potentially hazardous food, including mobile retail vendors and service bases.
 - 1) Annual License Fee: \$338.00
 - 2) Pre-inspection Fee: \$204.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review Fee: \$102.00
- d) Retail food establishments, who have food sales of less than \$25,000, and are engaged in food processing, including mobile retail vendors and service bases.
 - 1) Annual License Fee: \$297.00
 - 2) Pre-inspection Fee: \$190.00
 - 3) Re-inspection Fee: \$134.00
 - 4) Plan Review Fee: \$89.00
- e) Retail food establishments that do not engage in food processing,

including mobile retail vendors and service bases.

1)	Annual License Fee:	\$268.00
2)	Pre-inspection Fee:	\$176.00
3)	Re-inspection Fee:	\$120.00
4)	Plan Review:	\$81.00
f)	Late Fee:	\$90.00

10.12.	Duplicate Permit Fee:	\$10.00
13.	Operating without a license:	\$749.00
14.	Operating without a certified food manager	\$150.00

INSPECTION

Building Code Permits

- a. *Plan Examination.*
 - 1. One & two family residence: \$175.00
 - 2. One & two family additions and alterations: \$50.00
 - 3. Building plans other than one and two family residence will be charged per Oak Creek form OCSBD 118.
 - 4. Heating plans other than one and two family will be charged per Oak Creek form OCSBD 118.
 - 5. Residential accessory building 240 square feet or more: \$50.00
 - 6. Plan Examiner may reduce or waive fees for Items 2. and 5. above when limited or no architectural plans are required.
 - 7. Review of plans approved by State of Wisconsin \$200.00
 - 8. Decks: \$35.00
- b. *Residence-one & two family, multi-family, hotels, motels, or additions thereto.* \$.30/sq. ft. (minimum fee \$50.00).
- c. *Wisconsin uniform building permit seal.* State charge plus \$5.00.
- d. *Commercial, retail, office or institutional (i.e. schools, churches, hospitals, etc.).* \$.30/sq ft (minimum fee \$50.00).
- e. *Manufacturing, industrial & utilities (office areas to be included under 4).* \$.30/sq. ft. (minimum fee \$50.00).
- f. *Residential accessory building & garage in excess of 120 sq. ft.* \$.20/sq. ft. (minimum fee \$50.00).
- g. *Agriculture Building.* \$.25/sq. ft. (minimum fee \$50.00).
- h. *All other buildings, structures, alterations, repairs, signs and paving where not listed as category.* \$10.00 for each \$1,000.00 estimated value or fraction thereof (minimum fee: \$50.00).
- i. *Permit to start construction of footings and foundation.* \$100.00 accessory building foundation only or additions, per Comm. Chapter 2.
- j. *Heating, incinerator units, wood burning appliance, fireplace:* \$50/Unit, up to and including 150,000 input BTU units. Additional fee of \$5.00/each 50,000 BTUs or fraction thereof .
- k. *Air conditioning.*
 - 1. Wall unit: \$15.00

Field Code Changed

2. Other than wall unit: \$50.00/unit up to 3 tons or 36,000 BTUs. Additional fee of \$5.00/each ton or 12,000 BTUs or fraction thereof.
- l. Heating & air conditioning distribution systems. \$1.50/100 sq. ft. of conditioned area with a \$25.00 minimum.
- m. Exhaust system over 1,000 cfm. \$25.00 per unit.
- n. Occupancy permit.
1. Residential: \$40.00/unit
 2. Commercial & Industrial (new or change of use): \$70.00
 3. Temporary Use (i.e. tent): \$40.00 each
- o. Decks, fences, pools (in-ground/above ground/spas). \$50.00
- p. Wrecking or razing. Building Inspector may waive fee if structure is condemned. \$.05/sq. ft. \$50.00 minimum. \$500 maximum.
- q. Moving buildings over public ways. \$100.00
- r. Fuel tanks. \$20.00/tank for installation and removal for review of tank location only.
- s. Special inspections and reports. \$100.00
- t. Double fees. Upon failure to obtain a permit before work on a building has been started, except in emergency cases, the total fee shall be double the fees charged.
- u. Failure to order inspection: \$50.00
- v. Re-inspection fee: \$50.00
- w. Building permit fees may be refunded (except plan examination fees and Wisconsin Uniform Building Permit Seal fee) upon good cause shown as to nonuse thereof and within a reasonable time after payment, provided that the minimum fee of \$50.00 shall not be refundable.
- x. Minimum for any permit: \$50.00

Field Code Changed

Field Code Changed

NOTE: Fees based on square footage shall include all floor areas (including crawl space) measured to outside wall dimensions and will be rounded to nearest whole dollar amount.

NOTE: Total fees shall be rounded up to the next whole dollar.

Electrical Code Permits

The minimum fee for any permit shall be \$50.00. Where additional permits by the same license on the same job are necessary and the nature of the work is the same as that of the original permit, the minimum fee shall not apply. The term "outlet" as used in this subsection shall mean any opening for the connection of current consuming or controlling devices generally. Where outlets are installed in common or "in gang", the outlets shall be counted individually. Fees shall be as follows:

- a. Service-new, replacement, alteration or temporary. \$65.00 each 0-600 amps, \$70.00 each 601-1200 amps, \$75.00 each greater than 1200 amps.
- b. Feeders, subfeeders, and additional panels each 110 amps or fraction thereof: \$40.00 each.
- c. Wireways, busways, under floor raceways or auxiliary gutters. \$1.00/foot.
- d. Generators, transformers, reactors, rectifiers, capacitors, welders, converters, electric furnaces or similar devices. Each unit per kW: \$1.00/kW.
- e. Commercial combination heating & air-conditioning units. \$40.00 each.
- f. Commercial refrigerator units. Each motor compressor unit: \$20.00 each.
- g. Residential air-conditioning. Each motor compressor unit: \$20.00 each.
- h. Gas or oil burners, residential electric furnaces, or conversion of (circle unit type). \$20.00 each.
- i. Electric space heating & baseboard system, per zone control. \$12.00 each.
- j. Electric appliances, commercial and residential [i.e. range, oven, clothes dryer, dishwasher, disposal, water heater; circle unit type(s) or indicate other]. \$10.00 each.

- k. *Swimming pools (includes associated wiring & grounding):* \$50.00 each.
- l. *Hydro-massage tubs, spas, hot tubs, etc. (circle or list type):* \$50.00 each.
- m. *Fuel dispensers for gasoline, oil, water pumps, or similar units:* \$50.00 each.
- n. *Moving picture, X-ray machine, high frequency therapeutic apparatus and similar equipment:* \$50.00 each.
- o. *Switches, and convenience outlets:* \$1.00 each.
- p. *Dimmers & rheostats:* \$4.00 each.
- q. *Lighting fixtures-incandescent medium base, studded lights, festoon lighting, and fluorescent:* \$1.00 each.
- r. *Area light and standard:* \$30.00 each.
- s. *HID fixtures (i.e., mercury vapor, sodium, LED etc.):* \$5.00 each.
- t. *Strip lighting, track lighting, plug-in strip, trolley duct, trolley wire or similar.* \$1.00 each strip or 10-foot length.
- u. *Audible or visual electric signal or communication devices (i.e., fire alarms, horns, exit lights, door bells, etc.):* \$1.00 each.
- v. *Power receptacles over 150 Volts:* \$8.00 each.
- w. *Motors, each motor per HP or fraction thereof:* \$1.00 each HP.
- x. *Ceiling fan:* \$4.00 each.
- y. *Signs-electric illuminated (i.e., neon, fluorescent, comb. or other). Each Sign:* \$30.00 each.
- z. *To Change, alter, repair or correct an electrical installation where none of the above apply-specify:* \$50.00
- aa. *Re-inspection fee. First re-inspection:* \$50.00
- bb. *Failure to call for inspection upon inspection and/or final inspection before occupancy. Per occurrence:* \$75.00
- cc. *Work started before electrical permit issued. Upon failure to obtain a permit before work on a building has been started, except in emergency cases, the total fee shall be double the fees charged.*
- dd. *Refund of fees. That portion in excess of minimum fee is eligible to be refunded to a permit holder, if a request is made in writing, within 45 days of the issuance of such permit, provided that the minimum fee of \$50.00 shall not be refundable.*
- ee. *Minimum for any permit:* \$50.00
- ff. *Direct reconnection of residential equipment (minimum fee does not apply):* \$25.00 each.
- gg. *Direct reconnection of commercial electrical equipment (minimum fee does not apply):* \$30.00 each.

NOTE: Total fees shall be rounded up to the next whole dollar.

Plumbing Code Permits

The schedule of permit fees to be paid at the time the permit is issued shall be as follows:

- a. *Connection to main sewer (sanitary), per first 100 feet.*
 - 1. Main sewer to property line: \$50.00
 - 2. Property line to structure: \$50.00
 - 3. Main sewer to structure: \$90.00
 - 4. each additional 100 feet: \$50.00
- b. *Connection to main sewer (storm), per first 100 feet.*
 - 1. Main sewer to property line: \$50.00
 - 2. Property line to structure: \$50.00
 - 3. Main sewer to structure: \$90.00

- 4. each additional 100 feet: \$50.00
- c. *Water extension, per first 100 feet.*
 - 1. Main sewer to property line: \$50.00
 - 2. Property line to structure: \$50.00
 - 3. Main sewer to structure: \$90.00
 - 4. each additional 100 feet: \$50.00
- d. *Private water system and/or well, new or required inspection:* \$20.00 each.
- e. *Catch basin, storm or sanitary manholes, condensate pits:* \$20.00
- f. *Plumbing fixtures and/or fixture connections, range boilers, steamers, water heater (except replacement), etc.:* \$10.00 each.
- g. *Automatic washer connection (mandatory in case of all new residence construction):* \$10.00
- h. *Replacement fixtures:* \$25.00 (exempt from the minimum \$50.00 fee).
 - 1. Water heater replacement.
 - 2. Dishwasher or kitchen sink replacement.
 - 3. Toilet and lavatory replacement.
- i. *Back flow pressure reducing valve (fee may be waived for existing single family dwellings):* \$35.00
- j. *Building drain:* \$35.00
 - 1. each additional 50 feet: \$25.00
- k. *Funnel drains:* \$10.00
- l. *Condensate pumps:* \$10.00
- m. *Grease traps:* \$35.00.
- n. *Lawn sprinkler system:* \$45.00.
- o. *Private sewage disposal system and/or holding tanks (includes state fees for ground water and sanitary permits):* \$250.00
- p. *Sanitary Permit (special approval required; includes state fees for ground water and sanitary permits):* \$450.00
- q. *Verification of soil test for mound septic tanks:* Minimum of \$225.00, not to exceed \$300.00, per test.
- r. *Street cut (slurry mix backfill) \$60.00 per cut (ENGINEERING DEPARTMENT APPROVAL REQUIRED). See Section 3.40c(32)a.*
- s. *Well operation permit.* \$25.00.
- t. *Work not completed for ordered inspection:* \$50.00
- u. *Failure to order final Inspection:* \$50.00
- v. *Minimum for any permit:* \$50.00
- w. *Work started before permit issued.* Upon failure to obtain a permit before work on a building has been started, except in emergency cases, the total fee shall be double the fees charged.
- x. *Plumbing permit fees may be refunded upon good cause shown as to nonuse thereof and within a reasonable time after payment provided that the minimum fee of \$50.00 shall not be refundable.*
- y. *Wis. Adm. Comm. S. 2.64 regarding plumbing plan review fees and all future amendments, revisions or modifications thereto is hereby adopted by reference.*

INFORMATION REQUESTS

- a. Miscellaneous copies: \$0.25 per page.
- b. Open record copies: A requester shall be charged a fee to defray the cost of locating and copying records as follows:
1. The cost of photocopying shall be \$0.25/page for black and white copies and \$1.00/page for color copies.
 2. If the form of a written record does not permit copying, the actual and necessary cost of photographing and photographic processing shall be charged.
 3. The cost of providing typed verbatim transcripts of an audio taped record shall be the actual cost per hour, plus copy charges of \$0.25 per page.
 4. If mailing or shipping is necessary for any requested copy or copies, the actual cost thereof shall also be charged. A flat fee of \$35.00 annually shall be charged for mailing Common Council agendas or Common Council proceedings on a regular basis. A flat fee of \$5.00 shall be charged for each complete Common Council or Plan Commission agenda packet requested, plus \$1.00 for each color copy included therein.
 5. An archival research deposit of \$15.00, payable in advance, shall be charged for the research and retrieval of records not readily available in the City Clerk's Office and for which the expected total cost would exceed \$50.00. A credit will be applied towards copy costs; if the research and retrieval is less than the deposit, a refund will be issued.
 6. The legal custodian shall estimate the cost of all applicable fees and may require a cash deposit adequate to assure payment, if such estimate exceeds \$5.00.
 7. Elected and appointed officials of the City of Oak Creek shall not be required to pay for public records they may reasonably require for the proper performance of their official duties nor shall any charges be required of the local news media.
 8. The legal custodian may provide copies of a record without charge or at a reduced charge where he determines that waiver or reduction of the fee is in the public interest.
- c. Photographs
1. The cost for Fire Department digital photographs shall be established as .25 cents per copy.
 2. The cost for Police Department digital photographs shall be established as .25 cents per copy.
- d. Real estate inquiries (Statement of Real Property Status)
Except for local residents requesting a duplicate copy of their personal real estate tax bill, all persons who request the City of Oak Creek to furnish written information as to or copies of:
1. Real estate taxes;
 2. Special assessments;

3. Contemplated public improvements;
 4. Sewer or water charges;
 5. Flood plain zoning;
 6. Or other like inquiries covering a specific parcel of real estate in the City of Oak Creek shall pay the sum of \$50.00, with an additional \$10.00 for rush requests, to the City Treasurer to cover the cost of the investigation and/or processing of such inquiry. Said fee shall be paid at the time of the inquiry or prior to mailing or pickup or faxing of the requested information.
- e. Accident reports
The cost for Police Department accident reports shall be established as \$.25 per page.
- f. Fire incident reports
The cost for Fire Department incident reports shall be established as \$.25 per page.
- g. Audio/Video tapes, film and CD/DVDs
The fee for audio/video tapes, film and CDs or DVDs shall be the actual cost to produce such items, plus the cost of supplies, postage, etc.
- h. Tax roll and Assessment Roll
Electronic media: Charge actual costs, \$100.00 minimum.
- i. Real estate Summary Sheet
\$10.00.
- j. Computer records
1. Miscellaneous computer printouts generated
Charge actual costs
 2. Electronic files
Charge actual costs
- k. Fax transmittals: \$1.00/page long distance \$.50 per page local
- l. Voter Records
1. Statewide Voter Registration System (SVRS) Records (established by State)
Electronic Data file: \$25.00 plus \$5.00 per 1,000 voter names, rounded to the nearest thousand.
 2. City voter records
Computer printouts: The actual cost to produce or copy each computer printout shall be charged, plus the actual cost of postage and supplies.

LIBRARY

All patrons shall be charged fees covering the cost of lost and damaged items. In addition, there will be a service charge in the amount of \$3.00 per item.

RECREATION

Recreation Department fees shall be established by the Recreation Manager according to guidelines adopted by the Parks, Recreation and Forestry Commission and subject to review by the Parks, Recreation and Forestry Commission. A list of the fees and charges will be on file in the Parks, Recreation and Forestry Office. The Recreation Manager shall provide a copy of any change to the fees to the City Clerk 15 days prior to the effective date of such change. The Clerk shall provide a copy to the Common Council as soon as practicable. The fees shall go into effect at the end of the 15-day period unless an alderman or the Mayor objects in writing, in which case the fee change shall be brought before the entire Common Council for consideration and approval.

POLICE DEPARTMENT

- a. Transient Merchant Identification Cards
All transient merchants shall pay a fee of \$30.00 at the Police Department
- b. Bicycles
 - 1. Bicycle license - \$3.50, non-expiring
 - 2. Replacement bicycle license - \$2.00
- c. Alarm Permit Fees
 - 1. Alarm devices (except police console connected) – no fee
 - 2. Alarms connected to police consoles - \$100.00 initial installation
- d. Police False Alarm Charges - Annually
 - 1. 1-3 alarms – no charge
 - 2. 4-7 alarms - \$50.00 per alarm
 - 3. 8 or more alarms - \$200 per alarm

STREETS

- a. Driveway Culvert Installation
Driveway culvert installation charges for labor and material provided by the City of Oak Creek shall be determined on a front foot basis in the following manner:
 - 1. 12", 15" or 18" Culvert: \$34.64/foot plus cost of a pipe.
 - 2. 21", 24" or 30" Culvert: \$51.96/foot plus the cost of pipe.
 - 3. 36", 42" or 48" Culvert: \$67.41/foot plus the cost of pipe.
 - 4. 54", 60" or 72" Culvert: \$87.00/foot plus cost of pipe.
- b. Equipment Rental Charges
 - 1. The fee schedule for equipment will reflect the actual costs per hour to use various pieces of equipment in the Street Department inventory, and will be established using the equipment cost comparison agreement between the State of Wisconsin and Milwaukee County Department of Public Works. A complete schedule of equipment and fees shall be maintained at the Street Department.
 - 2. The fee for labor to operate rented equipment shall be:
 - a. Labor performed by Equipment Operators: \$47.32 per hour.
 - b. Labor performed by Mechanics: \$52.93 per hour.
 - c. Supervisor: \$55.38 per hour.
 - d. Street Supervisor: \$64.84 per hour.

- c. Freon disposal fee. \$15.00 for disposal of refrigerators, air conditioners, freezers and dehumidifiers.
- d. Mulch. \$25.00 delivery charge.
- e. Special Pick-ups: \$25.00 for a special pick up.
- f. Tires: \$3.00 per tire.
- g. Televisions: \$7.00 per television.

TREASURER'S OFFICE

Animals

- a. Dog Annual License Fee
 - 1. \$12.00 if the owner provides certification by a veterinarian that the dog has been spayed or neutered.
 - 2. \$24.00 if the dog is fertile.
 - 3. A fee that is equal to half the amount of the normal license fee if five (5) months of age after July 1st of license year
- b. Cat Annual License Fee
 - 1. \$12.00 if the owner provides certification by a veterinarian that the cat has been spayed or neutered.
 - 2. \$24.00 if the cat is fertile.
 - 3. A fee that is equal to half the amount of the normal license fee if five (5) months of age after July 1st of license year.
- c. Late Annual License Fee
 - 1. \$ 6.00 for a dog or cat that has been spayed or neutered.
 - 2. \$12.00 for a dog or cat that is fertile for animals not licensed prior to April 1 of that year; the annual license is acquired after thirty (30) days of occupancy in the City; or the annual license is obtained after the dog or cat is over five (5) months old.
- d. Impound Fee
 - 1. \$15.00 for each day or fraction thereof.

Treasurer Service Fees

A charge of \$25.00 per check shall be charged to recover all reasonable costs and expenses in connection with the collection of a worthless check which any person issues to the city:

- a. NSF (non-sufficient funds)
- b. Account Closed
- c. Stop Payment
- d. Refer to Maker
- e. Stale Date
- f. A payment that is returned to the City for any reason

NON-DEPARTMENT SPECIFIC

Technology Fee

A charge of \$5 per permit, or invoice that is generated from the Financial/Inspection software.

WEIGHTS AND MEASURES

According to Section 98.04 (2), Wis. Stats., the City of Oak Creek may recover an amount not to exceed the cost of fees for weights and measures inspection work by assessing fees on the persons who receive the services rendered. Fees for weights and measures services provided by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection are as follows and shall be billed by the City on an annual basis:

- a. \$20.00 each small capacity scale, meter or liquid measuring device (LMD)
- b. \$50.00 each large capacity scale

CIVIC CENTER MEETING ROOM FEE SCHEDULE

Civic Center Meeting Room	Class	Standard Fee	Minimum Set-Up Fee <i>(if applicable)</i>	Minimum Clean-Up Fee <i>(if applicable)</i>	Refundable Deposit	Technology <i>(if applicable)</i>
Common Council	A	\$50 for 1 st 2 hours + \$20/additional hour	\$25.00	\$25.00	-	\$25 per user / per training class
	B	\$75 for 1 st 2 hours + \$20/additional hour	\$40.00	\$40.00	-	
	C	\$100 for 1 st 2 hours + \$30/additional hour	\$50.00	\$50.00	\$100.00	
	D	Not Applicable				
Multi-Purpose Room	A	\$50 for 1 st 2 hours + \$20/additional hour	\$25.00	\$25.00	-	\$25 per user / per training class
	B	\$75 for 1 st 2 hours + \$20/additional hour	\$35.00	\$35.00	-	
	C	\$100 for 1 st 2 hours + \$30/additional hour	\$50.00	\$50.00	\$100.00	
	D	\$100 for 1 st 2 hours + \$30/additional hour	\$50.00	\$50.00	\$100.00	
Kitchen* <i>*fees are in addition to multi- purpose room rental</i>	A	\$25.00 per use	\$25.00	\$25.00	-	\$25 per user / per training class
	B	\$35.00 per use	\$35.00	\$35.00	-	
	C	\$50.00 per use	\$50.00	\$50.00	-	
	D	\$50.00 per use	\$50.00	\$50.00	-	
Tower Room or Technology Training Center	A	\$30 for 1st 2 hours + \$10/additional hour	\$25.00	\$25.00	-	\$25 per user / per training class
	B	\$50 for 1st 2 hours +\$15/additional hour	\$40.00	\$40.00	-	
	C	\$75 for 1st 2 hours +\$20/additional hour	\$50.00	\$50.00	-	
	D	Not Applicable				
Storytime Room	A	\$30 for 1st 2 hours + \$10/additional hour	\$25.00	\$25.00	-	\$25 per user / per training class
	B	\$50 for 1st 2 hours +\$15/additional hour	\$40.00	\$40.00	-	
	C	\$75 for 1st 2 hours +\$20/additional hour	\$50.00	\$50.00	\$100.00	
	D	\$75 for 1st 2 hours +\$20/additional hour	\$50.00	\$50.00	\$100.00	
Lake Vista, Heritage, Delco or Business Center	A	\$20 for 1st 2 hours + \$10/additional hour	-	\$25.00	-	\$25 per user / per training class
	B	\$40 for 1st 2 hours +\$15/additional hour	-	\$35.00	-	
	C	\$50 for 1st 2 hours +\$20/additional hour	-	\$50.00	-	
	D	Not Applicable				

BE IT FURTHER RESOLVED that the schedule of fees, permits and charges may be amended from time to time by resolution of the Common Council.

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

Passed and adopted this _____ day of _____, 2015.

President, Common Council

Approved this _____ day of _____, 2015.

Mayor

ATTEST:

City Clerk

Vote: _____ Noes _____

Food Safety and Recreational Licenses Fee Study

Oak Creek Health Department



Judi Price, BSN, MHCA
Anne Barberena, RN, BSN
Jamie Kinzel, RS, MPH
December 15, 2015

Background

- ▶ The Oak Creek Health Department (OCHD) completed a study to review our licenses and fees for our environmental health and food safety and recreational licensing program.
- ▶ Types of licenses and fees have not been modified since 2011.
- ▶ After review, there are a few changes that should be considered to incorporate additional licensing types and fees to cover the costs of the services that the OCHD is providing to the establishments.



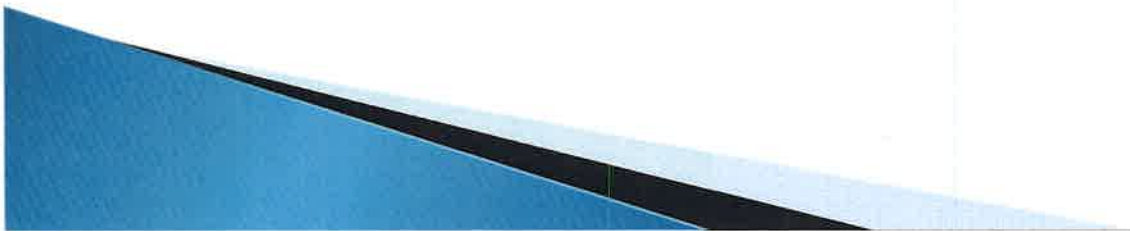
What is Food Safety and Recreational Licensing?

- ▶ OCHD is an agent for the State of Wisconsin Department of Health Services and Department of Agriculture, Trade, and Consumer Protection.
 - OCHD is responsible for licensing and doing inspections of all restaurants, food stores, swimming pools, hotels/motels, lodging, campgrounds, tattoo, and body piercing establishments.



Determining Fees

- ▶ Study included doing a cost analysis of current expenditures and revenues for providing environmental health services.
 - Fees should cover costs of programs to not pass the charge on to the tax payer.
 - We cannot generate a profit from the revenues collected.
- ▶ Included the 10% reimbursement to the State of Wisconsin.
- ▶ Looked at fees from other jurisdictions and the State of Wisconsin.
- ▶ Added licenses/fees that were omitted from ordinances.



Proposed Changes

- ▶ Addition of a plan review fee.
 - When establishments are being built or undergoing extensive remodeling.
 - For restaurants, food stores, tattoo/body piercing, all lodging, swimming pools, schools, and campgrounds.
 - Business owner must submit plans to the sanitarian for review and approval to ensure that the design of the establishment meets the requirements set forth by State of Wisconsin Statutes, local ordinances, and the Wisconsin Food Code.



Proposed Changes

- ▶ Addition of a late fee for retail food establishments such as grocery stores and convenience stores.
 - Other types of licenses have a late fee of \$90 and this should be consistent.
 - Sanitarian must spend time trying to collect the money.



**PAST
DUE**

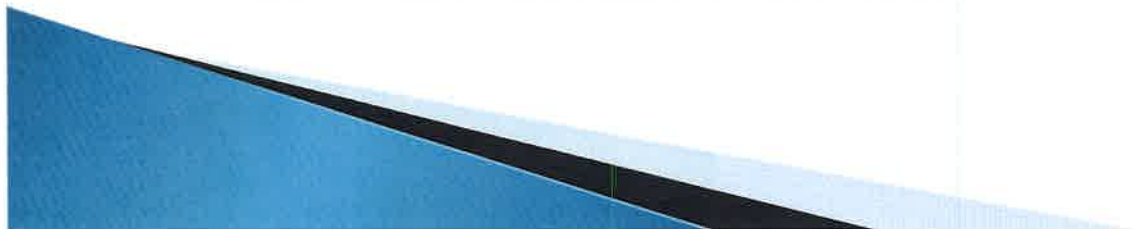
Proposed Changes

- ▶ Addition of license and fees for mobile food establishments.
 - Mobile food establishments sell foods and beverages from a motorized vehicle, trailer, boat, or a push cart.
 - Periodically or continuously change locations.
 - Some have full kitchens, while others sell only prepackaged items or foods prepared at a different location.
 - License fees based on same criteria as restaurants or retail establishments.



Proposed Changes

- ▶ Addition of a license and fees for service bases.
 - A service base is a commercial location to which a mobile food establishment or transportation vehicle returns every 24 hours (is required).
 - Used for vehicle storage, vehicle and equipment cleaning, discharging liquid or solid wastes, refilling water tanks and ice bins, and storing of equipment, supplies, and food.
 - May also be the location where food for the mobile unit is prepared.
 - License fees based on same criteria as restaurants or retail establishments.



Proposed Changes

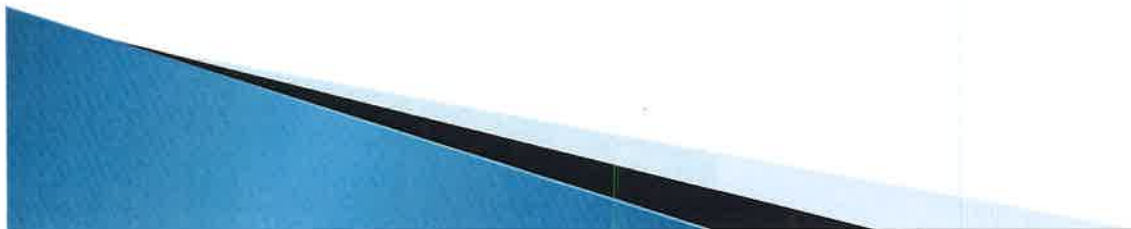
- ▶ Fees for additional kitchens and schools.
 - Additional kitchen – more than one kitchen within a restaurant.
 - Including pre-inspection, plan review, late fee, and re-inspection.
 - All other licensed establishments have these fees, and this would make the fee schedule consistent.



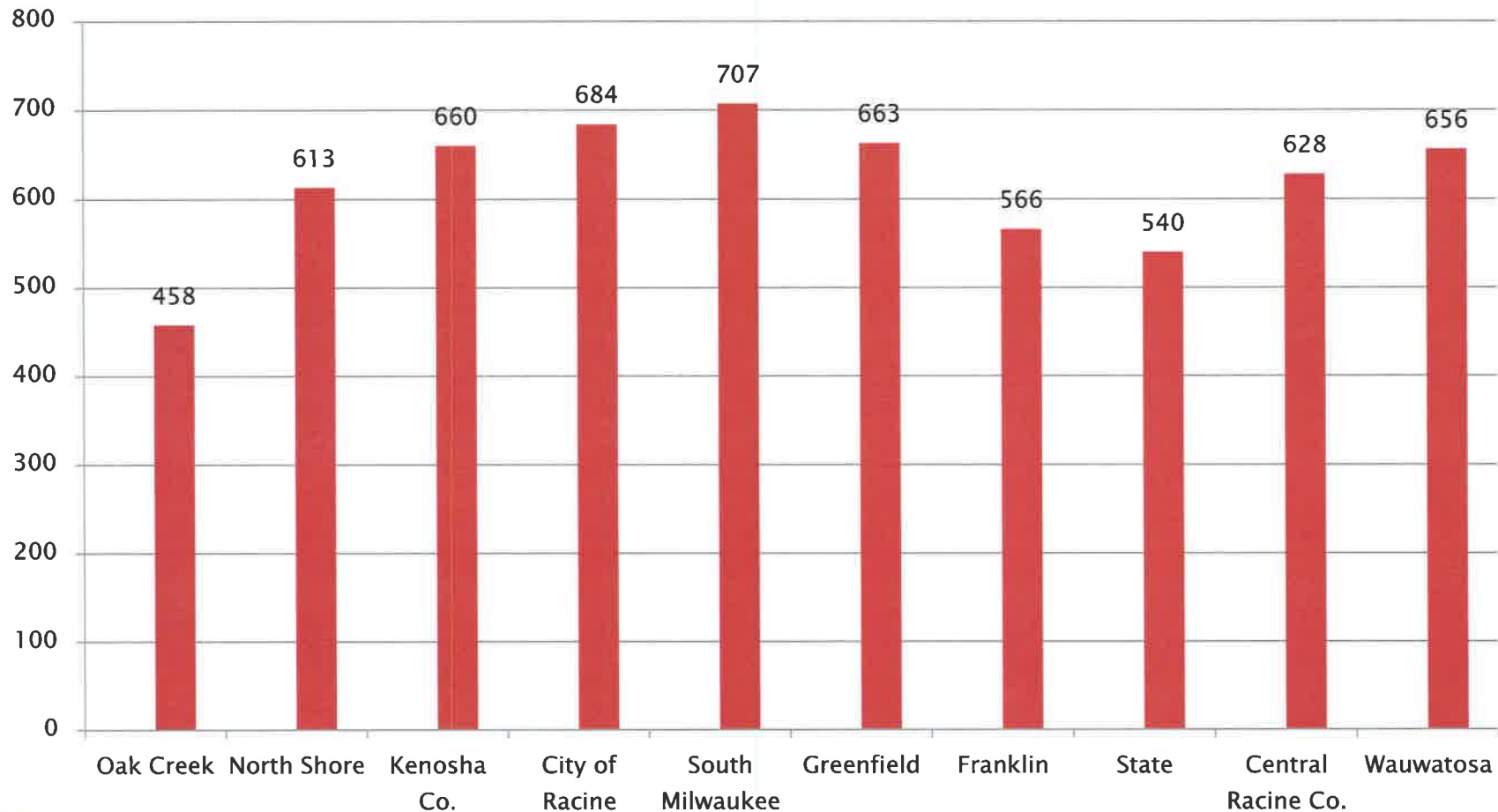
Proposed Changes

- ▶ Fee increase for some categories.
 - To be in line with State fees.
 - Hotels and lodging with >200 rooms –increase of \$19 (would pay \$500 for annual license).
 - High complexity restaurants– increase of \$42 (would pay \$500 for annual license).
 - Additional food preparation kitchens – increase of \$16 (would pay \$100 for annual license).
 - Campgrounds – increase of \$18–\$162, depending on number of campsites.
 - Currently, we have no campgrounds that this fee increase would affect.

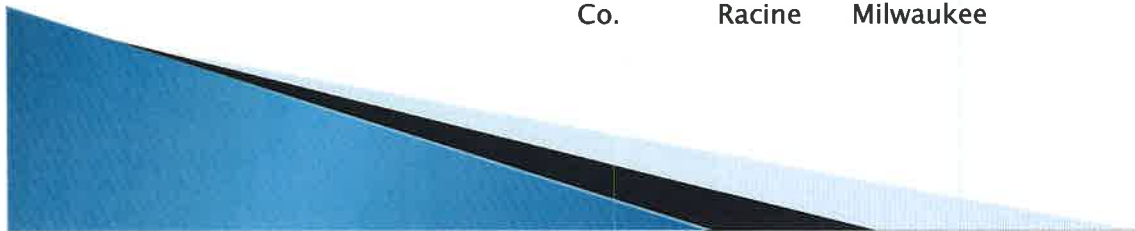
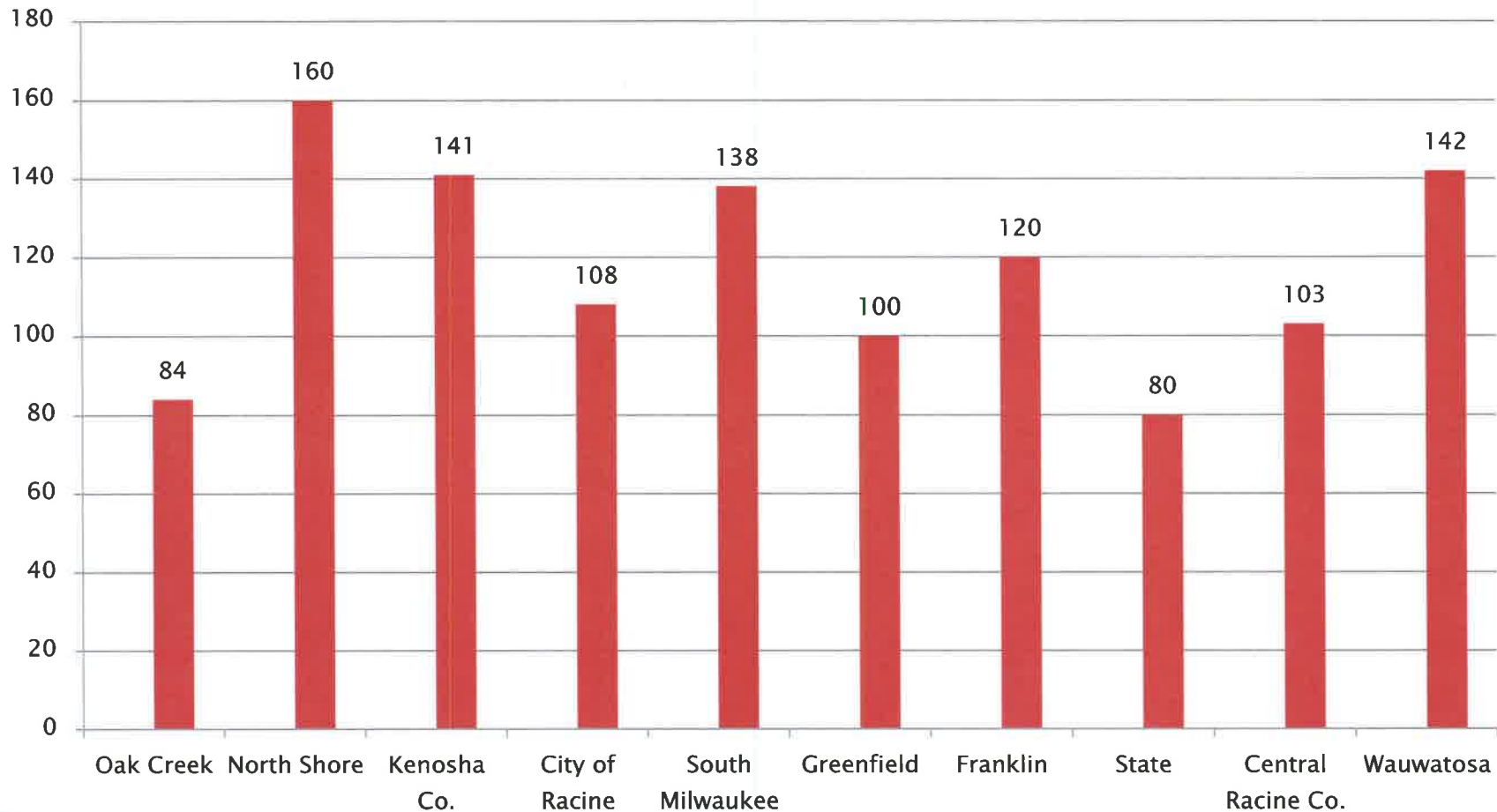
○



Example of Current High Complexity Restaurant Fees



Example of Current Fees for Additional Kitchens



Proposed Changes

▶ Temporary Food Events

- Addition of a single event temporary license.
 - For vendors who don't want to pay for an annual license.
 - \$75/event for restaurant (selling brats, burgers, etc.).
 - \$35/event for retail (selling cotton candy, lemonade, etc.).
- Increase of fees for annual temporary events.
 - More in line with what the State is charging.
 - Restaurant license will cost \$170 (selling brats, burgers).
 - Retail will cost \$50 (selling cotton candy, lemonade).
- Addition of a late fee for temporary food events.



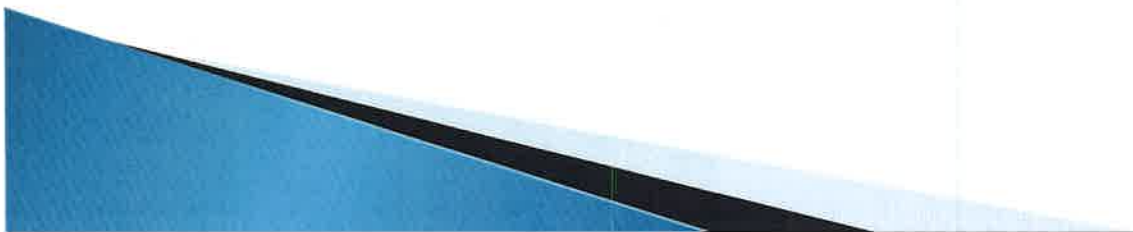
Projection of Additional Revenues

- ▶ Money collected for new licenses and services may bring in marginal revenues.
 - Cover sanitarian's time for providing these services.
 - Better prepared for potential businesses to come to Oak Creek by offering applicable and required licenses.
 - Some of the revenues depend on how many new establishments open in Oak Creek.



More Changes Coming

- ▶ As previously mentioned, OCHD is an agent for the State of WI. DHS and DATCP are merging in 2016, and they are redoing the fee schedule for all licensed establishments.
 - We will likely need to modify our fees again in 2016–2017 to match what the State is charging.



Questions?



City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 14

Recommendation: Consider Personnel Committee recommendation for wage adjustments for non-represented full time employees and approve ordinance number #2778.

Background: The Personnel Committee has considered and recommended various wage increases to be effective on 1/1/2016 for all full time non-represented employees except those in Utility operations (which are set by the Water and Sewer Utility Commission). A 2.0% increase for Police Department management staff is recommended by the Committee in order to avoid departmental wage compression issues. The Police Chief had provided the Committee with a survey of other area Police Department wages. A request for adjustments beyond the 2.0% recommended had been made and considered.

The Committee has also recommended a 0.5% non-salary building lump sum payment to all full time non-represented employees except those in Utility operations.

Generally, the full time wage increases recommended by the committee are 1.25%, but for some positions there is additional movement within a job salary range to reflect performance or address market competitiveness issues. All recommended increases have been included and provided for in the 2016 budget.

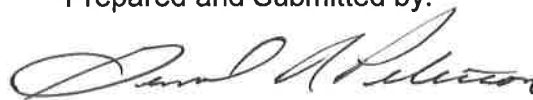
Fiscal Impact: If the Personnel Committee recommendations are approved, the total base pay increase for the 2016 budget is \$70,246. The lump sum non-salary building increase for 2016 is \$23,033.

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Reviewed by:



Becky Schermer
Human Resources Manager

ORDINANCE No. 2778

BY: _____

AN ORDINANCE FIXING THE SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR NON-UNION, GENERAL, MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR THE YEAR 2016

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

SECTION 1: There is herewith established the uniform rates of pay of those certain offices and positions under the control of the Common Council of the City of Oak Creek affecting non-union, management, general, and miscellaneous personnel for the year 2016. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City pursuant to this ordinance. The bi-weekly rate will prevail in years with more or less than 26 payrolls.

SECTION 2: The pay ranges and rates of pay of those certain offices and positions under the control of the Common Council of the City of Oak Creek affecting management, supervisory and non-union personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current Personnel Manual. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Position Title	Current Salary	Salary as of 1/1/2016	Bi-weekly Rate	Starting Salary	Top Salary
Administrative Support Supervisor	\$52,772	\$54,000	\$2,076.92	\$49,381	\$57,481
Assistant City Engineer	\$88,942	\$90,054	\$3,463.61	\$83,979	\$91,179
Assistant Director of Streets, Parks, and Forestry	\$69,992	\$70,867	\$2,725.65	\$69,648	\$77,243
Assistant IT Manager	Vacant	Vacant	Vacant	\$86,063	\$88,088
Benefits Coordinator	\$67,598	\$68,443	\$2,632.42	\$62,688	\$69,517
Building Inspector	\$68,659	\$69,517	\$2,673.74	\$62,688	\$69,517
Building Inspector	\$65,285	\$66,101	\$2,542.35	\$62,688	\$69,517
City Forester	\$65,957	\$66,781	\$2,568.51	\$62,688	\$69,517
Computer Specialist	Vacant	Vacant	Vacant	\$62,688	\$69,517
Communications Coordinator	\$68,141	\$68,993	\$2,653.56	\$50,110	\$69,855
Deputy Clerk	\$65,957	\$66,781	\$2,568.52	\$62,688	\$69,517
Deputy Comptroller/ Payroll Coordinator	\$61,914	\$62,688	\$2,411.07	\$62,688	\$69,517
Deputy Health Officer	\$69,201	\$70,066	\$2,694.85	\$69,648	\$77,243
Deputy Treasurer	\$55,567	\$56,262	\$2,163.91	\$55,736	\$61,809
Design Engineer	\$83,942	\$84,991	\$3,268.90	\$76,609	\$84,991

Position Title	Current Salary	Salary as of 1/1/2016	Bi-weekly Rate	Starting Salary	Top Salary
Dispatch Manager	\$64,168	\$64,970	\$2,498.85	\$62,688	\$69,517
Dispatcher Supervisor	\$51,058	\$51,696	\$1,988.32	\$49,381	\$62,929
Electrical Inspector	\$68,658	\$69,516	\$2,673.70	\$62,688	\$69,517
Environmental Engineer	\$81,744	\$82,766	\$3,183.30	\$76,609	\$84,991
Environmental Design Engineer	\$83,942	\$84,991	\$3,268.90	\$76,609	\$84,991
Facility Manager	\$83,942	\$87,801	\$3,376.96	\$83,979	\$91,179
GIS SharePoint Administrator	\$58,292	\$59,021	\$2,270.03	\$56,272	\$65,981
Inspection Supervisor	\$76,289	\$77,243	\$2,970.87	\$76,609	\$84,991
IT Technician	\$52,000	\$52,650	\$2,025.00	\$43,598	\$61,754
Open Records Clerk	Vacant	Vacant	Vacant	\$40,498	\$51,613
Parks Maintenance Supervisor	\$68,658	\$69,516	\$2,673.70	\$62,688	\$69,517
Planner	\$66,331	\$68,159	\$2,621.52	\$62,688	\$69,517
Public Health Nurse	\$61,914	\$62,688	\$2,411.07	\$62,688	\$69,517
Public Health Specialist	\$61,914	\$62,688	\$2,411.07	\$62,688	\$69,517
Recreation Manager	\$67,838	\$68,686	\$2,641.77	\$62,688	\$69,517
Sanitarian	Vacant	Vacant	Vacant	\$62,688	\$69,517
Staff Accountant	\$39,998	\$40,498	\$1,557.63	\$40,498	\$51,613
Street Light Maintenance Electrician	\$64,293	\$65,096	\$2,503.72	\$62,688	\$69,517
Streets Supervisor	\$68,661	\$69,519	\$2,673.81	\$69,648	\$77,243
Zoning Administrator	\$67,318	\$68,159	\$2,621.52	\$62,688	\$69,517

SECTION 3: The pay ranges and rates of pay of those certain offices and positions covered by the Police and Fire Commission service under the control of the Common Council of the City of Oak Creek affecting management and supervisory personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the clothing allowance and other fringe benefits set forth in the current Personnel Manual. Employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. These employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Police/Fire Commission Position Title	Current Salary	Salary as of 1/1/2016	Bi-weekly Rate	Starting Salary	Top Salary
Fire Chief	\$106,833	\$108,168	\$4,160.32	\$97,444	\$109,517
Assistant Fire Chief	\$96,687	\$97,896	\$3,765.21	\$90,416	\$100,421
Battalion Chief (4)	\$91,551	\$92,695	\$3,565.21	\$88,985	\$92,706
Police Chief	\$106,833	\$108,967	\$4,191.14	\$98,166	\$110,328
Captains (2)	\$99,181	\$101,165	\$3,890.95	\$98,166	\$110,328
Police Lieutenants (4)	\$91,478	\$93,308	\$3,588.77	\$93,308	\$93,308
Police Sergeant (6)	\$84,997	\$86,697	\$3,334.51	\$86,060	\$86,697

SECTION 4: The pay ranges and rates of pay of those certain offices and positions under the control of the Common Council of the City of Oak Creek affecting management and supervisory personnel shall be as follows provided that the salary range and salaries are subject to review by the Common Council. Those affected employees pursuant to this section shall receive the fringe

benefits set forth in the current Personnel Manual. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Position Title	Current Salary	Salary as of 1/1/2016	Bi-weekly Rate	Starting Salary	Top Salary
City Attorney	\$84,594	\$85,651	\$3,294.27	N/A	N/A
City Engineer	\$93,000	\$94,163	\$3,621.63	\$83,568	\$100,421
Director of Community Development	\$90,491	\$91,622	\$3,523.93	\$83,568	\$92,706
Finance Director/Comptroller	\$93,000	\$94,163	\$3,621.63	\$90,507	\$100,421
Human Resources Manager	\$80,000	\$81,000	\$3,115.38	\$76,609	\$84,991
IT Manager	\$91,551	\$93,000	\$3,576.92	\$89,390	\$99,181
Public Health Officer	\$90,491	\$91,622	\$3,523.93	\$83,568	\$92,706
Streets, Parks, Forestry Director	\$91,551	\$92,695	\$3,565.21	\$83,568	\$92,706

SECTION 5: GENERAL EMPLOYEES. The pay ranges and rates of pay of those positions under the control of the Common Council of the City of Oak Creek affecting general personnel shall be as follows. Those affected employees pursuant to this section shall receive the fringe benefits set forth in the current employee Personnel Manual. These employees shall contribute fifteen percent (15%) of the cost of the premium for a single and family medical plan, respectively. Employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively.

Position Title	Starting Salary	Top Salary
Clerk (5)	\$39,027	\$47,252
Dispatcher (15)	\$40,410	\$48,369

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

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

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

- Assistant Fire Chief (1), \$150.00 monthly
- City Attorney (1), \$150.00 monthly
- City Engineer (1), \$150.00 monthly
- Computer Specialist (1), \$100.00 monthly
- Fire Chief (1), \$250.00 monthly

Information Technology Manager (1), \$200.00 monthly
Information Technology Technician (1), \$100.00 monthly

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

SECTION 7: VALIDITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof. The Common Council of the City of Oak Creek hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof, may be declared invalid or unconstitutional.

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

SECTION 9: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of January 1, 2016, except where otherwise noted.

Introduced this ____ day of December, 2015.

Passed and adopted this ____ day of December, 2015.

President, Common Council

Approved this ____ day of December, 2015.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

Position Title	Current Salary	Recommended Salary as of 1/1/2016	2016 bi-weekly rate	2015-2016 % change	Starting Salary	Top Salary	2016 Starting Salary	2016 Top Salary
Administrative Support Supervisor	\$52,772	\$54,000	\$2,076.92	2.27%	\$48,771	\$56,771	\$49,381	\$57,481
Assistant City Engineer	\$88,942	\$90,054	\$3,463.61	1.25%	\$82,942	\$90,053	\$83,979	\$91,179
Assistant Director of Streets, Parks, and Forestry	\$69,992	\$70,867	\$2,725.65	1.25%	\$68,788	\$76,289	\$69,648	\$77,243
Assistant IT Manager	Vacant	Vacant	Vacant	Vacant	\$85,000	\$87,000	\$86,063	\$88,088
Benefits Coordinator	\$67,598	\$68,443	\$2,632.42	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Building Inspector	\$68,659	\$69,517	\$2,673.74	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Building Inspector	\$65,285	\$66,101	\$2,542.35	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
City Forester	\$65,957	\$66,781	\$2,568.52	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Computer Specialist	Vacant	Vacant	Vacant	Vacant	\$61,914	\$68,658	\$62,688	\$69,516
Communications Coordinator	\$68,141	\$68,993	\$2,653.56	1.25%	\$49,491	\$68,993	\$50,110	\$69,855
Deputy Clerk	\$65,957	\$66,781	\$2,568.52	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Deputy Comptroller/ Payroll Coordinator	\$61,914	\$62,688	\$2,411.07	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Deputy Health Officer	\$69,201	\$70,066	\$2,694.85	1.25%	\$68,788	\$76,289	\$69,648	\$77,243
Deputy Treasurer	\$55,567	\$56,262	\$2,163.91	1.25%	\$55,048	\$61,046	\$55,736	\$61,809
Design Engineer	\$83,942	\$84,991	\$3,268.90	1.25%	\$75,663	\$83,942	\$76,609	\$84,991
Dispatch Manager	\$64,168	\$64,970	\$2,498.85	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Dispatcher Supervisor	\$51,058	\$51,696	\$1,988.32	1.25%	\$48,771	\$62,152	\$49,381	\$62,929
Electrical Inspector	\$68,658	\$69,516	\$2,673.70	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Environmental Engineer	\$81,744	\$82,766	\$3,183.30	1.25%	\$75,663	\$83,942	\$76,609	\$84,991
Environmental Design Engineer	\$83,942	\$84,991	\$3,268.90	1.25%	\$75,663	\$83,942	\$76,609	\$84,991
Facility Manager	\$83,942	\$87,801	\$3,376.96	4.40%	\$75,663	\$83,942	\$83,979	\$91,179
GIS/SharePoint Administrator	\$58,292	\$59,021	\$2,270.03	1.25%	\$55,578	\$65,166	\$56,272	\$65,981
Inspection Supervisor	\$76,289	\$77,243	\$2,970.87	1.25%	\$75,663	\$83,942	\$76,609	\$84,991
IT Technician	\$52,000	\$52,650	\$2,025.00	1.25%	\$43,060	\$60,992	\$43,598	\$61,754
Open Records Clerk	Vacant	Vacant	Vacant	Vacant	\$39,998	\$50,976	\$40,498	\$51,613
Parks Maintenance Supervisor	\$68,658	\$69,516	\$2,673.70	1.25%	\$43,060	\$60,992	\$62,688	\$69,516
Planner	\$66,331	\$68,159	\$2,621.52	2.68%	\$61,914	\$68,658	\$62,688	\$69,516
Public Health Nurse	\$61,914	\$62,688	\$2,411.07	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Public Health Specialist	\$61,914	\$62,688	\$2,411.07	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Recreation Manager	\$67,838	\$68,686	\$2,641.77	1.25%	\$61,914	\$68,686	\$62,688	\$69,545
Sanitarian	Vacant	Vacant	Vacant	Vacant	\$61,914	\$68,658	\$62,688	\$69,516

Staff Accountant	\$39,998	\$40,498	\$1,557.63	1.25%	\$39,998	\$50,976	\$40,498	\$51,613
Street Light Maintenance Electrician	\$64,293	\$65,097	\$2,503.72	1.25%	\$61,914	\$68,658	\$62,688	\$69,516
Streets Supervisor	\$68,661	\$69,519	\$2,673.81	1.25%	\$68,788	\$76,289	\$69,648	\$77,243
Zoning Administrator	\$67,318	\$68,159	\$2,621.52	1.25%	\$61,914	\$68,658	\$62,688	\$69,516

Police & Fire Commission - Supervisory	Current Salary	Recommended Salary as of 1/1/2016	2016 bi-weekly rate	2015-2016 % change	Starting Salary	Top Salary	2016 Starting Salary	2016 Top Salary
Fire Chief	\$106,833	\$108,168.41	\$4,160.32	1.25%	\$96,241	\$108,165	\$97,444	\$109,517
Assistant Fire Chief	\$96,687	\$97,895.59	\$3,765.21	1.25%	\$89,300	\$99,181	\$90,416	\$100,421
Battalion Chief (4)	\$91,551	\$92,695.39	\$3,565.21	1.25%	\$87,886	\$91,561	\$88,985	\$92,706
Police Chief	\$106,833	\$108,969.66	\$4,191.14	2.0%	\$96,241	\$108,165	\$98,166	\$110,328
Captains (2)	\$99,181	\$101,164.62	\$3,890.95	2.0%	\$96,241	\$108,165	\$98,166	\$110,328
Police Lieutenants (4)	\$91,478	\$93,307.97	\$3,588.77	2.0%	\$91,481	\$91,481	\$93,308	\$93,308
Police Sergeant (6)	\$84,997	\$86,697.14	\$3,334.51	2.0%	\$84,998	\$84,998	\$86,698	\$86,698

Management & Supervisory	Current Salary	Recommended Salary as of 1/1/2016	2016 bi-weekly rate	2015-2016 % change	Starting Salary	Top Salary	2016 Starting Salary	2016 Top Salary
City Attorney	\$84,594	\$85,651	\$3,294.27	1.25%	N/A	N/A	N/A	N/A
City Engineer	\$93,000	\$94,163	\$3,621.63	1.25%	\$82,536	\$99,181	\$83,568	\$100,421
Director of Community Development	\$90,491	\$91,622	\$3,523.93	1.25%	\$82,536	\$91,561	\$83,568	\$92,706
Finance Director/Comptroller	\$93,000	\$94,163	\$3,621.63	1.25%	\$89,390	\$99,181	\$90,507	\$100,421
Human Resources Manager	\$80,000	\$81,000	\$3,115.38	1.25%	\$75,663	\$83,942	\$76,609	\$84,991
IT Manager	\$91,551	\$93,000	\$3,576.92	1.56%	\$89,390	\$99,181	\$89,390	\$99,181
Public Health Officer	\$90,491	\$91,622	\$3,523.93	1.25%	\$82,536	\$91,561	\$83,568	\$92,706
Streets, Parks, Forestry Director	\$91,551	\$92,695	\$3,565.21	1.25%	\$82,536	\$91,561	\$83,568	\$92,706
TOTALS	\$4,536,438	\$4,606,684	Difference:	\$70,246				

.5% Lump Sum payment non-salary building		\$4,606,684	\$23,033
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Total cost of 1.25% increase, plus .5% lump sum payment:	\$93,279
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City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 15

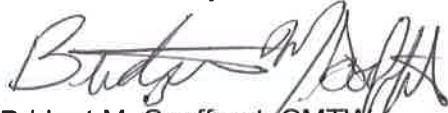
Recommendation: Consider Personnel Committee recommendation for wage adjustments for part time employees and approve ordinance number #2779.

Background: The Personnel Committee has considered and recommended approval of a \$.20 per hour increase for all regular part time employees to be effective on 1/1/2016. The Committee wants to recognize the work that these employees perform and their contribution to the organizational function.

All recommended increases have been included and provided for in the 2016 budget.

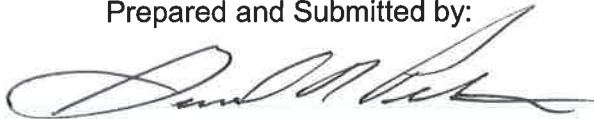
Fiscal Impact: If the Personnel Committee recommendations are approved, the total base pay increase for these part time positions in the 2016 budget is \$7,000.

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Reviewed by:



Becky Schermer
Human Resources Manager

Ordinance No. 2779

By: _____

An Ordinance Fixing the Salary Ranges, Salary, Wages and Allowances for Part Time Personnel and Other City Offices and Positions for the year: 2016

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

Section 1: There is herewith established the uniform rates of pay of those certain offices and positions in the City services under the control of the Common Council of the City of Oak Creek affecting part-time and miscellaneous personnel for the year 2016. The proper city officials are hereby authorized and directed to make the required payments to those affected employees of the City, pursuant to this ordinance.

Section 2: Hourly Paid Employees (Part-Time)

Administrative Support Assistant	\$	14.00	to	\$	16.73
Building Inspector (part time)	\$	30.00	to	\$	35.10
Clerical Help (Health, Fire, Recreation, Streets)	\$	10.00	to	\$	14.70
Co-op (High School)	\$	9.00	to	\$	9.20
Custodian	\$	10.50	to	\$	14.50
Dispatcher	\$	19.19	to	\$	24.00
Evidence Technician	\$	10.00	to	\$	15.00
Intern (College level)	\$	10.50	to	\$	12.50
IT Technician	\$	18.00	to	\$	22.38
Laborers – Streets	\$	10.50	to	\$	14.00
Mechanic II (Part-Time)	\$	21.92	to	\$	22.12
Park, Street, Forestry Laborer – Regular and Recycling Attendant	\$	11.00	to	\$	18.00
Police Aide	\$	10.00	to	\$	14.00
Public Health Nurse/Public Health Specialist	\$	26.00	to	\$	28.00
Recreation Coordinator	\$	12.00	to	\$	15.00
Recreation Department Leader	\$	9.00	to	\$	12.00
Recreation Department Specialist	\$	10.50	to	\$	23.00
Sanitarian	\$	26.00	to	\$	28.00
Technology Assistant	\$	11.00	to	\$	13.50

Section 3: Miscellaneous Employees

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

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

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

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

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

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

Section 6: This ordinance shall take effect and be in force upon its passage and publication and shall apply as of January 1, 2016.

Passed and adopted this ____ day of December, 2015.

President, Common Council

Approved this ____ day of December, 2015.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 16

Recommendation: Consider Personnel Committee recommendation for lump sum performance based payments to certain non-represented full time employees and approve ordinance number #2780.

Background: The Personnel Committee has considered and recommended lump sum performance based payments for certain non-represented employees. The City has established a performance system wherein employees are encouraged to perform in an outstanding manner. Supplemental merit compensation is intended to financially reward those employees who do. The lump sum payment has been developed to recognize employees who have helped the City achieve its financial objectives and demonstrated exceptional performance of their assigned duties and/or special projects with a non-base building compensation award.

The Committee has recommended a 0.5% non-salary building lump sum payment to all full time non-represented employees except those in Utility operations.

All recommended increases have been included and provided for in the 2016 budget.

Fiscal Impact: If the Personnel Committee recommendations are approved, the lump sum non-salary building increase for 2016 is \$23,033.

Fiscal Review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Reviewed by:



Becky Schermer
Human Resources Manager

ORDINANCE No. 2780

BY _____

AN ORDINANCE PROVIDING FOR A LUMP SUM GENERAL FUND PERFORMANCE BASED PAYMENT TO CERTAIN NON-UNION GENERAL MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS

Whereas, by virtue of Wisconsin Act 10 (“Act 10”) that was signed into law by Governor Scott Walker on June 27, 2011, the City of Oak Creek (“the City”) along with other municipalities in the State of Wisconsin were given the legal right to provide for modifications to the design and choice of health insurance plans for its employees, and

Whereas, the City, based on the authority provided under Act 10, no longer provides health insurance coverage for employees as a supplement to Medicare coverage after said employees turn age 65, which benefit had previously been provided to retired employees prior to the enactment of Act 10 (the “Post 65 Supplement Change”), and

Whereas, due to the Post 65 Supplement Change, the savings to the City’s other post-employment benefits (“OPEB”) account resulted in the City saving approximately \$30 million, and

Whereas, as a result of the enactment of Act 10, the City has made further modifications to the health plans for its employees including the imposition of deductibles and co-pay increases for its employees, and

Whereas, due in part to the efforts of Non-Union, General, Management personnel and other City Offices, a positive fund balance for 2015 is anticipated.

NOW THEREFORE, the Common Council of the City of Oak Creek do hereby ordain as follows.

SECTION 1: Certain Non-Union, General, Management personnel and other City Offices and Positions shall receive for 2015 a one-time, lump sum, general fund performance based, non-salary building discretionary budget allocation allotment equivalent to 0.5% of said employee’s 2015 base pay in accordance with the schedule attached hereto and incorporated herein by reference.

SECTION 2: The base salary of the Non-Union, General, Management personnel and other City Offices and Positions for the year 2016 as set by Ordinance No. 2778 shall remain in full force and effect and shall not be modified by virtue of the adoption of this Ordinance.

SECTION 3: Except as herein modified Ordinance No. 2778 shall remain in full force and effect.

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

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

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced this ___ day of Dec, 2015.

Passed and adopted this ____ day of _____, 2015.

President, Common Council

Approved this _____ day of _____, 2015.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

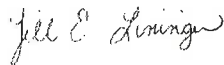
Item No. 17

Recommendation: That the Common council adopt Resolution No. 11670-121515 , acknowledging and filing the 2016 calendar year salary grade plan and benefits for library personnel.

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

Fiscal Impact: Allocation has been made in the 2016 library budget.

Prepared by:



Jill Lininger
Library Director

Respectfully submitted,



Gerald Peterson
City Administrator

Fiscal Review by:



Bridget M. Souffrant
Finance Director

RESOLUTION NO. 11670-121515

RESOLUTION ACKNOWLEDGING AND FILING THE
2016 CALENDAR YEAR SALARY GRADE PLAN AND
BENEFITS FOR LIBRARY PERSONNEL

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

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

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

WHEREAS, a health insurance premium co-payment of fifteen percent (15%) of the cost of the health insurance premium for a single and family medical plan, respectively will be paid by full-time Library employees. Full-time Library employees and their spouses who participate in a health risk assessment (HRA) program, or an annual physical exam and completion of the HRA certification, shall contribute ten percent (10%) of the premium for a single and family plan, respectively; and

WHEREAS, the Library Board has also transmitted to the Common Council a salary grade plan for Library Personnel effective January 1, 2016, which provides as follows:

	<u>2016 Salary Ranges</u>	<u>2015 Salary</u>	<u>2016 Salary</u>
Library Director	\$69,923 - \$78,024	\$74,069	\$74,995
Assistant Library Director	\$53,516 - \$59,344	\$55,162	\$55,852
Library Services Assistant	\$42,937 - \$48,186	\$47,590	\$48,185
Librarians (full-time)	\$46,438 - \$52,125		
Librarian (part-time)	\$23,219 - \$25,741		
Substitute Librarians	\$17.00 - \$22.51		
Library Associates	\$13.88 - \$16.76		
Library Aides	\$12.49 - \$14.35		
Library Pages	\$7.79 - \$9.57		

WHEREAS, Library personnel shall be paid for auto expense at the rate allowed under current I.R.S. regulation per the Travel Policy or shall be assigned City vehicles for their usage. In order to qualify for the above mentioned auto mileage reimbursement, the officials and employees designated must provide proof of insurance by a reasonable

insurance company for bodily injury and property damage liability within minimum policy limits of \$250,000/\$500,000/\$25,000. In order to receive mileage reimbursement a Declaration of Coverage page stating the policy limits shall be provided annually by January 31 to the Personnel Office.

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

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

This ordinance shall take effect and be in force upon its acknowledgement and publication and shall apply as of January 1, 2016.

Passed and adopted this ____ day of _____, 2015.

President, Common Council

Approved this ____ day of _____, 2015.

Mayor

ATTEST:

City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 18

Recommendation: That the Council adopt Ordinance No. 2784, creating Section 2.79 of the Municipal Code to establish a Board of Absentee Ballot Canvassers.

Background: This ordinance relates to Central Count, Absentee tabulation of all absentee ballots at a location other than the polling place.

Historically the City Clerk was required to deliver all absentee ballots received to all polling places on Election Day. The former election equipment was unable to sort individual reporting units, thus requiring ballots to be processed onsite at each polling location. The new DS200 voting machines allows for all reporting units to be placed in memory storage. This allows for a Central Count of these ballots on Election Day. City Hall, located at 8040 S. 6th Street will be designated by the Governmental Accountability Board as the City of Oak Creek Central Count location.

The Board of Absentee Ballot Canvassers will consist of the City Clerk and two (2) qualified electors of the City, appointed by the Clerk for a term of two (2) years commencing on January 1 of each odd-numbered year.

Fiscal Impact: The establishment of a Board of Absentee Ballot Canvassers has no fiscal impact.

Prepared by:



Catherine A. Roeske
City Clerk

Respectfully Submitted,

Gerald Peterson, ICMA-CM
City Administrator

ORDINANCE NO. 2784

BY: _____

AN ORDINANCE TO CREATE SECTION 2.79 OF THE MUNICIPAL CODE
TO ESTABLISH A BOARD OF ABSENTEE CANVASSERS

SECTION 1: Section 2.79 of the Municipal Code is hereby created to read as follows:

SEC. 2.79 BOARD OF ABSENTEE BALLOT CANVASSERS

- (a) **Purpose.** Pursuant to Secs. 7.52 and 7.53(2m), Wis. Stats., there is created a Board of Absentee Ballot Canvassers.
- (b) **Composition.** The Board of Absentee Ballot Canvassers shall be composed of the City Clerk, or a qualified elector of the City designated by the City Clerk, and two (2) other qualified electors of the city appointed by the City Clerk for a term of two (2) years commencing on January 1 of each odd-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee.
- (c) **Canvassing of Absentee Ballots.** In lieu of canvassing absentee ballots at polling places under Sec. 6.88, Wis. Stats., the Board of Absentee Ballot Canvassers shall, at each election held in the City, canvass all absentee ballots received by the City Clerk by 8:00 p.m. on election day.
- (d) **Counting of Absentee Ballots.** At every election held in the City, the Board of Absentee Ballot Canvassers shall, any time after the opening of the polls and before 10:00 p.m. on Election Day, publicly convene to count the absentee ballots for the City. The City Clerk shall give at least 48 hours' notice of any meeting under this subsection.

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 from and after its passage and publication.

Introduced this _____ day of _____, 2015.

Passed and adopted this _____ day of _____, 2015.

President, Common Council

Approved this _____ day of _____, 2015.

ATTEST: _____
Mayor

City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 19

Recommendation: That the Common Council approves payment of the obligations as listed on the December 9, 2015 Invoice GL Distribution Report.

Background: Of note are the following payments:

1. \$10,134.00 to Buelow Vetter Buikema Olsen & Vliet, LLC (pg #3) for legal November service.
2. \$6,500.00 to CDW Government, INC. (pg #4) for annual software license fee.
3. \$63,062.50 to Communications Engineering Company (pg #4) for Civic Center technology communications.
4. \$14,652.00 to Core BTS, Inc. (pg #4) for wireless access points.
5. \$1,358,205.39 to Corporate Contractors, Inc. (pgs #1 & 4) for City Hall and Library and Fire Department payments.
6. \$5,449.95 to Graef (pg #7) for professional services and grant assistance at Oak View Business Park and Drexel Town Square.
7. \$63,650.00 to Gunderson Excavating (pg #8) for demolition of City Buildings.
8. \$5,505.00 to Haskin & Karls (pg #8-9) for legal services relating to Project Badger, Lake Vista, and Drexel Town Square.
9. \$45,202.82 to Heritage Title Service (pg #9) for Lemke relocation claim, Project 12026.
10. \$37,146.00 to Holz Motors, Inc (pg #9) for new Police squad car.
11. \$5,335.00 to Jerome and Debbie Lemke (pg #11) for relocation claim, Project 12026.
12. \$6,090.40 to Joseph Scott Homes (pg #10) for building permit 15-0184 refund.
13. \$64,957.82 to JPMorgan (pg #19-24) for Equipment and vehicle maintenance, travel and training, supplies, building maintenance, dues and publications, license fees, data lines, Verizon phone services, legal notices, and office supplies.
14. \$5,118.24 to Oak Creek Water & Sewer Utility (pg #12) for quarterly water and sewer bills.
15. \$93,611.00 to Professional Asbestos Removal & Survey Service Corp. (pg #1) for survey and removal of asbestos at City Buildings.
16. \$90,430.00 to R. A. Smith National (pgs #15-16) for Drexel Town Square inspection services.
17. \$8,117.00 to Snorek Construction, Inc. (pg #16) for Sidewalk Repair Project.
18. \$5,730.16 to Universal Recycling (pg #17) for electronic recycling.
19. \$78,609.80 to We Energies (pg #17) for special assessment refunds.
20. \$30,534.38 to WE Energies (pgs #17-18) for street lighting, electricity and natural gas.
21. \$13,203.19 to World Fuel Services, Inc (pg #18) for fuel inventory.

Fiscal Impact: Total claims paid of \$2,081,526.59

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 December 15, 2015

Item No.: 20

Informational: Presentation to the Common Council from the Fire Department on the new insurance rating the city received in 2015.

Background: In 2015 the City of Oak Creek Fire Department underwent reevaluation by the Insurance Service Organization (ISO). The final rating scale is based on a scale of 1-10. That is one being the best and ten being the worst. In the past the city was rated a Class 5 and Class 9, this was until 1990. (The nine rating was due to a lack of hydrants in certain parts of the city). In 1992 the department was rated and given a rating of Class 4. In 2007 the rating became a Class 3. As of 2015 the Fire Department's new rating is a 2/2y.

The ISO is a leading source of information about risk. They supply data, analytics, and decision-support services for professionals in many fields, including insurance, finance, real estate, health services, government, and human resources.

ISO is an advisory organization, and insurers may use their information, modify it, or not use it, as they see fit.

Fiscal Impact: No impact at this time.

Prepared and approved by:



Tom Rosandich
Fire Chief

Respectfully submitted by:



Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 21

Recommendation: That the Common Council consider Resolution No. 11669-121515, a resolution authorizing a refund to WE Energies in the amount of \$78,609.80 for special assessment overpayment (4th District).

Background: On May 14, 2013, the Utility Commission approved the petition to complete the S. 10th Avenue and E. County Line Road Water Main Extension project (Project No. 14101). The Common Council adopted the preliminary resolution declaring intent to specially assess on August 20, 2013. Subsequently, the City Clerk sent out notice of public hearing to all of the affected property owners. The public hearing occurred on October 15, 2013, and the final assessment resolution was approved by the Common Council on the same date. The project was completed in 2014.

At the time of receiving their special assessment bill, WE Energies disputed the assessments levied against their property. Their assessment was based on rates set in Common Council Resolution Number 10751-041707. For the WE Energies properties, the rate used was for that of a manufacturing district. In this case, \$80 per foot of frontage on 10th Avenue and \$89 per foot of frontage on County Line Road were used to determine the assessments. WE Energies believed that their property should be assessed at the agricultural rate based on its zoning at a rate of \$47 per foot of frontage on 10th Avenue and \$54 per foot of frontage on County Line Road.

Staff reviewed the request and confirmed that the underlying zoning is A-1 Limited Agricultural, not manufacturing. Based upon the review, the Utility Commission recommended this refund to WE Energies at its November 10, 2015 meeting. The following table notes the address of each of the WE Energies properties for which a special assessment was levied, the original special assessment amount, the refund per property, and the total refund.

WE Energies Refund for the 10th Avenue Water Main Extension Assessable Project			
Address	Assessed Amount	Adjusted Assessed Amount	Refund per Property
10901 South 10th Avenue	\$24,000.00	\$14,100.00	\$9,900.00
10900 South 10th Avenue	\$24,000.00	\$14,100.00	\$9,900.00
3800 East County Line Road	\$95,498.78	\$57,943.08	\$37,555.70
11045 South Chicago Road	\$21,182.00	\$12,852.00	\$8,330.00
11050 South Chicago Road	\$32,864.14	\$19,940.04	\$12,924.10
Total Refund:			\$78,609.80

Fiscal Impact: As stated above.

Prepared by:



Ronald J. Pritzlaff, P.E.
Utility Engineer

Respectfully submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant
Finance Director/Comptroller

RESOLUTION NO. 11669-121515

RESOLUTION AUTHORIZING A REFUND OF SPECIAL ASSESSMENT
OVERPAYMENT TO WE ENERGIES
(4th Aldermanic District)

WHEREAS, WE Energies owns property at 10901 S. 10th Ave. (Tax Key No. 969-9997-000), 10900 S. 10th Ave. (Tax Key No. 968-9991-000), 3800 E. County Line Rd. (Tax Key No. 968-9982-000), 11045 S. Chicago Rd. (Tax Key No. 968-9981-000) and 11050 S. Chicago Rd. (Tax Key No. 967-9989-001) (collectively the “subject properties”); and

WHEREAS, on May 14, 2013 the Oak Creek Water & Sewer Utility Commission approved the petition to complete the S. 10th Avenue and E. County Line Road Water Main Extension project (Project No. 14101); and

WHEREAS, the Common Council adopted the preliminary resolution declaring intent to specially assess on August 20, 2013 (Resolution No. 11391-082013); and

WHEREAS, the Common Council adopted the final resolution authorizing the levy of the special assessment on October 15, 2013 (Resolution No. 11410-101513); and

WHEREAS, the subject properties were assessed based on rates applicable to a manufacturing district but should have been assessed based on rates applicable to a limited agricultural district for this project.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Common Council that the City shall refund to WE Energies the following amounts for the following Tax Key Numbers:

Tax Key No. 969-9997-000	\$ 9,900.00
Tax Key No. 968-9991-000	\$ 9,900.00
Tax Key No. 968-9982-000	\$37,555.70
Tax Key No. 968-9981-000	\$ 8,330.00
Tax Key No. 967-9989-002	<u>\$12,924.10</u>
Total Refund	\$78,609.80

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of December, 2015.

Passed and adopted this 15th day of December, 2015.

President, Common Council

Approved this 15th day of December, 2015.

ATTEST:

Mayor Stephen Scaffidi

Catherine Roeske, City Clerk

VOTE: Ayes ____ Noes ____

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 22

Recommendation: That the Common Council approve Resolution No. 11665-121515, accepting the workmanship and authorizing final payment to Snorek Construction, for Project No. 13023. This project involved the installation of sidewalk improvements in various locations city wide. (various aldermanic districts)

Background: This project was authorized by the Common Council as part of the Capital Improvement Program, and was awarded on August 4, 2014.

Fiscal Impact: Final payment of \$8,117.00 is to be paid with CIP provided funding.

Prepared by:



J. John Ozolins
Senior Engineering Technician

Respectfully submitted:



Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

RESOLUTION NO. 11665-121515

BY: _____

**RESOLUTION ACCEPTING THE WORKMANSHIP OF
SNOREK CONSTRUCTION
AND AUTHORIZING FINAL PAYMENT**

**VARIOUS LOCATIONS CITY WIDE
SIDEWALK IMPROVEMENTS**

PROJECT NO. 13023

(VARIOUS ALDERMANIC DISTRICTS)

WHEREAS, the City of Oak Creek, hereinafter referred to as the City, and Snorek Construction, hereinafter referred to as the contractor, entered into a contract whereby the Contractor agreed to perform certain public works under Project No. 13023 for the installation of sidewalk improvements in the City of Oak Creek, in accordance with plans and specifications prepared by the City Engineer for the agreed price of \$184,575.00; and,

WHEREAS, said total final contract price has been determined to be \$172,266.55 as computed by the City Engineer using actual quantities, as measured, additions and deletions to the contract, and contract unit prices; and,

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

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

WHEREAS, the City Engineer has submitted his final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account, the sum of \$8,117.00.

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

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

BE IT FURTHER RESOLVED that in order to guarantee said workmanship and materials on the sidewalk improvements for a period of 12 months after the acceptance of the

work, the performance or contract bond, which has been made a part of the contract, shall be in effect until 12 months after the passage of the resolution.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$8,117.00 to the Contractor in full and final payment of the City's obligations under this contract.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 15th day of December, 2015.

Passed and adopted this 15th day of December, 2015.

President, Common Council

Approved this 15th day of December, 2015.

Mayor, City of Oak Creek

ATTEST:

City Clerk

VOTE: AYES _____ NOES _____

FINAL PROJECT PAYMENT COST BREAKDOWN

CITY PROJECT NO. **13023**

PROJECT LOCATION: Various Areas City Wide

PROJECT DESCRIPTION: 2015 Sidewalk Repair Program

GENERAL CONTRACTOR: Snorek Construction

CONTRACT BID AMOUNT: \$ 184,575.00

AUTHORIZED ADDITIONS TO ORIGINAL CONTRACT AMOUNT: \$ -

REVISED CONTRACT AMOUNT: \$ 184,575.00

AS-BUILT PROJECT COST: \$ 172,266.55

AMOUNT OVER / UNDER ORIGINAL CONTRACT AMOUNT: \$ (12,308.45)

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

DATE PREPARED: December 1, 2015

COUNCIL MEETING DATE: Tuesday, December 15, 2015

COUNCIL RESOLUTION NUMBER: 11665-121515

FINAL PROJECT PAYMENT COST BREAKDOWN

PROJECT NO. **13023** ALD. DIST. **0**
 LOCATION: **Various Areas City Wide**
 DESCRIPTION: **2015 Sidewalk Repair Program**

BID ITEM	BID ITEM DESCRIPTION	BID QUANTITY	UNIT PRICE	BID PRICE	AS-BUILT QUANTITY	AS-BUILT COST	AMOUNT OVER/UNDER
1	Remove & Replace 5" Concrete	26025 SF	\$ 7.00 Per SF	\$ 182,175.00	24241 SF	\$ 169,687.00	\$ (12,488.00)
2	Base Aggregate, Dense, 3/4"	160 Ton	\$ 15.00 Per Ton	\$ 2,400.00	171.97 Ton	\$ 2,579.55	\$ 179.55
				\$ 184,575.00		\$ 172,266.55	\$ (12,308.45)

City of Oak Creek Common Council Report

Meeting Date: Dec. 15, 2015

Item No.: 23

Recommendation: That the Common Council adopt Resolution No. 11666-121515, approving a Parcel 4 replacement housing payment for the 5th Avenue relocation project, and to send payment in the amount of the award of damages to the affected property owner. (Project No. 12026) (4th Aldermanic District)

Background: The acquisition (approved with Resolution No. 11616-050515) of real estate and easements is necessary for the 5th Avenue relocation project from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5th Avenue/Ryan Road. Single Source, Inc. is a sub-consultant for Strand Associates and is handling all of the relocations for the project.

The required acquisition of Parcel 4 (4005 E. Ryan Road) was previously completed through Resolution No. 11654-102015. This parcel was acquired in its entirety and the house will be razed to accommodate the new road construction. In accordance with State statute, displaced homeowners are entitled to a fair replacement housing payment, which when added to the acquisition payment, equals the reasonable cost of a comparable replacement dwelling available on the private market; basically assuring that the property owner is not saddled with a larger mortgage upon their relocation. Single Source has calculated this payment to be the amount listed below.

Owner	Property Address	Tax Key Number	Parcel No.	Payment Type	Amount
Jerome & Debbie Lemke	4005 E. Ryan Rd.	913-9995-000	4	Replacement Housing Payment	\$37,300.00

Fiscal Impact: The total cost of this action is \$37,300.00, and is to be paid through the sale of promissory notes authorized by Resolution No. 11440-121713.

Prepared by:



Matthew J. Sullivan, P.E.
Design Engineer

Respectfully submitted:



Gerald R. Peterson, ICMA-CM
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

RESOLUTION NO. 11666-121515

BY: _____

RESOLUTION APPROVING PARCEL 4 REPLACEMENT HOUSING PAYMENT
FOR THE SOUTH 5TH AVENUE RELOCATION PROJECT

(PROJECT NO. 12026)

(4TH ALDERMANIC DISTRICT)

WHEREAS, the City of Oak Creek determined that public necessity demands the construction of S. 5th Avenue from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5th Avenue/Ryan Road; and

WHEREAS, the road construction work will be completed by the Wisconsin Department of Transportation as part of their State Transportation Projects in 2016; and

WHEREAS, the acquisition of fee simple title, permanent easements, temporary easements and highway easements were approved with Resolution No. 11616-050515, and

WHEREAS, the plat and relocation order for this project, with State I.D. 2987-00-14, have been approved and filed with the County Clerk for Milwaukee County, and

WHEREAS, State Statute provides that displaced homeowners are entitled to fair replacement housing costs, and

WHEREAS, the property owner listed below has agreed to the replacement housing payment,

Owner	Property Address	Tax Key Number	Parcel No.	Payment Type	Amount
Jerome & Debbie Lemke	4005 E. Ryan Rd.	913-9995-000	4	Replacement Housing Payment	\$37,300.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the replacement housing payment be approved; and

BE IT FURTHER RESOLVED, the Finance Director is hereby authorized and directed to prepare a check in the specified amount to the owner shown above for replacement housing payment.

Introduced at a regular meeting of the Common Council of the City of Oak Creek, held this 15th day of December, 2015.

Passed and adopted this 15th day of December, 2015.

Approved this 15th day of December, 2015.

President, Common Council

Mayor

ATTEST:

VOTE: Ayes _____ Noes _____

City Clerk

City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 24

Recommendation: To concur with the recommendations of the Traffic and Safety Commission to approve the installation of "Passive" Traffic Calming measures on E. Elm Road from S. Howell Avenue to S. Shepard Avenue, approve the installation of "Passive" Traffic Calming measures on E. Farmington Lane from S. Pennsylvania Avenue to S. Orchard View Lane, approve the installation of "Cross Traffic Does Not Stop" Warning Plaque on S. 10th Street and S. Wildwood Drive at W. Drexel Avenue, approve installation of stop sign on S. Logan Avenue at E. Milwaukee Avenue and deny the installation of "Slow Children at Play" signs on E. Milwaukee Avenue and S. Logan Avenue.

Background: Passive Traffic Calming – On November 11, 2015 residents and commission member met and discussed traffic calming. At the conclusion of the meeting the Commission instructed the Engineering Department to create a passive management plan (signs, pavement markings, etc.) for each area and bring it forward for consideration on the Traffic & Safety meeting. On December 9th residents spoke in favor and support of the "Passive" management plan and looked forward to the full implementation in the spring. Engineering Staff stated that these two areas will be considered test areas in order to gather data to see the effectiveness of the calming measures.

Cross Traffic Does Not Stop - There no residents in attendance for this item. Members of the commission discussed that this was only a temporary measures until traffic signals are designed (2016) and installed in 2017. The commission members felt that this was the best alternative to the situation and supported the Engineering Department recommendation.

Stop Sign - There were 9 residents and Alderman Kurkowski in attendance for this item. Alderman Kurkwoski provided support for the installation stating that there is a need to address high speed, safety of children at the bus stop and vehicles improperly turning at the intersection (cutting the corner). Alderman Kurkwoski also stated that he was willing to compromise on the request through reducing the number of stop sign installed. Engineering staff discussed the multi-stop sign installation warrants provided in the Manual of Uniform Traffic Control and clearly stated that this intersection meets no warrants discussed in the manual. Staff also stated that 85th Percentile for speed (85% of the vehicles travel at or below this speed) was 24.2 mph which is actually below the speed limit. Engineering staff recommended that a 3-way installation not be approved but installation of stop sign on Logan only would be more appropriate. Commission members discussed the item and agreed that the installation of a 3-way was not warranted at this intersection.

Slow Children at Play - There were 9 residents and Alderman Kurkowski in attendance for this item. Alderman Kurkwoski spoke in favor of the installation stating that over the

past few decades the make-up of the neighborhood has changed with many more children. Alderman Kurkwoski felt that this was a small request that would provide added safety for the neighborhood. Engineering staff discussed that this sign was not supported by the Manual of Uniform Traffic Control and clearly stated that this sign has not been approved for installation anywhere in the city. Engineering staff also reiterated that the 85th Percentile for speed (85% of the vehicles travel at or below this speed) was 24.2 mph which is actually below the speed limit. Engineering staff recommended that the installation not be approved. Commission members discussed the item and felt that this sign would provide a false sense of safety and should not be installed.

FISCAL IMPACT: Street Department will construct and install signs and pavement markings.

Prepared by:



Matthew J. Sullivan, P.E.
Design Engineer

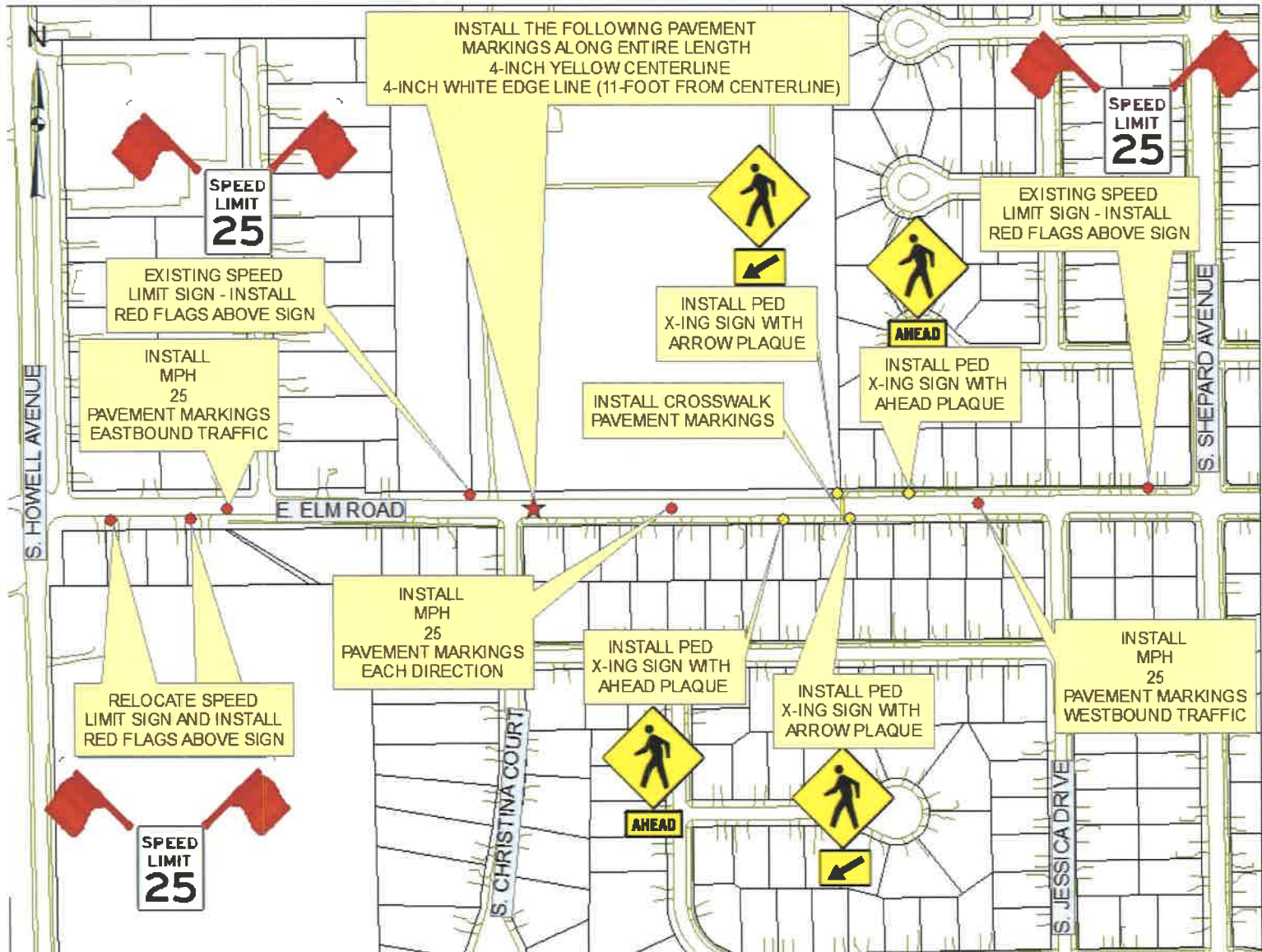
Respectfully submitted,

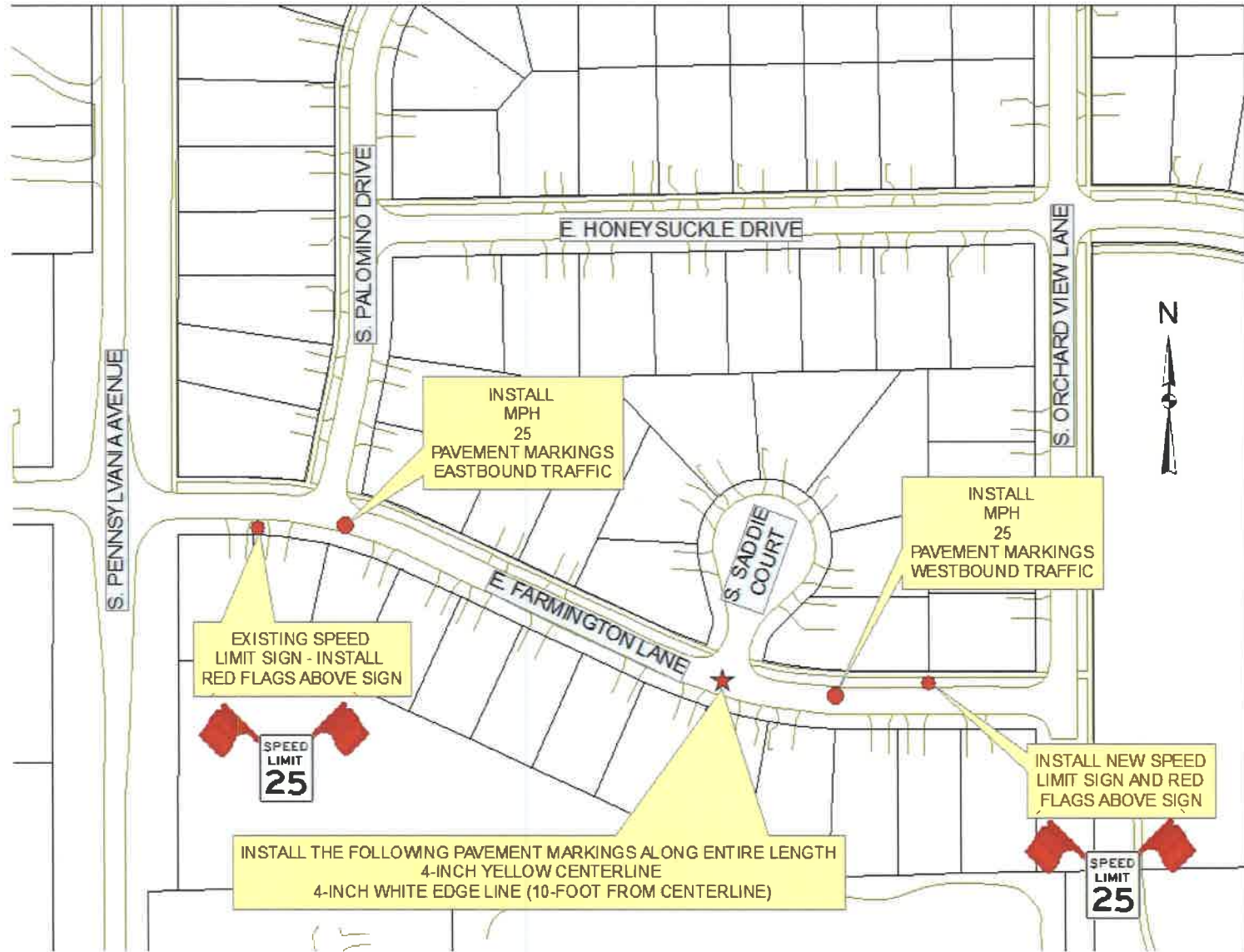
Gerald R. Peterson, ICMA-CM
City Administrator

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller







CROSS TRAFFIC
← →
DOES NOT STOP

PROPOSED SIGN TO BE
INSTALLED BELOW STOP SIGN

S. 10TH STREET

S. 13TH STREET

W. DREXEL AVENUE

PROPOSED SIGN TO BE
INSTALLED BELOW STOP SIGN

CROSS TRAFFIC
← →
DOES NOT STOP

S. WILDWOOD DRIVE





City of Oak Creek Common Council Report

Meeting Date: December 15, 2015

Item No.: 31

Recommendation: That the Council adopts Ordinance No. 2781, an amendment to the Comprehensive Plan for the City of Oak Creek affecting the properties at 7951, 8067, 8210, 8245, 8310 and 8351 S. 20th Street, 1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361 and 2500 W. Drexel Avenue and 1965 W. Rawson Avenue.

Background: In 2013 the City entered into a Tri Party Exchange Agreement with Milwaukee County and Northwestern Mutual to transfer and convey lands in the vicinity of Falk Park. As part of that transaction, the County received additional high value wetlands and woodlands (that were previously in private ownership), Northwestern Mutual received 60 acres of farmland along the interstate, and the City received a 17 acre parcel that it later exchanged with the School District and is now a construction site of a new elementary school. This amendment to the comprehensive plan reclassifies those parcels according to their new use. For example, those parcels that became part of Falk Park would now be classified as 'Resource Protection Area', the school parcel would become 'Institutional' and the lands now owned by Northwestern Mutual would be classified as 'Planned Mixed Use'. Portions of the properties that were designated as resource protection area due to the presence of significant wetlands or floodplain would retain their resource protection area status, regardless of whether they remain part of Falk Park.

The current and proposed comprehensive plan land use designations for the affected properties are identified in the attached exhibits.

The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the objectives, goals, and policies contained within the comprehensive plan. This comprehensive plan amendment would be the first step in the ultimate rezoning of these properties to reflect their current and planned use(s).

Fiscal Impact: There is no direct fiscal impact associated with these comprehensive plan changes. Future rezoning and development of those parcels not under public ownership will ultimately have positive fiscal impact.

Prepared by:



Doug Seymour, AICP
Director of Community Development

Respectfully Submitted,



Gerald Peterson, ICMA-CM
City Administrator

Fiscal Review by:



Bridget M. Souffrant
Finance Director / Comptroller

EXHIBIT A

PROPERTIES AFFECTED BY PROPOSED COMPREHENSIVE PLAN AMENDMENT

<u>TAX KEY</u>	<u>ADDRESS</u>				<u>CURRENT LAND USE PLAN</u>	<u>PROPOSED LAND USE CHANGE</u>
810-9016	7951	S	20TH	ST	Single Family Residential	Resource Protection Area
810-9024	8067	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
811-9018-002	8210	S	20TH	ST	Limited Development Area	Resource Protection Area
810-9014	8245	S	20TH	ST	Limited Development Area	Resource Protection Area
830-9021	8310	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
831-9033	8351	S	20TH	ST	Mixed Residential, Limited Development Area	Resource Protection Area
810-9024	7312	S	27TH	ST	Single Family Residential	Resource Protection Area
811-9024	1741	R W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
784-9021	1830	R W	DREXEL	AVE	Resource Protection Area	Planned Mixed Use
811-9991-002	1901	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
785-9004	2200	W	DREXEL	AVE	Resource Protection Area	Institutional
810-9992-001	2211	W	DREXEL	AVE	Limited Development Area	Resource Protection Area
785-9005	2300	W	DREXEL	AVE	Limited Development Area	Resource Protection Area
810-9017	2305	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
810-9020	2319	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
810-9022	2361	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
785-9003-001	2500	W	DREXEL	AVE	Resource Protection Area	Planned Business (partial)
763-9997-001	1965	W	RAWSON	AVE	Roadway	Resource Protection Area

Existing

Proposed



ORDINANCE NO. 2781

BY: _____

AN ORDINANCE ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE CITY OF OAK CREEK, WISCONSIN

7951, 8067, 8210, 8245, 8310 and 8351 S. 20th Street,
1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361 and 2500 W. Drexel Avenue and
1965 W. Rawson Avenue.

(2nd Aldermanic District)

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

SECTION 1: Pursuant to Section 62.23 of the Wisconsin Statutes, the City of Oak Creek is authorized to prepare and adopt a comprehensive plan and an amendment to a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2: The Common Council, by the enactment of Ordinance No. 2090, formally adopted the document titled "A Comprehensive Plan for the City of Oak Creek" on April 1, 2002.

SECTION 3: Pursuant to a Tri Party Exchange Agreement entered into on August 14, 2013 between the City of Oak Creek, Milwaukee County and the Northwestern Mutual Life Insurance Company, the City of Oak Creek is proposing to amend its Comprehensive Plan to reflect proposed land use changes in the vicinity of Falk Park as further identified in Exhibit A.

SECTION 4: The City of Oak Creek published a Class 1 public notice on October 22, 2015 and held a public hearing before the Plan Commission on November 24, 2015.

SECTION 5: The Plan Commission, by a majority vote of the entire Commission at a meeting held on November 24, 2015 adopted Resolution No. 2015-04, amending the adopted Comprehensive Plan for the City of Oak Creek, and recommending that the Common Council adopt the amendment to the Comprehensive Plan by ordinance.

SECTION : The Common Council hereby adopts the proposed amendment to the Comprehensive Plan for the City of Oak Creek affecting the properties at 7951, 8067, 8210, 8245, 8310 and 8351 S. 20th Street, 1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361 and 2500 W. Drexel Avenue and 1965 W. Rawson Avenue as further identified in Exhibit A.

SECTION : Except as herein modified, the Comprehensive Plan dated April 1, 2002 shall remain in full force and effect.

SECTION : The City Clerk is directed to send a copy of this ordinance and the Comprehensive Plan amendment to the parties listed in Section 66.1001(4)(b) of the *Wisconsin Statutes*.

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

Introduced this 15th day of December, 2015.

Passed and adopted this 15th day of December, 2015.

President, Common Council

Approved this 15th day of December, 2015.

ATTEST:

Mayor

City Clerk

VOTE: Ayes _____ Noes _____

EXHIBIT A

PROPERTIES AFFECTED BY PROPOSED COMPREHENSIVE PLAN AMENDMENT

<u>TAX KEY</u>	<u>ADDRESS</u>				<u>CURRENT LAND USE PLAN</u>	<u>PROPOSED LAND USE CHANGE</u>
810-9016	7951	S	20TH	ST	Single Family Residential	Resource Protection Area
810-9024	8067	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
811-9018-002	8210	S	20TH	ST	Limited Development Area	Resource Protection Area
810-9014	8245	S	20TH	ST	Limited Development Area	Resource Protection Area
830-9021	8310	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
831-9033	8351	S	20TH	ST	Mixed Residential, Limited Development Area	Resource Protection Area
810-9024	7312	S	27TH	ST	Single Family Residential	Resource Protection Area
811-9024	1741	R	W	DREXEL AVE	Single Family Residential, Limited Development Area	Resource Protection Area
784-9021	1830	R	W	DREXEL AVE	Resource Protection Area	Planned Mixed Use
811-9991-002	1901	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
785-9004	2200	W	DREXEL	AVE	Resource Protection Area	Institutional
810-9992-001	2211	W	DREXEL	AVE	Limited Development Area	Resource Protection Area
785-9005	2300	W	DREXEL	AVE	Limited Development Area	Resource Protection Area
810-9017	2305	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
810-9020	2319	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
810-9022	2361	W	DREXEL	AVE	Single Family Residential, Limited Development Area	Resource Protection Area
785-9003-001	2500	W	DREXEL	AVE	Resource Protection Area	Planned Business (partial)
763-9997-001	1965	W	RAWSON	AVE	Roadway	Resource Protection Area

MINUTES OF THE
OAK CREEK PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 24, 2015

**Public Hearing – Comprehensive Plan Amendment
2020 Vision – A Comprehensive Plan for the City of Oak Creek
Update the Planned Land Use category and Map 2 in the Comprehensive Plan for the
properties at 7951, 8067, 8210, 8245, 8310, and 8351 S. 20th Street; 7312 S. 27th Street;
1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361 and 2500 W. Drexel Avenue; and
1965 W. Rawson Avenue.
Tax Key Nos. multiple**

Ms. Papelbon read the public hearing notice into the record.

Doug Seymour explained that in 2013, the City entered into a Tri Party Exchange Agreement with Milwaukee County and Northwestern Mutual Life (NML) to transfer lands in the Falk Park area. As a result of this agreement, Milwaukee County received some additional high-value wetlands and woodlands that had previously been privately owned, NML received sixty acres of farmland along the interstate, and the City received seventeen acres which is now the site of the new elementary school currently under construction. This Comprehensive Plan Amendment reclassifies those parcels according to their proposed land use. Mr. Seymour cited the example of some of the Resource Protection lands that were part of Falk Park under the existing plan which are now being reclassified as Institutional after the transfer to reflect their planned use as an elementary school. Many areas that are now a part of Falk Park were privately owned and previously classified as single-family residential; those parcels are being properly reclassified as a Resource Protection area. Mr. Seymour emphasized that only those parcels involved in the land exchanged are being reclassified in the Comprehensive Plan Amendment. The sixty acres of previously farmed land, which was part of Falk Park, has now been acquired by NML and is being proposed as Planned Mixed Use.

Mr. Seymour went on to explain that when the City entered into the Tri Party Exchange Agreement, it did so with the understanding that a good faith effort would be made to rezone the properties to reflect their actual usage after the closing. The City is basically doing a “cleaning up” of the Comprehensive Plan to reflect the changes that resulted from the Tri Party Agreement. Mr. Seymour noted that the State of Wisconsin Comprehensive Planning Law requires any actions taken by local governments after 2012 to be concurrent with their land use map and Comprehensive Plan. Therefore, any new development and rezoning would need to be consistent with the Comprehensive Plan.

Mr. Seymour invited any questions or comments on the proposed Comprehensive Plan Amendment to reclassify the properties involved in the Falk Park land exchange.

Arden Degner, 8540 S. Pennsylvania Avenue:

“I am unsure of exactly how much of this land is buildable, how much is floodplain, and where will the borrow pit be located to fill in areas that are in floodplain? Could you give me some information on that particular area, because I understand that was the reason why Falk Park was located there, because it was wetland.”

Doug Seymour responded that at this point, there are no detailed plans in place for the properties included in the Comprehensive Plan Amendment, aside from the school building currently under construction. At the time of submission, the City would take into consideration those environmentally sensitive areas. In addition, any environmentally sensitive areas not shown as part of the proposed land change will remain in place; the change in the Comprehensive Plan does not negate their protected status as wetland or floodplain. Plans for any new development would require identification of those wetlands, floodplains, or storm water management areas, but that is not the case at this early stage in the process.

Arden Degner: "It boggles my mind to think that here we have the City Plan Commission and all these groups that are meeting and have worked out these details with the County, and they claim no knowledge of floodplain and floodways? What really concerns me is this purple area there, that may be a choice buildable lot, and I'm just afraid that we're not getting a good trade."

Mr. Seymour reiterated that the presence of wetland or floodplain is not at all affected by the action that the Plan Commission is taking at this meeting, or that the Council would take at a subsequent meeting. Areas identified as floodplain or wetland would still be identified as such. Mr. Seymour also responded that the land exchange was extensively reviewed by the City, County, and NML in 2012. All three parties saw the value of making the trade which expanded the boundaries of Falk Park to create a site for the new elementary school, and took farm land previously part of Falk Park to make it available for future development.

Mayor Scaffidi further commented that the City, County, and Northwestern Mutual have all said on record that they felt this agreement was mutually beneficial to all parties, and announced the second call for public comment.

Ann Lampe, 8436 S. Howell Avenue:

"I'm concerned about the Mixed Use behind the properties along Drexel Avenue, whether or not the infrastructure in place can support Mixed Use. Mixed Use is always kind of a Pandora's Box, there's so many different things that can go in there. To put it in there as Mixed Use without knowing exactly what's being proposed, I think does not serve the City well. I understand everything about, you know, and that the trade and everything went in. That land was not farmed until this year actually, it was just tall grasses. I know because we have bees near there, and it was tall grasses. So if this is going to impact the road that was already just done on Drexel Avenue at great expense to the City, and the infrastructure under there cannot support whatever is going to go in there, then the City's going to be paying for that road twice, and that's a concern. Also concerned if the expansion of 20th that's going on now, would be able to hold whatever that use is, that Mixed Use, if that road is going to be big enough. Putting that next to a school, whatever it is, if it's a high traffic situation next to a school I think is a problem. I think you have to look at what's already there and take that into consideration more than anything, because if you have conflicting uses, it doesn't do the City any good. So that's mostly my concern, is that impact of something high traffic, high volume at that location."

Doug Seymour responded that the purpose of a Planned Land Use map and Comprehensive Plan is to identify areas available for future development. The Comprehensive Plan specifically calls out the area of 13th Street and Drexel Avenue as a potential area for Planned Mixed Use, bearing in mind that the Comprehensive Plan was drawn up prior to the building of the Drexel Avenue Interchange. The City understands the concerns about having the infrastructure in place to support whatever develops on those properties, and this will be addressed at the time of

development. At this time, it is proper within the constraints of the Tri Party Exchange Agreement to designate those areas as Planned Mixed Use.

C.H. Schmidt, 1820 W. Drexel Avenue:

“Do we really want to rezone the houses on the west side of Drexel Avenue, and on the east side, to Manufacturing or Industrial, or Commercial?”

Mr. Seymour responded no, that there would be no zoning change, this is just a Comprehensive Land Use Plan Amendment. The only properties changing their land use designation are those involved in the Tri Party Exchange.

C.H. Schmidt: “Okay, but it’s still possible that the houses on the south side and north side of Drexel Avenue could be, if this was Mixed Usage behind these houses, it could very well be rezoned, the houses that are being there. What are the, say, the pros and cons on, say Commercial – they want to buy your property out for business; that would change this to Commercial. What would be the pros and cons of ‘hey, you don’t want to move, you want to stay there.’ Can they kick you out? Can you stay there, residential as a non-conforming?”

Mayor Scaffidi asked Mr. Schmidt to clarify who “they” refers to.

C.H. Schmidt: “Whoever would want to build - no, the City – say the City says ‘we want to rezone this to Commercial’ because right behind this is Commercial or Mixed Usage. Residential might not fall into this area of Commercial, so what I’m saying is you have this house there, you bought this property. Can you live there without being moved, say you don’t have to stay there anymore?”

Mayor Scaffidi asked if Mr. Schmidt was referring to 13th Street. Mr. Schmidt clarified that he was talking about Drexel Avenue.

Mr. Seymour again emphasized that the purpose of this meeting is not to rezone the properties, but it would be up to the landowner to decide what their options are, and if there are concerns regarding the Land Use Plan, the City would be glad to discuss what the impacts might be with the property owner.

C.H. Schmidt: “Well, here’s the thing though too, I’m sure everybody knows that on the north side of Drexel Avenue, Northwest Mutual owns all of the houses except for maybe a lot and one house, so they kind of can do what they want - you know, they own everything along 27th Street, so you’re kind of in a little area right there, and eventually, say you don’t like it. So my big concern is I’m against all this, but I just want to know, what are our ramifications if we stayed there? I mean, you probably can’t in a way though too with Commercial going in there. I’ve lived in Oak Creek for all my life, and Oak Creek changes all the time, the City never stays the same. I suppose that’s part of it, ever since A-C moved in there, so Oak Creek City Hall moved over this way where it was, the Police Department is over on Highway 100. We always came to a lot of Common Council meetings, it’s never the same. I mean we could be in here a few more years and they might change a bunch of other things in Oak Creek, well that’s progress I guess. But it’s like I said, Northwest Mutual, they seem to run the show in that area. I think Oak Creek goes along with what they say and vice versa. Maybe not, maybe yes, but I think for the residential person that bought land in the time ago, it was all fields and everything, so now we have to go with what’s going on with society and everything with Commercial, so I don’t like it anyway.”

Ryan Maughan, 1830 W. Drexel Avenue:

"My question is, you kept talking about the 2020 Comprehensive Plan – what is that?"

Doug Seymour explained that the plan was adopted by the City in April of 2002 in response to the State mandate that every municipality have a Comprehensive Plan to guide their future growth. The State Statute required certain elements such as housing, transportation, future land use map, utilities and infrastructure. This document would help guide the Council as they make decisions regarding future land use in the community.

Ryan Maughan: "Okay, and as far as Honadel Woods, which is part of the land swap – what was that zoned for the 2020 Comprehensive Plan?"

Mr. Seymour once again explained that the Comprehensive Plan does not show zoning.

Ryan Maughan: "Sorry, what was it proposed?"

Mr. Seymour commented that it was defined as a limited development area, recognizing some of the high-quality woodlands that were in private ownership.

Ryan Maughan: "Okay, so it wasn't near the residential end of it? Was it planned for Mixed Use, or planned for Residential?"

Mr. Seymour explained that the areas adjacent to the Honadel Woods, specifically the southern part of Drexel Avenue, were shown as predominantly Residential, with some proposals for multi-family development adjacent to that.

Ryan Maughan: "So how come, if we took Honadel Woods, which was mostly planned as Residential, why are we planning the swap as Mixed Use?"

Mr. Seymour commented that the areas planned for Mixed Use are those areas taken out of public ownership which did not contain the high-quality wetlands or woodlands as defined by the DNR. The approval of the land swap and removing these properties from Falk Park signified that these properties no longer met the criteria of what would be preserved under the Resource Protection area.

Ryan Maughan: "Okay, if you take land from one spot that was proposed to be Residential – you take it away and make that a park, don't you need to set aside that much land to stay Residential?"

Mr. Seymour commented that no, that is not necessarily the case.

Ryan Maughan: "Okay, my second question is about the school, you got this big new school going up, and you're going to have a lot of cars going by the new school to get back to this Mixed Use area. Are we going to have any kind of precautions? Normally schools are built in residential neighborhoods, so all the neighbors can kind of keep an eye on the schools, we are not going to have people from out of town possibly coming in, driving past every day trying to see what's there by. So with being Mixed Use, you don't have a real high Residential outlook."

Mr. Seymour responded that the majority of the 128+ acre quadrant of land owned by NML between the freeway and 27th Street is still planned to be developed as Residential. The sixty acres planned as Mixed Use was designated for development. The Planned Mixed Use designation does allow for some Residential use, but this area does not meet the DNR's criteria for a park or a Resource Protection area. Due to its proximity along the Interchange, Planned Mixed Use is an appropriate land use.

Ryan Maughan: "Alright, my biggest concern is Planned Mixed Use, like a person said before, is it's a very broad spectrum, you can put just about anything in there. How do you stop things from going in there that shouldn't be, such as a big huge box store, or something that's going to draw a lot of traffic, to the tune of thousands per day."

Mr. Seymour commented that when and if a rezoning petition was presented to the Common Council, they would act in the best interests of the City.

Mayor Scaffidi added that the City has been accused of focusing too much on business and not enough on green space despite the fact that many acres of City parks are being built, as compared with other communities in the region. The City has an understanding of the need for balance, but property owners have a right to approach the City with regard to development of their land. He emphasized the City's sensitivity to the location of the new school, adding that Mixed Use is important so that the City does not have any single type of development dominating the area.

Ryan Maughan: "Okay, and then as far as the properties in front of that 1830R parcel, once that is deemed Mixed Use, how easy would it be for somebody to come in and then change that to Commercial?"

Doug Seymour commented that if the area develops, given the proposed changes to the Comprehensive Plan, it is reasonable that there may be some changes from Residential to Nonresidential land uses.

Mayor Scaffidi added that it is not uncommon to see that kind of development along an interstate. In consideration that Drexel is the only new interchange within Milwaukee County in the last forty years, there is a great deal of interest in the area. Mayor continued with the second call for public comment.

Christine Struebing, 8562 S. Cortland Drive:

"Last night we just got a map from the Oak Creek School District. We had just learned that our students are going to be redistricted to the new school, which is wonderful, but I also have the same concern about whatever is going on with the redistricting and the roads, like if we are going to be changing that to business, mixed business, is there going to be two separate entryways to this, or are they going to be having the same roadway coming in past the school to get to these businesses?"

Mayor Scaffidi mentioned that he was not at liberty to comment on the redistricting of the schools.

Christine Struebing: "I understand, I guess my direct question is will there be two separate entrances?"

Doug Seymour explained that what was planned as part of the Tri Party Exchange Agreement is a roadway connecting Drexel Avenue through to 27th Street. The City is currently working on trying to speed up the development of that roadway, resulting in two connections to the school.

Christine Struebing: "So the main traffic would be going through a different road to get to those places that are being built up?"

Mr. Seymour noted that the roadway infrastructure would be designed to meet the needs of whatever develops there. Regardless of the type of development, traffic will be passing through the school area.

Mayor Scaffidi pointed out that several of the existing Oak Creek schools are located on busy streets, but the City would be sensitive to this issue and efforts will be made to ensure that the area is safe.

Christine Struebing: ""Thank you."

Mayor Scaffidi made the third and final call for comment. Hearing none, Mayor closed the public hearing.

Comprehensive Plan Amendment

2020 Vision – A Comprehensive Plan for the City of Oak Creek

Update the Planned Land Use category and Map 2 in the Comprehensive Plan for the properties at 7951, 8067, 8210, 8245, 8310, and 8351 S. 20th Street; 7312 S. 27th Street; 1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361 and 2500 W. Drexel Avenue; and 1965 W. Rawson Avenue.

Tax Key Nos. multiple

Mayor Scaffidi opened up discussion of the Comprehensive Plan Amendment to the Commission.

Alderman Bukiewicz opened the discussion, noting that as this issue is within his district, he had received calls from some concerned residents. He reiterating that while the City will be sensitive to the type of new development moving in with respect to the residential areas, property owners have the right to develop those areas. He suggested that this issue might be addressed by building some sort of buffer or berm to separate residential areas from any business development. With respect to other commentary about NML "running the City", Alderman Bukiewicz commented that he sees their relationship with the City as more of a partnership, with NML looking for positive change within the City, and may pursue purchasing more of the properties along Drexel Avenue. He explained that when the Interstate was built, the State dealt with property owners for land acquisitions under eminent domain because the land was needed to construct the freeway ramps. In the case of NML acquiring any additional properties along Drexel Avenue, he thought there would be no need to use the eminent domain process and that NML would work directly with residents.

Doug Seymour confirmed that while the City has the ability to use eminent domain under certain circumstances, this would not be the case with the properties on Drexel Avenue.

Alderman Bukiewicz added that the road going through on 20th Street would be designed to sustain anticipated traffic to the school as well as any future development. He added that this is

a fluid situation, but fits in with the overall Comprehensive Plan. With the City's obligation to keep that plan up to date, he is in favor of the amendment.

Mayor Scaffidi commented that based on NML's presence in Franklin and downtown, he has complete faith that they will act in the best interests of the City, adding that that the City's goal is not just to "fill properties", but rather to have development that looks and feels as if it belongs within the City.

Commissioner Dickmann commented that as a member of the original group that developed the Comprehensive Plan for the City in 2002, the whole objective was to continue updating the plan to reflect changes in the City as required by the State, and that over time there would be continued changes to the plan.

Mayor Scaffidi agreed, and called for a motion.

Alderman Bukiewicz motioned that the Plan Commission adopts resolution 2015-04, amending the Comprehensive Plan and Planned Land Use map for the properties at 7951, 8067, 8210, 8245, 8310 and 8351 S. 20th Street, 1741R, 1830R, 1901, 2200, 2211, 2300, 2305, 2319, 2361 and 2500 W. Drexel Ave. and 1965 W. Rawson Avenue to reflect the change in land use as indicated in Exhibit A, following a public hearing and adoption by the Common Council.

Alderman Guzikowski seconded.

On roll call: all voted aye. Motion carried.

RESOLUTION NO. 2015-04

**A RESOLUTION ADOPTED BY THE PLAN COMMISSION AMENDING THE ADOPTED
COMPREHENSIVE PLAN FOR THE
CITY OF OAK CREEK, IN MILWAUKEE COUNTY, WISCONSIN**

WHEREAS, Sections 62.23 and 66.0295 of the Wisconsin Statutes establish the required procedure for a local government to adopt a Comprehensive Plan; and

WHEREAS, the City of Oak Creek Plan Commission has the authority to amend the Comprehensive plan by resolution and also to recommend that the Common Council adopt the Comprehensive Plan; and

WHEREAS, in August of 2013 the City of Oak Creek entered into a Tri-Party Exchange Agreement with Milwaukee County and the Northwestern Mutual Life Insurance Company ("Northwestern Mutual") to transfer and convey lands in the vicinity of Falk Park; and

WHEREAS, Section 10.2 of that Tri-Party Agreement obligated the City to "use good faith best efforts to rezone the Properties to reflect their actual usage after the Closing."; and

WHEREAS, in accordance with Sec. 66.1001(3) of Wisconsin Statutes, City zoning ordinances enacted or amended must be consistent with the adopted comprehensive plan; and

WHEREAS, the City of Oak Creek has proposed an amendment to the "2020 Vision – A Comprehensive Plan for the City of Oak Creek" re-designating those properties involved in the Tri-Party Exchange Agreement to reflect their current or planned land use as identified in Exhibit "A"; and

WHEREAS, the City has duly noticed a public hearing on the aforementioned amendment to the "2020 Vision – A Comprehensive Plan for the City of Oak Creek" and the Plan Commission has held the public hearing following the procedures in Section 66.0295(4)(d), Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Oak Creek hereby adopts the amendment to the Comprehensive Plan designating the properties identified in the Tri – Party Exchange Agreement and further depicted in Exhibit A as follows, recognizing that the Common Council must also adopt the amendment to the Comprehensive Plan for it to become effective.

<u>TAX KEY</u>	<u>ADDRESS</u>	<u>CURRENT LAND USE PLAN</u>	<u>PROPOSED LAND USE CHANGE</u>
810-9016	795 1 S 20TH ST	Single Family Residential	Resource Protection Area
810-9024	806 7 S 20TH ST	Single Family Residential, Limited Development Area	Resource Protection Area
811-9018-002	821 0 S 20TH ST	Limited Development Area	Resource Protection Area
810-9014	824 5 S 20TH ST	Limited Development Area	Resource Protection Area

830-9021	831 0	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
831-9033	835 1	S	20TH	ST	Mixed Residential, Limited Development Area	Resource Protection Area
810-9024	731 2	S	27TH	ST	Single Family Residential	Resource Protection Area
811-9024	174 1	R	W	DREXEL	AV E	Single Family Residential, Limited Development Area
784-9021	183 0	R	W	DREXEL	AV E	Resource Protection Area
811-9991-002	190 1	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
785-9004	220 0	W	DREXEL	AV E	Resource Protection Area	Institutional
810-9992-001	221 1	W	DREXEL	AV E	Limited Development Area	Resource Protection Area
785-9005	230 0	W	DREXEL	AV E	Limited Development Area	Resource Protection Area
810-9017	230 5	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
810-9020	231 9	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
810-9022	236 1	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
785-9003-001	250 0	W	DREXEL	AV E	Resource Protection Area	Planned Business (partial)
763-9997-001	196 5	W	N	RAWSO	AV E	Roadway

BE IT FURTHER RESOLVED that the Secretary of the Plan Commission certifies a copy of the amendment to the Common Council; and

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Common Council adopts the amendment to the Comprehensive Plan by ordinance.

Passed and adopted this 24th day of November, 2015.

Plan Commission Chair

Attest:


Secretary of the Plan Commission

EXHIBIT A

PROPERTIES AFFECTED BY PROPOSED COMPREHENSIVE PLAN AMENDMENT

<u>TAX KEY</u>	<u>ADDRESS</u>				<u>CURRENT LAND USE PLAN</u>	<u>PROPOSED LAND USE CHANGE</u>
810-9016	795 1	S	20TH	ST	Single Family Residential	Resource Protection Area
810-9024	806 7	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
811-9018-002	821 0	S	20TH	ST	Limited Development Area	Resource Protection Area
810-9014	824 5	S	20TH	ST	Limited Development Area	Resource Protection Area
830-9021	831 0	S	20TH	ST	Single Family Residential, Limited Development Area	Resource Protection Area
831-9033	835 1	S	20TH	ST	Mixed Residential, Limited Development Area	Resource Protection Area
810-9024	731 2	S	27TH	ST	Single Family Residential	Resource Protection Area
811-9024	174 1	R	W DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
784-9021	183 0	R	W DREXEL	AV E	Resource Protection Area	Planned Mixed Use
811-9991-002	190 1	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
785-9004	220 0	W	DREXEL	AV E	Resource Protection Area	Institutional
810-9992-001	221 1	W	DREXEL	AV E	Limited Development Area	Resource Protection Area
785-9005	230 0	W	DREXEL	AV E	Limited Development Area	Resource Protection Area
810-9017	230 5	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
810-9020	231 9	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
810-9022	236 1	W	DREXEL	AV E	Single Family Residential, Limited Development Area	Resource Protection Area
785-9003-001	250 0	W	DREXEL	AV E	Resource Protection Area	Planned Business (partial)
763-9997-001	196 5	W	RAWSON	AV E	Roadway	Resource Protection Area