



Common Council Chambers
8040 S. 6TH Street
Oak Creek, WI 53154
(414) 766-7000

COMMON COUNCIL MEETING AGENDA

TUESDAY, MAY 2, 2017

7:00 P.M.

Daniel Bukiewicz - Mayor
Steven Kurkowski - 1st District
Greg Loreck - 2nd District
Richard Duchniak - 3rd District
Michael Toman - 4th District
Kenneth Gehl - 5th District
Chris Guzikowski - 6th District

The City's Vision

Oak Creek: A dynamic regional leader, connected to our community, driving the future of the south shore.

1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 4/10/17, 4/18/17

Recognition

4. **Mayoral Proclamation:** Poppy Days, May 5, 6, and 7, 2017, Oelschlaeger-Dallmann American Legion Post 434 and Auxiliary (by Committee of the Whole).
5. **Mayoral Proclamation:** Buddy Poppy Days, May 12, 13, and 14, 2017, Meyer-Dziedzic VFW Post 8482 (by Committee of the Whole).

**** NOTE: Poppy Princess Patricia Hogan will be present to distribute Poppies.**

6. **Council Proclamation:** Consider Council Proclamation No. 17-07, Letter Carriers' Stamp Out Hunger Food Drive Day (by Committee of the Whole).

Old Business

7. Mayor's Aldermanic Appointments
 - a. Landscape and Beautification Committee – 1
 - Ald. Guzikowski
 - b. Library Board – 1
 - Ald. Loreck
 - c. Community Development Authority (CDA) -2
 - Ald. Gehl
 - Ald. Kurkowski
 - d. Community Center Board of Directors – 1
 - Mayor Bukiewicz
 - e. Small Claims Committee – 1
 - Ald. Duchniak

Visit our website at www.oakcreekwi.org for the agenda and accompanying common council reports.

- f. Tourism Commission – 1
 - Ald. Gehl
- g. Water & Sewer Utility Commission – 1
 - Ald. Gehl

8. Common Council President Aldermanic Appointments (* designates Chair):

- a. Personnel Committee (minimum of 2) – 3
 - Ald. Toman *
 - Ald. Gehl
 - Ald. Duchniak
- b. Capital Improvements Committee – 3
 - Ald. Gehl *
 - Ald. Guzikowski
 - Ald. Toman
- c. License Committee -3
 - Ald. Kurkowski *
 - Ald. Gehl
 - Ald. Duchniak
- d. Plan Commission Representatives – 2
 - Ald. Guzikowski
 - Ald. Loreck
- e. Board of Health Representative – 1
 - Ald. Kurkowski
- f. Emergency Government Committee Representative – 1 (plus Council President)
 - Ald. Gehl
 - Ald. Kurkowski
- g. Parks, Recreation and Forestry Commission – 1
 - Ald. Guzikowski
- h. Traffic and Safety Commission – 1
 - Ald. Duchniak
- i. Finance Committee – 3
 - Ald. Gehl *
 - Ald. Toman
 - Ald. Loreck

New Business

9. **Motion:** Consider a motion to concur with the Mayor's (re) appointments as follows:

- a. Board of Review – 5 year term to expire 5/2022
Patricia McCleary-Groth
- b. Celebrations Commission – 3 year term to expire 4/2020
Angela Pawluczek
- c. Finance Committee – 1 year term to expire 4/2018
Zach Olson
- d. Parks, Recreation & Forestry – 3 year term to expire 4/2020
Marianne A. Dickmann
Anne Beyer

- e. Tourism Commission – 1 year term to expire 4/2018
Clint Wills
Kristie Busch
Kim Jankowski
- f. Board of Zoning Appeals / Housing Appeals – 3 year term to expire 4/2020
Randy Gregorek
Lawrence Bodette
- g. Weed Commissioner – 1 year term to expire 4/2018
Streets, Parks & Forestry Director

10. **Motion:** Consider a motion to approve the 2017 Vendor Summary Report in the amount of \$276,560.22 (by Committee of the Whole).

TREASURER

11. **Informational:** Summarized Treasurer's Report on investment and banking accounts for the month ending March 31, 2017.
12. **Motion:** Consider a motion to authorize the publication and write-off of the attached list of 2015 delinquent personal property tax per City policy (by Committee of the Whole).

STREETS, PARKS & FORESTRY

13. **Motion:** Consider a motion to award the 2017 27th Street Tree Planting Contract to the lowest responsive, responsible bidder, Property Solutions Constr., at the estimated cost of \$20,480 (2nd & 6th Districts).

ENGINEERING

14. **Motion:** Consider a motion to award the W. Drexel Avenue and S. 10th Street Intersection Signalization unit price contract to the lowest responsive, responsible bidder, MP Systems, Inc., at the estimated cost of \$285,500 (Project No. 17021) (1st & 2nd Districts).
15. **Resolution:** Consider Resolution No. 11809-050217, approving a Storm Water Management Practices Maintenance Agreement for the IKEA retail building (2nd District).
16. **Resolution:** Consider Resolution No. 11810-050217, granting to American Transmission Company LLC a supplemental easement to allow an addition structure in the existing easement at 641 W. Oakwood Rd. (Tax Key No. 975-1004-000) (Project No. 13054) (5th District).

LICENSE COMMITTEE

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

17. **Motion:** Consider a motion to grant an Operator's license to the following (*favorable background report received*):
- Amanda Raduenz, 5743 S. Swift Ave., Cudahy (Pizza Man)
 - Thomas Johnston, 2425 N. 4th St., Milwaukee (Pizza Man)
 - Paul Bible, 6940 S. Timber Ridge Ln., Oak Creek (Pizza Man)
 - Ralf Kika, 6935 S. Rolling Meadows Ct., Oak Creek (Kwik Trip)

- Jeffrey Roloff, 3100 S. Fountain Sq., New Berlin (Kwik Trip)
- Cade Quillin, 10340 S. Robin Ln., Oak Creek (Kwik Trip)
- Sharon Chelig, 3563 S. 82nd St., Milwaukee (Kwik Trip)
- Laura Simmons-Goodman, 635 E. Laverne Dr., Oak Creek (Kwik Trip)
- Zachary Shelton, 6300 W. Cleveland Ave., Milwaukee (Boots)
- Charles Rogers, 3661 S. Arctic Ave., St. Francis (7-Eleven)
- Shannon Jankowski, 10432 Root River Dr., Caledonia (Piggly Wiggly)
- Teralynn Vitacnik, 3355 Marine Rd., South Milwaukee (Branded Steer)
- Jacklyn Rauter-Stockton, 3164 W. American Dr., Greenfield (Buffalo Wild Wings)
- Amanda Hernandez, 4023 S. 43rd St., Greenfield (Woodman's)
- Michael Deal, 2948 S. California St., Milwaukee (Meijer Gas Station)
- Maria Callender, 2008 W. Rawson Ave., Oak Creek (PDQ)
- Kevin Kais, 3201 Pleasant View Cir., Racine (Walgreens)
- Joel Dereszynski, 209 Laurel Ln., South Milwaukee (no employer provided)

18. **Motion:** Consider a *motion* to grant a Transient Merchant license to TruGreen, 8120 W. Bradley Rd., Milwaukee, WI, and to the following salespersons (*favorable background report received*).

- Michael Schlampp, 9651 W. Beloit Rd., Milwaukee
- Muhammad Khan, 5125 Cortland Ave., Racine

19. **Motion:** Consider a *motion* to grant a Transient Merchant license to Aptive Environmental, 17919 W. Lincoln Ave., New Berlin, WI and to the following salespersons (*favorable background report received*).

- Brandon Hyer, 9306 Orchard Park Cir., Oak Creek
- Jason Beutler, 9306 Orchard Park Cir., Oak Creek
- Mahonri Saldana, 9306 Orchard Park Cir., Oak Creek
- David Daines, 2470 W. Briar Lake Way, Oak Creek
- Kace Farley, 2345 W. Briar Lake Way, Oak Creek
- Payden Hathaway, 9334 S. Orchard Park Cir, Oak Creek

20. **Motion:** Consider a *motion* to grant a Special Event Permit to Kristin Kowaleski, Oak Creek Tourism Commission, for Drexel Town Square Movies in the Park, scheduled for Thursday, June 23, July 21, August 28, and September 21, 2017.

21. **Motion:** Consider a *motion* to grant a Special Event Permit to Caleb Widmer, Agent, Harvest Community Church, for Drexel Town Square Summer Concert Series, scheduled on Thursday, August 3, 10, 17, 24, and 31, 2017.

22. **Motion:** Consider a *motion* to grant a Special Event Permit to Nardeep Gill, Agent, Chardi Kala 6K run/walk, to be held at the Oak Creek High School track stadium on August 5, 2017.

23. **Motion:** Consider a *motion* to grant a Special Event Permit to Kristin Kowaleski, Agent, Oak Creek Tourism Commission, for Drexel Town Square Summer Soulstice Festival, scheduled for June 17, 2017.

The following item was presented to the License Committee at their meeting on 4/27/17. Minutes are attached. Recommendation is as follows:

24. **Motion:** Consider a *motion* to grant a Temporary Class B Beer / Class B Wine license to Carolyn Bukiewicz, Agent, Oak Creek Celebrations Commission, for Drexel Town Square Summer Soulstice Festival, scheduled for Saturday, June 17, 2017

MISCELLANEOUS

25. **Motion:** Consider a *motion* to convene into Closed Session pursuant to Wisconsin State Statutes, Section 19.85(1)(e) to consider a Second Amendment to the Tax Incremental District No. 12 Finance Development Agreement with IKEA Property, Inc.
26. **Motion:** Consider a *motion* to reconvene into Open Session.
27. **Resolution:** Consider *Resolution* No. 11811-050217, approving the Second Amendment to the Tax Incremental District No. 12 Finance Development Agreement with IKEA Property, Inc. (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 766-7000, by fax at 766-7976, 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

MAYORAL PROCLAMATION**POPPY DAYS
MAY 5, MAY 6 AND MAY 7, 2017
OELSCHLAEGER-DALLMANN
AMERICAN LEGION POST 434 AND AUXILIARY**

WHEREAS, The Oelschlaeger-Dallmann American Legion Post and Auxiliary 434 have set aside Friday, May 5, Saturday, May 6, and Sunday, May 7, 2017, to honor all our Veterans of all wars by distribution of poppies on these days on our City; and,

WHEREAS, The annual distribution of poppies is one of the American Legion Post and Auxiliary's many veteran projects of which we are proud; and,

WHEREAS, All monies received from the distribution goes directly to the following:

- 60% percent of all money received will be distributed for:
 - Direct aid to veterans and their families in need in the City of Oak Creek
- 40% percent of all money received will be distributed for:
 - Scholarships and loans for veteran children
 - Rehabilitation projects at Zablocki VA Medical Center
 - Wisconsin Veterans' Home at King, Wisconsin
 - Christmas Gift Shop at Zablocki VA Medical Center
 - Camp American Legion, a rehabilitation center for veterans
 - National Child Welfare Foundation
 - All veteran affairs and rehabilitation programs

BE IT, THEREFORE, RESOLVED that I, Daniel J. Bukiewicz, Mayor of the City of Oak Creek, do hereby proclaim May 5, 6, and 7, 2017, to be Poppy Days in the City of Oak Creek.

BE IT FURTHER RESOLVED that I encourage the citizens of Oak Creek to contribute generously for the annual poppy distribution by the American Legion Post and Auxiliary 434.

Daniel J. Bukiewicz
Mayor, City of Oak Creek

ATTEST:

Catherine A. Roeske
City Clerk

MAYORAL PROCLAMATION

**BUDDY POPPY DAYS
MEYER-DZIEDZIC VFW POST 8482
MAY 12, 13 AND 14, 2017**

WHEREAS, the annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States, Meyer-Dziedzic Post 8482 of Oak Creek, Wisconsin, has been officially recognized and endorsed by governmental leaders since 1922; and

WHEREAS, the annual distribution of Buddy Poppies will be held in Oak Creek on May 12, May 13, and May 14; and

WHEREAS, VFW Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living".

THEREFORE, BE IT RESOLVED that I, Daniel J. Bukiewicz, Mayor of the City of Oak Creek, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the days set aside for the distribution of these symbols of appreciation for the sacrifices of our veterans.

BE IT FURTHER RESOLVED that I urge all citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms that we continue to enjoy as American Citizens.

Daniel J. Bukiewicz
Mayor, City of Oak Creek

ATTEST:

Catherine A. Roeske
City Clerk

COUNCIL PROCLAMATION NO. 17-07

“LETTER CARRIERS’ STAMP OUT HUNGER FOOD DRIVE DAY”

WHEREAS, every year on the second Saturday in May, letter carriers across the country collect non-perishable food as part of the nation’s largest one-day food drive, distributing the donations to local food banks; and

WHEREAS, the Letter Carriers’ Stamp Out Hunger Food Drive is just one example of how letter carriers work to make a difference in the lives of those they serve; and

WHEREAS, since the pilot drive was held in 1991, more than 1.5 billion pounds of food has been collected; and

WHEREAS, all of the food collected in our community stays in our community; and

WHEREAS, the City of Oak Creek supports the carriers’ efforts to help those in need in our community; and

WHEREAS, we recognize all letter carriers for their hard work and their commitment to their communities; and

WHEREAS, we also recognize the noteworthy milestone of 25 years that the national Letter Carrier Food Drive celebrates in 2017.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Oak Creek do hereby proclaim Saturday, May 13, 2017, as “Letter Carriers’ Food Drive Day” in the City of Oak Creek, and we encourage the citizens of our community to support the food drive by placing non-perishable food items in or near your mailbox on Food Drive Day, where your letter carrier will pick it up while delivering the mail, and together, helping to feed our hungry.

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

Dated this 2nd day of May, 2017.

Presented and adopted this 2nd day of May, 2017.

Kenneth Gehl, Common Council President

ATTEST:

Daniel J. Bukiewicz, Mayor

Catherine A. Roeske, City Clerk

VOTE: Ayes _____ Noes _____

City of Oak Creek Common Council Report

Meeting Date: May 2, 2017

Item No.: 10

Recommendation: That the Common Council approves payment of the obligations as listed on the April 26, 2017 Invoice GL Distribution Report.

Background: Of note are the following payments:


1. \$64,712.55 to Benistar (pg #2) for May Medicare supplement insurance.
2. \$9,723.06 to General Fire Equipment CO. Inc (pgs #5-6) for replacement bumper on squad #7 and new squad equipment: rear prisoner seats, partition/push bumper, and rear window emergency lights.
3. \$10,407.65 to Goodwill Industries (pg #6) for landscape escrow reimbursement.
4. \$10,847.75 to Kansas City Life Insurance Co (pgs #7-8) for May disability insurance.
5. \$25,766.50 to Oak Creek Water & Sewer (pg #10) for project #15023 & #16051 inspection costs.
6. \$5,000.00 Reserve Account (pg #1) for postage refill.
7. \$12,611.45 to Short Elliott Hendrickson, Inc (pg #12) for bridge maintenance.
8. \$13,169.66 to Smith Group JJR (pg #12) for professional services regarding Lake Vista redevelopment plan for community park construction: September'16 and November'16-January'17.
9. \$34,048.20 to WE Energies (pgs #13-14) for street lighting, electricity and natural gas.
10. \$16,734.07 to World Fuel (pg #15) for fuel inventory.

Fiscal Impact: Total claims paid of \$276,560.22

Prepared by/Fiscal Review by:


Bridget M. Souffrant, CMTW
Finance Director/Comptroller

Respectfully submitted,


Andrew J. Vickers, M.P.A
City Administrator

City of Oak Creek Common Council Report

Meeting Date: 05/02/2017

Item No.: 11

Communication: Attached please find the summarized Treasurer's Report for the City of Oak Creek investment and banking accounts, for the month ending March 31, 2017.

Background: I have created a monthly Treasurer's Report for the purpose of providing the City of Oak Creek Common Council and the public with the current condition of the City's treasury, to be presented at their first meeting of each month. This report summarizes the investment and banking accounts end of the month balances. It is not intended to infer available funds for general purpose spending since some funds are allocated for specific uses such as Tax Incremental Districts, large projects, distribution of tax collection to other underlying taxing jurisdictions etc.

This monthly report, along with an additional comprehensive report, was reviewed by the Finance Committee to assist with investment decisions and other financial strategies. The attached report is for the month ending March 31, 2017 as highlighted below:

<u>Investment/Banking:</u>	<u>Beginning Bal</u>	<u>Ending Bal</u>	<u>Interest Earned</u>	<u>Rate</u>
• Tri City Bank	\$ 5,430,583.27	\$ 5,687,173.01	\$ 4,903.73	0.69%
• DANA Investments	\$ 6,661,086.59	\$ 6,659,028.45	\$11,236.86	1.39%
• BMO Global	\$ 4,833,950.23	\$ 4,836,536.68	\$ 5,091.76	1.50%
• American Deposit	\$11,773,989.33	\$11,279,266.55	\$ 5,277.22	0.61%
• LGIP	<u>\$11,807,444.85</u>	<u>\$12,686,192.97</u>	<u>\$ 6,154.39</u>	0.61%
• Total Treasury	\$40,507,054.27	\$41,148,197.66	\$32,663.96	
<u>Tax Collections:</u>				
• Collections at City Hall (Tax Acct 2)		\$3,780,046.70		
• Collections At Bank/Lockbox		\$		
Total Tax Collections		\$3,780,046.70	5.1% of Tax Levied	

Please note that nothing was paid out to the other taxing jurisdictions in March. Tax collections received in February and March are paid out in April.

Fiscal Impact: Presenting the monthly condition of the treasury at an open meeting of the Common Council will provide additional financial data to decision makers while enhancing transparency to the public.

Prepared by:



Barbara Guckenberger, CMTW
City Treasurer

Respectfully submitted by:



Andrew J. Vickers, M.P.A.
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

March 2017

City of Oak Creek
Treasurer Report on Investment and Banking

Name of Account	Beginning Balance	Additions	Subtractions	Account Ending Balance	Actual Interest Earned	Interest Rate	Percentage of Total Invested
Tri City National Bank	5,430,583.27	11,512,097.70	(11,255,507.96)	5,687,173.01	4,903.73	0.69%	13.82%
General Fund	3,745,260.65	7,167,611.13	(6,273,189.66)	4,639,682.12			
0	-			-			
Title 125	28,646.57	56,052.25	(30,188.50)	54,510.32			
Police Credit Card	54,363.56	38,009.90	(55,247.60)	37,125.86			
Parks & Rec Counter Credit Card	12,070.17	14,477.00	(13,579.07)	12,968.10			
Tax Payment Account #2	1,270,988.54	3,780,046.70	(4,400,000.00)	651,035.24			
Parks & Rec Online Credit Card	8,428.16	32,265.00	(9,220.00)	31,473.16			
Health Insurance	6,914.16	343,488.07	(223,553.85)	126,848.38			
Tax Payment Account	53,382.18	-	-	53,382.18			
EMS	250,529.28	80,147.65	(250,529.28)	80,147.65			
DANA Investment Advisors	6,661,086.59	12,834.89	(14,893.03)	6,659,028.45	11,236.86	1.39%	16.18%
BMO Global Asset Management	4,833,950.23	6,119.18	(3,532.73)	4,836,536.68	5,091.76	1.50%	11.75%
American Deposit Management (ADM)	11,773,989.33	805,277.22	(1,300,000.00)	11,279,266.55	5,277.22	0.61%	27.41%
*ADM General Account Balance	6,713,416.90	802,740.00	(1,300,000.00)	6,216,156.90	2,740.00	0.61%	
Local Government Investment Pool (LGIP)	11,807,444.85	1,178,748.12	(300,000.00)	12,686,192.97	6,154.39	0.61%	30.83%
*LGIP General Account Balance	4,969,286.38	875,166.04	(300,000.00)	5,544,452.42	2,572.31		
0	-			-			0.00%
Total Balance	40,507,054.27	13,515,077.11	(12,873,933.72)	41,148,197.66	32,663.96		

*General Account Balance shown separately and is also part of the total account listed above; although it is used for cash flow purposes, a portion may be allocated for specific purposes and not available for general purpose spending;

Excludes Police Forfeiture Account;

Tri City Interest is an analyzed credited from previous month earnings;

Additions and subtractions on investment accounts may include market adjustments for realized and unrealized gains(losses) or change in accrued income, as well as interest, management fees, deposits, transfers, returned payments or withdrawals

Tax Collection Deposits	
Tax Payment Account #2	
City Deposit (Counter, Drop Box, Mail)	3,434,639.23
Gov Tech	309,926.99
Credit Card	35,480.48
Total Tax Payment Account #2	3,780,046.70

Tax Payment Account	
Tri City Payments (At Bank, Lockbox)	-

Total Tax Collection Deposits

3,780,046.70 5.1% of Total Tax Levied

Please note the City uses two bank accounts for tax collection; one for payments processed by the City (account #2) and the other for payments processed by our bank

Prepared for Common Council; cc Finance Committee
Barbara Guckenberger, CMTW
City Treasurer

City of Oak Creek Common Council Report

Meeting Date: 05/02/2017

Item No.: 12

Recommendation: That the Common Council authorize the publication and write-off as shown on the attached list of 2015 delinquent personal property tax per City Policy.

Background: A policy has been established by resolution no. 11637-081815 (both attached) for the handling of delinquent personal property taxes. As part of this policy, the delinquent amount due for all taxing districts, including interest and penalty, is published in the City's official newspaper. Additionally, to provide an accurate reflection of the City's financial position as recommended by the City's auditors, at this same time the City's share of delinquent tax from the preceding year is written-off the City's books. The remaining delinquent tax has been proportionately charged back to all the other taxing districts.

Attached is a list of 2015 delinquent personal property tax (\$8,415.18) to be approved for publication in the City's official newspaper. Any accounts that have outstanding prior year delinquencies are indicated as "Multiple Years".

The list also indicates the City's principal portion (\$4,895.24) of those delinquent accounts for which the likelihood of collection appears remote, to be approved for removal from the City's general account. However, collection efforts will continue on these accounts through the City's collection agency.

Fiscal Impact: Improve the accuracy of the City's financial position and enhance budgeting procedures by the timely and efficient collection of monies due to the City.

Prepared by:



Barbara Guckenberger, CMTW
City Treasurer

Respectfully submitted by:



Andrew J. Vickers, M.P.A.
City Administrator

Fiscal Reviewed by:



Bridget M. Souffrant, CMTW
Finance Director / Comptroller

CITY OF OAK CREEK
WRITE-OFF AND PUBLICATION

2015 DELINQUENT PERSONAL PROPERTY

PERSONAL PROPERTY AND ADDRESS	NAME	City Portion of Principal Only WRITE-OFF AMOUNT	Total Due for May		MULTIPLE YEARS
			Including Interest & Penalty AMOUNT	PUBLISH	
Willie Alston DBA Masonry Concrete In Action LLC 10100 S Windsor Dr		\$ 45.84	\$ 56.84	X	X
A-1 Home Inspection & Appraisal 3201 E James Dr		\$ 45.84	\$ 56.84	X	X
Auberry House 10320 S Hummingbird Ln		\$ 1,437.32	\$ 1,782.28	X	X
B&W Heating & Cooling 9473 S Chicago Rd		\$ 59.60	\$ 73.91	X	X
BPP Wisconsin LLC DBA Days Inn 1201 W College Ave		\$ 486.50	\$ 2,052.33	X	X
Brusaglia Inc 2161 E Rawson Ave		\$ 123.33	\$ 520.20	X	
Colorall Auto Body Repair 8020 S 27th St, Ste A		\$ 149.00	\$ 184.76	X	X
Hunters Fabrication & Design LLC 7555 S 10th St		\$ 485.97	\$ 602.61	X	X
Innovative Systems 9880 S Ridgeview Dr		\$ 57.27	\$ 241.62	X	
Michael Janikowski DBA Bluebird Antiques 8625 S Market Pl		\$ 114.62	\$ 142.13	X	X
Chris Jensen DBA C3 Designs 8628 S Market Pl, Ste A		\$ 11.07	\$ 46.75	X	
Panther Hobby Supply 8041 S 13th ST		\$ 13.46	\$ 56.84	X	
Skin Candy Tadoo, Inc 8201 S Howell Ave, Ste 200		\$ 51.22	\$ 216.04	X	
Samuel Spencer DBA The Working Man Roofing & Siding 9075 S Chicago Ct		\$ 45.84	\$ 56.84	X	X

CITY OF OAK CREEK
 WRITE-OFF AND PUBLICATION

2015 DELINQUENT PERSONAL PROPERTY

PERSONAL PROPERTY AND ADDRESS	NAME	City Portion of Principal Only WRITE-OFF AMOUNT	Total Due for May		MULTIPLE YEARS
			Including Interest & Penalty AMOUNT	PUBLISH	
Sportcuts 8621 S Howell Ave		\$ 1,084.30	\$ 1,344.53	X	X
Tayiss LLC 7278 s Delaine Dr		\$ 45.84	\$ 56.84	X	X
Technical Enterprises, Inc 7044 S 13th St		\$ 171.94	\$ 213.21	X	
Unlimited Auto 9340 S 27th St		\$ 24.27	\$ 102.32	X	
Vertical Works, Inc 3834 E Puetz Rd		\$ 421.80	\$ 523.03	X	X
Victory Martial Arts School 9549 S Chicago Rd		\$ 20.21	\$ 85.26	X	X
DELINQUENT TOTAL		\$ 4,895.24	\$ 8,415.18		
Bankruptcies/Receiverships/Corrections			\$ -		
DELINQUENT PUBLICATION TOTAL			\$ 8,415.18		

SYSTEM: TREASURER'S COLLECTIONS
 REPORT NAME: Tax Audit Report
 REPORT #: TAXAUDITLST
 RUN DATE: 04/20/2017
 RUN TIME: 03:57 PM

2015 For Write off and Publication

THE OPTIONS BELOW WERE USED FOR THIS REPORT:

Property type	Personal Property
Municipalities	265 - CITY OF OAK CREEK
Limited to District	
For Tax Years	2015
Owner information to use	Name on record for each year
Interest and Penalty Date	05/01/2017
Parcels/Personal Properties to be included	Limit to Delinquent parcels/properties
Sort by	Parcel/Personal Property Number
Flags that will be excluded from this report	

Computer Report showing Delinquent 2015 Personal Property Tax

Outstanding Total with May 2017 Int + Penalty for Publication \$8,415.18

Outstanding Total Principal portion (no Int + Penalty) \$6,786.42

Outstanding Total City portion of principal for write offs (no Int + penalty) \$4,895.24

Outstanding Total other Taxing Jurisdictions (charged back) \$1,891.18

MILWAUKEE
 PERSONAL PROPERTY TAX AUDIT
 CITY OF OAK CREEK

REPORT #: TAXAUDITLST
 RUN DATE: 04/20/2017
 RUN TIME: 03:57 PM
 PAGE: 2

PERSONAL PROPERTY NUMBER YEAR	GENERAL		SPEC ASMT		OWNER NAME SPEC CHRG		DEL CHRG		OCCUP		MAY 2017		MAY 2017		TOTAL
	GEN INT	SPEC INT	GEN PEN	SPEC PEN	OTH CHRG	GEN INT	SPEC INT	GEN PEN	SPEC PEN						
9999017350	WILLIE ALSTON, ET AL DBA Masonry Concrete In Action LLC														
2015 TAX	45.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.84
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	45.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.33	0.00	3.67	0.00	0.00	0.00	56.84
9999023000	A-1 HOME INSPECTION & APPRAISAL														
2015 TAX	45.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.84
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	45.84	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.33	0.00	3.67	0.00	0.00	0.00	56.84
9999032300	AUBERRY HOUSE INC														
2015 TAX	1,437.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,437.32
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	1,437.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	229.97	0.00	114.99	0.00	0.00	0.00	1,782.28
9999038200	B & W HEATING & COOLING														
2015 TAX	59.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	59.60
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	59.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.54	0.00	4.77	0.00	0.00	0.00	73.91
9999057575	BPP WISCONSIN LLC, ET AL DBA Days Inn														
2015 TAX	1,655.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,655.10
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	1,655.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	264.82	0.00	132.41	0.00	0.00	0.00	2,052.33
<i>City Portion 486.50</i>															
9999062100	BRUSAGLIA INC, ET AL DBA The Laundry Basket														
2015 TAX	419.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	419.52
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	419.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	67.12	0.00	33.56	0.00	0.00	0.00	520.20
<i>City Portion 123.33</i>															
9999087100	COLORALL AUTO BODY REPAIR														
2015 TAX	149.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	149.00
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	149.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.84	0.00	11.92	0.00	0.00	0.00	184.76
9999190000	HUNTERS FABRICATION & DESIGN LLC														
2015 TAX	485.97	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	485.97
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	485.97	0.00	0.00	0.00	0.00	0.00	0.00	0.00	77.76	0.00	38.88	0.00	0.00	0.00	602.61
9999202855	INNOVATIVE SYSTEMS														
2015 TAX	194.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	194.85
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	194.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31.18	0.00	15.59	0.00	0.00	0.00	241.62
<i>City Portion 57.27</i>															

DBA Masonry Concrete In Action LLC

DBA Days Inn

DBA The Laundry Basket

Charged back \$1,168.60

Charged back \$296.19

Charged back \$137.58

MILWAUKEE
 PERSONAL PROPERTY TAX AUDIT
 CITY OF OAK CREEK

REPORT #: TAXAUDITLST
 RUN DATE: 04/20/2017
 RUN TIME: 04:38 PM
 PAGE: 4

PERSONAL PROPERTY NUMBER YEAR	GENERAL	SPEC ASMT	OWNER NAME SPEC CHRG	DEL CHRG	OCCUP	OTH CHRG	----- MAY 2017 -----		----- MAY 2017 -----		TOTAL
							GEN INT	SPEC INT	GEN PEN	SPEC PEN	
9999433950			VERTICAL WORKS, INC								
2015 TAX	421.80	0.00	0.00	0.00	0.00	0.00					421.80
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	421.80	0.00	0.00	0.00	0.00	0.00	67.49	0.00	33.74	0.00	523.03
9999437100			VICTORY MARTIAL ARTS SCHOOL								
2015 TAX	68.76	0.00	0.00	0.00	0.00	0.00					68.76
PAID	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DUE	68.76	0.00	0.00	0.00	0.00	0.00	11.00	0.00	5.50	0.00	85.26
<i>City Portion</i> CITY OF OAK CREEK TOTALS	6,810.61	0.00	0.00	0.00	0.00	0.00	2.18	0.00	1.09	0.00	6,810.61
PAID	24.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27.46
DUE	6,786.42	0.00	0.00	0.00	0.00	0.00	1,085.82	0.00	542.94	0.00	8,415.18

Charged back \$48.55

City Portion 20.21

- 1891.18 Total Charged back

4895.24 Write off

Total to be published with May Int + Penalty

**THE POLICY ON HANDLING OF DELINQUENT PERSONAL PROPERTY TAXES
FOR THE CITY OF OAK CREEK**

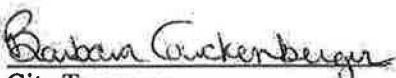
The following shall be considered as the policy on the handling of delinquent personal property taxes as allowed by WI State Statutes:

1. Those accounts determined by the City Treasurer to be delinquent as of February 1, will receive a notice of delinquency.
2. Those accounts determined by the City Treasurer to be delinquent as of March 1, will receive a copy of this policy and a letter of delinquency from the City Attorney, which will advise the taxpayer of the ramifications of nonpayment.
3. If not paid on or before July 31, those delinquent accounts in which the City has no other recourse will be turned over to the City's collection agency. The City Treasurer will work with the collection agency to determine and approve which delinquent accounts will be subject to a lawsuit initiated by the City's collection agency.
4. By the following April 1, the City Treasurer may charge back to each taxing jurisdiction within the taxation district, except this state, its proportionate share of those personal property taxes for which the taxation district settled in full the previous year, which were delinquent at the time of settlement, which have not been collected in the intervening year, and which remain delinquent, if the taxes are owed by an entity that has ceased operations, or filed a petition for bankruptcy, or are due on personal property that has been removed from the next assessment roll.
5. By the following June 1, regardless of whether in collection or in legal proceedings will be noticed in the City's official newspaper, showing the taxpayer's name and/or business name, address, the delinquent principal amount plus interest.

By the following June 1, the Treasurer shall also prepare a list of names and amounts of delinquent personal property for which the likelihood of collection appears remote, which shall be written off the books subject to approval by the Common Council; however, collection efforts will continue.

6. An amount equal to any delinquent personal property taxes charged back which are subsequently collected by the taxation district, minus the cost of collecting those taxes, shall be proportionately distributed to each taxing jurisdiction to which the delinquent taxes were charged back. Distributions shall be made on May 15, August 15, November 15 and February 15.

Approval:


City Treasurer

Approval:


City Administrator

Revision History:
November 15, 2005
November 5, 2013
August 18, 2015

RESOLUTION NO. 11637-081815

BY: Ald. Gehl

**A RESOLUTION RESCINDING RESOLUTION NO. 11424-110513 AND
RESTATING THE POLICY ON HANDLING OF DELINQUENT PERSONAL
PROPERTY TAXES FOR THE CITY OF OAK CREEK**

WHEREAS, WI State Statute 74.30(1)(i) provides that on or before February 20, the City of Oak Creek shall pay in full to each taxing district all personal property taxes which have not previously been paid; and

WHEREAS, the uncollected personal property taxes may be charged back to each taxing district in the following year and thus will have an adverse effect on that years' tax levy for each taxing district; and

WHEREAS, the City previously adopted Resolution 11424-110513 which established a policy on the handling of delinquent personal property taxes; and

WHEREAS, WI State Statutes 74.42(1) provides that no later than April 1, the taxation district treasurer may charge back to each taxing jurisdiction within the taxation district, its proportionate share of those personal property taxes for which the taxation district settled in full the previous year and which remain delinquent, if the taxes are owed by an entity that has ceased operations, or filed a petition for bankruptcy, or are due on personal property that has been removed from the next assessment roll; and

WHEREAS, the timely and efficient collection of monies due to the City of Oak Creek will benefit the taxpayer and enhance budgeting procedures of the City Government.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council that Resolution No. 11424-110513 is hereby rescinded; and

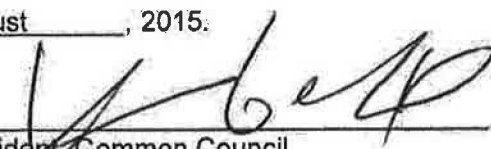
BE IT FURTHER RESOLVED by the Mayor and Common Council of the City of Oak Creek that there is hereby established a Policy on Handling of Delinquent Personal Property Taxes, as attached to and made a part of this resolution in its entirety, to improve the accuracy of the City's financial position and enhance budgeting procedures by the timely and efficient collection of monies due to the City; and

BE IT FURTHER RESOLVED that all resolutions contravening the provisions of this resolution are hereby repealed; and

BE IT FURTHER RESOLVED that the City Treasurer and City Administrator are hereby authorized to sign the Handling of Delinquent Personal Property Taxes Policy in behalf of the City of Oak Creek.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 18th day of August, 2015.

Approved this 18th day of August, 2015.



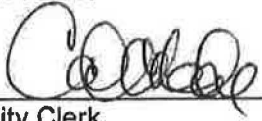
President, Common Council

Passed and adopted this 18th day of August, 2015.



Mayor

ATTEST:



City Clerk

VOTE: Ayes 6 Noes 0

City of Oak Creek Common Council Report

Meeting Date: May 2, 2017

Item No.: 13

Recommendation: That the Common Council consider a motion to award the 2017 27th Street Tree Planting Contract to the lowest responsive, responsible bidder, Property Solutions Const., at the estimated cost of \$20,480.00.

Background: On 2/20/17, the Common Council adopted Resolution No. 11798-022017, approving an Intergovernmental Cooperation Agreement between the City of Franklin and the City of Oak Creek outlining responsibilities for a shared street tree planting project related to the South 27th Street reconstruction project. This bid is for the planting of the 162 trees that were bid out by the City of Franklin.

Contractor	Bid
Cedarburg Landscaping Co., Inc.	\$33,979.60
Gibraltar Landscape	\$46,400.00
Rodriguez Landscape Co., Inc.	\$85,920.00
Arthur Weiler, Inc.	\$35,080.00
Property Solutions Const.	\$20,480.00

Fiscal Impact: There was \$62,500 reserved in the 2017 budget for Project 17020 - 27th Street Corridor Landscaping. This is a shared project with the City of Franklin and they will be invoiced for 50% of the cost of the work under the contract.

Prepared by:



Ted Johnson
Director of Streets Parks and Forestry

Respectfully submitted:



Andrew J. Vickers, M.P.A.
City Administrator

Fiscal review by:



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

City of Oak Creek Common Council Report

Meeting Date: May 2, 2017

Item No.: 14

Recommendation: That the Common Council considers a motion to award the W. Drexel Avenue and S. 10th Street Intersection Signalization unit price contract to the lowest responsive, responsible bidder, MP Systems, Inc., at the estimated cost of \$285,500.00. (Project No. 17021) (Aldermanic Districts 1 & 2)

Background: The Engineering Department coordinated a traffic signal warrant study for the intersection of Drexel/10th in October 2015. That study conducted by Traffic Analysis & Design, Inc., determined that the intersection was performing at a poor level of service and that traffic signal warrants were met.

Under authorization by the Common Council, the Engineering Department worked with design consultant Traffic Analysis & Design, Inc., for the production of the plans, specifications and bid documents. This is a unit price contract. Thus, the bids have been evaluated based on estimated quantities. The bids received were well within the range of the engineer's estimate for the project. The following two bids were received:

Contractor	Bid
MP Systems, Inc.	\$285,500.00
Zenith Tech, Inc.	\$317,783.22

The unit bid prices received were at an acceptable level and it is the staff's recommendation that the Common Council accepts the bids and awards the contract to the lowest responsible bidder.

Fiscal Impact: Payment would come from funding reserved under CIP No. 17021.

Prepared by:



Matthew J. Sullivan, P.E.
Design Engineer

Respectfully submitted:



Andrew J. Vickers, M.P.A.
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

City of Oak Creek Common Council Report

Meeting Date May 2, 2017

Item No.: 15

Recommendation: That the Common Council adopts Resolution No. 11809-050217, a resolution approving a storm water management practices maintenance agreement with IKEA Property, Inc., for their development at 1830 W. Drexel Avenue. (Tax Key No. 784-9021) (2nd Aldermanic District)

Background: The proposed IKEA retail building development located at 1830 W. Drexel Avenue requires onsite storm water management practices in accordance with Sections 13.100 through 13.114 of the Municipal Code. Section 13.109 of the Municipal Code requires a maintenance agreement between the City and the permittee for the future maintenance of the required storm water management practices.

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

Prepared by:



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

Respectfully submitted:



Andrew J. Vickers, M.P.A.
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

RESOLUTION NO. 11809-050217

BY: _____

RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT FOR THE IKEA RETAIL BUILDING

(TAX KEY NO. 784-9021)

(2ND ALDERMANIC DISTRICT)

WHEREAS, IKEA Property, Inc. (Owner), requires onsite storm water management practices for their proposed Oak Creek Clinic development located at 1830 W. Drexel Avenue, and,

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

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

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

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

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 2nd day of May, 2017.

Passed and adopted this 2nd day of May, 2017.

President, Common Council

Approved this 2nd day of May, 2017.

Mayor

ATTEST:

City Clerk

VOTE: AYES ____ NOES ____

Document Number

IKEA Retail Building
Storm Water Management Practices Maintenance
Agreement
Document Title

Recording Area

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

784-9021

Parcel Identification Number (PIN)

STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this ___ day of _____, 2017, by and between IKEA Property, Inc. hereinafter called the "Owner", and the City of Oak Creek, hereinafter called the "City".

WITNESSETH:

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

Lot 1 of Certified Survey Map No. 8851 in the Southeast ¼ of Section 7, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan known as IKEA retail building, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site storm water management practices within the confines of the Property; and

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

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

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

1. The on-site storm water management practices shall be constructed by the Owner, its successors and assigns, in accordance with the plans and specifications identified in the Plan. The storm water management practices shall serve the drainage area designated in the Plan.
2. The Owner, its successors and assigns, shall regularly inspect the storm water management practices as often as conditions require, but in any event at least once each year. The standard Operation and Maintenance Report attached to this agreement as Exhibit A and by this reference made a part hereof shall be used for the purpose of the regular inspections of the storm water management practices. The Owner, its successors and assigns shall keep the Operation and Maintenance Reports from past inspections as well as a log of maintenance activity indicating the date and type of maintenance completed. The Reports and maintenance log shall be made available to the City for review. The purpose of the inspections is to assure safe and proper functioning of the facilities. The inspections shall cover all facilities including but not limited to berms, outlet structures, subsurface structures, infiltration areas, pond areas and access roads. Deficiencies shall be noted in the Operation and Maintenance Report.
3. The Owner, its successors and assigns, shall adequately maintain the storm water management practices, including but not limited to all pipes and channels built to convey storm water to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the storm water. Adequate maintenance is herein defined as keeping the storm water management facilities in good working condition so that these facilities are performing their design functions and are in accordance with the Detention Basin Maintenance Standards attached to this agreement as Exhibit B and by this reference made a part hereof.
4. The Owner, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water management practices whenever the City deems necessary. The City shall notify the Owner at least 24-hours in advance of any non-emergency related post-construction inspection. The purpose of inspection is to investigate reported deficiencies and/or to respond to citizen complaints. The City shall provide the Owner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary. Corrective actions shall be taken within a reasonable time frame as established by the City Engineer.
5. If the Owner, its successors and assigns, fails to maintain the storm water management practices in good working condition acceptable to the City and does not perform the required corrective actions in the specified time, the City may:
 - a) Issue a citation to the Owner, its successors and assigns. The penalty for violation of this section shall be not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense, and
 - b) Perform the corrective actions identified in the inspection report and assess the Owner, its successors and assigns for the cost of such work. The cost of such work shall be specially assessed against the Property pursuant to Wisconsin Statutes Section 66.0703. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the storm water management practices. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said storm water management practices, and in no event shall this Agreement be construed to impose any such obligation on the City.
6. The Owner, its successors and assigns, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the storm water management practices (including

sediment removal) is outlined on the approved plans, the schedule will be followed. The minimal amount of maintenance on the storm water management practices shall be in accordance with the Detention Basin Maintenance Standards (Exhibit B).

7. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the City and the Owner agrees to hold the City harmless from any liability in the event the storm water management practices fail to operate properly.
9. This Agreement shall be recorded at the Milwaukee County Register of Deeds, and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interests.



WITNESS the following signatures and seals:

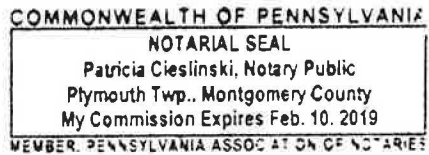
IKEA PROPERTY, INC.

[Signature]
Liz Gabor, Real Estate Manager

The foregoing Agreement was acknowledged before me this 18th day of April, 2017,
by Liz Gabor & Hick Cooper

[Signature]
NOTARY PUBLIC

My Commission Expires: 2/10/19



CITY OF OAK CREEK, WISCONSIN

[Signature]
Daniel J. Bukiewicz, Mayor

[Signature]
Catherine A. Roeske, City Clerk

The foregoing Agreement was acknowledged before me this ___ day of _____, 2017,
by _____

NOTARY PUBLIC

My Commission Expires: _____

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

Approved as to Form:

City Attorney Date



EXHIBIT A OPERATION AND MAINTENANCE INSPECTION REPORT STORM WATER MANAGEMENT PONDS

Inspector Name: _____

Tax Key No.: _____

Inspection Date: _____

Location: _____

Detention Basin Type: Wet Pond _____

Underground _____

Extended Dry _____

Bioretention _____

Artificial Wetland _____

Watershed _____

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

EXHIBIT B
DETENTION BASIN MAINTENANCE STANDARDS

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

City of Oak Creek Common Council Report

Meeting Date: May 2, 2017

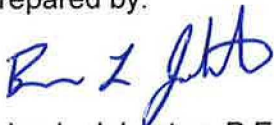
Item No.: 16

Recommendation: That the Common Council adopts Resolution No. 11810-050217, a resolution granting to American Transmission Company LLC a supplement easement to allow an addition structure in the existing easement at 641 W. Oakwood Road. (Tax Key No. 975-1004-000) (Project No. 13054) (5th Aldermanic District)

Background: American Transmission Company LLC ("ATC") is requesting a supplemental easement to construct an additional structure to support the proposed WE Energies substation. The proposed substation layout is south of the existing ATC transmission lines. This property is located in the southwest corner of the OakView Business Park. The existing easement for the transmission main allows for 4 tower structures. ATC will remove one existing tower structure and construct 2 new structures to align with the substation. ATC is offering compensation of \$5,000 for this easement.

Fiscal Impact: None at this time. This being a permanent easement, ATC would have the right to be compensated for the associated costs if the facilities would ever need to be relocated due to a future project.

Prepared by:



Brian L. Johnston, P.E.
Assistant City Engineer

Respectfully submitted:



Andrew J. Vickers, MPA
City Administrator

Approved by:



Michael C. Simmons, P.E.
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW
Finance Director/Comptroller

RESOLUTION NO. 11810-050217

BY: _____

RESOLUTION GRANTING TO AMERICAN TRANSMISSION COMPANY LLC A
SUPPLEMENTAL EASEMENT AT 641 W. OAKWOOD ROAD

(TAX KEY NO. 975-1004)

(5TH ALDERMANIC DISTRICT)

WHEREAS, American Transmission Company LLC is requiring a Supplemental Easement to install an additional tower structure to connect the proposed substation to the existing overhead transmission line, and;

WHEREAS, the existing easement would allow 4 structures to be constructed located across the City property at 641 W. Oakwood Road, and;

WHEREAS, the project would remove an existing structure and reconstruct 2 new tower structures near the proposed substation;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Oak Creek that the supplemental easement at 641 W. Oakwood Road be granted and the Mayor and City Clerk are hereby authorized to execute the same.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit the executed easement to American Transmission Company LLC for their recording of the document in the office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 2nd day of May, 2017.

Passed and adopted this 2nd day of May, 2017.

President, Common Council

Approved this 2nd day of May, 2017.

Mayor

ATTEST:

City Clerk

VOTE: Ayes ___ Noes ___



80177944
Tx:40121479

CERTIFIED SURVEY MAP No. 8900

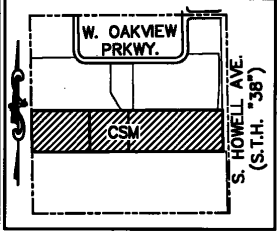
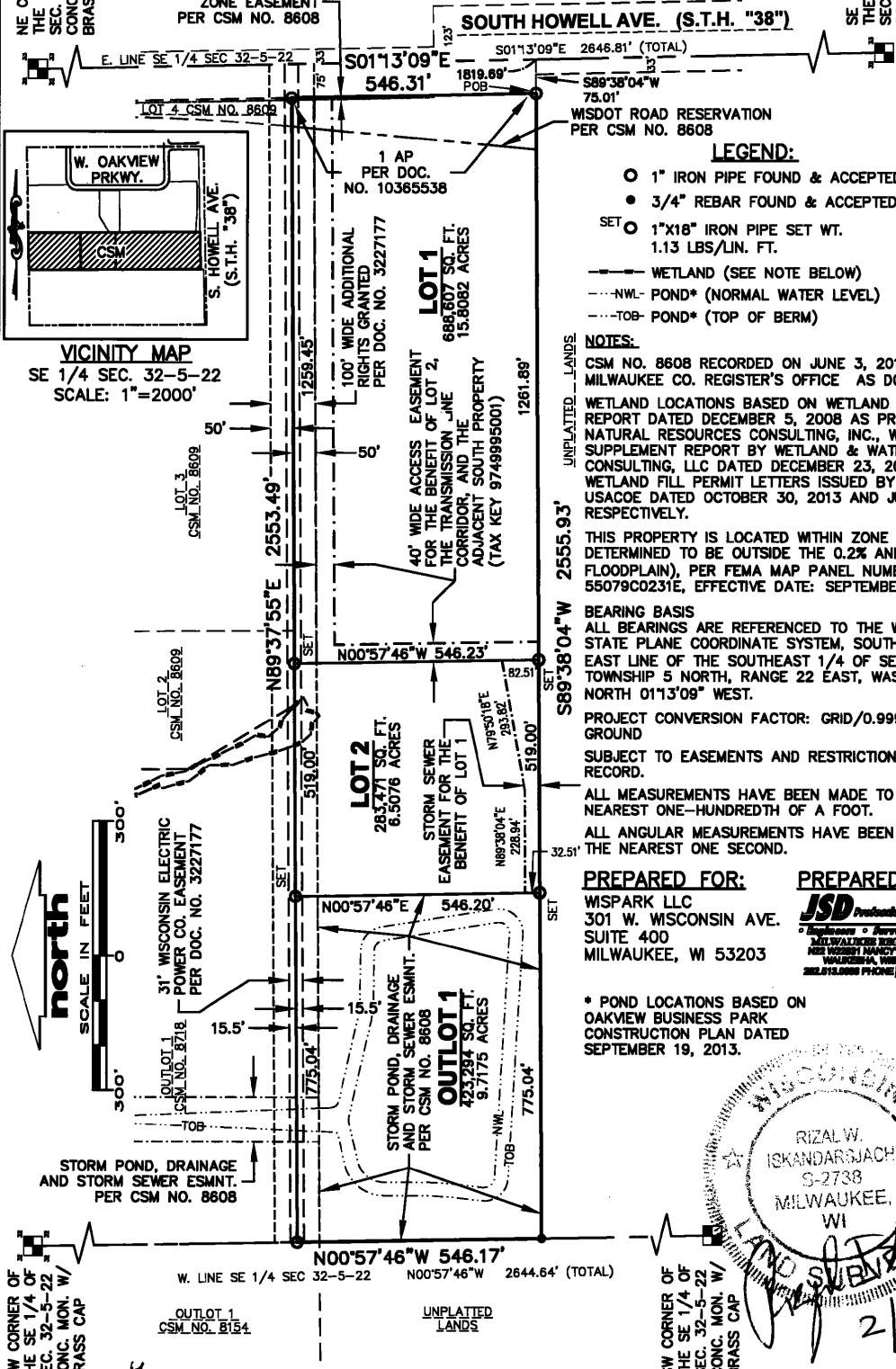
BEING A REDIVISION OF ALL OF LOT 4 OF CERTIFIED SURVEY MAP NO. 8608, LOCATED IN THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, CITY OF OAK CREEK, MILWAUKEE COUNTY, WISCONSIN.

NOTE: WHEN LOT 4 OF CSM NO. 8608 IS DEVELOPED THERE SHALL BE CROSS ACCESS EASEMENT FROM LOT 4 TO TRANSMISSION LINE CORRIDOR AND ADJACENT SOUTH PROPERTY, PER DOC. NO. 10385538.

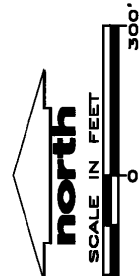
5' WIDE PATH CLEAR ZONE EASEMENT PER CSM NO. 8608

NE CORNER OF THE SE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP

SE CORNER OF THE SE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP



VICINITY MAP
SE 1/4 SEC. 32-5-22
SCALE: 1"=2000'



SCALE IN FEET
0 300'

NW CORNER OF THE SE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP

SW CORNER OF THE SE 1/4 OF SEC. 32-5-22 CONC. MON. W/ BRASS CAP

DATED THIS 26th DAY OF FEBRUARY, 2017
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SOUTH HOWELL AVE. (S.T.H. "38")

LEGEND:

- 1" IRON PIPE FOUND & ACCEPTED
- 3/4" REBAR FOUND & ACCEPTED
- SET 1"x18" IRON PIPE SET WT. 1.13 LBS/LIN. FT.
- WETLAND (SEE NOTE BELOW)
- NWL- POND* (NORMAL WATER LEVEL)
- TOB- POND* (TOP OF BERM)

NOTES:

UNPLATTED LANDS

CSM NO. 8608 RECORDED ON JUNE 3, 2014 AT MILWAUKEE CO. REGISTER'S OFFICE AS DOC. 10364225.

WETLAND LOCATIONS BASED ON WETLAND DELINEATION REPORT DATED DECEMBER 5, 2008 AS PREPARED BY NATURAL RESOURCES CONSULTING, INC., WITH SUPPLEMENT REPORT BY WETLAND & WATERWAY CONSULTING, LLC DATED DECEMBER 23, 2012 AND WETLAND FILL PERMIT LETTERS ISSUED BY WDNR AND USACOE DATED OCTOBER 30, 2013 AND JUNE 14, 2013, RESPECTIVELY.

THIS PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PER FEMA MAP PANEL NUMBER 55079C0231E, EFFECTIVE DATE: SEPTEMBER 26, 2008.

BEARING BASIS
ALL BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 22 EAST, WAS USED AS NORTH 01°13'09" WEST.

PROJECT CONVERSION FACTOR: GRID/0.99994301 = GROUND

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

PREPARED FOR:

WISPARK LLC
301 W. WISCONSIN AVE.
SUITE 400
MILWAUKEE, WI 53203

PREPARED BY:

JSD Professional Services, Inc.
Milwaukee Regional Office
282.815.0888 PHONE / 282.815.1288 FAX

* POND LOCATIONS BASED ON OAKVIEW BUSINESS PARK CONSTRUCTION PLAN DATED SEPTEMBER 19, 2013.



CERTIFIED SURVEY MAP No. 8900

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

SURVEYOR'S CERTIFICATE:

State of Wisconsin)
) SS
Milwaukee County)

I, Rizal W. Iskandarsjach, Professional Land Surveyor, do hereby certify that I have surveyed, divided, and mapped a redivision of all of Lot 4 of Certified Survey Map No. 8608, located in the Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 32, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Southeast 1/4 of said Section 32; thence South 01°13'09" East along the east line of said Southeast 1/4 section, 1819.69 feet; thence South 89°38'04" West, 75.01 feet to the west line of South Howell Avenue (State Trunk Highway "38"), the southeast corner of said Lot 4, and the point of beginning;

Thence continuing South 89°38'04" West along the south line of said Lot 4, 2555.93 feet to the west line of said Southeast 1/4 section; thence North 00°57'46" West along said west line 546.17 feet to the southwest corner Outlot 1 of Certified Survey Map No. 8718; thence North 89°37'55" East along the south line of said Outlot and then along the south line of Certified Survey Map No. 8609, 2553.49 feet to the west line of said South Howell Avenue (State Trunk Highway "38"); thence South 01°13'09" East along said west line, 546.31 feet to point of beginning.

Containing in all 1,395,372 square feet (32.0333 acres) of land, more or less.


All subject to easements and restrictions of record and potential future road widening and government restrictions, if any.

That I have made such survey, land division, and map by the direction of WISPARK LLC, a Wisconsin limited liability company, owner of said lands.

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

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Section 14.82 of the City of Oak Creek requirements for Certified Survey Maps in surveying, dividing and mapping the same.

DATED THIS 28th DAY OF FEBRUARY, 2017


Rizal W. Iskandarsjach, P.L.S.
Professional Land Surveyor, S-2738

DOC. # 10656340

**RECORDED:
03/14/2017 9:26 AM
JOHN LA FAVE
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
AMOUNT: 30.00**



J:\USD Projects\10656340 Oak Creek BP\Orig\10656340 CS# WE Substation.dwg

CERTIFIED SURVEY MAP No. 8900

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

OWNERS' CERTIFICATES

WISPARK LLC, a Wisconsin limited liability company, as owner, does hereby certify that said company caused the land described in the foregoing affidavit of Rizal W. Iskandarsjach, to be surveyed, divided and mapped as represented on this map, in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and the Section 14.82 of the City of Oak Creek requirements for Certified Survey Maps.

WISPARK LLC

[Signature] 3.6.17
Jerold P. Franke, President Date

State of Wisconsin)
) SS
Milwaukee County)

Personally came before me this 6th day of March, 2017, the above named Jerold P. Franke, the President of the above named company and acknowledged that they executed the foregoing instrument as such officers as the deed of said company, as Manager, by its authority.

[Signature] (sign)
Marianne A. Mundstock (print)
Notary Public, Milwaukee County, Wisconsin
My Commission Expires June 4, 2019

PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Plan Commission of the City of Oak Creek, on this 14th day of February, 2017.

[Signature] 3-8-17
Stephen Scaffidi, Chairman Ken Gehl, Date
Acting Chair

[Signature] 3-8-17
Douglas Seymour, Secretary Date

COMMON COUNCIL APPROVAL

This Certified Survey Map is approved by the Common Council of the City of Oak Creek, on this 20th day of February, 2017 by Resolution Number 11800-022017.

[Signature] 3-8-17
Stephen Scaffidi, Mayor Ken Gehl, Date
Acting Mayor

[Signature] 3-8-17
Catherine Roeske, City Clerk Date



J:\ISD Projects\06c3179 Oak Creek BP\img\06c3179 CSN WE Substation.dwg

Document Number

SUPPLEMENTAL EASEMENT

Wis. Stat. Sec. 182.017(7)

Wis. Stat. Sec. 196.491(3e)

Not subject to Wis. Stat. § 77.22(1)

The undersigned Grantor, **City of Oak Creek, Wisconsin, a Wisconsin municipal corporation (hereinafter referred to as "Grantor")**, in consideration of the sum of Five Thousand and 00/100 (\$5,000.00), receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto Grantee, **American Transmission Company LLC, a Wisconsin limited liability company, and its manager ATC Management Inc., a Wisconsin Corporation (hereinafter jointly referred to as "Grantee")**, its successors, assigns, licensees and manager, the following perpetual rights upon, in, over and across property owned by the Grantor in the SE ¼ of Section 32, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin:

WHEREAS, Grantee has previously acquired certain easement rights upon and along lands of Grantor pursuant to an easement granted by Walter Dittmar and Ella Dittmar to Wisconsin Electric Power Company, dated August 4, 1953, and recorded at the Office of the Register of Deeds for Milwaukee County, State of Wisconsin, on August 12, 1953, as Document No. 3227177 (hereinafter referred to as "Original Easement"). Said Original Easement was assigned to American Transmission Company LLC on December 22, 2000 and said assignment was recorded on January 17, 2001, as Document No 8013166; and

WHEREAS, said Original Easement affects premises located in the SE ¼ of Section 32, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin, and said Original Easement is marked Exhibit "B", attached hereto and incorporated by reference in this easement document; and

WHEREAS, certain specifications, rights and restrictions pertaining to the easement area, transmission structures and transmission lines were set forth and defined in said Original Easement; and

WHEREAS, Grantee is reconfiguring a portion of the electric transmission line within the Original Easement area and desires to increase the number of structures allowed in the Original Easement area by **one (1)**.

NOW, THEREFORE, Grantor does hereby grant and convey to Grantee, its successors, assigns, licensees and manager, the supplemental and perpetual right and easement to erect and maintain an additional **one (1)** structure in the Original Easement area. It is understood and agreed that the rights acquired herein are intended to be supplemental to and in addition to those previously acquired and that all other provisions of the Original Easement shall remain in full force and effect.

Grantor hereby grants this easement as it relates to Grantor's property.

The perpetual Supplemental Easement has the following specifications:

PERPETUAL EASEMENT STRIP:

Length: Approximately 1,201 feet

Width: Approximately 100 feet

TRANSMISSION STRUCTURES:

Type: Monopole

Number: 1

Maximum height above existing ground level: 130 feet

TRANSMISSION LINES:

Maximum nominal voltage: 138,000 volts

Number of circuits: 1

Number of conductors: 3

Number of static wires: 1

Minimum height above existing landscape (ground level): 21.2 feet

Recording Area

Name and Return Address
American Transmission Company
Attn: Real Estate Department
PO Box 47
Waukesha WI 53187-0047

Parcel Identification Number(s)
955-1026

As provided by PSC 113, the Grantor shall have a minimum period of five days to examine materials approved or provided by the Public Service Commission of Wisconsin describing the Grantor's rights and options in the easement negotiating process. The Grantor, by the execution of this Supplemental Easement, hereby voluntarily waives the five-day review period, or by so executing, acknowledges that they have had at least five (5) days to review such materials.

Grantor also hereby accepts a lump sum payment in consideration of the grant of this easement.

The parties hereto do hereby agree to the terms and conditions set forth in Exhibits "A" and "B" attached hereto and incorporated herein. The term "utility" on said Exhibit "A" shall mean Grantee.

Grantor warrants and represents that Grantor has clear, merchantable, fee simple title to said property, and that Grantor knows of no claim, pending contract for sale, or negotiation for such contract of sale for any of the lands described herein.

This Supplemental Easement shall be binding upon and/or inure to the benefit of the heirs, successors or assigns of all parties hereto.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 2017.

WITNESS the signature(s) of the Grantor this _____ day of _____, 2017.

By: _____

Name:

Title:

Grantor

STATE OF WISCONSIN)
) SS
COUNTY OF)

Personally came before me this _____ day of _____, 2017, the above named _____ as _____ of _____, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Signature

Printed Name

Notary Public, State of Wisconsin
My commission expires (is) _____

This instrument was drafted by Kim Stratton on behalf of American Transmission Company, PO Box 47, Waukesha, WI 53187-0047.

EXHIBIT "A"
[WI Sta. 182.017(7)]

1. In constructing and maintaining high-voltage transmission lines on the property covered by the easement, the utility shall:
 - a) If excavation is necessary, ensure that the topsoil is stripped, piled and replaced upon completion of the operation.
 - b) Restore to its original condition any slope, terrace, or waterway, which is disturbed by the construction or maintenance.
 - c) Insofar as is practicable and when the Grantor requests, schedule any construction work in an area used for agricultural production at times when the ground is frozen in order to prevent or reduce soil compaction.
 - d) Clear all debris and remove all stones and rocks resulting from construction activity upon completion of construction.
 - e) Satisfactorily repair to its original condition any fence damaged as a result of construction or maintenance operations. If cutting a fence is necessary, a temporary gate shall be installed. Any such gate shall be left in place at the Grantor's request.
 - f) Repair any drainage tile line within the easement damaged by such construction or maintenance.
 - g) Pay for any crop damage caused by such construction or maintenance.
 - h) Supply and install any necessary grounding of a Grantor's fences, machinery or buildings.
2. The utility shall control weeds and brush around the transmission line facilities. No herbicidal chemicals may be used for weed and brush control without the express written consent of the Grantor. If weed and brush control is undertaken by the Grantor under an agreement with the utility, the Grantor shall receive from the utility a reasonable amount for such services.
3. The Grantor shall be afforded a reasonable time prior to commencement of construction to harvest any trees located within the easement boundaries, and if the Grantor fails to do so, the Grantor shall nevertheless retain title to all trees cut by the utility.
4. The Grantor shall not be responsible for any injury to persons or property caused by the design, construction or upkeep of the high-voltage transmission lines or towers.
5. The utility shall employ all reasonable measures to ensure that the Grantor's television and radio reception is not adversely affected by the high-voltage transmission lines.
6. The utility may not use any lands beyond the boundaries of the easement for any purpose, including ingress to and egress from the right-of-way, without the written consent of the Grantor.

EXHIBIT B

TR-13

FOR AND IN CONSIDERATION of the sum of One Thousand Two Hundred and No/00----- Dollars (\$1,200.00), the receipt whereof is hereby acknowledged, the undersigned grantor S. Walter Dittmar and Ella Dittmar, his wife, owner~~s~~ and mortgagee, do hereby convey unto

WISCONSIN ELECTRIC POWER COMPANY

a Wisconsin corporation, grantee, its successors and assigns, the right, permission, and authority to construct, maintain, operate, and replace Four (4) transmission line structure^s of such material as said grantee may select, together with the necessary footings, stub supports and underground accessories, in such locations as may be from time to time selected by said grantee upon and along the hereinafter described strip of land Thirty-one (31) feet in width over the premises of the undersigned in the Southeast one-quarter (SE 1/4)

of Section numbered Thirty-two (32), Township numbered Five (5) North, Range numbered Twenty-two (22) East, Town of Oak Creek Milwaukee County, Wisconsin, the center line of said strip of land being described as follows:

Commencing at a point on the west line of said Southeast one-quarter (SE 1/4) of Section Thirty-two (32) which point is One Thousand Three Hundred Seventy-two and Sixty-eight Hundredths (1372.68) feet north of the southwest corner of said Quarter Section; running thence east to a point on the east line of said Southeast one-quarter (SE 1/4) of Section Thirty-two (32) which point is One Thousand Three Hundred Seventy-three and Forty-four Hundredths (1373.44) feet north of the southeast corner of said Quarter Section.

Also the right, permission, and authority is granted to said grantee to string, operate, maintain, and replace wires and cables on said transmission line structures, supported by the necessary crossarms and appliances, over a strip of land seventy (70) feet in width, being thirty-five (35) feet in width on either side of said above-described center line, for the purpose of transmitting electrical energy. Said wires and cables shall be strung not less than twenty-five (25) feet above the ground at all points.

Also the right, permission, and authority is granted to said grantee to cut down and remove all trees and overhanging branches on a strip of land one hundred (100) feet in width, being fifty (50) feet in width on either side of said above-described center line, and to cut down and remove such trees now or hereafter on the premises of the undersigned located outside of said one hundred (100) foot strip which in falling may interfere with or endanger said electric line.

The undersigned covenant and agree that no structure will be erected, or hay, grain, or straw stack or other inflammable material placed, or trees planted on said one hundred (100) foot strip of land.

Said grantee shall have the right to enter upon the premises of the undersigned for the purpose of erecting, patrolling, and maintaining said line, but payment shall be made by it for damage to growing crops, fences, or live stock.

This agreement shall bind the heirs, successors or assigns of all the parties hereto.

Dated this 4th day of August, 1943.

In Presence of:

Ralph E. Wilson
Ralph E. Wilson
Arthur J. Erskine
Arthur J. Erskine

Walter Dittmar (SEAL)
Walter Dittmar
Ella Dittmar (SEAL)
Ella Dittmar

..... (SEAL)
..... (SEAL)

EXHIBIT B

DEED 3189 PAGE 425

STATE OF WISCONSIN }
Milwaukee County } ss.

Personally came before me this 4th day of August, 1953,
the above named Walter Dittmar and Ella Dittmar, his wife

to me known to be the person^s who executed the foregoing instrument and acknowledged the same.

Ralph E. Wilson
Ralph E. Wilson
Notary Public, Milwaukee County, Wis.
My Commission expires 5/5/57

STATE OF WISCONSIN }
County } ss.

Personally came before me this..... day of....., 194.....,
the above named.....

to me known to be the person..... who executed the foregoing instrument and acknowledged the same.

Notary Public, County, Wis.
My commission expires.....

3227177 Tr. 13 Enr. 2
Walter Dittmar and wife Eff. D
to
Wisconsin Electric Power Company

Power line rights over premises in
the SE 1/4 of Sec. 32, T. of Oak Creek,
Milw. Cty., Wis. (132 Kv line from
Oak Creek to St. Martins).

REGISTER'S OFFICE } ss.
Milwaukee County, Wis.
RECEIVED
As record AUG 12 1953 at 11:05
Page 424 and recorded in vol. 3189 - Deeds
MILWAUKEE COUNTY DEEDS
MILWAUKEE COUNTY REGISTER OF DEEDS

Return to E. D. MISHELOW
Room 308, 231 W. Michigan St.
MILWAUKEE 1, WIS.
Box 129
I.D.O. E-5628
W.O. 6411

800-12-25 674624 3227177

50
Paid By Check

**MINUTES
LICENSE COMMITTEE
April 27, 2017 at 8:30 a.m.**

1. The meeting was called to order at 8:30 a.m.
2. On roll call, the following committee members were present: Ald. Kurkowski, Ald. Gehl. Also in attendance was Deputy City Clerk Christa Miller.
3. Ald. Gehl, seconded by Ald. Kurkowski, moved to approve the minutes of 3/15/17. On roll call, all voted aye.
4. The Committee reviewed an application for Temporary Class B Beer / Class B Wine license submitted by Carolyn Bukiewicz Agent, Oak Creek Celebrations Commission, for DTS Summer Soulstice Festival scheduled for Saturday, June 17, 2017.

The Committee discussed concerns for parking and suggested that the Celebrations Commission research remote parking lots, shuttle services, signage directing traffic to parking areas and to event, crossing guards for event attendees that may cross Drexel Avenue, and Milwaukee County bus re-routing.

Ald. Kurkowski suggested the Commission look into a possible remote parking lot at the Oak Creek Little League grounds.

Ald. Kurkowski noted that parking on 6th Street, north of Drexel, is prohibited with the exception of for Little League events only. Ald. Kurkowski suggested that the Celebrations Commission look into having this restriction lifted for this one-day event.

The application shows an end time of 11:00 p.m. There was discussion regarding the noise ordinance.

The Committee requested that Deputy Clerk Miller pass along their suggestions and concerns to Ms. Bukiewicz.

Ald. Gehl, seconded by Ald. Kurkowski, moved to approve a Temporary Class B Beer / Class B Wine license, Carolyn Bukiewicz Agent, Oak Creek Celebrations Commission, for DTS Summer Soulstice Festival scheduled for Saturday, June 17, 2017. On roll call, all voted aye.

5. The Committee reviewed a renewal application for a 2017 Landfill license, submitted by Mark Nicholson, Apple Tower Development, Inc., 8370 S. 27th St. and 8432 S. 27th Street.

Ald. Gehl inquired about the activity being conducted on the site and requested the applicant submit a site plan map showing buildings and materials being held on the site as well as documentation as to what activity is currently being conducted on the site.

Ald. Gehl, seconded by Ald. Kurkowski, moved to hold action on the 2017 renewal Landfill license, submitted by Mark Nicholson, Apple Tower Development, Inc., 8370 S. 27th St. and 8432 S. 27th Street, until the applicant can provide a detailed site plan map and documentation regarding the activity being conducted. On roll call, all voted aye.

Ald. Gehl, seconded by Ald. Kurkowski, moved to adjourn the meeting at 8:55 a.m. On roll call, all voted aye.