

The meeting was called to order at 7:03 p.m. by Mayor St. Marie-Carls. Following the Pledge of Allegiance and a moment of silence for the community, roll call was taken.

Present: Mayor St. Marie-Carls, Alderpersons Wattawa, Schandel, Brickner, McSweeney, Klug, and Tutaj

Also Present: City Administrator Johnsrud, City Attorney Alexy, City Clerk/Treasurer Uecker, Police Chief Dietrich, Interim Fire Chief Poplar, City Engineer Dejewski, Building Inspector Vretenar and interested citizens

**Statement of Open Meetings Compliance:**

City Clerk/Treasurer Uecker stated that the meeting had been properly posted and noticed.

**Public Hearing:**

None

**Presentation:**

Joe Stueck – Mayor St. Marie-Carls  
EMS Week – Alderman Tutaj

**Consent Agenda:**

Moved by Alderman Brickner, seconded by Alderwoman Schandel to place on file with reference in the minutes and approve the items as listed under Consent Agenda on the March 6, 2018 Common Council Agenda. Motion carried.

**Items Removed from Consent Agenda:**

None

**Mayor's Report and Referral:**

Moved by Alderman McSweeney, seconded by Alderman Klug to place on file with reference in the minutes the Mayor's Report and Referral dated March 1, 2018 and call the question. Motion carried with Alderwoman Schandel voting "no".

**Recommendation of Action from Committees/Commissions/Boards:**

Moved by Alderman Brickner, seconded by Alderman Wattawa to approve a Beverage Operator's License for Katherine Stefanik. Motion carried.

Moved by Alderman Klug, seconded by Alderman Tutaj to award the contract for Building Inspection Services to Safebuilt subject to contract review by the City Attorney and City Administrator. Motion carried.

**Resolutions and Ordinances:**

Moved by Alderman McSweeney, seconded by Alderman Wattawa to defer the listed Resolutions #1 and #2 to Closed Session. Motion carried.

Moved by Alderman McSweeney, seconded by Alderwoman Schandel to introduce and adopt a Resolution of Commendation for Service to the City of St. Francis Conferred on Craig Vretenar. Motion carried. **Resolution No. 2753**

Moved by Alderman McSweeney, seconded by Alderman Wattawa to introduce and adopt a Resolution of Commendation for Service to the City of St. Francis Conferred on Jean DeMores. Motion carried. **Resolution No. 2754**

Moved by Alderman McSweeney, seconded by Alderman Wattawa to introduce and adopt an Ordinance to Repeal and Recreate Section 63-1 of the City of St. Francis Code of Ordinances Concerning the Organization of the Fire Department. Motion carried. **Ordinance No. 1422**

Moved by Alderman McSweeney, seconded by Alderman Tutaj to introduce and adopt an Ordinance to Repeal Chapter 26 of the City of St. Francis Code of Ordinances Concerning the Civil Service. Motion carried. **Ordinance No. 1423**

**Discussion Items with Possible Action:**

- Mid America Steel Drum

**Appointments to Committees/Commissions/Boards:**

Moved by Alderman Klug, seconded by Alderwoman Schandel to concur with the Mayor's appointments to the 4<sup>th</sup> of July Committee of Terra Scott, Roberta Anderson-Smith, Jennifer Martin, MaryCarmen Villansenor and Laura Martin. Motion carried.

**Correspondence with Possible Action or Referral to Committees/Commissions/Boards:**

Moved by Alderman Klug, seconded by Alderman McSweeney to place on file with reference in the minutes the correspondence dated February 21, 2018 from the Police Chief regarding sale of city vehicle and to authorize the public auction as recommended by the Chief. Motion carried.

Moved by Alderman McSweeney, seconded by Alderman Wattawa to place on file with reference in the minutes the Certificate of the Municipal Board of Canvas for the Spring Primary held February 20, 2018. Motion carried.

**Convene into Closed Session: Roll Call Vote Required:**

Moved by Alderman Brickner, seconded by Alderman Tutaj to convene into closed session pursuant to Wis. Stat. sec. 19.85(1) (e) for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Item for discussion: Bear Development, Inc. – 4000 South Lake Drive. The following voted "aye": Alderman Wattawa, Alderman Klug, Alderman McSweeney, Alderwoman Schandel, Alderman Tutaj, and Alderman Brickner Motion carried.

Time: 8:01 p.m.

Moved by Alderman Klug, seconded by Alderman McSweeney to reconvene to Open Session. Motion carried.

Time: 9:19 p.m.

Alderman Brickner was excused from the meeting at 8:12 p.m. due to a family emergency.

Moved by Alderman McSweeney, seconded by Alderwoman Schandel to introduce a Resolution to Approve the Detailed Planned Unit Development Plan for Bear St. Francis 1, LLC with the amendment of units from 214 to 221. Motion carried. **Resolution No. 2755**

Moved by Alderman McSweeney, seconded by Alderman Tutaj to introduce and adopt a Resolution to Approve an Agreement By and Between the City of St. Francis and Bear St. Francis 1, LLC as amended to correct unit number from 214 to 221 and that the developer has to sign the agreement on or before April 4, 2018. Motion carried. **Resolution No. 2756**

Moved by Alderman McSweeney, seconded by Alderwoman Schandel to adjourn. Motion carried.

Time: 9:25 p.m.

Resolution No. 2753

RESOLUTION OF COMMENDATION FOR  
SERVICE TO THE CITY OF ST. FRANCIS  
CONFERRED ON CRAIG VRETENAR

At a regular meeting of the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, held on the 6th day of March, 2018 a quorum being present and a majority of the Council voting therefore, said Council does resolve as follows:

WHEREAS, CRAIG VRETENAR began as the Building Inspector with the City of St. Francis on May 8, 1995; and was appointed as the Zoning Administrator, therefore helping to implement the revision to the zoning code; and

WHEREAS, CRAIG VRETENAR was a member of the Economic Development Committee, Aesthetic Control Board, and Zoning Board of Appeals; and

WHEREAS, CRAIG VRETENAR is a member of the Building Inspectors Association – Southeastern Wisconsin Region and currently serving as President; and

WHEREAS, CRAIG VRETENAR, after exemplary service, will retire on March 22, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, on behalf of itself and all the residents of the City of St. Francis that it hereby highly commends CRAIG VRETENAR for more than twenty-two years of valuable service with the City of St. Francis.

BE IT FURTHER RESOLVED that the best wishes for health, happiness and success are hereby tendered to CRAIG VRETENAR, in all his future endeavors.

PASSED and APPROVED this 6<sup>th</sup> day of March, 2018.

/s/CoryAnn St. Marie-Carls

Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

City Clerk/Treasurer

Resolution No. 2754

RESOLUTION OF COMMENDATION FOR  
SERVICE TO THE CITY OF ST. FRANCIS  
CONFERRED ON JEAN DEMORES

At a regular meeting of the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, held on the 6th day of March, 2018 a quorum being present and a majority of the Council voting therefore, said Council does resolve as follows:

WHEREAS, JEAN DEMORES began as the Deputy City Clerk/Treasurer with the City of St. Francis on March 9, 2005; and received the Wisconsin Certified Professional Clerk designation on October 1, 2013 and the Master Municipal Clerk designation October 6, 2015; and

WHEREAS, JEAN DEMORES was a member of the Wisconsin Municipal Clerk's Association, the International Institute of Municipal Clerk's Association and the Metro Milwaukee Clerk's Association; and

WHEREAS, JEAN DEMORES has served on several committees for the Wisconsin Municipal Clerk's Association including the Scholarship Committee and Certification Committee and has served as the President of the Metro Milwaukee Clerk's Association; and

WHEREAS, JEAN DEMORES, after exemplary service, will retire on March 22, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, on behalf of itself and all the residents of the City of St. Francis that it hereby highly commends JEAN DEMORES for more than thirteen years of valuable service with the City of St. Francis.

BE IT FURTHER RESOLVED that the best wishes for health, happiness and success are hereby tendered to JEAN DEMORES, in all her future endeavors.

PASSED and APPROVED this 6<sup>th</sup> day of March, 2018.

/s/CoryAnn St. Marie-Carls

Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

City Clerk/Treasurer

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

ORDINANCE NO. 1422

AN ORDINANCE TO REPEAL AND RECREATE SECTION 63-1  
OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES  
CONCERNING THE ORGANIZATION OF THE FIRE DEPARTMENT

WHEREAS, Section 63-1 of the City of St. Francis Code of Ordinances establishes the organizational structure for the City of St. Francis Fire Department; and

WHEREAS, revision to Section 63-1 is necessary to reconcile the provisions of that section with currently adopted collective bargaining and budgetary provisions;

NOW, THEREFORE, the Common Council of the City of St. Francis, Milwaukee County, Wisconsin DO ORDAIN AS FOLLOWS:

Section 1. Chapter 63, Section 1, entitled "Organization", of the City of St. Francis Code of Ordinances is hereby repealed and recreated to read as follows.

§63-1. Organization.

The Fire Department of the City shall consist of the following:

- A. One Chief.
- B. Three (3) Deputy Chiefs, battalion chiefs, or captains in such combination as is approved by the Police and Fire Commission from time-to-time in accordance with the budget authorized by the Common Council.
- C. Three (3) lieutenants.
- D. Ten (10) driver operators or firefighters in such combination thereof, deemed necessary by the Fire Chief in accordance with the budget authorized by the Common Council.
- E. Such additional personnel as may be authorized by the Common Council from time to time.

Section 2. SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court or competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 6<sup>th</sup> day of March, 2018.

CITY OF ST. FRANCIS

/s/CoryAnn St. Marie-Carls

Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

City Clerk/Treasurer

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

ORDINANCE NO. 1423

AN ORDINANCE TO REPEAL CHAPTER 26  
OF THE CITY OF ST. FRANCIS CODE OF ORDINANCES  
CONCERNING THE CIVIL SERVICE

WHEREAS, Chapter 26 of the City of St. Francis Code of Ordinances established a civil service system for the City of St. Francis; and

WHEREAS, Section 66.0509 of the Wisconsin Statutes now permits the City to establish a grievance procedure as described under Wis. Stat. §66.0509(1)(d) as an alternative to maintaining a civil service system; and

WHEREAS, the City Administrator in conjunction with Labor Counsel for the City has established a grievance procedure to comply with the grievance procedure requirements set forth in Wis. Stat. §66.0509(1)(d); and

WHEREAS, the Common Council finds that repealing the existing civil service provisions in Chapter 26 of the Code of Ordinances and utilization of the grievance procedure now permitted under Wisconsin law will promote efficiency in the City's personnel matters;

NOW, THEREFORE, the Common Council of the City of St. Francis, Milwaukee County, Wisconsin DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 26, entitled "Civil Service", of the City of St. Francis Code of Ordinances is hereby repealed in its entirety.

SECTION 2. SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication as provided by law.



Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 6<sup>th</sup> day of March, 2018.

CITY OF ST. FRANCIS

/s/CoryAnn St. Marie-Carls

Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

City Clerk/Treasurer

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

**RESOLUTION NO. 2755**

**RESOLUTION APPROVING THE DETAILED PLANNED UNIT DEVELOPMENT**

**PLAN FOR BEAR ST. FRANCIS 1, LLC**

**4000 SOUTH LAKE DRIVE**

**TAX KEY NUMBERS: 543-9020-000**

WHEREAS, on April 18, 2017, by Ordinance No. 1410 the property encompassing Tax Key Number 5439020000 and commonly referred to as 4000 South Lake Drive, City of St. Francis, County of Milwaukee, Wisconsin (more particularly described in the attached Exhibit A and hereafter referred to as the "Subject Property") was rezoned as a Planned Unit Development-Residential to permit development and use of the property for purposes of up to 221 residential apartment units, enclosed garages, clubhouse and related amenities on approximately 11.1 acres of land on the east side of South Lake Drive in the City of St. Francis, all as set forth in the detailed PUD Project Plan attached hereto and incorporated by reference as Exhibit B; and

WHEREAS, by application dated October 24, 2017 Bear St. Francis 1, LLC ("Developer") requested that the City approve a Detailed PUD Plan to permit development and use of the Subject Property for purposes of the aforementioned development; and

WHEREAS, the Planning Commission on November 8, 2017, and the Aesthetic Control Board on December 13, 2017, each considered the Developer's request and having received input from City Staff, recommended that the Common Council approve the proposed detailed PUD plan for the Subject Property as set forth in the Developer's application and September 15, 2017 plan submission subject to the Developer addressing all Staff comments and Developer's submission of material boards; and

WHEREAS, the Common Council, having duly considered the recommendation of the Aesthetic Control Board and Planning Commission concerning the detailed PUD plan for the Subject Property; and

WHEREAS, the Common Council having concurred with the recommendation of the Aesthetic Control Board and the Planning Commission; and

WHEREAS, the Common Council having determined that no performance bond is required under § 455-35(B)(2) of the City of St. Francis Code of Ordinances to insure the completion of any planned building or site improvements, including but not limited to landscaping, parking and grading; and

WHEREAS, the Common Council having found that the recommendation by the Planning Commission will promote the maximum benefit from coordinated area site planning by providing an opportunity to maximize the economical and efficient use of the Subject Property in ways that may not be possible under conventional zoning regulations and that the proposed development will provide a harmonious variety of uses and building types and a high level of amenities, in a manner that is

consistent with plans for the area as set forth in the City's Comprehensive Smart Growth Plan and that is consistent with the intent of § 455-31 of the City of St. Francis Code of Ordinances;

NOW, THEREFORE, the Common Council of the City of St. Francis, Wisconsin do ordain as follows:

SECTION 1. It is hereby RESOLVED that, commencing on the date hereof, the Detailed PUD Plan for the Subject Property submitted October 24, 2017, together with the plans and specifications thereto and attached hereto and incorporated by reference as Exhibit B, is hereby approved conditioned upon all of the following:

1. Developer shall address all comments and recommendations by City Staff concerning plans and specifications and receive final approval from the City Engineer of all plans and specifications.
2. Developer shall enter into a Developer's Agreement with the City of St. Francis and the City must first approve an amendment of the Comprehensive Plan to permit the proposed development prior to undertaking any ground disturbing activities pursuant to § 455-35(B)(4) of the City of St. Francis Code of Ordinances other than pursuant to any footing/foundation permit.
3. Except as otherwise specifically provided in this Resolution, the Subject Property shall be subject to the Detailed PUD plan for the Subject Property set forth in Exhibit B.
4. The Subject Property shall be subject to compliance with all applicable provisions of § 455-35 of the City Code of Ordinances.
5. Developer's development and use of the Subject Property shall conform to the Detailed PUD Plan and the plan presentation to the Planning Commission on November 8, 2017 and the plan presentation to the Common Council on April 18, 2017.
6. Except as specifically provided herein, no change(s) shall be made to any structures, traffic, access, or parking concerning the Subject Property or to any public utilities serving the subject property except upon further amendment of the PUD Plan, which must be requested, and shall be subject to approval by the City of St. Francis, pursuant to the provisions of Chapter 455, Article IV of the City Code.
7. The Developer shall be required to obtain any and all required licenses and permits from the City, County, State, and Federal Government, and Metropolitan Milwaukee Sewerage Commission. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this conditional use permit.
8. The Developer shall comply with all Federal, State, County, regional, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the Subject Property.
9. The Subject Property shall be maintained in compliance with all Federal, State, and local laws, statutes, codes, ordinances, policies, and guidelines as determined by the Building and Fire Inspectors of the City of St. Francis.
10. Developer is required to properly maintain the Subject Property at all times and in full compliance with all applicable provisions of the City Code of Ordinances.

11. No junk shall be accumulated or stored on the Subject Property. No burying or burning of junk is permitted on the Subject Property.
12. No temporary use or special activity or event shall be permitted on the Subject Property without prior approval of the Common Council and the same must be in compliance with all ordinance, rules, and regulations of the City of St. Francis and all necessary permits must be obtained.
13. The Developer, upon approval of this Resolution, shall reimburse the City of St. Francis for all expenses incurred by the City, including, but not limited to, expenses for the City Administrator, City Engineer, City Attorney, and all other professionals and technical assistance realized by the City in approving the proposed development of this Property and granting this Resolution. The City Clerk shall provide the Developer with copies of all itemized invoices.
14. Any attorney fees incurred by the City of St. Francis to enforce any of the conditions or requirements of the PUD Plan for the Subject Property must be paid by the property owner.
15. Any use not specifically listed as permitted in this Resolution shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Planning Commission for determination.
16. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the City of St. Francis, the County of Milwaukee, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by City ordinance or other law.
17. The Developer, upon granting of this Resolution to the Detailed PUD Plan, shall agree to accept the same in writing.
18. The provisions of this Resolution, and the Detailed PUD Plan approved in Exhibit B, shall be binding upon the Developer, its successors in interest to the Subject Property, and all existing and future occupant(s) of the Subject Property.

SECTION 2: SEVERABILITY. The several sections of this Resolution are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the Resolution. The remainder of the Resolution shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this Resolution are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This Resolution shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 6TH day of March 2018.

/s/CoryAnn St. Marie-Carls

CoryAnn St. Marie-Carls, Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

Anne B. Uecker, City Clerk/Treasurer

**DEVELOPER ACCEPTANCE**

The foregoing Resolution Approving the Detailed PUD Plan is hereby accepted in its entirety.

BEAR ST. FRANCIS 1, LLC

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

S.R. Mills, Member

Exhibit A

Legal Description

LEGAL DESCRIPTION FOR ST. FRANCIS PLANNED UNIT DEVELOPMENT Parcel 2 of Certified Survey Map 6983, recorded on August 6, 2001 as Document No. 8112090, being a division of Parcels 1, 2, and 3 of Certified Survey Map No. 6895 in the Southwest  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of the Southeast Fractional  $\frac{1}{4}$  of Section 14 and the Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of the Northeast Fractional  $\frac{1}{4}$  of Section 23, Town 6 North, Range 22 East, City of St. Francis, County of Milwaukee, State of Wisconsin.

PARCEL NUMBER: 5439020000

Said lands containing 483,217 square feet (11.0931 acres) of land, more or less, located on the east side of South Lake Drive in the City of St. Francis

EXHIBIT B

Detailed PUD Plan



STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

**RESOLUTION NO. 2756**

**RESOLUTION APPROVING A DEVELOPMENT AGREEMENT**

**FOR BEAR ST. FRANCIS 1, LLC**

**4000 SOUTH LAKE DRIVE**

**TAX KEY NUMBERS: 543-9020-000**

WHEREAS, on April 18, 2017, by Ordinance No. 1410 the property encompassing Tax Key Number 543-9020-000 and commonly referred to as 4000 South Lake Drive, City of St. Francis, County of Milwaukee, Wisconsin (more particularly described in the attached Exhibit A and hereafter referred to as the "Subject Property") was rezoned as a Planned Unit Development-Residential to permit development and use of the property for purposes of up to 221 residential apartment units, enclosed garages, clubhouse and related amenities on approximately 11.1 acres of land on the east side of South Lake Drive in the City of St. Francis, all as set forth in the detailed PUD Project Plan attached hereto and incorporated by reference as Exhibit B; and

WHEREAS, by application dated October 24, 2017 Bear St. Francis 1, LLC ("Developer") requested that the City approve a Detailed PUD Plan to permit development and use of the Subject Property for purposes of the aforementioned development; and

WHEREAS, the Planning Commission on November 8, 2017, and the Aesthetic Control Board on December 13, 2017, each considered the Developer's request and having received input from City Staff, recommended that the Common Council approve the proposed detailed PUD plan for the Subject Property as set forth in the Developer's application and September 15, 2017 plan submission subject to the Developer addressing all Staff comments and Developer's submission of material boards; and

WHEREAS, pursuant to § 455-35(B)(4) of the City of St. Francis Code of Ordinances Developer must enter into a Developer's Agreement with the City of St. Francis; and

WHEREAS, the Property is located within Tax Incremental District No. 5 for the City of St. Francis, and the Developer has requested financing assistance for the completion of the project; and

WHEREAS, the City must first approve an amendment of the Comprehensive Plan to permit the proposed development;

NOW, THEREFORE, the Common Council of the City of St. Francis, Wisconsin do ordain as follows:

SECTION 1. It is hereby RESOLVED as follows:

19. City Officers are hereby authorized to enter into and execute Agreement By and Between the City of St. Francis and Bear St. Francis 1, LLC in substantially the form attached hereto and incorporated by reference as Exhibit B (the "Agreement") subject to all of the following:

- a. Staff approval of each and every one of the Exhibits provided for under the Agreement;
- b. Developer's delivery to the City of all financial guarantees and obligations, easements, and deed restrictions in conformity with the terms of the Agreement prior to the execution of on the Agreement by the City;
- c. Developer's Compliance with each and every condition of the resolution adopted by this Common Council approving the Detailed PUD Plan for the Subject Property;
- d. Approval by the Common Council of an amendment to the Comprehensive Plan for the City of St. Francis to permit the development as proposed prior to the commencement of any construction on the Subject Property;
- e. Approval of a certified survey map for the Subject Property by the City in accordance with the Code of Ordinances and Chapter 236 of the Wisconsin Statutes; and
- f. Developer's reimbursement of all expenses incurred by the City, including, but not limited to, expenses for the City Administrator, City Engineer, City Attorney, and all other professionals and technical assistance realized by the City in approving the proposed development of this Property and granting this Resolution. The City Clerk shall provide the Developer with copies of all itemized invoices.
- g. Developer's execution of the Development Agreement on or before April 4, 2018.

SECTION 2: SEVERABILITY. The several sections of this Resolution are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the Resolution. The remainder of the Resolution shall remain in full force and effect. Any other resolutions whose terms are in conflict with the provisions of this Resolution are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This Resolution shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 6<sup>th</sup> day of March 2018.

**/s/CoryAnn St. Marie-Carls**

CoryAnn St. Marie-Carls, Mayor

ATTEST:

**/s/Anne B. Uecker, MMC/WCPC**

Anne B. Uecker, City Clerk/Treasurer

**Exhibit A**

Legal Description

LEGAL DESCRIPTION FOR ST. FRANCIS PLANNED UNIT DEVELOPMENT Parcel 2 of Certified Survey Map 6983, recorded on August 6, 2001 as Document No. 8112090, being a division of Parcels 1, 2, and 3 of Certified Survey Map No. 6895 in the Southwest  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of the Southeast Fractional  $\frac{1}{4}$  of Section 14 and the Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  and Southeast  $\frac{1}{4}$  of the Northeast Fractional  $\frac{1}{4}$  of Section 23, Town 6 North, Range 22 East, City of St. Francis, County of Milwaukee, State of Wisconsin.

PARCEL NUMBER: 543-9020-000

Said lands containing 483,217 square feet (11.0931 acres) of land, more or less, located on the east side of South Lake Drive in the City of St. Francis

EXHIBIT B

AGREEMENT  
BY AND BETWEEN  
THE CITY OF ST. FRANCIS AND  
BEAR ST. FRANCIS 1, LLC