



**AMENDED AGENDA**

City of Milton  
Common Council Meeting  
Tuesday, November 15, 2016  
7:00 PM  
MILTON CITY HALL  
Council Chambers, 710 S. Janesville Street

- 1. Call to Order and Confirmation of Appropriate Meeting Notice.**
- 2. Approval of Agenda**
- 3. Public comments regarding items which can be affected by Council Action**  
Presenters must sign in with the City Clerk in order to speak.
- 4. Approval of the Consent Agenda**

**4.a. Approval of Minutes - Common Council - November 1, 2016.**

Documents:

[11-01-2016 Common Council Minutes.pdf](#)

**4.b. Approval of Minutes - Personnel & Finance Committee Minutes – October 4, 2016.**

Documents:

[10-04-2016 Personnel and Finance Committee Minutes.pdf](#)

**4.c. Personnel & Finance Committee Item: Approve Operator Licenses as Presented.**

Documents:

[Memo - New Operator Licenses.pdf](#)

**4.d. Personnel & Finance Committee Item: Deny Operator's License for Molly N. Hickstein.**

Documents:

[Memo - Operator License Denial - Hickstein.pdf](#)  
[Hickstein Operator License Application.pdf](#)

**4.e. Approval of Minutes - Public Safety Committee Minutes – September 20, 2016.**

Documents:

[09-20-2016 Public Safety Committee Minutes.pdf](#)

**5. City of Milton 2017 Budget Public Hearing and Presentation.**

**6. Discussion and Possible Action Regarding 2017 Budget.**

Documents:

[Budget Summary Packet as of 11-15-16.pdf](#)  
[2017 Proposed Budget Presentation - Public Hearing 11.15.pdf](#)

**7. Discussion and Possible Action Regarding Ordinance 2016-426 - An Ordinance Creating Chapter 2 Article VII Division 5 of the Code of Ordinances of the City of Milton Establishing a Motor Vehicle Registration Fee.**

Documents:

[Ordinance 426 - CREATE Ch. 2 Art. VII Div. 5 Motor Vehicle Registration Fee.pdf](#)  
[Local Vehicle Registration Fee Ordinance - Memo.pdf](#)

**8. Discussion and Possible Action Regarding the Vacation of a Portion of Right-of-Way along S. Janesville St.**

Documents:

[Street Vacation - S Janesville St. - Memo.pdf](#)  
[S Janesville Street Vacation - Preliminary Resolution.pdf](#)

**9. AMENDED Discussion and Possible Action Regarding the 2017 Refuse/Recycling Fee and Potential Future Contract with John's Disposal.**

Documents:

[Memo - Refuse-Recycling fee.pdf](#)  
[Johns Refuse-Recycling Draft 4 year Agreement.pdf](#)

**10. General Items**

**11. Next Meeting – Tuesday, December 6, 2016 at 7:00 p.m.**

**12. Team Building Exercise.**

**13. Mayor and Alderperson Reports**

**14. Staff Reports**

**15. City Administrator**

**16. Chief of the Joint Fire Department**

**17. Chief of the Police Department**

**18. City Clerk/Deputy Treasurer**

**19. Director of Public Works**

**20. Director of the Library**

**21. Finance Director**

**22. Closed session item: Consideration of a motion to convene into closed session**

**pursuant to Wisconsin Statute Section 19.85(1)(f), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation which it is or is likely to become involved, reference complaints against and by Alderperson Lader.**

- 23. AMENDED Consideration of a motion to convene into closed session pursuant to Wisconsin Statute Section 19.85 (1) (c), considering employment, promotion, compensation or performance evaluation of any public employee over which the governmental body has jurisdiction or exercises responsibility, regarding contract for City Assessor.**
- 24. Reconvene into open session for possible action on Common Council ethics complaint regarding Alderperson Lader.**
- 25. AMENDED Reconvene into open session for possible action on contract for City Assessor.**
- 26. Motion to Adjourn**

**\*\*Please note that upon reasonable notice, at least 48 hours in advance, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 868-6900, 710 S. Janesville Street, Milton, WI 53563.**

Posted by Elena Hilby November 11, 2016 at Dave's Ace Hardware, Piggly Wiggly, and Milton City Hall.

Common Council Mission Statement: With integrity and involved citizens, the City of Milton Common Council will strive to preserve a high quality of life, meet the public's needs with cost effective services, and foster a community in which people are proud to live.

**City of Milton**  
**Common Council Minutes**

11/1/2016 - Minutes

**1. Call to Order and Confirmation of Appropriate Meeting Notice.**

Mayor Welch called the November 1, 2016 Common Council meeting to order at approximately 5:30 p.m. City Clerk/Deputy Treasurer Hilby confirmed appropriate meeting notices were posted.

Present: Mayor Anissa Welch, Ald. Dave Adams (via phone), Ald. Jeremy Zajac, Ald. Maxine Striegl, Ald. Ryan Holbrook, and Ald. Nancy Lader.

Also Present: City Administrator Al Hulick, Finance Director Dan Nelson, Police Chief Scott Marquardt, Library Director Lisa Brooks, DPW Director Howard Robinson, Assistant to the City Administrator Inga Cushman, and City Clerk/Deputy Treasurer Elena Hilby.

**2. Approval of Agenda**

Ald. Striegl moved to approve the agenda. Ald. Holbrook seconded, and the motion carried.

**3. Public comments regarding items which can be affected by Council Action**

Mayor Welch welcomed those in attendance and asked if there were any registered speakers. The following resident spoke during public comments:

- Amy Randell of 345 E. Madison Ave. spoke regarding Accurate Appraisal. Administrator Hulick invited her to make an appointment to discuss this further with him and she said she would do that.

**4. Approval of the Consent Agenda**

Ald. Zajac moved to approve the consent agenda. Ald. Clark seconded, and the motion carried.

**4.a. Approval of Common Council Minutes - October 18, 2016.**

**4.b. Approval of Minutes - Plan Commission - October 4, 2016.**

**5. Discussion and Possible Action Regarding 2017 Budget**

Administrator Hulick and Finance Director Nelson reviewed the budget and gave a presentation on the Local Vehicle Registration Fee option. The Council discussed the budget.

**6. General Items**

Mayor Welch reminded everyone that the public hearing on the budget would be held on November 15, 2016.

**7. Motion to Adjourn**

Ald. Striegl moved to adjourn the meeting of the Common Council at approximately 6:57 p.m. Ald. Holbrook seconded, and the motion carried.

Respectfully submitted,  
Elena Hilby  
City Clerk

**City of Milton**  
**Personnel and Finance Committee Minutes**

10/4/2016 - Minutes

**1. Call to Order**

Ald. Dave Adams called the October 4, 2016 meeting of the Personnel & Finance Committee to order at approximately 6:45 p.m.

Present: Ald. Dave Adams and Ald. Maxine Striegl.

Excused: Ald. Nancy Lader.

Also Present: City Administrator Al Hulick, Finance Director Dan Nelson, Police Chief Scott Marquardt, and City Clerk/Deputy Treasurer Elena Hilby.

**2. Approval of Agenda**

Ald. Striegl moved to approve the agenda. Ald. Adams seconded, and the motion carried.

**3. Approval of Minutes - Personnel & Finance Committee Minutes – September 20, 2016.**

Ald. Striegl moved to approve the minutes. Ald. Adams seconded, and the motion carried.

**4. Discussion and Possible Action Regarding Treasurer's Report – September 2016.**

The Treasurer's Report is not yet available.

**5. Discussion and Possible Action Regarding a Claim Against the City of Milton from Sara Knutson, 39 E. Evergreen Lane.**

Ald. Striegl moved to recommend to the Common Council to deny the claim submitted by Sara Knutson.

Ald. Adams seconded, and the motion carried unanimously

**6. Discussion and Possible Action to Allow Payments on Hazardous Tree Removal Enforcement Actions.**

Ald. Striegl moved to allow DPW Director to work with Finance Director Nelson and Administrator Hulick to set up a payment plan for people who have the city or city's contractor cut their trees. Ald. Adams seconded, and the motion carried unanimously.

**7. General Items**

**8. Next Meeting Date – Tuesday, November 15, 2016 at 6:30 p.m.**

**9. Motion to Adjourn**

Ald. Striegl moved to adjourn the meeting of the Personnel & Finance Committee at 6:55 p.m. Ald. Adams seconded, and the motion carried.

Respectfully submitted,  
Elena Hilby  
City Clerk



## Office of the City Clerk

**To:** City of Milton Common Council  
**From:** Elena Hilby, City Clerk/Deputy Treasurer  
**Date:** November 15, 2016  
**Subject:** Discussion and Possible Action to Approve Operator Licenses.

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### **Discussion**

The following operator license applications have been received in the Clerk's Office. A successful background check has been completed and Staff recommends approval of these licenses. A New Operator License will be issued to the following individuals:

- Jakobi Decker
- Barbara Nardi
- Pamela O'Leary
- Timothy O'Leary
- Danielle Griffis
- Melissa Van Tuyl
- Christina Gerharz

### **Staff Recommendation**

To recommend to approve the operator licenses as presented.

### **Attachments**

None.



## Office of the City Clerk

**To:** City of Milton Mayor and Common Council  
**From:** Elena Hilby, City Clerk/Deputy Treasurer  
**Date:** November 15, 2016  
**Subject:** Discussion and Possible Action Regarding Denial of 2016-2017 Operator License for Molly N. Hickstein.

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### **Discussion**

An application for an operator license was submitted by Molly N. Hickstein to serve at Klub Bub. Upon application review by the Police Department, six alcohol related convictions have occurred in the past 5 years. Five of these convictions were not disclosed on the application.

The guidelines established by the Personnel and Finance Committee and the Common Council state that one drug or alcohol related conviction in 5 years would be up to the discretion of the Chief of Police and City Clerk. It also states that non-disclosure of any criminal, ordinance, or traffic convictions could be recommended for denial.

### **Staff Recommendation**

To recommend to deny the operator license for Molly N. Hickstein as she has received six alcohol related convictions within the past 5 years and for failure to disclose all criminal, ordinance, or traffic convictions.

### **Attachments**

Redacted Operator Application  
Letter to Applicant of Recommendation of Denial



CITY OF MILTON  
 APPLICATION FOR ALCOHOL BEVERAGE  
 OPERATOR / PROVISIONAL / TEMPORARY

New License     Renewal

I hereby make application with the City of Milton for an Operator's License as provided by City Ordinance with amendments thereto sell Fermented Malt Beverages and Intoxicating Liquors in the City of Milton. You must be current on all monies owed to the City of Milton per Ordinance #295.

This license to expire June 30, 20\_\_\_\_.

Note: No Refunds Given

Name Molly Nicole Hickstein  
 First Middle Last

Maiden Name: Hickstein Phone Number: [REDACTED] Male  Female

The following information is required to complete a criminal history and driving record check:

Date of Birth: [REDACTED] City of Birth: Janesville

Drivers License No. / State: [REDACTED] / WI

Current Address: 823 Rogers St. Milton WI 53563  
 Number Street City State ZIP

Previous Address (less than 2 years): \_\_\_\_\_

List any violations (tickets), convictions, arrests of any Local, State or Federal Laws or Ordinances within the past five years. Please include approximate dates. If in doubt, include all information. **Renewals** – Please list any of the above that occurred in the last year only.

Year	Location	Charge	At the time of incident were you under the influence of alcohol and/or other drugs?	Did the incident occur in or around an establishment that serves alcohol?
2016	Milton	OWI	THC	No

Having read and answered all of the above statements and questions, I hereby consent to investigation of such facts, and state that all of the above statements are true and correct to the best of my knowledge. I also consent to revocation of my License upon demand, due to any false statements upon this application.

Place of Employment: Klub Bub Manager/Supervisor: Chasity Talley

Date: 10-14-2016 Molly Hickstein  
 Applicant's Signature

For Office Use Only

**City of Milton**  
**Public Safety Committee Minutes**

9/20/2016 - Minutes

**1. Call to Order**

Chair Jeremy Zajac called the meeting of the Public Safety Committee to order at approximately 6:00 p.m.

Present: Ald. Jeremy Zajac, Ald. Ryan Holbrook, and Ald. Maxine Striegl.

Also Present: Police Chief Scott Marquardt, Director of of Public Works Howard Robinson, and City Clerk/Deputy Treasurer Elena Hilby.

**2. Approval of Agenda**

Ald. Holbrook moved to approve the agenda. Ald. Striegl seconded, and the motion carried.

**3. Approval of Minutes - Public Safety Committee Minutes – August 16, 2016.**

Ald. Striegl moved to approve the minutes. Ald. Holbrook seconded, and the motion carried.

**4. Monthly Statistical Report**

Chief Marquardt reviewed the report.

**5. Report of Municipal Court**

**6. Discussion and Possible Action Regarding Traffic and Parking Issues on Parkview Drive.**

After the learning curve happened everything seems to be going smoothly.

**7. Chief of Police Informational Report to Committee**

Chief Marquardt stated that we have had a busy weekend with regards to 5 smash and grab incidents of cars parked outside.

**8. General Items**

Ald. Clark

- Parks and Rec Commission suggested a stop sign at YMCA's parking lot.

**9. Next Meeting Date – Tuesday, October 18, 2016 at 6:00 p.m.**

**10. Motion to Adjourn**

Ald. Striegl moved to adjourn the meeting of the Public Safety Committee at approximately 6:17 p.m. Ald. Holbrook seconded, and the motion carried.

Respectfully submitted,  
Elena Hilby  
City Clerk



CITY OF **M**ILTON  
 a community since 1838

Office of the Finance Director/Treasurer

**To:** Milton Common Council  
 Anissa Welch, City Mayor  
**From:** Dan Nelson, Finance Director/Treasurer  
**Date:** November 15, 2016  
**Subject:** Budget document explanation

**Discussion**

There are several documents that are attached and the hope of this summary is to explain what each page is communicating:

***Budget History Original & amended 2016 budgets and requested 2017 budget (pg. 1-2)***

This shows the original 2016 budget as approved in December 2015. The amended budget includes all budget amendments that have been made (includes mainly the Fire Department adjustments). The requested budget indicates the requests for 2017 which includes the list of items on the attached document titled “2017 increases/decreases to explain levy increase.” We have finalized property insurance, liability insurance and audit fees in the amended budget. The following is a list of the non-profit requests:

	2013	2014	2015	2016	Requested 2017
Historical Society	\$ 11,600	\$ 10,000	\$ 10,000	\$ 10,000	\$ 13,000
Gathering Place	\$ 9,000	\$ 10,000	\$ 15,000	\$ 10,000	\$ 12,000
Milton College	\$ 500	\$ 500	\$ 1,000	\$ 1,000	\$ 1,000
YMCA	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
Milton Youth Coalition	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
MACC	\$ 8,424	\$ 1,813	\$ 1,964	\$ 1,964	\$ -
	\$ 32,024	\$ 24,813	\$ 30,464	\$ 25,464	\$ 28,500

In order to qualify for expenditure restraint program (ERP) in 2018, \$18,202 needs to be reduced from the 2017 budget. All the previously discussed financial unknowns are accounted for in the budget. The needed reduction to qualify for ERP is **not** included in the amounts shown.

***Capital requests (pg. 3)***

This document outlines which capital requests were included in the preliminary 2017 budget request and those that were excluded. The items on all the lists can be modified. The furnace replacement on the PD side have been added because of their existing condition.

***2017 Increases/decreases to explain levy increase (pg. 4)***

This provides guidance as to what items are causing a change when compared to the original 2016 budget. This covers all the major items and are broken out into 5 categories: Revenues, Required Increases, Operational Changes, Non-Profit Requests, Employee Relations, and Library Allocation. Staff has also indicated changes in expenditures or revenues that increased/lowered the required 2017 budget's tax levy.



***Tax Rate Impact of 2017 Budget (pg. 5)***

This provides some specific information on the City's overall equalized value (generated by Department of Revenue) because it impacts the tax levy allocation from Rock County, State of Wisconsin, School District, and Blackhawk Tech. Staff has also provided the assessed value because these amounts are used when calculating what the tax rate impact is. This also includes the estimated overall tax rate for the City of Milton.

***Actual and Budget History (pg. 6-7)***

This is very similar to the "Budget History Original & amended 2016 budgets and requested 2017 budget" but includes historical actual amounts from 2013 – October 2016.

**City of Milton**  
**Budget History - Original & amended 2016 budgets**  
**and requested 2017 budget**

	<b>Original Budget 2016</b>	<b>Amended Budget 2016</b>	<b>Proposed Budget 2017</b>	<b>\$ Change from Original 2016 Budget</b>	<b>Change</b>
<b>Revenue</b>					
Property tax collections	3,140,725	3,140,725	3,156,616	15,891	0.51%
Other taxes	-	-	-	-	#DIV/0!
Tax equivalant	175,000	175,000	190,000	15,000	8.57%
Special assessments	-	-	-	-	#DIV/0!
Intergovernmental revenue	1,049,700	1,049,700	1,042,123	(7,577)	-0.72%
Licenses and permits	112,300	112,300	112,500	200	0.18%
Fines, Forfeits and penalties	56,000	56,000	56,000	-	0.00%
Public charges for service	19,800	19,800	22,000	2,200	11.11%
Intergovernmental charges	74,084	74,084	110,137	36,053	48.67%
Interest Income	15,274	15,274	19,474	4,200	27.50%
Rental Income	5,000	5,000	5,600	600	12.00%
Miscellaneous revenue	14,150	17,150	13,000	(1,150)	-8.13%
Transfer in	12,500	12,500	-	(12,500)	-100.00%
	<b>4,674,533</b>	<b>4,677,533</b>	<b>4,727,450</b>	<b>52,917</b>	<b>1.13%</b>
<b>General Government</b>					
Mayor/Council	18,320	18,320	18,320	-	0.00%
Municipal Court	72,758	72,758	77,287	4,529	6.22%
Legal	57,500	72,500	64,700	7,200	12.52%
Municipal Building	26,800	26,800	26,800	-	0.00%
City Hall	349,031	350,031	355,229	6,198	1.78%
Elections	10,500	10,500	6,000	(4,500)	-42.86%
Assessor	28,500	28,500	57,500	29,000	101.75%
Insurance	91,000	91,000	93,907	2,907	3.19%
City office expenses	28,950	27,950	28,950	-	0.00%
Recinded taxes/writeoffs	-	41,440	-	-	#DIV/0!
Retiree/OPEB	40,650	155,184	33,000	(7,650)	-18.82%
Information technology	40,000	40,000	38,200	(1,800)	-4.50%
Flex spending administration	1,500	1,500	1,500	-	0.00%
Miscellaneous	-	-	-	-	#DIV/0!
Contingency	100,000	48,583	85,289	(14,711)	-14.71%
	<b>865,509</b>	<b>985,066</b>	<b>886,682</b>	<b>21,173</b>	<b>2.45%</b>
<b>Public Safety</b>					
Law Enforcement	1,099,049	1,099,049	1,163,111	64,062	5.83%
Crossing Guards	18,300	16,577	14,802	(3,498)	-19.11%
Code Enforcement	30,935	30,935	31,483	548	1.77%
Fire Protection	293,251	293,251	316,511	23,260	7.93%
Ambulance	-	-	-	-	#DIV/0!
	<b>1,441,535</b>	<b>1,439,812</b>	<b>1,525,907</b>	<b>84,372</b>	<b>5.85%</b>

City of Milton  
 Budget History - Original & amended 2016 budgets  
 and requested 2017 budget

	Original Budget 2016	Amended Budget 2016	Proposed Budget 2017	\$ Change from Original 2016 Budget	Change
<b>DPW</b>					
Inspection	22,350	22,350	22,560	210	0.94%
Mass Transit	-	-	-	-	#DIV/0!
DPW Administration	71,394	49,394	73,443	2,049	2.87%
Engineering	2,500	2,500	2,500	-	0.00%
City Garage	48,050	48,050	45,550	(2,500)	-5.20%
Public Safety Building/Vehicles	11,882	11,882	12,038	156	1.31%
Community House	5,070	5,070	5,070	-	0.00%
Shaw Building	-	-	-	-	#DIV/0!
Street Maintenance	430,366	448,366	401,821	(28,545)	-6.63%
Snow and Ice Removal	71,700	71,700	70,700	(1,000)	-1.39%
Traffic Signs	24,300	24,300	24,300	-	0.00%
Street Lights	75,600	75,600	75,600	-	0.00%
Sidewalks	-	-	-	-	#DIV/0!
Weed & Nuisance Control	-	-	-	-	#DIV/0!
Recycling	7,300	7,300	6,500	(800)	-10.96%
	<b>770,512</b>	<b>766,512</b>	<b>740,082</b>	<b>(30,430)</b>	<b>-3.95%</b>
<b>Health &amp; Human Services</b>					
Animal & Insect Control	-	-	-	-	#DIV/0!
Code Enforcement	-	-	-	-	#DIV/0!
Cemetery	6,025	6,025	6,025	-	0.00%
	<b>6,025</b>	<b>6,025</b>	<b>6,025</b>	<b>-</b>	<b>0.00%</b>
<b>Culture, Recreation, &amp; Education</b>					
Donations	23,500	23,500	28,000	4,500	19.15%
Parks	224,877	228,877	229,341	4,464	1.99%
Recreation	12,077	12,077	12,077	-	0.00%
Celebrations	4,850	7,850	4,850	-	0.00%
Historic preservation allocation	2,540	4,040	2,540	-	0.00%
Planning	5,100	5,100	5,100	-	0.00%
Economic Development	7,000	7,000	5,036	(1,964)	-28.06%
	<b>279,944</b>	<b>288,444</b>	<b>286,944</b>	<b>7,000</b>	<b>2.50%</b>
<b>Expenditures before transfers</b>	<b>3,363,525</b>	<b>3,485,859</b>	<b>3,445,640</b>	<b>82,115</b>	<b>2.44%</b>
<b>Transfers</b>					
Debt Service	893,000	893,000	857,000	(36,000)	-4.03%
Other funds	-	-	-	-	#DIV/0!
Capital	105,500	105,500	121,500	16,000	15.17%
Capital lease payment	66,304	66,304	38,700	(27,604)	-41.63%
Library Fund	246,204	246,204	264,610	18,406	7.48%
	<b>1,311,008</b>	<b>1,311,008</b>	<b>1,281,810</b>	<b>(29,198)</b>	<b>-2.23%</b>
<b>Total general fund expenditures</b>	<b>4,674,533</b>	<b>4,796,867</b>	<b>4,727,450</b>	<b>52,917</b>	<b>1.13%</b>

**City of Milton Capital Items for 2017 budget**

***Capital requests included in Budget***

Remaining amount for squad car	29,500
Tree replacement	8,000
One ton dump truck	55,000
Upgraded used bucket truck	36,000
Use of 2016 funds	(21,000)
3 replacement furnances	8,000
Barricade Trailer	6,000
	<hr/>
	121,500

***Taken out of Budget***

Air Conditioners on PD side	6,000
New Squad car	40,000
5 year lease on Plow Truck	32,000
Bucket Truck	60,000
Tool Cat	30,000
1/2 of Pickup truck with front plow & salter	21,000
Brush Chipper	35,000
Equipment Trailer	14,000
	<hr/>
	238,000

**City of Milton  
General Fund  
Explanation of Tax levy changes from 2016 budget**

**Revenues**

Property taxes	15,891
PILOT from water utility	15,000
Shared revenues	(1,789)
Expenditure Restraint payment (State Aid)	19,435
Road Aid	(25,370)
TID administration charges	36,137
Investment income	4,200
Transfer from sidewalk fund	(12,500)
Other	1,913
	<u>52,917</u>

**Expenses**

**Required increases/(decreases)**

Increase in WRS rates	12,724
Legal services & Legal contingency	7,200
Assesor services (estimated)	29,000
Step increases for PD union staff	1,602
Debt service	(36,000)
Payback to sewer fund for capital leases	(27,604)
	<u>(13,078)</u>

**Operational changes**

Library allocation	18,406
Police overtime	23,690
Part-time police officers	(9,517)
Elections	(4,500)
Fire Department allocation	23,260
Contingency	(14,711)
Roadway supplies (asphalt, etc.)	(29,050)
Retiree health insurance	(7,650)
City Hall training/conferences	(2,500)
Capital budget increase	16,000
Other	15,674
	<u>29,102</u>

**Non-profit requests - Increases/(Decreases)**

MACC direct contribution	(1,964)
Milton College	-
YMCA	-
Milton Youth Coalition	(500)
Historical Society	3,000
Gathering Place	2,000
	<u>2,536</u>

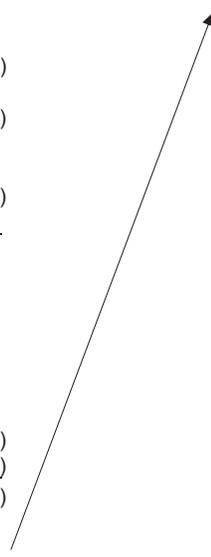
**Employee Relations**

1% wage adjustment for all employees	17,919
Keep union health insurance contribution @ 10%	4,151
Increase in City portion of health insurance	4,941
Add'l 3% wage adjustment for lieutenants	4,870
Wage adjustment for municipal judge	2,476
	<u>34,357</u>

TOTAL INCREASE IN EXPENDITURES 52,917

**Library Allocation**

Wage & benefit adjustment due to Federal law change	10,307
Changes in insurance plans	4,800
Other labor (WRS, 1%, insurance, etc)	4,646
More time to clean building	10,140
Computer services	4,350
Budget year 2016 use of fund balance	7,723
Building expenses (utilities, maint)	(12,300)
Use of Library fund balance	(10,000)
County aid	<u>(1,260)</u>
	18,406





## Office of the Finance Director/Treasurer

**To:** Milton Common Council  
Anissa Welch, City Mayor  
**From:** Dan Nelson, Finance Director/Treasurer  
**Date:** November 15, 2016  
**Subject:** Tax Rate impact of 2017 Budget

### Discussion

Based on the most recent information provided to the City, staff believes the tax rates below depict what the impact will be on the 2016 property tax bills that will be mailed in December 2016.

### City of Milton's Equalized Value and Other Taxing Jurisdiction's Tax Levies

The City's equalized value decreased by \$20 million in 2016 compared to 2015. What this results in, is a decrease in the City's portion of the levy allocation being applied to the School District, Technical College and County.

	2016	2015	Increase/(Decrease)	
			\$\$	%
Equalized Value (TID In)	353,233,700	362,028,200	(8,794,500)	-2.43%
Equalized Value (TID Out)	307,479,300	328,056,600	(20,577,300)	-6.27%
Assessed Value (TID In)	366,292,400	363,352,900	2,939,500	0.81%
Assessed Value (TID Out)	318,782,250	329,256,995	(10,474,745)	-3.18%

### City Tax (Mill) Rate

Based on the 2017 proposed budget (after \$18,202 in expenditure reductions), the City's tax levy would need to be \$3,138,414. The following chart outlines the impact of the other taxing jurisdictions including the Milton School District with the passage of the operating referendum. The County and State amounts are 2015's (2016 budget) allocations because we have not yet received the actual allocation at this point. City is still waiting on one more item from the DOR in order to validate 100% certainty the exact tax rate. First dollar credit, school credit, and lottery credit are still unknown at this time.

Allocated portion of levy to City of Milton				
	2016	2015	\$\$ Change	% Change
State of Wisconsin	\$ 61,438.36	\$ 61,438.36	\$ -	0.00%
Rock County	\$ 2,184,119.38	\$ 2,184,119.38	\$ -	0.00%
School District	\$ 2,816,920.00	\$ 2,688,690.00	\$ 128,230.00	4.77%
Blackhawk Tech	\$ 372,894.55	\$ 393,370.23	\$ (20,475.68)	-5.21%
City of Milton	\$ 3,138,414.00	\$ 3,140,725.00	\$ (2,311.00)	-0.07%

Tax Rate impact				
	2016	2015	\$\$ Change	% Change
State of Wisconsin	\$ 0.17	\$ 0.17	\$ -	0.00%
Rock County	\$ 6.85	\$ 6.63	\$ 0.22	3.32%
School District	\$ 8.83	\$ 8.17	\$ 0.66	8.08%
Blackhawk Tech	\$ 1.17	\$ 1.19	\$ (0.02)	-1.68%
City of Milton	\$ 9.84	\$ 9.54	\$ 0.30	3.14%
	\$ 26.86	\$ 25.70	\$ 1.16	4.51%

City of Milton  
Revenue and Expenses 2013 - Requested 2017 Budget

	Actual 2013	Actual 2014	Actual 2015	Actual thru Oct-31-16	Original Budget 2016	Amended Budget 2016	Proposed Budget 2017	\$ Change from Original 2016 Budget
<b>Revenue</b>								
Property tax collections	2,472,181	2,528,686	2,728,535	3,140,727	3,140,725	3,140,725	3,138,414	(2,311)
Other taxes	-	-	-	-	-	-	-	-
Tax equalant	186,895	174,638	194,377	-	175,000	175,000	190,000	15,000
Special assessments	3,500	-	-	-	-	-	-	-
Intergovernmental revenue	1,135,428	1,097,153	1,087,199	566,000	1,049,700	1,049,700	1,042,123	(7,577)
Licenses and permits	123,168	121,013	132,393	73,161	112,300	112,300	112,500	200
Fines, Forfeits and penalties	54,683	54,743	55,882	38,436	56,000	56,000	56,000	-
Public charges for service	47,345	31,128	8,076	27,503	19,800	19,800	22,000	2,200
Intergovernmental charges	61,028	70,427	47,320	44,097	74,084	74,084	110,137	36,053
Interest Income	27,591	17,611	14,202	25,737	15,274	15,274	19,474	4,200
Rental Income	5,230	13,498	5,588	5,930	5,000	5,000	5,600	600
Miscellaneous revenue	17,858	21,460	64,447	16,649	14,150	17,150	13,000	(1,150)
Transfer in	519,013	15,000	7,500	-	12,500	12,500	-	(12,500)
	<b>4,653,920</b>	<b>4,145,357</b>	<b>4,345,519</b>	<b>3,938,240</b>	<b>4,674,533</b>	<b>4,677,533</b>	<b>4,709,248</b>	<b>34,715</b>
<b>General Government</b>								
Mayor/Council	13,228	14,920	17,910	10,795	18,320	18,320	18,320	-
Municipal Court	65,877	65,404	66,428	50,026	72,758	72,758	77,287	4,529
Legal	51,664	57,968	61,232	47,321	57,500	72,500	64,700	7,200
Municipal Building	-	26,707	23,878	23,653	26,800	26,800	26,800	-
City Hall	329,887	298,932	344,961	284,648	349,031	350,031	355,229	6,198
Elections	2,741	15,587	4,140	7,408	10,500	10,500	6,000	(4,500)
Assessor	28,580	28,406	30,479	28,330	28,500	28,500	57,500	29,000
Insurance	74,535	62,658	66,160	92,704	91,000	91,000	93,907	2,907
City office expenses	19,989	28,978	25,692	16,859	28,950	27,950	28,950	-
Recinded taxes/writeoffs	8,178	67	12,611	41,413	-	41,440	-	-
Retiree/OPEB	28,077	21,413	16,681	136,785	40,650	155,184	33,000	(7,650)
Information technology	42,239	55,942	39,970	27,764	40,000	40,000	38,200	(1,800)
Flex spending administration	1,536	1,383	1,315	1,107	1,500	1,500	1,500	-
Miscellaneous	503	1,599	2,930	1	-	-	-	-
Contingency	24,126	7,649	-	-	100,000	48,583	85,289	(14,711)
	<b>691,160</b>	<b>687,613</b>	<b>714,387</b>	<b>768,814</b>	<b>865,509</b>	<b>985,066</b>	<b>886,682</b>	<b>21,173</b>
<b>Public Safety</b>								
Law Enforcement	1,088,240	986,451	1,007,935	819,869	1,099,049	1,099,049	1,163,111	64,062
Crossing Guards	-	10,158	12,268	8,183	18,300	16,577	14,802	(3,498)
Code Enforcement	24,307	16,547	27,851	23,251	30,935	30,935	31,483	548
Fire Protection	142,304	217,895	301,503	236,494	293,251	293,251	316,511	23,260
Ambulance	23,265	-	17,300	-	-	-	-	-
	<b>1,278,116</b>	<b>1,231,051</b>	<b>1,366,857</b>	<b>1,087,797</b>	<b>1,441,535</b>	<b>1,439,812</b>	<b>1,525,907</b>	<b>84,372</b>
<b>DPW</b>								
Inspection	12,181	12,174	17,748	15,152	22,350	22,350	22,560	210
Mass Transit	15,000	27,000	30,942	-	-	-	-	-
DPW Administration	181,412	156,600	154,272	127,214	71,394	49,394	73,443	2,049
Engineering	9,059	(347)	(53)	140	2,500	2,500	2,500	-
City Garage	133,475	66,643	35,143	23,034	48,050	48,050	45,550	(2,500)
Public Safety Building/Vehicles	8,307	20,370	42,463	9,129	11,882	11,882	12,038	156
Community House	5,999	6,046	3,767	2,897	5,070	5,070	5,070	-
Shaw Building	31,652	52,279	-	-	-	-	-	-
Street Maintenance	133,311	164,541	308,643	215,691	430,366	448,366	401,821	(28,545)
Snow and Ice Removal	153,542	143,825	56,228	41,462	71,700	71,700	70,700	(1,000)
Traffic Signs	25,940	30,045	17,702	3,268	24,300	24,300	24,300	-
Street Lights	58,935	72,132	70,670	53,614	75,600	75,600	75,600	-
Sidewalks	3,131	1,220	-	-	-	-	-	-
Weed & Nuisance Control	3	-	-	-	-	-	-	-
Recycling	37,450	44,049	3,246	4,884	7,300	7,300	6,500	(800)
	<b>809,397</b>	<b>796,577</b>	<b>740,771</b>	<b>496,485</b>	<b>770,512</b>	<b>766,512</b>	<b>740,082</b>	<b>(30,430)</b>
<b>Health &amp; Human Services</b>								
Animal & Insect Control	3,000	-	-	-	-	-	-	-
Code Enforcement	3,179	5,094	850	-	-	-	-	-
Cemetery	16,536	21,185	3,530	2,147	6,025	6,025	6,025	-
	<b>22,715</b>	<b>26,279</b>	<b>4,380</b>	<b>2,147</b>	<b>6,025</b>	<b>6,025</b>	<b>6,025</b>	<b>-</b>

City of Milton  
Revenue and Expenses 2013 - Requested 2017 Budget

	Actual 2013	Actual 2014	Actual 2015	Actual thru Oct-31-16	Original Budget 2016	Amended Budget 2016	Proposed Budget 2017	\$ Change from Original 2016 Budget
<b>Culture, Recreation, &amp; Education</b>								
Donations	23,300	23,000	28,000	15,500	23,500	23,500	28,000	4,500
Parks	122,824	159,471	218,754	196,243	224,877	228,877	229,341	4,464
Recreation	18,515	18,253	18,695	10,681	12,077	12,077	12,077	-
Celebrations	10,647	16,092	3,446	973	4,850	7,850	4,850	-
Historic preservation allocation	18,665	20,669	15,535	4,063	2,540	4,040	2,540	-
Planning	16,413	11,825	33,515	2,833	5,100	5,100	5,100	-
Economic Development	9,574	50,128	6,475	2,651	7,000	7,000	5,036	(1,964)
	<b>219,938</b>	<b>299,438</b>	<b>324,420</b>	<b>232,944</b>	<b>279,944</b>	<b>288,444</b>	<b>286,944</b>	<b>7,000</b>
<b>Expenditures before transfers</b>	<b>3,021,326</b>	<b>3,040,958</b>	<b>3,150,815</b>	<b>2,588,187</b>	<b>3,363,525</b>	<b>3,485,859</b>	<b>3,445,640</b>	<b>82,115</b>
<b>Transfers</b>								
Debt Service	1,206,230	737,598	742,497	893,000	893,000	893,000	857,000	(36,000)
Other funds	5,000	-	-	-	-	-	-	-
Capital	136,400	629,655	549,263	105,500	105,500	105,500	121,500	16,000
Capital lease payment	-	-	-	-	66,304	66,304	38,700	(27,604)
Library Fund	200,192	-	247,393	246,204	246,204	246,204	264,610	18,406
	<b>1,547,822</b>	<b>1,367,253</b>	<b>1,539,153</b>	<b>1,244,704</b>	<b>1,311,008</b>	<b>1,311,008</b>	<b>1,281,810</b>	<b>(29,198)</b>
<b>Total general fund expenditures</b>	<b>4,569,148</b>	<b>4,408,211</b>	<b>4,689,968</b>	<b>3,832,891</b>	<b>4,674,533</b>	<b>4,796,867</b>	<b>4,727,450</b>	<b>52,917</b>



# 2017 Proposed Budget Overview

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MILTON CITY COUNCIL MEETING  
2017 BUDGET PUBLIC HEARING  
NOVEMBER 15, 2016



## 2017 Budget

### Budget Goals:

- Balanced Budget
- Stay within levy limits
- Qualify for expenditure restraint
- No reductions in service
- No new borrowing

## Previous Budgets



	<u>2015</u> Adopted	<u>2016</u> Adopted
General Fund Expenditures	\$ 4,292,229	\$ 4,674,533
Percent Increase Over Previous Year	5.46%	8.90%
City Tax Rate	8.83	9.53

## 2017 Preliminary Budget



	<u>2016</u> Adopted	<u>2017</u> Preliminary	<u>2017</u> Proposed
General Fund expenditures	\$ 4,674,533	\$ 4,708,149	\$ 4,709,248
% change from prior year	8.90%	0.72%	0.74%
City tax rate	\$ 9.54	\$ 10.13	\$ 9.84
% change from prior year	7.92%	6.18%	3.14%

Assumes \$18,202 reduction in expenditures to qualify for 2018 ERP

# 2017 Proposed Budget



## Contributing Factors to the 2017 Budget Construction:

- Expenditure Restraint
  - In order to qualify for an estimated \$100k+ state aid payment for 2018 budget, the 2017 budget cannot increase expenditures by more than \$70k
- Tax Rate
  - Developing a budget that maintains services as affordable as possible (can vs. should)

# 2017 Proposed Budget



## What this all means....

### In the City's 2017 proposed budget:

- Will not "levy" to the max (\$61,193 less than allowable)
- The City can only increase expenditures by \$70,715 in order to qualify for ERP
- The Council still needs to reduce expenditures by \$18,202 in order to qualify for ERP

# 2017 Proposed Budget



What will the impact be....

*After the Council reduces expenses by \$18,202:*

- The City will be levying less tax dollars in 2017 budget than in 2016
- The 2016 tax rate (2017 budget) still would represent a 3.19% tax rate increase over 2015 tax rate (2016 budget).

# 2017 Levy Construction



<b>2016 Budget TAX LEVY</b>	<b>\$</b>	<b>3,140,725</b>
Non-property tax revenue	\$	(37,026) (A)
Required increases/(decreases)	\$	(13,078)
Operational changes	\$	29,102
Non profit increases/(decreases)	\$	2,536
Employee relations	\$	34,357
<b>Proposed 2017 budget levy</b>	<b>\$</b>	<b>3,156,616</b>

(A) - increase in revenue, results in reducing levy

\*\* - The above calculation does not include reduction of \$18,202 to qualify for ERP for 2018 budget year

## Non-property Tax Revenue

PILOT from water utility	\$	15,000
Shared revenues	\$	(1,789)
Expenditure Restraint payment (State Aid)	\$	19,435
Road Aid	\$	(25,370)
TID administration charges	\$	36,137
Investment income	\$	4,200
Transfer from sidewalk fund	\$	(12,500)
Other	\$	<u>1,913</u>
	\$	37,026

## Required Expenses

Increase in WRS rates	\$	12,724
Legal services & Legal contingency	\$	7,200
Assesor services (estimated)	\$	29,000
Step increases for PD union staff	\$	1,602
Debt service	\$	(36,000)
Payback to sewer fund for capital leases	\$	<u>(27,604)</u>
	\$	(13,078)

## Employee Relations



1% wage adjustment for all employees	\$	17,919
Keep union health insurance contribution @ 10%	\$	4,151
Increase in City portion of health insurance	\$	4,941
Add'tl 3% wage adjustment for lieutenants	\$	4,870
Wage adjustment for municipal judge	\$	<u>2,476</u>
	\$	34,357

## Operational Changes



Library allocation	\$	18,406
Police overtime	\$	23,690
Part-time police officers	\$	(9,517)
Elections	\$	(4,500)
Fire Department allocation	\$	23,260
Contingency	\$	(14,711)
Roadway supplies (asphalt, etc.)	\$	(29,050)
Retiree health insurance	\$	(7,650)
City Hall training/conferences	\$	(2,500)
Capital budget increase	\$	16,000
Other	\$	<u>15,674</u>
	\$	29,102

## Library Allocation



Wage & benefit adjustment due to		
Federal law change	\$	10,307
Changes in insurance plans	\$	4,800
Other labor (WRS, 1%, insurance, etc)	\$	4,646
More time to clean building	\$	10,140
Computer services	\$	4,350
Budget year 2016 use of fund balance	\$	7,723
Building expenses (utilities, maintenance, etc.)	\$	(12,300)
Use of Library fund balance	\$	(10,000)
County aid	\$	<u>(1,260)</u>
	\$	18,406

## Fire Department



Funds RW Consulting for 6 months of 2017 (\$24,000)

Funds \$24,110 "building" payment to City

Assumes \$280,000 in billing service collections

- City Allocation for operations = \$248,511
- City Allocation for capital = \$68,000

## 2017 Capital Requests



Remaining amount for squad car	\$	29,500
Replace 3 original furnances at PD building	\$	8,000
Tree replacement	\$	8,000
One ton dump truck	\$	55,000
Upgraded used bucket truck	\$	36,000
Use of 2016 funds	\$	(21,000)
Barricade Trailer	\$	6,000
	\$	<u>121,500</u>

## 2017 Eliminated Capital Requests



Air conditioners on PD side	\$	6,000
New Squad car	\$	40,000
5 year lease on Plow Truck	\$	32,000
Bucket Truck	\$	60,000
Tool Cat	\$	30,000
1/2 of Pickup truck with front plow & salter	\$	21,000
Brush Chipper	\$	35,000
Equipment Trailer	\$	<u>14,000</u>
	\$	238,000

# Preliminary Budget Impact

	2017 Budget	2016 Budget	Dollar Change	% Change
Assessed value excluding TID	\$ 318,782,250	\$ 329,256,995	\$ (10,474,745)	-3.18%
Tax rate / \$1,000	\$ 9.84	\$ 9.54	\$ 0.30	3.14%
Impact on \$100k property	\$ 984.00	\$ 954.00	\$ 30.00	3.14%

## KEY POINT:

The 2017 tax rate represents the budget with a TBD \$18,202 reduction in expenditures.

# Other Taxing Jurisdictions

	Allocated portion of levy to City of Milton			
	2016	2015	\$\$ Change	% Change
State of Wisconsin	\$ 61,438.36	\$ 61,438.36	\$ -	0.00%
Rock County	\$ 2,184,119.38	\$ 2,184,119.38	\$ -	0.00%
School District	\$ 2,816,920.00	\$ 2,688,690.00	\$ 128,230.00	4.77%
Blackhawk Tech	\$ 372,894.55	\$ 393,370.23	\$ (20,475.68)	-5.21%
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	Tax Rate impact			
	2016	2015	\$\$ Change	% Change
State of Wisconsin	\$ 0.17	\$ 0.17	\$ -	0.00%
Rock County	\$ 6.85	\$ 6.63	\$ 0.22	3.32%
School District	\$ 8.83	\$ 8.17	\$ 0.66	8.08%
Blackhawk Tech	\$ 1.17	\$ 1.19	\$ (0.02)	-1.68%
City of Milton	\$ 9.84	\$ 9.54	\$ 0.30	3.14%
	\$ 26.86	\$ 25.70	\$ 1.16	4.51%

## KEY POINTS:

1. Amounts that are highlighted, City is still waiting on actual levy to be allocated to the City of Milton.
2. School levy/tax rate includes portion of operating referendum that passed on November 8.
3. State School Credit, First Dollar Credit, and Lottery Credit are not known at this time
4. City levy/tax rates assume \$18,202 reduction in expenditures to qualify for 2018 ERP.

# Wheel Tax



- Does not effect expenditure restraint calculation
- Does not impact future borrowing
- Needed because City is be paying for road repairs done in 2007 – 2009 until 2026 (20 year repayment on 2007 bonds)
- Every \$10 in a wheel tax brings in \$55k

# Wheel Tax



\$30 Wheel Tax = \$165,000

- Potential projects
  - Mill and overlay one road annually
  - Sealcoat several street
- Extend the life of roads that are in fair condition
- Budget as shown still has \$25,000 in small roadway repairs and pot holes

# Budget Unknowns



- Police Labor Negotiations (approximately \$18,625+ increase)
- Assessment Ratio is unknown (impacts assessed value for calculating tax rate)
  - This will be known in mid/late November
- Health Insurance continues to be evaluated to see if any alternate plans or providers can reduce the city and employee's costs
- Property and Works Compensation insurance rates
- If wheel tax is not authorized, there is not sufficient funding to maintain the City roads. The long-term risk is that future repairs will be exponentially (2-6x) higher than regular maintenance

# 2017 Preliminary Budget



## Budget Goals:

- ✓ Balanced Budget
- ✓ Stay within levy limits
- ✓ Qualify for expenditure restraint
- ✓ No reductions in service
- ✓ No new borrowing

# Budget Takeaways

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- This budget represents a continuation of services from previous years.
  - No staff reductions, no service reductions.
  
- This budget has no borrowing component.
  - Currently 27.5¢ of every City Tax Dollar collected goes to debt service.
  
- Employees will pay for a majority of the increase in health insurance costs
  
- This budget collects (levies) less tax dollars than last year
  
- Expenditures increase in this budget less than 0.75%

**ORDINANCE # 2016-426**  
**AN ORDINANCE CREATING CHAPTER 2 ARTICLE VII**  
**DIVISION 5 OF THE CODE OF ORDINANCES OF THE CITY OF**  
**MILTON ESTABLISHING A MOTOR VEHICLE REGISTRATION FEE.**

**WHEREAS**, the City of Milton has need to provide a source of revenue in addition to other revenue sources currently being utilized to maintain public streets, highways, and for all other transportation-related purposes; and

**WHEREAS**, the Common Council of the City of Milton having considered the options for generating additional revenue for the maintenance of its public streets, highways, and all other transportation-related purposes; and

**WHEREAS**, the Common Council has determined to create a motor vehicle registration fee or Wheel Tax for the vehicles maintained in the City of Milton.

**NOW, THEREFORE**, the Common Council of the City of Milton do ordain as follows:

Section I: Chapter 2 Article VII Division 5 of the Code of Ordinances of the City of Milton is created to read as follows:

Division 5 MOTOR VEHICLE REGISTRATION FEE (Wheel Tax)

2-851. Authority. This Division is adopted pursuant to the authority granted by Wis. Stat. § 341.35, as from time to time amended or renumbered.

2-852. Purpose. The purpose of this Division is to provide the City of Milton a source of revenue in addition to other revenue sources currently being utilized to maintain public streets, highways, and for all other transportation-related purposes.

2-853. Definitions. In this chapter, a “motor vehicle” means an automobile or motor truck registered under Wis. Stat. § 341.25(1)(c) at a gross weight of not more than 8,000 pounds.

2-854. Imposition of Motor Vehicle Registration Fee.

- A. Pursuant to Wis. Stat. § 341.35, an annual flat City registration fee as set forth herein in the amount of thirty Dollars (\$\_\_\_\_\_30.00) is hereby imposed upon all motor vehicles registered in the State of Wisconsin that are customarily kept in the City of Milton.
- B. This fee shall be paid by the registration applicant at the time that a motor vehicle is first registered and at each time of registration renewal.
- C. The City of Milton registration fee shall be paid as provided in Wis. Stat. § 341.35(5).
- D. The City of Milton registration fee shall be in addition to state registration fees.

2-855. Administrative Costs. WisDOT shall retain a portion of the moneys collected equal to the actual administrative costs related to the collection of these fees as provided in Wis. Stat. § 341.35.

2-856. Exemptions. The following motor vehicles are exempt from the annual Milton vehicle registration fee:

- A. All vehicles exempted by Wis. Stat. Ch. 341 from payment of a state vehicle registration fee.
- B. All vehicles registered by the state under Wis. Stat. § 341.26 for a fee of \$5.

2-857. Replacements. No vehicle registration fee shall be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current City of Milton vehicle registration fee has been paid.

2-858. Deposit of fee revenues—administration.

- A. All moneys under the applicable statute and this chapter remitted to the City of Milton by the Wisconsin Department of Transportation or other applicable agency shall be deposited into a special revenue fund of the City of Milton designated by the City Treasurer.
- B. The City Treasurer shall be responsible for the administration of this Division and funds.

Section II. This Ordinance shall take effect and be in force from and after its passage and publication.

Approved by the Common Council of the City of Milton this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

By:

\_\_\_\_\_  
Anissa Welch, Mayor

**Attest:**

\_\_\_\_\_  
Elena Hilby, City Clerk

1<sup>st</sup> Reading: \_\_\_\_\_  
 2<sup>nd</sup> Reading: \_\_\_\_\_  
 3<sup>rd</sup> Reading: \_\_\_\_\_  
 Date Adopted: \_\_\_\_\_

Effect of Ordinance: Establishes a Motor Vehicle Registration Fee.



## Office of the City Administrator

**To:** Mayor Welch, Common Council Members  
**From:** Al Hulick, City Administrator  
**Date:** November 15, 2016  
**Subject:** Discussion and Possible Action Regarding Ordinance 2016-426 - An Ordinance Creating Chapter 2 Article VII Division 5 of the Code of Ordinances of the City of Milton Establishing a Motor Vehicle Registration Fee.

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### Summary

As discussed during the budget process, the City of Milton is proposing the creation of a local vehicle registration fee. The purpose of this local vehicle registration fee is to provide the City of Milton a source of revenue in addition to other revenue sources currently being utilized to maintain public streets, highways, and for all other transportation-related purposes.

The ordinance defines a “motor vehicle” as an automobile or motor truck registered under Wis. Stat. § 341.25(1)(c) at a gross weight of not more than 8,000 pounds. The annual flat City registration fee as set forth in the ordinance is \$ 30.00 and is for all motor vehicles registered in the State of Wisconsin that are customarily kept in the City of Milton. This fee shall be paid by the registration applicant at the time a motor vehicle is first registered and at each time of registration renewal.

All funds collected under the applicable statute and this chapter remitted to the City of Milton by the Wisconsin Department of Transportation or other applicable agency shall be deposited into a special revenue fund of the City of Milton designated by the City Treasurer.

The City Treasurer shall be responsible for the administration of this Division and funds

### Background

Wisconsin law allows a town, village, city or county to collect an annual municipal or county vehicle registration fee (wheel tax) in addition to the regular annual registration fee paid for a vehicle. The fee applies to vehicles kept in the municipality or county with:

- Automobile registration
- Truck registration at 8,000 lbs. or less (except dual purpose farm)
- These special plates are exempt from wheel tax: Antique, Collector (“Collector Special” plates are not exempt), Ex-Prisoner of War (if issued without registration fee), Historic Military, Hobbyist and Medal of Honor. All special plates issued to a farm truck, dual purpose farm truck or motor home are also exempt from wheel tax.



This includes most special license plates with automobile or truck registration. State law does not specify the amount of the wheel tax. However, the municipality or county must use all revenue from the wheel tax for transportation related purposes.

### **Analysis**

The City of Milton is considering a local vehicle registration fee in order to maintain the existing street infrastructure. At this time, the City does not have enough money in the budget or revenue sources to maintain its existing infrastructure. The local vehicle registration fee will provide the necessary funds to maintain those facilities for the foreseeable future.

The City of Milton is also considering a local vehicle registration fee for the following reasons:

- The fee does not affect expenditure restraint calculation
- The fee does not impact future borrowing
- These funds are needed because City is be paying for road repairs done in 2007 – 2009 until 2026 due the repayment structure on the original debt (20 year repayment on 2007 bonds)

Based on the Wisconsin Department of Transportation vehicle registration figures, at \$30.00, the City can expect annual revenue of approximately \$165,000. This amount will allow the City to mill and overlay approximately one-third to one-half mile of residential street annually, while still have residual funds to sealcoat several other streets, thus extending their useful life. Currently, the budget only has \$25,000 in road repair funding, which would merely cover the cost of pot hole patching and minor street repairs. The local vehicle registration fee will allow the City to hopefully maintain the roadway infrastructure to a level that is customarily expected by the residents of Milton.

### **Recommendation**

City Administration, recommends the City Council conduct the first reading of the local vehicle registration ordinance at tonight's meeting, with the anticipation it will be approved and adopted as part of the budget on November 29, 2016.



## Office of the City Administrator

**To:** Mayor Welch, Milton Common Council  
**From:** Al Hulick, City Administrator  
**Date:** November 15, 2016  
**Subject:** Discussion and Possible Action on a Preliminary Resolution Vacating a Portion of Right of Way along S. Janesville Street.

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### Summary

Mr. Ed Ternus, owner of the property located at 844 S. Janesville Street has approached the City of Milton to request a vacation of a portion of right of way along S. Janesville Street that directly adjoins his property to the west. The right of way along this portion of S. Janesville Street is inordinately wide (220 feet) due to the presence of the former STH 26 alignment. Since the bypass project rerouted STH 26 along a new alignment to the east, the State released all interest in the former S. Janesville St. alignment and turned all jurisdiction over to the City along this portion of the roadway.

Based on this change, and the loss of the former frontage road that existed along STH 26, Mr. Ternus is asking that the City release its interest in a portion of the right of way (50-feet) that directly adjoins his property to the west.

The City has no interest in retaining this right-of-way and would agree to transfer this land back to Mr. Ternus with his understanding that it is now under his ownership and therefore under this responsibility to maintain.

### Recommendation

The City Administration recommends the City Council approve the preliminary resolution vacating the subject portion of right-of-way along S. Janesville St.

## PRELIMINARY RESOLUTION VACATING PORTION OF S. JANESVILLE STREET

Pursuant to the authority contained in Wis. Stat. §66.1003(4), the Common Council of the City of Milton do resolve as follows:

1. Public interest requires vacation, abandonment and discontinuance of a portion of the following public street in the City of Milton as follows:

- a. That part of the Service Road (S. Janesville Street) dedicated to the public on Certified Survey Map recorded in Volume 11, Pages 361 through 363 of Certified Survey Maps of Rock County, Wisconsin as Document No. 980158, formerly being part of Outlot 99 of the Assessor's Plat of the Village of Milton and Located in the South East ¼ of the North East ¼ of Section 34, T.4N., R.13E. of the 4<sup>th</sup> P.M., City of Milton Rock County, Wisconsin.

Described as follows: Commencing at a cut stone monument at the East ¼ corner of said Section; thence N. 0°47'24"W. along the East Line of the NE ¼ of said Section, 823.50 feet to the South Line of Commerce Way; thence S. 89°10'19"W. along said South Line, 172.94 feet to an iron pin on the West Line of Lot 1 of said Certified Survey Map, also being at the place of beginning for the land to be herein described; thence S. 0°48'10"E. Along said West Line, 329.10 feet to an iron pin on the South Line of said Certified Survey Map; thence N. 87°34'38"W. along said South Line 50.14 feet to an iron pin at the SW Corner of said Certified Survey Map; thence N. 0°47'34"W. along the West Line of said Certified Survey Map, 326.26 feet to an iron pin on the Westerly extension of said South Line of Commerce Way; thence N. 89°10'19"E. along said extended line, 50.00 feet to the place of beginning.

2. The same is hereby vacated and discontinued subject, however, to the right of the public and abutting adjacent land owners to appear and be heard upon said preliminary resolution at a public hearing to be held in the City Hall of the City of Milton located at 710 S. Janesville Street on \_\_\_\_\_ at 7:00 o'clock p.m. and that due notice was given to the public as provided by law.

3. The preliminary vacation of same is further referred to the Plan Commissioner pursuant to Section 58-35(d) of the Municipal Code for amendment of the official city map subject to the right of the public to appear and be heard upon said map amendment at a public hearing to be held in the City Hall of the City of Milton located at 710 S. Janesville Street on \_\_\_\_\_ at 4:30 p.m. and that due notice was given to the public as provided by law.

4. A final resolution vacating and discontinuing a portion of the public street described above may be adopted following said public hearing on \_\_\_\_\_. A map showing the portion of the street which is preliminarily vacated and discontinued is attached hereto.

5. The Clerk-Treasurer is directed to provide notice of said public hearings by publication or posting as provided by law.

Approved by the Common Council of the City of Milton this \_\_\_\_\_ day of November, 2016.

City of Milton

By: \_\_\_\_\_  
Anissa Welch  
Mayor

Attest:

\_\_\_\_\_  
Elena Hilby  
Clerk

The foregoing Resolution is a true and correct copy of the original on file in my office.

\_\_\_\_\_  
Elena Hilby  
Clerk/Treasurer



Office of the Finance Director/Treasurer

**To:** Milton Common Council  
Mayor Anissa Welch  
**From:** Dan Nelson, Finance Director/Treasurer  
**Date:** November 15, 2016  
**Subject:** Discussion and possible action regarding the 2017 Refuse/Recycling fee and potential future contract with John's Disposal

***Discussion and Background***

We received the pricing from John's Disposal regarding the 2017 refuse/recycling fee. The increase on the charges, including the yard waste dumpsters was a cost of living adjustment as allowed in the contract. The chart below indicates the year the charge will/appeared on the tax bill. The proposed 2016 charge is \$142.57 for 2017 services.

	No Extension			Contract Extension
	2016	2015	2014	
Garbage	\$ 109.80	\$ 108.00	\$ 108.00	\$ 108.00
Recycling	\$ 36.00	\$ 36.00	\$ 36.00	\$ 36.00
Yard Waste	\$ 6.51	\$ 4.82	\$ -	\$ 6.51
Recycling grant	\$ (9.74)	\$ (8.10)	\$ (9.98)	\$ (9.74)
	\$ 142.57	\$ 140.72	\$ 134.02	\$ 140.77

The 2014 rate did not include an allocation for the yard waste bins. Staff was trying to "smooth" the impact of that in the 2015 and 2016 rate.

John's Disposal indicated that the 2016 rate (2017 service pickup) would remain the same if we were willing to agree to a 4 year extension. The unit charge would be \$140.77 for refuse/recycling charges.

## **AGREEMENT**

### **Curbside Collection of Solid Waste and Recyclables**

This contract made and entered into this 1<sup>st</sup> day of January, 2017 by and between **Johns Disposal Service, Inc.**, hereinafter referred to as the “Contractor” and the **City of Milton**, hereinafter referred to as the “City”.

The Contractor shall be responsible for the collection and proper disposal of all refuse and recyclables from all residential buildings and condominium associations pursuant to this agreement. The Contractor shall provide and furnish all of the labor, materials, necessary tools, expendable equipment and supplies, vehicles, transportation services, permits, and landfill space required to perform and complete the collection from all units and disposal of refuse; and arrangements with processors required to perform and complete the collection from all units and marketing of recyclables.

#### **A. INCLUDED MATERIALS:**

1. General household trash and refuse.
2. All items required to be recycled by Wisconsin statutes, including glass, metal cans, plastic containers, aluminum, newspapers, mixed paper, magazines, phone books, and corrugated cardboard.
3. Automotive batteries with the bulk items collection (See Section C (4)).
4. Furniture and appliances with the bulk items collection (See Section C (4)).
5. Motor oil if properly contained and tightly capped with the bulk items collection (See Section C (4)).
6. Tires – no more than 4 per week, 8 per year, with the bulk items collection (See Section C (4)).
7. Electronic devices banned from landfills in 2009 Wisconsin Act 50. Banned items include TV’s, computers, peripherals, VCR’s, and many other devices, with the bulk items collection (See Section C (4)).

#### **B. ITEMS NOT INCLUDED:**

1. Earth, rocks, concrete, loose construction and demolition materials, trees or parts thereof. See section C (4) for bulk items collection.
2. Yard waste is not included in the regular curbside collections. Yard waste dumpster service at the City garage is included.

3. Hazardous, toxic or infectious materials, including any items recognized as special waste by the State of Wisconsin.

**C. SERVICE DETAILS:**

1. Collection of NON-RECYCLABLE TRASH will be made weekly, with all suitable materials for collection being placed by residents at the curb of their homes by 6:00 a.m. on the day of collection. All NON-RECYCABLE TRASH shall be placed by residents in a 96-gallon BROWN CART which is provided by the Contractor.
2. Collection of RECYCABLES will be made every other week, with all suitable materials for collection being placed by residents at the curb of their homes by 6:00 a.m. on the day of collection. Recyclables shall be commingled. All RECYCLABLES shall be placed by residents in a 96-gallon GREEN CART which is provided by the Contractor.
3. The Contractor shall make collections with as little noise and disturbance to City residents as possible. Permitted collection hours are to be between 6:00 a.m. and 6:00 p.m. Pickup will be on Wednesday.
4. Collection of BULK ITEMS. Bulk items will be collected on the 3<sup>rd</sup> Wednesday of each month. There is no need for residents to call to have bulk items removed. Items collected with the bulk items pick-up include:
  - Furniture
  - Appliances (including microwaves and items containing CFC's such as refrigerators)
  - Automotive tires, truck tires and tractor tires, provided that tires over 42" in diameter are quartered (4 per collection, 8 per year total)
  - Drain oil in one (1) gallon or larger containers with secure lids that are labeled as 'drain oil'
  - Automotive batteries
  - Earth, rocks, concrete, loose construction and demolition materials are included with the bulk items collection if contained in 32 gallon cans that weigh less than 60 pounds (no limit on the number of cans).
  - Electronic devices banned from landfills in 2009 Wisconsin Act 50. Banned items include TV's, computers, peripherals, VCR's, and many other devices.
5. HOLIDAY'S. When the collection day is interrupted by a holiday, pickup will be the following day.
6. NO HAZARDOUS, toxic or infectious waste will be accepted, except for specific items listed in this contract such as appliances containing CFC's and automotive batteries.

7. LITTER. All refuse shall be collected and transported in such a manner as to prevent falling or spilling of material. When spilling does occur, the material shall be picked up as soon as possible and the area properly cleaned.
8. REFUSE and RECYCLING CARTS. The Contractor shall initially provide each residential unit with one cart for refuse and a second cart for recycling. The Contractor will deliver the carts to new units after notification of occupancy by the City. All carts are the property of the City for the duration of this agreement and must stay with the home. At the end of the agreement the contractor will take ownership of the carts and remove each cart from the City. The homeowner is responsible for keeping the carts clean. The homeowner is responsible for damage, other than normal wear, such as melting from hot ashes, cuts from a saw, or other avoidable damage. In the event the homeowner is responsible for the damaged cart(s), the replacement cost of \$60 will be billed directly to the homeowner by the Contractor. The Contractor is responsible for normal wear to the cart, wheels or lid and will repair or replace the cart in a timely manner after the homeowner informs the Contractor of the problem. The Contractor is responsible for damage caused from snow plows or passing vehicles.
9. DISABLED RESIDENTS as identified by the City shall receive doorway service at no extra cost.
10. CITY OWNED PROPERTIES: The Contractor agrees to provide the City with a special service to meet all the needs for garbage and recycling removal from the City-owned locations, including parks, the Public Safety Building, the Public Library, the City Garage, and all other properties and facilities owned and maintained by the City at no additional cost. This does not include sludge from the Waste Water Treatment Plant. Trash containers in the business district and at designated locations, which are owned by the City, shall also be emptied weekly.

**D. TERM and COST:**

1. ANNUAL COST. The City agrees to pay the Contractor the following fees for in conjunction with the services rendered pursuant to this Contract:
  - Refuse collection including disposal for all residential buildings and condominium associations with 4 units or less, per unit per month  
@ \$9.00 for 2017
  - Recycling collection, processing and marketing per unit per month  
@ \$3.00 for 2017

- Refuse collection for Multi-Family Complexes Above 4 units, per unit per month @ \$8.00 for 2017
- Commercial properties will be included as identified by the City. Commercial properties will receive the same services as residential properties at the same rates identified in Sec D of this agreement with one exception - commercial properties will not receive the bulk items collection.
- The unit count will be increased to account for new or annexed homes and may be lowered to account for razed or condemned units. All units that are able to be occupied will be included in the count once an occupancy permit is issued until the unit is condemned or razed.
- Yard waste dumpster service will be at a lump sum cost of \$9370.00 for 2017

TERM. This Contract shall be in effect for the period, January 1, 2017 through December 31, 2021. The City may opt to extend the agreement to include 2022 and 2023 at its sole discretion. The Contractor may increase the fees charged for 2018, 2019, 2020, 2021, 2022 and 2023 by notifying the City of the fee increase not later than October 1<sup>st</sup> preceding the year in which the fee increase will be effective. The Fee increase shall be in an amount not to exceed the cost of living percentage (CPI-U- Midwest, the Consumer Price Index for All Urban Consumers- Midwest Region) as calculated annually and published by the Bureau of Labor Standards in August of each year provided that in no event shall the fee increase be in an amount to exceed three percent (3%), after adjusting for new homes added.”

2. In no event shall the Contractor increase the fees during the current year of an agreement.

Payments of contract service fees shall be made within 30-days of the end of each month and shall be based upon full-month occupied residential units, calculated at the end of each month.

3. The City may terminate this Agreement for unsatisfactory service upon sixty (60) days written notice. Unsatisfactory service shall include, but not be limited to, consistent or recurring failure to provide timely collection, omission of collections, failure to leave the collection sites in good order, delivery of recyclables to landfills, unless those recyclables were comingled with solid waste by the residents or commercial units, and failure to provide a regular and accurate accounting for disposal of refuse, recyclables, or similar deviations from the contract requirements. Termination under this subsection shall not become effective if the Contractor remedies or cures the unsatisfactory service to the City’s satisfaction within thirty (30) days of mailing of notice and termination. Notice and termination under this subsection shall include recitation of the Contractor’s right to cure a claim of unsatisfactory service. All notices shall be mailed via registered U.S. Mail to the City and the Contractor.

4. **DUMPING FEES.** Any and all “dumping fees” (broadly defined to include all fees and taxes imposed by Rock County, the State of Wisconsin and the Federal Government, or any division or agency thereof related to the execution of this contract) that are required to be paid by law, including but not limited to fees required per Section 289.63, 289.64, 289.67, 289.64 (2) Wisconsin Statutes, including any revisions that may be made thereto during the term of this Contract, along with any other fee or tax must be paid for by the Contractor in order for this contract to be performed in compliance with law, shall be paid fully and timely by the Contractor; and the compensation paid to the Contractor pursuant to this contract shall be deemed to include any portion of such fees or taxes as may otherwise be the obligation of the City. Any government imposed or increased landfill taxes or fees instituted after January 1, 2017 are not included and will be the responsibility of the City.

**E. SPECIAL PROVISIONS:**

1. **RECYCLING RECORDS.** The Contractor shall keep a record of total weights of both solid waste and of each category of recyclables collected from the City and report those totals to the City on a quarterly basis.
2. **DATA AND RECORD COLLECTION.** The Contractor shall collect data and provide the City with a quarterly status report on the recycling collection containing the following information:

Total weight of each recyclable material commodity collected that quarter, segregated so the City has the information it needs to complete reports required by the Wisconsin Department of Natural Resources.

3. **CONTRACTOR OFFICE.** The Contractor shall maintain an office which it may be contacted directly, where service may be applied for, where the public and the City personnel may call or send inquiries and complaints, and where the public and the city personnel may send and receive instructions. The office shall be equipped with sufficient telephones and shall have a responsible person in charge during collection hours. These services shall be operated between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, and 8:00 a.m. to noon on Saturdays except during holidays. The City will publicize the customer service telephone number(s) of the Contractor.
4. **INSURANCE.** The Contractor shall maintain such insurance as will protect the Contractor from claims under workers’ compensation acts, and from any other claims for property damage, bodily injury or personal injury, including death, which may arise from operations under this contract, whether such operations by the Contractor, or by any subcontractor or anyone directly or indirectly employed by either of them. Certificates of Insurance and required City endorsements, naming the city as co-insured, shall be filed with the City prior to the start of the

Contractor's services for the City. Proof of such insurance shall be provided to the City clerk annually.

The Contractor shall carry at its own costs, the following minimum insurance coverage:

- a. Workers' compensation and employers liability.
    - i. Workers' compensation: statutory in Wisconsin.
    - ii. Employer's liability at a level of not less than \$1,000,000.
  - b. General liability insurance (each accident/occurrence).
    - i. Bodily injury at a level of not less than \$1,000,000/\$1,000,000.
    - ii. Property damage at a level of not less than \$1,000,000/\$1,000,000.
    - iii. Personal injury at a level of not less than \$1,000,000/\$1,000,000.
  - c. Auto liability insurance (each accident/occurrence).
    - i. Bodily injury at a level of not less than \$1,000,000/\$1,000,000.
    - ii. Coverage shall extend to all owned, leased or hired vehicles.
  - d. Umbrella liability coverage of \$5,000,000 for each occurrence, \$5,000,000 aggregate.
6. PROCESSING, RECYCLING and DISPOSAL. The Contractor agrees to dispose of refuse in compliance with all City, County, and State of Wisconsin and Federal Government ordinances, codes, statutes, and rules, including, but not limited to, all applicable recycling laws, environmental laws and waste disposal laws.
  7. MARKETING of RECYCLABLES. The Contractor agrees to market all recyclables. The Contractor shall retain the proceeds from the sale of materials and shall be responsible for the cost of recycling materials with a negative value such as tires and glass.
  8. EDUCATION and PROMOTION. The City and the Contractor shall coordinate their efforts to publicize and promote the recycling program and educate the citizens regarding recycling. The City and the Contractor will review and approve promotional activities jointly.

## **GENERAL PROVISIONS**

1. INDEMNITY. The contractor shall indemnify, defend, save, and hold harmless the City, its officers and employees from any and all liability, losses, costs, expenses, demands, taxes, claims, damages, lawsuits, proceedings, or causes of action, including workers' compensation claims, of any kind or nature whatsoever, including reasonable attorney's fees and costs of defense, that the City may suffer, incur, sustain, or become liable for, on account of any injury to or death of its employees, or injury or death to any other person, or damage to or injury to any

property, in any way resulting from, arising out of, in connection with or pursuant to this Agreement caused by the Contractor, its agents, retailers, employees, or any subcontractors in performance of the services to be conducted, including ownership, maintenance, use, operation, or control of any vehicle owned, operated, maintained, or controlled by the Contractor or subcontractor.

The Contractor shall not be liable for any claims of liability resulting solely from the negligence or willful misconduct of the City, its agents, or employees.

2. **ASSIGNABILITY of AGREEMENT.** This Contract is not assignable by the Contractor of record, without the express written consent of the City, and in the event of bankruptcy, assignment for the benefit of creditors, or a petition for receivership relative to the Contractor of record, the City may, without notice, declare this contract at an end, at its option.
3. **SUBCONTRACTING.** The Contractor shall not subcontract any work to be performed or any materials to be furnished in the performance of this Contract without the written consent of the City. The Contractor shall be fully responsible for any acts or omissions of its subcontractor as it is for the acts and omissions of persons directly employed by itself.
4. **INDEPENDENT CONTRACTOR.** The contractor shall be deemed an independent contractor, solely responsible for control and payment of its employees and compliance with all applicable Federal, State and local laws.
5. **DAMAGES.** The Contractor shall take all necessary precautions for the protection of property. The Contractor shall be responsible for damages to property resulting from the operation of vehicles or the handling of any receptacle. All property which suffers damage caused by the Contractor shall be repaired or replaced as soon as possible to equivalent quality at the time of damage at no cost to the property owner or to the City. If the Contractor fails to repair or replace damaged property, the City may, after giving the Contractor notice in writing and 30 days to repair or replace, repair or replace such property as may be deemed necessary at the Contractor's expense. The cost of such repair or replacement shall be deducted from the Contractor's monthly bill.
6. **EMPLOYEES AND CONDUCT.** The Contractor shall undertake to perform all collection and disposal services in a neat, orderly, and efficient manner; to use care and diligence in the performance of this agreement; to provide neat, orderly, and courteous personnel on its collection crews; and to provide courteous and knowledgeable personnel in its customer service function.

The Contractor shall conduct itself both in relations with the City and City residents in a personable, professional manner. The Contractor should also act in an ethical manner throughout the term of this agreement.

All Employees of the Contractor shall be dressed in a neat, professional like manner and shall carry official company identification. All drivers shall carry a valid Wisconsin state driver's license for the class of vehicle operated.

7. **REFUSE REQUIREMENTS.** Throughout the term of this agreement, the Contractor shall own, co-own, rent, lease, control, or otherwise have access at its cost to a properly-licensed and permitted landfill of sufficient capacity for the disposal of refuse.

Upon request of the City, the Contractor shall provide proof that such facilities comply with all laws and regulations. This shall not preclude the Contractor from changing the disposal location to a reasonable alternate site, but the Contractor shall notify the City in advance of any changes. Upon request of the City, the Contractor shall furnish evidence of arrangements assuring availability of adequate landfill capacity for disposal of refuse collected under this agreement.

8. **RECYCLING REQUIREMENTS.** Throughout the term of this Agreement, the Contractor shall own, co-own, rent, lease, or otherwise control, or have access at its cost to a suitable storage/processing facility for the purpose of sorting and/or preparing the collected recyclable material collected to either a processor(s) or broker(s) experienced in processing and marketing recyclables or to a market itself. The Contractor shall be responsible for all collection and transportation costs necessary to bring recyclables to the storage/processing facility. The Contractor shall be responsible for payment of all necessary processing costs for recyclables.
9. **VEHICLES.** All vehicles shall be kept in good working order and appearance at all times during the term of this agreement. All vehicles shall display the name of the Contractor, a local phone number and a vehicle identification number that is clearly visible on both sides.

All vehicles shall be fully enclosed and leak proof. They shall be operated in a way that no refuse or recyclables blow off the vehicle. Should refuse or recyclables blow off a vehicle, it shall be immediately cleaned.

10. **TITLE TO REFUSE AND RECYCLABLES.** Titles to all refuse and recyclables shall pass to the Contractor when materials are placed into the collection vehicle.

11. NOTIFICATIONS. Official notifications to the City, whenever required for any purpose under this agreement, shall be made in writing and address as follows:

The City of Milton  
City Clerk  
430 East High Street  
Milton, WI 53563

Official notifications to the Contractor, whenever required for any purpose under this agreement, shall be made in writing and address as follows:

Johns Disposal Service, Inc.  
Brian Jongetjes  
P.O. Box 329  
Whitewater, WI 53190-0329

12. LEGAL INTERPRETATION. The performance and interpretation of this agreement shall be according to the laws of the State of Wisconsin

13. SEVERABILITY. Each provision of this agreement is severable, and should any court or other governmental body of competent jurisdiction declare any provision of this agreement invalid or unenforceable by reason of any rule of law or public policy, all other provisions hereof shall remain in full force and effect.

14. LAWFULL AGREEMANT. The Contractor in executing this agreement acknowledges that it has not been induced to enter into this Agreement by any understanding or promise or other statement, whether verbal or written, by or on behalf of the City concerning any matter not expressed herein. The Contractor acknowledges that the City has relied upon the proposal submitted by the Contractor and has awarded the Contract in reliance thereon.

15. PERFORMANCE BOND. The contractor will provide a performance bond in the amount of 25% of the total annual contract amount. The bond shall be subject to approval as to form and content by the City's Attorney.

16. ENTIRETY. This Agreement constitutes the entire Agreement between the parties. No modification, amendment, alteration, revision or waiver of this Agreement or any of its provisions shall be permitted by or binding upon the parties unless so agreed in writing.

JOHNS DISPOSAL SERVICE, INC.

By \_\_\_\_\_ Date \_\_\_\_\_  
President

THE CITY OF MILTON

By \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

By \_\_\_\_\_ Date \_\_\_\_\_  
City Clerk