



AGENDA
City of Milton
Virtual Common Council Meeting
Tuesday, August 4, 2020
6:00 PM

PLEASE NOTE: In-person attendance by members of the public temporarily discouraged due to COVID-19 physical distancing protocols pursuant to the Rock County Health Departments Reopening Phased Plan, dated May 21, 2020, which discourages public gatherings. Members of the public may monitor this meeting at: <https://us02web.zoom.us/j/87891585138?pwd=RTI6SVhWdm52Z3ZtN2pGRHRQMIhtdz09>

Any person who is unable to access the meeting via the internet link may call 1(312) 626-6799 and enter to monitor the meeting via telephone.

Meeting ID: 878 9158 5138

Passcode: 489221

1. Call to Order and Confirmation of Appropriate Meeting Notice.
2. Approval of Agenda
3. Pledge of Allegiance
4. Public comments regarding items which can be affected by Council Action
Presenters must sign in with the City Clerk in order to speak.
5. Approval of the Consent Agenda
 - a. Approval of Common Council Meeting Minutes - June 21, 2020
Documents:
[Common Council Minutes 07-21-2020.pdf](#)
 - b. Approval of Common Council Meeting Minutes - June 28, 2020
Documents:
[Common Council Minutes 07-28-2020.pdf](#)
6. Discussion and Possible Action Regarding An Amendment to the TIF Development Agreement with Capital Asset Investments, LLC Assigning the Agreement to Caliber Assets, LLC
Documents:

[Memo - TIF Agreement Assignment Caliber Asset Investments.pdf](#)
[Amendment to TIF Agreement \(Putman Parkway\) REVISED 7.24.20.pdf](#)

7. Discussion and Possible Action on Final Resolutions #2020-20 Regarding Assessments for the Sanitary Sewer Main Installation along North Janesville Street

Documents:

[Memo - Assessment Considerations.pdf](#)
[Resolution 2020-20 Final Resolution North Janeville Street Sanitary Sewer Extension.pdf](#)

8. Discussion and Possible Action on Rockie's LLC's application for a Class "B" Retail License - Fermented Malt Beverage and a "Class C" Retail License - Wine

Documents:

[CC Rockies LLC License Application.pdf](#)

9. Discussion and Possible Action Regarding 2020 Pavement Preventative Maintenance Bid Award

Documents:

[Award Letter.pdf](#)
[Bid Tabulation.pdf](#)

10. Discussion and Possible Action Regarding Revisions to Semi Parking Ordinance 2020-478

Documents:

[Memo - Semi Parking Ordinance Revisions, Second Reading.pdf](#)
[Ordinance RE Revised \(7.31.20\) Truck and Semitrailers Parking - Amending Sec. 70-154 and 70-183.pdf](#)

11. Discussion and Possible Action on the Development of a 2020-2024 Strategic Plan

12. General Items

a. Committee Reports

b. Staff Reports

c. Team Building Exercise.

13. Next Meeting ~ August 18, 2020

14. 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 Leanne Schroeder July 31, 2020 at Dave's Ace Hardware, Piggly Wiggly, 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
July 21, 2020**

Call to Order and Confirmation of Appropriate Meeting Notice.

Mayor Anissa Welch called the July 21, 2020 meeting of the Common Council to order at 6:04 p.m. Administrative Services Director Inga Cushman confirmed appropriate meeting notice.

Present: Mayor Anissa Welch, Ald. Larry Laehn, Ald. Bill Wilson, Ald. Theresa Rusch, Ald. Ryan Holbrook, Ald. Devin Elliott, and Ald. Lynda Clark.

Also Present: City Administrator Al Hulick, Public Works Director Howard Robinson, City Attorney Mark Schroeder, Finance Director / Treasurer Dan Nelson, Library Director Ashlee Kunkel, Police Chief Scott Marquardt, City Engineer Mark Langer, and Administrative Services Director Inga Cushman.

Approval of Agenda

Ald. Laehn motioned to approve the agenda. Ald. Clark seconded, and the motion carried.

Pledge of Allegiance

Ald. Holbrook led the Council in the Pledge of Allegiance.

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.

There were none.

Approval of the Consent Agenda

- a. **Approval of Common Council Meeting Minutes - July 7, 2020**
- b. **Discussion and Action Regarding a 2-Lot Extraterritorial Certified Survey Map Along North Bowers Lake Road**

Ald. Clark motioned to approve the consent agenda. Ald. Rusch seconded, and the motion carried.

Public Hearing, Discussion and Possible Action on Final Resolutions #2020-20 Regarding Assessments for the Sanitary Sewer Main Installation along North Janesville Street

Administrator Hulick provided an overview of this agenda item.

Mayor Welch opened the public hearing at 6:13 p.m.

Patricia Murphy, 927 Bowers Lake Road – She owns the property at 367 N. Janesville Street. She is disappointed with the communication about the project. She discussed her concerns with the project.

Chuck Nelson, 340 N. Janesville Street – He agreed with P. Murphy’s thoughts, and discussed his concerns with the financial aspects of the proposal.

Lucas Murphy, 362 N. Janesville Street – Discussed his concerns with determining the calculation of the assessment.

Joshua Brunch, 382 N. Janesville Street – Discussed his concerns with the assessment.

Frank Highland, 371 N. Janesville Street – Discussed his concerns with the assessment and project.

Mayor Welch closed the public hearing at 6:48 p.m.

The Common Council discussed the comments made during the public hearing and additional questions and comments they had about the project.

Ald. Laehn motioned the following:

1. To move forward with the project
2. To direct staff to develop an alternative resolution for the special assessments to consider the cost of an 8 inch main installed rather than a 10 inch main at a “normal” depth for a subdivision, and continue offering a five year installment on the payment of the assessment that results from that resolution with the understanding the City of Milton is already deferring.

Ald. Holbrook seconded, and the motion carried with Ald. Clark opposed.

Public Hearing, Discussion and Possible Action on Final Resolutions #2020-21 Regarding Assessments for the Lift Station and Sanitary Sewer Main Installation along Parkview Drive.

Administrator Hulick provided an overview of this agenda item.

Mayor Welch opened the public hearing at 7:50 p.m.

Tim Lindau, representing Capital Assets Investments LLC and Red Hawk Apartments of Milton LLC – He stated the proposed project for Milton Red Hawk Apartments is likely not taking place this year. He discussed the special assessment for the Red Hawk Apartments site.

Mayor Welch closed the public hearing at 7:53 p.m.

Ald. Wilson motioned to approve Final Resolution 2020-21 authorizing special assessments against benefitted properties for the installation of a sanitary sewer lift station, sewer main, sewer interceptor main and appurtances along Parkview Drive. Ald. Holbrook seconded, and the motion carried.

Discussion and Possible Action Regarding Ordinance #476 Permitting and Keeping Chickens in Residentially-Zoned Districts

Administrator Hulick provided an overview of this agenda item.

Stew Ellefson, 113 N. John Paul Road – He is in support of the ordinance, and asked questions on the permit and wording in the ordinance related to feed and water storage.

Ald. Laehn motioned to approve the second reading of Ordinance #476, waive the third reading, and adopt. Ald. Wilson seconded, and the motion carried.

Discussion and Possible Action Regarding Ordinance #477 Permitting and Keeping of Bees in Residentially-Zoned Districts

Administrator Hulick provided an overview of this agenda item.

Ald. Holbrook motioned to approve the second reading of Ordinance #477, waive the third reading, and adopt. Ald. Clark seconded, and the motion carried.

Discussion and Possible Action on Resolution 2020-22 Establishing a Permit Fee for the Keeping of Chickens and/or Bees in the City of Milton

Administrator Hulick provided an overview of this agenda item.

Ald. Clark motioned to approve Resolution 2020-22. Ald. Wilson seconded, and the motion carried.

Discussion and Possible Action on Hay Adams LLC's application for a Class "B" Retail License - Fermented Malt Beverage and a "Class B" Retail License - Intoxicating Liquor

Ald. Clark motioned to approve a Class “B” Retail License – Fermented Malt Beverage and a “Class B” Retail License – Intoxicating Liquor for Hay Adams LLC. Ald. Elliott seconded, and the motion carried.

Discussion and Possible Action Regarding Revisions to Semi Parking Ordinance 2020-478

Chief Marquardt provided an overview of this agenda item. He also suggested, after a conversation with a community member, to change “trucks” when referring to 12,000 pound vehicles to “commercial motor vehicles.”

Ald. Holbrook motioned to approve the first reading of Ordinance 2020-478, and direct staff to amend the ordinance as discussed and bring it back for a second reading. Ald. Rusch seconded, and the motion carried.

Discussion, Direction, and Possible Action Regarding the Creation of a Vacant Property Ordinance

Administrator Hulick provided an overview of this agenda item and research that has been done by staff and Ald. Wilson.

The Common Council discussed options available.

Ald. Rusch motioned to direct staff to investigate better enforcement mechanisms to address property condition issues. Ald. Clark seconded, and the motion carried.

Discussion and possible action on the 2020-2024 Strategic Plan

a. Overview of Strategic Planning and the Development Process

b. Discussion and possible action on Mission, Vision, and Values

Ald. Rusch motioned to table this item to a special meeting. Ald. Elliott seconded, and the motion carried.

The Common Council agreed to hold a special meeting on July 28, 2020 at 6 p.m.

General Items

a. Committee Reports

Parks & Rec – Eagle Scout project. CORP.

b. Staff Reports

Director Nelson stated the Joint Fire Commission met the previous week. The Joint Fire Commission agreed to have a joint meeting of the City of Milton and Town of Milton on August 19, 2020 at 6 p.m. The Joint Fire Commission is also hosting a special meeting on Thursday, July 30, at 7 p.m.

Director Robinson and Engineer Langer provided an update on the Elizabeth Street project.

Director Cushman spoke for Director Kunkel who was having audio issues. The library is seeing about 30 people daily coming in and they posted for the Tween & Technology Assistant position. They are also posting videos about chickens and the pollinator garden is blooming.

Administrator Hulick discussed community coming together during the time of COVID-19.

c. Team Building Exercise.

Mayor Welch led the Council in a Team Building exercise.

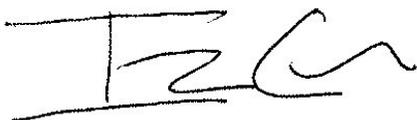
Next Meeting ~ August 4, 2020

The next meeting of the Common Council will take place on July 28, 2020 at 6 p.m. and focus on the strategic plan. The next regular meeting of the Common Council will take place on August 4, 2020 at 6 p.m.

Motion to Adjourn

Ald. Wilson motioned to adjourn the July 21, 2020 meeting of the Common Council at 9:05 p.m. Ald. Holbrook seconded, and the motion carried.

Respectfully Submitted,



Inga Cushman

Administrative Services Director

**City of Milton
Common Council
July 28, 2020**

Call to Order and Confirmation of Appropriate Meeting Notice.

Mayor Anissa Welch called the July 28, 2020 meeting of the Common Council at 6:01 p.m. Administrative Services Director Inga Cushman confirmed appropriate meeting notice.

Present: Mayor Anissa Welch, Ald. Larry Laehn, Ald. Bill Wilson, Ald. Theresa Rusch, Ald. Ryan Holbrook, Ald. Devin Elliott, and Ald. Lynda Clark.

Also Present: City Administrator Al Hulick, City Attorney Mark Schroeder, Police Chief Scott Marquardt, Library Director Ashlee Kunkel, City Engineer Mark Langer, and Administrative Services Director Inga Cushman.

Approval of Agenda

Ald. Holbrook motioned to approve the agenda. Ald. Clark seconded, and the motion carried.

Pledge of Allegiance

Ald. Clark led the Council in the Pledge of Allegiance.

Public comments regarding items which can be affected by Council Action

Mayor Welch provided a brief overview on the City of Milton's actions taken in response to the COVID-19 pandemic. She welcomed those in attendance.

Patty Slatter, 702 E. Madison Avenue – She shared a written statement previously with the Council through email. Thanked Council for considering the public health advisory regarding face masks.

Dani Stivarius, Milton Area Chamber of Commerce (MACC) Executive Director – She said she doesn't have an opinion on the face mask advisory or policy for public facilities because she represents all members of her organization. She will forward the decisions the Council makes to MACC members.

Discussion and Possible Action Regarding a Public Mask Advisory for the City of Milton

The Council discussed confusion in the community about this being an advisory and not a mandate or ordinance.

Ald. Clark motioned to approve the Public Health Advisory regarding Face Masks for the City of Milton. Ald. Holbrook seconded, and the motion carried.

Discussion and Possible Action Regarding a Mask Policy for Public Facilities

Kim McDarrison, Milton Courier – She said the story written for the Milton Courier said advisory, not mandate.

Administrator Hulick stated after staff discussions, staff recommends removing the bullet points on the second page referring to CDC recommendations since they may change and to add the Utility lab / office building and other buildings on the Wastewater Treatment Campus to the facilities definition.

Ald. Holbrook motioned to approve the face mask policy for City of Milton public facilities. Ald. Laehn seconded, and the motion carried.

Discussion and possible action on the 2020-2024 Strategic Plan

Director Cushman led the Council in a discussion on the Mission, Vision, and Values for the 2020-2024 Strategic Plan.

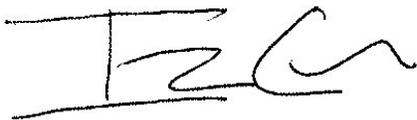
General Items

Ald. Rusch asked if the Council or staff has received any complaints about trees being removed on The Gathering Place property. Staff and Council reported seeing some discussion on social media.

Motion to Adjourn

Ald. Laehn motioned to adjourn the July 28, 2020 meeting of the Common Council at 8:40 p.m. Ald. Holbrook seconded, and the motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'I. Cushman', written over a horizontal line.

Inga Cushman
Administrative Services Director



Office of the City Administrator

To: Mayor Welch, Common Council Members
From: Al Hulick, City Administrator
Date: August 4, 2020
Subject: Discussion and Possible Action Regarding An Amendment to the TIF Development Agreement with Capital Asset Investments, LLC Assigning the Agreement to Caliber Assets, LLC

Summary

The City of Milton entered into a TIF Development Agreement with Capital Asset Investments, LLC for the property located at 1850 Putman Parkway in 2018. Capital Asset Investments has approached the City and asked that the TIF Development Agreement be assigned to Caliber Assets, LLC which will be purchasing the building from Capital Asset Investments. Diamond Assets, the business located within 1850 Putman Parkway will remain.

Staff has prepared an amendment to the TIF Development Agreement assigning all rights and responsibilities of the TIF Development Agreement to Caliber Assets, LLC. All obligations remain in place, and no parameters of the TIF Development Agreement change. Caliber Assets, LLC will still be required to meet the minimum property tax value guarantee for the life of the agreement, and, if satisfied, will receive the annual loan payments from the City of Milton pursuant to the agreement.

Recommendation

The City of Milton Administration, recommends the Common Council approve the TIF Development Agreement Amendment assigning the agreement to Caliber Asset Investments, LLC contingent upon the closing of the sale between the two respective entities.

**AUGUST 4, 2020 AMENDMENT
TO TIF DEVELOPMENT AGREEMENT DATED JUNE 15, 2017
AS AMENDED JUNE 19, 2018**

RECITALS

WHEREAS, a TIF Development Agreement for a Building Project Located in Milton TIF District No. 9 for Development Purposes By and Between City of Milton ("the City") and Backyard Properties of Rock County, LLC ("Backyard Properties"), was entered into by and between the City and Backyard Properties on June 15, 2017 ("the Agreement"); and

WHEREAS, the obligations, rights and benefits accruing to Backyard Properties of Rock County, LLC under the Agreement were transferred to Capital Asset Investments, LLC (Capital Asset) pursuant to the June 19, 2018 Amendment to TIF Development Agreement Dated June 15, 2017; and

WHEREAS, the property which is the subject of the Agreement, is described as Tax Parcel V-23-1469, a.k.a. 1850 Putman Parkway in the City of Milton, Wisconsin ("the Property"); and

WHEREAS, Capital Asset has entered into a Commercial Offer to Purchase with Caliber Assets, LLC (Caliber), pursuant to which Caliber has agreed to purchase the Property; and

WHEREAS, said Offer to Purchase contains a contingency requiring Capital Asset and Caliber to enter into an Agreement with the City whereby Capital Asset and all of its members be released from any and all liability arising under said Agreement, including, but not limited to, any obligation for the repayment of tax equivalent payments as defined in such Agreement, and further providing that Caliber be entitled to any and all benefits under the Agreement, including without limitation, the right to receive any and all payments to Developer due beginning in calendar year 2021 under the City's Loan; and

WHEREAS, pursuant to paragraph IV.C. of the Agreement, in order for the Property to be sold, conveyed, transferred, leased, sub-leased or in any other manor whatsoever alienated, assigned or encumbered, written approval by the City is required and the City is willing to grant such approval.

AGREEMENT

NOW, THEREFORE, it is hereby agreed by and between the City, Capital Asset and Caliber, that the Agreement of June 15, 2017, as amended by the June 19, 2018 Amendment thereto, is hereby further amended as follows:

- A. At such time as title to the Property is transferred to Caliber, Capital Asset and its Members shall be released from the Agreement. Such release shall include, but not be limited to, any actual liability of Capital Asset and its Members, including but not limited to, the tax equivalent payments described in the Agreement.
- B. At such time as title to the Property has been transferred to Caliber from Capital Asset, Caliber shall be deemed to be the Developer under that Agreement and, as such, shall

assume all obligations, rights and benefits accruing to Developer under such Agreement, including without limitation, the right to receive any and all payments due under the City's Loan beginning in calendar year 2021. Caliber will further hold Capital Asset harmless from any and all liability under the Agreement.

- C. At such time as title to the Property has been transferred to Caliber from Capital Asset, paragraph V. K. of the Agreement shall be amended to provide that notice to the Developer shall be addressed as follows:

DEVELOPER: Caliber Assets, LLC
Attn: Gary S. Loos
3911 S. Colorado Trail
Janesville, WI 53546-9548

- D. Except as set forth in paragraphs A. through C. above, the provisions of the Agreement of June 15, 2017 remain in full force and effect.

This Amendment to Development Agreement dated August 4, 2020 is hereby accepted.

Dated this _____ day of _____, 2020.

CALIBER ASSETS, LLC

By: _____
Gary S. Loos, Managing Member

STATE OF WISCONSIN)
) ss.
COUNTY OF ROCK)

Personally came before me this _____ day of _____, 2020, the above-named Gary S. Loos to me known to be the person who executed the foregoing instrument and acknowledged the same in the aforesaid capacities.

Notary Public, Rock County, Wisconsin
My commission expires:_____

This amendment to Development Agreement dated August 4, 2020 is hereby accepted.

Dated this _____ day of _____, 2020.

CAPITAL ASSET INVESTMENTS, LLC

By: _____
Mike McKenna, Member

STATE OF WISCONSIN)
) ss.
COUNTY OF ROCK)

Personally came before me this _____ day of _____, 2020, the above-named Mike McKenna to me known to be the person who executed the foregoing instrument and acknowledged the same in the aforesaid capacities.

Notary Public, Rock County, Wisconsin
My commission expires:_____

This Amendment to Development Agreement dated August 4, 2020 is hereby accepted pursuant to Resolution of the Common Council of the City of Milton the 4th day of August, 2020.

CITY OF MILTON

By: _____
Anissa Welch, Mayor

Attest:

By: _____
Leanne Schroeder, City Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF ROCK)

Personally came before me this _____ day of _____, 2020, the above-named Anissa Welch and Leanne Schroeder, to me known to be the persons who executed the foregoing instrument and acknowledged the same in the aforesaid capacities.

Notary Public, Rock County, Wisconsin
My commission expires:_____



Department of Public Works

To: Mayor Welch, Common Council Members
From: Mark Langer, City Engineer
Date: July 30, 2020
Subject: North Janesville Street Sanitary Sewer – Assessment Considerations

Summary

The Council held a Public Hearing on July 21, 2020 to discuss Final Resolution #2020-20 Regarding Assessments for the Sanitary Sewer Main Installation along North Janesville Street. Public Participation was high with representation by several of the affected property owners. Concerns regarding the cost of the project were raised with the currently designed, bid and awarded project. Specifically residents had concerns regarding the costs of installation of the large diameter sanitary sewer main (10-inch) at a greater depth than what would be required to serve the immediately adjacent residences.

Planning and design for efficient operations, reductions in long term maintenance and maximizing capacity within the existing sewer infrastructure are some of the considerations given to any new sewer project. With proper planning infrastructure improvements installed today will be appropriate for decades. It is normal and good planning to maintain gravity sewer as deep as possible for as long as possible when existing capacity is present. This eliminates the need for future lift stations which generally have a higher installation cost and do have a much higher operational cost to provide sewer service. Additionally one installation to maximize service is preferred compared with a solution now for services to existing residences and future rework at higher costs and added disruptions to the public. Comments provided at the public hearing and the subsequent request by City Council to compare the costs of a sewer of “normal” size and depth with the current design are provided in the analysis below.

Analysis

Sewer design to serve basements generally includes sewer at a depth of approximately ten to twelve feet. Additionally an 8 inch main would be adequate for service to only the existing residences. Note that at this depth the ability to provide gravity sewer service to anything beyond properties within the City limits and immediately adjacent to Janesville Street is very limited. Both of the large undeveloped parcels on each side of house 331 as well as the large flag lot that is adjacent to Janesville Street at the north end of the project could be negatively impacted. All three of these parcels are assessable. It is possible service could be extended from East Sunset to these parcels. However service to all of these parcels would require crossing the flag lot to get to the other parcels. There is no easement or right of way currently in place to locate the utilities to provide service to the west along East Sunset. Additionally it is unlikely that the deep gravity sewer extension can provide service to every part of all of the adjacent lots. Variables such as building type, basements, floor elevations, existing and future ground elevations, etc. would need to be known to answer those specific questions.



The summary below is a breakdown of what costs might be considered if the Utility elected to install a main that is only for use of the existing residences immediately adjacent to the sanitary sewer main. Baseline costs were determined using the average cost of the base bid and alternate.

The first piece of the analysis examined items that might have a change in quantity as a result of a change in the scope of the project. Table 1 provides a summary of these changes.

Table 1 - Quantity Adjustments

ITEM	Unit	Quantity	Change in Cost
BUILDING SERVICE RISER PIPE	VF	-55	\$ (6,600.00)
PAVEMENT RESTORATION (10-INCH REINFORCED CONCRETE PAVEMENT)	SY	-400	\$ (61,016.95)
		Total	\$ (67,616.95)

- Building Service Riser Pipe would most likely not be required so the entire quantity is removed.
- Additional cost savings may also be realized in the concrete pavement replacement. A shallower sewer could eliminate the need for some of the concrete pavement replacement included in the alternate bid by shifting the sewer closer to the retaining wall at the north end of the project. There is a gas main that is also in conflict that we have to avoid that normally would not be present had the sewer been installed prior to other utility construction. The deep sewer will require a wider trench top and require more distance in order to stay away from the retaining wall. It is possible that the lower quantity of concrete pavement could result in a higher per unit cost which could offset some of the decrease.

The second piece of the analysis examined items that might have a change in unit price as a result of a change in the scope of the project. Table 2 provides a summary of these changes.

Table 2 - Unit Price Adjustments

ITEM	Unit	Change in Unit Price	Change in Cost
SANITARY SEWER (OPEN CUT) 10-INCH PVC	LF	\$ (46.33)	\$ (43,740.00)
CONNECTION TO EXISTING SANITARY SEWER MANHOLE	EACH	\$ 3,500.00	\$ 3,500.00
BUILDING SERVICE BRANCH FITTINGS 4-INCH PVC	EACH	\$ (30.00)	\$ (240.00)
SANITARY MANHOLES 4-FEET DIAMETER	EACH	\$ (666.67)	\$ (2,000.00)
GRANULAR BACKFILL (SANITARY SEWER)	LF	\$ (2.00)	\$ (560.00)
GRANULAR BACKFILL (BUILDING SERVICE LINE)	LF	\$ (2.00)	\$ (240.00)
TRAFFIC CONTROL, DETOUR AND PROTECTION	LSUM	\$ (5,700.00)	\$ (5,700.00)
		Total	\$ (48,980.00)

- In speaking with the Contractor the response received indicated a cost of approximately \$70/LF to install a new 8-inch diameter sewer at a depth of approximately ten to twelve feet. This is based on recent costs he has provided for other projects (not in the City of Milton). Note that the cost provided by the contractor is for new gravity sewer that is not being added to existing infrastructure. Additionally a new development will incur other expenses such as street constructions that are included in the cost of the lots or homes.



- The connection to the existing manhole would likely increase in cost due to the need for a drop connection requiring additional manhole cores, fittings, supports, and concrete installation around the drop pipe.
- Building Service Branch Fittings would be smaller so some decrease in cost is likely.
- Sanitary Manholes are shallower so a decrease in cost is likely.
- Trench excavations will be shallower so granular backfill may be less.
- The project construction time could decrease allowing for a shorter duration of the traffic control device installations resulting in lower costs.

In total the approximate reduction of cost would be $\$67,616.95 + \$48,980 = \$116,596.95$. The total assessable footage is approximately 1,687 feet. Therefore the reduction on the assessments might be $\$69.11/\text{LF}$ or nearly 33% of the original estimated assessment/LF cost.

An alternative of rebidding the project was also discussed at the June 16th meeting during bid considerations. While it is possible that providing more time for construction could result in lower construction costs it is also possible that other items arise that increase project costs such as increased material and supplier costs. This project received multiple bids indicating that those contractors did feel they had time available to complete this project during this season.

Recommendation

If the council elects to proceed with assessments of only the “normal” sewer installation costs the assessable project costs would be approximately $\$236,842.05$ or $\$140.40/\text{LF}$. Table 3 below provides the estimated changes to the assessments for each parcel.

Table 3 - Estimated Assessment Changes

Property Address	Parcel	Estimated Lineal ft. Sanitary Sewer	Total Estimated Assessment at \$209.51/LF	Total Estimated Assessment at \$140.40/LF	Change in Estimated Assessment
Lot on N Janesville St	V-23-1147.3	99	\$ 20,741.49	\$ 13,899.60	\$ (6,841.89)
340 N Janesville St	V-23-1147.2	82	\$ 17,179.82	\$ 11,512.80	\$ (5,667.02)
Lot on N Janesville St	V-23-1147.1	134	\$ 28,074.34	\$ 18,813.60	\$ (9,260.74)
362 N Janesville St	V-23-1146	167	\$ 34,988.17	\$ 23,446.80	\$ (11,541.37)
382 N Janesville St	V-23-1145.1	234	\$ 49,025.34	\$ 32,853.60	\$ (16,171.74)
387 N Janesville St	V-23-1143.1	164	\$ 34,359.64	\$ 23,025.60	\$ (11,334.04)
371 N Janesville St	V-23-1143A	184	\$ 38,549.84	\$ 25,833.60	\$ (12,716.24)
Lot on N Janesville St	V-23-1143B	254	\$ 53,215.54	\$ 35,661.60	\$ (17,553.94)
331 N Janesville St	V-23-1139	179	\$ 37,502.29	\$ 25,131.60	\$ (12,370.69)
Lot on N Janesville St	V-23-1138	81	\$ 16,970.31	\$ 11,372.40	\$ (5,597.91)
Lot on N Janesville St	V-23-1138.1	77	\$ 16,132.27	\$ 10,810.80	\$ (5,321.47)
Right of Way Nelson Ave (city owned)		32	\$ 6,704.32	\$ 4,492.80	\$ (2,211.52)



Staff is currently looking into methodology to collect payment on the “extra” sewer installation costs. This could consist of future charges, connection fees or assessments to undeveloped parcels beyond the existing City limits. The final costs would be determined by quantities actually installed however adjustments to assessable costs would be made based on the summary above.

PUBLIC WORKS RESOLUTION #2020-20

Final Resolution Authorizing Special Assessment against Benefitted Properties for the Extension of Sanitary Sewer, Laterals, Main and Appurtances

Whereas, the Common Council of the City of Milton, Wisconsin did adopt a Preliminary Resolution declaring its intent to exercise its police power under Sec. 66.0703, Wis. Stats., pertaining to the below described public improvement project and the directed that a public hearing be held in connection therewith; and

Whereas, such public hearing was held virtually after the filing of the report of the Director of Public Works and after due legal notice of such public hearing was given, all pursuant to Sec. 66.0703, Wis. Stats., on the 21st day of July, 2020 at or about 6:00 PM concerning the Preliminary Resolution and report of the Director of Public Works on the following described public improvement project:

SANITARY SEWER, LATERALS, MAIN AND APPURTANCES INSTALLATION

Property	Approximate Footage
N. Janesville Street	940 Feet

Property Address	Parcel	Estimated Lineal ft. Sanitary Sewer	Total Estimated Assessment
Lot on N Janesville St	V-23-1147.3	99	\$13,899.60
340 N Janesville St.	V-23-1147.2	82	\$11,512.80
Lot on N Janesville St	V-23-1147.1	134	\$18,813.60
362 N Janesville St	V-23-1146	167	\$23,446.80
382 N Janesville St	V-23-1145.1	234	\$32,853.60
387 N Janesville St	V-23-1143.1	164	\$23,025.60
371 N Janesville St	V-23-1143A	184	\$25,833.60
Lot on N Janesville St	V-23-1143B	254	\$35,661.60
331 N Janesville St	V-23-1139	179	\$25,131.60
Lot on N Janesville St	V-23-1138	81	\$11,372.40
Lot on N Janesville St	V-23-1138.1	77	\$10,810.80
Right of Way Nelson Ave (City owned)	n/a	32	\$4,492.80

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Milton as follows:

That the report of the Director of Public Works dated July 8th, 2020, as supplemented by the report of the City Engineer dated July 30, 2020 pertaining to the above-described project is hereby adopted, approved, and incorporated herein. That payment of said improvement be made by assessing the cost to the abutting property owner. Those benefits shown on the report are true and correct, have been determined on a reasonable basis and are hereby confirmed.

The assessments as proposed in the report of the Director of Public Works as supplemented in Table 3 of the report of the City Engineer, as set forth above are adopted and approved as an exercise of the police power of the City.

Assessments may be paid in installments over 5 years with 5% interest. Assessments are deferred until the owner of a parcel connects to the city sanitary sewer system. Assessments deferred due to nonuse will be due at the time of hookup to the city sanitary sewer system; at which time; assessments may be paid in installments over 5 years with 5% interest. Assessments which are not deferred or paid in full would be subject to the following installment arrangement (by the current property owner):

- The balance of the first installment not paid by November 1, 2021 will be certified on the tax roll with administration fee of \$25.00 plus interest.
- The balance of the second installment not paid by November 1, 2022 will be certified on the tax roll with administration fee of \$25.00 plus interest.
- The balance of the third installment not paid by November 1, 2023 will be certified on the tax roll with administration fee of \$25.00 plus interest.
- The balance of the fourth installment not paid by November 1, 2024 will be certified on the tax roll with administration fee of \$25.00 plus interest.
- The balance of the fifth installment not paid by November 1, 2025 will be certified on the tax roll with administration fee of \$25.00 plus interest.

The City Clerk is directed to mail a copy of this Resolution and a statement of the final assessment against the property to every property owner whose name appears on the assessment role whose post office address is known or can with reasonable diligence be ascertained. The City Clerk is further directed to publish this Resolution as a Class 1 notice in the Milton Courier.

Approved this 4th day of August, 2020.

Anissa M. Welch, Mayor

Attest:

Leanne Schroeder, City Clerk



Office of the City Clerk

To: Mayor Welch, City of Milton Common Council
From: Leanne Schroeder, City Clerk
Date: August 4, 2020
Subject: Discussion and Possible Action on Rockie's LLC's application for a Class "B" Retail License – Fermented Malt Beverage and a "Class C" Retail License – Wine

Summary

Rockie's LLC, has held a Class "B" Fermented Malt Beverage and "Class C" Wine license since 2016, but did not submit an application to renew the licenses prior to June 30th. As a result, Rockie's LLC was required to submit an application for new licenses for the 2020-2021 license year.

The new license application submitted by Rockie's LLC provides the same information as prior applications. There are no changes to ownership, agent, or premise.

Staff has completed a background check on Rochelle Thippayoth, as owner and agent. The background check was satisfactory and approved by Chief Marquardt. Staff can confirm Rockie's, LLC meets the qualifications for licenses and permits as contained in Wis. Stats. Sec. 125.04(5).

This application is for a new license, so the new license standards are listed below:

In accordance with Section 14-400 of the City of Milton Code of Ordinances, the Common Council may use the following standards (as applicable) for making a determination on this application:

Section 14-400 Standards for Issuance of Licenses and Permits.

- The qualifications for licenses and permits as contained in Wis. Stats. Sec. 125.04(5).
- History of convictions for alcohol-related offenses.
- History of convictions for controlled substance-related offenses.
- Experience of the applicant and proposed manager in operating licensed establishments.
- The design, type and size of the proposed licensed establishment.
- Proximity to other licensed establishments.
- Compatibility of proposed use with neighborhood.
- Compatibility of proposed use with other properties in the immediate area.
- Zoning and land use considerations including consistency with the comprehensive plan of the city.
- Demonstrable positive economic impact for the city.
- Adequacy of safeguards to prevent theft of alcoholic beverages.
- Adequacy of safeguards to prevent sales of alcoholic beverages to minors.
- The physical condition of proposed licensed premises.
- Adequacy of parking.
- Adequacy of exterior lighting to insure proper security.
- Limitation of licenses or permits imposed by statute.



- Other relevant factors.

In addition to the above factors, the Common Council may also apply Section 14-392(d) of the City of Milton Code of Ordinances when considering the applicant's responsible alcohol sales and service policy:

Section 14-392(d) Adoption of Policy. No license will be issued unless the applicant has adopted a policy relating to responsible alcohol sales and service that includes the following elements:

- Restricts employees from consuming alcohol while working.
- Requires at least one licensed operator on the premises whenever alcohol is sold or served.
- Requires that service be refused to any customer who cannot produce a valid ID.
- Requires checking the ID of everyone who attempts to purchase or sample alcohol who appears to be under 30 years of age.
- Requires that when a customer has been refused service by a server, the server must inform all other servers.
- Requires that servers be trained on the signs of intoxication and encourages termination of sales to anyone who exhibits those signs.
- Requires training employees to look for inappropriate behavior. Does not permit loud, unpleasant or obnoxious behavior or illicit drug sales.
- Encourages employees to maintain a close, cooperative and working relationship with police department.
- Requires training employees to properly read IDs.
- Requires signage stating that purchasing of alcoholic beverages by persons under age 21 is against state law.

Staff has not received any comments or concerns regarding this license application. Notice of this application was published in the Milton Courier on July 23, 2020.

Recommendation

Staff does not offer a recommendation on this license application.



DEPARTMENT PUBLIC WORKS

July 30, 2020

Mayor Welch and Common Council
City of Milton
710 S. Janesville Street
Milton, WI 53563

Subject: 2020 Pavement Preventative Maintenance - Bid Award

Dear Mayor Welch and Council Members:

Two bids were received via QuestCDN vBid on July 30th, 2020 at 1:00 P.M. for the subject project. The Bidders and bid totals are provided below. A bid tabulation is attached.

Bidder	Base Bid	Alternate 1	Alternate 2	Total Bid
Fahrner Asphalt Sealers, LLC	\$118,237.00	\$9,543.00	\$6,973.00	\$134,753.00
Scott Construction, Inc.	\$167,719.00	\$9,650.00	\$14,850.00	\$192,219.00

After analyzing the bids Fahrner Asphalt Sealers, LLC was determined to be the lowest responsive and responsible bidder. The Low bid submitted was approximately 29% below the pre bid estimate of \$173,900.00.

Bid Award Considerations

The bids submitted acknowledged the required items for a responsive bid, including a 5% bid bond. The low bid contractor has also successfully completed past projects for the City of Milton. Based on the above, the low responsive and responsible bidder is Fahrner Asphalt Sealers, LLC with a Total Bid of \$134,753.00.

If you have any questions regarding this letter or the bids received, please feel free to contact me.

Sincerely,

Mark E. Langer, P.E.
City Engineer

C: Howard Robinson, City of Milton, (via e-mail)
Leanne Schroeder, City of Milton, (via e-mail)

2020 Pavement Preventative Maintenance (#7204644)

Owner: Milton WI, City of

Solicitor: Milton WI, City of

07/30/2020 01:00 PM CDT

Section Title	Line Item	Item Code	Item Description	UoM	Quantity	Engineer Estimate		Fahrner Asphalt Sealers, LLC		Scott Construction, Inc	
						Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
BASE BID - CHIP SEAL							\$156,300.00		\$118,237.00		\$167,719.00
	1		1 PARKVIEW DRIVE - MADISON AVENUE TO TOWNLINE ROAD	LSUM	1	\$76,000.00	\$76,000.00	\$50,875.00	\$50,875.00	\$78,093.00	\$78,093.00
	2		2 PARKVIEW DRIVE - PARKING LOT	LSUM	1	\$8,000.00	\$8,000.00	\$6,140.00	\$6,140.00	\$19,950.00	\$19,950.00
	3		3 HOMESTEAD ROAD - GREEN HILL CIRCLE TO CULDESAC	LSUM	1	\$6,100.00	\$6,100.00	\$5,560.00	\$5,560.00	\$7,850.00	\$7,850.00
	4		4 GREEN HILL CIRCLE - HOMESTEAD ROAD TO LARCH LANE	LSUM	1	\$15,200.00	\$15,200.00	\$12,280.00	\$12,280.00	\$13,200.00	\$13,200.00
	5		5 GARDEN LANE - GREEN HILL DRIVE TO TERMINI	LSUM	1	\$4,200.00	\$4,200.00	\$2,800.00	\$2,800.00	\$5,400.00	\$5,400.00
	6		6 WALLACE WAY - GREEN HILL DRIVE TO CULDESAC	LSUM	1	\$4,500.00	\$4,500.00	\$3,632.00	\$3,632.00	\$9,100.00	\$9,100.00
	7		7 RAINBOW DRIVE - HIGH STREET TO PAVEMENT CHANGE	LSUM	1	\$42,300.00	\$42,300.00	\$36,950.00	\$36,950.00	\$34,126.00	\$34,126.00
ALTERNATE BID NO. 1 - ROUTING OF CRACKS, JOINT AND CRACK SEALING							\$9,500.00		\$9,543.00		\$9,650.00
	8		1 PUTMAN PARKWAY - CTH M TO END BEYOND RAIL	LSUM	1	\$2,000.00	\$2,000.00	\$4,233.00	\$4,233.00	\$4,350.00	\$4,350.00
	9		2 MERCHANT ROW - VERNAL AVE TO PAVEMENT CHANGE	LSUM	1	\$1,500.00	\$1,500.00	\$690.00	\$690.00	\$750.00	\$750.00
	10		3 MERCHANT ROW - ALL PARKING LOTS	LSUM	1	\$2,000.00	\$2,000.00	\$300.00	\$300.00	\$550.00	\$550.00
	11		4 YMCA PARKING LOT (PARKVIEW DRIVE)	LSUM	1	\$4,000.00	\$4,000.00	\$4,320.00	\$4,320.00	\$4,000.00	\$4,000.00
ALTERNATE BID NO. 2 - ROUTING OF CRACKS, JOINT AND CRACK SEALING							\$8,100.00		\$6,973.00		\$14,850.00
	12		1 CHICAGO STREET - JANESVILLE STREET TO HIGH STREET	LSUM	1	\$1,200.00	\$1,200.00	\$2,400.00	\$2,400.00	\$5,350.00	\$5,350.00
	13		2 NEUMANN COURT - ST. MARY STREET TO CULDESAC	LSUM	1	\$800.00	\$800.00	\$360.00	\$360.00	\$900.00	\$900.00
	14		3 EVERGREEN LANE - END TO END	LSUM	1	\$3,000.00	\$3,000.00	\$2,400.00	\$2,400.00	\$5,250.00	\$5,250.00
	15		4 CAPMAN STREET - ELM STREET TO VINCENT STREET	LSUM	1	\$900.00	\$900.00	\$348.00	\$348.00	\$750.00	\$750.00
	16		5 AGNEW DRIVE - ROMAR DRIVE TO END	LSUM	1	\$400.00	\$400.00	\$300.00	\$300.00	\$350.00	\$350.00
	17		6 DICKHOFF DRIVE - ROMAR DRIVE TO END	LSUM	1	\$500.00	\$500.00	\$540.00	\$540.00	\$750.00	\$750.00
	18		7 4TH LANE - VERNAL AVENUE TO MADISON AVENUE	LSUM	1	\$700.00	\$700.00	\$375.00	\$375.00	\$1,000.00	\$1,000.00
	19		8 2ND LANE - VERNAL AVENUE TO MADISON AVENUE	LSUM	1	\$600.00	\$600.00	\$250.00	\$250.00	\$500.00	\$500.00
TOTAL BID:							\$173,900.00		\$134,753.00		\$192,219.00



Milton Police Department

To: Milton Common Council
From: Scott Marquardt, Chief of Police
Date: July 31, 2020
Subject: Discussion and Possible Action Regarding Revisions to Semi Parking Ordinance 2020-478

Summary

These ordinance changes are returning for a second reading.

In the first revision presented to you on July 21, 2020, this language was proposed in both areas of the ordinance we wish to edit: "...trucks 12,000 pounds or more gross weight ..."

In accordance with the discussion with the Council on July 21, 2020, we now suggest that the proposed language be further edited from "trucks 12,000 pounds or more gross weight" to "commercial motor vehicles 12,000 pounds or more gross weight". This more explicitly defines the type of vehicles that may not be colloquially considered trucks, but should be restricted if over 12,000 pounds or more gross weight (cement mixers, large cargo vans, cranes, etc.). It also exempts personal vehicles like large diesel pick-up trucks that may be close to 12,000 pounds, but aren't intended to be restricted by this ordinance.

Recommendation:

City Staff recommends passage of the proposed ordinance revisions.

ORDINANCE NUMBER 2020-478
AN ORDINANCE AMENDING SECTION 70-154 (c) AND SECTION 70-183 (b)
OF THE CODE OF ORDINANCES OF THE CITY OF MILTON

WHEREAS, in 2019 the common council having amended the Code of Ordinances to further regulate the parking of large trucks including truck tractors and tractor semitrailer combinations to address the safety concerns arising from the vision obstruction caused by the parking of such large vehicles on city streets and the damage caused to city streets not constructed for such heavy traffic; and

WHEREAS, the common council did provide an area within the city for the overnight parking of truck tractors only on a city street to address the needs of city residents who are employed to drive such vehicles; and

WHEREAS, after a year of administering the ordinances, the Police Department of the City of Milton having recommended further modifications to the ordinances to clarify the restrictions on the parking of large trucks on city streets including providing the ability to park not only truck tractors but also tractor semitrailer combinations in the area designated by the common council for overnight parking of truck tractors and to further clarify that such restrictions also apply to commercial motor vehicles such as dump trucks 12,000 pounds or more in gross weight.

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

Section I. Section 70-154 (c) of the Code of Ordinances of the City of Milton is amended to read as follows:

- (c) No person shall use public parking places for storage purposes. As used in this section, the term "storage" means space for sale purposes, or for storage for hire of any kind or for any other purpose than that of ordinary use for travel. Storage and parking of nonmotorized items whether or not connected to a motor vehicle such as boats, campers, boat trailers, recreational trailers, work trailers and other similar nonvehicle items is prohibited on streets and in public spaces for more than 48 hours in a seven-day period. Parking of truck tractors, semitrailers and commercial motor vehicles 12,000 pounds or more gross weight is prohibited on streets and public spaces except as otherwise provided in Sec. 70-183(b). This section shall not apply to motor vehicles parked immediately adjacent to business places while merchandise is actually being loaded or unloaded. Emergency parking and storage must be approved by the police department.

Section II. Section 70-183 (b) of the Code of Ordinances of the City of Milton is hereby amended to read as follows:

- (b) This division shall not prohibit the parking of truck tractors, tractor semitrailer combinations or commercial motor vehicles 12,000 pounds or more gross weight on Commerce Way, provided that such parking shall be restricted to no more than 48 hours in a 7 day period.

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

Approved by the Common Council of the City of Milton this _____ day of _____, 2020.

CITY OF MILTON

Anissa Welch, Mayor

Attest:

Leanne Schroeder, Clerk

1st Reading: 7/21/2020

2nd Reading: _____

3rd Reading: _____

Date Adopted: _____

Date Published: _____

Effective Date: _____

Effect of Ordinance: Clarifies that truck tractors and all commercial motor vehicles 12,000 pounds or more gross weight are prohibited from long-term parking on city streets and public spaces. Also clarifies that tractor semitrailers combinations and commercial motor vehicles 12,000 pounds or more gross weight may also park overnight on Commerce Way subject to the restrictions provided for such parking.

