

Council

05/14/13

OFFICIAL NOTICE OF MEETING  
OF THE  
MAUSTON COMMON COUNCIL  
6:30PM  
MAY 14, 2013  
MAUSTON CITY HALL COUNCIL CHAMBERS  
303 MANSION STREET

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Discussion and Action Regarding Minutes of April 23, 2013, Meeting
4. Citizens Address to the Council  
When addressing the council, please step to the podium and state your full name and full address
5. Discussion and Action Regarding Temporary Amendment to Liquor License – Carl’s Bright Spot
6. Finance Committee Report
  - a. Discussion and Action Regarding Vouchers
7. Ordinance Committee Report
  - a. Ordinance 2013-1055 Ordinance 2013-1055 Ordinance Dissolving the Community Development Committee Second Reading
  - b. Discussion and Action Regarding Ordinance 2013-1055
  - c. Ordinance 2013-1056 Ordinance Amending Fire Inspection and Enforcement Ordinances Second Reading
  - d. Discussion and Action Regarding Ordinance 2013-1056
  - e. Ordinance 2013-1057 Ordinance Amending Special Assessment Ordinance Second Reading
  - f. Discussion and Action Regarding Ordinance 2013-1057
8. Library Board Report
9. Board of Park Commissioners Report
10. Mayor’s Report
  - a. Appointments
11. City Administrator’s Report
  - a. Discussion and Action Regarding Contracting with Essex – CVN (Community Venture Network) Agreement
  - b. TIF Plan Review
12. Closed Session Pursuant to Wisconsin State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session
  - a. Economic Development Land Transactions
13. Reconvene In Open Session
14. Possible Discussion and Action as Result of Closed Session Matters
15. Adjourn

**OFFICIAL MINUTES OF MEETING  
OF THE  
MAUSTON COMMON COUNCIL  
APRIL 23, 2013**

**Call to Order/Roll Call** The Mauston Common Council met in regular session on Tuesday, April 23, 2013, in the Council Chambers of Mauston City Hall. Mayor Brian McGuire called the meeting to order at 6:35pm. Members present were Michel Messer, Dennis Nielsen, Dan May, Francis McCoy, Steve Leavitt, Rick Noe, and Floyd Babcock. Also present were City Administrator Nathan Thiel, Police Chief Mark Messer, Public Works Director Rob Nelson, City Attorney Rebecca Richards-Bria, and Administrative Assistant Diane Kropiwka.

**Pledge of Allegiance** McGuire led the pledge of allegiance

**Minutes** Nielsen/May to approve the minutes of the April 9 and April 16, 2013, meetings. Motion carried by voice vote.

**Operator's License** Babcock/Messer to approve a new operator's license for Ashley S. Herritz. Motion carried by voice vote.

**Citizens Address to the Council** None

**Public Works Committee Report**

**Chair and Recording Secretary** Noe reported that he had been elected to serve as committee chair and Rob Nelson was serving as recording secretary.

**Purchase of Truck** Noe/McCoy to purchase the Peterbilt truck in the amount of \$88,550.00. Motion carried unanimously by roll call vote.

**Special Assessment Adjustment Request** Noe/McCoy to reduce the Mansion Street Assessment for St. Patrick's Church to the residential amount, as per past practice. Motion carried unanimously by roll call vote.

**Well #3 Inspection and Maintenance** tabled to a future date.

**Director of Public Works Report** Nelson reported that Spring Clean-up is next week; both electronic and Freon containing items must have a sticker that can be purchased at City Hall. The Mansion Street project has started; project updates and information will be posted on the City website [www.mauston.com](http://www.mauston.com). The Highway 82/58 redesignation and roundabout work will begin on May 20, 2013.

**Finance and Purchasing Committee Report**

**Chair and Recording Secretary** Nielsen reported that he had been elected to serve as committee chair and Messer was elected to serve as recording secretary.

**Vouchers** Nielsen/May to approve vouchers in the amount of \$269,701.35. Motion carried unanimously by roll call vote.

**Write-Off of Uncollected Personal Property Tax** Messer/May to recommend to write-off \$2943 of delinquent Personal Property Tax for America's Best Value Inn/Alaskan Motel. Motion carried unanimously by roll call vote.

**Write-Off of Uncollected Emergency Response Fee** Committee directed the matter be presented to the PFC.

**Resolution 2013-08 Resolution Authorizing the City of Mauston to Join the Central Wisconsin Regional Loan Fund** Nielsen/Messer to adopt Resolution 2013-08. Motion carried by voice vote.

**Space Needs Study** Nielsen/May to contract with MSA-Professional Services to conduct a space needs study for the administrative building in an amount not to exceed \$5,000. Motion carried unanimously by roll call vote.

#### **Ordinance, Licenses and Permits Committee Report**

**Committee Chair and Recording Secretary** McCoy reported that he had been elected to serve as committee chair and Leavitt was elected to serve as recording secretary.

**Recommendation Regarding Ordinance Amendments** McCoy reported that the committee recommends adoption of the three ordinances presented on the agenda.

**Ordinance 2013-1055 Ordinance Dissolving the Community Development Committee** The first reading was accomplished.

**Ordinance 2013-1056 Ordinance Amending Fire Inspection and Enforcement Ordinances** The first reading was accomplished.

**Ordinance 2013-1057 Ordinance Amending Special Assessment Ordinance** The first reading was accomplished.

**Plan Commission Report** McGuire reported that a public hearing was held for the Lenorud's Services Transfer Station project; Kwik Trip Gateway Ave (Hwy 82) location has requested to amend their conditional use permit for additional work.

**Police Chief's Report** Messer reported one of the squads struck a deer, repairs are pending. Cantor, the K-9 unit, and Officer Sanner are in their last phase of training; it will be completed in four weeks.

#### **Mayor's Report**

**Mayoral Proclamation – National Volunteer Week** McGuire read the proclamation and thanked all local volunteers who work for the betterment of the community.

#### **Administrator's Report**

**Strategic Plan Update** Thiel reported that the second Council meeting of May will incorporate a report on the progress of last year's strategic plan and the strategic planning session for 2013-14.

**City Council Meeting Recordings** Thiel announced that the council meetings are now available as video on the City website [www.mauston.com](http://www.mauston.com).

**Closed Session** Noe/McCoy to go into closed session pursuant to Wisconsin State Statute 19.85(1)(e). Motion carried unanimously by roll call vote. Council went into closed session at 7:00pm.

**Adjourn** Leavitt/Messer to adjourn. Motion carried by voice vote. With nothing to report in open session, the meeting adjourned at 8:00pm.

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Nathan R. Thiel, City Administrator

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Date

# TEMPORARY AMENDMENT FOR MAY 25, 2013

## ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning May 25 20 13 ;  
ending May 26 20 13

TO THE GOVERNING BODY of the:  Town of } Mausk  
 Village of }  
 City of }

County of Juneau Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Carl's Bright Spot LLC - Robert Householder

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member			
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent			
Directors/Managers			

3. Trade Name Carl's Bright Spot LLC Business Phone Number 847-4002  
4. Address of Premises 419 E. State St. Post Office & Zip Code Milwaukee WI 53948

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No  
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?  Yes  No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No  
8. (a) Corporate/limited liability company applicants only: Insert state \_\_\_\_\_ and date \_\_\_\_\_ of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No  
*(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)*

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) \_\_\_\_\_

10. Legal description (omit if street address is given above): \_\_\_\_\_  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No  
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]  Yes  No  
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

**SUBSCRIBED AND SWORN TO BEFORE ME**

this 15 day of April, 20 13  
Renee Hight - City Clerk  
(Clerk/Notary Public)

Robert K Householder  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

My commission expires \_\_\_\_\_

\_\_\_\_\_  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <u>4/1/13</u>	Date reported to council <u>5/14/13</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Temporary Amendment  
for

May 25, 2013 - May 26, 2013

to include vacant lot behind  
existing building - approx  
100' x 150' @ 419 E. State St.

Fenced in area

Cancer benefit under Linda  
Householder

Per Chief as  
long as it's  
fenced in doesn't  
have an issue  
5/1/13

**FINANCE AND  
PURCHASING  
COMMITTEE  
ITEMS**

**May 14, 2013**

ACH payments & checks # 48776 –48896

04/20/2013 – 05/10/2013

Total = \$455,891.35

Plus

Payroll = \$ 41,056.47

**Total to approve \$496,947.82**

## CITY OF MAUSTON POOLED CASH

## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
CC	4/26/2013	BMO CC Processing Center	889.68
	Manual Check	March Charges	
DEF	5/03/2013	Great West Deferred Comp	450.00
	Manual Check	PAYROLL MAY 3	
FED	5/03/2013	Federal Tax Withholding	13,637.94
	Manual Check	PAYROLL MAY 3	
WIS	5/03/2013	Wis Tax Withholding	2,916.52
	Manual Check	Payroll for May 3,2013	
AFLA	5/10/2013	Aflac Insurance	1,009.89
	Manual Check	Aflac Deducts Payable	
ALLI	5/03/2013	Alliant 610701-001	44.58
	Manual Check	Herriot Drive well	
ALLI	5/03/2013	Alliant 601820-001	9.86
	Manual Check	well	
ALLI	5/03/2013	Alliant 430527-010	913.01
	Manual Check	Well #3 ELECTRIC	
ALLI	5/03/2013	Alliant 165556-010	124.68
	Manual Check	Jones Park	
ALLI	5/03/2013	Alliant 130475-010	40.18
	Manual Check	Parks - Ball Field	
ALLI	5/03/2013	Alliant 107380-010	12.94
	Manual Check	Flag pole	
ALLI	5/03/2013	Alliant 243398-010	52.91
	Manual Check	CTY RD Q SWG	
ALLI	5/03/2013	Alliant 579989-001	1.31
	Manual Check	FIRE SIREN ON WEST AVE	
ALLI	5/03/2013	Alliant 680069-001	38.25
	Manual Check	VINE ST	
ALLI	5/03/2013	Alliant 463405-010	46.32
	Manual Check	ELM ST SWG	
ALLI	5/03/2013	Alliant 559413-001	128.48
	Manual Check	TENNIS COURT ON DIVISION	
ALLI	5/03/2013	Alliant 534405-001	139.97
	Manual Check	LIFT STATION ON S UNION	
ALLI	5/03/2013	Alliant 650205-001	144.43
	Manual Check	Street lights on North Union	
ALLI	5/03/2013	Alliant 418552-010	10.07
	Manual Check	lift on Monroe Street	

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## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
ALLI	5/03/2013	Alliant 220526-010	41.13
	Manual Check	Monroe St SWG	
ALLI	5/03/2013	Alliant 559382-001	348.75
	Manual Check	Street lights	
ALLI	5/03/2013	Alliant 317395-010	828.19
	Manual Check	Kennedy St Well #5	
ALLI	5/03/2013	Alliant 202353-010	128.07
	Manual Check	Roosevelt Rd SWG	
ALLI	5/03/2013	Alliant 716623-001	315.26
	Manual Check	New Street lights on 82 and Lincoln	
ALLI	5/03/2013	Alliant 704791-001	82.18
	Manual Check	Kiosk Electric	
ALLI	5/03/2013	Alliant 663316-010	37.19
	Manual Check	Street lights on Kennedy	
ALLI	5/03/2013	Alliant 126485-010	10.80
	Manual Check	Streets = Dam	
ALLI	5/03/2013	Alliant 619934-001	281.12
	Manual Check	chemical building 12/16	
ALLI	5/03/2013	Alliant 579987-001	1.31
	Manual Check		
ALLI	5/03/2013	Alliant 107358-010	1,868.27
	Manual Check	Admin Electricity 55%	
ALLI	5/10/2013	Alliant 265367-010	4,634.66
	Manual Check	Street Lights	
ALLI	5/10/2013	Alliant 127355-010	36.92
	Manual Check	Remington Road SWG	
ALLI	5/10/2013	Alliant 360392-010	239.30
	Manual Check	Liberty Street SWG	
ALLI	5/10/2013	Alliant 558889-010	33.11
	Manual Check	Dockstader Street	
ALLI	5/10/2013	Alliant 715891-001	229.98
	Manual Check	Street lights at Union & La Crosse	
CITY	5/06/2013	City of Mauston	1,829.66
	Manual Check	May payment	
DEBT	4/29/2013	US BANK TRUST SERVICES	180,092.67
	Manual Check	CWF LOAN PAYMENT - WIRED	
DEBT	5/01/2013	USDA-Rural Development	51,280.00
	Manual Check	May 1st Debt Service ACH 92-04 loan Sew	

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## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
DEBT	5/01/2013	Bank of Mauston	68,378.75
	Manual Check	ACH May 1 Debt Sewer Bond	
DEBT	4/29/2013	US BANK TRUST SERVICES	0.03
	Manual Check	addtnl amount due	
FRON	5/10/2013	Frontier 608-847-6676	1,001.34
	Manual Check	Streets 10%	
FRON	5/10/2013	Frontier 608-847-4333	42.53
	Manual Check	Fire Dept Fax	
FRON	5/10/2013	Frontier 262-000-9912 Fire Whistle	29.00
	Manual Check	Fire Whistle	
FRON	5/10/2013	Frontier 608-847-4070	173.47
	Manual Check	Water -847-4070	
FRON	5/10/2013	Frontier 608-847-5610	40.92
	Manual Check	Water computer	
KWIK	5/10/2013	Kwik Trip, INC	16.12
	Manual Check	ice for shipping tests	
48336	5/10/2013	Concept Printing (CPC)	-652.00
	Manual Check	void lost check and reissue	
48776	4/24/2013	Juneau County Register of Deeds	25.00
		Easement for TIF 2 Industrial Park Basin	
48777	4/24/2013	Juneau County Register of Deeds	150.00
		6 easements for Riverside Park Proj	
48778	4/24/2013	Juneau County Register of Deeds	35.00
		addtnl money due	
48782	5/03/2013	Associated Appraisal	1,705.63
		Inv 14980 and 14979	
48783	5/03/2013	B & M Technical Services, INC	276.00
		inv 2342	
48784	5/03/2013	Boberg's Gas & Go	1,054.10
		April PD fuel	
48784	5/10/2013	Boberg's Gas & Go	-1,054.10
	Manual Check	void	
48785	5/03/2013	Bruce Municipal Equip, INC	214.68
		Invoice 5131389,5131471,5131496	
48786	5/03/2013	BTU Management, INC	895.32
		inv 95025	
48787	5/03/2013	Capital Newspapers 2518440	106.95
		INV 1014059,1015208	

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## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
48788	5/03/2013	Car Quest March	75.28
48789	5/03/2013	Castle Rock Graphix, LLC inv 194409	505.00
48790	5/03/2013	Central Insurance Services, INC SETH'S BOND POLICY	100.00
48791	5/03/2013	Croell Redi-Mix Invoice 757468	188.50
48792	5/03/2013	Eagle Promotions, INC Invoice	23.50
48793	5/03/2013	Festival Foods Statement	80.68
48794	5/03/2013	Frontier 847-7048 Kiosk and Toll Free 800 608-847-7048	93.88
48795	5/03/2013	GCR Tire Centers police dept tires	191.42
48796	5/03/2013	Hatch Building Supply Co., INC inv 192968	99.00
48796	5/10/2013 Manual Check	Hatch Building Supply Co., INC void check	-99.00
48797	5/03/2013	Hawkins, INC. Inv 3457750	5,313.35
48798	5/03/2013	HD Supply Waterworks Inv 8175238	673.20
48799	5/03/2013	Hess Memorial Hospital Assn. 9/1/2012	81.45
48800	5/03/2013	Holiday Wholesale invoice 6546754	249.16
48801	5/03/2013	J & M Collision Center invoice 33293	49.95
48802	5/03/2013	John Deere Financial April statement	707.88
48803	5/03/2013	Juneau County Treasurer refund over payment check #184822	1,430.17
48804	5/03/2013	Krus Extinguishers, LLC Annual Fire Ext check	343.25
48805	5/03/2013	Lampert Yard, INC Ball Dugout Construction Materials	4,503.34

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Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
48806	5/03/2013	Lampert Yard, INC April statement	457.43
48807	5/03/2013	Lampert Yard, INC April Statement	77.05
48808	5/03/2013	LEMONWEIR VALLEY TELEPHONE CO INV FOR CITY HALL AND PW INTERNET	87.95
48809	5/03/2013	Lenorud Services, INC. Garbage pick up for April	11,937.50
48810	5/03/2013	LINE-X of Southwestern Wisconsin, INC Inv 08782	499.00
48811	5/03/2013	LINGL, GALEN Expenses to conference	124.00
48812	5/03/2013	Mauston Tru Value, INC APRIL STATEMENT	474.60
48813	5/03/2013	Mid-American Research Chemicals Invoice 494917	98.13
48814	5/03/2013	Midwest Radar & Equipment inv 149186 Certify Radar x 4	160.00
48815	5/03/2013	MSA Professional Services, Corp. Invoice 30 Proj R00044018.00	978.78
48816	5/03/2013	Nyen, Darrel telephone system work	255.00
48817	5/03/2013	Office Depot Misc invoices	208.01
48818	5/03/2013	Ray's Shoes inv 4/22	100.00
48819	5/03/2013	Sal's Truck Repair invoice 25776	23.92
48820	5/03/2013	SHRED-IT WI inv 8115056	49.00
48821	5/03/2013	Staples Advantage misc invoices	85.40
48822	5/03/2013	Sun Life Financial May coverage	263.89
48823	5/03/2013	Taser International INVOICE 1318736	543.76
48824	5/03/2013	Thiel, Nathan EXPENSES	407.04

## CITY OF MAUSTON POOLED CASH

## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
48825	5/03/2013	Trophy Place, The Invoice 35597	7.38
48826	5/03/2013	United Auto Supply, INC APRIL CHARGES	114.59
48827	5/03/2013	US Cellular INVOICE 277409980-189	6.51
48828	5/03/2013	US Cellular iNVOICE 209436666-057	309.23
48829	5/03/2013	USA Blue Book Corp invoice 935836	1,052.00
48830	5/03/2013	USDA-Rural Development Extra Principle payment loan 92-04	18,750.00
48831	5/03/2013	VSP Wisconsin Vision Service Plan May coverage	748.77
48832	5/10/2013	Allied Cooperative April Statement	2,178.96
48833	5/10/2013	Best Service, LLC invoice 116859	88.53
48834	5/10/2013	Best Service, LLC inv 117177	88.53
48835	5/10/2013	Bires Business Solutions 70	2,430.00
48836	5/10/2013	Boberg's Gas & Go April Police Dept	154.10
48837	5/10/2013	Broske, David November 2012 - April 2013	112.50
48838	5/10/2013	Capital Newspapers 2518440 publications	95.42
48839	5/10/2013	Carroll Surveying & Engineering Recorded CSM for Hansen St (Lenorud) pur	1,380.00
48840	5/10/2013	Concept Printing (CPC) Invoice 1202852 and 1203042	652.00
48841	5/10/2013	Crandall, Andy November 2012 - April 2013	112.50
48842	5/10/2013	Croell Redi-Mix inv 326308	188.50
48843	5/10/2013	DWD-UI April UE	952.49

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## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
48844	5/10/2013	Festival Foods Restitution	231.20
48845	5/10/2013	General Engineering April inspections	2,238.08
48846	5/10/2013	Hammer, Jack November 2012 - April 2013	112.50
48847	5/10/2013	Hatch Building Supply Co., INC frt on invoice 192968	26.25
48848	5/10/2013	Hatch Public Library Restitution	86.98
48849	5/10/2013	Hawkins, INC. ALUMINUM SULFATE INVOICE 3460832	5,353.92
48850	5/10/2013	Juneau County / Muni Fines April FINES FEES	316.80
48851	5/10/2013	JUNEAU COUNTY FAIR BOARD 2011 Electricity	165.90
48852	5/10/2013	Juneau County Treasurer	106.03
48853	5/10/2013	Kolba, James November 2012 - April 2013	112.50
48854	5/10/2013	Krus Extinguishers, LLC FIRE DEPARTMENT Inv 428 (16)	84.75
48855	5/10/2013	Mauston Plumbing INC Inv 24357 Fittings for pump	209.62
48856	5/10/2013	Mauston Tru Value, INC Invoice 207901,209120	29.33
48857	5/10/2013	Oakdale Electric Cooperative Electric	1,391.38
48858	5/10/2013	Rhyme Business Products Admin	1,024.00
48859	5/10/2013	Richards - Bria Law Office April Legal Fees	2,009.47
48860	5/10/2013	SAFETY FIRST, INC Inv 22391 Semi Annual Calibration Monitr	150.00
48861	5/10/2013	SMART, BETTE November 2012 -- April 2013	150.00
48862	5/10/2013	SMCpros down payment on internet marketing	5,000.00

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## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
48863	5/10/2013	Spee-Dee Delivery Service, Inc. sewer testing	124.43
48864	5/10/2013	Staples Advantage Inv 3198176934 blue data binders	155.99
48865	5/10/2013	State of WI - Court Fines & Surcharges State portion of April fines collected	1,099.54
48866	5/10/2013	Traffic & Parking Control Co., INC frt on square posts Inv 418934	84.22
48867	5/10/2013	Tumbleweed Press Inc. balance due on 44856	60.00
48868	5/10/2013	Village of Necedah Necedah Portion of fines April	365.00
48869	5/10/2013	Western Technical College CPR cards for Fire Department	125.00
48870	5/10/2013	Accucut Systems INC Inv 12211642 Office Equip	212.50
48871	5/10/2013	Audio Editions Inv 1448495 Adult audio	55.98
48872	5/10/2013	Baker & Taylor, INC Adult books	538.16
48873	5/10/2013	Baker & Taylor, INC Childrens books	158.91
48874	5/10/2013	Capital Newspapers 501357 misc	446.88
48875	5/10/2013	Demco, INC Inv 4946006 Book Processing	53.21
48876	5/10/2013	Falls Taxi, INC April funding	8,133.63
48877	5/10/2013	Findaway World, LLC Inv 95717 Office Equip	224.17
48878	5/10/2013	Gale Group Inv 99091258,99200564	366.10
48879	5/10/2013	Gray's Computer Solutions, LLC Inv 2904 Access for voicemail	763.75
48880	5/10/2013	Gray's Electric, LLC Inv 13608 Repairs at Library	154.00
48881	5/10/2013	Hall Tree Service 4 trees on Sudahl road	1,700.00

## CITY OF MAUSTON POOLED CASH

## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

Check Nbr	Check Date	Payee	Amount
48882	5/10/2013	Hartje Lumber Inc Inv 105788 Door Sweep	2,206.90
48883	5/10/2013	Hawkins, INC. Inv 3462297	2,487.00
48884	5/10/2013	Juneau County Highway Department Police dept	1,749.24
48885	5/10/2013	Kids Reference Company, INC Inv 04-466	89.07
48886	5/10/2013	Midwest Tape Inv 90908751,90908753	354.74
48887	5/10/2013	MSA Professional Services, Corp. Inv 12 R00044035.0	1,371.26
48888	5/10/2013	MSA Professional Services, Corp. Inv 9 R00044031.0	7,781.30
48889	5/10/2013	Pumpkin Books, INC Inv 51321A Childrens books	132.95
48890	5/10/2013	Rainbow Book Company Inv 10153 Childrens books	1,033.48
48891	5/10/2013	Recorded Books, LLC Inv 74720630 Adult audio	321.80
48892	5/10/2013	Rhyme Business Products Inv 13579469	488.50
48893	5/10/2013	Scholastic Library Publishing Inv 6546965 Childrens books	596.06
48894	5/10/2013	Showcases Inv 272628,272150,272234 CD&DVD cases	7,058.86
48895	5/10/2013	Winning Traditions, LLC Inv 1684 Adult Visual	97.50
48896	5/10/2013	Wisconsin State Journal account 190-00066928	271.70
Grand Total			455,891.35

## CITY OF MAUSTON POOLED CASH

## Accounting Checks

Posted From: 4/20/2013 From Account:  
Thru: 5/10/2013 Thru Account:

	Amount
Total Expenditure from Fund # 100 - General Fund	69,224.07
Total Expenditure from Fund # 109 - Cemetery	304.80
Total Expenditure from Fund # 250 - Library Fund	13,467.40
Total Expenditure from Fund # 270 - Room Tax Fund	7,877.99
Total Expenditure from Fund # 280 - Taxi Fund	8,133.63
Total Expenditure from Fund # 320 - TIF #2	70.00
Total Expenditure from Fund # 400 - Capital Projects Fund	17,259.85
Total Expenditure from Fund # 610 - Water Utility Fund	6,862.71
Total Expenditure from Fund # 620 - Sewer Utility Fund	332,427.01
Total Expenditure from Fund # 710 - Risk Management	263.89
Total Expenditure from all Funds	455,891.35

	2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
Mayor & Council	2,715.33	24,740.31	68,808.00	44,067.69	35.96
Administration	13,091.35	219,671.83	464,092.30	244,420.47	47.33
Other Non City Groups	750.00	30,110.50	41,110.00	10,999.50	73.24
Peg - Communications	1,966.47	23,139.68	65,401.00	42,261.32	35.38
Zoning	3,978.95	25,934.31	74,618.00	48,683.69	34.76
Police Department	28,379.97	288,161.19	837,405.00	549,243.81	34.41
Fire Department	2,461.01	12,099.25	371,854.00	359,754.75	3.25
Streets	22,379.45	213,440.57	692,583.00	479,142.43	30.82
Water	13,416.96	134,200.37	384,742.97	250,542.60	34.88
Sewer	102,834.57	293,911.73	789,195.06	495,283.33	37.24
Summer Rec	534.46	536.29	52,324.00	51,787.71	1.02
=====					
Total Expenses	192,508.52	1,265,946.03	3,842,133.33	2,576,187.30	32.95
=====					
Net Totals	-192,508.52	-1,265,946.03	-3,842,133.33	-2,576,187.30	32.95

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
100-00-51110-110-000	M & C Salary/Wages	723.06	6,507.54	19,670.00	13,162.46	33.08
100-00-51110-130-000	M & C FICA/Medicare	55.36	567.76	1,438.00	870.24	39.48
100-00-51110-160-000	M & C Employee Recog	23.50	95.10	2,200.00	2,104.90	4.32
100-00-51110-211-000	M & C Auditing	0.00	6,800.00	13,500.00	6,700.00	50.37
100-00-51110-212-000	M & C Assessing	1,705.63	9,216.66	25,000.00	15,783.34	36.87
100-00-51110-213-000	M & C Legal	182.94	613.80	2,000.00	1,386.20	30.69
100-00-51110-312-000	M & C Code Maintenance	0.00	0.00	200.00	200.00	0.00
100-00-51110-313-000	M & C Elections	24.84	576.51	1,500.00	923.49	38.43
100-00-51110-330-000	M & C Educ/Trng/Travel	0.00	0.00	1,500.00	1,500.00	0.00
100-00-51110-390-000	M & C Miscellaneous	0.00	244.80	1,800.00	1,555.20	13.60
100-00-51110-591-000	M & C Bad Debt & Write offs	0.00	118.14	0.00	-118.14	0.00
<b>Mayor &amp; Council</b>		<b>2,715.33</b>	<b>24,740.31</b>	<b>68,808.00</b>	<b>44,067.69</b>	<b>35.96</b>
100-00-51400-110-000	Admin Salary/Wages	7,106.06	64,968.01	190,424.00	125,455.99	34.12
100-00-51400-130-000	Admin FICA/Medicare	513.27	4,691.23	14,613.00	9,921.77	32.10
100-00-51400-131-000	Admin Health Ins	0.00	18,741.04	56,224.00	37,482.96	33.33
100-00-51400-132-000	Admin FSA Contribution	152.35	1,408.87	4,200.00	2,791.13	33.54
100-00-51400-133-000	Admin Dental Ins	0.00	1,531.60	4,235.00	2,703.40	36.17
100-00-51400-134-000	Admin Vision Ins	95.89	479.45	1,151.00	671.55	41.66
100-00-51400-135-000	Admin WI Retirement	945.11	8,569.74	22,158.00	13,588.26	38.68
100-00-51400-210-000	Admin Prof Services	0.00	400.00	1,000.00	600.00	40.00
100-00-51400-213-000	Admin Legal	0.00	826.84	5,000.00	4,173.16	16.54
100-00-51400-216-000	Admin Hiring	0.00	0.00	1,000.00	1,000.00	0.00
100-00-51400-221-000	Admin Electricity	783.29	3,040.11	11,000.00	7,959.89	27.64
100-00-51400-222-000	Admin Gas/Heat	278.18	1,997.38	3,600.00	1,602.62	55.48
100-00-51400-223-000	Admin Water/Sewer	537.74	2,199.45	8,000.00	5,800.55	27.49
100-00-51400-224-000	Admin Telephone/Fax	400.54	1,751.13	6,500.00	4,748.87	26.94
100-00-51400-240-000	Admin Building Maint	85.08	3,427.52	3,500.00	72.48	97.93
100-00-51400-290-000	Admin Contract Services	49.00	541.52	1,000.00	458.48	54.15
100-00-51400-310-000	Admin Office Supplies	291.77	2,284.54	5,000.00	2,715.46	45.69
100-00-51400-311-000	Admin Postage/Shipping	0.00	876.01	3,200.00	2,323.99	27.38
100-00-51400-320-000	Admin Memberships/Dues	0.00	1,584.00	1,800.00	216.00	88.00
100-00-51400-321-000	Admin Publications	553.90	1,066.94	4,000.00	2,933.06	26.67
100-00-51400-330-000	Admin Educ/Trng/Travel	407.04	1,679.81	4,000.00	2,320.19	42.00
100-00-51400-350-000	Admin Equip Maint (Non-Office)	0.00	0.00	1,000.00	1,000.00	0.00
100-00-51400-352-000	Admin Office Equip Maint	829.75	2,928.00	2,000.00	-928.00	146.40
100-00-51400-353-000	Admin Info Tech	55.00	2,119.46	6,000.00	3,880.54	35.32
100-00-51400-390-000	Admin Miscellaneous	7.38	71.88	3,000.00	2,928.12	2.40
100-00-51400-510-000	Admin Ins (Non-Labor)	0.00	92,487.30	92,487.30	0.00	100.00
100-00-51400-821-000	Admin Building Improvement	0.00	0.00	8,000.00	8,000.00	0.00
<b>Administration</b>		<b>13,091.35</b>	<b>219,671.83</b>	<b>464,092.30</b>	<b>244,420.47</b>	<b>47.33</b>
100-00-51120-213-000	BBC Legal	150.00	150.00	500.00	350.00	30.00
100-00-51120-330-000	BBC Educ/Trng/Travel	0.00	0.00	500.00	500.00	0.00
100-00-51120-390-000	BBC Miscellaneous	600.00	600.00	1,000.00	400.00	60.00
100-00-52300-215-000	Ambulance Contract Assessment	0.00	29,360.50	28,010.00	-1,350.50	104.82
100-00-53500-291-000	Non-City Equipment Rental	0.00	0.00	1,100.00	1,100.00	0.00
100-00-55310-390-000	Celebrations/Entertainment	0.00	0.00	10,000.00	10,000.00	0.00
<b>Other Non City Groups</b>		<b>750.00</b>	<b>30,110.50</b>	<b>41,110.00</b>	<b>10,999.50</b>	<b>73.24</b>

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
100-00-51200-110-000	PEG Salary/Wages	1,456.51	13,108.57	38,780.00	25,671.43	33.80
100-00-51200-130-000	PEG FICA/Medicare	105.95	953.55	2,967.00	2,013.45	32.14
100-00-51200-131-000	PEG Health Ins	0.00	4,462.16	13,387.00	8,924.84	33.33
100-00-51200-132-000	PEG FSA Contribution	38.46	346.14	1,000.00	653.86	34.61
100-00-51200-133-000	PEG Dental Ins	0.00	420.15	1,008.00	587.85	41.68
100-00-51200-134-000	PEG Vision Ins	22.83	114.15	274.00	159.85	41.66
100-00-51200-135-000	PEG WI Retirement	193.72	1,743.46	5,037.00	3,293.54	34.61
100-00-51200-290-000	Peg Contractual Services	0.00	0.00	0.00	0.00	0.00
100-00-51200-330-000	PEG Educ/Trng/Travel	149.00	744.00	1,200.00	456.00	62.00
100-00-51200-353-000	Peg Info Tech	0.00	1,247.50	1,248.00	0.50	99.96
100-00-51200-390-000	PEG Miscellaneous	0.00	0.00	500.00	500.00	0.00
<b>Peg - Communications</b>		<b>1,966.47</b>	<b>23,139.68</b>	<b>65,401.00</b>	<b>42,261.32</b>	<b>35.38</b>
100-00-56400-110-000	Bldg & Permits Salary/Wages	1,268.80	11,419.60	32,989.00	21,569.40	34.62
100-00-56400-130-000	Bldg & Permits FICA/Medicare	90.71	816.43	2,538.00	1,721.57	32.17
100-00-56400-131-000	Bldg & Permits Health Insuranc	0.00	4,462.16	13,387.00	8,924.84	33.33
100-00-56400-132-000	Bldg & Permits FSA Contributio	38.46	346.14	1,000.00	653.86	34.61
100-00-56400-133-000	Bldg & Permits Dental Insuranc	0.00	420.15	1,008.00	587.85	41.68
100-00-56400-134-000	Bldg & Permits Vision Ins	22.83	114.15	274.00	159.85	41.66
100-00-56400-135-000	Bldg & Permits WI Retirement	168.75	1,518.81	4,412.00	2,893.19	34.42
100-00-56400-202-000	Bldg & Permits Contracted Ser	0.00	0.00	0.00	0.00	0.00
100-00-56400-202-010	Bldg & Permits Inspections	2,238.08	5,197.68	12,000.00	6,802.32	43.31
100-00-56400-213-000	Bldg & Permits Legal/Recording	50.00	976.01	500.00	-476.01	195.20
100-00-56400-214-000	Bldg & Permits Profsnl Srv-Map	0.00	0.00	1,200.00	1,200.00	0.00
100-00-56400-224-000	Bldg & Permits Telephone/Fax	1.37	4.68	2,000.00	1,995.32	0.23
100-00-56400-310-000	Bldg & Permits Office Supplies	73.35	92.34	1,660.00	1,567.66	5.56
100-00-56400-321-000	Bldg & Permits Publications	26.60	179.52	500.00	320.48	35.90
100-00-56400-330-000	Bldg & Permits Educ/Trng/Travl	0.00	0.00	800.00	800.00	0.00
100-00-56400-353-000	Bldg & Permits InfoTech	0.00	386.64	150.00	-236.64	257.76
100-00-56400-390-000	Bldg & Permits Miscellaneous	0.00	0.00	200.00	200.00	0.00
<b>Zoning</b>		<b>3,978.95</b>	<b>25,934.31</b>	<b>74,618.00</b>	<b>48,683.69</b>	<b>34.76</b>
100-00-52100-110-000	PD Salary/Wages	13,924.46	132,061.51	420,245.00	288,183.49	31.42
100-00-52100-111-000	PD Clerical PT Wages	440.00	3,891.25	13,200.00	9,308.75	29.48
100-00-52100-112-000	PD Officer PT Wages	747.50	4,728.75	28,600.00	23,871.25	16.53
100-00-52100-116-000	PD Officer OT Wages	1,620.88	11,037.15	33,000.00	21,962.85	33.45
100-00-52100-120-000	PD Parking Enforcement Wages	216.00	1,836.00	800.00	-1,036.00	229.50
100-00-52100-121-000	PD Crossing Guard Wages	1,153.83	9,113.13	20,590.00	11,476.87	44.26
100-00-52100-122-000	PD LEA/Matron Expense	54.05	54.05	800.00	745.95	6.76
100-00-52100-130-000	PD FICA/Medicare	1,362.52	12,283.19	32,720.00	20,436.81	37.54
100-00-52100-131-000	PD Health Ins	0.00	37,488.96	109,906.00	72,417.04	34.11
100-00-52100-132-000	PD FSA Contribution	297.63	2,646.11	8,500.00	5,853.89	31.13
100-00-52100-133-000	PD Dental Ins	0.00	3,548.35	8,517.00	4,968.65	41.66
100-00-52100-134-000	PD Vision Ins	194.90	974.50	2,340.00	1,365.50	41.65
100-00-52100-135-000	PD WI Retirement	3,024.69	26,986.33	74,849.00	47,862.67	36.05
100-00-52100-190-000	PD Clothing Allowance	0.00	0.00	2,000.00	2,000.00	0.00
100-00-52100-191-000	PD Protective Cloth/Gear	0.00	0.00	500.00	500.00	0.00
100-00-52100-213-000	PD Legal	1,286.53	6,401.36	10,000.00	3,598.64	64.01
100-00-52100-216-000	PD Hiring	0.00	926.66	1,500.00	573.34	61.78
100-00-52100-217-000	PD Investigations	81.45	5,970.56	4,500.00	-1,470.56	132.68

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
100-00-52100-217-100	PD K9 Unit Expenses	0.00	267.50	3,000.00	2,732.50	8.92
100-00-52100-217-200	PD Under cover Expenses	0.00	75.00	0.00	-75.00	0.00
100-00-52100-224-000	PD Telephone/Fax	559.57	2,067.24	6,180.00	4,112.76	33.45
100-00-52100-290-000	PD Contract Services	0.00	0.00	500.00	500.00	0.00
100-00-52100-293-000	PD Animal Control	0.00	0.00	700.00	700.00	0.00
100-00-52100-310-000	PD Office Supplies	77.70	952.85	4,120.00	3,167.15	23.13
100-00-52100-320-000	PD Membership/Dues	0.00	100.00	515.00	415.00	19.42
100-00-52100-321-000	PD Publications	0.00	100.00	258.00	158.00	38.76
100-00-52100-330-000	PD Educ/Trng/Travel	0.00	1,808.47	4,120.00	2,311.53	43.89
100-00-52100-331-000	PD Motor Fuel	1,903.34	7,117.61	18,000.00	10,882.39	39.54
100-00-52100-341-000	PD Prof Equip/Supplies	773.76	2,158.28	5,390.00	3,231.72	40.04
100-00-52100-352-000	PD Office Equip Maint/Service	374.28	1,139.70	2,650.00	1,510.30	43.01
100-00-52100-353-000	PD Info Tech	0.00	10,442.93	13,815.00	3,372.07	75.59
100-00-52100-354-000	PD Equipmnt Maint(Non Office)	241.37	1,095.15	2,575.00	1,479.85	42.53
100-00-52100-361-000	PD Building Maintenance	17.00	151.08	515.00	363.92	29.34
100-00-52100-390-000	PD Miscellaneous	28.51	737.52	2,500.00	1,762.48	29.50
<b>Police Department</b>		<b>28,379.97</b>	<b>288,161.19</b>	<b>837,405.00</b>	<b>549,243.81</b>	<b>34.41</b>
100-00-52200-110-000	FD Salary/Wages	0.00	0.00	10,660.00	10,660.00	0.00
100-00-52200-120-000	FD Hourly Wages	0.00	76.72	65,340.00	65,263.28	0.12
100-00-52200-130-000	FD FICA/Medicare	0.00	99.14	5,900.00	5,800.86	1.68
100-00-52200-191-000	FD Protective Clothing/Gear	0.00	0.00	6,000.00	6,000.00	0.00
100-00-52200-213-000	FD Legal	0.00	0.00	350.00	350.00	0.00
100-00-52200-221-000	FD Electricity	615.74	2,492.96	8,700.00	6,207.04	28.65
100-00-52200-222-000	FD Heating Gas	227.61	1,742.07	3,000.00	1,257.93	58.07
100-00-52200-224-000	FD Telephone/Fax	123.64	746.32	2,200.00	1,453.68	33.92
100-00-52200-241-000	FD Extinguisher Maint/Repair	84.75	84.75	300.00	215.25	28.25
100-00-52200-292-000	FD Hydrant Rental	0.00	0.00	231,924.00	231,924.00	0.00
100-00-52200-310-000	FD Office Supplies	0.00	0.00	750.00	750.00	0.00
100-00-52200-321-000	FD Publications	0.00	0.00	150.00	150.00	0.00
100-00-52200-330-000	FD Educ/Trng/Travel	125.00	343.65	2,500.00	2,156.35	13.75
100-00-52200-331-000	FD Motor Fuel	0.00	856.39	2,000.00	1,143.61	42.82
100-00-52200-352-000	FD Office Equip Maint/Service	0.00	0.00	580.00	580.00	0.00
100-00-52200-353-000	FD Info Tech	0.00	953.04	1,000.00	46.96	95.30
100-00-52200-354-000	FD Equipmnt Maint (Non-Office)	359.62	359.62	6,500.00	6,140.38	5.53
100-00-52200-355-000	FD Truck Maintenance	0.00	648.96	5,500.00	4,851.04	11.80
100-00-52200-357-000	FD Pager Repair	0.00	374.55	1,000.00	625.45	37.46
100-00-52200-361-000	FD Building Maintenance	895.32	1,172.92	1,000.00	-172.92	117.29
100-00-52200-390-000	FD Miscellaneous	29.33	441.15	2,500.00	2,058.85	17.65
100-00-52200-811-000	FD Equipment Purchases	0.00	1,707.01	14,000.00	12,292.99	12.19
100-00-52200-812-000	FD Jaws	0.00	0.00	0.00	0.00	0.00
100-00-52200-821-000	Building Improvement	0.00	0.00	0.00	0.00	0.00
<b>Fire Department</b>		<b>2,461.01</b>	<b>12,099.25</b>	<b>371,854.00</b>	<b>359,754.75</b>	<b>3.25</b>
100-00-53100-110-000	Streets Wage/Salary	8,304.65	79,556.16	223,793.00	144,236.84	35.55
100-00-53100-130-000	Streets FICA/Medicare	597.67	5,743.34	16,256.00	10,512.66	35.33
100-00-53100-131-000	Streets Health Ins	0.00	21,420.64	59,993.00	38,572.36	35.71
100-00-53100-132-000	Streets FSA Contribution	186.13	1,666.65	4,833.00	3,166.35	34.48
100-00-53100-133-000	Streets Dental Ins	0.00	2,023.10	4,856.00	2,832.90	41.66
100-00-53100-134-000	Streets Vision Ins	110.62	553.10	1,328.00	774.90	41.65

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
100-00-53100-135-000	Streets WI Retirement	1,092.97	10,484.37	24,649.00	14,164.63	42.53
100-00-53100-191-000	Streets Protective Clthng/Gear	100.00	200.00	2,500.00	2,300.00	8.00
100-00-53100-213-000	Streets Legal	0.00	96.00	3,000.00	2,904.00	3.20
100-00-53100-215-000	Streets Hired Services	185.75	185.75	500.00	314.25	37.15
100-00-53100-218-000	Streets Drug Testing	0.00	0.00	275.00	275.00	0.00
100-00-53100-219-000	Streets Internal Work Performd	0.00	0.00	0.00	0.00	0.00
100-00-53100-221-000	Streets Electricity/Gas	347.12	4,539.34	9,150.00	4,610.66	49.61
100-00-53100-223-000	Streets Water/Sewer	453.24	1,821.39	6,500.00	4,678.61	28.02
100-00-53100-224-000	Streets Telephone/Fax	100.13	817.11	3,000.00	2,182.89	27.24
100-00-53100-231-000	Streets Signage	84.22	272.32	3,000.00	2,727.68	9.08
100-00-53100-232-000	Streets Tree/Brush Removal	1,700.00	1,950.00	5,000.00	3,050.00	39.00
100-00-53100-240-000	Streets Maintenance/Repair	26.25	3,057.75	110,000.00	106,942.25	2.78
100-00-53100-290-000	Streets Contract Services	0.00	546.67	2,000.00	1,453.33	27.33
100-00-53100-290-100	Streets Contract Services Mow	0.00	0.00	2,000.00	2,000.00	0.00
100-00-53100-290-102	Streets Contract Serv-Shovel	0.00	0.00	1,000.00	1,000.00	0.00
100-00-53100-291-000	Streets Equipment Rental	0.00	0.00	250.00	250.00	0.00
100-00-53100-294-000	Streets State/Other Fees	0.00	85.00	100.00	15.00	85.00
100-00-53100-310-000	Streets Office Supplies	0.00	314.17	500.00	185.83	62.83
100-00-53100-320-000	Streets Memberships/Dues	0.00	184.00	100.00	-84.00	184.00
100-00-53100-321-000	Streets Publications	0.00	0.00	100.00	100.00	0.00
100-00-53100-330-000	Streets Educ/Trng/Travel	0.00	138.07	500.00	361.93	27.61
100-00-53100-331-000	Streets Motor Fuel	0.00	5,917.88	18,000.00	12,082.12	32.88
100-00-53100-340-000	Streets Hand Tls,Matals,Spplys	456.13	5,687.38	15,000.00	9,312.62	37.92
100-00-53100-352-000	Streets Office Equip Maint.	0.00	34.69	1,300.00	1,265.31	2.67
100-00-53100-353-000	Streets Info Tech	32.95	1,341.53	2,500.00	1,158.47	53.66
100-00-53100-354-000	Streets Equip Maint (Non-Offc)	2,003.96	8,744.83	32,000.00	23,255.17	27.33
100-00-53100-361-000	Streets Building Maintenance	383.83	1,776.23	1,500.00	-276.23	118.42
100-00-53100-362-000	Streets Grounds Maintenance	0.00	874.97	1,500.00	625.03	58.33
100-00-53100-390-000	Streets Miscellaneous	5.75	716.93	2,000.00	1,283.07	35.85
100-00-53100-510-000	Streets Ins (Non-Labor)	0.00	0.00	0.00	0.00	0.00
100-00-53100-821-000	Streets Building Improvement	0.00	0.00	500.00	500.00	0.00
100-00-53320-215-000	Ice Hired/Contractual	0.00	5,156.25	7,000.00	1,843.75	73.66
100-00-53320-291-000	Ice Equipment Rental	0.00	0.00	500.00	500.00	0.00
100-00-53320-340-000	Ice Hand Tool,Mater./Supplies	0.00	291.48	500.00	208.52	58.30
100-00-53320-354-000	Ice Equipment Maint-Non Office	0.00	1,219.66	4,000.00	2,780.34	30.49
100-00-53320-371-000	Ice Salt/Sand	0.00	13,138.17	25,000.00	11,861.83	52.55
100-00-53320-372-000	Ice Contingency for Snow	0.00	300.00	8,000.00	7,700.00	3.75
100-00-53320-390-000	Ice Miscellaneous	0.00	0.00	0.00	0.00	0.00
100-00-53330-221-000	Signals Electricity	0.00	1,098.66	600.00	-498.66	183.11
100-00-53330-240-000	Signals Maint/Repair	0.00	0.00	2,500.00	2,500.00	0.00
100-00-53330-390-000	Signals Miscellaneous	0.00	0.00	0.00	0.00	0.00
100-00-53340-354-000	Storm Equip Maint-Non Office	239.30	4,156.95	2,500.00	-1,656.95	166.28
100-00-53340-390-000	Storm Miscellaneous	0.00	62.40	1,000.00	937.60	6.24
100-00-53420-221-000	Street Lights Electricity	5,968.78	26,230.43	75,000.00	48,769.57	34.97
100-00-53420-240-000	Street Lights Maint/Repair	0.00	193.13	4,000.00	3,806.87	4.83
100-00-53420-354-000	Strt Lghts Equip Maint-Non Off	0.00	840.07	1,500.00	659.93	56.00
100-00-53420-373-000	Street Lights Installation	0.00	0.00	0.00	0.00	0.00
100-00-53420-390-000	Street Lights Miscellaneous	0.00	4.00	1,000.00	996.00	0.40
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<b>Streets</b>		<b>22,379.45</b>	<b>213,440.57</b>	<b>692,583.00</b>	<b>479,142.43</b>	<b>30.82</b>
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610-00-57510-000-600	Source Salary/Wages	370.26	2,816.65	8,994.00	6,177.35	31.32

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
610-00-57510-000-601	Source Purchased Water	0.00	0.00	0.00	0.00	0.00
610-00-57510-000-602	Operations Supplies/Expenses	0.00	1,158.97	1,500.00	341.03	77.26
610-00-57510-000-605	Source Building Maintenance	839.98	1,239.13	3,250.00	2,010.87	38.13
610-00-57520-000-620	Pumping Wage/Salary	370.26	2,816.65	8,994.00	6,177.35	31.32
610-00-57520-000-621	Pumping-Fuel for Power Prod	967.45	4,234.39	3,500.00	-734.39	120.98
610-00-57520-000-622	Pumpg-Fuel/Pwr Prchsd for Pump	1,164.52	9,750.60	35,000.00	25,249.40	27.86
610-00-57520-000-623	Pumping Operation Supplies/Exp	0.00	138.25	3,000.00	2,861.75	4.61
610-00-57520-000-625	Pumping Maint of Plant	0.00	0.00	500.00	500.00	0.00
610-00-57530-000-630	Treatment Salary/Wages	370.26	2,816.65	8,994.00	6,177.35	31.32
610-00-57530-000-631	Treatment Chemicals	2,487.00	11,985.94	44,000.00	32,014.06	27.24
610-00-57530-000-632	Treatment Operation Supp/Exp	0.00	0.00	0.00	0.00	0.00
610-00-57530-000-635	Treatment Plant Maintenance	0.00	0.00	0.00	0.00	0.00
610-00-57540-000-640	T&D Salary/Wages	370.26	2,816.65	8,994.00	6,177.35	31.32
610-00-57540-000-641	T&D Operation Supplies/Expense	0.00	0.00	750.00	750.00	0.00
610-00-57540-000-650	T&D Maintenance Pipes/Reservol	0.00	0.00	0.00	0.00	0.00
610-00-57540-000-651	T&D Maintenance Mains	1,074.18	1,435.81	15,000.00	13,564.19	9.57
610-00-57540-000-652	T&D Maintenance of Services	0.00	326.16	6,000.00	5,673.84	5.44
610-00-57540-000-653	T&D Meter Purchases/Maint	0.00	2,686.16	1,500.00	-1,186.16	179.08
610-00-57540-000-654	T&D Hydrant Maintenance	0.00	809.60	2,500.00	1,690.40	32.38
610-00-57540-000-655	T&D Maintenance of Other Plant	0.00	0.00	1,000.00	1,000.00	0.00
610-00-57550-000-901	Meter Reading Labor	0.00	0.00	0.00	0.00	0.00
610-00-57550-000-902	Accounting & Collecting Labor	0.00	0.00	0.00	0.00	0.00
610-00-57550-000-903	Supplies/Expenses	5.75	1,299.30	5,000.00	3,700.70	25.99
610-00-57550-000-904	Uncollectible Accounts	0.00	0.00	0.00	0.00	0.00
610-00-57550-000-906	Customer Serv & Information	0.00	0.00	0.00	0.00	0.00
610-00-57560-000-910	Sales Expense	0.00	0.00	0.00	0.00	0.00
610-00-57570-000-920	Admin General Wage/Salary	3,864.53	30,307.09	101,452.00	71,144.91	29.87
610-00-57570-000-921	Water Office Supplies	56.78	3,357.23	20,000.00	16,642.77	16.79
610-00-57570-000-923	Outside Services Contracted	0.00	6,191.81	10,000.00	3,808.19	61.92
610-00-57570-000-924	Water Ins-Property	0.00	14,017.97	14,017.97	0.00	100.00
610-00-57570-000-926	Water FICA/Medicare	392.82	3,444.41	10,265.00	6,820.59	33.55
610-00-57570-000-928	Regulatory Commission Exp	0.00	0.00	500.00	500.00	0.00
610-00-57570-000-930	Water Miscellaneous	17.50	595.74	500.00	-95.74	119.15
610-00-57570-000-931	Water Telephone/Fax	186.86	872.62	800.00	-72.62	109.08
610-00-57570-000-933	Water Transportation	0.00	5,970.57	10,000.00	4,029.43	59.71
610-00-57570-000-935	Water Maintenance of Plant	0.00	0.00	500.00	500.00	0.00
610-00-57570-001-926	Health Ins	0.00	12,050.12	34,443.00	22,392.88	34.99
610-00-57570-002-926	FSA Contribution	104.91	942.64	2,733.00	1,790.36	34.49
610-00-57570-003-926	Dental Insurance	0.00	1,140.80	2,738.00	1,597.20	41.67
610-00-57570-004-926	Vision Insurance	62.69	313.45	753.00	439.55	41.63
610-00-57570-005-926	WIS Retirement	710.95	6,240.28	15,565.00	9,324.72	40.09
610-00-57570-006-926	Training, Travel	0.00	2,424.73	2,000.00	-424.73	121.24
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<b>Water</b>		<b>13,416.96</b>	<b>134,200.37</b>	<b>384,742.97</b>	<b>250,542.60</b>	<b>34.88</b>
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620-00-57310-000-820	Supervision & Labor	0.00	0.00	0.00	0.00	0.00
620-00-57310-000-821	Power & Fuel for Pumping	1,551.25	36,610.50	98,500.00	61,889.50	37.17
620-00-57310-000-822	Power & Fuel for Aeration Equ	0.00	188.48	0.00	-188.48	0.00
620-00-57310-000-823	Chlorine	0.00	0.00	0.00	0.00	0.00
620-00-57310-000-824	Phosphorous Removal Chemicals	10,667.27	26,512.63	0.00	-26,512.63	0.00
620-00-57310-000-825	Sludge Conditioning Chemicals	0.00	0.00	0.00	0.00	0.00
620-00-57310-000-826	Other Chemicals for Sewer Trea	0.00	0.00	0.00	0.00	0.00

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
620-00-57310-000-827	Other Operating Supplies/Exp	0.00	1,853.34	12,000.00	10,146.66	15.44
620-00-57310-000-828	Transportation	0.00	6,038.58	10,500.00	4,461.42	57.51
620-00-57310-000-829	Rents	0.00	0.00	0.00	0.00	0.00
620-00-57320-000-831	Maint Sewage Collection System	436.66	11,993.76	85,000.00	73,006.24	14.11
620-00-57320-000-832	Maint Collection Pumping Equip	276.00	2,126.00	5,000.00	2,874.00	42.52
620-00-57320-000-833	Maint of T&D Plant Equip	0.00	700.00	5,000.00	4,300.00	14.00
620-00-57320-000-834	Maint Of Plant,Structures,Equip	41.74	1,030.56	7,500.00	6,469.44	13.74
620-00-57320-000-835	Sludge Removal	0.00	0.00	0.00	0.00	0.00
620-00-57330-000-840	Billing,Collecting,& Acctg	0.00	0.00	1,000.00	1,000.00	0.00
620-00-57330-000-841	Flat Rate Inspections	0.00	0.00	0.00	0.00	0.00
620-00-57330-000-842	Meter Reading	0.00	0.00	0.00	0.00	0.00
620-00-57330-000-843	Uncollectible Accounts	0.00	0.00	0.00	0.00	0.00
620-00-57340-000-850	Sewer Salary/Wage	5,325.03	44,511.98	138,160.00	93,648.02	32.22
620-00-57340-000-851	Office Supplies/Expenses	177.33	5,636.57	30,000.00	24,363.43	18.79
620-00-57340-000-852	Hired/Contractual Services	0.00	3,578.15	10,000.00	6,421.85	35.78
620-00-57340-000-853	Insurance-Property & Liability	0.00	14,018.00	14,018.00	0.00	100.00
620-00-57340-000-854	Sewer FICA/Medicare	391.22	3,675.82	10,267.00	6,591.18	35.80
620-00-57340-000-855	Sewer Regulatory Commission	0.00	8.00	5,000.00	5,000.00	0.00
620-00-57340-000-856	Sewer Miscellaneous	525.76	584.96	2,000.00	1,415.04	29.25
620-00-57340-000-857	Rent Expense	0.00	0.00	0.00	0.00	0.00
620-00-57340-000-931	Sewer Telephone/Fax	186.87	817.61	500.00	-317.61	163.52
620-00-57340-001-854	Health Ins	0.00	12,050.12	34,443.00	22,392.88	34.99
628-00-57340-002-854	FSA Contribution	105.10	950.81	2,733.00	1,782.19	34.79
620-00-57340-003-854	Dental Insurance	0.00	1,140.75	2,738.00	1,597.25	41.66
620-00-57340-004-854	Vision Insurance	62.68	313.40	753.00	439.60	41.62
620-00-57340-005-854	WIS Retirement	708.21	6,644.47	15,568.00	8,923.53	42.68
620-00-57340-006-854	Training, Travel, Education	0.00	114.93	1,000.00	885.07	11.49
620-00-57390-000-403	Depreciation	0.00	0.00	0.00	0.00	0.00
620-00-57390-000-404	Amor of Limited Term Utili Pla	0.00	0.00	0.00	0.00	0.00
620-00-57390-000-405	Amor of other Utility Plant	0.00	0.00	0.00	0.00	0.00
620-00-57390-000-406	Amor of Utility Plant Acq Adj	0.00	0.00	0.00	0.00	0.00
620-00-57390-000-407	Amor of Property Losses	0.00	0.00	0.00	0.00	0.00
620-00-57390-000-408	Payment in Lieu of Taxes	0.00	0.00	5,048.00	5,048.00	0.00
620-00-57390-000-425	Miscell Amortization	0.00	0.00	0.00	0.00	0.00
620-00-57390-000-426	Other Income Deductions	0.00	0.00	0.00	0.00	0.00
620-00-58200-000-427	Interest on Long term Debt	82,379.45	112,820.31	292,467.06	179,646.75	38.58
620-00-58200-000-428	Amor of Debt Disc't & Exp	0.00	0.00	0.00	0.00	0.00
620-00-58200-000-429	Amor of Prem on Debt - Cr	0.00	0.00	0.00	0.00	0.00
620-00-58200-000-430	Interest on Debt to Municipall	0.00	0.00	0.00	0.00	0.00
620-00-58200-000-431	Other Interest	0.00	0.00	0.00	0.00	0.00
620-00-58200-000-432	Intrst Chrgd to Construction-Cr	0.00	0.00	0.00	0.00	0.00
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<b>Sewer</b>		<b>102,834.57</b>	<b>293,911.73</b>	<b>789,195.06</b>	<b>495,283.33</b>	<b>37.24</b>
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100-00-55300-110-000	Sum Rec Salary/Wages	0.00	0.00	32,000.00	32,000.00	0.00
100-00-55300-130-000	Sum Rec FICA/Medicare	0.00	0.00	2,424.00	2,424.00	0.00
100-00-55300-220-000	Sum Rec Transportation	0.00	0.00	5,700.00	5,700.00	0.00
100-00-55300-224-000	Sum Rec Telephone/Fax	0.71	2.54	200.00	197.46	1.27
100-00-55300-310-000	Sum Rec Office Supplies	465.00	465.00	550.00	85.00	84.55
100-00-55300-330-000	Sum Rec Educ/Trng/Travel	0.00	0.00	1,150.00	1,150.00	0.00
100-00-55300-390-000	Sum Rec Miscellaneous	68.75	68.75	2,000.00	1,931.25	3.44
100-00-55300-395-000	Sum Rec Arts/Crafts	0.00	0.00	500.00	500.00	0.00

Account Number		2013 May	2013 Actual 05/10/2013	2013 Budget	Budget Status	% of Budget
100-00-55300-396-000	Sum Rec Softball/Baseball	0.00	0.00	750.00	750.00	0.00
100-00-55300-397-000	Sum Rec Tennis	0.00	0.00	400.00	400.00	0.00
100-00-55300-398-000	Sum Rec Golf	0.00	0.00	850.00	850.00	0.00
100-00-55300-399-000	Sum Rec Special Events	0.00	0.00	1,500.00	1,500.00	0.00
100-00-55300-814-000	Sum Rec Baseball Equip/Uniform	0.00	0.00	4,300.00	4,300.00	0.00
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	Summer Rec	534.46	536.29	52,324.00	51,787.71	1.02
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	Total Expenses	192,508.52	1,265,946.03	3,842,133.33	2,576,187.30	32.95
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	Net Totals	-192,508.52	-1,265,946.03	-3,842,133.33	-2,576,187.30	32.95



## MEMO

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**To:** City of Mauston – Finance Committee  
**From:** Cindy Schlichting, Deputy Treasurer  
**Subject:** Assessments Applied to Tax Roll  
**Date:** May 10, 2013

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The City attaches assessments to a property at the end of each year for delinquent monies owed to us. These liens stay with the property until they are paid. In most cases, the owners will pay the taxes and assessments over a period of time. There are the cases where the owners do not pay the debt and after several years of delinquent taxes the property falls to the possession of the County. The City generally has the first right to possess the property for the back taxes, but the typical practices is to let it fall to the County. When the property is sold at some future date, then the liens are paid with the money received. Often times, the sale is not sufficient to pay the total amount of liens. In cases like this, the County often asks the City to waive their liens so the property can be sold for less. The City has not wished to set a precedent and has not waived the liens.

By law the County is not obligated to honor past assessments. The County has now taken the position that they do not have a liability to pay any special assessments to municipalities after they obtain title by foreclosure. I am including the memo of legal opinion from the County Counsel.

The City does have the first right to purchase properties that we hold liens on. Perhaps this is something we should consider, as then we will have the opportunity to set up the payback on the property. However taking the property will also result in maintenance of the property.



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## MEMORANDUM

TO: County Treasurer Denise J. Giebel, Finance Director Lori Chipman,  
and Land, Forestry, and Parks Department Administrator Brian Loyd

FROM: Corporation Counsel David E. Lasker

RE: The County's Liability For Payment Of Special Assessments To Municipalities  
After Obtaining Title By In Rem Foreclosure

DATE: March 27, 2013

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This memo sets forth my legal opinion concerning Juneau County's liability for payment of special assessments to municipalities after obtaining title by in rem foreclosure. As you will see, an argument can be made that the County has no liability for special assessments established by local municipalities prior to the time that the County takes title to the property through an *in rem* foreclosure. However, as you will also see, there is a credible argument to be made, as well, that it is required to pay the special assessments if the County ultimately sells the property for a net profit.

In my opinion, the argument for no liability is more sound than the argument for liability. Either way, we begin with the legal effect of an *in rem* judgment of foreclosure, which is plain in the language of Wis. Stats. §§ 75.521(8) and 75.521(13)\* and at least two decisions of the Wisconsin supreme court. The plain meaning and effect of those sections of the statutes was made clear in Leciejewski v. Sedlak, 116 Wis.2d 629, 638-40, 342 N.W.2d 734 (1984). In that case the supreme court said:

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\*The language of subsections (8) and (13) is virtually identical. Subsection (8) merely applies to judgments taken by default, and (13) applies to judgments entered after a full hearing resolving a disputed claim for foreclosure. They are discussed in the Leciejewski decision, noted hereafter.

County Treasurer Denise J. Giebel, Finance Director Lori Chipman,  
and Land, Forestry, and Parks Department Administrator Brian Loyd  
March 27, 2013  
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A foreclosure proceeding under sec. 75.521, Stats., is an in rem action against the land itself. *See Devitt v. City of Milwaukee*, 261 Wis. 276, 52 N.W.2d 872 (1952). Section 75.521 sets forth the procedures that a county must follow to enforce its tax lien against a parcel of real property. A judgment of foreclosure rendered pursuant to either sec. 75. 521(8), which governs default judgments, or sec. 75.521(13), which applies to judgments rendered after a party has answered and asserted an interest in the property, has the effect of the issuance of a tax deed to the county. Section 75. 521(8) also states, in part:

“In the event of the failure to redeem or answer by any person having the right to redeem or answer ... such person and all persons claiming under and through him ... shall be forever barred and foreclosed of all his right, title and interest and equity of redemption in and to the parcel described in such list of the tax liens, and upon filing an affidavit of such default or failure of redemption by the county treasurer of such county, the court ... shall render final judgment ordering and adjudging that the county is vested with an estate in fee simple absolute in such lands ... and all persons ... who may have had *any right, title, interest, claim, lien or equity of redemption in such lands*, are forever barred and foreclosed of such right, title, interest, claim, lien or equity of redemption ... such judgment shall have the effect ... of judgment to bar former owners and *quiet title thereon.*” (Emphasis added by the court.)

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The above provisions indicate that the clear intent of sec. 75.521, Stats., is to foreclose all rights, titles, interests, liens, and claims in the property that is subject to the foreclosure . . . . The provisions in sec. 75.521 also reflect an intent to ensure that once a valid foreclosure judgment is rendered, the judgment vests in the county an estate in the property in fee simple absolute, which the county may then pass on. Further, a tax deed is not derivative, but creates a new title that extinguishes all former titles and liens not expressly exempted from its operation. . . . Although secs. 75. 521(8) and (13)(b) provide that this fee simple interest is subject to the latest dated tax lien and to recorded restrictions under sec. 75.14, there is no specified exemption in sec. 75.521 for [other] interests or claims . . . .

116 Wis.2d at 638-39 (Citations omitted.).

Similarly, in Waukesha County v. Young, 106 Wis.2d 244, 252, 316 N.W.2d 362 (1982), the supreme court, citing Wis. Stats. § 75.521(8), said:

The statute provides that a foreclosure judgment vests the county a fee simple

County Treasurer Denise J. Giebel, Finance Director Lori Chipman,  
and Land, Forestry, and Parks Department Administrator Brian Loyd  
March 27, 2013  
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absolute and cuts off any "right, title, interest, claim, lien or equity of redemption" of any person in the land. . . . If the county strictly follows the statutory requirements then it obtains a fee simple absolute; if the county fails to comply with the statute it obtains no interest in the property.

The upshot of the above quotations is that the County takes the property by *in rem* foreclosure with no lien or encumbrance on it whatsoever. Therefore, the special assessments are wiped out regarding Juneau County's ownership of it and ownership by subsequent purchasers who buy it from the County.

The argument that the County still has to pay the special assessments picks up from where the prior argument ends. It starts with the language in both § 75.521(8) and § 75.521(13) that states, "Such judgment shall have the effect of the issuance of a tax deed." Foreclosure by tax deed is a process for foreclosure by a different means than § 75.521. The procedure for foreclosure by tax deed is governed by Wis. Stats. §§ 75.14 and 75.12. The argument that the County still has to pay special assessments reads the language in § 75.521 - "shall have the effect of the issuance of a tax deed" - to mean that the judgment of foreclosure is the equivalent of a tax deed. The argument would then have us turn to Wis. Stats. § 75.36, entitled "County acquisition and sale of property." Subsection 75.36(2)(a), entitled "Acquisition of property by county, effect on liability," begins with this sentence: "If property is acquired by a county taking a tax deed under this chapter, the county is not required to pay any special charges or special assessments until the property is sold by the county." Those in favor of county liability for special assessments would argue that the meaning of that sentence is that the County is required to pay special assessments (albeit not until such time as the property is sold to a third party) despite the fact that it received clear title in fee simple absolute in the foreclosure action. The reasoning would be that § 75.521 says the judgment of foreclosure is equivalent to a tax deed, and § 75.36 addresses property acquired "by a county taking a tax deed under this chapter."

The specific issue addressed in this memo has never been heard or decided by an appellate court in Wisconsin, and therefore we have no definitive answer as to the interpretation of the statutes where the question of county responsibility for special assessments on properties foreclosed upon by *in rem* foreclosure under § 75.521 is concerned. We only have the guidance available in cases similar to or analogous to ours, as well as the legal principals of statutory construction applied to the language of the statutes themselves.

Based upon those resources, it is my opinion that the most sound conclusion is that the County is not legally obligated to pay the special assessments on properties we take

County Treasurer Denise J. Giebel, Finance Director Lori Chipman,  
and Land, Forestry, and Parks Department Administrator Brian Loyd  
March 27, 2013  
Page -4-

title to by *in rem* foreclosure. I say that for several reasons. Clearly, we are not obligated to do so, unless § 75.36 applies to Juneau County in this instance. While the language in §§ 75.521(8) and 75.521(13) says the judgment “has the effect of the issuance of a tax deed,” it does not say the foreclosure judgment *is* the same thing as a tax deed. The judgment has *the effect* of a tax deed in that it gives title to the County. But, nonetheless, the property was not “acquired by a county taking a tax deed under this chapter” as stated clearly in § 75.36(2)(b). The taking of property by tax deed is a wholly different process “under this chapter” than the *in rem* process “under this chapter.”

I know that Denise raised the argument that either all of § 75.36 applies or none of it does, emphasizing that we honor the homestead rights of the former owner pursuant to § 75.36(4) and therefore we should honor the interests of the municipalities under § 75.36(2). However, the language of § 75.36(4) differs from the language of § 75.36(2), and that difference is significant. Subsection (4) refers to “the county’s acquisition of [property] under this chapter,” not the county’s acquisition of property by “taking a tax deed under this chapter” as it says in subsection (2). Thus, it is apparent that (4) protects the homestead rights of all parties whose property is taken “under this chapter,” not just property taken by tax deed and not just property taken by foreclosure proceedings – but *all* property taken under chapter 75.

Having said that, it still remains an option for the Treasurer to adopt a policy of paying off the specials if and when sale of the property yields the cash to cover that expense and the County has first been paid from the proceeds of sale. Voluntary compliance with the spirit of §75.36(2) for the sake of good relations with the municipalities is permissible. But I don’t think it is mandatory. Thus, this becomes a policy issue, not strictly a legal one.

If you have further questions or concerns about this, please let me know.

**ORDINANCE  
COMMITTEE  
ITEMS**



# MEMO

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**To:** City of Mauston – Ordinance Committee  
**From:** Nathan Thiel, City Administrator  
**Subject:** Prohibited Animals and Chicken Ordinance  
**Date:** May 10, 2013

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The committee was asked to again review a change to City ordinance to allow chickens within City limits. Attached are the documents brought before the committee a year ago. The same considerations apply. At the time no change was made and the issue was tabled. However there are still a few discrepancies and questionable interpretations existing primarily:

1. The zoning ordinance allows husbandry in agriculturally zoned property, and the licenses and permits ordinance prohibits farm animals.
2. There has been an interpretation loophole with regard to 4H clubs. The ordinance appears to allow citizens to keep normally prohibited animals if it is for a 4-H project or show and meets some general criteria. The ordinance does not qualify a project or show or set any limits to duration or how many animals.

Should the committee feel the issue should be tabled again, it would be appropriate to formulate a response should a future request come forward again.



**CHICKEN LICENSE (Not Transferable)**

This license is hereby granted pursuant to Section 9.52 of the General Ordinances of the City of Madison, WI and may be suspended or revoked as provided therein.

License Number \_\_\_\_\_

State Identification Number \_\_\_\_\_ Expiration of State ID No. \_\_\_\_\_

Know that \_\_\_\_\_ residing at \_\_\_\_\_  
in the City of Madison, having paid to the City Treasurer the sum of \$10.00, is hereby licensed  
to keep up to four chickens pursuant to the provisions of Section 9.52 of the Madison General  
Ordinances. This license expires December 31, \_\_\_\_\_.

Given under my hand \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

 \_\_\_\_\_, City Treasurer

**Post in a Conspicuous Place**



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## Frequently Asked (chicken) Questions



### Don't you need a rooster in order to get eggs?

No, a hen will lay eggs regardless--they just won't be fertile eggs. They still have the same nutritional value as fertilized eggs. Most of the eggs you buy in the store are unfertilized.

A **White Wyandotte** hen in her nesting box, waits for some privacy before laying her egg.



### Are chickens dirty animals? Do they smell?

That will depend on the caretaker. Just like any other pet or animal, they need care--cleaning out the dirty bedding in the coop, keeping it dry and having a clean/dry area of sand or dirt for the birds to take dust baths in. These practices will all help to keep your birds happy, healthy and odor free.



### Will having chickens in my backyard attract rodents?

It is food that attracts rodents, not the birds. If you have wild bird feeders in your back yard, you run the same risk. Keep all feed in metal garbage cans, with secure lids. Feed birds in small doses, so as not to have a large amount of food left over. If you feed your birds scraps/ protein, make sure it is eaten and not left in the bedding.



### Do hens make a lot of noise?

Ask any child "What does a rooster say?" and they will throw their head back and give you all they've got! But the hens, they are a different story. They usually make a soft, contented clucking sound--until they lay an egg. Then they get very excited and proud and will squawk for a few

moments and then settle back down. They do not make a ruckus in the morning like their male counterparts and they are fast asleep in their coop by the time the sun goes down. Unlike the

neighborhood dogs or cats!



## What are the regulations for the City of Madison, WI ?



**Up to 4 domestic fowl allowed per single-family dwelling**



**No Roosters**



**No Slaughtering**



**Poultry shall be kept within a secure enclosure and not allowed to run free**



**Enclosures shall be located no closer than 25' from nearest neighbors residence**



**A \$10 permit**

\*

**is required (per household), to be renewed annually**

\*send permit fee to: **City Treasurer, 210 Martin Luther King, Jr. Blvd. 266-4771**



**Read the [City of Madison ordinances](#)**

(type in "chickens" in the search box)



## Any other regulations?

**New legislation** has been passed regarding premises registration. What does this mean? It means that registrations will be required for anyone housing livestock, including poultry, regardless of number of animals as of November 1st, 2005. You can get more information at <http://www.wiid.org> For any questions, please contact Marcus Gordon, DVM, Homeland Security Veterinarian, Wisconsin Department of Agriculture, Division of Animal Health at: 608-224-4904 or [marcus.gordon@datcp.state.wi.us](mailto:marcus.gordon@datcp.state.wi.us)



## How do I find out if it is legal to have chickens in my town, and if not, how do I change that?

**Christine Heinrichs** of Madison, Wisconsin, has written a book on Raising Chickens. She has allowed us to share her chapter on legal and zoning issues, with chickens. To read, go to: "[Chapter 14 Legal Aspects](#)"



## How to Get An Ordinance for Backyard Chickens In Your City

**Elizabeth Delaquess March 19, 2009**

One of the disadvantages of our increasingly urbanized society is our disconnectedness from nature. The farm and field are considered separate, alien; even primitive. Concrete is rapidly replacing prairies, a walk in the woods is a novelty and the sight and sound of chickens scratching in the dirt is forgotten.

Or not.

Madison, Wisconsin is part of the increasing number of cities around the country that have passed ordinances allowing people to keep chickens in their backyards. If you are interested in keeping backyard chickens but your city doesn't allow it, or has no ordinance regarding backyard poultry whatsoever, there are things you can do to change the law. And if trying to get an ordinance passed for backyard chickens seems impossible, and you have no idea where to start, know that there ARE things you can do. Here are some tips for getting started.

**Tip one: Start Small.**

You aren't going to get anywhere by marching right to the city council building. Start by talking to neighbors and letting them know of your plans. If people are skeptical or critical of the idea of chickens, this is an opportunity to educate them and peacefully resolve any conflicts that could arise later. In Madison, Alicia Rheal and Bryan Whiting, who became key figures in the city's backyard chicken movement, addressed their neighborhood organization and wrote an article for the neighborhood newspaper. Most neighborhoods have organizations and councils, so at the next neighborhood meeting, bring up your plans for backyard chickens. Again, this gives you a chance to get feedback from others and to answer questions.

### **Tip two: Organize the movement.**

Be as organized as possible. You won't get far if you do this on your own. There will be city officials who have never heard of a backyard chicken ordinance, so it's up to you to do the research and gather your facts. Although Alicia Rheal contacted former Madison alderman Matt Sloan, who was supportive of the movement, it was the city residents who did most of the organization and research. It doesn't hurt to contact city officials to see what their opinions are, but know that you and other city residents will be doing most of the work. So get together and start brainstorming! Hopefully you got some positive feedback from neighbors or other people around the city who also want chickens. Get everyone together and form a group. Start a blog to keep in touch, and hold meetings. Think about what you need to do to present a strong argument for backyard chickens to city officials. Is your city more conservative or liberal? Do you have a sense of what city residents in general would think of backyard chickens? What might the city council think of this? Consider these questions to determine the best way to present this movement to your city.

### **Tip three: Do your research.**

The research you do will keep your backyard chicken movement afloat. Find out everything you can about domestic chickens and raising them in cities. Research everything you can find about questions and concerns people may have, such as disease, pests, noise and smell. You know hens are pretty quiet animals, that roosters are the ones that make noise. But not everyone knows that! And a coop that is kept clean and tidy will not be a hotbed for disease and avian bird flu. Madison residents got in contact with the University of Wisconsin-Madison health department, and got together with Mark Cook of the UW poultry extension. Mark Cook was supportive of the backyard chicken movement and even wrote a letter to the city, sharing his expertise on domestic poultry. Even if you don't have the support of an expert in the field, at least get the facts from them. This will be useful when you are presenting all this to the city. The more information you can get from experts and trusted sources, the stronger your argument will be.

### **Tip Four: Educate and address.**

Educating the public about backyard chickens is a good way to gain support, or at least dispel preconceptions people may have about having chickens in backyards. People may be opposed to backyard chickens purely from ignorance, or from negative past experiences. Hold a public meeting about backyard chickens for people to come and learn, or write an article for a local paper with the "myths and facts" of urban poultry. As well as teaching citizens about backyard chickens, it is also good to educate city officials. You can put together all your research into an organized portfolio, or write a detailed report, and send it to the city government. This is also a good time to go to city council meetings and other local government events that city residents can attend and present their causes to the mayor, alderpersons or councilpersons. This gives lawmakers a chance to see what you're after, and even if you have not gained any support from a sympathetic official, you will show them that you are serious about what you are doing.

**Tip five: Be respectful.**

This goes hand in hand with tip four. People will not be impressed if you take on a know-it-all, holier-than-thou attitude. Be respectful when presenting your case at all times, be it to the neighbors at the neighborhood meeting or the mayor at the city council meeting. 'A lot has to do with attitude', says Alicia Rheel. If you have a bad attitude, people won't be as enthusiastic about supporting your backyard chicken movement. In addition to being respectful it's also important to be realistic. Though the city officials will be the ones who write up the official ordinance, you can brainstorm possible ordinance logistics with other people involved in the chicken movement. But keep it within reason. If you go to the city council and suggest an ordinance allowing up to eight chickens per home, lawmakers will be skeptical and less likely to even consider an ordinance. Propose ground rules that won't cause too much controversy. Keep it within three to five chickens per backyard, and absolutely no roosters or slaughtering in the city.

**Tip six: Don't give up.**

Your quest for a backyard chicken ordinance may be more or less challenging depending on your city. Pre-existing laws for backyard poultry vary, as do the viewpoints of lawmakers. Once you have done all your research, organization and education, it's up to the city officials to make the final decision. There is a lot of luck involved as well. Sometimes you just have to be in the right place at the right time. One city official may be completely supportive of an ordinance for chickens, the next may be absolutely opposed to the idea. If the city whips up an ordinance and then votes against it, it will feel like the end of the world. The city may have turned it down this time, but you haven't done all that work for nothing. Analyze the situation and try again. Make it known that you aren't going to give up. Keep educating citizens and lawmakers, and continue building support for your cause. You can do it. You will get there.

**Do I need to be worried about Avian Flu?**

**Ron Kean**, UW Extension Poultry Guy, has given us information on this topic:

There has been a great deal of news about avian influenza recently. Stories have ranged from doomsday predictions to those who say it is all being overblown. So, should you be concerned, as a poultry owner or just as a human being?

Yes, you should be concerned. Will something happen? Let's hope not, but it could be very bad.

Currently, there is an outbreak of highly pathogenic avian influenza (HPAI) in Asia and Eastern Europe. This influenza virus, which is of H5N1 type, is highly pathogenic to most domestic birds, that is, it kills many of those that become infected. It has also infected some people, and has killed about half of those who are known to be infected. (H and N types refer to the specific strain. There are several different types of avian influenza, and they are identified by these H and N components. For more information on this, see web sites below.)

It is likely being spread by migratory birds, which can carry the virus without showing symptoms. Fortunately, this virus is currently not present in the United States.

**Concern for poultry**

If the virus comes to the U.S., it likely will be devastating to the commercial poultry industry and hobbyists alike. It might get here in migratory birds flying in, in birds smuggled in, or in bird manure on someone's shoes, etc. The virus can remain stable for fairly long periods in the environment.

The standard method for dealing with an outbreak like this is to depopulate all birds within a certain range of an outbreak. So, if it's found on a farm in Wisconsin, for example, all birds within some distance of that farm would be euthanized. If things are caught in time, and the virus does not spread, that would be great. Unfortunately, this virus spreads easily from bird to bird. Outbreaks in the past have taken some time and the destruction of many birds before they were eliminated. There is also the temptation to hide birds or take

them from the area, and this greatly increases the risk of spreading the disease. As an example, an outbreak in Mexico in 1992 took more than 3 years to eradicate.

### Costs

Export markets would immediately be closed so sales would decrease drastically. Depending on the location of the outbreak, many birds might have to be depopulated. Rare breeds and varieties might be lost. Time and money spent euthanizing and destroying the birds also adds up quickly. While you can't be infected with avian influenza from eating properly cooked eggs or poultry products, many people would stop buying these products out of fear. It would be very, very expensive for the poultry industry.

### Concern for humans

Currently, most of the people who have been diagnosed with this influenza (in Asia) have had direct contact with poultry. In many cases, the people were either sleeping in the same building as the birds, or living in very close proximity. The virus doesn't seem to be easily transmitted from one human to another, if at all. A big problem with the avian influenza virus, however, is that it can mutate very easily. The concern is that it will mutate into a contagious virus in humans. If that happens, then it can, and most likely will, spread throughout the world very quickly. This is what happened in 1918, when there was a global outbreak. That outbreak killed an estimated 40 to 50 million people. Even with an improved health care system, there is still the potential for a huge loss of life world-wide.

What is our government doing, you may ask? Currently in the U.S., flocks are being monitored for signs of avian influenza. Customs and immigration officials are watching closely for anyone attempting to smuggle birds into the country, or for anyone who has recently been in contact with poultry in countries with known outbreaks. Vaccines for the birds could be developed, but they aren't available at this time, and since this virus mutates so often, any vaccine that is made now might not be protective in the future. It would also take quite some time to produce enough vaccines to combat a widespread outbreak.

So, should you as a poultry grower, be concerned? The answer is yes, although I wouldn't suggest you panic or get rid of your birds because of this. Good biosecurity measures are important to protect your flock. Don't allow your birds to mingle with wild birds. Don't borrow other people's equipment. Clean your shoes and clothes if you have contact with other people's birds. If you purchase birds, or if you bring your own birds home after a show or swap meet, keep those birds isolated from your regular flock for at least 2 weeks, while watching for any signs of illness in the quarantined birds. Tend to your home flock before taking care of the new or returning birds.

Common-sense principles are very important to help prevent the spread of this disease as well as other poultry diseases, and should always be followed. The potential for a serious AI problem just emphasizes the importance of biosecurity.

Again, it's important to note that one cannot be infected with AI by eating cooked poultry products or eggs.

**For more information, visit the websites of the [WHO](#) and the [CDC](#).**



### How many eggs will a hen lay in a week/year? When do they start to lay eggs?

A typical hen will start to lay eggs at about 6 months of age. The eggs will start out small, then get increasingly larger. During the first year of laying, the hen (if she is a good egg producer) will lay one egg, almost every day. The birds will then go through a "molt" in the late fall/ winter months and stop laying. Then they will start again in the early spring. You can encourage egg laying through the colder months by keeping a light on, inside the chicken coop. As the birds get older, they will start to lay fewer



inside the chicken coop. As the birds get older, they will start to lay fewer and fewer eggs. I had a chicken that was at least 5 years old, and she would give me 1 or 2 really big eggs a week.



### How long do they live?

Well I guess that depends on who you talk to--Most farmers who are in the egg producing business will say 2 years. Those who are in the meat producing business will say 6 months--Those who keep birds as pets (with names) or who are not interested in maximum production of eggs, will find that chickens can live up to 8 or 10 years. It is your choice whether you want to keep a bird that long, and if not, there are local farmers willing to take in older birds (or there is always the "stew pot").

### Do they need a lot of space?

Poultry Coops can fit into just about any size backyard. For 4 hens, a 3'x4' Coop plus a "run" (a place for them to scratch around) that is roughly 3'x8' is more than adequate. Most commercial birds are placed in cages (6-8 to a cage) where they can not turn around. You, on the other hand, will have very happy birds. "Chicken Tractors" are another option. They are portable coops that can be moved over the yard or garden plots, to give birds fresh bugs and greens--this also is a great way to mow the lawn!

### Can I use the chicken manure in my garden?

Chicken manure is high in nitrogen, so it is considered "hot". It will need to be composted before putting it directly onto your garden. once it has broken down, it then becomes perfect food for the garden.

*A Polyphemus moth rests on the **outside** of the coop. Good thing! If it were on the inside, it would make a tasty snack for one of the hens.*

### What do chickens eat?

They will eat just about anything! There are commercial poultry foods available at local feed stores, or you can make your own mix. People feed chickens corn, oats, wheat, rye, soy, fresh greens from the garden (weeds as well), table scraps (they love spaghetti!), worms and other bugs. The local grocery stores and markets often have vegetable scraps available. Variety is the key to good health, just like us!

### What do you do with them in the winter?

They can live quite happily, through the coldest winter, if they have an insulated coop or a light inside their coop. The smaller the coop, the easier it is for them to keep it warm. Birds can get frostbite. Birds with large combs tend to be more susceptible. Also, some breeds are just hardier than others.



## What do I do about freezing water in the winter?

**Cherrie Nolden has several suggestions:**

(I'm sure other people have other good ideas but these are all things we have used successfully)



get a small heated dog dish



use a bird bath heater in a dish



use a tough rubber 2qt feed pan. Stomp the ice out twice a day or put the bird bath heater in it



make your own small heater base with some heat tape and an old pot



wrap heating tape around the lid of a metal water font



shine a heat lamp on the water container



## Are chickens safe from cats and dogs?

The key to safe chickens is a sturdy, impenetrable coop. Raccoons should be more of a concern, they are such clever, determined critters. .Make sure the structure is secure (enclosed top, fencing buried below ground under the sides, secure latches on doors or other entryways), keep all birds locked in at night, letting them out into the run or "tractor" only during the day. My cats have always been interested in the birds, but with a healthy respect for them--Dogs will chase the birds, if they are left to roam. If you let your birds out, please keep them under supervision at all times.

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#### 12.41 Prohibited Animals

(1) No person owning or in charge of any horse, mule, cattle, sheep, goat, swine, geese, chickens or other domestic livestock, poultry or fowl, or any wild, dangerous, vicious, poisonous or carnivorous animal, insect or reptile, shall keep such animals or permit such animals to run at large in any part of the City.

(2) The prohibitions of subsection (1) above shall not apply where the creatures are in the care, custody or control of: a veterinarian for treatment; agricultural fairs; shows or projects of 4-H Clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; licensed pet shops; licensed nature preserve or zoological gardens; provided:

(a) This location conforms to the provisions of the Zoning Ordinance.

(b) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors and disease.

(c) Animals are maintained in quarters so constructed as to prevent escape.

(d) No person lives or resides within 100 feet of the quarters in which the animals are kept.



# MEMO

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**To:** Ordinance Committee  
**From:** Nathan Thiel, City Administrator  
**Subject:** Creation of School Bus Flashing Lights Ordinance  
**Date:** May 14, 2013

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Lisa Bauer of Jevco recently approached the City with a request for the City to investigate establishing a City Ordinance, which requires School Buses to use their red warning lights and flashing stop paddle whenever making a stop in town.

State Statute 346.48(2)(b)2 indicates:

School bus operators shall not use the flashing red warning lights in residence or business districts when pupils or other authorized passengers are to be loaded or unloaded where a sidewalk and curb are laid on both sides of the road, unless required otherwise by municipal ordinance enacted under s. 349.21 (1).

Some cities have enacted ordinances. Green Bay permits flashing lights only if a student is crossing the street at the scheduled stop. The ordinance could also be crafted to identify specific locations within the City or designated streets. Jevco's preference is that the ordinance is a mandate rather than permission. They do not want an ordinance that is situational based and left to the bus driver to decide, creating a liability.

Lisa indicated several residents and parents have approached her about demanding bus drivers activate the flashing lights at stops in town. On the flipside I also recently had an individual approach me aggravated that a bus used their lights when they were not supposed to in town. No matter the position taken with this ordinance there will be opposition.



April 23, 2013

City of Mauston  
Ordinance Committee

To Whom It May Concern:

Jevco has received many phone calls from concerned parents and residents regarding our drivers NOT using their red lights and stop arm while making stops within the city limits. When we cite the Wisconsin state law prohibiting their use, they are typically angry and upset because they "just witnessed an automobile go around a stopped school bus and a child almost got hit." Our bus drivers have also expressed concerns about not being able to give their students any protection with their red lights while dropping in town.

Because a city has the ability to pass it's own ordinances in this matter, Jevco management felt it prudent to bring parent/citizen/driver concerns to the attention of the Mauston City Ordinance Committee. Of course there will be pro's and con's to consider for any scenario. The predictable "con" is that there will be people who are upset with being stopped all over town. Obviously, the biggest "pro" to making a change would be more protection for students whose bus stops are within the city limits.

A second "pro" would be that it would make all bus stops within the city more uniform. Jevco's safety director, Ann Smith, went to each in-town stop to document which stops require red lights (no sidewalk/curb/gutter on both sides of street) and which stops are prohibited from using red lights (curb/gutter/sidewalk are on both sides of street). Truthfully, it is a mess. Some streets do, some don't, and some could be either way depending on where the bus stops. Here is the breakdown:

### STOPS THAT REQUIRE THE USE OF RED LIGHTS

**\*STOPS IN BOLD PRINT ARE DESIGNATED "HAZARDOUS STOPS" THROUGH THE STATE AS REQUESTED BY THE MAUSTON SCHOOL DIST.**

LINCOLN & SHERMAN (ON SHERMAN)

531 JEFFERSON

HERRIOT & SHERMAN (ON SHERMAN)

WATER & SPRING

DIVISION STREET SOUTH OF HWY 82

LITTLE RASCALS DAYCARE

MAY STREET

**\*DAIRY ISLAND (ON STATE ST)**

**\*STATE STREET (ACROSS TRACKS FROM 12/16)**

**\*ATTEWELL TRAILER CRT**

**\*UNION STREET BY LIONS PARK**

MANSION STREET BEHIND LIBRARY

MACCS DAYCARE ON MANSION STREET

MCEVOY APARTMENTS ON ROOSEVELT STREET

**STOPS THAT CANNOT USE RED LIGHTS**

**\*STOPS IN BOLD PRINT ARE DESIGNATED "HAZARDOUS STOPS" THROUGH THE STATE AS REQUESTED BY THE MAUSTON SCHOOL DIST.**

LINCOLN & MADISON

MCEVOY APARTMENTS ON MCEVOY STREET

**\*JONES PARK**

**\*MILLS & MANSION**

**\*HEATH & EBERLEIN**

**\*ELMBERTA & DIVISION (ON ELMBERTA)**

COLFAX & GRANT

COLFAX & MONROE

**\*LIONS PARK (DIVISION STREET)**

**\*MAINE & DIVISION (ON MAINE ST. IN FRONT OF BEST CLEANERS)**

MARACHOWSKI PARK IS A STOP THAT MAY OR MAY NOT NEED RED LIGHTS DEPENDING ON WHERE YOU STOP ON THE ROAD. PART OF THIS ROAD HAS SIDEWALK AND CURB, PART DOES NOT.

Our school bus drivers have been trained on what the state statute for using red lights is. Unfortunately, most drivers in the general public do not know this law and as you can see from the above list, it is very confusing. If the City of Mauston decides to implement a city ordinance for allowing the use of red warning lights, Jevco would request that it encompass everything within the city limits and be mandatory (as opposed to being at the discretion of the driver).

Another issue that will need to be addressed is our special needs buses that potentially could be loading/unloading wheelchair students. Attached is a copy of the ordinance for Wisconsin Rapids. Jevco does not necessarily agree with the wording that excludes special needs buses from the ordinance. We understand the time issue with wheelchairs, however, it does not protect the other children on those buses. For instance, we had a Mauston student with autism get off the bus and instead of heading to the house where his parent was waiting at the door, he chose to run across the street to a car he saw parked there. Wording to exempt wheelchair loading/unloading and not the entire bus would be ideal.

Jevco holds a neutral position on this matter and just felt that there was a need for the discussion due to the number of in-town stops for this district, the lack of any consistency within the city limits and the number of concerned phone calls from people. If the city decides to make changes, it probably would be in everyone's best interest to implement them during the Summer to allow enough time to educate the community before school starts again in the Fall.

Please let us know if there is any further information you need from us.

Thank you for your time and consideration in this matter.

Lisa Bauer  
Office Manager

- (e) The following is a list of streets designated as truck access routes. The designation truck access route is the route a truck must take for deliveries or repairs to a certain area. It is not a through route for truck movements in the city.
- (1) LeVigne Street from 1st Street North to 3rd Street North
  - (2) 1st Street North, from Jackson Street to Spring Street
  - (3) Spring Street, from 1st Street North to Plover Street
- (2) Height Limits and High Traffic Routes.
- (a) Operating a truck whose height is in the overall excess of 13.5 feet. It shall be unlawful for any person to operate any motor truck whose height is in the overall excess of 13.5 feet but less than 14.5 feet over any street in the City of Wisconsin Rapids, which is not a county trunk, state highway, or federal highway, or which is not designated as a truck route, except as follows:
- (1) Operating while actually engaged in deliveries or pickups to business or residence from the nearest designated truck route
  - (2) Going to or from garage of owner and operator
  - (3) Going to or from points within the city for purpose of having the truck serviced, repaired, or while being tested
  - (4) When operating a truck which is customarily used to transport workmen or equipment and while being so used
- (b) Operating a truck whose height is in the overall excess of 14.5 feet, it shall be unlawful for any person to operate any motor truck whose height is the overall excess of 14.5 feet without a permit approved by the police department, engineering department, and the Water Works and Lighting Commission authorized representatives.



#### 340.009 SCHOOL BUS WARNING LIGHTS

Notwithstanding the provisions of Section 346.48(2)(b)2, Wisconsin Statutes, adopted by reference in the municipal code, school bus operators shall use flashing red lights in residential and business districts when pupils or other authorized passengers are to be loaded or unloaded at locations at which there are no traffic signals. Such flashing red warning lights shall be activated at least 100 feet prior to stopping for purposes of loading and unloading and shall continue until such persons have crossed the street or highway before being loaded or after being unloaded. The provisions of this ordinance do not apply to special needs buses that pull over to the curb in front of the residences of the student to be picked up or dropped off. (MC#982)

#### 340.010 MOTOR VEHICLES ON PEDESTRIAN WAY, BOULEVARDS, OR OVERPASSES

No person shall operate or park any motor vehicle on any pedestrian way, boulevard (portion between curb and outer and the right-of-way line), pedestrian overpass, or bike trail within the City of Wisconsin Rapids except municipal or county maintenance and emergency vehicles. (MC#398)

#### 340.011 OBSTRUCTION OF RAILROAD CROSSING

No person or corporation shall leave standing or stop or permit or allow to stand any railroad train, engine, or car upon any street, alley, or highway crossing within the City of Wisconsin Rapids so as to obstruct public travel for a greater period of time than ten minutes without opening said street, or crossing for at least ten minutes.

#### 340.012 SNOWMOBILE REGULATIONS

No person shall operate a snowmobile upon any street, highway, alley, or public right-of-way within the City of Wisconsin Rapids, in violation of the provisions of Chapter 350 of the Wisconsin Statutes. (MC#894)

#### 340.013 PENALTY

Forfeiture for Violation of Moving Traffic Regulations. Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in this ordinance shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statutes, including any variations or increases for subsequent offenses.

3.208 Uniform Chart of Accounts

The Uniform Chart of Accounts, as recommended by the Wisconsin Department of Revenue, shall be used as the principal method of charting accounts, provided: *(Amended per Ord. 778)*

- (1) It may not be necessary to utilize all accounts during any one budget year.
- (2) Accounts may be added and deleted with the approval of the Council.
- (3) A specific name, purpose and term may be established or modified for any account, as approved by the Council.

3.209 Non-Lapsing Continuing Appropriation Accounts

The following non-lapsing continuing appropriation accounts are hereby established for the following purposes: *(Amended per Ord. 779 and Ord. 809)*

- (1) "Administration" for:
  - (a) The replacement of office equipment and furnishings in the Administrative Offices.
  - (b) The maintenance and repair of the Municipal Buildings.
  - (c) The condemnation of dilapidated property or other property designated for a public use through the condemnation process.
- (2) "Police Department" for:

- 
- (a) The replacement of office equipment and furnishings in the Police Department.
  - (b) The replacement of Police squad vehicles.
  - (c) The maintenance, repair and replacement of the emergency warning system.
- (3) "Fire Department" for:
- (a) The replacement of office equipment and furnishings in the Fire Department.
  - (b) The major repair and replacement of fire fighting equipment.
  - (c) The replacement of Fire Department vehicles.
- (4) "Street Department" for:
- (a) The replacement of equipment used in the repair, maintenance, construction of streets and associated appurtenances.
  - (b) The construction or reconstruction of streets and associated appurtenances.
  - (c) The repair, replacement and/or new construction of curbs, sidewalks, storm sewer, bridges and dams.
- (5) "Library" for:
- (a) The replacement of office equipment and furnishings at the Library.
  - (b) The construction of a new library, including site acquisition, architectural fees and similar expenses.
- (6) "Park Improvements" for:
- (a) The repair, replacement and/or new construction of park facilities and equipment.
  - (b) Capital expenditures for the summer recreation programs.
- (7) "Industrial Park" for:
- (a) Those expenditures incurred to foster industrial growth and development within the municipality.

(8) "Snow Removal" for:

(a) The removal of snow and ice from municipal roadways.

**Ordinance No. 2013-1055**

**ORDINANCE DISSOLVING THE COMMUNITY DEVELOPMENT GRANT COMMITTEE AND REASSIGNING AUTHORITY TO THE HEALTH WELFARE AND SUSTAINABILITY COMMITTEE**

**WHEREAS**, the Community Development Grant Committee meets on an infrequent and irregular basis due to lack of CDBG funding; and,

**WHEREAS**, these duties could easily fall under the purview of the already existing Health, Welfare and Sustainability Committee;

**NOW, THEREFORE**, on motion duly made and seconded, the Common Council of the City of Mauston does hereby ordain that Section 3.412 of the Mauston Code of Ordinances be stricken and 3.501 of the Mauston Code of Ordinances amended to read as follows:

**3.501 Standing Committees**

- (1) Creation: The following standing committees are hereby established and given the following duties and powers:
  - (a) The Finance and Purchasing Committee shall be primarily responsible for formulating the annual budget and reviewing the purchasing of supplies and equipment, and such other matters as may be referred to it by the Council.
  - (b) The Health, Welfare, and Sustainability Committee shall be primarily responsible for the monitoring of the health and welfare of the City, including ~~the~~ enforcement of the Building Maintenance and Public Nuisance Ordinance (Chapter 13, infra.), oversight of housing and property rehabilitation programs, and to make recommendations to the Council concerning issues relating to building maintenance, public nuisances, and issues affecting environmental sustainability and such other matters as may be referred to it by the Council. (amended per Ord. 1037)

The Committee shall also administer the various federal and state housing programs and grants awarded to the City. Such administration shall include the review, ranking, approval and disapproval of loans, the disbursement of grant funds including new funds and revolving funds, the preparation, recording and preserving of necessary documents, and such other duties and procedures as may be imposed from time to time by the Wisconsin Department of Housing or any other granting authority.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Brian T. McGuire, Mayor

\_\_\_\_\_  
Nathan Thiel, City Administrator

- Dates of Readings: \_\_\_\_\_ and \_\_\_\_\_
- Date of Adoption: \_\_\_\_\_
- Votes: \_\_\_ ayes \_\_\_ nays \_\_\_ abstentions \_\_\_ absent
- Date of Publication: \_\_\_\_\_

**Ordinance No. 2013-1056**

**ORDINANCE AMENDING FIRE INSPECTION AND ENFORCEMENT ORDINANCES**

**WHEREAS**, the Fire Chief under ordinance 3.310 has been charged to “Carry out duties and exercise powers” of fire inspections as outlined by State Statute; and,

**WHEREAS**, the City Ordinance recognizes authority of the Fire Inspector to enforce and inspect under 13.90 of this ordinance but falls short in defining the fire inspection process and providing means to enforce inspection violations; and,

**WHEREAS**, the fire inspections and the enforcement of fire codes is in the interest of public safety for the entire community;

**NOW, THEREFORE**, on motion duly made and seconded, the Common Council of the City of Mauston does hereby ordain that Section 6.09 and Section 25.02 (4)(e) be added to the Mauston Code of Ordinances as follows:

**6.09 Fire Prevention** ..... 6-9

- (1) State Codes ..... 6-9
- (2) Fire Chief to Be Fire Inspector ..... 6-10
- (3) Inspection Duties ..... 6-10
- (4) Citation Authority ..... 6-10
- (5) Inspection Fees ..... 6-10
- (6) Entering on Premises..... 6-10
- (7) Disclaimer on Inspections ..... 6-10
- (8) Licenses or Permit Withheld ..... 6-11
- (9) Violation and Penalty ..... 6-11

**6.09 Fire Prevention**

- (1) State Codes: Except as otherwise specifically provided in this Code, the statutory provisions of Section 101.14 Fire Inspections, Prevention, Detection and Suppression, Wis. Stats., and the following chapters of the Wisconsin Administrative Codes are hereby adopted by reference and made a part of this Code as if fully set forth herein.
- (2) Fire Chief to Be Fire Inspector: The Fire Chief shall hold the office of Fire Inspector with power to appoint one or more Deputy Fire Inspectors, who shall perform the same duties and shall have the same powers as the Fire Inspector.
- (3) Inspection Duties: It shall be the duty of the Fire Chief to provide for the inspection of every public building and place of employment to determine and cause to be eliminated any fire hazard or any violation of any law

relating to fire hazards or to the prevention of fires, to the extent required by §101.14, Wis. Stats. and Ch. ILHR 14 Wis. Adm. Code, and the Chief shall further make and keep on file written reports of such inspections as may be required by the Wisconsin Department of Industry, Labor and Human Relations.

- (4) Citation Authority: The Fire Chief, Deputy Fire Inspectors shall be authorized to issue citations for violations of this section using the uniform citation method set forth in Chapter 25 of this Code.
- (5) Inspection Fees: There is hereby established the following fee schedule for each inspection required by this ordinance:

	<u>Fee</u>
Routine Annual and Semi-annual Inspection	\$ 0.00

There is hereby established the following fee schedule for re-inspection required by this ordinance which is necessitated by the existence of a violation(s) of this ordinance ascertained during a routine inspection:

Any passing re-inspection	\$ 0.00 ea.
All failed re-inspections	\$75.00 ea.

- (6) Entering on Premises: In accordance with section 13.90 of this code, no person shall deny a Fire Inspector free access to any property within the City with proper notice and at a reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct a Fire Inspector in the performance of his/her duty or refuse to observe any lawful direction given by the Inspector. The Fire Chief shall be deemed a peace officer for the purpose of applying for, obtaining and executing a special inspection warrant pursuant to §66.0119, Wis. Stats.
- (7) Disclaimer on Inspections: The purpose of the inspections under this section is to comply with the fire inspection provisions of the State codes. The inspections and the reports, findings and orders issued after such inspections are not intended as, nor are they to be construed as, a guarantee. In order to advise owners, occupants and other interested persons, a disclaimer shall be included in each inspection report as follows: "The findings of the inspection contained herein are intended to report conditions of non-compliance with Code provisions that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed premises.

The City makes no warranty or representation, expressed or implied, that its inspection of the property has discovered all fire code violations or all fire hazards or that this report contains a complete list of all fire code violations existing on the property inspected herein.

- (8) Licenses or Permit Withheld: No license shall be granted or renewed for the operation of any trade, profession, business or privilege for which a license is required by any provisions of this Code nor shall any occupancy permit under Ch. 14 of this Code be issued for any property that contains any outstanding violation of this section.
- (9) Violation and Penalty: Any person who violates, disobeys, neglects, omits or refuses to comply with, or resists the enforcement of any of the provisions of this section shall be subject to a penalty as provided in Ch. ILHR 14 Adm. Code or §25.01 of this Code, whichever is greater.

**25.02 Citation Method of Enforcement**

- (4) Issuance: Citations authorized under this Section may be issued by the following City personnel for the following violations:
  - (e) The City Fire Chief may issue a citation for any violation of Chapters 6 and 13.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Brian T. McGuire, Mayor

\_\_\_\_\_  
Nathan Thiel, City Administrator

- Dates of Readings: \_\_\_\_\_ and \_\_\_\_\_
- Date of Adoption: \_\_\_\_\_
- Votes: \_\_\_ ayes \_\_\_ nays \_\_\_ abstentions \_\_\_ absent
- Date of Publication: \_\_\_\_\_

Ordinance No. 2013-1057

ORDINANCE AMENDING SPECIAL ASSESSMENT LANGUAGE

WHEREAS, the term "Driveway Apron" is not specifically identified in the current ordinance as either a city cost or the cost of the property owner; and,

WHEREAS, the intent of special assessments is to assign costs to the property owner where the improvement primarily benefits the owner and a driveway apron would meet this criteria; and,

WHEREAS, assessing for driveway aprons is the City's common practice and wishes to remain true to the ordinance's language to assess for what is "fair, reasonable, and necessary" and "consistently applied throughout the City";

NOW, THEREFORE, on motion duly made and seconded, the Common Council of the City of Mauston does hereby ordain that Mauston Code of Ordinances Section 15.50(2)(b)(4) be amended; Section 15.50(2)(b)(6) be added; and Section 15.51(2)(a)(5) be amended to read as follows:

15.50 Reconstruction Projects

(2) Policy:

(b) Property Owners

(4) **Sidewalks & driveway aprons:** 100% of costs, except those property owners who have reconstructed their entire sidewalk within the past 10 years shall be given the following-described credit, provided all of the following conditions are met:

(6) **Any and all other public right-of-way improvements which provide a benefit to the adjoining property owner. 100% of cost.**

15.51 New-Construction Projects

(2) Policy

(a) The costs to construct the following new items shall be paid in full by the owner/developer:

(5) **Sidewalks and driveway aprons,** including all excavation, earth work, grading, aggregate placement, compaction, aggregate shaping, and boulevard restoration, including all excavation, earthwork, grading, compaction, top soil, seed mulch, fertilizer, sod and other restoration labor and materials.

APPROVED:

ATTEST:

\_\_\_\_\_  
Brian T. McGuire, Mayor

\_\_\_\_\_  
Nathan Thiel, City Administrator

- Dates of Readings: \_\_\_\_\_ and \_\_\_\_\_
- Date of Adoption: \_\_\_\_\_
- Votes: \_\_\_ ayes \_\_\_ nays \_\_\_ abstentions \_\_\_ absent
- Date of Publication: \_\_\_\_\_

# ADMINISTRATOR'S ITEMS



## MEMO

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**To:** City of Mauston – City Council  
**From:** Nathan Thiel, City Administrator  
**Subject:** Community Venture Network  
**Date:** May 10, 2013

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Attached is a brief summary of the Network as well as a contract agreement for the amount of \$4,250. I have now gone to two of these events on a trial basis. The first was in December, and the second was just this last April. The network or program basically generates leads for attracting new industry to our community. At both events, I was impressed with the quality of industries presented.

If you will recall, earlier this year the City was trying to attract a company Dossette LLC to our community. That was the result of this program. Currently I am in process of attracting two other industries. While being in this network does not guarantee an industry will come to Mauston, it has already generated several leads and I believe this is a good use of Economic Development funding. The city budgeted \$10K in 2013 for economic development professional services, and there is sufficient funding for this item.



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Professionally managed by Essex Capital, LLC, the Community Venture Network (CVN) was formed for rural communities and expanding companies in 1991 in an effort to bring high growth businesses together with economic development professionals seeking to attract business expansions and relocations to their community.

Emerging growth businesses find that the reduced operating costs, lower labor rates, attractive financial incentives and unified community support provide the maximum opportunities for successful business growth. Too often, however, the community and the business never find each other.

Thus CVN was formed to assist communities in identifying these potential prospects. CVN conducts active outreach programs to identify these emerging businesses and educate them on the benefits of seeking “out state” locations. We have a significant referral network and also conduct our own outreach, targeting companies in manufacturing, distribution, technology, medical and alternative energy industries.

Three times per year, we present 8 of these companies to our Network of communities and program partners. As a private program, we are membership-based and limited to working with 30 development groups. Programs are hosted in Minneapolis with ND, SD, MN, IA, WI and NE communities formally represented; other states can be brought into the fold when appropriate.

Each presenter works with our staff to craft a presentation and community expansion opportunity that will be presented in a summary document for each attendee as well as a 25 minute presentation. If you are a community interested in learning more or if you have clients who may benefit from being introduced to our Network of communities, please feel free to contact us at:

*Justin Erickson – Principal  
EsseX Capital, LLC  
8120 Penn Avenue South  
Suite 100W  
Bloomington, MN 55431  
(651) 204-2986*

# **EsseX Capital, LLC**

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(651) 204-2986      8100 Penn Ave South  
(612) 281-4648 Cell      Suite 150E  
Justin@Essexllc.net      Bloomington, MN 55431

## **AGREEMENT FOR PROFESSIONAL SERVICES**

**Between  
CITY OF MAUSTON  
and  
ESSEX CAPITAL, LLC**

This Agreement, made this 1<sup>st</sup> day of June, 2013, by and between the City of Mauston (hereinafter referred to as "member") and EsseX Capital, LLC (hereinafter referred to as "ESSEX"), is an agreement for membership in the Community Venture Network (hereinafter referred to as "CVN").

### **SECTION I**

#### **Professional Services**

ESSEX shall provide the following services to the member:

A) ESSEX shall professionally manage the CVN.

- 1) Provide support staff services and materials at regularly scheduled meetings of the CVN.
- 2) Notify members of dates of meetings, prepare agendas and necessary materials, and conduct all activities relative to the meetings and functions of the CVN.

B) ESSEX shall conduct an active outreach program.

- 1) Emphasize the availability of member's economic development resources to the business community.
- 2) Maintain continuous contact with accountants, attorneys, venture capitalists, business brokers, and the private banking community to generate referrals.
- 3) Initiate and maintain a business prospecting program.

C) ESSEX shall recruit prospects/presenters for CVN presentations.

1) CVN will identify business prospects in one of the following categories:

- a) "Development stage" companies with existing product lines and seeking expansion capital.
- b) Business acquisitions. New business owners seeking additional equity or expansion capital.
- c) Expansions and/or relocations of existing businesses.
- d) Businesses who will provide high quality jobs
- e) Present a minimum of twenty-four (24) business prospects at regularly scheduled meetings throughout the year.

D) ESSEX shall conduct preliminary review and screening of CVN prospects.

- 1) Assess financial and support service needs of prospects.
- 2) Prepare uniform summaries of applicants that address prospects' needs.
- 3) Schedule follow-up meetings with member community to arrange for contacts with prospects.

## **SECTION II**

### **Payment for Services**

- A) Members/client shall pay, upon execution of this contract, an annual fee of \$4,250.
- B) ESSEX shall notify members/client at least 60 days in advance of the end of any program service year of any changes in annual fees and/or significant program characteristics.

**SECTION III**

**Terms of Contract**

This is an annual agreement with the service year beginning June 1<sup>st</sup>, 2013 – May 31<sup>st</sup>, 2014.

**SECTION IV**

This agreement may be amended by mutual written consent of both parties hereto duly exercised and signed by both.

**SECTION V**

Each party to this agreement binds themselves and their partners, successors, executors, administrators, and assigns to the other party of this agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of this agreement. Nothing herein shall be construed as giving any rights or benefits hereunder to anyone other than the parties to this agreement. ESSEX reserves the right to assign their interest in this contract to a related entity, so long as the performance and terms of the program remain as outlined herein.

In witness whereof, the parties have executed this agreement on the 1<sup>st</sup> day of June, 2013.

**EsseX Capital, LLC**

**City of Mauston**

By \_\_\_\_\_  
Justin D. Erickson, Principal

By \_\_\_\_\_

Its \_\_\_\_\_

Attest \_\_\_\_\_



# MEMO

---

**To:** City of Mauston – City Council  
**From:** Nathan Thiel, City Administrator  
**Subject:** TIF District Review  
**Date:** May 10, 2013

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In preparation for the Strategic Plan in two weeks, I wanted to review the TIF District plans as amended last year. Attached are the financial outlines, as well as a project map. Please note that the funding stream for the TIF 3 project plan is adequate to support the projects listed. Many of the items on the TIF 2 project plan were developed earlier in the life of the district and would require additional development in order to generate the funding stream.

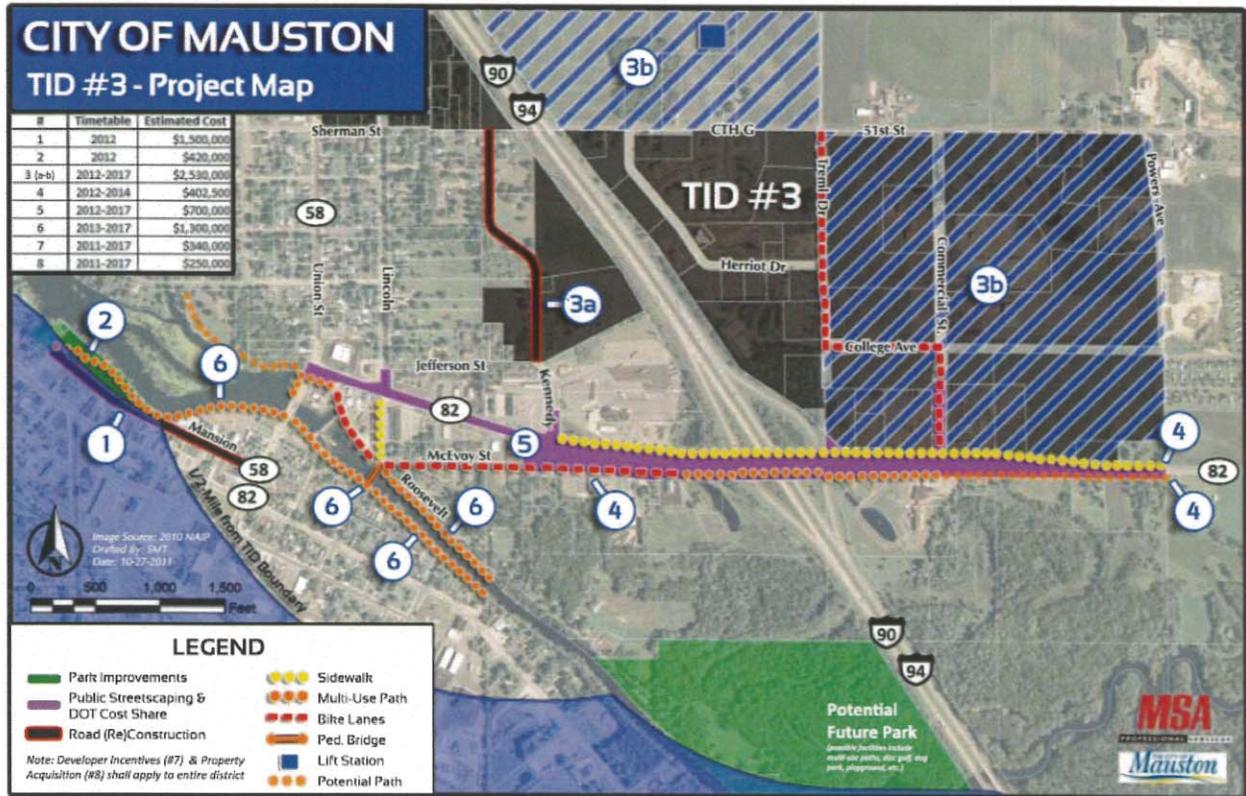
City Staff has actively been pursuing these plans as outlined, primarily for TIF 3. It is an aggressive capital project plan. I wanted to go through the several items on the two separate lists, discuss in brief, and answer any questions. This should allow Council an opportunity to get a good preview in order to be better prepared for further discussion at the Strategic Plan.

**PROPOSED TIF PROJECT COST ESTIMATES**

	Phase I	Phase II	Phase III	TOTALS
	2012	2013	2014 - 2017	
<b>Projects</b>				
<b>Restated from Original and Amended Plan</b>				
Sanitary Sewer Improvements			325,000	325,000
Water System Improvements			150,000	150,000
Street Improvements/Roadway Extensions			800,000	800,000
Site Improvements			250,000	250,000
Blight Remediation			750,000	750,000
Property Acquisition		100,000	350,000	450,000
Demolition			10,000	10,000
Development Incentives		25,000	775,000	800,000
<b>Amended Project Costs</b>				
<b>"1/2 mile" Projects</b>				
City Share - STH 82 Reconstruct	455,000			455,000
STH 82 Pedestrian and Bicycle Mobility Improvements	600,000			600,000
Park Improvements/Conservation	110,000	1,900,000		2,010,000
River Walk and Pedestrian Bridge Improvements/Enhancements		195,000	1,105,000	1,300,000
Street Improvements/Roadway Extensions			730,000	730,000
Professional Fees/Amendment Costs	20,000	10,000	40,000	70,000
Administration	5,000	5,000	20,000	30,000
<b>Subtotal Needed for Projects</b>	<b>1,190,000</b>	<b>2,235,000</b>	<b>5,305,000</b>	<b>8,730,000</b>
<b>Notes:</b>				
1. The City is removing \$6,220,000 in project costs from both the original and amended Project Plans for TID No. 3				

**7**

**MAPS SHOWING PROPOSED IMPROVEMENTS AND USES**



**PROPOSED TIF PROJECT COST ESTIMATES**

		Phase I	Phase II	Phase III	TOTALS
		2012	2013	2014 - 2022	
<b>Projects</b>					
<b>Restated from Original and Amended Plan</b>					
1	Sanitary Sewer Improvements		500,000	190,000	690,000
2	Water System Improvements		500,000		500,000
3	Stormwater Improvements	180,000			180,000
4	Street Improvements/Roadway Extensions		1,500,000	500,000	2,000,000
5	Blight Remediation		100,000	400,000	500,000
6	Site Improvements			250,000	250,000
7	Property Acquisition		100,000	200,000	300,000
8	Development Incentives (Cash Grants)		40,000	240,000	280,000
<b>Amended Project Costs</b>					
<b>"1/2 mile" Projects</b>					
9	Site Improvements	75,000			75,000
	Utility Extensions	10,000			10,000
	Stormwater Management Improvements	150,000			150,000
	Development Incentives (Cash Grants)		60,000	560,000	620,000
	Professional Fees/Amendment Costs	40,000	5,000	20,000	65,000
	Administration	5,000	5,000	45,000	55,000
<b>Subtotal Needed for Projects</b>		<b>460,000</b>	<b>2,810,000</b>	<b>2,405,000</b>	<b>5,675,000</b>
<b>Notes:</b>					
1. The City is removing \$3,000,000 in project costs from both the original and amended Project Plans for TID No. 2					

**7**

**MAPS SHOWING PROPOSED IMPROVEMENTS AND USES**

