



A G E N D A
CITY OF WAUPUN SPECIAL COMMON COUNCIL
City Hall 201 E Main Street Waupun
Tuesday, January 26, 2021 at 5:30 PM

VIDEO CONFERENCE AND TELECONFERENCE

The Waupun Common Council will meet virtually at **5:30pm on Tuesday, January 26, 2021**, via Zoom. The public may access the conference meeting online or by phone. Instructions to join the meeting are provided below:

1. Join Zoom Meeting

<https://us02web.zoom.us/j/81329812842?pwd=ek0ySVloYU5sYXRsMyt1TWRpbnVU2dz09>

Meeting ID: 813 2981 2842

Passcode: 046896

2. Dial by phone: 1-312-626-6799

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Future Meetings & Gatherings, License and Permit Applications, Expenses

RECOMMENDATIONS FROM BOARDS, COMMITTEES, COMMISSIONS

2. Certified Survey Map-Stanton and Son LLC Edgewood Dr. / Beske St.

BUSINESS FOR DISCUSSION-REVIEW

3. COVID-19 Updates and Policy Revisions
4. Update on Energy Innovation Grant Program Application
5. Transportation Utility Feasibility Study

CLOSED SESSION

The Waupun Common Council will adjourn in closed session under Section 19.85 (1) (e) of the WI Statutes for:
(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.

6. Land Negotiations of City Owned Industrial Land

OPEN SESSION

The Waupun Common Council will reconvene in open session under Section 19.85(2) of the WI Statutes.

ACTION FROM CLOSED SESSION

ADJOURNMENT

Upon reasonable notice, efforts will be made to accommodate disabled individuals through appropriate aids and services. For additional information, contact the City Clerk at 920-324-7915.



AGENDA SUMMARY SHEET

MEETING DATE: 01-26-21

TITLE: Future Meetings & Gatherings, License and Permit Applications, Expenses

AGENDA SECTION: CONSENT AGENDA

PRESENTER: Angela Hull, Clerk

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	

ISSUE SUMMARY:

The Consent Agenda consist of future meetings and gatherings of the Common Council and consideration of licenses and permits and payment of expenses.

Future Meetings/Gatherings *(Due to certain circumstances- may be held in person at the City Hall or Virtually/Telephonically)*

Tuesday, February 9, 2021	Common Council	6:00pm
Tuesday, February 23, 2021	Committee of the Whole	5:30pm
Tuesday, March 9, 2021	Common Council	6:00pm
Tuesday, March 30, 2021	Committee of the Whole	5:30pm
Tuesday, April 13, 2021	Common Council	6:00pm
Tuesday, April 20, 2021	Special Common Council	5:30pm
Tuesday, April 27, 2021	Committee of the Whole	5:30pm

License and Permit Applications

OPERATOR LICENSE:

Dana Vandekolk, Carly Crook, Bethany Fredrick

TEMPORARY CLASS B RETAILERS LICENSE

Waupun Hockey Association on 2/6/21 at the Waupun Community Center, located at 510 E Spring Street, Waupun for a Hockey Exhibition.

STAFF RECOMENDATION:

Approve the Consent Agenda

ATTACHMENTS:

Expense Report(s)

RECOMENDED MOTION:

Motion to approve the Consent Agenda. (Roll Call)

Report Criteria:

Report type: Summary

Check Check Number = 14,15,101440-101465,101466-101498

Check Issue Date	Check Number	Payee	Amount
01/05/2021	14	BAKER TILLY US, LLP	5,356.00
01/14/2021	15	WELLS FARGO PAYMENT REMITT.	986.62
01/21/2021	101440	ADVANCED DISPOSAL	43,409.03
01/21/2021	101441	ALLIANT ENERGY/WP&L	1,168.38
01/21/2021	101442	BROWN CAB SERVICE INC	3,557.05
01/21/2021	101443	CASPERS TRUCK EQUIPMENT	223.30
01/21/2021	101444	CONSULTANTS LABORATORY-FDL	80.00
01/21/2021	101445	DESTINATION LAKE WINNEBAGO RE	2,064.31
01/21/2021	101446	DEVRIES WELDING LLC	20.00
01/21/2021	101447	FASTENAL CO.	39.42
01/21/2021	101448	FIRE SAFETY USA INC	2,312.30
01/21/2021	101449	GOLDEN RULE CREATIONS	312.68
01/21/2021	101450	GRAND VALLEY INSPECTION SERVIC	863.98
01/21/2021	101451	GREMMER & ASSOCIATES INC	224.73
01/21/2021	101452	GYSBERS JEWELRY	15,000.00
01/21/2021	101453	KWIK TRIP STORES	5,553.95
01/21/2021	101454	MSA PROFESSIONAL SERVICES INC.	1,237.10
01/21/2021	101455	O'CONNOR WELLS & VANDER WERFF	325.00
01/21/2021	101456	PIGGLY WIGGLY DISCOUNT FOODS	13.38
01/21/2021	101457	RENS FLORAL	78.95
01/21/2021	101458	SCHOOL DISTRICT OF WAUPUN	12,506.14
01/21/2021	101459	SHRED-IT	86.78
01/21/2021	101460	STAPLES CREDIT PLAN	44.33
01/21/2021	101461	STRATEGIC MANAGEMENT & CONSU	1,950.00
01/21/2021	101462	UNEMPLOYMENT INSURANCE	383.80
01/21/2021	101463	VANDE ZANDE & KAUFMAN, LLP	3,260.00
01/21/2021	101464	VON BRIESEN & ROPER, S.C.	513.00
01/21/2021	101465	WAUPUN UTILITIES	24,618.92
01/22/2021	101466	AGNESIAN WORK & WELLNESS-	441.00
01/22/2021	101467	BALLWEG IMPLEMENT	171.84
01/22/2021	101468	BUELOW-FAY, KIMBERLY	831.04
01/22/2021	101469	CASPERS TRUCK EQUIPMENT	62.00
01/22/2021	101470	CHARTER COMMUNICATIONS	1,586.14
01/22/2021	101471	CIVIC SYSTEMS	5,590.00
01/22/2021	101472	CONTREE	93.64
01/22/2021	101473	DAILY CITIZEN	758.74
01/22/2021	101474	DEVRIES WELDING LLC	98.00
01/22/2021	101475	DODGE COUNTY FIRE CHIEFS ASSC	150.00
01/22/2021	101476	FLEETPRIDE	99.35
01/22/2021	101477	GAPPA SECURITY SOLUTIONS LLC	2.80
01/22/2021	101478	GUNDERSON, INC.	348.88
01/22/2021	101479	HOMAN AUTO -GATEWAY	4.75
01/22/2021	101480	KATHY'S KUSTOM EMBROIDERY	341.69
01/22/2021	101481	KEARNS, NICK	57.40
01/22/2021	101482	LEE RECREATION LLC	24,735.00
01/22/2021	101483	MADISON TRUCK EQUIPMENT	53.95
01/22/2021	101484	MARCO TECHNOLOGIES LLC	51.78
01/22/2021	101485	MENARDS - BEAVER DAM	308.76
01/22/2021	101486	MIDWEST SERVICE EQUIPMENT	2,526.07

Check Issue Date	Check Number	Payee	Amount
01/22/2021	101487	NAVIS, MIKE	37.98
01/22/2021	101488	PERKINS OIL	197.78
01/22/2021	101489	PIGGLY WIGGLY DISCOUNT FOODS	57.39
01/22/2021	101490	SAN-A-CARE, INC	397.80
01/22/2021	101491	SHARE CORPORATION	211.18
01/22/2021	101492	STAPLES CREDIT PLAN	329.43
01/22/2021	101493	STATE OF WISCONSIN	150.00
01/22/2021	101494	STOBB PLUMBING & HEATING, INC.	197.95
01/22/2021	101495	UNIFORM SHOPPE	591.90
01/22/2021	101496	WAUPUN UTILITIES	75.00
01/22/2021	101497	MARCO TECHNOLOGIES LLC	257.11
01/22/2021	101498	ENVISION GREATER FOND DU LAC IN	7,500.00
Grand Totals:			174,505.50

Report Criteria:

Report type: Summary

Check.Check Number = 14,15,101440-101465,101466-101498

Report Criteria:

[Report], Invoice Date = 01/05/2021,01/21/2021,01/22/2021

Invoice	Description	Invoice Date	Total Cost	GL Account
615 ADVANCED DISPOSAL				
E10001461456	Recycle - Dec 2020	01/21/2021	8,963.95	420-70-5436-3-38
E10001461456	Residential Trash - Dec 2020	01/21/2021	34,445.08	425-70-5476-3-38
Total 615 ADVANCED DISPOSAL:			43,409.03	
955 AGNESIAN WORK & WELLNESS-				
32537	EAP Quarterly Fee	01/22/2021	441.00	100-10-5143-3-38
Total 955 AGNESIAN WORK & WELLNESS-:			441.00	
1174 ALLIANT ENERGY/WP&L				
3425110000-DEC2020	MUSEUM monthly fuel charges - Dec 2020	01/21/2021	435.63	100-20-5512-3-32
7255200000-DEC2020	Senior Center monthly heat - Dec 2020	01/21/2021	223.58	100-20-5513-3-32
3517989074-DEC20	TIF#6 - Utilities McKinley St. Building - Dec 2020	01/21/2021	509.17	408-70-5436-3-32
Total 1174 ALLIANT ENERGY/WP&L:			1,168.38	
4005 BAKER TILLY US, LLP				
BT1733880	City's 12/31/20 financial statement audit - Dec 2020	01/05/2021	5,356.00	100-10-5157-3-38
Total 4005 BAKER TILLY US, LLP:			5,356.00	
4015 BALLWEG IMPLEMENT				
P04751	hoses - repair hydraulic leaks	01/22/2021	171.84	100-70-5411-3-36
Total 4015 BALLWEG IMPLEMENT:			171.84	
6252 BROWN CAB SERVICE INC				
1368	December 2020 Taxi Service/Nov correction	01/21/2021	3,557.05	501-10-5154-3-38
Total 6252 BROWN CAB SERVICE INC:			3,557.05	
6460 BUELOW-FAY, KIMBERLY				
1-22-21	Tax over payment - refund	01/22/2021	831.04	202-12100
Total 6460 BUELOW-FAY, KIMBERLY:			831.04	
7070 CASPERS TRUCK EQUIPMENT				
0047533-IN	plow bracket mounts	01/22/2021	62.00	100-70-5411-3-36
0046422-IN	rubber skirt, leaf gate lip - Dec 2020	01/21/2021	223.30	700-10-5192-3-36
Total 7070 CASPERS TRUCK EQUIPMENT:			285.30	
10048 CHARTER COMMUNICATIONS				
84621-JAN21	museum - internet	01/22/2021	68.56	100-13850
16011-JAN21	senior center - tv, internet	01/22/2021	138.27	100-20-5513-3-38
54053-JAN21	aquatic center	01/22/2021	110.47	100-20-5523-3-38
41336-JAN21	PD - voice	01/22/2021	178.07	100-40-5211-3-31
18615-JAN21	PD - voice, internet, tv	01/22/2021	389.37	100-40-5211-3-38
3194-JAN21	ethernet intrastate MBPS	01/22/2021	490.00	100-40-5211-3-38
41336-JAN21	FD - voice	01/22/2021	24.28	100-50-5231-3-31
15199-JAN21	garage - tv, internet	01/22/2021	187.12	100-70-5412-3-38

Invoice	Description	Invoice Date	Total Cost	GL Account
Total 10048 CHARTER COMMUNICATIONS:			1,586.14	
10222 CIVIC SYSTEMS				
CVC20273	SEMI ANNUAL civic support fees-1-1-21 thru 6-30-21	01/22/2021	5,590.00	100-10-5141-3-38
Total 10222 CIVIC SYSTEMS:			5,590.00	
10468 CONSULTANTS LABORATORY-FDL				
2615103	legal blood draws - Dec 2020	01/21/2021	80.00	100-40-5213-3-38
Total 10468 CONSULTANTS LABORATORY-FDL:			80.00	
10475 CONTREE				
65172	parts - for salt brine tanks	01/22/2021	51.41	100-70-5411-3-36
65175	parts - for salt brine tanks	01/22/2021	42.23	100-70-5411-3-36
Total 10475 CONTREE:			93.64	
10920 DAILY CITIZEN				
JAN21	annual subscription - city hall	01/22/2021	413.49	100-10-5110-3-35
JAN21/1	annual subscription - PD	01/22/2021	345.25	100-40-5211-3-35
Total 10920 DAILY CITIZEN:			758.74	
11275 DESTINATION LAKE WINNEBAGO REGION				
1-21-21	70% Of Nov Room Tax - Dec 2020	01/21/2021	2,064.31	430-70-5436-3-42
Total 11275 DESTINATION LAKE WINNEBAGO REGION:			2,064.31	
11276 DEVRIES WELDING LLC				
01321	stainless straps	01/21/2021	20.00	100-70-5411-3-36
01322	add tube to salter - parts	01/22/2021	98.00	100-70-5411-3-36
Total 11276 DEVRIES WELDING LLC:			118.00	
11697 DODGE COUNTY FIRE CHIEFS ASSC				
1-22-21	Dodge County Chiefs Annual dues - 2021	01/22/2021	150.00	100-50-5231-3-34
Total 11697 DODGE COUNTY FIRE CHIEFS ASSC:			150.00	
12760 FASTENAL CO.				
WIBEA115243	replace wing bolt - Dec 2020	01/21/2021	39.42	100-70-5411-3-36
Total 12760 FASTENAL CO.:			39.42	
13011 FIRE SAFETY USA INC				
141726	traffic wands - Dec 2020	01/21/2021	144.45	100-50-5231-3-38
142979	streamlights - Dec 2020	01/21/2021	660.00	100-50-5232-3-38
142232	NY Hook - Dec 2020	01/21/2021	94.00	100-50-5232-3-38
142198	helmets - Dec 2020	01/21/2021	671.00	410-50-5231-4-00
142230	shield for helmets - Dec 2020	01/21/2021	94.95	410-50-5231-4-00
142024	helmet lights - Dec 2020	01/21/2021	242.95	410-50-5231-4-00
142910	helmets - Dec 2020	01/21/2021	348.00	410-50-5231-4-00
142909	shield for helmets - Dec 2020	01/21/2021	56.95	410-50-5231-4-00
Total 13011 FIRE SAFETY USA INC:			2,312.30	

Invoice	Description	Invoice Date	Total Cost	GL Account
13354 FLEETPRIDE				
66425432	fuel filter/fuel/water separator	01/22/2021	99.35	100-70-5411-3-36
Total 13354 FLEETPRIDE:			99.35	
14275 GAPPA SECURITY SOLUTIONS LLC				
1-22-21	Tax refund	01/22/2021	2.80	202-12100
Total 14275 GAPPA SECURITY SOLUTIONS LLC:			2.80	
14631 GOLDEN RULE CREATIONS				
094651	Fire Dept Shoulder Emblems - Dec 2020	01/21/2021	312.68	100-50-5231-3-38
Total 14631 GOLDEN RULE CREATIONS:			312.68	
14698 GRAND VALLEY INSPECTION SERVICES				
2020-187	Building Insp/Zoning Admin for Nov 2020 - Dec 202	01/21/2021	863.98	230-30-5241-3-38
Total 14698 GRAND VALLEY INSPECTION SERVICES:			863.98	
14791 GREMMER & ASSOCIATES INC				
1-2	Madison St resetting property pipes	01/21/2021	224.73	100-13850
Total 14791 GREMMER & ASSOCIATES INC:			224.73	
15075 GUNDERSON, INC.				
949412	CITY HALL rugs - Jan 2021	01/22/2021	65.45	100-70-5410-3-38
949415	Senior center rugs - Jan 2021	01/22/2021	54.35	100-70-5410-3-38
947023	fire Dept-Rugs - Jan 2021	01/22/2021	52.18	100-70-5410-3-38
951874	Library Rugs - Jan 2021	01/22/2021	63.63	100-70-5410-3-38
949492	Garage supplies - Jan 2021	01/22/2021	28.03	100-70-5411-3-38
949493	Uniform/charges - Jan 2021	01/22/2021	20.87	100-70-5411-3-38
951927	Uniform/charges - Jan 2021	01/22/2021	19.13	100-70-5411-3-38
951926	Garage supplies - Jan 2021	01/22/2021	45.24	100-70-5411-3-38
Total 15075 GUNDERSON, INC.:			348.88	
15190 GYSBERS JEWELRY				
1-21-21	CDA Grant - Building addition - 305 E Main St - Dec 2020	01/21/2021	15,000.00	405-70-5436-3-38
Total 15190 GYSBERS JEWELRY:			15,000.00	
15950 HOMAN AUTO -GATEWAY				
1014989	plug	01/22/2021	4.75	100-70-5411-3-36
Total 15950 HOMAN AUTO -GATEWAY:			4.75	
16910 KATHY'S KUSTOM EMBROIDERY				
7629	shirts/embroidery on shirts	01/22/2021	341.69	100-40-5211-3-38
Total 16910 KATHY'S KUSTOM EMBROIDERY:			341.69	
16939 KEARNS, NICK				
1-22-21	Reimburse meals - Police Academy	01/22/2021	57.40	100-40-5211-3-38
Total 16939 KEARNS, NICK:			57.40	

Invoice	Description	Invoice Date	Total Cost	GL Account
17175 KWIK TRIP STORES				
PD-DEC2020	Police Dept monthly fuel - Dec 2020	01/21/2021	1,625.74	100-40-5212-3-38
FD-DEC2020	Fire dept monthly fuel - Dec 2020	01/21/2021	234.38	100-50-5232-3-38
DPW-DEC2020	DPW monthly fuel purchases - Dec 2020	01/21/2021	3,647.91	100-70-5411-3-38
DPW-DEC2020	DPW monthly fuel purchases - Dec 2020	01/21/2021	45.92	700-10-5191-3-38
Total 17175 KWIK TRIP STORES:			5,553.95	
17410 LEE RECREATION LLC				
13235-21	5 benches	01/22/2021	6,900.00	220-54-5460-3-38
13235-21	3 benches/9 trash receptacles	01/22/2021	17,835.00	405-70-5436-3-38
Total 17410 LEE RECREATION LLC:			24,735.00	
18009 MSA PROFESSIONAL SERVICES INC.				
R00212096.0-19	Public info meeting - Newton & Rock - Dec 2020	01/21/2021	244.50	400-70-5436-8-00
R00212056.0-73	Fraser Ln Cost Estimate - TID 5 - Dec 2020	01/21/2021	187.50	401-70-5436-8-00
R00212056.0-73	Heritage Ridge Pond Follow-up w/ contractor - TID 7 - Dec 2020	01/21/2021	150.00	407-70-5436-8-00
R00212096.0-19	Easement docs for creek improvements - Dec 2020	01/21/2021	410.60	700-10-5192-8-00
R00212096.0-19	Public info meeting - Newton & Rock - Dec 2020	01/21/2021	244.50	700-10-5192-8-00
Total 18009 MSA PROFESSIONAL SERVICES INC.:			1,237.10	
18120 MADISON TRUCK EQUIPMENT				
1-94720	headlamp relay - repair truck lights	01/22/2021	53.95	100-70-5411-3-36
Total 18120 MADISON TRUCK EQUIPMENT:			53.95	
18459 MARCO TECHNOLOGIES LLC				
INV8309984	Konica/A7PY011X001 contract	01/22/2021	51.78	100-40-5211-3-38
Total 18459 MARCO TECHNOLOGIES LLC:			51.78	
18961 MENARDS - BEAVER DAM				
90826	supplies/parts - comm center/pine st park bridge/shop	01/22/2021	308.76	100-70-5410-3-36
Total 18961 MENARDS - BEAVER DAM:			308.76	
19149 MIDWEST SERVICE EQUIPMENT				
20430	Parts - pressure washer repair/soap for vehicles	01/22/2021	2,526.07	100-70-5411-3-36
Total 19149 MIDWEST SERVICE EQUIPMENT:			2,526.07	
20252 NAVIS, MIKE				
1-22-21	clothing allowance	01/22/2021	37.98	100-12634
Total 20252 NAVIS, MIKE:			37.98	
20735 O'CONNOR WELLS & VANDER WERFF				
131630	Waupun Festivals prep of 2019 tax returns - Dec 2020	01/21/2021	325.00	450-70-5440-3-38
Total 20735 O'CONNOR WELLS & VANDER WERFF:			325.00	
21245 PERKINS OIL				
0106486-IN	washer solvent/Peak Blue/drum deposit	01/22/2021	197.78	100-70-5411-3-36
Total 21245 PERKINS OIL:			197.78	

Invoice	Description	Invoice Date	Total Cost	GL Account
21665 PIGGLY WIGGLY DISCOUNT FOODS				
3541	water - FD - Dec 2020	01/21/2021	13.38	100-50-5232-3-38
8330	DPW purchase	01/22/2021	57.39	100-70-5410-3-38
Total 21665 PIGGLY WIGGLY DISCOUNT FOODS:			70.77	
22795 RENS FLORAL				
1702	Funeral flowers - Aalsma - Dec 2020	01/21/2021	78.95	100-50-5231-3-38
Total 22795 RENS FLORAL:			78.95	
23224 SAN-A-CARE, INC				
536118	Cleaning supplies	01/22/2021	86.76	100-70-5410-3-36
536118-1	Cleaning supplies	01/22/2021	311.04	100-70-5410-3-36
Total 23224 SAN-A-CARE, INC:			397.80	
23300 SCHOOL DISTRICT OF WAUPUN				
1-19-21	2020 Mobile Home Fee Allocation	01/21/2021	12,506.14	100-41-4114-0-00
Total 23300 SCHOOL DISTRICT OF WAUPUN:			12,506.14	
23589 SHARE CORPORATION				
157611	vandal mark remover/spray handle	01/22/2021	211.18	100-70-5410-3-36
Total 23589 SHARE CORPORATION:			211.18	
23612 SHRED-IT				
8181181414	destruction of records - Dec 2020	01/21/2021	86.78	100-40-5211-3-38
Total 23612 SHRED-IT:			86.78	
24108 STAPLES CREDIT PLAN				
1-22-21	share of office supplies	01/22/2021	26.99	100-10-5110-3-38
1-21-21	share of office supplies - 2020	01/21/2021	7.38	100-10-5131-3-30
1-22-21	share of office supplies	01/22/2021	50.39	100-10-5131-3-30
1-21-21	share of office supplies - 2020	01/21/2021	7.39	100-10-5141-3-30
1-22-21	share of office supplies	01/22/2021	50.41	100-10-5141-3-30
1-21-21	share of office supplies - 2020	01/21/2021	7.39	100-10-5191-3-30
1-22-21	share of office supplies	01/22/2021	50.41	100-10-5191-3-30
1-21-21	share of office supplies - 2020	01/21/2021	7.39	100-20-5513-3-30
1-22-21	share of office supplies	01/22/2021	50.41	100-20-5513-3-30
1-21-21	share of office supplies - 2020	01/21/2021	7.39	100-70-5420-3-30
1-22-21	share of office supplies	01/22/2021	50.41	100-70-5420-3-30
1-21-21	share of office supplies - 2020	01/21/2021	7.39	100-80-5670-3-30
1-22-21	share of office supplies	01/22/2021	50.41	100-80-5670-3-30
Total 24108 STAPLES CREDIT PLAN:			373.76	
24138 STATE OF WISCONSIN				
529858	Elevator permit - City Hall	01/22/2021	50.00	100-70-5410-3-36
529859	Elevator permit - Library	01/22/2021	50.00	100-70-5410-3-36
529608	Elevator permit - Safety building	01/22/2021	50.00	100-70-5410-3-36
Total 24138 STATE OF WISCONSIN:			150.00	
24400 STOBBS PLUMBING & HEATING, INC.				
11835	ventor motor - furnace at garage	01/22/2021	197.95	100-70-5412-3-36

Invoice	Description	Invoice Date	Total Cost	GL Account
Total 24400 STOBBS PLUMBING & HEATING, INC.:			197.95	
24453 STRATEGIC MANAGEMENT & CONSULTING				
141-20	consulting services - March 2020 thru Oct 2020 - Fire De	01/21/2021	1,950.00	100-10-5255-3-38
Total 24453 STRATEGIC MANAGEMENT & CONSULTING:			1,950.00	
25480 UNEMPLOYMENT INSURANCE				
1-21-21	unemployment payment - Dec 2020	01/21/2021	383.80	100-10-5177-3-38
Total 25480 UNEMPLOYMENT INSURANCE:			383.80	
25482 UNIFORM SHOPPE				
306809	clothing allowance	01/22/2021	385.95	100-12634
306810	clothing allowance	01/22/2021	205.95	100-12634
Total 25482 UNIFORM SHOPPE:			591.90	
26042 VANDE ZANDE & KAUFMAN, LLP				
DEC2020	monthly City Attorney Fees - Dec 2020	01/21/2021	3,260.00	100-10-5161-3-38
Total 26042 VANDE ZANDE & KAUFMAN, LLP:			3,260.00	
26465 VON BRIESEN & ROPER, S.C.				
342924	Personnel Issues - Dec 2020	01/21/2021	513.00	100-10-5143-3-38
Total 26465 VON BRIESEN & ROPER, S.C.:			513.00	
27450 WAUPUN UTILITIES				
DEC2020	Monthly utility charges - 2020	01/21/2021	129.63	100-20-5512-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	473.22	100-20-5513-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	846.47	100-20-5523-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	1,229.82	100-20-5525-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	784.13	100-40-5211-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	466.02	100-50-5231-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	16.00	100-50-5251-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	5,786.70	100-70-5410-3-32
5104	Well Permits cover 5 years - 2021-2025	01/22/2021	75.00	100-70-5410-3-38
DEC2020	Monthly utility charges - 2020	01/21/2021	1,278.72	100-70-5412-3-32
5101	City Snow Plowing - Flegner/Brummond - Dec 2020	01/21/2021	1,009.38	100-70-5435-3-38
DEC2020	Monthly utility charges - 2020	01/21/2021	338.11	100-70-5441-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	10,723.16	100-70-5442-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	1,200.70	210-60-5511-3-32
DEC2020	Monthly utility charges - McKinley Property - Dec 2020	01/21/2021	298.16	408-70-5436-3-32
DEC2020	Monthly utility charges - 2020	01/21/2021	38.70	700-10-5192-3-32
Total 27450 WAUPUN UTILITIES:			24,693.92	
300188 MARCO TECHNOLOGIES LLC				
70827196	KONMIN/BHC308 - contract	01/22/2021	257.11	100-40-5211-3-38
Total 300188 MARCO TECHNOLOGIES LLC:			257.11	
300235 ENVISION GREATER FOND DU LAC INC				
2021	Annual Economic Dev Investment 2021	01/22/2021	7,500.00	100-80-5670-3-38

Invoice	Description	Invoice Date	Total Cost	GL Account
Total 300235 ENVISION GREATER FOND DU LAC INC:			7,500.00	
Grand Totals:			173,518.88	

Report GL Period Summary

GL Period	Amount
12/20	125,202.53
01/21	48,316.35
Grand Totals:	173,518.88

Vendor number hash: 1999645
Vendor number hash - split: 2720958
Total number of invoices: 92
Total number of transactions: 123

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	173,518.88	.00	173,518.88
Grand Totals:	173,518.88	.00	173,518.88

Report Criteria:

[Report].Invoice Date = 01/05/2021,01/21/2021,01/22/2021

Report Criteria:

Vendor.Vendor number = 27935

Invoice	Description	Invoice Date	Total Cost	GL Account
27935 WELLS FARGO PAYMENT REMITT.				
ANGIE-NOV/DEC20	Amazon - microwave for breakroom - city hall - Dec 2020	01/14/2021	84.99	100-10-5110-3-38
KATHY-NOV/DEC20	Zoom subscripton - Schlieve - Dec 2020	01/14/2021	15.81	100-10-5197-3-38
KATHY-NOV/DEC20	credit tax on Schlieve Zoom - Dec 2020	01/14/2021	.82-	100-10-5197-3-38
BJ-NOV/DEC20	Virtual EMS Conf - FD - Dec 2020	01/14/2021	25.00	100-50-5231-3-37
BJ-NOV/DEC20	nameplate for new firefighters - Dec 2020	01/14/2021	136.56	100-50-5231-3-38
BJ-NOV/DEC20	fuel - FD - Dec 2020	01/14/2021	52.52	100-50-5232-3-38
BJ-NOV/DEC20	Animoto-Presentation Program - FD - Dec 2020	01/14/2021	239.88	100-50-5232-3-38
BJ-NOV/DEC20	Facebook Breakfast w/ Santa - FD - Dec 2020	01/14/2021	25.00	100-50-5233-3-35
RACHEL-NOV/DEC20	Waupun Chamber - buddy bingo prize - senior center - D	01/14/2021	50.00	220-54-5460-3-38
RACHEL-NOV/DEC20	Waupun Chamber - bike bingo prize - senior center - Dec	01/14/2021	20.00	220-54-5460-3-38
RACHEL-NOV/DEC20	Waupun Chamber - WCCA bingo prize - senior center - D	01/14/2021	50.00	220-54-5460-3-38
KATHY-NOV/DEC20	Zoom subscripton - Senior Center - Dec 2020	01/14/2021	304.17	220-54-5460-3-38
KATHY-NOV/DEC20	credit tax on Senior Center Zoom - Dec 2020	01/14/2021	16.49-	220-54-5460-3-38
Total 27935 WELLS FARGO PAYMENT REMITT.:			986.62	
Grand Totals:			986.62	

Report GL Period Summary

GL Period	Amount
12/20	986.62
Grand Totals:	986.62

Vendor number hash: 111740
Vendor number hash - split: 363155
Total number of invoices: 4
Total number of transactions: 13

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	986.62	.00	986.62
Grand Totals:	986.62	.00	986.62

CERTIFIED SURVEY MAP NO. _____

For Stanton & Son LLC

Being a Re-Division of Part of Lot 30 of Woodland Hills,
Located in the SE1/4-NE1/4 of Section 31, T14N-R15E,
City of Waupun, Fond du Lac County, Wisconsin

LEGEND

- 2" Iron Pipe Found
- 1" Iron Pipe Found
- Set 0.75"x 18" rebar weighing 1.5 lbs. per lineal foot w/orange plastic ID cap



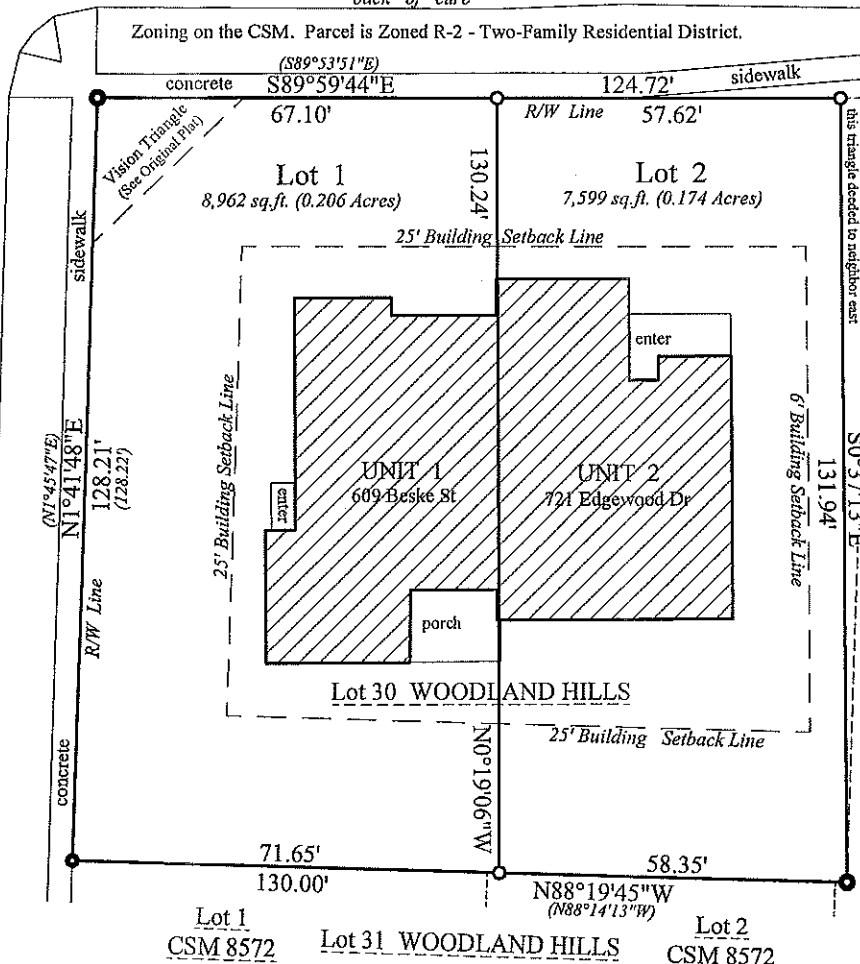
At the time of the survey, parts of the concrete sidewalk were missing for construction purposes. Concrete sidewalks shown are existing, or sidewalks to be replaced. The concrete driveways to the units were not yet constructed and will be in the Spring of 2021. Bearings are referenced to the Fond du Lac County Coordinate System, with a bearing of S89°59'44"E on the south right-of-way line of Edgewood Dr. Previously recorded bearings and/or distances are indicated in parentheses.

EDGEWOOD DR

(platted at 66')

back of curb

Zoning on the CSM. Parcel is Zoned R-2 - Two-Family Residential District.

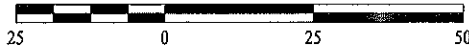


Lot 23 EDGEWOOD ADDITION NO. 2
Original East Line Lot 30
west edge concrete driveway
this triangle decided to neighbor east

BESKE ST
(platted at 66')
back of curb

Lot 1 CSM 8572 Lot 31 WOODLAND HILLS Lot 2 CSM 8572

SCALE 1" = 25'



CERTIFIED SURVEY MAP NO. _____

For Stanton & Son LLC

Being a Re-Division of Part of Lot 30 of Woodland Hills,
Located in the SE1/4-NE1/4 of Section 31, T14N-R15E,
City of Waupun, Fond du Lac County, Wisconsin

SURVEYOR'S CERTIFICATE

I, Rich J. Leaver, Wisconsin Licensed Land Surveyor, hereby certify that I have surveyed, divided and mapped a parcel of land by the direction of Patrick Stanton, representing the owner. This parcel is described and located as indicated above, and more particularly described as the following:

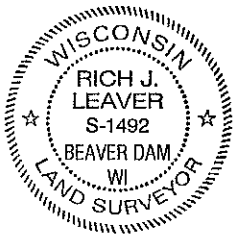
Being a Re-Division of Part of Lot 30 of Woodland Hills, located in the SE1/4-NE1/4 of Section 31, T14N-R15E, City of Waupun, Fond du Lac County, Wisconsin.

The above-described parcel contains 16,561 square feet (0.380 acres) of land, and is subject to all easements, including utility easements and restrictions, either recorded or unrecorded, if any. This parcel shall also comply with the restrictive covenants applicable to zero lot line conditional use for the City of Waupun, Wisconsin.

I further certify that the information contained herein is a correct representation of the boundaries of the land surveyed, divided and mapped, and that I have fully complied with the provisions of Chapter 236.34 of the revised Wisconsin State Statutes, and the subdivision ordinances of the City of Waupun in surveying and mapping the same, to the best of my knowledge and belief.



Rich J. Leaver, WI_LS-1492
Leaver Land Surveying LLC
W8871 Gossfeld Ln.
Beaver Dam, WI 53916
920-887-2401



Owner of Record
Stanton & Son LLC
N4982 Liner Rd.
Brandon, WI 53919

CITY OF WAUPUN CERTIFICATE

Approved by the City of Waupun this _____ day of _____ 2021,

Julie Nickel, Mayor

Angela Hull, City Clerk/Treasurer and
Director of Human Resources



AGENDA SUMMARY SHEET

MEETING DATE: 1/26/2021

TITLE: COVID-19 Updates and Policy Revisions

AGENDA SECTION:

BUSINESS FOR DISCUSSION-
REVIEW

PRESENTER: City Administrator Kathy Schlieve

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
Excellence in Government	N/A	

ISSUE SUMMARY:

We are currently modifying our COVID-19 policies to address pending changes in federal legislation and to move more in accordance with the latest CDC guidelines as it pertains to travel and other safety guidelines outlined in the policy. The final policy revision is pending review by the City's labor attorney and will be forwarded as soon as available. We will also provide a general update on city operations as it pertains to the pandemic.

ATTACHMENTS:

Updated COVID-19 Policies (pending legal review)

RECOMENDED MOTION:

N/A



AGENDA SUMMARY SHEET

MEETING DATE: 1/26/2021

TITLE: Update on Energy Innovation Grant Program Application

AGENDA SECTION:

BUSINESS FOR DISCUSSION-
REVIEW

PRESENTER: City Administrator Kathy Schlieve

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
High Performance Government	Grant application – absorb within proposed 2021 budget Capital budget funding alternative Energy savings if work is completed	

ISSUE SUMMARY:

The City's Public Service Commission of Wisconsin's Office of Energy Innovation's Energy Innovation Grant Program (EIGP) application is complete and was submitted by the January 22, 2021 deadline. Our team will provide a brief update of the grant findings and inclusions so that the Council has an understanding of the scope of the project as outlined below.

Specific HVAC system deficiencies can be described as follows:

- Boiler – 40 years old, at the end-of-life expectancy, low system efficiency (est. 60–70% net system efficiency), no redundancy (burner, control or condensate return components).
- Air cooled condenser – Variable Air Volume (VAV) devices are 32 years old (past life expectancy), use outdated R-22 refrigerant, and are not able to be modified for gains in efficiency (current estimated SEER - 9.0).
- Air Distribution System – Single AHU is 32 years old, past life expectancy, constant volume with bypass system (5 HP motor).
- Pneumatic Control – outdated, inefficient, lack of zone controls, difficulties to find parts and/or maintain.

A summary of the proposed modifications to the existing system include:

- Replace existing AHU and Air-Cooled Condenser. New system will include 20-ton Split DX with SEER -16 air cooled condenser, VFD fan, packaged DDC control.
- Replace existing steam boiler with two high efficiency condensing boilers. New system will include two (2) 750 MBH input and 680 MBH output high efficiency boilers (similar to PK Mach 750), two (2) 75 GPM system pumps and two (2) 75 GPM boilers pumps.
- Replacement of all system piping due to age and deterioration.
- Provide new DDC control to the major equipment and to terminal devices.

Per the included project estimates, the scope of work will include:

- Demolition of existing air handler units and condenser.
- Install new air handler unit, condenser, and fan with general construction as required.
- Demolition of the existing boiler and boiler pumps.
- Disconnect existing utilities as required for new install.
- Re-piping the entire building's distribution system.
- Install two new full condensing boilers and two new boiler pumps.
- Re-connect and modify utilities required to the new boilers.
- Provide venting per manufacturer for the boilers.

- Removal of existing control units.
- Installation of new DDC controls.

TOTAL PROJECT COST: \$955,781

FUNDING PROPOSAL:

- Grant Request: \$721,657
- City Portion: \$234,124 (GF \$41,747; WPPI zero-interest loan: \$167,000; Focus on Energy Incentive: \$5,100; In-Kind Staffing \$20,277)

HVAC COMPONENT ANNUAL ENERGY SAVINGS

- Air Handler System \$295
- Boiler System \$2,952
- Control System \$863
- Total Annual Savings: \$4,110 (20 year savings projected at \$82,200)

ESTIMATED PAYBACK PERIOD

Project Component	Project Cost	Energy Savings	Annual Maintenance Savings	Unanticipated Maintenance Savings	Total Savings	Payback (Yrs.)
Air Handler	\$146,036	\$295	\$1,250	\$5,000	\$6,545	22
Boiler Replacement	\$459,459	\$2,952	\$1,250	\$40,000	\$44,202	10
Control System	\$96,162	\$863	\$1,250	\$10,000	\$12,113	8
Totals	\$701,657	\$4,110	\$3,750	\$55,000	\$62,860	41

ATTACHMENTS:

Public facility Capital Requirements

RECOMENDED MOTION:

N/A

Public Facility Capital Requirements

City of Waupun City Facilities - Capital Improvement Plan - Estimate of Probably Costs

Outline of Priority Summary List

CLIENT: City of Waupun

PROJECT: City Building Facility Condition Assessment

DATE: December 2019

PREPARED BY: Cory A Scheidler and Seth Hudson

CEDAR #: W6218-001

Prices Estimated 2019



Facilities	Short Term 1-2 years	ModTerm 2-5 years	Long Term 5-10 years	Over 10 years
Structure #1 – City Hall 201 E Main Street	\$54,850	\$3,609,238	\$406,050	\$0
Structure #2 – Community Center 510 E Spring St.	\$19,500	\$1,220,700	\$897,650	\$0
Structure #3 – Aquatic Center	\$85,320	\$51,645	\$3,450	\$0
Structure #4 – Library 123 Forest St	\$37,150	\$208,725	\$197,800	\$0
Structure #5 – Museum 22 S Madison	\$39,650	\$162,302	\$211,120	\$274,950
Structure #6 – Public Works 903 N Madison St	\$7,800	\$1,232,140	\$63,700	\$0
Structure #7 – Safety Building 16 E Main Street	\$48,500	\$2,245,500	\$590,035	\$0
Structure #8 – Senior Center	\$19,500	\$195,625	\$897,000	\$878,800
Total by timeline	\$312,270	\$8,925,875	\$3,266,805	\$1,153,750

Total of all projects over time	\$13,658,700
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Total Less repairs to current Senior Center	\$11,667,775
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AGENDA SUMMARY SHEET

MEETING DATE: 1/26/2021

TITLE: Transportation Utility Feasibility Study

AGENDA SECTION: BUSINESS FOR DISCUSSION-
REVIEW

PRESENTER: City Administrator Kathy Schlieve

DEPARMTENT GOAL(S) SUPPORTED <i>(if applicable)</i>	FISCAL IMPACT	
Maintain Public Infrastructure	2021 Budgeted Expense	

ISSUE SUMMARY:

As part of the 2021 approved budget, we will be conducting a feasibility study for a Transportation Utility. In 2018, we presented a fiscal health analysis of the community. At that time, we discussed trends related to revenue (declining), expenditures (increasing), debt (increasing) and debt capacity (shrinking). Additionally, we discuss the cost of construction (roads and buildings) is outpacing inflation, making it difficult to keep pace with increasing demands for capital outlay without borrowing. We also discussed that debt is an essential piece of the equation to achieve a balanced budget and meet demand to replace aging infrastructure, but concluded by saying that managing borrowing in the context of strategic priorities will be imperative to maintain our strong bond rating position and manage our debt capacity. As these trends continue to exacerbate, and as we outlined in the 2021 budget presentation, we are beginning steps to examine alternative and viable revenue sources to meet the capital needs of our community. Transportation Utilities provide an alternative fee with more equitable pay distribution to support road improvement needs of the community. We will talk through the scope of work we will be commissioning this year to review feasibility of a Transportation Utility in Waupun. Authorizing this study does not mean that you are authorizing formation of a Transportation Utility but rather that the underlying work to examine feasibility will be done so that you have data needed for decision making. The process would also involve public meetings and input so that you can understand what your constituents expect through this process.

ATTACHMENTS:

LWM Article: Funding Streets through Transportation Utility Fees
Transportation Utilities Fees FAQs
Copy of 2021-2029 Street Plan with Borrowing

RECOMMENDED MOTION

Discussion only

RECOMMENDED MOTION:

N/A

City of Waupun							
Long Range Street Plan w/ Proposed Funding							
10/17/2019							
Construction				Mill & Overlay			
Year	Street	Estimated Street Cost	Estimated Storm Water	Street	Estimated Cost	Total	Funding
2021	Madison St (Lincoln to Doty) Newton Ave (Harris to Rock River) Rock Ave (Pioneer to Rock River) Rock Ave (Harris to Pioneer)	\$ 2,513,117.13	\$ 1,340,468.50	Fox Lake Rd (Main to West)	\$ 35,000.00	\$ 3,888,585.63	Grant (\$950,040) / Debt Financing
2022	None	\$0	\$0	N Mill St (Monroe to Jackson) W Lincoln St (Bly to Beaver Dam) Pioneer Ave (Rock Ave to N West St) Edgewood Dr (Brandon to Beske) Hawthorn Dr (Madison to Astra) Alley (N. Grove to Moore)	\$ 175,987.88	\$175,988	Pay-As-You-Go
2023	N Grove St (E Franklin to Park) Roosevelt St (N Grove to STH 26) Park St (N Grove to STH 26) Rock Ave (CTH MMM to Newton) Newton Ave (Rock Ave to N Harris)	\$1,497,431	\$285,225	S Watertown St (180' S of Doty to Barnes) Parking Lot (Hockey Rink)	\$ 198,426.50	\$1,981,083	Debt Financing
2024	None	\$0	\$50,000	McKinley St (Beaver Dam to Bly) E Jefferson St (Watertown to Grove) S Grove (Main to Brown) Taylor St (Howard to Brandon) Alley (N Division to N State)	\$ 172,825.54	\$222,826	Pay-As-You-Go
2025	Rock River Ave (Brandon to Newton) Wilcox St (Washington to S Grove) S Forest St (Main to Brown) S Mill St (Main to Brown)	\$ 1,943,943.75	\$ 370,275.00		\$ -	\$2,314,219	Debt Financing / Pay-As-You-Go
2026	None	\$ -	\$ -	N West St (Sunset to Rock River) Sunset Ct (N West St to Termini) Delynn Ct (Rock River to Termini) Riverview Ct (Rock River to Termini) Commercial St (W Franklin to Taylor) Grace St (Beaver Dam to Hillyer)	\$ 107,765.84	\$ 107,765.84	Pay-As-You-Go
2027	Young St (Main to Wilcox) River St (Pioneer to Rock River) Parking Lot (Franklin St) Parking Lot (Mill St) Parking Lot (Mill St) Sawyer St (Grove St to Dead End) S West St (Main to Brown)	\$ 953,662.50	\$ 181,650.00		\$ -	\$ 1,135,312.50	Debt Financing
TOTAL						\$9,825,779	

Transportation Utility Fees FAQs

Question 1: What is a Transportation Utility Fee?

Answer: A Transportation Utility Fees (sometimes known as a Street Maintenance Fee, Road User Fee, or Street Utility Fee) is a *monthly* fee based on use of the transportation system that is collected from residences and businesses within the Waupun city limits. The fee is based on the number of trips a particular land use generates and is collected through the City's regular utility bill. It is designated for use in the maintenance and repair of the City's transportation system. Users of the road system share the costs of the corrective and preventive maintenance needed to keep the street system operating at an adequate level.

Question 2: How does the Transportation Utility Fee work?

Answer: The fee is charged for usage, like your monthly electric charge. It provides a stable source of revenue to pay for street maintenance allowing for safe and efficient movement of people, goods, and services. The street system is a public investment that deserves protection and cost-effective regular maintenance.

Question 3: Why a Transportation Utility Fee in Waupun?

Answer: In the past, the primary source of maintaining the City's street system was the state excise tax (commonly known as the state gas tax). The revenues received from the State are budgeted by the City through the Street Fund. The Street Fund is used for operations and maintenance within the public right-of-way, including such things as pavement maintenance; traffic signal operations and maintenance; traffic control for special events and emergency response; street signage; striping, and street light maintenance.

Wisconsin's state gas tax has not increased since 2006. Increased fuel efficiency in motor vehicles has led to less fuel consumption for the same miles driven. Even though fuel costs have increased, gas tax receipts have not because we are taxed per gallon, not per dollar. The amount available from gas tax revenues for payment overlay and reconstruction continues to decrease while the wear and tear on our roads does not.

The City can no longer rely solely on state gas tax revenues for enough funding to maintain city streets. The City must come up with its own revenue source to meet our local needs. The gas tax must be supplemented to complete pavement overlays, pavement treatments, and reconstruction work that are necessary to keep our street system functioning satisfactorily.

The implementation of a Transportation Utility Fee is a preferred alternative that many communities across the country are considering for a supplemental funding source to help manage the City's street infrastructure investment.

Question 4: What kind of street system do we have?

Answer: Of Waupun's 50 miles of streets, 2.25 miles are principle arterials (such as STH 49/Main St.); 6 miles of minor arterials (such as CTH MM/Beaver Dam St.), 4.5 miles of collector streets (such as E/W Jefferson ST.); and 37.5 miles are local or neighborhood streets. The reconstruction value is currently valued at in the millions of dollars.

Question 5: Why is there a need for timely maintenance of Waupun's streets?

Answer: Through timely maintenance of streets, cities are better able to provide safe roads on which people, goods, and services travel. Studies have shown that pavement conditions worsen at an increasing rate as the pavement gets older. Restoration of pavement near the end of its service life will typically cost 4 to 5 times more than preventative maintenance performed in a timely manner.

Question 6: If a Transportation Utility existed, where and how would Fees collected through the Utility be spent?

Answer: Revenue will be allocated to a funded dedicated to capital improvement of streets, alleys and parking surfaces within the City limits. The dollars will be used for rehabilitation and maintenance of City streets. This includes crack sealing coating, pavement overlays, reconstruction, and roadside work. Revenues will not be used to construct new infrastructure to expand the transportation system or enhancements not directly related to improving or maintaining conditions of existing City streets.

Question 7: What kind of street treatments are available?

Answer:

- Crack sealing – Injection of hot tar or asphalt into cracks and paving seams. Cost is typically \$1.50 per pound. Cost varies on the number of cracks in a road.
- Micro Seal – Very thin layer of liquid asphalt and sand used to seal street surfaces. Cost is typically \$3.25 per square yard.
- Micro Chip Seal – A thin layer of hot asphalt is applied to the street surface then small gravel is applied, leveled, and compacted into place. Cost is typically \$3.00 per square yard. These are generally performed on a 7-8 year cycle on well-traveled roads.
- Overlay – A new layer of asphalt or concrete, which adds structural strength and seals the surface. Often grinding or inlays are needed to match pavement grades or remove severely distressed pavement. Cost range from \$9.50 to \$11.00 per square yard depending on the overlay thickness and preparation. Asphalt overlays are generally performed on a 15 to 20-year cycle.
- Reconstruction – The most expensive street treatment, reconstruction entails extensive street repair work that involves excavating the existing street and rebuilding gravel road base and surface layers. Cost ranges from \$300 to \$500 per linear foot depending on the pavement section type and preparation.

Question 8: How is the fee determined?

Answer: Customers are assigned one of two main categories; residential and non-residential. The fee is based on how many trips are considered the average for property use data developed by the Institute of Traffic Engineers and an individual user fee is calculated from that data.

Question 9: How much can I expect to pay?

Answer: It is too early to tell. The City of Waupun is merely commissioning a feasibility study at this point to determine how a Transportation Utility would best function in our community. Completion of this type of study is needed before any fee determinations can be made. However, TUF is a more equitable way to administer payment, one of the theories we will be researching in this study is how to how we might structure fees to stabilize our tax rate, reduce costs for property owners, and free capital to support other improvements needed in the community.

Question 10: Is a Transportation Utility legal in Wisconsin?

Answer: Yes, while a Transportation Utility has not been tested in Wisconsin, the League of Wisconsin Municipalities has issued a legal opinion that a Transportation Utility is a valid use of the Home Rule Authority that essentially provides municipalities with the legal authority to do what they believe is in the best interest of their community provided that it does not conflict with or attempt to regulate something that the State already regulates if the State has not specifically prohibited municipalities from doing it. The State has no laws regarding Transportation Utilities, nor is the specific method of funding transportation needs dictated by the State, and therefore, Home Rule Authority applies. The LWM article is attached.

Question 11: Is this similar to a wheel tax?

Answer: No. A wheel tax is a local vehicle registration fee that municipalities can implement and it is collected by the State as part of the annual vehicle registration fee. The fee is the same across all vehicle types but not all vehicles are subject to the fee as the State has exempted some types of vehicles. There is no connection between the fee and the use of the road system. A Transportation Utility Fee (TUF) is applicable to all improved properties, regardless of value, and the fee varies based on the properties use of the system. The wheel tax amount on a vehicle is the same whether that vehicle leaves a property once a day or 100 times a day.

Question 12: Why consider a Transportation Utility Fee vs. a Wheel Tax?

Answer: One of the benefits of using a Transportation Utility Fee to fund transportation needs is that it is an equitable way of allocating the financial responsibility for those needs by shifting the costs to those who use the system more, typically the non-residential properties. We previously discussed a wheel tax but that method does not provide any sort of equitable division of the financial responsibility required to maintain the infrastructure. Many businesses do not have company vehicles and many employees do not live in the City so they would not be subject to a wheel tax. They do, however, use and impact the City's transportation system. A TUF, which is applied to the property, accounts for actual use of the system (in the City's case, how many trips a property generates) even when there are no vehicles registered at a particular property. Another primary benefit of the TUF is that it would provide a significant source of revenue to meet the needs of the City's road maintenance and replacement projects. A wheel tax cannot do that without an exorbitant fee.

Question 13: Why do we not use special assessments to fund road projects?

Answer: Special assessments are certainly an option for the City and many municipalities across the State do utilize them. However, in a relatively low-income community, putting that financial burden on our residents is simply could create a burden as road reconstruction projects are incredibly expensive. A one-mile stretch of road surface reconstruction (excluding underground infrastructure) would cost approximately \$1 million. Using special assessments, the Council could elect to put that entire \$1million burden on the property owners on that street, even though, in most cases, that road is used by many people who do not live on the street. Special assessments, if not paid in full upfront, are then put on the tax roll for a period of 3-5 years, with interest. It can be difficult to sell a home with a special assessment on it in an amount that could be expected in such a situation.

Question 14: Why are the current taxes not sufficient for the road projects?

Answer: As previously mentioned, road reconstruction projects are incredibly expensive. Currently, the City funds major road projects through a combination of levy and borrowing. The City then levies for the annual debt and interest payments. The City is able to levy above its state-imposed levy limit to cover debt service payments, resulting in regular property tax increases to support this strategy. Given the rising cost of road construction, and given the broad need for capital improvements for aging infrastructure within the City, it is unlikely that we would have the capacity to levy for the needed amount (levy limit impact) nor would we be in a position to fully borrow for all of our needs (debt limit and bond rating impact). If we did borrow, it would have significant tax consequences on property owners. Since a TUF is a more equitable way to administer payment, one of the theories we will be researching in this study is how we might structure fees to stabilize our tax rate, reduce costs for property owners, and free capital to support other improvements needed in the community.



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Funding Streets through Transportation Utility Fees

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Wisconsin municipalities are searching for alternative ways to pay for essential services like street maintenance and other transportation services. One reason is lack of adequate funding to pay for those services. Although Wisconsin municipalities' main source of revenue is the property tax, Wisconsin local governments have operated under the strictest property tax levy limits in the country for nearly a decade. Moreover, the State expressly prohibits municipalities from imposing other taxes such as a sales tax (with extremely limited exceptions) and local income taxes. At the same time, funding for state aid programs, such as shared revenue, has been flat or decreasing for years. State transportation aids currently cover, on average, sixteen percent (16%) of city and village transportation-related costs.

In addition to lack of funding, some municipal leaders have concluded that paying for street improvements through special assessments imposed on abutting property owners is inequitable and places a disproportionate burden on property owners for improvements that benefit the area or community in general. Substantial assessments can jeopardize the ability of some residents (e.g., those living on fixed or limited incomes) to remain in their homes.

As a result of these factors, some municipalities are turning to alternative revenue options like local vehicle registration fees and transportation utility fees to pay for street maintenance and other transportation services. Several League members have requested the League's legal opinion on whether Wisconsin municipalities may create transportation utilities and charge property owners transportation utility fees.

We conclude that a municipality may rely on its broad statutory and/or constitutional home rule powers to create a transportation utility and charge property owners transportation utility fees. Alternatively, a municipality may charge property owners a street maintenance user fee under Wis. Stat. § 66.0627. Any fee must be reasonably related to the cost of the services provided. The League suggests that a transportation utility fee is most defensible against challenge if the basis for the fee is closely related to property occupants' use of the local street network. It is the League's opinion that transportation utility fees with such a basis are accurately characterized as fees and not taxes. Such fees should be segregated and used only for street maintenance and other transportation services. To avoid needing to reduce the community's property tax levy under § 66.0602(2m)(b) of the levy limit law, municipalities should avoid using transportation utility fee revenue to pay for snow plowing or street sweeping.

Sources of Authority for Transportation Utility Fees

While no state statute expressly authorizes Wisconsin communities to create transportation utilities and charge transportation utility fees, Wisconsin municipalities have broad authority to create, manage, and finance utilities. Transportation utility fees are financing mechanisms that treat the community's street network and other transportation services like a utility. Residents and businesses are charged fees based on their use of the transportation system, analogous to how municipalities provide and pay for water, sewer, electric and stormwater services.

In the state's early years, no statutes existed expressly authorizing cities and villages to own and operate water, sewer, or other common municipal utilities. Instead, municipalities relied on non-specific, broad police power authority to create and fund such now-familiar utilities. Similarly, in the early 1990s, municipalities like Appleton, Glendale, and Eau Claire initially relied on their broad police power authority to create stormwater utilities and charge property owners stormwater fees based on the amount of impervious surface on the property. Cities over 10,000 in population began to charge such fees to help pay for the cost of complying with new state regulations requiring the removal of pollutants from stormwater. Only later did the Legislature add language to the predecessor of Wis. Stat. § 66.0681 expressly confirming municipal authority to create stormwater utilities and stormwater fees. See 1997 Wis. Act 53, which took effect January 9, 1998.

Notably, the Wisconsin Supreme Court determined fairly early that Wisconsin municipalities do not need explicit statutory authorization to create a municipally-owned utility. In 1895, the Court held that "it is not necessary to seek an expressed delegation of power to the city to build a water works and an electric lighting plant, because the power expressly granted to the city to pass ordinances for the preservation of the public health and general welfare includes the power to use the usual means of carrying out such powers, which includes municipal water and lighting services."¹ Similarly, a general grant of authority to act for the public health or general welfare is adequate legal authority today for Wisconsin cities and villages to create, operate, and finance through user charges, a transportation utility.

Statutory Home Rule Authority

Wisconsin cities and villages are vested by the state legislature with broad general police powers. The general city charter law, chapter 62, gives cities the "largest measure of self-government compatible with the constitution and general law." Wis. Stat. § 62.04. Wisconsin Stat. § 62.11(5), the general authority statute for city councils, provides:

Except as elsewhere in the statutes specifically provided, the council shall have the management and control of the city property, finances, highways, navigable waters, and the public service, and shall have power to act for the government and good order of the city, for its commercial benefit, and for the health, safety, and welfare of the public, and may carry out its powers by license, regulation, suppression, borrowing of money, tax levy, appropriation, fine, imprisonment, confiscation, and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants, and shall be limited only by express language.

¹ *Ellinwood v. Reedsburg*, 91 Wis. 131 (1895).

The Legislature has directed courts to liberally construe this provision “in favor of the rights, powers and privileges of cities to promote the general welfare, peace, good order and prosperity of such cities and the inhabitants thereof.” Wis. Stat. § 62.04.

A virtually identical grant of authority is provided to Wisconsin village boards by Wis. Stat. § 61.34(1). That authority is also to be liberally construed in favor of “the rights, powers and privileges of villages to promote the general welfare, peace, good order and prosperity of such villages and the inhabitants thereof” to give villages the largest measure of self government compatible with the Wisconsin constitution. Wis. Stat. § 61.34(5).

These grants of power to cities and villages are substantial and give the governing body of a city or village “all the powers that the legislature could by any possibility confer upon it.” *Hack v. Mineral Point*, 203 Wis. 215, 219, 233 N.W. 82 (1931). These provisions are sufficient on their face to authorize city councils and village boards to create a municipal transportation utility and charge property owners transportation utility fees.

However, these broad powers are not absolute. Home rule powers granted by §§ 62.11(5) and 61.34(1) are constrained if the state has preempted municipal authority in a particular area. Statutory home rule powers may not be exercised if: the legislature has expressly withdrawn the power of municipalities to act; municipal action would logically conflict with state legislation; municipal action would defeat the purpose of state legislation; or, municipal action would go against the spirit of state legislation. See *Anchor Savings & Loan Ass’n v. Equal Opportunities Comm’n*, 120 Wis. 2d 391, 355 N.W.2d 234 (1984); *DeRosso Landfill Co. v. City of Oak Creek*, 200 Wis. 2d 642, 651, 547 N.W.2d 770 (1996). Nonetheless, municipalities may enact ordinances in the same field and on the same subject covered by state legislation where such ordinances do not conflict with, but rather complement, the state legislation. *Johnston v. City of Sheboygan*, 30 Wis. 2d 179, 184, 140 N.W.2d 247 (1966).

Municipalities are not preempted in the area of creating transportation utilities and charging transportation fees. In applying the above preemption tests to creating a transportation utility and charging transportation user fees, the State has not expressly prohibited communities from creating such a utility and imposing such fees. Indeed, the state has not entered the field of municipal transportation finance other than to explicitly authorize certain methods of funding transportation infrastructure improvements such as through the levying of special assessments under Wis. Stat. § 66.0703, imposing special charges for current services under Wis. Stat. § 66.0627, and charging local vehicle registration fees under Wis. Stat. § 341.35.²

The State has also created and funded several aid programs to assist local governments with transportation costs, including the General Transportation Aids and the Local Road Improvement programs. None of these grants of authority and financial assistance programs impliedly preempt municipal authority to create a transportation utility and charge property owners a transportation user fee. Indeed, the statute authorizing special charges for current services expressly provides “The authority under this section is in addition to any other method provided by law.” Wis. Stat. § 66.0627(2). Similarly, the special assessment authority granted pursuant to § 66.0703 expressly

² Wis. Stat. § 66.1113 authorizes six cities and villages to impose a sales tax on tourism-related retail and requires that the revenue be used on infrastructure costs.

states that it is a “complete alternative” to other methods provided by law. Wis. Stat. § 66.0703(1)(a). Likewise, we are not aware of any statutory provisions that creation of a transportation utility would logically conflict with, defeat the purpose of, or go against the spirit of. Although there is an argument that Wis. Stat. § 66.0907 preempts municipalities from using transportation utility fees to finance sidewalk construction and repair because it specifies certain ways in which municipalities *may* cover expenses associated with sidewalks, we believe the stronger argument is that municipalities can use alternative means for financing sidewalks, such as transportation utility fees, because the language in § 66.0907 regarding financing options is permissive rather than mandatory.

The exercise of home rule authority under §§ 62.11(5) or 61.34(5) must also serve a legitimate public purpose. This is usually not a significant bar to action because Wisconsin courts have adopted a very expansive view of public purpose. See *State ex rel. Hammermill Paper Co. v. La Plante*, 58 Wis. 2d 32, 55, 205 N.W.2d 784 (1973). (“Public purpose is not a static concept. The trend of both legislative enactments and judicial decisions is to extend the concept of public purposes in considering the demands upon municipal governments to provide for the needs of the citizens.”) Examples of public purposes that may be served by creating a transportation utility and imposing a user fee include protecting the health, safety and general welfare of the public as well as acting for the municipality’s commercial benefit by ensuring the fiscal ability to safely maintain municipal transportation systems and improve such systems to accommodate and facilitate economic growth. Funding and maintaining a transportation system is critically important to a community’s economy, tourism, and ability to attract and retain people and jobs. A well-maintained street network is also vital to ensuring that municipal emergency services can quickly and efficiently access commercial buildings and residences throughout the community.

Constitutional Home Rule Authority

A city or village may also rely on its constitutional home rule authority to create a transportation utility and charge transportation user fees. This authority is found in Article XI, Sec. 3 of the Wisconsin Constitution, which provides:

Cities and villages organized pursuant to state law may determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or every village.

The method of exercising such authority is specified in Wis. Stat. § 66.0101 and requires enacting a charter ordinance.

A charter ordinance exercising home rule authority is preempted if it conflicts with an existing state law that applies to all cities and villages. *Black v. City of Milwaukee*, 2016 WI 47, 369 Wis. 2d 272, 882 N.W.2d 333. However, no state law prohibits municipalities from creating transportation utilities and imposing transportation utility fees. For example, there are no state laws requiring communities to fund local transportation systems in a specific and exclusive way, precluding other options, such as a user fee. Similarly, no statute limits the type of utilities a municipality may create or the types of user fees it may charge. Indeed, the Legislature has chosen not to prohibit communities from charging transportation utility fees even though several

municipalities, like the City of Neenah, Village of Harrison, and Village of Weston, along with the Town of Buchanan have implemented such fees in recent years.

Special Charges for Current Services

In addition to the statutory and constitutional home rule powers mentioned above, Wis. Stat. § 66.0627 provides authority for a municipality to charge property owners for municipal transportation-related services. Under § 66.0627(2), a municipal governing body may impose a special charge against real property for current services rendered by allocating all or part of the cost to the properties served. The statutory definition of “services” includes transportation maintenance activities like “street sprinkling, oiling, and tarring” and repair of sidewalks, curb and gutter. The definition of “services” is not an exclusive list. The examples given are not meant to limit its application in any way, but merely to highlight possible uses. *Rusk v. City of Milwaukee*, 2007 WI App 7, ¶ 17, 298 Wis. 2d 407, 727 N.W.2d 358.

Fees for current services are not invalidated merely because a property does not use the service. In *City of River Falls v. St. Bridget’s Catholic Church*, 182 Wis.2d 436, 512 N.W.2d 673 (Ct. App. 1994), the Wisconsin court of appeals held that charging user fees for making water available for fire protection services was valid, even though the party charged the fee had not used the water. Services under § 66.0627 can be rendered within a district and need not be performed for specific, individual properties. In *Grace Episcopal Church v. City of Madison*, 129 Wis. 2d 331, 385 N.W.2d 200 (Ct. App. 1986), the court of appeals upheld service charges imposed under a predecessor to § 66.0627 (Wis. Stat. § 66.60(16)) on all properties within the State Street Mall and Capitol Concourse *district*, not just those abutting the pedestrian mall and concourse. The services the city provided to the district included lawn, tree, and shrub care, snow removal from walks and crosswalks, trash clean up and removal, and bus shelter and fixture maintenance. The city charged a portion of the annual cost of providing such services against property owners adjacent to or near the State Street Mall and Capitol Concourse. Municipalities may, therefore, rely on § 66.0627 to charge all property owners in a community a fee for current maintenance of the community’s street network even though not all properties being charged actually abut the streets being reconstructed or maintained with the fee revenue at any one time. The fact that the entire transportation system is being maintained is sufficient to charge all property owners using the system a fee for current services rendered under § 66.0627.

Fees must Reasonably Relate to Costs

Whether a community relies on its broad statutory or constitutional home rule authority or § 66.0627, a transportation utility fee must bear a reasonable relationship to the service for which it is being charged. Wis. Stat. § 66.0628. That is, the fee amount that a community charges a property owner may not exceed the municipality’s reasonable direct costs associated with activities the community takes related to the fee. Wis. Stat. § 66.0628(1).

In addition, the fee amount that any property owner pays should reasonably relate to how much the property’s occupants use the transportation system. According to an expert on the use of transportation utility fees in the U.S., a transportation utility fee with a basis that is most closely related to actual use of the street network has the greatest chances of successful implementation

and withstanding critical scrutiny by a court or a tax appeals commission.³ A transportation utility fee is most appropriate if its basis is closely related to property occupants' use of the local street network and is sensitive to local context and individual variation.⁴ For example, a commercial business that generates a high amount of traffic may be charged a higher fee than a one-car household based on the different usage rates of a municipality's transportation system.

Generally, municipalities establish a more convincing link between transportation infrastructure usage and user fee charges when they base their transportation utility fee on the number of trips generated by the property. That is why, according to the U.S. Department of Transportation Federal Highway Administration, Center for Innovative Finance Support, most transportation utility fee programs in the United States use trip generation rates prepared by the Institute of Transportation Engineers (ITE).⁵

Fees v. Taxes.

Transportation utility fees are susceptible to challenge if the fees resemble an unauthorized tax. The primary difference between a tax and a fee is the source of the municipality's power and, more importantly, the municipality's purpose in imposing the payment requirement. The Wisconsin Court of Appeals explained the primary difference between a tax and fee as follows in *Bentivenga v. City of Delavan*, 2014 WI App 118, ¶ 6, 358 Wis. 2d 610, 856 N.W.2d 546:

A tax is an “enforced proportional contribution[] from persons and property” levied to support a government and its needs. *State ex rel. Bldg. Owners & Managers Ass'n v. Adamany*, 64 Wis.2d 280, 289, 219 N.W.2d 274 (1974) (citation omitted). The purpose, and not the name it is given, determines whether

³ *A TUF Sell: Transportation Utility Fee as User Fees for Local Roads and Streets*, by Carole Turley Voulgaris, Public Works Management & Policy 2016 Vol. 4 pages 305-323 (2016).

⁴*Id.*

⁵ See *Transportation Utility Fees*, Center for Innovative Finance Support, U.S. Department of Transportation Federal Highway Administration, available at https://www.fhwa.dot.gov/ipd/value_capture/defined/transportation_utility_fees.aspx#. For discussion of the pros and cons of basing transportation utility fees on trip generation rates for different classes of property, see the following sources:

1. *Transportation Utility Fees: Possibilities for the City of Milwaukee*, a 2007 research paper prepared by students at the Robert M. La Follette School of Public Affairs, UW Madison. <https://lafollette.wisc.edu/images/publications/workshops/2007-tuf.pdf>
2. *Clintonville Road Maintenance and Transportation Utility Fee*, Andrew Robert Eveland (2019) <https://www.lwm-info.org/DocumentCenter/View/3516/Eveland-Clintonville-TUF-Final-Thesis>
3. *A TUF Sell: Transportation Utility Fee as User Fees for Local Roads and Streets*, by Carole Turley Voulgaris, Public Works Management & Policy 2016 Vol. 4 pages 305-323 (2016). https://journals.sagepub.com/doi/pdf/10.1177/1087724X16629961?casa_token=RJ3FY9IWC7gA AAAA:uzmdZqQTPn5YPKej33W2pYmTkfy3rYOzxmAhw8otjF8gpthIKMQcpnA9fjsH2JGwT PhaTHXGDyKunQ

a government charge constitutes a tax. *City of Milwaukee v. Milwaukee & Suburban Transp. Corp.*, 6 Wis.2d 299, 305-06, 94 N.W.2d 584 (1959). “[T]he primary purpose of a tax is to obtain revenue for the government” as opposed to covering the expense of providing certain services or regulation. *City of River Falls v. St. Bridget's Catholic Church of River Falls*, 182 Wis. 2d 436, 441-42, 513 N.W.2d 673 (Ct.App.1994). A “fee” imposed purely for revenue purposes is invalid absent permission from the state to the municipality to exact such a fee. *Milwaukee & Suburban Transp.*, 6 Wis. 2d at 306, 94 N.W.2d 584.

Municipal taxing power in Wisconsin is very limited. A municipality cannot impose a tax unless it is specifically authorized by the Legislature. Wisconsin municipalities are authorized to impose only property taxes and room taxes. (Six communities statewide are authorized to levy a sales tax on tourism-related retail sales under the Premier Resort Area tax laws. Wis. Stat. § 66.1113). In contrast, municipal fees are charged to cover the costs of specific services provided or the costs associated with regulating in a specific area.

As discussed above, a transportation utility fee would be imposed under a community’s statutory or constitutional home rule powers or as a special charge for current services under § 66.0627. A transportation utility fee would not be implemented pursuant to a community’s power to levy general property taxes under Wis. Stat. Chap. 70.

The Wisconsin Court of Appeals addressed service charges and their relation to general property taxes under the predecessor statute to Wis. Stat. § 66.0627 in *Grace Episcopal Church v. City of Madison*, 129 Wis. 2d 331, 385 N.W.2d 200 (Ct. App. 1986). The court held that since the services provided were authorized by the Legislature by the predecessor to Wis. Stat. § 66.0627, the service charges were not general property taxes and the property tax exemption provided to churches by Wis. Stat. § 70.11(4) did not exempt the church from paying the fees. *Grace Episcopal*, 129 Wis. 2d at 335.

In contrast to the general property tax, the purpose of a transportation utility fee is exclusively to help pay for the cost of a specific governmental service, street maintenance.

A review of case law and scholarly literature on transportation utility fees suggests best practices that municipal officials can implement to avoid having a transportation utility fee ruled an illegal tax:

1. Place all transportation utility fee revenue in a separate fund used only on street maintenance and other transportation projects. *Emerson College v. City of Boston*, 462 N.E.2d 1098 (Mass. 1984).
2. Collect the transportation utility fee in the same manner as the community does other municipal utility fees by including the amounts on property owners’ utility bills alongside sewer, water, and stormwater service charges.
3. Ensure the formula used to calculate fees is as accurate as possible. Over-generalization of fee-paying entities and ignoring real differences in their use of the street network or end-trip generation gives the fee strong tax-like characteristics. *Clintonville Road Maintenance and Transportation Utility Fee*, Andrew Robert Eveland (2019).

4. Transportation utility fee policies should avoid exempting tax-exempt properties as this gives the fee the appearance of being a tax. For the same reason, such policies should exempt undeveloped properties and vacant buildings. *Clintonville Road Maintenance and Transportation Utility Fee*, Andrew Robert Eveland (2019).
5. To the extent practicable, a transportation utility fee policy should include a process by which users are permitted to demonstrate reduced use of the street system to qualify for a lower fee. (e.g., Austin, Texas transportation utility fee ordinance allows residents who do not own or regularly use a motor vehicle to opt out of fee; Corpus Christi, Texas likewise has a process by which property applicants may appeal their fee level). *A TUF Sell: Transportation Utility Fee as User Fees for Local Roads and Streets*, by Carole Turley Voulgaris, Public Works Management & Policy 2016 Vol. 4.

Avoiding Levy Limit Consequences

The levy limit law requires a municipality to reduce its allowable levy by the estimated amount of fee revenue it collects for providing certain listed services, including snow plowing and street sweeping, if those services were funded in 2013 in part or whole by the property tax levy. Wis. Stat. § 66.0602(2m)(b). To avoid having this statute apply, a community that imposes a transportation utility fee to help pay for street maintenance and other transportation services, must not use the fee revenue to pay for snow plowing or street sweeping services.

Conclusion

Wisconsin cities and villages struggling to pay for the cost of maintaining quality streets and other transportation services residents and businesses demand, may rely on their broad statutory or constitutional home rule powers or, alternatively, Wis. Stat. § 66.0627, to charge property owners transportation utility fees. Such fees must be reasonably related to the cost of the services provided. Transportation utility fees are most defensible against a challenge if the basis for the fee is closely related to how much a property's occupants use the local street network. It is possible to design a transportation utility fee policy that is defensible against a challenge that the fee is more like an illegal tax. Finally, to avoid needing to reduce the community's property tax levy, municipalities should not use transportation utility fee revenue to pay for snow plowing or street sweeping.