



AGENDA
City of Milton
Common Council Meeting
Tuesday, August 20, 2013
7:00 p.m.
SHAW MUNICIPAL CENTER
Council Chambers
430 E. High Street

1. Call to order and confirmation of appropriate meeting notice
2. Welcome citizens and address their questions and concerns not on the agenda
3. **Consent agenda** (All items listed are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent agenda and be considered on the regular agenda)
 - a. *Special Common Council Minutes – August 13, 2013*
 - b. *Personnel & Finance Committee Minutes – August 6, 2013*
 1. *Approval of Operator Licenses*
 2. *Request for a budget transfer to cover FMLA leave time event*
 3. *Outsourcing folding and packaging of utility bills*
 4. *Treasurer’s Report*
4. **New Business**
 - a. Discussion and possible action regarding Resolution #2013-22 - Resolution Awarding the Sale of \$1,965,000 General Obligation Corporate Purpose Bonds, Series 2013A
 - b. Discussion and possible action on proposed re-organization of Public Works Department
 - c. Discussion and possible action on amendments to the City Employee Handbook – Inclusion of Domestic Partner Benefits
 - d. Discussion and possible action regarding Ordinance #379 – Amend garages and accessory buildings
 - e. Discussion and possible action regarding Municipal Court forfeiture amount recommendation for Ordinance #384 - Creating Section 14-433 Prohibiting Alcohol Impairment of Operators While on Duty
 - f. Discussion and possible action authorizing the surplus sale of the unused Public Works Department copy/multi-purpose office machine
 - g. Re-Bidding update on the Police Department project
5. **General Items**
 - a. Next meeting – Tuesday September 3, 2013
 - b. Mayor/Aldersperson Reports
 - c. Staff Reports
 1. City Administrator
 2. Public Works

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

3. Police Department
 4. Library
 5. Jt. Fire Department
 6. City Clerk
 7. City Treasurer
-
6. Consideration of a motion to convene into closed session pursuant to Wisconsin Statute Section 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 Re: Contract for City Logo and Tag Line and (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved Re: United Ethanol's developer's agreement and odor complaints
 7. Reconvene into open session for possible action(s) on items discussed in closed session
 8. Motion to Adjourn

**Please note that upon reasonable notice, at least 48 hours in advance, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's office at 868-6900, 430 E. High Street, Milton, WI 53563.

Posted at: Dave's Ace Hardware, Piggly Wiggly, Shaw Municipal Center

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

City of Milton
Special Meeting of the Common Council ~ Tuesday, August 13, 2013

Call to order and confirmation of appropriate meeting notice

Mayor Frazier called the meeting to order at 6:00 pm. Clerk Ebbert confirmed the appropriate meeting notices were posted.

Present: Mayor Brett Frazier, Ald. Dave Adams, Ald. Theresa Rusch, Ald. Anissa Welch, Ald. Maxine Striegl, Ald. Nancy Lader and Ald. Don Vruwink.

Also Present: City Administrator Jerry Schuetz, City Attorney Mark Schroeder, City Treasurer Connie DeKemper, Director of Public Works Howard Robinson, Administrator Assistant Leanne Schroeder and City Clerk Michelle Ebbert.

Welcome citizens and address their questions and concerns not on the agenda

Mayor Frazier welcomed those in attendance and asked if there were any concerns not on the agenda.

Consent agenda

- i) *Common Council Minutes – August 6, 2013*
- ii) *Historic Preservation Commission Minutes – July 2, 2013*
- iii) *Parks & Recreation Commission Minutes – July 15, 2013*
- iv) *Plan Commission Minutes – July 9, 2013*
 - (1) *Extra-Territorial Land Division – Fredrick Farms, E. High Street*
 - (2) *Plat of Survey – Frank Bua, 1155 E. High Street*
 - (3) *Final Certified Survey Map – Milton Storage, 385 Vincent Street*
 - (4) *Conditional Use Permit – Dave Marshall and Tim Duffy, 222 Sunnyside Drive*
 - (5) *Conditional Use Permit – City Lumber and Donald Munns, 939 Storrs Lake Road*
- v) *Zoning Board of Appeals Minutes – July 11, 2013*

Ald. Lader moved to approve the consent agenda. Ald. Vruwink seconded the motion and carried unanimously.

New Business

Discussion and possible action on Annexation Ordinance #381 Belardi Family Investments LLC

Administrator Schuetz discussed the petition for annexation from Belardi Family Investments for property in the eastside industrial park / TID #6. This ordinance will annex approximately 151 acres into the City and will be zoned M-2.

Ald. Lader moved to approve the first reading, waive the second reading and adopt Annexation Ordinance #381 – Belardi Family Investments, LLC. Ald. Rusch seconded the motion and carried unanimously.

Discussion and possible action on Annexation Ordinance #382 Hull Farms Inc

Administrator Schuetz discussed the petition for annexation from Hull Farms for approximately 31 acres to be zoned M-2 in the industrial park / TID #6.

Attorney Schroeder discussed the Department of Annexation's review stating this was in their opinion, against public interest citing a ribbon of property adjacent to Hull Farms that is not being annexed at this time. The annexation ordinance was adjusted to address the opinion from DOA.

Ald Welch asked if there was any concern in regard to the ribbon of land for future Councils. Attorney Schroeder does not feel this could create conflict in the future.

Ald. Welch moved to approve the first reading, waive the second reading and adopt Annexation Ordinance #382 – Hull Farms Inc. Ald. Adams seconded the motion and carried unanimously.

Consideration of Resolution #2013-17 - Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 6, City of Milton, Wisconsin.

Administrator Schuetz stated tonight's action is in part to amend TID #6. The annexation ordinances add property to the industrial park in TID #6 creating more opportunities for growth in the future.

Ehlers & Associates Todd Taves was present to address the Council and respond to any concerns. Mr. Taves pointed out development advantages for the City with annexing these properties.

Ald. Welch questioned how many amendments could be done to a TID. Mr. Taves stated we are allowed four amendments that involve addition to territory. This is the 2nd amendment.

Ald. Vruwink moved to adopt Resolution #2013-17 – approving an amendment to the Project Plan and Boundaries of Tax Incremental District No 6 City of Milton, Wisconsin. Ald. Lader seconded the motion and carried unanimously.

General Items

There were no general items.

Next meeting – Tuesday, August 20, 2013

Motion to recess the meeting to the location of 110 Parkview Drive.

Ald. Lader moved to recess the meeting to the location of 110 Parkview Drive at approximately 6:15. Ald. Welch seconded the motion and carried unanimously.

Motion to reconvene meeting at the location of 110 Parkview Drive.

Ald. Adams moved to reconvene the meeting at the location of 110 Parkview Drive at 6:30 pm. Ald. Welch seconded the motion and carried unanimously.

Tour of 110 Parkview Drive

Mayor, Council and Staff was allowed a tour of the vacant business at 110 Parkview Drive.

Consideration of a motion to convene into closed session pursuant to Wisconsin Statute Section 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 Re: Land Contract for property located at 110 Parkview Drive.

Ald. Striegl moved to convene into closed session at approximately 6:55 pm. Ald. Lader seconded the motion and carried by a unanimous voice vote of the Common Council.

Reconvene into open session for possible action(s) on land contract for property located at 110 Parkview Drive.

Ald. Welch moved to reconvene into open session at approximately 7:45 pm. Ald. Lader seconded the motion and carried by a unanimous voice vote of the Common Council.

Motion to adjourn.

Ald. Welch moved to adjourn the meeting at 7:46 pm. Ald. Lader seconded the motion and carried unanimously.

Respectfully submitted

Michelle Ebbert
City Clerk



OFFICE OF THE CITY ADMINISTRATOR

MEMORANDUM

To: Mayor Brett Frazier
Common Council
From: Jerry Schuetz, City Administrator
Subject: Agenda Review – August 20, 2013 Common Council Meeting

CONSENT Agenda Item #3.b.1. Approval of Operator Licenses Issued

Submitting Staff Member: Michelle Ebbert, City Clerk

Recommended Action: To approve the issued operator licenses since the July meeting.

Description: Seven operator licenses were issued since the July Personnel & Finance meeting. Successful background checks were conducted and Staff recommends approval.

Attachments: Please refer to P&F packet for attachments.

CONSENT Agenda Item #3.b.2. Request for budget transfer to cover FMLA leave time event

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: To authorize the Administrator to work with the City Treasurer in proposing the budget amendment that will authorize the transfer of funds from the legal services account to the General Government account for overtime to cover this FMLA event.

Discussion: In 2013 we re-organized City Hall and reduced the number of full-time employees from 6 to 5, including the City Administrator. While considerable cost savings was noted operationally (Over \$41,000 annually), we have less staff capacity to address extended leave time. In the fall of 2013, our City Clerk Michelle Ebbert will be on approved FMLA time for approximately 8 weeks. This leave time also comes during budget development. In working with staff, we have come up with the following options to most cost-effectively manage the absence of 8 weeks that we will be without that 40 hours of work from City Clerk Ebbert.

- 1) **Day Time City Clerk Duties:** Administrative Assistant Leanne Schroeder will be handling all Clerk Duties. In July, we sent Leanne to the Clerk's institute in Green Bay, and she has a lot of experience putting together agendas and Council packets, and is further trained and experienced in park rentals, permitting and alcohol licensing.
- 2) **Evening Meetings:** I will be seeking a budget transfer of funds to authorize Overtime for Assistant to the Administrator Inga Cushman to attend Council meetings and Budget Workshops. Inga is most familiar with the budget development process from her 5 years with the City, and has taken meeting notes as part of her collateral duties in other various

committees and commissions throughout the City. It is estimated that somewhere between \$3,000-\$3,600 would be necessary to accommodate the leave time meetings, due to budget workshops and regularly scheduled Council meetings. I will be asking other staff to cover committee meetings that Inga would normally attend to reduce overtime exposure.

3) Funding for Proposal: Budget Funds Transfer and End of Year Amendment:

Recognizing that we were in a contract negotiation year with both the Police and DPW Unions, the City budgeted \$10,000 in labor attorney contingency funds in 2013 budget and service plan. The funds were budgeted in preparation for the potential event that we were not able to reach settlement with our two unions. I am pleased to report that with both contracts being settled and executed, none of those funds were expended, as we settled both contracts without mediation or arbitration. We subsequently have those funds available within the General Government's Legal Services Account to cover this unanticipated FMLA event and extended absence.

Attachments: None.

CONSENT Agenda Item #3.b.3. Outsourcing folding and packaging of utility bills

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: To authorize the City Treasurer and Administrator to execute an agreement for outsourcing utility bill printing and packaging utility bills in accordance with ACT 25 as presented

Discussion: City Treasurer Connie DeKemper and Utility Billing Clerk Carrie Chesebro have kept be appraised of changes to the utility billing function as a result of recently passed legislation known as Act 25. The legislative intent of the law is to prevent identity theft, and in that process, it subsequently made water bills and consumption no longer subject to the open records law. The operational impact is that we can no longer send out utility bills on postcards as is our current practice. The bills will need to be printed off and stuffed into an envelope so that we can comply with this new legislation. Treasurer DeKemper is obtaining quotes for having an outside company do this for us, as the staff time necessary to perform this function makes it considerably more expensive (and takes away from other staff duties) to process the every-other month billing for our over 1,900 utility billing customers. Estimated cost of outsourcing the bill printing and envelope stuffing and stamping is somewhere between \$1,000-\$2,000 annually, and would be funded by the utility funds. At the time of memo creation, Treasurer DeKemper is seeking quotes for this work to be outsourced. Staff and I will work to have a definitive quote for you at the 8/20 Personnel & Finance Committee.

Attachments: None.

CONSENT Agenda Item #3.b.4. Treasurer's Report

Submitting Staff Member: Connie DeKemper, City Treasurer

Recommended Action: To approve the July 2013 Treasurer's Report.

Description: If you have questions prior to the meeting, please contact Connie. Treasurer DeKemper will be available at the meeting to address any areas of concern in the report.

Attachments: Please refer to P&F packet for attachments.

Agenda Item #4.a. Discussion and possible action regarding Resolution #2013-22 - Resolution Awarding the Sale of \$1,965,000 General Obligation Corporate Purpose Bonds, Series 2013A

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: To adopt Resolution #2013-22 – Resolution Awarding the Sale of \$1,965,000 General Obligation Corporate Purpose Bonds, Series 2013A.

Description: (Ehlers & Associates will be providing the final version of the Resolution and all exhibits at the August 20th meeting.)

At their July 16th meeting, the Council authorized staff and our financial consultants from Ehlers to proceed with general obligation borrowing in descriptive resolutions sent out to the electors for the sale of General Obligation borrowing for a Police Station (\$1.85 million) and the expansion of Library (\$155,000).

Ehlers worked with staff to go through the necessary steps, which included an affirmation of the City's current A1 bond rating. The sale of the bonds is scheduled for Tuesday morning, August 20th. Staff from Ehlers will be here to present the results of the sale of those general obligation bonds.

Attachments: None.

Agenda Item #4.b. Discussion and possible action on proposed re-organization of Public Works Department

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: To approve the re-organization plan and the wage adjustments as presented.

Description: At the July Council meeting we discussed conceptually re-organizing the public works department. I have spoken to Director Robinson and his staff, as well as the Mayor and some members of the Council who would like to see certain areas within our public works department given more resources to necessary to perform their core functions of service. We have come up with the following proposal that addresses those issues.

The concept involves creating four separate divisions within the Public Works Department. Those divisions are:

- 1) Public Buildings and Grounds Division
- 2) Water Division
- 3) Wastewater Division
- 4) Streets Division

Each division reports to a Superintendent. The Streets Division and Public Buildings and Grounds Division would report to Foreman Donnie Zimmerman. The Public Buildings and Grounds Division adds a position to the organizational chart in a horticultural and parks specialist, who is a proposed addition in the 2014 budget and service plan. The Water Division would be led by Ron Griffin (current Water Operator), and the Wastewater Division would be led by Lon Liefke (taking the place of Forrest Perry, who is retiring at the end of the year).

Current working conditions are following the existing labor agreement, which expires in 2013, and finds staff members working scheduled weekend overtime. After meeting with employees to discuss the strategic objectives of balancing cost-containment strategies in management with a balanced sense of fairness to existing employees without negatively impacting overall compensation, we are proposing a re-organization plan that finds the superintendent positions, who based on licensing and qualifications will be required to work on straight time, on weekends, similar to that of other departments, but that they would receive a wage adjustment as a result of these specialized skill sets and qualifications that previously required they work utility fund, weekend work.

The nuts and bolts of the re-organization with internal operations are more specialized positions are paid a wage rate more commensurate with their skill sets, and the utility customers are receiving that weekend work done at a straight time rate of pay instead of an overtime rate of pay. We feel the plan accomplishes more strategic objectives of an expanded public works department whose service demands have increased dramatically since 1996, the last time a public works employee was added to the organizational chart.

While the Council need not vote on the budgetary component of the additional staff member to be requested as a part of this re-organization at this point, from a budgeting and planning perspective we are seeking Council approval of the conceptual plan and the wage adjustments so we can plug appropriate numbers into the public works department budget. We would further like the opportunity to communicate these proposed components of the re-organization to existing public works employees with respect to their wages, so that they are able to plan work schedules and they know what to expect regarding their wages and working conditions in 2014.

The soon to be expired labor agreement had staff and I meet to discuss proposed re-organization and wage adjustments, with the proposed wage increases and subsequent organizational chart attached for your review. The wages for each employee and the organizational chart are attached to this agenda packet, and summarized below.

Wastewater Superintendent: Lon Liefke

Current 2013 Base Wage: \$24.65/hour

Proposed 2014 Final Base Wage: \$26.69/hour (\$1.55/hour wage adjustment for weekend work at straight time, after 2% contract raise)

Water Superintendent: Ron Griffin

Current 2013 Wage: \$24.65/hour

Proposed 2014 Final Base Wage: \$28.34/hour (\$3.14/hour wage adjustment for weekend work at straight time)

Assistant Water Superintendent: Mike Griffin

Current 2013 Base Wage: \$24.24/hour

Proposed 2014 Final Base Wage: \$26.27 (\$1.55/hour wage adjustment for weekend work at straight time)

Foreman: Donnie Zimmerman

Current 2013 Wage: \$25.40/hour

Proposed 2014 Final Base Wage: \$29.11/hour (\$3.24/hour wage adjustment for weekend work at straight time)

Note: All wage adjustments are calculated after the Council approved 2% wage adjustment was applied to 2013 base wages.

Benefit to the City: Operationally, there is considerable benefit to the City under the proposed re-organization. Utility customers and taxpayers are getting weekend work performed at straight time rates of pay, and will find the public works department employees working four (4) hours on Saturdays and Sundays. This will be operationally beneficial to the Department as their workloads continue to expand, and the current practice has them do their assigned chores, and remain on call for the remainder of the weekend.

The proposed re-organization also finds employees getting time in lieu of pay for on-call time (compensation is an FLSA requirement) with four hours of time granted for weekend on-call instead of pay. This proposal is contingent upon the addition of the staff member being proposed in the 2014 budget and service plan.

Benefits to the Employee: Public works employees are already experiencing an estimated 5% reduction in total compensation as they pay their full share of the 7% WRS contribution in 2014 as required by law. While we seek to reduce overtime exposure, we also can't reasonably expect our employees in the very leanly staffed utility department to work 7 days a week absent additional compensation. The wage adjustments appropriately compensate the supervisory components assigned to each division, and the additional staff proposed will allow those managers one week day off during their assigned weekend work shifts. The larger increases for the Water Superintendent and Foreman positions are consummate with the greater number of weekends those positions are required to work on straight time (17 each) whereas the other two positions only work 8 weekends each on straight time.

Summary: Balancing good fiscal management with appropriate compensation for skill sets and work performed.

The proposed re-organization allows for greater efficiencies and effectiveness to be noted in securing straight time weekend work while appropriately compensating employees and their required licensing and skill sets in managing the utility department operations on weekends. The

straight time weekend work further mirrors other Departments whose employees work straight time on the weekends (library/police) bringing greater consistency across the departments. This effort further helps to ensure the clean and efficient flow of water and our wastewater utility to our utility customers at a cost they can afford, without negatively impacting our employees in the process.

Attachments: Please refer to P&F packet for attachments.

Agenda Item #4.c. Discussion and possible action on amendments to the City Employee Handbook – Inclusion of Domestic Partner Benefits

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: To adopt the proposed domestic partner benefit inclusion statement into the employee handbook as presented.

Discussion: As the City is in the process of revising and amending our employee handbook, Mayor Frazier sought clarification regarding the City’s current policy on extending benefits to the families of employees in domestic partnership. Our current employee handbook is silent on the issue, and should be appropriately addressed in the upcoming revision. In particular, and stemming from discussions I have had with the Mayor and staff, it is our collective believe that the extension of any and all benefits afforded to married couples or those with families in terms of health insurance benefits should also be afforded to those in domestic partnership.

The purpose for the amendment now is that we are anticipating at least 1 known retirement at the end of 2013, and the potential for up to two (2) additional hires in 2014 for positions proposed in the 2014 budget. As a matter of policy, both the Mayor and staff felt that having this particular issue known as part of our employee benefit package would help ensure that candidates for positions are fully aware of the City’s policy on the issue of domestic partner benefits.

The proposed policy statement and subsequent revisions are suggested:

Proposed Policy Statement:

It is the intent of the City of Milton to recruit, hire and retain the highest qualified candidates for each and every position within our City government in order to provide a high level of quality service to our citizens. In accordance with state and federal law, we do not discriminate on the basis of age, gender, religious preference or sexual orientation. Furthermore, the City of Milton recognizes the term family to include marriage regardless of the gender of the individuals, adoption and domestic partnerships in our offering employee benefits outlined and described throughout this employee handbook.

Revisions to the employee handbook shall be presented to the Mayor and City Council at our second meeting in November, with the understanding that the application of the policy statement shall be used and applied immediately upon Council approval.

Attachments: None.

Agenda Item #4.d. Discussion and possible action regarding Ordinance #379 – Amend garages and accessory buildings

Submitting Staff Member: Howard Robinson, Director of Public Works

Recommended Action: To approve the first reading, waive the second and third readings and adopt Ordinance #379 amending garages and accessory buildings in R-2 and R-3 buildings.

Description: Plan Commission recommended the amendment to Chapter 78 in reference to garage and accessory buildings in R-2 and R-3 zoning. The amendment would allow one private attached garage and one unattached structure, either garage or accessory building, per unit. This was originally requested by a tenant of a duplex. The code did not allow the construction of a garage. After Plan Commission consideration, they recommended the following amendment to the Ordinance.

Attachments: Ordinance #379

Agenda Item #4.e. Discussion and possible action regarding Municipal Court Forfeiture Amount Recommendation for Ordinance #384 - Creating Section 14-433 Prohibiting Alcohol Impairment of Operators While on Duty

Submitting Staff Member: Kris Koeffler, Municipal Judge

Recommended Action: To approve the municipal court forfeiture amount recommendation for Ordinance #384, prohibiting alcohol impairment of operators while on duty.

Description: Please see the attached memorandum from Judge Kris Koeffler.

Attachments: Memorandum from Judge Koeffler.

Agenda Item #4.f. Discussion and possible action authorizing the surplus sale of the unused Public Works Department copy/multi-purpose office machine

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: To declare the unused copy/multi-purpose office machine as surplus and allow the sale of the machine.

Description: As Council approved in July, new multi-purpose office machines were leased for City Hall, Police Department and Public Works Department. As the machine at the Public Works Department is unused and without a need, Staff is requesting this machine be declared surplus and be made available for sale.

Attachments: None.

Agenda Item #4.g. Re-Bidding Update on the Police Department Project

Submitting Staff Member: Jerry Schuetz, City Administrator

Recommended Action: None. For informational purposes only.

Description: As recommended by the Council at their last regularly scheduled meeting, staff worked with Angus Young, and has re-bid the police station project as a police station only. The re-bid went out on August 15th, 2013, with bids for the project due back on September 5th, 2013.

Attachments: None.

ORDINANCE #379

AN ORDINANCE AMENDING SECTION 78-372(2) AND SECTION 78-402(2) OF THE CODE OF ORDINANCES OF THE CITY OF MILTON CONCERNING GARAGES AND ACCESSORY BUILDINGS

WHEREAS, the Plan Commission of the City of Milton having held a duly noticed public hearing on the proposed amendment to Section 78-372(2) and Section 78-402(2) of the Code of Ordinances of the City of Milton, whereby, in addition to one private attached garage, there would be a permitted use of one additional detached structure rather than the current detached garage and one accessory building in the Residential District Two (R-2) and Residential District Three (R-3) respectively; and

WHEREAS, following said public hearing, the plan commission having determined that the proposed amendments to Section 78-372(2) and Section 78-402(2) of the Code of Ordinances of the City of Milton are appropriate and having voted to recommend to the common council that both sections be so amended; and

WHEREAS, the Common Council of the City of Milton having determined that it is appropriate to adopt the recommendation of the plan commission in order to provide clarity and more specifically describe the number and nature of structures that will be allowed as permitted uses in the R-2 Residential District Two and R-3 Residential District Three;

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

SECTION I. Section 78-372(2) of the Code of Ordinances of the City of Milton is hereby amended to read as follows:

(2) One private attached garage **and one unattached structure, either garage or accessory building, per unit.**

SECTION II. Section 78-402(2) of the Code of Ordinances of the City of Milton is hereby amended to read as follows:

(2) One private attached garage **and one unattached structure, either garage or accessory building, per unit.**

SECTION III. This Ordinance shall take effect from and after its passage and publication.

Approved by the Common Council of the City of Milton this ____ day of August, 2013.

Attest:

Brett Frazier, Mayor

Michelle Ebbert, City Clerk

1st Reading:

2nd Reading:

3rd Reading:

Public Hearing: 08/13/2013

Adopted:

Published:

Effect of Ordinance: Clarifies that in addition to one private attached garage, in the R-2 and R-3 Districts there is permitted one additional unattached structure per unit.



City of Milton
MUNICIPAL COURT

Date: August 12, 2013
From: Judge Kristin Koeffler
Re: Request for Approval by the Milton City Council of These Recommended Forfeitures for Municipal Ordinance

Per Wisconsin State Statute 800.03(3):

The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality.

As you can see by the bond forfeitures I am sending to the council the Milton Municipal Court sees this as a serious offense. The person working as a bartender has the obligation, responsibility and duty to stop serving patrons if they are drinking too much, putting public safety at risk. While the Court believes each person is responsible for their own actions, the bartender is considered the 'gate keeper' and needs to be sober to do their job properly. I have set the bond to reflect those values.

A recommendation for the municipal ordinance 14-433, Prohibiting Alcohol Impairment of Operators While on Duty, is as follows;

First Offense:

\$400.00 - Forfeiture
\$104.00 - Penalty
\$ 10.00 - Jail
\$ 13.00 - Crime
\$ 28.00 - Court
\$555.00 - TOTAL

Second Offense:

\$ 800.00 - Forfeiture
\$ 208.00 - Penalty
\$ 10.00 - Jail
\$ 13.00 - Crime
\$ 28.00 - Court
\$1,059.00 - TOTAL

(with all other penalties as provided by the adopted city ordinance at the discretion of the Municipal Judge such as driver's license suspension, etc.)

Please call me if you have any questions I can address; 608-868-4229

Kristin Koeffler
Municipal Judge
City of Milton

KK