

## AGENDA

FINANCE AND PERSONNEL COMMITTEE  
MONONA PUBLIC LIBRARY, MUNICIPAL ROOM  
1000 NICHOLS ROAD  
MONDAY, APRIL 4, 2016  
6:30 P.M.

1. Call to Order.
2. Roll Call.
3. Approval of Minutes from March 21, 2016.
4. Appearances.
5. Unfinished Business.
  - A. Consideration of Resolution 16-3-2085 Establishing a Special Assessment Schedule for Dredging of the Schluter Beach Channel (Tabled 3/7/16).
6. New Business.
  - A. Consideration of Resolution 16-4-2091 Providing for the Sale of \$2,890,000 Water System and Sewer System Revenue Refunding Bonds, Series 2016B.
  - B. Consideration of Resolution 16-4-2093 Approval of Participation in a Wisconsin Bureau of Transportation Safety Grant Titled “2016 Speed Grant.”
  - C. Consideration of Resolution 16-4-2092 Approving an Amendment to Facilities (City Hall Antenna) Space Lease Agreement with Madison Cellular Telephone Company.
  - D. Convene in Closed Session under 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 (Option to purchase real estate at 6414 Bridge Road).
  - E. Reconvene in Open Session Under Wisconsin Statute Section 19.85(2).
  - F. Consideration of Resolution 16-4-2094 A Resolution to Extend an Option to Purchase Real Estate Located at 6414 Bridge Road.
7. Acceptance of General Fund Accounts Payable Checks Dated February 12–March 4, 2016 and March 18–31, 2016. (Documentation of invoices paid is available in the City Clerk’s office.)
8. Adjournment.

**NOTE:** Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608) 222-2525 (not a TDD telephone number), FAX: (608) 222-9225, or through the City Police Department TDD telephone number 441-0399. The public is notified that any final action taken at a previous meeting may be reconsidered pursuant to the City of Monona ordinances. A suspension of the rules may allow for final action to be taken on an item of New Business. It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

FINANCE AND PERSONNEL COMMITTEE MINUTES  
March 21, 2016

The regular meeting of the Finance and Personnel Committee for the City of Monona was called to order by Acting Mayor Kathy Thomas at 6:30 p.m.

Present: Alderpersons Jim Busse and Doug Wood

Excused: Mayor Robert Miller

Also Present: City Administrator April Little, Finance Director Marc Houtakker, Recreation Director Jake Anderson, and City Clerk Joan Andrusz

APPROVAL OF MINUTES

A motion by Alder Busse, seconded by Alder Wood to approve the Minutes of the March 7, 2016 Finance & Personnel Committee meeting, was carried.

APPEARANCES

There were no Appearances.

UNFINISHED BUSINESS

A motion by Alder Wood, seconded by Alder Busse to Convene in Closed Session under 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 (Metropolitan Lane real estate purchase and IAFF Memorandum of Understanding) and section 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Recreation/Aquatic Supervisor). On a roll call vote, all members voted in favor of the motion.

Upon reconvening in Open Session:

A motion by Alder Wood, seconded by Alder Busse to approve Resolution 16-3-2086 A Resolution to Exercise an Option to Purchase Real Estate Located at 6320 & 6321 Metropolitan Lane, was carried.

A motion by Alder Busse, seconded by Alder Wood to approve Resolution 16-3-2084 Revising the Title and Salary for the Recreation/ Aquatic Supervisor to \$47,945 effective on April 1, 2016 based upon the City Administrator's salary comparison findings of fact, was carried.

NEW BUSINESS

A motion by Alder Busse, seconded by Alder Wood to approve Resolution No. 16-3-2090 Adopting a Memorandum of Understanding With Fire/EMT Employees International Association of Fire Fighters (IAFF) Local 311 Regarding Section 17.1 Work Week Schedules, was carried.

Recreation Director Anderson provided information on a resident's complaint about light glare from the Oneida Park shelter. The Plan Commission reviewed the complaint and determined the lights violated the zoning Ordinance. The replacements chosen cost \$10,000 for eight. City Administrator Little reported she has talked to the City Planner regarding revision of the lighting Ordinance to avoid this in the future.

A motion by Alder Busse, seconded by Alder Wood to approve Resolution 16-3-2087 Amending the 2016 Capital Budget for the Replacement of Lights at Oneida Park, was carried.

Alder Busse recused himself from the following discussion due to professional conflicts. Recreation Director Anderson reviewed the Schluter Park project process. The original contract didn't include the park shelter, pedestrian pathway, wetlands issues, and other revisions. The hours exceeded the contract.

A motion by Alder Wood, seconded by Acting Mayor Thomas to approve Resolution 16-3-2088 Approval of an Amendment to the Contract for Schluter Park Engineering, was carried.

A motion by Alder Wood, seconded by Alder Busse to approve Resolution 16-3-2089 Approval of Task Order #16-01 for Library Parking Lot Design and Construction-Related Services with Strand Associates, Inc., was carried.

Finance Director Houtakker reviewed recent Accounts Payables.

A motion by Alder Busse, seconded by Alder Wood to approve Acceptance of General Fund Accounts Payable Checks Dated March 5 through 17, 2016, was carried.

#### ADJOURNMENT

A motion by Alder Wood, seconded by Alder Busse to adjourn, was carried. (7:09 p.m.)

Joan Andrusz  
City Clerk

**Resolution No. 16-3-2085  
Monona Common Council**

**A RESOLUTION ESTABLISHING A SPECIAL ASSESSMENT SCHEDULE  
FOR DREDGING OF THE SCHLUTER BEACH CHANNEL**

**WHEREAS**, Ordinance 4-11-623, adopted May 2, 2011, established the assessment and cleaning work policy for lagoons, rivers and channels; and,

**WHEREAS**, per the above ordinance, Section 6-1-12 (b) (8) of the Code of Ordinances was created as follows:

- (8) **Assessment and Cleaning Work Policy – Lagoons, Rivers and Channels**
- a. Following review and approval of the project's final design plan, the cost of the proposed cleaning work shall be specially assessed pursuant to the following schedule:
  - b. Seventy Percent (70%) Abutting Property Owners and Thirty Percent (30%) City.
  - c. The assessment methodology shall utilize the shoreline for calculation of frontage method. This assessment schedule shall not apply to shoreline stabilization. The City shall pay no costs for shoreline stabilization except pursuant to Subsection (b)(8)d below.
  - d. Notwithstanding the above, the City may elect to follow a different special assessment schedule when in the judgment of the Common Council, after review by the Public Works Committee, it would be inappropriate and unfair to apply the schedule set forth above.
  - e. City cost sharing for cleaning work associated with the Belle Isle channels shall occur no more often than once every 25 years.
  - f. City cost sharing for cleaning work associated with the Cove Circle channel and Schluter Beach channel shall occur no more often than once every 15 years.

**WHEREAS**, in accordance with Section 6-1-12(b)(8)d above, the Public Works Committee is recommending that an alternate special assessment schedule be followed for the Schluter Beach Channel Dredging Project as follows:

The City of Monona will pay 90% of assessable costs, and the four residential parcel owners will pay the remaining 10% of assessable costs. The 10% assessable costs to the four parcel owners will be based on the shoreline for calculation of frontage method. The Schluter Park parcel is excluded from the 10% assessment cost share.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of Monona, Dane County, Wisconsin, hereby approves the alternate special assessment schedule as defined above for the Schluter Beach Channel Dredging Project.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BY ORDER OF THE CITY COUNCIL  
CITY OF MONONA, WISCONSIN

\_\_\_\_\_  
Robert E. Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Joan Andrusz  
City Clerk

Approval Recommended By: Public Works Committee – 3/31/16

Council Action:  
Date Introduced: 3-7-16  
Date Approved: \_\_\_\_\_

City of Monona - Department of Public Works  
 2016 Schluter Beach Improvement Project - Dredging  
 Preliminary Special Assessment Role  
 Assessable Costs, Dollars Per Foot - \$46.17

No.	Parcel Number	Property Owner	Address	Shoreline Frontage	Assessed Frontage	Preliminary Assessment
1	71017152847	John Vanarsdale	4507 Winnequah Rd.	76.5	76.5	\$3,532.01
2	71017152730	Nancy Moore	4505 Winnequah Rd.	20	20	\$923.40
3	71017153006	Marjorie Kravitz	4400 Outlook St.	41.5	41.5	\$1,916.06
4	71017153088	Robert Kalejta	4402 Outlook St.	179	179	\$8,264.43
				317	317	\$14,635.90

Assessable Costs:

Design	\$20,445
O&A	\$3,220
Permit Reporting	\$450
Dredging	\$122,250
	\$146,365

PWC Recommendation:

City of Monona Expense 90% Cost Requirement = \$131,728.50

Resident Parcel Expense 10% Balance = \$14,636.50

Shoreline Frontage Method

Shoreline Frontage: 317' (four residential parcels)

Assessable Cost Per Foot: \$46.17 (14,636.50/317 = 46.17)

Prepared and Presented By:  
Rob Kalejta  
4402 Outlook Street  
Monona, WI 53716

Regarding the special assessment schedule for dredging of the Schluter Beach channel, I ask you to consider three issues:

- 1. What is the source of the material to be dredged from the Schluter Beach channel?**
- 2. Who benefits the most from this dredging?**
- 3. Can individual assessment schedules be logically and effectively defended?**

I will address each point briefly, and in turn.

**1. What is the source of the material to be dredged from the Schluter Beach channel?**

Previously I presented to the Public Works Committee photographic and testimonial evidence that the majority of material to be dredged from the Schluter Beach channel was material eroded from the shoreline of Schluter Beach Park, not from silt introduced by storm water runoff. I argued that because the majority of the material in the channel eroded from the park, that the city should be responsible for the majority of the cost of its removal. The Public Works Committee was sympathetic to my point, but was unwilling to recommend a deviation from the established assessment protocol because I was unable to provide them with quantitative measurements of how much of the material to be dredged from the channel was actually from the eroded shoreline of the park. Basically, I couldn't prove to you how much of the material in the channel eroded from the park. Now I can.

I acquired the Sediment Sample Laboratory Results for the Schluter Beach channel, as well as for the Belle Isle Lagoons, which were dredged a few years ago. On page 27 of the Schluter report (page 386 of the Project Manual for the project) data are presented that silt represents 9.5% of the material in the channel, whereas gravel, clay and sand represent the other 90.5% of the material. On page 211 of the Bid Package for the Belle Isle dredging project, it is reported that the material present in the lagoons of Belle Isle was 50% silt.

The other point to consider is that, of the properties that line the Schluter channel, only the city park has an unprotected shoreline. The adjacent properties owned by

city residents all have shoreline erosion mitigation protections. The city park does not.

This data generated by the city-hired engineers provides the quantitative data requested by the Public Works Committee and demonstrates that the overwhelming majority (>90%) of the material to be dredged from the channel is not silt, but was deposited by erosion from the park, not by storm water runoff.

This information was presented to the Finance Committee and City Council on 07 March 2016. They found it compelling, and have sent the issue back to you for re-consideration based upon this new information.

In summary, the city park is definitively the source of 90% of the material to be removed from the channel.

## **2. Who benefits most from this dredging?**

During the debates over the Belle Isle dredging assessment schedule, city attorney William Cole was quoted in the Herald-Independent (the Monona – Cottage Grove local newspaper) on March 8<sup>th</sup> 2012 as saying “everyone benefiting from dredging would be assessed”.

How will adjacent property owners benefit from dredging Schluter Beach channel? Our access to the lake will increase 0% as we already have access (I also have non-channel access to the main lake from my property). The channel does not accommodate boatlifts or piers (different from Belle Isle). So the benefits derived by the adjacent property owners will be minimal. However, the benefit to the park will be enormous. Dredging the channel allows for renovation of the west shoreline that will increase access to the lake by 113% (more than doubling it).

The adjacent properties have 5 residents. In a recent survey, 99.4 % of residents that responded said they visited a park in Monona within the last year. Monona had 7,745 residents in 2013. So 7698 people visited at least one of the 18 parks, so on average, Schluter Park will get 428 different visitors each year. Therefore, residents not living adjacent to the park but benefiting from the dredging will make up 98.9% of those deriving benefit.

During the discussions of the renovation project by the Parks and Recreation Board, a constant theme has been their desire to increase park usage and specifically, to increase lake access. I spoke at a few of their meetings to give input into the renovation plans, and it was made very clear to me that the parks belong to all citizens of Monona, not just to the owners of the adjacent properties.

## **3. Can individual assessment schedules be logically and effectively defended?**

Dan has given you three new scenarios to consider, so that you can make an informed choice. There are data-driven reasons to defend a 90/10 split for the dredging costs (scenario 3 page 27). For example, 90% of the material to be removed originated from the park, not from the other residential properties or from storm water runoff. Furthermore, more than 90% of the people that will derive benefit from the dredging project are Monona residents other than the adjacent property owners.

I can't come up with a single reason that could effectively defend an 80/20 or 70/30 split as depicted in scenario 4 (page 28) or scenario 5 (page 29) of your packet. Selecting either of these would apply a qualitative and arbitrary metric to address a quantitative and definitive condition.

**Conclusion:**

The original assessment schedule approved by this committee and sent to the Finance Committee (scenario 2 page 26) called for using a modified assessed frontage method to calculate the preliminary assessment (as detailed on page 3 of today's packet). That Public Works Committee approved method is not reflected in scenarios 3, 4, or 5. Therefore, to reflect the previous desires of the Public Works Committee, I respectfully submit an alternate to scenario 3 (that I call Scenario 3A) that follows both the logical and defensible 90/10 split as well as the modified frontage calculation previously approved by the Public Works Committee. Scenario 3A uses established assessment schedules for adjacent property owner contributions to the costs of removing storm water runoff from Monona waterways while holding the city responsible for removing the eroded material from Schluter Park.

**Scenario 3A:**

City is charged 90% of the project because 90% of the material is soil eroded from the park.

Removal of silt (10%) is assessed as recommended by the Public Works Committee.

Assessable costs for dredging:	\$146,365
City (soil) 90%	\$131,728.50
Adjacent Properties (silt) 10%	\$14,636.50

Cost Share Ordinance for silt removal based on \$14,636.50:

City	30%	\$4,390.95
Property Owner	70%	\$10,245.55

Adjusted Shoreline Frontage 518.5 is feet.

$$\$10,245.55 / 518.5 \text{ feet} = \$19.76 / \text{ft.}$$

No.	Address	Adjusted Frontage	Assessment
1.	4511 Winnequah (Park)	242	\$4781.91
2.	4507 Winnequah	76.5	\$1511.64
3.	4505 Winnequah	50	\$988.00
4.	4400 Outlook	50	\$988.00
5.	4402 Outlook	100	\$1976.00

**Notes:**

In the previously approved plan, the city was responsible for \$98,688.08. In this plan the city would be responsible for \$140,901.36. The difference is \$42,213.28. There is a \$108,000 surplus in the Parks Department budget for the project. Thus, if this assessment schedule were followed, the project would still be more than \$65,000 under budget.

The average cost per adjacent property owner would be \$2,049.11. This represents 54% of what the average Belle Isle resident paid (\$3,767.31), but the amount of silt to be removed is only 20% of that removed from Belle Isle. So, for the amount of silt to be removed, with this assessment schedule the average Schluter property owner would be paying 34% more than the average Belle Isle property owner.

**Resolution No. 16-4-2091  
Monona Common Council**

**A RESOLUTION PROVIDING FOR THE SALE OF \$2,890,000 WATER SYSTEM AND  
SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2016B**

**WHEREAS**, the City of Monona, Dane County, Wisconsin (the “City”), is presently in need of \$2,890,000 for the public purpose of refunding obligations of the City issued to finance improvements to the Water System and Sewer System, specifically, the Water System Revenue Bonds, dated May 1, 2006, and the Water System and Sewer System Revenue Bond Anticipation Notes, dated April 1, 2013 (collectively, the “Refunded Obligations”); and,

**WHEREAS**, it is desirable to borrow the funds needed for such purpose through the issuance of water system and sewer system revenue bonds pursuant to Section 66.0621, Wis. Stats.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Monona, Dane County, Wisconsin, that:

1. The City shall issue Water System and Sewer System Revenue Refunding Bonds, Series 2016B (“Bonds”) in an amount not to exceed \$2,890,000 for the public purpose of refunding the Refunded Obligations.
2. The sale of the Bonds shall be negotiated with Hutchinson, Shockey, Erley & Co., and the terms of the Bonds, including the dating, interest rates, maturity schedule and other details with respect to the Bonds, shall be subject to approval by subsequent resolution of the Common Council.
3. The City Clerk shall cause an Official Statement concerning the Bonds to be prepared by Hutchinson, Shockey, Erley & Co. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BY ORDER OF THE CITY COUNCIL  
CITY OF MONONA, WISCONSIN

\_\_\_\_\_  
Robert E. Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Joan Andrusz  
City Clerk

Council Action:  
Date Introduced: 4-4-16  
Date Approved: \_\_\_\_\_  
Date Disapproved: \_\_\_\_\_

**City of Monona**  
**POLICY AND FISCAL NOTE**

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Update	Substitute No. _____
		Resolution No. <u>16-4-2091</u>
		Ordinance Amendment No. _____

**Title:** Refunding of 2006 Water Bond and 2013 Water and Sewer Revenue Ban

**Policy Analysis Statement:**

**Brief Description Of Proposal:**

In 2006, the City issued \$2,460,000 Water Revenue Bonds payable over 20 years. The City also issued a \$1,435,000 Water and Sewer Revenue Ban in 2013. The Bonds and Ban are now callable and the City would save approximately \$193,142 in interest cost over the remaining years. Saving is related to 2017-2026. The City is still responsible for 2016 payment under the current bond and ban.

The current coupons are between 4.125%–5.00%. Finance Advisor Jeff Belongia projects the coupons to between 2%–3%.

No budget amendment is needed because the saving will be effective 2017-2026.

**Current Policy Or Practice:**

**Impact Of Adopting Proposal:**

Saving on interest expense of approximately \$193,143 over 10 years.

**Fiscal Estimate:**

**Fiscal Effect (check/circle all that apply)**

- No fiscal effect
- Creates new expenditure account
- Creates new revenue account
- Decreases expenditures
- Increases revenues
- Increases/decreases fund balance \_\_\_\_\_ Fund

**Budget Effect:**

- Expenditure authorized in budget
- No change to budget required
- Expenditure not authorized in budget
- Budget amendment required

**Vote Required:**

- Majority
- Two-Thirds

**Narrative/assumptions About Long Range Fiscal Effect:**

**Expenditure/Revenue Changes:**

Budget Amendment No. _____				No Budget Amendment Required <input checked="" type="checkbox"/> _____				
Account Number				Account Name	Budget Prior to Change	Debit	Credit	Amended Budget
Fund	CC	Account	Object					
				<b>Totals</b>				

**Prepared By:**

**Department:** Finance Department  
**Prepared By:** Marc Houtakker  
**Reviewed By:**

**Date March 31, 2016**

**Resolution No. 16-4-2093  
Monona Common Council**

**APPROVAL OF PARTICIPATION IN A WISCONSIN BUREAU OF  
TRANSPORTATION SAFETY GRANT TITLED: 2016 SPEED GRANT**

**WHEREAS**, the Wisconsin Bureau of Transportation Safety (WIBOTS) has determined from traffic crash data that there are a high number of traffic crashes in the City of Monona and all of Dane County, and excessive speed is often associated with high-risk behaviors that increase the likelihood of a crash and of significant injury or death; and,

**WHEREAS**, the Common Council is committed to making the highways and city streets of Monona as safe for citizens as possible; and,

**WHEREAS**, the project grant titled "2016 Speed Grant" has been offered to the City of Monona, in conjunction with various other Dane County agencies; and,

**WHEREAS**, the Wisconsin Bureau of Transportation Safety will provide the City of Monona up to \$13,500 for wages, fringe payroll benefits, and equipment to participate in this traffic grant designed to encourage compliance with the speed laws, seatbelt use laws and decrease alcohol related crashes; and,

**WHEREAS**, this is a cost-sharing grant; the City of Monona is responsible for matching payroll and benefit expenses estimated at \$3,375.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Monona, Dane County, Wisconsin, that the Monona Police Department is authorized to participate in the WI BOTS project 2016 Speed Grant designated to increase safety belt usage and decrease the severity of crash injuries due to speed and impaired driving within the City of Monona. By participating in this project, the City of Monona is eligible for reimbursement up to \$13,500 in grant funds and is responsible for benefit and costs estimated at \$3,375.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BY ORDER OF THE CITY COUNCIL  
CITY OF MONONA, WISCONSIN

\_\_\_\_\_  
Kathryn A. Thomas  
Acting Mayor

ATTEST:

\_\_\_\_\_  
Joan Andrusz  
City Clerk

Requested By: Police Chief Walter J. Ostrenga

Council Action:  
Date Introduced: 4-4-16  
Date Approved: \_\_\_\_\_  
Date Disapproved: \_\_\_\_\_

**City of Monona**  
**POLICY AND FISCAL NOTE**

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Update	Substitute No. _____
		Resolution No. <u>16-4-2093</u>
		Ordinance Amendment No. _____

**Title: 2016 Speed Grant**

**Policy Analysis Statement:**

**Brief Description Of Proposal:** The Wisconsin Bureau of Transportation Safety (WI BOTS) has offered a grant to the City of Monona. The grant, titled “**2016 Speed Grant**,” runs from May 1 through September 30, 2016 and is in conjunction with deployments in several area departments.

The primary objective of the grant is to decrease the percentage of vehicle crashes related to speed, impaired driving, and lack of occupant safety belt use within the City of Monona.

Up to \$13,500 was allocated to the City of Monona. Up to \$8,500 in grant funds will be for overtime wages and payroll benefits of Social Security and Retirement at 21.25%. Up to \$5,000 can be used for speed enforcement related equipment. Our cost sharing is in the amount of \$3,375, but on-duty personnel assigned to the grant can offset this amount.

No budget amendment needed. The city budgeted for overtime related to various police grants.

**Current Policy Or Practice:**

The City of Monona is included in this grant due to our accident volume along with willingness to participate and past successful participation in WIBOTS traffic grants.

**Impact Of Adopting Proposal:**

If we are authorized to participate in the grant, it will allow additional overtime funding for extra traffic enforcement. A requirement of the grant is to work the grant with multiple officers on several specific dates for pre-planned campaigns such as the national “Click It or Ticket” campaign.

**Fiscal Estimate:**

**Fiscal Effect (check/circle all that apply)**

- No fiscal effect
- Creates new expenditure account
- Creates new revenue account
- Increases expenditures
- Increases revenues **through fines collected**
- Increases/decreases fund balance 2016 Operational Fund**

**Budget Effect:**

- Expenditure authorized in budget
- No change to budget required
- Expenditure not authorized in budget
- Budget amendment required

**Vote Required:**

- Majority
- Two-Thirds

**Narrative/assumptions About Long Range Fiscal Effect:**

This is a matching grant. Costs associated with employee’s wages and benefits at 25% of the grant total are required to be paid by the participating agency. Estimated costs for the City would be approximately \$3,375.

**Expenditure/Revenue Changes:**

Budget Amendment No. _____				No Budget Amendment Required <input checked="" type="checkbox"/>				
Account Number				Account Name	Budget Prior to Change	Debit	Credit	Amended Budget
Fund	CC	Account	Object					
100	52	52100	121	Police Overtime Grant	20,000			20,000
				<b>Totals</b>				

**Prepared By:**

<b>Department: POLICE</b> <b>Prepared By: Chief Walter J. Ostrenga</b> <b>Reviewed By: Marc Houtakker</b>	<b>Date: 03/25/16</b> <b>Date: 03/28/16</b>
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**Resolution No. 16-4-2092  
Monona Common Council**

**APPROVING AN AMENDMENT TO THE LEASE AGREEMENT WITH MADISON  
CELLULAR TELEPHONE COMPANY FOR INSTALLATION OF EQUIPMENT**

**WHEREAS**, a Facilities Space Lease Agreement between Madison Cellular Telephone Company (originally known as U.S. Cellular) and the city of Monona dated August 16, 2004, has been entered into; and,

**WHEREAS**, Madison Cellular Telephone Company has requested a first amendment to this lease agreement for the purpose of installing additional equipment at 5211 Schluter Road, Monona WI (City Hall); and,

**WHEREAS**, the amendment has been approved by both Madison Cellular Telephone Company and Monona's City Attorney; and,

**WHEREAS**, the amendment will provide a financial benefit to the City of Monona by increasing lease revenue.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Monona, Dane County, Wisconsin, that the attached First Amendment to the Facilities Space Lease Agreement between Madison Cellular Telephone Company and the City of Monona is hereby approved.

Adopted this \_\_\_\_\_ of \_\_\_\_\_, 2016.

BY ORDER OF THE CITY COUNCIL  
CITY OF MONONA, WISCONSIN

\_\_\_\_\_  
Robert E. Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Joan Andrusz  
City Clerk

Requested By: City Administrator, April Little

Council Action:  
Date Introduced:        04-04-2016  
Date Approved:

**City of Monona  
POLICY AND FISCAL NOTE**

Original	Update	Substitute No. _____
		Resolution No. _____
		Ordinance Amendment No. _____

**Title:**

**Policy Analysis Statement:**

**Brief Description Of Proposal:**

**Current Policy Or Practice:**

**Impact Of Adopting Proposal:**

**Fiscal Estimate:**

**Fiscal Effect (check/circle all that apply):**

- No fiscal effect
- Creates new expenditure account
- Creates new revenue account
- Increases expenditures
- Increases revenues
- Increases/decreases fund balance \_\_\_\_\_ Fund

**Budget Effect:**

- Expenditure authorized in budget
- No change to budget required
- Expenditure not authorized in budget
- Budget amendment required

**Vote Required:**

- Majority
- Two-Thirds

**Narrative / Assumptions About Long Range Fiscal Effect:**

**Expenditure/Revenue Changes:**

Budget Amendment No. _____				No Budget Amendment Required					
Account Number				Account Name		Budget Prior to Change	Debit	Credit	Amended Budget
Fund	CC	Account	Object						

**Prepared By:**

<b>Department:</b> <b>Prepared By:</b> <b>Reviewed By:</b>	<b>Date:</b> <b>Date:</b>
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**FIRST AMENDMENT TO FACILITIES SPACE LEASE AGREEMENT**  
Between the City of Monona and Madison Cellular Telephone Company

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THIS FIRST AMENDMENT ("Amendment") is entered into as of the last date of signature below, by and between the City of Monona, a Wisconsin municipal corporation (hereinafter referred to as "Monona") and Madison Cellular Telephone Company, a Wisconsin general partnership, Attention: Real Estate Lease Administration, 8410 West Bryn Mawr Avenue, Chicago, Illinois 60631 (originally known as "U.S. Cellular"®, now hereinafter referred to as "Tenant").

WHEREAS, Monona owns certain real estate located at 5211 Schluter Road, Monona, Wisconsin upon which city hall with an attached fire hose tower is located (hereinafter, "the City Hall");

WHEREAS, Tenant leases space ("Premises") at the City Hall pursuant to a Facilities Space Lease Agreement between Monona and Tenant dated August 16, 2004 (hereinafter, "the Agreement") to emplace and operate certain facilities, as defined and specifically described in the Agreement.

WHEREAS, Tenant desires to amend the Agreement in order to install additional equipment on the Premises. Monona is agreeable to amending the Agreement to allow Tenant to do so on the following terms and conditions.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by all parties, the parties agree as follows:

1. A new exhibit to the Agreement, Exhibit B, also attached to this Amendment as Exhibit B, is hereby added and incorporated into the Agreement. Exhibit B contains the Tenant's equipment installation on the Premises. This Amendment contains no Exhibit A.

2. Monona hereby consents to Tenant updating and modifying ("Modifications") the facilities in accordance with the plans and specifications attached hereto as Exhibit B, subject to the following conditions:

- a. All facilities, including those added or replaced pursuant to this Amendment shall be painted and maintained so as to be of uniform color.
- b. All facilities, including those added or replaced pursuant to this Amendment shall comply with all applicable laws and regulations.
- c. The conduit shown on Exhibit B to be located through the west end balcony area shall be located as approved by the Fire Chief to ensure it does not interfere with the use or operation of the City Hall by the City.
- d. The conduit shown on Exhibit B shall be located within the interior wall on all floor levels of the City Hall, unless otherwise approved in writing by the Fire Chief.

3. The Rent as set forth in the Agreement shall be increased by three hundred dollars a month (\$300.00) effective the first full month after the Tenant starts the Modifications.

4. All other terms, conditions and obligations of the Agreement shall remain as stated therein, except as specifically amended in this Amendment.

5. The provisions of this Amendment shall be neutrally interpreted and not construed more strictly for or against any party because that party's attorney drafted this Amendment or any part hereof.

IN WITNESS WHEREOF, the parties have executed this Amendment effective as of the last date of signature below.

CITY OF MONONA

By: \_\_\_\_\_  
Robert Miller, Mayor

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Joan Andrusz, City Clerk

\_\_\_\_\_  
Date

MADISON CELLULAR TELEPHONE COMPANY  
By: United States Cellular Operating Company LLC  
Being one of its General Partners

By: Thomas S. Weber  
THOMAS S. WEBER

3/15/16  
Date

STATE OF WISCONSIN )  
 )  
COUNTY OF DANE )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Robert Miller and Joan Andrusz, known to me to be the same persons whose name is subscribed to the foregoing First Amendment to Facilities Space Lease Agreement, appeared before me this day in person and acknowledged that he/she signed the said Amendment as his/her free and voluntary act for the uses and purposes therein stated.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

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

STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Thomas S. Weber, Vice President, known to me to be the same person whose name is subscribed to the foregoing First Amendment to Facilities Space Lease Agreement, appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Amendment as his free and voluntary act on behalf of the named company, for the uses and purposes therein stated.

Given under my hand and seal this 15 day of March, 2016.

Kelly Schmitz  
\_\_\_\_\_  
Notary Public

Notary Public

My commission expires 12/20/16



**EXHIBIT B**  
**TENANT'S EQUIPMENT**







