



CITY OF MENOMONIE  
COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
7:00 PM  
Monday – July 10, 2023



City of Menomonie  
800 Wilson Ave  
1<sup>st</sup> Floor

## AGENDA

### *Pledge of Allegiance*

1. **Roll Call & Special Recognitions**
2. **Approval of Minutes**
3. **Public Hearings**
4. **Public Comments**
5. **Unfinished Business**
6. **New Business**
  - a. Change Orders #1 and #2 for Stepping Stones Shelter – discussion and possible motion approving.
  - b. Application for Payment #1 for Wilson Creek Storm Sewer Repair – discussion and possible motion approving.
  - c. Proposed zoning ordinance amendment for 600 Midway Road to I-1 Restricted Industrial District – discussion and possible ordinance introduction and a motion of referral to the Plan Commission.
  - d. Proposed zoning ordinance amendment for 568 Midway Road to A Agriculture District – discussion and possible ordinance introduction and a motion of referral to the Plan Commission.
  - e. National Night Out Special Event Permit – discussion and possible motion approving.
  - f. Appointments to the Airport Commission – discussion and possible motions approving.
    - i. Airport Commission – Earl Wildenberg
7. **Budget Transfers**
8. **Mayor's Report**
9. **Communications and Miscellaneous Business**
10. **Claims**
11. **Licenses**
  - a. Normal license list and renewals

## 12. Closed

- a. Motion to convene in closed session under Wisconsin Statutes 19.85(1)(c) and (e), for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and for the purpose of 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.
  - i. Discuss employee performance.
  - ii. Discuss/consider proposed financial support of the development of industrial properties for industrial purposes.

## 13. Return to Open Session

- a. Motion to reconvene in open session under Wisconsin Statutes 19.85(2).
- b. City may take action on items under discussion in closed session and/or report action taken in closed session, if any.
  - i. Discuss employee performance.
  - ii. Discuss/consider proposed financial support of the development of industrial properties for industrial purposes.

## 14. Adjourn

### "PUBLIC ACCESS"

NOTE: Members of the public may continue to view City Council meetings via Zoom Teleconference /Video Conference or, over the internet by going to <https://zoom.us/join> (URL for Zoom meeting), or by calling 1 312 626 6799. The Access Code for the meeting is **820 1782 7638**. Please note: this is for viewing purposes **ONLY**. If you wish to participate, you must appear in person at the meeting.

NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities. For additional information or to request the service, contact the City Clerk or the City Administrator at 232-2221.

## OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on June 19, 2023, and called to order by Council Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Luther, Burstad, Sutherland (arrived at 7:03 p.m.), Yonko, Schwebs, Gentz, Solberg, Schlough, Erdman, and Sommerfeld. McCullough was absent.

MOTION was made by Schlough, seconded by Erdman, and carried to approve the minutes of the June 5, 2023 council meeting.

PUBLIC HEARING – None.

PUBLIC COMMENTS – Sylvia Gengenbach was present to speak on agenda item 6(h), Let's Paint the Town Special Event Permit. Paul Schultz and Russ Kenny, representing TDS Telecom, were present to speak on agenda item 6(c), TDS Fiber Optic project. Scott Rogers, representing the West Central Wisconsin Rail Coalition was present to speak on agenda item 6(b), the West Central Wisconsin Rail Coalition presentation.

NO ACTION was taken on the presentation by Joleen Sterk, Public Library Director, regarding the Menomonie Public Library Vibrant Spaces Grant Master Plan report.

MOTION to waive the rules made by Erdman, seconded by Schlough, and carried unanimously to allow Scott Rogers to address council and present on the passenger rail development program/project. NO ACTION was taken.

MOTION to waive the rules made by Erdman, seconded by Yonko, and carried unanimously to allow Paul Schultz and Russ Kenny, representing TDS Telecom, to speak on the TDS Fiber Optic project within the city. NO ACTION was taken.

ORDINANCE - MOTION to INTRODUCE Title 5, Chapter 1 ordinance amendment relating to lawn height maintenance (No Mow May) was introduced by Gentz. MOTION to waive the first reading was made by Schwebs, seconded by Yonko, and carried. MOTION to waive the second reading was made by Erdman, seconded by Burstad, and carried. MOTION to adopt the ordinance amendment was made by Gentz, seconded by Sommerfeld, and carried unanimously.

ORDINANCE - MOTION to INTRODUCE Title 8, Chapter 1 ordinance amendment relating to limitations on lawn irrigation was introduced by Schlough. MOTION to waive the first reading was made by Erdman, seconded by Solberg, and carried. MOTION to waive the second reading was made by Burstad, seconded by Luther, and carried. MOTION to adopt the ordinance amendment was made by Schlough, seconded by Erdman, and carried unanimously.

RESOLUTION – MOTION was made by Erdman, seconded by Sommerfeld, and carried to adopt a resolution enacting alternate side lawn irrigation restrictions.

MOTION to approve and accept the funds from the 2023 Carbon Reduction Grant Award agreement through the Wisconsin Department of Transportation was made by Burstad, seconded by Schwebs, and carried unanimously on roll call vote.

MOTION to waive the rules made by Erdman, seconded by Solberg, and carried unanimously to allow Sylvia Gengenbach to speak to council on the "Let's Paint the Town" special event permit request. MOTION was



made by Burstad, seconded by Solberg, and carried unanimously to approve the special event request for Let's Paint the Town as presented.

MOTION was made by Erdman, seconded by Schlough, and carried unanimously to approve the special event permit request for the Red Cedar Film Festival as presented.

MOTION was made by Schwebs, seconded by Solberg, and carried unanimously to approve the special event permit request for Foundations Therapy 10 Year Anniversary Celebration & Open House as presented.

MOTION to waive the rules made by Schwebs, seconded by Erdman and carried unanimously to allow Sean Lentz, Senior Municipal Advisor of Ehlers to speak to council on the resolution to borrow money from the Board of Commissioners of Public Lands of WI (Estover Terrace Payment). MOTION to present and adopt the resolution made by Solberg, seconded by Erdman, and carried unanimously on roll call vote.

MOTION was made by Luther, seconded by Schwebs, and carried unanimously to approve the Wastewater Utility Department request to sell surplus equipment.

BUDGET TRANSFERS – None.

MAYOR'S REPORT – Mayor Knaack announced that Tanglewood had their grand opening and ribbon cutting this past weekend which was a success. The Mayor presented two proclamations to council, the first being a proclamation recognizing the month of June as Pride Month, and the second being the a proclamation recognizing June 19<sup>th</sup> as Juneteenth Freedom Day.

COMMUNICATIONS AND MISCELLANEOUS BUSINESS – Public Works Director, David Schofield, gave an update on 604 Wilson Ave., noting that a Raze or Repair order has been issued for said property with a deadline of August 25, 2023, which was set with Stout move-in day in consideration. Megen reported that the City collected 27,353 pounds of electronics during the electronics recycling event. City Administrator, Eric Atkinson spoke about the National Night Out event being moved to a different location, closer to City Hall, for safety reasons due to the condition of the building at 604 Wilson Ave. Administrator Atkinson commended Megen Hines, Environmental Works Director, on her hard work and accomplishments in securing important energy grants for the city.

CLAIMS - MOTION was made by Solberg, seconded by Burstad, and carried unanimously on roll call vote to approve payment of the following claims:

**June 19, 2023 Claims**

Cedar Corp	\$121,596.75
Fastenal	\$61.17
<b>Total</b>	<b>\$121,657.92</b>

<b><u>2023 Parking Utility Claims</u></b>	<b><u>Total Invoice,</u></b>
City Treasurer	\$1,869.77
<b>Total</b>	<b>\$1,869.77</b>

LICENSES – MOTION was made by Burstad, seconded by Sutherland and carried to approve the following licenses:

**LICENSE YEAR - 2024 (expires June 30, 2024)**

**\*PENDING PUBLICATION ON 6/21/23 AND NO REQUESTS FOR DENIAL RECEIVED\***

**“CLASS A” LIQUOR & CLASS “A” BEER:**

Junction Liquor, LLC (Junction Liquor - 2521 Hills Ct. Ste. F);  
Northern Tier Retail LLC (Speedway #4484 - 2020 S Broadway St);  
Northern Tier Retail LLC (Speedway #4482 - 1708 N Broadway St);

**“CLASS B” LIQUOR & CLASS “B” BEER:**

Mendez Burrito Cali LLC (Burrito California - 334 Main St E)  
Eaglewood Golf, LLC (Tanglewood Greens, 2200 Crestwood Dr.)  
Love’s Travel Stop #662, 5930 Badger Dr  
Fiesta Cantina Authentic Mexican Grill, Inc. (Fiesta Cantina Authentic Mexican Grill – 1705 Plaza Dr.);

**CLASS “B” BEER & “CLASS C” WINE:**

DJ Fedderly Management Consultant, LLC (The Raw Deal – 603 S Broadway);  
Yamato Sushi, Inc (Yamato Sushi – 1320 N Broadway)  
Acoustic Café II, Inc (Acoustic Café – 102 Main St W)

**CABARET LICENSE:**

DJ Fedderly Management Consultant, LLC (The Raw Deal – 603 S Broadway);

**MASSAGE THERAPY FACILITY:**

Leslie Norris (Grace & Ease - 1414 10<sup>th</sup> Ave E)

**MOBILE FOOD ESTABLISHMENT:**

Chippewa Valley Cheesesteak, 1720 4<sup>th</sup> Ave N

**SOLID WASTE COLLECTION:**

Waste Management of Northern WI, Eau Claire (Cathy Canfield- 3 Vehicles);  
GFL Solid Waste Midwest, LLC, 11888 30<sup>th</sup> Ave, Chippewa Falls, WI 54729

**TOBACCO:**

Junction Liquor, LLC (Junction Liquor - 2521 Hills Ct. Ste. F);  
North Star Plus 3, LLC 1320 N Broadway  
Northern Tier Retail LLC (Speedway #4484 - 2020 S Broadway St);  
Northern Tier Retail LLC (Speedway #4482 - 1708 N Broadway St);

**TAXI CAB/ VEHICLE FOR HIRE:**

Checker Taxi (John Hallquist - 3221 Venus Ave, Eau Claire, WI 54701)  
Courtesy Cab (Henry Williams – 3003 Wilson St #47);  
Town & Country Taxi, LLC (Jay McNulty - 1980 Whistling Straits Dr, Altoona, WI)

MOTION to adjourn was made by Gentz, seconded by Luther, and carried unanimously.

Kate Martin, City Clerk



## MEMO

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**TO:** Mayor & City Council  
**FROM:** David Schofield, Director of Public Works  
**SUBJECT:** Stepping Stones Project Change Orders #1 and #2  
**DATE:** July 10, 2023

Cedar Falls Building Systems and their subcontractors have made significant progress on the Stepping Stones Project. For grant purposes, the City is the contract owner. As such, the City must approve changes to the contract.

Cedar Falls Building Systems has submitted two proposed change orders for review and approval:

1. Change Order #1 adds removal and replacement of 82 feet of curb and gutter along 17<sup>th</sup> Street that was needed to eliminate an existing driveway opening at a cost of \$4,756
2. Change Order #2 adds installation of a hydrant on 17<sup>th</sup> Street at a cost of \$5,627.

Both of these changes were required by the City as part of the final site plan review and were not contemplated during the bidding process, which occurred prior to final site plan approval.

City staff recommends approval of Change Orders #1 and #2 for the Stepping Stones Project in the amount of \$10,383.

**Attachments:**

- Change Order #1
- Change Order #2



# AIA Document G701® – 2017

## Change Order

**PROJECT:** *(Name and address)*  
Stepping Stones Homeless Shelter  
1620 Stout Road  
Menomonie, WI 54751

**CONTRACT INFORMATION:**  
Contract For: Construction Management  
Date: October 11, 2022

**CHANGE ORDER INFORMATION:**  
Change Order Number: 001  
Date: 6/13/2023

**OWNER:** *(Name and address)*  
Stepping Stones of Dunn County, Inc.  
1602 Stout Road  
Menomonie, WI 54751

**ARCHITECT:** *(Name and address)*  
Lien & Peterson Architects, Inc.  
4675 Royal Drive  
Eau Claire, WI 54701

**CONTRACTOR:** *(Name and address)*  
Cedar Falls Building Systems, Inc.  
5455 Freitag Drive  
Menomonie, WI 54751

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Remove and replace 82 feet of standup curb on 17th Street

The original Contract Sum was	\$	<u>1,592,230.89</u>
The net change by previously authorized Change Orders	\$	<u>0.00</u>
The Contract Sum prior to this Change Order was	\$	<u>1,592,230.89</u>
The Contract Sum will be increased by this Change Order in the amount of	\$	<u>4,756.00</u>
The new Contract Sum including this Change Order will be	\$	<u>1,596,986.89</u>

The Contract Time will be increased by Zero (0) days.  
The new date of Substantial Completion will be

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

_____	<u>Cedar Falls Building Systems Inc</u>	<u>Stepping Stones of Dunn County</u>
ARCHITECT <i>(Firm name)</i>	CONTRACTOR <i>(Firm name)</i>	OWNER <i>(Firm name)</i>
_____	<u>[Signature]</u>	<u>[Signature]</u>
SIGNATURE	SIGNATURE	SIGNATURE
_____	<u>Mark Lewis - President</u>	<u>Julie T. Bendel Secretary</u>
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
_____	<u>6/13/2023</u>	_____
DATE	DATE	DATE



# AIA® Document G701<sup>S</sup> – 2017

## Change Order, Contractor-Subcontractor Version

<b>PROJECT:</b> <i>(name and address)</i> Stepping Stones Homeless Shelter 1620 Stout Road Menomonie, WI 54751	<b>SUBCONTRACT INFORMATION:</b> Contract For:22-048-31A Date:3/2/2023	<b>CHANGE ORDER INFORMATION:</b> Change Order Number:001 Date:5/31/2023
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<b>CONTRACTOR:</b> <i>(name and address)</i> Cedar Falls Building Systems, Inc. 5455 Freitag Drive Menomonie, WI 54751	<b>SUBCONTRACTOR:</b> <i>(name and address)</i> CR Bryan & Sons E4190 County Road P Menomonie, WI 54751
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**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Remove and replace 82 feet of standup curb on 17<sup>th</sup> Street

The original Subcontract Sum was	\$ 77,940.00
The net change by previously authorized Change Orders	\$ 0.00
The Subcontract Sum prior to this Change Order was	\$ 77,940.00
The Subcontract Sum will be increased by this Change Order in the amount of	\$ 4,756.00
The new Subcontract Sum including this Change Order will be	\$ 82,696.00

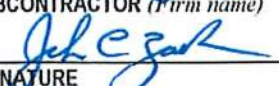
The Subcontract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is

**NOTE:** This Change Order does not include adjustments to the Subcontract Sum or Guaranteed Maximum Price, or the Subcontract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE SUBCONTRACTOR AND CONTRACTOR.**

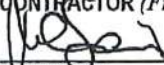
CR Bryan & Sons  
SUBCONTRACTOR *(Firm name)*

  
SIGNATURE

John C Zack  
PRINTED NAME AND TITLE

9 June 23  
DATE

Cedar Falls Building Systems, Inc.  
CONTRACTOR *(Firm name)*

  
SIGNATURE

MARK Lewis - President  
PRINTED NAME AND TITLE

6/13/2023  
DATE



**CRB & S, LLC**  
**DBA C.R. BRYAN & SONS EXCAVATING**  
 PO BOX 407  
 MENOMONIE, WI 54751

# INVOICE

DATE INVOICE #  
 4/30/2023 12901

PH. (715) 235-7315  
 FAX. (715) 231-6305

BILL TO:

Cedar Falls Building Systems Inc  
 5455 Freitag Drive  
 Menomonie WI 54751

SHIP TO:

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
				Stepping Sto...	Due on receipt	
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
	extra curb on 17th st 82ft	removal and replace as standup curb			4,756.00	4,756.00
					<b>TOTAL</b>	\$4,756.00



# AIA Document G701<sup>®</sup> – 2017

## Change Order

**PROJECT:** *(Name and address)*  
Stepping Stones Homeless Shelter  
1620 Stout Road Menomonie, WI 54751

**CONTRACT INFORMATION:**  
Contract For: Construction Management  
Date: October 11, 2022

**CHANGE ORDER INFORMATION:**  
Change Order Number: 002  
Date: 6/13/2023

**OWNER:** *(Name and address)*  
Stepping Stones of Dunn County, Inc.  
1602 Stout Road  
Menomonie, WI 54751

**ARCHITECT:** *(Name and address)*  
Lien & Peterson Architects, Inc.  
4675 Royal Drive  
Eau Claire, WI 54701

**CONTRACTOR:** *(Name and address)*  
Cedar Falls Building Systems, Inc.  
5455 Freitag Drive  
Menomonie, WI 54751

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Fire hydrant supply and install

The original Contract Sum was	\$	1,592,230.89
The net change by previously authorized Change Orders	\$	4,756.00
The Contract Sum prior to this Change Order was	\$	1,596,986.89
The Contract Sum will be increased by this Change Order in the amount of	\$	5,627.00
The new Contract Sum including this Change Order will be	\$	1,602,613.89

The Contract Time will be increased by Zero (0) days.

The new date of Substantial Completion will be

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

_____	<u>Cedar Falls Building Systems, Inc.</u>	<u>Stepping Stones of Dunn County</u>
ARCHITECT <i>(Firm name)</i>	CONTRACTOR <i>(Firm name)</i>	OWNER <i>(Firm name)</i>
_____		
SIGNATURE	SIGNATURE	SIGNATURE
_____	<u>Mark Lewis - President</u>	<u>Julie T. Bendel Secretary</u>
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
_____	<u>6/13/2023</u>	_____
DATE	DATE	DATE



# AIA Document G701<sup>®</sup>S – 2017

## Change Order, Contractor-Subcontractor Version

**PROJECT:** *(name and address)*  
Stepping Stones Homeless Shelter  
1620 Stout Road  
Menomonie, WI 54751

**SUBCONTRACT INFORMATION:**  
Contract For:22-048-31A  
Date:3/2/2023

**CHANGE ORDER INFORMATION:**  
Change Order Number:002  
Date:5/31/2023

**CONTRACTOR:**  
*(name and address)*  
Cedar Falls Building Systems, Inc.  
5455 Freitag Drive  
Menomonie, WI 54751

**SUBCONTRACTOR:**  
*(name and address)*  
CR Bryan & Sons  
E4190 County Road P  
Menomonie, WI 54751

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Fire hydrant and install

The original Subcontract Sum was	\$	77,940.00
The net change by previously authorized Change Orders	\$	4,756.00
The Subcontract Sum prior to this Change Order was	\$	82,696.00
The Subcontract Sum will be increased by this Change Order in the amount of	\$	5,627.00
The new Subcontract Sum including this Change Order will be	\$	88,323.00

The Subcontract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is

**NOTE:** This Change Order does not include adjustments to the Subcontract Sum or Guaranteed Maximum Price, or the Subcontract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE SUBCONTRACTOR AND CONTRACTOR.**

CR Bryan & Sons  
SUBCONTRACTOR *(Firm name)*

John C Zack  
SIGNATURE

John C Zack  
PRINTED NAME AND TITLE

9 June 23  
DATE

Cedar Falls Building Systems, Inc.  
CONTRACTOR *(Firm name)*

Mark Lewis  
SIGNATURE

Mark Lewis - President  
PRINTED NAME AND TITLE

6/13/2023  
DATE

**CRB & S, LLC**  
**DBA C.R. BRYAN & SONS EXCAVATING**  
 PO BOX 407  
 MENOMONIE, WI 54751

# INVOICE

DATE INVOICE #  
 5/21/2023 12913

PH. (715) 235-7315  
 FAX. (715) 231-6305

BILL TO:

SHIP TO:

Cedar Falls Building Systems Inc  
 5455 Freitag Drive  
 Menomonie WI 54751

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
				stepping sto...	Due on receipt	
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
		balance do for fire hydrat and install			5,627.00	5,627.00
					<b>TOTAL</b>	\$5,627.00





## MEMO

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**TO:** Mayor & City Council  
**FROM:** David Schofield, Director of Public Works  
**SUBJECT:** Wilson Creek Storm Sewer Repairs  
**DATE:** July 10, 2023

McCabe Construction has completed the Wilson Creek Storm Sewer Repair project off the south end of Golf View Court.

The requested Application for Payment #1 – Final amount (\$51,461) is substantially higher than the estimated project cost at the time of bidding (\$33,945). This is partially due to fact that City crews were unable to complete the tree clearing due to the severity of the slope. The remainder is due to construction overruns.

Kevin Oium from Cedar Corporation will be on hand to present Application for Payment #1 – Final and answer any questions.

The payment will be made from the proceeds of General Obligation Promissory Note Series 2023B.

If the City Council concurs, the appropriate action would be to approve Application For Payment #1 – Final to McCabe Construction in the amount of \$51,461.

**Attachments:**

- Application for Payment #1 - Final



community infrastructure | architecture | environmental

# MEMO

604 Wilson Avenue  
Menomonie, WI 54751  
715-235-9081  
800-472-7372  
FAX 715-235-2727  
www.cedarcorp.com

**DATE:** June 22, 2023  
**TO:** David Schofield, Director of Public Works  
**FROM:** Cedar Corporation  
**REGARDING:** Wilson Creek Storm Sewer Repairs – Pay Application No. 1 - Final

Cedar Corporation has reviewed Application for Payment No. 1 - Final from McCabe Construction for the construction of the Wilson Creek Storm Sewer Repairs project. Cedar Corporation has reviewed the application for payment submitted by the contractor for the requested amount of \$51,461.00.

It is Cedar Corporation's recommendation that the City of Menomonie approve the application for the full requested amount.

Attached are three copies of Application for Payment No 1 - Final. Please sign all three, keep one for your records, and send two copies to Kevin Oium at Cedar Corporation.

Unit Price Progress Estimate

Contractor's Application

Project: Wilson Creek Storm Sewer Repairs				Application Number: 1 - Final									
Application Period: 5/15/23 - 5/26/23				Application Date: May 26, 2023									
A				B	C	D	E	F	G	H	I	J	
Bid No.	Item Description	Estimated Bid Quantity	Unit Price	Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.	
				Previous Applications		This Application		Materials Stored		Quantity	Amount		
				Quantity	Amount	Quantity	Amount	Quantity	Amount				
1	Remove Storm Sewer Culvert Pipe	115 L.F.	\$19.00			115	\$2,185.00				115	\$2,185.00	100.0%
2	Grubbing Stumps	8 EA.	\$235.00			8	\$1,880.00				8	\$1,880.00	100.0%
3	12" SDR 17 IPS HDPE Storm Sewer Pipe	115 L.F.	\$143.00			160	\$22,880.00				160	\$22,880.00	139.1%
4	12" CMP Apron Endwall	1 EA.	\$350.00			1	\$350.00				1	\$350.00	100.0%
5	Connect to Existing	1 EA.	\$1,100.00			1	\$1,100.00				1	\$1,100.00	100.0%
6	Concrete Anchoring	2 EA.	\$2,500.00			2	\$5,000.00				2	\$5,000.00	100.0%
7	Type HR Fabric	22 S.Y.	\$11.25			22	\$247.50				22	\$247.50	100.0%
8	Rip Rap, Extra Heavy	15 C.Y.	\$105.00			15	\$1,575.00				15	\$1,575.00	100.0%
9	Intermediate Erosion Mat	350 S.Y.	\$3.75			650	\$2,437.50				650	\$2,437.50	185.7%
10	Restoration, Seed Clearing	350 S.Y.	\$11.00			650	\$7,150.00				650	\$7,150.00	185.7%
		1 L.S.	\$6,656.00			1	\$6,656.00				1	\$6,656.00	100.0%
TOTAL							\$51,461.00				\$51,461.00		



3101 Alpine Road  
P.O. Box 1769  
Eau Claire, WI 54702-1769

**T&M Report**

Job Name: Wilson Creek Storm Sewer Repairs Job No. 2023.009  
Location: Menomonie Work Dates: 5/22/2023  
Work Performed: Clearing

**EQUIPMENT**

Equipment No.	Equipment Type	Date & Hours				Total Hrs.	Equip. Rate	Amount
		5/22						
30.0022	2014 Volvo EC145DL Excavator	8				8	\$ 100.00	\$ 800.00
45.0033	2023 CAT 259D3 Skidsteer	8				8	\$ 55.00	\$ 440.00
90.0026	2020 Morbark M15R Chipper	8				8	\$ 35.00	\$ 280.00
						0		\$ -
						0		\$ -
						0		\$ -
						0		\$ -
						0		\$ -
<b>Total</b>								<b>\$ 1,520.00</b>

**LABOR**

Employee	Date & Hours				Total Hrs.	Labor Rate	Amount	
	5/22							
James Schilling - Foreman	8				8	\$ 121.00	\$ 968.00	
Denny Bergeron - Operator	8				8	\$ 116.00	\$ 928.00	
Scott Revoir - Operator	8				8	\$ 114.00	\$ 912.00	
Adam Johnson - Laborer	8				8	\$ 97.00	\$ 776.00	
Nate McKinley - Laborer	8				8	\$ 97.00	\$ 776.00	
Scott Bentley - Laborer	8				8	\$ 97.00	\$ 776.00	
							\$ -	
<b>Total</b>								<b>\$ 5,136.00</b>

**MATERIALS AND SUBCONTRACTORS**

Description	Quantity	Units	Unit Cost	Amount
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
<b>Total</b>				<b>\$ -</b>

**Total Cost \$ 6,656.00**

Phone: (715) 552-1346 • Fax: (715) 552-1368

An Equal Opportunity Employer





## MEMO

---

**TO:** Mayor & City Council  
**FROM:** David Schofield, Director of Public Works  
**SUBJECT:** 600 Midway Road (I-1 Restricted Industrial) and 568 Midway Road (A Agriculture)  
**DATE:** July 10, 2023

Jimmy & Barbara Harper (600 Midway Road) and Joel & Tammy Harper (568 Midway Road) have requested City Approval of a CSM to adjust the location of the joint property line between their two properties. Unfortunately, the two properties have different zoning classifications which necessitates rezoning to make the zoning districts follow the property lines (or, differently said, avoid properties with multiple zonings). The Plan Commission conditionally approved the CSM pending the outcome of the rezoning at their June 26 meeting.

600 Midway Road is currently zoned I-1 Restricted Industrial District and will remain so.

568 Midway Road is currently zoned A Agriculture District and will remain so.

If the City Council concurs, the appropriate action would be to introduce both zoning ordinances and refer them to Plan Commission for review.

These would be reviewed at the July 31 Plan Commission Meeting and brought back for public hearing and possible approval at the August 7 City Council Meeting

### **Attachments:**

- Location Map
- Proposed CSM
- Proposed Zoning Ordinance for 600 Midway Road
- Proposed Zoning Ordinance for 568 Midway Road



# PROPOSED REZONINGS

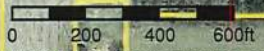
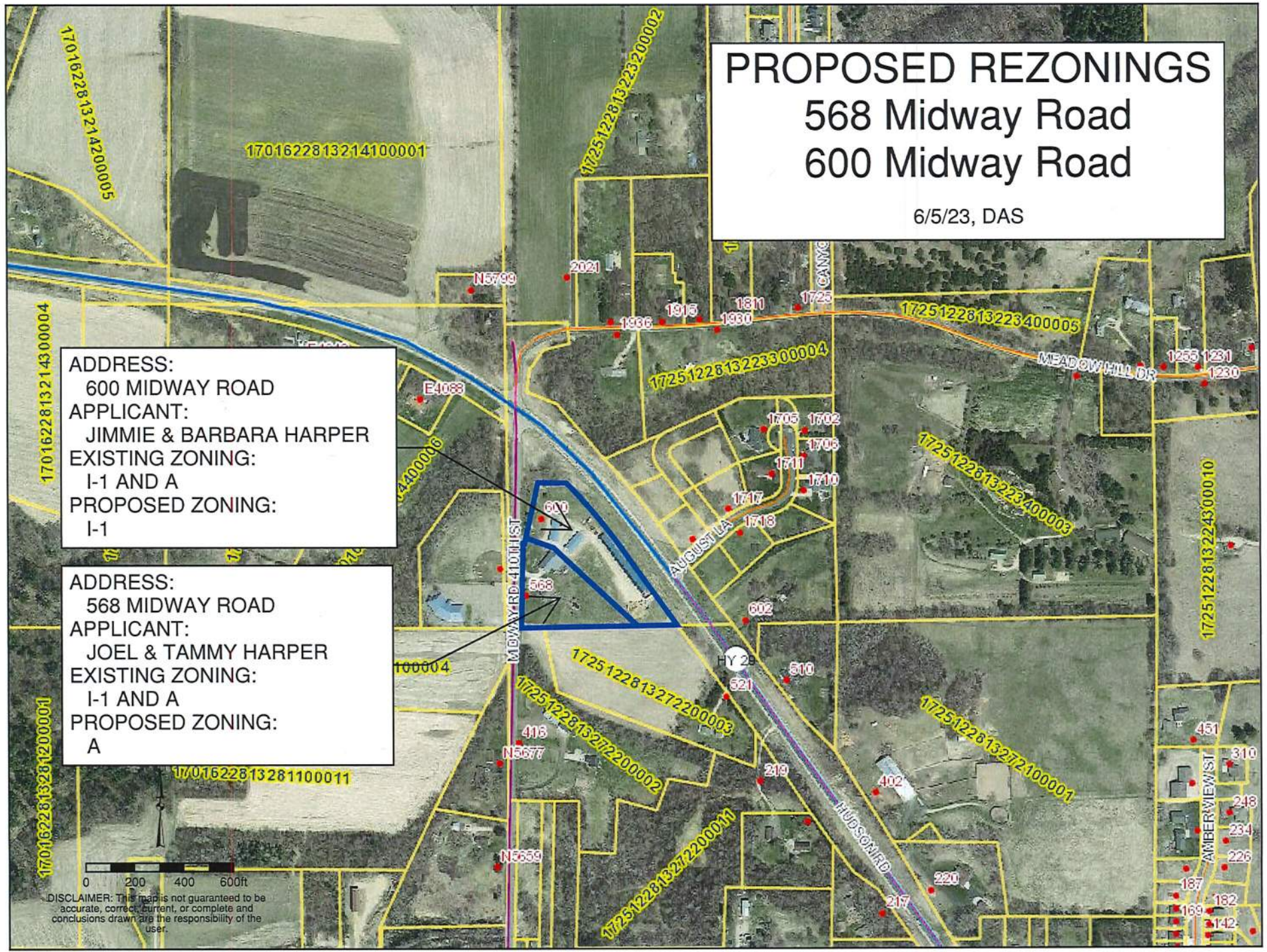
## 568 Midway Road

## 600 Midway Road

6/5/23, DAS

ADDRESS:  
600 MIDWAY ROAD  
APPLICANT:  
JIMMIE & BARBARA HARPER  
EXISTING ZONING:  
I-1 AND A  
PROPOSED ZONING:  
I-1

ADDRESS:  
568 MIDWAY ROAD  
APPLICANT:  
JOEL & TAMMY HARPER  
EXISTING ZONING:  
I-1 AND A  
PROPOSED ZONING:  
A



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.





CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

All of Lot 1 and Lot 2, Certified Survey Map number 4756,  
Located in the Southwest 1/4 of the Southwest 1/4 of Section 22,  
Town 28 North, Range 13 West, City of Menomonie, Dunn  
County, Wisconsin

**SURVEYOR'S CERTIFICATE:**

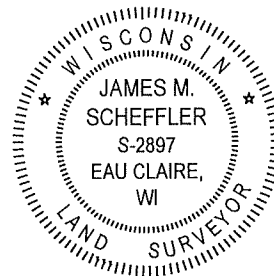
*I, James M. Scheffler, Professional Land Surveyor in the State of Wisconsin, do hereby certify that by the order of Joel Harper, I have surveyed all of Lot 1 and Lot 2, Certified Survey Map number 4756, located in part of the Southwest 1/4 of the Southwest 1/4, Section 22, Town 28 North, Range 13 West, City of Menomonie, Dunn County, Wisconsin.*

*Said parcel contains 241,371 square feet or 5.54 acres, more or less. The bearings are orientated to the West line of the Southwest 1/4 of Section 22 which bears S00°16'02"W.*

*I also certify that I have complied with the provisions of Chapter 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the City of Menomonie Subdivision Ordinance. I further certify to the best of my knowledge and belief that the accompanying map is a true and correct representation of the exterior boundaries of the land surveyed and the division thereof made.*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

James M. Scheffler, Wisconsin Professional Land Surveyor, S-2897



**CITY OF MENOMONIE PLAN COMMISSION**

Resolved: That this Certified Survey Map in the City of Menomonie is hereby approved by the City of Menomonie Plan Commission.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Signature of Approving Authority \_\_\_\_\_



DATE: June 26-23

**REQUEST FOR REZONING**



NAME: Joel Harper

ADDRESS: 600 N Midway Rd

TELEPHONE NUMBER: 715 505 7475

EMAIL ADDRESS: Jharperdesigns@bellsouth.net

PROPERTY OWNER IF DIFFERENT THAN ABOVE: Joanne Harper

**LOCATION OF PROPERTY YOU ARE REQUESTING TO BE REZONED (ATTACH MAP):**

See Attached

**EXACT LEGAL DESCRIPTION OF PROPERTY:**

See Attached

CURRENT ZONING: I1, A9

PROPOSED ZONING: I-1

**PROPOSED USE OF PROPERTY (ATTACH SITE PLAN):**

Storage buildings

[Signature]  
Applicant's Signature

NON-REFUNDABLE FEE: \$250  
Receipt # \_\_\_\_\_ Account - 01.44733 (02)  
To City Council: \_\_\_\_\_  
To Plan Commission: \_\_\_\_\_  
Publication Dates: \_\_\_\_\_

I, Jimmie Harper agree with  
how Joel Harper is rezoning the  
land at 600 N Midway Rd.

6/26/23

J. H. Harper

**ORDINANCE \_\_\_\_\_ OF THE ORDINANCES FOR THE CITY OF MENOMONIE FOR 2023.**

An ordinance changing the boundaries of certain districts under the Zoning Ordinance of the City of Menomonie.

**THE COMMON COUNCIL OF THE CITY OF MENOMONIE DO ORDAIN AS FOLLOWS:**

**Section 1.** The district boundaries as shown on "District Map, City of Menomonie, Wisconsin," dated April 5, 1971, is hereby amended and changed as follows:

COMMENCING at the Southwest corner of Lot 2 of Certified Survey map number 4756 recorded in Volume 24 on Pages 41a-41b as Document number 653903; thence, N89°07'12E along the south line of said Lot 2, 265.00 feet to the POINT OF BEGINNING; thence, N00°14'37"E, 196.33 feet to the south line of Lot 1 of said Certified Survey Map number 4756; thence, N46°47'48"W along said Lot1, 185.19 feet; thence, N75°01'07"W along said Lot 1, 124.44 feet along said Lot 1; thence, N09°20'02"E, 240.10 feet; thence, S89°45'23"E along said Lot 1, 132.11 feet to the beginning of a curve concave southwesterly, having a radius of 2202.01 feet and a long chord which bears S39°58'24"E for a distance of 355.52 feet; thence, along the arc of said curve and said Lot 1, 355.91 feet; thence, S35°20'35"E along said Lot 1, 384.39 feet to the southeast corner of said Lot 1; thence, S89°07'12"W along the south line of said Lot 1 and Lot 2, 367.48 feet to the POINT OF BEGINNING.

Be and hereby is changed from **Restricted Industrial District (I-1)** and **Agriculture District (A)** to **Restricted Industrial District (I-1)**.

**Section 2.** This ordinance shall take effect upon the date of publication as provided in Section 62.11(4)(a), Wisconsin Statutes.

INTRODUCED \_\_\_\_\_

FIRST READING \_\_\_\_\_

SECOND READING \_\_\_\_\_

PASSED \_\_\_\_\_

PUBLISHED \_\_\_\_\_

ATTEST \_\_\_\_\_

CITY CLERK, Catherine Martin

APPROVED THIS \_\_\_\_\_ DAY

OF \_\_\_\_\_

MAYOR, Randy Knaack

SUBMITTED BY:

ALDERPERSON

DATE: June 26-23

REQUEST FOR REZONING



NAME: Joel Harper

ADDRESS: 568 N Midway Rd

TELEPHONE NUMBER: 715 505-7475

EMAIL ADDRESS: jharperdesigns@aol.com

PROPERTY OWNER IF DIFFERENT THAN ABOVE: \_\_\_\_\_

LOCATION OF PROPERTY YOU ARE REQUESTING TO BE REZONED (ATTACH MAP):

See attached

EXACT LEGAL DESCRIPTION OF PROPERTY:

See attached

CURRENT ZONING: I1, Ag

PROPOSED ZONING: Ag

PROPOSED USE OF PROPERTY (ATTACH SITE PLAN):

House

[Signature]  
Applicant's Signature

NON-REFUNDABLE FEE: \$250

Receipt # \_\_\_\_\_ Account - 01.44733 (02)

To City Council: \_\_\_\_\_

To Plan Commission: \_\_\_\_\_

Publication Dates: \_\_\_\_\_



**ORDINANCE \_\_\_\_\_ OF THE ORDINANCES FOR THE CITY OF MENOMONIE FOR 2023.**

An ordinance changing the boundaries of certain districts under the Zoning Ordinance of the City of Menomonie.

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BEGINNING at the Southwest corner of Lot 2 of Certified Survey map number 4756 recorded in Volume 24 on Pages 41a-41b as Document number 653903; thence, N89°07'12E along the south line of said Lot 2, 265.00 feet; thence, N00°14'37"E, 196.33 feet to the north line of said Lot 2; thence, N46°47'48"W along said Lot 2, 185.19 feet; thence, N75°01'07"W along said Lot 2, 124.44 feet; thence, S09°20'02"W along said Lot 2, 13.08 feet; thence, N89°45'23"W along said Lot 2, 7.00 feet; thence, S00°14'37"W along said Lot 2, 346.48 feet to the POINT OF BEGINNING.

Be and hereby is changed from **Restricted Industrial District (I-1)** and **Agriculture District (A)** to **Agriculture District (A)**.

**Section 2.** This ordinance shall take effect upon the date of publication as provided in Section 62.11(4)(a), Wisconsin Statutes.

INTRODUCED \_\_\_\_\_  
FIRST READING \_\_\_\_\_  
SECOND READING \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_  
\_\_\_\_\_

MAYOR, Randy Knaack

PASSED \_\_\_\_\_  
PUBLISHED \_\_\_\_\_  
ATTEST \_\_\_\_\_

SUBMITTED BY:  
\_\_\_\_\_

CITY CLERK, Catherine Martin

ALDERPERSON



## MEMO

---

**TO:** Mayor & City Council  
**FROM:** David Schofield, Director of Public Works  
**SUBJECT:** Special Event Permits  
**DATE:** July 10, 2023

One Special Event Permit Application has been received:

1. National Night Out – August 1, 2023
  - a. Streets Impacted: Wilson Avenue, 8<sup>th</sup> Street East
  - b. Parks Impacted: Wilson Park

If the City Council agrees, the appropriate action would be to approve the Special Event Permit.

**Attachments:**

- National Night Out Special Event Permit Application

# City of Menomonie

City Clerk's Office  
800 Wilson Ave., Menomonie, WI 54751  
Phone: 715-232-2221; E-mail: kmartin@menomonie-wi.gov

## Special Event

*Instructions: Complete all questions, indicating N/A where non-applicable. Return to the City Clerk at the above address at least 60 days prior to the event.*

Are you representing an organization sponsoring the event? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, (list information below)		Is the organization non-profit? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
Organization's Name: Menomonie Police Department			
Organization's Address: 615 Stokes Pkwy Suite G200, Menomonie			
Organization's Phone: 715-232-2198 (Fax)		(E-mail) jasperb@menomonie-wi.gov	
Purpose of Event: community fun + education		Type of Event: Community	
Event Organizer's Name: Brenna Jasper			
Event Organizer's Address: 615 Stokes Pkwy Suite G200, Menomonie			
Event Organizer's Phone: (home)		(work) 715-232-2198 (E-mail) jasperb@menomonie-wi.gov	
Name of Event: National Night Out		Type of Event:	
Location of Event: Wilson Park + surrounding		Date of Event: 8/1/23	Rain date:
Time of Event:	Start: 6:00 PM	Finish: 8:00 PM	
Time on Site:	Start: 2:00 PM	Finish: 9 PM (include set-up and clean-up time)	
Total Number of Anticipated Attendees: (include event organizers, staff, volunteers and spectators)  500	City of Menomonie Support Staff Requested? <input type="checkbox"/> No <input type="checkbox"/> Yes		
	Police:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Number: Determined by Dept
	Roads:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Number:
	Other: (Specify)	<input type="checkbox"/> No <input type="checkbox"/> Yes	Number:
Are street(s) to be closed? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, if so list  (If less than entire length, indicate by street number where to begin and end)	Entire length? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Check here if City Road <input type="checkbox"/> (attach approval from City of Menomonie)	1. Wilson Ave: 700 Block	
	Entire length? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Check here if County Road <input checked="" type="checkbox"/> (attach approval from Dunn County)	2. 8th St. E: Half of the 700 Block (after Co-op entrance) + the 800 block	

What provisions are being made for traffic and parking? (Be sure to note traffic flow and parking sites on your site plan) Attach additional sheets if necessary. Street parking is available immediately adjacent. Traffic will largely not be impacted as the park is accessible. Requested closed streets will be barricaded.

What provisions are being made for crowd control and security? Attach additional sheets if necessary. Spacing out event activities, and many police + first responders will be present. Larger vehicles will be placed next to barricades to prevent vehicles from entering the event space.

What provisions are being made for First Aid and Fire Emergency? (Be sure to show locations of emergency services on your site plan.)

Many first responders, including Fire + EMS, will be on site + able to assist with any emergencies.

What provisions are being made for additional restrooms, port-a-potty facilities? (Be sure to show locations of restrooms and port-a-potty facilities on your site plan.)

Restrooms are available at the band shell, which will be accessible.

What provisions are being made for collection and removal of litter and recycling generated by the event? (Be sure garbage/recycling receptacles or dumpsters are shown on your site plan.)

We receive garbage receptacles from the City to collect waste. We will coordinate disposal with the appropriate parties.

Will vendors, information tables, or volunteer groups be part of your event?  No  Yes If yes, please explain.

Approved partner organizations are allowed to set up a booth with a kids' activity.

Certificate of Insurance or Surety Bond Information  No  Yes, attach a copy

city insurance

The applicant is responsible for obtaining any additional permits required by the municipality in conjunction with this event. Contact individual departments to obtain applications. APPROVED PERMITS MUST BE INCLUDED WITH THIS APPLICATION FOR SPECIAL EVENTS, OR THE SPECIAL EVENT APPLICATION WILL BE DENIED.

Check all that apply:



CITY CLERK PERMITS 715-232-2180	PARK AND RECREATION PERMITS 715-232-1664	FIRE DEPARTMENT PERMITS 715-232-2414
<input type="checkbox"/> Temporary Beer/Wine <input type="checkbox"/> Amplified Sound Permit <input type="checkbox"/> _____	<input type="checkbox"/> Park Facility Use <input type="checkbox"/> Shelter Reservations <input type="checkbox"/> Beer Keg Permit	<input type="checkbox"/> Fireworks/Pyrotechnics <input type="checkbox"/> Grills/Open Burning <input type="checkbox"/> Tents (900 sq.ft. or greater or anything less with sides requires permit)

POLICE DEPARTMENT PERMITS 715-232-2198	DUNN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT 715-232-2388	PUBLIC WORKS
<input type="checkbox"/> Traffic Control Officers <input type="checkbox"/> Criminal History Check	<input type="checkbox"/> Temporary Food Permit	<input type="checkbox"/> Race/Map Review

By signing this application, applicant acknowledges that the issuance of a special event permit does not obligate or require the City of Menomonie to provide City services, equipment or personnel in support of the event.

Signature: \_\_\_\_\_

*Brenna Jasper*

Print Name: \_\_\_\_\_

Brenna Jasper

Affiliation with Applicant (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_

6-26-23





## City of Menomonie Memorandum

---

To: City Council  
From: Eric M. Atkinson, City Administrator  
Subject: Appointment to the Airport Commission  
Date: July 10, 2023

Mayor Knaack recommends Earl Wildenberg be reappointed to the Airport Commission. Mr. Wildenberg has served the Airport Commission since 2013. If reappointed, Mr. Wildenberg's term will be from July 2023 until July 2029. If the council supports the appointment, the appropriate action would be a motion to approve Earl Wildenberg to the Airport Commission for a term beginning July 2023 and expiring in July 2029.





## MEMO

---

**TO:** Mayor & City Council  
**FROM:** David Schofield, Director of Public Works  
**SUBJECT:** Budget Transfer – Wakanda Water Park Chemicals  
**DATE:** July 10, 2023

The Recreation Department has submitted a budget transfer to increase the budget for chemicals used at Wakanda Water Park by \$2,000. The transfer would come from the Contingency Fund.

The original filter system at Wakanda Water Park is nearing the end of its useful life and has been using significantly more diatomaceous earth filter powder to provide the same level of filtration. In addition, our supplier increased the cost of this material after the 2023 Budget was approved.

The new filter plant, which is currently being designed, will use sand filtration. This will eliminate the need for diatomaceous earth filter powder in future years.

**Attachments:**

- Budget Transfer Request



# BUDGET TRANSFER REQUEST FORM

**TRANSFER TO:**

AMOUNT \$ 2,000.00

ACCOUNT TITLE AND NUMBER Aquatics – 01.55220

LINE-ITEM NAME AND EXTENSION Chemicals - .487

LINE-ITEM NAME AND EXTENSION \_\_\_\_\_

**TRANSFER FROM:**

ACCOUNT TITLE AND NUMBER Contingency 01.60000.699

LINE-ITEM NAME AND EXTENSION Contingency

REASON: (This does not mean "budget overdrawn." It means why the proposed budget overdraft is necessary!)

The Recreation Department is requesting a \$2,000.00 budget transfer to our Aquatics – Chemicals budget line. We had to do a new contract through Carrico Aquatics and it went up from the previous contract and we had already created our 2023 Budget. I have worked with Pete Ross to figure how much more we could potentially be charged for DE Powder Dicalite and testing kits to finish the remainder of the waterpark season.

Mitchell Star  
Authorized Signature

06/28/2023  
Date



## MEMO

---

**TO:** Mayor & City Council  
**FROM:** David Schofield, Director of Public Works  
**SUBJECT:** Water Rate Increase  
**DATE:** July 10, 2023

The Public Service Commission (PSC) issued a Final Decision approving new water rates for the City of Menomonie on July 3, 2023. The new rates will go into effect on September 1, 2023. The average single family residential customer's bill will increase by \$8.51 per quarter, from \$55.65 to \$64.16, or 15.29%.

The City's most recent conventional rate case was in 2015. Since then, the City has incurred a 22.04% increase in gross plant investment (including the upcoming Well #9 project) and a 14.73% increase in operating expenses.

**Attachments:**

- PSC Final Decision
- PSC Rate Implementation Letter
- Draft Press Release

<b>SERVICE DATE</b> Jul 03, 2023
-------------------------------------

## PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of the City of Menomonie, Dunn County, Wisconsin, as  
a Water Public Utility, for Authority to Adjust Water Rates

3590-WR-106

**FINAL DECISION**

This is the Final Decision in the Class 1 proceeding conducted by the Public Service Commission (Commission) on the application of City of Menomonie Water Department (applicant) for approval to increase water rates. This application is APPROVED, subject to conditions.

**Introduction**

The applicant applied to the Commission on January 27, 2023 for authority to increase water rates. The Commission authorized the applicant's last conventional rate case (CRC) change in docket 3590-WR-105 in a Final Decision dated October 20, 2015.

([PSC REF#: 276557](#).) The applicant requested the current rate increase due to inflationary increases in operating and maintenance expenses, and to plan for future projects. The final overall rate change authorized is \$308,873, or 14.58 percent increase over current rates, for the test year ending December 31, 2023.

Pursuant to due notice, the Commission held an audiovisual hearing on June 7, 2023 before Administrative Law Judge Michael E. Newmark. The parties, for purposes of review under Wis. Stat. §§ 227.47 and 227.53, are listed in Appendix A. The applicant is the only party to this proceeding.

**Findings of Fact**

1. The applicant's presently authorized rates for water utility service will produce operating revenues of \$2,213,290 for the 2023 test year. These rates fall short of the test year revenue needed by \$308,873 and are unreasonable.

2. The estimated net investment rate base applicable to water utility operations for the 2023 test year is \$7,349,854.

3. The rate changes set forth for water service in Appendix C will permit the applicant to earn the necessary revenue requirement and are consistent with the cost of service and rate design.

**Conclusions of Law**

1. The applicant is a municipal public utility as defined in Wis. Stat. § 196.01(5)(a).

2. The Commission has authority under Wis. Stat. §§ 196.02(1), 196.03(1) and (3), 196.19, 196.20, 196.22, 196.37(1), (2), and (3), and 196.395 to authorize the applicant to increase water utility rates and revise tariff provisions.

3. The Commission has authority under Wis. Stat. § 15.02(4) to delegate to the Administrator of the Division of Water Utility Regulation and Analysis (Division Administrator) those functions vested by law as enumerated above and has delegated the authority to issue this Final Decision to the Division Administrator.

**Opinion**

**Net Investment Rate Base**

The estimated net investment rate base for the 2023 test year is as follows:

Utility Financed Plant in Service	\$13,971,428
Less: Accumulated Provision for Depreciation	<u>\$6,621,023</u>
Net Plant in Service	\$7,350,405
Plus: Materials and Supplies	38,500
Less: Regulatory Liability for Pre-2003 Accumulated Depreciation - CIAC	<u>39,051</u>
Net Investment Rate Base	<u>\$7,349,854</u>

**Comparative Income Statement**

Commission staff submitted a revenue requirement for the test year as shown in Ex.-PSC-Revenue Requirement. ([PSC REF#: 464637.](#)) The estimated test year income statement showing the effect of the increase in revenue that will result from authorized rates is as follows:

	<u>At Present Rates</u>	<u>Authorized Increase</u>	<u>After Rate Increase</u>
Operating Revenues	\$2,213,290	\$308,873	\$2,522,163
Operating Expenses:			
Oper. & Maint. Exp.	\$1,388,307		\$1,388,307
Depreciation	382,932		382,932
Taxes & Tax Equiv.	<u>295,233</u>		<u>295,233</u>
Total Oper. Expenses	<u>\$2,066,472</u>		<u>\$2,066,472</u>
Oper. Income (or Loss)	<u>\$146,818</u>		<u>\$455,691</u>
Rate of Return	2.00%		6.20%



Commission staff computed the depreciation expense included in the revenue requirement for the 2023 test year using the depreciation rates shown in Appendix E. For purposes of computing the depreciation expense on the average investment for each plant account, these depreciation rates are effective as of January 1, 2023.

### **Capital Structure**

The applicant requested a return on net investment rate base of 3.75 percent. The Commission calculates the benchmark rate of return weekly based on a three-month rolling average of municipal bond rates and determines a floor annually. The benchmark rate of return at the time Commission staff finalized the revenue requirement for this case was 6.20 percent. Commission staff estimated the applicant's capital employed in providing public utility service associated with the net investment rate base to be 86.62 percent municipal equity and 13.38 percent long-term debt. The applicant's composite cost of debt is 3.12 percent. A return on rate base of 6.20 percent will provide a 6.79 percent return on municipal earning equity and 15.10 times interest coverage. The Commission finds that this return on rate base will provide the applicant with sufficient earnings to help address future capital and unforeseen operating needs and will also maintain confidence in the applicant's financial integrity without resulting in customer rates that are excessive.

### **Cost of Service**

Commission staff submitted for the record an analysis of the cost of supplying water for general service and for public fire protection service. Commission staff used the base-extra capacity cost allocation method for the analysis. This method first allocates the operating expenses to the service cost functional components of base, customer, extra-capacity maximum-

Docket 3590-WR-106

day and extra-capacity maximum-hour demand, and fire protection and then to each of the customer classes served. Commission staff provided summaries of these analyses in Schedules 8 and 11 of Ex.-PSC-COSS and Rate Design, which is Commission staff's proposal in the record in this proceeding. ([PSC REF#: 465559.](#)) Appendix B shows customer class revenue requirements resulting from the cost analysis compared with revenues at authorized rates.

### **Rates**

Water service rates authorized in this decision will result in an estimated net operating income of approximately \$455,691, which provides a 6.20 percent return on the water utility net investment rate base of \$7,349,854. Commission staff provided the applicant with Commission staff's proposed rates for review prior to the hearing, and the applicant had no objection to these rates.

As shown in attached Appendix B, the base-extra capacity cost allocation method results in a relatively wide range of increases in the charges to the various general service customer classes to reflect the cost of providing service to such classes. The percentage rate increase to any individual customer will not necessarily equal the overall percentage increase to the associated customer class, but rather will depend on the specific water use of that customer.

The authorized rates as set forth in Appendix C are based on the cost of providing service to various customer classes or types of service. The Commission finds the rates will result in all customers paying an appropriate amount for the service provided.

Commission staff computed some typical water bills for single-family residential, multifamily residential, commercial, industrial, and public authority customers using

Docket 3590-WR-106

Schedules Mg-1R, Mg-1MF, and Mg-1NR to compare present rates with the new rates. That comparison is set forth in Appendix D.

The overall increase in annual revenues is 14.58 percent and is comprised of a 16.30 percent increase in general service charges and a 7.77 percent increase in PFP charges. A typical single-family residential customer's bill, including public fire protection, will increase 15.29 percent. The increase in rates is due to a 22.04 percent increase in gross plant investment and a 14.73 percent increase in operating expenses since the applicant's last CRC in 2015.

The larger increase in general service charges results from a greater proportion of the annual operating costs being allocated to general service compared to what was allocated at the time of the applicant's last rate proceeding and is based on current ratios of maximum general service demand to available system fire protection capacity. The Commission finds that the larger increase in general service charges is reasonable, as it reflects the cost of providing service appropriately.

The applicant has agreed to revise its tariff provisions (operating rules and main extension rules) to be consistent with those of other Wisconsin water utilities. The Commission incorporated the proposed rules into the record by receipt of Ex.-PSC-COSS and Rate Design, which incorporates the rules by reference. The Commission finds that they are in accordance with Commission policy and the Wisconsin Administrative Code.

### **Public Comments**

The Commission received no public comments on the Electronic Records Filing (ERF) system. No members of the public attended or provided comments at the hearing.

**Effective Date**

The test year commenced on January 1, 2023. Pursuant to Wis. Stat. § 196.19, the changes in rates and tariff provisions that are authorized in this Final Decision take effect no sooner than one day after the date of service, provided that these rates and tariff provisions are filed with the Commission, and the applicant makes a copy of the new rates available to the public before this date by placing a copy of the new rates at locations where customer payments are accepted, on the applicant's website, or in a form and place that is otherwise readily accessible to the public.

**Order**

1. This Final Decision takes effect one day after the date of service.
2. The authorized rate increases and tariff provisions shall take effect no sooner than one day after the day the applicant has: (a) filed these rates and tariff provisions with the Commission; and (b) made them available to the public at locations where customer payments are accepted, on the applicant's website, or in a form and place that is otherwise readily accessible to the public, pursuant to Wis. Stat. § 196.19 and Wis. Admin. Code § PSC 185.33(1)(f). If a copy of the new rates and tariff provisions is not made available to the public when they are filed with the Commission, the new rates and tariff provisions shall take effect one day after the day they are made available to the public.
3. The rates approved in this docket shall take effect no later than 90 days from the service date of this Final Decision or as directed by the Commission or Commission staff.

Docket 3590-WR-106

4. Jurisdiction is retained.

Dated at Madison, Wisconsin, this 3<sup>rd</sup> day of July, 2023.

For the Commission:

A handwritten signature in black ink, appearing to read 'A.P. Galvin', with a long horizontal flourish extending to the right.

Andrew P. Galvin  
Administrator  
Division of Water Utility Regulation and Analysis

APG:ALF:krl;jac DL:01951366

See attached Notice of Appeal Rights



PUBLIC SERVICE COMMISSION OF WISCONSIN  
4822 Madison Yards Way  
P.O. Box 7854  
Madison, Wisconsin 53707-7854

**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE  
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE  
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

*PETITION FOR REHEARING*

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of the date of service of this decision, as provided in Wis. Stat. § 227.49. The date of service is shown on the first page. If there is no date on the first page, the date of service is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

*PETITION FOR JUDICIAL REVIEW*

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of the date of service of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of the date of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission serves its original decision.<sup>1</sup> The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: March 27, 2013

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<sup>1</sup> See *Currier v. Wisconsin Dep't of Revenue*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.

**CONTACT LIST FOR SERVICE BY PARTIES**

**PUBLIC SERVICE COMMISSION OF WISCONSIN**

(Not a party but must be served per Wis. Stat. § 227.53)

SOPHIA ROGERS; ANDREW FISHER

4822 MADISON YARDS WAY

PO BOX 7854

MADISON, WI 53707

[SOPHIA.ROGERS1@WISCONSIN.GOV](mailto:SOPHIA.ROGERS1@WISCONSIN.GOV); [ANDREW.FISHER@WISCONSIN.GOV](mailto:ANDREW.FISHER@WISCONSIN.GOV)

**CITY OF MENOMONIE WATER DEPARTMENT**

LOWELL PRANGE

800 WILSON AVE

MENOMONIE WI 54751-2734

[LPRANGE@MENOMONIE-WI.GOV](mailto:LPRANGE@MENOMONIE-WI.GOV)

**City of Menomonie Water Department  
Comparison of Revenue  
at  
Present Rates, Cost of Service and Proposed Rates**

<u>Customer Class</u>	<u>Cost of Service</u>			<u>Authorized Rates</u>		
	<u>Revenue at Present Rates</u>	<u>Revenue Required</u>	<u>Increase over Present Rates</u>	<u>Revenue</u>	<u>Increase over Present Rates</u>	<u>Percent of Cost of Service</u>
Residential	\$735,774	\$868,807	18.08%	\$868,827	18.08%	100.00%
Multifamily Residential	\$140,741	\$146,758	4.28%	\$146,914	4.39%	100.11%
Commercial	\$273,508	\$312,688	14.33%	\$314,555	15.01%	100.60%
Industrial	\$369,566	\$437,137	18.28%	\$439,510	18.93%	100.54%
Public Authority	\$172,080	\$202,001	17.39%	\$197,769	14.93%	97.91%
Public Fire Protection	\$426,825	\$459,977	7.77%	\$459,975	7.77%	100.00%
<b>Total</b>	<u>\$2,118,494</u>	<u>\$2,427,367</u>	<u>14.58%</u>	<u>\$2,427,551</u>	<u>14.59%</u>	<u>100.01%</u>

Docket 3590-WR-106

Appendix C

**City of Menomonie Water Department**

**Authorized Water Rates and Rules**





# Public Service Commission of Wisconsin

Rebecca Cameron Valeq, Chairperson  
Tyler Huebner, Commissioner  
Summer Strand, Commissioner

4822 Madison Yards Way  
P.O. Box 7854  
Madison, WI 53707-7854

July 5, 2023

Mr. David Schofield, P.E., Director of Public Works  
City of Menomonie Water Department  
800 Wilson Avenue  
Menomonie, WI 54751-2734

Re: Application of the City of Menomonie, Dunn County, 3590-WR-106  
Wisconsin, as a Water Public Utility, for Authority to  
Adjust Water Rates

Dear Mr. Schofield, P.E.:

On July 3, 2023, the Public Service Commission (Commission) issued its Final Decision in Docket 3590-WR-106 for new rates and rules for the City of Menomonie Water Department (Utility). On July 5, 2023, the Utility filed a letter stating it has adopted the rates and rules authorized by the Commission and will make the rates effective for service beginning September 1, 2023.

The Commission has placed the new rates and rules on file as Amendment 24. Attached is a copy of the Amendment for the Utility's records. Also attached is a sheet that indicates the schedules that have been amended, deleted, or have remained unchanged as authorized by the Commission's Final Decision. Refer to this sheet in updating the Utility's copy of the rate file.

The Utility must make the current rates and rules available for public inspection and review at the Utility's office(s) and all bill payment stations pursuant to Wis. Admin. Code § PSC 185.22.

The Utility should mark the old rates and rules as superseded and keep them in a separate file. Pursuant to Wis. Admin. Code § PSC 185.19, the Utility must keep a file of its previous rates and rules permanently.

If you have any questions, please contact me.

Sincerely,

Andrew Fisher  
Public Utility Rate Analyst  
Public Service Commission of Wisconsin  
Division of Water Utility Regulation and Analysis  
(608) 266-3905 | [Andrew.Fisher@wisconsin.gov](mailto:Andrew.Fisher@wisconsin.gov)

ALF:DL:01954923

Docket 3590-WR-106

**City of Menomonie Water Department**

**Authorized Water Rates and Rules**

Docket 3590-WR-106

**City of Menomonie Water Department**

**Water Rate File Changes**

**New**

Mg-1R  
Mg-1MF  
Mg-1NR

**Amended**

F-1  
Upf-1  
OC-1  
Mpa-1  
Ug-1  
Sws-1  
Sg-1  
BW-1  
R-1  
Cz-1  
X-1  
X-2  
X-3

**Deleted**

Mg-1

**RATE FILE**

Sheet No. 1 of 1

Schedule No. F-1

**Public Service Commission of Wisconsin**

Amendment No. 24

**City of Menomonie Water Department**

**Public Fire Protection Service**

Public fire protection service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purpose of extinguishing fires within the service area. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission shall apply.

Under Wis. Stat. § 196.03(3)(b), the municipality has chosen to have the utility bill the retail general service customers for public fire protection service.

Quarterly Public Fire Protection Service Charges:

5/8 - inch meter:	\$ 15.99	3 - inch meter:	\$ 243.00
3/4 - inch meter:	\$ 15.99	4 - inch meter:	\$ 405.00
1 - inch meter:	\$ 40.11	6 - inch meter:	\$ 804.00
1 1/4 - inch meter:	\$ 59.31	8 - inch meter:	\$ 1,281.00
1 1/2 - inch meter:	\$ 80.04	10 - inch meter:	\$ 1,923.00
2 - inch meter:	\$ 129.00	12 - inch meter:	\$ 2,562.00

Customers who are provided service under Schedules Mg-1R, Mg-1MF, Mg-1NR, Ug-1, or Sg-1 shall also be subject to the charges in this schedule according to the size of their primary meter.

Billing: Same as Schedule Mg-1R.

EFFECTIVE: September 1, 2023

PSCW AUTHORIZATION: 3590-WR-106

**RATE FILE**

Sheet No. 1 of 1

Schedule No. Upf-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Private Fire Protection Service - Unmetered**

This service shall consist of permanent or continuous unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes, and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow prevention devices.

Quarterly Private Fire Protection Service Demand Charges:

2 - inch or smaller connection:	\$	12.00
3 - inch connection:	\$	24.00
4 - inch connection:	\$	39.00
6 - inch connection:	\$	78.00
8 - inch connection:	\$	126.00
10 - inch connection:	\$	189.00
12 - inch connection:	\$	252.00
14 - inch connection:	\$	315.00
16 - inch connection:	\$	396.00

Billing: Same as Schedule Mg-1R.



**RATE FILE**

Sheet No. 1 of 1

Schedule No. Mg-1R

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**General Service – Metered - Residential**

Quarterly Service Charges:

5/8 - inch meter:	\$ 15.54	3 - inch meter:	\$ 132.00
3/4 - inch meter:	\$ 15.54	4 - inch meter:	\$ 195.00
1 - inch meter:	\$ 28.50	6 - inch meter:	\$ 336.00
1 1/4 - inch meter:	\$ 37.95	8 - inch meter:	\$ 492.00
1 1/2 - inch meter:	\$ 48.33	10 - inch meter:	\$ 711.00
2 - inch meter:	\$ 75.00	12 - inch meter:	\$ 927.00

Plus Volume Charges:

All water used quarterly: \$2.51 per 100 cubic feet

Billing: Bills for water service are rendered quarterly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of 3 percent but not less than 50 cents will be added to bills not paid within 20 days of issuance. This ONE-TIME 3 percent late payment charge will be applied only to any unpaid balance for the current billing period's usage. This late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued and unless payment or satisfactory arrangement for payment is made within the next 10 days, service may be disconnected pursuant to Wis. Admin. Code ch. PSC 185.

Combined Metering: Volumetric meter readings will be combined for billing if the utility for its own convenience places more than one meter on a single water service lateral. Multiple meters placed for the purpose of identifying water not discharged into the sanitary sewer are not considered for utility convenience and shall not be combined for billing. This requirement does not preclude the utility from combining readings when metering configurations support such an approach. Meter readings from individually metered separate service laterals shall not be combined for billing purposes.

**Residential Class** includes single-family home, duplexes, and individually-metered condominiums, apartment buildings, and mobile home parks.

EFFECTIVE: September 1, 2023

PSCW AUTHORIZATION: 3590-WR-106

**RATE FILE**

Sheet No. 1 of 1

**Public Service Commission of Wisconsin**

Schedule No. Mg-1MF

**City of Menomonie Water Department**

Amendment No. 24

**General Service – Metered – Multifamily Residential**

Quarterly Service Charges:

5/8 - inch meter:	\$ 15.54	3 - inch meter:	\$ 132.00
3/4 - inch meter:	\$ 15.54	4 - inch meter:	\$ 195.00
1 - inch meter:	\$ 28.50	6 - inch meter:	\$ 336.00
1 1/4 - inch meter:	\$ 37.95	8 - inch meter:	\$ 492.00
1 1/2 - inch meter:	\$ 48.33	10 - inch meter:	\$ 711.00
2 - inch meter:	\$ 75.00	12 - inch meter:	\$ 927.00

Plus Volume Charges:

All water used quarterly: \$2.06 per 100 cubic feet

Billing: Same as Mg-1R.

Combined Metering: Same as Mg-1R.

**Multifamily Residential Class** customers includes master-metered multifamily dwelling units such as condominiums, apartment buildings, and mobile home parks.

**RATE FILE**

Sheet No. 1 of 1

Schedule No. Mg-1NR

**Public Service Commission of Wisconsin**

Amendment No. 24

**City of Menomonie Water Department**

**General Service – Metered - Nonresidential**

Quarterly Service Charges:

5/8 - inch meter:	\$ 15.54	3 - inch meter:	\$ 132.00
3/4 - inch meter:	\$ 15.54	4 - inch meter:	\$ 195.00
1 - inch meter:	\$ 28.50	6 - inch meter:	\$ 336.00
1 1/4 - inch meter:	\$ 37.95	8 - inch meter:	\$ 492.00
1 1/2 - inch meter:	\$ 48.33	10 - inch meter:	\$ 711.00
2 - inch meter:	\$ 75.00	12 - inch meter:	\$ 927.00

Plus Volume Charges:

First	3,000	cubic feet used each quarter:	\$2.20 per 100 cubic feet
Next	47,000	cubic feet used each quarter:	\$1.95 per 100 cubic feet
Next	100,000	cubic feet used each quarter:	\$1.70 per 100 cubic feet
Next	350,000	cubic feet used each quarter:	\$1.59 per 100 cubic feet
Over	500,000	cubic feet used each quarter:	\$1.40 per 100 cubic feet

Billing: Same as Mg-1R.

Combined Metering: Same as Mg-1R.

**Nonresidential Class** includes commercial, industrial, and public authority customers. Commercial customers include business entities and institutions, except governmental entities, that provide goods or services. Sales through a single meter to buildings with three or more dwelling units are classified as commercial. Churches and parochial schools are not governmental and are classified as commercial. Industrial customers include customers who are engaged in the manufacture or production of goods. Public Authority customers include any department, agency, or entity of local, state, or federal government, including public schools, colleges, and universities.

**RATE FILE**

Sheet No. 1 of 1

Schedule No. OC-1

**Public Service Commission of Wisconsin**

Amendment No. 24

**City of Menomonie Water Department**

<b>Other Charges</b>
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Payment Not Honored by Financial Institution Charge: The utility shall assess a \$33.00 charge when a payment rendered for utility service is not honored by the customer's financial institution. This charge may not be in addition to, but may be inclusive of, other such charges when the payment was for multiple services.

Billing: Same as Schedule Mg-1R.

**RATE FILE**

Sheet No. 1 of 1

Schedule No. Mpa-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Public Service**

Metered Service

Water used by the City of Menomonie on an intermittent basis for flushing sewers, street washing, flooding skating rinks, drinking fountains, etc., shall be metered and billed according to the rates set forth in Schedule Mg-1NR.

Unmetered Service

Where it is impossible to meter the service, the utility shall estimate the volume of water used based on the pressure, size of opening, and the period of time the water is used. The estimated quantity shall be billed at the volumetric rates set forth in Schedule Mg-1NR, excluding any service charges.

Billing: Same as Schedule Mg-1NR.



**RATE FILE**

Sheet No. 1 of 1

Schedule No. Ug-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**General Water Service - Unmetered**

Service may be supplied temporarily on an unmetered basis where the utility cannot immediately install a water meter, including water used for construction. Unmetered service shall be billed the amount that would be charged to a metered residential customer using 1,300 cubic feet of water quarterly under Schedule Mg-1R, including the service charge for a 5/8-inch meter. If the utility determines that actual usage exceeds 1,300 cubic feet of water quarterly, an additional charge for the estimated excess usage shall be made according to the rates under Schedule Mg-1R.

This schedule applies only to customers with a 1-inch or smaller service connection. For customers with a larger service connection, the utility shall install a temporary meter and charges shall be based on the rates set forth under Schedule Mg-1R.

Billing: Same as Schedule Mg-1R.

**RATE FILE**

Sheet No. 1 of 1

Schedule No. Sws-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Standby Water Service**

A standby charge shall apply to each lot or equivalent parcel of land for which water system facilities are available but are not connected. An equivalent parcel of land shall be each full 100 feet where unplatted. An isolated parcel of less than 100 feet shall be equivalent to a lot. Where more than one lot or equivalent is used as a unit and a customer is connected, the total charge for water service to such customer shall be not less than the standby charge applicable to the several lots. This rate is not applicable to land declared by the local municipality as unbuildable.

For each lot or equivalent parcel of land: \$6.00 per quarter.

Example: An unplatted 480 foot parcel of land would constitute four equivalent parcels.

Billing: Same as Schedule Mg-1R.

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EFFECTIVE: September 1, 2023

PSCW AUTHORIZATION: 3590-WR-106

**RATE FILE**

Sheet No. 1 of 1

Schedule No. Sg-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Seasonal Service**

Seasonal customers are general service customers who voluntarily request disconnection of water service and who resume service at the same location within 12 months of the disconnection, unless service has been provided to another customer at that location in the intervening period. The utility shall bill seasonal customers the applicable service charges under Schedule Mg-1R year-round, including the period of temporary disconnection.

Seasonal service shall include customers taking service under Schedule Mg-1R, Schedule Mg-1MF, Schedule Mg-1NR, Schedule Ug-1, or Schedule Am-1.

Upon reconnection, the utility shall apply a charge under Schedule R-1 and require payment of any unpaid charges under this schedule.

Billing: Same as Schedule Mg-1R, unless the utility and customer agree to an alternative payment schedule for the period of voluntary disconnection.

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Bulk Water**

All bulk water supplied from the water system through hydrants or other connections shall be metered or estimated by the utility. Utility personnel or a party approved by the utility shall supervise the delivery of water.

Bulk water sales are:

- A. Water supplied by tank trucks or from hydrants for the purpose of extinguishing fires outside the utility's service area;
- B. Water supplied by tank trucks or from hydrants for purposes other than extinguishing fires, such as water used for irrigation or filling swimming pools; or,
- C. Water supplied from hydrants or other temporary connections for general service type applications, except that Schedule Ug-1 applies for water supplied for construction purposes.

A service charge of \$75.00 and a charge for the volume of water used shall be billed to the party using the water. The volumetric charge shall be calculated using the highest volumetric rate for residential customers under Schedule Mg-1R. In addition, for meters that are assigned to bulk water customers for more than 7 days, the applicable service charge in Schedule Mg-1R will apply after the first 7 days.

The water utility may require a reasonable deposit for the temporary use of its equipment under this and other rate schedules. The deposit(s) collected shall be refunded upon return of the utility's equipment. Damaged or lost equipment shall be repaired or replaced at the customer's expense.

Billing: Same as Schedule Mg-1R.

**RATE FILE**

Sheet No. 1 of 1

Schedule No. R-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

<b>Reconnection Charges</b>
-----------------------------

The utility shall assess a charge to reconnect a customer, which includes reinstalling a meter and turning on the valve at the curb stop, if necessary. A utility may not assess a charge for disconnecting a customer.

During normal business hours:	\$75.00
After normal business hours:	\$100.00

Billing: Same as Schedule Mg-1R.



**RATE FILE**

Sheet No. 1 of 1

Schedule No. Cz-1

Amendment No. 24

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

<b>Water Lateral Installation Charge</b>
--

The utility shall charge a customer for the actual cost of installing a water service lateral from the main through curb stop and box if these costs are not contributed as part of a subdivision development or otherwise recovered under Wis. Stats. Chapter 66.

Billing: Same as Schedule Mg-1R.

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Water Utility Operating Rules**

Compliance with Rules

All persons now receiving water service from this water utility, or who may request service in the future, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

Establishment of Service

Application for water service may be made in writing on a form furnished by the water utility. The application will contain the legal description of the property to be served, the name of the owner, the exact use to be made of the service, and the size of the service lateral and meter desired. Note particularly any special refrigeration, fire protection, or water-consuming air-conditioning equipment.

Service will be furnished only if (1) the premises have a frontage on a properly platted street or public strip in which a cast iron or other long-life water main has been laid, or where the property owner has agreed to and complied with the provisions of the water utility's filed main extension rule, (2) the property owner has installed or agrees to install a service lateral from the curb stop to the point of use that is not less than 6 feet below the surface of an established or proposed grade and meets the water utility's specifications, and (3) the premises have adequate piping beyond the metering point.

The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be treated as a separate water utility account for the purpose of the filed rules and regulations.

No division of the water service lateral to any lot or parcel of land shall be made for the extension and independent metering of the supply to an adjoining lot or parcel of land. Except for duplexes, no division of a water service lateral shall be made at the curb for separate supplies for two or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties. Duplexes may be served by one lateral provided (1) individual metered service and disconnection is provided and (2) it is permitted by local ordinance.

Buildings used in the same business, located on the same parcel, and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one place.

The water utility may withhold approval of any application where full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

**City of Menomonie Water Department**

**Water Utility Operating Rules**

Reconnection of Service

Where the water utility has disconnected service at the customer's request, a reconnection charge shall be made when the customer requests reconnection of service. See Schedule R-1 for the applicable rate.

A reconnection charge shall also be required from customers whose services are disconnected (shut off at curb stop box) because of nonpayment of bills when due. See Schedule R-1 for the applicable rate.

If reconnection is requested for the same location by any member of the same household, or, if a place of business, by any partner of the same business, it shall be considered as the same customer.

Temporary Metered Service, Meter, and Deposits

An applicant for temporary water service on a metered basis shall make and maintain a monetary deposit for each meter installed as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter. See Schedule BW-1 for the applicable rate.

Water for Construction

When water is requested for construction purposes or for filling tanks or other such uses, an application shall be made to the water utility, in writing, giving a statement of the amount of construction work to be done or the size of the tank to be filled, etc. Payment for the water for construction may be required in advance at the scheduled rates. The service lateral must be installed into the building before water can be used. No connection with the service lateral at the curb shall be made without special permission from the water utility. In no case will any employee of the water utility turn on water for construction work unless the contractor has obtained permission from the water utility.

Customers shall not allow contractors, masons, or other persons to take unmetered water from their premises without permission from the water utility. Any customer failing to comply with this provision may have water service discontinued and will be responsible for the cost of the estimated volume of water used.

**Water Utility Operating Rules**

Use of Hydrants

In cases where no other supply is available, permission may be granted by the water utility to use a hydrant. No hydrant shall be used until the proper meter and valve are installed. In no case shall any valve be installed or moved except by an employee of the water utility.

Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule BW-1 for deposits and charges. Upon completing the use of the hydrant, the customer must notify the water utility to that effect.

Operation of Valves and Hydrants and Unauthorized Use of Water - Penalty

Any person who shall, without authority of the water utility, allow contractors, masons, or other unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains, or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same, shall be subject to a fine as provided by municipal ordinance. Utility permission for the use of hydrants applies only to such hydrants that are designated for the specific use.

Refunds of Monetary Deposits

All money deposited as security for payment of charges arising from the use of temporary water service on a metered basis, or for the return of a hydrant valve and fixtures if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of water, the payment of all charges levied against the depositor, and the return of the water utility's equipment.

Service Laterals

No water service lateral shall be laid through any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service lateral, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the water utility. Service laterals passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing not less than twice the diameter of the service connection. The space between the service lateral and the channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement, or other resilient material and made impervious to moisture.

In backfilling the pipe trench, the service lateral must be protected against injury by carefully hand tamping the ground filling around the pipe. There should be at least 6 inches of ground filling over the pipe, and it should be free from hard lumps, rocks, stones, or other injurious material.

**Water Utility Operating Rules**

Service Laterals (continued)

All water service laterals shall be of undiminished size from the street main into the point of meter placement. Beyond the meter outlet valve, the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of the water supply for the greatest probable number of fixtures or appliances operating simultaneously.

Replacement and Repair of Service Laterals

The service lateral from the main to and through the curb stop will be maintained and kept in repair and, when worn out, replaced at the expense of the water utility. The property owner shall maintain the service lateral from the curb stop to the point of use.

If an owner fails to repair a leaking or broken service lateral from the curb to the point of metering or use within such time as may appear reasonable to the water utility after notification has been served on the owner by the water utility, the water will be shut off and will not be turned on again until the repairs have been completed.

Abandonment of Service

If a property owner changes the use of a property currently receiving water service such that water service will no longer be needed in the future, the water utility may require the abandonment of the water service at the water main. In such case, the property owner may be responsible for all removal and/or repair costs, including the water main and the utility portion of the water service lateral.

Charges for Water Wasted Due to Leaks

See Wis. Admin. Code § PSC 185.35 or Schedule X-4, if applicable.

Thawing Frozen Service Laterals

See Wis. Admin. Code § PSC 185.88 or Schedule X-4, if applicable.

Curb Stop Boxes

The curb stop box is the property of the water utility. The water utility is responsible for its repair and maintenance. This includes maintaining, through adjustment, the curb stop box at an appropriate grade level where no direct action by the property owner or occupant has contributed to an elevation problem. The property owner is responsible for protecting the curb stop box from situations that could obstruct access to it or unduly expose it to harm. The water utility shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the owner's premises.



**City of Menomonie Water Department**

**Water Utility Operating Rules**

Installation of Meters

Meters will be owned, furnished, and installed by the water utility or a utility-approved contractor and are not to be disconnected or tampered with by the customer. All meters shall be so located that they shall be protected from obstructions and permit ready access for reading, inspection, and servicing, such location to be designated or approved by the water utility. All piping within the building must be supplied by the owner. Where additional meters are desired by the owner, the owner shall pay for all piping. Where applicable, see Schedule Am-1 for rates.

Repairs to Meters

Meters will be repaired by the water utility, and the cost of such repairs caused by ordinary wear and tear will be borne by the water utility.

Repair of any damage to a meter resulting from the carelessness of the owner of the premises, owner's agent, or tenant, or from the negligence of any one of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be damaged from the presence of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.

Service Piping for Meter Settings

Where the original service piping is installed for a new metered customer, where existing service piping is changed for the customer's convenience, or where a new meter is installed for an existing unmetered customer, the owner of the premises at his/her expense shall provide a suitable location and the proper connections for the meter. The meter setting and associated plumbing shall comply with the water utility's standards. The water utility should be consulted as to the type and size of the meter setting.

Turning on Water

The water may only be turned on for a customer by an authorized employee of the water utility. Plumbers may turn the water on to test their work, but upon completion must leave the water turned off.

Sprinkling Restrictions and Emergency Water Conditions

Where the municipality has a policy regarding sprinkling restrictions and/or emergency water conditions, failure to comply with such may result in disconnection of service.

See Wis. Admin. Code § PSC 185.37.

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Water Utility Operating Rules**

Failure to Read Meters

Where the water utility is unable to read a meter, the fact will be plainly indicated on the bill, and either an estimated bill will be computed or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding billing period will be computed with the gallons or cubic feet in each block of the rate schedule doubled, and credit will be given on that bill for the amount of the bill paid the preceding period. Only in unusual cases shall more than three consecutive estimated or minimum bills be rendered.

If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year, unless there is some reason why the use is not normal. If the average use cannot be properly determined, the bill will be estimated by some equitable method.

See Wis. Admin. Code § PSC 185.33.

Complaint Meter Tests

See Wis. Admin. Code § PSC 185.77.

Inspection of Premises

During reasonable hours, any officer or authorized employee of the water utility shall have the right of access to the premises supplied with service for the purpose of inspection or for the enforcement of the water utility's rules and regulations. Whenever appropriate, the water utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

See Wis. Stat. § 196.171.

Vacation of Premises

When premises are to be vacated, the water utility shall be notified, in writing, at once, so that it may remove the meter and shut off the water supply at the curb stop. The owner of the premises shall be liable for prosecution for any damage to the water utility's property. See "Abandonment of Service" in Schedule X-1 for further information.

Deposits for Residential Service

See Wis. Admin. Code § PSC 185.36.

Public Service Commission of Wisconsin

City of Menomonie Water Department

Water Utility Operating Rules

Deposits for Nonresidential Service

See Wis. Admin. Code § PSC 185.361.

Deferred Payment Agreement

See Wis. Admin. Code § PSC 185.38 or Schedule X-4, if applicable.

Dispute Procedures

See Wis. Admin. Code § PSC 185.39.

Disconnection and Refusal of Service

See Wis. Admin. Code § PSC 185.37.

The following is an example of a disconnection notice that the utility may use to provide the required notice to customers.

DISCONNECTION NOTICE

Dear Customer:

The bill enclosed with this notice includes your current charge for water utility service and your previous unpaid balance.

You have 10 days to pay the water utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears or fail to contact us within the 10 days allowed to make reasonable deferred payment arrangement or other suitable arrangement, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of (amount) for reconnection, we urge you to pay the full arrears IMMEDIATELY AT ONE OF OUR OFFICES.

If you have entered into a Deferred Payment Agreement with us and have failed to make the deferred payments you agreed to, your service will be subject to disconnection unless you pay the entire amount due within 10 days.

If you have a reason for delaying the payment, call us and explain the situation.

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Water Utility Operating Rules**

Disconnection and Refusal of Service (continued)

DISCONNECTION NOTICE (continued)

PLEASE CALL THIS TELEPHONE NUMBER, (telephone number), IMMEDIATELY IF:

1. You dispute the notice of delinquent account.
2. You have a question about your water utility service arrears.
3. You are unable to pay the full amount of the bill and are willing to enter into a deferred payment agreement with us.
4. There are any circumstances you think should be taken into consideration before service is discontinued.
5. Any resident is seriously ill.

Illness Provision: If there is an existing medical emergency in your home and you furnish the water utility with a statement signed by either a licensed Wisconsin physician or a public health official, we will delay disconnection of service up to 21 days. The statement must identify the medical emergency and specify the period of time during which disconnection will aggravate the existing emergency.

Deferred Payment Agreements: If you are a residential customer and you are unable to pay the full amount of the water utility service arrears on your bill, you may contact the water utility to discuss arrangements to pay the arrears over an extended period of time.

This time payment agreement will require:

1. Payment of a reasonable amount at the time the agreement is made.
2. Payment of the remainder of the outstanding balance in monthly installments over a reasonable length of time.
3. Payment of all future water utility service bills in full by the due date.

In any situation where you are unable to resolve billing disputes or disputes about the grounds for proposed disconnection through contacts with our water utility, you may make an appeal to the Public Service Commission of Wisconsin by calling (800) 225-7729.

(WATER UTILITY NAME)

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Water Utility Operating Rules**

Collection of Overdue Bills

An amount owed by the customer may be levied as a tax as provided in Wis. Stat. § 66.0809.

Surreptitious Use of Water

When the water utility has reasonable evidence that a person is obtaining water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the water utility service being delivered, the water utility reserves the right to estimate and present immediately a bill for unmetered service as a result of such interference, and such bill shall be payable subject to a 24-hour disconnection of service. If the water utility disconnects the service for any such reason, the water utility will reconnect the service upon the following conditions:

- A. The customer will be required to deposit with the water utility an amount sufficient to guarantee the payment of the bills for water utility service.
- B. The customer will be required to pay the water utility for any and all damages to water utility equipment resulting from such interference with the metering.
- C. The customer must further agree to comply with reasonable requirements to protect the water utility against further losses.

See Wis. Stat. §§ 98.26 and 943.20.

Repairs to Mains

The water utility reserves the right to shut off the water supply in the mains temporarily to make repairs, alterations, or additions to the plant or system. When the circumstances will permit, the water utility will give notification, by newspaper publication or otherwise, of the discontinuance of the water supply. No credit will be allowed to customers for such temporary suspension of the water supply.

See Wis. Admin. Code § PSC 185.87.

Duty of Water Utility with Respect to Safety of the Public

It shall be the duty of the water utility to see that all open ditches for water mains, hydrants, and service laterals are properly guarded to prevent accident to any person or vehicle, and at night there shall be displayed proper signal lighting to insure the safety of the public.

**City of Menomonie Water Department**

**Water Utility Operating Rules**

Handling Water Mains and Service Laterals in Excavation Trenches

Contractors must call Digger's Hotline and ensure a location is done to establish the existence and location of all water mains and service laterals as provided in Wis. Stat. § 182.0175. Where water mains or service laterals have been removed, cut, or damaged during trench excavation, the contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer for a period exceeding 6 hours.

Protective Devices

- A. Protective Devices in General: The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply and all appliances against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high and/or low pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.
  
- B. Relief Valves: On all "closed systems" (i.e., systems having a check valve, pressure regulator, reducing valve, water filter, or softener), an effective pressure relief valve shall be installed at or near the top of the hot water tank or at the hot water distribution pipe connection to the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. See applicable plumbing codes.
  
- C. Air Chambers: An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch, or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall be sized in conformance with local plumbing codes. Where possible, the air chamber should be provided at its base with a valve for water drainage and replenishment of air.

Cross-Connections

Every person owning or occupying a premise receiving municipal water supply shall maintain such municipal water supply free from any connection, either of a direct or of an indirect nature, with a water supply from a foreign source or of any manner of connection with any fixture or appliance whereby water from a foreign supply or the waste from any fixture, appliance, or waste or soil pipe may flow or be siphoned or pumped into the piping of the municipal water system.

See Wis. Admin. Code § NR 811.06.

**Public Service Commission of Wisconsin**

**City of Menomonie Water Department**

**Water Main Extension Rule**

Water mains will be extended for new customers on the following basis:

- A. Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Wis. Stat. § 66.0703 will apply, and no additional customer contribution to the utility will be required.
- B. Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:
  - 1. The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under paragraph A.
  - 2. Part of the contribution required in paragraph B.1. will be refundable. When additional customers are connected to the extended main within 10 years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under paragraph A. for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under paragraph A., nor will it exceed the total assessable cost of the original extension.
- C. When a customer connects to a transmission main or connecting loop installed at utility expense within 10 years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under paragraph A.



**RATE FILE**

Sheet No. 1 of 1

Schedule No. X-3

**Public Service Commission of Wisconsin**

Amendment No. 24

**City of Menomonie Water Department**

**Water Main Installations in Platted Subdivisions**

Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the utility.

If the developer, or a contractor employed by the developer, is to install the water mains (with the approval of the utility), the developer shall be responsible for the total cost of construction.

If the utility or its contractor is to install the water mains, the developer shall be required to advance to the utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within 30 days. If final costs are less than estimated, a refund of the overpayment will be made by the water utility.



## City of Menomonie

800 Wilson Ave

Menomonie, WI 54751

715-232-2221

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## News Release

For Immediate Release

For Questions Contact:

David Schofield

Director of Public Works, City of Menomonie

[dschofield@menomonie-wi.gov](mailto:dschofield@menomonie-wi.gov)

715-232-2221 Ext 1020

## Public Service Commission Has Approved New Water Rates for the City of Menomonie.

*New Water Rates will go into effect on September 1, 2023.*

**MENOMONIE, WI** (July 2023) – The Public Service Commission (PSC) issued a Final Decision approving new water rates for the City of Menomonie on July 3, 2023. The new rates will go into effect on September 1, 2023. The average single family residential customer's bill will increase by \$8.51 per quarter, from \$55.65 to \$64.16, or 15.29%.

The City's most recent conventional rate case was in 2015. Since then, the City has incurred a 22.04% increase in gross plant investment (including the upcoming Well #9 project) and a 14.73% increase in operating expenses.

The new water rates are available for viewing at the City Treasurer's Office and have been published on the City's website (<https://www.menomonie-wi.gov/WaterRateIncrease2023>).

Questions regarding the new water rates can be directed to David Schofield, Director of Public Works at 715-232-2221 ext. 1020 or [dschofield@menomonie-wi.gov](mailto:dschofield@menomonie-wi.gov).

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## Plan Commission Meeting Minutes

On Monday June 26, 2023 at 7:00 p.m., the Plan Commission Meeting was called to order in the City Hall Council Chambers by Chairman Peltier.

Members Present: Schwebs, Martinson, Kropp, Schlough, Cook, and Williams

Others Present: Kowieski, Schofield, Atkinson, Kochaver, and Howe

A motion was made by Kropp to approve the minutes from the May 22, 2023 Plan Commission Meeting, seconded by Williams. Motion carried unanimously.

Public Hearing – None

Public Comments – None

### Items of Discussion

Schofield provided the background for the certified survey map provided by Kochaver on behalf Michael Fairchild, Juliana Schmidt, and Adam McCullough for their properties located at 1108 13<sup>th</sup> Street SE and 1318 11<sup>th</sup> Avenue East. Williams made a motion to approve the CSM, seconded by Kropp. Motion passed unanimously.

Schofield provided the background for the certified survey map provided by Kochaver on behalf of M&E Properties, LLC. for 221 2<sup>nd</sup> Avenue East. Schwebs motioned to approve with a second by Martinson. Motion carried unanimously.

Schofield provided a background on the certified survey map prepared by Scheffler Land Surveying on behalf of Joel Harper for their properties at 568 Midway Road and 600 Midway Road. Schofield noted the two properties are zoned A and I-I respectively. Schofield explained that rezoning will be required prior to final approval of the CSM. Martinson motioned to approve contingent on approval of rezoning, Williams seconded. Motion carried unanimously.

A motion was made by Cook to adjourn and seconded by Schwebs. Motion carried unanimously.

Respectfully Submitted,

Eric Atkinson

Recording Secretary





# Juvenile Deflection: Meeting Youth Where They Are

Catching Up With COSSUP, June 2023

Experts consider youth in America to be in the middle of a mental health crisis. Youth mental health has been negatively impacted not only by the COVID-19 pandemic and the related lack of prosocial activities but also by negative interactions experienced through technology (e.g., cyberbullying) and by issues such as climate change, income inequality, racial injustice (including the deaths of Black Americans at the hands of police officers and increased violence against Asian Americans), the opioid epidemic, and gun violence.<sup>1</sup>

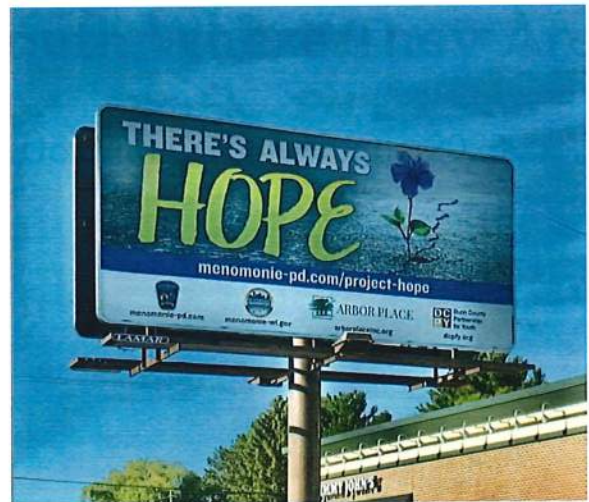
Even prior to the COVID-19 pandemic, behavioral health systems in the United States had not kept up with the demand for adequate care and treatment options in every community, especially communities that have been historically marginalized, such as low-income and racial and ethnic minority communities.

But there is light at the end of the tunnel: law enforcement and juvenile justice systems have started to focus their attention and resources on the underlying factors impacting youth mental health, substance use, and co-occurring behavioral health disorders. A failure to address them could result in long-lasting negative consequences for affected individuals, including justice system involvement.

## The Need for Juvenile Deflection

Approximately 70 percent of young people in detention centers or correctional settings have a preexisting mental health disorder.<sup>2</sup> Juvenile justice-involved youth and their families suffer a multitude of consequences during justice system involvement: decline in school attendance while incarcerated, disruption of household functions (e.g., the affected child may be the caregiver for siblings while the parent[s] work), busy and possibly overwhelming schedules (probation officer visits/reports, multiple system evaluations, reporting center mandates), unresolved crime victim and community trauma, and more. Importantly, the resulting criminal record impacts future education and/or employment prospects.

Deflection and pre-arrest diversion are upstream preventative or interventive approaches to addressing issues related to addiction and mental health, including drug-related crime, that preempt the need to wait for an overdose, a crisis, or an arrest. Since the last decade, deflection initiatives have been increasingly implemented nationwide to connect people with substance use and co-occurring behavioral health disorders to community-based treatment and services. Although deflection was primarily created for adults, juvenile deflection initiatives have been increasingly implemented. One such juvenile deflection program, Project Hope, in Menomonie, Wisconsin, was launched in 2015 to deflect youth away from justice system involvement through school-based intervention.



*A billboard in North Menomonie, Wisconsin, advertising Project Hope, a juvenile deflection program*

## Project Hope: Menomonie, Wisconsin

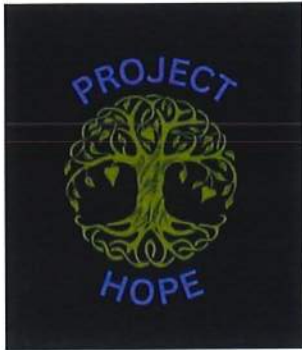
Data show that from January 2015 through May 2019, the Menomonie Police Department (MPD) referred 881 juveniles for criminal violations including drugs and violence. At the same time, the county human services department was seeing an increase in the number of children who were removed from homes and impacted



# Juvenile Deflection: Meeting Youth Where They Are

Catching Up With COSSUP, June 2023

by parental methamphetamine and opioid use. In March 2020, the City of Menomonie and the Menomonie Area School District partnered to begin an initiative called Project Hope.



Project Hope utilizes a juvenile review team (JRT) made up of two school liaison officers and a behavioral health officer (all sworn law enforcement officers), three school counselors, a school psychologist, and a social worker. The team meets biweekly to proactively discuss youth who may be eligible for diversion or deflection. Once

eligibility is determined, a team member contacts the youth and their family in the field. After learning more from the youth about challenges they may be experiencing, the parent or guardian is contacted to collaborate on a plan to address relevant needs. The JRT uses a variety of methods to meet the needs of youth, including mentoring, counseling/therapy, food resources, shelter assistance, case management, and academic tutoring. "We consider those early interventions a part of our deflection initiative," stated Eric Atkinson, former MPD police chief and manager of the initiative.

Project Hope also offers deflection opportunities for youth who engage in criminal behavior or activities that could result in citation. Deflection is voluntary; if the youth or guardian declines to participate, the officers follow protocol and refer the youth to the juvenile justice system. If they accept, the youth must complete Project Hope's evidence-based online education initiative. According to Chief Atkinson, the completion rate of this initiative is more than 90 percent.

Another component of Project Hope is its utilization of the Botvin LifeSkills training program, a groundbreaking substance use and violence prevention initiative. In addition to teaching youth skills to prevent substance use, it helps reduce violence and other high-risk behaviors. A community education component also provides parents with tools to help enhance their children's decision-making

skills in areas including substance use, self-esteem, and bullying.

Since implementing its deflection and diversion practices, the MPD now averages approximately 50 juvenile referrals per year. The program plans to evaluate the impact of Project Hope on juvenile recidivism and attitude changes. Project Hope is just one example of how communities can collaborate to engage youth and address the impact of mental and behavioral health issues.

## Endnotes

1. United States Office of the Surgeon General, 2021, *Protecting Youth Mental Health: The U.S. Surgeon General's Advisory*, <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>.
2. Office of Juvenile Justice and Delinquency Prevention, 2017, "Intersection Between Mental Health and the Juvenile Justice System," *Literature Review*, accessed March 3, 2022, <https://www.ojjdp.gov/mpg/litreviews/Intersection-Mental-Health-Juvenile-Justice.pdf>.



BJA's

**Comprehensive**

Opioid, Stimulant,  
and Substance Use

Program



CENTER FOR  
**HEALTH & JUSTICE**

AT TASC

**LICENSES – July 10, 2023**

**TEMPORARY CLASS “B” BEER LICENSE:**

Menomonie Sunrise Rotary Club – PO Box 145  
620 17th Street SE  
Sadistic Century Bike Ride  
08/20/22

**TEMPORARY CLASS “B” BEER & “CLASS B” WINE LICENSE:**

Dunn County Fair - 3001 US Hwy. 12 E.  
Dunn County Fair, 620 17<sup>th</sup> St SE  
07/26/2023 – 07/30/2023

Downtown Menomonie – 503 S Broadway, Suite 20  
Menomonie Community Cookout, 6<sup>th</sup> Ave. E., Parking Lot 6  
09/14/2022

**LICENSE YEAR - 2024 (expires June 30, 2024)**

**MOBILE FOOD ESTABLISHMENT:**

Hot Mess Foods, LLC (1822 Wooden Shoe Ct., Baldwin, WI 54002)

**MASSAGE THERAPY FACILITY:**

Travis Young (Young for Life - 1807 Wilson St)  
Cloe Becher (Menomonie Therapeutic Massage LLC, 512 Oak Ave., Suite E)

**TAXI CAB/ VEHICLE FOR HIRE:**

Maverick LLC (Paul Jimenez – 2401 Knapp St.);  
Magena Taxi Cab (Elijah Omweno – 1222 14<sup>th</sup> Ave E)