



Wauwatosa, WI

Common Council

Meeting Agenda - Final

7725 W. North Avenue
Wauwatosa, WI 53213

Tuesday, September 19, 2023

7:30 PM

Council Chambers and Zoom:
<https://servetosa.zoom.us/j/273225010>,
Meeting ID: 273 225 010

Regular Meeting

HYBRID MEETING INFORMATION

Members of the public may observe the meeting in-person or via Zoom at the link above. To access the Zoom meeting via phone, call 1-312-626-6799 and enter the Meeting ID.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Approval of minutes of the September 5, 2023 regular meeting [23-669](#)

APPOINTMENTS BY THE MAYOR

1. Appointment by Mayor McBride of Josephine Marsho (District 4) as a student member of the Wauwatosa Youth Commission, term expiring May 31, 2025 [23-428](#)

Recommendation: Second Reading

2. Reappointment by Mayor McBride of Daniel Finerty (District 4) as a member of the Wauwatosa Civil Service Commission, term expiring September 30, 2026 [23-626](#)

Recommendation: Second Reading

3. Reappointment by Mayor McBride of Rosemary Fox (District 1) as a member of the Wauwatosa Equity and Inclusion Commission, term ending October 31, 2026 [23-628](#)

Recommendation: First Reading

APPLICATIONS, COMMUNICATIONS, ETC.

1. Summons and Complaint - Mayfair Mall, LLC vs. City of Wauwatosa, Case No. 2023CV006336 [23-631](#)

Recommendation: Refer to City Attorney

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2. Summons and Complaint - Target Corporation vs. City of Wauwatosa, Case No. 2023CV005591 [23-632](#)

Recommendation: Refer to City Attorney

3. Summons and Complaint - Mariah R. Smith vs. City of Wauwatosa, Case No. 2023CV006625 [23-654](#)

Recommendation: Refer to City Attorney

ORDINANCES FOR INTRODUCTION

1. Ordinance creating Chapter 7.36 of the Wauwatosa Municipal Code relative to discrimination under state law [23-701](#)

Recommendation: Introduced on September 19, 2023, for adoption consideration

2. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code relative to two-hour parking zone from nine a.m. to six p.m. except Sundays and legal holidays on the west side of Lefebvre Avenue from 155-feet south of North Avenue to North Avenue [23-698](#)

Recommendation: Introduced on September 19, 2023, for adoption consideration

3. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to prohibit parking along the west side of Ludington Avenue from Jackson Park Boulevard to approximately 84-feet north of Jackson Park Boulevard [23-699](#)

Recommendation: Introduced on September 19, 2023, for adoption consideration

FROM THE PLAN COMMISSION

1. Resolution approving a Land Division via Certified Survey Map at 11220 W. Burleigh Street, Chris Thomas, TOA, applicant [23-649](#)

Recommendation: Approve 7-0

2. Resolution approving a Conditional Use Permit in the C1/NOR District at 6707 W. North Avenue for an eating establishment, Matt Schroeder, Wings in Wisconsin, applicant [23-650](#)

Recommendation: Approve 7-0

3. Resolution approving a Conditional Use Permit in the C2 District at 3122 N. Mayfair Road for a liquor store, Riddhi Patel, Mayfair Inc., applicant [23-651](#)

Recommendation: Approve 7-0

4. Resolution approving a Conditional Use Permit in the C2 District at 12345 W. Capitol Drive for an eating establishment, Enrique Castel, Lingle Design Group, applicant [23-652](#)

Recommendation: Approve 7-0

5. Resolution approving a Conditional Use Permit in the C1/NOR District at 6505 W. North Avenue to expand the operating hours and allow outdoor operations, Abigail Gilman, The Little Village Play Cafe, applicant [23-653](#)

Recommendation: Approve 7-0

FROM THE GOVERNMENT AFFAIRS COMMITTEE

1. Resolution approving application for temporary extension of licensed premises by Ray's Growler Gallery, LLC d/b/a Ray's Growler Gallery, 8930 W North Avenue for the Ray-toberfest event on October 8, 2023 12:00 PM - 5:00 PM [23-668](#)

Recommendation: Approve 8-0

2. Resolution approving the temporary extension of licensed premises by Ray's Growler Gallery, LLC d/b/a Ray's Growler Gallery, 8930 W North Avenue for the Christkindlmarket event on December 3, 2023 12:00 PM-4:00 PM [23-672](#)

Recommendation: Approve 8-0

3. Resolution approving application for appointment of successor Agent, Katelyn Kaad, for Walgreens Company, d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue [23-673](#)

Recommendation: Approve 8-0

4. Resolution approving Enhanced Policing Services Contract for Froedtert Emergency Department [23-700](#)

Recommendation: Approve 8-0

FROM THE COMMUNITY AFFAIRS COMMITTEE

1. Ordinance amending the Official Zoning Map of Wauwatosa to rezone property along Mayfair Road from North Avenue to the southern City limits to add the Mayfair Corridor Overlay District (/MAY) [23-574](#)

Recommendation: Ready for adoption, Committee recommended adoption 6-1

FROM THE FINANCIAL AFFAIRS COMMITTEE

1. Resolution creating Tax Incremental District No. 15, approving its project plan and establishing its boundaries City of Wauwatosa, Wisconsin [23-637](#)

Recommendation: Approve 7-1

2. Resolution approving request for Fund Transfer up to \$70,000 for Hart Park Stadium Improvements [23-675](#)

Recommendation: Approve 8-0

3. Resolution in support of an application for grant funding from the Wisconsin Department of Natural Resources to support development of the 116th Street Park [23-683](#)

Recommendation: Approved 8-0

4. Resolution approving the use of an additional \$61,490 for consulting design services for the 116th Street Park project [23-694](#)

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- Recommendation:* Approved 8-0
5. Initial Resolution Authorizing \$10,810,000 General Obligation Bonds for Street Improvement Projects [23-703](#)
- Recommendation:* Approve 8-0
6. Initial Resolution Authorizing \$180,000 General Obligation Bonds for Water System Projects [23-739](#)
- Recommendation:* Approve 8-0
7. Initial Resolution Authorizing \$320,000 General Obligation Bonds for Parks and Public Grounds Projects [23-704](#)
- Recommendation:* Approve 8-0
8. Initial Resolution Authorizing \$720,000 General Obligation Bonds for Equipment of the Fire Department [23-696](#)
- Recommendation:* Approve 8-0
9. Initial Resolution Authorizing \$380,000 General Obligation Bonds for Fire Station Projects [23-705](#)
- Recommendation:* Approve 8-0
10. Initial Resolution Authorizing \$30,000 General Obligation Bonds for Construction of Police Facilities [23-706](#)
- Recommendation:* Approve 8-0
11. Resolution Directing Publication of Notice to Electors Relating to Bond Issues [23-707](#)
- Recommendation:* Approve 8-0
12. Resolution Establishing Parameters for the Sale of Not to Exceed \$12,440,000 General Obligation Corporate Purpose Bonds, Series 2023A [23-708](#)
- Recommendation:* Approve 8-0
13. Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,935,000 General Obligation Promissory Notes, Series 2023B [23-709](#)
- Recommendation:* Approve 8-0
14. Resolution approving term sheet with Barrett-Lo Visionary Development or related entities for residential redevelopment on the south Mayfair district property [23-695](#)
- Recommendation:* Approve 6-1
15. Ratification of Comptroller's Office bills and claims report, September 6 through September 19, 2023 [23-671](#)

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

1. Future Council committee agenda items [23-670](#)
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ADJOURNMENT

NOTICE TO PERSONS WITH A DISABILITY

Persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (414) 479-8917 or send an email to tclerk@wauwatosa.net, with as much advance notice as possible.

Josephine K. Marsho

[REDACTED]
[REDACTED]
[REDACTED]

References available upon request

EDUCATION Divine Savior Holy Angels High School, Milwaukee, WI

Sophomore Cumulative GPA: 4.04 (First Honors)

Longfellow Middle School, Wauwatosa, WI

Jefferson Elementary School, Wauwatosa, WI

EMPLOYMENT

Tosa Pediatrics, Wauwatosa, WI

File Clerk, November 2021-July 2022

- Managed patient medical files
- Verified billing records
- Logged new vaccinations in Wisconsin Immune Registry

BelAir Cantina, Wauwatosa, WI

Host, May 2023-Present

- Greeting and seating guests
- Maintained a clean environment
- Coordinating with servers and staff
- Handling customer complaints and phone calls

Medical College of Wisconsin, Wauwatosa, WI

Student Worker, August 2023-Present

- Assist with image exporting and data organization
- Assist with filing and recordkeeping
- Perform registration of retinal images and image montaging
- Participate in meetings with Principal Investigator and research staff

EXTRACURRICULAR ACTIVITIES

Marine Science Seminar, Hawaii, June 2022

DSHA SMART Team, 2021-Present

DSHA Forensics Captain, 2021-Present

DSHA Student Council, Policies and Practices Committee, 2021-Present

High School Cross Country Team, 2021-Present

DSHA STEM Scholars Program, 2021-Present

Marquette University High School Prep Players, 2022-Present

High School Orchestra 2nd Chair Saxophone, 2022-Present

DSHA Campus Ministry, 2022-Present

DSHA Student Recruiters, 2021-Present

DSHA Goodness and Kindness Team, 2022-Present

DSHA Rock Climbing Club, 2022

Christ King Handbells Choir

VOLUNTEER ACTIVITIES

2021 Starms Early Childhood Education Center, Milwaukee, WI

2021 Friedens Family Food Pantry, Milwaukee, WI

- Organized and stocked shelves
- Greeted and assisted community members

2022 Brown Street Academy, Milwaukee, WI

Classroom Helper

- Assisted with grammar and vocabulary work
- Guided special needs students during reading times
- Facilitated recess

2020-2023 Milwaukee Riverkeeper, Milwaukee, WI

2021-2023 Volunteering at running events, Milwaukee, WI

Race Marshall

- Shorewood Hot Cider Hustle
- Run Tosa Run

VOLUNTEERING ACTIVITIES CONTINUED

2023 Hephatha Blanket of Love/ Strong Baby Sanctuary, Milwaukee, WI

2022 DSHA Alumnae Relations

- Mosaic Leadership Council
- Jubilarian Brunch
- Alumnae Weekend Brunch
- Open House Tours

AWARDS/ACHIEVEMENTS

Published in the American Society for Biochemistry and Molecular Biology (ASBMB) Scientific Journal for Research, 2021-2022, 2022-2023

7th Place Speaker at Wisconsin State Forensics Meet, 2023

“Team Leader” Award, DSHA Forensics Team, 2023

“Dasher Pride” Award for outstanding team spirit, DSHA Cross Country, 2022

Varsity DSHA Forensics Speaker, 2022-2023

DSHA Forensics Captain, 2023

Designed Forensics spiritwear, 2021-2022, 2022-2023

DSHA Forensics MVP, 2022

DSHA Forensics Rookie of the Year, 2022

Forensics Greater Metro Conference Champion, 2022

Designed Marine Science Seminar spiritwear, 2022

Nominated for Academic Recognition to represent DSHA and the state of Wisconsin at the Congress of Future Medical Leaders, 2022

STATE OF WISCONSIN**CIRCUIT COURT****MILWAUKEE**

MAYFAIR MALL, LLC vs. CITY OF WAUWATOSA

**Electronic Filing
Notice**

Case No. 2023CV006336

Class Code: Money Judgment

FILED

08-23-2023

Anna Maria Hodges

Clerk of Circuit Court

2023CV006336

Honorable David

Borowski-12

Branch 12

CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA WI 53213

Received by

SEP 05 2023

City Clerk's Office

Case number 2023CV006336 was electronically filed with/converted by the Milwaukee County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$20.00 fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

Pro Se opt-in code: 84732e

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 414-278-4140.

Milwaukee County Circuit Court
Date: August 23, 2023

Am 9/5

FILED
08-23-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CV006336
Honorable David
Borowski-12
Branch 12

STATE OF WISCONSIN
CIRCUIT COURT
MILWAUKEE COUNTY

MAYFAIR MALL, LLC
350 N. Orleans, Suite 300
Chicago, IL 60654,

Plaintiff,

v.

Case No. _____
Money Judgment - 30301

CITY OF WAUWATOSA
7725 West North Avenue
Wauwatosa, WI 53213,

Defendant.

SUMMONS

To each entity named above as Defendant:

You are hereby notified that the plaintiff named above have filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within 20 days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to or electronically filed with the Court, whose address is 901 North 9th Street, Room 104, Milwaukee, Wisconsin 53233, and to plaintiff's attorneys, Reinhart Boerner Van Deuren s.c., whose address is 22 East Mifflin Street, Suite 700, Madison, Wisconsin 53703. You may have an attorney help or represent you.

If you do not provide a proper answer within 20 days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 23rd day of August, 2023.

Reinhart Boerner Van Deuren s.c.
22 East Mifflin Street, Suite 700
Milwaukee, WI 53703
Telephone: 608-229-2200
Facsimile: 608-229-2100

Mailing Address:
P.O. Box 2018
Milwaukee, WI 53701-2018

Electronically signed by Don M. Millis

Don M. Millis
State Bar ID No. 1015755
Sara Stellpflug Rapkin
State Bar ID No. 1076539
Shawn E. Lovell
State Bar ID No. 1079801
Olivia J. Schwartz
State Bar ID No. 1115787
Attorneys for Plaintiff

FILED
08-23-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CV006336
Honorable David
Borowski-12
Branch 12

STATE OF WISCONSIN
CIRCUIT COURT
MILWAUKEE COUNTY

MAYFAIR MALL, LLC
350 N. Orleans, Suite 300
Chicago, IL 60654,

Plaintiff,

v.

Case No. _____
Money Judgment - 30301

CITY OF WAUWATOSA
7725 West North Avenue
Wauwatosa, WI 53213,

Defendant.

COMPLAINT

Plaintiff Mayfair Mall, LLC (the "Plaintiff"), by its undersigned counsel, Reinhart Boerner Van Deuren s.c., for its Complaint against the defendant the City of Wauwatosa (the "City"), alleges as follows:

NATURE OF ACTION AND PARTIES

1. This action is brought under Wis. Stat. § 74.37(3)(d), for a refund of excessive real estate taxes imposed on Plaintiff by the City for the 2023 tax year, plus statutory interest, with respect to a parcel of real property in the City (the "Property").

2. Plaintiff is the owner of the Property, is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 7725 West North Avenue, in the City.

4. The Property is located at 2500 North Mayfair Road, within the City, and is identified in the City's records as Tax Parcel No. 335-9998-021.

JURISDICTION AND VENUE

5. The Court has personal jurisdiction over the City pursuant to Wis. Stat. § 801.05(1).

6. Venue is appropriate in Milwaukee County pursuant to Wis. Stat. § 801.50(2)(a).

BACKGROUND FACTS

2023 Assessment - Background Facts

7. In response to requests for information from the City assessor, Mayfair provided numerous documents, including documents evidencing the financial performance of the Property.

8. Plaintiff provided all of the information requested by the City assessor and met with the City assessor to provide information about the Property.

9. The aggregate ratio of property assessed in the City as of January 1, 2023 has not been determined as of the date of filing.

10. For 2022, property tax was imposed on property in the City at the rate of \$21.792240 per \$1,000 of assessed value of property.

11. For 2023, the City's assessor set the assessment of the Property at \$401,600,000.

12. The City's assessor reduced the 2023 assessment prior to the City's Board of Review to \$367,976,600.

13. Plaintiff appealed the 2023 assessment of the Property by filing a timely objection with the City's Board of Review pursuant to Wis. Stat. § 70.47 and otherwise complying with all of the requirements of Wis. Stat. § 70.47, except Wis. Stat. § 70.47(13).

14. By virtue of hearing waiver pursuant to Wis. Stat. § 70.47(8m) the Board of Review sustained the 2023 assessment on the merits without a hearing at \$367,976,600. A true and correct copy of the 2023 Notice of Waived Hearing is attached hereto as **Exhibit A** and is incorporated herein by reference.

15. Assuming the 2023 mill rate will be essentially the same as the 2022 mill rate, the City will impose tax on the Property in the approximate amount of \$8,019,034.

16. Plaintiff will timely pay the property taxes imposed by the City on the Property for 2023, or the required installment thereof.

CLAIM FOR RELIEF

17. The allegations of paragraphs 1-16 are incorporated as if fully re-alleged herein.

2023 Assessment - Claim for Relief

18. The fair market value of the Property as of January 1, 2023 was no higher than \$285,000,000.

19. Assuming an aggregate ratio of 100%, the correct assessment of the Property for 2023 is no higher than \$285,000,000.

20. Based on the tax rate of \$21.792240 per \$1,000 of assessed value, the correct amount of property tax on the Property for 2023 should be no higher than \$6,210,788.

21. The 2023 assessment of the Property, as set by the City's Assessor, is excessive as it exceeds the market value of the Property. As a result, the property tax imposed on the Property for 2023 may be excessive in at least the amount of \$1,808,246.

22. The 2023 assessment of the Property, as set by the City's assessor, is also excessive as compared with other commercial property in the City. Upon information and belief, the City will take the position that the assessment of other commercial property in the City is at market value and, if true, then an over assessment of the Property constitutes a violation of Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution. As a result of the assessment of the Property, the Property bears an unreasonably disproportionate share of taxes on an ad valorem basis.

23. Plaintiff is entitled to a refund of 2023 tax in the amount of at least \$1,808,246, or such greater amount as may be determined to be due to Plaintiff, plus statutory interest and costs.

WHEREFORE, Plaintiff respectfully requests the following relief:

A. A determination that the assessment of the Property for 2023 should be no higher than \$285,000,000;

B. A determination that the correct tax on the Property for 2023 should be no higher than \$6,210,788;

C. Judgment in the amount of \$1,808,246, or such greater amount as may be determined due to Plaintiff, plus statutory interest;

D. An award of all litigation costs incurred by Plaintiff in this action, including the reasonable fees of its attorneys; and

E. Such other and further relief as the Court deems appropriate and just.

Dated this 23rd day of August, 2023.

Reinhart Boerner Van Deuren s.c.
22 East Mifflin Street, Suite 700
Madison, WI 53703
Telephone: 608-229-2200
Facsimile: 608-229-2100

Mailing Address:
P.O. Box 2018
Madison, WI 53701-2018

50188948

Electronically signed by Don M. Millis

Don M. Millis
State Bar ID No. 1015755
Sara Stellpflug Rapkin
State Bar ID No. 1076539
Shawn E. Lovell
State Bar ID No. 1079801
Olivia J. Schwartz
State Bar ID No. 1115787
Attorneys for Plaintiff



NOTE: Request for Waiver must be presented prior to the commencement of the hearing.

Property address 2500 Mayfair Road	
Legal description or parcel number 335-9998-021	
Taxpayer's assessment as established by assessor - Value as determined due to waiving of BOR hearing \$ 367,976,600	
Property owner's opinion of value \$ 285,000,000	
Basis for request Previous year in litigation	
Date Notice of Intent to Appear at BOR was given 06 - 01 - 2023	Date Objection Form was completed and submitted 06 - 05 - 2023

***If agent, attach signed Agent Authorization Form, PA-105**



Reason

6/30/23
Date

6-30-22
Date

STATE OF WISCONSIN**CIRCUIT COURT****MILWAUKEE****TARGET CORPORATION vs. CITY OF WAUWATOSA****Electronic Filing
Notice**

Case No. 2023CV005591

Class Code: Money Judgment

FILED

07-28-2023

Anna Maria Hodges

Clerk of Circuit Court

2023CV005591

Honorable Amber Raffee

August-14

Branch 14

CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA WI 53213

Received by

SEP 05 2023

City Clerk's Office

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You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$20.00 fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

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Pro Se opt-in code: 5b1414

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 414-278-4140.

Milwaukee County Circuit Court
Date: July 28, 2023AM
9/5

FILED
07-28-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CV005591
Honorable Amber Raffet
August-14
Branch 14

STATE OF WISCONSIN
CIRCUIT COURT
MILWAUKEE COUNTY

TARGET CORPORATION,
P.O. Box 9456
Minneapolis, MN 55440-9456,

Plaintiff,

v.

Case No. _____
Money Judgment - 30301

CITY OF WAUWATOSA
7725 W. North Avenue
Wauwatosa, WI 53213,

Defendant.

SUMMONS

STATE OF WISCONSIN:

To each entity named above as Defendant:

You are hereby notified that the plaintiff named above have filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within 20 days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to or electronically filed with the Court, whose address is 901 North 9th Street, Room 104, Milwaukee, Wisconsin 53233, and to plaintiff's attorneys, Reinhart Boerner Van Deuren s.c., whose address is 22 East Mifflin Street, Suite 700, Madison, Wisconsin 53703. You may have an attorney help or represent you.

If you do not provide a proper answer within 20 days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 28th day of July, 2023.

Reinhart Boerner Van Deuren s.c.
22 East Mifflin Street, Suite 700
Madison, WI 53703
Telephone: 608-229-2200
Facsimile: 608-229-2100

Mailing Address:
P.O. Box 2018
Madison, WI 53701-2018

Electronically signed by Don M. Millis

Don M. Millis
State Bar ID No. 1015755
Sara Stellpflug Rapkin
State Bar ID No. 1076539
Shawn E. Lovell
State Bar ID No. 1079801
Attorneys for Plaintiff

44000733

FILED
07-28-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CV005591
Honorable Amber Raffeeet
August-14
Branch 14

STATE OF WISCONSIN
CIRCUIT COURT
MILWAUKEE COUNTY

TARGET CORPORATION,
P.O. Box 9456
Minneapolis, MN 55440-9456,

Plaintiff,

v.

Case No. _____
Money Judgment - 30301

CITY OF WAUWATOSA
7725 W. North Avenue
Wauwatosa, WI 53213,

Defendant.

COMPLAINT

Plaintiff Target Corporation (the "Plaintiff"), by their undersigned counsel, Reinhart Boerner Van Deuren s.c., for its Complaint against the defendant the City of Wauwatosa (the "City"), alleges as follows:

NATURE OF ACTION AND PARTIES

1. This action is brought under Wis. Stat. § 74.37(3)(d), for a refund of excessive real estate taxes imposed on Plaintiff by the City for the 2022 tax year, plus statutory interest, with respect to one parcel of real property in the City (the "Property").

2. Plaintiff is the owner of the Property, is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 7725 W. North Avenue, in the City.

4. The Property is located at 3900 N. 124th Street within the City, and is identified in the City's records as Tax Parcel No. 258-0001-009.

JURISDICTION AND VENUE

5. The Court has personal jurisdiction over the City pursuant to Wis. Stat. § 801.05(1).

6. Venue is appropriate in Waukesha County pursuant to Wis. Stat. § 801.50(2)(a).

BACKGROUND FACTS

2022 Assessment - Background Facts

7. The Department of Revenue determined that the aggregate ratio of property assessed in the City was 84.3822235% as of January 1, 2022.

8. For 2022, property tax was imposed on property in the City at the rate of \$21.79224 per \$1,000 of assessed value for the Property.

9. For 2022, the City's assessor set the assessment of the Property at \$16,898,500.

10. Plaintiff appealed the 2022 assessment of the Property by filing a timely objection with the City's Board of Review pursuant to Wis. Stat. § 70.47 and otherwise complying with all of the requirements of Wis. Stat. § 70.47, except Wis. Stat. § 70.47(13).

11. The City's Board of Review without justification unlawfully denied Plaintiff a hearing and dismissed its objection.

12. Despite Plaintiff filing a timely objection, the City's Board of Review wrongfully failed to issue Plaintiff written notice of the City's Board of Review's decision as to the amount

of the finalized assessment for the Property, and Plaintiff's appeal rights, as required by law pursuant to Wis. Stat. § 70.47(12).

13. The City imposed tax on the Property in the amount of \$368,256.17.

14. Plaintiff timely paid the property taxes imposed by the City on the Property for 2022, or the required installment thereof.

15. On January 30, 2023, Plaintiff timely and personally served on the City Clerk a Claim for Excessive Assessment pursuant to Wis. Stat § 74.37(2) (the "2022 Claim"). A true and correct copy of the 2022 Claim is attached hereto as **Exhibit A** and are incorporated herein by reference.

16. The City failed to respond to the 2022 Claim. Therefore, the 2022 Claim is deemed disallowed.

CLAIM FOR RELIEF

17. The allegations of paragraphs 1-16 are incorporated as if fully re-alleged herein.

2022 Assessment - Claim for Relief

18. The fair market value of the Property as of January 1, 2022 was no higher than \$11,641,500.

19. Based on the aggregate ratio of 84.3822235%, the correct assessment of the Property for the 2022 tax year was no higher than \$9,823,357.

20. Based on the tax rate of \$21.79224 per \$1,000 of assessed value, the correct amount of property taxes on the Property for the 2022 tax year is no higher than \$214,073.

21. The 2022 assessment of the Property, as set by the City's Assessor and compared with other commercial Property in the City was excessive and, upon information and belief, violated Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution. As a

result, the property taxes imposed on the Property for 2022 may be excessive in at least the amount of \$154,183.

22. Upon information and belief the City will take the position that the assessment of property in the City is at market value and, if true, then an over assessment of the Property constitutes a Uniformity Clause violation. As a result of the assessment of the Property, the Property bears an unreasonably disproportionate share of taxes on an ad valorem basis.

23. Plaintiff is entitled to a refund of 2022 taxes in the amount of at least \$154,183, or such greater amount as may be determined to be due to Plaintiff, plus statutory interest.

WHEREFORE, Plaintiff respectfully requests the following relief:

A. A determination that the assessment of the Property for 2022 should be no higher than \$9,823,357;

B. A determination that the correct tax on the Property for 2022 should be no higher than \$214,073;

C. Judgment in the amount of \$154,183, or such greater amount as may be determined due to Plaintiff, plus statutory interest;

D. An award of all litigation costs incurred by Plaintiff in this action, including the reasonable fees of its attorneys; and

E. Such other and further relief as the Court deems appropriate and just.

Dated this 28th day of July, 2023.

Reinhart Boerner Van Deuren s.c.
22 East Mifflin Street, Suite 700
Madison, WI 53703
Telephone: 608-229-2200
Facsimile: 608-229-2100

Mailing Address:
P.O. Box 2018
Madison, WI 53701-2018

Electronically signed by Don M. Millis

Don M. Millis
State Bar ID No. 1015755
Sara Stellpflug Rapkin
State Bar ID No. 1076539
Shawn E. Lovell
State Bar ID No. 1079801
Attorneys for Plaintiff

50167421



Reinhart Boerner Van Deuren s.c.
P.O. Box 2018
Madison, WI 53701-2018

22 East Mifflin Street
Suite 700
Madison, WI 53703

Telephone: 608-229-2200
Facsimile: 608-229-2100
reinhardtlaw.com

January 27, 2023

Don M. Millis
Direct Dial: 608-229-2234
dmillis@reinhardtlaw.com

CLAIM FOR EXCESSIVE ASSESSMENT

SERVED BY PROCESS SERVER

Steven Braatz, Clerk
City of Wauwatosa
7725 W. North Avenue
Wauwatosa, WI 53213

Received by

JAN 30 2023

City Clerk's Office

Dear Mr. Braatz:

Re: Tax Parcel No. 258-0001-09

Now comes Claimant, Target Corporation, owner of parcel 258-0001-09 (the "Property") in Wauwatosa, Wisconsin, by Claimant's attorneys Reinhart Boerner Van Deuren s.c., and files this Claim for Excessive Assessment against the City of Wauwatosa (the "City"), pursuant to Wis. Stat. § 74.37. You hereby are directed to serve any notice of disallowance on the undersigned agent of the Claimant.

1. This Claim is brought under Wis. Stat. § 74.37(3)(d), for a refund of excessive real estate taxes imposed on Claimant by the City for the year 2021, plus statutory interest, with respect to the Property.

2. Claimant is the owner of the Property, is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 7725 W. North Avenue in the City.

4. The Property is located at 3900 N. 124th Street within the City and is identified in the City's records as Tax Parcel No. 258-0001-09.



Steven Braatz, Clerk
January 27, 2023
Page 2

5. The Wisconsin Department of Revenue determined that the aggregate ratio of property assessed in the City was 84.3822235% as of January 1, 2021.

6. For 2021, property tax was imposed on property in the City at the rate of \$21.79224 per \$1,000 for of the assessed value for Property.

7. For 2021, the City's assessor set the assessment of the Property at \$16,898,500.

8. Claimant appealed the 2021 assessment of the Property by filing a timely objection with the City's Board of Review pursuant to Wis. Stat. § 70.47 and otherwise complying with all of the requirements of Wis. Stat. § 70.47, except Wis. Stat. § 70.47(13).

9. The City's Board of Review without justification unlawfully denied Claimant a hearing and dismissed its objection.

10. The City imposed tax on the Property in the amount of \$368,256.17.

11. Claimant timely paid the property taxes imposed by the City on the Property for 2021, or the required installment thereof.

12. The fair market value of the Property as of January 1, 2021 was no higher than \$11,641,500.

13. Based on the aggregate ratio 84.3822235%, the correct assessment of the Property for 2021 is no higher than \$9,823,357.

14. Based on the tax rate of \$21.79224 per \$1,000 of assessed value, the correct amount of property tax on the Property for 2021 should be no higher than \$214,073.

15. The 2021 assessment of the Property, as set by the City's Board of Review and compared with other commercial properties in the City was excessive and, upon information and belief, violated Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution. As a result, the property tax imposed on the Property for 2021 was excessive in at least the amount of \$154,183.

16. Upon information and belief the City will take the position that the assessment of property in the City is at market value and, if true, then an over assessment of the Property constitutes a Uniformity Clause violation. As a result of the assessment of the Property, the Property bears an unreasonably disproportionate share of taxes on an ad valorem basis.

17. Claimant is entitled to a refund of 2021 tax in the amount of \$154,183, or such greater amount as may be determined to be due to Claimant, plus statutory interest.

Steven Braatz, Clerk
January 27, 2023
Page 3

18. The amount of this claim is \$154,183, plus interest thereon.

Dated at Madison, Wisconsin, this 27th day of January, 2023.

Sincerely yours,



Don M. Millis
Agent for Claimant

48725858

STATE OF WISCONSIN**CIRCUIT COURT****MILWAUKEE**

Mariah R. Smith vs. City of Wauwatosa et al

**Electronic Filing
Notice**

Case No. 2023CV006625

Class Code: Unclassified

CITY OF WAUWATOSA
7725 W NORTH AVE.
MILWAUKEE WI 53213

Received by

SEP 07 2023

City Clerk's Office

FILED

09-01-2023

Anna Maria Hodges

Clerk of Circuit Court

2023CV006625

Honorable Lindsey Grady-
23

Branch 23

9-7-23

3:23pm

Carol M. Smith

Case number 2023CV006625 was electronically filed with/converted by the Milwaukee County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$20.00 fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

Pro Se opt-in code: 9d1dcc

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 414-278-4140.

Milwaukee County Circuit Court
Date: September 1, 2023

FILED
09-01-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CV006625
Honorable Lindsey Grady-
23
Branch 23

STATE OF WISCONSIN : CIRCUIT COURT : MILWAUKEE COUNTY
CIVIL DIVISION

MARIAH R. SMITH,


Plaintiff,

v.

CITY OF WAUWATOSA,
7725 W North Ave.
Wauwatosa, WI 53213,

CAPTAIN LUKE VETTER,
1700 North 116th Street
Wauwatosa, WI 53226,

LIEUTENANT JEFFREY FARINA,
1700 North 116th Street
Wauwatosa, WI 53226,

POLICE OFFICER BENJAMIN ZIEGLER,
1700 North 116th Street
Wauwatosa, WI 53226,

ABC DEFENDANTS, the fictitious name for
unknown corporations or entities,

and

DEF INSURANCE COS., the fictitious name for
unknown insurance companies,

Defendants.

Case No.:

SUMMONS

Unclassified – 30703
Personal Injury Other - 30107

THE STATE OF WISCONSIN

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within forty-five (45) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is Milwaukee County Courthouse, 901 North 9th Street, Milwaukee, WI 53233, and to GINGRAS, THOMSEN & WACHS, LLP plaintiff's attorneys, whose address is 219 N. Milwaukee Street, Suite 520, Milwaukee, WI 53202. You may have an attorney help or represent you.

If you do not provide a proper answer within forty-five (45) days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated at Milwaukee this 1st day of September, 2023.

GINGRAS, THOMSEN & WACHS, LLP
Attorneys for Plaintiff

By: Electronically signed by Attorney Mark L. Thomsen
Mark L. Thomsen
State Bar No. 01018839

P.O. ADDRESS:

219 N Milwaukee St, Ste 520
Milwaukee, WI 53202
414-935-5482 (direct)
414-837-4167 (main)
mthomsen@gtwlawyers.com

FILED
09-01-2023
Anna Maria Hodges
Clerk of Circuit Court
2023CV006625
Honorable Lindsey Grady-
23
Branch 23

STATE OF WISCONSIN : CIRCUIT COURT : MILWAUKEE COUNTY
CIVIL DIVISION

MARIAH R. SMITH,


Plaintiff,

v.

CITY OF WAUWATOSA,
7725 W North Ave.
Wauwatosa, WI 53213,

CAPTAIN LUKE VETTER,
1700 North 116th Street
Wauwatosa, WI 53226,

LIEUTENANT JEFFREY FARINA,
1700 North 116th Street
Wauwatosa, WI 53226,

POLICE OFFICER BENJAMIN ZIEGLER,
1700 North 116th Street
Wauwatosa, WI 53226,

ABC DEFENDANTS, the fictitious name for
unknown corporations or entities,

and

DEF INSURANCE COS., the fictitious name for
unknown insurance companies,

Defendants.

Case No.:

COMPLAINT

Unclassified – 30703
Personal Injury Other - 30107

NOW COMES Plaintiff, Mariah R. Smith, by her attorneys, the law firm of Gingras, Thomsen & Wachs, LLP, by Attorney Mark L. Thomsen, and submits this complaint against the above-named Defendants, alleges and shows the Court as follows:

I. INTRODUCTION

1. This is a civil rights action under 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff's rights to be free of excessive force under the laws as secured by the Fourth and Fourteenth Amendments of the United States Constitution.

II. THE PARTIES

A. Plaintiff

2. Plaintiff Mariah Smith (hereinafter "Ms. Smith"), whose date of birth is [REDACTED] was [REDACTED] years old and at all times relevant hereto, was an adult resident of the State of Wisconsin and resides at [REDACTED] Ms. Smith suffered injuries on September 5, 2020, as a result of the defendant's unlawful conduct as alleged herein. At all material times hereto, Ms. Smith was entitled to all rights and privileges granted by the United States Constitution. Ms. Smith is African American.

B. Defendants

3. Defendant City of Wauwatosa (hereinafter "Wauwatosa"), with the offices of its executive at 7725 West North Avenue, Wauwatosa 53213, is and was at all times a Municipal Corporation organized under the laws of the State of Wisconsin. Wauwatosa established, operated and maintained Wauwatosa Police Department (hereinafter "WPD") at all times material hereto; Wauwatosa is ultimately responsible for the training, supervising, and discipline of WPD employees and the creation and implementation of its policies and procedures through its Chief of

Police, and had ultimate control and authority over WPD and all Defendants, and pursuant to Wis. Stat. § 895.46, is obligated to indemnify all Defendants in this action.

4. Defendant Luke Vetter (hereinafter “Cpt. Vetter”) is an adult citizen of the State of Wisconsin and a resident of the State of Wisconsin. At the time, Defendant Cpt. Vetter was a lieutenant with WPD at all times relevant to this action and was acting under color of law and within the scope of his employment with the WPD or Wauwatosa at all times relevant hereto.

5. Defendant Jeffrey Farina (hereinafter “Lt. Farina”) is an adult citizen of the State of Wisconsin and a resident of the State of Wisconsin. At the time, Defendant Lt. Farina was a lieutenant with WPD at all times relevant to this action and was acting under color of law and within the scope of his employment with the WPD or Wauwatosa at all times relevant hereto.

6. Defendant Benjamin Ziegler (hereinafter “Ofc. Ziegler”) is an adult citizen of the State of Wisconsin and a resident of the State of Wisconsin. At the time, Defendant Ofc. Ziegler was an officer with WPD at all times relevant to this action and was acting under color of law and within the scope of his employment with the WPD or Wauwatosa at all times relevant hereto.

7. That at the present time, the defendants, ABC Defendants, are the fictitious name for unknown persons, corporations or entities, duly organized and existing under and by virtue of the laws of the State of Wisconsin or any other state; that on information and belief, ABC Defendants who acted under color of law and within the scope of the WPD or Wauwatosa at all times relevant hereto and used unreasonable or excessive force against the plaintiff; that ABC Defendants are proper defendants herein and are directly liable to the plaintiff for all of the plaintiff’s injuries and damages as set forth herein; that pursuant to Wis. Stat. sec. 807.12, ABC Defendants are being inserted in place of the real and proper defendants, which as soon as their identity is ascertained will be substituted in place of ABC Defendants.

8. That at the present time, the defendants, DEF Insurance Cos. (hereinafter “DEF Ins.”) are the fictitious name for unknown insurance companies, the identity and location of which is unknown, that are engaged in the business of writing and selling liability insurance; that upon information and belief prior to the date of this incident, September 5, 2020, DEF Ins. issued a policy or policies of liability insurance to the defendants, ABC Defendants, their agents, servants and/or employees, for claims such as those hereafter set forth; that said policy or policies of insurance were in full force and effect at the time of the incident described below; that in said contract(s) of insurance, DEF Ins. reserved the right to settle or adjust any claims arising hereunder and to defend any lawsuits instituted by virtue of any such claims and have a direct interest in this litigation; that DEF Ins. are proper defendants herein and are directly liable to the plaintiffs for all of the plaintiff’s injuries and damages as set forth herein; that pursuant to Wis. Stat. sec. 807.12, DEF Ins. are being inserted in place of the real and proper insurance company defendants, which as soon as their identity is ascertained will be substituted in place of DEF Insurers.

III. FACTUAL ALLEGATIONS

9. Ms. Smith was born and raised in Milwaukee, Wisconsin.

10. Ms. Smith attended grade school in Wauwatosa and is a 2010 graduate of Wauwatosa West High school.

11. Ms. Smith attended University of Wisconsin - Whitewater to study early childhood education and attended University of Wisconsin – Milwaukee for one semester in 2012 to study kinesiology.

12. Ms. Smith returned to continue her education in early childhood education when she matriculated at Milwaukee Area Technical College in 2020.

13. On Saturday, September 5, 2020, at 11:29 p.m., Ms. Smith was a passenger in a vehicle driven by Ms. Katelyn Harvey (hereinafter “Ms. Harvey”).

14. Ms. Harvey was also transporting Mr. Brandon Wilborn.

15. Ms. Harvey was one of a number of vehicles driving in a caravan on Highway 100 in Wauwatosa.

16. Ms. Harvey noticed that police officers blocked Highway 100 and turned left on North Avenue and drove west.

17. Ms. Harvey then took a U-turn at 114th street near a Denny’s restaurant and drove east.

18. Ms. Harvey then turned right to head south on Highway 100.

19. Ms. Harvey’s vehicle was stopped by WPD officers at N. Mayfair Road and Ms. Smith got out of the vehicle.

20. Ms. Smith was running southbound on N. Mayfair Road when, Cpt. Vetter yelled to Ms. Smith, “Get the fuck on the ground!”

21. Cpt. Vetter moved toward Ms. Smith and violently grabbed her, slammed her head against the vehicle, and took her to the ground.

22. After Ms. Smith was on the ground and handcuffed, Cpt. Vetter and/or ABC Defendants lifted and slammed Ms. Smith’s face into the ground and struck his knee against Ms. Smith’s left knee.

23. Ms. Smith’s knee was aggressively pinned to the ground while Ofc. Ziegler and/or ABC Defendants pressed their knee forcefully against the back of Ms. Smith’s neck.

24. During the entire disturbing episode, Ms. Smith screamed in pain and agony.

25. Ms. Smith was physically searched and her property was removed by Ofc. Ziegler

and/or ABC Defendant.

26. Ms. Smith was arrested, was placed in a paddy wagon and was driven to the Wauwatosa Police Station located at 1700 N. 116th Street, and ultimately issued a citation for disorderly conduct.

27. After her arrival at the WPD, Ms. Smith was booked and processed.

28. During the booking process, Ms. Smith complained of lightheadedness and requested medical attention.

29. Wauwatosa Fire Department responded and assessed Ms. Smith's by taking her vitals. Ms. Smith was cleared of any immediate medical emergencies, and eventually released.

30. A few short hours following her release from WPD, Ms. Smith went to the Froedtert Hospital Emergency Department and Trauma Center at 4:24 a.m., on September 6, 2020.

31. Ms. Smith told Dr. Paul Benz that she was attacked by WPD officers shortly before midnight and that she was kneed in the abdomen and that her head struck the ground when she was assaulted by members of the WPD.

32. Ms. Smith reported that her head was "pounding" and that she vomited prior to her arrival.

33. Ms. Smith told Dr. Benz that she had pain in her abdomen, left knee, left ankle, limited ability to open her jaw, and her ability to walk was severely limited following the assault.

34. Ms. Smith received Tylenol and ibuprofen to relieve her pain and Zofran to ameliorate her nausea.

35. Dr. Brady McIntosh ordered CT scans of Ms. Smith's chest, left knee, left hip, left pelvis, left ankle, and head.

36. The CT scans revealed no acute fractures or dislocations of the left knee, left hip,

left pelvis, head, or chest.

37. Ms. Smith was diagnosed with a concussion head injury and left leg pain, along with abrasions to her chin, and musculoskeletal pain.

38. Ms. Smith was released with orders to continue to use over the counter medication and ice for pain relief and to follow up with her primary care physician should her condition deteriorate.

39. On September 9, 2020, Ms. Smith returned to Froedtert Hospital because of pain throughout her body.

40. Ms. Smith was evaluated by PA-C Lauren Sweeney.

41. Ms. Smith reported that she had pain in her jaw, left leg, and lower left ribs following an assault by the WPD officers four days earlier.

42. Ms. Smith reported that she vomited on the same day and had an extremely painful headache.

43. Ms. Smith told PA-C Sweeney that the pain in her ribs was intermittent and occurred when she coughed.

44. Ms. Smith reported to PA-C Sweeney that the pain in her left leg was prominent when she attempted to ambulate.

45. PA-C Sweeney reviewed the CT scans from Ms. Smith's prior visit to the hospital and found that there were no fractures.

46. PA-C Sweeney noted that the ongoing headaches were secondary to post-concussion syndrome.

47. Ms. Smith requested crutches to assist with ambulation due to her leg pain.

48. PA-C Sweeney advised that Ms. Smith follow up with her primary care physician

should her pain continue and was discharged with prescriptions for hydrocodone/acetaminophen and lidocaine patch. Ms. Smith sustained damages, including, but not limited to, past medical expenses, past and future, pain, suffering, loss of enjoyment of life and emotional distress and all other damages allowed under the law.

**IV. FIRST CLAIM FOR RELIEF AGAINST DEFENDANTS
CPT. VETTER, LT. FARINA, OFC. ZIEGLER, AND ABC DEFENDANTS
– EXCESSIVE FORCE**

49. Plaintiff realleges and incorporates by reference the allegations of all the preceding paragraphs.

50. At all relevant times herein, the above-named Defendants were “persons” for purposes of 42 U.S.C. § 1983 and acted under color of state law to deprive Ms. Smith of her constitutional rights.

51. At all material times hereto, the Defendants used unnecessary, excessive force, including but not limited, aggressively grabbing, pulling, and pinning of Ms. Smith’s leg and neck and slamming of Ms. Smith’s head while she was detained and on the ground.

52. That at that time the Defendants used excessive force and there was no threat of death or serious bodily harm to the officers or any person in the area.

53. The Defendants’ conduct constituted excessive force without any cause or justification in violation of Ms. Smith’s Fourth Amendment Rights as incorporated by Fourteenth Amendment.

54. At all times material, the Defendants were WPD Officers acting under color of law and were acting in the scope of their employment.

55. That the described conduct of the part of the Defendants as set forth above was a cause of the plaintiff’s injuries, losses, and damages as set forth herein.

56. The Defendant, the City of Wauwatosa, is liable pursuant to Wis. Stat. § 895.46 for payment of any judgment entered against the individual employee Defendants in this action because said Defendants were acting within the scope of their employment when they committed the acts described above.

**V. SECOND CLAIM FOR RELIEF AGAINST DEFENDANTS
CPT. VETTER, LT. FARINA, OFC. ZIEGLER, AND ABC DEFENDANTS
– FAILURE TO INTERVENE**

57. Plaintiff realleges and incorporates by reference all the allegations in the preceding paragraphs.

58. As Cpt. Vetter, Lt. Farina, Ofc. Ziegler, and ABC Defendants knew, Ms. Smith had committed no crime and there was no reason to suspect that she was about to commit a crime.

59. Before Ms. Smith suffered from the excessive force described above, Cpt. Vetter, Lt. Farina, Ofc. Ziegler, and/or ABC Defendants had the opportunity to intervene and prevent all the injuries and injuries, damages, and losses that Ms. Smith suffered as a result of the unlawful conduct and excessive use of force.

60. At the moment Ms. Smith was slammed on the ground by Lt. Farina, Ms. Smith was already cooperating, and Cpt. Vetter, Ofc. Ziegler, and/or ABC Defendants could have intervened to prevent Ms. Smith from being injured and the constitutional deprivation of her rights.

61. At the moment Cpt. Vetter lifted and slammed Ms. Smith's face into the ground struck his knee against her, Ms. Smith was already cooperating and on the ground, and Lt. Farina Ofc. Ziegler, and/or ABC Defendants could have intervened to prevent Ms. Smith from being injured and the constitutional deprivation of her rights.

62. As a result of the failures by the Defendants to intervene, Ms. Smith suffered injuries, losses and damages as set forth herein.

**VI. THIRD CLAIM FOR RELIEF AGAINST DEFENDANTS
CPT. VETTER, LT. FARINA, OFC. ZIEGLER, AND ABC DEFENDANTS
– PUNITIVE DAMAGES**

63. Plaintiff realleges and incorporates by reference all the allegations in the preceding paragraphs.

64. That the above-described conduct of Defendants Cpt. Vetter, Lt. Farina, Ofc. Ziegler, and/or ABC Defendants was unlawful, extreme, malicious, and/or intentional.

65. That such conduct was intended to cause Ms. Smith unnecessary personal physical, psychological, and emotional injuries.

66. That such conduct by Defendants Cpt. Vetter, Lt. Farina, Ofc. Ziegler, and/or ABC Defendants was a cause of personal, physical, psychological, emotional and economic injuries suffered by Ms. Smith.

67. At all times material hereto, Defendants Cpt. Vetter, Lt. Farina, Ofc. Ziegler, and/or ABC Defendant acted maliciously and/or with reckless disregarding and/or with deliberate indifference towards Ms. Smith or in an intentional disregard of her rights, such as to subject the defendants to punitive damages.

68. The Defendant, the City of Wauwatosa is liable pursuant to Wis. Stat. § 895.46 for payment of any judgment entered against their employee defendants in this action because said defendants were acting within the scope of their employment when they committed the acts described above.

WHEREFORE, the Plaintiff demands judgment against the Defendants, jointly and severally, as follows:

a. Against Defendants Cpt. Vetter, Lt. Farina, Ofc. Ziegler, and ABC Defendants in their individual capacities, for compensatory damages, for the violation of Ms.

Smith's rights, as set forth above, in an amount to be determined at a trial of this matter;

b. Against Defendant Cpt. Vetter for punitive damages for the violation of Ms. Smith's rights, as set forth above, in an amount to be determined at a trial of this matter;

c. Against Defendant Lt. Farina for punitive damages for the violation of Ms. Smith's rights, as set forth above, in an amount to be determined at a trial of this matter;

d. Against Defendant Ofc. Ziegler for punitive damages for the violation of Ms. Smith's rights, as set forth above, in an amount to be determined at a trial of this matter;

e. Against Defendant City of Wauwatosa for its liability pursuant to Wis. Stat. § 895.46 to indemnify the individual Defendants in and amount to be determined at a trial of this matter;

f. For all costs, disbursements, and actual attorneys' fees pursuant to 42 U.S.C.A. § 1988, and for such other relief as the Court deems just and equitable.

PLAINTIFF HEREBY DEMANDS A JURY TRIAL OF THIS MATTER ON ALL ISSUES SO TRIABLE.

Dated at Milwaukee this 1st day of September, 2023.

GINGRAS, THOMSEN & WACHS, LLP
Attorneys for Plaintiff

By: Electronically signed by Attorney Mark L. Thomsen
Mark L. Thomsen
State Bar No. 01018839

P.O. ADDRESS:

219 N Milwaukee St, Ste 520
Milwaukee, WI 53202
414-935-5482 (direct)
414-837-4167 (main)
mthomsen@gtwlawyers.com



Staff Report

File #: 23-701

Agenda Date: 9/26/2023

Agenda #: 1.

Ordinance creating Chapter 7.36 of the Wauwatosa Municipal Code relative to discrimination under state law

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. Chapter 7.36 of the Wauwatosa Municipal Code of Ordinances is created to read in its entirety as follows:

Chapter 7.36 - Anti- Discrimination

Section 7.36.010 - Discrimination Prohibited

Consistent with the State of Wisconsin's Fair Employment Law, contained in Sections 111.31 to 111.395 of the Wisconsin Statutes, the City of Wauwatosa prohibits discrimination in employment on the bases of race (including hair texture and protective hairstyles), color, creed, ancestry, national origin, sex or gender, disability, arrest or conviction record, marital status, sexual orientation, military service, or use or non-use of lawful products off the employer's premises during nonworking hours. In addition, consistent with Section 106.52 of the Wisconsin Statutes, the City of Wauwatosa prohibits discrimination in public places of accommodation or amusement.

Section 7.36.020 - State Enforcement

The City of Wauwatosa encourages anyone who believes that they have been discriminated against in violation of the State of Wisconsin prohibitions on discrimination stated in Section A above to file a formal complaint with the State of Wisconsin Equal Rights Division, which has the responsibility under the Wisconsin Statutes to enforce those prohibitions. Instructions on how to file such a complaint are available on the City's website.

Part II. This ordinance shall become effective on and after its dates of passage and publication.

By: Government Affairs Committee

Recommendation: Introduced on September 19, 2023, for adoption consideration



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-698

Agenda Date: 9/26/2023

Agenda #: 1.

Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code relative to two-hour parking zone from nine a.m. to six p.m. except Sundays and legal holidays on the west side of Lefebber Avenue from 155-feet south of North Avenue to North Avenue

Part I. The "Lefebber Avenue - West Side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by modifying the following subsections:

“(c) from W. Garfield Avenue to 155 feet south of W. North Avenue

to read as follows:

“(c) from W. Garfield to W. North Avenue

Part II. This ordinance shall become effective on and after its date of publication.

By: Transportation Affairs Committee

Recommendation: Introduced on September 19, 2023, for adoption consideration



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-699

Agenda Date: 9/26/2023

Agenda #: 2.

Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to prohibit parking along the west side of Ludington Avenue from Jackson Park Boulevard to approximately 84-feet north of Jackson Park Boulevard

The Common Council do hereby ordain as follows:

Part I. The “Ludington Avenue - West Side” portion of the “Schedule of Streets, and portions” subsection of Wauwatosa Code 11.32.080 is hereby amended by modifying the following subsections:

“(c) from Jackson Park Boulevard to W. North Avenue”

to read:

“(a) from Jackson Park Boulevard to 84 feet north of Jackson Park Boulevard

(c) from 84 feet north of Jackson Park Boulevard to W. North Avenue”

Part II. This ordinance shall become effective on and after its date of passage.

By: Transportation Affairs Committee

Recommendation: Introduced on September 19, 2023, for adoption consideration



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-649

Agenda Date: 9/19/2023

Agenda #: 1.

Resolution approving a Land Division via Certified Survey Map at 11220 W. Burleigh Street, Chris Thomas, TOA, applicant

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Chris Thomas, TOA, for a Land Division via Certified Survey Map at 11220 W. Burleigh Street. The location of the parcels are more particularly described as follows:

Being a redivision of Lot 1 of Certified Survey Map No. 8859 in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7, Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin

All in accordance with the application attached hereto and made a part of this resolution, in compliance with Section 17.02.070 of the Code of the City of Wauwatosa and subject to the following conditions:

1. Any technical corrections as identified by the Register of Deeds and City staff.
2. Per State Statute 236.34 (2), the CSM is to be recorded within 12 months of the Common Council approval.

By: Plan Commission

Recommendation: Approve 7-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-159

File Number: 23-649

Enactment Number: R-23-159

Resolution approving a Land Division via Certified Survey Map at 11220 W. Burleigh Street, Chris Thomas, TOA, applicant

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that permission be and the same is hereby granted to Chris Thomas, TOA, for a Land Division via Certified Survey Map at 11220 W. Burleigh Street. The location of the parcels are more particularly described as follows:

Being a redivision of Lot 1 of Certified Survey Map No. 8859 in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7, Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin

All in accordance with the application attached hereto and made a part of this resolution, in compliance with Section 17.02.070 of the Code of the City of Wauwatosa and subject to the following conditions:

1. Any technical corrections as identified by the Register of Deeds and City staff.
2. Per State Statute 236.34 (2), the CSM is to be recorded within 12 months of the Common Council approval.

By: Plan Commission

Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-650

Agenda Date: 9/19/2023

Agenda #: 2.

Resolution approving a Conditional Use Permit in the C1/NOR District at 6707 W. North Avenue for an eating establishment, Matt Schroeder, Wings in Wisconsin, applicant

WHEREAS Matt Schroeder, Wings in Wisconsin, applied for a Conditional Use Permit in the C1/North Avenue Overlay District at 6707 W. North Avenue for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Matt Schroeder, Wings in Wisconsin, subject to:

1. Hours of operation Sunday - Thursday, from 11:00 am to 10:00 pm, and Friday and Saturday from 11:00 am to 12:00 am.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Design Review Board approval required; plan review and all applicable building permits required. DSPS plan approvals may be required depending on scope of work.
4. Submittal and approval of a Site Plan Parking Lot Permit addressing all comments in the Public Works Department section of the staff report.
5. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
6. Obtaining other required licenses, permits, and approvals.
7. Trash enclosure shall be screened and details of the enclosure shall be returned to staff for review.

By: Plan Commission

Recommendation: Approve 7-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-160

File Number: 23-650

Enactment Number: R-23-160

Resolution approving a Conditional Use Permit in the C1/NOR District at 6707 W. North Avenue for an eating establishment, Matt Schroeder, Wings in Wisconsin, applicant

WHEREAS Matt Schroeder, Wings in Wisconsin, applied for a Conditional Use Permit in the C1/North Avenue Overlay District at 6707 W. North Avenue for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Matt Schroeder, Wings in Wisconsin, subject to:

1. Hours of operation Sunday - Thursday, from 11:00 am to 10:00 pm, and Friday and Saturday from 11:00 am to 12:00 am.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Design Review Board approval required; plan review and all applicable building permits required. DSPS plan approvals may be required depending on scope of work.
4. Submittal and approval of a Site Plan Parking Lot Permit addressing all comments in the Public Works Department section of the staff report.
5. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
6. Obtaining other required licenses, permits, and approvals.
7. Trash enclosure shall be screened and details of the enclosure shall be returned to staff for review.

By: Plan Commission

Adopted

City Clerk Steven Braatz

Date

9-19-23

Approved

Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-651

Agenda Date: 9/19/2023

Agenda #: 3.

Resolution approving a Conditional Use Permit in the C2 District at 3122 N. Mayfair Road for a liquor store, Riddhi Patel, Mayfair Inc., applicant

WHEREAS Riddhi Patel, Mayfair Inc., applied for a Conditional Use Permit in the 3122 N. Mayfair Road for a liquor store, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Riddhi Patel, Mayfair Inc., subject to:

1. Hours of operation Monday through Sunday from 8:00 am to 9:00 pm.
2. Adding short and long-term bike parking in compliance with City Code prior to occupancy.
3. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
5. For existing buildings, any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
6. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 7-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-161

File Number: 23-651

Enactment Number: R-23-161

Resolution approving a Conditional Use Permit in the C2 District at 3122 N. Mayfair Road for a liquor store, Riddhi Patel, Mayfair Inc., applicant

WHEREAS Riddhi Patel, Mayfair Inc., applied for a Conditional Use Permit in the 3122 N. Mayfair Road for a liquor store, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Riddhi Patel, Mayfair Inc., subject to:

1. Hours of operation Monday through Sunday from 8:00 am to 9:00 pm.
2. Adding short and long-term bike parking in compliance with City Code prior to occupancy.
3. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
5. For existing buildings, any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
6. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Adopted

A blue ink signature of Steven Braatz, the City Clerk, written over a horizontal line.

City Clerk Steven Braatz

Date

9-19-23

Approved

A blue ink signature of Dennis R. McBride, the Mayor, written over a horizontal line.

Mayor Dennis McBride

Date

9/21/23



Staff Report

File #: 23-652

Agenda Date: 9/19/2023

Agenda #: 4.

Resolution approving a Conditional Use Permit in the C2 District at 12345 W. Capitol Drive for an eating establishment, Enrique Castel, Lingle Design Group, applicant

WHEREAS Enrique Castel, Lingle Design Group, applied for a Conditional Use Permit in the C2 District at 12345 W. Capitol Drive for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Enrique Castel, Lingle Design Group, subject to:

1. Hours of operation Monday through Sunday from 10:30 am to 11:00 pm.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Compliance with approved landscape plan prior to occupancy.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
5. For existing buildings, any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
6. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 7-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-162

File Number: 23-652

Enactment Number: R-23-162

Resolution approving a Conditional Use Permit in the C2 District at 12345 W. Capitol Drive for an eating establishment, Enrique Castel, Lingle Design Group, applicant

WHEREAS Enrique Castel, Lingle Design Group, applied for a Conditional Use Permit in the C2 District at 12345 W. Capitol Drive for an eating establishment, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Enrique Castel, Lingle Design Group, subject to:

1. Hours of operation Monday through Sunday from 10:30 am to 11:00 pm.
2. Providing detailed costs of any alterations and/or new construction, as well as income & expense as requested by the Assessor's office.
3. Compliance with approved landscape plan prior to occupancy.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
5. For existing buildings, any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
6. Obtaining other required licenses, permits, and approvals.

By: Plan Commission


Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Staff Report

File #: 23-653

Agenda Date: 9/19/2023

Agenda #: 5.

Resolution approving a Conditional Use Permit in the C1/NOR District at 6505 W. North Avenue to expand the operating hours and allow outdoor operations, Abigail Gilman, The Little Village Play Cafe, applicant

WHEREAS Abigail Gilman, The Little Village Play Cafe, applied for a Conditional Use Permit in the C1/North Avenue Overlay District at 6505 W. North Avenue to expand the operating hours and allow outdoor operations, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Abigail Gilman, The Little Village Play Cafe, subject to:

1. Hours of operation 7:00 am to 10:00 pm daily.
2. Providing short- and long-term bicycle parking in compliance with City Code 24.11.080 prior to occupancy permit issuance.
3. A site plan/parking lot permit must be submitted to the Engineering Department. The site plan should include details on where Code compliant short- and long-term bike parking will be provided. The plan must also address how the proposed outdoor space will be protected from vehicles entering the space from the south drive approach.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
5. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Recommendation: Approve 7-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-163

File Number: 23-653

Enactment Number: R-23-163

Resolution approving a Conditional Use Permit in the C1/NOR District at 6505 W. North Avenue to expand the operating hours and allow outdoor operations, Abigail Gilman, The Little Village Play Cafe, applicant

WHEREAS Abigail Gilman, The Little Village Play Cafe, applied for a Conditional Use Permit in the C1/North Avenue Overlay District at 6505 W. North Avenue to expand the operating hours and allow outdoor operations, and;

WHEREAS, this request was reviewed and recommended by the City Plan Commission to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;


NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants a Conditional Use Permit to Abigail Gilman, The Little Village Play Cafe, subject to:

1. Hours of operation 7:00 am to 10:00 pm daily.
2. Providing short- and long-term bicycle parking in compliance with City Code 24.11.080 prior to occupancy permit issuance.
3. A site plan/parking lot permit must be submitted to the Engineering Department. The site plan should include details on where Code compliant short- and long-term bike parking will be provided. The plan must also address how the proposed outdoor space will be protected from vehicles entering the space from the south drive approach.
4. Under WMC 24.16.040I., a Conditional Use will lapse and have no further effect one year after it is approved by the Common Council, unless a building permit has been issued (if required); the use or structure has been lawfully established; or unless a different lapse of approval period or point of expiration has been expressly established by the Common Council.
5. Obtaining other required licenses, permits, and approvals.

By: Plan Commission

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-668

Agenda Date: 9/19/2023

Agenda #: 1.

**Resolution approving application for temporary extension of licensed premises by Ray's Growler Gallery, LLC d/b/a Ray's Growler Gallery, 8930 W North Avenue for the Ray-toberfest event on October 8, 2023
12:00 PM - 5:00 PM**

WHEREAS, Ray's Growler Gallery, 8930 W. North Avenue, has requested a Special Event Permit and a temporary extension of the licensed premises from 12:00 PM to 5:00 PM for Ray-toberfest on Sunday, October 8, 2023, to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue;

NOW, THEREFORE, BE IT RESOLVED THAT the Special Event permit is hereby approved and the "Class B" Liquor licensed premises of Ray's Growler Gallery be extended from 12:00 PM to 5:00 PM for Ray-toberfest on Sunday, October 8, 2023, to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue.

By: Government Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-164

File Number: 23-668

Enactment Number: R-23-164

Resolution approving application for temporary extension of licensed premises by Ray's Growler Gallery, LLC d/b/a Ray's Growler Gallery, 8930 W North Avenue for the Ray-toberfest event on October 8, 2023 12:00 PM - 5:00 PM

WHEREAS, Ray's Growler Gallery, 8930 W. North Avenue, has requested a Special Event Permit and a temporary extension of the licensed premises from 12:00 PM to 5:00 PM for Ray-toberfest on Sunday, October 8, 2023, to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue;

NOW, THEREFORE, BE IT RESOLVED THAT the Special Event permit is hereby approved and the "Class B" Liquor licensed premises of Ray's Growler Gallery be extended from 12:00 PM to 5:00 PM for Ray-toberfest on Sunday, October 8, 2023, to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue.

By: Government Affairs Committee

Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-672

Agenda Date: 9/19/2023

Agenda #: 2.

**Resolution approving the temporary extension of licensed premises by Ray's Growler Gallery, LLC d/b/a Ray's Growler Gallery, 8930 W North Avenue for the Christkindlmarket event on December 3, 2023
12:00 PM- 4:00 PM**

WHEREAS, Ray's Growler Gallery, 8930 W. North Avenue, has requested a Special Event Permit and a temporary extension of the licensed premises from 12:00 PM to 4:00 PM for the Christkindlmarket event on Sunday, December 3, 2023, to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue;

NOW, THEREFORE, BE IT RESOLVED THAT the Special Event permit is hereby approved and the "Class B" Liquor licensed premises of Ray's Growler Gallery be extended from 12:00 PM to 4:00 PM for Christkindlmarket event on Sunday, December 3, 2023 to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue.

By: Government Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-165

File Number: 23-672

Enactment Number: R-23-165

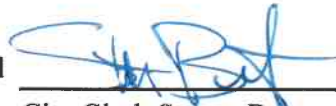
Resolution approving the temporary extension of licensed premises by Ray's Growler Gallery, LLC d/b/a Ray's Growler Gallery, 8930 W North Avenue for the Christkindlmarket event on December 3, 2023 12:00 PM- 4:00 PM

WHEREAS, Ray's Growler Gallery, 8930 W. North Avenue, has requested a Special Event Permit and a temporary extension of the licensed premises from 12:00 PM to 4:00 PM for the Christkindlmarket event on Sunday, December 3, 2023, to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue;

NOW, THEREFORE, BE IT RESOLVED THAT the Special Event permit is hereby approved and the "Class B" Liquor licensed premises of Ray's Growler Gallery be extended from 12:00 PM to 4:00 PM for Christkindlmarket event on Sunday, December 3, 2023 to include their parking lot and the parcel located at the Northeast corner of 90th Street and North Avenue.

By: Government Affairs Committee

Adopted



City Clerk Steven Braatz

Date

9-19-23

Approved



Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-673

Agenda Date: 9/19/2023

Agenda #: 3.

Resolution approving application for appointment of successor Agent, Katelyn Kaad, for Walgreens Company, d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue

WHEREAS, Walgreens Company, d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue, has appointed Katelyn Kadd, as successor agent for the Class "A" beer and "Class A" liquor license for the period ending June 30, 2023; and

WHEREAS, Katelyn Kadd meets the qualifications pursuant to Wis. Stat. 125.04(5).

WHEREAS, the Government Affairs Committee reviewed the request and recommends approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council of the City of Wauwatosa hereby approves the Appointment of Successor Agent submitted by Walgreens Company d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue, appointing Katelyn Kadd as the Agent for the Class "A" Beer and "Class A" liquor license for the period ending June 30, 2024.

By: Government Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-166

File Number: 23-673

Enactment Number: R-23-166

Resolution approving application for appointment of successor Agent, Katelyn Kaad, for Walgreens Company, d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue

WHEREAS, Walgreens Company, d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue, has appointed Katelyn Kadd, as successor agent for the Class "A" beer and "Class A" liquor license for the period ending June 30, 2023; and

WHEREAS, Katelyn Kadd meets the qualifications pursuant to Wis. Stat. 125.04(5).

WHEREAS, the Government Affairs Committee reviewed the request and recommends approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council of the City of Wauwatosa hereby approves the Appointment of Successor Agent submitted by Walgreens Company d/b/a Walgreens #04253, 2656 N. Wauwatosa Avenue, appointing Katelyn Kadd as the Agent for the Class "A" Beer and "Class A" liquor license for the period ending June 30, 2024.

By: Government Affairs Committee

Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-700

Agenda Date: 9/19/2023

Agenda #: 4.

Resolution approving Enhanced Policing Services Contract for Froedtert Emergency Department

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that the Agreement for Enhanced Policing Services with Froedtert Memorial Lutheran Hospital, Inc. as more thoroughly described in the September 12, 2023 Government Affairs Committee meeting be approved.

By: Government Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-167

File Number: 23-700

Enactment Number: R-23-167

Resolution approving Enhanced Policing Services Contract for Froedtert Emergency Department

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wauwatosa that the Agreement for Enhanced Policing Services with Froedtert Memorial Lutheran Hospital, Inc. as more thoroughly described in the September 12, 2023 Government Affairs Committee meeting be approved.

By: Government Affairs Committee

Adopted

A blue ink signature of Steven Braatz, written over a horizontal line.

City Clerk Steven Braatz

Date

9-19-23

Approved

A black ink signature of Dennis McBride, written over a horizontal line.

Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-574

Agenda Date: 9/19/2023

Agenda #: 1.

By: Plan Commission

Ordinance amending the Official Zoning Map of Wauwatosa to rezone property along Mayfair Road from North Avenue to the southern City limits to add the Mayfair Corridor Overlay District (/MAY)

The Common Council of the City of Wauwatosa do ordain as follows:

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect a Zoning Map Amendment to add the Mayfair Corridor Overlay District on the following parcels in addition to the current zoning classifications:

PARCEL_KEY	ADDRESS	FROM	TO
339-9985-002	1717 N MAYFAIR RD	C2	C2/MAY
339-9987-003	1901 N MAYFAIR RD	M1	M1/MAY
339-9990-000	1935 N MAYFAIR RD	C2	C2/MAY
339-9991-001	2001 N MAYFAIR RD	C2	C2/MAY
339-9992-002	2021 N MAYFAIR RD	C2	C2/MAY
339-9994-002	2111 N MAYFAIR RD	C2	C2/MAY
339-9997-002	2201 N MAYFAIR RD	C2	C2/MAY
339-9999-000	2275 N MAYFAIR RD	C2	C2/MAY
340-0099-001	2200 N MAYFAIR RD	C2	C2/MAY
340-0102-002	2222 N MAYFAIR RD	C2	C2/MAY
340-0121-002	~2000 N MAYFAIR RD	C2, SP-PKG	C2, SP-PKG/MAY
340-0121-003	1900 N MAYFAIR RD	C2	C2/MAY
340-0126-002	2100 N MAYFAIR RD	C2/PUD	C2/PUD/MAY
340-0129-001	2130 N MAYFAIR RD	C2	C2/MAY
340-0188-002	1826 N MAYFAIR RD	C2	C2/MAY
340-0190-000	1810 N MAYFAIR RD	C2	C2/MAY
340-0191-000	1800 N MAYFAIR RD	C2	C2/MAY
340-0192-000	1750 N MAYFAIR RD	C2	C2/MAY
340-9994-001	1728 N MAYFAIR RD	C2	C2/MAY
340-9995-001	2290 N MAYFAIR RD	C2	C2/MAY
374-9999-025	1200 N MAYFAIR RD	SP-POS/PUD	SP-POS/PUD/MAY
375-9992-005	1233 N MAYFAIR RD	R1-9/PUD	R1-9/PUD/MAY
375-9993-002	1501 N MAYFAIR RD	M1	M1/MAY
375-9993-003	1401 N MAYFAIR RD	M1/PUD	M1/PUD/MAY
375-9993-004	1441 N MAYFAIR RD	M1/PUD	M1/PUD/MAY
375-9997-000	1555 N MAYFAIR RD	M1	M1/MAY
375-9999-001	1655 N MAYFAIR RD	M1	M1/MAY
378-0002-006	1155 N MAYFAIR RD	C2,M1/PUD	C2,M1/PUD/MAY
378-0003-002	1055 N MAYFAIR RD	C2	C2/MAY

378-0003-003	1033 N MAYFAIR RD	C2	C2/MAY
378-0003-004	1011 N MAYFAIR RD	C2	C2/MAY
378-0003-006	959 N MAYFAIR RD	C2	C2/MAY
378-0003-010	933 N MAYFAIR RD	C2	C2/MAY
378-0003-011	909 N MAYFAIR RD	C2	C2/MAY
378-9986-003	739 N MAYFAIR RD	C2	C2/MAY
378-9986-008	725 N MAYFAIR RD	C2	C2/MAY
378-9986-009	717 N MAYFAIR RD	C2	C2/MAY
378-9986-010	801 N MAYFAIR RD	C2	C2/MAY
379-1001-000	10701 RESEARCH DR	SP-RP	SP-RP/MAY
379-1002-000	850 N MAYFAIR RD	SP-RP	SP-RP/MAY
379-1003-000	800 N MAYFAIR RD	SP-RP	SP-RP/MAY
379-1004-000	~750 N MAYFAIR RD	SP-RP	SP-RP/MAY
379-9999-059	10499 INNOVATION DR	SP-RP	SP-RP/MAY
379-9999-060	10700 RESEARCH DR	SP-RP	SP-RP/MAY
379-9999-068	1040 N MAYFAIR RD	SP-RP	SP-RP/MAY
410-0061-001	620 N MAYFAIR RD	C2, SP-PKG	C2, SP-PKG/MAY
410-0066-002	510 N MAYFAIR RD	C2	C2/MAY
410-0073-003	418 N MAYFAIR RD	C2	C2/MAY
411-1001-000	301 N MAYFAIR RD	C2	C2/MAY
411-9974-001	115 N MAYFAIR RD	C2	C2/MAY
411-9976-007	201 N MAYFAIR RD	C2	C2/MAY
411-9976-008	151 N MAYFAIR RD	C2	C2/MAY
411-9977-001	251 N MAYFAIR RD	C2	C2/MAY
411-9998-002	611 N MAYFAIR RD	C2	C2/MAY
411-9998-003	~501 N MAYFAIR RD	C2	C2/MAY
411-9999-001	631 N MAYFAIR RD	C2	C2/MAY

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication.

Recommendation: Ready for adoption, Committee recommended adoption 6-1



Staff Report

File #: 23-576

Agenda Date: 9/12/2023

Agenda #:

Proposed zoning map amendments to rezone properties along Mayfair Road from North Avenue to the southern City limits to add the Mayfair Corridor Overlay District.

A. Background/Options

The City is seeking approval of zoning map amendments to incorporate additional properties along Mayfair Road, located south of North Avenue to the southern City limits near I-94, into the Mayfair Corridor Overlay District (/MAY). In January, the Committee reviewed and recommended approval of establishing the first phase of the /MAY Overlay District for the area along Mayfair Road from just north of Burleigh Street to North Avenue, including Mayfair Mall properties. The Common Council adopted the zoning map amendment in February.

The intent of establishing the Mayfair Corridor Overlay District is to implement recommendations and findings of various master plans and planning initiatives, including Zone Tosa for All Initiative, Burleigh Triangle and Mayfair Road North Redevelopment Plan and Wauwatosa Life Sciences Master Plan. Collectively, the common goal of the documents is to convert the Mayfair Road corridor into a higher-density, pedestrian friendly, mixed-use district.

The area under consideration is identified in the Mayfair Corridor chapter that starts of page 63 of the Wauwatosa Life Sciences Master Plan that was adopted in 2018 as part of the City's Comprehensive Plan. The Life Sciences Plan recommends high-density development with minimal street setbacks and minimum two-story buildings. Including the properties into the /MAY Overlay District will encourage higher-density development and require a minimum two-story building height. The Master Plan is located here:

<https://www.wauwatosa.net/home/showpublisheddocument/520/636809009719400000>

Currently, the majority of the project area is zoned General Commercial (C2) with some properties zoned Light Industrial (M1) District as well as Special Purpose District - Research Park (SP-RP). There are also a few Planned Unit Development Overlays (PUD) with various base zoning classifications.

At the July 2023 meeting, the Plan Commission recommended approval of this proposal 5-0-1. The required public hearing before the Common Council was held September 5, 2023 with one person speaking and one email submitted in opposition. Mailed notices for both the Plan Commission meeting and the public hearing were sent to 322 property owners and district alderpersons. The public hearing was also noticed in the newspaper as a Class 2 notice on August 16, 2023 and August 23, 2023.

B. Recommendation

Staff recommends approval.



PROPOSED MAYFAIR
OVERLAY DISTRICT

Phase 2

Not to scale



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Ordinance: O-23-21

File Number: 23-574

Enactment Number: O-23-21

Ordinance amending the Official Zoning Map of Wauwatosa to rezone property along Mayfair Road from North Avenue to the southern City limits to add the Mayfair Corridor Overlay District (/MAY)

The Common Council of the City of Wauwatosa do ordain as follows:

Part 1. The Official Zoning Map of the City of Wauwatosa is hereby amended to reflect a Zoning Map Amendment to add the Mayfair Corridor Overlay District on the following parcels in addition to the current zoning classifications:

PARCEL_KEY	ADDRESS	FROM	TO
339-9985-002	1717 N MAYFAIR RD	C2	C2/MAY
339-9987-003	1901 N MAYFAIR RD	M1	M1/MAY
339-9990-000	1935 N MAYFAIR RD	C2	C2/MAY
339-9991-001	2001 N MAYFAIR RD	C2	C2/MAY
339-9992-002	2021 N MAYFAIR RD	C2	C2/MAY
339-9994-002	2111 N MAYFAIR RD	C2	C2/MAY
339-9997-002	2201 N MAYFAIR RD	C2	C2/MAY
339-9999-000	2275 N MAYFAIR RD	C2	C2/MAY
340-0099-001	2200 N MAYFAIR RD	C2	C2/MAY
340-0102-002	2222 N MAYFAIR RD	C2	C2/MAY
340-0121-002	~2000 N MAYFAIR RD	C2, SP-PKG	C2, SP-PKG/MAY
340-0121-003	1900 N MAYFAIR RD	C2	C2/MAY
340-0126-002	2100 N MAYFAIR RD	C2/PUD	C2/PUD/MAY
340-0129-001	2130 N MAYFAIR RD	C2	C2/MAY
340-0188-002	1826 N MAYFAIR RD	C2	C2/MAY
340-0190-000	1810 N MAYFAIR RD	C2	C2/MAY
340-0191-000	1800 N MAYFAIR RD	C2	C2/MAY
340-0192-000	1750 N MAYFAIR RD	C2	C2/MAY
340-9994-001	1728 N MAYFAIR RD	C2	C2/MAY
340-9995-001	2290 N MAYFAIR RD	C2	C2/MAY
374-9999-025	1200 N MAYFAIR RD	SP-POS/PUD	SP-POS/PUD/MAY
375-9992-005	1233 N MAYFAIR RD	R1-9/PUD	R1-9/PUD/MAY
375-9993-002	1501 N MAYFAIR RD	M1	M1/MAY
375-9993-003	1401 N MAYFAIR RD	M1/PUD	M1/PUD/MAY
375-9993-004	1441 N MAYFAIR RD	M1/PUD	M1/PUD/MAY
375-9997-000	1555 N MAYFAIR RD	M1	M1/MAY
375-9999-001	1655 N MAYFAIR RD	M1	M1/MAY
378-0002-006	1155 N MAYFAIR RD	C2,M1/PUD	C2,M1/PUD/MAY
378-0003-002	1055 N MAYFAIR RD	C2	C2/MAY
378-0003-003	1033 N MAYFAIR RD	C2	C2/MAY


378-0003-004	1011 N MAYFAIR RD	C2	C2/MAY
378-0003-006	959 N MAYFAIR RD	C2	C2/MAY
378-0003-010	933 N MAYFAIR RD	C2	C2/MAY
378-0003-011	909 N MAYFAIR RD	C2	C2/MAY
378-9986-003	739 N MAYFAIR RD	C2	C2/MAY
378-9986-008	725 N MAYFAIR RD	C2	C2/MAY
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379-1001-000	10701 RESEARCH DR	SP-RP	SP-RP/MAY
379-1002-000	850 N MAYFAIR RD	SP-RP	SP-RP/MAY
379-1003-000	800 N MAYFAIR RD	SP-RP	SP-RP/MAY
379-1004-000	~750 N MAYFAIR RD	SP-RP	SP-RP/MAY
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379-9999-060	10700 RESEARCH DR	SP-RP	SP-RP/MAY
379-9999-068	1040 N MAYFAIR RD	SP-RP	SP-RP/MAY
410-0061-001	620 N MAYFAIR RD	C2, SP-PKG	C2, SP-PKG/MAY
410-0066-002	510 N MAYFAIR RD	C2	C2/MAY
410-0073-003	418 N MAYFAIR RD	C2	C2/MAY
411-1001-000	301 N MAYFAIR RD	C2	C2/MAY
411-9974-001	115 N MAYFAIR RD	C2	C2/MAY
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411-9998-003	~501 N MAYFAIR RD	C2	C2/MAY
411-9999-001	631 N MAYFAIR RD	C2	C2/MAY

Part II. The City Administrator is hereby directed to change the Official Zoning Map of the City of Wauwatosa to conform to the provisions of the Ordinance, and said Map is declared amended accordingly.

Part III. This ordinance shall take effect on and after its date of publication.

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Staff Report

File #: 23-637

Agenda Date: 9/19/2023

Agenda #: 1.

Resolution creating Tax Incremental District No. 15, approving its project plan and establishing its boundaries City of Wauwatosa, Wisconsin

WHEREAS, the City of Wauwatosa (the “City”) has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 15 (the “District”) is proposed to be created by the City as district in need of rehabilitation or conservation work in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Wauwatosa School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was also sent to the owners of all property in the proposed District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the CDA, on August 10, 2023 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the CDA designated the boundaries of the District, adopted the Project Plan, and recommended to the City Council that it create such District and approve the Project Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wauwatosa that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 15, City of Wauwatosa", are hereby established as specified in Exhibit A of this Resolution.
2. The District is created effective as of January 1, 2023.
3. The City Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District is in need of rehabilitation or conservation work within the meaning of Wisconsin Statutes Section 66.1337(2m)(b).
 - (b) Based upon the finding stated in 3.a. above, the District is declared to be a district in need of rehabilitation or conservation work based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (d) The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.
 - (f) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) The project costs relate directly to promoting the rehabilitation or conservation of the area consistent with the purpose for which the District is created.
4. The Project Plan for "Tax Incremental District No. 15, City of Wauwatosa " (see Exhibit B) is approved, and the City further finds the Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

By: Financial Affairs Committee

Recommendation: Approve 7-1



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-180

File Number: 23-637

Enactment Number: R-23-180

Resolution creating Tax Incremental District No. 15, approving its project plan and establishing its boundaries City of Wauwatosa, Wisconsin

WHEREAS, the City of Wauwatosa (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 15 (the "District") is proposed to be created by the City as district in need of rehabilitation or conservation work in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Wauwatosa School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was also sent to the to owners of all property in the proposed District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the CDA, on August 10, 2023 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the CDA designated the boundaries of the District, adopted the Project Plan, and recommended to the City Council that it create such District and approve the Project Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wauwatosa that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 15, City of Wauwatosa", are hereby established as specified in Exhibit A of this Resolution.
2. The District is created effective as of January 1, 2023.
3. The City Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District is in need of rehabilitation or conservation work within the meaning of Wisconsin Statutes Section 66.1337(2m)(b).
 - (b) Based upon the finding stated in 3.a. above, the District is declared to be a district in need of rehabilitation or conservation work based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (d) The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.
 - (f) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) The project costs relate directly to promoting the rehabilitation or conservation of the area consistent with the purpose for which the District is created.
4. The Project Plan for "Tax Incremental District No. 15, City of Wauwatosa " (see Exhibit B) is approved, and the City further finds the Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and

examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

By: Financial Affairs Committee

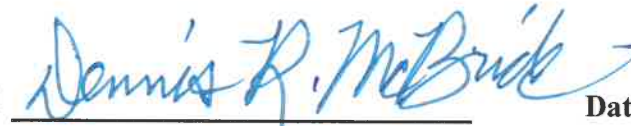
Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-675

Agenda Date: 9/19/2023

Agenda #: 2.

Resolution approving request for Fund Transfer up to \$70,000 for Hart Park Stadium Improvements

BE IT RESOLVED by the Common Council of the City of Wauwatosa that a fund transfer from projects 8023, 8042, and 8046 in the amount of up to \$70,000.00 be approved for projects for improvements to the Hart Park Stadium concessions stand and the installation of electronic access controls for the parks administration building.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-168

File Number: 23-675

Enactment Number: R-23-168

Resolution approving request for Fund Transfer up to \$70,000 for Hart Park Stadium Improvements

BE IT RESOLVED by the Common Council of the City of Wauwatosa that a fund transfer from projects 8023, 8042, and 8046 in the amount of up to \$70,000.00 be approved for projects for improvements to the Hart Park Stadium concessions stand and the installation of electronic access controls for the parks administration building.

By: Financial Affairs Committee

Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-683

Agenda Date: 9/19/2023

Agenda #: 3.

Resolution in support of an application for grant funding from the Wisconsin Department of Natural Resources to support development of the 116th Street Park

WHEREAS, the applicant, City of Wauwatosa, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects specified in s. 23.097(1g) and (1r), Wis. Stats.;

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the applicant, City of Wauwatosa, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the parks and forestry superintendent, its official or employee, to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

By: Financial Affairs Committee

Recommendation: Approved 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-169

File Number: 23-683

Enactment Number: R-23-169

Resolution in support of an application for grant funding from the Wisconsin Department of Natural Resources to support development of the 116th Street Park

WHEREAS, the applicant, City of Wauwatosa, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects specified in s. 23.097(1g) and (1r), Wis. Stats.;

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the applicant, City of Wauwatosa, will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the parks and forestry superintendent, its official or employee, to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

By: Financial Affairs Committee


Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-694

Agenda Date: 9/19/2023

Agenda #: 4.

Resolution approving the use of an additional \$61,490 for consulting design services for the 116th Street Park project

WHEREAS, the City of Wauwatosa has allocated 2 million dollars of the American Rescue Plan Act (ARPA) funds through the City's Capital Improvement Plan (CIP) for the development of a new city park at the intersection of 116th Street and Gilbert Avenue;

WHEREAS, in addition to city funds, staff and consultants have secured closed to \$2 million in grant funding for the park;

WHEREAS, additional design work in the amount of \$61,490, is required due to Army Corp of Engineers unexpectedly asserting jurisdiction over the property;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa that the use of an additional \$61,490 from the City's APRA contingency fund, for the purpose of additional design work related to the development of a new city park at the intersection of 116th Street and Gilbert Avenue, is hereby approved.

By: Financial Affairs Committee

Recommendation: Approved 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-170

File Number: 23-694

Enactment Number: R-23-170

Resolution approving the use of an additional \$61,490 for consulting design services for the 116th Street Park project

WHEREAS, the City of Wauwatosa has allocated 2 million dollars of the American Rescue Plan Act (ARPA) funds through the City's Capital Improvement Plan (CIP) for the development of a new city park at the intersection of 116th Street and Gilbert Avenue;

WHEREAS, in addition to city funds, staff and consultants have secured closed to \$2 million in grant funding for the park;

WHEREAS, additional design work in the amount of \$61,490, is required due to Army Corp of Engineers unexpectedly asserting jurisdiction over the property;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wauwatosa that the use of an additional \$61,490 from the City's APRA contingency fund, for the purpose of additional design work related to the development of a new city park at the intersection of 116th Street and Gilbert Avenue, is hereby approved.

By: Financial Affairs Committee

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-703

Agenda Date: 9/19/2023

Agenda #: 5.

Initial Resolution Authorizing \$10,810,000 General Obligation Bonds for Street Improvement Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$10,810,000 for the public purpose of paying the cost of street improvement projects.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-171

File Number: 23-703

Enactment Number: R-23-171


Initial Resolution Authorizing \$10,810,000 General Obligation Bonds for Street Improvement Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$10,810,000 for the public purpose of paying the cost of street improvement projects.

By: Financial Affairs Committee

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-739

Agenda Date: 12/31/2023

Agenda #: 6.

Initial Resolution Authorizing \$180,000 General Obligation Bonds for Water System Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$180,000 for the public purpose of paying the cost of water system projects.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-172

File Number: 23-739

Enactment Number: R-23-172


Initial Resolution Authorizing \$180,000 General Obligation Bonds for Water System Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$180,000 for the public purpose of paying the cost of water system projects.

By: Financial Affairs Committee

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-704

Agenda Date: 9/19/2023

Agenda #: 7.

Initial Resolution Authorizing \$320,000 General Obligation Bonds for Parks and Public Grounds Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$320,000 for the public purpose of paying the cost of parks and public grounds projects.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-173

File Number: 23-704

Enactment Number: R-23-173


Initial Resolution Authorizing \$320,000 General Obligation Bonds for Parks and Public Grounds Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$320,000 for the public purpose of paying the cost of parks and public grounds projects.

By: Financial Affairs Committee

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-696

Agenda Date: 9/19/2023

Agenda #: 8.

Initial Resolution Authorizing \$720,000 General Obligation Bonds for Equipment of the Fire Department

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$720,000 for the public purpose of paying the cost of equipment of the fire department.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-174


File Number: 23-696

Enactment Number: R-23-174

Initial Resolution Authorizing \$720,000 General Obligation Bonds for Equipment of the Fire Department

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$720,000 for the public purpose of paying the cost of equipment of the fire department.

By: Financial Affairs Committee

Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-705

Agenda Date: 9/19/2023

Agenda #: 9.

Initial Resolution Authorizing \$380,000 General Obligation Bonds for Fire Station Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$380,000 for the public purpose of paying the cost of construction of engine houses.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-175

File Number: 23-705

Enactment Number: R-23-175

Initial Resolution Authorizing \$380,000 General Obligation Bonds for Fire Station Projects

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$380,000 for the public purpose of paying the cost of construction of engine houses.

By: Financial Affairs Committee


Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-706

Agenda Date: 9/19/2023

Agenda #: 10.

Initial Resolution Authorizing \$30,000 General Obligation Bonds for Construction of Police Facilities

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$30,000 for the public purpose of paying the cost of construction of police facilities.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-176

File Number: 23-706


Enactment Number: R-23-176

Initial Resolution Authorizing \$30,000 General Obligation Bonds for Construction of Police Facilities

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$30,000 for the public purpose of paying the cost of construction of police facilities.

By: Financial Affairs Committee

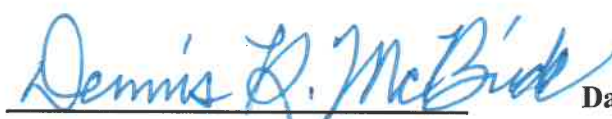
Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-707

Agenda Date: 9/19/2023

Agenda #: 11.

Resolution Directing Publication of Notice to Electors Relating to Bond Issues

WHEREAS, initial resolutions authorizing general obligation bonds have been adopted by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

By: Financial Affairs Committee

Recommendation: Approve 8-0



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-177

File Number: 23-707

Enactment Number: R-23-177

Resolution Directing Publication of Notice to Electors Relating to Bond Issues

WHEREAS, initial resolutions authorizing general obligation bonds have been adopted by the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

By: Financial Affairs Committee

Adopted

Steven Braatz
City Clerk Steven Braatz

Date

9-19-23

Approved

Dennis R. McBride
Mayor Dennis McBride

Date

9/21/23



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Staff Report

File #: 23-708

Agenda Date: 9/19/2023

Agenda #: 12.

Resolution Establishing Parameters for the Sale of Not to Exceed \$12,440,000 General Obligation Corporate Purpose Bonds, Series 2023A

WHEREAS, the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") has heretofore adopted initial resolutions (collectively, the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following not to exceed amounts:

- (a) \$10,810,000 for street improvement projects;
- (b) \$180,000 for water system projects;
- (c) \$320,000 for parks and public grounds projects;
- (d) \$720,000 for equipment of the fire department;
- (e) \$380,000 for construction of engine houses; and
- (f) \$30,000 for construction of police facilities;

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolutions, the City Clerk shall cause a notice to electors to be published in the MJS-North NOW, stating the purpose and maximum principal amount of the bond issues authorized by the Initial Resolutions and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issues authorized by the Initial Resolutions;

WHEREAS, the time to file such a petition shall expire on October 19, 2023;

WHEREAS, the Common Council of the City hereby finds that the general obligation bond issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of bonds designated "General Obligation Corporate Purpose Bonds, Series 2023A" (the "Bonds") for the purpose of paying the cost of the projects described in the Initial Resolutions (collectively, the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds for such public purposes;

WHEREAS, it is the finding of the Common Council that it is in the best interest of the City to direct its financial advisor, Robert W. Baird & Co. Incorporated ("Baird"), to take the steps necessary for the City to offer and sell the Bonds at public sale and to obtain bids for the purchase of the Bonds;

WHEREAS, the City Clerk (in consultation with Baird) is hereby authorized and directed to cause the sale of the

Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine; and

WHEREAS, in order to facilitate the sale of the Bonds in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the Finance Director and the City Attorney (collectively, the "Authorized Officers") of the City the authority to accept on behalf of the City the bid for the Bonds that results in the lowest true interest cost for the Bonds (the "Proposal") and meets the terms and conditions provided for in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Sale of the Bonds; Parameters. For the purpose of paying costs of the Project, the City is authorized to borrow pursuant to Section 67.04, Wisconsin Statutes and the Initial Resolutions, the principal sum of not to exceed TWELVE MILLION FOUR HUNDRED FORTY THOUSAND DOLLARS (\$12,440,000) upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 15 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the financial institution that submitted the Proposal (the "Purchaser") for, on behalf of and in the name of the City, Bonds aggregating the principal amount of not to exceed TWELVE MILLION FOUR HUNDRED FORTY THOUSAND DOLLARS (\$12,440,000). The amount of Bonds to be issued pursuant to each of the Initial Resolutions shall be determined by the Authorized Officers and set forth in the Approving Certificate. The purchase price to be paid to the City for the Bonds shall not be less than 100% of the principal amount of the Bonds.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2023A"; shall be issued in the aggregate principal amount of up to \$12,440,000; shall be dated as of their date of issuance (which shall not be before December 1, 2023); shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$500,000 per maturity or mandatory redemption amount; that a maturity or mandatory redemption payment may be eliminated if the amount of such maturity or payment set forth in the schedule below is less than or equal to \$500,000; and that the aggregate principal amount of the Bonds shall not exceed \$12,440,000. The schedule below assumes the Bonds are issued in the aggregate principal amount of \$12,440,000.

<u>Date</u>	<u>Principal Amount</u>
12-01-2024	\$ 570,000
12-01-2025	505,000
12-01-2026	530,000
12-01-2027	560,000
12-01-2028	590,000
12-01-2029	625,000
12-01-2030	655,000
12-01-2031	695,000
12-01-2032	730,000
12-01-2033	775,000
12-01-2034	815,000
12-01-2035	860,000

12-01-2036	910,000
12-01-2037	955,000
12-01-2038	1,005,000
12-01-2039	305,000
12-01-2040	315,000
12-01-2041	330,000
12-01-2042	345,000
12-01-2043	365,000

Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024. The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) shall not exceed 5.00%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Bonds shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2023 through 2042 for the payments due in the years 2024 through 2043 in the amounts as are sufficient to meet the principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established

for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Corporate Purpose Bonds, Series 2023A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be

"private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, mandatory redemption, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Mandatory Redemption Agent or Fiscal Agent. The principal of and interest on the Bonds shall be paid by the Finance Director (the "Fiscal Agent"). If deemed necessary, the City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into either a mandatory redemption agreement or fiscal agency agreement with a financial institution to be appointed in the Approving Certificate.

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall

be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Conditions on Issuance and Sale of the Bonds. The issuance of the Bonds and the sale of the Bonds to the Purchaser are subject to satisfaction of the following conditions:

(a) expiration of the petition period provided for under Section 67.05(7)(b), Wisconsin Statutes, without the filing of a sufficient petition for a referendum with respect to the Initial Resolutions authorizing the issuance of the Bonds to finance the Project;

(b) approval by the Authorized Officers of (i) the bid for the Bonds submitted by the Purchaser and (ii) the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Bonds, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Bonds shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Bonds to the Purchaser.

Section 16. Official Statement. The Common Council hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Bonds and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

By: Financial Affairs Committee

Recommendation: Approve 8-0

EXHIBIT A

APPROVING CERTIFICATE

The undersigned Finance Director and City Attorney of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby certify that:

1. Resolution. On September 19, 2023, the Common Council of the City adopted resolutions (collectively, the "Resolutions") authorizing the issuance of and establishing parameters for the sale of not to exceed \$12,440,000 General Obligation Corporate Purpose Bonds, Series 2023A of the City (the "Bonds") after a public sale and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Bonds, and to determine the details for the Bonds within the parameters established by the Resolution.

2. Proposal; Terms of the Bonds. On the date hereof, the Bonds were offered for public sale and the bids set forth on the Bid Tabulation attached hereto as Schedule I and incorporated herein by this reference were received. The institution listed first on the Bid Tabulation, _____ (the "Purchaser") offered to purchase the Bonds in accordance with the terms set forth in the Proposal attached hereto as Schedule II and incorporated herein by this reference (the "Proposal"). Robert W. Baird & Co. Incorporated recommends the City accept the Proposal. The Proposal meets the parameters and conditions established by the Resolution and is hereby approved and accepted.

The Bonds shall be issued in the aggregate principal amount of \$_____, which is not more than the \$12,440,000 approved by the Resolution, and shall mature on December 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule III and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Bonds is not more than \$500,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
12-01-2024	\$ 570,000	\$ _____
12-01-2025	505,000	_____
12-01-2026	530,000	_____
12-01-2027	560,000	_____
12-01-2028	590,000	_____
12-01-2029	625,000	_____
12-01-2030	655,000	_____
12-01-2031	695,000	_____
12-01-2032	730,000	_____
12-01-2033	775,000	_____
12-01-2034	815,000	_____
12-01-2035	860,000	_____
12-01-2036	910,000	_____

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
12-01-2037	\$ 955,000	_____
12-01-2038	1,005,000	_____
12-01-2039	305,000	_____
12-01-2040	315,000	_____
12-01-2041	330,000	_____
12-01-2042	345,000	_____
12-01-2043	365,000	_____

The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 5.00%, as required by the Resolution.

3. Purchase Price of the Bonds. The Bonds shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$_____, plus accrued interest, if any, to the date of delivery of the Bonds, which is not less than 100% of the principal amount of the Bonds, as required by the Resolution.

4. Redemption Provisions of the Bonds. [The Bonds are not subject to optional redemption.] [The Bonds maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.] [The Proposal specifies that certain of the Bonds are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. [Payment of the Bonds; [Mandatory Redemption Agent] [Fiscal Agent]. Pursuant to Section 12 of the Resolution, _____, _____, is appointed [mandatory redemption agent] [fiscal agent] for the Bonds.]

6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule IV.

7. Expiration of Petition Period. The petition period provided for under Section 67.05(7)(b), Wisconsin Statutes, has expired without the filing of a sufficient petition for a referendum with respect to the Initial Resolutions (as defined in the Resolution) authorizing the issuance of the Bonds.

8. Purpose of the Bonds. The Bonds are issued pursuant to the Initial Resolutions (as defined in the Resolution) for the following public purposes in the following amounts: \$_____ for street improvement projects; \$_____ for parks and public grounds projects; \$_____ for equipment of the fire department; \$_____ for construction of engine houses; and \$_____ for construction of police facilities.

9. Preliminary Official Statement. The Preliminary Official Statement with respect to the Bonds is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

10. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Bonds, expiration of the petition period for a referendum with respect to the Initial Resolutions and the direct annual irrepealable tax levy to repay the Bonds, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on _____, 2023 pursuant to the authority delegated to us in the Resolution.

John Ruggini
Finance Director

Alan R. Kesner
City Attorney

SCHEDULE I TO APPROVING CERTIFICATE

Bid Tabulation

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE II TO APPROVING CERTIFICATE

Proposal

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE III TO APPROVING CERTIFICATE

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE IV TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

[SCHEDULE MRP TO APPROVING CERTIFICATE

Mandatory Redemption Provision

The Bonds due on December 1, ____, ____ and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on December 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
____	\$ _____
____	_____
____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
____	\$ _____
____	_____
____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
____	\$ _____
____	_____
____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
____	\$ _____
____	_____
____	_____ (maturity)]

EXHIBIT B

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
MILWAUKEE COUNTY
NO. R-____ CITY OF WAUWATOSA \$_____
GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2023A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
December 1, 20____, 2023 _____%

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the Finance Director (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the following public purposes in the following amounts: street improvement projects (\$_____); parks and public grounds projects (\$_____); equipment of the fire department (\$_____); construction of engine houses (\$_____); and construction of police facilities (\$_____), as authorized by resolutions adopted on September 19, 2023, as

supplemented by an Approving Certificate, dated _____, 2023 (collectively, the "Resolution"). Said Resolutions are recorded in the official minutes of the Common Council for said date.

【This Bond is not subject to optional redemption.】 【The Bonds maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.】

【The Bonds maturing in the years _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, at the redemption price of par plus accrued interest to the date of redemption and without premium.】

【In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.】

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new

fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds [(i)] after the Record Date[, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption]. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Wauwatosa, Milwaukee County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUWATOSA
MILWAUKEE COUNTY, WISCONSIN

By: _____
Dennis McBride
Mayor

(SEAL)

By: _____
Steven Braatz
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-178

File Number: 23-708

Enactment Number: R-23-178

Resolution Establishing Parameters for the Sale of Not to Exceed \$12,440,000 General Obligation Corporate Purpose Bonds, Series 2023A

WHEREAS, the Common Council of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") has heretofore adopted initial resolutions (collectively, the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following not to exceed amounts:

- (a) \$10,810,000 for street improvement projects;
- (b) \$180,000 for water system projects;
- (c) \$320,000 for parks and public grounds projects;
- (d) \$720,000 for equipment of the fire department;
- (e) \$380,000 for construction of engine houses; and
- (f) \$30,000 for construction of police facilities;

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolutions, the City Clerk shall cause a notice to electors to be published in the MJS-North NOW, stating the purpose and maximum principal amount of the bond issues authorized by the Initial Resolutions and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issues authorized by the Initial Resolutions;

WHEREAS, the time to file such a petition shall expire on October 19, 2023;

WHEREAS, the Common Council of the City hereby finds that the general obligation bond issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of bonds designated "General Obligation Corporate Purpose Bonds, Series 2023A" (the "Bonds") for the purpose of paying the cost of the projects described in the Initial Resolutions (collectively, the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds for such public purposes;

WHEREAS, it is the finding of the Common Council that it is in the best interest of the City to direct its

financial advisor, Robert W. Baird & Co. Incorporated ("Baird"), to take the steps necessary for the City to offer and sell the Bonds at public sale and to obtain bids for the purchase of the Bonds;

WHEREAS, the City Clerk (in consultation with Baird) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of a complete Official Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine; and

WHEREAS, in order to facilitate the sale of the Bonds in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the Finance Director and the City Attorney (collectively, the "Authorized Officers") of the City the authority to accept on behalf of the City the bid for the Bonds that results in the lowest true interest cost for the Bonds (the "Proposal") and meets the terms and conditions provided for in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Sale of the Bonds; Parameters. For the purpose of paying costs of the Project, the City is authorized to borrow pursuant to Section 67.04, Wisconsin Statutes and the Initial Resolutions, the principal sum of not to exceed TWELVE MILLION FOUR HUNDRED FORTY THOUSAND DOLLARS (\$12,440,000) upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 15 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the financial institution that submitted the Proposal (the "Purchaser") for, on behalf of and in the name of the City, Bonds aggregating the principal amount of not to exceed TWELVE MILLION FOUR HUNDRED FORTY THOUSAND DOLLARS (\$12,440,000). The amount of Bonds to be issued pursuant to each of the Initial Resolutions shall be determined by the Authorized Officers and set forth in the Approving Certificate. The purchase price to be paid to the City for the Bonds shall not be less than 100% of the principal amount of the Bonds.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2023A"; shall be issued in the aggregate principal amount of up to \$12,440,000; shall be dated as of their date of issuance (which shall not be before December 1, 2023); shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$500,000 per maturity or mandatory redemption amount; that a maturity or mandatory redemption payment may be eliminated if the amount of such maturity or payment set forth in the schedule below is less than or equal to \$500,000; and that the aggregate principal amount of the Bonds shall not exceed \$12,440,000. The schedule below assumes the Bonds are issued in the aggregate principal amount of \$12,440,000.

<u>Date</u>	<u>Principal Amount</u>
12-01-2024	\$ 570,000
12-01-2025	505,000
12-01-2026	530,000
12-01-2027	560,000
12-01-2028	590,000
12-01-2029	625,000

12-01-2030	655,000
12-01-2031	695,000
12-01-2032	730,000
12-01-2033	775,000
12-01-2034	815,000
12-01-2035	860,000
12-01-2036	910,000
12-01-2037	955,000
12-01-2038	1,005,000
12-01-2039	305,000
12-01-2040	315,000
12-01-2041	330,000
12-01-2042	345,000
12-01-2043	365,000

Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024. The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) shall not exceed 5.00%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Bonds shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2023 through 2042 for the payments due in the years 2024 through 2043 in the amounts as are sufficient to meet the principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Corporate Purpose Bonds, Series 2023A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money

Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in

conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, mandatory redemption, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Mandatory Redemption Agent or Fiscal Agent. The principal of and interest on the Bonds shall be paid by the Finance Director (the "Fiscal Agent"). If deemed necessary, the City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into either a mandatory redemption agreement or fiscal agency agreement with a financial institution to be appointed in the Approving Certificate.

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Conditions on Issuance and Sale of the Bonds. The issuance of the Bonds and the sale of the Bonds to the Purchaser are subject to satisfaction of the following conditions:

(a) expiration of the petition period provided for under Section 67.05(7)(b), Wisconsin Statutes, without the filing of a sufficient petition for a referendum with respect to the Initial Resolutions authorizing the issuance of the Bonds to finance the Project;

(b) approval by the Authorized Officers of (i) the bid for the Bonds submitted by the Purchaser

and (ii) the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Bonds, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Bonds shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Bonds to the Purchaser.

Section 16. Official Statement. The Common Council hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Bonds and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

By: Financial Affairs Committee

Adopted


City Clerk Steven Braatz

Date

9-19-23

Approved


Mayor Dennis McBride

Date

9/21/23

EXHIBIT A

APPROVING CERTIFICATE

The undersigned Finance Director and City Attorney of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby certify that:

1. Resolution. On September 19, 2023, the Common Council of the City adopted resolutions (collectively, the "Resolutions") authorizing the issuance of and establishing parameters for the sale of not to exceed \$12,440,000 General Obligation Corporate Purpose Bonds, Series 2023A of the City (the "Bonds") after a public sale and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Bonds, and to determine the details for the Bonds within the parameters established by the Resolution.

2. Proposal; Terms of the Bonds. On the date hereof, the Bonds were offered for public sale and the bids set forth on the Bid Tabulation attached hereto as Schedule I and incorporated herein by this reference were received. The institution listed first on the Bid Tabulation, _____ (the "Purchaser") offered to purchase the Bonds in accordance with the terms set forth in the Proposal attached hereto as Schedule II and incorporated herein by this reference (the "Proposal"). Robert W. Baird & Co. Incorporated recommends the City accept the Proposal. The Proposal meets the parameters and conditions established by the Resolution and is hereby approved and accepted.

The Bonds shall be issued in the aggregate principal amount of \$ _____, which is not more than the \$12,440,000 approved by the Resolution, and shall mature on December 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule III and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Bonds is not more than \$500,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
12-01-2024	\$ 570,000	\$ _____
12-01-2025	505,000	_____
12-01-2026	530,000	_____
12-01-2027	560,000	_____
12-01-2028	590,000	_____
12-01-2029	625,000	_____
12-01-2030	655,000	_____
12-01-2031	695,000	_____
12-01-2032	730,000	_____
12-01-2033	775,000	_____
12-01-2034	815,000	_____
12-01-2035	860,000	_____
12-01-2036	910,000	_____

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
12-01-2037	\$ 955,000	_____
12-01-2038	1,005,000	_____
12-01-2039	305,000	_____
12-01-2040	315,000	_____
12-01-2041	330,000	_____
12-01-2042	345,000	_____
12-01-2043	365,000	_____

The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 5.00%, as required by the Resolution.

3. Purchase Price of the Bonds. The Bonds shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$ _____, plus accrued interest, if any, to the date of delivery of the Bonds, which is not less than 100% of the principal amount of the Bonds, as required by the Resolution.

4. Redemption Provisions of the Bonds. [The Bonds are not subject to optional redemption.] [The Bonds maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.] [The Proposal specifies that certain of the Bonds are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. Payment of the Bonds: [Mandatory Redemption Agent] [Fiscal Agent].
Pursuant to Section 12 of the Resolution, _____,
_____, is appointed [mandatory redemption agent] [fiscal agent] for the Bonds.]

6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule IV.

7. Expiration of Petition Period. The petition period provided for under Section 67.05(7)(b), Wisconsin Statutes, has expired without the filing of a sufficient petition for a referendum with respect to the Initial Resolutions (as defined in the Resolution) authorizing the issuance of the Bonds.

8. Purpose of the Bonds. The Bonds are issued pursuant to the Initial Resolutions (as defined in the Resolution) for the following public purposes in the following amounts: \$_____ for street improvement projects; \$_____ for water system projects; \$_____ for parks and public grounds projects; \$_____ for equipment of the fire department; \$_____ for construction of engine houses; and \$_____ for construction of police facilities.

9. Preliminary Official Statement. The Preliminary Official Statement with respect to the Bonds is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

10. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Bonds, expiration of the petition period for a referendum with respect to the Initial Resolutions and the direct annual irrepealable tax levy to repay the Bonds, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on _____, 2023 pursuant to the authority delegated to us in the Resolution.

John Ruggini
Finance Director

Alan R. Kesner
City Attorney

SCHEDULE I TO APPROVING CERTIFICATE

Bid Tabulation

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE II TO APPROVING CERTIFICATE

Proposal

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE III TO APPROVING CERTIFICATE

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE IV TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

[SCHEDULE MRP TO APPROVING CERTIFICATE

Mandatory Redemption Provision

The Bonds due on December 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on December 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)]

EXHIBIT B

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA
STATE OF WISCONSIN DOLLARS
MILWAUKEE COUNTY
NO. R- CITY OF WAUWATOSA \$
GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2023A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:

December 1, 20____, 2023 _____ % _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the Finance Director (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the following public purposes in the following amounts: street improvement projects (\$_____); water system projects (\$_____); parks and public grounds projects (\$_____); equipment of the fire department (\$_____); construction of engine houses (\$_____); and construction of police facilities (\$_____), as authorized by resolutions

adopted on September 19, 2023, as supplemented by an Approving Certificate, dated _____, 2023 (collectively, the "Resolution"). Said Resolutions are recorded in the official minutes of the Common Council for said date.

【This Bond is not subject to optional redemption.】 【The Bonds maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.】

【The Bonds maturing in the years _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, at the redemption price of par plus accrued interest to the date of redemption and without premium.】

【In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.】

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new

fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds [(i)] after the Record Date[, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption]. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Wauwatosa, Milwaukee County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUWATOSA
MILWAUKEE COUNTY, WISCONSIN

By: _____
Dennis McBride
Mayor

(SEAL)

By: _____
Steven Braatz
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)



Staff Report

File #: 23-709

Agenda Date: 9/19/2023

Agenda #: 13.

Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,935,000 General Obligation Promissory Notes, Series 2023B

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of storm sewer improvements, acquisition of equipment for the police department and other capital improvement projects (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is in the best interest of the City to direct its financial advisor, Robert W. Baird & Co. Incorporated ("Baird"), to take the steps necessary for the City to offer and sell general obligation promissory notes designated as "General Obligation Promissory Notes, Series 2023B" (the "Notes") at public sale and to obtain bids for the purchase of the Notes; and

WHEREAS, in order to facilitate the sale of the Notes in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the Finance Director and the City Attorney (collectively, the "Authorized Officers") of the City the authority to accept on behalf of the City the bid for the Notes that results in the lowest true interest cost for the Notes (the "Proposal") and meets the terms and conditions provided for in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes; Parameters. For the purpose of paying costs of the Project, the City is authorized to borrow pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of not to exceed THREE MILLION NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$3,935,000) upon the terms and subject to the condition set forth in this Resolution. Subject to satisfaction of the condition set forth in Section 15 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the financial institution that submitted the Proposal (the "Purchaser") for, on behalf of and in the name of the City, Notes aggregating the principal amount of not to exceed THREE MILLION NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$3,935,000). The purchase price to be paid to the City for the Notes shall not be less than 100% of the principal amount of the Notes.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2023B"; shall be issued in the aggregate principal amount of up to \$3,935,000; shall be dated as of their date of issuance (which shall not be before December 1, 2023); shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory

redemption amount may be increased or decreased by up to \$300,000 per maturity or mandatory redemption amount; that a maturity or mandatory redemption payment may be eliminated if the amount of such maturity or payment set forth in the schedule below is less than or equal to \$300,000; and that the aggregate principal amount of the Notes shall not exceed \$3,935,000. The schedule below assumes the Notes are issued in the aggregate principal amount of \$3,935,000.

<u>Date</u>	<u>Principal Amount</u>
12-01-2024	\$785,000
12-01-2025	285,000
12-01-2026	300,000
12-01-2027	315,000
12-01-2028	325,000
12-01-2029	345,000
12-01-2030	365,000
12-01-2031	380,000
12-01-2032	405,000
12-01-2033	430,000

Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024. The true interest cost on the Notes (computed taking the Purchaser's compensation into account) shall not exceed 4.50%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Notes shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2023 through 2032 for the payments due in the years 2024 through 2033 in the amounts as are sufficient to meet the principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2023B" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as

are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, mandatory redemption, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Mandatory Redemption Agent or Fiscal Agent. The principal of and interest on the Notes shall be paid by the Finance Director (the "Fiscal Agent"). If deemed necessary, the City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into either a mandatory redemption agreement or fiscal agency agreement with a financial institution to be appointed in the Approving Certificate.

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Condition on Issuance and Sale of the Notes. The issuance of the Notes and the sale of the Notes to the Purchaser are subject to approval by the Authorized Officers of (i) the bid for the Notes submitted by the Purchaser, and (ii) the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Notes, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Notes shall not be issued, sold or delivered until this condition is satisfied. Upon satisfaction of this condition, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Notes to the Purchaser.

Section 16. Official Statement. The Common Council hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Notes and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to

provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

By: Financial Affairs Committee

Recommendation: Approve 8-0

EXHIBIT A

APPROVING CERTIFICATE

The undersigned Finance Director and City Attorney of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby certify that:

1. Resolution. On September 19, 2023, the Common Council of the City adopted a resolution (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed \$3,935,000 General Obligation Promissory Notes, Series 2023B of the City (the "Notes") after a public sale and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Notes, and to determine the details for the Notes within the parameters established by the Resolution.

2. Proposal; Terms of the Notes. On the date hereof, the Notes were offered for public sale and the bids set forth on the Bid Tabulation attached hereto as Schedule I and incorporated herein by this reference were received. The institution listed first on the Bid Tabulation, _____ (the "Purchaser") offered to purchase the Notes in accordance with the terms set forth in the Proposal attached hereto as Schedule II and incorporated herein by this reference (the "Proposal"). Robert W. Baird & Co. Incorporated recommends the City accept the Proposal. The Proposal meets the parameters and conditions established by the Resolution and is hereby approved and accepted.

The Notes shall be issued in the aggregate principal amount of \$_____, which is not more than the \$3,935,000 approved by the Resolution, and shall mature on December 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule III and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Notes is not more than \$300,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
12-01-2024	\$785,000	\$_____
12-01-2025	285,000	_____
12-01-2026	300,000	_____
12-01-2027	315,000	_____
12-01-2028	325,000	_____
12-01-2029	345,000	_____
12-01-2030	365,000	_____
12-01-2031	380,000	_____
12-01-2032	405,000	_____
12-01-2033	430,000	_____

The true interest cost on the Notes (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 4.50%, as required by the Resolution.

3. Purchase Price of the Notes. The Notes shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$_____, plus accrued interest, if any, to the date of delivery of the Notes, which is not less than 100% of the principal amount of the Notes, as required by the Resolution.

4. Redemption Provisions of the Notes. [The Notes are not subject to optional redemption.] [The Notes maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.] [The Proposal specifies that certain of the Notes are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. [Payment of the Notes; [Mandatory Redemption Agent] [Fiscal Agent]. Pursuant to Section 12 of the Resolution, _____, _____, _____, is appointed [mandatory redemption agent] [fiscal agent] for the Notes.]

6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule IV.

7. Preliminary Official Statement. The Preliminary Official Statement with respect to the Notes is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

8. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Notes and the direct annual irrevocable tax levy to repay the Notes, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on _____, 2023 pursuant to the authority delegated to us in the Resolution.

John Ruggini
Finance Director

Alan R. Kesner
City Attorney

SCHEDULE I TO APPROVING CERTIFICATE

Bid Tabulation

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE II TO APPROVING CERTIFICATE

Proposal

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE III TO APPROVING CERTIFICATE

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE IV TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

[SCHEDULE MRP TO APPROVING CERTIFICATE

Mandatory Redemption Provision

The Notes due on December 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on December 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on December 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT B

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
MILWAUKEE COUNTY
NO. R-____ CITY OF WAUWATOSA \$_____
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2023B

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
December 1, 20____, 2023 _____%

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the Finance Director (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of storm sewer improvements, acquisition of equipment for the police department and other capital improvement projects, as authorized by a resolution adopted on September 19, 2023, as supplemented by an Approving Certificate, dated _____, 2023 (collectively, the "Resolution"). Said Resolution is recorded in the official minutes of the Common Council for said date.

[This Note is not subject to optional redemption.] [The Notes maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.]

[The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

[In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.]

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes [(i)] after the Record Date[, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption]. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

COPY

IN WITNESS WHEREOF, the City of Wauwatosa, Milwaukee County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUWATOSA
MILWAUKEE COUNTY, WISCONSIN

By: _____
Dennis McBride
Mayor

(SEAL)

By: _____
Steven Braatz
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-179

File Number: 23-709

Enactment Number: R-23-179

Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,935,000 General Obligation Promissory Notes, Series 2023B

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of storm sewer improvements, acquisition of equipment for the police department and other capital improvement projects (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is in the best interest of the City to direct its financial advisor, Robert W. Baird & Co. Incorporated ("Baird"), to take the steps necessary for the City to offer and sell general obligation promissory notes designated as "General Obligation Promissory Notes, Series 2023B" (the "Notes") at public sale and to obtain bids for the purchase of the Notes; and

WHEREAS, in order to facilitate the sale of the Notes in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the Finance Director and the City Attorney (collectively, the "Authorized Officers") of the City the authority to accept on behalf of the City the bid for the Notes that results in the lowest true interest cost for the Notes (the "Proposal") and meets the terms and conditions provided for in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes; Parameters. For the purpose of paying costs of the Project, the City is authorized to borrow pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of not to exceed THREE MILLION NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$3,935,000) upon the terms and subject to the condition set forth in this Resolution. Subject to satisfaction of the condition set forth in Section 15 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the financial institution that submitted the Proposal (the "Purchaser") for, on behalf of and in the name of the City, Notes aggregating the principal amount of not to exceed THREE MILLION NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$3,935,000). The purchase price to be paid to the City for the Notes shall not be less than 100% of the principal amount of the Notes.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2023B"; shall be issued in the aggregate principal amount of up to \$3,935,000; shall be dated as of their date of issuance (which shall not be before December 1, 2023); shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$300,000 per maturity or mandatory redemption amount; that a maturity or mandatory redemption payment may be eliminated if the amount of such maturity or payment set forth in the schedule below is less than or equal to \$300,000; and that the aggregate principal amount of the Notes shall not exceed \$3,935,000. The schedule below assumes the Notes are issued in the aggregate principal amount of \$3,935,000.

<u>Date</u>	<u>Principal Amount</u>
12-01-2024	\$785,000
12-01-2025	285,000
12-01-2026	300,000
12-01-2027	315,000
12-01-2028	325,000
12-01-2029	345,000
12-01-2030	365,000
12-01-2031	380,000
12-01-2032	405,000
12-01-2033	430,000

Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024. The true interest cost on the Notes (computed taking the Purchaser's compensation into account) shall not exceed 4.50%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption or shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Notes shall be subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in the Approving Certificate in such manner as the City shall direct.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2023 through 2032 for the payments due in the years 2024 through 2033 in the amounts as are sufficient to meet the principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2023B" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury

Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of

the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, mandatory redemption, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Mandatory Redemption Agent or Fiscal Agent. The principal of and interest on the Notes shall be paid by the Finance Director (the "Fiscal Agent"). If deemed necessary, the City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into either a mandatory redemption agreement or fiscal agency agreement with a financial institution to be appointed in the Approving Certificate.

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Condition on Issuance and Sale of the Notes. The issuance of the Notes and the sale of the Notes to the Purchaser are subject to approval by the Authorized Officers of (i) the bid for the Notes submitted by the Purchaser, and (ii) the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Notes, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate.

The Notes shall not be issued, sold or delivered until this condition is satisfied. Upon satisfaction of this condition, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Notes to the Purchaser.

Section 16. Official Statement. The Common Council hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Notes and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be

made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

By: Financial Affairs Committee

Adopted  Date 9-19-23
City Clerk Steven Braatz

Approved  Date 9/21/23
Mayor Dennis McBride

EXHIBIT A

APPROVING CERTIFICATE

The undersigned Finance Director and City Attorney of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby certify that:

1. Resolution. On September 19, 2023, the Common Council of the City adopted a resolution (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed \$3,935,000 General Obligation Promissory Notes, Series 2023B of the City (the "Notes") after a public sale and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Notes, and to determine the details for the Notes within the parameters established by the Resolution.

2. Proposal; Terms of the Notes. On the date hereof, the Notes were offered for public sale and the bids set forth on the Bid Tabulation attached hereto as Schedule I and incorporated herein by this reference were received. The institution listed first on the Bid Tabulation, _____ (the "Purchaser") offered to purchase the Notes in accordance with the terms set forth in the Proposal attached hereto as Schedule II and incorporated herein by this reference (the "Proposal"). Robert W. Baird & Co. Incorporated recommends the City accept the Proposal. The Proposal meets the parameters and conditions established by the Resolution and is hereby approved and accepted.

The Notes shall be issued in the aggregate principal amount of \$ _____, which is not more than the \$3,935,000 approved by the Resolution, and shall mature on December 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule III and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Notes is not more than \$300,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
12-01-2024	\$785,000	\$ _____
12-01-2025	285,000	_____
12-01-2026	300,000	_____
12-01-2027	315,000	_____
12-01-2028	325,000	_____
12-01-2029	345,000	_____
12-01-2030	365,000	_____
12-01-2031	380,000	_____
12-01-2032	405,000	_____
12-01-2033	430,000	_____

The true interest cost on the Notes (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 4.50%, as required by the Resolution.

3. Purchase Price of the Notes. The Notes shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$ _____, plus accrued interest, if any, to the date of delivery of the Notes, which is not less than 100% of the principal amount of the Notes, as required by the Resolution.

4. Redemption Provisions of the Notes. [The Notes are not subject to optional redemption.] [The Notes maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.] [The Proposal specifies that certain of the Notes are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. Payment of the Notes: [Mandatory Redemption Agent] [Fiscal Agent]. Pursuant to Section 12 of the Resolution, _____, _____, is appointed [mandatory redemption agent] [fiscal agent] for the Notes.]

6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule IV.

7. Preliminary Official Statement. The Preliminary Official Statement with respect to the Notes is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

8. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Notes and the direct annual irrevocable tax levy to repay the Notes, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on _____, 2023 pursuant to the authority delegated to us in the Resolution.

John Ruggini
Finance Director

Alan R. Kesner
City Attorney

SCHEDULE I TO APPROVING CERTIFICATE

Bid Tabulation

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE II TO APPROVING CERTIFICATE

Proposal

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE III TO APPROVING CERTIFICATE

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

SCHEDULE IV TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Certificate.

(See Attached)

COPY

[SCHEDULE MRP TO APPROVING CERTIFICATE

Mandatory Redemption Provision

The Notes due on December 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on December 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on December 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT B

(Form of Note)

REGISTERED UNITED STATES OF AMERICA
STATE OF WISCONSIN DOLLARS
MILWAUKEE COUNTY
CITY OF WAUWATOSA \$ _____
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2023B

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
December 1, 20____, 2023 _____ % _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the Finance Director (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of storm sewer improvements, acquisition of equipment for the police department and other capital improvement projects, as authorized by a resolution adopted on September 19, 2023, as supplemented by an Approving

Certificate, dated _____, 2023 (collectively, the "Resolution"). Said Resolution is recorded in the official minutes of the Common Council for said date.

【This Note is not subject to optional redemption.】 【The Notes maturing on December 1, 20__ and thereafter are subject to redemption prior to maturity, at the option of the City, on December 1, 20__ or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.】

【The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, at the redemption price of par plus accrued interest to the date of redemption and without premium.】

【In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.】

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in

exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes [(i)] after the Record Date[, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption]. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Wauwatosa, Milwaukee County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUWATOSA
MILWAUKEE COUNTY, WISCONSIN

By: _____
Dennis McBride
Mayor

(SEAL)

By: _____
Steven Braatz
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)



Staff Report

File #: 23-695

Agenda Date: 9/19/2023

Agenda #: 14.

Resolution approving term sheet with Barrett-Lo Visionary Development or related entities for residential redevelopment on the south Mayfair district property

WHEREAS, Barrett-Lo Visionary Development, through related entities BLVD Mayfair I LLC, BLVD Mayfair II LLC, and BLVD Mayfair III LLC, has proposed a development on land located on the south Mayfair district property at 2400 N. Mayfair Road, Wauwatosa, (the "Project") and has requested financial assistance from the City, partly via the use of tax incremental financing ("TIF"), for site preparation, construction, structured parking, developer incentives and related infrastructure costs associated with development of that site; and

WHEREAS, the Financial Affairs Committee has considered the financial viability of providing assistance to promote the development of the Project on this site and has recommended an offer of financial terms for such assistance which are described on the Term Sheet attached hereto and incorporated herein; and

WHEREAS, the Financial Affairs Committee has also recognized the provision of such financial assistance will be consistent with the approved Project Plan for Wauwatosa Tax Incremental District #15, consistent with the Tax Increment Law in the State of Wisconsin, and will promote further development in this area of the City of Wauwatosa; and

WHEREAS the Wauwatosa Common Council, by separate action at its meeting of September 19, 2023, has approved the final TID Project Plan which would provide funding for construction of the Project as described;

NOW, THEREFORE, BE IT RESOLVED THAT the proposal for development assistance described in the attached Term Sheet for Development Agreement for the purpose of site preparation, construction, structured parking, developer incentives and related infrastructure costs associated with development on the site located in the City of Wauwatosa, is hereby approved;

BE IT FINALLY RESOLVED THAT the appropriate City officials are hereby authorized to draft and execute a Development Agreement with Barrett-Lo Visionary Development or a related entity, which incorporates the financial terms and is substantially similar to the attached Term Sheet, as well as approved development plans, including all additional documentation required to transfer ownership of the property as therein described and to effectuate the provision of the assistance described therein.

Recommendation: Approve 6-1



Wauwatosa, WI

7725 W. North Avenue
Wauwatosa, WI 53213

Signature Report

Resolution-Council: R-23-181

File Number: 23-695

Enactment Number: R-23-181

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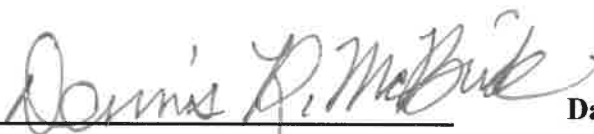
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Adopted 
City Clerk Steven Braatz

Date 9-19-23

Approved 
Mayor Dennis McBride

Date 9/21/23

COMPTROLLER'S OFFICE BILLS & CLAIMS REPORT

Common Council Meeting: **September 19**, 2023

Payments to be approved: Date range September 6 - September 19

Electronic payments are included in the supporting documentation.

Department	Description	Short Description
000	UNASSIGNED	UNASSIGN
110	MAYOR	MAYOR
111	COMMON COUNCIL	COUNCIL
113	YOUTH COMMISSION	YOUTH
114	HISTORIC PRESERVATION COMM	HISTORIC
115	SENIOR COMMISSION	SENIOR
120	MUNICIPAL COURT	COURT
130	CITY ATTORNEY	ATTORNEY
131	LITIGATION RESERVE	LITIGATION
140	CITY ADMINISTRATION	ADMIN
141	CITY CLERK	CLERK
142	ELECTIONS	ELECTIONS
143	HUMAN RESOURCES	HR
144	INFORMATION TECHNOLOGY	IT
150	CITY ASSESSOR	ASSESSOR
151	FINANCE	FINANCE
152	DEBT	DEBT
153	SPECIAL ASSESSMENTS	SP ASSESS
154	REMISSION OF TAXES	REMISSION
190	INSURANCE ADMINISTRATION	INSURANCE
191	MKE ANIMAL CONTROL COMM	MADACC
210	POLICE	POLICE
212	POLICE RESERVES	POLICE RES
220	FIRE	FIRE
230	CROSSING GUARDS	CROSSING
310	PUBLIC WORKS OPS	PW OPS
315	ROADWAY MAINTENANCE	ROADS
320	TRAFFIC CONTROL	TRAFFIC
325	ELECTRICAL SERVICES	ELECTRICAL
330	SOLID WASTE	WASTE
335	FLEET	FLEET
340	FORESTRY	FORESTRY
345	PARKS	PARKS
350	POLICE STATION	POL STN
355	MUNICIPAL COMPLEX	MUNI COMP
360	PUBLIC WORKS BUILDING	PW BLDG
399	UNKNOWN PWDEPT - WRKFLW ONLY	NO DEPT WF
410	HEALTH	HEALTH
510	LIBRARY	LIBRARY
515	TOURISM	TOURISM
520	CIVIC CELEBRATION	CELEBRATE
610	PLANNING AND ZONING	PLANNING
615	ECONOMIC DEVELOPMENT	DEVELOPMT
620	BUILDING REG AND CODE ENF	BLDG REG
625	ENGINEERING	ENGINEER
630	COMM DEV BLOCK GRANT	CDBG

635	BIKE PED COMMITTEE	BIKE PED
705	TAX INCREMENT DISTRICT 5	TIF 5
706	TAX INCREMENT DISTRICT 6	TIF 6
707	TAX INCREMENT DISTRICT 7	TIF 7
708	TAX INCREMENT DISCRICT 8	TIF 8
709	TAX INCREMENT DISCTICT 9	TIF 9
710	TAX INCREMENT DISTRICT 10	TIF 10
711	TAX INCREMENT DISTRICT 11	TIF 11
712	TAX INCREMENT DISTRICT 12	TIF 12
713	TAX INCREMENT DISTRICT 13	TIF 13
810	WATER	WATER
811	WATER SOURCE OF SUPPLY	PUMPING
812	WATER PUMPING	TRANDIST
813	WATER TREATMENT	ADMIN
814	WATER TRANSMISSION & DISTRIB	SRCE SPPLY
815	WATER CUSTOMER ACCOUNTS	TREATMNT
816	WATER ADMIN & GENERAL	CUSTACCT
830	SANITARY SEWER	SANITARY
840	STORM SEWER	STORM
901	UNDISTRIBUTED PAYROLL	UNDISPAY
902	NONDEPARTMENTAL	NONDEPT
941	HART PARK SENIOR	SENIOR
942	FIREMENS ENDOWMENT	FIREENDOW
943	CEMETERY CARE	CEMCARE
944	BACHMAN FLAG	FLAG
945	LICENSE PLATE READER	ALPR
946	LAND CONSERVATION	LANDCON
947	LIBRARY TRUST	LIB TRUST
999	UNKNOWN DEPT - WORKFLOW ONLY	NO DEPT WF

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17407	9/15/2023	Outstanding		\$59,015.84	STATE WH 082423	Direct Disbursement	312	WI DEPT OF REVENUE	STATE WITHHOLDING 082423	10 - 2309	STATE WITHHOLDING TAXES	8/22/2023	\$59,015.84
17594	9/6/2023	Outstanding		\$319,973.47	UH 9/6/23	Direct Disbursement	933	UNITED HEALTHCARE	HEALTH CLAIMS	16190000 - 6403	CLAIMS	9/6/2023	\$319,973.47
17595	9/6/2023	Outstanding		\$2,099.53	UH FLEX 9/6/23	Direct Disbursement	933	UNITED HEALTHCARE	FLEXIBLE SPENDING	10 - 2316	FLEXIBLE SPENDING	9/6/2023	\$2,099.53
17596	9/6/2023	Outstanding		\$36,546.93	AEGIS 9/6/23	Direct Disbursement	1099	AEGIS CORPORATION	WORK COMP FUNDING 8/1/23 - 8/3	19190210 - 6403	CLAIMS	9/6/2023	\$15,895.67
										19190220 - 6403	CLAIMS	9/6/2023	\$19,268.71
										19190300 - 6403	CLAIMS	9/6/2023	\$1,160.55
										19190810 - 6403	CLAIMS	9/6/2023	\$222.00
											Line Item Total		\$36,546.93
17598	9/8/2023	Outstanding		\$1,600.00	45074	Direct Disbursement	299	WAUWATOSA POLICEMENS NSU BARG	Payroll Run 1 - Warrant 2318B1	10 - 2314	UNION DUES - WPOA	9/7/2023	\$1,600.00
17599	9/7/2023	Outstanding		\$623.19	PSI636235	Invoice	1621	1ST AYD	SHOP SUPPLIES	20335000 - 6008	OTHER SUPPLIES	8/24/2023	\$623.19
17600	9/7/2023	Cleared	9/12/2023	\$191.00	0049169-IN	Invoice	2057	AGRECOL, LLC	SHORTGRASS PRAIRIE	36708000 - 6202	GENERAL SERVICES	8/30/2023	\$191.00
17601	9/7/2023	Outstanding		\$1,000.00	13423	Invoice	694	BLUE RIBBON ORGANICS	2023 Yard Waste Management Ser	10340000 - 6202	GENERAL SERVICES	8/10/2023	\$1,000.00
17602	9/7/2023	Outstanding		\$9,690.00	200418081	Invoice	2132	CDM SMITH INC.	Lead Service Line Replacement	50816923 - 6203	CONSULTING SERVICES	9/6/2023	\$9,690.00
17603	9/7/2023	Outstanding		\$149.19	81691917	Invoice	1010	CENGAGE LEARNING INC	Books ALP*	35510103 - 6006	BOOKS AND PERIODICALS	9/5/2023	\$47.98
					81739132	Invoice	1010	CENGAGE LEARNING INC	Books ALP*	35510103 - 6006	BOOKS AND PERIODICALS	9/5/2023	\$101.21
											Line Item Total		\$149.19
17604	9/7/2023	Outstanding		\$801.72	51459 8/23	Invoice	1124	CHICAGO PARTS AND SOUND LLC	8/23 FLEET PARTS	20335000 - 6009	REPAIR PARTS	8/30/2023	\$250.06

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17604	9/7/2023	Outstanding		\$801.72	51459 8/23	Invoice	1124	CHICAGO PARTS AND SOUND LLC	8/23 FLEET PARTS	20 - 1501	GENERAL INVENTORY	8/30/2023	\$560.66
										20 - 2101	SUSPENSE GENERAL	8/30/2023	-\$9.00
Line Item Total													\$801.72
17605	9/7/2023	Outstanding		\$8,883.00	REFUND PERMIT#21-21	Invoice	1297	DAHLMAN CONSTRUCTION COMPANY	REFUND ESCROW DEPOSIT SITE PLA	10625000 - 4632	SITE PLAN REVIEW	8/28/2023	\$8,883.00
17606	9/7/2023	Outstanding		\$5,533.75	07111.10955	Invoice	1093	DEVNET	CAMA W/Edge Contract 6-1-21 (F	24144000 - 6411	SOFTWARE MAINT	8/28/2023	\$5,533.75
17607	9/7/2023	Outstanding		\$28,195.69	387269	Invoice	785	E.H. WOLF & SONS	8501 GAL UNLEADED AT \$3.31675	20 - 1503	FUEL INVENTORY	8/17/2023	\$28,195.69
17608	9/7/2023	Cleared	9/12/2023	\$704.94	219006	Invoice	414	EH WACHS	Operating Nut, Standard	50814673 - 6008	OTHER SUPPLIES	9/6/2023	\$267.59
					219276	Invoice	414	EH WACHS	Operating Nut, Standard	50814673 - 6008	OTHER SUPPLIES	9/6/2023	\$437.35
Line Item Total													\$704.94
17609	9/7/2023	Cleared	9/12/2023	\$675.43	218552	Invoice	50	EMMONS BUSINESS INTERIORS	office supplies	35510000 - 6003	OFFICE SUPPLIES	9/5/2023	\$45.43
					218641	Invoice	50	EMMONS BUSINESS INTERIORS	office supplies	35510000 - 6003	OFFICE SUPPLIES	9/5/2023	\$630.00
Line Item Total													\$675.43
17610	9/7/2023	Cleared	9/8/2023	\$170.10	UniAll08/23-Romeis	Invoice	1316	EMPLOYEES	Romeis Uni Allow - 5.11 Pants	10210000 - 5305	UNIFORM ALLOWANCE	9/1/2023	\$170.10
17611	9/7/2023	Outstanding		\$100.00	2023 M.MENDEZ SHOES	Invoice	1316	EMPLOYEES	MENDEZ SAFETY SHOES	10315000 - 6007	CLOTHING	8/30/2023	\$100.00
17612	9/7/2023	Outstanding		\$69.43	miles Eick Aug-23	Invoice	1316	EMPLOYEES	mileage reimbursement Eick Aug	10410000 - 6002	PROFESSIONAL DEVELOPMENT	8/31/2023	\$69.43
17613	9/7/2023	Outstanding		\$500.00	EMTreimburse8/28/23	Invoice	1316	EMPLOYEES	Intern EMT Reimbursement	10220000 - 6022	TUITION REIMBURSEMENT	8/28/2023	\$500.00
17615	9/7/2023	Outstanding		\$112.15	WIMI3375115	Invoice	91	FASTENAL COMPANY	T-18 SCREWS	20335000 - 6009	REPAIR PARTS	8/24/2023	\$96.85

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17615	9/7/2023	Outstanding		\$112.15	WIMI3375353	Invoice	91	FASTENAL COMPANY	T-18 SCREWS	20335000 - 6009	REPAIR PARTS	8/24/2023	\$15.30
Line Item Total													\$112.15
17616	9/7/2023	Outstanding		\$805.00	152020	Invoice	364	FIRE DETECTION GROUP	fire alarm service city hall	22355000 - 6205	BLDING & INFRSTRCTRE REPAIRS	8/31/2023	\$805.00
17617	9/7/2023	Outstanding		\$387.66	566341	Invoice	105	FUEL SYSTEMS INC	T-45 MUFFLER	20335000 - 6009	REPAIR PARTS	8/30/2023	\$387.66
17618	9/7/2023	Cleared	9/11/2023	\$585.00	6099848	Invoice	1673	GLASS AMERICA	T-110 WINDSHIELD REPLACEMENT	20335000 - 6009	REPAIR PARTS	8/24/2023	\$585.00
17619	9/7/2023	Outstanding		\$237.01	132-1198311	Invoice	112	GOODYEAR COMMERCIAL TIRE	T-122 DISMOUNT/MOUNT TIRE	20335000 - 6009	REPAIR PARTS	8/24/2023	\$237.01
17620	9/7/2023	Outstanding		\$6,567.00	116722	Invoice	133	HEIDEN PLUMBING COMPANY INC	Labor & Equip. - Water Main Re	50814675 - 6202	GENERAL SERVICES	9/6/2023	\$6,567.00
17621	9/7/2023	Cleared	9/12/2023	\$153.00	PIMK0277756	Invoice	1223	JFTCO, INC	OIL SAMPLES	20 - 1501	GENERAL INVENTORY	8/30/2023	\$153.00
17622	9/7/2023	Outstanding		\$340.00	3008	Invoice	1260	JSA ENVIRONMENTAL INC	2023 Landfill Testing	10330000 - 6202	GENERAL SERVICES	8/30/2023	\$340.00
17623	9/7/2023	Outstanding		\$2,581.51	2376514P	Invoice	339	JX ENTERPRISES INC	T-113 GASKET	20335000 - 6009	REPAIR PARTS	7/10/2023	\$69.39
					2376518P	Invoice	339	JX ENTERPRISES INC	T-113 GASKET	20 - 1501	GENERAL INVENTORY	7/10/2023	\$913.23
					2376676P	Invoice	339	JX ENTERPRISES INC	T-113 GASKET	20335000 - 6009	REPAIR PARTS	7/10/2023	\$1,408.99
										20 - 2101	SUSPENSE GENERAL	7/10/2023	\$823.99
					2376780P	Credit Memo	339	JX ENTERPRISES INC	T-113 GASKET	20 - 2101	SUSPENSE GENERAL	7/10/2023	-\$823.99
					2376784P	Invoice	339	JX ENTERPRISES INC	T-113 GASKET	20 - 1501	GENERAL INVENTORY	7/10/2023	\$189.90
										20 - 2101	SUSPENSE GENERAL	7/10/2023	\$61.98
					2376836P	Credit Memo	339	JX ENTERPRISES INC	T-113 GASKET	20 - 2101	SUSPENSE GENERAL	7/10/2023	-\$61.98
Line Item Total													\$2,581.51

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17624	9/7/2023	Outstanding		\$440.10	363749	Invoice	1657	KANOPY INC	streaming service ECONTENT*	35510103 - 6006	BOOKS AND PERIODICALS	9/5/2023	\$440.10
17625	9/7/2023	Outstanding		\$828.00	1622850	Invoice	2032	KNOWLEDGE SERVICES	Professional Recruitment Servi	24144000 - 6202	GENERAL SERVICES	8/25/2023	\$828.00
17626	9/7/2023	Outstanding		\$3,281.49	12107725	Invoice	159	KRONOS INC	data collection 9/14/23-9/13/2	24144000 - 6417	HARDWARE MAINTENANCE	9/5/2023	\$1,983.69
					12119501	Invoice	159	KRONOS INC	data collection 9/14/23-9/13/2	24144000 - 6409	SOFTWARE HOSTING	9/5/2023	\$1,297.80
Line Item Total													\$3,281.49
17627	9/7/2023	Cleared	9/12/2023	\$19,995.00	181914	Invoice	2145	LDV INC	P-286 Upfit	21210000 - 7001	FIXED ASSET	8/17/2023	\$19,995.00
17628	9/7/2023	Cleared	9/12/2023	\$449.55	P30582	Invoice	1092	MACQUEEN EQUIPMENT	S-119A BROOM	20335000 - 6009	REPAIR PARTS	8/30/2023	\$449.55
17629	9/7/2023	Outstanding		\$4,400.00	010	Invoice	2167	MATTHEW MEDERER	NoMad mural artist payment #1	32515000 - 6018	MARKETING AND PROMOTION	8/16/2023	\$4,400.00
17630	9/7/2023	Outstanding		\$920.08	1035322	Invoice	831	MEI TOTAL ELEVATOR SOLUTIONS	Sept 2023 Service City Hall	22355000 - 6202	GENERAL SERVICES	9/5/2023	\$537.90
					1035323	Invoice	831	MEI TOTAL ELEVATOR SOLUTIONS	Sept 2023 Service City Hall	26360000 - 6202	GENERAL SERVICES	9/5/2023	\$382.18
Line Item Total													\$920.08
17631	9/7/2023	Outstanding		\$67.47	504114452	Invoice	333	MIDWEST TAPE	material jvid	35510104 - 6006	BOOKS AND PERIODICALS	9/5/2023	\$67.47
17632	9/7/2023	Outstanding		\$594.88	FL-03594	Invoice	1366	MILWAUKEE CO FEDERATED LIBRARY SYSTEM	library system support	35510000 - 6003	OFFICE SUPPLIES	9/5/2023	\$390.00
										35510000 - 6211	CREDIT CARD PROCESSING	9/5/2023	\$43.37
										35510000 - 6013	POSTAGE	9/5/2023	\$161.51
Line Item Total													\$594.88
17633	9/7/2023	Outstanding		\$3,434.71	COURT FEES AUG 23	Invoice	1607	MILWAUKEE COUNTY TREASURER	COURT FEES AUGUST 2023	10 - 2504	DUE MILWAUKEE COUNTY	8/31/2023	\$3,434.71

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17634	9/7/2023	Outstanding		\$375,604.80	PARTIAL PMT #2	Invoice	2105	MILWAUKEE GENERAL CONSTRUCTION COMPANY INC	23-19 CONCRETE SIDEWALK REPAIR	12315001 - 7001	FIXED ASSET	9/6/2023	\$20,953.53
										12320000 - 7001	FIXED ASSET	9/6/2023	\$2,650.00
										12325000 - 7001	FIXED ASSET	9/6/2023	\$16,224.12
										12315003 - 7001	FIXED ASSET	9/6/2023	\$335,777.15
											Line Item Total		\$375,604.80
17635	9/7/2023	Cleared	9/12/2023	\$328,251.74	45113	Invoice	194	MILWAUKEE WATER WORKS	Wholesale Water 1-0115.300	50811602 - 6308	WHOLESALE WATER	9/6/2023	\$286,535.24
					45115	Invoice	194	MILWAUKEE WATER WORKS	Wholesale Water 1-0115.300	50811602 - 6308	WHOLESALE WATER	9/6/2023	\$41,716.50
											Line Item Total		\$328,251.74
17636	9/7/2023	Outstanding		\$8,822.78	45069	Invoice	140	MISSIONSQUARE	Payroll Run 1 - Warrant 2318B1	10 - 2311	DEFERRED CONTRIBUTION	9/7/2023	\$8,822.78
17637	9/7/2023	Outstanding		\$1,936.23	6330390	Invoice	203	NASSCO INC	OIL DRI PALLET	10315000 - 6008	OTHER SUPPLIES	8/24/2023	\$676.95
					6331790	Invoice	203	NASSCO INC	OIL DRI PALLET	22355000 - 6014	JANITORIAL SUPPLIES	9/5/2023	\$1,259.28
											Line Item Total		\$1,936.23
17638	9/7/2023	Outstanding		\$30,862.10	45072	Invoice	278	NATIONWIDE RETIREMENT SOLUTIONS	Payroll Run 1 - Warrant 2318B1	10 - 2311	DEFERRED CONTRIBUTION	9/7/2023	\$30,862.10
17639	9/7/2023	Outstanding		\$10,669.66	45070	Invoice	209	NORTH SHORE BANK FSB	Payroll Run 1 - Warrant 2318B1	10 - 2311	DEFERRED CONTRIBUTION	9/7/2023	\$10,669.66
17640	9/7/2023	Outstanding		\$100.00	9/30/23 E SEWELL	Invoice	99999	ONE TIME VENDOR	CANCEL 9/30/23 FIREFLY ROOM RE	34 - 2408	DEPOSITS	9/6/2023	\$100.00
17641	9/7/2023	Outstanding		\$150.00	0010	Invoice	99999	ONE TIME VENDOR	artist stipend for Voline buil	32515000 - 6018	MARKETING AND PROMOTION	8/16/2023	\$150.00
17642	9/7/2023	Outstanding		\$300.00	090223 LEON HOLLOWAY	Invoice	99999	ONE TIME VENDOR	090223 FIREFLY & KITCHEN RENTA	34 - 2408	DEPOSITS	9/6/2023	\$300.00

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17643	9/7/2023	Cleared	9/12/2023	\$431.12	22581	Invoice	99999	ONE TIME VENDOR	TRUNCATED CASTINGS	12315001 - 7002	NON FIXED ASSET	8/24/2023	\$431.12
17644	9/7/2023	Outstanding		\$100.00	083023 VILLAGE BID	Invoice	99999	ONE TIME VENDOR	08.30.23 ROTARY STAGE RENTAL -	34 - 2408	DEPOSITS	9/6/2023	\$100.00
17645	9/7/2023	Outstanding		\$171.78	reimb Venske 7042023	Invoice	99999	ONE TIME VENDOR	REIMBURSE COFFEE AND FOOD FOR	32520000 - 6099	OTHER EXPENSES	8/28/2023	\$171.78
17646	9/7/2023	Outstanding		\$1,783.57	INV-1040390	Invoice	1585	PASSPORT LABS, INC	Custom Citation Paper	10210000 - 6004	PRINTING AND DUPLICATION	8/4/2023	\$1,783.57
17647	9/7/2023	Outstanding		\$255.00	45071	Invoice	217	POLICE SUPERVISORY UNION DUES	Payroll Run 1 - Warrant 2318B1	10 - 2315	UNION DUES - POLICE SUP	9/7/2023	\$255.00
17648	9/7/2023	Outstanding		\$1,243.75	60316110	Invoice	220	POMPS TIRE SERVICE INC	T-122 GY 21LR24 TIRE DISMOUNT	20335000 - 6009	REPAIR PARTS	8/30/2023	\$1,243.75
17649	9/7/2023	Outstanding		\$795.00	2023414	Invoice	882	PROPHOENIX	national user confer registrat	24144000 - 6002	PROFESSIONAL DEVELOPMENT	8/31/2023	\$795.00
17650	9/7/2023	Cleared	9/12/2023	\$28,938.50	175350	Invoice	275	RA SMITH INC	109th St and Potter Rd Utiliti	38810000 - 7001	FIXED ASSET	8/30/2023	\$9,082.24
										51830000 - 7001	FIXED ASSET	8/30/2023	\$3,383.58
										12315001 - 7001	FIXED ASSET	8/30/2023	\$4,630.15
										52840000 - 7001	FIXED ASSET	8/30/2023	\$11,842.53
Line Item Total													\$28,938.50
17651	9/7/2023	Outstanding		\$14.18	C96791-001	Invoice	233	RITTER TECH A DIV OF MCE	R-76 FLEET PARTS	20335000 - 6009	REPAIR PARTS	8/30/2023	\$3.56
					C97024-001	Invoice	233	RITTER TECH A DIV OF MCE	R-76 FLEET PARTS	20335000 - 6009	REPAIR PARTS	8/30/2023	\$10.62
Line Item Total													\$14.18
17652	9/7/2023	Cleared	9/12/2023	\$539.90	45076	Invoice	1630	STATE DISBURSEMENT UNIT	Payroll Run 1 - Warrant 2318B1	10 - 2312	WAGE GARNISHMENTS	9/7/2023	\$539.90
17653	9/7/2023	Outstanding		\$20,833.33	34825	Invoice	767	STREETSENSE LLC	Streetsense 2023 PO-year 5 of	32515000 - 6207	MARKETING SERVICES	8/14/2023	\$20,833.33
17654	9/7/2023	Outstanding		\$611.11	097378	Invoice	971	SYMBOLLOGY INC	processing supplies	35510000 - 6008	OTHER SUPPLIES	9/5/2023	\$611.11

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17655	9/7/2023	Cleared	9/12/2023	\$4,425.00	CARM202108002	Invoice	2175	CASTILLO GOMEZ ROBB & ASSOCITATES	G21 Carmelite	13630306 - 6603	GRANT EXPENDITURE	9/1/2023	\$4,425.00
17656	9/7/2023	Outstanding		\$38.98	01007	Invoice	1700	TASTE OF HOME	material ATECH*	35510103 - 6006	BOOKS AND PERIODICALS	9/5/2023	\$38.98
17657	9/7/2023	Outstanding		\$4,450.00	13962	Invoice	1988	TWO DAY PAINTING LLC	Painting at Station 52	10220000 - 6205	BLDING & INFRSTRCTRE REPAIRS	8/31/2023	\$4,450.00
17658	9/7/2023	Outstanding		\$7,700.00	2758	Invoice	2172	UNDERGROUND SPECIALISTS, INC.	ELECTRICAL BORING - WAUWATOSA	12315001 - 7001	FIXED ASSET	9/7/2023	\$3,250.00
					2759	Invoice	2172	UNDERGROUND SPECIALISTS, INC.	ELECTRICAL BORING - WAUWATOSA	12315001 - 7001	FIXED ASSET	9/7/2023	\$4,450.00
Line Item Total													\$7,700.00
17659	9/7/2023	Outstanding		\$25.37	505383	Invoice	286	UPTOWN MOTORS INC	M-73 HOSE	20335000 - 6009	REPAIR PARTS	8/30/2023	\$25.37
17660	9/7/2023	Outstanding		\$162.55	3821930	Credit Memo	1063	WASTEBUILT	STOCK ROLLERS	20335000 - 6009	REPAIR PARTS	8/24/2023	-\$131.25
					3826746	Invoice	1063	WASTEBUILT	STOCK ROLLERS	20 - 1501	GENERAL INVENTORY	8/17/2023	\$293.80
Line Item Total													\$162.55
17661	9/7/2023	Outstanding		\$4,424.19	45073	Invoice	298	WAUWATOSA PROFESSIONAL FIREFIGHTERS ASSOC	Payroll Run 1 - Warrant 2318B1	10 - 2313	UNION DUES - FIRE	9/7/2023	\$4,424.19
17662	9/7/2023	Outstanding		\$7,403.14	4703623166	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6303	NATURAL GAS	8/31/2023	\$379.79
					4703807582	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6302	ELECTRICITY	8/31/2023	\$1,099.34
					4704369461	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6303	NATURAL GAS	8/31/2023	\$87.69
					4704585692	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6303	NATURAL GAS	8/31/2023	\$70.78
					4704671429	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6302	ELECTRICITY	8/31/2023	\$1,370.70
					4704689660	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6302	ELECTRICITY	8/31/2023	\$310.39
					4705036106	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6302	ELECTRICITY	8/31/2023	\$29.30
					4707281308	Invoice	314	WE ENERGIES	HMTR STATION #2 - GAS	10220000 - 6302	ELECTRICITY	8/31/2023	\$4,055.15
Line Item Total													\$7,403.14

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17663	9/7/2023	Cleared	9/11/2023	\$9,791.16	COURT FEES AUG 23	Invoice	891	WI COURT FINES & SURCHARGES	COURT FEES AUGUST 2023	10 - 2550	DUE STATE OF WISCONSIN	8/31/2023	\$9,791.16
17664	9/7/2023	Cleared	9/11/2023	\$2,576.67	45075	Invoice	368	WI SUPPORT COLLECTIONS TRUST FUND	Payroll Run 1 - Warrant 2318B1	10 - 2312	WAGE GARNISHMENTS	9/7/2023	\$2,576.67
17665	9/7/2023	Outstanding		\$1,805.61	75910448	Invoice	996	WINDSTREAM	Monthly charges 9/4/23-10/3/23	10210000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$620.12
										10220000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$328.30
										22355000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$437.72
										26360000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$18.24
										34345000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$200.62
										35510000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$36.47
										50816921 - 6306	TELECOMMUNICATIONS	9/5/2023	\$54.71
										51830000 - 6306	TELECOMMUNICATIONS	9/5/2023	\$109.43
Line Item Total													\$1,805.61
17666	9/7/2023	Outstanding		\$300.00	17503973	Invoice	881	WS DARLEY & COMPANY	Partial payment on helmet	10220000 - 6007	CLOTHING	8/31/2023	\$300.00
17667	9/7/2023	Outstanding		\$9,436.00	3784048	Invoice	325	ZOLL MEDICAL CORP	AED's	10220000 - 6603	GRANT EXPENDITURE	8/28/2023	\$796.00
										10220000 - 7001	FIXED ASSET	8/28/2023	\$8,640.00
										Line Item Total			\$9,436.00
17668	9/11/2023	Outstanding		\$3,342.40	DENTAL 9/11/23	Direct Disbursement	941	HUMANA	DENTAL THROUGH 9/9/23	17190000 - 6403	CLAIMS	9/11/2023	\$3,342.40
17671	9/14/2023	Outstanding		\$780.00	23-0358	Invoice	828	ADVANTAGE POLICE SUPPLY	2 SAPI Rifle Plate Kits/Carrie	37210000 - 6012	SMALL EQUIPMENT	8/29/2023	\$780.00

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17672	9/14/2023	Outstanding		\$453.02	10715	Invoice	1012	AIR PLUS LLC	STOCK LED LIGHTS	20 - 1501	GENERAL INVENTORY	9/7/2023	\$453.02
17673	9/14/2023	Outstanding		\$113.60	87193	Invoice	766	ALL CITY MANAGEMENT SERVICES INC	crossing guard services 2023	10230000 - 6202	GENERAL SERVICES	9/5/2023	\$113.60
17674	9/14/2023	Outstanding		\$1,650.00	13008	Invoice	694	BLUE RIBBON ORGANICS	HP GARDEN MIX	12345000 - 7001	FIXED ASSET	9/7/2023	\$1,650.00
17675	9/14/2023	Outstanding		\$1,650.00	CIVICCELEBRATIO N23	Invoice	1194	BLUE SAINTS DRUM & BUGLE CORPS	CIVIC CELEBRATION 2023	32520000 - 6202	GENERAL SERVICES	6/16/2023	\$1,650.00
17676	9/14/2023	Outstanding		\$153.02	M70001	Invoice	48	BROOKS TRACTOR INC	T-196 STEERING COLUMN	20335000 - 6009	REPAIR PARTS	9/7/2023	\$153.02
17677	9/14/2023	Outstanding		\$800.00	AUGUST 2023-09062023	Invoice	1970	BRYCE FIGUEROA	2023 Sketching	10150000 - 6202	GENERAL SERVICES	8/28/2023	\$800.00
17678	9/14/2023	Outstanding		\$163.52	0057595-IN	Invoice	265	CASPERS TRUCK EQUIPMENT	S-27 ROPE	20335000 - 6009	REPAIR PARTS	9/7/2023	\$163.52
17679	9/14/2023	Outstanding		\$11,995.00	90186643	Invoice	2132	CDM SMITH INC.	Lead Service Line Replacement	50816923 - 6203	CONSULTING SERVICES	9/11/2023	\$11,995.00
17680	9/14/2023	Outstanding		\$10,280.00	235009401	Invoice	1836	CENTURY FENCE COMPANY	72nd & State Fencing	10315000 - 6202	GENERAL SERVICES	9/7/2023	\$10,280.00
17681	9/14/2023	Outstanding		\$45.00	REIMB FIRE ENDOW2023	Invoice	295	CITY OF WAUWATOSA	REIMB FIREMAN ENDOWMENT FUND B	10151000 - 4802	INTEREST INCOME - INVESTMENTS	9/11/2023	\$45.00
17682	9/14/2023	Outstanding		\$955.88	204856	Invoice	296	CITY OF WAUWATOSA WATER	Utility Bill for Boston Store	31615000 - 6305	STORM	9/13/2023	\$724.39
										31615000 - 6307	WATER	9/13/2023	\$231.49
											Line Item Total		\$955.88
17683	9/14/2023	Outstanding		\$239.34	538395	Invoice	1957	COMPLETE OFFICE OF WISCONSIN	11x17 Paper Delivery	10625000 - 6003	OFFICE SUPPLIES	9/11/2023	\$239.34
17684	9/14/2023	Outstanding		\$42,732.00	T152204	Invoice	606	CORE & MAIN LP	North Avenue Water Main Procur	50814675 - 7001	FIXED ASSET	9/7/2023	\$476.00
					T399567	Invoice	606	CORE & MAIN LP	North Avenue Water Main Procur	50814673 - 7001	FIXED ASSET	9/7/2023	\$32,045.00
					T427356	Invoice	606	CORE & MAIN LP	North Avenue Water Main Procur	50814673 - 7001	FIXED ASSET	9/7/2023	\$1,369.00

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17684	9/14/2023	Outstanding		\$42,732.00	T443318	Invoice	606	CORE & MAIN LP	North Avenue Water Main Procur	50814673 - 7001	FIXED ASSET	9/7/2023	\$5,770.00
					T483862	Invoice	606	CORE & MAIN LP	North Avenue Water Main Procur	50814673 - 7001	FIXED ASSET	9/7/2023	\$3,072.00
Line Item Total													\$42,732.00
17685	9/14/2023	Outstanding		\$435.75	518702	Invoice	384	COREY OIL LTD	175 GAL DEF	20 - 1501	GENERAL INVENTORY	9/7/2023	\$435.75
17686	9/14/2023	Outstanding		\$3,135.00	53762	Invoice	2126	DAAR ENGINEERING INC	2023 Construction Inspection -	12902000 - 6099	OTHER EXPENSES	9/7/2023	\$3,135.00
17687	9/14/2023	Outstanding		\$24,328.84	388089	Invoice	785	E.H. WOLF & SONS	7394 GAL DIESEL AT \$3.29035 PE	20 - 1503	FUEL INVENTORY	8/24/2023	\$24,328.84
17688	9/14/2023	Outstanding		\$1,841.13	CD2064648	Invoice	84	ELECTION SYSTEMS & SOFTWARE INC	ExpressVote Firmware, Warranty	10142000 - 6099	OTHER EXPENSES	9/6/2023	\$1,841.13
17689	9/14/2023	Outstanding		\$16.00	23-112 Zientek	Invoice	1316	EMPLOYEES	Zientek Travel Reimburse - Wau	10210000 - 6002	PROFESSIONAL DEVELOPMENT	9/11/2023	\$16.00
17690	9/14/2023	Outstanding		\$359.50	23-046 Milotzky	Invoice	1316	EMPLOYEES	Milotzky Travel Reimburse - IA	10210000 - 6002	PROFESSIONAL DEVELOPMENT	9/5/2023	\$359.50
17691	9/14/2023	Outstanding		\$16.00	23-112 Morrill	Invoice	1316	EMPLOYEES	Morrill Travel Reimburse - Wau	10210000 - 6002	PROFESSIONAL DEVELOPMENT	9/5/2023	\$16.00
17692	9/14/2023	Outstanding		\$101.66	MILES TYSON AUG 2023	Invoice	1316	EMPLOYEES	mileage Tyson August 2023	10410000 - 6002	PROFESSIONAL DEVELOPMENT	8/28/2023	\$101.66
17693	9/14/2023	Outstanding		\$100.00	2023 MENDEZ SHOES	Invoice	1316	EMPLOYEES	MENDEZ SAFETY SHOES	10315000 - 6007	CLOTHING	8/30/2023	\$100.00
17694	9/14/2023	Outstanding		\$232.00	23-136 Hermann	Invoice	1316	EMPLOYEES	Hermann Travel Reimburse - 9/4	10210000 - 6002	PROFESSIONAL DEVELOPMENT	9/11/2023	\$232.00
17695	9/14/2023	Outstanding		\$794.00	151993	Invoice	364	FIRE DETECTION GROUP	FIRE ALARM INSPECTION - POLICE	10350000 - 6205	BLDING & INFRSTRCTRE REPAIRS	8/25/2023	\$794.00
17696	9/14/2023	Outstanding		\$1,545.00	01331597-IN	Invoice	2001	FOUNDERS 3 MANAGEMENT COMPANY	Sepembber management fee	31615000 - 6203	CONSULTING SERVICES	9/5/2023	\$1,545.00

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17697	9/14/2023	Outstanding		\$67,189.72	0128262	Invoice	113	GRAEF	2023 Construction Inspection -	38810000 - 7001	FIXED ASSET	9/7/2023	\$42,042.22
					127513	Invoice	113	GRAEF	2023 Construction Inspection -	12902000 - 6099	OTHER EXPENSES	9/7/2023	\$25,147.50
Line Item Total													\$67,189.72
17698	9/14/2023	Outstanding		\$5,276.11	6532 Houseal	Invoice	2121	HOUSEAL LAVIGNE ASSOCIATES, LLC	Comprehensive Plan	13630300 - 6603	GRANT EXPENDITURE	9/11/2023	\$5,276.11
17699	9/14/2023	Outstanding		\$143,784.40	23-60 PMT 4	Invoice	2124	JH HASSINGER INC	23-60 FIRE STATIONS 52 & 53 SL	38220000 - 7001	FIXED ASSET	9/7/2023	\$143,784.40
17700	9/14/2023	Outstanding		\$9,513.00	1177966	Invoice	1771	JOHNS DISPOSAL SERVICE INC	8/23 30 YD EMPTY & RETURN	10330306 - 6202	GENERAL SERVICES	9/7/2023	\$9,513.00
17701	9/14/2023	Outstanding		\$1,032.23	2376992P	Invoice	339	JX ENTERPRISES INC	FILTER SCREEN	20 - 1501	GENERAL INVENTORY	7/27/2023	\$642.99
					2377228P	Invoice	339	JX ENTERPRISES INC	FILTER SCREEN	20 - 1501	GENERAL INVENTORY	7/20/2023	\$259.16
					2377229P	Invoice	339	JX ENTERPRISES INC	FILTER SCREEN	20 - 1501	GENERAL INVENTORY	7/20/2023	\$130.08
Line Item Total													\$1,032.23
17702	9/14/2023	Outstanding		\$17,512.73	90984	Invoice	957	KAHLER SLATER	Muellner Building Remodel Desi	38345000 - 7001	FIXED ASSET	9/7/2023	\$7,966.30
					90985	Invoice	957	KAHLER SLATER	Muellner Building Remodel Desi	38345000 - 7001	FIXED ASSET	9/7/2023	\$6,953.80
					90986	Invoice	957	KAHLER SLATER	Muellner Building Remodel Desi	38345000 - 7001	FIXED ASSET	9/7/2023	\$2,592.63
Line Item Total													\$17,512.73
17703	9/14/2023	Outstanding		\$1,153.60	12122996	Invoice	159	KRONOS INC	Kronos Hosting Fees	24144000 - 6409	SOFTWARE HOSTING	8/23/2023	\$1,153.60
17704	9/14/2023	Outstanding		\$171,427.96	23-90177-2	Invoice	2125	KYLE ENTERPRISES LLC	Fiber Materials Procurement -	12325000 - 7001	FIXED ASSET	9/7/2023	\$114,843.96
					23-90177b-WI-1	Invoice	2125	KYLE ENTERPRISES LLC	Fiber Materials Procurement -	12325000 - 7001	FIXED ASSET	9/7/2023	\$7,144.00
					23-90177c-W1	Invoice	2125	KYLE ENTERPRISES LLC	Fiber Materials Procurement -	12325000 - 7001	FIXED ASSET	9/7/2023	\$49,440.00
Line Item Total													\$171,427.96
17705	9/14/2023	Outstanding		\$26.06	P30781	Invoice	1092	MACQUEEN EQUIPMENT	R-49 GASKET	20335000 - 6009	REPAIR PARTS	9/7/2023	\$26.06

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17706	9/14/2023	Outstanding		\$8,921.68	16218404	Invoice	2096	MAYFAIR MALL LLC	September cam fixed, water and	31615000 - 6099	OTHER EXPENSES	9/5/2023	\$8,913.68
										31615000 - 6307	WATER	9/5/2023	\$8.00
											Line Item Total		\$8,921.68
17707	9/14/2023	Outstanding		\$1,021.90	1759480	Invoice	650	MIDWEST GROUNDCOVERS LLC	PHYSOCARPUS LEMON CANDY #5 PLA	52840000 - 6104	TREES, SHRUBS, FLOWERS	9/14/2023	\$1,021.90
17708	9/14/2023	Outstanding		\$590.00	82c	Invoice	1121	MILLENIUM INVESTMENTS LLC	Pm(311)2023-109 Tall grass and	10620000 - 6202	GENERAL SERVICES	9/5/2023	\$200.00
					82l	Invoice	1121	MILLENIUM INVESTMENTS LLC	Pm(311)2023-109 Tall grass and	10620000 - 6202	GENERAL SERVICES	9/5/2023	\$125.00
					82m	Invoice	1121	MILLENIUM INVESTMENTS LLC	Pm(311)2023-109 Tall grass and	10620000 - 6202	GENERAL SERVICES	9/5/2023	\$50.00
					82q and 82r	Invoice	1121	MILLENIUM INVESTMENTS LLC	Pm(311)2023-109 Tall grass and	31615000 - 6202	GENERAL SERVICES	9/11/2023	\$215.00
											Line Item Total		\$590.00
17709	9/14/2023	Outstanding		\$2,333.08	15003308 8/23	Invoice	202	NAPA AUTO PARTS	8/23 FLEET PARTS	20335000 - 6008	OTHER SUPPLIES	9/7/2023	\$446.26
										20 - 1501	GENERAL INVENTORY	9/7/2023	\$226.96
										50814673 - 6008	OTHER SUPPLIES	9/7/2023	\$22.73
										20335000 - 6009	REPAIR PARTS	9/7/2023	\$1,637.13
											Line Item Total		\$2,333.08
17710	9/14/2023	Outstanding		\$1,179.20	27778111	Invoice	212	OFFICE DEPOT	AUGUST BILL	10 - 2101	SUSPENSE GENERAL	9/14/2023	\$1,179.20
17711	9/14/2023	Outstanding		\$350.00	inv-00008850	Invoice	99999	ONE TIME VENDOR	Wrong Permit BZA2023-0010	10610000 - 4699	OTHER PUBLIC CHARGES	9/5/2023	\$350.00
17712	9/14/2023	Outstanding		\$80.00	BR2023-0534	Invoice	99999	ONE TIME VENDOR	Pulled wrong permit. BR2023-05	10620000 - 4450	BUILDING PERMITS	9/12/2023	\$80.00
17713	9/14/2023	Outstanding		\$250.00	TRP/100187963	Invoice	99999	ONE TIME VENDOR	23-137 Ryan Schwabenlander 8/2	10210000 - 6002	PROFESSIONAL DEVELOPMENT	9/11/2023	\$250.00

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17714	9/14/2023	Outstanding		\$70.00	REFUND J FOSSUM	Invoice	99999	ONE TIME VENDOR	refund j fossum operator licen	10141000 - 4402	LIQUOR AND MALT	9/11/2023	\$70.00
17715	9/14/2023	Outstanding		\$100.00	090323 JUST LIVE INC	Invoice	99999	ONE TIME VENDOR	9/3/23 ROTARY STAGE RENTAL - D	34 - 2408	DEPOSITS	9/13/2023	\$100.00
17716	9/14/2023	Outstanding		\$200.00	1003 MCMAHON	Invoice	99999	ONE TIME VENDOR	INSPECTIONS AT 8750 WILLIAM CO	10620000 - 6099	OTHER EXPENSES	9/7/2023	\$200.00
17717	9/14/2023	Outstanding		\$200.00	090923 N JOHNSON	Invoice	99999	ONE TIME VENDOR	090923 RIVERVIEW ROOM RENTAL -	34 - 2408	DEPOSITS	9/13/2023	\$200.00
17718	9/14/2023	Outstanding		\$150.00	REFUND RAYS GROWLER	Invoice	99999	ONE TIME VENDOR	refund Rays growler gallery sp	10141000 - 4468	SPECIAL EVENT FEE	9/11/2023	\$150.00
17719	9/14/2023	Outstanding		\$24.00	2023 WASA TENNIS	Invoice	99999	ONE TIME VENDOR	2023 TENNIS RENTALS - REFUND F	34345000 - 4645	FIELD RENTAL	9/13/2023	\$24.00
17720	9/14/2023	Outstanding		\$1,033.81	5921627	Invoice	222	PRICE ENGINEERING CO, LLC	STOCK PLOW CYLINDER	20 - 1501	GENERAL INVENTORY	8/30/2023	\$1,033.81
17721	9/14/2023	Outstanding		\$1,250.00	6646684	Invoice	226	QUARLES & BRADY LLP	legal services filing for ART	32515000 - 6018	MARKETING AND PROMOTION	9/13/2023	\$1,250.00
17722	9/14/2023	Outstanding		\$329.70	CI006695	Invoice	231	RELIANT FIRE APPARATUS INC	F310 switch	10220000 - 6206	EQUIPMENT REPAIRS	9/8/2023	\$36.44
					CI006708	Invoice	231	RELIANT FIRE APPARATUS INC	F310 switch	10220000 - 6206	EQUIPMENT REPAIRS	9/8/2023	\$224.66
					CI006709	Invoice	231	RELIANT FIRE APPARATUS INC	F310 switch	10220000 - 6206	EQUIPMENT REPAIRS	9/8/2023	\$68.60
					Line Item Total								\$329.70
17723	9/14/2023	Outstanding		\$1,000.00	CIVICCELEBRATIO N23	Invoice	1090	JULIO PABON	CIVIC CELEBRATION 2023	32520000 - 6202	GENERAL SERVICES	6/16/2023	\$1,000.00
17724	9/14/2023	Outstanding		\$3,900.00	August 2023	Invoice	241	LAW OFFICES OF GEORGE M. SCHIMMEL	Municipal Prosecution	10130000 - 6204	LEGAL SERVICES	7/17/2023	\$3,900.00
17725	9/14/2023	Outstanding		\$33.49	8526603	Invoice	243	SCHWAAB INC	Emma Fliess Engraved Nameplate	10141000 - 6003	OFFICE SUPPLIES	9/6/2023	\$33.49

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17726	9/14/2023	Outstanding		\$200.00	6771	Invoice	939	SEILER INSTRUMENT & MFG COMPANY INC	Balance of Invoice Trimble S5	10625000 - 6099	OTHER EXPENSES	9/7/2023	\$200.00
17727	9/14/2023	Outstanding		\$1,250.00	10022023 Training	Invoice	2176	SHARE TRAINING LLC	Cultural Humility to Cultural	10410000 - 6603	GRANT EXPENDITURE	9/11/2023	\$1,250.00
17728	9/14/2023	Outstanding		\$9,187.59	05064586	Invoice	1291	STARK PAVEMENT CORPORATION	8/15-8/31/23 PAVEMENT	12315001 - 7002	NON FIXED ASSET	9/13/2023	\$261.30
										10315000 - 6105	CONCRETE SAND AND STONE	9/13/2023	\$136.01
										50814673 - 6108	ASPHALT	9/13/2023	\$8,790.28
											Line Item Total		\$9,187.59
17729	9/14/2023	Outstanding		\$38.92	506009	Invoice	286	UPTOWN MOTORS INC	P-262 REAR CAMERA	20335000 - 6009	REPAIR PARTS	9/7/2023	\$38.92
17730	9/14/2023	Outstanding		\$31.35	0600923498	Invoice	192	US CELLULAR	MONTHLY SERVICE CHARGES 8/24/2	10210000 - 6306	TELECOMMUNICATIONS	9/11/2023	\$31.35
17731	9/14/2023	Outstanding		\$265.42	S0808865	Invoice	1351	WCTC	FF 1 & Rapid Intervention (int	10220000 - 6002	PROFESSIONAL DEVELOPMENT	9/8/2023	\$265.42
17732	9/14/2023	Outstanding		\$17,055.00	11667	Invoice	1968	WIRTH & BAYNARD	Gonzalez v. Mensah	18190210 - 6204	LEGAL SERVICES	7/17/2023	\$17,055.00
Total	136			\$1,963,874.65									

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

Community Affairs Committee

Mtg Date	Item	Sponsor	Leg File #
9/26/2023	*Consideration of implementing height limits on new developments	Makhlouf	
9/26/2023	Consideration of ordinance creating licenses and regulations for tourist rooming houses	Attorney/Health	
10/31/2023	Historic Preservation Commission Annual Report	Commission	
TBD	Consideration of resolution expressing support for participation in the Grow Solar Greater Milwaukee program	McBride	
TBD	Update on Civic Summit	CAC	
TBD	Consideration of amendment to Subsection 15.10.010 (C) of the Wauwatosa Municipal Code removing the wording "within the applicable district"	Makhlouf	
TBD	Review of possible amendments to Section 11.20.100 of the Wauwatosa Municipal Code regulating entering or staying upon streets or medians	Lowe	
TBD	Consideration of reduction in light pollution and spillage onto neighboring properties in residential areas	Makhlouf	
TBD	*Neighborhood Watch Program Update/Discussion	Meindl	

*Memo received

FUTURE COUNCIL COMMITTEE AGENDA ITEMS**Financial Affairs Committee**

Mtg Date	Item	Sponsor	Leg File #
9/26/2023	Review of 2022 financial audit	Finance	
10/10/2023	Executive Budget review - Departmental review	Finance	
10/24/2023 (Special Mtg)	Executive Budget review - Continued departmental review	Finance	
10/26/2023 (Special Mtg)	Executive Budget review - Continued departmental review (if needed)	Finance	
10/31/2023	Executive Budget review - Continued departmental review (if needed)	Finance	
11/14/2023	Capital Budget review		
11/28/2023	Capital Budget review - Continued		
TBD	*Consideration of a gun buyback program (item held at the 9/13/22 meeting)	Lowe	11920
TBD	Review of 2023 assessment policy regarding alley assessments	Fuerst	

*Memo received

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

Government Affairs Committee

Mtg Date	Item	Sponsor	Leg File #
10/31/2023	Commission for Persons with Disabilities Annual Report	Commission	
11/28/2023	Police and Fire Commission Annual Report	Commission	
TBD	*Consideration of implementation of Ranked Choice Voting in aldermanic elections	Meindl	
TBD	Consideration of the proposed Compensation Plan	HR	
TBD	Discussion of city's public records request policy	Moldenhauer	
TBD	*Consideration of a resolution requesting the Department of Public Health and Fire Department develop a "third-party testing emergency declaration determination policy"	Meindl	
TBD	Discussion of future Council standing committee structure	Committee	

*Memo received

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

Transportation Affairs Committee

Mtg Date	Item	Sponsor	Leg File #
10/10/2023	Civic Celebration Commission Annual Report	Commission	
TBD	Consideration of Transportation Utility	DPW	
TBD	Proposed signalization at the Watertown Plank Road/85th Street Intersection	Engineering	
TBD (Fall 2023)	Consideration of rebates for residents purchasing e-bikes	Lowe	
TBD (2024)	Consideration of an asphalt art pilot program	Brannin	

*Memo received

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

Committee of the Whole

Mtg Date	Item	Sponsor	Leg File #
10/3/2023	2024 Executive Budget overview	Finance	
10/17/2023	Presentation of the proposed Compensation Plan	HR	
TBD	Civic Center and Library Remodel	Phillips	
TBD	Discussion of the proposal and agenda setting process	Meindl	
TBD	Discussion on City's response to a mass shooting event	Arney	

*Memo received

FUTURE COUNCIL COMMITTEE AGENDA ITEMS

Common Council

Mtg Date	Item	Sponsor	Leg File #
11/7/2023	2024 Budget Hearing	Administration	
11/21/2023	Adoption of 2024 Operating Budget	Administration	
12/5/2023	Adoption of 2024 Capital Budget	Administration	