



OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal Corporation, or sub-unit thereof.

Notice is hereby given that the **COMMITTEE OF THE WHOLE** of the City of Wausau, Wisconsin will hold a regular or special meeting on the date, time and location shown below.

Meeting of the:	COMMITTEE OF THE WHOLE OF THE COMMON COUNCIL
Date/Time:	Monday, February 22, 2021 @ 5:00 p.m.
Location:	City Hall (407 Grant Street) -Council Chambers & WebEx
Members:	Patrick Peckham, Michael Martens, Tom Kilian, Tom Neal, James Wadinski, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Dawn Herbst, Louis Larson, Deb Ryan

CITY COUNCIL RETREAT

AGENDA ITEMS FOR CONSIDERATION

- 1) The Constitution for Council Members
- 2) Conducting Business Legally
- 3) Development Agreement Basics
- 4) TID Basics
- 5) An Alder's Role

Adjourn

This Notice was posted at City Hall and emailed to the Daily Herald newsroom on Thursday, 1/29/21. Questions regarding this agenda may be directed to the Mayor's Office at 715-261-6800.

Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by calling 1-408-418-9388. The Access Code is 146 735 4841. Password: 2bP2JYKc2vT. Space available will be on a first come, first served basis. All public participants' phones will be muted during the meeting. Any person wishing to offer public comment who does not appear in person to do so, may e-mail kathi.groeschel@ci.wausau.wi.us in the Mayor's Office. All public comment, either by email or in person will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Chair.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids & services. For information or to request this service, contact the City Clerk at (715) 261-6620.

Other Distribution: Media, City Council Members, Department Heads, Mayor

Attached links for the Council Retreat Packet – February 22, 2021

Hard copies of the following links will be distributed at the meeting

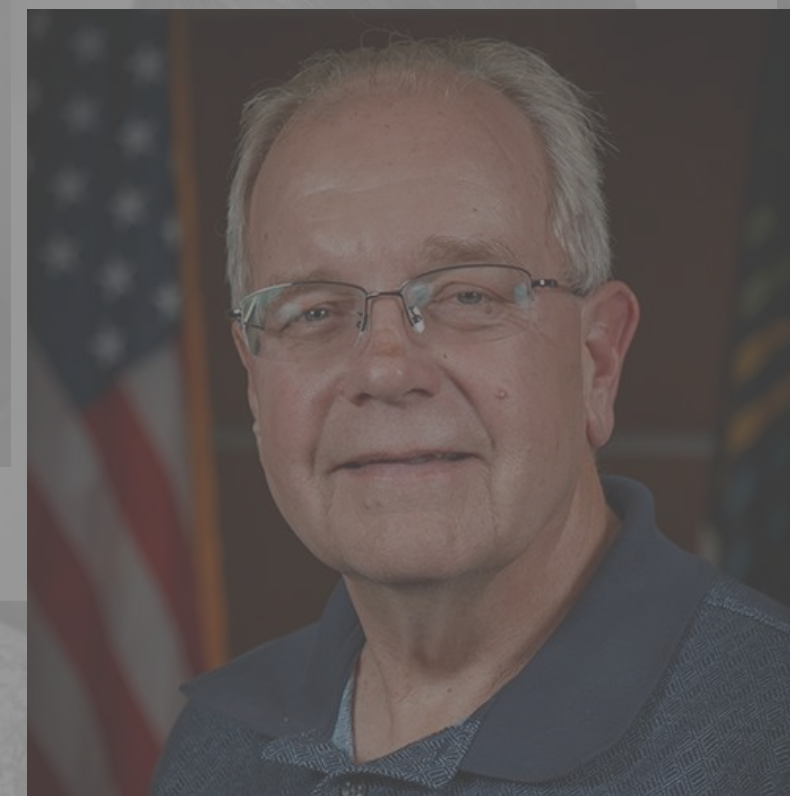
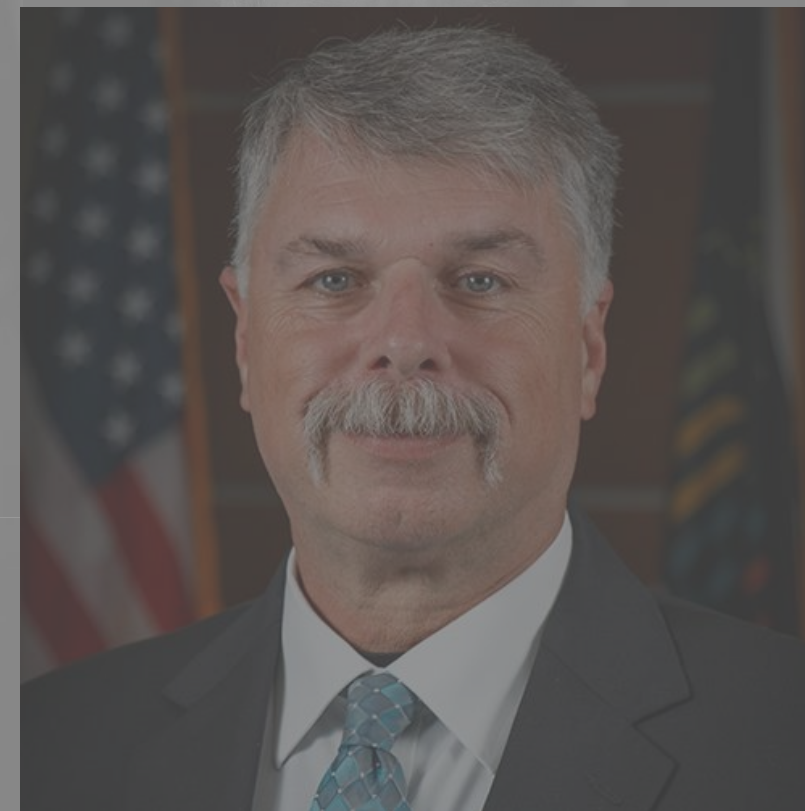
<https://www.doj.state.wi.us/office-open-government/ask-the-oog/when-does-meeting-occur-such-open-meetings-law-applies>

<https://www.doj.state.wi.us/office-open-government/ask-the-oog/i-work-government-are-emails-my-personal-email-account-subject>

<https://www.doj.state.wi.us/office-open-government/ask-the-oog/what-walking-quorum>

<https://www.doj.state.wi.us/office-open-government/ask-the-oog/what-type-notice-required-meeting-governmental-body>

Here
We
Are:
What's
the
role of
an
alder?



Presented by:
Council President
Becky McElhaney &
Mayor Katie
Rosenberg

State Statute

Wisconsin Statute 62.11(5) Powers of the Common Council

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



WISCONSIN STATE LEGISLATURE

[HOME](#) [SENATE](#) [ASSEMBLY](#) [COMMITTEES](#) [SERVICE AGENCIES](#) [DOCS](#) [OPTIONS](#) [HELP](#)  

d, Information as to where the full text of the ordinance may be obtained, including the phone number of the city clerk, a street address where the full text of the ordinance may be viewed, and a website, if any, at which the ordinance may be accessed.

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

History: 1991 a. 316; 1993 a. 184; 1995 a. 225; 2007 a. 72; 2017 a. 50; 2017 a. 365 s. 112.

Cross-reference: See s. 118.105 for control of traffic on school premises.

When a municipality's power to contract is improperly or irregularly exercised and the municipality receives benefit under the contract, it is estopped from asserting the invalidity of the contract. *Village of McFarland v. Town of Dunn*, 82 Wis. 2d 469, 263 N.W.2d 167 (1978).

Madison's power to forbid chemical treatment of Madison lakes was withdrawn by s. 144.025 (2) (i) [now s. 281.17 (2)]. *Wisconsin Environmental Decade, Inc. v. DNR*, 85 Wis. 2d 518, 271 N.W.2d 69 (1978).

When a city council creates a governing board for a utility under s. 66.068 (1) [now s. 66.0805 (1)], the council is prohibited by s. 66.068 (3) [now s. 66.0805 (3)] from fixing wages for utility employees. *Schroeder v. City of Clintonville*, 90 Wis. 2d 457, 280 N.W.2d 166 (1979).

Sub. (5) authorizes an ordinance regulating massage parlors. *City of Madison v. Schultz*, 98 Wis. 2d 188, 295 N.W.2d 798 (Ct. App. 1980).

There is a four-part test in evaluating whether a municipality may regulate a matter of state-wide concern: 1) whether the legislature has expressly withdrawn the power of municipalities to act; 2) whether the ordinance logically conflicts with the state legislation; 3) whether the ordinance defeats the purpose of the state legislation; or 4) whether the ordinance goes against the spirit of the state legislation. *Anchor Savings and Loan Association v. Madison EOC*, 120 Wis. 2d 391, 355 N.W.2d 234 (1984).

The common council and mayor properly limited the power of the police and fire commission to promote police officers. *State ex rel. Wilson v. Schocker*, 142 Wis. 2d 179, 418 N.W.2d 8 (Ct. App. 1987).

Liberalizing home rule authority, a city is not authorized to institute a public safety officer program. *Local Union No. 487 v. Eau Claire*, 147 Wis. 2d 519, 433 N.W.2d 578 (1989).

The power granted under sub. (5) is broader than that granted under Art. XI, s. 3. Sub. (5) does not limit a city's authority to act only in local affairs. A city may act in matters of state-wide concern if the conditions of the four-part test stated in this case are met.

DeRosio Landfill Co. v. City of Oak Creek, 191 Wis. 2d 46, 528 N.W.2d 468 (Ct. App. 1995).

The state regulatory scheme for tobacco sales preempts municipalities from adopting regulations that are not in strict conformity with those of the state. *U.S. Oil, Inc. v. City of Fond du Lac*, 199 Wis. 2d 333, 544 N.W.2d 589 (Ct. App. 1995), 95-0213.

One who deals with a municipality does so at his or her own risk and may be subject to any provisions of law that might prevent him or her from being paid by a municipality even though the services are rendered. Unless the power to bind the municipality financially has been specifically delegated, the only entity with the statutory authority to contract is the municipality. *Holzbauer v. Safway Steel Products, Inc.*, 2005 WI App 240, 288 Wis. 2d 250, 712 N.W.2d 55, 04-2058.

When a challenge to the exercise of police powers is directed at the legislative means employed, the issue is properly framed as one of substantive due process. The legislative means chosen must have a rational relationship to the purpose or object of the enactment, if it has, and the object is a proper one, the exercise of the police power is valid. The fundamental inquiry is not whether the challenged provisions in an ordinance are rationally related to the stated purpose of the ordinance but whether the challenged provisions are rationally related to any legitimate municipal objective. *Metropolitan Milwaukee Association of Commerce, Inc. v. City of Milwaukee*, 2011 WI App 45, 332 Wis. 2d 459, 798 N.W.2d 287, 09-1874.

In ordinances, it is essential to express each municipal power separately. This case will make it essential for the enactment of a different type of ordinance, as because a law forbidding, some might have been added to accomplish the end. This case

Council Ordinances

2.04.020 - Common Council

There shall be one City Alderperson from each of the 11 Aldermanic Districts who shall be elected at the regular City election for a term of two years commencing on the third Tuesday of April in the year of his/her election.

A person may file for both the positions of City Alderperson and County Supervisor and be elected to both of those positions.
(Ord. 61-4977 §1, 1997; Ord. 61-4622 §1, 1987.)

Code of Conduct

Chapter 2.03 - Code of Ethics for Public Officials and Employees

- (a) Moral and ethical standards among City public officials and employees are essential to the conduct of representative government; and, the Common Council believes that a code of ethics, to establish standards of conduct for government officials and employees by setting forth those acts or actions that are incompatible with the impartial and responsible exercise of the public trust and avoid conflicts between personal interests and public responsibilities, will improve the quality and integrity of public service and promote, strengthen and nurture the faith and confidence of the citizens of this community in their public officials and employees.
- (b) This code does not prevent any official/employee from accepting other employment or following any pursuit, which in no way interferes with the full and faithful discharge of his or her public duties. The Common Council recognizes that citizens who serve the City as public officials/employees retain their rights as citizens to interest of a personal or economic nature; that standards of ethical conduct for public officials/employees of the City need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material; and, that City officials/employees may need to engage in employment, professional or business activities, other than official duties, in order to support themselves and/or their families, to maintain a continuity of professional or business activity or may need to maintain investments, when activities or investments do not conflict with the specific provisions of this section.

League of Wisconsin Municipalities

- Common councils are legislative bodies.
- Alders are leaders, responsible for setting policy and charting the future of the municipality.
- Statutes provide some detail as to the duties and powers of city mayors but provide no detail regarding the duties and authority of alders.
- This lack of detail reflects the fact that alders do not have authority in their individual capacity. Instead, the statutes address the responsibilities and powers of common councils as a whole. This is because the governing body's authority is collective; it holds power as a unit rather than through its individual members.

League of Wisconsin Municipalities

Alders may still carry out certain functions:

- ✓ Governing body members can and should function as a liaison between the municipality and the members' constituents.
- ✓ Alders may engage with their constituents by hold listening sessions, writing newsletters, surveying constituents.

Certain actions remain outside the scope of the role as alder:

- Individual governing body members do not have supervisory authority over municipal employees and, as such, should refrain from directing municipal staff.

League of Wisconsin Municipalities

Legislative vs Executive vs Administrative Authority:

Legislative Authority

Enactment of legislation (e.g., adopting budget, ordinance regulating keeping of animals, determining what services the municipality will provide, enacting land use regulations).

Executive Authority

Directing staff, developing details relating to delivery of services the governing body has determined to provide, decisions relating to matters where legislation is silent as to details.

Administrative Authority

Signing checks, carrying out specific directions.

Legislative Policy Body

Approving programs & projects

Passing resolutions, ordinances,
and policies and procedures

Adopting operating rules and
procedures for the conduct of
business

Establishing fees

Passing annual City budget

Setting tax levy and tax rate



Approving license and permits

Adopting legislative positions

Approving issuance of debt

Approving certain purchases,
contracts, and agreements

Serving on one or more
standing committees

Liaison with City staff on
district questions and
concerns

Council Rules Consideration

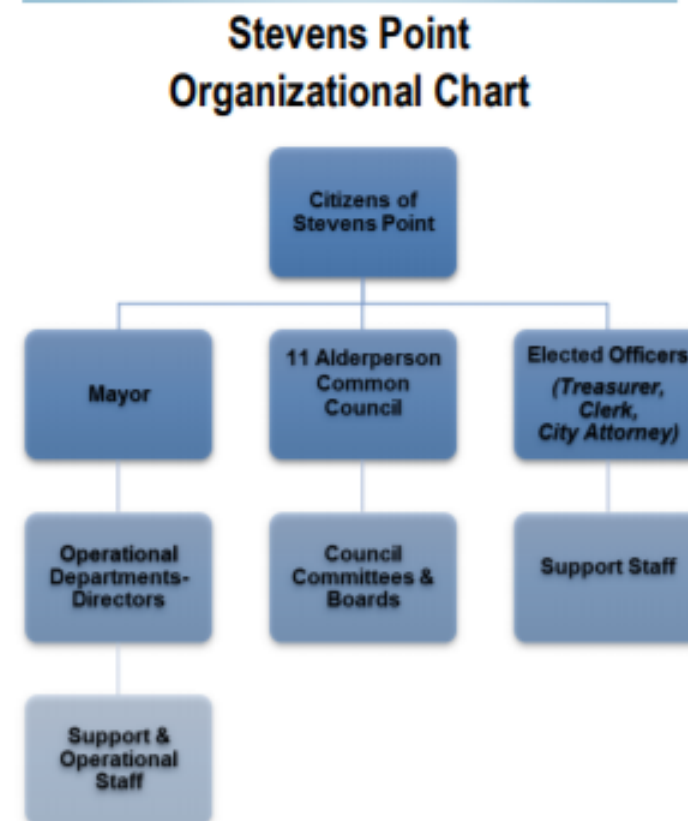
What Is the Common Council?

The Common Council consists of the elected 11 alderpersons and the mayor. The Council is the legislative branch of city government.

Council sets the policy direction and priorities of the city by establishing ordinances (laws), passing declaratory resolutions, and considering, denying or approving motions at city meetings.

The Council is responsible for setting the city budget, overseeing all city properties and providing services for the health, safety and well-being of the public.

As well, it is responsible for setting tax rates and assessing fees to meet operational and contingency needs of the city. Council also approves for economic development and financing for capital expenditures.



City Departments

Airport
Assessor
Clerk
Community Development
Community TV/Radio/Web
Comptroller/Treasurer
Economic Development
Fire/EMS
Forestry
Housing Authority
Parks/Recreation
Personnel
Police
Public Works
Streets
Transit
Water/Sewerage/Stormwater

City of Stevens Point

The Role of Common Council & Alderpersons



Chartered-
May 17, 1858

First City Election-
June 26, 1858

First Council Meeting-
July 1, 1858

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481
715-346-1569
StevensPoint.com
Facebook: City of Stevens Point Government

What Is the Role of an Alderperson?

- ⇒ Represent the interests of the district's constituents, as well as those of the entire city.
- ⇒ Set the city's policy direction, considering constituent ideas and city staff expertise, as well as relevant evidence and data from a wide range of sources.
- ⇒ Has policy-making authority only as a voting member of the Common Council.
- ⇒ Serve as a link between district residents and the city in resolving issues, needs and complaints.
- ⇒ Communicate with residents using a wide variety of means.
- ⇒ Attend Common Council, committee and board meetings.
- ⇒ Participate in setting the budget and borrowing to finance capital improvements project.
- ⇒ Submit proposals and initiatives for consideration by the Common Council.
- ⇒ Consider override of mayoral vetoes.
- ⇒ Conduct oneself in a manner appropriate to the office.

Alderpersons

Version: June 2017

Tori Jennings	-District 1
715-344-7377	
David Shorr	-District 2
715-544-4121	
Cindy Nebel	-District 3
715-341-1141	
Mykeerah Zarazua	-District 4
715-347-6622	
Meleesa Johnson*	-District 5
715-343-1624	
Jeremy Slowinski	-District 6
715-340-8494	
Mary Kneebone	-District 7
715-295-4689	
Cathy Dugan	-District 8
715-341-9850	
Polly Dalton	-District 9
262-224-6027	
Mike Phillips	-District 10
715-341-4255	
Shaun Morrow	-District 11
920-277-6328	

*Denotes president of Common Council

Council website:

stevenspoint.com/council

Alder Districts & Maps

stevenspoint.com/districts

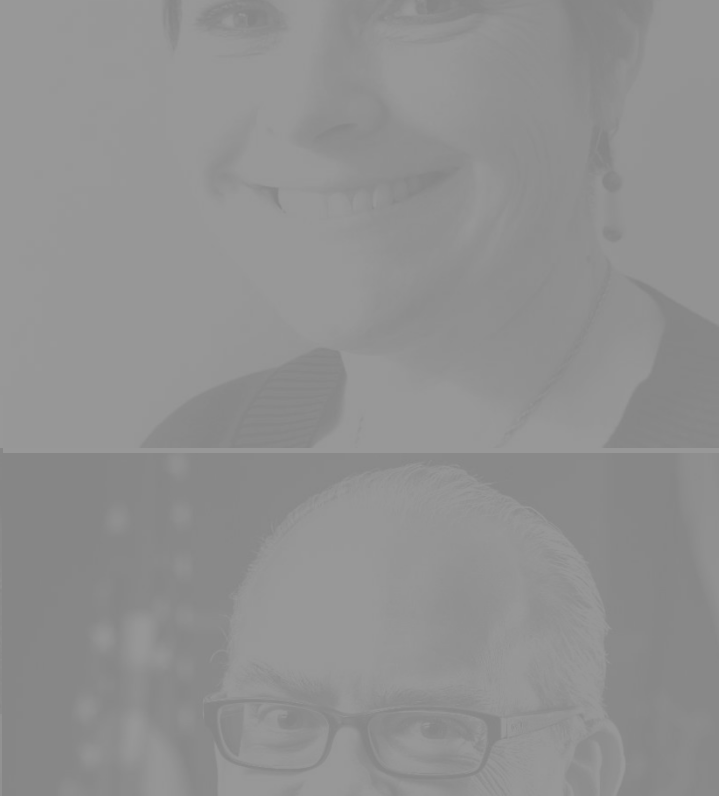
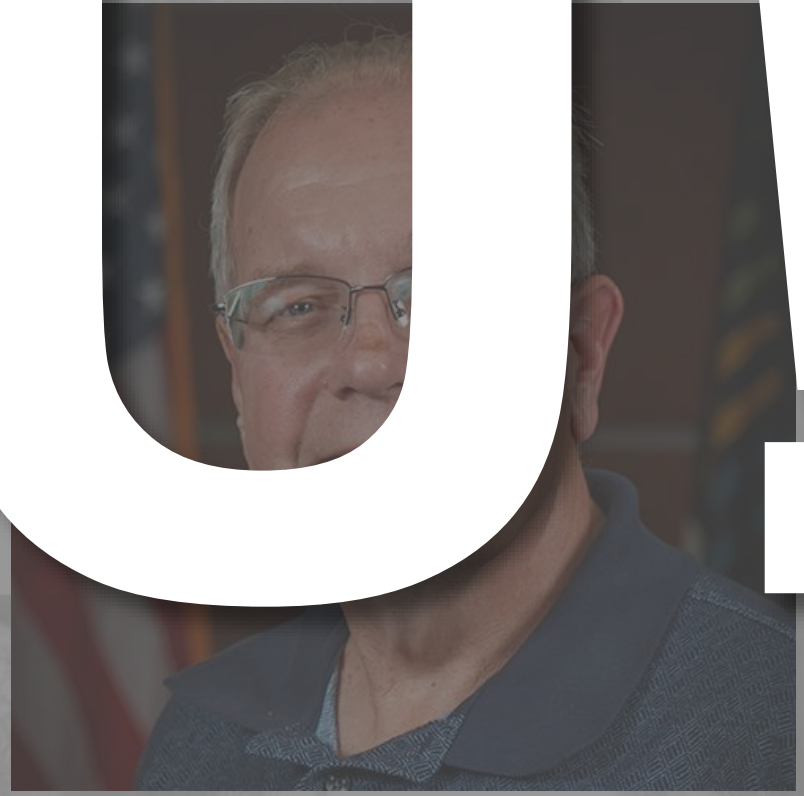
WI Statute 62.11(5)

Powers of the Common Council

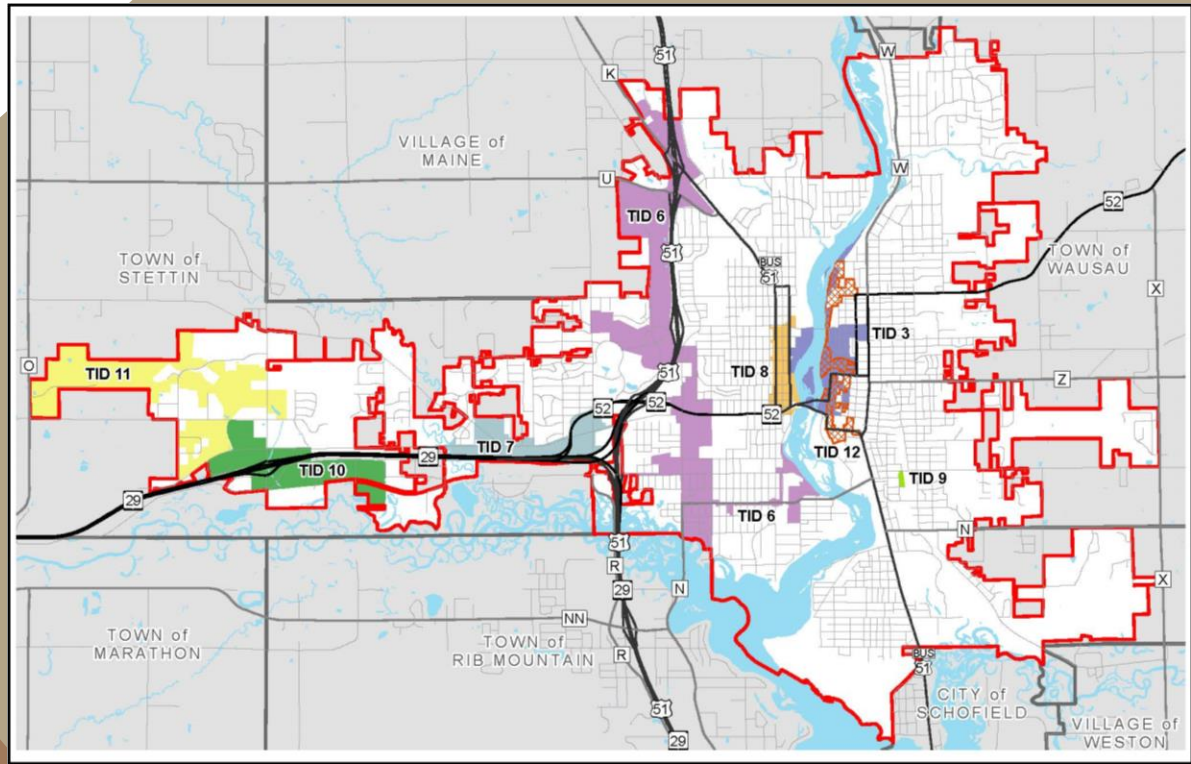
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THANK
YOU!



TAX INCREMENT FINANCE



TAX INCREMENT DISTRICT – WHAT THE HECK IS IT!?

IT'S A FINANCING TOOL and EQUALIZER!

It provides EXTRA funding for municipalities to construct infrastructure and pay other costs related to economic development and redevelopment.

State of Wisconsin created in 1975 to eliminate blight in urban areas. Cost of redevelopment much higher than greenfield development.

Municipalities make the investment of infrastructure yet other taxing entities benefit from the increased tax base.



TAX INCREMENT OBJECTIVES

- Create more and better jobs!
- Attract and expand business!
- Increase property tax base and maintain diversity!
- Clean up polluted sites!
- Eliminate blight!
- Update infrastructure – streets, utilities, sidewalks!
- Preserve and improve urban areas!
- Increase the population!
- Provide for better housing!
- Stabilize neighborhoods!

**THESE OBJECTIVES BENEFIT ALL LEVELS OF
LOCAL GOVERNMENT!**

DISTRICT TYPES

Districts classification(based upon 50% land use)

- Blight 27 years
- Rehabilitation/Conservation District (Urban Renewal) 27 years
- Industrial District 20 years
- Mixed Use District 20 years
- Environmental Remediation 27 years
- Town 16 years

TIDS LOCALLY

CoMun #	County	TVC	Municipality	TID #	Type	Base Yr.	Resolution Date	Maximum Life	Life Extended
37201	MARATHON	CITY OF	ABBOTSFORD	5	6	2008	9/24/2008	9/24/2028	
37201	MARATHON	CITY OF	ABBOTSFORD	6	6	2016	9/21/2016	9/21/2036	23.28%
37102	MARATHON	VILLAGE OF	ATHENS	1	1D	1995	9/25/1995	9/25/2022	9/25/2032
37102	MARATHON	VILLAGE OF	ATHENS	2	6	2007	2/26/2007	2/26/2027	15.71%
37211	MARATHON	CITY OF	COLBY	2	1	1993	9/29/1993	9/29/2020	26.14%
37121	MARATHON	VILLAGE OF	EDGAR	1	2	2002	6/10/2002	6/10/2029	10/11/2034
37121	MARATHON	VILLAGE OF	EDGAR	3	6D	2005	10/11/2004	10/11/2024	10/11/2034
37121	MARATHON	VILLAGE OF	EDGAR	4	6	2016	9/15/2016	9/15/2036	13.10%
37136	MARATHON	VILLAGE OF	HATLEY	1	6	2007	3/6/2007	3/6/2027	3/6/2033
37145	MARATHON	VILLAGE OF	KRONENWETTER	1	5S	2005	11/3/2004	11/3/2024	11/3/2044
37145	MARATHON	VILLAGE OF	KRONENWETTER	2	99	2005	11/3/2004	11/3/2029	11/3/2034
37145	MARATHON	VILLAGE OF	KRONENWETTER	3	5	2005	11/3/2004	11/3/2024	11/3/2034
37145	MARATHON	VILLAGE OF	KRONENWETTER	4	5D	2005	11/3/2004	11/3/2024	11/3/2034
37146	MARATHON	VILLAGE OF	MAINE	1	4D	1997	9/29/1997	9/29/2020	9/29/2030
37151	MARATHON	VILLAGE OF	MARATHON	1	4	2002	1/3/2002	1/3/2025	1/3/2028
37151	MARATHON	VILLAGE OF	MARATHON	2	6	2016	6/20/2016	6/20/2036	22.15
37251	MARATHON	CITY OF	MOSINEE	2	5	2006	10/24/2005	10/24/2025	
37251	MARATHON	CITY OF	MOSINEE	3	2	2013	9/23/2013	9/23/2040	6.65%
37176	MARATHON	VILLAGE OF	ROTHSCHILD	2	3	2013	1/28/2013	1/28/2040	2.72%
37281	MARATHON	CITY OF	SCHOFIELD	2	1	1994	4/4/1994	4/4/2021	4/4/2031
37281	MARATHON	CITY OF	SCHOFIELD	3	3D	1997	9/22/1997	9/22/2024	9/22/2034
37281	MARATHON	CITY OF	SCHOFIELD	4	2	2017	9/12/2017	9/12/2044	11.62%
37181	MARATHON	VILLAGE OF	SPENCER	2	4	1999	9/20/1999	9/20/2022	
37181	MARATHON	VILLAGE OF	SPENCER	3	6	2013	9/16/2013	9/16/2033	
37181	MARATHON	VILLAGE OF	SPENCER	4	6	2016	9/29/2016	9/29/2036	6.46%
37182	MARATHON	VILLAGE OF	STRATFORD	3	6	2006	4/18/2006	4/18/2026	
37182	MARATHON	VILLAGE OF	STRATFORD	4	6	2015	6/9/2015	6/9/2035	16.23%
37186	MARATHON	VILLAGE OF	UNITY	1	3	1998	6/8/1998	6/8/2025	7.07%
37291	MARATHON	CITY OF	WAUSAU	3	99	1994	9/1/1994	9/1/2031	
37291	MARATHON	CITY OF	WAUSAU	6	5	2005	5/10/2005	5/10/2025	
37291	MARATHON	CITY OF	WAUSAU	7	6	2006	1/10/2006	1/10/2026	
37291	MARATHON	CITY OF	WAUSAU	8	3	2012	4/10/2012	4/10/2039	
37291	MARATHON	CITY OF	WAUSAU	9	2	2012	9/25/2012	9/25/2039	
37291	MARATHON	CITY OF	WAUSAU	10	5	2013	9/10/2013	9/10/2033	
37291	MARATHON	CITY OF	WAUSAU	11	5	2017	7/11/2017	7/11/2037	
37291	MARATHON	CITY OF	WAUSAU	12	3	2017	7/18/2017	7/18/2044	10.28%
37192	MARATHON	VILLAGE OF	WESTON	1	99	1998	3/30/1998	3/30/2031	
37192	MARATHON	VILLAGE OF	WESTON	2	2	2004	5/17/2004	5/17/2031	22.15%

CREATION AND AMENDMENTS– THE NUTS AND BOLTS!

1. DEVELOP THE PLAN - map - projects - expenses and financing

2. SHARE AND GET FEEDBACK – public hearing, letters to property owners, newspaper notice

3. APPROVAL FROM LOCAL GOVERNMENTS – school, county and technical college approval is required. Council approval is required.

4. APPROVAL FROM THE WISCONSIN DOR

PROJECT COSTS WITHIN THE DISTRICT AND 1/2 MILE BOUNDARY

- **PUBLIC INFRASTRUCTURE**
- **LAND ACQUISITION**
- **FINANCING COST – DEBT SERVICE**
- **CONSULTING SERVICES**
- **REMEDIATION**
- **DEMOLITION AND BUILDING REPAIRS**
- **DEVELOPER INCENTIVES – DEVELOPER AGREEMENT REQUIRED**
- **ADMINISTRATION**

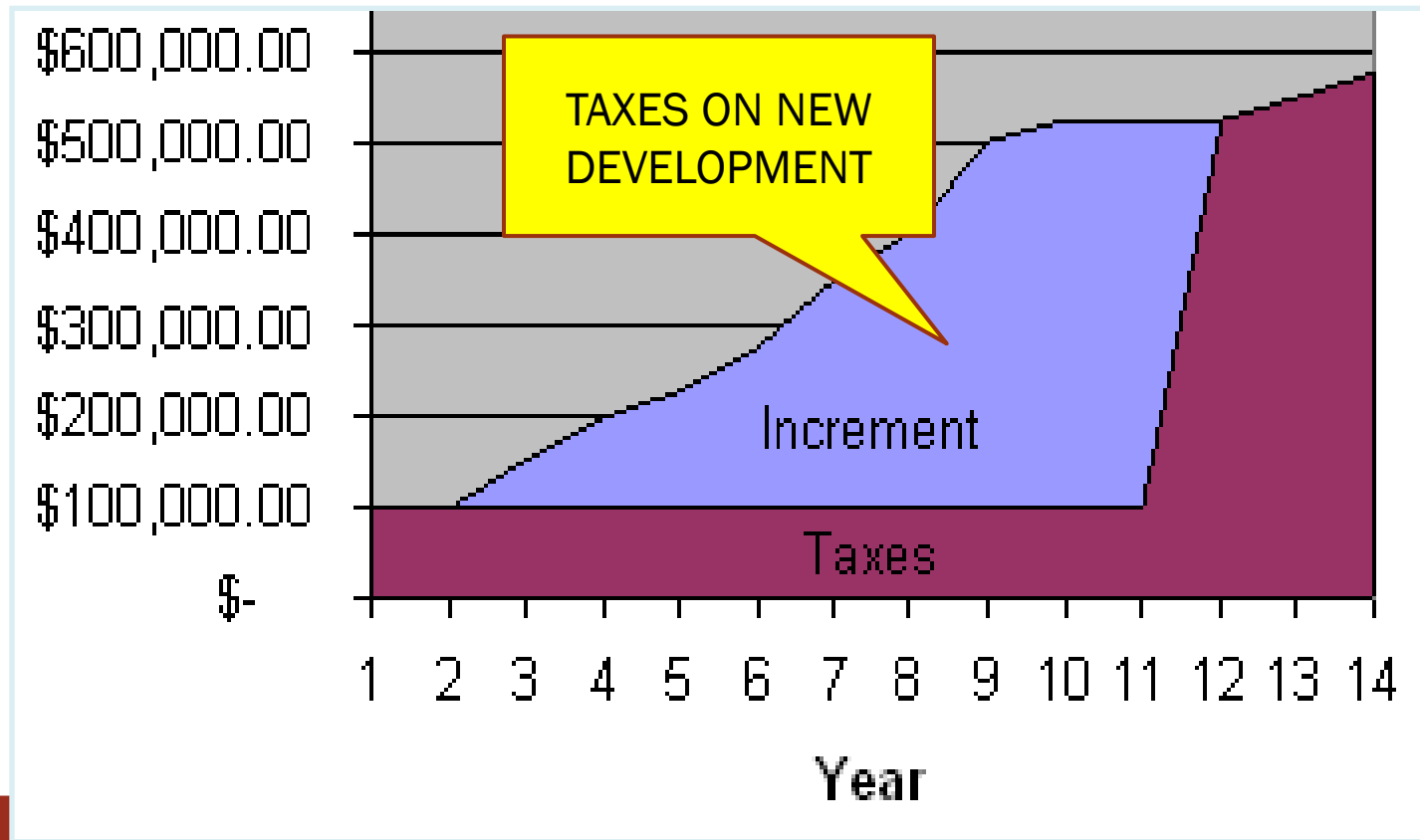
BUT FOR TEST

**DEVELOPMENT WOULD NOT OCCUR BUT FOR
THE USE TIF FINANCING?**

OBSTACLES TO DEVELOPMENT

- LAND ASSEMBLY COSTS
- INFRASTRUCTURE IMPROVEMENTS
- SITE CHALLENGES
- ENVIRONMENTAL CHALLENGES
- FINANCING GAPS
- DEVELOPMENT RISKS
- EXTRAORDINARY BUILDING COSTS
- INSUFFICIENT RATE OF RETURN
- ECONOMY

THE FINANCIAL MODEL

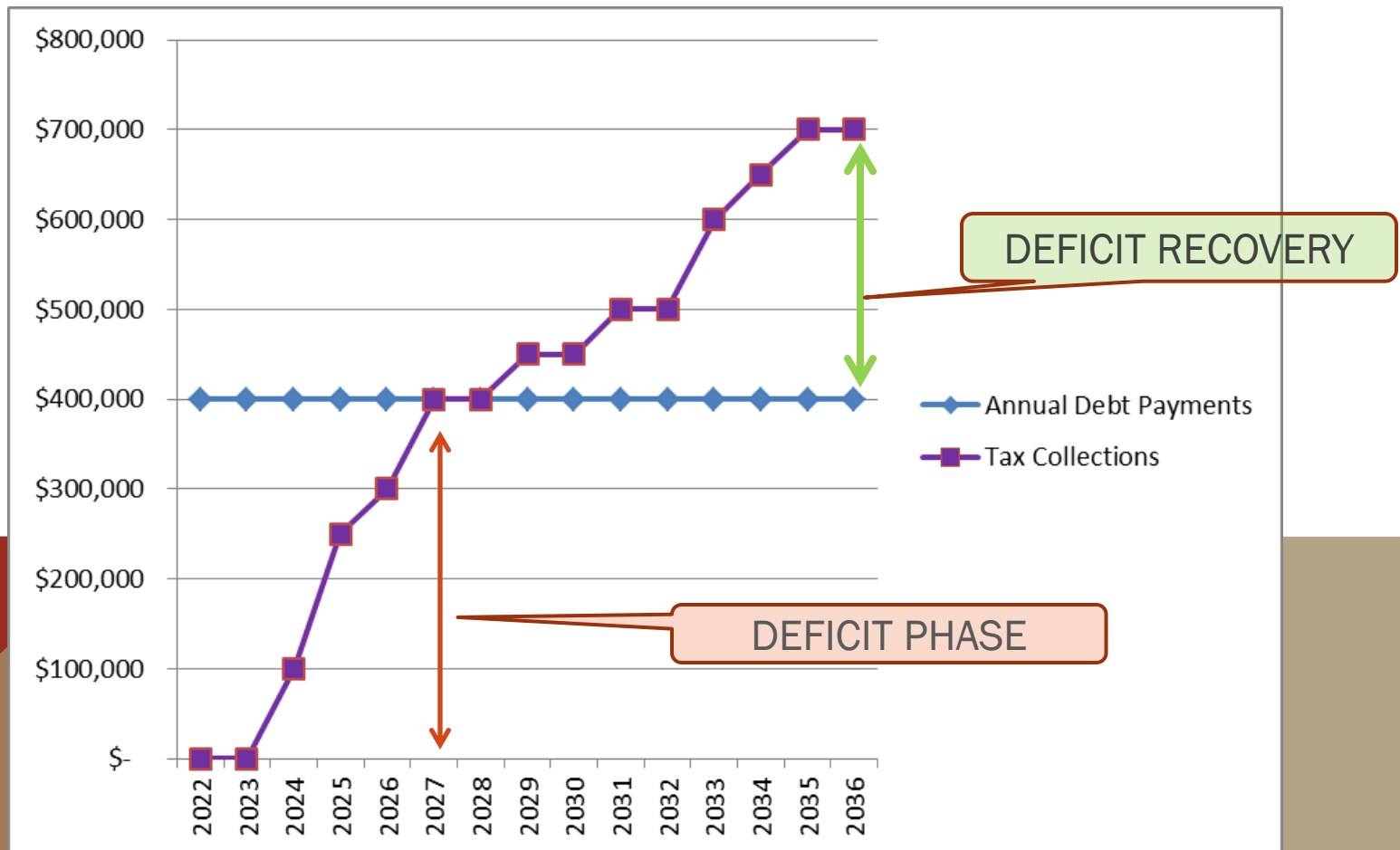


- TAXES USED TO FUND CITY, COUNTY, SCHOOL BUDGETS
- TAXES USED TO PAY DISTRICT PROJECT COSTS

PROJECT TIMELINE AND DEFICITS

2021- INFRASTRUCTURE
IMPROVEMENTS AND
CAPITAL COSTS

2022- 2025 PRIVATE
DEVELOPMENT AND TAX
GROWTH



TID 5 CLOSURE

	LEVY AVAILABLE FOR 2021 BUDGETS
CITY	\$329,988
COUNTY	\$162,357
TECH	\$43,632
WAUSAU SCHOOL	\$370,731
TOTAL	\$906,708

COMMON COUNCIL CONTROLS THE TID

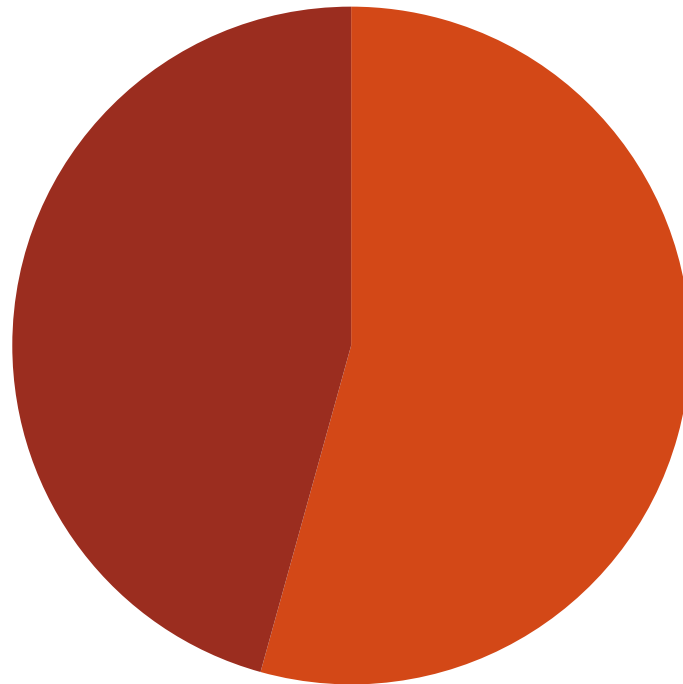
- **APPROVES PROJECT PLANS AND AMENDMENTS**
- **APPROVES DEVELOPER AGREEMENTS**
- **APPROVES ALL DEBT ISSUES**
- **APPROVES ANNUAL BUDGETS**
- **APPROVES TERMINATION**

TID TRANSPARENCY

- **Public Input at Creation and Amendment**
- **Annual Report Posted on City Web Site**
- **Annual Report Posted on DOR Web Site**
- **Annual Joint Review Board Meeting with Public Notice**
- **Included in our Annual Audit**

TID STREET IMPROVEMENTS ELIGIBLE PROJECT COST

Actual spending 2009-2019



■ General Capital - \$35 million

■ TID's \$29.5 million

TID FOR RESIDENTIAL

WHAT THE TID LAW SAYS ON HOUSING

- **CREATE A NEW RESIDENTIAL NEIGHBORHOOD**

Mixed Use TID classification

Limited to 35% of the property as residential

One of the following:

Density requirement 3 lots per acre

Developed under traditional neighborhood or conservation subdivisions in the state statutes

- **1 Year TID extension – use final year increment for affordable housing**
 - 75% of final increment must benefit affordable housing
 - 25% improve housing in City

TID TIMELINES

DISTRICT	EXPENDITURE PERIOD END	MANDATED CLOSURE
TID 3	9/1/2026	9/1/2031
TID 5	CLOSED	CLOSED
TID 6	CLOSED	5/10/2025
TID 7	CLOSED	1/10/2026
TID 8	4/10/2034	4/10/2039
TID 9	9/25/2034	9/25/2039
TID 10	9/10/2028	9/10/2033
TID 11	7/11/2032	7/11/2037
TID 12	7/18/2039	7/18/2044

TID 2021 EXPECTED PROJECTS

TID 12 – MALL REDEVELOPMENT

TID 10 – DESIGN WORK FOR STEWART AVENUE 48TH TO 72ND AVENUE

TID A FINANCING TOOL FOR ECONOMIC DEVELOPMENT

