

Chilton, Wisconsin  
February 20, 2018

The regular meeting of the Chilton Common Council was called to order at 6:30 p.m. with Mayor Rick Jaeckels presiding in the council chambers at the Chilton City Hall.

**AGENDA POSTING:**

On 2/16/18, copies of the agenda were delivered to the Mayor, Aldermen, City Attorney, and City Department Heads, were made available to the media, and posted on the City Hall bulletin board and city web page.

**ROLL CALL: COMMON COUNCIL:**

Mayor Rick Jaeckels and seven members of the Council were present at roll call:

Council Member Greg Kubichka                      Council Member Kevin Johnson

Council Member Ron Gruett (arrived at 6:35 PM)

Council Member Mike Goebel                      Council Member Kathy Schmitzer

Council Member Dan Hilton                      Council Member Mark Willems

Other city officials present were Director of Public Works Todd Schwarz, Police Chief Craig Plehn, City Attorney Derek McDermott and City Clerk Helen Schmidlkofer.

Absent and excused Council Member Clayton Thornber.

**General attendance:** Peggy Loose

Those in attendance recited the Pledge of Allegiance.

Moved by Kubichka, seconded by Hilton and carried to approve the minutes of the council meeting held on 2/06/2018.

**REPORT OF OFFICERS:**

**MAYOR REPORT:**

- ↻ Update on Department of Corrections (DOC) housing. Calumet County still is interested in securing a location likely within the City of Chilton as close to the jail, probation and parole and Dept. of Health Services. DOC looked at a home on State Street. The Sheriff had asked Chief Plehn if the City would be willing to waive the sex offender restrictions and I said to tell the County "NO." DOC could purchase a house where other than sex offenders could reside, but that wouldn't make sense from their perspective, as they want a facility that is all inclusive. I am bringing this up not for discussion but just a consensus that the City position has not changed. If anyone has a differing opinion let me know. Residents are encouraged to voice their opinions and concerns to myself, council members, Calumet County Supervisors or Sheriff Ott.
- ↻ I received a letter from Fox Valley Technical College (FVTC) regarding an opening on their board. If interested please contact them.
- ↻ The meeting for the VFW and American Legion has been rescheduled to Friday, February 23, 2018 at 6 pm from last night due to inclement weather. All council members have received an agenda via email.
- ↻ Last Wednesday I attended the Calumet County Highway Committee meeting; the committee clarified and revised the cost sharing policy. The committee did not pass the 50/50 policy that was proposed. They made revisions and that is the policy the committee passed. Again not much changed; in fact one of the committee members asked if the policy would be presented to the entire county board and the response was, No. I did meet with Calumet County Administrator Romenesko after the committee meeting and he said he would have a meeting with city and village leaders in the future.
- ↻ Council member Johnson inquired why the Public Safety committee is not involved with filling the fire chief position. Isn't that one of the duties of the committee? Jaeckels responded, "I just asked Kathy to serve as a committee member she has a background in business and hiring. As of right now, we are waiting for applicants. If there is only one applicant then I would probably just sit down and meet with that person myself. The only reason we would have an ad-hoc committee meeting would be if there would be two or more.

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- ↻ Council member Kubichka reminded the council that the mayor would be adding one or two more members. Jaeckels stated yes, two outside firefighters, from outside of the area. It would be my hope that they necessarily would not know the applicants so they could give non-biased opinions and input.
- ↻ Willems inquired on the joint meeting of the VFW and the American Legion. I understand this is not an official city meeting and you are planning to facilitate. I am wondering given some of the strong feelings from the groups if the City should be involved. Jaeckels replied that he would like to sit down with all the members and not just the leaders of the groups to make sure that everyone is hearing the same information.

**CITY CLERK REPORT:**

- ↻ The 2018-spring primary election for Justice of the Supreme Court is today.
- ↻ The spring election is April 3; polls are open 7 AM to 8 PM.
- ↻ Open book is set for April 10, 2018 from 4:00 PM to 6:00 PM and Board of Review is scheduled for April 30, 2018 from 8:15 AM to 10:15 AM.
- ↻ As requested from the last council meeting by Council Member Willems, Schmidlkofer gave reference materials of what should or should not be included in the council minutes from the Wisconsin Municipal Clerks Association manual.

**APPROVE LICENSE APPLICATIONS:**

Moved by Willems, seconded by Schmitzer to approve the two-year license application to serve fermented malt beverages and intoxicating liquors from February 20, 2018 to June 30, 2018 for Emma M. Cullen. Motion carried. Clerk Schmidlkofer noted the applicant has been approved by the Chilton Police Department.

**DIRECTOR OF PUBLIC WORKS:**

- ↻ Well house #8 replacing three butterfly valves.
- ↻ Wastewater clarifier tank; floor has been removed. Next the contractor will pour the main floor, install equipment, sweeper, capping and finally paint. In approximately 3 weeks the project should be completed.
- ↻ Acquiring prices for the effluent pumps.
- ↻ Street Department: there was a water main break on Sunday night, earlier today the Department was salting streets and cleaning out catch basins.
- ↻ Lift station at city hall went out last night and has been repaired and functioning again.
- ↻ I have been working on developments in TIF #6 and #7.

Council member Gruett thanked the Street Department for a great job on the city streets from the ice storm.

**AUDIENCE PARTICIPATION:** No comments.

**REPORT OF COMMITTEES:**

Committee member Kubichka reported on the minutes of the February 12, 2018 Public Works committee meeting.

The committee reviewed drainage problems in the southern part of the City and a section of land outside the City. There still is more follow-up so nothing to discuss at this time.

The committee reviewed the buildings at 225 N. Irish Road (Dan and Donna Vogt) to solicit bids to move or demolition the buildings from the property. Vogt has already looked into moving the house themselves and it was too costly. The committee felt an obligation to make a best-case effort to minimize all costs to the City. If the City can sell the home, we can save the costs of demolition. It was noted that Vogt's could live in the house until October 1, 2018.

Moved by Kubichka seconded by Gruett to advertise for bids for disposal or removal of the house and/or outbuildings from the property at 225 N. Irish Road. The ad shall be

placed on the city’s website and Delta Publications with a deadline to submit BIDs by July 1, 2018. Motion carried.

The committee reviewed research on the bulky item pick up from nearby municipalities. Kubichka stated that the last bulky item pick-up for the city is 2019. If anyone has any suggestions please bring them to the committee members.

Kubichka said the Dairyland Estates subdivision is in Tax Incremental District (TID) #6 and the City is ready to develop it. Davel Engineering & Environmental, Inc. who drew up the original plans for the platted subdivision submitted a proposal for drainage plans. The requirements for drainage have changed since the 2002 plans. It does not appear that there are any wetlands in this area. All permits need to be in order for water, sanitary sewer, etc. The entire subdivision will not be developed right now because it will not work financially for the TID. The City will develop S. Diane Street and the cul-de-sacs to the north.

Attorney McDermott noted that earlier today he met with Clerk Schmidlkofer, DPW Schwarz and the new owners of Dairyland Estates Ken and Darlene Danes. The City is working on a Developers Agreement which will have to be entered into with the Danes’ since there will be assessments for each lot for sanitary sewer, water main, curb and gutter. The remaining infrastructure costs will be paid by the TID. The assessments are paid when a lot is sold and that money goes back into the TID. Sidewalks would be put in when 70% of the lots in the subdivision are sold. This would be based on the City’s current assessment policy.

Brief discussion took place regarding the current property owners and installation of sidewalk. McDermott read the covenants on the subdivision and it states the following: Developer will install sidewalks on South Diane Street, Bessy Lane, that portion of Jemima and Bonette Lane lying south of Diane Street and Cassy Lane where it is extending north to Highway 151. Goebel said that residents in the area were told sidewalks would not be installed. McDermott noted this would have to be looked at.

Moved by Johnson, seconded by Gruett to approve TIF #6 expenses for Daval Engineering proposal of \$10,300.00 for drainage and storm water plans, \$2,400.00 for public sewer and water plans and \$67,300.00 for construction services for a total cost of \$80,000.00. Roll call vote.

Gruett – yes	Willems – yes	Kubichka – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Johnson – yes	Goebel - yes

Seven votes cast. Seven votes aye. Motion carried.

DPW Schwarz informed the council that there were problems at the wastewater treatment plant with the clarifier. The City received three quotes to fix the clarifier and selected the quote for \$48,100.00 from Hamann Construction Co.

Chairman Schmitzer reported on the minutes of the February 13, 2018 General Government committee meeting.

DPW Schwarz informed the committee that Sigma submitted a proposal for supplemental investigation for the properties of 420 E. Main, 476 E. Main, 415 E. Main Street & E. Main Street lot for a cost of \$26,900.00. In 2015 when the City assisted U.S. Oil with a property transfer the City received \$50,000.00, which was transferred to Economic Development account (803-56700-210) for future development. Schwarz recommended that the Economic Dev. Funds be used for the Sigma proposal. Sigma’s proposal would be to identify contamination; it would not include clean up. Mr. Bartz from WI Economic Development Corporation (WEDC) suggested that the City would apply for a Brownfield’s Grant for razing the buildings and clean up. Schwarz mentioned that he has contacted several business owners within the City to see if they would be interested in these properties for future development.

Photos of the properties were distributed which illustrated machinery and equipment

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on all of the properties. Attorney McDermott further described the details of an SBA Loan of \$262,500 on the vacant lot. Once the loan is released, the City would proceed with a purchase agreement with the owner.

Moved by Schmitzer, seconded by Kubichka to accept the Sigma proposal for supplemental investigation for \$26,900.00 and use funds from the Economic Development (803-56700-210) account. Roll call vote.

Gruett – yes	Willems – yes	Kubichka – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Johnson – yes	Goebel - yes

Seven votes cast. Seven votes aye. Motion carried.

Moved by Schmitzer, seconded by Willems that the former owner and renter of the four properties noted above are given notice that by May 1, 2018 the equipment and machinery needs to be removed from the premises, if not removed the City will. Motion carried.

Moved by Johnson, seconded by Kubichka that the City apply for a Brownfield Grant to clean up and remove the buildings on the following properties: 420 E. Main, 476 E. Main, 415 E. Main Street & E. Main Street lot. Motion carried.

Clerk Schmidlkofer reported on the annual Red Flag Policy report. The implementation, review and management of City of Chilton Identity Theft Prevention Program (also known as the Red Flag Rule Program) lies with the Office of Clerk and Deputy Clerk. The Program requires that the Clerk and Deputy Clerk annually report to the Common Council on the effectiveness of the Program. Schmidlkofer reported that in the calendar year 2017, there were no reports of identity theft from a customer, victim or other business concerning identity theft in connection with a covered account. Furthermore, the Program Policy does not need any changes or modifications.

Clerk Schmidlkofer reminded the council that in December of 2017 the City planned to borrow money for Uptown Commons II project and tax incremental districts No. 6 and No. 7. The Horizon project has been delayed several times and if Horizon fails to proceed with their project in April as planned, the City will need to borrow money for TIF projects. The plan was to proceed with borrowing funds to include all three projects however; the City can no longer wait for Horizon. Estimated costs for infrastructure for the TIF districts were reviewed. No action is required at this time but for informational purposes. The developer agreements for the subdivisions in TIF #6 are being created however; nothing is final at this point.

Mayor Jaeckels said, “Horizon has been notified that for any reason they are delayed the City needs to move forward with borrowing funds. So any agreement that the City has with Horizon would have to be altered so that any additional borrowing costs would be their responsibility, the City cannot delay borrowing any longer.”

Clerk Schmidlkofer reported that a budget transfer of \$19,969.00 from health insurance reserve was used for 2017 expenditures. That is the difference from the health insurance premiums, the reimbursement from payroll and the 12% premiums from the employees.

Clerk Schmidlkofer provided four quotes to replace the copy machine in the city hall office. The city hall staff endorses the Marco quote for a Konica Bizhub C368 for \$5,995.00. Marco also quoted a 5-year rate lock for toner and services for 100,000 black and white copies and 7,000 color copies. The current Konica Minolta copier would be transferred to the Water and Waste Water Departments and Marco has agreed to move and install the old copier at no cost to the City. There will be a book entry to charge the Departments for the old copier.

Moved by Kubichka, seconded by Hilton to accept the quote from Marco for a Konica copier for \$5,995.00 and the old Konica copier transferred to the Water and Waste Water Departments. Roll call vote.

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Gruett – yes                      Willems – yes                      Kubichka – yes                      Thornber – absent  
 Schmitzer – yes                      Hilton – yes                      Johnson – yes                      Goebel - yes  
 Seven votes cast. Seven votes aye. Motion carried.

Schmitzer noted that the committee reviewed the Chilton Chamber newsletter and discussed council member nameplates.

Mayor Jaeckels reported on the February 14, 2018 Redevelopment Authority meeting minutes.

The RDA is waiting for completion of a certified survey map and then will proceed with development agreements for the proposed four lots.

Mayor Jaeckels reported on the February 14, 2018 Plan Commission meeting minutes.

DPW Schwarz informed the Council that the Smart Growth Plan is required to be reviewed annually and updated if necessary. Since changes were made to the land use for a 5.97-acre parcel (Tax ID # 30134) owned by the Redevelopment Authority off Chestnut Street the Comprehensive Plan needs to be updated. This property was rezoned from industrial to commercial.

Motion by Schmitzer, seconded by Hilton set a public hearing on March 20, 2018 at 6:45 PM to review a change to the Year 2030 Comprehensive Plan Preferred Land Use Map. Motion carried.

Jaeckels noted the Commission started discussion regarding Chapter 16, the zoning code and this will continue.

The January 8 and February 12, 2018 Library Board minutes were distributed for the council members.

The December 13, 2017 Housing Authority meeting minutes were distributed to the council members.

**NEW BUSINESS:**

Moved by Kubichka, seconded by Goebel to introduce, adopt and waive the reading of Resolution No. 1762, a resolution to designate depository at Investors Community Bank. Roll call vote.

Gruett – yes                      Willems – yes                      Kubichka – yes                      Thornber – absent  
 Schmitzer – yes                      Hilton – yes                      Johnson – yes                      Goebel - yes  
 Seven votes cast. Seven votes aye. Motion carried.

**COMMUNICATIONS:**

The February 7, 2018 staff minutes were distributed to the council members.

**APPROVE PAYMENT OF BILLS:**

Moved by Hilton, seconded by Schmitzer to pay the bills. Voucher No. 81613 through Voucher No. 81665 or accounts payable and payrolls totaling \$2,060,517.36. Roll call vote.

Gruett – yes                      Willems – yes                      Kubichka – yes                      Thornber – absent  
 Schmitzer – yes                      Hilton – yes                      Johnson – yes                      Goebel - yes  
 Seven votes cast. Seven votes aye. Motion carried.

**ADJOURNMENT:**

Moved by Johnson, seconded by Hilton and carried to adjourn at 7:20 p.m. on February 20, 2018.

Helen Schmidlkofer, MMC  
 City Clerk