

Chilton, Wisconsin
July 16, 2019

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 7/11/19, 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.

COMMON COUNCIL ROLL CALL:

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

Council Member Clayton Thornber	Council Member Ron Gruett
Council Member Andrew Deehr	Council Member Mike Goebel
Council Member Tom Reinl	Council Member Mark Willems

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

Absent and excused is Kathy Schmitzer.

General attendance: Delta Publications Mike Mathes and Dexter Sattler.

Those in attendance recited the Pledge of Allegiance.

Mayor Jaeckels requested a moment of silence in memory of Alderman Dan Hilton who passed away last week. He was a council member for 20 yrs. & a firefighter for 27 yrs.

Moved by Reinl, seconded by Gruett and carried to approve the minutes of the regular meeting held on June 18, 2019 and the special council meeting held on June 24, 2019.

REPORT OF OFFICERS:

MAYOR:

- The City is advertising the 4th ward vacancy in the newspaper. The term will expire on April 19, 2021. Letters of intent will be accepted until August 14, 2019.
- On July 3rd, I met with Keshena Hanson from the Appleton Monthly magazine. They will be highlighting the City of Chilton in their August issue.

DEPUTY CITY CLERK:

- ⌘ Update regarding the Police Department annually review of records check for the agents for each establishment for liquor license renewals was completed on June 24, 2019.
- ⌘ Reminder for future meeting dates and times.

APPROVE OPERATOR LICENSES:

Moved by Willems, seconded by Gruett to approve the two-year license applications to serve fermented malt beverages and intoxicating liquors from July 16, 2019 to June 30, 2020 for Tracy Wilke Kohlman and Krystal D. Theiss. Clerk Schmidlkofer noted the applicants have been approved by the Chilton Police Department. Motion carried.

APPROVE FINANCIAL REPORT:

Moved by Thornber, seconded by Goebel and carried to accept the July 1, 2019 financial report.

DIRECTOR OF PUBLIC WORKS:

- The Sewer Department is cleaning out sewers on Court, Jefferson and School Street for the State Street project.
- A pre-construction meeting with NE Asphalt will be held hopefully next week.
- Spoke to the Calumet Cty. Highway Commissioner. The county wants to purchase a part of the City's lot off Park Street next to their salt shed. They would like to conduct a Phase I Environmental Study & Wetland Delineation before they purchase it.

- DPW Schwarz has a meeting tomorrow with Briess regarding their wastewater permit.
- DPW Schwarz has a meeting tomorrow afternoon with Worthington to discuss their new construction plans.
- The U.S. Small Business Administration (SBA) has agreed to release its lien on the McNeely property at 420 E Main Street.
- The Koehler’s have decided not to proceed with the Developers Agreement for TIF #6 land.

AUDIENCE PARTICIPATION: No comments were received.

REPORT OF COMMITTEES:

The General Government committee met on June 17, 2019. Calumet County is implementing a CDBG CLOSE program, which has approximately \$1.2 million accessible for the county, which can possibly be used to clean up the McNeely property on East Main Street.

Calumet County Clerk Beth Hauser is ordering voting equipment and software for the municipalities within the county (except cities of Menasha, Appleton and Village of Harrison.) The County Clerk is coordinating the acquisition on behalf of the municipalities and that is the purpose for the agreement.

Motion by Reintl, seconded by Thornber to approve the Intergovernmental Cooperative Agreement to facilitate Purchase of New Voting Equipment. Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Ehlers Financial Group recommended that the City update its policy and procedures relating to post issuance compliance as required by the Securities and Exchange Commission (SEC). Ehlers can assist the City with the policy and procedures for a fee of \$500.00. Clerk Schmidlkofer advocates the City use the professional services from Ehlers for post issuance compliance.

Motion by Reintl, seconded by Willems to approve the Agreement for Post-Issuance Debt Compliance Policy and Procedures Templates from Ehlers and Associates, Inc. at a cost of \$500.00. Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Motion by Reintl seconded by Willems to introduce, adopt and waive the reading of Resolution No. 1787, a Resolution Adopting Post-Issuance Debt Compliance Policy for Tax-Exempt and Tax Advantage Governmental Bonds. Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

The 2020 Budget Outline and Deadlines were given to the Council.

MOVED TO NEW BUSINESS:

Mayor Jaeckels opened the Public Hearing at 6:45 P.M. to solicit comments regarding the request to rezone property on Progress Way (Tax ID No. 32386) from I-2 (General Industry) to C-1 (General Business). Mayor Jaeckels read the notice and stated the notice was published as a Class II notice as required by law.

Mayor Jaeckels inquired if anyone was present to speak in favor of the rezone. Mayor Jaeckels inquired a second time if anyone was present to speak in favor of the rezone.

Minutes of Council Meeting 7-16-2019

Dexter Sattler said, "Okay, I will be in favor of it."

Mayor Jaeckels inquired a third time if anyone was present to speak in favor of the rezone.

Mayor Jaeckels then asked three times if anyone present that was not in favor of the rezone. Hearing no comments Jaeckels closed the public hearing at 6:46 PM.

Moved by Willems, seconded by Reintl to introduce, adopt and waive the reading of Ordinance No. 1158, an ordinance to rezone Tax ID No. 32386 from I-2 (General Industry) to C-1 (General Business). Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Dexter Sattler exited the council chambers at 6:47 PM.

MOVED BACK TO REPORT OF COMMITTEES:

The Public Works committee met on June 20, 2019.

The committee reviewed State Street Utilities. The Dept. of Natural Resources (DNR) has a new ruling that states once you remove a portion of a lead lateral regardless if this is on public or private property you need to remove the entire lateral. The City owns the water service from the main to the curb stop. If you replace the lead lateral ahead of the road reconstruction project there is an obligation then to go from the road all the way to the home. On private property, the owner owns the lateral and the costs are passed onto the homeowner. Public informational meetings will be required to inform residents and elected officials of this project.

The committee along with the water and sewer department leadmen had a lengthy discussion regarding generator quotes in detail, which included wells and lift stations, power source, timeline of services on auxiliary power, name brand of generators, installation costs, etc. DPW Schwarz recommended that the City purchase three generators to help in the prevention of backups from occurring in residential homes, which is identified by the DNR as a sanitary sewer overflow. Normally a power outage is during a storm and time is critical due to infiltration of the sanitary sewer system and a continually rising flow. All generators will be LP powered.

Moved by Willems, seconded by Gruett to accept the quote for \$55,000.00 from Brantmeier Electric for a 200-amp Onan generator for Well #7. Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Moved by Willems, seconded by Gruett to accept the quote from Brantmeier Electric for a 100-amp Onan generator for Heimann Street lift station for \$27,600.00. Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Moved by Reintl, seconded by Willems to accept the quote from Brantmeier Electric for a 100-amp Onan generator at Irish Road Lift Station for \$27,600.00. Roll call vote.

Gruett – yes	Willems – yes	Reintl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

The Public Works committee met again on July 9, 2019.

DPW Schwarz reported a ten-year maintenance check was done on Well #9 located on Weeks Road, which included pulling and televising the well. The committee reviewed the televising video of Well #9, which showed the growth of biofilm. The biofilm does

Minutes of Council Meeting 7-16-2019

not constitute a health hazard but is highly corrosive. DPW Schwarz is moving forward with a proposal from Water Quality Investigations (WQI) in the amount of \$6,000 to begin investigating the biofilm problem at Well #9. Dr. Jacque and his crew will be starting tomorrow.

The committee approved the increase of water and sewer rates by 3% for 2020. A resolution will be brought back to the council at the next meeting.

The Hycor influent microscreeener at the Wastewater Treatment Plant was installed in 1993 and the drive unit and motor were replaced in 2000 and have been rebuilt numerous times. It was recommended by Strand Associates to replace the microscreeener. DPW Schwarz will be moving forward with the proposal from Leap Tech, Inc. for a Model #20.19 Incline Microstrainer for the wastewater plant in the amount of \$61,330.

The committee discussed getting proposals for solid waste (garbage) pickup as the current contract with Advanced Disposal terminates the end of 2019.

The committee reviewed Bulky Item Pick Up for the years 2017 and 2019. The City’s budget was short for both years. The Council made a motion on 9/18/2018 to eliminate curbside bulky item pickup after 2019. However, Willems reminded the committee that the decision to eliminate the bulky item pickup could be changed in the future by other councils.

The engineering firm being used for the State Street project was chosen by the City. DPW Schwarz presented McMahon Engineers agreements for professional services separating the costs for street and utility work for the State Street project because Calumet County will be paying 50% of the engineering for the street work and the City will be paying 100% for utilities.

Motion by Willems, seconded by Goebel to approve the utility agreement from McMahon Engineers for topographic survey services for the reconstruction of sanitary sewer and water main systems on State Street from W. Main Street to Grand Street in the amount of \$2,750.00 and pre-project civil coordination assistance time and expense not to exceed \$3,000.00. Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Motion by Thornber, seconded by Willems to approve the street agreement from McMahon Engineers for topographic survey services for the reconstruction of State Street from W. Main Street to Grand Street, including adjoining side streets in the amount of \$10,790.00 with this cost being split 50% with Calumet County. Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Schmitzer - absent
Thornber – yes	Goebel – yes	Deehr - yes	

Six votes cast. Six votes aye. Motion carried.

Motion by Willems, seconded by Goebel and carried to include the following items in the State Street project:

- Concrete 41 feet back-of-curb to back-of-curb from Main Street through Grand Street intersection
- Sidewalks from Main Street to Washington Street
- Red stamped concrete in terrace from Main Street to School Street
- Red concrete crosswalk at School & State Street intersection
- Street lighting to match Main Street lighting from Main Street through School Street

The Public Safety committee met on June 25, 2019. The 2% Fire Dues distribution is not available yet from the Department of Safety and Professional Services. Once the city receives notification on distribution, an invoice will be sent to the townships of Chilton, Brothertown and Charlestown.

The committee discussed the placement of a flashing pedestrian sign to cross from Madison Street to School Street. After extensive review the committee agreed to remove the yellow flashing light and the school speed limit sign from the light pole on Madison Street and install the new flashing pedestrian sign on that pole which is next to the pedestrian walk way.

At the August 2018, annual Chilton Lake District meeting a motion was made to allow electric motorized vessels on Lake Chilton and maintain a “No Wake.” The Lake District made a motion to enact however, the City’s ordinance needs to be updated. The City would install signs to indicate no wake.

Moved by Gruett, seconded by Goebel to introduce, adopt and waive the reading of Ordinance No. 1159, an Ordinance Amending Chapter Seven in the Municipal Code of the City of Chilton to allow motorized vessels on Lake Chilton and maintain a no wake. Roll call vote.

Gruett – yes Willems – yes Reinl – yes Schmitzer - absent
 Thornber – yes Goebel – yes Deehr - yes
 Six votes cast. Six votes aye. Motion carried.

The committee discussed safety concerns and vandalism at the city parks. The Police Department will continue to patrol the parks.

The committee discussed the Diverted Use – Special Events permits. It was mentioned to possibly require wristbands at special events. Recommendation is to address the various events with separate permits and outline requirements. It will be discussed at a future committee meeting.

The committee reviewed the procedure to monitor liquor license establishment complaints. It was suggested that the Police Chief talk with the manager(s) of the establishment(s) directly and identify the issues with dates, etc. Point out what the issues are, if there are any and discuss how they can be corrected. Chief Plehn sent out letters to the establishments due to the fact that they are on separate schedules as bar managers are usually not around at 9:00 am in the morning.

The Culture & Recreation committee met on June 27, 2019.

The committee reviewed the current rates to have the veterans’ memorial plaques engraved at Zabel Monuments.

Plaque	original cost	current cost
4 X 8 name plate	\$45.00	\$150.00
8 X 8 name plate	\$90.00	\$200.00

There are fewer plaques ordered now verses the first couple of years and the engraver does make a couple trips to complete the project.

Moved by Willems, seconded by Reinl to introduce, adopt and waive the reading of Resolution No. 1788, a Resolution Establishing Fees. The fees apply to the Veterans Memorial nameplates. Roll call vote.

Gruett – yes Willems – yes Reinl – yes Schmitzer - absent
 Thornber – yes Goebel – yes Deehr - yes
 Six votes cast. Six votes aye. Motion carried.

The Morrissey Park Project board members met on June 24, 2019. The playground was built in 2008. The last time the board met was in 2014. The group reviewed the original park plan which since has been revised to discontinue the skate park and splash pad.

After review of the Morrissey Park Project Inc. by-laws, the board made a motion to dissolve and relinquish revenue in a separate account for community built playground maintenance to the City of Chilton.

Minutes of Council Meeting 7-16-2019

Moved by Reinl, seconded by Deehr to accept the dissolution of Morrissey Park Project Inc. and relinquish their funds into a separate account for maintenance. Motion carried.

The Housing Authority June 12, 2019 minutes were reviewed.

The Plan Commission met on July 10, 2019.

Michael Barany submitted an application for conditional use permit for property located at 122 Heimann Street for a home occupation, per Municipal Code, Chapter 16, Section 16.09 (3)(f) to bake dog treats to be sold at craft shows and local businesses under the name of Specialty Treats LLC. Barany operates the home occupation with friend Pat Rowland. Barany said a feed license was obtained for the home occupation and no retail sales are done at the home. Rowland and Barany use two household ovens for baking and the smell is similar to the malt house or baking cookies.

Property owners within 200 feet of 122 Heimann Street were notified of the conditional use request and no comments were received for or against the request.

Moved by Thornber, seconded by Gruett to approve the conditional use request for a home occupation for baked dog treats at 122 Heimann Street. Motion carried.

The City of Chilton submitted an application for rezoning a 2.06-acre parcel at 225 N. Irish Road from R-C (Rural Character) to I-2 (General Industry) to create industrial property for businesses. DPW Schwarz said in 2010 the property owners wanted an inflated price for the land on which the home stood at 225 N. Irish Road so that area was sectioned off and left zoned as rural character. The intent back when this land was purchased by the City was to rezone the property to industrial to coincide with adjacent land and be consistent with the Smart Growth Plan Preferred Land Use map.

Property owners within 200 feet of Tax I.D. No. 16948 were notified of the rezone request and no comments were received for or against the request.

Moved by Reinl, seconded by Gruett to set a public hearing for the request to rezone Tax I.D. Parcel No. 16948 from R-C (Rural Character) to I-2 (General Industry) on August 20, 2019 at 6:45 PM. Motion carried.

UNFINISHED BUSINESS:

The Uptown Commons Building II open house will be July 31, 2019 at 1:30 PM

NEW BUSINESS:

Deputy Clerk Meyer presented the quarterly financial reports for the general fund.

Moved by Reinl, seconded by Gruett and carried to accept the quarterly financial reports.

Moved by Willems, seconded by Reinl to approve the account appropriation of \$6,067.57 from library gifts (48501-000) to library revenue/expense (55113-325). Roll call vote.

Gruett – yes Willems – yes Reinl – yes Schmitzer - absent

Thornber – yes Goebel – yes Deehr - yes

Six votes cast. Six votes aye. Motion carried.

Moved by Thornber, seconded by Willems to approve the mayoral re-appointment of Dexter Sattler to the Redevelopment Authority for a 5-year term from September 1, 2019 to August 31, 2024. Motion carried.

COMMUNICATION:

The June 2019 Building and Plumbing Permit report was distributed to the Council. The City received a letter dated June 28, 2019 from Mr. Thomas G. Cullen regarding water bill adjustments. Mr. Cullen is requesting the city to reinstate the third quarter sewer credit on water/sewer bills, which was eliminated by the City Council at the August 2, 2011 meeting. The County/Municipal Intergovernmental May 9, 2019 meeting minutes were shared with the council.

CLOSED SESSION:

The council did not go into closed session. The council members reviewed the hiring of two city employees.

Moved by Willems, seconded by Gruett to approve the hiring of Police Department Administrative Assistant Patricia Krupp at an hourly rate of \$16.00 not to exceed 29 hours per week contingent upon passing pre-employment testing. Roll call vote.

Gruett – yes Willems – yes Reinl – yes Schmitzer - absent
 Thornber – yes Goebel – yes Deehr - yes
 Six votes cast. Six votes aye. Motion carried.

Moved by Willems, seconded by Deehr to approve the hiring of Brandon Bancroft as a Wastewater/Water Operator with wage and benefits outlined in Resolution No. 1780 contingent upon passing pre-employment testing. Roll call vote.

Gruett – yes Willems – yes Reinl – yes Schmitzer - absent
 Thornber – yes Goebel – yes Deehr - yes
 Six votes cast. Six votes aye. Motion carried.

APPROVE PAYMENT OF BILLS:

Moved by Willems, seconded by Thornber to pay the bills. Voucher No. 83903 through Voucher No.83987 or accounts payable and payrolls totaling \$293,389.22. Roll call vote.

Gruett – yes Willems – yes Reinl – yes Schmitzer - absent
 Thornber – yes Goebel – yes Deehr - yes
 Six votes cast. Six votes aye. Motion carried

ADJOURNMENT:

Moved by Reinl, seconded by Gruett to adjourn at 7:48 p.m. on July 16, 2019. Motion carried.

Lisa Meyer
 Deputy City Clerk