

Chilton, Wisconsin  
July 17, 2012

The regular meeting of the Chilton Common Council was called to order at 6:30 p.m. with Mayor Gerald Vanne presiding at the Chilton City Hall.

**AGENDA POSTING:**

On 7/13/12, copies of the agenda were delivered to the Mayor, Aldermen, City Department Heads, City Attorney and were made available to the media, and posted on the City Hall bulletin board.

**ROLL CALL:**

**COMMON COUNCIL:**

Mayor Gerald Vanne and eight members of the Council were present at roll call:

Council member Kyle Ellefson	Council Member Rick Jaeckels
Council member Ron Gruett	Council member Kathy Schmitzer
Council member Clayton Thornber	Council Member Dan Hilton
Council member Richard Bosshardt	Council member Kevin Johnson

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

**General attendance:**

Grant Kolbe, MB Company, Faye Burg, Delta Publications and Megan Gitter, Chilton Times Journal.

Those in attendance recited the Pledge of Allegiance.

**MINUTES:**

Motion by Hilton, seconded by Schmitzer and carried to approve the minutes of the Council meeting held on 6/19/12.

**OFFICERS' REPORT:**

**MAYOR REPORT:**

- Met with Mike Ottery, Highway Commissioner, Jay Shambeau, County Administrator and Director of Public Works Todd Schwarz to review road construction on county roads within city limits (Cty "Y" and Cty "F")
  - Council members Gruett and Bosshardt concurred that road maintenance is necessary
- Request to have city provide EMT services will be presented at a future Public Safety meeting; individuals involved will be contacted
- Received a request for "Blind Person" sign to be placed at the intersection of Main and State Streets; will be presented at a future Public Works meeting
- Reviewed street light placement at the intersection of Main and Madison Street, Mayor Vanne noted the property owner located at the intersection is willing to offer land to the city; DPW Schwarz informed everyone that he has consulted with the DOT regarding the right-of-way
- Met with City Clerk Schmidlkofer along with representatives from the City of Brillion Mayor Gary Deiter and City Administrator/Clerk-Treasurer Lori Gosz to learn of their consolidation proposal of Police Departments within Calumet County and Sherriff Department services; UW Extension M. Kohrell will be contacted to facilitate a meeting

**CITY CLERK REPORT:**

- ↻ Annual Lake District meeting will be held on August 21, 2012 at 5:30 p.m.; all the property owners within the Lake District are eligible to vote
  - In districts that are created by resolution the city council constitutes the board of commissioners; council members are the commissioners
  - Council members are encourage to attend; a separate reminder will not be distributed, information will be in the council packet

↪ Council members were reminded of future committee meetings

**WRITTEN DEVELOPMENT DIRECTOR REPORT:**

Discussed with Horizon Development potential changes WHEDA may make in its low-income tax credits application. Some of the changes being floated:

- Expand the rural set-aside to include municipalities with populations of 20,000 and under (current rule is for communities 10,000 and under)
- Award additional points for “high-need areas” which would be defined by the state.
- Add a walk-ability score
- Remove public improvements within .2 mile scoring
- Cap the number of projects any developer can be awarded in a single cycle to two.

WHEDA has asked developers to respond to these ideas. Once WHEDA compiles the responses, it will begin to finalize the application. Scott Kwiecinski at Horizon believes that WHEDA will be ready to announce the final changes in August.

**APPROVE FINANCIAL REPORT:**

Motion by Hilton, seconded by Thornber and carried to approve the July 1, 2012 financial report.

**APPROVE OPERATOR LICENSES:**

Motion by Jaeckels, seconded by Ellefson and carried to approve the two-year license applications to serve fermented malt beverages and intoxicating liquors from July 17, 2012 to June 30, 2014 for Kim A. Stange, Angela M. Huss, Karl P. Kelley, Lisa L. Carlson and Jennifer L. Fairchild. Clerk Schmidkofer noted the applicants have been approved by the Chilton Police Department.

**DIRECTOR OF PUBLIC WORKS REPORT:**

- ↪ Damage was reported throughout the city this past Friday; Riverside and Morrissey Parks, high school storage shed, Briess building and Calumet County Sherriff Department vehicle; Chief Seipel informed the Mayor earlier in the day that 4 individuals are being questioned
- ↪ Request was received from a resident (Non-Profit Group) to install “No Semi Truck Traffic” signs on private property on Washington Street; City is unable to fulfill the request due to the fact this is private property; this area is already identified with a “Dead End”
- ↪ 2012 sidewalk and street projects are all completed; stripping of streets finished
- ↪ Department is watering trees throughout the city that have been planted within the last 2 years; at this time not mowing lawn in the parks
- ↪ Water Department is monitoring daily water levels, no restrictions are required at this time, normal and current water and sewer usage amounts were explained
- ↪ Water treatment plant – replaced valves that were installed in 1977
- ↪ Required repairs were completed on the State Street dam yesterday; will monitor flow of the river because residents had requested boards be positioned at the State Street dam however with placement complaints were then received further down stream

**WRITTEN FIRE CHIEF REPORT:**

- New Members effective 6/25/2012 are:
  - Bruce Henninger, Kelsey Augsburger and Horacio Chavez
- Annual Fire Chief’s Convention.
  - The theme was " Leading your Department Out of the Jungle"
  - Pre-Conference Seminar dealt a lot with, social issues, cultural changes and legal issues. It made you look at your departments, strengths, weakness, opportunities and threats. You need to tie into today's cultural changes (people) and try to accommodate this group of people to do the work we do. Need to work on the importance of a team and not the "I" concept, which we are seeing in the younger age people.
  - Attended the opening ceremony and business meeting

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- Listened to the Pulaski Fire what worked and what did not.
  - Attended a seminar on Fire Officer Leadership. Once again stressing to know and accept other people's personality, working them all in to work, and respecting one another.
  - The motivational speaker spoke on to never give up and uses his motto "No Barriers--Only solutions".
  - Walked through the vendors to get pricing on hose, turn out gear and cold-water rescue gear.
- 2012 Annual Fire Dues were received in the amount of \$9,625.52; 2011- \$8,952.00

**AUDIENCE PARTICIPATION:**

No participation

**REPORT OF COMMITTEES:**

Council member Johnson reported on the June 26, 2012 Public Works Committee meeting. Johnson stated the committee met to review emergency expenditures at the Water and Waste Water Plant and requested DPW Schwarz to inform the council of the details.

DPW Schwarz said the computer system at the water/wastewater plant has been in place for approximately ten years. Updates are needed for the wastewater system because it is outdated and not compatible with new software. The Water Dept. master control center is outdated and requires upgrades. This system has been shutting down once or twice daily but fortunately has been able to restart. In the event the system does not restart, we would have to manually operate the well pumps, softeners, booster pumps, etc. We have a critical situation that requires the Departments to address now.

Furthermore, in 1998, Strand Associates was the designer for the Water/Wastewater Facility. In June 2000, construction of the facility included a fully upgraded computer system, with one desktop computer for water programs and two computers for wastewater programs. In 2005, the Water Dept. installed a master control center.

The proposed computer system upgrade will eliminate the master control center; maintain three computers with all three integrated to serve as a redundant system.

- Strand Associates – general contractor for this computer system upgrade project and installation of Wonderware Software to the desktop for water and wastewater
- Energenics – Upgrade Treatment Plant PLC processors and provide switches and convert Water Dept. program from flat panel display to desktop version
- Garibaldi Custom System – Provide three desktop computers and operational software with Firewall

The council agreed with these emergency expenditures and accepted the proposals noted above estimated at \$60,000 for the Chilton Water and Wastewater computer project with the expenses to be taken out of the Sewer Equipment Replacement Fund and Water Dept. computer account.

**MOVED TO NEW BUSINESS:**

Mayor Vanne opened the Pubic Hearing at 6:45 P.M. to solicit comments regarding a request to rezone property at 12 17 E. Chestnut Street from C-1 (General Commercial District) to I-1 (Limited Industry District).

Clerk Schmidlkofer read the notice and stated the notice was published as a Class II notice as required by law.

Mayor Vanne requested Attorney McDermott to describe the property owner's request for the proposed rezone. Nash-Finch currently has a lease with property owner KSS, LLC.

When you review the zoning map provided in your packet you will see that most of the former Wal-Mart building is zoned I-1 as well as the property behind the bank and along the highway. The other remaining properties in this area are zoned C-1.

Mayor Vanne inquired if anyone would like to speak either in favor of or against the proposed zoning request.

M-B Companies Representative Grant Kolbe explained M-B Co. is simply running out of room at their New Holstein and Chilton facilities and is looking to expand their operation. This would allow M-B Companies to have additional light-industrial manufacturing space (light machines) and the potential for 4 to 5 additional jobs.

Hearing no further comments from the public Mayor Vanne closed the public hearing at 6:48 P.M.

Motion by Ellefson, seconded by Johnson to introduce, adopt and waive the second reading of Ordinance No. 1092, an ordinance to rezone property at 1217 E. Chestnut Street from C-1 to I-1. Roll call vote. Eight votes cast. Eight votes aye. Motion carried.

**MOVED BACK TO REPORT OF COMMITTEES:**

Chairman Hilton presented the June 27, 2012 Culture and Recreation Committee meeting minutes.

Schmidlkofer stated the newly enacted Wisconsin Concussion Law (Act 172, WI State Statute 118.293) requires all youth athletic organizations to educate coaches, athletes and parents on the risks of concussions and head injuries and prohibit participation in a youth activity until the athlete and parent or guardian has returned a signed agreement sheet indicating they have reviewed the concussion and head injury informational materials.

At the beginning of a season for a youth athletic activity, the person operating the youth athletic activity (City of Chilton Recreation Program) shall distribute a concussion and head injury information sheet to each person who will be coaching that youth athletic activity and to each person who wishes to participate in that youth athletic activity. No person may participate in a youth athletic activity unless the person returns the information sheet signed by the person and, if he or she is under the age of 19, by his or her parent or guardian.

The Concussion Acknowledgement Form must be filled out for every sport season, may not be passed from one season to the next.

Schmidlkofer further noted she consulted with Chilton School District Athletic Director Sonnabend and he referenced the WIAA web site for Consent Forms, Coaches Responsibility and Reference Materials.

Motions by Hilton, seconded by Bosshardt to authorize the City of Chilton Recreation Department endorse the concussion law. Motion carried.

R. Rautmann, President of the Chilton City Band and R. Gerner Secretary/Treasurer of the Chilton City band are proposing the City of Chilton Band donate the old band uniforms (uniforms to include pant, coat, and hat) at the discretion of the City Band:

- The Calumet County Community Theater – will use the uniforms in performances that call for military type costumes. The Community Theater is looking for approximately 35 uniform sets.
- Society of the Divine Savior, The Salvatorian Center (New Holstein) - The Center looks to donate the uniforms to bands that cannot afford to purchase uniforms.

Old Silver Drums - Propose the City of Chilton Band donate the two old silver drums to the Chilton Area Catholic School, as they are part of Chilton's future musicians.

Motion by Johnson, seconded by Schmitzer to authorize the City of Chilton Band to dispose of the old style uniforms and drums as specified above. Roll call vote. Eight votes cast. Eight votes aye. Motion carried.

The Culture and Recreation committee made a recommendation to compensate Lake-to-Lake Program Director Nancy Brink \$500.00 instead of the stated \$650.00 due to the fact the director did not remain for the entire season.

Hilton stated since the committee meeting he had put considerable thought into the committee's recommendation and felt this was not appropriate.

Motion by Hilton, seconded by Ellefson to compensate Lake to Lake Program Director Brink \$325.00 instead of the stated \$500.00.

Some of the principal concerns discussed regarding the director's compensation were:

- Ellefson - fulfilled only 5/6 of her responsibilities
- Schmitzer & Bosshardt – should have had more detailed/structured program and training for the coaches
- Hilton – evaluated comments from parents and coaches; less compensation
- Jaeckels – if you table approval and send back to committee, it will cost the city \$180.00, city will give wrong message to future program directors

Mayor Vanne called for a roll call vote. Eight votes cast.

Aye votes: Hilton, Ellefson, Gruett, Schmitzer

Nay votes: Johnson, Jaeckels, Thornber, Bosshardt

Mayor Vanne broke the tie by casting a nay vote. Motion failed.

Motion by Jaeckels, seconded by Bosshardt to compensate Lake to Lake Program Director Brink \$500.00.

Ellefson stated there is not a signed contract to fulfill, no benchmarks or expectations.

After numerous comments and concerns addressing the duties of the Recreation Director verses, the Program Director Clerk Schmidkofer stated soccer has two leagues: Lake-to-Lake and City. The City did not have a Program Director for the city league, which is for grades 4K to 2<sup>nd</sup> Grade. Brink was the Program Director for Lake-to-Lake (Grades 1 to 8) which is a traveling league.

Furthermore, Schmidkofer reminded the council revisions to the Recreation Director contract included:

- The Recreation Director shall not serve as program director.
- Responsible to hire all umpires and referees; assure that they have completed all necessary payroll forms.

Mayor Vanne called for a roll call vote. Eight votes cast.

Aye votes: Thornber, Bosshardt, Johnson, Jaeckels

Nay votes: Hilton, Ellefson, Gruett, Schmitzer

Mayor Vanne broke the tie by casting an aye vote. Motion carried.

Hilton noted the Recreation Department held the 2012 Soccer end of season informational meeting prior to the Culture and Recreation Committee meeting and encouraged council members to review the notes; no action is required.

Council member Bosshardt reported on the July 11, 2012 Chilton Public Library Board meeting.

Bosshardt commented that the book readers are a popular item and the library would require additional revenues to purchase more.

The Manitowoc-Calumet Library System is reviewing a potential merger; more information will be made available as System meetings are held and a course of action is established.

Mayor Vanne presented minutes from the June 27, 2012 Board of Review that indicated no residents appeared before the board.

**NEW BUSINESS:**

Motion by Hilton, seconded by Schmitzer to approve the bid of \$3,575.00 from Carl Serwe Roofing, LLC for CDBG Loan No. 12-01 to replace the roof. Roll call vote. Eight votes cast. Eight votes aye. Motion carried.

Motion by Jaeckels, seconded by Schmitzer to approve the mayoral appointment of Rosemary Propson to the Library Board for a term of 7-18-2012 to 6-30-2013 to fill the un-expired term of J. Weber. Motion carried.

Mayor Vanne reported on the annual Housing Authority Payment in lieu of taxes for 2012 for \$9,134.00 a decrease of \$231.87 from 2011. The Housing Authority has an agreement with the City of Chilton that is based on a formula where utility costs are subtracted from the gross income of the Housing Authority and the payment is ten percent of the resulting figure. The Housing Authority receives no financial reimbursement from the City.

Motion by Schmitzer, seconded by Johnson to introduce, adopt and waive the second reading of Resolution No. 1632, a resolution to appoint Election Inspectors/Poll workers for a term of July 17, 2012 to December 31, 2013. Roll call vote. Eight votes cast. Eight votes aye. Motion carried.

Clerk Schmidlkofer presented the quarterly financial report, which indicated revenues received were \$33,049.82 more than budgeted and expenditures were \$54,075.03 less than budgeted for a total of \$87,124.85. The comprehensive report indicated what accounts were over or under budget. The Water and Sewer Utility statement of revenues and expenditures were reviewed also.

Motion by Jaeckels, seconded by Hilton to approve the account appropriations of \$8,624.92 from library gifts (48501-000) to library revenue/expense (55113-325). Roll call vote. Eight votes cast. Eight votes aye. Motion carried.

**COMMUNICATIONS:**

Clerk Schmidlkofer distributed the June 18 and July 2, 2012 staff minutes and monthly building/plumbing report.

**BILLS:**

Motion by Hilton, seconded by Jaeckels to pay the bills. Roll call vote. Eight votes cast. Seven votes aye. (Schmitzer-abstained) Motion carried. Voucher No. 71594 through Voucher No. 71763 or accounts payable and payrolls totaling \$634,203.49.

**ADJOURNMENT:**

Motion by Hilton, seconded by Jaeckels and carried to adjourn at 7:45 p.m. on July 17, 2012.

Helen Schmidlkofer, MMC  
City Clerk