

Chilton, Wisconsin
June 5, 2018

The regular meeting of the Chilton Common Council held in the Council Chambers at the City Hall was called to order at 6:30 p.m. with Council President Tom Reinl presiding.

AGENDA POSTING:

On 6/1/18, 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 and posted on the City web page.

ROLL CALL:

Six members of the Council were present at roll call:

Council Member Tom Reinl	Council Member Mark Wiegert
Council Member Ron Gruett	Council Member Kathy Schmitzer
Council Member Mike Goebel	Council Member Clayton Thornber

Other city officials present were Director of Public Works Todd Schwarz, City Attorney Derek McDermott, Fire Chief Ben Schoenborn, 2nd Assistant Fire Chief Nathan Schneider, Police Chief Craig Plehn and City Clerk Helen Schmidlkofer.

Absent and excused council members Mark Willems and Dan Hilton and Mayor Rick Jaeckels.

General attendance: Peggy Loose

Those in attendance recited the Pledge of Allegiance.

APPROVE THE MINUTES:

Motion by Gruett, seconded by Thornber and carried to approve the minutes of the council meetings held on May 15 and 23, 2018.

MOVED TO REPORT OF COMMITTEES:

Chairman Gruett reported on the May 21, 2018 Public Safety committee meeting. Fire Chief Schoenborn informed the committee that the Fire Department had an audit completed on March 20, 2018 by Fire Protection Coordinator Carl Fisque of the WI Department of Safety and Professional Service Division. The audit had two areas of concern. The 2% dues received from each township served needs to be distributed to the City of Chilton. There needs to be a clear and concise audit regarding the 2% dues receipts and expenditures. The second requirement is that fire inspections in the townships should be conducted as outlined by a township ordinance requiring a one-time inspection per year.

Clerk Schmidlkofer said that in 2015, WI Act 20 modified the requirements for qualifying for 2 % Fire Dues payments. In order to be eligible for fire dues payments from the state, a local fire department must keep records of fires and submit the reports to the U.S. Fire Administration for inclusion in the National Fire Incident Reporting System (NFIRS) and that the local fire departments and municipal clerks must self-certify compliance with the fire incident reporting requirements. There are three key factors that determine the amount of annual fire dues:

- Amount of fire insurance underwritten in WI in the year.
- The growth of the local community and the overall growth within the state.
- The amount of disbursement is subject to change due to the hold-harmless provisions.

To assist the Townships an example of an ordinance regarding fire inspections was provided to them. The City is requesting that the three townships review the audit report requests with their respective townships and then report back to the City with any questions or concerns. Pending no concerns a revision regarding the 2% dues received from the townships of Charlestown, Brothertown and Chilton must be paid to the City and applied to the Fire Dept. budget.

Chief Schoenborn received a Land Use Agreement from the DNR regarding the house and property located at W1135 Aebiescher Road, Chilton, WI to be used for fire training. The agreement is good for three years (May 1, 2018 to May 1, 2021) or until the building is slated for demolition. Schoenborn noted that this would be a good training opportunity for the Department and surrounding Fire Departments. Schoenborn would be the coordinator for training with the other Departments.

Moved by Gruett, seconded by Wiegert to approve the Land Use Agreement between the City of Chilton Fire Department and the DNR subject to removal of Ben Schoenborn as the permittee and changed to the City of Chilton Fire Department. Motion carried.

Gruett said that the committee made a recommendation to promote Nathan Schneider from 2nd Assistant Fire Chief to 1st Assistant Fire Chief.

Moved by Gruett, seconded by Goebel to introduce, adopt and waive the reading of Resolution No. 1769, to establish Nathan Schneider at 1st Assistant Fire Chief effective June 1, 2018. Roll call vote.

Gruett – yes	Willems – absent	Reinl – yes	Thornber – yes
Schmitzer – yes	Hilton – absent	Wiegert – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

At the committee meeting Mr. Stocker witnessed a pedestrian safety concern at the intersection of Washington and Madison Streets. Stocker distributed a diagram of his observations to the committee. Following his presentation a discussion included:

- Semi traffic in the center lane causes a blind spot for pedestrian traffic.
- Speed limit on Madison Street is a concern.
- Improve Cross walk lights (similar to College Avenue by Lawrence University in Appleton).
- Revise vehicular traffic with cones.

Chief Plehn noted he has spoken extensively with Calumet County and the DOT. To make it safe you would have to cut Madison Street down to two lanes by the cross walks then you would not have the blind spot issue. When I contacted DOT they had their engineers look at it and really they wouldn't change the structure of the road but would suggest that the City paint or stripe it where you would have two single lanes and then one single turn lane in the middle. That was the DOT's answer. It doesn't help that we have a stop light a block away and people are speeding up to beat the light.

Gruett said the committee has talked extensively regarding safety at intersections however the City has not come up with a solution.

Thornber added that drivers just are not attentive.

Plehn said that the City of Chilton has a very high pedestrian, car crash ratio. Council members continued discussion without any resolution. Recommendation was to have the committee assess and come up with some ideas.

Chief Plehn said, "This update comes from the meeting with the State legislators that the Mayor and I attended. Basically the Department of Corrections (DOC) decided that they are still looking for a TLP in Calumet County. They try to locate and then when the neighbors find out what it is for no one wants to sell or rent to them. They go thru a private realtor company."

Chief Plehn provided an update regarding the Sex Offender Residency Ordinance stating that the City has a 2,000 feet residency restriction and many municipalities after the Mount Pleasant case have cut down the footage. The City's is the most restrictive in Calumet County right now. Unlike Mount Pleasant, the City does have an appeals committee.

Body Armor Vests were purchased in 2017 for the entire police force. Part-time officers, Corey Schneider and Erin Scharbarth reimbursed the City for ½ of the cost. The City inadvertently overlooked the fact that the City will provide body armor to the officers as referred to in the Personnel Policy.

The City of Chilton Personnel Policy Manual Chapter 31.02 (2) Personal Body Armor - Police Department. The City shall provide personal body armor to full-time and part-time sworn police officers who are required to wear such armor when on duty.

Plehn said he received a Federal Grant for the vests and was not aware that the city handbook addressed how vests were or were not supplied.

Moved by Gruett, seconded by Thornber approve the reimbursement for part time police officers Corey Schneider and Erin Scharbarth for the portion they paid for their body armor vests and the expense to be taken out of the Police Department capital account.

Roll call vote.

Gruett – yes	Willems – absent	Reinl – yes	Thornber – yes
Schmitzer – yes	Hilton – absent	Wiegert – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

The committee tabled any action regarding a request from Office Kuehl to waive residency requirements. The committee recommended that Clerk Schmidlkofer request residency language for full-time police officers from Attorney James Macy. The committee is considering a revision to the Union Contract regarding residency however not sure what or if any requirement should be in the contract.

Schoenborn exited the council chambers at 6:50 PM.

MOVED BACK TO REPORT OF OFFICERS:

COUNCIL PRESIDENT:

- Mayor Jaeckels and myself agreed there will not be a council meeting on July 3, 2018 unless warranted.
- The public hearing scheduled for tonight has been cancelled. The City received written confirmation earlier today from Dennis and Dave Bennin that their prospective tenant made the decision to not proceed with plans at 1209 S. Park Street property because there simply was not enough time for set up.

CITY CLERK:

- Updated council members regarding committee meeting dates and times.
- Revised City directory was distributed.

APPROVE FINANCIAL REPORT:

Moved by Thornber, seconded by Gruett and carried to approve the June 1, 2018 financial report.

APPROVE OPERATOR LICENSES:

Moved by Goebel, seconded by Schmitzer and carried to approve license applications to serve fermented malt beverages, and intoxicating liquors from June 5, 2018 to June 30, 2018 for Ashley R. Martin and Natasha Cherney. Clerk Schmidlkofer noted the applicants have been approved by the Chilton Police Department.

DIRECTOR OF PUBLIC WORKS:

- TIF #7 – staking the area is complete, will start moving ground later this week.
- Department of Natural Resources (DNR):
 - City received notice of intent (NOI) for storm water management plan and sanitary approval. Waiting for the water main approval.
- Dairyland Estates – BID publication was delayed resulting in the deadline for BIDS on June 14 instead of May 31, 2018.
- 2018 Street projects – The City may have to close Breed Street for 3 to 5 days because the Railroad Company plans to upgrade the tracks.
- Horizon Uptown Commons II – pre-construction meeting that was set for tomorrow has been changed to June 20th. Construction was supposed to start June 18th, not sure on the actual start date at this time. A concern with bricks has been resolved.
- Annual 7th grade recycling trip was May 24, 2018 and all went well.
- Department is busy mowing lawns and maintaining parks.
- Street Dept. Leadman Boll returned to work yesterday after a medical leave of absence.

UNFINISHED BUSINESS:

Moved by Thornber, seconded by Gruett to accept the quote for a Morbark M12R drum style wood chipper from Bobcat Plus, Inc. for \$34,909.00. Roll call vote.

Gruett – yes	Willems – absent	Reinl – yes	Thornber – yes
Schmitzer – yes	Hilton – absent	Wiegert – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

AUDIENCE PARTICIPATION:

No comments were given.

NEW BUSINESS:

Moved by Gruett, seconded by Schmitzer and carried to appoint Dexter Sattler as the citizen at large and Rick Jaeckels representing the City of Chilton on the 2018 Joint Review Board.

REPORT OF COMMITTEES:

The May 14, 2018 library board minutes were distributed for the council members.

The May 30, 2018 Emergency Management meeting resulted in a recommendation to update Municipal Code Chapter 15 because WI Statute 166 was replaced with Statute 323.

Moved by Thornber, seconded by Schmitzer to introduce, adopt and waive the reading of Ordinance No. 1149, an ordinance to revise Municipal Code Chapter 15 Civil Defense. Roll call vote.

Gruett – yes	Willems – absent	Reinl – yes	Thornber – yes
Schmitzer – yes	Hilton – absent	Wiegert – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

COMMUNICATIONS:

The following were distributed:

Monthly building/plumbing report.

Chilton Chamber Summer Fest flyer and May 2, 2018 meeting minutes.

County Intergovernmental May 10, 2018 meeting minutes and cost sharing policy.

Thornber commented regarding Calumet County's cost sharing policy. After researching WI Statutes on-line, it is very plainly stated that whoever owns the road is in charge of maintaining drainage. Isn't curb, gutter and storm sewer drainage? Short discussion followed.

APPROVE PAYMENT OF BILLS:

Moved by Thornber, seconded by Gruett to pay the bills. Voucher No. 82042 through Voucher No. 82129 or accounts payable and payrolls totaling \$309,849.37. Roll call vote.

Gruett – yes	Willems – absent	Reinl – yes	Thornber – yes
Schmitzer – abstain	Hilton – absent	Wiegert – yes	Goebel - yes

Six votes cast. Five votes aye. (Schmitzer-abstain) Motion carried.

ADJOURNMENT:

Moved by Schmitzer, seconded by Gruett to adjourn at 7:08 p.m. on June 5, 2018. Motion carried.

Helen Schmidlkofer
City Clerk