

Chilton, Wisconsin
March 15, 2016

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

AGENDA POSTING:

On 3/11/16, 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 Gerald Vanne and seven members of the Council were present at roll call:

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

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

General attendance: Building/Plumbing Inspector Paul Birschbach and representative of RLTC Real Estate, LLC Tom Giesen.

Those in attendance recited the Pledge of Allegiance.

Moved by Jaeckels, seconded by Gruett and carried to approve the minutes of the council meeting held on 3/1/2016 with the amendment of six members present and not seven.

Mayor Vanne inquired if the council would allow for closed session at this time. All council members agreed.

Moved by Hilton, seconded by Gruett to go into closed session at 6:31 PM under WI Statute 19.85 (1) (e) to review real estate agreement of city owned property.

Roll call vote.

Gruett – yes	Bangart – absent	Bosshardt – yes	Thornber – yes
Jaeckels – yes	Schmitzer – yes	Hilton – yes	Johnson - yes

Seven votes cast. Seven votes aye. Motion carried.

Council members reviewed the real estate agreement regarding city owned property.

Moved by Schmitzer, seconded by Bosshardt to return to open session at 6:43 PM.

Roll call vote.

Gruett – yes	Bangart – absent	Bosshardt – yes	Thornber – yes
Jaeckels – yes	Schmitzer – yes	Hilton – yes	Johnson - yes

Seven votes cast. Seven votes aye. Motion carried.

Moved by Thornber, seconded by Jaeckels to approve the real estate sale agreement between the City of Chilton and RLTC Real Estate, LLC for the property known as tax ID No. 32388 (approximately 8 acres of city owned Industrial Park Land) subject to City of Chilton Industrial Park Site Design and Development Guidelines and to authorize the mayor and city clerk to sign the necessary documents. Roll call vote.

Gruett – yes	Bangart – absent	Bosshardt – yes	Thornber – yes
Jaeckels – yes	Schmitzer – yes	Hilton – yes	Johnson - yes

Seven votes cast. Seven votes aye. Motion carried.

Giesen expressed gratitude for processing the agreement and exited the room.

Mayor Vanne inquired if the council would allow Mr. Birschbach to give his annual report at this time. All council members agreed.

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Paul Birschbach, Building/Plumbing Inspector presented the 2015 annual building permit report. A total of 219 permits were issued in 2015, compared to 204 in 2014. The value of improvements was \$,9,028,614.00 of which \$4,869,580.00 is for taxable properties and \$4,159,034.00 are for tax-exempt entities (Chilton School District and FVTC). Building permits were issued as follows: three single-family new homes, 100-residential home improvements, 13-accessory buildings, 35-commercial structures, 4-industrial structures and 64-miscellaneous permits.

Alderman Johnson asked Mr. Birschbach if he was called to the residence on the corner of State and Main regarding the wall that collapsed. Johnson stated he has received many calls regarding the situation.

Birschbach stated he was not called. Attorney McDermott stated this is not an agenda item however, there is nothing wrong with the Police Chief and Building Inspector making a visit to 101 W. Main Street. The entire council agreed.

MOVED TO REPORT OF OFFICERS:

MAYOR REPORT: No report tonight.

CITY CLERK REPORT:

- ↻ Chilton Chamber of Commerce announced Al Steiner has been selected the 2015 Citizen of the Year recipient. The 2015 Citizen of the Year Banquet will be held on Wednesday, March 30 at the Chilton Eagles Club, with a social gathering from 6:00-7:00 PM followed by a program and presentation at 7:00 PM. Tickets are \$10.00 per person. Tickets are available at Vern's Cheese, area banks and credit unions.
- ↻ Distributed League of WI Municipalities workshop dates regarding local government.
- ↻ Public hearing to amend Chapter 16 regarding exterior storage in a residential district is set for April 5th at 6:45 PM, notice and ordinance revisions were distributed.

DIRECTOR OF PUBLIC WORKS:

- ↻ Premier Financial submitted their building plans for the new facility; demolition has started on the old building.
- ↻ Attended a meeting at Calumet County regarding the proposed highway shop; they had questions on storm water management plans, driveway access, sand trap for the truck wash and fuel tank placement. The City will require a conditional use for the fuel tanks. This will be presented to the Plan Commission meeting on April 13th.
- ↻ Preparing 2016 street bids to include Robin, Canary and Reed Streets.
- ↻ Meeting is set for May 10th with the Calumet County representatives along with Attorney McDermott, DPW Schwarz, alderman Jaeckels and Clerk Schmidlkofer to review State Street. Schwarz noted there has been a ruling by the WI Counties Assoc. regarding highways within municipalities that the group will review.
- ↻ Water main break today on South Madison Street
- ↻ Chestnut Street reconstruction project – DOT indicated the project would not start before June 1, 2016.

POLICE CHIEF: Plehn said,

- “Department has been extremely busy. Generally, this is a slow time of year for law enforcement. The cold weather and conditions usually has some deterrent on crime. Well, we all know the major incidents that we have handled with Wal-Mart within the past couple of months.”
- “On top of the Walmart incidents, in the last 4 months we have been overwhelmed with investigations regarding sex assaults. To give you an idea of how busy we have been I compared the same time last year with this year. From December 1, 2015 to today, we have handled nine sexual assault investigations. These require a tremendous amount of time for evidence gathering, interviews and sometimes coordination with the Department of Human Services. To compare that number from December 2014 – March 15, 2015 we handled three. I believe almost all of these current cases have led to arrests or referrals to the District Attorney’s office or the Department of Human Services.”

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- “Also today, we reopened a 2002 sex assault investigation and submitted evidence to the State Crime Lab. This was made possible by a request through the state crime lab to submit any evidence regarding open sex assault investigations and training received by our evidence custodian.”
- “Department required training for 2015 which ends on June 30, 2016:
 - The Dept. was extremely fortunate to get Officer Petrie invited to the Department of Criminal Investigations Drug Investigator School. We were initially denied because Officer Petrie was not a full-time Drug Investigator, but due to some last minute cancelations, he was able to attend. This training is 80 hours and involves detailed training in search warrants, confidential informants, drug identification, overdose deaths, to name a few. This training is very valuable as Officer Petrie is our Calumet County Drug Task Force representative. Since his training, he has led investigations into two search warrants last week, which led to charges of possession of meth and drug paraphernalia and keeper of a drug house. He also investigated a possible drug grow which led to charges of possession of marijuana and manufacturing.”
 - “Officer Winsted just completed 32 hours of evidence identification and evidence gathering. This training consisted of crime scene investigations, bloodstain pattern analysis, forensic photography and electronic imaging, fingerprint identification and DNA evidence gathering. While there, Officer Winsted also received training from the Wisconsin State Crime lab.”
 - “Officer Young will be attending 40 hours of crisis intervention training in April. Because of a State grant, this training is offered at no cost to the Department. I will also be submitting overtime for the coverage of his shifts as that is also part of the grant. This training focuses on officers dealing with the mentally ill and individuals with crisis needs. This training is being pushed by the Wisconsin legislature and I believe that it will soon be a requirement for all law enforcement.”
 - “Officer Harn will be attending the Wisconsin Department of Justice-Division of Criminal Investigators 3 day Death Investigator School. This course teaches the investigation of all types of deaths that range from suicides, accidents, suspicious or unexpected deaths and homicides. It also includes how to process a death scene, interviewing, and violent crime scene analysis.”
 - “Captain Kvalheim just graduated from the Ethical Leadership Academy. This included 120 hours of training in management and leadership. Captain Kvalheim will also attend effective Internal Investigations which deals with the investigation into violations of officer misconduct.”
 - “I attended the Wisconsin Chiefs of Police Conference the first week of February. I received training on the nationwide heroin epidemic and how agencies are addressing this issue. The Menasha trestle shooting and the importance of social media and how it can be a valuable tool for law enforcement. Also discussed the nationwide issue of not finding qualified applicants for law enforcement jobs. This crisis has been labeled as the Fergusson effect, from the police shooting death of Antonio Brown, which occurred in Fergusson, Missouri. It should be noted that shooting was determined to be justified. “
- “Administrative Assistant Alkire and I are working on the 2015 annual report. I will present that to the council upon completion.”
- “I am working on Policy and Procedures when time permits. I have completed Chapter 1 (Organization) of the policy manual which has 21 sub-chapters (employee conduct, jurisdiction, arrest procedures, etc.) I have also completed Chapters 2 through 5 that the employees are currently reading and signing off that they have read and understand. This documentation is needed for department accreditation, which I am also working on.”
- “Meeting and keeping in touch with the Chamber in preparation of Crafty Apple and Chilton Summer Festival.”
- “Working on the background of a possible part-time officer. This officer will fill our current roster of six part-time officers who will be needed to help with all of the summer events that are planned in the area.”
- “I will also be participating in part-time officer interviews on March 29 for our joint hiring process between New Holstein, Kiel, Brillion, and Chilton.”

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- “Along with Police Departments in New Holstein, Kiel, Brillion we are working on a joint Mutual Aid agreement.”
- “I will soon be scheduling training for our part-time officers. This training usually consists of a legal update and tactics refresher.”
- “April 5 all full time and primary part-time officers will be attending mandatory firearms training at FVTC indoor range in Appleton.”
- “The Department has received our new handguns and rifles so all officers need to be trained and certified before carrying the new handguns.”
- “COPS Grant 2016; after reviewing the application the Department does not qualify. So no application will be submitted.”

NEW BUSINESS:

The proposed Halloween trick or treat hours have been reviewed and recommended by the Chilton Lions Club, Chilton Optimist Club and Friends of the Library for the next 3-years as follows:

2016 – Sunday, October 30th 3 PM to 5 PM

2017 – Sunday, October 29th 3 PM to 5 PM

2018 – Sunday, October 28th 3 PM to 5 PM

Moved by Schmitzer, seconded by Thornber to approve the City of Chilton trick or treat hours from 3 PM to 5 PM for the next 3 years as noted above. Motion carried.

REPORT OF COMMITTEES:

Mayor Vanne informed the council the Redevelopment Authority met last week to review a proposal from Horizon for Uptown Commons Phase II project. Horizon is looking to proceed with this project due to the fact that WHEDA has a new plan for tax credits which are expected to be released prior to the upcoming application due date of January 2017.

Horizon’s proposal for Phase II is a 24-unit, senior, 3-story construction with full underground parking, masonry exterior. The RDA members were provided with an updated site plan.

In addition, Horizon did provide a brief summary of activity since 2009:

- August 2009 Uptown Commons completed
- January 2012 Horizon submitted tax credit application for Phase II to WHEDA. Due to the fact that the tax credits were not awarded the RDA and City did not support Horizon’s proposal because of the increased financial support required from the City.
- January 2013 Horizon did not submit tax credit application, scoring was not high enough.
- February 2014 Horizon met with RDA, discussed WHEDA scoring, market rate housing. The City was willing to support the project however, Horizon did not agree to the terms of the payback timeline.

Mayor Vanne stated that Horizon is requesting financial support from the City as follows:

- Cash loan from the City of Chilton in the amount of \$375,000, amortized over approximately 15-years. The Uptown Commons II project would pay tax increment revenue to the City annually, which would be applied to the outstanding loan balance.
- Second mortgage to assist with gap financing; Horizon is proposing that the City of Chilton loan \$263,000 for 30 years at 2.25% interest, amortized over 30 years.
- City would donate the land to assist with financial feasibility.

Horizon’s reasons for the above request would allow the project to achieve financial feasibility and assist with financial participant scoring for the WHEDA application.

Mayor Vanne noted that the City does have a meeting with Phil Cosson of Ehlers, the City’s financial advisor to investigate the financial aspect of this project later this month.

Moved by Gruett, seconded by Johnson to authorize the City to investigate the feasibility of Horizon’s Uptown Phase II project. Motion carried.

Mayor Vanne noted the Library Board minutes from the February 8, 2016 meeting are in the packets to review.

Mayor Vanne recommended that the City would return the funds held for top soil on the former Cozy Baer property located in the Industrial Park off Irish Road. The property will be sold and for that reason, Baer will not be allowed to level off the land.

Moved by Jaeckels, seconded by Schmitzer to return the \$1,700.00 retainage fee to Cozy Baer Storage LLC held by the City of Chilton upon closing of the land sale to RLTC Real Estate LLC. Roll call vote.

Gruett – yes Bangart – absent Bosshardt – yes Thornber – yes
Jaeckels – yes Schmitzer – yes Hilton – yes Johnson - yes
Seven votes cast. Seven votes aye. Motion carried.

COMMUNICATION:

The March 7, 2016 staff minutes were distributed.

APPROVE PAYMENT OF BILLS:

Moved by Hilton, seconded by Johnson to pay the bills. Roll call vote.

Gruett – yes Bangart – absent Bosshardt – yes Thornber – yes
Jaeckels – yes Schmitzer – abstain Hilton – yes Johnson - yes
Seven votes cast. Six votes aye. (Schmitzer-abstain) Motion carried. Voucher No. 78421 through Voucher No. 78476 or accounts payable and payrolls totaling \$1,438,608.89.

ADJOURNMENT:

Moved by Schmitzer, seconded by Jaeckels and carried to adjourn at 7:52 p.m. on March 15, 2016.

Helen Schmidlkofer, MMC
City Clerk