

Chilton, Wisconsin
March 21, 2017

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 Mayor Rick Jaeckels presiding.

AGENDA POSTING:

On 3/17/17, 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 Mark Willems | Council Member Dan Hilton |
| Council Member Clayton Thornber | Council Member Ron Gruett |
| Council Member Greg Kubichka | Council Member Kathy Schmitzer |
| Council Member Kevin Johnson | |

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

General attendance: Faye Burg, Steve Mueller, DJ Payne, Jessica Daul, Bob Cullen Jr., Eric Voland and Mark Wiegert.

Those in attendance recited the Pledge of Allegiance.

Moved by Hilton, seconded by Kubichka and carried to approve the minutes of the council meeting held on 3/07/2017.

REPORT OF OFFICERS:

MAYOR REPORT:

- Mayor Jaeckels spoke to Jim Moran, owner of Calumet Press. They will no longer be printing the Chilton Times Journal effective immediately. The last edition was last Thursday, March 16, 2017.

CITY CLERK REPORT:

- Spring Election is Tuesday, April 4, 2017
- Open book is scheduled for May 10 and Board of Review is May 31, 2017.

APPROVE LIQUOR LICENSES:

Moved by Willems, seconded by Schmitzer and carried to approve a two-year license application to serve fermented malt beverages, and intoxicating liquors from March 21, 2017 to June 30, 2018 for Ryan Baer, Vanessa Reseburg, Christopher Grube and Kenneth Mueller. Deputy Clerk Meyer noted the applicants have been approved by the Chilton Police Department.

DIRECTOR OF PUBLIC WORKS REPORT:

- The street department equipment repairs included the loader and the sweeper.
- The street crew is currently patching potholes, tree trimming and they also removed the snow fences.
- There was a watermain break on Breed and North Madison Street last week, which was caused by insufficient bolts on the valves.
- Arbor Day is scheduled for May 3, 2017.
- DPW Schwarz handed out maps indicating the location of three streetlights on the East side of South Madison Street where they installed three different LED bulbs for the council to view and decide which bulb gives off more light.
- The contractors are working on replacing valves and VFD's at Pumphouse #8. The work is scheduled to be completed by May 8.
- Still working with the DNR regarding chloride variances for the expired wastewater permit. (Expired June 15, 2015). DPW Schwarz and Sewer Leadman

Minutes of Council Meeting 3-21-2017

Tim Keuler had a conference call with the DNR and Strand Associates, the city's engineers. The DNR would like the City to prepare a chloride reduction plan and have a schedule in place to lower the chloride limits. The DNR has set interim rates from 840 to 670. The City is currently running at 490.

- The City phosphorus limits, set by the DNR, will be changing in five years. The Phosphorus limit now is .1 ppm and in five years it will be lowered to .075 ppm.

POLICE CHIEF:

Police Chief Craig Plehn has been interviewing candidates for a full time police officer. The search committee unanimously decided to hire Brad Kuehl, who is currently a part time officer in the City of Brillion.

Moved by Gruett, seconded by Schmitzer to approve the hiring of Brad Kuehl as a full-time police officer for the City of Chilton contingent upon passing background check and pre-employment testing. Roll call vote.

Gruett – yes Willems – yes Kubichka – yes Thornber – yes

Schmitzer – yes Hilton – yes Johnson – yes

Seven votes cast. Seven votes aye. Motion carried.

AUDIENCE PARTICIPATION:

Bob Cullen Jr. was present with his operating managers DJ Payne and Jessica Daul. Mr. Cullen was disappointed with the council regarding the noise ordinance that was passed at the March 7, 2017 council meeting. He doesn't understand why he wasn't asked to a committee and brought in to try to fix the problem. Mr. Cullen said, "I want to work with you not against you."

Mr. Cullen spoke to Alderman Willems after the February 23 Public Safety meeting and Alderman Willems told Mr. Cullen the committee tabled the noise ordinance and so there was no need for Mr. Cullen to attend the March 7, 2017 council meeting. Mr. Cullen mentioned that he was glad they tabled the discussion so he could be in attendance at a future committee meeting to discuss a solution to the noise ordinance problems. Then an ordinance was brought to the council for approval at the March 7, 2017 meeting anyway.

Mr. Cullen has no objection to the change in the noise ordinance that was passed at the March 7, 2017 meeting, but the process on how the city changed the ordinance is what was wrong. He would have liked the council to hear his side of the story.

Mr. Cullen mentioned he would meet with a committee that was formed to go into his establishment and figure out ways to solve the issues. This past Saturday night they had a wedding and there were no noise complaints. They had a band and his managers and he decided to end all music at 12:30 just like the fair and the street dance and the brat fry. No more bands after 12:30. They are compromising.

Mr. Cullen wants to "set the record straight" that he wants to work with the City to solve the noise issues. He wants the City to work "for the people and work with the people to do solutions together."

Attorney McDermott interjected that this will continue to be discussed but the change was made to solve the unconstitutional ruling the judge made. The word reasonable was added and the word "or" was changed to "and". It raised the bar for law enforcement.

Mr. Cullen stated again, he has no problem with the ordinance change, but he was disappointed that "he didn't get to be heard."

REPORT OF COMMITTEES:

Mayor Jaeckels reported on the March 8, 2017 Plan Commission meeting.

Eric Volland and Mark Wiegert are looking for support regarding proposed construction of mini-warehouses on 4.22 acres of Industrial Park land in TIF #2 referenced as Tax Parcel I.D. No. 32384 along Progress Way so they can continue along with their venture.

The property is currently zoned I-2 (General Industry) and mini-warehousing is permitted with a conditional use. In addition to mini-warehousing, they are also considering building an incubator type building for businesses in the future.

Property owners within 200 feet of Tax Parcel I.D. No. 32384 were notified of the application for conditional use permit request. The only concern was from John Michels who owns land east of the property regarding refuse from the storage units ending up on his property. He requested that the property owners be held responsible for cleaning up any refuse that lands on his property and that this is in writing. The council agreed they don't foresee this as an issue.

Moved by Thornber, seconded by Hilton to approve the request for a conditional use to allow warehousing on Tax Parcel I.D. #32384. Motion carried.

Mayor Jaeckels mentioned there were only four members present for the Plan Commission meeting so they voted to table the revisions to Municipal Code Chapter 16 regarding structures and accessory buildings pending further discussion.

The Plan Commission also discussed spreading of liquid manure within City Limits.

February 2, 2017 Library Board minutes were distributed for the Council to review.

NEW BUSINESS:

Deputy Clerk, Lisa Meyer presented the annual Community Development Block Grant (CDBG) report. The city originally received the grant in 1979 from the Wisconsin Department of Administration. The rules and regulation for this program are set by the State. There are currently 60 loans outstanding totaling \$614,878.47. The 12/31/16 cash balance in the CDBG account is \$112,291.54.

However, the cash available to finance new loans is only \$77,515.81 due to the fact that three applicants have not completed their projects from 2016 and 15% of the cash balance is set aside for city administration fees.

This money is not City taxpayer money; it is a revolving loan fund. The money is loaned out to applicants to either purchase a home or repair their current home. The loan offers a 0% interest rate and it is repaid when the applicant sells their home. The money is then deposited back into the fund to be loaned out to other potential applicants.

The City offers residents three different loan options. The first one is rehabilitation loans, which make repairs to an applicants' current home. Homestead acquisition loans enable an applicant to make a down payment on a home located in the City of Chilton and the third option is Rental Housing Rehabilitation loans, which make repairs to a rental property located in the City of Chilton.

Loan eligibility is based upon 1) location, the home must be located within the City of Chilton, 2) income guidelines set by the WI Department of Housing and 3) the ability to place another lien on the home. The total rehabilitation cost of the home plus present indebtedness may not exceed the property's fair market value after rehabilitation.

The eligible activities of home rehabilitation include electrical, heating, insulation, plumbing, foundation, roof, and structural deficiencies.

Alderman Gruett commented that the program has been run exceptionally well and Deputy Meyer deserves credit for that.

APPROVE PAYMENT OF BILLS:

Moved by Schmitzer, seconded by Hilton to pay the bills. Voucher No. 80109 through Voucher No. 80160 or accounts payable and payrolls totaling \$73,040.82. Roll call vote.

| | | | |
|-----------------|---------------|----------------|----------------|
| Gruett – yes | Willems – yes | Kubichka – yes | Thornber – yes |
| Schmitzer – yes | Hilton – yes | Johnson – yes | |

Minutes of Council Meeting 3-21-2017

Seven votes cast. Seven votes aye. Motion carried.

ADJOURNMENT:

Moved by Schmitzer, seconded by Kubichka to adjourn at 7:20 p.m. on March 21, 2017
Motion carried.

Lisa Meyer
Deputy City Clerk