

Chilton, Wisconsin
March 3, 2015

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

AGENDA POSTING:

On 2/27/15, 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 Kathy Schmitzer	Council Member Ron Gruett
Council Member Rick Jaeckels	Council Member Richard Bosshardt
Council Member Dan Hilton	Council Member Kevin Johnson
Council Member Clayton Thornber	

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

General attendance: Faye Burg, Delta Publications, Scott and Sue Salzsieder and Eric Guerin.

Those in attendance recited the Pledge of Allegiance.

Moved by Hilton, seconded by Schmitzer and carried to approve the minutes of the council meeting held on 2/17/2015.

REPORT OF OFFICERS:

MAYOR REPORT:

Mayor Vanne said,

“Met with Calumet County Supervisors and Administrator yesterday. The County gave us information regarding the county shed. They are doing more studying on how they are going to go about repairing the problems supposedly they have. Talked about trying to get financing for State Street and County Trunk Y, which at this point were told federal grant money is not a real strong case. They may not get that for the roads so they are going to figure out how to finance it.”

“Talked about the McNeely property downtown; working on that with the DNR and what possible chances there are to get that back on the tax roll.”

CITY CLERK REPORT:

- Prepared materials for committee meetings
- Finalized reports for Chilton School District Primary Election results
- Preparing for Spring Election to be held on April 7, referendum information was distributed this evening for your review

APPROVE FINANCIAL REPORT:

Moved by Thornber, seconded by Hilton and carried to approve the March 1, 2015 financial report.

APPROVE LIQUOR LICENSE:

Moved by Thornber, seconded by Schmitzer and carried to approve the Class “B” Picnic license for:

Chilton Lions Club for the annual Brew fest to be held on May 17, 2015; Person in Charge is Bonita Rowland.

Good Shepherd Parish for the annual church picnic on July 25 and 26, 2015; Persons in Charge Bob and Lisa Cullen.

APPROVE OPERATOR LICENSES:

Moved by Bosshardt, seconded by Jaeckels to approve the two-year license applications to serve fermented malt beverages and intoxicating liquors from March 3, 2015 to June 30, 2016 for Nathan Freimuth. Motion carried. Clerk Schmidlkofer noted the applicant has been approved by the Chilton Police Department.

DIRECTOR OF PUBLIC WORKS REPORT:

- Have a lot of on-going projects
- Well #11 – DNR inspected and approved the transmission line and pumphouse yesterday. (Pumped 600 gallons/minutes) Generator was checked as well and in good working condition. Two safe samples are required from the well water itself and the transmission line. Within two weeks it should be up and running.

AUDIENCE PARTICIPATION:

No comments from the public.

NEW BUSINESS:

No new business to report.

UNFINISHED BUSINESS:

Mayor Vanne requested Scott and Sue Salzsieder to speak regarding the nuisance abatement at 107 and 111 West Main Street. “I will have Salzsieder discuss and at a later time at our meeting we will go into closed session and when we go back into open session Scott and Sue would like to know the council’s decision.”

Scott had Mayor Vanne distribute a letter addressed to the City of Chiton’s Building Inspector dated January 30, 2015. (This letter was given to the council members at the 2/17/2015 council meeting).

Scott said, “I do not know how much background you know on this?”

Mayor Vanne stated the council is aware of the background.

Scott then expressed that he had a short amount of time to complete repairs to his buildings because he had family matters and contractor issues. As stated in the letter in good faith we will complete the following before the end of the year:

- Determine whether a viable plan can be made to replace 107B or whether it will be taken down
- Replace or remove the structure at 107B
- Fix or replace the porch on the front of 107
- Fix, replace or remove the permanent wooden awning above the large windows on 107
- Paint siding and trim of the main part of 107
- Remove steps on the east side of the back section of 107
- Install storm/screen combinations on the double hung windows of 107
- Temporarily cover the back section of 107 with vinyl or other covering to give a uniform appearance

Mayor Vanne and council members went over several facts with Scott and then ended the discussion at 7:12 PM.

REPORT OF COMMITTEES:

Chairman Johnson presented the Public Works committee minutes from the February 23, 2015 meeting.

Moved by Johnson, seconded by Gruett to accept the quote from Quality Truck Care Center for a Western Star 4700 model truck at a cost of \$95,791.00. Roll call vote.

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

Minutes of Council Meeting 3-3-2015

Seven votes cast. Seven votes aye. Motion carried.

Moved by Johnson, seconded by Thornber to accept the quote from Monroe Truck Equipment for one installed dump body, hitch, hydraulics, snow wing, salt spreader and additional items at a cost of \$76,405.00\$ to include the transfer of funds from account 53240-821 (Street machinery capital) for \$2,196.00 to cover the amount that exceeded the 2015 budget. 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 Johnson, seconded by Gruett to accept the proposal from Strand Associates to provide engineering services for the Capacity Management Operation and Maintenance (CMOM) Program development project as required by the DNR for the Wastewater Treatment Plant not to exceed \$12,000.00. 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.

DPW Schwarz reported there is a transite water main along E. Chestnut Street (from S. Madison Street to Elm Street) which is part of the upcoming E. Chestnut Street Reconstruction Project. This transite water main contains asbestos. Schwarz stated that he has contacted Benesch, the engineering firm for the project, along with the DNR and DOT to find out if the water main needs to be physically removed during the project or if a new water main could be laid parallel to the existing one so as not to disturb the asbestos. (Removal costs are estimated at \$30,000.00 to \$50,000.00).

Schwarz noted that after numerous conversations with the all Departments mentioned above, it was concluded that because E. Chestnut Street is part of the City's connecting limits, the City is able make the determination as to whether or not to remove the transite water main. The committee endorsed Schwarz's recommendation to leave the transite water main intact and lay a new water main parallel to the existing one. The City will keep record of the location of the transite water main on all maps and mapping software.

Moved by Jaeckels, seconded by Bosshardt to formally document that the City will leave the transite water main along E. Chestnut Street (from S. Madison Street to Elm Street) intact and lay a new water main parallel to the existing one. The City shall keep record of the location of the transite water main on all maps and mapping software. Motion carried.

DPW Schwarz reviewed with the council members that the Calumet County Veterans Service office conducted a survey of county cemetery associations regarding perpetual care in November of 2013. It was determined from that survey that when cemetery plots are purchased today perpetual care is included in the purchase price and provides for the ongoing care and maintenance of Veterans graves. It is the County's responsibility per Wisconsin Statute to maintain Veteran's graves when perpetual care is not otherwise provided. Calumet County currently makes this payment annually to the City. The City makes claim for 86 Veterans graves @ \$6.00 per grave equaling \$516.00. Instead of paying the City annually, the County has now decided to make one final perpetual care payment for Veterans grave at \$40.00/grave. Bill Krizek, Calumet County Veteran Service Officer ensures that this revision meets the requirements of Wisconsin Statute and alleviates the need for annual payment.

Chairman Jaeckels presented the minutes from the General Government meeting held on February 25, 2015.

Clerk Schmidlkofer reported the implementation, review and management of the City of Chilton Identity Theft Prevention Program (also known as the Red Flag Rule Program) lies with the Office of Clerk and Deputy Clerk. The Program requires that the Clerk and Deputy Clerk annually report to the Common Council on the effectiveness of the Program, including an assessment of the need for the program and its effectiveness, a

Minutes of Council Meeting 3-3-2015

summary of any incidents involving identity theft, responses made to any reports and recommendations for any needed changes. The Program Policy states that, the risk from identity theft is small because of the nature of the accounts, goods, and services that are made available by City of Chilton. I am pleased to inform the council that in the calendar year 2014, there were no reports of identity theft from a customer, victim, law enforcement agency or other business concerning identity theft in connection with a covered account. Furthermore, the Program Policy does not need any changes or modifications.

DPW Schwarz informed the committee that the City of Chilton Department of Public Works employees (Marx, Keuler, Moehn, Bodinger, Boll, and Duchow) decertified from Local Union 1362 for 2016 on January 23, 2015.

Moved by Jaeckels, seconded by Schmitzer to purchase a Cummins-Allison shredder for \$2,285.00 and use funds from account city hall capital reserve (51601-821).

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.

Clerk Schmidlkofer provided an update from April of 2013 when the council approved the use of auto pay for water/sewer invoices. Auto pay allows residents to pay their utility bill automatically through their checking or savings accounts. In the City of Chilton, eight (8) businesses and one hundred (100) residents use the automated service of which there are 1,608 total customers.

Clerk Schmidlkofer and Deputy Clerk Meyer informed the committee that in working with auditors Hawkins Ash a few items require updating.

Schmidlkofer reviewed Resolution No. 1620 adopting a fund balance policy in accordance with Governmental Accounting Standards Board No. 54 (GASB) from February of 2012. Recommendation from Deputy Meyer and Clerk Schmidlkofer after consulting with Hawkins Ash is to insert on page 4 under Flow of Funds that the City shall first apply restricted resources and then unrestricted resources to expenditures where both can be used.

Moved by Jaeckels, seconded by Thornber to introduce, adopt and waive the second reading of Resolution No. 1692, a resolution to update to the fund balance policy by amending Resolution No. 1620. 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.

Clerk Schmidlkofer and Deputy Clerk Meyer provided a Fixed Asset Capitalization Policy for the committee to endorse. In 2001 when the City created a fixed asset policy, the policy was not formally adopted and endorsed by a resolution. The threshold for fixed assets has remained the same as presented in the policy.

Moved by Jaeckels, seconded by Schmitzer to introduce, adopt and waive the second reading of Resolution No. 1693, a resolution to adopt a Fixed Asset Capitalization Policy. 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.

Clerk Schmidlkofer and Deputy Clerk Meyer informed the committee that an observation from the audit indicated that the retirement payout for firefighters should be revised. Recommendation was given that the Fire Department revise their by-laws Section 9 Retirement (4) (a) Eligible Firefighters who retire states the following: Eligible firefighters who are retiring will receive a one-time retirement payment on the first

Minutes of Council Meeting 3-3-2015

business Monday in either January or June, following the date of that firefighter's actual retirement. Recommendation was that the City of Chiton processes the retirement payment through payroll to include payroll taxes. Then request the funds from the Fire Department account.

Moved by Jaeckels, seconded by Johnson to request the Fire Department to revise their by-laws regarding retirement payout to be processed through the City of Chilton to include payroll taxes. Motion carried.

Jaeckels reminded the council members that this past tax season the city residents were given an opportunity to use Premier Financial Credit Union to make 2014 tax payments. Recommendation from the committee was to discontinue this service.

Moved by Thornber, seconded by Jaeckels to discontinue additional tax collection services in the future.

Schmitzer said, "I think we should give this a few years and maintain the service."

Bosshardt stated that he was in favor of discontinuing the tax collection due to the fact only 15 people used the service and some still have to come to the city hall to license their dog.

Committee minutes indicated that 15 of the 1,719 taxpayers paid their taxes at Premier Financial for a total of \$24,922.00 compared to the \$4.2 million that was collected by the City.

Residents and business owners were made aware of this new or additional service with the city newsletter and website, Premier Financial newsletter and newspaper advertisement, published council minutes and staff minutes. Schmidlkofer noted one elected official used the service however came to city hall to register their dog. None of the council members or city employees used the service. Taxpayers that use Premier Financial for mortgages still came to city hall and when asked why they did not use the service at the credit union the same response was we prefer city hall.

Mayor Vanne called for a motion. (Schmitzer and Hilton-nay) Motion carried.

Jaeckels stated the committee was looking for the council members to advise which method to use in determining the yearly wage increase for non-union employees.

- One option would be by merit pay using job evaluations and descriptions. The managers recommend to the council percentage increases for subordinates. The council would then recommend the manager increase.
- The other option would be for a straight percentage across the board for all non-union employees.

Following a discussion to consider a procedure for annual wage increases for non-union employees, the recommendation was to have the General Government committee review further.

Mayor Vanne said, "I would like all the council members to attend the committee meeting regarding this topic."

Chairman Hilton presented the Culture and Recreation committee minutes from the February 24, 2015 meeting.

Hilton informed the council Eric Guerin and parents are establishing a soccer club within the city and presented an agreement for maintaining Nennig and Morrissey Park green space to the committee for review and approval. Guerin informed the council that their group's official name is ChiltonFC Soccer Association Inc and has filed for 501(c) (3) tax-exempt status and will provide a certificate of liability insurance coverage once completed.

Minutes of Council Meeting 3-3-2015

Items in the agreement included:

- City will apply weed killer to all city parks one time per year; if necessary the Club will apply more frequently
- The group will be responsible for painting the soccer fields
- Club will be given \$500.00 from the City to use for fuel, weed killer and paint; reimbursement only after receipts are provided (Parks account No. 55201-363)

Moved by Hilton, seconded by Bosshardt to approve the agreement between the City of Chilton and the ChiltonFC Soccer Association Inc. Motion carried.

Hilton informed the council that the Chiton Athletic Club requested the City of Chilton to pay \$5,999.00 toward a Smithco that the Club purchased last June.

Moved by Hilton, seconded by Bosshardt that the council will support the Chilton Athletic Club expense of \$5,999.00 in the 2016 parks capital budget.

Johnson questioned is the City paying the invoice or budgeting for 2016?

Hilton said, "The City will support this expense however not reimburse them."

Thornber clarified, "Support the budgeting procedure."

Mayor Vanne replied, "Yes."

Mayor Vanne then asked for a voice vote. Six votes aye. (Thornber-nay) Motion carried.

Moved by Hilton, seconded by Jaeckels to allow the Chilton Athletic Club use of Hobart Park ball diamond for the Pony League on Thursday nights and one additional night for practice (AC's maintaining the in-field), use of lights and the concession stand. In lieu of a fee, the Club will mow additional areas of grass at Nennig Park, which will be established between the Director of Public Works and the Club. Motion carried.

CLOSED SESSION:

Moved by Hilton, seconded by Thornber to go into closed session at 8:18 PM under WI Statutes 19.85(1) (g) to confer with legal counsel regarding 107 & 111 W. Main Street.

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 conferred with the city attorney regarding 107 and 111 W. Main Street.

Moved by Jaeckels, seconded by Schmitzer to return to open session at 9:00 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.

Scott and Sue Salzsieder returned to the council chambers and stood before the council.

Moved by Jaeckels, seconded by Hilton to allow Scott and Sue Salzsieder the owners of 107 and 111 West Main Street to complete the following:

- Replace or remove the cinder block garage
- Complete exterior repairs to 107 West Main Street as follows:
 - Fix or replace the porch on the front
 - Fix, replace or remove the permanent wooden awning above the large windows
 - Paint or replace siding and trim of the main portion of the building
 - Remove the steps on the east side of the back section

Minutes of Council Meeting 3-3-2015

- Install storm/screen combinations on the double hung windows
- Cover the back section with vinyl or other covering to give a uniform appearance or remove this section of the structure

All must be completed by December 31, 2015 with a properly issued building permit.

Gruett questioned, "Now that is exactly what Salzsieder said he wants to do right."

Attorney McDermott replied, "Yes."

Mayor Vanne called for a voice vote. Motion carried.

COMMUNICATION:

Distributed monthly building/plumbing report.

APPROVE PAYMENT OF BILLS:

Moved by Johnson, seconded by Schmitzer to pay the bills. 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.

Voucher No. 76710 through Voucher No. 76777 or accounts payable and payrolls totaling \$1,441,186.54

ADJOURNMENT:

Moved by Jaeckels, seconded by Gruett and carried to adjourn at 9:04 p.m. on March 3, 2015.

Helen Schmidlkofer, MMC

City Clerk