

Chilton, Wisconsin
November 15, 2016

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

AGENDA POSTING:

On 11/11/16, 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 Rick Jaeckels and eight members of the Council were present at roll call:

Council Member Mark Willems	Council Member Dan Hilton (arrived at 6:32 PM)
Council Member Kevin Johnson	Council Member Clayton Thornber
Council Member Ron Gruett	Council Member Greg Kubichka
Council Member Kathy Schmitzer	Council Member Kurt Stephany

Other city officials present were Fire Chief Gary Halbach, 1st Assistant Fire Chief Ben Schoenborn, Director of Public Works Todd Schwarz, Police Chief Craig Plehn, City Attorney Derek McDermott and City Clerk Helen Schmidlkofer.

General attendance:

Harry Kratz, New Hope Center Maintenance Department, Police Officer Josh Harn, Violet Harn, Part-time Library Director Glenn Whitcomb, Part-time Library Director Assistant I Rebecca Barry, Police Officer Steven Petrie and Betty Schilling, Chilton Times Journal.

Those in attendance recited the Pledge of Allegiance.

Moved by Kubichka, seconded by Johnson and carried to approve the minutes of the council meeting held on 11/01/2016.

REPORT OF OFFICERS:

MAYOR REPORT:

- Attended the Calumet County Intergovernmental meeting on November 10, main topics of discussion were roads and the possibility of municipalities receiving more state aid.
- Racing update: received a call from Eastern WI Racing Assoc. yesterday and they are getting frustrated with the lack of progress from the Ag. Board.

CITY CLERK REPORT:

- ↻ November 8, 2016 General Election facts: number of registered voters - 2,071
Total number that voted on November 8th - 1,816 and current population is 3,939.
Interesting Facts from the 2012 Presidential Election: number of registered voters 2,124
Total number that voted 1,882 and population was 3,932. Election details are available on the city's website (www.chilton.govoffice.com).
- ↻ The Chilton Chamber of Commerce annual meeting is scheduled for January 25th from 5:30 to 7:00 PM at Cheers. Tickets are \$10.00.
- ↻ A list of future committee meetings was provided.
- ↻ A detailed list of holiday hours for the city hall was provided.

APPROVE OPERATOR LICENSE APPLICATIONS:

Moved by Schmitzer, seconded by Stephany to approve the two-year license application to serve fermented malt beverages and intoxicating liquors from November 15, 2016 to June 30, 2018 for Desmond M. Roehrborn. Motion carried. Clerk Schmidlkofer noted the applicant has been approved by the Chilton Police Department.

DIRECTOR OF PUBLIC WORKS:

- ↻ The Street Department is busy picking up leaves; property owners should take the leaves to the terrace area, not in the street. Weather permitting this will take place

until Thanksgiving. The leaves are taken to Polly's Pumpkin Patch or Ledge Park compost pile. The City does have an agreement with the owner of Polly's for sign rent and this has been waived with the City providing leaves to them.

⌘ Preparing equipment for the winter, sand barrels set out, Christmas decorations need to be up before the December 3 Chamber Christmas parade.

⌘ Daniel Davis, maintenance man for the State of WI called to discuss a section of the Hwy. 151.

The City has state highways within our connecting limits and the City is responsible to maintain the roadways, plowing and fixing. The last time the City did maintenance on Hwy. 151 to the west we did patching and diamond grinding. Mr. Davis did point out that there is a dip on Hwy 151/Irish Road. (I was aware of this issue already.) The dip more than likely came from when the sanitary sewer was installed across to the other side. The City will have to take care of this next year. The City is allotted so much money in our connecting limits and that is what the money should be used for.

MOVED TO REPORT OF COMMITTEES:

PLAN COMMISSION:

Mayor Jaeckels informed the council that Mr. Harry Kratz Maintenance Department presented the Plan Commission with a sign for New Hope Center at 1024 Steenport Lane to acknowledge to the public who and what they are doing. The proposed sign is 4 feet by 3 feet with total square footage in excess of 3 square feet which exceeds the square footage for a sign in residential zoning unless a conditional use is obtained. Property owners within 200 feet of 1024 Steenport Lane were notified of the request and no comments were heard either for or against the request.

Moved by Willems, seconded by Schmitzer to approve the request for a conditional use permit to allow New Hope Center to install a sign that is in excess of three square feet at 1024 Steenport Lane. Motion carried.

Kratz exited the room at 6:38 PM.

AUDIENCE PARTICIPATION: No comments were received at this time.

NEW BUSINESS:

The Calumet Snow Trails Club submitted a request for use of snowmobiles within city limits. Chief Plehn noted that the trail is the same as last year and there were no complaints or concerns.

Moved by Willems, seconded by Hilton to approve the 2016-2017 Calumet Snow Trails within the City of Chilton. Motion carried.

Mayor Jaeckels noted the October 10, 2016 Library Board minutes were provided to the council members. Glenn Whitcomb and Rebecca Barry introduced themselves.

Willems remarked, "The Library is a valuable resource for the City; it truly is a hidden jewel of the city."

Mayor Jaeckels said the Chilton Housing Authority October 12, 2016 minutes were in the packets for council members to review.

Mayor Jaeckels reported on the joint meeting of the Plan Commission and Redevelopment Authority that was held on November 9, 2016. Both groups reviewed the plans for 26 North State Street. Derek Vosters of Bayland Buildings presented the proposed expansion plans for 26 N. State Street (Cheers), which included removal of the existing bar area and proposing to build a restaurant/bar area with a seasonal sitting area outside at the corner of Main and State Streets. Garage doors in this area would provide an additional outside atmosphere, weather permitting. A liquor store would be built with an entrance off Main Street adjacent to the new building. The existing bar area would be made into a parking area with nine stalls and a new entry for a service drive for deliveries.

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At the joint meeting, RDA Chairman Sattler noted the RDA does have design guidelines for the Uptown Redevelopment Area and the only concern the RDA would have regarding this project is the facade for the liquor store.

Vosters said plans are to match the brick façade similar to 49 W. Main Street and the outdoor dining area will have wrought iron fencing with a brick base.

DPW Schwarz noted that zoning is Central Business District (C-2) and that this property is exempt from all parking regulations and setback rules. Current setback is zero and the proposed plan is for 5 to 6 feet setback. Regarding beer garden regulations, the city ordinance does state that an 8-foot fence is necessary for outdoor consumption of alcohol. The wrought iron fence that is proposed is 4 feet high. Recommendation from the Plan Commission was to amend the ordinance to allow 4 feet instead of 8 feet after the Commission reviewed guidelines from other municipalities.

General comments discussed included noise, parking, litter, entrance and exits and special events. All the concerns were addressed at the RDA and Plan Commission meeting; in fact, Bob Cullen told both groups that the proposed building is very similar to Anduzzi's in Kimberly. If there has to be checks and balances, we certainly are open to this and a simple phone call will take care of any issues, should they arise.

The RDA and Plan Commission members endorsed the proposed plans and appreciated Cullen's efforts.

Mayor Jaeckels said, "Anytime you have new activities like this there is always cause for concern regarding noise."

Willems said, "This certainly is a huge improvement and too bad the City can't get County Trunk F fixed along with this building project."

Moved by Willems, seconded by Hilton to introduce, adopt and waive the reading of Ordinance No.

1133, an ordinance amending Chapter 6 of the municipal code of the City of Chilton. The ordinance amends section 6.01 (d) (1) limitation on issuance of beer gardens licenses to change the height of the fence, wall or screen from 8 feet to not less than four feet in height.

Gruett asked Chief Plehn if the Police Department had any concerns with changing the fence height regulations.

Chief Plehn stated that the amendment was reviewed earlier today when asked if this was okay.

Mayor Jaeckels called for a roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

MOVED BACK TO NEW BUSINESS:

Mayor Jaeckels opened the Public Hearing at 6:45 P.M. to solicit comments regarding the proposed 2017 budget. Clerk Schmidlkofer read the notice as required by law. Mayor Jaeckels inquired if anyone was present to speak in favor or not in favor of the 2017 budget.

Hearing no comments from the public Mayor Jaeckels closed the public hearing at 6:47 P.M.

Schmidlkofer presented the 2017 City of Chilton budget highlighted first by the City's mission statement. Schmidlkofer then explained the process to prepare the executive

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budget involving the department heads and council committees. The proposed budget of \$2,717,103.00 in expenditures is a 2.41% increase from the 2016 expenditures, which was \$2,653,228.00. The proposed levy is \$1,220,252.00 compared to \$1,200,220.00 in 2016; this results in a tax rate of \$5.53, same as 2016. Only \$0.33 was not used in the allowable levy for the 2017 budget.

In addition, the net new construction for 2017 is 1.67% compared to 1.328% in 2016. Last year \$98,952.00 was used from non-lapsing funds to balance the budget compared to \$141,475.00 along with \$25,000.00 from the general fund for the 2017 budget. The proposed budget does include a bulky item pick-up in which the dates and details will be shared with residents once the budget is approved.

Also included in the proposed budget is the 7th officer for the Police Department. The General Government committee was tasked with including the 7th officer for 2017 and how the City would financially support the officer in the years to follow.

Schmidlkofer stated the health insurance is changing January 1, 2017, which resulted in a decrease for benefits by departmental as follows:

Police Department - \$30,000

Clerk/Treasurer \$8,000

Department of Public Works Administration \$8,000

Street Department has four employees and the benefits are allocated among the various responsibilities (accounts) that they perform so you cannot see a precise amount.

Water and Sewer Departments are fiduciary accounts and not part of the annual budget.

Wages for the proposed budget are:

3.0% wage increase for employees in the Police Union

2.5% increase - Clerk/Treasurer, Director of Public Works, Police Chief and Police Captain

\$0.25 per hour increase (\$525.00/yr.) - Deputy Clerk/Treasurer, Administrative Assistant to Director of Public Works, Administrative Assistant to Police Department, leadmen, laborers and operators in street, water and sewer departments.

1.0% increase – election workers
inspector

1.6% increase – building/plumbing

3.7% increase – 1st assistant fire chief

4.16% increase – 2nd assistant fire chief

2.16% increase – FD code enforcement officer
training pay

1.17% increase – FD meeting and

1.1% increase – FD secretary/treasurer

3.9% increase – school patrol

Detailed budget reports highlighting revenues and expenditures were available however; there was no need to report line item by line item. Schmidlkofer referenced the budget publication, which outlined the various sections of expenditures and revenues as required by law.

Furthermore, Schmidlkofer reminded the council members that the municipal tax rate the council would approve tonight is only one part of the total tax bill. The tax bill includes the State of Wisconsin, Fox Valley Technical College, Chilton Lake District, Calumet County and the Chilton School District.

Mayor Jaeckels said, “The tax rate with the TIF has not really fluctuated much in the last 7 years.”

Moved by Thornber, seconded by Schmitzer to introduce, adopt and waive the second reading of Resolution No. 1733, a resolution to adopt the 2017 municipal budget and direct a levy.

Mayor Jaeckels asked, “Are there any other questions or discussion?”

Willems asked, “The Police Department 7th officer I was against that because to me it was either streets or manpower. Okay, I think we did a thorough job, all of us here regardless

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what side you were on debating the budget two weeks ago when we were here until 10:00 PM. So I have dropped my opposition to the 7th officer but it seems to me the City is doing a lot of things this year to pay for that. The council took funds out of street reconstruction and there were huge insurance changes. Regarding the health insurance we are not going to have those savings next year. Because it is there now, so it's not like next year you are going to pull in money. If we are going to have a 7th officer we need to get behind it. I don't want to see a man hired and then laid off because we don't know how we are going to pay for it. So I would just like to hear from some of the General Government committee members how are we going to continue to pay for a 7th officer and take care of our streets? Do we have any plans? It seems to me that we did a lot of shifting around this year to do that. Again, I am not opposing the 7th officer anymore I just want to make sure that the City can pay and take care of what we have. We have the WISLR road report that DPW Schwarz gave last meeting. I don't want to wind up in a pickle in a few years because the roads we can't afford to fix and I don't want to hire a 7th man and then lay him off because we can't afford it anymore. I would like to hear some comments from the General Government committee members for down the road after this year."

Mayor Jaeckels said, "That would be between myself, not as a member of general government committee member but then that would be Kathy as chair, Kevin and Clayton."

Willems replied, "You are free to comment, you pretty much sit on all the committees by virtue of your title."

Mayor Jaeckels said, "I am just in favor of the 7th officer. It is a thing that you have to look at year by year."

Willems replied, "Like I said, I dropped my opposition. I believe we did a good job debating the budget two weeks ago. Now I have a direct question. What are we going to do to make sure we don't have to lay that officer off and to make sure we can fix our streets every year? Especially with County F, we know it is going to cost us something, we just don't know what that is."

Mayor Jaeckels said, "We have not heard back from the County yet."

Schmitzer replied, "I think that is a really difficult question to answer at the moment off the top of my head. Reason #1 I would be projecting what future councils would do. That makes it extremely difficult because who knows who is all going to be in a year or two. Then secondly, the commitment is to do both. We are waiting to see how it shakes out with the health reimbursement account. We don't know what the claims history will be. We were given a range between 40% to 60% as being the norm. There are some variables at this time. It is really difficult. If I had a crystal ball, I would use it. It is really hard to tell. To give you specific answers that you are looking for."

Thornber said, "I think it should be brought to Mr. Willems attention the January 1, 2016 non-lapsing funds (NLF) balance sheet. We are showing street construction NLF \$223,000.00. Now we realize with State Street, which we have already classified as construction and not maintenance. We budgeted \$120,000.00 (fresh money) for that. But that is money that we can tap into but we recognize that, it is almost \$225,000.00. The street maintenance sits at \$151,000.00 of which. Wait I have that on another sheet."

DPW Schwarz said, "\$95,228.00 of that will be taken out of that account this year."

Thornber acknowledged that was correct.

Thornber continued, "That still leaves about \$142,000.00 or there about and of course there are NLF that are set aside in the Department of Public Works for down the road when we need a street sweeper, when the State sets the specifications. A leaf picker upper, shredder and I can't remember what other items Todd said. Any way our reserves

are apparently adequate for that. So what I am getting at is the 7th officer is not being paid for out of Public Works.”

Mayor Jaeckels asked, “Kevin, any comments?”

Johnson replied, “No, I don’t have anything.”

Mayor Jaeckels asked, “Do any other council members have questions.”

Kubichka replied, “I have a question. How do you get \$740,000 for Public Works on the publication when under expenditures is \$411,000.00?”

Schmidlkofer replied, “When you look at the 3 page expenditure report you have to add the operating and capital budgets together for a total of \$740,467.00 in public works, as shown on the publication.”

Mayor Jaeckels inquired, “Any other council members have questions.”

Willems replied, “I am going to throw this out there quickly. We just approved the Cheers project, which looks very nice. Any leverage we can use there with the County to take care of County Trunk F?”

Mayor Jaeckels replied this is a separate issue and Willems agreed.

Mayor Jaeckels called for a roll call vote.

Gruett – yes Stephany – yes Kubichka – yes Thornber – yes
Willems – yes Schmitzer – yes Hilton – yes Johnson - yes
Eight votes cast. Eight votes aye. Motion carried.

MOVED BACK TO REPORT OF COMMITTEES:

Sale of city property under the joint Redevelopment Authority and Plan Commission meeting.

Tom and Lori Hertel approached the City to purchase approximately 4 acres of city property in TIF #2, across from the Vogt subdivision area as indicated on the map that was provided.

The city would need to acquire a certified survey of the area and the current cost for land in TIF #2 or industrial park area is \$3,000.00 per acre. Discussion followed to define the general area, infrastructure and zoning. Hertel’s intent is to build mini warehouses, which would require a conditional use.

Moved by Thornber, seconded by Gruett to approve the sale of approximately 4 acres of the 15 acre parcel identified as Tax ID No. 31300 (adjacent, south of Field Court subdivision, and north of the Vogt homestead) to Tom and Lori Hertel for \$3,000.00 per acre pursuant to the TIF #2 Development Guidelines. Buyer shall be responsible for survey and closing costs and contingent upon buyer obtaining a conditional use for mini warehousing. Roll call vote.

Gruett – yes Stephany – yes Kubichka – yes Thornber – yes
Willems – yes Schmitzer – yes Hilton – yes Johnson - yes
Eight votes cast. Eight votes aye. Motion carried.

DPW Schwarz noted that if a conditional use were required this would have to take place after the land is purchased.

COMMUNICATIONS:

The November 2, 2016 staff minutes and monthly building/plumbing report were distributed to the council members.

APPROVE PAYMENT OF BILLS:

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Moved by Hilton, seconded by Thornber to pay the bills. Voucher No. 79441 through Voucher No. 79552 or accounts payable and payrolls totaling \$130,556.55. Roll call vote.
Gruett – yes Willems – yes Kubichka – yes Thornber – yes
Schmitzer – abstain Hilton – yes Johnson – yes Stephany - yes
Eight votes cast. Seven votes aye. (Schmitzer-abstain) Motion carried.

ADJOURNMENT:

Moved by Schmitzer, seconded by Hilton and carried to adjourn at 7:10 p.m. on November 15, 2016.

Helen Schmidlkofer, MMC

City Clerk