

Chilton, Wisconsin
September 15, 2015

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 9/11/15, 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 Rick Jaeckels	Council Member Richard Bosshardt
Council Member Dan Hilton	Council Member Kevin Johnson
Council member Clayton Thornber	Council Member Kathy Schmitzer
Council Members Ron Gruett	

Other city officials present were Director of Public Works Todd Schwarz, City Attorney Derek McDermott, Police Chief Craig Plehn and City Clerk Helen Schmidlkofer. Council Member Linda Bangart was absent and excused.

General attendance: Faye Burg, Delta Publications.

Those in attendance recited the Pledge of Allegiance.

Moved by Hilton, seconded by Thornber and carried to approve the minutes of the council meeting held on 9/01/2015.

REPORT OF OFFICERS:

MAYOR REPORT:

- Spoke with DPW Schwarz regarding a tour of the wastewater plant. Administrative Assistant Thiel will contact council members to establish a day and time. A tour of all the wells will be established for a different day.

CITY CLERK REPORT:

Awaiting final revenue numbers from the State for Transportation Aids and State Shared revenues. Once we have those numbers, we can see where we are and what needs to be trimmed in expenses.

DIRECTOR OF PUBLIC WORKS REPORT:

- ↻ Water tower project – inside and outside is all primed; started painting
- ↻ Morrissey Park Tennis Court Project – Valley Sealing is very busy this season and other projects superseded our project.
- ↻ DPW Schwarz informed the committee that the basketball court project at Morrissey Park is complete and the final cost is \$4,769.40. Labor \$3,837.23 materials \$2,832.17 for a total of \$6,669.40. (The figures from the 9/2/15 Culture and Recreation committee minutes were incorrect) The City of Chilton did receive and apply the \$1,900.00 United Fund Grant to this project. DPW Schwarz spoke to Shawn Reilly, president of the Morrissey Park project and the park funds will reimburse the City \$4,769.40 for the basketball court project. The Morrissey Park committee met on September 8, 2014, board members Shawn Reilly and Jerry Pagel voted to have the City create a basketball court in the former single tennis court, and the Morrissey Park project would reimburse the city.
- ↻ Street Department – maintaining lawns throughout the city, among other up-keep
- ↻ Reminding residents again that No person may blow grass clippings, leaves or any other form of yard waste onto city street. This is prohibited because yard waste blown onto City streets causes catch basins to block up and prevents water runoff from entering the storm sewer. This is a violation of Municipal Code Chapter 7, Section 7.16 and is subject to penalty enforced by the police Department. This is getting worse instead of better.

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- ↻ Waste water treatment plant - 400,000 gallons of sludge were removed
- ↻ State Street dam inspection report has been submitted to the DNR; the City is aware that minor repairs are required.
- ↻ Contacted the DNR for a second time regarding Phase II for properties located on East Main Street
- ↻ The Water Department will be flushing hydrants from October 5 to 23; if residents notice Department personnel in their area they should try not to use water for 20 to 30 minutes.
- ↻ Well #10 – Department is required to extract the well casing and pump every 10 years. The auxiliary output power shaft will be removed because this is causing wear and tear on the shaft. Electrical board does include a transfer switch when the city decides to add a generator.

NEW BUSINESS: No new business.

REPORT OF COMMITTEES:

Chairman Hilton reported on the minutes from the September 2, 2015 Culture and Recreation Committee meeting.

The Chilton Athletic Club is working on construction of a 28' X 20' shed with two 10' overhangs at the Nennig Park facility. Labor is all donated and the estimated cost of materials is \$15,000.00. This shed will be used to store all non-food items so that all food items will exclusively be in the concession stand.

The Athletic Club would like to make improvements to Diamond A by removing sod and replacing with infield mix in order to utilize the diamond for more age groups. In the Agreement between the City and the Chilton Athletic Club, the club may make improvements to Nennig Park grounds, equipment and buildings. The club shall not make any improvements whose total cost is greater than One thousand dollars without first obtaining approval from the Culture and Recreation Committee. The club would like to proceed with the project within two weeks so the council is acting on their request instead of taking it to the committee for approval.

Motion by Schmitzer, seconded by Gruett and carried to allow the Chilton Athletic Club to make improvements to Diamond A at no cost to the City of Chilton.

The committee reviewed the 2016 Culture and Recreation Budget with \$95,461 operating and \$20,899 for capital projects consisting of 150-gallon sprayer, Hobart Park walkway and fence repairs for a total budget of \$116,360.00. The Library Board has not submitted a 2016 proposed budget yet.

The capital projects were reviewed in detail highlighting the 5-Year Park Plan, which is part of the 2011 Open Space and Recreation Plan adopted by the council in September of 2011. Discussion continued regarding use of non-lapsing funds or eliminating other items from the 2016 budget to cover the Chilton Athletic Club's request regarding reimbursement for a Smithco Superstar purchased by the Club in June of 2014 for a cost of \$11,998.00, of which they are requesting reimbursement for half of the total cost (\$5,999.00). Consensus of the committee was to honor the request however; there was no direction on how or where to use funds. Further discussion took place regarding the agreement, use of non-lapsing funds, eliminating future projects and why this was not included in the current budget.

Committee decision was to use non-lapsing funds from Hobart Park capital and operating and delay repairs of the fence at Hobart Park. Direction was also given that a letter from Mayor Vanne would be sent to the Club stating that all future purchases must have prior approval by the City and if not, then the Club would be solely responsible for that purchase.

Consensus of the committee was to forward the proposed 2016 Culture and Recreation budget to the city clerk for executive budget process. It should be noted that the Culture

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and Recreation budget is the same as the 2015 budget. Non-lapsing funds are only being used for the AC's request.

Gruett did inquire if the City could create a "pickle court."

Following a brief discussion, this item will be reviewed at a future committee meeting.

The August 12, 2015 minutes from the Housing Authority of Chilton were distributed for the council to review.

Chairman Jaeckels presented the minutes of the September 8, 2015 General Government committee meeting.

The city hall office staff along with consultation with City Attorney Derek McDermott, and Claire Silverman, Legal Counsel with the League of Municipalities worked on revisions to the community room and park usage forms.

Moved by Jaeckels, seconded by Schmitzer to approve the revisions to the city hall usage agreement and park usage agreement forms. Motion carried.

The City received a proposal for assessment services with Accurate Appraisal, LLC for another 3-year period at the same annual rate of \$6,300.00 per year. The current agreement expires December 31, 2015, which was for a 3-year period at a rate of \$6,300.00/year.

Moved by Jaeckels, seconded by Hilton to approve the Maintenance Assessment Services Agreement with Accurate Appraisal, LLC from January 1, 2016 to December 31, 2018 for \$6,300.00 per year. 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 indicated that the Department of Natural Resources (DNR) adopted new operator certificate classifications as noted in Wisconsin Administrative Rule NR 114. Schwarz indicated that the following changes are reflected on the certificate:

- Subclasses have been re-grouped and renamed
- Grade levels are now Operator in Training (OIT), basic or advanced

The committee agreed to endorse the new operator certificate classification revisions by resolution.

Moved by Jaeckels, seconded by Hilton to introduce, adopt and waive the reading of Resolution No. 1703, a resolution amending the Personnel Policy for the City of Chilton. 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 Jaeckels, seconded by Schmitzer to introduce, adopt and waive the reading of Resolution No. 1704, amending Resolution No. 1686, a resolution defining operator classifications for Department of Public Works Employees for the City of Chilton, Wisconsin. 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.

Committee did review general information regarding the December 1, 2015 health and dental insurance renewal. Additional information will be forth coming before any decisions are made.

The proposed 2016 general government budget included capital expenditures of

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\$8,876.00 for updating election machines and \$5,000.00 for city hall updates. The proposed operating budget is \$208,803.00 compared to \$215,559.00 last year. The proposed budget does apply the election capital non-lapsing balance of \$1,214.00. Consensus of the committee was to forward the budget to the city clerk for executive budget process.

Chairman Gruett presented the minutes of the September 10, 2015 Public Safety committee meeting.

The committee reviewed dog license procedure at the request of the mayor. Clerk Schmidlkofer stated WI Statute Chapter 174 defines dog tax license requirements, fees and penalties. The Calumet County Clerk does publish a notice to all dog owners within the county that an annual dog license is required. In addition the City does publish a notice in the annual city newsletter; a notice is posted when residents pay taxes and information is available on the city web site. Licenses expire on March 31; unlicensed dog owners are contacted by phone or a letter reminding them to license their dog or inform the City that they no longer own the dog. Dog license reports are provided to the County Clerk to forward to Calumet County Sheriff's Department along with reports provided to the Chilton Police Department.

In 2013, 329 dogs were registered and eight dog owners were issued a citation from the Chilton Police Department for failure to license their dogs. The cost of the citation was \$200.50 for one dog and was adjusted by the Police Chief to \$150.10. The citation for two dogs was \$263.50 and was adjusted by the Police Chief to \$150.10. The citation amount was not communicated to the mayor prior to being issued and that is what troubled the mayor.

Mayor Vanne said, "I spoke with former Police Chief Seipel and he indicated that the City removed \$50.00 from the fine and the City received \$10 and all the rest went to the county. The reason why I brought it to the committee. I understand that the owner has the responsibility but this is a \$3.00 license and we are charging \$200. Most of these people do not have \$200 anyways, so let's make a bigger burden on them. I was told they were doing it. So I knew about it and said yes go ahead. I did not know the fine was that much. So when the people got the fine in the mail and called me. I was like, I did not know that. We do send out a letter now that says if you don't pay by this time there is a dollar amount noted for the citation. I just think you have to be real careful on that."

Gruett replied, "Just from what I heard at the meeting the City Clerk goes out of her way to contact dog owners for a \$3.00 and \$8.00 license."

Mayor Vanne said, "That has been on the books for forty years and we started enforcing in 2013."

Clerk Schmidlkofer clarified that the City has always followed the procedures set forth by state law but in 2013, citations were issued.

In 2014, 395 dogs were issued licenses, two dogs not licensed and no citations issued. In 2015, 467 dogs were issued licenses, one dog not licensed and no citations issued.

Conclusion was that dog owners should be responsible. The council did not take any action regarding this subject.

Chief Plehn would like to apply for a \$2,500.00 Wal-Mart grant to purchase surveillance cameras for the evidence rooms, interview room, lobby and the city hall parking lot. The Department will also purchase spike strips for departmental use.

Moved by Gruett, seconded by Hilton to introduce, adopt and waive the reading of Resolution No. 1702, a resolution for a Wal-Mart Grant for the Police Department to purchase surveillance cameras and spike strips. Roll call vote.

Gruett – yes Bangart - absent Bosshardt – yes Thornber – yes

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Jaeckels – yes Schmitzer – yes Hilton – yes Johnson - yes
 Seven votes cast. Seven votes aye. Motion carried.

Chief Plehn noted the Department is cleaning out old evidence, which included currency and questioned what the procedure was to sell items. Old evidence is considered city property and needs to be sold with council approval. Chief Plehn noted the criteria is 30 days after the evidence officer is unable to contact the owner or cannot solve the case. The Department does have a list of items that will be available for the public to view.

Moved by Gruett, seconded by Jaeckels to authorize the Police Chief to list the item(s) for sale in the City's official newspaper. In addition, the police department could also utilize Craigslist to sell items. Motion carried.

Chairman Gruett said, "The committee spent a long time on the Police Chief's proposal to add a 7th officer for the Department. Every person on the committee felt it would be a good idea to add an additional officer however; the problem is we do not have any money. We just don't have the money. The budget that included the additional officer was way too high as deemed by the mayor and the committee."

Chief Plehn presented three budgets for the committee to review:

Seven full time officers, 400 hours of overtime for a total budget of \$771,786.00

Six full time officers, 400 hours OT, part-time hours of 2,200 - total budget \$732,240.00

Six full time officers, 400 hours OT, part-time hours of 1,500 - total budget \$719,240.00

The committee understood the chiefs request for another officer, however with budget restraints, the committee could not endorse his request. The committee approved the budget of \$719,240.00 and will forward to the city clerk for the executive budget process.

Moved by Moved by Hilton, seconded by Bosshardt to go into closed session at 7:15 PM under WI Statutes 19.85(1) (e) to review the sale 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.

In closed session, the council discussed the sale of city property.

Moved by Jaeckels, seconded by Schmitzer to return to open session at 7:32 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.

Motion by Jaeckels, seconded by Schmitzer to accept the offer to purchase of Tax ID No. 31978, which is a vacant lot next to the property on 18 Douglas Street. Cedar Ridge Builders Inc will pay the purchase price of \$1,200.00 plus warranty deed and recording fees. Upon conclusion of the purchase, Tax ID No. 31978 will be combined with Tax ID. No. 16609.

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 Jaeckels, seconded by Johnson to authorize the Director of Public Works to investigate vacating a portion of Webster Street and create water and sewer easements. Motion carried.

APPROVE PAYMENT OF BILLS:

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

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

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Seven votes cast. Seven votes aye. Motion carried. Voucher No. 77553 through Voucher No. 77613 or accounts payable and payrolls totaling \$137,834.31.

ADJOURNMENT:

Moved by Jaeckels, seconded by Schmitzer and carried to adjourn at 7:37 p.m. on September 15, 2015.

Helen Schmidlkofer, MMC

City Clerk