

Chilton, Wisconsin
April 17, 2018

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 4/13/18, copies of the agenda were delivered to the Mayor, Aldermen, City Department Heads, City Attorney and were made available to the media, and posted on the City Hall bulletin board and posted on the City web page.

ROLL CALL:

Mayor Rick Jaeckels and six members of the Council were present at roll call:

Council Member Tom Reinl	Council Member Mark Wiegert
Council Member Ron Gruett	Council Member Mark Willems
Council Member Kathy Schmitzer	Council Member Dan Hilton

Other city officials present were Police Chief Craig Plehn, Director of Public Works Todd Schwarz, City Attorney Derek McDermott, Fire Chief Gary Halbach and Deputy City Clerk Lisa Meyer. Absent and excused council members Clayton Thornber and Mike Goebel.

General attendance: Faye Burg, Delta Publications, Glenny Whitcomb Library Director, Peggy Loose, Kevin Johnson, Greg Kubichka, Deann Halbach, Chad Halbach, Kelsey Halbach, Wilmer Geiser, Town of Charlestown Chairman, John Schwarz, Town of Chilton Chairman, Shane Peik, Nathan Schneider, Ben Schoenborn and Tom and Julie Hoban from JTD Enterprises, Inc.

Those in attendance recited the Pledge of Allegiance.

MINUTES:

Motion by Hilton, seconded by Willems and carried to approve the minutes of the Council meeting held on April 3, 2018.

REPORT OF OFFICERS:

MAYOR:

Mayor Jaeckels presented Certificates of Appreciation to:

- Greg Kubichka for two years of service as an alderperson;
- Kevin Johnson for fourteen years of service as an alderperson;
- Gary Halbach for 30 years of service to the Chilton Fire Department.

Mayor Jaeckels welcomed the new and returning council members to the meeting. Mayor Jaeckels spoke with Scott from Horizon. Horizon is working with the state and the DNR on environmental issues concerning the proximity to the dam and they need to get clearance from the state before they can start.

The Police department is having problems with the 2015 Dodge Charger. It has been in service for a gas leak, a new fuel pump and an electrical short in the last week. They are reporting this to Dodge.

CITY CLERK:

- Board of Review is set for April 30, 2018 from 8:15 to 10:15 a.m.
- Deputy Clerk Meyer presented the Board of Canvass Report from the April 3, 2018 election. A total of 586 voters participated in the election.

APPROVE LIQUOR LICENSES:

Moved by Schmitzer, seconded by Hilton and carried to approve a two-year license application to serve fermented malt beverages, and intoxicating liquors from April 17, 2018 to June 30, 2018 for Crystal R. Hooyman. Deputy Clerk Meyer noted the applicant has been approved by the Chilton Police Department.

DIRECTOR OF PUBLIC WORKS:

- The clarifier at the wastewater treatment plant is up and running.
- Well #8 valves have been replaced.
- A Street department employee will be off for four to six weeks due to a surgery.
- American Transmission Company will be donating \$250.00 for the City's Arbor Day celebration.
- The Street department will be hauling snow away from the uptown and downtown areas early Wednesday morning.

FIRE CHIEF:

Chief Halbach presented the 2017 annual Fire Department report, which comprised of number of fire calls, types of calls, member training and certifications along with truck maintenance. The detailed report also included department structure and duties, expenses, revenues and yearly response statistical information. Computation of municipal costs for fire protection was also given. The contracts with the townships will have to be revised due to the city being able to collect the 2% fire dues the townships receive from the state. Halbach acknowledged the Department and city staff for their support. Chief Halbach is retiring after 30 years of Service and read a letter describing the dedication and commitment he felt towards the Chilton Fire Department.

The Mayor and Council thanked Chief Halbach for his outstanding service as Fire Chief and the entire council chambers applauded and gave Chief Halbach a standing ovation.

AUDIENCE PARTICIPATION:

Tom and Julie Hoban from JTD Enterprises, Inc. attended the meeting. JTD Enterprises is located at 44 Walnut Street and the Hoban's have been operating their business out of the same building for 16 years. They are very concerned with the condition of the road with all the potholes and the truck traffic that goes on this street. The railroad tracks are very old and should be removed, as they are no longer in operation. Kaytee also uses this street. The Hoban's questioned when the City plans on repairing the road? Mayor Jaeckels said the Public Works committee has brought this issue up and is working on it. The Hoban's requested to be contacted in order to attend the next Public Works meeting to give input on Walnut Street.

REPORT OF COMMITTEES:

Mayor Jaeckels reported on the April 11, 2018 Plan Commission meeting.

Wieting Family Funeral Home would like to update their business sign, which is out-of-date. The funeral home is requesting a sign larger than what currently exists for appropriate visibility and professional representation of their on premise business. The existing sign cabinet is 48.25" (height) X 96.25" (width). The proposed sign cabinet is 46" (height) X 120" (width). The sign would be LED illuminated, energy efficient with larger address numbers for safety and would remain in the same location as the existing sign. The proposed sign exceeds the three square feet which is allowed in a residential district per Municipal Code Chapter 16, Section 16.13 Signs (2)(d) and that is why Wieting Family Funeral Home is requesting a conditional use.

Property owners within 200 feet of 411 W. Main Street were notified of the application for conditional use and no comments were heard either for or against the request.

Moved by Gruett, seconded by Reinl to approve the request for a conditional use permit for a sign in excess of three (3) square feet at 411 W. Main Street. Motion carried.

DMR Land Holdings LLC (David and Dennis Bennin) submitted a request to rezone their property at 1209 Park Street from I-2 (General Industry District) to C-1 (General Business). Dennis Bennin said the parcel has one building on it which is currently vacated. The Bennin's are looking to sell the property by means of a long-term lease with an option to purchase. The interested party, Barnaby Jones, is planning to turn the building into a haunted house. Jones operated Misery Haunted House for the last five years. The haunted house business runs from the last week in September through Halloween. There is another show in December to accommodate workers of other

haunted houses to visit the site. He estimates between 100 and 300 customers per night. Jones also has escape rooms available which will run simultaneously with the haunted house and off season as well. Parking would be available in the lot on site.

Motion by Hilton, seconded by Schmitzer to set a public hearing for Tuesday, June 5, 2018 at 6:45 pm to rezone 1209 Park Street from I-2 (General Industry District) to C-1 (General Business). Motion carried. (Tax Parcel I.D. No. 31282)

Ken and Darlene Danes reviewed the layout of Dairyland Estates subdivision with the Plan Commission. Danes purchased the property from Don Steege and the parcels are now a part of Tax Incremental District #6. The area is beginning to be developed and all parcels are zoned R-1 (Single Family Residential). Danes is considering rezoning Lots 42 to 49 along Irish Road to R-D (Two-Family Residential). These lots would accommodate side-by-side duplexes. Danes said there is a demand for duplexes because the older generation wants to live in a smaller house. DPW Schwarz said there are only two lots in the City right now that are zoned R-D and they are on Donna Street. The consensus of the Plan Commission was that they saw no problem with rezoning Lots 42 to 49 along Irish Road from R-1 (Single Family Residential) to R-D (Two-Family Residential) and would likely recommend the rezone to the Council if submitted.

The City created Tax Incremental District #6 and parcels within the River Meadows subdivision are included in it. The new property owners, Randy and Connie Koehler, are looking to develop Phase II within the subdivision. Requests for proposals are currently out because no engineering has been done as far as water, sewer, storm sewer, etc.

Paul Birschbach discussed the emergence of Short-Term Rentals (tourist rooming houses). Property owners rent their home to others for less than thirty days. Airbnb is an example of one online marketplace that lets people rent out their properties to guests. If someone chooses to do this, they need to comply with Chapter ATCP 72, Hotels, Motels, and Tourist Rooming Houses, have a yearly permit, get an inspection and meet requirements as far as emergency lighting, exit plans, having fresh water, etc. These rules would all be part of the approval process with a conditional use permit in residential districts and if the City had trouble with a home becoming a party house it would have the ability to revoke the conditional use.

The concensus by the Plan Commission was to move forward and have DPW Schwarz work with the City Clerk on drafting the necessary language to incorporate Short-Term Rentals as a permitted use with a conditional use under Chapter 16 Zoning Code.

The April 9, 2018 Library Board minutes were distributed for the council members to review.

NEW BUSINESS:

The council reviewed a request to annex 6.69 acres from the Town of Charlestown to the City of Chilton to be part of Ward 4. The parcel annexes the railroad.

Moved by Willems, seconded by Hilton to introduce, adopt and waive the second reading of Ordinance No. 1147, an ordinance to amend the annexing property of the State of Wisconsin Territory of the Town of Charlestown, Calumet County, Wisconsin.

Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Wiegert – yes	Goebel -absent

Six votes cast. Six votes aye. Motion carried.

The council reviewed a request to annex 3.82 acres from the Town of Charlestown to the City of Chilton to be part of Ward Three.

Moved by Willems, seconded by Hilton to introduce, adopt and waive the second reading of Ordinance No. 1148, an ordinance to amend the annexing property of the State of Wisconsin Territory of the Town of Charlestown, Calumet County, Wisconsin.

Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Wiegert – yes	Goebel - absent

Six votes cast. Six votes aye. Motion carried.

The city received three quotes to remove or raze the barn and outbuildings at 225 N Irish Road.

Moved by Willems, seconded by Reinl to accept the quote from Gordon J. Grube Construction Co Inc. in the amount totaling \$16,345.00 for razing of the silo and outbuildings at 225 N. Irish Road. In addition, the city will accept the quote from Gemini Installations LLC to pay the City \$1,000.00 to remove the round rafter in the main barn and remove the stall barn on the south side of the main barn. Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Wiegert – nay	Goebel - absent

Six votes cast. Five votes aye. (Wiegert-nay). Motion carried.

The city received three quotes to purchase a Jacobsen Turfcut lawn mower for the parks. The current Jacobsen was purchased in 2014. This 2014 Jacobsen will be transferred to the water/sewer departments to replace their 2003 Jacobsen. The 2003 Jacobsen will be transferred to the Chilton AC’s to be used at Nennig Park to replace their 1992 Jacobsen. The 1992 Jacobsen will be disposed of.

Moved by Willems, seconded by Hilton to accept the quote from Horst Distributing, Inc for \$19,695.00 and to dispose of the 1992 Jacobsen at the discretion of the Public Works Director. Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Wiegert – yes	Goebel - absent

Six votes cast. Six votes aye. Motion carried.

The Water Department received bids for repainting the Breed Street Tower #2 Elevated Water Tank. Ten bids were received ranging from \$486,000.00 to \$261,550.00.

Moved by Gruett, seconded by Hilton to accept the bid from V & T Painting, LLC from Farmington Hill, Michigan for \$261,550.00. Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Thornber – absent
Schmitzer – yes	Hilton – yes	Wiegert – yes	Goebel - absent

Six votes cast. Six votes aye. Motion carried.

ORGANIZATIONAL BUSINESS:

Mayor Jaeckels noted this is the organizational meeting and appointed the following standing committees of the Council with the first name listed being the chairperson of the committee.

General Government.....	Schmitzer, Reinl, Thornber
Public Safety.....	Gruett, Goebel, Reinl
Public Works.....	Thornber, Gruett, Willems
Culture & Recreation.....	Hilton, Willems, Wiegert

Appointment of Weed Commissioner - 1 Year Term - May 1, 2018 to April 30, 2019
 Re-appointment of Travis Boll

Board of Appeals – 3 Year Term - May 1, 2018 to April 30, 2021
 Re-appointment of Diane Jaeckels, Mike Boll and Brian Brantmeier.

Board of Review – Three members plus an alternate for 2018.
 Robert Rieder, Tom Flemming and Diane Jaeckels, Alternate Gerald Vanne.

Appointment of Emergency Management Director - Term May 1, 2018 to April 30, 2019.
 Re-appointment of Craig Plehn.

Plan Commission Member – 3 Year Term – May 1, 2018 to April 30, 2021.
Re-appointment of Steven Mueller.

Selection of One Alderman to the Plan Commission – Term April 17, 2018 to April 15, 2019. Appointment of Clayton Thornber

Selection of One Alderman to serve on the Intergovernmental Agreement – Term April 17, 2018 to April 15, 2019. Appointment of Clayton Thornber

Selection of one Alderman to the Redevelopment Authority (RDA)
Term April 17, 2018 to April 15, 2019. Appointment of Kathy Schmitzer

Selection of One Alderman to serve on the Library Board – Term April 17, 2018 to April 15, 2019. Appointment of Kathy Schmitzer

Moved by Hilton, seconded by Schmitzer to approve the mayoral appointments as noted above. Motion carried.

Moved by Willems, seconded by Wiegert and carried to appoint Tom Reinl as council president for a one-year term. Motion carried.

Moved by Willems, seconded by Gruett to appoint the Tri-County News published by Delta Publications Inc. as the official newspaper from April 17, 2018 to May 1, 2019.
Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Wiegert – yes
Schmitzer – yes	Hilton – yes	Goebel – absent	Thornber - absent

Six votes cast. Six votes aye. Motion carried.

COMMUNICATIONS:

The April 4, 2018 City Hall staff minutes were distributed.

APPROVE PAYMENT OF BILLS:

Moved by Hilton, seconded by Reinl to pay the bills. Voucher No. 81843 through Voucher No. 80910 or accounts payable and payrolls totaling \$569,267.96. Roll call vote.

Gruett – yes	Willems – yes	Reinl – yes	Wiegert – yes
Schmitzer – abstain	Hilton – yes	Goebel – absent	Thornber - absent

Six votes cast. Five votes aye. (Schmitzer-abstain) Motion carried.

ADJOURNMENT:

Moved by Schmitzer, seconded by Hilton to adjourn at 7:21 p.m. on April 17, 2018.
Motion carried.

Lisa Meyer, CMC
Deputy City Clerk