

Chilton, Wisconsin
April 18, 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 4/15/16, 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 seven members of the Council were present at roll call:

Council Member Greg Kubichka	Council Member Kevin Johnson
Council Member Ron Gruett	Council Member Mark Willems
Council Member Clayton Thornber	Council Member Dan Hilton
Council Member Kathy Schmitzer	

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

General attendance: Faye Burg, Greg Garton, Mr. and Mrs. George Kuehl, Police Captain Jason Kvalheim, Police Officers Steve Petrie and Josh Harn.

Those in attendance recited the Pledge of Allegiance.

MINUTES:

Motion by Willems, seconded by Kubichka and carried to approve the minutes of the Council meeting held on April 4, 2017.

REPORT OF OFFICERS:

MAYOR REPORT: Will report on future meetings to come.

CITY CLERK REPORT:

- Open Book is scheduled for May 10, 2017 from 4:00 to 6:00 p.m.
- Board of Review is set for May 31, 2017 from 8:15 to 10:15 a.m.
- Presented the Board of Canvass Report from the April 4, 2017 election.

APPROVE LIQUOR LICENSES:

Moved by Hilton, seconded by Schmitzer and carried to approve a two-year license application to serve fermented malt beverages, and intoxicating liquors from April 18, 2017 to June 30, 2018 for Douglas Kapral. Deputy Clerk Meyer noted the applicant has been approved by the Chilton Police Department.

DIRECTOR OF PUBLIC WORKS REPORT:

- Arbor Day Celebration is set for May 3rd at 10:00 AM at Morrissey Park
- Bid opening is scheduled for April 27 for Ward 3 Sidewalk and the Hwy 151 & Calumet Street road project.
- The ethernet and analog systems are not communicating correctly, which is causing booster pump problems at pumphouse #8.
- The steel wastewater storage shed located on E. Main Street will not be replaced.
- Bulky item pickup dates are April 24 and May 1.

POLICE CHIEF REPORT:

Chief Plehn introduced Officer Brad Kuehl and then Deputy City Clerk Meyer conducted the oath of office to Officer Kuehl. Officer Kuehl previously worked for Grand Chute and is currently a part-time officer with the City of Brillion.

- Chief Plehn presented the City of Chilton Police Department 2016 annual police report. The comprehensive report included accident reports, traffic arrests, and employee personnel.
- The Chilton Police Department received the Accreditation Award. The Chilton Police Department is one of the few law enforcement agencies in the state of Wisconsin to receive accreditation.

AUDIENCE PARTICIPATION:

Attorney McDermott handed out brochures for the Chilton Area Community Foundation's annual meeting which will be on Friday, April 28, 2017 at the Engler Center for the Performing Arts. The event is free and many grants will be awarded along with performances by the Chilton High School and Lawrence University musicians.

REPORT OF COMMITTEES:

The minutes of the March 13, 2017 Library Board meeting and the March 8, 2017 Housing Authority meeting were distributed.

Dan Hilton presented the minutes of the April 11, 2017 Culture & Recreation Committee Meeting.

Greg Kubichka representing the Chilton Lions Club is requesting use of Hobart Park the four week-ends in December of 2017 for the first annual Christmas light show. The Lions are proposing a drive thru of choreographed holiday lights the first four Friday and Saturday nights in December from 5 PM to 9 PM. The light show would be made up of local nonprofit groups that will setup 150 feet of holiday lights. The public would be requested to donate a can good for food pantries throughout the county upon entering and a cash donation upon exiting. All profits would be divided among the clubs or organizations. A map was presented to the committee for areas that would be plowed by the Street Department and used for the event. Restroom usage was reviewed and the Club will provide a porta potty for volunteers and public use. Kubichka also made a request to have the City pay for the electricity for the event. Lions Club member Greg Garton spoke in favor of the idea and mentioned that the City of Madison, Waunakee and Sheboygan have similar programs in their communities.

Moved by Willems, seconded by Thornber to authorize the Chilton Lions Club use of Hobart Park at no cost on November 24 and 25 for set-up and the first four Fridays and Saturdays in December of 2017 for the Christmas Light Show with Map Option #2 indicating use of roads and the City would pay for the electricity. Motion carried.

The Veterans Memorial site located at Klinkner Park does have available stones for future nameplates and Mr. Don Kampfner has agreed to assist the City with the project for one more year.

The Chilton FC Soccer Club purchased new sets of goals for use at Morrissey Park and no longer need the sets that the City owns.

Moved by Hilton, seconded by Johnson to authorize the Director of Public Works to dispose of three sets of soccer goals at his discretion. Motion carried.

The soccer club is requesting the City to install fence along the river at Morrissey Park during soccer season to prevent soccer balls going into the river.

Moved by Kubichka, seconded by Hilton to deny the request to install fencing at Morrissey Park for the soccer club. Motion carried.

The City of Chilton has achieved recognition as being a 2016 Tree City USA recipient.

Mayor Rick Jaeckels presented the minutes of the April 12, 2017 Redevelopment Authority Meeting.

There are currently two RDA parcels of land available for sale. They are located on the south side of Chilton along Hwy 57. One parcel is 1.433 acres, zoned commercial and the other is 5.97 acres, zoned industrial. Three interested parties have approached the City to purchase and develop the lots.

The RDA reviewed subdividing the larger parcel, establishing a 30 ft. paved roadway, water, sewer and the need to rezone from industrial to commercial. DPW Schwarz will work with the city engineering firm to acquire estimated costs for development and preliminary land division. Consensus of the RDA was to request Vice-chairman Mueller and DPW Schwarz to meet with the interested parties and inquire on timeline of future development.

The RDA also reviewed properties within the Central Business District in both uptown and downtown.

Mayor Rick Jaeckels presented the minutes of the April 12, 2017 Plan Commission Meeting.

Calumet County submitted an application for conditional use permit to operate an above ground diesel auxiliary generator fuel storage tank at the Highway Shop located at 241 E. Chestnut Street. Because the storage tank on the property is in excess of 270 gallons, City code requires a conditional use. The storage tank is self-contained and will sit on a concrete slab.

Property owners within 200 feet of 241 E. Chestnut Street were notified of the application for conditional use. No inquiries for or against this request were received prior to the meeting.

Motion by Gruett, seconded by Kubichka to approve the request from Calumet County for a conditional use permit for installation of an aboveground diesel generator fuel storage tank at the Calumet County Highway Shop located at 241 E. Chestnut Street. Motion carried.

The commission discussed revisions to Chapter 16 regarding accessory buildings and structures. The following revisions are being proposed to address the issue of shipping containers:

Additional language added to Chapter 16, Section 16.05 (5) Accessory Buildings:

- (g) Accessory buildings shall be made of the same, or comparable rigid, non-pliable material as the principal building
- (h) Temporary Structure. A structure which is built of such materials and in such a way that would commonly be expected to have a relatively short useful life, or is built for a purpose that would commonly be expected to be relatively short-term and not to be habitable. This includes canvas or polymer covered structures and moving containers. A temporary structure may not be standing for more than 30 days.
- (i) Shipping containers are not allowed in residential districts. Repurposed shipping containers that meet State and City of Chilton requirements are allowed in commercial and industrial zoning districts.

Additional language was also proposed to be added to Chapter 16, Section 16.04 (2) Definitions for structure: Anything erected, the use of which requires more or less permanent location on the ground; or attached to something having a permanent location on the ground. This shall include signs. All structures shall be permanently fastened to the ground by an approved method with an approved site plan.

DPW Schwarz noted a definition for shipping container needs to be inserted into the municipal code. The following definition would be added:

Shipping Container: A shipping container is a container with strength suitable to withstand shipment, storage, and handling and designed to be moved from one mode of transport to another without unloading and reloading. It is a reusable transport and

storage unit for moving products and raw materials between locations or countries which are repurposed for other uses.

Motion by Schmitzer seconded by Hilton to approve the revisions to Municipal Code Chapter 16, Section 16.05 (5) (g)(h)(i) and Section 16.04 (2) Definitions (43) (44) with changes as discussed above and set a public hearing for May 16, 2017 at 6:45 pm. Motion carried.

The commission members discussed parking in residential districts. They want to address the problem of vehicles parking on the grass and possibly issue parking permits. The commission will discuss further.

UNFINISHED BUSINESS:

DPW Schwarz inquired if all the council members have reviewed the three streetlights on South Madison Street. Alderman Gruett used a light meter to measure the brightness of the lights and came up with measurements of 11, 8 and 15 lux.

Schwarz provided two options for LED lights to replace the current streetlights on Madison Street as they go out.

- 1) 80 watt LED retrofit kit included along with misc. materials \$533.00; installed \$655.00/light.
- 2) 50-watt LED lamp includes mogul base socket w/misc. materials \$198.00; installed \$320.00/light.

Moved by Willems, seconded by Kubichka to approve option #2) 50-watt LED lamp includes the mogul base socket and miscellaneous materials at a total cost of \$320.00 per light. Roll call vote.

Gruett – no	Willems – yes	Kubichka – yes	Thornber – no
Schmitzer – no	Hilton – no	Johnson – yes	

Seven votes cast. Three votes aye. Four votes no. Motion failed.

Moved by Gruett, seconded by Schmitzer to approve option #1) 80-watt LED retrofit kit included along with miscellaneous materials at a total cost of \$655.00 per light. Roll call vote.

Gruett – yes	Willems – no	Kubichka – no	Thornber – yes
Schmitzer – yes	Hilton – yes	Johnson – no	

Seven votes cast. Four votes aye. Three votes no. Motion carried.

NEW BUSINESS:

Moved by Kubichka, seconded by Willems to appoint Michael Goebel as Ward Three council member for a term of April 18, 2017 to April 16, 2018. Motion carried.

ORGANIZATIONAL BUSINESS:

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

General Government.....	Schmitzer, Johnson, Thornber
Public Safety.....	Johnson, Gruett, Vacant
Public Works.....	Thornber, Gruett, Kubichka
Culture & Recreation.....	Hilton, Willems, Kubichka

Appointment of Weed Commissioner - 1 Year Term - May 1, 2017 to April 30, 2018
 Re-appointment of Travis Boll

Board of Appeals – 3 Year Term - May 1, 2017 to April 30, 2020
 Re-appointment of Robert Rieder and Appointment of Gerald Vanne.

Board of Review – Three members plus an alternate for 2017.
 Robert Rieder, Tom Flemming and Diane Jaeckels, Alternate Gerald Vanne.

Appointment of Emergency Management Director - Term May 1, 2017 to April 30, 2018.
Appointment of Craig Plehn.

Plan Commission Member – 3 Year Term – May 1, 2017 to April 30, 2020.
Re-appointment of Joe Thiel and Joe Schoenborn.

Redevelopment Authority Commissioner – 5 Year Term – May 1, 2017 to April 30, 2022.
Appointment of Rick Jaeckels.

Selection of One Alderman to the Plan Commission – Term April 18, 2017 to April 16, 2018. Appointment of Clayton Thornber

Selection of One Alderman to serve on the Intergovernmental Agreement – Term April 18, 2017 to April 16, 2018. Appointment of Clayton Thornber

Selection of one Alderman to the Redevelopment Authority (RDA)
Term April 18, 2017 to April 16, 2018. Appointment of Kathy Schmitzer

Selection of One Alderman to serve on the Library Board – Term April 18, 2017 to April 16, 2018. Appointment of Kathy Schmitzer

Moved by Johnson, seconded by Thornber to approve the mayoral appointments as noted above.

Alderman Willems commented that he has no problem with the mayor taking him off of the Public Safety committee but questioned his reasons for doing it. The mayor telephoned him on April 2 and told him “a change needs to be made because there has been too much controversy and you have brought up things in the past that have caused the media to start digging.” Alderman Willems wanted Mayor Jaeckels to explain his reasoning.

Mayor Jaeckels explained that at one of the Public Safety meetings an issue was brought up that was not on the agenda and it led to dialogue in regards to the Cheers case. Once it got into the public safety minutes, the newspaper published an article about Bob and Cheers that was not favorable to the City.

Alderman Willems commented that this was part of audience participation and if this is wrong then maybe no one should talk during audience participation.

Mayor Jaeckels said the controversy comes from Alderman Willems’ continuous line of questioning and after the questions were answered in Public Safety, General Government and at the council meeting, the questions continually came up. Jaeckels said, “This does not promote cohesiveness between the employees, management, staff, council and myself.” Mayor Jaeckels decided that when it came to reappointing, he was going to make some changes and this was not the only change he made.

Alderman Willems reiterated that he has served under five mayors and things are always brought to the table and discussed and for Mayor Jaeckels to call him controversial, he finds this offensive. “One thing I take seriously is being on the city council, which I have been on for eleven years.”

Alderman Willems also had some concerns with the mayoral appointment of the Emergency Management Director to the Police Chief. “Back at budget time we just said how much work he had to do and all the responsibilities the chief has.”

Discussion ensued with suggestions to contact the County and possibly share their emergency management director and refer it to the Public Safety committee to look into it further. The appointment is for only one year and it could be part of the goals for the Public Safety committee.

Mayor Jaeckels called for a voice vote. Motion carried.

Moved by Willems, seconded by Thornber and carried to appoint Johnson as council president for a one-year term. Unanimous ballot was cast.

Moved by Schmitzer, seconded by Kubichka to appoint the Tri-County News published by Delta Publications Inc. as the official newspaper from April 18, 2017 to May 1, 2018. 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.

COMMUNICATIONS:

The April 5, 2017 City Hall staff minutes were distributed along with the March 1, 2017 City-County Informational minutes.

APPROVE PAYMENT OF BILLS:

Moved by Hilton, seconded by Kubichka to pay the bills. Voucher No. 80233 through Voucher No. 80309 or accounts payable and payrolls totaling \$518,237.72. Roll call vote.

Gruett – yes Willems – yes Kubichka – yes Thornber – yes
Schmitzer – abstain Hilton – yes Johnson – yes
Seven votes cast. Six votes aye. (Schmitzer abstain). Motion carried.

ADJOURNMENT:

Moved by Schmitzer, seconded by Johnson to adjourn at 8:15 p.m. on April 18, 2017
Motion carried.

Lisa Meyer, CMC
Deputy City Clerk