

Chilton, Wisconsin  
December 4, 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 Jaeckels presiding.

**AGENDA POSTING:**

On 11/30/18, 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 Jaeckels and seven members of the Council were present at roll call:

Council Member Tom Reinl	Council Members Mike Goebel
Council Member Ron Gruett	Council Member Kathy Schmitzer
Council Member Clayton Thornber	Council Member Mark Willems
Council Member Dan Hilton	

Other city officials present were Police Chief Craig Plehn, 1<sup>st</sup> Assistant Fire Chief Nathan Schneider, Director of Public Works Todd Schwarz, City Attorney Derek McDermott and City Clerk Helen Schmidlkofer.

General attendance: Peggy Loose and Faye Burg, Delta Publications.

Those in attendance recited the Pledge of Allegiance.

**APPROVE THE MINUTES:**

Motion by Hilton, seconded by Thornber and carried to approve the minutes of the council meeting held on November 20, 2018.

**REPORT OF OFFICERS:**

**MAYOR:**

- I attended the Calumet County Civic Assoc. meeting last Wednesday. They had an interesting report on the sturgeon season and spearing presented by Ryan Koenigs.
- Mayor Jaeckels and Council President Reinl agreed there would not be a council meeting on January 1, 2019 unless warranted.
- I received additional information from Calumet County regarding Hwy F. This will be reviewed next week at the Public Works committee meeting.
- James Barany mural project is making head way both in Stockbridge and the City of Chilton. Jim is seeking multiple grants that would cover the vast majority of the costs.

**CITY CLERK:**

- Tax bills will be printed later this week and sent out by the Calumet County Treasurer.
- Annual dog licenses will be issued at the start of tax collection season.
- Future committee meetings dates and times were distributed.
- April 2, 2019 spring election candidates for city council positions are:
 

Ward 1 – Ron Gruett	Wards 2/5- Clayton Thornber
Ward 3 – Mike Goebel	Ward 4 – Dan Hilton
Ward 4 – Vacant (one year term)	

Registration statements, declaration of candidacy and nomination papers are due no later than 5 p.m. on Wednesday, January 2, 2019. Nomination papers may not be circulated before December 1, 2018.

**APPROVE FINANCIAL REPORT:** Moved by Reinl, seconded by Thornber and carried to approve the December 1, 2018 financial report.

**APPROVE LIQUOR LICENSE:**

Moved by Willems, seconded by Hilton to approve a “Class B” beer and liquor license for Two Pair of Dice, LLC at 40 West Main Street from January 1, 2019 to June 30, 2019. Trade name 40 West and Agent, Jessica Daul. Motion carried.

**DIRECTOR OF PUBLIC WORKS:**

- Street Department - checking for sidewalks that have not been cleared of snow. The Department plowed snow twice already.
- Vogt property – the contractor to remove the barn has been reminded to complete his project. Waiting for additional quotes to raze the house.
- Wastewater Permit – a 29-page report is due this Friday.
- Water Department – radio issues have been resolved.
- Water tower project – holding partial payment until work has been completed.
- Working on TIF #6 and TIF #7 - infrastructure installation.

**AUDIENCE PARTICIPATION:** No comments were given.

**NEW BUSINESS:**

Clerk Schmidlkofer presented the CDBG requests as follows:

Request to approve CDBG application No. 16-03 for a loan of \$5,000.00 at 0% interest rate. The homeowner would like to replace the furnace. The owner would prefer the quote from Mader Heating & Cooling, which is \$575.00 more; the owner will be responsible for this amount.

Moved by Reinl, seconded by Hilton to approve the loan of \$5,000.00 at 0% interest for CDBG Loan No. 16-03 to allow them to replace the furnace and approve the quote of \$3,799.85 from Mader Heating & Cooling, of New London. (Owner will pay \$575.00). Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Reinl, seconded by Hilton to approve the loan of \$15,000.00 at 0% interest for CDBG Loan No. 18-05 to replace the roof and windows. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Hilton, seconded by Thornber to approve the quote of \$12,574.00 from Window World of Green Bay for CDBG No. 18-03 to replace 21 windows.

Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

DPW Schwarz informed the council that Bloedorn Enterprises, LLC requested a drainage easement amendment to remove 10 feet of the current, recorded easement due to the fact it includes a portion of the building. Schwarz stated this would just shorten the easement not eliminating it.

Moved by Thornber, seconded by Goebel to accept the agreement to amend the drainage easement for Bloedorn Enterprises, LLC. Motion carried.

Mayor Jaeckels said at the last council meeting the council decided to proceed with borrowing funds from the State Trust Fund for Horizon Uptown Commons II project.

Clerk Schmidlkofer agreed with Jaeckels that at the November 21, 2018 council meeting the council agreed to borrow funds from the State Trust Fund for the Uptown Commons II project for \$788,000.00. The State Trust Fund application includes Resolution No. 1778 presented this evening for your review and approval. The City would borrow \$788,000.00 at 4.75% interest rate for 20 years. This would be a TIF #4 expense.

Moved by Willems, seconded by Goebel to introduce, adopt and waive the second reading of Resolution No. 1778, a resolution for a State Trust Fund Loan for \$788,000.00 at 4.75% interest rate for TIF #4 Horizon Uptown Commons II project.

Thornber said, "I have concerns with the interest rate and why the City couldn't apply for a bond. If there is not time to float a bond, the City could use some of the existing funds from other accounts such as Water or Sewer Departments. Last meeting we approved the application; we did not approve the loan. We could still carry out our commitment to Horizon and float a bond issue at 3%."

Reinl agreed, "The delays by Horizon put the City in a tough situation. We had to come up with the funds from some place and I believe this will be a short fix. I hope that the City will come up with a plan for State Street and Main Street."

Reinl asked, "Can the State Trust Fund loan be prepaid without a penalty?"  
 Clerk Schmidlkofer replied, "There is no penalty to prepay."

Further discussion included that the agreements with Horizon could have been revised given the fact that the City is responsible for a higher interest rate.

Mayor Jaeckels called for a roll call vote.

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

Seven votes cast. Six votes aye. (Thornber-nay) Motion carried.

Moved by Willems, seconded by Thornber to go into closed session at 6:50 PM Under WI Statute 19.85 (1) (c) to review 2019 Wages for City Employees and consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Burg, Loose, Schneider and Plehn exited the council chambers at 6:50 PM. Schmidlkofer and Schwarz each shared a statement and then exited the council chambers at 6:55 PM.

In closed session, the council reviewed 2019 wages and compensation.

Moved by Gruett, seconded by Thornber to go into open session at 8:00 PM.

Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Loose, Schneider, Schwarz & Schmidlkofer returned to the council chambers at 8:02 PM.

Moved by Thornber, seconded by Schmitzer to introduce, adopt and waive the reading for Ordinance No. 1152, an ordinance to establish salaries for city officials.

Moved by Willems, seconded by Reinl to amend Ordinance No. 1152 to include a 2% raise for the Director of Public Works and 2% raise for City Clerk/Treasurer.

Mayor Jaeckels inquired if there were any comments or questions regarding the amendment of 2% wage increase to Ordinance No. 1152. Hearing none, we will have a roll call vote on the amendment.

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

Seven votes cast. Four votes aye. (Thornber, Schmitzer, Goebel-nay) Motion carried.

Attorney McDermott said, now you vote on the ordinance that includes the amendments. You can have discussion again if you want. Call for either question or discussion.

Mayor Jaeckels inquired if there was any discussion. Hearing no comments, he called for a poll vote.

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

Seven votes cast. Four votes aye. (Thornber, Schmitzer, Goebel-nay) Motion carried.

Moved by Thornber, seconded by Schmitzer to introduce, adopt and waive the reading of Ordinance No. 1153, an ordinance to establish salary and benefits for the Police Dept. Captain.

Mayor Jaeckels inquired if there was any discussion.

Clerk Schmidkofer asked, “Did the council review the residency statement on the ordinance and the fact that Section III should be deleted?”

Jaeckels said, “No, the council did not review and agreed there no longer is a residency requirement.”

Hearing no other comments Mayor Jaeckels asked for a roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Schmitzer, seconded by Hilton to introduce, adopt and waive the reading of Ordinance No. 1154, an ordinance to establish salary and benefits for the Police Dept. Chief.

Council member Willems questioned, “Does the salary include the emergency management director compensation?”

Jaeckels replied, “Yes.”

Council member Schmitzer had a question regarding accumulated vacation. It is in every one of the ordinances and I forgot to ask earlier. I am looking for unfunded liability.

Jaeckels said that Department Heads may carry-over sometimes.

DPW Schwarz clarified that if any employee is unable to take vacation due to unforeseen circumstances; vacation is deferred and can be carried over to the next year but must be used within 6 months.

Mayor Jaeckels called for a roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Willems, seconded by Reinl to introduce, adopt and waive the reading of Resolution No. 1779, a resolution to establish salary and benefits for city employees. Roll call vote.

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

Seven votes cast. Six votes aye. (Goebel-nay) Motion carried.

Moved by Willems, seconded by Reinl to introduce, adopt and waive the reading of Resolution No. 1780, a resolution to establish salary and benefits for Department of Public Works employees. Roll call vote.

Gruett – yes                      Willems – yes                      Reinl – yes                      Thornber – yes  
 Schmitzer – yes                      Hilton – nay                      Goebel - nay  
 Seven votes cast. Five votes aye. (Goebel, Hilton-nay) Motion carried.

Moved by Reinl, seconded by Schmitzer to introduce, adopt and waive the reading of Resolution No. 1781, a resolution to establish salary and benefits for Fire Department. Roll call vote.

Gruett – yes                      Willems – yes                      Reinl – yes                      Thornber – yes  
 Schmitzer – yes                      Hilton – yes                      Goebel - yes  
 Seven votes cast. Seven votes aye. Motion carried.

Moved by Reinl, seconded by Goebel to approve the employment agreement with Paul Birschbach for building and plumbing inspector services for 2019 for an annual wage of \$19,767.60. Roll call vote.

Gruett – yes                      Willems – yes                      Reinl – yes                      Thornber – yes  
 Schmitzer – yes                      Hilton – yes                      Goebel - yes  
 Seven votes cast. Seven votes aye. Motion carried.

DPW Schwarz informed the council that he received an email from Gail Rieder a representative of the Spetta family on 11/27/2018 that informed the City that the family would support \$10,000.00 more for clean-up costs and that would be it. The Spetta property/former City of Chilton landfill located at 1509 Lime Kiln Road was reviewed at the last council meeting and for the record; Rieder is contesting who will pay for what. DPW Schwarz reviewed the costs and timeline for the remedial dig of the site as follows:

Landfill	\$4,500	Paid directly by Chilton
Contractor	\$13,900	Plan to start December 10, 2018 and the contractor is Jeff Foust Excavation-Oshkosh.
WDNR Fees	\$1,400	Invoiced thru Fehr Graham
Consultant and Lab	\$13,000	Invoiced thru Fehr Graham

DPW Schwarz said this was reviewed at the staff meeting last Wednesday with Mayor Jaeckels for a recommendation.

Moved by Thornber, seconded by Goebel to approve Spetta/landfill costs for remediation and clean up less \$10,000.00 from Spetta from Economic Development (Fund 803) account. Roll call.

Gruett – yes                      Willems – yes                      Reinl – yes                      Thornber – yes  
 Schmitzer – yes                      Hilton – yes                      Goebel - yes  
 Seven votes cast. Seven votes aye. Motion carried.

#### **COMMUNICATIONS:**

Distributed the monthly building/plumbing report.

#### **APPROVE PAYMENT OF BILLS:**

Moved by Hilton, seconded by Thornber to pay the bills. Voucher No. 82885 through Voucher No. 82959 or accounts payable and payrolls totaling \$280,719.63. Roll call vote.

Gruett – yes                      Willems – yes                      Reinl – yes                      Thornber – yes  
 Schmitzer – abstain                      Hilton – yes                      Goebel - yes  
 Seven votes cast. Six votes aye. (Schmitzer-abstain) Motion carried.

#### **ADJOURNMENT:**

Moved by Schmitzer, seconded by Gruett to adjourn at 8:17 p.m. on December 4, 2018. Motion carried.

Helen Schmidlkofer  
 City Clerk