

Chilton, Wisconsin
June 18, 2019

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 6/14/19, 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.

COMMON COUNCIL ROLL CALL:

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

Council Member Clayton Thornber	Council Member Ron Gruett
Council Member Andrew Deehr	Council Member Mike Goebel
Council Member Tom Reinl	Council Member Mark Willems

Other city officials present were City Attorney Derek McDermott, Director of Public Works Todd Schwarz, Police Chief Craig Plehn and City Clerk Helen Schmidlkofer.

Absent and excused Council Members Dan Hilton and Kathy Schmitzer.

General attendance: Delta Publications Mike Mathes, Calumet County Administrator Todd Romenesko, Michael Gruett, James Gruett, Ed Rollmann, Michael Barany, Bradley Hintze, Pat Rowland, Betty Schilling and Sarah Gaines.

Those in attendance recited the Pledge of Allegiance.

Moved by Willems, seconded by Goebel and carried to approve the minutes of the council meeting held on June 4, 2019.

MOVED TO UNFINISHED BUSINESS - STATE STREET PROJECT

Mayor Jaeckels stated that the County Hwy Committee met last week and approved a proposal for State Street reconstruction and jurisdictional transfer. Jaeckels read the report for Main Street to Grand Street, which included the following breakdown with increased participation from the county due to a jurisdictional transfer.

Engineering and landscaping 50% city and county.

Storm sewer, curb and gutter – 40% city and 60% county.

Pavement marking, traffic signals and signing – 100% city

Roadway pavement, reconstruction grading and base course – 25% city and 75% county.

The last cost estimates were done in 2016. In addition the County will share 2/3 and the City 1/3 for a 2" mill and pave from Breed Street to Grand Street. The City will have to look to see if the City wants to have concrete and asphalt from Grand to Breed.

Romenesko noted that the motion from the County Highway Committee regarding this cost sharing included that the reconstruction for this project be done in 2020.

Romenesko said, "I agree the County's goal is to get this done in 2020. There has been considerable conversation regarding the timing of the utilities and timing of the reconstruction of the project. County Board Chair Connors asked that I attend this council meeting tonight to share that the County wants to get this project done in 2020. For some reason if the project needs to carry over, the County certainly can do that. It does not mean that the project will not happen."

Jaeckels said, "I spoke with Romenesko and Calumet County Hwy. Commissioner Glaeser and other people regarding a BID process at this point. The concern is that if you put this out to BID at the end of this year and if you have good contractors the BIDS could be higher or you get poor contractors that have the lower BID. I am questioning this whether we would look to do the BID process in early 2020 and do the utilities early in 2020. I referenced this to Romenesko and Glaeser whether we could still go forward and finish the reconstruction in 2020. According to Glaeser this would be a question for the engineers."

DPW Schwarz said, I have one question regarding the proposal regarding Grand Street to Breed Street. Does this mean 6 feet on each side of the road will be the City’s responsibility and the county will have the 24 feet?” Romenesko replied, “Yes.”

Schwarz said, “I am already working on request for proposals (RFP) for water and sewer as well as quotes to televise the sanitary sewer. Because the water services on State Street are lead, the DNR regulations state that the municipality is to replace the lead water main to the residence. Typically, the service is replaced by the City from the main to the curb stop. The City should host informational meetings to inform the residents what they will financially be responsible for. I plan to televise sanitary sewers and laterals and talk with the engineers next week.”

Moved by Willems, seconded by Gruett to accept the County’s proposal for State Street reconstruction project in 2020 and accept the jurisdictional transfer. The motion includes Grand Street to Breed Street and the proposed percentages not the estimated costs. The contact person at the County level will be Hwy. Commissioner Glaeser.

Discussion then took place for completion in 2020 or start in 2020? Could the utilities be started in 2019 and road in 2020? The intent is to start on utilities as soon as possible, even if the utilities are completed early in 2020 this should have no bearing on the road work.

Jaeckels said, “My only question is if the utilities cannot get done in 2019 and do them in 2020 then it is up to the County on whether they can get the remaining part done. It does not mean that we are not going ahead with it; the project would be done in 2021. That is my only concern. We waited so long. I don’t think it is good to rush it. I think you need to let the engineers make a determination on the timeframe.”

Schwarz said, “After the plans are drawn up, bids go out. Contractors availability, that is what is going to decide the timeline.”

Mayor Jaeckels called for a roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

Romenesko, J. Gruett, Schilling, M. Gruett and Rollmann exited the council chambers at 6:45 PM.

MOVED TO NEW BUSINESS:

Mayor Jaeckels opened the Public Hearing at 6:45 P.M. to solicit comments regarding the request to rezone property owned by Bradley Hintze (Tax ID No. 16680) located at the corner of Robin and Reed Street from R-3 (Multi-Family Residential) to PUD (Planned Unit Development). Clerk Schmidlkofer read the notice and stated the notice was published as a Class II notice as required by law.

Mayor Jaeckels inquired if anyone was present to speak in favor of the rezone.

Bradley Hintze - 437 Saratoga Street, Chilton

“I have a document to share with the council in addition to what is displayed. I will do a brief background on the project and then tell you where we are at today and then why we are where we are. The property is behind the Dairy Queen and car wash location. The property I purchased remained vacant and I think has always been vacant unless someone can go back in the archives. I don’t see evidence that anything was there other than farmland since the late 1800s. Fast forward, it is presently zoned R-3 which is multi-family which means you can go into more than three units on the property. I have to give credit to DPW Schwarz and Building Inspector Birschbach. We met before this and tossed around ideas. What would work and what financially would be a possibility on my end. Obviously, I don’t want to do this where it is going to hurt me. It is going to help my

situation a little bit. So all things considered it started to stir in the direction of something that would not be a monster building jammed with people that are not going to be policed. I guess you can get in the situations of seeing those types of things but if you look at the packet I gave you, the first sheet is an example of that. If I were to build a property like that, a block style multi-family stripped down version. That is what you would see there on that lot. It could be done that way with R-3 zoning and I could go as high as 4 to 5 levels. Whatever I need to do to fit the zoning. That is the kind of look you would get. That is not in my mind set. That was not something I wanted to do nor do I believe it would be positive for Chilton or an improvement in development for that area of Chilton. That particular property I believe is the only multi-family in the city. I think some people were interested in developing multi-family in the out skirts along Irish. That is not a possibility but this is one of the few, if not the only property that has the multi-family capability. So I didn't want to give that up but I didn't want to get into something like you see on the first page where it is this block kind of housing and no personal touch or concern. That is not what I wanted to do. I did not want to do that to Chilton. I did not want to do it for money sake or other reasons that you could come up with. So speed it along further you get into some variations. What can you do? What can't you do? I believe that something along the lines of a townhouse or a town home could fit the bill. It is something that is not seen quite frequently in Chilton. You could possibly compare them to some of the development across from the Murphy complex. I think it is similar but it is not. You can look across at more deluxe apartments that are across from Wal-Mart on Irish Road. This is a little unique; it is not an average apartment living style. What I am proposing are individual units (12-units) so there is a limitation. There is a duplex on the far west side. The reason for the duplex is for management services. Whomever I have on board for managing will be on site. There will be management and control on site for this development. But the development itself primarily will be the 12 units that you see on the page. The second and third pages illustrate a better picture of how that would look. The last page is more of a perspective like the pin up on the board. This gives you a better feel. The perspective drawing shows where the 12-units are facing each other. There is a little more privacy added to that. The duplex faces toward Reed Street on the west side. The parking is taken care of individually, they have parking built into their own townhome. We meet the parking requirements. This has been reviewed, we looked at it, we modified it to the best fit for this situation and for what I can do. I have requested the rezoning for a planned unit development, a PUD to be able to put this on the site. I didn't feel that the R-3 would allow for this type of structure and I would have had to reduce this drastically and maybe re-arrange the buildings which would have forced me into a dilemma. Maybe I have to go back to page one and look at block style. As you know DPW Schwarz suggested the PUD, where you can customize it a little as long as you are not violating the basis of the development in that area. You have commercial on the eastside; multifamily zoning and then you go to residential which is common placement of development. You show this kind of transition in a smooth fashion. That is what I wanted to try to maintain here. I add individuality to this. A personal touch to this where they have their individual living space. To me it is above the normal apartment style living. It is not the full pledged deluxe type of condo but it has it's own uniqueness. It is something that I believe in. So this has been going on for better than a year and we finally came up with the PUD rezoning. The Plan Commission was in favor of the rezoning. Individual units, with the sense that they walk into their own unit without going past anybody else. They go into their own garages, they go into their own unit from the garage. They don't have shared garages off to the side. They don't cross a parking lot to get to a garage. There is a safety factor involved there. It is unique in a way. It is not a condo that is sold, this is an apartment in the sense of rentals. This is not a condo that you are used to because this is a townhouse approach. Not like the condo units across from Murphy. Each unit is upper and lower with two bedrooms, two baths, great room approach, an upper and lower deck, a washer and dryer and a one-car garage. You could have a lot of combinations of types of people that live there. You have separate living upper and lower with a shared kitchen and living room. But depending on the type of people that are interested in that. Estimated rental could be mid seven hundred without utilities. How does this rate? I think this is higher than some apartments but those apartments are not the same. Every rental in Chilton has a combination of what they offer. Some offer utilities and some do not. I am trying to offer here a better than average

quality and an individual living arrangement and some of those expenses occur outside of that. My efforts for this project are that I have been in the Chilton area since the 2005 and I have seen apartments. I think from 2005 to 2019 I have not seen many more. We have the same apartments that we have had for years. We do have some other additional units that have been built, primarily Irish and Wal-Mart area. But we also have a high quality of assisted living/senior living that you are aware of. Is there is a need in the general sense for this type of opportunity? Yes.

The proposed units have their own space, privacy, security level that is not the same as some of the other rentals in the city. I am not competing with the housing project uptown. I believe this will be helpful for the community; it is going to fill a need. How much do we need in Chilton, is not for me to decide. I did add a personal interest to this in that I talked to some of the neighbors. I don't know all of their names nor did I ask for that. I told them what was going on and that it would look good and be safe. It was not going to be a generic box and fill up the rooms and let them park there and forget about it. I want to add value to this community and what they told me is that they felt good about it. They want it to be maintained and taken care of and that is what I am about. I got good vibes from them. I got good vibes since we started this project and I hope we could continue. If approved I would start this year. Would I get them all done this year? No. Looking at next year or within the next two years.”

Mayor Jaeckels inquired three times if anyone was present to speak in favor of the rezone. Hearing no response Mayor Jaeckels then asked three times if anyone present was not in favor of the rezone. Hearing no comments Jaeckels closed the public hearing at 7:03 PM.

Council member Goebel said, “A lot of these types are in Fond du Lac area but with a different design with the garage underneath. Range of people that are living in them range from 50 to 70 year olds which have down sized. For this area, I think it would be a phenomenal idea and good for the city.”

Moved by Willems, seconded by Gruett to introduce, adopt and waive the reading of Ordinance No. 1157, an ordinance to rezone Tax ID No. 16680 from R-3 (Multi-Family Residential) to PUD (Planned Unit Development). Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

Gaines and Hintze exited the council chambers at 7:07 PM.

MOVED BACK TO REPORT OF OFFICERS:

MAYOR:

I would like to thank everyone that showed up for the parade given the unfortunate weather.

CITY CLERK:

- ⌘ New this year, Chief Plehn requested to annually conduct a records check for the agents for each establishment for liquor license renewals.
- ⌘ Reminder for future meeting dates and times.

APPROVE OPERATOR LICENSES:

Moved by Reinl, seconded by Gruett to approve the two-year license application to serve fermented malt beverages and intoxicating liquors from June 18, 2019 to June 30, 2020 for Tyler J. Buechel. Clerk Schmidlkofer noted the applicant has been approved by the Chilton Police Department. Motion carried.

APPROVE LIQUOR LICENSES:

Moved by Thornber, seconded by Gruett and carried to approve the following applications for Class “A” and Class “B” licenses to deal in intoxicating liquors and fermented malt beverages from July 1, 2019 through June 30, 2020 contingent upon agent records checks are approved by the Police Department.

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<u>Name of the Applicant</u>	<u>Location of Premise</u>	<u>Address of Applicant/Agent</u>
"CLASS A" Beer & Liquor Retail Combination 2020:		
Kwik Trip, Inc. Anthony T. Christel, Agent	45 Chestnut Street Kwik Trip #630	323 Linden Street Kiel, WI 53042
Condon Oil Company Kraig Bauman, Agent	613 N. Madison Street Chilton Mobil Mart	434 Stonehedge Ct. Ripon, WI 54971
Wal-Mart Stores East, LP Ann Bergschultz, Agent	810 S. Irish Road Wal-Mart Store #2509	2822 S. 12 th Street Sheboygan, WI 53081
Walgreens #13065 Scott Kunde, Agent	245 West Calumet St. Walgreens	42 Eagles Court Kaukauna, WI 54130
Vern's Cheese Inc. Kari Meyers, Agent	312 W. Main Street	711 S. Madison Street Chilton, WI 53014
"CLASS A" Beer License 2020:		
Weber Oil Company, Inc. Connie M. Klapperich, Agent	64 E. Chestnut Street Weber's Self Serve	W4863 Forest Lane Sherwood, WI 54169
"CLASS B" Beer & Liquor Retail Combination License 2020:		
Lupita's Mexican Store LLC Jesus Cruz Colchado, Agent	251 E. Main Street Lupita's Mexican Store	218 E. Brooklyn Street Chilton, WI 53014
ACAKDCA Cheri Steffen, Agent	100 W. Main Street Ethel's Pub & Grill	1808 Plymouth Street New Holstein, WI 53061
Hildegard Bennin Hildegard Bennin, Agent	24 W. Main Street Hilde's Deli & Bakery	1016 S. Madison Street Chilton, WI 5314
Mathes Pla-Mor, Inc. Gary Mathes, Agent	260 E. Main Street	260 East Main Street Chilton, WI 53014
Two Pair of Dice, LLC Jessica K. Daul, Agent	26 N. State Street Cheers	720 S. State Street Chilton, WI 53014
Jonathan Nisleit Jonathan Nisleit, Agent	249 E. Main Street Curve Inn	249 E. Main Street Chilton, WI 53014
Seven Angels of Chilton, Inc. Nick Sabani, Agent	128 E. Chestnut Street Seven Angels	1103 Jemima Lane Chilton, WI 53014
Stage Coach Bar & Grill, LLC Gloria J. Porsche, Agent	310 E. Main Street Stage Coach Bar & Grill	N7407 Hwy. 55 Menasha, WI 54952
F.O.E. Chilton Aerie #1288 Inc. Connie Koehler, Agent	1041 E. Chestnut Street Chilton Eagles Club	W1603 Hwy 151 Chilton, WI 53014
Papa Don's, LLC Jennifer Bonlander, Agent	613 E. Calumet Street Papa Don's Pizzeria & Buffet	W1477 Hwy 151 Chilton, WI 53014
Chilton Properties, Inc. Heather N. Rach, Agent	1101 E. Chestnut Street Best Western Stanton Inn	29 W. Chestnut Street Chilton, WI 53014
Ditter's 40 West Kayla Ditter, Agent	40 W. Main Street Ditter's 40 West LLC	1100 Steenport Lane Chilton, WI 53014

Moved by Reinl, seconded by Gruett and carried to approve the Beer Garden License from July 1, 2019 through June 30, 2020 for Two Pair of Dice, LLC at 26 N. State Street, Jessica K. Daul, Agent.

Moved by Reinl, seconded by Goebel and carried to approve annual cigarette license renewals from July 1, 2019 through June 30, 2020 for the following:
Wal-Mart Super Stores East LLP, Mathes Pla-Mor Inc., Roll Inn Inc., Condon Oil Company, Kwik Trip Inc., Weber Oil Company, Inc. and Walgreens #13065.

DIRECTOR OF PUBLIC WORKS:

- Pulled the pump at Well #9 per DNR regulations. The sand separator – was sand blasted and painted. We found other issues that will be reported later due to the fact we are not completely finished with reviewing them.
- Plating Company (420 E. Main Street) – Sigma has completed the environmental testing and final reports have been submitted to the DNR and the City should hear back by mid-July.
- New snow blower arrived.
- Four applicants were received for the water/waste water operator position.

POLICE CHIEF:

- The parade went well, no complaints.
- Vandalism was reported at Morrissey Park. The Police Department will increase patrols. DPW Schwarz suggested improved lighting.

AUDIENCE PARTICIPATION:

No comments were received.

REPORT OF COMMITTEES:

The council members reviewed the June 10, 2019 Library Board minutes.

The Housing Authority May 8, 2019 minutes were reviewed.

Jaeckels reported on the minutes of the June 12, 2019 Redevelopment Authority meeting.

The RDA accepted the May 31, 2019 intent to purchase from Brandon Alten for RDA property Tax ID No. 44696 (Lot #3) contingent upon the fact that the May 6, 2019 offer to purchase from Kris Meiers is no longer required.

Jaeckels reported on the minutes of the June 12, 2019 Plan Commission meeting.

The Commission reviewed the request to rezone the 1.75-acre parcel located north of Industrial Drive and east of Progress Way (Tax I.D. No. 32386) from I-2 (General Industry) to C-1 (General Business).

Moved by Reinl, seconded by Goebel to set a public hearing for the request to rezone Tax ID No. 32386 from I-2 (General Industry) to C-1 (General Business) on July 16, 2019 at 6:45 PM. Motion carried.

UNFINISHED BUSINESS:

DPW Schwarz requested the City review the 2006 utility easement between the Chilton Municipal Water Utility and Calumet County.

DPW Schwarz said he met with the engineers for the Calumet County jail project and reviewed the 2006 utility easement. The best thing to do for the City of Chilton and the Water Department would be to get out of the easement completely.

Moved by Thornber, seconded by Goebel to cancel the utility easement deed dated January 31, 2006 between Calumet County and the City of Chilton. Motion carried.

NEW BUSINESS:

DPW Schwarz reported on the annual compliance maintenance report for the Chilton Wastewater Treatment facility. Effluent quality for BOD, TSS, ammonia, biosolids, quality and management, staffing, operator certifications and financial management all received Grade A. Effluent quality for phosphorus received a Grade B but overall grade point average is 3.92. Council members complimented the Department on a job well done.

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Moved by Reinl, seconded by Gruett to introduce, adopt and waive the second reading of Resolution 1786, a resolution approving the CMAR 2018 report. Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

Mayor Jaeckels requested Police Chief Plehn to come forward and provide the council with the 2018 annual report. Plehn said, “The Department went to a new records management system with that being said I am not confident on the numbers reported because there were a couple of months with changing over, but this is the data from the system. The one thing that I am confident on is the incidents that we have because those are generated reports from dispatch.” Plehn then read the 2018 annual report, which included the following:

- Personnel and Seniority List – Part-time officers Kluck & Hartwig resigned. Currently there are three open positions for part-time patrol officers (interviews are scheduled for 6/20/19).
- Department Accreditation Award – 3-year program that expires 12/31/2019.
- Community Involvement – Shop with a Cop, speeches and appearances.
- Training – Requirements for firearms and pursuit driving were completed.
- Number of Service Calls and Major Investigations
- Overtime– Overtime increased by 101 hours from 2017.
- Comp Time – 3 hours less than 2017.
- Grants Awards – WI DOT \$4,000.00, Wal-Mart \$1,500.00 & Milk Source \$1,000.00.

Plehn said, “I want to personally thank the entire city council and the mayor for the past 4 ½ years. It is truly a great honor serving the City of Chilton.” Plehn then responded to a few questions on the report. Council members thanked Plehn for the detailed report.

Plehn said, “One more thing. Today I was called by the Village of Kohler, I am a finalist for the Police Chief there. There are a couple more steps but I just figured I should let you know.”

Mayor Jaeckels said, “In regards to that. I have known for a couple of weeks. Craig has kept me abreast in regards to the process. In regards to that, I am going to call a special session of the council next week Tuesday to consider employment compensation of the police chief. We will go into closed session and talk about it at that point. That is all we will discuss at this point.”

Moved by Willems, seconded by Thornber to approve the mayoral appointments to the library board for a term of July 1, 2019 to June 30, 2022 for Elizabeth Rodriguez and Sue Salzsieder. Motion carried.

DPW Schwarz provided the 2019 street resurfacing and paving bids. Two bids were received and the recommendation from McMahan Engineers is Northeast Asphalt, Inc. in the amount of \$587,090.11. Street resurfacing for Walnut and Calumet which is part of the city budget, Dairyland Estates is TIF #6 and Tower View Drive and Hwy 32/57 access is TIF #7. The City will not proceed with the BID for first addition to River Meadows because the City doesn't have a signed developers agreement yet.

Moved by Reinl, seconded by Goebel to accept the bid from Northeast Asphalt, Inc. for \$587,090.11 for the 2019 street resurfacing and paving. Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

COMMUNICATION: The June 5, 2019 staff minutes were distributed and a letter of appreciation from the VFW thanking DPW Schwarz and the Street Department for the fine work completed at the food stand at Hobart Park.

APPROVE PAYMENT OF BILLS:

Moved by Reinl, seconded by Thornber to pay the bills. Voucher No. 83828 through Voucher No. 83902 or accounts payable and payrolls totaling \$278,108.48. Roll call vote.

Gruett – yes Willems – yes Reinl – yes Thornber – yes

Schmitzer – absent Hilton – absent Goebel – yes Deehr - yes

Six votes cast. Six votes aye. Motion carried.

ADJOURNMENT:

Moved by Thornber, seconded by Gruett to adjourn at 7:48 p.m. on June 18, 2019.

Motion carried.

Helen Schmidlkofer, MMC
City Clerk