

Chilton, Wisconsin  
June 4, 2013

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 5/31/13, copies of the agenda were delivered to the Mayor, Aldermen, City Department Heads, City Attorney, were made available to the media, and posted on the city hall bulletin board and city webpage.

**ROLL CALL:**

Mayor Gerald Vanne and six members of the Council were present at roll call:

Council Member Rick Jaeckels	Council Member Kevin Johnson
Council Member Kathy Schmitzer	Council Member Richard Bosshardt
Council Member Clayton Thornber	Council Member Linda Bangart

Other city officials present were Fire Chief Gary Halbach, City Attorney Derek McDermott, Director of Public Works Todd Schwarz, and City Clerk Helen Schmidlkofer.

Absent and excused council members Dan Hilton and Ron Gruett.

General attendance: Amy Vaclavik, McMahon Engineers and Faye Burg, Delta Publications.

Those in attendance recited the Pledge of Allegiance.

**MINUTES:**

Moved by Johnson, seconded by Schmitzer and carried to approve the minutes of the council meeting held on 5/21/2013 with the amendment to correct the spelling of Troy Duchow's name.

**Mayor Report:**

- Attended Board of Review earlier today
- After a brief discussion it was decided that the July 2, 2013 council meeting will not be held

**City Clerk Report:**

- ↻ Board of Review was held this morning; no property owners appeared to contest their assessment values
- ↻ Reminder – June 12, 2013 at 6:00 PM the Village of Hilbert will host a meeting to review “Your Role as an Elected Official”
- ↻ Conference Report – At the March 5, 2013, council meeting when Council member Johnson inquired on the cost associated with attending the Association of Public Treasurers of the United States and Canada conferences. Schmidlkofer stated the estimated cost was \$500.00; this information was incorrect and apologized for the inaccuracy. Since that meeting, Mayor Vanne presented Schmidlkofer with a one-page document that indicated attendance at the 2007 San Diego APT US & C conference cost was \$1,677.18. After reviewing page 1 of the 2-page document, it included charges from Schmidlkofer's personal charge card. The city expenditures totaled \$983.38 of which \$720.92 was paid by the Municipal Treasurers Assoc. of WI (MTAW) due to the fact that Schmidlkofer was the Association's President that year, \$132.67 was paid by Schmidlkofer to the City and \$129.79 was paid to the City by her sister who accompanied her to the conference. Total cost to the city for attending the 2007 APT US& C Conference was zero.

APT US & C Conference Attended and Costs:

2007 – San Diego	\$0.00
2010 – Charleston	\$1,410.71
2012 – Williamsburg	\$1,115.12

Once again, Schmidlkofer apologized for the incorrect expenditure given at the March council meeting and noted this was not done intentionally. Currently Schmidlkofer serves on the Board of Directors and is the Secretary for the Assoc. of Public Treasurers of the United States and Canada.

**APPROVE FINANCIAL REPORT:**

Moved by Thornber, seconded by Bangart and carried to approve the June 1, 2013 financial report.

**APPROVE LIQUOR LICENSES:**

Moved by Jaeckels, seconded by Bangart and carried to approve the Class "B" Picnic license for Chilton Chamber of Commerce on June 15, 2013 for their annual street dance and waive the fee; Person in charge is Robert T. Cullen, Jr. of Chilton.

**APPROVE LIQUOR LICENSES:**

Clerk Schmidlkofer reminded council members in September of 2012 the council approved Ordinance No. 1094, which required all delinquent debt(s) owed to the city be taken care of before a liquor license could be issued. In addition, Kienbaum's Central House and 40 West have not filed to renew their liquor licenses at this time.

Moved by Jaeckels, seconded by Johnson 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, 2013 through June 30, 2014 to include the approval of the Beer Garden License from July 1, 2013 through June 30, 2014 for Ledgeland Enterprises, Inc. at 26 N. State Street; Robert T. Cullen, Jr., Agent and approve an Expansion of Alcohol Beverage License for Mathes Pla-Mor Lanes on June 16, 2013 for the annual Chilton Chamber of Commerce Parade.

Name of the Applicant                      Location of Premise                      Address of Applicant/Agent

**"CLASS A" Beer License 2013:**

Kwik Trip, Inc.	45 Chestnut Street	1315 S. 17 <sup>th</sup> Street #2
Stephanie A. Rahn, Agent	Kwik Trip #630	Manitowoc, WI 54220

Weber Oil Company, Inc.	64 E. Chestnut Street	W4863 Forest Lane
Connie M. Klapperich, Agent	Weber's Self-Serve	Sherwood, WI 54169

**"CLASS A" Liquor License 2013:**

Vern's Cheese Inc.	312 W. Main Street	711 S. Madison Street
Kari Meyers, Agent		Chilton, WI 53014

**"CLASS A" Beer & Liquor Retail Combination 2013:**

Condon Oil Company	613 N. Madison Street	434 Stone Hedge Ct.
Kraig Bauman, Agent	Chilton Mobil Mart	Ripon, WI 54971

Wal-Mart Stores East, LP	810 S. Irish Road	2822 S. 12 <sup>th</sup> Street
Ann Bergschultz, Agent	Wal-Mart Store #2509	Sheboygan, WI 53081

Walgreens #13065	245 West Calumet St.	42 Eagles Court
Scott Kunde, Agent	Walgreens	Kaukauna, WI 54130

Valley Retail Concepts, LLC	511 North Madison Street	N3818 Riverview Hts.
Steven J. Austin, Agent	Save-A-Lot	Chilton, WI 53014

**"CLASS B" Beer & Liquor Retail Combination License 2013:**

ACAKDCA	100 W. Main Street	1808 Plymouth Street
Cheri Steffen, Agent	Ethel's Pub & Grill	New Holstein, WI 53061

Hildegard Bennin	24 W. Main Street	1016 S. Madison Street
Hildegard Bennin, Agent	Hilde's Deli & Bakery	Chilton, WI 5314

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Mathes Pla-Mor, Inc. Gary Mathes, Agent	260 E. Main Street	260 East Main Street Chilton, WI 53014
Ledgeland Enterprises, Inc. Robert T. Cullen, Jr., Agent	26 N. State Street Cheers	467 East Breed Street Chilton, WI 53014
Jonathan Nisleit Jonathan Nisleit, Agent	249 E. Main Street Curve Inn	249 E. Main Street Chilton, WI 53014
Roll Inn LLC Bonita Rowland, Agent	25 N. Madison Street Roll Inn	25 N. Madison 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	W160 Hwy 151 Chilton, WI 53014
East Side Fantasy, LLC Lisa A. Cullen, Agent	613 E. Calumet Street Pennelopy's Pizza	467 East Breed Street Chilton, WI 53014
Chilton Properties, Inc. Nancy Voechting, Agent	1101 E. Chestnut Street Best Western Stanton Inn	715 Sheboygan Street Kiel, WI 53042

**APPROVE OPERATOR LICENSES:**

Moved by Jaeckels, seconded by Bosshardt and carried to approve the two-year license applications to serve fermented malt beverages, and intoxicating liquors from June 4, 2013 to June 30, 2014 for Emma M. Reseburg and Gina M. Pethan. Clerk Schmidlkofer noted the applicants have been approved by the Chilton Police Department.

**DIRECTOR OF PUBLIC WORKS REPORT:**

- DPW Schwarz introduced Amy Vaclavik of McMahon Engineers. Vaclavik provided an update on the development of Well #11.
  - Test pumping conducted yesterday with an 8" hole resulted in 600 gallons per minute. The anticipated rate was 450 to 500 gallons per minute.
  - Currently the casing is at 40', the DNR requires the casing to be at 60'
  - The final well hole will be 16" not the 8" size used for testing
  - Additional work completed includes air bursting and acidization
  - Water samples have been collected; pending reports
  - A grid identifying the completed tasks and future steps to be completed regarding the process for development of the new water supply was distributed and reviewed
  - No grants are available at this time however a Safe Drinking Water Loan is available at a rate of 2% for 20 years
- Annual sidewalk maintenance for Ward 5 is completed
- Brooks Tractor delivered the new backhoe last week Friday; if any council member would like to view just contact Schwarz's office

**FIRE CHIEF REPORT:**

- Membership: 39 firefighters, 2 members, 4 to 6 recent applicants to be screened
  - When asked what is the membership goal; Chief Halbach responded with "40" is a good number; like to be pro-active due to the fact it takes 2 to 3 years for a new member to become certified
- Hose testing was completed in May
- New MABAS cards were created and simplified
- Calumet County conducted pager testing

- ↗ Calumet County Fire Investigators established county-wide criteria to follow
- ↗ Department participated or will participate in the following events:
  - Respect for Law Day
  - Hazmat Drill
  - Calumet County Dive Team drill
  - Wal-Mart Children’s Miracle Network
  - Sundae on the Farm
  - Meetings:
    - Calumet County Fire Chiefs – July 10
    - Calumet County Fire Investigation Unit – July 17
    - Calumet County Dive Team – June 19
    - WI State Fire chief’s Assoc. Conference – June 20 to 23

**AUDIENCE PARTICIPATION:**

No comments were received at this time.

**REPORT OF COMMITTEES:**

Chairman Johnson presented the minutes of the May 29, 2013 Public Works committee meeting.

The committee along with American Legion Commander Katalinick discussed installation of a light for the flag at Hillside Cemetery, which resulted in the need for more extensive research into solar power, and review of electrical service to include installation of an electrical panel. Once this additional information is completed, the committee will review.

At the April 2, 2013 council meeting the council approved the installation of a crosswalk at the intersection of David and Court Streets with the City paying for the crosswalk, painting, signage, and south and north service walk to the right-of-way contingent upon the Chilton Housing Authority accepting the responsibility to install and pay for the sidewalk extension from the apartment complex to the existing right-of-way on the north side of Court Street. The Housing Authority since then has completed and filed a waiver of special assessment regarding the 50 feet of sidewalk extension.

DPW Schwarz stated Jim Fischer Inc. of Appleton who is completing the annual sidewalk replacement for Ward 5 has incorporated the Court Street project at the same rate. This additional request for sidewalk and crosswalk was not included in the 2013 budget so therefore an account transfer from sidewalk non-lapsing account (53431-821) to sidewalk maintenance account (53431-820) is required.

Moved by Johnson, seconded by Schmitzer to approve the transfer of \$996.80 from sidewalk non-lapsing account (53431-821) to sidewalk maintenance account (53431-820). Roll call vote.

Gruett – absent      Bangart – yes      Bosshardt – yes      Thornber – yes  
 Jaeckels – yes      Schmitzer – yes      Hilton – absent      Johnson - yes  
 Six votes cast. Six votes aye. Motion carried.

Clerk Schmidlkofer stated the City has a separate contract for roadside collection of recyclable materials every other week for the 1,388 stops within the City. Advanced Disposal indicated they would provide a 6-year contract extension with a 3% increase every other year as noted in detail below.

Year 1	2014	0%	<u>New Rate:</u>	\$0.98	no change to current rate
Year 2	2015	3%		<b>\$1.01</b>	
Year 3	2016	0%		same	
Year 4	2017	3%		<b>\$1.04</b>	
Year 5	2018	0%		same	
Year 6	2019	3%		<b>\$1.07</b>	

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Moved by Johnson, seconded by Bangart to approve the 6-year contract extension with a 3% increase every other year for the Recyclable Collection Agreement between the City of Chilton and Advanced Disposal. Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

Clerk Schmidlkofer provided background information regarding the refuse container rates as determined by size of the container from 2003 to 2013. In addition, a different spreadsheet indicated the current contract charges for garbage collection per container as follows:

45 gallon - \$7.16  
 60 gallon - \$7.34  
 90 gallon - \$7.56

The landfill disposal rate is \$30.31 per ton, landfill-hauling rate is \$5.40 per ton and the landfill tax is \$13.00 per ton for a total cost per ton of \$48.71.

The current fuel surcharge has a base rate of \$4.25 per gallon for diesel fuel. If the average cost of fuel increases beyond \$4.25/gallon, a surcharge rate of ½% is charged for every \$0.10/gallon increase above the \$4.25 base. If the price of fuel decreases to an amount below \$4.25, no fuel surcharge is applied.

Advanced Disposal indicated they would provide a 6-year contract extension with a 3% increase every other year as noted in detail below.

	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
45 gallon	\$7.16	\$7.37	\$7.37	\$7.59	\$7.59	\$7.82
60 gallon	\$7.34	\$7.56	\$7.56	\$7.79	\$7.79	\$8.02
90 gallon	\$7.56	\$7.79	\$7.79	\$8.02	\$8.02	\$8.26
Landfill Disposal	\$30.31	\$31.22	\$31.22	\$32.16	\$32.16	\$33.12
Landfill Hauling	\$5.40	\$ 5.56	\$ 5.56	\$ 5.73	\$ 5.73	\$ 5.90
Landfill Tax	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00	\$13.00
Total	\$48.71	\$49.78	\$49.78	\$50.89	\$50.89	\$52.02

The current fuel surcharge has a base rate of \$4.25 per gallon for diesel fuel. If the average cost of fuel increases beyond \$4.25/gallon the surcharge will be billed out on a usage basis on the difference between the Nat’l average and \$4.25. If the price of fuel decreases to an amount below \$4.25, no fuel surcharge is applied.

Moved by Johnson, seconded by Jaeckels to approve the 6-year contract extension with a 3% increase every other year for the Solid Waste Collection Agreement between the City of Chilton and Advanced Disposal. Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

DPW Schwarz indicated that the WWTP was using a policy for acceptance of remediation waters at the Wastewater Treatment Facility. Some of the information contained in the policy is in ordinance format and some in resolution format so for this reason, Schwarz recommends that the policy be discontinued and all the information is included in either Ordinance or Resolution format for easy reference.

Moved by Johnson, seconded by Jaeckels to introduce, adopt and waive the second reading of Resolution No. 1650, a resolution amending Resolution No. 1605 to include cheese factory waste and contaminated remediation water fees and waters that have one or more constituents at or above the NR 140 are subject to a \$2.00/1,000 gallon surcharge. Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

**NEW BUSINESS:**

Moved by Jaeckels, seconded by Thornber to introduce, adopt and waive the second reading of Resolution No. 1651, a resolution approving the 2012 WWTP Compliance Maintenance Annual Report. Roll call vote.

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

Six votes cast. Six votes aye. Motion carried.

**COMMUNICATION:**

Distributed monthly plumbing/building permit report and May 20, 2013 staff minutes.

**APPROVE PAYMENT OF BILLS:**

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

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

Six votes cast. Five votes aye. Motion carried. Voucher No. 73482 through Voucher No. 73539 or accounts payable and payrolls totaling \$159,325.40.

**ADJOURNMENT:**

Motion by Jaeckels, seconded by Bangart and carried to adjourn at 7:22 p.m. on June 4, 2013.

Helen Schmidkofer,  
City Clerk