

Chilton, Wisconsin
March 20, 2018

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 3/16/18, 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. The agenda was amended to include Horizon Development Amendment and recommendation to hire a city band director.

ROLL CALL: COMMON COUNCIL:

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

Council Member Clayton Thornber	Council Member Kevin Johnson
Council Member Mike Goebel	Council Member Kathy Schmitzer
Council Member Dan Hilton	Council Member Mark Willems

Other city officials present were Director of Public Works Todd Schwarz, Police Chief Craig Plehn, City Attorney Derek McDermott and City Clerk Helen Schmidlkofer. Absent and excused Council Members Ron Gruett and Greg Kubichka.

General attendance: Jeanne Lillich

Those in attendance recited the Pledge of Allegiance.

Moved by Hilton, seconded by Thornber and carried to approve the minutes of the council meeting held on 3/06/2018.

REPORT OF OFFICERS:

MAYOR REPORT:

✦ Received feedback from the VFW, Disabled American Veterans and American Legion that they have agreed to a change of venue and parade route for 2018. My understanding is this will take place at the Veterans Memorial at Klinkner Park.

CITY CLERK REPORT:

✦ Arbor Day event is set for May 9th with a rain date of May 16th.
 ✦ The spring election is April 3; polls are open 7 AM to 8 PM.
 ✦ Open book is set for April 10, 2018 from 4:00 PM to 6:00 PM and Board of Review is scheduled for April 30, 2018 from 8:15 AM to 10:15 AM. A copy of the notice that will be sent to residents was provided to the council members.

DIRECTOR OF PUBLIC WORKS:

✦ Well house #8 there are still problems with replacement of the three butterfly valves.
 ✦ Wastewater clarifier tank project – reassembling the clarifier.
 ✦ Working on specs for painting of the north water tower and 2018 street projects.
 ✦ Waste Water Permit - DNR responded however additional information is required before submitting to the EPA.
 ✦ Finishing up on the tree trimming at Klinkner Park.
 ✦ SIGMA has started testing at the 420 E. Main Street property.
 ✦ Attended several meetings within the last week with developers in TIF #6.

AUDIENCE PARTICIPATION:

No comments.

REPORT OF COMMITTEES:

The March 12, 2018 Library Board minutes were distributed for the council members. Council member Thornber inquired why the invoice for snow removal for the library was significantly higher than the city hall. Has the Library Board looked over and approved the invoice? Clerk Schmidlkofer noted that she would have the Library Director provide an explanation at the next council meeting.

Minutes of Council Meeting 3-20-2018

Chairman Thornber reported on the minutes of the March 13, 2018 Public Works committee meeting.

The committee received two quotes for a street sweeper:

Casper’s Truck Equipment – Global M3 Mechanical Sweeper

\$195,000.00 less trade in of 1990 Street Sweeper of \$5,000.00 – final cost \$190,000.00.

Macqueen Equipment Group – Elgin Pelican Dual Gutter Brooms

\$192,508 less trade in of 1990 Street Sweeper of \$10,000.00 – final cost \$182,500.00.

Moved by Thornber, seconded by Willems to accept the quote from Macqueen Equipment Group for the Elgin Pelican Dual Gutter Brooms Sweeper, which includes trade-in of the 1990 Street Sweeper for a total cost of \$182,508.00 from account #57324-820. Roll call vote.

Gruett – absent	Willems – yes	Kubichka – absent	Thornber – yes
Schmitzer – yes	Hilton – yes	Johnson – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

DPW Schwarz is still working with Worthington Cylinders regarding placement of the Bernzomatic artwork on the north water tower. MB Company indicated to council member Thornber that they would be interested in having their logo placed on the south water tower. No details were provided at this time.

MOVED TO NEW BUSINESS:

The annual building and plumbing report was provided to the council.

Mayor Jaeckels opened the Public Hearing at 6:45 P.M. to solicit comments regarding the amendment to the land use map of the City of Chilton referencing tax location ID #31034 from industrial to commercial. Clerk Schmidlkofer read the notice and stated the notice was published as a Class II notice as required by law.

Mayor Jaeckels stated the commission did review and recommend the proposed change at the February 14, 2018 Plan Commission meeting.

Mayor Jaeckels inquired if anyone was present to speak in favor or not in favor of the amendments. Hearing no comments from the public Mayor Jaeckels closed the public hearing at 6:47 P.M.

Moved by Schmitzer, seconded by Hilton to introduce, adopt and waive the second reading of Ordinance No. 1146, authorizing an amendment to the City of Chilton land use map. Roll call vote.

Gruett – absent	Willems – yes	Kubichka – absent	Thornber – yes
Schmitzer – yes	Hilton – yes	Johnson – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

MOVED TO UNFINISHED BUSINESS:

Horizon Development Group is requesting an amendment to the Development Agreement. Amendments include the following:

Add new legal entity – Uptown Commons II, LLC (Owner)

D. Obligations of MAHC and Horizon (2) Construct the Project with an anticipated start date no later than June 1, 2018 (was November 30, 2017) with substantial completion by approximately May 1, 2019 (was October 31, 2018). The Project shall be constructed in accordance with plans and specifications approved by the RDA. Added: Should Owner, Horizon, and MAHC determine that the Project is financially infeasible subsequent to the acquisition of the Property, the Property shall be re-conveyed to the City for equal purchase price and all parties released from their respective obligations under this development agreement.

8. Provide the City Promissory Notes and (added- subordinate) Mortgages for the loans of \$263,000 and \$225,000 as described in the Purchase Contract and executed financial commitment letter dated February 23, 2017. Such Mortgages shall secure

the indebtedness described in the Promissory Notes and the payment of tax increments and any shortfall payments described in Section E, Tax Increment Revenue.

E. Tax Increment Revenue. Horizon, MAHC, and City intend that, for the life of TID 4, there will be tax increment revenue commencing in the year 2020 (was 2019) in the amount of at least \$20,000. MAHC and Horizon agree that if, in any year commencing 2020 (was 2019) or later during the life of TID 4, such tax increment revenue for a particular year is less than \$20,000, then MAHC, the Project Owner or Horizon shall pay to the City for that year an amount when added to the tax increment revenue actually paid equals \$20,000. This payment shall be referred to as a "shortfall payment" and shall be due annually on or before September 30 of the tax collection year. The "tax collection year" shall mean the year following the year of levy. Interest at the rate of 8% shall accrue on a daily basis and due and payable by MAHC, the Project Owner or Horizon to the City from the date on which any "shortfall payment" is due until such payment is actually received by the City.

H. Miscellaneous. Added Owner: c/o Horizon Development Group, Inc., 5201 East Terrace Drive, Suite 300, Madison, WI 53718

Discussion took place regarding the change for the first payment in 2020 versus 2019. The City would not want to give them a "free year" when there would be a partial assessment in 2019. The City would stand firm on a 2019 payment and state this when approving the agreement.

Moved by Johnson, seconded by Goebel to approve the Uptown Commons Phase II Senior Housing Development Agreement with the exception that in Paragraph E. on page 4 the tax increment revenue commencing in the year 2019 not 2020 as proposed. Motion carried.

City of Chilton Band President Jeanne Lillich informed the council that the city band executive board interviewed two candidates for the band director position. The board recommends the hiring of Michelle Kochan contingent upon pre-employment background check.

Moved by Willems, seconded by Johnson to approve the hiring of Michelle Kochan as the City of Chilton band director contingent upon pre-employment background check.

Roll call vote.

Gruett – absent	Willems – yes	Kubichka – absent	Thornber – yes
Schmitzer – yes	Hilton – yes	Johnson – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

APPROVE PAYMENT OF BILLS:

Moved by Schmitzer, seconded by Hilton to pay the bills. Voucher No. 81734 through Voucher No. 81781 or accounts payable and payrolls totaling \$89,507.95. Roll call vote.

Gruett – absent	Willems – yes	Kubichka – absent	Thornber – yes
Schmitzer – yes	Hilton – yes	Johnson – yes	Goebel - yes

Six votes cast. Six votes aye. Motion carried.

ADJOURNMENT:

Moved by Hilton, seconded by Schmitzer and carried to adjourn at 7:03 p.m. on March 20, 2018.

Helen Schmidlkofer, MMC
City Clerk