

Chilton, Wisconsin  
May 7, 2019

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 5/3/19, 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 Tom Reinl       | Council Member Mike Goebel      |
| Council Member Ron Gruett      | Council Member Clayton Thornber |
| Council Member Kathy Schmitzer |                                 |
| Council Member Mark Willems    | Council Member Andrew Deehr     |

Other city officials present were Police Chief Craig Plehn, Director of Public Works Todd Schwarz, City Attorney Derek McDermott and City Clerk Helen Schmidkofer. Absent and excused Council Member Dan Hilton.

General Audience: Ken Thiel, Carley Thiel, Sean Higgins, Mike & Shelly Gudex, Barb Gustafson, Donna & Rick Budnik, Matt Meyers, Tyler, Johanna & Warner Maas, Paul & Mary Kim Strelow, Tabatha Goebel, Jesse Schneider, David July, Steve Vandenboom, Lynn & Mark Ott, Lauren & Shawn Schmidt, Mike & Kathy Engler, Debi & Randy Brunette, Bernadette Prescott, Ken and Darlene Danes, John Riesterer, Kevin Behnke of Hawkins Ash.

Those in attendance recited the Pledge of Allegiance.

**MOVED TO NEW BUSINESS:**

Mayor Jaeckels introduced Kevin Behnke of Hawkins Ash and requested him to present the annual audit. Behnke provided the council with a summary of the December 31, 2018 financial report. Behnke stated the level of fund balance is generally considered excellent by municipal bond consultants and an indication of sound financial planning.

Water Utility rate of return is -4.71% compared to 3.02% in 2017. In 2018, revenues increased by \$46,000.00 and repairs and maintenance decreased by \$285,700.00 resulting in the lower rate of return.

Sewer Utility rate of return is .62% compared to -1.06% in 2017. Revenues increased by \$48,000.00 and operating expenses decreased by \$15,000.00 resulting in the higher rate of return.

Additionally, the Independent Auditor's report included journal entries and management advisory comments. Details of Tax Incremental Districts No. 2, 4, 6 and 7 reports were also reviewed. Behnke thanked the City of Chilton for allowing Hawkins Ash to complete the annual audit.

Behnke exited the council chambers at 6:40 P.M.

**MOVED TO APPROVE THE MINUTES:**

Motion by Willems, seconded by Gruett and carried to approve the minutes of the council meeting held on April 16, 2019.

**REPORT OF OFFICERS:**

**MAYOR:**

- Arbor Day is scheduled for tomorrow at Hobart Park. (Rain date 5/15/2019).
- General reminder: seeing this is the first meeting after the re-organizational meeting I would like to remind the council members and chairperson that whoever is speaking

at committee meetings give them the proper attention and keep the general chit chat down to a minimum or not at all.

- Annual mayor's report was 22.75 hours for council meetings, 37 for other meetings that are required such as general government, public safety, public works, culture and recreation, Plan Commission and Redevelopment Authority, 97.75 for mayoral office hours and 232.75 other related duties like when I take off work and go visit with a business and attend meetings like Civic Assoc. Total hours for the past year are 390.25.
- The League of Municipalities published responses from municipalities regarding "Impacts of Levy Limits" of which my response was included in your packet.

**CITY CLERK:**

- I attended and reported on sessions at the Municipal Treasurers Assoc. of WI (MTAW) conference held last week in Oshkosh. I was one of four panel members that presented a daylong workshop for 56 treasurers.
- MTAW awarded me a certificate for maintaining certified municipal treasurer education and professional standards.
- Pros 4 Technology completed the Information Technology (IT) audit and met last week Monday with Police Chief Plehn and Mayor Jaeckels. A future meeting will be held with all Department Heads along with Mr. Prusow, president of Pros 4 technology.

**APPROVE FINANCIAL REPORT:**

Moved by Thornber, seconded by Gruett and carried to accept the May 1, 2019 financial report.

**APPROVE OPERATOR LICENSES:**

Moved by Willems, seconded by Schmitzer to approve the two-year license application to serve fermented malt beverages and intoxicating liquors from May 6, 2019 to June 30, 2020 for Kayla J. Ryan. Clerk Schmidlkofer noted the applicant has been approved by the Chilton Police Department. Motion carried.

**APPROVE LIQUOR LICENSE:**

Moved by Thornber, seconded by Willems to approve Class "B" Picnic license for the Good Shepherd Parish July 27, 2019. Agent (Person in Charge) Terry Criter and the Chilton Chamber of Commerce September 7, 2019 for Crafty Apple Fest. Agents (Persons in Charge) Tracy and Paul Breckheimer.

Council member Reinl asked, "Is there a policy in place regarding special events?"

Mayor Jaeckels responded, "Not as of yet."

Reinl then asked, "Is the Chamber street dance included in the approval for picnic licenses?"

Mayor Jaeckels responded, "The street dance is not included because it has been cancelled."

Reinl asked why the street dance was cancelled.

Jaeckels said, "The person that was operating it decided not to host it."

Reinl asked for what reason. Jaeckels said, "We spoke for 20 minutes and at the end of the conversation, he said he does not make money and he didn't want any different conditions put on it if it was on a city owned lot. Basically, he said he was cancelling it."

Reinl said, "It is my understanding mayor that this is a chamber event first of all and the request by yourself and the Police Chief was to change city policy regarding special events. Such as wristbands, a drawing of the area, place where the bar is located and double fencing where beer is to be served. That is why the license was not renewed."

Mayor Jaeckels replied, “It is not the opinion that I was given at the end of our conversation that him and I had. It is listed as a chamber event but the chamber does the signage, they do not pay the bills or make any money off it.”

Reinl agreed. Then read a text that was sent from the mayor to the individual. “I understand people being passionate about their cause, so no offense taken. I spoke with Chief Plehn and he agreed with your assessment of treating everyone equal so moving forward we will set city policy regarding special events. Outside special events such as Chilton Fire Dept. brat fry, Beerfest, Fathers’ Day, Crafty Apple Fest, etc. will be expected to maintain the same standards.”

Mayor Jaeckels said, “Correct, I said we would look at it.”

Mayor Jaeckels called for a voice vote regarding the picnic licenses. (Reinl-nay) Motion carried.

**MOVED TO NEW BUSINESS:**

Mayor Jaeckels opened the Public Hearing at 6:45 P.M. to solicit comments regarding the request to rezone KD Property Holding LLC lots 42 to 48 of Dairyland Estates from R-1 (Single Family Residential) to R-D (Two-Family Residential). Clerk Schmidkofer 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.

Darlene Danes – W847 Danes Road, New Holstein

“At the last meeting there was a lot of people concerned about what is a duplex, who would live in it. We changed the covenants to protect the people in the subdivision to the point where only lots 42 to 48 would be rezoned. These are the only lots we selected because they are bigger lots and they would look nicer at that end of the city. The people would own the duplex, they would be owner occupied. There would be no rental. A lot of people are concerned about their property values. These duplexes would be a quarter of a mile away from the existing residents. We feel that they would not be affected by this change and if anything, this would improve the subdivision. As far as value, in the packet I provided pictures of the duplexes we are thinking about. This is not the exact floor plan but a general plan for two bedrooms with an attached garage. Also when you drive around the City of Chilton there are duplexes all over in the city. They look nice, and I think they look nicer if they are in a row instead of one here and there. That is what we are trying to do. Get them all in a nice row verses here and there. As far as people living across from a duplex, are they going to be okay? Donna Street has duplexes and other streets in the city have duplexes on one side of the street. I don’t see or hear of any problems but I don’t live in the city. Also included in the packet a letter of support from Willie Schad who is looking for a duplex as well as other people that are looking for a duplex. That is why we brought this request up again because people are interested in duplexes. We have to sell 10 lots by 2024 otherwise we are penalized. If we get these duplexes, we would be assured that we would have our ten lots sold. I have Piepenburg Builders building the duplexes for us. He is also building three homes for us right now, two on Diane Street and another one. He does quality work and I don’t know if any of you have seen the houses that he has built. I did try to share the covenant with the people in the subdivision to show you that we changed it for your benefit and our benefit. We understand if something is different but we feel it won’t affect you as much as you may think it will because we are not going to build a chicken box. We are going to build nice quality duplexes. I don’t know what else to say.”

John Riesterer – 1922 E. Silvan Avenue, Appleton, WI

“I happen to be their listing agent on one of the Danes homes right now. I just wanted to tell everyone that what they are looking to do is called a zero lot line. It is the situation where it is a duplex built home but owner occupant. The owner owns each home. They each own half and they have a zero lot line agreement. For example when the roof would go bad, both parties would be equally responsible for replacing the roof. Then you

wouldn't have one side of the roof blue and the other black. The duplexes will increase your property values. I can attest to this because in Darboy, Appleton, Grand Chute and Greenville I have been in this situation selling these products and all home property values have gone up. It's not a tenant situation. It will be owner occupied and it will certainly benefit the current residents in the end. It also gets the subdivision up and running. It will be built up quicker, more builders will want to come in and build their homes."

Mayor Jaeckels inquired three times if anyone was present to speak in favor of the rezone. Hearing none, Jaeckels asked if anyone would like to speak in opposition of the change.

Mayor Jaeckels asked Goebel and any other council members to stand in the audience area to help differentiate when speaking as a citizen and not as a council member.

Mike Goebel – 1156 Jemima Lane

"Not for the duplexes. The big thing is and I can't speak for anyone else here. It is not that I am against duplexes or condos. I am against where you are putting them. I cannot understand why we can't get condominiums put in a certain area. Why they cannot be all by themselves. We have other land, other landowners. Put them in one spot. Put them by themselves, where they are as one community. Not that I am against it but I am definitely against it in that subdivision. Everyone that lives in the subdivision moved there for one reason. It is single family. That is why they moved there. They were never told that it could be rezoned from single family. I like the way they look and everything like that. The changes you made there are no issues there. I look at it as, if you don't want to live next to one, why would you want one in your subdivision. You don't. I would never want to live next to one. I wouldn't want to live across from one. So I wouldn't want one where we live in our subdivision. There are a lot of different points we could look at here. Should we, shouldn't we. There are different communities out there. There were some in the paper recently. There are other areas that are going thru the same situation. There is no issue having condominiums. I agree with you guys one hundred percent. We need them in our area but just not in our subdivision. Just not in this subdivision. There is plenty of other land. Plenty other areas. We can make its own little subdivision all condominiums and duplexes. I don't think that anyone would be against that. But this subdivision is already started before Danes took over. We are all for building it up fast and getting homes up. That is not the issue. The issue is I do not want to live next to condominiums. Another big concern is when they purchased the place and own it at the end of the day we still have to drive past that and so does everyone else that goes to Wal-Mart. That goes to the city, goes on Irish Road. Their backyards, you are going to see it. It is going to be plain as day. A lot of people don't like going thru the low end of it as well. The way we have to normally come up there, none of us like that. Most of us don't like that. Now you are putting this at the other end of the subdivision that we have to drive right thru it again. So those are the concerns that I have. I don't think they are put in the right place. I don't think it should be right on Irish Road. The whole back yards are going to be right there. Everyone is going to see them. So that is all that I have to say. I am definitely against the issue. Thank you."

Paul Strelow – 1305 S. Diane Street

"To Mike's point, when we looked at buying homes in Chilton. Single-family residence was the main reason. That is why we did it. In fact, I actually bought the lot behind me. I got an open lot and I did that to give myself a little buffer. Which is great but just the idea like Mike says of putting condominiums or rather duplexes you have to go thru. A lot of people that would come up from the backside would see those duplexes there and it turned a lot of people off in that neighborhood. We talked to people driving by and they said we don't like that. Forget it; we don't want to buy here. It took a long time to sell all the lots where we are now. And that was a big part of it."

Tyler Maas – 1153 Jemima Lane

"My wife and I are here today. The reason we choose 1153 Jemima Lane is because of the development and our understanding of what it would be. If I were to be back on the market looking for a home and I understood there was a possibility of duplexes. I can

honestly say that I probably would have looked elsewhere. There is a very good chance that it would not have been in Chilton. You have to react quickly on the housing market as it currently exists and I know there are plenty of other families in my same situation that would have made my same choice. Now if I were as confident as I was in this case, it would remain single occupant. I would make the investment like we did. Where we sit today, we have been here for a year, we have our first son and we looking forward to bringing another one into this world. We are at a point to continue to invest in City of Chilton or decide to move on. I don't want to move on but I also put a higher priority and value on the environment of where I am raising my son. I will restate my opinion, which is the same as the last meeting when we discussed this. I appreciate Danes attempts to make it more palatable to us but I am not in favor of this."

Debi Brunette – 1101 Dotty Lane

"I do not want them up there and I am really disappointed that it is brought up again."

David July – 1117 Dotty Lane

"Mr. Mayor, ladies and gentlemen of the committee we disagree with the statement. I find it offensive that we all have to be here again, less than a year later. When this was overwhelmingly denied by the city council in that neighborhood. When last week, Mrs. Danes came to my home and gave me a copy of the proposed new covenants for the neighborhood. You know, I just found the timing of it. When I purchased the home less than 3 years ago there was nothing disclosed about a covenant. That is neither here nor there. If there is one, I guess that is on me for purchasing the home without having that. I talked to several residents in the neighborhood and those covenants; it is kind of a mystery. I went on their website where they are peddling these other lots and interestingly enough if this is such a great selling point why don't they have a copy of this posted on their website. Couldn't find anything that there were covenants. So, that is one question. When she was at my home, she also said that someone from the City approached them and told them that they should bring this back because there is a need for this housing down there. So my question Mr. Mayor did you or one of your designees go to them and tell them to bring this back? If someone could answer that for me, I would appreciate it. I am definitely against having this rezoned because that was not the intent of the subdivision when it was put together and is not fair to the people that live there and own properties out there. So they should have to abide by the rules that were in place when they purchased the investment there. They should abide by proceeding with the plan as it was put forth when they purchased the property."

Mayor Jaeckels said we would answer that once the public hearing is closed.

Bernadette Prescott – 701 Bessy Lane

"We recently moved into a new home, it is a spec home done by Danes. We have invested a lot of money getting the basement done. We invested more money for landscaping and a deck on the back. There was no mention of covenants. We don't have any of that and we just purchased it in November. We have never received anything. I checked into like putting a fence around the back yard for the dog. I am hoping that's not in there. We haven't heard anything about that. When we purchased the home we were not given a plan for the home so that when we were doing the basement we struggled to get that plan. We purchased the home coming from the lake, ok. So kind of backwards. So when we went off the lake to in the city because our kids are involved in things. We wanted to be closer to the city. We purchased it because of the nice single-family home residence in the neighborhood. I was shocked when we were approached by our council member to hear that single-family homes would be going in and then the big thing the covenants which I just heard about tonight. We have not received that paperwork. So if there are covenants out there that prevent you from doing things. I did check with the city about the fence and was told there would be no problem with that and other issues. Communication is not here. It is not forthright. It is not being done honestly. I am disappointed and hoping that our kids get thru school quickly and that we will be out of Chilton."

Mark Ott – 1118 Jemima Lane

“I moved from a residential area on the north side to the south side knowing that it was zoned single-family residence. I was unfortunately not to make it to the last meeting where I assume most of these people were against the rezoning at that point. I don’t think it is a good idea to mix and match. A lot of the city has residential, new residential and commercial in the same area. That is just my opinion. But knowing that is the reason we moved up there. It is quiet and single-family dwelling. It was not going to be duplexes. It was not going to be low housing. I will echo what Mike said there has to be a time and place to put those things in an area of town that everyone would be equity happy. Knowing that some of the things that were said here by these folks as you are representatives of us, a lot people are going to move. Because this is the second rodeo that they have come to explain to you and themselves that they like where they live. They like the kind of housing that is there. The value of the homes that are up there are significantly higher than the duplexes that they are going to put in there. It is going to reduce the value of the homes. Whether it is a quarter of a mile or two blocks that we are splitting hairs here. Something that the constituents, the citizens of Chilton don’t want. This is the second time that you heard this and I think you should listen. I don’t know why we are here the second time. It is alarming that someone from the City called the folks to revisit this again. For what reason, I don’t know why. But you see the overwhelming group of people here saying NO to Chilton. Leave that specific subdivision, as is, a single-family residence. Thank you.”

Mary Kim Strelow – 1305 S. Diane Street

“I am against it again and to what they are all saying. Why are we here again? This was unanimously voted down. Is this going to keep happening? If so, I would request that we be notified by you ahead of time. This is wrong.”

Jesse Schneider – 1151 Jemima Lane

“I wrote out a couple pages of information but a couple of people stole my thunder. I am very frustrated with politics around the country and right now is no different. I feel that we were here once before and the majority has spoken. Mrs. Danes was great. She came to our residence and wanted to talk, which didn’t happen before. I told her that I appreciated that. But what I got a little bit out of the conversation was somebody from the council approached her and said come back and revisit this. The last time we were here everyone voted this down. What has changed? We are still looking at building duplexes. As Mike stated earlier, he is not against duplexes but there are areas set aside for duplexes as a community. Looking at these lots, where they want to build them along Irish Road, four on one side and three on the other. Tonight I drove home and my 16-year-old daughter asked why I was going to a meeting tonight. I said I will show you and pointed out the lots and the first words out of my daughter’s mouth. “Well that is stupid. That is ugly. Who is going to want to live across from those duplexes?” One of my comments was, you look at a cul-da-sac generally speaking the two houses at the end are the most elegant, most expensive houses. On that cul-da-sac, you have a duplex on the end and you have a single-family house right next to it. It really does not make sense. We have other duplexes in town, around Donna Street. We stayed in a duplex neighborhood when we first moved to houses and nothing against that. If you talk about the covenants, like I said earlier we are not aware of all these covenants. There were covenants at one point you couldn’t build an out building. The City, a neighbor got it approved and to find out it was against the covenants. There is a lack of communication. So if you vote yes to this, when the next person comes in or the Danes family. Hey, let’s rezone the next property. You have set precedence by saying yes to this and it will not stop. It will come along again down the road where I can’t sell my duplex and I will come to the city to rent this place out. That is what is going to happen. You set precedence now; it is just going to continue all the way up our subdivision, in my opinion. You are worried about your ten lots being empty. I get that. That is part of doing business. But if you can’t get your ten lots, hey let’s get it rezoned again. I am asking you to say NO again and do not set a precedence for the future. Thank you.”

Mayor Jaeckels asked if there was anyone else that would like to speak not in favor.

Randy Brunette – 1101 Dotty Lane

“I just want to echo what everybody else said. To be on the record that I am against this as well.”

Donna Budnik – 1117 Jemima Lane

“I am also against and agree with what everyone has said. Like the last time we were here, it was a unanimous vote. But this is how you said government should run. That the people come and have a say. You were glad that we were all here and this was not in the paper. I get nervous. I think if they could just build houses, there you would be farther ahead and keeping it that way. Thank you.”

Mr. Van Den Boom – 1131 Jemima Lane

“Also would like to express my opposition to this. To be on the record as such. All the points that have been mentioned here tonight so I won’t burden you with that. Again, if you can change it this time, it can be changed again. For me if you would drive in on either end of where we get to our homes you are going to see condominium and duplexes on either end now coming into our neighborhood. It is not why I bought that house; it is not what I am looking for in the future of that neighborhood. Thank you.”

Lynn Ott – 1108 Jemima Lane

“Just a comment to Mrs. Danes. She said the condo would be away from the subdivision but right now, they would be because it is in the process of being built. They are technically going to be across the street from single-family homes. So technically, they are not away from everybody else. I just wanted to say they are going to be in the neighborhood and to say that I am against it.”

Shawn Schmidt – 608 Bessy Lane

“Just want to mirror what everybody else said. I am basically against the rezoning.”

Shawn Higgins – 1221 S. Diane Street

“Like everyone else said. I moved there and want to keep it the way it is.”

Mayor Jaeckels asked three times if anyone else to speak not in favor. Hearing no other comments from the public Mayor Jaeckels closed the public hearing at 7:15 P.M.

Mayor Jaeckels stated that he would address a couple of things first and asked the city attorney to speak in reference to covenants. Attorney McDermott said, “The city doesn’t create the covenants the property owners do. The original set of covenants in 2006 would have showed up in your title commitment. The covenant dictates when in the future it can be changed. So the covenant specifically limits the duplex usage for lots 42 to 48. It does provide for at least 60% of all property owners vote to change the amendment. So the city would not even have the authority to make changes. As the development proceeds the private property owners vote to make changes. Covenants are private matters property owners place on property, it is not something the city creates. Ordinances are governed by the city and covenants tend to take those ordinances a step further and create minimum square footage, size of garage, fences, etc. The covenants were put in place in 2006 are part of the title and recently changed by and updated by Danes.”

Thornber asked if the Danes have to change the covenants if the rezoning doesn’t go through. Attorney McDermott replied, no, the amended and restated restrictive covenants under Section 1 (b) defines this.

Mayor Jaeckels said, “Ken and Darlene Danes did speak to me and I consulted with the city attorney. The city is willing to work with a developer. I advised Danes to approach the neighborhood to discuss. The city doesn’t deny a request, we need to follow the process and present to Plan Commission and then hold a public hearing.”

Council member Reindl said, “I approached the Director of Public Works because the city only has two empty lots in the city on Donna Street. The only specific duplex area in the city is Brewery Court, which has worked out beautifully. This created all kinds of issues

years ago and in fact some people lost their elected positions due to supporting the rezoning of this area. But it was the right thing to do. The city has mixed use all over as does other municipalities. If Danes would not have been aggressive and buy the subdivision there would still be only one entrance to the subdivision. Several people stated you don't want to drive thru duplexes but right now, you are driving past duplexes and low-income housing. Apparently, it has been okay because you bought a lot. We are not building eight plexes; we are building a home with two garages that is the difference. I don't see a problem with the duplexes."

Council member Schmitzer asked, "Can covenants change? What happens if it would change from owner occupied to rental? We as council people need to decide who we are. Are we representatives of the people and the people that are present and their wishes or are we a council who do what we think is better than what other people think. I am against this because the covenants could change."

Council member Thornber said, "Greenville, Mackville, and Grand Chute all have apartments, duplexes and single-family homes. At the Plan Commission meeting, Engineer Dave Schmalz commented that it is common to have subdivisions laid out with duplexes and single-family homes. Thornber then sited duplexes throughout the City of Chilton (i.e. Diane Court, Donna Street, Dove Avenue, Falcon Lane and Good Avenue)"

Council member Goebel said, "We have a lot of options. Did the Plan Commission review those options like the Koehler property? I am not against duplexes just against them in this area. The property owners purchased their home because it is single-family. We don't need to keep rezoning."

Discussion continued regarding safety in the subdivision, council members receiving calls to support duplexes, potential for future changes in covenants, residents leaving due to no availability to building duplexes in the City of Chilton, value of proposed duplexes and maintenance of the pond.

Mayor Jaeckels shared that the Plan Commission recommended that the Council grant the rezone request from R-1 (Single Family Residential) to R-D (Two Family Residential). The subdivision is doing everything right. Commercial development exists along Calumet Street; duplexes would be built along Irish Road and single-family home development in the remainder of the subdivision. The Commission reviewed other communities placement of duplexes, reviewed the layout of the proposed duplexes and the fact that duplexes would be available in the city.

Moved by Thornber, seconded by Reinl to introduce, adopt and waive the second reading of Resolution No. 1150, a resolution to rezone Lots 42 to 48 of Dairyland subdivision from R-1 to R-D. Roll call vote.

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

Seven votes cast. Two votes aye. (Schmitzer, Gruett, Goebel, Willems, Deehr-nay).  
Motion failed.

Residents from the subdivision exited the council chambers at 7:49 P.M.

**MOVED BACK TO APPROVE LIQUOR LICENSE:**

Moved by Schmitzer, seconded by Thornber to approve 6-month Class "B" beer license for the Calumet County VFW Post 3153 (June 1 to November 30, 2019).Agent (Person in Charge) Daniel DeTroye. Motion carried.

**DIRECTOR OF PUBLIC WORKS:**

- American Transmission Co. donated \$300.00 for the Arbor Day event.
- TIF #6 and #7 working with the cable company to have cable installed in the next 2 weeks. Phone company - their policy has changed that now states the property owners need to request installation.
- Memorial tress have been planted for the season.

- Street Department repaired chain link fence at Morrissey Park and the Optimist are looking to aid the city with updates to the basketball court.
- Reminder it is against city ordinance to blow grass on the street.
- Wastewater Department is working with Worthington Cylinders regarding sampler in manhole.
- Met with engineers regarding DOT road access to TIF #7 properties.
- Working on curb and gutter, pavement for Dairyland Estates, Walnut and Calumet Streets road construction, repairs at the intersection of Calumet Street and River Meadows subdivision.
- Wastewater Permit – data for testing temperature of water, it appears that the DNR are open to some changes.

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

**REPORT OF COMMITTEES:**

Chairman Thornber presented the minutes of the April 11, 2019 Public Works committee meeting.

The committee decided the best approach moving forward with improvements to State Street (Cty. F) was to direct Mayor Jaeckels and DPW Schwarz to meet and negotiate with Calumet County Administrator Romenesko and Highway Commissioner Glaeser and report back to the Public Works committee. Once the City and County agree on a proposal then the City will begin discussions on financing options.

The committee reviewed Austin Management Services Snow Removal Agreement between the City of Chilton and Austin and addressed the problem with snow accumulation that occurred this year in the parking lot located at 35 School Street. Two options were considered either terminate the Agreement or amend to include height restrictions on snow accumulation. The committee recommended the amended agreement be sent to the Austin Management Services to review and sign.

DPW Schwarz informed the committee on costly maintenance issues at the wastewater treatment plant including: rebuilding of the effluent pump, replacement of Hy-Cor equipment which screens out larger solids as they enter the plant, replacement of floats for oxidation ditches and the updating of controllers.

DPW Schwarz informed the committee that when the City of Chilton's corporate boundary was created there was a section of railroad located east of Irish Road not included. Legally that section of railroad lies in the Town of Charlestown. The Council previously approved beginning the process to annex the railroad property to clean up corporate boundaries. Canadian National informed the City that they are not willing to sign a direct annexation petition. Due to this that property will not be annexed into the City of Chilton.

The committee reviewed a request from East Central WI Regional Planning Commission to restrict the use of high polycyclic aromatic hydrocarbons pavement sealants that can cause cancer. The committee determined that if there was a real concern with these sealants the EPA would have done something.

Mayor Jaeckels reported on the annual Intergovernmental Agreement meeting held on April 24, 2019.

The group is looking to renew the current agreement, which expired June 17, 2018.

Moved by Reinl, seconded by Schmitzer to renew the Intergovernmental Agreement for a 5-year term retroactive to June 17, 2018 to June 17, 2023. Motion carried.

Moved by Thornber, seconded by Schmitzer to approve the quotes for CDBG Loan #18-02 to purchase four exterior doors from Drexel for \$2,724.98 and a patio door from Kasper Building Supply for \$2,369.39. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

**COMMUNICATIONS:**

Distributed the monthly building/plumbing report and Chilton Chamber of Commerce April 3, 2019 minutes and annual Memorial Day event outline.

**APPROVE PAYMENT OF BILLS:**

Moved by Thornber, seconded by Reinl to pay the bills. Voucher No. 83618 through Voucher No. 83719 or accounts payable and payrolls totaling \$266,759.82. Roll call vote.

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

Seven votes cast. Six votes aye. (Schmitzer-abstain) Motion carried.

**ADJOURNMENT:**

Moved by Reinl, seconded by Goebel to adjourn at 8:08 p.m. on May 7 2019. Motion carried.

Helen Schmidlkofer  
City Clerk