

Chilton, Wisconsin
November 21, 2017

The regular meeting of the Chilton Common Council held in the council chambers at the Chilton city hall was called to order at 6:30 p.m. with Mayor Rick Jaeckels presiding.

AGENDA POSTING:

On 11/17/17, 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.

ROLL CALL: COMMON COUNCIL:

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

Council Member Greg Kubichka	Council Member Mark Willems
Council Member Clayton Thornber	Council Member Ron Gruett
Council Member Dan Hilton	Council Member Kathy Schmitzer
Council Member Kevin Johnson	Council Member Mike Goebel

Other city officials present were Library Director Glennie Whitcomb, Fire chief Gary Halbach, Police Chief Craig Plehn, Director of Public Works Todd Schwarz, City Attorney Derek McDermott and City Clerk Helen Schmidlkofer.

General attendance:

Library Board President Mary Hoerth, Library Director Assistant I Rebecca Barry, Wayne Hoerth, Faye Burg, Delta Publications, Scott Kwiecinski, Horizon Development Group.

Those in attendance recited the Pledge of Allegiance.

Moved by Hilton, seconded by Schmitzer and carried to approve the minutes of the council meeting held on 11/07/2017.

MAYOR REPORT:

I have been working on many things for the agenda tonight.

CITY CLERK REPORT:

- Reminded the mayor and council members of the April 3, 2018 spring election. First day to circulate nomination papers is December 1, 2017 and file by 5 PM on January 3, 2018. If you do not plan to run for office a notification of non-candidacy should be filed by December 22, 2017.
- Attended a Dept. of Natural Resources Responsible Unit (RU) Recycling workshop on 11/16/2017; RUs that attend and participate in the workshop will not be subject to a one-one-one RU evaluation for 3-years.
- Conducted training for the new tax program for staff.
- Staff has completed the transfer of 521 dogs from the old software system to the new software in preparation for the licensing season that starts next month.
- Working on budget preparations.
- Completed and filed the annual Chilton Lake District financial reports.

MOVED TO UNFINISHED BUSINESS:

Mayor Jaeckels requested Scott Kwiecinski to speak to the council regarding the amendment to the offer to purchase for the future Uptown Commons II project.

Mr. Kwiecinski noted that the bids for the project came in higher than anticipated and to close the financial gap Horizon has applied for additional funding. Horizon filed for a HOME loan and is currently working on an application for additional tax credits to WHEDA. Between the two sources of funding, the project is likely to achieve financial feasibility but it will take time for the applications to be processed and for that reason, construction would start in spring of 2018 instead of fall of 2017. Horizon is requesting an amendment to the offer to purchase from December 1, 2017 to April 2, 2018.

Mayor Jaeckels noted that the proposal to amend the offer to purchase was reviewed last week with Attorney McDermott. McDermott noted no comments at this time.

Moved by Thornber, seconded by Schmitzer to approve the amendment to offer to purchase closing date from December 1, 2017 to April 2, 2018. Motion carried.

Mr. Kwiecinski exited the council chambers at 6:38 PM.

MOVED BACK TO REPORT OF OFFICERS:

DIRECTOR OF PUBLIC WORKS REPORT:

- Street Department has started putting up Christmas decorations and banners. Leak pick-up will be extended if we don't get snow.
- City has completed the application for Tree City USA.
- Working with SIGMA (environmental testing group) and State Economic Development Group regarding the SAG Grant for the properties downtown.
- Well #8 valve project has started and photos of the project were distributed.
- VFD project – cooling fans went out, the contractors are analyzing which one will pay for the failure.
- No responses yet from the EPA or DNR regarding the WW permit regarding the chloride variance.
- No report yet from the DOT regarding the road access for TIF #7 projects.
- The wastewater storage-building project at 635 East Main Street is complete. Photos were distributed for the council members to view the building.

AUDIENCE PARTICIPATION:

No comments were given.

COMMITTEE REPORTS:

Mayor Jaeckels asked council member Schmitzer or other library representatives to comment regarding the November 14, 2017 board meeting.

Schmitzer noted that the library is experiencing major issues with the ceiling and the board is researching options yet. Whitcomb added that the board is reassessing the long term building needs before they move forward.

The October 11, 2017 Housing Authority minutes were reviewed.

MOVED TO UNFINISHED BUSINESS:

DPW Schwarz informed the council that the real estate sale agreement between Daniel and Donna Vogt and the City of Chilton had an amendment in that the City would be responsible for the real estate transfer fees in the amount of \$480.00 regarding the purchase of 225 North Irish Road.

Moved by Willems, seconded by Hilton to approve the revision to the real estate sale agreement that the City would pay the transfer fee regarding the real estate sale agreement between the City and Daniel and Donna Vogt. Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

Greg Kubichka representing the Chilton Lions Club is requesting use of the Hobart Park band shelter for the “Delightfully Chilton” Christmas light event that will be held on Friday and Saturday nights in December.

Moved by Schmitzer, seconded by Goebel to approve the request and allow the Chilton Lions Club to use the Hobart Park band shelter.

Kubichka started to discuss however, Mayor Jaeckels stated it was time for the public hearing and that the council would come back to this topic.

MOVED TO NEW BUSINESS:

Mayor Jaeckels opened the Public Hearing at 6:45 P.M. to solicit comments regarding the proposed 2018 budget. Clerk Schmidlkofer read the notice as required by law. Mayor Jaeckels informed everyone that we would review the budget first and then open it up for public comments.

Clerk Schmidlkofer presented the 2018 City of Chilton budget highlighted first by the City's mission statement. Schmidlkofer then explained the process to prepare the budget, which was different this year by not conducting an executive budget but to involve more time and efforts of the General Government committee and the department heads. The proposed budget of \$2,725,140.00 in expenditures is a .30% increase from the 2017 expenditures, which was \$2,717,103.00. The proposed levy is \$1,233,553.00 compared to \$1,220,252.00 in 2017; this results in a tax rate of \$5.63, ten cents higher than 2017.

In addition, the net new construction for 2018 is 1.09% compared to 1.67% in 2017. Last year \$141,475.00 was used from non-lapsing funds, for 2018 non-lapsing funds of \$443,165.00 were applied. Total revenues have decreased \$5,264.00 resulting in \$1,491,587.00 for 2018 compared to \$1,496,851.00 in 2017.

Schmidlkofer then highlighted the capital projects by Department. The Police Union negotiated a 2% wage increase. City employees other than the library received 2% wage increase. (The library board determines the library employee wages.) 2018 health insurance renewal resulted in 5.5% increase and the City was forced to change to the Wisconsin Physician Service standard plan resulting in a slight decrease in deductible. The anticipated HRA utilization is 40% to 60%; similar to 2017.

Detailed budget reports highlighting revenues and expenditures were reviewed. Schmidlkofer referenced the budget publication, which outlined the various sections of expenditures and revenues as required by law.

Furthermore, Schmidlkofer reminded the council members that the municipal tax rate the council would approve tonight is only one part of the total tax bill. The tax bill includes Fox Valley Technical College, Chilton Lake District, Calumet County and the Chilton School District.

Hearing no comments from the public Mayor Jaeckels closed the public hearing at 7:00 P.M.

Alderman Willems said, "It seems that the Department stayed in line from last year except for the Police Department. Last year when the City hired the 7th officer, it would save the City money but cutting overtime and now for 2018 the overtime hours have remained the same at 250 hours and part-time hours have increased from 1,200 to 1,500. The budget increase is approximately \$60,000.00. What was the General Gov't committee's discussion regarding the increase?"

No comments were given from any of the General Gov't committee members.

Mayor Jaeckels responded by defining the proposed Police Department capital expenditures.

Willems said, "Last year I made the statement that if we are going to hire a 7th officer then we have to make sure we have a way to pay for that person 5 years down the road. I believe your comment to me last year mayor was that you didn't know how we were going to pay for the officer but you were in favor of hiring the officer due to safety. I have nothing against it. Once you hire an officer, you have to try to keep him and not lay him off in a year. I am certainly not saying we lay anyone off. The things I was told last year did not come true this year. Overtime hours remained the same and part-time hours are increasing. I am just interested in what the General Gov't committee discussed when it came to the Police Department budget."

Police Chief Plehn said, "The reason for it is crime is up. Not only in Chilton but also nationally. Violent crime is up. Heroin epidemic is up. Now meth is taking over. The Attorney General of Wisconsin has started a whole meth initiative trying to stop the meth. Part-timers save the city a ton of money in overtime, vacation and sick days. So bottom line part-timers save you a ton of

money. As far as time increasing, I looked at the budget and we have been extremely busy. Crime is up on the rise. I don't see this going down at all. So I could not faithfully budget lower just because that is what I was told to do, when you know you are going to go over. Why even do a budget, it is out of our hands. We are trying to get a hand on it, but it is not only Chilton, it is state wide, nationwide."

Schmitzer then reference a personal incident with a customer at her business.

Plehn noted that he would not have crime numbers until the annual report. Then he referenced two reckless homicides that they are still investigating since joining the Department. Those cases are ongoing.

Willems noted we try to hold the budget in line and last year I was told that with the hiring of the officer, which resulted in \$77,000 increase the Department was going to cut back on overtime, etc. I understand the need for safety but when does it get to a point that crime causes more overtime because that is part of an officers duties. That is why I was interested in what the General Government had to say. Just comparing to other Departments and this is the second year that the Police Department has a substantial increase. The City did not put any money in the budget for State Street.

Schmitzer said, "Later in the meeting we will be talking about funding for State Street. I just have experienced personally an increase in crime in the City of Chilton."

Plehn said, "The Department got on experienced officer coming in at a higher rate of pay, 2% pay increase for the union plus benefits on top of that. There is where your increase is in the budget. My budget is mainly salary and wages."

Thornber said, "You have to remember the Police Department has little percentage wise involving equipment, repairs and supplies. It is predominately wages and you have the guys punch in and get things done. This is different for the water, sewer and street departments."

Mayor Jaeckels echoed Thornber's comments.

Willems agreed the Police are 24/7. I was disappointed that last year we were told overtime would decrease and now a year later it is very different again.

Plehn said if you compare the City's police budget with the surrounding communities, you would find that we are not high. DPW Schwarz added those municipalities have a higher tax rate.

Willems said, "It is not like I am picking on the Police Department. Two years in a row there is a big increase when we are supposed to be guardians of the tax dollar, plus public safety. Just trying to balance where we are at and justify it so I know how to answer questions. At the same time think about the street out there 100 yards to the west, with no money set aside in the budget."

Mayor Jaeckels asked, "Are there any other questions or discussion?"

Moved by Schmitzer, seconded by Hilton to introduce, adopt and waive the second reading of Resolution No. 1755, a resolution to adopt the 2018 municipal budget and direct a levy. Roll call vote.

Gruett – yes Willems – nay Kubichka – yes Thornber – yes

Schmitzer – yes Hilton – yes Johnson – yes Goebel - yes

Eight votes cast. Seven votes aye. (Willems-nay) Motion carried.

MOVED BACK TO UNFINISHED BUSINESS

Mayor Jaeckels stated the council needs to go back to the Chilton Lions Club request to use the band shelter. Kubichka noted that the outlets that the club requested to use from the two city buildings are not on the exterior and are actually inside.

Mayor Jaeckels repeated the motion that was made before the public hearing.

Moved by Schmitzer, seconded by Goebel to approve the request and allow the Chilton Lions Club to use the Hobart Park band shelter. Motion carried.

MOVED BACK TO REPORT OF COMMITTEES:

Chairman Thornber reported on the minutes of the November 15, 2017 Public Works committee meeting.

The committee reviewed a request from Ann Juckem, Manager of Cullen Real Estate for four parking spaces in the city parking lot across from City Hall behind Hilde's Deli and Bakery. The parking spaces would be used by the tenants of the Georgian Square.

DPW Schwarz recommended the four stalls be located in the northwest corner of the City parking lot, which connects from School Street to Main Street, and not in the lot behind Hilde's Deli. DPW Schwarz said he talked to Juckem and she had no problem with this location. DPW Schwarz reminded the committee that there is an agreement with Austin Management Services to pile snow in the corner of the parking lot behind Hilde's Deli.

Motion by Thornber seconded by Gruett to approve the request by Cullen Real Estate for four parking stalls in the city lot, which connects from School Street to Main Street. Motion carried.

Plant Manager of Worthington Cylinders, Gary Mayer inquired if Worthington could assist the City of Chilton with painting of the north water tower. This is informational and we are still acquiring information. Thornber then encouraged the media to write an article to explain that the City would be painting the north water tower and that Worthington has offered to share the cost of the project with the provision that they could have their name or artwork on the water tower. The committee directed DPW Schwarz to give Mayer a copy of the south water tower design with the City logo on it and when Worthington adds their proposed artwork to the design bring it back to the committee for review.

The committee reviewed a problem with residents from outside the City bringing their brush and yard waste into the City. This creates a lot of extra work for the Street Department. New Holstein is having the same problem. We used to have a sign up that said "for City residents only" but the sign got damaged and was never replaced. DPW Schwarz said he would like to put the sign back up and bring the issue to the next Intergovernmental Agreement meeting with the Towns of Charlestown and Chilton and see if the problem could be resolved by having the townships supply a place for their residents to dispose of their yard waste.

Wisconsin Public Service (WPS) is proposing to replace an existing pipeline, which provides natural gas to the communities of Chilton, Kiel, New Holstein and Plymouth. The council reviewed proposed routes; construction is anticipated for 2020 and 2021.

Motion by Thornber, seconded by Gruett to approve the cemetery services contract with Gary's Lawn Service, at the rate of \$15,000.00 from April 1, 2018 to October 31, 2018.

Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

The committee reviewed a request from James Koehler to place a deer stand on the northeast corner of the property owned by the City on Weeks Road in the Town of Charlestown. The committee noted there is nothing in the municipal code or ordinances that restrict hunting on City owned property outside the corporate limits.

Moved by Kubichka, seconded by Johnson to approve the use agreement between the City of Chilton and James Koehler to grant permission to Koehler to utilize property owned by the City in the Town of Charlestown for deer hunting, including installation of a hunting stand. Motion carried.

Mayor Jaeckels reached out to the Mayors of the Cities of Appleton, Brillion, New Holstein and the Village Presidents from Harrison, Sherwood, Potter and Stockbridge to discuss Calumet

County's Cost Sharing Policy Regarding Joint Projects with Municipalities with County Trunks running through municipalities. Jaeckels said he received positive feedback from everyone and set up meetings to further discuss the issue. The reason he set up the first meeting on 5/3/2017 was that the immediate need as far as the County roads going through municipalities was hitting Chilton because of Highway F and Y. The cost for reconstruction of Highway F was estimated at \$1.2 million and the City's share would be \$600,000. The budget for road projects is nowhere close to this amount. Mayor Jaeckels said the City does not agree with this 50/50 Cost Share Policy. Everybody at the meeting said they did not know necessarily of the policy and they certainly did not accept that this was a good policy, including one of the Mayors who also serves as a County Supervisor but was new to the County Board as well.

Throughout three subsequent meetings, Mayor Jaeckels put together the Memorandum and had City Attorney McDermott review and add necessary legal language. Mayor Jaeckels asked the other municipal leaders how they wanted to proceed on the 50/50 Cost Share Policy. The consensus was the County should take care of all costs associated with the re-construction of their roads. At the last meeting held in October the Memorandum was revised to include a Whereas that read Calumet County recently passed a sales tax with an initial premise that the new revenue be used for roads. Mayor Jaeckels said the County Highway Committee is dictating the 50/50 Cost Share Policy, not the County Board.

Jaeckels said if we all collectively ban together maybe we could see some progress on this and push back at the County. Municipal leaders agreed it was now time to proceed with passing a Memorandum of Understanding. Jaeckels noted that when City Councils sign the MOU he will coordinate and get the information to all County supervisors and ask that the policy be reviewed. Mayor Jaeckels said we all pay taxes to the County. At this point, the County is getting \$3,000,000.00 from the sales tax revenue. If you look at the overall County budget, it is \$50,000,000. A three million dollar bump in revenue is 6%. We could do a heck of lot with a 6% bump. The County should fix the roads in the order in which they deem they are necessary to replace. This is the critical factor. I'm okay with the County keeping the sales tax revenue as long as they spend it on roads. The municipal leaders said they need to start out as a collective group, stick together, and be strong. Jaeckels heard from five of the municipal leaders involved in the meetings who have committed to placing the Memorandum of Understanding on an upcoming Board or Council meeting agenda.

Moved by Thornber, seconded by Kubichka to support the Memorandum of Understanding Regarding Calumet County Cost Sharing Policy Regarding Joint Projects with Municipalities. Motion carried.

Mary and Wayne Hoerth exited the council chambers at 7:48 PM.

NEW BUSINESS:

Moved by Johnson, seconded by Goebel to introduce, adopt and waive the reading of Resolution No. 1758, a resolution to subordinate CDBG Loan No. 16-01. Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

Moved by Johnson, seconded by Willems to approve the 2017-2018 snowmobile trails within city limits. Motion carried.

Moved by Thornber, seconded by Hilton to introduce, adopt and waive the reading of Resolution No. 1756, a resolution reaffirming Section 7.02 of the Municipal Code regarding sexual offender residency restriction. Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

Moved by Willems, seconded by Johnson to introduce, adopt and waive the reading of Resolution No. 1757, a resolution designating blighted properties and authorizing the submittal of WI Economic Development Corporation application for site assessment grants. Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

Moved by Hilton, seconded by Kubichka to introduce, adopt and waive the reading of Resolution No. 1759, a resolution declaring official intent to reimburse expenditures from proceeds of borrowing. Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

APPROVE PAYMENT OF BILLS:

Moved by Johnson, seconded by Hilton to pay the bills. Voucher No. 81138 through Voucher No. 81228 or accounts payable and payrolls totaling \$145,897.10. Roll call vote.

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

Eight votes cast. Eight votes aye. Motion carried.

ADJOURNMENT:

Moved by Kubichka, seconded by Johnson to adjourn at 7:54 p.m. on November 21, 2017
Motion carried.

Helen Schmidlkofer, MMC
City Clerk