

Chilton, Wisconsin
September 16, 2014

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 9/12/14, 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 Gerald Vanne and seven members of the Council were present at roll call:

Council Member Linda Bangart	Council Member Richard Bosshardt
Council Member Rick Jaeckels	Council Member Kevin Johnson
Council Member Clayton Thornber	Council Member Ron Gruett
Council member Dan Hilton	

Other city officials present were Director of Public Works Todd Schwarz, City Attorney Derek McDermott and City Clerk Helen Schmidkofer. Absent and excused - Council Member Kathy Schmitzer

General attendance: Amy Vaclavik, Senior Project Engineer McMahon Engineers, Faye Burg, Delta Publications and Andrew Kruse-Ross, Chilton Times Journal.

Those in attendance recited the Pledge of Allegiance.

Mayor Vanne requested permission from the council to move agenda item Unfinished Business before officer's report. Council members agreed.

UNFINISHED BUSINESS:

Amy Vaclavik informed the council that geological investigations were conducted for Well #11 to find the best spot to drill; they found the fractures and the test well was drilled. The intention was once the test well was successful then the permanent well would be drilled in the exact same location. The test well was drilled and it was found that the test well was drilled crooked. What may have happened is that the drilling tools followed a fracture because the fractures are vertical. Once we started drilling, it followed the fracture and even though it is crooked that may have been that lead to water. There could be a potential that if the well was drilled straight that we would not have found the same amount of water. We realized that before we started drilling the production well. It is very difficult once the well has been drilled crooked to drill the well straight in the same spot. Even if it was drilled straight then you might not have the water. It was determined that we would still proceed with that site. We met with the well driller and he assured us that he would drill in that site and install a submersible pump. (This type of pump is slimmer.) The drilling of the well does not meet code and the DNR will allow the City to maintain the well however, they require the city council to formally accept the well and sign a letter to submit to the WI Department of Natural Resources.

Moved by Thornber, seconded by Hilton to accept the vertical variance for municipal well #11 and provide a letter of acceptance to the WI Department of Natural Resources as defined in Wisconsin Administrative Code NR 811.12(15) (b). Motion carried.

MOVED TO NEW BUSINESS:

Review proposed revisions to Municipal Code Chapter 16.17 (4) Wellhead Protection and set a public hearing date and time. DPW Schwarz noted the regulations for municipal wells have changed and the City is required to hold a public hearing on those proposed changes. Vaclavik was provided a copy of the proposed revisions and has submitted them to the DNR for review before a public hearing is held. Wellhead protection plans need to include setback changes.

Moved by Jaeckels, seconded by Thornber to set a public hearing for October 21, 2014 at

6:45 PM to review changes to Municipal Code Chapter 16 regarding wellhead protection. Motion carried.

MOVED TO APPROVE MINUTES: Moved by Hilton, seconded by Bosshardt and carried to approve the minutes of the council meeting held on 8/19/2014.

REPORT OF OFFICERS:

MAYOR REPORT:

- ↻ Met with Ad-hoc committee for Union negotiations
- ↻ Acquired committee member for Police Chief ad-hoc committee; Assistant Chief in the Sheboygan Falls Police Department

CITY CLERK REPORT:

- ↻ City will host an election school on October 7th in preparation of the November 4th election
- ↻ The Governmental Accountability Board has announced that photo ID will be required for the Nov. 4th election however the procedures to implement this have not been outlined at this time
- ↻ For the 2015 tax season the City will use a new web based program for collection
- ↻ The City of Chilton will file an application for a Recycling Consolidation Grant along with the other municipalities within Calumet County
- ↻ Recreation Department:
 - 9/13 flag football program started
 - Program Director for Basketball – Rick Mueller

2015 Season:

- Chiton Youth Football group has agreed to take over the flag football
- Chilton Athletic Club has agreed to take over the baseball & softball
- ↻ Attorney McDermott provided a legal opinion regarding RFP, quote or bid. Some questions have come up in the past how we use the concept for request for proposal, quotes or bids. Generically they could refer to the same thing but typically, we try to use the word BID to utilize only when the BID law applies which is public construction. Therefore, we would use BID when working with street, sewer, water or buildings. There is not much difference between requests for proposal (RFP) or quotes. Typically, we would use the concept for a quote for a single item. An RFP typically involves a more complex set of variables or services. This would allow the City to compare apples to apples.

APPROVE FINANCIAL REPORT:

Moved by Hilton, seconded by Bosshardt and carried to approve the September 1, 2014 financial report.

APPROVE OPERATOR LICENSES:

Moved by Hilton, seconded by Bangart to approve the two-year license applications to serve fermented malt beverages and intoxicating liquors from September 16, 2014 to June 30, 2016 for Virginia M. Best and Jacqueline N. Johnston. Motion carried. Clerk Schmidlkofer noted the Chilton Police Department has approved the applicants.

DIRECTOR OF PUBLIC WORKS REPORT:

- ↻ Hwy 151 (Main Street) roadway panel replacement and grinding, stripping all completed. Budgeted amount for this project was \$110,000; BID came in at \$150,133 and to meet the budgeted amount a change order to delete pavement dowel bars, retrofit tie bars -\$39,600.00 resulting in a total project cost of \$110,533.00
- ↻ Washington Street and Douglas Street – asphalt work completed and Brooklyn alley work will be completed tomorrow
- ↻ Chestnut Street project – relocation order required, will be presented in resolution format later on this evening
- ↻ Well #11 – pre-construction meeting was held for transmission and pumphouse projects; the Town of Charlestown was invited due to the fact the well is being developed in their township; wanted to keep them informed of what was going on

Minutes of Council Meeting 9/16/14

- ↪ Optimist River walk lights – damage to several lights, repairs to damage has been completed. Police Dept. has been notified regarding the recent incidents.
- ↪ The DNR responded to the annual compliance maintenance report provided by the City of Chilton Wastewater Treatment Facility, which indicated that the City is being proactive by informing residents of appropriate and inappropriate sanitary sewer wastes. In addition, the City started looking for phosphorus removal options and continues to identify and reduce infiltration sources. “Good Job”
- ↪ Morrissey Park double tennis courts – Department completed repairs to the fence and wall which included painting of the retaining wall
- ↪ Madison Street lights – Brantmeier has completed the changes to the street lights
- ↪ Emerald Ash Borer – The DNR has quarantined Calumet County; the infestation was found in the Village of Sherwood. This prohibits ash products from being moved to areas that are not quarantined. More information will be coming.
- ↪ Notice was received that Street Department Leadman M. Kasper will be retiring December 3, 2014 after working for the City of Chilton for 34 years.
- ↪ Council member Jaeckels inquired if maintenance is required on the retaining wall by the bridge off Park Street. DPW Schwarz noted the wall is very stable; spaulding may occur but that is about it.

AUDIENCE PARTICIPATION:

The audience did not provide any comments at this time.

NEW BUSINESS:

Moved by Johnson, seconded by Thornber to introduce, adopt and waive the second reading of Resolution No. 1680, a resolution to subordinate CDBG Loan No. 09-05. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Johnson, seconded by Bosshardt to approve the mayoral re-appointment of Dexter Sattler to the Redevelopment Authority for a 5-year term. Motion carried.

Moved by Gruett, seconded by Bosshardt to introduce, adopt and waive the second reading of Resolution No. 1676, a resolution to authorize the combining of wards for vote tabulation purposes. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Bosshardt, seconded by Johnson to introduce, adopt and waive the second reading of Resolution No. 1677, a resolution to designate officials registering voters for city election. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

Moved by Jaeckels, seconded by Thornber to introduce, adopt and waive the second reading of Resolution No. 1678, a resolution to approve a water rate increase of 3% effective December 15, 2014.

Alderman Johnson indicated that he was pleased that the City did consult with P. Denis of Schenck; the review-included rate of return and development of Well #11 pump house and transmission main estimated at \$1.2 million. Mayor Vanne called for a roll call vote.

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

Seven votes cast. Six votes aye. One vote nay. Motion carried.

Moved by Hilton, seconded by Jaeckels to introduce, adopt and waive the second reading of Resolution No. 1679, a resolution to layout relocation and improvement of East

Minutes of Council Meeting 9/16/14

Chestnut Street (U.S. H. 151) (S. Madison Street to Elm Street) for WI DOT Project I. D. No. 4100-31-21. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

REPORT OF COMMITTEES:

Mayor Vanne indicated that the August 4, 2014 Library Board minutes were in the council packets to review.

Chairman Hilton presented the Culture and Recreation Committee minutes from the August 26, 2014 meeting.

Terry Criter, Chilton AC President, was unable to attend the meeting however submitted an annual written report that highlighted the club's 2014 programs and future improvements to the park.

Mike Kasper, AC member presented a request to the committee for the Chilton Athletic Club to make the following improvements to Nennig Park at an estimated cost of \$10,000.00:

- Cement areas for team benches (dug outs)
- Cement area for bleachers on Diamond C and D
- Cement slab for new storage shed; 20 X 40 located north of current concession stand between diamond B and D

The Club would like to start on these projects this fall. Schmidlkofer noted according to the agreement between the Club and the City any improvements to the park over \$1,000.00 requires approval prior to completing.

Eagle Scout member L. Petersen has completed the three ticket booths for the American Legion to use when selling tickets for the Chilton School District football games at Morrissey Park.

DPW Schwarz informed the council the double tennis court project will start this fall with preparations to the surface by Valley Sealcoat and then complete the project in 2015. The Street Dept. has completed repairs to the retaining wall and fence to include painting of the retaining wall. Chairman Hilton stated the City is seeking community members or groups to assist with creating a mural in this area.

The committee did review the proposed development of a basketball court where the single tennis court is currently located. Schwarz indicated that to convert the tennis court into a basketball court it would not be as costly as updating the tennis courts. The City did meet with the Morrissey Park Project group to ascertain that the group does not have any plans to establish and maintain a basketball court where the single tennis court is currently located. The committee determined that this project would be included in the 2015 budget.

Luchterhand Builders will start repairs to the gable and eave ends on the existing band shelter at Hobart Park. Additional work will be required next year to the shelter, which is approximately 300 feet of siding at a cost of \$5.00 to \$6.00 per foot.

The committee was provided an overview of the recreation program changes. The Towns of Chilton and Charlestown were sent a letter regarding this information due to the fact both townships provide \$2,000.00 support for the recreation programs on an annual basis since 2002. Recreation Department participants from the Town of Chilton and Charlestown were then assessed the same rate for registration fees as city residents.

Schmidlkofer said in 2001 a brainstorming sessions was held with the surrounding municipalities, Chilton School District, clubs and organizations to review the recreation program. The result was that the school district would no longer invoice the City for using the district facilities and townships that would pay an annual fee of \$2,000.00 for

Minutes of Council Meeting 9/16/14

recreation programs the residents in those townships would be assessed the same registration fees as city residents. Statistics from 2013 indicated 690 participants for the Recreation Programs, of those 89 were Town of Charlestown residents and 103 were Town of Chiton residents. In 2013, 180 participated in volleyball and basketball of which 22 were Town of Charlestown residents and 34 were Town of Chiton residents.

The committee agreed that an annual payment for the recreation programs from the townships would not be required based upon the following facts:

- 1) Recreation programs that the City of Chiton will offer has decreased from five to two (basketball and volleyball)
- 2) If a program director is not available, the program will not be offered
- 3) The City does not wish to refund townships if programs are not offered

Moved by Hilton, seconded by Bangart to not accept an annual fee of \$2,000.00 for recreation programs from the Towns of Charlestown and Chilton and residents in those townships would be assessed a non-resident fee. Only the City of Chilton residents will be assessed a lower fee for participation. Motion carried.

Chairman Johnson presented the Public Works committee minutes from the August 19, 2014 meeting.

R. Rautmann, on behalf of the School District of Chilton, requested permission to have three, 3' X 3' aluminum signs placed on the three City of Chilton Welcome signs. The signs recognize "Best Communities for Music Education 2014". DPW Schwarz informed the committee that the council approved a sign policy in 2011 and this request does meet the criteria of the policy.

Moved by Johnson, seconded by Gruett to grant the request from the School District of Chilton to purchase and turn over to the City three (3' X 3') aluminum signs to be placed on the three City of Chilton Welcome Signs recognizing "Best Communities For Music Education 2014". The signs may remain up for ten years per City policy. Motion carried.

In addition, the committee reviewed the sign policy that states that recognition signs shall be rotated on a ten-year cycle. There are two signs currently on the Welcome signs recognizing Football Hall of Famer Dave Casper and Pro Fisherman Gary Parsons, which were erected *prior* to the sign policy going into effect. These signs are grandfathered and permitted to stay up ten years from the date the sign policy was approved.

DPW Schwarz informed the council every five years the wastewater plant is required to renew the Wisconsin Pollution Discharge Elimination System (WPDES) permit. The application process is very technical. Since Strand is familiar with the wastewater plant and up-to-date on all DNR regulations pertaining to phosphorus limits and temperature concerns DPW Schwarz recommended that the City contract with Strand for assistance in completion of the application.

Moved by Johnson, seconded by Thornber to accept the proposal from Strand not to exceed \$11,700.00 for engineering services to assist with the completion of the application for the reissuance of the Wisconsin Pollution Discharge Elimination System (WPDES) permit for the Chilton Wastewater Treatment facility. Roll call vote.

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

Seven votes cast. Seven votes aye. Motion carried.

The committee then reviewed the contract with Wisconsin Public Service Corporation for the installation of electrical facilities at Well #11.

The committee reviewed the Department of Public Works Snow and Ice Control Policy and updated the equipment to include John Deere backhoe information. DPW Schwarz said the City operates with a four person Street Department crew; however, the policy is

based on a four or five person group.

DPW Schwarz reported that numerous equipment is still being used that has far surpassed the Department of Transportation's estimated life schedule as outlined on the equipment replacement schedule. The City doubles the estimated life schedule based on the number estimated by the D.O.T. With less money available each year the City tries to stretch out the life of every piece of equipment. DPW Schwarz prioritized the equipment that was getting old and was in need of replacement:

1. 2001 International 10 yard Truck
2. 1993 Jetter Vacuum Truck
3. 1982 Snow Blower
4. 1990 Elgin Sweeper
5. 1990 Wood Chipper

The committee discussed the following:

- ✓ Replacement of the 2001 International 10 yard truck for the 2015 budget
- ✓ New 10-yard truck, estimated to cost \$170,000
- ✓ Repair or replace the Jetter vacuum truck; the Jetter is used for multiple tasks including sewer cleaning and hydro suction prior to digging. The purchase of a Jetter would not be a budgeted item but would be taken from the Equipment Replacement Fund
- ✓ Suggested that the City include information regarding hours and miles to the Equipment Replacement Schedule report.

DPW Schwarz reviewed the proposed street maintenance projects for the 2015 budget and then the committee reviewed their goals.

Mayor Vanne reported on the minutes from the September 10, 2014 Redevelopment Authority meeting.

Randy and Connie Koehler presented information regarding a zoning request however; an application has not been submitted. The RDA recommended that the Koehler complete an application and follow the proper procedure.

An extensive discussion took place among the RDA members and the property owners of 107 and 111 West Main Street, which resulted in review by the city attorney before the public nuisance proceeds further.

The RDA authorized the city staff to prepare information to review the Uptown and Downtown RDA areas, plans and central business district loans for possible revisions.

Mayor Vanne reported on the September 2, 2014 Department of Public Works Union negotiation meeting which resulted in the City honoring the Union's request to honor the CPI-U wage increase of 1.57% effective January 1, 2015.

COMMUNICATION: Distributed monthly building/plumbing report and a news article regarding several businesses within the City.

APPROVE PAYMENT OF BILLS:

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

Gruett – yes Bangart – yes Bosshardt – yes Thornber – yes
 Jaeckels – yes Schmitzer – absent Hilton – yes Johnson - yes
 Seven votes cast. Seven votes aye. Motion carried. Voucher No. 75765 through Voucher No. 75900 or accounts payable and payrolls totaling \$642,536.98.

ADJOURNMENT:

Moved by Gruett, seconded by Hilton and carried to adjourn at 7:33 p.m. on September 16, 2014.

Helen Schmidlkofer, MMC
 City Clerk