

(Approved)

**REGULAR CITY COUNCIL  
MEETING  
Minutes**

**October 26, 2015**

**Brillion Community Center**

**6:30 PM**

**CALL TO ORDER:**

Mayor Gary Deiter called the meeting to order at 6:42 PM with the Pledge of Allegiance recited by those in attendance.

**ROLL CALL:**

Present were Mayor Gary Deiter, Alderpersons Robert Brick, Mel Edinger, Crystal Fhlug, Betty Nies, Larry Van Frachen, and Carrie Wenzel. Also present were City Administrator/Clerk-Treasurer Lori Gosz, Deputy Clerk/Treasurer Joy Buboltz, Police Chief JoAnn Mignon, Community Development Director Cheryl Welch, Park & Recreation Director Ann Marx, City Librarian Chris Moede, and Fire Chief Rich Janke. Absent was Alderperson Wally Sonnabend.

**APPROVAL OF THE AGENDA:**

**Motion** –Edinger moved to approve the agenda as printed and circulated. Seconded by Van Frachen. Call vote taken. Motion carried unanimously.

**APPROVAL OF MINUTES – SEPTEMBER 28, 2015 REGULAR CITY COUNCIL MEETING:**

**Motion** – Van Frachen moved to approve the minutes of the September 28, 2015 Regular City Council Meeting. Seconded by Nies. Call vote taken. Motion carried unanimously.

**PUBLIC APPEARANCES:**

**A. Citizen Input:**

None.

**B. Guests:**

Amy Vaclavik from McMahon, Matt Vechart and Larry Dietz from Professional Plating, Mike Wittmann, and Louis Herro.

**CONSENT AGENDA:**

**A. Acceptance of Minutes:**

Brillion Library Board Meeting of 9/16/2015, Park & Recreation Commission meeting of 10/1/2015, Plan Commission meeting of 10/5/15, Board of Appeals meeting of 10/5/2015, Committee of the Whole Meeting of 10/12/2015, Redevelopment Authority Commission meeting of 10/15/2015, and the Water and Sewer Utility Commission Meeting of 10/19/2015.

**B. Approval of Vouchers:**

- 1. General Fund: \$86,787.43:**
- 2. Reserves =\$143,306.84:**
- 3. Contingency = \$2,852.48:**
- 4. TIF Expenditures=\$356.00:**

**C. Approval of Payroll:**

**D. Approval of License Applications:**

- 1. Operator Licenses – New: Charles I. Pikalek, Betty Anne Kussow, Theresa Schuh, Erin Konrad, Peter A. Larson:**
- 2. Operator Licenses - Renewal: Russ J. Calaway, Dennis J. Miller, Scott Eickert:**

(Approved)

**3. Class “A” Liquor License (Cider Only) – Condon Oil Company:**

**Motion** – Wenzel moved to collectively approve the Consent Agenda with the Acceptance of Minutes, Approval of Accounts Payable and Financial Reports, the Approval of Payroll, and the Approval of License Applications as approved at the October 26, 2015 Committee of the Whole Meeting. Seconded by Van Frachen. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**E. Approval of Appointments:**

**1. Cemetery Commission – Joan Pagel Holzschuh:**

**2. Plan Commission – Lonnie Puskala:**

**3. Brillion Housing Authority:**

**Motion** – Edinger moved to confirm Mayor Deiter’s appointment of Joan Pagel Holzschuh to the Cemetery Commission and Lonnie Puskala to the Plan Commission. Seconded by Nies. Call vote taken. Motion carried unanimously.

**6:45 PM – PUBLIC HEARING – ORDINANCE – REZONING REQUEST – 212 & 204 W. NATIONAL AVENUE:**

Mayor Deiter opened the Public Hearing at 6:45 PM and asked for testimony for or against the proposed rezoning. Louis Herro stated he is the owner of the property at 204 W. National Avenue and is in favor of these two (2) properties rezoned. He would like to build a duplex on 204 W. National Avenue. He explained the proposed zoning would fit in that area of the City since there are already duplexes and apartment buildings in that area.

Herro explained his proposed duplex would be approximately 1,600 sq. ft. on each side with a two (2) car garage on each side.

Mayor Deiter asked two (2) more times for testimony for or against the proposed ordinance. No testimony given. Mayor Deiter closed the Public Hearing at 6:48 PM.

**DEPARTMENT HEAD REPORTS:**

**A. Police Department:**

Mignon submitted a written report and reported on the following:

- The Department of Justice conducted an on-site inspection of the Police Department. The Police Department passed the inspection.
- There have been several parking issue complaints. She is currently working with the City Attorney on the City’s current ordinance, which may need to be changed.

**6:50 PM – PUBLIC HEARING – ORDINANCE – CLEAR WATER SEPARATION INSPECTION:**

Mayor Deiter opened the Public Hearing at 6:50 PM and asked three (3) times for testimony for or against the proposed rezoning. No testimony given. Mayor Deiter closed the Public Hearing at 6:51 PM.

**B. Park & Recreation:**

Recreation Director Ann Marx submitted a written report and reported on the following:

- The Brillion Community Center received a \$1,000 donation from the Brillion Athletic Association towards the baseball program and a \$100 donation for the lights at Peters Park.
- The Brillion Community Center will be holding a free open swim on October 31<sup>st</sup> from 11:00 AM until 1:00 PM.

**C. Library:**

Librarian Moede submitted a written report and reported on the following:

- The Library received \$1,500 from CACHF grant for health materials at the Library.

(Approved)

- The Library submitted a picture of the Library and will be the featured Library in an August 2016 calendar.

**D. Community Development:**

Community Development Director Welch submitted a written report and reported that the Brillion Nature Center informed her that they had 1,025 people attended their Pumpkin Walk for Fall Fest.

Fall Fest was a success.

**E. Fire Department:**

Fire Chief submitted a written report.

**COMMITTEE REPORTS:**

**A. Plan Commission:**

**1. TIF #4 Proposal – Professional Plating, Inc.:**

**2. Agreement to Provide Tax Incremental Financing Services – Ehlers & Associates, Inc.:**

Larry Dietz, Professional Plating, presented to the City Council renderings of the proposed expansion at Professional Plating. Dietz explained the proposal and the expansion to the existing building. Approximately 57,000 sq. ft. will be added.

Dietz explained the 711 Northway Drive building, owned by Bob & Pat Endries, will be moved to the east side of Northway Drive.

Dietz explained this proposed expansion will be done in phases. It is being proposed to move the water detention structure from its present site to the east end of Northway Drive. Professional Plating has already received DNR approval to move this detention structure.

**6:55 PM – PUBLIC HEARING – ORDINANCE – REGULATION OF FIREARMS, EXPLOSIVES, AND OTHER MISSILES:**

Mayor Deiter opened the Public Hearing at 6:55 PM and asked three (3) times for testimony for or against the proposed rezoning. No testimony given. Mayor Deiter closed the Public Hearing at 6:56 PM.

**A. Plan Commission (Cont.):**

Dietz presented and explained the third phase of the expansion would be office space.

Matt Vechart, Professional Plating, stated in 2009 the City entered into a public and private partnership for the expansion projects at Professional Plating and Endries International. Now we are looking at another expansion at Professional Plating in 2015. He explained the manufacturing expansion phase is the most important phase of this expansion.

Vechart explained they looked at how TIF could be utilized to assist with all three (3) phases of their expansion.

**7:00 PM – PUBLIC HEARING – ORDINANCE – FIRE CHIEF APPOINTMENT:**

Mayor Deiter opened the Public Hearing at 7:00 PM and asked three (3) times for testimony for or against the proposed rezoning. No testimony given. Mayor Deiter closed the Public Hearing at 7:01 PM.

**A. Plan Commission (Cont.):**

Vechart explained an option available with TIF is the PAYGo, Pay As You Go, program. This option has a very little to zero risk to the City. Since the City can only afford \$600,000 in developer's incentive for the Professional Plating project without amending the project plan and since Professional Plating is looking for \$1,000,000 in assistance the PAYGo option has been suggested. In order to offer the full \$1,000,000 requested the City would need to amend the project plan which includes review by the Joint Review Board.

(Approved)

**7:05 PM – PUBLIC HEARING – ORDINANCE – RATES FOR PERPETURAL CARE AND LOT COSTS:**

Mayor Deiter opened the Public Hearing at 7:05 PM and asked three (3) times for testimony for or against the proposed rezoning. No testimony given. Mayor Deiter closed the Public Hearing at 7:06 PM.

**A. Plan Commission (Cont.):**

Vechart explained the financing is hoped to be done in two (2) phases. The first phase would be to proceed with the approval of the \$600,000 developer's incentive through a PAYGo agreement with the intent to increase the total project costs of the TIF by amending the TIF project plan for the remaining \$400,000. This would allow Professional Plating to get started with some of the expansion work, but not to proceed with the entire project pending the final approval of the project plan amendment.

Gosz stated the City would enter into an agreement with Ehlers & Associates, Inc. for the tax incremental financing services for the project plan amendment of TID #4 and would use bond counsel, Quarles & Brady, for the drafting of the developer's agreement. These costs will be invoiced by the City to the developer for payment. These costs will then be given back to the developer as part of the incentive grant payment once the development is complete. She stated she feels this is the right thing to do for this development.

Edinger asked if there will be any costs to the City. Gosz stated yes, administrative fees, but those costs would be "wrapped" up in the developer's agreement. Vechart stated that Professional Plating would take care of the upfront costs. Dietz stated with this expansion Professional Plating would be able to bring plating jobs back to Brillion, which are being currently done elsewhere. Estimated jobs created are at 20 to 30 full time positions.

Wenzel questioned the timeline of when projects in the TIF would be done in order to protect the developer and the City. Gosz stated there is six (6) years. The City has a five (5) year limit of closing the TIF on expenditures. Wenzel asked if issues arise would the City be liable for that \$400,000. Gosz stated that Professional Plating would only receive increment from the TIF and would only get paid what revenue is generated.

**Motion** – Nies moved to approve the request for \$1,000,000 in developer's incentive grant and to proceed with the PAYGo approach agreement, with \$600,000 developer's incentive grant from the current Tax Incremental District #4 project plan, and to proceed with the project plan amendment process for Tax Incremental District #4 to increase the total project costs for the remaining \$400,000. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**Motion** – Edinger moved to approve the Agreement between the City of Brillion and Ehlers & Associates, Inc. to provide tax incremental financing services for the project plan amendment of Tax Incremental District #4, with the Plan Commission to hold a Public Hearing on November 23, 2015 at 5:30 PM on the project plan and approval of district amendment. Seconded by Van Frachen. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**B. Park & Recreation:**

**1. Committee Report:**

No report.

**C. Library Board:**

**1. Committee Report:**

No report.

**D. Utility Commission:**

**1. Agreement for Professional Services – McMahon – 2016 I/I Reduction Project:**

(Approved)

**2. Agreement for Professional Services – McMahon – Cleveland and Monroe Street Reconstruction & I/I Reduction:**

Amy Vaclavik, McMahon, explained the proposed 2016 I/I Reduction Project & the Cleveland and Monroe Street Reconstruction & I/I Reduction Project is similar to the 2015 Projects. McMahon would divide the projects into two (2) for separate bidding on each project. The work on the 2016 Projects would be similar to the 2015 Project.

Vaclavik stated a Public Information Meeting on the 2016 Projects is scheduled for Monday, November 19<sup>th</sup> at 6:00 PM at the Brillion Community Center for the affected property owners.

Vaclavik stated the engineering fee for the Cleveland and Monroe Street Reconstruction & I/I Reduction Project is \$60,850 and the engineering fee for the 2016 I/I Reduction Project is \$41,850.

Edinger questioned the lateral work proposed for S. Main Street. Vaclavik stated there will be challenges with those laterals since Main Street is concrete. Vaclavik stated different options will be looked at for those laterals and explained those options.

Vaclavik stated the Utility Commission reviewed these Agreements and is recommending to City Council to approve these agreements.

**Motion** – Edinger moved to approve the Agreement for Professional Services with McMahon for the 2016 I/I Reduction Project. Seconded by Van Frachen. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**Motion** – Van Frachen moved to approve the Agreement for Professional Services with McMahon for the Cleveland and Monroe Street Reconstruction and I/I Reduction Project. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**E. Redevelopment Authority Commission:**

**1. Commission Report:**

Edinger reported a meeting will be held with the Plan Commission on Monday, November 2<sup>nd</sup> to starting the planning process for the Downtown District. The meeting will start at 6:00 PM.

**F. Committee of the Whole:**

**1. 2016 Ambulance Agreement with Gold Cross Ambulance:**

**Motion** – Edinger moved to approve the 2016 Ambulance Agreement with Gold Cross Ambulance. Seconded by Van Frachen. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**2. 2016 Ambulance Agreement Between the City of Brillion and the Town of Brillion:**

**Motion** – Nies moved to approve the 2016 Ambulance Agreement between the City of Brillion and the Town of Brillion. Seconded by Brick. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**3. 2016 Agreement for Special Law Enforcement – Village of Reedsville:**

**Motion** – Van Frachen moved to approve the 2016 Agreement for Special Law Enforcement with the Village of Reedsville. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**4. 2016 Wage/Salary Schedules:**

**Motion** – Wenzel moved to approve the 2016 Wage/Salary Schedules as presented with a 2% cost of living increase and disparity increase for the Police Chief and the Police Lieutenant. Seconded by Brick. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**5. Brillion Housing Authority for Garrow Villa:**

No action.

(Approved)

**6. 2016 Budget – Set Public Hearing Date:**

**Motion** – Wenzel moved to set a Public Hearing date of Monday, November 23, 2015 at 6:45 PM to hear testimony for or against the 2016 City Budget. Seconded by Nies. Call vote taken. Motion carried unanimously.

**7. Fire Department Equipment Replacement:**

**Motion** – Edinger moved to approve to proceed with the purchase of a tender from Rosenbaur. Seconded by Wenzel. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**8. Advanced Disposal Services – Solid Waste and Recycling Agreement Amendment:**

**Motion** – Van Frachen moved approve the Solid Waste and Recycling Agreement Amendment with Advanced Disposal Service with the change of a maximum of two (2) garbage barrels and two (2) recycling barrels per unit. Seconded by Brick. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**9. Safe Routes to School Project Contract:**

No action to be taken.

**G. Cemetery Commission:**

**1. Commission Report:**

No report.

**H. Tourism Committee:**

**1. Committee Report:**

No report.

**OLD BUSINESS:**

**A. Ordinance – Rezoning Request 212 & 204 W. National Avenue:**

**Motion** – Edinger moved to adopt Ordinance #OR15-05 amending the Zoning Ordinance of the City of Brillion for 212 & 204 W. National Avenue. Seconded by Van Frachen. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**B. Ordinance – Clear Water Separation Inspection:**

**Motion** – Wenzel moved to adopt Ordinance #OR15-06 as it relates to clear water separation requirements and inspections of properties in the City of Brillion. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**C. Ordinance – Regulation of Firearms, Explosives, and Other Missiles:**

**Motion** – Van Frachen moved to adopt Ordinance #OR15-07 as it relates to the regulation of firearms, explosives, and other missiles in the City of Brillion. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**D. Ordinance – Fire Chief Appointment:**

**Motion** – Edinger moved to adopt Ordinance #OR15-08 as it relates to the appointment of a Fire Chief in the City of Brillion. Seconded by Nies. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**E. Ordinance – Rates for Perpetual Care and Lots Costs:**

**Motion** – Brick moved to adopt Ordinance #OR15-09 as it relates to rates and perpetual care and lot costs for the City of Brillion cemeteries. Seconded by Wenzel. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**NEW BUSINESS:**

(Approved)

**A. Resolution – Wisconsin Public Employer’s Group Health Insurance Program – Existing Employer Option Selection:**

**Motion** - Wenzel moved to adopt Resolution #OR15-17 as it relates to Wisconsin Public Employers’ Group Health Insurance Program Existing Employer Option Selection for the City of Brillion. Seconded by Van Frachen. Roll call vote taken. 6 votes cast. Motion carried unanimously.

**COMMUNICATIONS – CITY ADMINISTRATOR/CLERK-TREASURER’S OFFICE:**

Gosz submitted a written report and reported on the following:

- Patch work on the City streets will be done on Tuesday, October 27<sup>th</sup>.
- She and Mayor Deiter will be attending the League Conference on Thursday, October 29th.

**MAYOR’S REPORT:**

Mayor Deiter stated he is continuing to work on the Tesch Street bridge.

Edinger questioned the status of Well #3. Vaclavik explained that a temporary pump has been installed in Well #3. Electrical testing was done and she is waiting to hear the results from that testing. She also reported that she has not received the test results from the materials of the pipe.

**PRESS TIME:**

No questions.

**ADJOURNMENT:**

**Motion** – Nies moved to adjourn the meeting. Seconded by Fhlug. Call vote taken. Motion carried unanimously. The meeting was adjourned at 7:41 PM.

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Gary Deiter, Mayor

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Joy L. Buboltz, Deputy Clerk-Treasurer