

(Approved)

**REGULAR CITY COUNCIL
MEETING
Minutes**

June 23, 2014

Brillion Community Center

7:00 PM

CALL TO ORDER:

Mayor Gary Deiter called the meeting to order at 7:06 PM with the Pledge of Allegiance recited by those in attendance.

ROLL CALL:

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

APPROVAL OF THE AGENDA:

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

APPROVAL OF MINUTES –MAY 27, 2014 REGULAR CITY COUNCIL MEETING AND THE JUNE 9, 2014 SPECIAL JOINT CITY COUNCIL/UTILITY COMMISSION MEETING:

Motion – Sonnabend moved to collectively approve the minutes of the May 27, 2014 Regular City Council meeting and the June 9, 2014 Special Joint City Council/Utility Commission meeting minutes as printed. Seconded by Edinger. Call vote taken. Motion carried unanimously.

PUBLIC APPEARANCES:

A. Citizen Input:

None.

B. Guests:

Andy Pantzlaff from The Brillion News.

CONSENT AGENDA:

A. Acceptance of Minutes:

Plan Commission meeting of 6/2/2014, Park & Recreation meeting of 6/5/14, and Water & Sewer Utility Commission meeting of 6/16/2014.

B. Approval of Vouchers:

- 1. General Fund: \$109,614.72:**
- 2. Reserves =\$85,179.47:**
- 3. Contingency = \$89,390.00:**
- 4. TIF Expenditures=\$0.00:**

C. Approval of Payroll:

D. Approval of License Applications:

- 1. Operator Licenses: New – Jodi Zahn:**
- 2. Operator Licenses: Renewal –Cathy R. Held, Terence C. Kabat, Anne M. Meyer, Amanda Boldt, Sara Brault, Steve Brault, Janet M. Fontaine, Jeannette Brochtrup, Andrea Chupita, Nichole Cohen, Nathan Aplin, Joy Kocian, Jean R. Klug, Elizabeth Marie Labitzky:**

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3. **Class A Beer & Liquor License: Renewal – Condon Oil Company for Brillion Mobile Mart, Weber Family Station, LLC for Weber’s of Brillion, Dolgencorp, LLC for Dollar General store #10945, T & C Markets, Inc. for Tadych’s Econo Foods, Salon 3 Sixty, LLP for Salon 3 Sixty, LLP, Shopko Stores Operating Co. Inc. for Shopko Hometown #608.**
4. **Class B Beer & Liquor License: Renewal – Braun’s Deer Run, LLC for Deer Run Golf Course, L.I.T. LLC for The Knotty Bar & Grill, Connie Michiels for Shakers, Cobblestone Creek Dining & Banquet for Cobblestone Creek Dining & Banquet, Michael H. Schwartz for Bullwinkles Pub, Scott R. Giese for The Real Giese’s, M & J Schwartz Enterprises LLC for Mike & Jo’s Bowlwinkles Bar & Grill, Randy’s Pasty Factory LLC for Randy’s Central.**
5. **Class A Beer License: Renewal – Kwik Trip, Inc. for Kwik Trip #807**
6. **Class B Beer and Class C Wine License: Renewal – Brillion Hotel Group, LLC for Cobblestone Inn & Suites**
7. **Class B Beer & Liquor License: New – BAKKHEIA, LLC for BAKKHEIA:**

Motion – Edinger 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 June 23, 2014 Committee of the Whole Meeting. Seconded by Brick. Roll call vote taken. 6 votes cast. Motion carried unanimously.

E. Approval of Appointments:

None.

DEPARTMENT HEAD REPORTS:

A. Police Department:

No report.

B. Park & Recreation:

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

- There is a small area of asbestos that needed to be removed before ACC could install the small boiler. The heat boilers also needed to be tested for asbestos. She is waiting to hear back on those results. She is also waiting to hear back from the City’s insurance company regarding the settlement of the claim submitted on the pool.
- Painting in the lobby area was recently done.

Edinger asked if repairs have been made to the pool. Marx stated yes, she is just waiting for the larger pool boiler to be installed.

7:10 PM – PUBLIC HEARING – ORDINANCES – SEWER UTILITY PROHIBITED DISCHARGES AND SEWER UTILITY INDUSTRIAL DISCHARGES:

Mayor Deiter opened the Public Hearing at 7:12 PM and asked three times for testimony for or against the proposed ordinances. No testimony given. Mayor Deiter closed the Public Hearing at 7:13 PM.

7:15 PM – PUBLIC HEARING – ORDINANCE – BOARD OF REVIEW – CONFIDENTIALITY STATEMENT:

Mayor Deiter opened the Public Hearing at 7:15 PM and asked three times for testimony for or against the proposed ordinance. No testimony given. Mayor Deiter closed the Public Hearing at 7:16 PM.

C. Library:

Librarian Moede submitted a written report. She stated the Library has been busy so far.

D. Community Development:

Community Development Director Linzmeier submitted a written report and reported that he has been busy working on Redevelopment Authority Commission projects, the upcoming quarterly newsletter, and Fall Fest.

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He presented to those present a preliminary draft of the new City website. He is hoping to launch the new website on July 1st. More content has been added to the new website.

Edinger asked what financial costs are associated with this new website. Gosz stated the cost for hosting per month is less. She also stated the updates to the website can now be done by City Staff.

7:20 PM – PUBLIC HEARING – ORDINANCE – ROOM TAX:

Mayor Deiter opened the Public Hearing at 7:22 PM and asked three times for testimony for or against the proposed ordinance. No testimony given. Mayor Deiter closed the Public Hearing at 7:23 PM.

E. Fire Department:

No report.

COMMITTEE REPORTS:

A. Plan Commission:

1. Commission Report:

Mayor Deiter and Linzmeier reported that Bob Endries attended the last Plan Commission meeting and questioned if the City has a long term plan for the City properties. Endries stated local industries and a few individuals in the community are interested in what the City's long term plans may be.

Linzmeier reported the Redevelopment Authority Commission is reviewing the Downtown Plan and will be conducting a comprehensive survey.

Edinger stated it is a plus for our community that there are individuals in the community interested in what the City's long term plans may be.

B. Park & Recreation:

1. Commission Report:

No report.

C. Library Board:

1. Commission Report:

No report.

D. Utility Commission:

1. Resolution – 2013 Compliance Maintenance Annual Report:

Motion – Van Frachen moved to adopt Resolution #RE14-06 for the 2013 Compliance Maintenance Annual Report. Seconded by Sonnabend.

Mayor Deiter reported the zinc and phosphorus limits in the Annual Report were not good. The Utility Commission is working on those issues.

Roll call vote taken. 6 votes cast. Motion carried unanimously.

2. 231 S. Main Street – Offer to Purchase:

Motion – Sonnabend moved to approve the Offer to Purchase for the property at 231 S. Main Street for \$29,900.00. Seconded by Nies. Roll call vote taken. 6 votes cast. Motion carried unanimously.

Edinger asked if the Utility knows the costs associated with the demolition of the property. Gosz stated not at this time.

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E. Redevelopment Authority Commission:

1. Commission Report:

No report.

F. Committee of the Whole:

1. Resolution – Authorizing First Amendment to Industrial Development Revenue Bonds Series 2009 – Professional Plating, Inc. Project:

Motion – Van Frachen moved approve the Resolution authorizing the First Amendment to Industrial Development Revenue Bonds Series 2009 – Professional Plating, Inc. Project. Seconded by Sonnabend. Roll call vote taken. 6 votes cast. Motion carried unanimously.

2. Reallocation of 2011 General Obligation Promissory Notes, Series 2011A Project Cost:

Motion – Edinger moved to approve the reallocation of the 2011 General obligation Promissory Notes, Series 2011A Project Costs as presented. Seconded by Fhlug. Roll call vote taken. 6 votes cast. Motion carried unanimously.

3. Ordinance – Recreation Fire:

Motion – Sonnabend moved to set a Public Hearing date for Monday, July 28, 2014 at 7:10 PM to hear testimony for or against the amendment to the City’s Ordinance on Recreation Fires. Seconded by Van Frachen. Call vote taken. Motion carried unanimously.

4. Review and Approval of Chip Seal Proposals:

Motion – Brick moved to award the Chip Seal Project for 2014 to Scott’s in the amount of \$23,186.00. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

5. Fox Cities Regional Partnership Membership:

Motion – Edinger moved to approve the City of Brillion’s membership in the Fox Cities Regional Partnership for another year. Seconded by Brick. Roll call vote taken. 6 votes cast. Motion carried unanimously.

G. Cemetery Commission:

1. Commission Report:

No report.

OLD BUSINESS:

A. Sale of City Property – Lee Avenue:

Motion – Nies moved to accept the bid received from the property owners along Lee Avenue, Mike Buboltz, Gene Wachal, and Pete Zarnoth, for the purchase of City property in the amount of \$1.00 per lot plus paying for the costs associated with the surveying and the legal costs associated with this purchase. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

B. Ordinance – Sewer Utility Prohibited Discharges:

Motion – Sonnabend moved to adopt Ordinance #OR14-03 as it relates to Sewer Utility Prohibited Discharges. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

C. Ordinance – Sewer Utility Industrial Discharges:

Motion – Van Frachen moved to adopt Ordinance #OR14-04 as it relates to Sewer Industrial Discharges. Seconded by Edinger. Roll call vote taken. 6 votes cast. Motion carried unanimously.

D. Ordinance – Board of Review Confidentiality Statement:

Motion - Edinger moved to adopt Ordinance #OR14-05 as it relates to the Board of Review Confidentiality Statement. Seconded by Brick. Roll call vote taken. 6 votes cast. Motion carried unanimously.

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E. Ordinance – Room Tax:

Motion - Edinger moved to adopt Ordinance #OR14-06 as it relates to Hotel and Motel Room Tax as presented. Seconded by Fhlug.

Van Frachen commented that the City of Brillion will be the only City in Calumet County that will have a room tax.

Roll call vote taken. 6 votes cast. 5 yes votes and 1 no vote cast by Van Frachen. Motion carried.

NEW BUSINESS:

None.

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

Gosz submitted a written report and noted the July meeting dates.

Mayor Deiter and Gosz reported on a letter received by the City of Brillion from Bonnie Smith who expressed her concern to the City on the flooding at the Deer Run Golf Course.

Gosz reported the DNR is working to clean out the two (2) channels in the Brillion Marsh which is the first step. It was noted that the golf course may need to look at moving the two (2) golf holes that flood and may need to look at berming along Fairway #4. Gosz stated that to date the City has spent approximately \$250,000 on Deer Run Golf Course flood issue.

MAYOR’S REPORT:

No report.

PRESS TIME:

No questions.

ADJOURNMENT:

Motion – Edinger moved to adjourn the meeting. Seconded by Sonnabend. Call vote taken. Motion carried unanimously. The meeting was adjourned at 7:53 PM.

Gary Deiter, Mayor

Joy L. Buboltz, Deputy Clerk/Treasurer