

**CITY OF OCONTO FALLS
COMMON COUNCIL**
Council Chambers – Municipal Building
500 N. Chestnut Avenue - Oconto Falls, WI 54154

**TUESDAY, NOVEMBER 15, 2016 – 7:00 PM
MINUTES**

Meeting called to order at 7:00 PM by Mayor Brad Rice.

Pledge of Allegiance

Roll Call

Present: Mayor Brad Rice, Aldermen: Mathew McDermid, Jay Kostreva, George Stuckey, Don Osborne, and Keith Schneider

Also present: Administrator Vicki Roberts, City Attorney Larry Jeske, Police Chief Brad Olsen, Deputy Clerk Nancy Brye, Fire Chief Tim Magnin, Street Superintendent Terry Magnin, and Utility Manager Greg Kuhn

Excused: Alderman Marty Coopman

Others: Al Christopherson, Kara Coffey, and Logan Coffey

Approval of Minutes – Common Council meeting on October 11, 2016.

MOTION: Kostreva/McDermid

Motion to approve the minutes from the Common Council meeting on October 11, 2016.

Voice Vote: All voting aye - **MOTION CARRIED**

Treasurer's Report – September

MOTION: McDermid/Osborne

Motion to accept the Treasurer's Report for September and place on file.

Voice Vote: All voting aye - **MOTION CARRIED**

Bills Payable – October

MOTION: McDermid/ Kostreva

Motion to approve the Bills Payable for October.

Voice Vote: All voting aye - **MOTION CARRIED**

Reports:

Administrator Report – no written report given.

Administrator added the election for the City of Oconto Falls went extremely well. 1,243 voters cast a ballot in the city; which is close to 86% turnout. She thanked everyone who worked the polls last

Tuesday as it was a long day for everyone. Administrator reminded everyone of a few upcoming important dates; Public Hearing and Special Council Meeting will be on Tuesday, November 29, 2016 at 6 pm to approve the budget, City Hall will be closed November 24 and 25 for the Thanksgiving holiday, and she will be returning to work Monday, November 28.

Police Report – written report given.

Municipal Court Report – written report given.

Fire Department Report –written report given.

Street Department Report – written report given.

Street Superintendent informed the long grass areas have been cut for the season. Weather permitting; the department will continue picking up leaves through Wednesday, November 23, 2016.

Building Inspector Report – written report given.

Utility Commission Report/Minutes – written report given.

MOTION: McDermid/Schnieder

Motion to place reports on file.

Voice Vote: All voting aye - **MOTION CARRIED**

OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL - All Citizens in-put will be limited to 3 minutes.

DISCUSSION AND POSSIBLE ACTION ON ANY OR ALL OF THE FOLLOWING:

Old Business: Nothing to address

New Business:

Items were discussed out of order from the agenda.

- A. Mayor's Veto relating to Council decision on October 11, 2016 regarding pay increase for Street Department employees. The Council may go into closed session to discuss matters of employment, promotion, compensation, or performance evaluation data of public employees pursuant to 19.85 (1c) Wis. Stats.

Re: Mayor Rice

MOTION: Kostreva/Schneider

Motion to go into closed session at 7:04 PM to discuss matters of employment, promotion, compensation, or performance evaluation data of public employees pursuant to 19.85 (1c) Wis. Stats.

Roll Call Vote: Kostreva-yes, Schneider-yes, McDermid-no, Osborne-no, Stuckey-no, Coopman-absent - **MOTION FAILS**

COUNCIL REMAINS IN OPEN SESSION.

Mayor explained his reason for the veto. He felt the pay rate for both employees was too low and that both should receive the standard pay raise come the first of the year along with other employees. Mayor would like to see Dallas Hoerres promoted to the full time position with a pay rate of \$19.00 per hour and Bryce Roberts promoted to the part-time position with a pay rate of \$14.00 per hour with a \$2 an hour increase upon completion of receiving his CDL. Mayor pointed out that even at \$19.00 per hour, this is still \$1.37 less than what the last full-time hired street employee received.

McDermid did not feel this was a good comparison because at that time the union was still in place.

Administrator informed she checked with the City of Oconto and their street employees start at \$21.72 per hour. She agrees the pay rates offered in October were too low. Both employees have been working well in the department and are both very dedicated employees. The offered part-time wage of \$12.00 per hour is less than what the current part-time recycling attendant is making.

Kostreva asked how long Hoerres and Roberts have been with the Street Department.

Street Superintendent informed Roberts worked as summer help for the past two summers and then stayed on this past summer to help out and Hoerres has been part-time with the department since May.

McDermid informed the Finance Committee did leave room in the budget for what the Mayor proposed; so whatever is decided, there is money in the budget for it.

Mayor confirmed the budget was set to accommodate Hoerres at \$19.00 per hour and Roberts at \$14.00 per hour with a \$2.00 increase upon receiving his CDL.

McDermid questioned if they should still receive a raise in January 2017 when the rest of the employees receive their raise if given a raise now.

Mayor felt they should.

Administrator added it has been past practice that no matter what time of the year someone was hired; they have always been given the pay raise come the first of the year with the rest of the employees.

McDermid pointed out that Hoerres is doing the same work at full-time that he was doing at part-time; just working more hours.

MOTION: McDermid

Motion to promote Dallas Hoerres to a full time Street Department position at the pay rate of \$18.50 per hour, to include health insurance options at the same percentage being paid by other city employees and to receive the 2% proposed salary increase being given to city employees at the first of the year in 2017; and to promote Bryce Roberts to a part-time Street Department position at the pay rate of \$13.50 per hour, with the stipulation that upon completion of obtaining a CDL license his pay would then be increased an additional \$2.00 per hour and to also receive the 2% proposed salary increase being given to city employees at the first of the year in 2017.

Mayor asks three times if there was a second to the motion.

No second - MOTION FAILS

MOTION: Kostreva/Stuckey

Motion to honor the Mayor's veto to promote Dallas Hoerres to a full time Street Department position at the pay rate of \$19.00 per hour, including health insurance options at the same percentage being paid by other the city employees; and to promote Bryce Roberts to a part-time Street Department position at the pay rate of \$14.00 per hour, with the stipulation that upon completion of obtaining a CDL his pay would then be increased an additional \$2.00 per hour. Additionally, both employees to receive the proposed salary increase being given to city employees at the first of the year in 2017.

Continued discussion...

McDermid did not agree with giving them the salary increase being given to other city employees at the first of the year if agreed to increase their pay to \$19.00 / \$14.00 per hour.

Kostreva stated they are both good employees that we can count on. He felt that if we want to keep them, they should be given the increase with the rest of the employees.

McDermid commented that they already work here for less money. Even though we budgeted for it, we don't have to offer it.

Administrator pointed out the amount we are saving in wages with the retirement of Dave VanArk.

McDermid commented if we would have offered the positions to the general public rather than promoting within the department; we would have received a lot of offers and still been able to pay the lower wages.

AMENDED MOTION: Kostreva/Stuckey

Motion to honor the Mayor's veto to promote Dallas Hoerres to a full time Street Department position at the pay rate of \$19.00 per hour effective with the next pay period, including health insurance options at the same percentage being paid by other the city employees; and to promote Bryce Roberts to a part-time Street Department position at the pay rate of \$14.00 per hour effective with the next pay period, with the stipulation that upon completion of obtaining a CDL license his pay would then be increased an additional \$2.00 per hour. Additionally, both employees to receive the proposed salary increase being given to city employees at the first of the year in 2017.

Roll Call Vote: Kostreva-yes, Stuckey-yes, Schneider-yes, Osborne-no, McDermid-no, Coopman-absent - **MOTION CARRIED**

- B. The Council will return to open session and may take action on matters discussed in closed session.

No need – Council did not go into closed session.

- C. Resolution 16-003; Utility Commission Budget Resolution.
Re: Utility Manager

Utility Manager explained this was the first budget ever prepared by the Utility. The Utility Commission passed the proposed budget being presented for Council approval. There was general discussion and Utility Manager answered questions asked from Council.

MOTION: McDermid/Stuckey

Motion to approve Resolution 16-003; Utility Commission Budget Resolution as presented.

Continued discussion...

Osborne asked what the average lineman pay was.

Utility Manager informed our average lineman pay was \$35.00 per hour. Average lineman pay for Oconto Electric Cooperative is \$38.50 per hour, Twin Cities is \$40.00 per hour, and WPS is \$42.00 per hour. There was continued general discussion regarding pay. Utility Manager felt we were in line and a 1.5 % salary increase was put in the budget for utility employees in 2017.

Motion called...

Voice Vote: All voting aye - **MOTION CARRIED**

D. Gondeck sewer connection.
Re: Utility Manager

Utility Manager explained with the Hwy 22 Project, sewer was extended on Chestnut Avenue from Jackson Street to Highland Drive. Three customers were affected by this, as they were not connected to the city's sewer system; 1) Jehovah Witness which is now connected; 2) Mortell who has submitted a letter of intent to connect; 3) Gondeck who has not responded and will not answer or return our phone calls. City Ordinance 455-17 (F) and Wis State Statutes 281.45 were discussed in which buildings used for human habitation must be connected to the city's sewer where offered. Both the ordinance and statute give us the ammunition to enforce sewer connection on the Gondeck property. Jill Gondeck resides at the house which is owned by her son who lives in Chicago, Illinois. Phone calls were made and letters sent to both Jill and her son but neither have responded. The next step would be to follow and enforce our ordinance.

Attorney advised action can be taken but is not needed from the Council as this is considered day to day activities for the utilities. He commented it is a good idea to discuss it. Members voiced their opinion and felt it was a good idea for the utilities to proceed with ordinance enforcement.

NO ACTION REQUIRED OR TAKEN

E. Caldwell House update.
Re: Mayor Rice

Mayor informed Caldwell House owner, Pam Ellman met with city officials and a representative from WE Energies. She has two contractors lined up for demolition but is waiting to hear back from the state with regards to asbestos removal. She was told that she cannot proceed until they contact her. A date has been set to cap the gas line in preparation for demolition.

It was agreed that something needs to be done soon, before the snow falls. City residents and business owners are complaining because it is taking so long for clean up after the fire. Many view it to be dangerous and want to know if the city can step in to enforce clean up.

Attorney advised of the city's enforcement options to include warnings, citations, or possible raze order.

Mayor informed that Ellman was to update Building Inspector Krozell this coming Thursday with regards to hearing back from the state. He will have Krozell inform Ellman that if things are not taken care of soon, warnings and citations will be enforced.

NO ACTION TAKEN – informational only

- F. Fire Department self-contained breathing apparatus (SCBA) units to be declared as surplus.
Re: Fire Chief

Fire Chief informed back in 2005, 20 SCBA units were purchase using grant money. Since grant funds were used, we cannot sell these units to make a profit. Any profit made has to be returned to the Federal Government. We can however declare them as surplus and donated them to another entity. Fire Chief does have another entity interested in them and would like to donate them if declared as surplus.

MOTION: McDermid/Osborne

Motion to declare 20 SCBA units from the Fire Department as surplus and for the Fire Chief to donate as he sees fit.

Voice Vote: All voting aye - **MOTION CARRIED**

- G. USDA Community Facilities Grant Application.
Re: Finance Committee

Utility Manager has started the grant application process. He explained the process in which he has to submit separate applications. He is requesting the grant for a skid steer, lawn mower with attachments, and a police squad with equipment. If approved, we may receive some funds in grants and some funds through financing. There are no penalties or obligations; we can turn it down if we do not like what is offered.

NO ACTION TAKEN – informational only

- H. Operator License Applications for Cynthia M. Wettberg – Mercier’s Fastop, Gregory J. Meyer – Riverview Quick Mart,
Re: Deputy Clerk

Deputy Clerk informed applicants have completed the Beverage Server Class and filed proper application with the City to obtain a license. Chief Olsen completed a background check and signed off on the applications.

MOTION: McDermid/Kostreva

Motion to approve the Operator’s License Applications for Cynthia M. Wettberg and Gregory J. Meyer as presented.

Voice Vote: All voting aye - **MOTION CARRIED**

- I. Adjournment.

Mayor Rice asked if there was any further business before the meeting is adjourned. Having no further business, he declared the meeting adjourned at 7:48 pm.

City Administrator Vicki A. Roberts