

**CITY OF OCONTO FALLS
COMMON COUNCIL**

Council Chambers – Municipal Building
500 N. Chestnut Avenue - Oconto Falls, WI 54154

**TUESDAY, APRIL 11, 2017 – 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, Marty Coopman, Don Osborne, Jay Kostreva, and George Stuckey

Excused: Alderman Keith Schneider and Fire Chief Tim Magnin

Also present: Administrator Vicki Roberts, City Attorney Larry Jeske, Deputy Clerk Nancy Bbye, Police Chief Brad Olsen, Street Superintendent Terry Magnin, and Building Inspector Bobbie Krozell

Others: Beth Julius, Devin Wirtz, Dean Hess, Jerry Moynihan, Taryn Nall, Amy Brauer, Trevor Korpi, and Joseph & Laurie Cahoon-Draus

Approval of Minutes – Common Council meeting on March 14, 2017 and Common Council special meeting on March 27, 2017.

MOTION: Kostreva/McDermid

Motion to approve the minutes from the Common Council meeting on March 14, 2017 and Common Council special meeting on March 27, 2017.

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

Treasurer's Report – February

MOTION: McDermid/Coopman

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

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

Bills Payable – March

MOTION: McDermid/Coopman

Motion to approve the Bills Payable for March.

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

Reports:

Administrator Report –written report given.

Administrator informed the yearly audit with KerberRose went well. Karen Kerber would like to report her summary to Council at the August meeting.

Police Report – written report given.

Kostreva extended his appreciation and congratulated Officer Jamie Kuhn on receiving the Excellence in Advocacy Award for her dedication on behalf of sexual assault victims.

Municipal Court Report – written report given.

Fire Department Report –written report given.

Street Department Report – written report given.

Building Inspector Report – written reports given.

Utility Commission Report/Minutes – written reports given.

MOTION: McDermid/Coopman

Motion to place reports on file.

Voice Vote: All voting aye - MOTION CARRIED

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:

Correspondence/Information

- ❖ Summer Sunset Series – Music by the River: Chamber of Commerce event – seeking sponsorships.

Kostreva asked if the city donates funds towards concert events.

City Administrator informed the city does not charge for utility services, the street and utility departments assist with set up and they assist with clean up after events.

- ❖ 3rd Annual Run for the Trails: Chamber of Commerce event – seeking sponsorships.

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

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

Old Business:

- A. Dump body for Street Department.
Re: Street Superintendent

McDermid noted the city sent specifications to at least four vendors looking for quotes on a dump body. All four submitted quotes but were not “apples to apples” with specs requested. Using the higher quote of \$13,570; McDermid thought we could use this as a baseline with a “not to exceed amount” and give all a chance to resubmit a quote so all quotes meet the same specifications.

MOTION: McDermid/Kostreva

Motion to purchase a dump body for the Street Department not to exceed the amount of \$13,570.

Continued discussion...

Coopman was concerned with this procedure. He felt everyone should get a chance to resubmit a quote and would like to see these new quotes come back to Council for review. Coopman also pointed out that at a previous meeting it was said a dump body would only cost \$10,000; not \$13,570.

McDermid felt we would get a quote less than \$13,570 if we ask vendors to resubmit.

Attorney confirmed since quotes submitted were not sealed bids; it can be done in this fashion by putting a not to exceed amount in the motion.

Coopman would like to delay the decision for one week until the reorganizational meeting and give everyone a chance to submit a new quote and then bring it back to Council for a decision. He asked the City Attorney for his advice.

Attorney commented that it was up to the Council as it can be done either way.

Motion called....

AMENEDED MOTION: McDermid/Kostreva

Motion to purchase a dump body for the Street Department not to exceed the amount of \$13,570; taking funds from Fund Balance.

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

New Business: *(Items were discussed out of agenda order)*

- G. Agreement with School District regarding use of athletic fields.
Re: City Administrator

Administrator indicated the agreement between the City and School District regarding use of athletic fields expired at the end of 2015. Administrator and Mayor Rice met with School Superintendent Dean Hess and Athletic Director Jerry Moynihan. They are looking to extend the same agreement throughout the year of 2019; a 3 year agreement. Administrator informed the gold post currently at Memorial Field is the property of the School District and they will be removing it this year.

MOTION: Kostreva/McDermid

Motion to approve an extension of the past agreement between the City and School District regarding use of athletic fields for another 3 years; expiring at the end of 2019.

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

A. Property Conditions at 257 S. Washington Street.
Re: Building Inspector

Building Inspector Krozell has received numerous complaints regarding the condition of property at 257 S. Washington Street. Pictures showing the poor conditions were presented in council packets along with copies of letters sent to and from the property owners going back as far as 1998; thus indicating this has been an ongoing issue with the property.

Attorney asked if Krozell was suggesting a raze order or issuing ordinance citations.

Krozell felt the house should come down.

Attorney then asked if anyone was currently living in the house.

Krozell replied there was a family living in the house. She pointed out they were present at the meeting and indicated they would like to speak.

Laurie Cahoon-Draus spoke to the Council on behalf of her and her husband, Joseph. They acknowledged receiving a notice from the City to straighten up their yard. Siding repair, painting, and yard clean-up has been done with plans to continue. They thought they could get more done by themselves but with family and health issues, were unable to do so. They have made calls and plan to get assistance from professionals to help with the deterioration of the house. With warmer weather coming, they asked if they could be allowed more time to repair their home.

McDermid asked how much time she thought they needed.

Laurie Cahoon-Draus thought a month or so would be sufficient.

Kostreva asked if they sought out help from the County.

Krozell informed she gave them contact numbers to do so.

Laurie Cahoon-Draus said they did contact the County for help but were denied help because they didn't qualify.

Kostreva pointed out that he noticed the roof was coming down on the porch area which could be dangerous.

Laurie Cahoon-Draus informed they had planned to repair the roof this summer. A family friend who does handiwork and painting was going to fix it. She admitted money was tight right now but they have family and friends who are professionals and willing to help them with repairs.

Stuckey asked what their plan and time frame was to get repairs done.

Laurie Cahoon-Draus thought they could get the front of the house fixed in a month and then fix the roofing this summer.

Attorney informed they could be given the option to allow them additional time to repair the home and property. If not compliant, the City could enforce housing standards ordinances by either issuing citations through the Municipal Court or by starting raze order proceedings through the Circuit Court.

Mayor pointed out the last homeowner with clean-up issues was given 2 months to comply before proceedings were started. He suggested the property owners start repairs on the poorest side of the house, which is the area towards Washington Street.

MOTION: McDermid/Kostreva

Motion to allow Laurie and Joseph Cahoon-Draus, owners for property located at 257 S. Washington Street, 2 months to bring house/property conditions into compliance; focusing on the area by Washington Street first and come back to Council at the June 13, 2017 meeting for review.

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

- B. Violation penalty changes in City Code Chapters 278 and 348; pertaining to nuisance issues and property maintenance.

Re: City Attorney / Building Inspector

Building Inspector Krozell felt the penalties for violations in Chapter 278 and 348 were too low. She has researched other communities and they are much higher than ours. She felt if penalties were higher we would see better maintenance compliance from property owners.

Chief Olsen commented first time offenders are issued citations at the lower end and citations are higher for those who have been warned previously and do not comply.

Krozell stated the majority of complaints are for outside property unless someone calls to file a complaint on inside conditions of the home.

McDermid asked why start at \$25; can't fines be issued for more money.

Chief Olsen commented the fine amount is not the main concern. They just want property owners to be compliant.

Krozell agreed getting property owners to comply with proper maintenance is difficult.

Attorney explained the process for zoning changes with housing standards. Council can refer this matter to the Ordinance Committee for review and discussion. There would then be a public hearing on any proposed changes and go back to Council for a final approval on any changes.

MOTION: McDermid/Coopman

Motion to send this agenda item regarding violation penalty changes in City Code Chapters 278 and 348; pertaining to nuisance issues and property maintenance to the Ordinance Committee for review and discussion.

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

- C. Ambulance Service Update.
Re: Amy Brauer / Trevor Korpi

Amy Brauer reviewed highlights of the Oconto Falls Ambulance Service over the past year. She indicated huge gains have been made over the past 3 years with restructuring of the services and five year agreements were signed this year with municipalities. A company has been hired to manage their billing; which has cut costs. Brauer reviewed changes in staff with a breakdown of positions. There are currently 25 members in the service. The ambulance service responded to 522 calls last year; only missing less than 10 because responders were out on other calls.

Trevor Korpi explained sporting events in Lena and Oconto Falls that are covered by the ambulance service as well as coverage for the snowmobile races in February.

- D. Ordinance 17-001; an ordinance eliminating Chapter 409 Soda Water Beverages.
Re: Ordinance Committee

Coopman informed the Ordinance Committee met earlier and unanimously recommends eliminating the ordinance chapter regarding soda water beverages. Cities may or may not charge for this type of license. The maximum fee allowed in Wisconsin State Statutes is \$5 and with time constraints to obtain and prepare a license, it is not worth the minimal fee.

MOTION: McDermid/Coopman

Motion to accept the recommendation of the Ordinance Committee to approve Ordinance 17-001; an ordinance eliminating Chapter 409 Soda Water Beverages.

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

- E. Revise Fee Schedule to reflect change regarding Soda Water Beverage Fee.
Re: Deputy Clerk

Deputy Clerk pointed out with the elimination of the soda water beverage licenses; it should also be removed from the fee schedule.

MOTION: McDermid/Coopman

Motion to revise the 2017 Fee Schedule; eliminating the Soda Water Beverage Fee.

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

- F. Property at 409 Cherry Avenue.
Re: City Attorney

Attorney updated Council on property located at 409 Cherry Avenue, which is a dilapidated house next to the fire station. He has been checking into options if the City decides to take title of the property, tear down the building, and sell the property verses doing a raze order process. Before taking title, he wants to be sure we are not buying trouble with any pollutants. An updated inspection showed asbestos appeared to be minimal. He received a proposed work order in the amount of \$6,000 from a company in Green Bay with regards to fertilizer and petroleum issues

from the old co-operative. It would be Council's decision to spend this amount. Before signing to spend \$6,000; attorney will discuss options and see if he can get a lower figure.

- H. Successor of Agent Application for an agent change on Oconto Falls Golf Club's Class B Beer/Alcohol License.
Re: Deputy Clerk

Deputy Clerk informed the agent listed on the golf course's current Class B license is no longer an employee of the establishment. A new manager has been hired at the golf course but has not resided in Wisconsin for the full 90 day requirement to be listed as an agent. The golf course would like to list their cook, Dawn Murphy as the temporary agent on the Class B license until license renewals are due. At that time, they plan to designate the new manager as agent. Proper application has been filed and Chief Olsen has signed off on the background check.

MOTION: McDermid/Coopman

Motion to approve the Successor of Agent Application for Dawn Murphy to be listed as the agent on the Class B Beer/Alcohol License for Oconto Falls Golf Club Inc.

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

- I. Temporary Class B License Application for Oconto Falls Panther Pride to sell malt beverages during the Memorial Weekend Celebration from Friday, May 26 through Monday, May 29, 2017 at the Memorial Field.
Re: Deputy Clerk

Deputy Clerk informed this is an annual event for Oconto Falls Panther Pride. They have filed proper application with the City and have paid the \$10 fee.

MOTION: Coopman/Kostreva

Motion to approve the Temporary Class B License Application for Oconto Falls Panther Pride to sell malt beverages during the Memorial Weekend Celebration from Friday, May 26 through Monday, May 29, 2017 at the Memorial Field.

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

- J. Temporary Class B License Application for Oconto Falls Area Chamber of Commerce to sell wine and malt beverages at the first 2017 Summer Sunset Music on the River – Concert Series on Friday, June 23, 2017 at the East Side Beach.
- K. Temporary Class B License Application for Oconto Falls Area Chamber of Commerce to sell wine and malt beverages at the second 2017 Summer Sunset Music on the River – Concert Series on Friday, July 28, 2017 at the East Side Beach.
- L. Temporary Class B License Application for Oconto Falls Area Chamber of Commerce to sell malt beverages at the third 2017 Summer Sunset Music on the River – Concert Series on Friday, August 25, 2017 at the East Side Beach.
Re: Deputy Clerk

Deputy Clerk informed proper application has been filed on items J, K, & L for Oconto Falls Area Chamber of Commerce to sell beverages during their concerts at the East Side Beach this summer. They would like to sell wine and beer at the first two events and then beer only at the last event due to State Statute regulations limiting an entity to two Temporary Class B Wine licenses within a one year period. The Oconto Falls Lioness Club will submit an application at a later date to sell wine at the last event.

MOTION: Kostreva/Stuckey

Motion to approve Temporary Class B License Applications for Oconto Falls Area Chamber of Commerce to sell wine and malt beverages at the first & second Summer Sunset Music on the River – Concert Series on Friday, June 23, 2017 and Friday, June 28, 2017 and to sell malt beverages at the third concert on Friday, August 25, 2017; all being held at the East Side Beach.

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

M. Operator License Applications for Kellie J. Desremaux – Krist Oil and Lynn M. Krueger – Mobil 22.

Re: Deputy Clerk

Deputy Clerk informed both 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: Coopman/McDermid

Motion to approve the Operator's License Applications for Kellie J. Desremaux and Lynn M. Krueger.

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

N. 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 8:03 pm.

City Administrator Vicki A. Roberts