

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

**TUESDAY, NOVEMBER 14, 2017 – Immediately following the
Joint Common Council/Utility Commission at approximately 7:15 PM
MINUTES**

Meeting called to order at 7:15 PM by Mayor Brad Rice.

Pledge of Allegiance

Roll Call

Present: Mayor Brad Rice, Aldermen: Marty Coopman, Devin Wirtz, Kevin Rusch, Jay Kostreva, and George Stuckey

Excused: Alderman Mathew McDermid and Fire Chief Tim Magnin

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

Others: Beth Julius, Gail Yatso, Carl Vowinkel, Christos Anastasopoulos, James Patenaude, James Kardoskee, Lynn Krueger, Kayla Delmarcelle, Guy Farvour, Jeff Zeise, Rob Strom, and Bill LaChapell

Approval of Minutes – Common Council Meeting on October 10, 2017.

MOTION: Rusch/Coopman

Motion to approve the minutes from the Common Council Meeting on October 10, 2017.

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

Treasurer's Report – September

MOTION: Rusch/Kostreva

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

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

Bills Payable – October

MOTION: Rusch/Coopman

Motion to approve the Bills Payable for October.

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

Reports: written report submitted for review

Administrator Report

Police Report

Municipal Court Report

Fire Department Report

Street Department Report

Street Superintendent informed they are extending leaf pick-up for as long as they can; weather permitting. Once the snow comes they will no longer be able to pick up leaves.

Kostreva commented how nice the new holiday decorations look and extended compliments to the Street Department and those involved with picking out the new decorations.

Administrator informed all ATV route signage has arrived. Some signs have been put up already, with the rest being done next week. She thanked the Chamber of Commerce for their generous donation of \$2,300 to cover the cost on all the ATV signage for the City.

Building Inspector Report

Utility Commission Report/Minutes

MOTION: Rusch/Kostreva

Motion to place reports on file.

Voice Vote: All voting aye - MOTION CARRIED

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:

Correspondence/Information

- ❖ Oconto Falls Area Ambulance 2nd Annual Fundraiser.
- ❖ Lineman recognition for mutual aid trip to Florida.

The Council extended their appreciation to linemen, Justin Beaman and John Salscheider. The linemen volunteered and traveled to Florida to help with hurricane recovery. Both linemen were presented with a plaque from Mayor Rice.

- ❖ Thank you from the Oconto Falls Panther Youth Football

The Oconto Falls Panther Youth Football gave the city a framed picture of this year's participants which will be put on display at City Hall and a letter thanking the city departments for their support throughout the past year.

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

Guy Favour informed the Council he is in the process of purchasing the house and property located at 306 Jackson Street. He is waiting for a satisfaction from the bank. He plans to tear apart and redo the inside of the house. He has done this type of work in the past and introduced his carpenter, Jeff Ziese who has done restoration on fire damaged properties. Favour informed movers were coming this Friday to remove belonging from inside the home and there is a dumpster set up which they are currently filling with trash.

City Attorney reminded this property was deemed inhabitable back in 2015 due to a problem with cat urine and feces over much of the house, as well as a mold problem in the basement and attic. It was sent to Circuit Court requesting a raze order which was granted. The Circuit Court Judge gave judgment that Roberta Olshesky has 30 days from October 19, 2017 to tear the house down or the city has the right to raze. Olshesky still owns the land. Guy Farvour had discussions with the City Attorney and Administrator and is hoping the city doesn't take immediate action as he would like to purchase the house and make it habitable again.

Rusch asked if we have a window on the judgment to raze or if we can put a stay on the window to raze.

City Attorney informed we can take action as soon as the 30 days from October 19, 2017 is up. We can get bids for demolition while Farvour is making a proposal to the city requesting time to restore the house.

Administrator pointed out that no action can be taken on this tonight, as it is not an agenda item. We can add this as an action item to the agenda for the special Council meeting on November 30, 2017 when we meet to vote on the budget.

Guy Farvour said he would like at least four months to demolish and clean up the property.

Rusch commented we have experienced a lot of delays with this property and would set strict deadlines as we don't want to delay this until next spring. Rusch asked if the City Attorney could prepare proper language needed and if Farvour would bring his plans to Council on November 30, 2017 for further discussion and possible action.

It was agreed to add this as an action item to the November 30, 2017 agenda.

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

Old Business: Nothing to address

New Business:

- A. Operator's License Application for Hattie A. Renel & Amanda A. Cook – S&S and Heather C. Micoley & Robert J. Strom – Mobil 22.

Re: Deputy Clerk

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

MOTION: Rusch/Wirtz

Motion to approve Operator's License Application as presented for Hattie A. Renel, Amanda A. Cook, Heather C. Micoley, and Robert J. Strom.

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

- B. Operator's License Application for Kayla P. Delmarcelle – Mobil 22.

Re: Deputy Clerk

Deputy Clerk informed there were a few issues with this application and background check and asked if the Police Chief would present his findings.

Police Chief informed the applicant did not have a drug conviction but does have a pending drug charge, therefore he did not sign off on her background check. There was a warrant out for her arrest and when the arresting officer served the warrant, she was found to be the only employee working at an establishment which held an alcohol license. Both, she and the business were cited for operator license violations.

Deputy Clerk pointed out that Delmarcelle did not indicate the pending drug charge on her application and was offered a provisional operator's license. Even though Delmarcelle was informed it would be a month before council would meet again to approve licenses, she declined to purchase a provisional license. Deputy Clerk informed her that she could not work alone unlicensed and if she did work, she would have to work under the direct supervision of a licensed operator. She again declined the offer and said that she would not be working alone. Business owners holding alcohol licenses are aware they must have a licensed operator on premise at all times the business is open.

Kayla Delmarcelle confirmed she was offered a provisional, declined the offer, and was caught working alone at the business without a license when the officer served a warrant on her.

MOTION: Rusch/Stuckey

Motion to deny the Operator's License Application for Kayla P. Delmarcelle.

Voice Vote: All voting aye - MOTION CARRIED

C. Operator's License Application for Lynn M. Krueger – Mobil 22.
Re: Deputy Clerk

Police Chief indicated this applicant did not pass her background check due to a drug conviction during this last year.

Deputy Clerk pointed out that Krueger did indicate this information on her application and was not offered a provisional operator's license. She is here tonight and asked to address the Council.

Lynn Krueger explained she was charged a few months ago for having possession of a prescription drug that was not hers. She stated that she needs this job to support herself and her children and asked if Council would give her a chance to prove herself.

Rusch asked the Police Chief if he would condone a probationary license in this case.

Police Chief indicated she was truthful on her application, which most with a conviction are not.

Deputy Clerk pointed out that the one year license she applied for actually expires in 7 months so her license would have to come back for review at that time if she chose to renew it.

Rusch would like to tie a probation language on the books for this individual's license.

Coopman reminded Krueger this means she has to stay clean in the next 7 months and stay out of trouble.

Bill LaChapell, parent of Lynn Krueger, thanked council for giving her a chance. He indicated they have seen recent hope and progress in her situation and feels that she wants to do better for her children. LaChapell said he hopes she will show her appreciation through her future actions.

MOTION: Rusch/Coopman

Motion to approve a 7 month probationary Operator's License for Lynn M. Krueger, expiring on June 30, 2018 and come back to Council for probationary review if she wishes to renew it.

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

D. 2018 Oconto Falls Chamber of Commerce Events.

Re: Gail Yatso – Chamber President

Gail Yatso spoke on behalf of the Oconto Falls Chamber of Commerce. The Sunset Concert Series at the East Side Beach has done very well the past two years, therefore the Chamber would like to host concerts again in 2018. They would like to hold them again on the 4th Friday in June, July, and August. The bands are already picked and they now have a stage. The Chamber is seeking Council approval to move forward.

MOTION: Rusch/Wirtz

Motion to allow the Chamber of Commerce to proceed with scheduling concerts at the East Side Beach for the 2018 series; 4th Friday of June, July, and August.

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

Gail Yatso also informed Council that the Run 4 the Trails is scheduled for the last Saturday in September 2018. It will be a 5K run/walk, 10K, and Half Marathon.

Informational only for the Run 4 the Trails event – no action needed.

E. Resolution 17-006; 2018 Utility Commission Budget Resolution.

Re: Utility Manager Greg Kuhn

Utility Manager provided copies of the 2018 Utility Budget for water, sewer, and electric in council packets. Kuhn pointed out a few highlights the Utility plans to do next year. One main expense is to upgrade for a SCADA; which is a system allowing them to view an overview of the water and sewer system operations or automatic reporting. Another main expense will be to purchase a new water truck for the wastewater operator. The rest of the budget is pretty much standard.

MOTION: Rusch/Coopman

Motion to approve Resolution 17-006; 2018 Utility Commission Budget Resolution as presented.

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

F. Ambulance Service Update.
Re: Alderman Marty Coopman

Coopman provided ambulance service update information in the council packets; member list, board of director listing, monthly runs, and highlights on events that they have participated in this past year. Coopman pointed out we are beginning year two of our five year contract with the ambulance service. The organizational structure has been tweaked and everything is running smoothly now.

Informational only – no action needed.

G. 2018-2020 Collective Bargaining Agreement between City of Oconto Falls and Oconto Falls Professional Police Association.
Re: Union Negotiating Committee

Coopman informed the Union Negotiating Committee met several time with the Oconto Falls Professional Police Association and settled with the presented agreement. There was good discussion and everything went well. Changes on a three year agreement included: 2% raise, 13% of health insurance costs will be paid by the employee for each of the years, and there was minor language changes made for clarity and better understanding.

Administrator indicated the presented agreement was reviewed by herself, City Attorney, Police Chief, and Police Union. Everyone agreed the changes were made properly and the contract being presented accurately reflects what was agreed upon.

MOTION: Coopman/Wirtz

Motion to accept the recommendation of the Union Negotiating Committee to approve the 2018-2020 Collective Bargaining Agreement between City of Oconto Falls and Oconto Falls Professional Police Association as presented.

Roll Call Vote: Coopman-yes, Wirtz-yes, Stuckey-yes, Rusch-yes, Kostreva-yes, McDermid-absent - **MOTION CARRIED**

H. Ordinance 17-005; Ordinance amending Chapter 24 Concerning Taxes.
Re: Ordinance Committee

Coopman informed the Ordinance Committee met earlier this evening and unanimously recommends the approval of this ordinance.

City Attorney explained adopting this ordinance will bring us in compliance with the new law requirement concerning taxes. According to Wis. State Stats 70.67, the city has two options; 1) The city treasurer shall execute and deliver to the county treasurer a bond with sureties in the case of a city treasurer by the county treasurer conditioned for the faithful performance of the duties of the office and that the treasurer will account for and pay over according to laws all taxes of any kind which are received and required to be paid to the county treasurer. 2) The treasurer of the municipality shall not be required to give such bond if the governing body by ordinance obligates such municipality to pay, in case the treasurer fails so to do, all taxes of any kind required by law to

be paid by such treasurer to the county treasurer. If the governing body has adopted an ordinance as specified in the state statutes, it may demand from its treasurer, in addition to the official bond required of all municipal treasurers, a fidelity or surety bond in the amount and upon such terms as determined by the governing body. City Attorney suggested we go with the second option and adopt this ordinance to put the new law into place.

MOTION: Rusch/Coopman

Motion to accept the recommendation of the Ordinance Committee to approve Ordinance 17-005; Ordinance amending Chapter 24 Concerning Taxes 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 7:55 pm.

City Administrator Vicki A. Roberts