

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

**TUESDAY, APRIL 10, 2018 – 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: Marty Coopman, Jay Kostreva, Devin Wirtz, Kevin Rusch, Mathew McDermid, and George Stuckey

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

Others: Beth Julius, Don Heikkila, Tim Holman, Jim McDonald, Chad Markiewicz, Todd Duame, Nevin Landis, Mark Krumrei, and Warren Bluhm - Times Herald

Approval of Minutes – Common Council Meeting on March 13, 2018

MOTION: McDermid / Kostreva

Motion to approve the minutes as presented for the Common Council Meeting on March 13, 2018.

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

Treasurer's Report – February

MOTION: Rusch / Wirtz

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

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

Bills Payable – March

MOTION: McDermid / Coopman

Motion to approve the Bills Payable as presented for March.

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

Reports: written reports submitted for review

Administrator Report

Police Report

Chief Olsen informed Officer Jamie Kuhn, DNR Warden Paul Hartrick and Oconto County Lt. Mike Mason were recognized as “top cops” by the Department of Justice for a lifesaving incident which occurred in early February.

Municipal Court Report

Fire Department Report

Street Department Report

Building Inspector Report

Utility Commission Report/Minutes

MOTION: Rusch / Kostreva

Motion to place reports on file.

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

Correspondence/Information - DISCUSSION AND POSSIBLE ACTION

Nothing to address

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

No input from citizens

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

Old Business:

- A. Demolition work at 409 Cherry Street.
 - 1) Use of city landfill for concrete disposal.
 - 2) Bids for demolition work.
- Re: Street Superintendent / City Attorney

City Attorney explained when we went out for bids on demolition work at 409 Cherry Street, concrete disposal was not discussed as to whether or not contractors could use the city landfill. A letter was sent to contractors asking them to submit 2 bids; one with concrete disposal at the city landfill and another for concrete disposal using their own means. The question we need answered before approving quotes is whether or not contractors will be allowed the use of the city landfill for concrete disposal.

MOTION: Kostreva / Wirtz

Motion to allow the awarded contractor permission to utilize the city landfill for concrete disposal from the demolition work at 409 Cherry Street.

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

Quotes were received back from 4 contractors to complete demolition work at 409 Cherry Street. Quotes using the city landfill for concrete disposal were as follows:

- Landis Excavating LLC \$11,555.
- Duame Sand & Gravel Inc \$18,645.
- Thomson Excavating \$20,371.
- KCG Excavating & Material Inc \$24,070.

City Attorney explained spec requests stated the demolition was to be completed by July 1, 2018 with proper asbestos removal and disposal.

Coopman questioned what could be done if the July 1, 2018 deadline was not met and if something could be put in writing to enforce the deadline.

City Attorney informed we could have a written contract put in place to include a penalty clause in the event the demolition runs over the July 1, 2018, unless there is a catastrophic event. The contractor could be penalized for each day over the deadline. Everyone agreed on \$100 per day for the penalty amount.

MOTION: Rusch / McDermid

Motion to award the contract for demolition work at 409 Cherry Street, using the city landfill to dispose of concrete disposal, to Landis Excavating LLC at the quoted amount of \$11,555.

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

City Attorney asked Nevin Landis if he was okay with the \$100 per day penalty clause in the contract.

Landis said yes, he was okay with this.

There was continued discussion regarding stump removal of 3 trees on the Cherry Street property. This was not addressed in the original specs when we went out for bids. City Attorney stated that the amount is small enough in which the City Administrator can make an amendment if given direction to do so by the Council.

MOTION: McDermid / Coopman

Motion to grant City Administrator Vicki Roberts permission to amend the contract with Landis Excavating LLC to include removal of three stumps from the 409 Cherry Street property.

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

New Business:

- A. Fire Department By-Laws.
Re: Fire Chief

Proposed change being made is as follows:

“Article X – Calls 10.1: A page or other notification, whether by dispatch or an officer of OFFD, will not be considered a call until dispatch has been advised that OFFD is in route to the scene. Roll call will not be taken if OFFD is cancelled prior dispatch being advised that OFFD is in route to the scene. Once in route, or when a required duty is completed, roll call will be taken.”

Fire Chief explained the proposed change is being made to clear up any confusion when firefighters are being paged on calls. The Fire Department has reviewed and unanimously approved this change.

MOTION: Rusch / Wirtz

Motion to approve the change to Article X of the Fire Department By-Laws as presented.

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

- B. Temporary Class B License Application for the Panther Sponsor Group to sell beer on Saturday and Sunday, May 26 and 27, 2018 at Memorial Field Park in an area fenced in by the music bands at the North end of the football field during Memorial Weekend Celebration.

Re: Deputy Clerk

Deputy Clerk explained three bona fide clubs have filed application for a Temporary Class B License to sell beer at the Memorial Field Park during the Memorial Weekend Celebration. The city is only allowed to issue one license per premise. After lengthy discussions with the City Attorney and Department of Revenue (DOR) Tobacco and Alcohol Agent, it was concluded that we can issue three permits for this weekend at the park as long as each has their own designated area for sales and consumption and maintains their specific area. County Line Rod and Custom has fenced in the car show area in past years for their licensed premise and plans to do the same this year; Panther Sponsor Group has agreed to fence in the music band area for their licensed premise; and Panther Pride Association is asking for the entire park. We can have all three clubs fence in a specific area for their premise or we can have two clubs fence in a specific area and allow one to have the remaining park premise excluding the fenced in areas. The DOR Agent has recommended a map showing designation be attached to the approved licenses.

MOTION: Rusch / Wirtz

Motion to approve the Temporary Class B License Application for the Panther Sponsor Group to sell beer on Saturday and Sunday, May 26 and 27, 2018 at Memorial Field Park in an area fenced in by the music bands during Memorial Weekend Celebration.

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

- C. Temporary Class B License Application for the County Line Rod and Custom to sell beer on Monday, May 28, 2018 in the fenced car show area at the Southeast corner of Memorial Field Park during Memorial Weekend Celebration.

Re: Deputy Clerk

MOTION: Rusch / Wirtz

Motion to approve the Temporary Class B License Application for the County Line Rod and Custom to sell beer on Monday, May 28, 2018 in the fenced car show area at Memorial Field Park during Memorial Weekend Celebration.

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

D. Operator's License Applications:

Two year license expiring June 30, 2019: Jason R.A. Demmith

Re: Deputy Clerk

Deputy Clerk informed the applicant has met guidelines and filed proper application with the city for a license renewal. Chief Olsen completed the background check and has signed off on the application.

MOTION: McDermid / Coopman

Motion to approve the Operator's License Application for Jason R.A. Demmith as presented.

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

E. 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 7:27 pm.

City Administrator Vicki A. Roberts