

**CITY OF OCONTO FALLS  
COMMON COUNCIL**

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

**TUESDAY, JULY 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: Kevin Rusch, Jay Kostreva, Devin Wirtz, Marty Coopman, Mathew McDermid, and Tim Holman

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

**Others:** Warren Bluhm-Times Herald, John, Sue, Aaron, & Emily Gonnering, Michelle Tester, Christos Anastasopoulos, Todd Skarban, Guy Farvour, Karen Kerber, Stephanie Holman, Eric Hannot, Brett Ash, Beth Early, Carrie Hill, Joe Staab, Paul Anderson, Codi Kopczynski, Jordyn Sagen, Doug & Becky Barrett, Tracey Ash, Allie McDonald, Justin Beaman, Jerry Moynihan, Heather Martens, Rick Belanger, Josh Gilbert, Tim Allen, Jeanne Ceckiewicz, Gail Yatso, Kim Pytleski, Amanda Gilbert, Robert Telford, Karen Ingram, Joe Rapart, Bob Heroux, Krista Blazek, Beth & Tom Sconzert, Chris Duncan, Jenny & Josh Derouin, Jason Haines, Jason Flynn, Jennifer Bozile, John Spice, Kevin Burd, and approximately 30 youth football players

**Approval of Minutes** – Public Hearing on June 12, 2018 and Common Council Meeting on June 12, 2018.

**MOTION: Rusch / Wirtz**

*Motion to approve the minutes as presented for the Public Hearing on June 12, 2018 and Common Council Meeting on June 12, 2018.*

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

**Treasurer's Report** – May

**MOTION: McDermid / Holman**

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

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

## **Bills Payable – June**

### **MOTION: Holman / Kostreva**

*Motion to approve the Bills Payable as presented for June.*

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

## **Reports: written reports submitted for review**

### **Administrator Report**

Verbally added - last month during alcohol license renewals, Council approved the license renewal for J's Smokeshack. The establishment owner, John Meng informed the city that they have closed the business and did not pick up their new license. This means the city now has four (4) open Class B Alcohol Licenses available in addition to the one (1) open reserve license.

### **Police Report**

### **Municipal Court Report**

### **Fire Department Report**

### **Street Department Report**

Verbally added – the County will start pulverizing Cherry Street this Friday and plans to be completed in about a month. The Street Department will start working on the old Caldwell House site on Monday.

### **Building Inspector Report**

### **Utility Commission Report/Minutes**

### **MOTION: McDermid / Holman**

*Motion to place reports on file.*

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

## **Correspondence/Information - DISCUSSION AND POSSIBLE ACTION**

- Kingdom Come Food Pantry ribbon cutting ceremony at 12:20 pm on Saturday, July 14, 2018 to celebrate the opening of their new addition.

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

- Candidates for Oconto County Sheriff – August 14, 2018 Election
  - ✓ Ed Janke
  - ✓ Todd Skarban

Candidates running for the Oconto County Sheriff seat in the upcoming election were given the chance to introduce themselves and speak to the public. Ed Janke called prior to the meeting informing he was not able to make tonight's meeting. Todd Skarban was present and able to speak to the audience.

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

### **Old Business:**

#### **A. Memorial Field options.**

Re: Council President Kevin Rusch

At the June Council meeting there was discussion on progress and funding to complete the first stage of the Memorial Field project. Park and Rec Director Sheila Manns informed they have approximately \$50,000 - \$60,000 and would like to start phases within the first stage: tear down and remove lights, remove a portion of the track with the help of the Street Department, and construct an in-field and back-stop. The motion from the May 9, 2017 Common Council was read: *“Motion to approve the Mayor and City Administrator to work together with Park & Rec Director Sheila Mann, who will seek funding to start and incrementally complete stage 1 for development of the Memorial Field Park project. Upon completion of stage 1, they are to come back to Council and present plans for approval before starting stage 2.”* At the June meeting, Council agreed the motion stands as presented.

After the June Council meeting, Council President Rusch and other aldermen were approached by several coaches and parents of youth football players; many of whom were at tonight’s meeting, asking to reconsider reconstruction plans for Memorial Field Park and leave the football field at the park. Coaches and parents expressed concerns with difficulty they were having in using the new high school field and the need for a full field verses half field, which Park & Rec Director Manns pointed out was included in the second half of reconstruction plans. Manns and Alderman Kostreva expressed they wished the group would have come to earlier meetings, a couple years ago, when the plans were being made and let their opinions be known then. Panther Pride raised close to \$60,000 for this project and planned to start in the upcoming months. There was a debated discussion and council felt the Memorial Field reconstruction project needs to be revisited and possibly meet with another designer to see if 2 hardball fields and a full football field could be incorporated into the plans to make the park usable for all. OFHS Athletic Director Jerry Moynihan pointed out a concern the youth football had was with lighting and suggested when discussing future plans to consider; is the main concern green space or lightening? City Attorney pointed out the land is owned by the city and the city business is controlled by the Common Council; therefore Council can change and do with it as they wish.

**MOTION: McDermid / Kostreva**

*Motion to put a hold on construction and table this item for one month; allowing Council time to check into more options for field development.*

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

At this point in the meeting, Council went out of agenda order, allowing Karen Kerber to present the annual audit.

**New Business:**

A. 2017 Annual Audit Report.

Re: Karen Kerber – KerberRose

Karen Kerber stated the audit for the city and utilities went well. All information needed to complete the audit was provided upon request and everything balance accordingly. Kerber presented and reviewed the 2017 Financial Audit Report prepared by her firm. She pointed out the electric utilities are doing well but suggested we may want to consider a rate increase for the water and sewer utilities. Other than that, as a whole the city and utility finances look good.

**MOTION: McDermid / Wirtz**

*Motion to place the 2017 Audit Report on file.*

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

**Old Business:**

- B. Property located at 306 Jackson Street; owned by Guy Favour.  
Re: Mayor Rice

Mayor informed at the time Guy Favour purchased the property from Roberta Olshesky, the property was in a raze order status from the court. At that time, Favour told council he would give the city's building inspector weekly updates on his progress. Council did not set any deadline at that time and would like to know what is happening with the property.

Guy Favour informed the mold has been completely removed and the cat urine smell is gone. Walls are studded out and ready for remodeling. The contractor Favour plans to use is busy with other work at this time and does not have a definite time as to when the remodeling can be completed.

The property is still on the tax roll. Favour is to set up an appointment with the city's building inspector before the next council meeting in August so a formal inspection report can be done on the property for council's review.

**ITEM TABLED.... Until next month**

**New Business:**

- B. Dog Park.  
Re: Emily Gonnering

Emily Gonnering presented a packet outlining her plans to construct a dog park on the city's west side; directly to the left after you cross the bridge on Maple Avenue. She would like permission to build this park as her Girl Scout Gold Award Project. She presented plans to include sections separating small and large dogs, detailed rules for entry into the park, double entry to deter any escapes, waste disposal units, benches, trees, and attractions. She stated the park would be enter at your own risk and the city would not be liable for any injuries as the park would be covered under recreational immunity. There was some discussion on who would be enforcing the rules and it was mentioned that at other dog parks, the park attendees generally watch over things and remind each other of the honor system. It was agreed that if a nice park was built; the community would come together to see that it stays nice in order to have a place to take their dogs. Emily is seeking approval from council so she can start fundraising and asking for donations. She is not sure of the total project cost or details on materials needed to complete the park.

**MOTION: Holman / Kostreva**

*Motion to allow Emily Gonnering permission to start the fundraising process for her Girl Scout Gold Award to construct a dog park and to use city property on the city's west side, directly to the left after you cross the bridge on Maple Avenue for its location; as long as she*

*keeps the city informed with fundraising efforts and comes back to council for final approval before any construction begins.*

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

- C. Original Alcohol Beverage Retail License Application for Barbara Salacheider, d/b/a Salscheider's Antique Bar at 126 N. Main Street.

Re: Deputy Clerk

Barb Salscheider would like to include outside drinking in an area between her bar and house during special events. She will put a snow fence up to designate the premise and monitor the area during these events. An original application had to be filed because of the change in premise description from her current alcohol license. Since she just paid for and obtained her renewal which was effective on July 1, 2018; Deputy Clerk proposed that if the revision is approved, no extra charge be incurred.

**MOTION: Kostreva / Wirtz**

*Motion to approve the Original Alcohol Beverage Retail License Application for Barb Salscheider, d/b/a/ Salscheider's Antique Bar at 126 N. Main Street as presented to allow a premise description change for outside drinking during special events in a fenced in area between the bar and house; with no extra fees being charged for the revised license.*

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

- D. Operator's License Applications for Dillon Joyce, William Koehne, and Constance Blazek.

Re: Deputy Clerk

All of the applicants listed have completed a Beverage Server Class and filed proper application with the city to either renew their current license or obtain a new license. Chief Olsen completed a background check and signed off on all applications.

**MOTION: McDermid / Holman**

*Motion to approve the Operator's License Applications as presented for Dillon Joyce, William Koehne, and Constance Blazek.*

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

- E. Police Department Promotion.

Re: Personnel Committee

Personnel Committee met on June 27, 2018 to discuss a request made from Police Chief Olsen to promote Keith Fischer to a police sergeant position. The committee approved a recommendation for Council to approve a promotion of an officer, chosen by the police chief, to sergeant position; as per contract wage with an effective date of January 1, 2019. The Personnel Committee was torn on a decision as some felt this matter should wait until after budget season and others felt since a sergeant position was already figured in this year's budget that it should be granted at next pay period. Police Chief Olsen expressed the need to have the position filled and mentioned that the Police Union may grieve it if not granted. A discussion was had regarding the potential cost of a grievance and hiring a

labor attorney. Mayor stated three options that could be done: 1) promote in January, 2) promote now, or 3) no promotion.

**MOTION: Wirtz / Holman**

*Motion to grant Police Chief Olsen permission to activate the sergeant promotion at the next pay period; following this meeting.*

**Roll Call Vote:** Wirtz-yes, Holman-yes, Rusch-no, Coopman-no, McDermid-yes, Kostreva-yes - **MOTION CARRIED**

F. Fiber IRU (Irrefutable Right of Use) for Nsight and Packerland for Industrial Park Fiber.  
Re: Utility Manager

Utility Manager Kuhn informed Industrial Park Fiber was put in the year of 2002 using Federal Grant funds. Packerland and Nsight would like to use this fiber to supply their customers. We could get reimbursed for owning the infrastructure. It would be up to the council to decide what amount to charge for fiber use. Packerland and Nsight would basically pass this charge onto the customer. Kuhn suggested we let them use the fiber at no charge; as this would give our citizens the best possible service at a lower cost. We maintain the fiber now but if an IRU is signed, they will maintain it at their cost. It was felt that if more vendors want to sign an IRU in the future, the competition would be beneficial.

City Attorney Jeske informed since the original funding, approximately \$1.48 million, came from federal funds; there may be a stipulation in place that within a certain time frame we cannot sell fiber for a gain or loss unless we pay the federal funding back. Jeske stated that if we agree to let them use the fiber at no cost with a long term lease agreement; he would like to check with the federal government to be sure this is okay.

**MOTION: Wirtz / Rusch**

*Motion to approve the Utility Manager to proceed with any and all future IRU (Irrefutable Right of Use) agreements; subject to review and approval by the City Attorney.*

**Voice Vote:** All voting aye except McDermid-abstaining - **MOTION CARRIED**

G. 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 9:02 pm.

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City Administrator Vicki A. Roberts