CITY OF OCONTO FALLS COMMON COUNCIL

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

TUESDAY, NOVEMBER 12, 2019 – 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: Devin Wirtz, Jeff McDonald, Marty Coopman, Kevin

Rusch, Mathew McDermid, and Tim Holman

Also present: Administrator Vicki Roberts, City Attorney Larry Jeske, Deputy Clerk Nancy Brye,

Police Chief Brad Olsen, Street Superintendent Terry Magnin, Fire Chief Tim

Magnin, and Utility Manager Greg Kuhn

Others: Emil & Eva Groth, Christos Anastasopoulos, Jon Spice, Alan Christopherson, and

Samantha Doney

Approval of Minutes – Common Council Meeting on October 8, 2019 and Special Common Council Meeting on October 30, 2019.

MOTION: Rusch / McDonald

Motion to approve the Common Council Meeting minutes as presented for the Common Council Meeting on October 8, 2019 and Special Common Council Meeting on October 30, 2019.

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

Treasurer's Report – September

MOTION: McDermid / Holman

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

Voice Vote: All present voting aye - MOTION CARRIED

Bills Payable – October

It was questioned if the payment for Fischer Concrete was the final payment on the Main Street sidewalk project. It was also thought that the city may have been over billed for concrete. City Administrator will follow up to make sure the billing and payment are correct.

MOTION: McDermid / Rusch

Motion to approve the Bills Payable as presented for October. **Voice Vote:** All present voting aye - **MOTION CARRIED**

Reports: written reports submitted for review

Administrator Report

Verbally added – Building Inspector Jane Meissner had a conflict and was unable to attend tonight's meeting. She will try to come to the December or January meeting to meet the Council.

Police Report

Municipal Court Report

Fire Department Report – no written report

Street Department Report

Verbally added – GAD informed that they plan to pick-up curbside recyclables and garbage all in one (1) day next year. They have put the City on their schedule for Wednesday pick-ups.

Building Inspector Report

Utility Commission Report/Minutes

MOTION: Rusch / Holman *Motion to place reports on file.*

Voice Vote: All present voting aye - MOTION CARRIED

DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING

Correspondence/Information:

• Emil "Babe" Groth retirement and recognition for years of service at the Oconto Falls Recycling Center.

The Mayor and City Administrator thanked Babe for his years of service to the City and presented him with a retirement plaque and gift card. Babe has worked at the recycling center from February 12, 1997 through November 3, 2000 and then returned on July 13, 2006 until his retirement this past month.

OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL

Jon Spice presented the Council with an updated picture of the Youth Football Program team members. He thanked the city departments for their help in making this program run smoothly. There were 83 youth in the program this year. The group photo will be displayed at City Hall.

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

Old Business: Nothing to address

New Business:

A. Annual Fire Department equipment testing.

Fire Chief Magnin explained they were unable to perform testing on trucks this year for various reasons. The department has been doing their own testing for the past 15 years, however was unable to fit it in this year. There have never been issues in the past but Magnin was concerned if testing is not done and a pump fails; we may be liable. He is asking for the Council's guidance as to whether or not the department should skip testing this year or contract with a firm to perform the required testing on the ladder truck and two (2) engines. Magnin indicated the cost to have a firm come to perform in house testing would be approximately \$1,400.

MOTION: Wirtz/McDonald

Motion to approve the spending of approximately \$1,400 to get the three (3) Fire Department trucks tested before the end of this year.

Roll Call Vote: Wirtz-yes, McDonald-yes, McDermid-yes, Coopman-yes, Holman-yes,

Rusch-yes - MOTION CARRIED

B. Resolution 19-009; 2020 Utility Commission Budget Resolution.

Utility Manager Kuhn briefed the Council on the Utility Commission Budget. There are two main projects for the Electric Utility in 2020 and one large purchase. The first project is to replace overhead lines along W. Highland Drive with underground facilities. For the second project, funds are being allocated for an overhead rebuild which is yet to be decided. The large purchase is for a new smaller bucket to replace the 2001 Ford bucket. The major project for the Water Utility will be the rehab of well number 3. Kuhn went on to explain wage increases of 3% for the manager, 2.5% for the linemen, 3% for the customer service representatives, and 2% for the waste water operator. The final adjustment is for the lead customer service representative to get the remainder of the wage increase that was promised in 2019 to bring her to the old "Admin 4" wage. All wage increases are reflected in the 2020 budget.

There was some discussion with the wage increases and it was brought up that Wis. State Stat. 66.05 indicates that a Utility Commission does not have to bring wages to the Common Council for approval.

MOTION: Coopman / Holman

Motion to approve Resolution 19-009; 2020 Utility Commission Budget Resolution as presented.

Voice Vote: All present voting aye with the exception of Rusch voting no

MOTION CARRIED

C. Temporary Class B License Application for St. Anthony's Parish to sell malt beverages at their annual Ice Fishing Derby on February 8, 2020 at the East Side Beach and permission to utilize the beach house for the event.

The ice fishing derby is an annual fundraising event for St. Anthony's Parish. They wish to sell malt beverages at the event and as in the past, are also asking to use the beach house.

MOTION: Holman / McDonald

Motion to approve the Temporary Class B License Application for St. Anthony's Parish to sell malt beverages at their annual Ice Fishing Derby on February 8, 2020 at the East Side Beach and permission to utilize the beach house for the event.

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

D. Operator's License Applications: 1 year – Jessica A. Nelson 2 year – Adam B. Klarkowski

Both applicants have completed the Responsible Beverage Server Class and filed proper application with the City to obtain an operator's license. Chief Olsen completed background checks and has signed off on the applications.

MOTION: Wirtz/McDermid

Motion to approve operator's license applications for Jessica A. Nelson and Adam B. Klarkowski as presented.

Voice Vote: All present voting aye - MOTION CARRIED

E. Ordinance No. 19-002; an ordinance amending Chapter 292, changing sale quantity for "Class B" intoxicating liquor license.

The Ordinance Committee met earlier and unanimously approved the recommendation to pass this ordinance as presented. Our current ordinance limits "Class B" alcohol establishment sales to 4 liters of liquor to be consumed off the premises mainly because this was past state statute specifications. Wis. State Stat. 125.51(3)(b) states: "In all municipalities electing by ordinance, a retail "Class B" license authorizes the sale of intoxicating liquor to be consumed by the glass only on the premises where sold and also authorizes the sale of intoxicating liquor in the original package or container in any quantity to be consumed off the premises where sold." If we remove the "4 liters" restriction from our ordinance, it would allow Class B alcohol establishments to sell any quantity for off premise consumption and still be within Wisconsin State Statute requirements. We can choose to leave it in our ordinances and keep the restriction; however the change in State Statute allows us to change our ordinance.

MOTION: McDermid / Wirtz

Motion accept the recommendation of the Ordinance Committee to approve Ordinance No. 19-002; an ordinance amending Chapter 292, changing sale quantity for "Class B" intoxicating liquor license as presented.

Voice Vote: All present voting aye - MOTION CARRIED

F. Expenditure for environmental experts and testing with regards to gasoline contamination in highway right of way for property located at 265 N. Main Street. Council may go into closed session to confer with legal counsel concerning strategy in future litigation pursuant to 19.85(1)(g) Wis. Stats.

MOTION: Rusch/Wirtz

Motion to go into closed session at 7:32 pm to confer with legal counsel concerning strategy in future litigation pursuant to 19.85(1)(g) Wis. Stats.

Voice Vote: All present voting aye - MOTION CARRIED

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

MOTION: McDermid / Wirtz

Motion to return to open session at 7:47 pm at which time Council may take action on matters discussed in closed session.

Voice Vote: All present voting aye - MOTION CARRIED

Action taken...

MOTION: McDermid / Rusch

Motion to have the City Administrator and City Attorney work with GEI Consultants to develop a site investigation work plan to address possible contamination near 265 N. Main Street.

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

H. 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 7:53 pm.

Cit	ty Adminis	trator Vick	xi A. Rober	ts