

**CITY OF OCONTO FALLS  
COMMON COUNCIL**

Oconto Falls Fire Station  
98 Jackson Street - Oconto Falls, WI 54154

**TUESDAY, JUNE 9, 2020 - 7:00 PM  
MINUTES**

*Due to the COVID19 outbreak; the City of Oconto Falls will be holding this in-person public meeting at a different location from normal meetings to allow for safe distancing practices.*

*Additionally, during Governor Evers Stay-At-Home order; the City of Oconto Falls did not hold in-person public meetings unless absolutely necessary. This being said, regular Common Council meetings for April 14, 2020 and May 12, 2020 and Reorganizational Common Council meeting for April 21, 2020 were not held. An in-person Common Council meeting was held at the Oconto Falls Fire Station, to accommodate for proper social distancing, on May 5, 2020 for the purpose of reorganizing the Common Council and attending to an immediate need in order to proceed with the Oakland Street Project.*

*(Items C, D, and E were discussed out of original agenda order)*

**Meeting called to order at 7:00 PM by Mayor Brad Rice**

**Pledge of Allegiance**

**Roll Call**

**Present:** Mayor Brad Rice, Aldermen: Marty Coopman, Jeff McDonald, Devin Wirtz, Kevin Rusch, Mathew McDermid, and Tim Holman

**Also present:** Administrator Vicki Roberts, Deputy Clerk Nancy Bbye, City Attorney Larry Jeske, Police Chief Brad Olsen, Street Foreman Gerry Lemirande, Utility Manager Greg Kuhn, Fire Chief Tim Magnin, and Deputy Treasurer Eve Wallace

**Others:** Samantha Doney, Aaron Breitenfeldt-Robert E. Lee & Associates, Joe Murray-Ehlers, Gail Yatso, Tami & Laken Wall, Debbie Konitzer, Bart Schindel, Joe Ruiz, Jon Spice, Sheila Manns, John Trudell, Chistos Anastasopoulos, Mike Kallies, Stephanie Holman, Leo & Carolyn Kramer, James Ryczkowski, and Justin, Trisha, & Jeff Spaulding

**Approval of Minutes – Common Council Meeting on May 5, 2020**

**MOTION: Holman / Rusch**

*Motion to approve the minutes as presented for the Common Council Meeting on May 5, 2020.*

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

**Treasurer's Report – April**

**MOTION: McDermid / Wirtz**

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

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

**Bills Payable – May**

**MOTION: Wirtz / Coopman**

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

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

**Reports:** written reports submitted

- ✓ Administrator Report
- ✓ Police Department Report
- ✓ Municipal Court Report
- ✓ Fire Department Report
- ✓ Street Department Report – no written report

City Administrator explained since the Street Superintendent is on medical leave; she will prepare a report on his behalf and send it to Council via e-mail.

- ✓ Building Inspector Report
- ✓ Utility Commission Report/Minutes

**MOTION: McDermid / Wirtz**

*Motion to place reports on file.*

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

**CORRESPONDENCE/INFORMATION:**

- Thank you from the family of Judy Wirtz

**OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL**

Leo Kramer expressed his concerns with the city parks being closed and wanting to hold youth baseball games at the parks. He stated he was willing to do whatever is needed, even bringing in port-a-potty stations if the city considered allowing them to have games.

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

**Old Business:**

- A. Elect a Water and Light Commissioner – 5 year Appointment.

Mayor indicated the City received two letters of interest for the Water and Light Commissioner appointment. Interested parties are incumbent Carl Vowinkel and Bart Schindel, both whom are well known citizens of the city.

Mayor opened the floor to nominations for the Water and Light Commissioner appointment.

**MOTION: Rusch / Holman**

*Motion to nominate Bart Schindel for Water and Light Commissioner.*

Mayor asked if there were any other nominations.

**MOTION: Coopman / McDermid**

Motion to nominate Carl Vowinkel for Water and Light Commissioner.

Mayor asked for a show of hands for those voting to have Bart Schindel serve as Water and Light Commissioner: Rusch, Holman, Wirtz, and McDonald raised their hands.

Mayor then asked for a show of hands for those voting to have Carl Vowinkel serve as Water and Light Commissioner: Coopman and McDermid raised their hands.

**By show of hands, the Council does so elect Bart Schindel to serve a 5 year appointment as a Water and Light Commissioner – MOTION CARRIED**

B. Oakland Street Project.

There was discussion regarding sidewalks along the Oakland Street Project. Engineer Aaron Breitenfeldt explained the potential of putting in new sidewalk one block North of Green Bay Avenue to connect with existing sidewalk and then extending it to the Southwest. Utility Manager Kuhn informed most residents do not want sidewalks. It was discussed and agreed that a sidewalk would not work along the first block of Green Bay Avenue due to conflicts it would cause with an existing retaining wall and driveway. Breitenfeldt explained the additional costs involved with new sidewalk additions and informed a decision did not need to be made tonight, but would like one next month so they knew how to proceed. Mayor felt we should talk to all homeowners involved and bring it back next month. Kuhn mentioned the cost to remove existing sidewalk was already figured into the bid and would not cost anything additionally if all were taken out. Coopman was okay with not adding new sidewalks but didn't like the idea of removing the existing ones.

**MOTION: Holman / Wirtz**

*Motion to eliminate plans for new sidewalk installation on the Oakland Street Project.*

**Voice Vote:** All present voting yes, except Rusch voting no - **MOTION CARRIED**

C. Sheridan Street options.

Water and sewer installation has been completed to the new home at the Westerly end of Sheridan Street. Current residents reiterated concerns with the poor condition of the undeveloped street. They would like to see a cul-de-sac put in just past the new property owner's driveway rather than a paved through street to Golden Corners Road.

Utility Manager Kuhn explained the quote received from the County Highway Department to complete the cul-de-sac was over the cost threshold requirements; therefore we would need to go out

for bids. However, this project could be extended into the Oakland Street project as long as it falls into an amount not to exceed 15% of the Oakland Street project cost.

There was continued discussion on the size of cul-de-sac and if it should also include curb and gutter. Breitenfeldt presented an option of probable cost from Robert E. Lee & Associates for the Sheridan Street extension in the amount of \$85,091. He indicated if more pavement was needed, it may increase the cost slightly. Kuhn indicated this amount would fall within the 15% requirement, so could easily be added to the Oakland Street project.

**MOTION: Wirtz / McDermid**

*Motion to approve the addition of the Sheridan Street extension to the Oakland Street project to include installation of a full size cul-de-sac and 30 inch curb and gutter; not to exceed 15% of the total project cost of the Oakland Street project.*

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

**New Business:**

- A. Resolution 20-002; a resolution providing for the sale of \$2,265,000 General Obligation Promissory Note, Series 2020A.

Joe Murray presented and explained the pre-sale report for a \$2,265,000 General Obligation Promissory Note prepared by Ehlers Finance. This would include enough funding for the Oakland Street Project and the Sheridan Street extension. Murray went over new and existing debt service, sources of repayment, and the levy impact. He explained how the note will be paid and how it will affect tax rates. If the resolution is approved, he would then come back with a plan for a competitive sale of the note next month. Murray anticipates seeing low interest rates. Complete resolution being presented is as follows:

**CITY OF OCONTO FALLS RESOLUTION 20-002  
RESOLUTION PROVIDING FOR THE SALE OF \$2,265,000  
GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2020A**

**WHEREAS** the City of Oconto Falls, Oconto County, Wisconsin (the "City") is presently in need of approximately \$2,265,000 for public purposes, including paying the cost of street improvement projects and related water and sewer improvements; and

**WHEREAS** it is desirable to borrow said funds through the issuance of general obligation promissory notes pursuant to Section 67.12(12), Wisconsin Statutes;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City that:

Section 1. The Notes. The City shall issue its General Obligation Promissory Notes, Series 2020A (the "Notes") in an amount of approximately \$2,265,000 for the purposes above specified.

Section 2. Sale of Notes. The Common Council hereby authorizes and directs that the Notes be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Notes as may have been received and take action thereon.

Section 3. Notice of Sale. The City Administrator (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) be and hereby is directed to cause notice of the sale of the Notes to be disseminated in such manner and at such times as the City Administrator may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Administrator may determine.

Section 4. Official Statement. The City Administrator shall cause an Official Statement concerning this issue to be prepared by Ehlers. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

(Certifications of approval and publication inserted hereafter)

**MOTION: McDermid / Coopman**

*Motion to approve Resolution 20-002; a resolution providing for the sale of \$2,265,000 General Obligation Promissory Note, Series 2020A as presented.*

**Voice Vote:** All present voting yes, except Rusch voting no - **MOTION CARRIED**

- B. Resolution 20-003; a resolution to borrow funds and levy tax to approve borrowing of \$143,000 from BCPL State Trust Fund Loan Program.

This resolution with attached application is to enable us to borrow funds from the State Trust Fund Loan Program so we can reimburse our fund balance for funds used to complete the storm water project near the golf course. The interest rate would be 2.5% for a period of 5 years. If the resolution is approved, our application will go before the State Loan Committee on July 7, 2020 and we could possibly have the funds as early as July 15, 2020.

**MOTION: Rusch / Coopman**

*Motion to approve Resolution 20-003; a resolution to borrow funds and levy tax to approve borrowing of \$143,000 from BCPL State Trust Fund Loan Program as presented.*

**Voice Vote:** All present voting yes, except McDermid and Holman voting no  
- **MOTION CARRIED**

- C. Chamber of Commerce Summer Sunset Concerts for 2020.

It was agreed to discuss this item along with Item E; as both items go hand in hand as to whether or not the beaches will be opened back up. Here is where original agenda items were discussed out of order.

- E. City of Oconto Falls Beaches.

Mayor explained that due to the COVID-19 pandemic and recommendations made by the Oconto County Health Department, he closed the city parks and beaches. Council can override the Mayor's decision if they choose to do so, but the Mayor is standing by his decision. City Park and Rec programs were canceled for the summer and any registration fees that were paid have been refunded. Docks and rafts have not been put out at the East Side Beach, there are no lifeguards on duty, and bathrooms doors have remained locked at all beaches and parks to deter people from coming.

Oconto County Health Officer Debbie Konitzer explained there are no orders in place to force park closures as it is up to each governing body to make their own decision. She informed it is the recommendation of the Oconto County Health Department not to open at this time due to the pandemic illness and how it spreads. The most common spread is contact; therefore the more people that congregate together, the higher the risk for transmission. City Attorney also recommended we follow the CDC and Oconto County Health Department recommendations not to open parks and beaches at this time.

There was lengthy discussion on whether or not to reopen the beaches and allow the sunset concerts. Gail Yatso informed the Lion's Club has decided not to set their trailer up for food sales during the concerts however has agreed to rent it to the Chamber so they can take over food sales this year.

Yatso explained the precautionary measures that will be taken to ensure safety of those purchasing concessions. Opinions were discussed regarding people needing fresh air and the pros and cons of wearing masks. Fatality rates of other illnesses and tragedies were compared to COVID-19 fatalities. It was brought to the Council's attention the difficulty of purchasing cleaning supplies and protective gear for proper cleaning of park facilities. Comments were made regarding the high risk factor to those having to clean facilities and the large amount of trash left on the beaches as people do not pick up after themselves. Although Oconto County's COVID-19 cases may not be as high as other communities, the majority of people visiting the beaches are from out of town with a large number coming from Brown County. There was discussion as to only letting city residents utilize the beaches and how to regulate something like this. Some larger neighboring cities are currently only allowing residents access to their swimming areas to reduce the risk of spread.

**MOTION: McDonald / Holman**

*Motion to open beaches, parks and bathrooms; with no raft or docks being put in, and allow the Summer Sunset Series Concerts to be held at the East Side Beach as originally planned.*

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

Mayor reiterated Memorial Field and Pleasant View Park bathrooms will remain closed as Park & Rec has been canceled for 2020 and fees have been refunded.

- D. Temporary Class B License Applications for the Chamber of Commerce to sell beer and/or wine at the East Side Beach during Summer Sunset Series Concerts – Music by the River on;
- ❖ Friday, June 26, 2020 (wine and beer)
  - ❖ Friday, July 24, 2020 (wine and beer)
  - ❖ Friday, August 28, 2020 (beer only)

**MOTION: Holman / Wirtz**

*Motion to approve Temporary Class B License Applications for the Chamber of Commerce to sell beer and wine at the East Side Beach during Summer Sunset Series Concerts on June 26 and July 24, 2020 and to sell beer only on August 28, 2020.*

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

- F. Eagle Scout Project – Can collection area.

Justin Spaulding presented his Eagle Scout Project which is a can collection area for St. Anthony's Catholic Church. The project would consist of constructing a small 8 x 8 foot pavilion building with a 10 x 10 foot roof for the cans to be collected. He is asking permission to put the building on the 30 x 30 foot city property between the Can Crusher and City's Recycling Center. The current can collection site would be removed if this project is approved. Council felt there was plenty of green space in this area and had no concerns or objections.

**MOTION: Rusch / Holman**

*Motion to grant permission for Justin Spaulding to construct a can collection building on city property between the Can Crusher and City's Recycling Center as presented.*

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

#### G. Street Department lawnmower replacement.

Gerry Lemirande informed the street department is down one lawn mower. The 2014 mower that is no longer working has 1400 hours on it and would cost over \$5,000 to fix. Typically the street department updates mowers every 7 years. Since this one is already 6 years old, Lemirande presented quotes for new mowers in the event Council would decide to purchase a new mower a year early rather than put the money into fixing the old one. Quotes presented are for zero turn and front mount mowers. Although the price for zero turn mowers were cheaper than that of front mount mowers, Lemirande commented he prefers the front mount mowers as they are easier to maneuver in smaller areas such as the dog park. Quotes being presented are: Service Motor Company - \$17,450 / front mount and \$18,600 / zero turn; Power Sports - \$24,900 / front mount and \$19,000 / zero turn; and Beaver Machine - \$19,120 / front mount and \$14,380 / zero turn.

**MOTION: McDermid / Holman**

*Motion to approve the purchase of a front deck lawnmower from Service Motor Company in the amount \$17,450 with funds to come out of Fund Balance.*

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

#### H. Off Duty Adventures

Joe Ruiz explained his new business called Off Duty Adventures in which he trailers kayaks, paddle boats, and paddle boards to the boat launch area near the East Side Beach for people to rent and enjoy on the river. Ruiz was on the March meeting agenda to present his new business but became ill and was unable to attend. He discussed his plans with the City Administrator and City Attorney; seeing no issues, they granted him permission to trailer his rentals and set up by the boat launch area. Ruiz purchased proper boat launch permits from the City for his rentals. He explained that he is licensed, insured, and sanitizes equipment between each rental. The Common Council seemed to agree this was a great idea.

#### I. Alcohol Beverage Renewal/Agent License Applications:

***Class B Fermented Malt Beverage & Class B Liquor:***

The Penguin Again LLC – Agent: Jennifer R Sadorf  
Oconto Falls Golf Club Inc; d/b/a River Island Golf Course - Agent: Kevin Williams  
Barbara Salscheider - d/b/a Salscheider’s Antique Bar  
S&S Hometown Bar & Restaurant owned by Russell Strom – Agent: Catherine Strom  
The Corner Pocket – Agent: Amy Klarkowski

***Class A Fermented Malt Beverage & Class A Liquor:***

Witt’s Inc - d/b/a Witt’s Piggly Wiggly - Agent: Thomas Witt  
RKO Enterprises Inc - d/b/a Riverview BP - Agent: Susie Stutzman  
Merciers Fastop of Oconto Falls LLC – Agent: Andy Mercier  
Krist Oil Co. d/b/a Krist Food Mart #82 – Agent: Mari Reed

Proper alcohol license renewal applications were submitted for all listed establishments. Chief Olsen has signed off on applications for each appointed agent. With the Corner Pocket now being open, the

city's has three (3) open Class B Combination alcohol licenses available in addition to the one (1) open reserve license.

**MOTION: Rusch / Wirtz**

*Motion to approve the Class A and Class B Malt Beverage & Liquor License renewals and agent applications as presented and listed above for the time period of July 1, 2020 through June 30, 2021.*

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

J. Cigarette – Tobacco License Applications:

- RKOA Enterprises Inc - d/b/a Riverview BP
- Witt's Inc - d/b/a Witt's Piggly Wiggly
- Family Dollar Stores of Wisconsin, Inc d/b/a Family Dollar Store #23770
- Barbara Salscheider - d/b/a Salscheider's Antique Bar
- Merciers Fastop of Oconto Falls LLC
- Krist Oil Co – d/b/a Krist Food Mart #82

Proper renewal applications have been filed for the above listed businesses to sell over the counter cigarette-tobacco products at their establishments.

**MOTION: Holman / Wirtz**

*Motion to approve the Cigarette-Tobacco License applications as presented and listed above for the time period of July 1, 2020 through June 30, 2021.*

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

K. Operators License Applications:

Re: Deputy Clerk

**One Year License:**

- |                        |                     |
|------------------------|---------------------|
| Suzanne J. Verhagen    | Joseph N. Reed      |
| Chelsey L. Steffens    | Fonda M. Fischer    |
| Tammy M. Gallagher     | Stephanie L. Kurek  |
| Dillon E. Joyce        | Cathryn P. Joyce    |
| Rebecca J. Salscheider | Michael J. Nompoggi |
| Cindi L. Boucher       | Megan A. Gilligan   |
| Ashley A. Reed         | Jenna L. Madson     |

**Two Year License:**

- |                           |                              |
|---------------------------|------------------------------|
| Joanne Drews              | Debra A. Arndt               |
| Sheila M. Rathsack        | Rebecca L. Lemmen            |
| Russell C. Strom          | Jennifer Rae Sadorf-Rogatzki |
| Arlene C. Van Hoff        | Cynthia J. Morrissey         |
| Lucy A. LaBrosse          | Samantha J. Pommier          |
| Jacqueline M. Kowalkowski | Martin R. Stocker            |
| Sue A. Vandebusch         | Kim M. Klein                 |
| Tracy M. Maloney          | Misty L. Rusch               |
| Ashley E. Coopman         |                              |



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

**MOTION: Wirtz / McDermid**

*Motion to approve the Operator's License applications as presented and listed above.*

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

L. Adjournment.

**Mayor** asked if there was any further business before the meeting is adjourned. Having no further business, he declared the meeting adjourned at 9:00pm.

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City Administrator Vicki A. Roberts