

**CITY OF OCONTO FALLS  
COMMON COUNCIL**

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

**TUESDAY – SEPTEMBER 14, 2021 - 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, Jeff McDonald, Devin Wirtz, Mathew McDermid, Tim Holman, and Ashley Bahrke

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, and Utility Manager Greg Kuhn

Others: Michelle Tester, Stephanie Holman, Bart Schindel, Jim Patenaude, and Kevin Rusch

**Approval of Minutes** – Common Council Meeting on August 10, 2021.

**MOTION: Wirtz / Bahrke**

*Motion to approve the minutes as presented for the Common Council Meeting on August 10, 2021.*

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

**Treasurer's Report** – July

**MOTION: McDermid / Wirtz**

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

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

**Bills Payable** – August

Holman questioned monthly bills for Kozak Carquest Auto Parts. He asked if it was possible to see an itemized bill each month. It was explained that there are many small store charge receipts turned in and signed by whoever picked up the merchandise. The store mails a monthly bill listing each receipt which is verified and matched up with the signed store charge receipts before bills are paid. Anyone is welcome to view the bill and the attached receipts which are kept in the bills payable file.

**MOTION: McDermid / Coopman**

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

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

**Reports:** written reports submitted

- ✓ *Administrator Report*
- ✓ *Police Department Report*
- ✓ *Municipal Court Report*
- ✓ *Fire Department Report*

Verbally added: Engine 1312 is having service work done on the pump and an overall check on the truck. It should be back in service in about 2 or 3 weeks. The cost for repairs may be anywhere between \$5,000 to \$10,000.

- ✓ *Street Department Report*
- ✓ *Building Inspector Report*
- ✓ *Utility Commission Report/Minutes*

**MOTION: McDermid / Wirtz**

*Motion to place monthly reports on file.*

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

**OPPORTUNITY FOR CITIZENS TO ADDRESS THE COUNCIL** – no citizen in-put

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

**Public Correspondence:** None

**Old Business:** None

**New Business:**

- A. Original Class A Malt Beverage and Liquor License Application listing John Greene as agent for Dollar General, located at 607 E. Highland Drive.

Dollar General has filed proper application with the City to obtain an original alcohol license for their new store. Chief Olsen has completed a background check on the agent and has signed off on the application.

**MOTION: McDermid / Coopman**

*Motion to approve the Original Class A Malt Beverage and Liquor License Application as presented for Dollar General, located at 607 E. Highland Drive, listing John Greene as agent.*

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

- B. Cigarette – Tobacco License Application for Dollar General, located at 607 E. Highland Drive.

Dollar General has also filed proper application with the City to obtain a Tobacco License for their new store.

**MOTION: McDermid / Coopman**

*Motion to approve the Cigarette – Tobacco License Application as presented for Dollar General, located at 607 E. Highland Drive.*

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

C. 2 year Operator’s License Application for Morgan A. Blazek.

The applicant has completed the Beverage Server Class and filed proper application with the City to obtain a license. Chief Olsen completed a background check and has signed off on the application.

**MOTION: Holman / Wirtz**

*Motion to approve the 2 year Operator’s License Application for Morgan A. Blazek as presented.*

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

D. 2 year Maintenance Assessment Contract for assessment services with R & R Assessing Services LLC.

The contract is extending assessment services with R & R Assessing Services for an additional two (2) years. There is no monthly price increase. A property re-evaluation will be discussed next year at the Board of Review.

**MOTION: Coopman / McDermid**

*Motion to approve the 2 year Maintenance Assessment Contract for assessment services with R & R Assessing Services LLC as presented.*

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

E. Ordinance No. 21-004; an ordinance amending Chapter 406 - Golf Carts.

The Ordinance Committee met earlier to discuss a revision to the newly created Golf Cart Ordinance. Most golf carts do not have headlights or taillights unless they are custom made. This being said, the ordinance was amended to require carts driven on streets at dusk or night to have working headlights and taillights but not so during the daytime hours. Ordinance Committee unanimously approved the recommendation for Council to approve this ordinance amendment.

**MOTION: Wirtz / Holman**

*Motion to accept the recommendation of the Ordinance Committee to approve Ordinance No. 21-004; an ordinance amending Chapter 406 - Golf Carts as presented.*

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

F. Ordinance No. 21-005; an ordinance amending Chapter 47 – Emergency Management.

The Ordinance Committee met earlier and unanimously recommends the approval of changes made to the Emergency Management Ordinance. Magnin informed that the current ordinance was revised and brought up to date to include the following changes:

- Changing from Emergency Management Commission to Emergency Management Committee.
- The Emergency Management Director will be a yearly appointment by the Mayor and approved by Council.
- The Emergency Management Director will serve as chairman on the committee.
- The Emergency Management Director can appoint yearly a deputy and assistant directors which would also need Council approval.
- The county was included with state and federal governments for participation.

**MOTION: Wirtz / McDonald**

*Motion to accept the recommendation of the Ordinance Committee to approve Ordinance No. 21-005; an ordinance amending Chapter 47 – Emergency Management as presented.*

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

G. Letter from City Attorney regarding ATV/UTV ordinance revision.

At the time the original ordinance was made, ATV/UTVs were not allowed in certain areas. Since this time, the State has made some revisions to their laws. With these revisions, the committee wanted to update our ordinance to allow additional route areas of operation. Wisconsin State Statute 23.33(11) allows a city to enact an ordinance to authorize the operation of all-terrain vehicles and utility terrain vehicles on a highway that is not part of the national system of interstate and defense highways, that has a speed limit of 35 miles per hour or less, and that is located within the territorial boundaries of the city regardless of whether the city has jurisdiction over the highway.

The Ordinance Committee made a motion to have City Attorney draft an amendment to the ordinance allowing ATV/UTV travel on Highway 22 from Chestnut Avenue to West Highland and also allow travel on County Road CC from Maple Avenue to Hazelnut Lane. This ordinance amendment will come back to Council next month for consideration of approval.

**ITEM TABLED...** until next month

H. NIMS Training.

The Emergency Management Committee met on Monday to discuss NIMS Training. NIMS Training G-402 is recommended for elected officials. This training is currently only available in a classroom setting. Law enforcement and fire departments are required to complete the IS-700 & ICS-100 NIMS Training which can be done on-line. At the committee meeting, credentials needed to teach training classes were discussed. Magnin and Spice thought one of them may be able to teach the training class. It was agreed to have Magnin check into this and see if we can hold G-402 training at city hall for a group. Magnin also noted that department heads could do the IS-700 & ICS-100 training on-line.

- I. Code Red – Community Notification System Memo of Understanding (MOU) with Oconto County.

The Emergency Management Committee also discussed options if the city wanted to be a user on the Code Red System; which costs \$990 for each additional user. This item can be discussed at the Finance Committee meetings during budget season. Magnin would like permission to move forward to draft an agreement on how we are going to use the system. It was questioned if any other communities have a MOU with the County and Magnin answered none did at this time. Council told Magnin to go ahead and draft a MOU and bring back to Council for review and possible action.

- J. Council may go into closed session

- 1) Pursuant to 19.85(1)(c) Wisconsin Statute for considering employment, promotion, compensation of performance evaluation data of any public employee); and
- 2) Pursuant to Chapter 19.85 (1)(e) Wisconsin Statute for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, for bargaining reasons (re: Substation Land Purchase).

**MOTION: McDermid / Wirtz**

*Motion to go into closed session at 7:29 pm pursuant to 19.85(1)(c) Wisconsin Statute for considering employment, promotion, compensation of performance evaluation data of any public employee); and pursuant to Chapter 19.85 (1)(e) Wisconsin Statute for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, for bargaining reasons (re: Substation Land Purchase).*

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

Those remaining in closed session: Aldermen: Coopman, McDonald, Wirtz, McDermid, Holman, & Bahrke; Mayor Rice, Administrator Roberts, City Attorney Jeske, Police Chief Olsen, Utility Manager Kuhn, Deputy Clerk Brye, and Utility Commissioners Schindel & Patenaude.

At 7:45 pm; Kuhn, Schindel, and Patenaude left the meeting.

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

**MOTION: Wirtz / McDonald**

*Motion to return to open session at 7:54 pm and may take action on matters discussed in closed session.*

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

Action taken on matters discussed in closed session:

**MOTION: McDermid / McDonald**

*Motion to grant the Utility Commission permission to purchase land from the School District at \$6,670.48 per acre contingent on soil boring and driveway easement.*

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

**MOTION: Wirtz / Bahrke**

*Motion to grant permission for the Police Chief to run an advertisement to hire a LTE (limited term employee) officer for the Police Department.*

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

**MOTION: McDermid / Holman**

*Motion to grant permission for the Police Chief to start fund raising efforts for a K-9 unit and all necessary equipment to run the operation.*

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

L. Adjournment.

**Mayor Rice** asked if there was any further business before the meeting is adjourned. Having no further business, Mayor declared the meeting adjourned at 8:00 pm.

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City Administrator Vicki A. Roberts