

(Approved)

**REGULAR CITY COUNCIL
MEETING
Minutes**

March 25, 2019

Brillion City Center

6:30 PM

CALL TO ORDER:

Mayor Gary Deiter called the meeting to order at 6:34 PM with the Pledge of Allegiance recited by those in attendance.

ROLL CALL:

Present were Mayor Gary Deiter, Alderpersons Mel Edinger, Timothy Hanson, Joe Levash, Betty Nies, Vicki Shafran, and Wally Sonnabend. Also present were City Administrator/Clerk-Treasurer Lori Gosz, Police Chief JoAnn Mignon, Public Works Director Andy Geiger, Fire Chief Joey Diener, Park & Recreation Director Ann Marx, City Librarian Rachel Hitt, and Deputy Clerk/Treasurer Joy Buboltz. Absent was Alderperson Carrie Wenzel.

APPROVAL OF THE AGENDA:

Mayor Deiter announced that agenda item #6 – C 3 will not be acted upon due to needed clarification on the license.

Motion –Edinger moved to approve the agenda with the stated deletion. Seconded by Hanson. Call vote taken. Motion carried unanimously.

APPROVAL OF MINUTES – FEBRUARY 25, 2019 REGULAR CITY COUNCIL MEETING MINUTES:

Motion – Shafran moved to approve the minutes of the February 25, 2019 Regular City Council Meeting minutes. Seconded by Levash. Call vote taken. Motion carried unanimously.

PUBLIC APPEARANCES:

A. Citizen Input:

None.

B. Guests:

Guests of the meeting were David Nordby from The Brillion News and Jonah Popp.

CONSENT AGENDA:

A. Acceptance of Minutes:

Brillion Library Board meeting of 2/20/2019, Park & Recreation Commission meeting of 3/7/2019, Redevelopment Authority Commission meeting of 3/7/2019, Committee of the Whole Meeting of 3/11/2019, Special Redevelopment Authority Commission meeting of 3/14/2019, and Water and Sewer Utility Commission meeting of 3/18/2019.

B. Approval of Vouchers:

A. General Fund: =\$109,746.84:

B. Reserves =\$344,372.19:

C. Contingency = \$0.00:

D. TIF Expenditures \$67,274.78:

C. Approval of License Applications:

1. Operator’s License - New: Kyle Plzak, Patel Vidhi, Barbara Boettcher:

2. Operator’s License – Renewal: John Muehlbauer:

(Approved)

D. Approval of Payroll:

Motion – Edinger moved to collectively approve the Consent Agenda with the Acceptance of Minutes, Approval of Accounts Payable and Financial Reports, Approval of Payroll, and the Approval of License Applications as approved at the March 25, 2019 Committee of the Whole Meeting. Also to table agenda item #6 – C 3 due to needed clarification on the license. Seconded by Hanson.

Levash questioned what clarification was needed. Gosz explained the name on the application is not the same as on the IRS paperwork submitted to the City. The applicant was notified of this error.

Roll call vote taken. 6 votes cast. Motion carried unanimously.

E. Approval of Appointments:

None.

DEPARTMENT HEAD REPORTS:

A. Police Department:

Police Chief Mignon reported that the Department is working on upcoming events.

B. Park & Recreation:

Recreation Director Ann Marx submitted a written report. Hanson questioned the fencing at the baseball fields. Marx indicated that the fencing is around the “old” baseball field to give more parking spaces in the parking lot.

C. Library:

Librarian Hitt submitted a written report and reported on the boiler issues at the Library. She also encouraged those present to read the book *The Death and Life of the Great Lakes*.

D. Fire Department:

Chief Diener reported the Fire Department has been busy the last two (2) weeks. He also reported on a house trailer fire in the City. The Fire Department, along with the School District and the Brillion Optimist Club, is assisting the family with the needed items for them. Any questions on donations to the family can be directed to the Fire Department.

E. Public Works:

No report.

COMMITTEE REPORTS:

A. Plan Commission:

1. Committee Report:

No report.

B. Park & Recreation:

1. Baseball Backstop Fencing:

Marx explained this backstop fencing will be used to help prevent baseballs going onto the parking lot.

Motion – Levash moved to approve the bid from E.F. Becker & Sons, Inc., in the amount of \$6,218.00, for the baseball backstop fencing at Peters Park with the cost to be taken from the 2017 GO Borrowing. Seconded by Nies.

Levash asked how much of the borrowing is remaining. Marx stated approximately \$75,000.00. Gosz reminded the City Council the funds from the borrowing needs to be used by June of 2020.

(Approved)

Roll call vote taken. 6 votes cast. Motion carried unanimously.

6:45 PM – PUBLIC HEARING – DIRECT UNANIMOUS ANNEXATION OF CITY PROPERTY FOR PARCEL #1804 AND #1809:

Mayor Deiter opened the Public Hearing at 6:46 PM and asked three (3) times for testimony for or against the proposed annexation. No testimony given. Mayor Deiter closed the Public Hearing at 6:47 PM.

C. Library Board:

1. Committee Report:

No report.

D. Utility Commission:

1. 2019 Project – Market Street and Elm Street – Award Bid:

Geiger reported the Utility Commission has recommended to the City Council to only do Market Street and not Elm Street as the 2019 Street Project. Elm Street will not be done due to lack of funding for the project.

However, a small portion of Elm Street will still need to be dug up due to storm sewer work on Market Street. That portion of Elm Street will be dug up again when that street is done.

Nies asked the amount of funding that is short for the Elm Street Project. Gosz explained the funding for the project and the funds available from the 2017 Borrowing that can be used. Approximately, the City/Utility is short \$76,730 for both proposed projects.

The City Council was reminded of the requirement imposed upon the Utility by the DNR to replace 7% of lead water services in the City. Geiger informed the City Council that the Utility needs to have two (2) consecutive passing lead results in order to be off the DNR's radar for lead service replacement. To date that hasn't happened. Geiger reported on the latest lead results. Geiger was asked if Market Street would not be done this year, would the Utility have their required 7% lead water services replacements. Geiger stated no. He informed the City Council that he is waiting for an Enforcement Meeting with the DNR on this replacement. To date a meeting hasn't been scheduled.

Geiger stated, in his opinion, he feels the City/Utility shouldn't exhaust their funding for both of these proposed projects. We need to look at funding for future years projects.

Levash commented that it would be nice if there would be five (5) other properties in the City that would be willing to have their lead water service replaced so we would have the option of holding off on doing the Market Street project. Geiger stated that when other streets were done in the City, i.e. S. Francis Street, Dewey Street, Trier Street, the City/Utility wasn't under the lead service replacement requirement.

Gosz informed the City Council that when Elm Street is done only the bidding portion would need to be redone, since the engineering and design work has already been done with the Market Street project.

Discussion followed.

Mayor Deiter suggested holding a joint meeting between the City Council and the Utility Commission to discuss future projects. He would also like to have the DNR present at that meeting to inform the DNR that the City does not have the money to do all of the projects/replacement they want to City/Utility to do.

(Approved)

Geiger commended the Utility Commission on the decisions they make on these types of project. Levash agreed.

Gosz stated that if the City Council approves the bid then a Public Hearing needs to be scheduled for the assessment of special assessments to those property owners. Gosz informed the City Council that the contractor is aware that they would not be able to start this project right-a-way.

Motion – Levash moved to approve the bid from DeGrott for Market Street project only and to take the funding from the 2017 GO Borrowing, which was allocated from the Storm Sewer project and the Fire Truck. Seconded by Edinger.

Levash asked what will happen if the Fire Department informs them that they need a new fire truck. Gosz stated the City would need to then borrow for it.

Roll call vote taken. 6 votes cast. Motion carried unanimously.

E. Redevelopment Authority Commission:

1. Committee Report:

Edinger reported that the last Redevelopment Authority Commission was held with the local service organizations. Gosz stated the next joint meeting the Brillion Area Chamber of Commerce will host.

F. Committee of the Whole:

1. Eagles Wings 5K Event Permit:

Motion – Edinger moved to approve the Eagles Wings 5K Event Permit. Seconded by Levash. Call vote taken. Motion carried unanimously.

2. Bazaar After Dark Event Permit:

Gosz reported that a meeting was held with the Fox Cities Chamber regarding this event. There were some concerns raised and it is being requested to hold off on approving this Permit until those concerns have been addressed.

Motion – Edinger moved to table the approval of the Bazaar After Dark Event Permit until the April 8, 2019 Special City Council meeting. Seconded by Nies. Call vote taken. Motion carried unanimously.

3. Brillion Community Center Pool Boiler:

Geiger stated that since the last Committee of the Whole meeting he has learned that the State requires a double plate exchanger be installed versus a single plate exchanger which brings the cost up from \$10,900 to \$12,350. He explained a new pool boiler would cost \$14,730.00. The timeframe to install the double plate exchanger is 6-7 weeks and the timeframe for a new pool boiler would be 4-5 weeks.

Edinger asked Geiger what option would be the most durable and the life expectancy of each. Geiger stated the new pool boiler would not be the same type of pool boiler currently there. Since there is a very limited kind of pool boilers to choose from, the pool boiler would be built to order. Nies stated she feels we need to go with the quickest option. Geiger stated that would be going with a new pool boiler.

Motion – Levash moved to approve the quote for a new pool boiler, in the amount of \$14,730, with \$12,100 coming from HVAC Reserve Account and the balance coming from Recreation Equipment Reserve Account. Seconded by Nies. Roll call vote taken. 6 votes cast. Motion carried unanimously.

4. Transfer and Assignment Agreement – Danu J. Holdings, LLC, Avinasshi Hotel Inc, and the City of Brillion:

(Approved)

Motion – Edinger moved to approve the Transfer and Assignment Agreement between Danu J. Holdings, LLC, Avinasshi Hotel, and the City of Brillion. Seconded by Sonnabend. Roll call vote taken. 6 votes cast. Motion carried unanimously.

G. Cemetery Commission:

1. Commission Report:

No report.

H. Tourism Committee:

1. Brillion Nature Center – Maple Syrup Camp and Promotion Event:

2. Brillion Chamber of Commerce – Bazaar After Dark Event:

Hanson reported that the Tourism Committee is recommending to the City Council to grant the request from the Brillion Nature Center to release \$956.00 to the Brillion Nature Center for their Maple Syrup Camp and Promotion Event, and to grant the request from the Brillion Chamber of Commerce to release \$3,000 for the Bazaar After Dark Event.

Motion – Hanson moved to release \$956.00 to the Brillion Nature Center for their Maple Syrup Camp and Promotion Event, and to release \$3,000 to the Brillion Chamber of Commerce for the Bazaar After Dark Event. Seconded by Levash.

Edinger questioned the request for the remaining \$2,000 for the Bazaar After Dark event. Gosz explained there will be another request later for those funds.

Roll call vote taken. 6 votes cast. Motion carried unanimously.

OLD BUSINESS:

A. Ordinance – Annexing Territory to the City of Brillion:

Motion – Levash moved to adopt Ordinance #OR19-01 annexing territory to the City of Brillion. Seconded by Shafran. Roll call vote taken. 6 votes cast. Motion carried unanimously.

NEW BUSINESS:

Police Chief Mignon reported that Calumet County has received a check for the City of Brillion as reimbursement from last year's flooding.

COMMUNICATIONS – CITY ADMINISTRATOR/CLERK-TREASURER'S OFFICE:

Gosz submitted a written report and reported on the following:

- 2019 Open Book is scheduled for Monday, April 1st from 4:00 PM – 6:00 PM.
- Board of Review is scheduled for Wednesday, April 24th from 4:00 PM – 6:00 PM.
- She attended the InDevelopment Conference in Appleton on March 19th.
- Andy Geiger, Ann Marx, Sarah Pielhop, and she met with Mark Olson regarding the Brillion Works Development. Olson has offered to volunteer his assistance to the Park & Recreation Commission to write a grant application for Horn Park.
- Andy Geiger, Fire Chief Diener, and Police Chief Mignon met with Mark Olson and Dan Ariens to discuss a location for a new Emergency Service Building.
- A Joint Review Board Meeting will be held on April 1st at 5:00 PM regarding amending TID's 3 and 4 to assist financially with TID #5, and to amend the boundary of TID #5.

Levash asked if the City Council officially voted on amending TID #3 and TID #4 to assist with TID #5. Gosz stated the City Council does not have to amend those TID's. However, by amending TID #3 and TID #4, it will give the option to cost share for TID #5.

MAYOR'S REPORT:

(Approved)

Mayor Deiter reported that Calumet County is currently working on the new jail. He thanked the City Council members for all of their hard work with the Brillion Work's project.

PRESS TIME:

Nordby asked if there have been any updates on a Bellin Pharmacy coming to Brillion. Mayor Deiter stated that Bellin gave a commitment via the telephone, but is putting this on hold to see if Tadych's Econo Foods will be receiving a pharmacy in their building.

ADJOURNMENT:

The meeting adjourned the meeting at 7:43 PM.

Gary Deiter, Mayor

Joy L. Buboltz, Deputy Clerk/Treasurer