

**SPECIAL CITY COUNCIL
MINUTES**

May 13, 2019

Brillion City Center

6:00 PM

CALL TO ORDER:

City Council President Mel Edinger called the meeting to order at 6:00 PM.

ROLL CALL:

Present were Alderpersons Mel Edinger, Joe Levash, Betty Nies, Sarah Pielhop, and Carrie Wenzel. Also present were City Administrator/Clerk-Treasurer Lori Gosz, Police Captain Kirk Schend, Fire Chief Joey Diener, Park & Recreation Director Ann Marx, Public Works Director Andy Geiger, and Deputy Clerk/Treasurer Joy Buboltz. Absent were Mayor Gary Deiter, Alderpersons Tim Hanson, and Wally Sonnabend.

GUESTS:

Troy Jansen from Gold Cross Ambulance Service, Curt and Brenda Schultz, Dan and Vicki Mertens, TJ Lamers from McMahan, and Ben Peotter from Ayers & Associates.

APPROVAL OF THE AGENDA:

Motion –Levash moved to approve the agenda as printed and circulated. Seconded by Nies. Call vote taken. Motion carried unanimously.

PROTECTION OF PERSONS AND PROPERTY:

A. Ambulance Department:

1. Review of Monthly Reports:

Jansen reported on the following:

- There were 40 calls for the month of April of which 34 of those calls being billable calls. There were 29 calls in the City of Brillion, 5 calls in the Town of Brillion, 1 call in the City of Chilton, and 5 calls in the Town of Woodville.
- The repairs to the ambulance garage bay are working well.

B. Police Department:

1. Review of Monthly Report:

Chief Mignon submitted a written report.

2. Optimist Parade Event:

Nies questioned the closing of Main Street from 11:00 PM until 1:00 AM. Pielhop stated this additional road closure request is due to the Parade celebrating its 25th year. There will be a DJ playing music after the parade and once parade traffic has been cleared. Captain Schend the Police Department has no issue with this request.

Motion – Wenzel moved to approve the Optimist Parade Event Permit as presented. Seconded by Levash. Call vote taken. Motion carried unanimously.

3. Ariens Vintage Snowmobile Rally Event:

Captain Schend stated that the Police Department does not have any concerns with this event. Fire Chief Diener stated the Fire Department did not have any concerns with the event.

Motion – Nies moved to approve the Ariens Vintage Snowmobile Rally Event as requested. Seconded by Pielhop. Call vote taken. Motion carried unanimously.

C. Fire Department:

1. Review of Monthly Report:

Fire Chief Diener submitted a report and reported on the following:

- Training was been done at the Brillion Works property.
- They had the opportunity to do Fire Extinguisher Training throughout the community and will be doing training with PPI employees in June.
- Red Cross donated 42 smoke detectors to the community. Some of those detectors were placed in homes during the Rock the Block event. Once those 42 smoke detectors have been installed in homes, the Red Cross will be donating additional ones. There are hearing impaired detectors also available.

2. Resolution – UBS Financial Services, Inc. – Brillion Fire Dept. LOSA:

Gosz explained during the filing of the year end paperwork it was noticed some of the individuals on the paperwork are no longer with the City. With this Resolution, the City will be updating that information. Other than name changes, there are no other changes to the Resolution.

Motion – Wenzel moved to approve the Resolution for UBS Financial Services, Inc for the Brillion Fire Department LOSA Program. Seconded by Levash. Roll call vote taken. 3 votes cast, with Pielhop abstaining from voting. Motion carried unanimously.

D. Municipal Court:

1. Review of Monthly Reports:

The March and April Municipal Court Reports were given to the City Council for their review. No questions were asked.

CITY BUILDING AND GROUNDS:

A. Review of Monthly Report:

Geiger submitted a written report and reported on the following:

- Sod was installed at the City Center today.
- He, City Administrator/Clerk-Treasurer Gosz, MCO Employee Pete Litersky, and Utility Commission Chairperson Jeff Wittmann attended a DNR Enforcement meeting regarding the lead service line noncompliance from 2018. No fines were issued to the City, but will have until 2021 to make up the six (6) services that we fell short on in 2018.
- Peterbuilt to be replaced in 2019. Wenzel asked if there is any chance that the Peterbuilt could be leased. Geiger will check on that.
- The Ash Tree removal in Horn Park went well.
- Letters were mailed to the affected property owners on Market Street and those residents affected by the Transmission Main project.
- No commitment date has been given for when the Swamp Devil machine will arrive in Brillion.

B. Storm Sewer Lateral Request – 264 Grand Avenue:

Curt and Brenda Schultz were present regarding their concern with the connection of the mini storm sewer on their property.

Geiger explained that there has been an issue with the connection of the storm sewer lateral for the property owners at 264 Grand Avenue. In 2018, the Schultz's were required to connect their storm sewer lateral to the mini storm sewer on Grand Avenue. Brenda Schultz explained that the plumbers they discussed this with aren't sure that the storm sewer line connected to Grand Avenue will have enough

pitch for water flow. Curt Schultz stated that hooking their sump pump to the mini storm sewer along Grand Avenue would not be practical, due to the pitch and the cost. Pielhop asked if the Schultz's were informed that it would be fine to discharge their sump pump line to the back of their home. Curt Schultz stated yes.

Levash stated that per City Code residents must hook their sump pump line to the mini storm sewer if there is a mini storm sewer line to hook to. Geiger stated that due to the cold the Schultz's were allowed to run it to their back yard until it was warm enough to connect to the mini storm sewer line.

Curt Schultz stated he is willing to run his line underground and would ask the City to split that cost with him. Geiger stated the cost of trenching would be paid by the property owner.

Curt Schultz stated that he and his wife are looking for suggestions to rectify this issue. He stated the sump pump line is already under the ground.

Edinger suggested meeting with the City Engineer, Ron Wolf, for suggestions/options. Brenda Schultz explained that currently their sump pump runs all of the time. Brenda Schultz also stated that the impression her and her husband received is that the City would allow them to run their sump pump line to the back of their home.

Motion – Levash moved to table this issue and that any expense incurred for the review of options for the running of their sump pump line is to be paid by the homeowner. Seconded by Nies. Roll call vote taken. 4 votes cast. 2 yes votes cast by Levash and Nies and 2 no votes cast by Pielhop and Wenzel. City Council President Edinger cast a no vote. Motion failed.

Motion – Wenzel moved to table this issue and to have the City pay for a maximum of two (2) hours of time by the City Engineer and any cost of the City Engineer beyond those two (2) hours would be paid by the homeowner. Also, to understand what the plan is for this issue and to come up with options for this, if any. Also that Andy Geiger needs to be present during the review of these options for the property owner. Seconded by Pielhop. Roll call vote taken. 4 votes cast. 2 yes votes cast by Wenzel and Pielhop and 2 no votes cast by Levash and Nies. City Council President Edinger cast a yes vote. Motion carried.

C. Agreement for Professional Services – Specification for Demolition – TIF #5:

Gosz reported that per the Development Agreement with the Brillion Works property, the City is obligated for the demolition of certain buildings on the property.

The City's Purchasing Policy requires that two (2) bids are received for engineering, architect and other professional services. A proposal was received from Ayers for the development of plans and specifications for the demotion work, and a proposal was received from McMahon for their development of plans and specifications for the project.

Gosz explained that the City will want an Engineer "on the clock" as we move along with this project to make sure the demolition and removal is done as required. She also stated that she did not have the City Attorney review these documents yet.

Ben Peotter introduced himself to the City Council and gave a brief background of his qualifications and Ayers qualifications. He stated that Ayers is currently working with Ariens Co. on this Brillion Works project.

Levash asked who would represent the City during this demolition project. Peotter stated that would be up to the City Council to decide. Peotter stated that Ayers would submit applications to the DNR as it

relates to the disposal of asbestos and lead paint. He stated they might be looking at another grant, so there could be two (2) bid packets. Pielhop asked if that would include grant writing. Peotter stated he thinks that is part of the contract with Ariens Co.

Peotter explained that with the buildings that are scheduled to be demolished they would make sure the contractors would be pre-qualified.

Gosz asked who would represent the City after the pre-construction meeting. Peotter stated that Ayes could assist the City, but did not include that in the proposal. It would be a separate agreement for services.

Geiger stated he feels the City would get the best price if one (1) contractor is hired for the demolition. Plant 2 is scheduled to be demolished first. Peotter stated this would be clarified in the bid packet.

TJ Lamers, McMahon, stated that the Agreement they submitted is basically the same Agreement used with the demolition of the former T&C Building. Levash asked if he has any experience in the demotion of buildings. Lamers stated just the T&C Building.

Gosz stated that the City Attorney fees incurred with this project would be grant eligible.

Motion – Levash moved to table this agenda item and have Attorney George Merck review the Agreements, with the Attorney fees not exceeding \$5,000. Seconded by Pielhop. Roll call vote taken. 4 votes cast. Motion carried unanimously.

D. Park & Recreation – Park Comprehensive Plan – Award Bid:

Motion – Nies moved to approve the Park Comprehensive Plan to Rettler in the amount of \$9,130. Seconded by Pielhop.

The funds for this Plan will come from the borrowing. Nies stated this Plan covers all of the City Parks.

Roll call vote taken. 4 votes cast. Motion carried unanimously.

E. Plan Commission – Rezoning/Certified Survey Request – Mertens Property – S. Glenview Ave:

Geiger explained that Dan Mertens would like to rezone his property on S. Glenview Avenue from R-2 to R-1. Geiger also stated that Mertens would like to relocate the property lines for his three (3) lots to create four (4) lots instead in order to construct four (4) ranch type homes on that property. However, the size of the lot will not be big enough per City Code. Currently, the City Code states that the minimum lot area for an R-1 zoning is 8,000 sq. ft., and the minimum lot area for R-2 zoning is 10,500 sq. ft. The Plan Commission has recommended to City Council to amend the Zoning Code to allow for the Plan Commission's review of any lot size that is proposed by a Certified Survey Map that does not meet the minimum requirement.

Motion – Levash moved to set a Public Hearing date of June 10, 2019 at 6:15 PM to hear testimony for or against the proposed Rezoning change from R-2 to R-1, and the Certified Survey Request by Dan Mertens for the property he owns on S. Glenview Avenue. Seconded by Nies. Call vote taken. Motion carried unanimously.

F. Plan Commission – Zoning Code Amendment – Residential Districts:

Motion – Levash moved to set a Public Hearing date of June 10, 2019 at 6:20 PM to hear testimony for or against the proposed Zoning Code Amendment as it relates to minimum lot sizes in Residential Districts. Seconded by Nies. Call vote taken. Motion carried unanimously.

FINANCE AND PURCHASING:

None.

PERSONNEL:

None.

OLD BUSINESS:

Pielhop stated that residents are not in favor of eliminating the large item pickup event. Nies agreed. Gosz stated this will need to be discussed during budget meetings.

NEW BUSINESS:

None.

ADJOURNMENT:

The meeting was adjourned at 7:30 pm.

Lori M. Gosz
City Administrator/Clerk-Treasurer