

CITY COUNCIL MEETING

November 28, 2022

Brillion City Center

6:30 PM

CALL TO ORDER

The City Council meeting was called to order by Mayor Smith at 6:35 pm.
Pledge of Allegiance was recited by those present.

ROLL CALL

Present: Mayor Mike Smith, Joe Behnke, Tim Hanson, Shelly Lau, Joe Levash, TJ Moehr, Ruben Piepenburg

Not Present: Kory Davis

Also present: Richard Johnston, Lydia Dill, Austen Frederickson, Patty Schreiber, Garrett Wenzel

GUESTS

Joel Thorpe, Deb & Terry Mathiebe, Jim & Tracy Lemke, Phyllis Gotter, Pamela Hooyman, Randy Hooyman, Corbin Graper, Dawn Graper, Todd McCormick, Justin Smith, Keith Krepline, Michael Alt, Elizabeth Alt, Dyan Vogel, Mark Vogel

Zoom: Brillion News, Dan Farrell, Lauren

APPROVAL OF AGENDA

MOTION - Levash moved to approve the agenda as amended for correct date in item 13C1b2.
Seconded by Piepenburg. All in favor. Motion carried.

APPROVAL OF MINUTES

MOTION – Piepenburg moved to approve the minutes from the October 24, 2022 Regular Council Meeting, November 2, 2022 Special Joint Meeting with the Finance & Purchasing Committee, and November 14, 2022 Special Meeting. Seconded by Lau. All in favor. Motion carried.

PUBLIC APPEARANCES

Citizen Input none

Presentations/Proclamations none

Appointments none

PUBLIC HEARINGS

6:35 PM – PUBLIC HEARING Conditional Use - Graper

Mayor Smith opened the public hearing at 6:36 pm.

Frederickson gave an overview. Mike Alt and Pamela Hooyman spoke in support.

Three calls for additional public comment.

Public hearing closed at 6:46 pm.

6:35 PM – PUBLIC HEARING Conditional Use – 414 Pagel Avenue

Mayor Smith opened the public hearing at 6:40 pm.

Frederickson gave an overview. Conditional use need for short-term rental in nature.

Dyan Vogel shared concerns on property value to her home.

Gotter inquired if owner will be on site when rented out.

Mark Vogel shared concerns with garbage and loud noise.

Kieth Krepline shared not going to be a bed and breakfast. Value has gone up and value will continue to go up. Will be a short stay rental. Will be there to check people in and property will be monitored every day.

Tracy Lemke shared concerns.

Jim Lemke questioned length of the conditional use. Conditional use transfers with property as long as conditionally used without gaps.

Three calls for additional public comment.

Public hearing closed at 6:53 pm.

6:35 PM – PUBLIC HEARING Rezoning – 210 W National Avenue

Mayor Smith opened the public hearing at 6:53 pm.

Frederickson gave an overview. Currently R-1; rezoning to R-2.

Pamella Hooyman commented on the Growth of Brillion and this is a good way.

Three calls for additional public comment.

Public hearing closed at 6:57 pm.

CONSENT AGENDA

Acceptance of Minutes:

Brillion Housing Authority – none

Committee of the Whole - October 14, 2022 & November 14, 2022

Finance Committee – November 23, 2022

Library Board – October 26, 2022

Park & Recreation Commission – November 3, 2022

Plan Commission – October 3, 2022 & November 7, 2022

Protections of Persons & Property – October 17, 2022

RDA Meeting – September 13, 2022 & November 8, 2022

Tourism Committee – none

Utility Commission – October 17, 2022

Cemetery Committee – November 16, 2022

Joint Review Board Meeting – No Meeting

Board of Review – No Meeting

Motion - Lau moved to accept the Consent Agenda minutes. Seconded by Piepenburg.

All in favor. Motion Carried.

DEPARTMENT HEAD REPORTS:

Park & Recreation

Report included in the packet.

Library

Report included in the packet.

Kicked off the Holiday Light Competition. Keith Krepline donated \$500. The Brillion Chamber donated as well. These monies will be used as cash prizes. Several local businesses have donated many additional prizes as well.

Fire Department - nothing to add to the report

Police Department - Report included in the packet.

Behnke inquired if there has been any calls with regards to lighting at Round Lake Farms. Will be on the Plan Commission agenda in December.

Ambulance - Report in the packet.

Municipal Court

Brillion Court Report

Reedsville Court Report

Reports included in packet.

Public Works

Report included in packet.

Should be finishing Paser Report later this week. Will forward when completed.

Hanson inquired when Christmas light are going up. Per Frederickson, next week.

City Administrator - nothing additional to report

Clerk/Treasurer –

Utility insert was shared with the Council. Behnke requested to include Kennel requirements.

The December 26, 2022 meeting is reschedule for December 19, 2022 at 6:30 pm. The Committee of the Whole meeting will be held at 6:00 pm. The Utility Commission meeting will be moved to 5:00 pm.

The December 12, 2022 Committee of the Whole meeting will be cancelled.

Mayor's Report

Did respond to the resident with regards to the lighting concerns at Round Lake Farms.

COMMITTEE REPORTS

Brillion Housing Authority

Did not discuss much. No quorum.

Cemetery Commission

Received Forestry grant for tree removal. Tabled until Spring.

Looking for a Sexton. Inquired if this can be brought into the DPW Director role.

Hold Harmless Agreement

Motion – Levash moved to approve of the Hold Harmless Agreement. Seconded by Behnke. Call vote.

All in favor. Motion carried.

Cemetery Contract

Frederickson explained the changes included increasing the payment per cycle to \$500 and increasing the hourly wage to \$15.

Motion – Behnke moved to approve the Cemetery Contract. Seconded by Lau. Call vote. All in favor.

Motion carried.

Committee Of the Whole

Licenses

Operator Licenses: New

Diane M Lee, Isabella T Smith, Lori Tesch

Motion – Lau moved to to approve of the Operator's Licenses for Diane M Lee, Isabella T Smith, Lori Tesch. Seconded by Levash. Call vote. All in favor. Motion carried.

Fireworks Permit

G & M Fireworks – January 7, 2023 Round Lake Farms at Dusk

G & M Fireworks – January 21, 2023 Round Lake Farms at Dusk

Motion - Levash moved to approve of the G & M Fireworks Permit for January 7 and 21, 2023.

Seconded by Moehr. Call vote. In favor Behnke, Piepenburg, Moehr, Levash. Opposed Hanson, Lau.

Motion carried.

Finance and Purchasing Committee

Loan application fees was requested to be on the next agenda in an effort to recover the City costs. TIF expenses were explained. EPA Brownfield Grant is the income source.

Review of the Vouchers:

General Fund \$ 330,278.73

Reserves \$ 14,304.77

Contingency \$ 0

TIF Expenditures \$ 56,392.45

Motion – Behnke moved to approve the General Fund vouchers in the amount of \$330,278.73, the Reserve Expenditures in the amount of \$14,304.77, TIF Expenditures in the amount of \$56,392.45 collectively. Seconded Piepenburg. All in favor. Motion carried.

Review of Payroll

Pay Period: 9/24-10/7/2022 paid on October 21, 2022 \$ 52,850.72

Pay Period: 10/8-10/21/2022 paid on November 4, 2022 \$ 55,657.14

Pay Period: 10/22-11/4/2022 paid on November 18, 2022 \$61,032.43

Motion – Lau moved to approve the payroll report for October 21, 2022, in the amount of \$52,850.72, November 4, 2022 in the amount of \$55,657.14 and November 18, 2022 in the amount of \$61,032.43. Seconded by Piepenburg. Call vote. All in favor. Motion carried.

Recommendations to Council

Eastshore Humane Association May 1, 2022 – April 30, 2023 Agreement

Missed between administrators.

Motion – Behnke made a motion to approve the Eastshore Humane Association May 1, 2022 – April 30, 2023 Agreement. Seconded by Lau. Call vote. All in favor. Motion carried.

Wisconsin Public Finance Professional – Municipal Advisor Agreement

Replaces Ehlers as our advisor. Wisconsin Public Finance Professional is a fiduciary entity. Johnston was not able to gather the information before the meeting but feels will be less costly.

Motion – Behnke made a motion to approve the Wisconsin Public Finance Professional – Municipal Advisor Agreement. Seconded by Levash. Call vote. All in favor. Motion carried.

Boot Policy

Frederickson explained. Incentive to have good quality boots. Reimbursement, per every 12 months, will be 50% up to \$100. Required to follow OSHA standards. This will apply to full-time employees only.

Motion – Behnke made a motion to approve the Boot Policy. Seconded by Lau. Call vote. All in favor. Motion carried.

Library Board

Library Board approved the budget including raises. Staff was informed and are thankful.

Park & Recreation

Only item voted on will be included in a close session.

Plan Commission

Continuing to work on the chicken ordinance.

Conditional Use – Graper

Motion – Lau made a motion to approve the Conditional Use - Graper. Seconded by Levash. Call vote. All in favor. Motion carried.

Conditional Use – 414 Pagel Avenue

Council members shared concerns with regards to issuing this conditional use permit. Johnson explained the documents received with regards to concerns were routine neighborhood concerns not necessarily short-term rental concerns. The issues will be treated the same without regards to type of housing. Mayor Smith explained the City does not get involved in neighbor disputes. We need to approve based on whether or not it fits in to what the City allows. Johnston confirmed short-term rentals are allowed as a conditional use.

Motion – Moehr made a motion to approve the Conditional Use – 414 Pagel Avenue. Seconded by Lau. Call vote. All in favor. Motion carried.

Rezoning – 210 W. National Avenue

Motion – Lau moved to approve the Rezoning of 210 W National Avenue. Seconded by Piepenburg. Call vote. All in favor. Motion carried.

Motion – Levash moved to approve Ordinance 2022-Z003 Rezoning – 210 W National Avenue. Seconded by Piepenburg. Call vote. All in favor. Motion carried.

Ordinance Amendments

Only changing the pictorial representation (map).

City ordinance requires publication for the ordinances to take effect.

BW Apartments

Correcting the map. Procedural move.

Motion – Levash made a motion to approve Ordinance 2022-Z001 An Ordinance to Amend the Official City of Brillion Zoning Ordinance Map with regards to the BW Apartments. Seconded by Lau. Call vote. All in favor. Motion carried.

BW Healthcare Center

Motion – Lau motioned to approve Ordinance 2022-Z002 An Ordinance to Amend the Official City of Brillion Zoning Ordinance Map with regards to the BW Healthcare Center. Seconded by Piepenburg. Call vote. All in favor. Motion carried.

Protections of Persons & Property Committee Meeting is tomorrow.

Redevelopment Authority Commission nothing to report

Tourism Committee nothing to report

WATER, SEWER & UTILITY COMMISSION

MCO Contract 2023

Budgeted \$310,000. Contract came in at \$291,000.

Motion – Levash motioned to approve 2023 MCO Contract. Seconded by Behnke. Call vote. All in favor. Motion carried.

Personnel

Closed Session per W.S.S. 19.85 (1)(c) for considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental has jurisdiction or exercises responsibility.

Closed Session per W.S.S. 19.85 (1) (c) Department of Public Works Director

Closed Session Motion: Behnke moved to Convene in Closed Session at 7:57 pm.

Closed Session per W.S.S. 19.85(1)(c) Department of Public Works Director. Second by Piepenburg.

Call vote. Motion carried.

Reconvene in Open Session to take action if necessary and appropriate regarding Department of Public Works Director.

Session Motion - Lau moved to reconvene in Open Session at 8:29 pm to take action if necessary and appropriate. Second by Piepenburg. Call vote. Motion carried.

Closed Session per W.S.S. 19.85 (1)(c) for considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental has jurisdiction or exercises responsibility.

Closed Session per W.S.S. 19.85 (1) (c) Administrative Assistant Position

Closed Session Motion: Lau moved to Convene in Closed Session at 8:30 pm.

Closed Session per W.S.S. 19.85(1)(c) Administrative Assistant Position. Second by Piepenburg. Call vote. Motion carried.

Reconvene in Open Session to take action if necessary and appropriate regarding Administrative Assistant Position.

Session Motion - Lau moved to reconvene in Open Session at 8:56 pm to take action if necessary and appropriate. Second by Behnke. Call vote. Motion carried.

Old Business

Reminder Finance Committee needs another member. Suggested a second Council member.

Lights at Round Lake Farms – will be on the December Plan Commission meeting.

It was requested to communicate via website/Facebook if we are done with leaves.

Discussion regarding the sale of the third dump truck.

New Business

Behnke requested to add to a future meeting the changing of the Zoning Publication requirements for pictorial updates.

Communications- none

Press Time - none

ADJOURNMENT:

The meeting adjourned at 9:05 pm.

Patty Schreiber
Clerk/Treasurer