

## CITY COUNCIL MEETING

May 22, 2023

Brillion City Center

6:30 PM

### CALL TO ORDER

The City Council meeting was called to order by Mayor Smith at 7:10pm.  
Pledge of Allegiance was recited by those present.

### ROLL CALL

**Present:** Mayor Mike Smith, Joe Behnke, Kory Davis, Tim Hanson, Shelly Lau, Dan Farrell, TJ Moehr  
**Absent:** Ruben Piepenburg  
**Also present:** Kirk Schend, Ann Marx, Lydia Dill, Garrett Wenzel, Heather Gilbertson, Patty Schreiber

**GUESTS:** 9202465301 (via Zoom)

### APPROVAL OF AGENDA

**MOTION** - Lau moved to approve the agenda as amended to include the close session motion from the Committee of the Whole meeting. Seconded by Farrell. All in favor. Motion carried.

### APPROVAL OF MINUTES – April 24, 2023

**MOTION** – Davis moved to approve the minutes from the April 24, 2023. Seconded by Lau. All in favor. Motion carried.

### PUBLIC APPEARANCES

**Citizen Input** - None

### PUBLIC HEARINGS

**Ordinance Amendment – Chapter 94, Article III, Division 5,  
Section 94- 186; Amendment to include the new subdivision Stop Signs**

Mayor Smith opened the public hearing at 7:12pm.  
Three calls for public comment.  
Public Hearing was closed at 7:13pm.

**PROCLAMATIONS** - None

**PRESENTATIONS** - None

### CONSENT AGENDA

#### Acceptance of Minutes

Brillion Housing Authority – no meeting  
Committee of the Whole – April 24, 2023 and May 8, 2023  
Finance Committee – May 17, 2023  
Library Board – April 12, 2023  
Park & Recreation Commission – May 4, 2023  
Plan Commission – May 1, 2023  
Protections of Persons & Property – April 10, 2023  
RDA Meeting – no meeting

Tourism Committee – no meeting  
Utility Commission – May 15, 2023  
Cemetery Committee – no meeting  
Joint Review Board Meeting – no meeting  
Board of Review – May 3, 2023

**Motion** – Behnke moved to collectively accept the Consent Agenda minutes. Seconded by Lau. All in favor.  
Motion Carried.

## **DEPARTMENT HEAD REPORTS:**

### **Park & Recreation**

Report included in the packet.

### **Library**

Report included in the packet.

Dill added that we did not receive the WEDC grant. They did not give a reason however she feels it may have been because they did not give enough information on how they were going to match funds. There are 3 more grants coming up that Dill plans to apply for.

### **Fire Department**

Report included in the packet.

Wenzel stated it has been a slow month.

### **Police Department**

Report included in the packet.

### **Ambulance**

#### **Monthly Report**

#### **Financial Report**

Report in the packet.

### **Municipal Court**

#### **Brillion Court Report**

#### **Reedsville Court Report**

Reports included in packet.

### **Public Works - None**

### **City Administrator/Community Development Director – None**

#### **Clerk/Treasurer**

Schreiber stated that for the 4<sup>th</sup> of July holiday City Center will be closed July 3<sup>rd</sup> and 4<sup>th</sup>. The 3<sup>rd</sup> will be a personal/floating holiday and the 4<sup>th</sup> will be a paid holiday.

#### **Mayor's Report - None**

## **COMMITTEE REPORTS**

### **Brillion Housing Authority**

Moehr was unable to attend and unsure if they had one.

## **Cemetery Commission**

No meeting

## **Committee Of the Whole**

### **Miller Bradford & Risberg Inc Wheel Loader Lease**

**Motion** -Behnke moved to approve the Miller Bradford & Risberg Inc Wheel Loader Lease for 2023 in the amount of \$17,992. Seconded by Hanson. Call vote. All In Favor. Motion carried.

### **John Deere 7R 310 Rental Agreement**

Behnke stated that without this piece of equipment the plowing will not get done therefore he is for it.

**Motion** – Behnke moved to approve the John Deere 7R 310 Rental Agreement with Riesterer and Schnell in the amount of \$508,282.00. Seconded by Davis. Call vote. All In Favor. Motion carried.

## **Finance & Purchasing Committee**

Committee Report

### **Review of the Vouchers:**

**General Fund \$ 342,505.43**

**Reserves \$ 0.00**

**Contingency \$ 0.00**

**TIF Expenditures \$ 288,177.62**

There is \$250,000 of TIF money that needs to be sent to BrillionWorks however Schreiber is going to work with Amber from CLA on how to handle the exchange.

**Motion** – Behnke moved to approve the General Fund vouchers in the amount of \$342,505.43, TIF Expenditures \$288,177.62. Seconded Farrell. Call vote. All in favor. Motion carried.

## **Review of Payroll**

**Pay Period: 3/25-4/7/2023 paid on April 21, 2023 \$ 59,754.27**

**Pay Period: 4/8-4/21/2023 paid on May 5, 2023 \$ 53,104.96**

**Motion** – Lau moved to approve the payroll report for April 21, 2023 in the amount of \$59,754.27, and the May 5, 2023 in the amount of \$53,104.96. Seconded by Davis. Call vote. All in favor. Motion carried.

## **Maturity Notices – 1 notice**

Verve – Notice of Certificate Maturity

Schreiber stated that the 90 day notice is coming due and Verve will not match State Bank of Chilton’s rates. Finance & Purchasing Committee agreed to renew for 90 days and compare all Brillion banks at that time.

Behnke said he would like to put Collins State Bank in the mix as well. Schreiber clarified that the reason for renewing for 90 days at Verve is because there are no signature cards at Verve currently. Those will need to be updated before the certificate matures again. Farrell asked if there was information on what all the certificates are for that the city has. Schreiber stated she is working on a list to share with the council and committees.

**Motion** – Behnke moved to approve the reinvestment of the certificate for 90 days at Verve. Seconded Lau. Call vote. All in favor. Motion carried.

## **Rescind Personal Property Taxes – EconoFoods – T&C Markets**

Schreiber stated that the sale of Taydch's EconoFoods created 2 personal property tax forms, one for the old and one for the new. The council will need to approve the rescinding of EconoFoods-T&C Market personal property taxes. .

**Motion** – Behnke moved rescind personal property taxes – EconoFoods – T&C Markets. Seconded by Davis. Call Vote. All In Favor. Motion carried.

### **Resolution – RE23-09 First Amendment to A Resolution Setting Wages & Benefits for 2023**

Schreiber stated this was an oversight that was not included in the annual raises however it was budgeted for.

**Motion** – Behnke moved approve RE23-09 and retro back pay to January 1, 2023. Seconded by Farrell. Call Vote. All In Favor. Motion carried.

### **Resolution – RE23-10 Resolution Authorizing Deposit Account for USEPA Brownsfield Cleanup Grant – Brillion Iron Works Revitalization Project**

**Motion** – Lau moved to approve RE23-10 Resolution. Seconded by Davis. Call Vote. All In Favor. Motion carried.

### **Bank Reconciliation – None**

### **Library Board**

Committee Report

Moehr stated he was unable to attend however Dill's report covered it.

### **Park & Recreation**

Committee Report

Hanson stated during their meeting the Bank Shell was reviewed. It will cost \$100,000 to repair. They are currently looking for estimates to eliminate it. The black top near the Pavilion is starting to wear. The Optimist are looking at putting some new playground equipment near that area in the future. Hanson stated a few other things discussed were mold in the bathrooms, the splash pad and marketing. Lau asked to have some follow up on a few things: tickets for WREA (?); splash pad hours have been updated for June on Facebook, there is no update on when the parts needed for the splash pad will be available, the water on the splash pad is turned off at 11:00pm and back on at 5:00am; the mold in the bathrooms is being sprayed and cleaned, grout will probably need to be redone; working on getting duplicate keys made however must go through a company in Green Bay.

### **Plan Commission**

Committee Report

### **Bug Tussel Update**

Farrell stated that KES states that replacing the road back to it's original condition is their responsibility and they will take care of it. This project is for access points to add fiber optics at a future date down Main St.

**Motion** – Farrell moved to approve the Bug Tussel Permit Application. Seconded by Behnke. Call Vote. All In Favor. Motion carried.

### **Deer Run Mini Golf Course – Final Site Plan**

**Motion** – Farrell moved to approve Deer Run Mini Golf Course – Final Site Plan. Seconded by Lau. Call Vote. All In Favor. Motion carried.

**OR23-01 Ordinance Amendment – Chapter 94, Article III, Division 5, Section 94-186; Amendment to include the new subdivision Stop Signs**

Farrell stated this was approved at the Planning Commission. Hanson asked what the cost of this would be. Schreiber stated 2 stop signs and installation, estimation \$250-\$300 each.

**Motion** – Farrell moved to approve OR23-01 Ordinance Amendment – Chapter 94, Article III, Division 5, Section 94-186; Amendment to include the new subdivision Stop Signs. Seconded by Lau. Call Vote. All In Favor. Motion carried.

**OR23-03 Rezoning Carstens Mill LLC**

Farrell stated that the next 3 items are housekeeping items. Schreiber explained that originally when these items were rezoned there should have been an ordinance as well. The notice in the paper and public hearings were complete, now is the last step of the ordinance.

**Motion** – Lau moved to approve OR23-03 Rezoning Carstens Mill LLC. Seconded by Davis. Call Vote. All In Favor. Motion carried.

**OR23-04 Rezoning & PUD Ariens Nordic Center**

**Motion** – Moehr moved to approve OR23-04 Rezoning & PUD Ariens Nordic Center Seconded by Davis. Call Vote. All In Favor. Motion carried.

**OR23-05 Rezoning Deer Run Golf Course**

**Motion** – Behnke moved to approve OR23-05 Rezoning Deer Run Golf Course. Seconded by Lau. Call Vote. All In Favor. Motion carried.

**Set Public Hearing**

Rezoning for both parcels 15072 and 15093 from R2 to Institutional

Farrell stated there was an offer to purchase on the parking lot behind Gieses that fell through. However, the lot is zoned as R-2 Residential which means if sold someone could put a duplex there. This lot should be zoned as Institutional.

**Motion** – Farrell moved to approve the public hearing is set for August 28, 2023, at 6:35PM. Seconded by Behnke. All In Favor. Motion carried.

**Protections of Persons & Property Committee**

Committee Report

**TJ Bastian: Kennel Permit Renewal**

**Motion** – Behnke moved to approve TJ Bastian Kennel Permit Renewal. Seconded by Lau. Call Vote. All In Favor. Motion carried.

**G&M Fireworks – Round Lake Farms Fireworks Permit**

Behnke stated that they need to adhere to the map on location of firing off fireworks.

**Motion** – Behnke moved to approve G&M Fireworks – Round Lake Farms Fireworks Permit. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

**Brillionfest**

**Optimist Club Parade Request**

**Motion** – Behnke moved to approve Optimist Club Parade Request. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

**Brillion Athletic Association Temporary Class “B”/Class “B” Retailers License**

**Motion** – Lau moved to approve Brillion Athletic Association Temporary Class “B”/Class “B” Retailers License. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

**Brillion Fire & Rescue Association, Inc Temporary Class “B”/Class “B” Retailers License**

**Motion** – Lau moved to approve Brillion Fire & Rescue Association, Inc Temporary Class “B”/Class “B” Retailers License. Seconded by Davis. Call Vote. All In Favor. Motion carried.

**Brillion Fire & Rescue Association, Inc Temporary Street Closures**

Wenzel stated the street closure is larger this year however they have spoken with business’s and property owners that would be affected by this and solutions for the customer traffic has been taken care of.

**Motion** – Behnke moved to approve Brillion Fire & Rescue Association, Inc Temporary Street Closures, and variance from the noise ordinance on June 10. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

**Operator Permits**

Alberto Gamboa, Amy Szyjakowski, Hailey Wolf, Dennis Miller, Jeff Weber, Mark Brooks, John Muehlbauer, Kenneth Zutz, Jason Kupsy, Tami Liebzeit, Shawn Calaway, Cynthia Schmidt, Kyra Behringer, Angela Jellum, Aaron Bowe, Valerie Rienhart, Allan Muehlbauer, Barbara Boettcher, Heather Borseth.

Lau asked about the spelling of Rinehart, Gilbertson to verify and correct tomorrow.

**Motion** – Lau moved to approve collectively all operator licenses. Seconded by Davis. Call Vote. All In Favor. Motion carried.

**Redevelopment Authority Commission**

Committee Report

Davis reported unable to vote as not quorum.

205 N Main Event location: Legion/BAA Beer Stand June 9, 2023

**Motion** – Lau moved to approve 205 N Main Event location: Legion/BAA Beer Stand June 9, 2023. Seconded by Farrell. Call Vote. All In Favor. Motion carried.

**Tourism Committee**

Committee Report

No meeting.

**WATER, SEWER & UTILITY COMMISSION**

Committee Report

Farrell reported the following was discussed: water case rate, Wastewater Treatment Plant inspection was completed by the DNR 2 weeks ago, the sludge valve is still not good, Reed Bed is complete, Well #2 was inspected, Ryan St lift controls, Ryan St hydrant replacement, and the Pine & Oak project.

**Personnel**

**Motion** – Lau moved to approve temporary title change to team leads and \$1.00 per hour increase in wages for the DPW employees until a supervisor is hired. Seconded by Davis. Call Vote. All In Favor. Motion carried.

**Old Business**

Hanson is concerned about the potholes on LaVesta getting worse. Also questioned that the fireworks permit needs to be submitted within a certain timeframe. Schreiber stated that as long as it is received before the meeting that is fine.

Lau asked about the rip rock that was going to be looked into for out by Deer Run. Behnke stated he went out and looked and thinks they had the wrong location. The problem seems to be by the damn and pump, and he is unsure if the city would have access to that property.

Lau asked about the bakery waiting on inspection. The mayor stated that the state inspection is what they are waiting on to open. Schreiber explained further that Calumet County does not have a health department therefore they need to wait for a state inspector to come through and approve.

**New Business**

The mayor gave staff direction to get the key situation figured out.

**Communications**

Schreiber stated an invite to Holy Family Learning Center open house was emailed to the council if they would like to attend on June 10.

**Press Time** - None

**ADJOURNMENT**

The meeting adjourned at 8:04 pm.

Heather Gilbertson  
Deputy Clerk/Treasurer