

CITY COUNCIL MEETING

October 23, 2023

Brillion City Center

6:30 PM

CALL TO ORDER

The City Council meeting was called to order by Mayor Smith at 6:30pm.
Pledge of Allegiance was recited by those present.

ROLL CALL

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

GUESTS: Tom Kees; Bob Endries; Pat Endries; Joe Larsen; Deena Larsen; Deb Raddatz; Brillion News
(via Zoom)

APPROVAL OF AGENDA – amend the agenda to add ABCA Grant Application as 14C3.

MOTION – Hanson moved to approve the amended agenda to add ABCA Grant Application as 14C3.
Seconded by Davis. All in favor. Motion carried.

APPROVAL OF MINUTES – October 9, 2023

MOTION – Davis moved to approve the minutes from the October 9, 2023. Seconded by Lau. All in favor.
Motion carried.

PUBLIC APPEARANCES

Citizen Input – None

PUBLIC HEARINGS

Rezoning Holy Family School – 209 N. Custer St.

Mayor Smith opened the public hearing at 6:35 p.m.

Tom Kees – 218A N. Main Street – representing Holy Family as a Trustee and submitted the application for rezoning. This rezoning is just for the parcel with the school building on it. The parking lot and field beyond that is not being rezoned. Kees agrees with the comments from Plan and Committee of the Whole that currently whomever purchases the property currently has no assurance that it can be used for apartments. With the rezoning complete that is one less thing they need to complete. Also, changing the zoning from Institutional to R3 – multifamily makes it taxable property.

Bob Endries – member of Holy Family Parish and representing industry in the city.

The employment market is a tough place right now and migrant workers will be moving into the city looking for work. They will be needed to handle the manual labor workforce. Endries and Professional Plating have been dedicated to the City of Brillion.

Deena Larsen – Jackson Street

She currently lives in the neighborhood and Holy Family has been wonderful neighbors for years and will be sad to see them go. The neighborhood is currently a clean, safe, and wonderful environment to live in. That being said, a multifamily housing going up she hopes that the new owners would continue to maintain the property and keep the neighborhood nice.

Deb Raddatz – S. Custer Street

She is all for changing the rezoning to multifamily. It would bring opportunities for housing for more people and help the population grow. Maybe with the growth it would bring back some of the downtown businesses and fill the empty store fronts. A buyer who has a vision and means to benefit Brillion would be great and not have another blighted building in the city.

Three calls for public comment. Public Hearing was closed at 6:44pm.

PROCLAMATIONS – None

APPOINTMENTS

Betty Nies – Park & Recreation

Motion – Farrell moved to change Betty Nies from an alternate position on Park and Recreation Commission to a voting member. Seconded by Behnke. All in favor. Motion Carried.

CONSENT AGENDA

Acceptance of Minutes

Brillion Housing Authority – September 1, 2023, September 25, 2023, and October 16, 2023

Committee of the Whole – October 9, 2023, October 12, 2023, and October 16, 2023

Finance Committee – September 20, 2023

Library Board – September 20, 2023

Park & Recreation Commission – September 21, 2023, October 5, 2023

Plan Commission – October 2, 2023

Protections of Persons & Property – September 12, 2023, and October 4, 2023

RDA Meeting – no meeting

Tourism Committee – no meeting

Utility Commission – October 16, 2023

Cemetery Committee – no meeting

Joint Review Board Meeting – no meeting

Board of Review – no meeting

Board of Appeals – no meeting

Motion – Hanson 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.

Marx reported that Reedsville School District is participating in after school programs and one Saturday a month. They are doing art projects, using the gym and pool. She is also hoping to get going on the Horn Park project due to the weather this week causing the delay.

Library

Report included in the packet.

Dill gave a Garden update. The Peter's foundation donated \$30,000 last year to the garden and are offering to match up to \$50,000 for any fundraising that is done between June 7, 2023 through the end of 2024.

Currently they have already raised roughly \$5,000 so far.

Fire Department

Report included in the packet.

Wenzel added to his report that there will be an open house on Saturday, October 28 from 2-5 before the Walk-through Brillion. Everyone is invited to attend and there will be some activities for the kids.

Police Department

Report included in the packet.

Schend made a correction on his report that it stated it was August but was really for September. Behnke questioned the replacement of the polymer lowers and what that was for. Schend stated that was for the ARs. The lowers were all polymer and over time and rapid shooting this could be a problem. They were changed out for metal.

Ambulance**Monthly Report - Financial Report**

Report in the packet.

Municipal Court**Brillion Court Report****Reedsville Court Report**

Reports included in packet.

Public Works

Report included in the packet.

City Administrator/Community Development Director - None

Clerk/Treasurer – None

Mayor's Report - None

COMMITTEE REPORTS**Brillion Housing Authority**

Moehr was at the last meeting and there was a presentation about tax credits. The mayor added that they also discussed potential grants that could be applied for.

Cemetery Commission

No meeting

Committee Of the Whole**Compost Agreement**

No action taken.

Reduce DPW Supervisor Salary split with the Utility Budget from 40% to 20%

The mayor stated this will be approved during budget time.

ABCA Grant Application

Motion – Lau moved to approve the advertising and public comment event for November 6, 2023 at a Joint Plan Commission and Council Meeting. Seconded by Farrell. Call vote. All in favor. Motion carried.

Finance & Purchasing Committee

Behnke stated there are two vacancies are the committee.

Review of the Vouchers:

General Fund: \$ 573,550.43

Reserves \$ 29,663.73

Contingency \$ 0

TIF Expenditures \$ 72,537.50

Motion – Behnke moved to approve the General Fund vouchers in the amount of \$573,550.43, Reserves \$29,663.75 and TIF Expenditures \$72,537.50. Seconded by Hanson. Call vote. All in favor. Motion carried.

Review of Payroll

Pay Period: 8/26 – 9/8/2023 paid on September 22, 2023 \$ 53,910.25

Pay Period: 9/9 – 9/22/2023 paid on October 6, 2023 \$ 65,667.68

Motion – Behnke moved to approve the payroll report for September 22, 2023, in the amount of \$53,910.25, and October 6, 2023, in the amount of \$65,667.68. Seconded by Hanson. Call vote. All in favor. Motion carried.

2023 Budget Amendment

Schreiber explained that during the utility meeting their budget was amended by \$100,000 for administrative expenses. This requires the removal of the receipt of that money from the city budget. She will draft a resolution for this as well.

Motion – Farrell moved to approve the 2023 Budget Amendment. Seconded by Davis. Call vote. All in favor. Motion carried.

RE23-17 Resolution Authorizing Application EMS Flex Grant 2023

This was written by Nick Romenesko for Golf Cross Ambulance Service. It is listed as for a “vehicle” however it is for items in a vehicle. Schreiber explained the resolution is to authorize the application. Behnke gave direction to staff to let Nick with Gold Cross know that grants applied for need to be sent to the city with all the information before he applies.

Motion – Behnke moved to approve RE23-17 Resolution Authorizing Application EMS Flex Grant 2023. Seconded by Lau. Call Vote. All In Favor. Motion carried.

Library Board

Moehr stated Dill covered everything in her report.

Park & Recreation

Hanson stated nothing additional to report.

Plan Commission

Farrell reported that the Gardan Easement is still under review. The sewer line hook ups are still under review. Maertz stated that he reached out to Harrison and Elkhart Lake about their policies.

There is a County Comprehensive Plan meeting tomorrow afternoon. Maertz stated he would be in attendance.

OR23-08 Rezoning Holy Family School – 209 N. Custer St.

Motion – Farrell moved to approve OR23-08 Rezoning Holy Family School – 209 N. Custer St. Seconded by Lau. Call Vote. All In Favor. Motion carried.

Protections of Persons & Property Committee

Behnke reported that the Gold Cross Ambulance Agreement is not completed yet. Mike Petrie resigned from the committee. Behnke asked that either staff or committee get together to get the ambulance agreement completed. They are currently looking to fill a vacancy, the mayor stated he is working on that.

Operator Licenses

Motion – Behnke moved to approve the Operator License: Courtney Shaffer, Sherrie Thorpe, and Madison Horn. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

Temporary Operators Licenses for Optimist Walk thru Brillion:

Motion – Behnke moved to approve the temporary Operator Licenses for the Walk through Brillion: Anita Butkovich, Holly Cervantes, Ryan Cherney, Ashley Eickert, Kerri Davy Martin, Mitchell Michiels, Margaret Demski, Sue Knott, and Jessica Kuchenbecker. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

Dog Kennel Permit – Darcia Mitchel-Hoerning and Roger Hoerning

Motion – Lau moved to approve the dog kennel permit for Darcia Mitchel-Hoerning and Roger Hoerning. Seconded by Farrell. Call Vote. All In Favor. Motion carried.

Redevelopment Authority Commission - No meeting

Tourism Committee

Lau states that they had four applications for grants. Lau is concerned that the money for the grants is being dispersed incorrectly. The money for the grants comes from the businesses in town that have overnight guests, 3 Air BnBs and the hotel. The following grants that were approved do not have the opportunity for overnight stays. Lau wants to be sure the money is being used properly.

Retail Regroup – Christmas Kickoff 2023 Grant request of \$500

Motion – Lau moved to approve the Retail Regroup – Christmas Kickoff 2023 Grant request of \$500. Seconded by Hanson. Call Vote. All In Favor. Motion carried.

Brillion Nature Center – Christmas in the Marsh Grant request of \$500

Motion – Lau moved to approve the Brillion Nature Center – Christmas in the Marsh Grant request of \$500. Seconded by Farrell. Call Vote. All In Favor. Motion carried.

Brillion Nature Center – Winter Sprinter Grant request of \$500

Motion – Lau moved to approve the Brillion Nature Center – Winter Sprinter Grant request of \$500. Seconded by Davis. Call Vote. All In Favor. Motion carried.

City of Brillion 2024 Calumet County Visitors Guide Ad Request - \$975 plus design fees

Lau reported the advertisement in the packet is not the final draft. This should advertise overnight places to stay in the city. This grant was approved with rework being done to add additional items to it. The additional information and changes have been communicated.

Motion – Lau moved to approve the City of Brillion 2024 Calumet County Visitors Guide Ad Request - \$975 plus design fees pending changes outlined. Seconded by Behnke. Call Vote. All In Favor. Motion carried.

WATER, SEWER & UTILITY COMMISSION

Farrell reported that tower inspections are complete with no issues. They are doing a permitting system for water softeners. The DNR is requiring these numbers due to the chlorides. The permit will cost \$25.00. It will not be retroactive. Going forward when the meter changes are completed an inspection will be done at that time. Letters will be mailed to the local plumbers along with the permit to inform them as well. Schreiber gave updates for the Bond Sale. Preliminary sale will start November 12, November 13th bids will be received, a BAN resolution will be completed, and December 1 is closing.

Personnel

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

Closed Session per W.S.S. 19.85 (1)(c) City Administrator

Closed Session Motion – Davis moved to Convene in Closed Session at 7:24pm. Closed Session per W.S.S 19.85(1)©. Seconded by Lau. Call vote. Motion carried.

Reconvene in Open Session to take action if necessary and appropriate regarding the City Administrator

Session Motion – Lau moved to Convene in Open Session at 8:12 pm to take action if necessary and appropriate. Seconded by Davis. Call vote. All in favor. Motion carried.

Motion – Lau moved to offer the city administrator position to Schreiber. Seconded by Davis. Call vote. In favor: Davis, Hanson, Lau, Moehr. Opposed: Behnke, Farrell. Motion carried.

Old Business – None

New Business – None

Communications – None

Press Time – None

ADJOURNMENT

The meeting adjourned at 8:18 pm.

Heather Gilbertson
Deputy Clerk/Deputy Treasurer