

## CITY COUNCIL MEETING

**March 25, 2024**

**Brillion City Center**

**6:30 PM**

### **CALL TO ORDER**

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

### **ROLL CALL**

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

**GUESTS:** Tim Kaczorowski, Brenda Kaczorowski, Alan Johnson, Corrie Birrou, Dave Schwahn, Norb Kratz, Barb Kratz, Doug Schwartz, Tanya Schroth, James Lawman, Jason Kopf, Kurt Stephany, David Norby – Brillion News, Ron Wolf – McMahon and Associates, Hank Horn Sr.

### **APPROVAL OF AGENDA**

**MOTION** – Piepenburg moved to approve the agenda. Seconded by Davis. All in favor. Motion carried.

### **APPROVAL OF MINUTES – February 26, 2024**

**MOTION** – Lau moved to approve the minutes from the February 26, 2024. Seconded by Farrell. All in favor. Motion carried.

### **PUBLIC APPEARANCES**

**Citizen Input** – None

### **PUBLIC HEARINGS**

Before the Public Hearing was opened, Ron Wolf from McMahon and Associates spoke to the council and residents in attendance about the road project. Wolf stated that Pine and Oak is a complete reconstruction of the utilities, sanitary sewer and water mains and adding mini storm laterals. The city is responsible for the cost from the main to the curb stop, the resident is responsible from the curb box to the home. Wolf explained the paperwork that was received by the residents before the meeting and the process. Don Hieptas was the lowest bidder, and the council will be reviewing this contract later in the meeting for approval. The project start date is not set, however could be at the end of July/August/September and is expected to take eight weeks to complete.

#### **2024 Road Project**

Mayor Smith opened the public hearing at 7:21pm.

Alan Johnson, 502 N. Main Street

Johnson questioned whether what he received was just an estimate or if it was the final amount. Will this amount change before the end of the project. Wolf responded that the expected assessment is for the property owner. There is a 10% contingency included in case additional is needed during the process. If this additional 10% is not used, that amount will be zeroed out. The cost for the homeowner cannot exceed

what is listed on their expected assessment. Johnson was also disappointed in the lack of communication for this project and when it would be coming as a cost to the residents.

Norb Kratz, 402 N. Main Street

Kratz currently has a copper line for water, will that need to be removed and replaced with different material? The lead line is gone from their property. Wolf stated there will be a pre-construction home visit by the contractor to each resident on the streets. On that visit the resident can advise the contractor of the situation.

Jason Kopf, 422 N. Main Street

Kopf currently does not have a sump pump in his home. Wolf stated that if he were to have one installed it would need to be hooked up to the mini storm. That would be the resident's responsibility to have hooked up to the mini storm.

James Lawman, 128 Oak Street

Lawman's water shut off is in the apron of his driveway, will he be responsible to replace that. He also wanted confirmation on his cost as a resident. Wolf states if the apron was marked as bad and will need to be replaced that will be the homeowner's responsibility, however if the apron is in good shape, the city will replace the apron. Wolf reviewed the calculations and who (City vs Resident) is responsible for what.

Doug Schwartz, 124 Oak Street

Schwartz asked about sidewalk replacement and if the homeowner was able to complete this on their own. The mayor replied with yes, they could. Schwartz asked if the water and sewer lines coming into the home could be moved and when the first payment would be due. Wolf responded that with the pump bursting process the lateral must remain where it originally was. Wolf stated that the preconstruction visits should be around the end of July/beginning of August however unsure as to when the first payment will be due. This will be followed up with Schreiber.

Corrie Birrou, 138 Pine Street

Birrou asked if there were any grants available to the homeowner for the private side. Wolf stated there are Federal Funds however that would require the entire project to follow certain federal guidelines, which would increase the cost of the project immensely. The mayor advised to check with the DNR as their website did show some grants for the lead line replacement.

Tanya Schroth, 117 Pine Street

Schroth asked if the homeowner will be doing their own sidewalk replacement, how is this relayed to the contractor. Wolf responded that during the preconstruction visit that information will be reviewed/asked. Wolf also shared with the residents that part of this process is to reduce I&I, help prevent groundwater in the sanitary sewer system. There is always the chance that if someone had a wet basement before, it could be more wet after this process. The ways for the water to get out will be sealed off causing the water to have nowhere to go. If the person has a sump pump it may not be a problem, however they may notice the sump pump runs more frequently than before.

Three calls for public comment.

Public Hearing was closed at 7:55pm.

### **Clerk/Treasurer Ordinance Change**

Mayor Smith opened the public hearing at 7:55pm

Three calls for public comment.

Public Hearing was closed at 7:57pm.

## **Presentations/Proclamations**

Gilbertson read the Arbor Day Proclamation

## **Appointments - None**

## **CONSENT AGENDA**

### **Acceptance of Minutes**

Brillion Housing Authority – no meeting

Committee of the Whole – February 26, 2024, March 4, 2024, March 11, 2024, and March 18, 2024

Finance Committee – March 20, 2024

Library Board – February 21, 2024

Park & Recreation Commission – March 7, 2024

Plan Commission – March 4, 2024

Protections of Persons & Property – no meeting

RDA Meeting – March 14, 2024

Tourism Committee – no meeting

Utility Commission –

Cemetery Committee – no meeting

Joint Review Board Meeting – no meeting

Board of Review – no meeting

Board of Appeals – no meeting

Behnke questioned why Council was approving minutes that were not approved by the committees. This is not an approval but acceptance of the minutes.

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

## **DEPARTMENT HEAD REPORTS:**

### **Park & Recreation**

Report included in the packet.

Marx added she received notification that Brillion is part of the “Tree City USA”. The fireplace was updated at the Community Center and it looks beautiful. The 1,000lbs of plastic needed to make a park bench was a success. The bench has been received. Marx stated they are working with the Lions Club for another 1,000lbs of plastic for a bench to be placed by the new playground equipment. Lau asked if there was any discussion or plans to fix some of the playground equipment already at Horn Park. Marx stated she is unsure at this time. Behnke added there was a bad pipe at Heritage Park that needed to be replaced. Marx will look into.

### **Library**

Report included in the packet.

### **Fire Department**

Report included in the packet.

**Police Department**

Report included in the packet.

**Ambulance****Monthly Report - Financial Report****Municipal Court****Brillion Court Report****Reedsville Court Report**

Reports included in packet.

**Public Works**

Report included in the packet.

Maertz stated he reached out to the resident who wrote the Letter to the Editor in the paper about the flags on Main St stating the city has all new flags and poles and they will be put up for the election. Library Elevator update was given. Maertz spoke with Otis Elevator Company and was advised the oil change is a manufacturer suggestion, not mandatory. The oil level and quality is inspected quarterly and currently there is no concern about this. However, if there is a repair that will be necessary in the future, it would be the main control board. The one in our elevator is outdated and if something were to happen, we would be without an elevator for an undisclosed period to try and repair it. Maertz shared with the Council that he has presented at two local groups, The Lions Club and The Optimist Club. Maertz also mentioned a concern about the garbage can specifically located in South Park and the kayak launch. The kayak launch has had empty oil containers, and such found there. South Park has many dog waste bags in it and fills up quickly. He is unsure how to handle the situation and is seeking advice from the council. Behnke suggested to have the patrols watch the parks to see if anything unusual is occurring. Chief suggested to put up a camera and a sign stating they are being watched to see if it deters people.

**City Administrator/Community Development Director – None****Clerk/Treasurer – None****Mayor's Report – None****COMMITTEE REPORTS****Brillion Housing Authority**

No report as Moehr was not at Council Meeting.

**Cemetery Commission**

No meeting.

## **Committee Of the Whole**

### **Operator’s License – Sarah Sandona, Heather Higgins, and Ravi Adeline**

**Motion** – Behnke moved to approve the Operator License – Sarah Sandona, Heather Higgins, and Ravi Adeline. Seconded by Piepenburg. Call Vote. All in favor. Motion Carried.

### **Class “B” Beer 6-Month License Renewal: Brillion Athletic Association, Agent: Jeff Weber**

**Motion** – Lau moved to approve the Class “B” Beer 6-Month License Renewal: Brillion Athletic Association, Agent: Jeff Weber. Seconded by Davis. Call Vote. All in favor. Motion Carried.

### **Brillion Optimist Club Parade Letter – 2024**

**Motion** – Behnke moved to approve the Brillion Optimist Club Parade for June 7, 2024. Seconded by Piepenburg. All in favor. Motion Carried.

**2024 Road Project** - Consideration of award of contract for 2024 Pine Street / Oak Street / East Water Street to Donald Hietpas & Sons, Inc. in the amount of \$1,100,886.82

**Motion** – Piepenburg moved to approve the award of contract for 2024 Pine Street / Oak Street / East Water Street to Donald Hietpas & Sons, Inc. in the amount of \$1,100,886.82. Seconded by Lau. Call Vote. All in favor. Motion Carried.

### **Clerk/Treasurer Ordinance Change**

The mayor stated that there were changes added to the ordinance that were not in the copy attached in the packet. Section 2-192 should have added “subject to the confirmation of the common council” after “The City Treasurer may appoint a deputy Treasurer”. Section 2-188 should have added “subject to the confirmation of the common council” after “The City Clerk may appoint a deputy Clerk”.

**Motion** – Lau moved to approve the Clerk/Treasurer Ordinance Change with the language above added. Seconded by Davis. Call Vote. All in favor. Motion Carried.

## **Finance & Purchasing Committee**

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

General Fund: \$ 562,862.32

Reserves \$ 0

Contingency \$ 0

TIF Expenditures \$ 132,088.65

**Motion** – Behnke moved to approve the General Fund vouchers in the amount of \$ 562,862.32, and TIF Expenditures \$132,088.65. Seconded by Lau. Call vote. All in favor. Motion carried.

### **Review of Payroll**

Pay Period: 1/26 – 2/9/2024 paid on February 23, 2024 \$ 57,847.67

Pay Period: 2/10-23/2024 paid on March 8, 2024 \$ 60,262.89

**Motion** – Behnke moved to approve the payroll report for Pay Period: 1/26 – 2/9/2024 paid on February 23, 2024 \$ 57,847.67, Pay Period: 2/10-23/2024 paid on March 8, 2024 \$ 60,262.89. Seconded by Lau. Call vote. All in favor. Motion carried.

## **Bank Reconciliation – January and February 2024**

### **Receipts –January 2024 ACH Receipts and February 2024**

**Motion** – Behnke moved to approve the Bank Reconciliation – January 2024 ACH Receipts and February 2024 Receipts. Seconded by Piepenburg. Call vote. All in favor. Motion carried.

## **CD Renewals**

Behnke states that there are two CDs that are coming due. Mike Smith moved to recommend to council to take the \$377,975.98 certificate and invest it in the Wisconsin LGIP so it can remain liquid and take the \$565,527.65 certificate and invest it for a year with Intrafi at State Bank of Chilton.

**Motion – Behnke** moved to approve the \$377,975.98 certificate and invest it in the Wisconsin LGIP and \$565,527.65 certificate and invest it for a year with Intrafi at State Bank of Chilton. Seconded by Piepenburg. Call vote. All in favor. Motion carried.

## **Investing Money Market Funds**

Behnke stated that the money market was not earning much interest therefore Finance is recommending moving the money market to LGIP earning more interest and still remains a liquid asset.

**Motion** – Behnke moved to approve the money market to WI LGIP account. Seconded by Davis. Call vote. All in favor. Motion carried.

## **Fireworks Permit Fees**

Behnke reviewed the Fireworks Permit Fee was listed as \$25.00 and a percentage of the company's gross earnings. This has not been charged in the past and may have been an error on the permit. Finance is recommending a change of fee to \$50.00 if received 30 days prior to the event, \$100.00 if received after 30 days prior to the event, or \$100.00 if the permit is received incomplete regardless of when the event is scheduled.

**Motion** – Lau moved to approve the Fireworks Permit Fee changes. Seconded by Farrell. Call vote. All in favor. Motion carried.

## **Crack Filling**

Behnke states Maertz found crack filling materials that came with a machine to heat and apply the crack filling. The amount is \$3,415 and would come from the DPW Street Repair budget line.

**Motion** – Behnke moved to approve the crack filling materials and machine, not to exceed \$3,500. Seconded by Lau. Call vote. All in favor. Motion carried.

## **Library Board**

### **Committee Report**

The mayor added that the Library Board has been working with Dill in regard to personnel items and it has been brought to his attention that changes need to be made to the City Employee Handbook as many of the items are outdated.

## **Park & Recreation**

### **Committee Report**

Hanson has nothing to add.

### **Plan Commission**

Committee Report

Farrell shared that two properties in the city have been granted conditional use permits for short term rentals.

### **Protections of Persons & Property Committee**

No meeting.

### **Redevelopment Authority Commission**

Committee Report

Davis shared that they have been discussing TIFs and closures of the TIFs.

### **Tourism Committee**

No meeting.

### **WATER, SEWER & UTILITY COMMISSION**

Farrell stated that they have discussed the contracts and bids for the road project. Well #3 needed routine maintenance completed. The DNR felt about 90% of the cost of the Wastewater Treatment Facility was eligible for clean water fund, low interest loan and principal forgiveness. They also have noticed a drop in revenue on the waterside due to less industrial use.

### **CD Renewal**

The Commission decided to invest three CDs coming due into the IntraFi System as CDs.

### **Investing Sewer Bond Proceeds**

The Commission decided to invest the money received last fall into IntraFi.

**Personnel** – None

**Old Business** – None

### **New Business**

Chief Schend wanted to bring to the Councils attention that a new squad car is inevitable. Currently there are no funds to replace a vehicle should something happen, catastrophic or otherwise.

The mayor stated he would like to form an Ad Hoc Committee to work with Brillion Works LLC in the development of the property. There was discussion as to the rules of RDA and if they can be changed to a CDA or a CDA could be created to run parallel with the RDA.

Behnke added he would like to know what is going on with the street sweeping. This is a DNR mandate. Behnke would like to see a schedule of the street sweeping and how often it is happening. Maertz agreed that he would be able to supply that information once they begin street sweeping.

**Communications** – None

**Press Time – None**

**ADJOURNMENT**

The meeting adjourned at 8:45pm.

Heather Gilbertson  
Deputy Clerk/Deputy Treasurer