

(Approved)

**REGULAR CITY COUNCIL
MEETING
Minutes**

February 26, 2018

Brillion Community Center

6:30 PM

CALL TO ORDER:

Mayor Gary Deiter called the meeting to order at 6:30 PM with the Pledge of Allegiance recited by those in attendance.

ROLL CALL:

Present were Mayor Gary Deiter, Alderpersons Mel Edinger, Timothy Hanson, Joe Levash, and Betty Nies. Also present were City Administrator/Clerk-Treasurer Lori Gosz, Police Chief JoAnn Mignon, Public Works Director Andy Geiger, City Librarian Chris Moede, Park & Recreation Director Ann Marx, and Deputy Clerk/Treasurer Joy Buboltz. Absent were Alderpersons Vicki Shafran, Wally Sonnabend, and Carrie Wenzel and Fire Chief Joey Diener.

APPROVAL OF THE AGENDA:

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

APPROVAL OF MINUTES – JANUARY 22, 2018 REGULAR CITY COUNCIL MEETING AND THE FEBRUARY 12, 2018 SPECIAL CITY COUNCIL MEETING MINUTES:

Motion – Levash moved to collectively approve the minutes of the January 22, 2018 Regular City Council Meeting and the February 12, 2018 Special City Council Meeting minutes. Seconded by Hanson. Call vote taken. Motion carried unanimously.

PUBLIC APPEARANCES:

A. Citizen Input:

None.

B. Guests:

Guests of the meeting were David Norby from The Brillion News, Beth Wenzel, Troy Jansen, Jerome Popp, Tamara Hillmann, Kim Buboltz, Matthew Bennett, and Ben Wells.

CONSENT AGENDA:

A. Acceptance of Minutes:

Brillion Public Library Board meeting of 1/17/2018, Plan Commission meeting of 2/5/2018, Park & Recreation Commission meeting of 2/1/2018, Redevelopment Authority Commission meeting of 2/8/2018, Tourism Committee meeting of 2/8/18, and Water and Sewer Commission meeting of 2/19/2018.

B. Approval of Vouchers:

1. 2017 Vouchers:

A. General Fund: =\$9,046.10:

B. Reserves =\$208.13:

C. Contingency = \$0.00:

D. TIF Expenditures=\$0.00:

2. 2018 Vouchers:

A. General Fund: =\$944,200.04:

B. Reserves =\$13,810.20:

C. Contingency = \$0.00:

(Approved)

D. TIF Expenditures=\$224,782.94:

C. Approval of License Applications:

1. Operator License – New: Kara Koeck, Jordan Joseph Mentzel:

D. Approval of Payroll:

Motion – Edinger moved to collectively approve the Consent Agenda with the Acceptance of Minutes, Approval of Accounts Payable and Financial Reports, Approval of Payroll, and the Approval of License Applications as approved at the February 26, 2018 Committee of the Whole Meeting. Seconded by Hanson. Roll call vote taken. 4 votes cast. Motion carried unanimously.

E. Approval of Appointments:

1. Election Board:

Motion – Edinger moved to approve the appointment of Janet Mathiebe, Rae Marie Steinfest, MaryAnn Schumacher, Mona Cox, Sharon Tienor, Betty Nemechek, Gerald Sonnabend, Peggy Sonnabend, Mary Jo Krueger, Joan Krueger, Dana Irish, Barbara Brockman, Joy Buboltz, Linda Deiter, and Gary Deiter to the City of Brillion’s Election Board for a 2 year term. Seconded by Levash. Roll call vote taken. 4 votes cast. Motion carried unanimously.

DEPARTMENT HEAD REPORTS:

A. Police Department:

Police Chief Mignon reported that she and Captain Schend received their recertification for the year, and attended the Police Chief’s Conference in Wisconsin Dells.

B. Park & Recreation:

Recreation Director Ann Marx submitted a written report.

Mayor Deiter asked why the dumbwaiter at the Brillion Community Center isn’t removed from the building. Marx explained there is a large cost to decommission the dumbwaiter and that the dumbwaiter is used occasionally for taking large/heavy items to the second floor of the building.

Edinger asked if East Central Wisconsin Regional Plan Commission is assisting the City with the extension of the Friendship Trail. Marx stated yes.

Hanson asked what the special fall event will be at Peters Park. Marx stated more information on the event will be available next month.

C. Library:

Librarian Moede submitted a written report and reported the carpet has been installed. She also reported on the Library Aid recently received.

D. Fire Department:

No report.

E. Public Works:

No report.

COMMITTEE REPORTS:

A. Plan Commission:

1. Building Inspection and Zoning Administration Services:

(Approved)

Geiger reported that the City is currently working with Paul Birschbach for building inspection and zoning services in the City and it is working well. Currently, Birschbach is at the Brillion City Hall two (2) days a week a few hours a day. Edinger asked if Birschbach would have set hours. Geiger stated no.

Motion – Levash moved to approve the contract between the City of Brillion and Birschbach Inspection Service, Inc. Seconded by Nies. Roll call vote taken. 4 votes cast. Motion carried unanimously.

2. Ordinance – Fees for Permits:

Geiger stated the proposed building permit fees will be similar to the City of Chilton's.

Motion – Levash moved to set a Public Hearing date for Monday, March 26, 2018 at 6:45 PM to hear testimony for or against the amendment to the City's Municipal Code Sec 14-123 as proposed. Seconded by Edinger. Call vote taken. Motion carried unanimously.

B. Park & Recreation:

1. Committee Report:

No report.

C. Library Board:

1. Committee Report:

No report.

D. Utility Commission:

1. Resolution – Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers – 2018 Custer Street Utility & Reconstruction Project and 2018 Bentwood Drive Street & Mini Storm Sewer Project:

Motion – Edinger moved to adopt Resolution RE18-05 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers – 2018 Custer Street Utility & Reconstruction Project and 2018 Bentwood Drive Street & Mini Storm Sewer Project and to set a Public Hearing date for Monday, March 26, 2018 at 6:50 PM to hear testimony for or against the special assessments. Seconded by Levash.

Geiger stated the projects have gone out for bidding.

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

2. Ordinance – Lead Water Service Line Replacement:

Motion – Edinger moved to set a Public Hearing date for Monday, March 26, 2018 at 6:55 PM to hear testimony for or against the proposed ordinance on Lead Water Service Line Replacement. Seconded by Hanson. Call vote taken. Motion carried unanimously.

E. Redevelopment Authority Commission:

1. Downtown Redevelopment Project - Update:

A. Resolution – Declaring the 1974 Redevelopment Plan Null and Void:

Mayor Deiter reported that during the process of purchasing the property from Randy Schmiedel the title commitment work done by Bay Title found a few items that City Attorney King has advised are taken care of prior to selling the property to Northpointe Development. The 1974 Redevelopment Plan is still recorded on the deed for the property. City Attorney King advised that after the Redevelopment Authority Commission acquires ownership and before it sells/transfers Lot 2 there should be a statement filed with the Register of Deeds signed by the City and the Redevelopment Authority that acknowledges that the 1974 Redevelopment Plan is null and void.

(Approved)

Gosz reported that the Redevelopment Authority Commission is recommending to City Council to adopt Resolution RE18-06.

Motion – Levash moved to adopt Resolution RE18-06 Declaring the 1974 Redevelopment Plan for the City of Brillion null and void. Seconded by Nies. Roll call vote taken. 4 votes cast. Motion carried unanimously.

B. Termination of Contract for Sale for Land for Private Development:

Mayor Deiter reported in November 1976 a contract for Sale of Land for Private Redevelopment between the City Redevelopment Authority and Brillion Development (Ron Schultz) was recorded on the deed. City Attorney King advised that Northpointe Development may want this removed. City Attorney King advised this Contract could be removed as long as all owners of the property that was originally sold by the Redevelopment Authority to Brillion Development consent to the removal. Randy Schmeidl is the only owner and has sold a portion of the property back to the Redevelopment Authority Commission. A termination agreement by the City and the Redevelopment Authority should be filed at the Register of Deeds Office to clear the title.

Gosz reported that the Redevelopment Authority Commission is recommending to City Council to approve this Termination.

Motion – Edinger moved to approve the Termination of Contract for Sale of Land for Private Development. Seconded by Levash. Roll call vote taken. 4 votes cast. Motion carried unanimously.

C. Resolution – Approval of the Redevelopment Authority Downtown Redevelopment Project Plan:

Mayor Deiter reported the 2017 Downton Redevelopment Plan approved by the City Council on 10/16/17 gave the project concept. The Plan has been revised to include required information on the project per State Statute.

Gosz reported that the Redevelopment Authority Commission is recommending to City Council to approve this Resolution.

Motion – Edinger moved to adopt Resolution RE18-07 approving the Brillion Redevelopment Authority Downtown Redevelopment Project Plan. Seconded by Hanson. Roll call vote taken. 4 votes cast. Motion carried unanimously.

D. Quit Claim Deed to Brillion Redevelopment Authority Commission – Lot 2 of CSM No. 3684:

Mayor Deiter stated the City would need to execute a deed to the Redevelopment Authority Commission so that the Redevelopment Authority Commission would end up with ownership of entire Lot 2 of CSM 3684.

Motion – Levash moved to approve the Quit Claim Deed to the Brillion Redevelopment Authority Commission for Lot 2 of CSM 3684. Seconded by Edinger. Roll call vote taken. 4 votes cast. Motion carried unanimously.

E. Sale of Property to Northpointe Development Corporation:

Mayor Deiter reported closing on this property will be no later than October 31, 2018. Per State Statute before the Redevelopment Authority Commission can proceed with the sale of the property, a report as to the terms, conditions, and other material provisions of the transaction shall be submitted to the City Council and the City Council shall approve the report.

Gosz reported that the Redevelopment Authority Commission is recommending to City Council to approve the sale per the accepted Offer to Purchase.

Motion – Edinger moved to approve the sale of Lot 2 of CSM 3684 by the Redevelopment Authority Commission to Northpointe Development. Seconded by Hanson. Roll call vote taken. 4 votes cast. Motion carried unanimously.

(Approved)

F. Resolution – Approving the Transfer of \$40,000 from Tax Incremental Financing #2 to the RDA for Administration, Planning and Operating Related Expenditures:

Edinger asked if there are any restrictions on how the \$40,000 could be used. Gosz explained it would need to be for expenses under the TID #2 Plan.

Levash expressed concern with taking \$40,000 from TID #2 for this project. He would like to see each project stand on its own. He would like to see keeping the \$40,000 in TID #2 and pay off that TID sooner than the timeframe it was set up for. Gosz reminded the City Council that with taking the funds from TID #2 you would not be levying a new tax on the City residents. This transfer was an option suggested to the Redevelopment Authority Commission by Phil Cossen from Ehlers. Gosz suggested that a line item be set up with the \$40,000 and expenses as they occur would be drawn from that line item.

Levash stated he would prefer that the General Fund Surplus Funds be used instead of funds from TID #2. The City Council should have budgeted funds for this project in its 2018 Budget.

Matthew Bennett stated this Main Street Project is a new kind of project for the City and we are learning as we go along. Nies asked if the Redevelopment Authority Commission is looking at ways to generate income. That is being worked on.

Nies and Levash suggested holding off on making a decision at this meeting and wait until next month after the City Audit is presented to see if surplus funds or a portion of surplus funds could be used instead.

Motion – Levash moved to table the approval of the Resolution until the March 26, 2018 City Council meeting. Seconded by Nies. Call vote taken. Motion carried unanimously.

G. City Hall Project – Lease Agreement with the IPR Group:

Gosz explained that the IRP Group is working on a lease agreement between the City of Brillion and the IPR Group for the building and the land (all of Lot 3). Levash stated he would like to receive a response from the City Attorney first before proceeding. Edinger stated with the three (3) scenarios being presented he would like to know what the lease agreement would be for each scenario. Beth Wenzel stated the City will need to look at which scenario would be the biggest benefit to the City.

Discussion followed.

No action taken at this time.

2. Brillion Iron Works Properties - Update:

A. Request for Proposals – Environmental Legal Counsel – Brillion Iron Works Project:

Gosz reported that a meeting will be scheduled with the Ariens Company pertaining to the requirements in creating TID #5 which would be ran under ACT 70. Levash asked the status of the soil testing. Gosz reported the testing is going slower than they had hoped.

F. Committee of the Whole:

1. Resolution - Ambulance Lease – Purchase Agreement:

Motion – Edinger moved to adopt Resolution RE18-08 Authorizing the Execution and Delivery of a Master Governmental Lease-Purchase Agreement, an Escrow Agreement and a Supplement with Respect to the Acquisition, Purchase, Financing and Leasing of Certain Equipment for the Public Benefit; Authorizing the Execution and Delivery of Documents Required in connection Therewith; and Authorizing the Taking of All Other Actions Necessary to the Consummation of the Transactions Contemplated by this Resolution. Seconded by Levash. Roll call vote taken. 4 votes cast. Motion carried unanimously.

G. Cemetery Commission:

(Approved)

1. Commission Report:

No report.

H. Tourism Committee:

1. Brillion Nature Center – Apiary Shed:

Motion – Edinger moved to release Tourism Funds per the request and recommendation of the Tourism Committee for \$2,400 for the Brillion Nature Center Apiary Shed Project. Seconded by Hanson. Roll call vote taken. 4 votes cast. Motion carried unanimously.

2. Brillion Optimist Club – 2018 Electric Parade:

Motion – Hanson moved to release Tourism Funds per the request and recommendation of the Tourism Committee for \$2,062.06 for the Brillion Optimist Club’s 2018 Electric Parade. Seconded by Levash. Roll call vote taken. 4 votes cast. Motion carried unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

Edinger stated he feels that the City needs an area for new home construction; a subdivision. Levash stated the Plan Commission did briefly discuss this. Levash suggested placing this item on the Plan Commission agenda for its future meetings.

COMMUNICATIONS – CITY ADMINISTRATOR/CLERK-TREASURER’S OFFICE:

Gosz submitted a report and reported on the following:

- Bid opening for the 2018 Street Project.
- She attended a WCMA Regional Meeting and received information on Polco.
- Open Book is scheduled for March 22nd and Board of Review is scheduled for Mary 17th.
- City Hall experienced email and website issues last week.
- There were 177 voters at the Spring Primary.

MAYOR’S REPORT:

Mayor Deiter reported that he contacted a few restaurant owners regarding possibly locating to the City of Brillion. Due to lack of employees available, the expense of starting up a restaurant, and the possible lack of foot traffic for food chains he received feedback that those restaurants would not be willing to locate to the City of Brillion.

PRESS TIME:

No questions.

Ben Wells stated that Representative Scott Gavin will be holding a Listening Session on March 27th from 6:00 pm – 8:00 pm at the Brillion Public Library.

ADJOURNMENT:

Motion – Edinger moved to adjourn the meeting. Seconded by Hanson. Call vote taken. Motion carried unanimously. The meeting was adjourned at 7:34 PM

Gary Deiter, Mayor

Joy L. Buboltz, Deputy Clerk/Treasurer