

The meeting was called to order at 7:00 p.m. by Mayor Heron with the following roll call:

Members Present: Ald. Hoy, Ald. Voss, Ald. Gering, Ald. Smith, Ald. Pasbrig, Ald. Moede

Members Absent: None

Others Present: Mayor Heron, Deanna Boldrey, Kathie Wild, Connie & Marty Wagner, Claudette & Jim Gassner, Sue Smith, Sharon Kanas, Terry Kanas, William Brown, George Brandt, Sharon Brandenburg, Alixe Bielot, Sean Hansen, Jessica Oechsner, Leroy Lacharite, Robert Frechette, Gary Freund, Dennis Hintz, Yvonne Paulsen, Darrell Paulsen, Dennis Karl, Chad Graff, Ken Oechsner, Ed Fischer, Matthew Kuehn, Sally Kahlhamer, Justin Graef

Pledge of Allegiance to the Flag.

Citizen Comments.

Ed Hilbert of 240 S. Main St. commented that he had heard that the City Council was considering moving the Public Fire Protection balance on the water bills. He said that many find it hard to make ends meet as it is. Ed questioned if this is done to lower property tax. Ed stated that this would be a big burden to industries in Mayville.

Arlitt DelPonte commented that she has a problem with the fact that there was not a meeting with the Utility Commission. She also questioned if property taxes would go down, and if not, isn't that a tax increase.

Roger Brandenburg of 914 Bridge St. commented that he has lived in Mayville for 21 years without complaint, until now. He is unable to get rest at night with the MEC noise.

Dennis Hintz of Carolyn Blvd questioned how much water bills will go up. Dennis stated that when it is added all up, it is a 20% utility increase for residential customers, 5% this year, 5% next year and 15% for fire protection. The Water Dept will get all the calls on this. Bottom line it may not be that much, \$10, but it is still an increase.

Dennis Carl commented that the MEC noise is not on the agenda. He could not find the 70 decibel level of noise on the municipal code. His neighbor has a meter on his porch half a block away and the level is at 68. Now he has been told it is not a police matter. He does not understand how it is not a police matter. He is interested in how the ordinance is interpreted. Dennis also stated that he has a neighbor selling his home to go back to Milwaukee. His neighbor is saying Milwaukee is better than Mayville.

Martin Wagner commented he is concerned about the MEC noise level and would like the presses moved back.

Rob Frechette of Lincoln Lane stated that he wanted more communication and cooperation between the Utility Commission and Common Council on the hydrant rental.

Matt Kuehn stated that he never stated that he wants MEC to close their doors, but wants the noise level controlled and some common sense in the whole matter.

Leroy Lacharite of 355 Mary St. is concerned about the proposed buildings that will not have basements. There will not be tornado protection. They would have to walk for tornado protection.

Consent Agenda.

Approve the Minutes of the June 8, 2009, and June 16, 2009, meetings. Motion by Ald. Smith, second by Ald. Pasbrig to approve the minutes of the above meetings. Motion carried 6-0.

REPORT OF OFFICERS:

Mayor-Monthly Report.

Motion by Ald. Hoy, second by Ald. Gering to take the meeting out of order and move item number 2, Resolution 4324-2009 Appreciation of Service to Yvonne Paulsen, to the next item of business. Motion carried 6-0.

Resolution 4324-2009 (Appreciation of Service to Yvonne Paulsen).

Motion by Ald. Smith, second by Ald. Moede to approve Resolution 4324-2009 Appreciation of Service to Yvonne Paulsen. Yvonne was thanked by the Council. Ald. Smith said that Yvonne is a good friend, and she would be missed. Yvonne said that it has been a pleasure working for the city, and she misses it already. Motion carried 6-0.

A. Comments on Noise Complaints.

Mayor Heron reported that at next week's Public Safety Meeting there will be a representative from MEC. He noted that there is concern of the noise because life has changed for many of the residents that live near MEC. The sound of silence is more deafening. Mayor Heron read a police report, from June 19th, on the noise level complaints. Mayor Heron continued that the City Council is doing the due diligence with the Police Department and MEC to find the facts. Mayor Heron opened the floor to the council members for comments. Ald. Moede also commented that he has parked his car in that area and turned it off during multiple times of day to listen for the noise, and has yet to hear anything. He encouraged residents to come to the Public Safety meeting on Monday, July 20th, at 6:30 p.m. Ald. Smith noted that he and Ald. Voss had been in the MEC neighborhood several times. He did understand from a night manager that sound proofing materials were there, but had not been installed yet.

B. Discuss Short Term / Long Term Financial Planning with Possible Recommendations with Regards to City Staffing Levels / Wages / Salaries / Benefits.

Mayor Heron stated that the purpose of this item is to discuss the City's financial situation and to devise a plan to keep jobs from being cut. He noted the items for consideration are city wide wage freeze, city wide hiring freeze, vacancies would be discussed on a case by case basis, furloughs, reduced work weeks, and longevity pay. Furloughs would be for 5 days in 2009 and 10 days in 2010, non-consecutive days. All longevity pay to date can be kept by employees. Mayor Heron reported that the City Treasurer projected the city would be \$72,000 over budget for 2009. We are over in auditing and attorney's fees. Most departments are running very well on budget or under budget so far. This is not a blame game. The Mayor continued that Don Rahn, of Virchow and Krause, had recommended that the City devise a plan for short-term and long-term eliminating the deficits and building the undesignated fund. The Mayor noted that this will take time, and he does not want to wait until the budget season. The first inclination was to lay-off people, but it is important that everyone know that for years departments have seen zero increases or cuts in their departmental budget. The Mayor continued by stating that longevity pay should be discontinued. These changes will require work in the non-union handbook. All of these items represent a portion of a recovery plan with a need to start discussing them now. These are not measures imposed without the agreement of the council. Ald. Hoy appreciates not having to lay off anyone. She questioned how many employees would be impacted. Ald. Pasbrig noted the information would be available at an upcoming meeting. Ald. Smith commented that with next year's union contract coming, it would be a good time to review the non-union employee handbook, and the long-term education for employees and who pays for what that should be looked at. The entire book should be looked at before the end of the year.

Ald. Voss noted that the TAG Center is the most expensive item. He stated that the energy bill for the previous month was \$10,000. It is a very expensive place to run. The City of Milwaukee closes

their indoor pool down in the summer. Ald. Voss continued that the TAG Center had cost tax payers \$1.2 million since it opened. Ald. Pasbrig suggested that Ald. Voss talk to Mike Kurutz at the TAG Center to make sure he has the numbers correct. Ald Gering commented that he wants to look at each department's budget individually. Mayor Heron encouraged each council member to meet with department heads. Ald. Gering questioned how the union contracts would be affected. Ald. Smith commented that he never liked longevity pay, but he believes in keeping key people. If longevity pay is eliminated there should be an incentive bonus tied to an evaluation. There are employees that save the City their entire salary with the work that they do. Ald. Pasbrig commented that to do nothing is not the answer. Ald. Moede commented that the donations for the fire works and not opening the outdoor pool has saved the city money. Ald. Moede suggested that if residents have suggestions call their alderperson.

Resolution 4331-2009 (Appointment of Golf Course Sub-Committee).

Motion by Ald. Moede, second by Ald. Gering to approve Resolution 4331-2009 Appointment of Golf Course Sub-Committee. Ald. Moede mentioned that the reason for the sub-committee is that clarification is needed in some areas of the contract. Ald. Hoy added that the contract states that it will be reviewed annually. Ald. Pasbrig committed to calling the first meeting. Motion carried 6-0.

Discuss The Direct Charge of Public Fire Protection.

Mayor Heron noted the Public Fire Protection recovers the costs for the system used to fight fires. Mayor Heron made it known that he did go to the Utility Commission previously to discuss the item. The current method is both on the tax roll and water bills. The proposed method is to spread the amount evenly among all that receive a water bill, including schools and churches. Mayor Heron distributed the report showing the actual numbers as put together by Ron Wellner and reviewed the proper procedure. Mayor Heron opened the floor to discussion. Ald. Smith commented that whether it is an increase or not remains to be seen. He believes that some services should be paid by all, and if this was done new today, the most equitable way would be to put it on the water bills, rather than on the taxes. Mayor Heron recommended residents contact their alderperson if they have questions.

City Clerk - Monthly Report.

A. No Report.

Discuss/Approve the following Operator's Licenses:

Motion by Ald. Pasbrig, second by Ald. Moede to approve the following operator's licenses. Motion carried 6-0.

Kyle Jonathan Belfield, Mayville	Adam Groh, Mayville
Mary Hennes, Iron Ridge	Alissa Rader, Mayville
Rebecca Pfotenhauer, Mayville	Debra Stoffel, Mayville
Karen Peters, Lomira	Kelly Toennes, Mayville
Suzanne Smith, Mayville	

COMMITTEES, COMMISSIONS AND BOARDS:

Library Board:

A. Report on 2009 Library Summer Reading Program.

Date and Time of Next Meeting Thursday, August 13, 2009, at 6:00 p.m.

Personnel Committee:

Date and Time of Next Meeting is Monday, July 20, 2009, immediately following Public Safety.

Finance Committee:

Payment of Bills. (\$387,008.87)

Motion by Ald. Smith, second by Ald. Pasbrig to approve the payment of the bills. Motion carried 6-0.

Resolution 4333-2009 (Disallow Claim of Alan Voss).

Motion by Ald. Gering, second by Ald. Pasbrig to Disallow Claim of Alan Voss.

Ald. Smith commented that the resolution does not say to allow. He questioned the wording of the resolution. He does not believe the insurance can instruct the City to do anything. He questioned the supporting documents, including the community insurance letter. Stating that it is their conversation with the Police Department. Ald. Smith commented that he is familiar with the claim of the City of Mayville versus Alan Voss. Ald. Smith continued that the two attorneys involved recommended that the City of Mayville not pursue this matter and did so in the presence of Ald. Smith and his wife. The case was brought to court and the prosecuting attorney called Ald. Voss the night before and asked to dismiss the case. Ald. Smith continued that he was in the hallway when the situation developed. The judge accepted the verdict with prejudice, meaning Ald. Voss could recover the costs and start a procedure for malicious prosecution of an official. Ald. Smith commented that all documents were a lie and that everything that is recorded as happened did not happen. Ald. Smith stated the item should be paid because it is the right thing to do and that Ald. Voss was harassed for doing his job as an alderperson. Ald. Smith continued by calling the item a travesty. Paying this \$3,020.40 because it is the right thing to do whatever the insurance company recommends. Ald. Hoy questioned what case Ald. Smith was talking about. Mayor Heron asked Clerk to read the Community Insurance letter and the letter from the attorney's office. Ald. Smith continued that the charge is a disorderly conduct charge. Ald. Smith gave history that Ald. Voss had a failed to yield to an emergency vehicle. The issue was that Ald. Voss did not have time to stop for an emergency vehicle. The law has changed that you have to come to a complete stop. He slowed down and pulled over. He apologized. Ald. Smith continued the discussion by stating that the disorderly conduct came from being at odds with the Police Chief and Captain. Ald. Smith continued that at the trial that he testified at, the Police Department said the disorderly conduct was from comments of laying off two Police Officers, and Ald. Voss had threatened to cut their budgets. Ald. Smith continued by stating that Ald. Voss talks loud because he has a hearing problem. To say that the Captain in full uniform with tazers and guns is threatened by the loud voice of a 73 year old man is ludicrous. Ald. Gering commented that this is somewhat embarrassing on both the Police Department and City's part and believes there is risk involved for not paying this claim. Ald. Moede questioned where the \$3,020.40 would come from. Ald. Hoy summarized that this is a ticket he received from the Police Department and took it to court and won. She was concerned that anyone could do this. Being an Alderperson may or may not have anything to do with it. Ald. Smith commented that it does have something to do with it, and it was maliciously prosecuted. Ald. Smith commented that a jury of six found him not guilty, and he would not repeat the comments made by the jury about the Mayville Police Department. Ald. Hoy commented that she would hope that Alderpersons would not be in the habit of getting charged with a disorderly conduct in any way. Ald. Smith offered an amendment to read that if the claimant will stipulate that no further claims on this matter would be presented to the city, and that the resolution language change should say allow payment of claim. Ald. Voss answered that he would not further sue the City. Ald. Smith noted that the last time this happened, the money was donated back to the city. Kathie Wild questioned if it could be changed that drastically as it has not been noticed on the agenda. Ald. Smith withdrew his motion, there was not a second. Ald. Smith noted to agendize to allow the claim on another agenda. Mayor Heron brought the item of Resolution 4333-2009 Disallow Claim of Alan Voss to a vote. Motion died 2-4, Ald. Pasbrig and Ald. Hoy voting aye, and Ald. Gering, Ald. Smith, Ald. Moede, and Ald. Voss voting no. Ald. Smith suggested the item go back to finance. Mayor Heron closed discussion.

Date and Time of Next Meeting Tuesday, July 21, 2009, immediately following Public Works.

Public Safety Committee:

Date and Time of Next Meeting is Monday, July 20, 2009, at 6:30 p.m.

Public Works Committee:

Resolution 4334-2009 (Approve Purchase of Brush Chipper).

Motion by Ald. Moede, second by Ald. Hoy to approve Resolution 4334-2009 Approve Purchase of Brush Chipper. Vern Hilker reported that the previous chipper is 16 years with 4500 hours. This will be purchased as a demo unit. Ald. Smith stated that it operates easier than the old one and is a better chipper. Motion carried 6-0.

Date and Time of Next Meeting Tuesday, July 21, 2009, at 6:30 p.m.

Planning Commission:

Ordinance 1017-2009 – To Be Acted Upon – (Ordinance to Rezone Parcel 251-1216-2322-005, Mayville WI from the West 6.977 Acres of said parcel from RB, Single Family to RM, Multiple Family, and Rezone the East 3.960 acres of said parcel from RB, Single Family to RC, Two Family.

Motion by Ald. Hoy, second by Ald. Voss to approve Ordinance to Rezone Parcel 251-1216-2322-005, Mayville WI from the West 6.977 Acres of said parcel from RB, Single Family to RM, Multiple Family, and Rezone the East 3.960 acres of said parcel from RB, Single Family to RC, Two Family.

Ald. Hoy, Ald. Smith, Ald. Voss voted aye. Ald. Pasbrig, Ald. Gering, and Ald. Moede voted no. Mayor Heron broke the tie voting aye.

Motion carried 4-3.

Date and Time of Next Meeting, Wednesday, July 22, 2009, at 7:00 p.m.

Water/Wastewater Commission:

Ordinance 1016-2009 – To Be Acted Upon (An Ordinance Amending Section 355-23 And Section 355-28 Of The Mayville Municipal Code Relating To Normal Domestic Strength Wastewater And Industrial Strength Users).

Motion by Ald. Hoy, second by Ald. Moede to approve Ordinance Amending Section 355-23 And Section 355-28 Of The Mayville Municipal Code Relating To Normal Domestic Strength Wastewater And Industrial Strength Users. Motion carried 6-0.

Date and Time of Next Meeting Tuesday, August 11, 2009, at 7:00 p.m.

Park Board:

Date and Time of Next Meeting Wednesday, August 5, 2009, at 4:30 p.m.

Senior Center Board:

Date and Time of Next Meeting Tuesday, July 14, 2009, at 6:00 p.m.

Golf Course Advisory Commission:

Date and Time of Next Meeting Wednesday, August 12, 2009, at 7:00 p.m.

ADJOURNMENT.

Motion by Ald. Moede, second by Ald. Gering to adjourn the meeting at 9:12 p.m. Motion carried 6-0.

Deanna Boldrey, City Clerk