

## **COMMON COUNCIL AGENDA**

**MAY 12, 2014**

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

Members Present: Ald. Toellner, Ald. Schmidt, Ald. Boelk, Ald. Hohmann, Ald. Longo, Ald. Neumann

Members Absent:

Others Present: Mayor Redeker, Darlene Smith, Mike Kurutz, Don Neitzel, Ron Wellner, Bob Smith, Lois Kruger, Megan Sheridan and Ed Zagorski.

Pledge of Allegiance to the Flag.

### **Public Hearing – Public Comments on the Refuse and Recycling as a City Contracted Service.**

Jerry Moede, 351 Pinecrest Ct., Mayville; we have been talking about refuse and recycling for 8-9 months. Our bills are extremely high. We need to talk to Waste Management & Advanced Disposal to get the best quote and have only 1 day with trucks on the streets. It could be done quarterly on the water bill or added to the tax bill and have a set amount for the year.

This discussion is for the decision if the City wants to enter into a contracted service with one company to get a reduced rate. Savings would be 50% or more to the taxpayers. Lomira residents use Advanced Disposal and pay \$8.57 per month. Lomira has the bags of garbage to be picked up at the curb; it would be more expensive for the bins. It depends on what we want to do as a community. The council would determine if residents would be able to opt out of this.

### **Adjournment of Public Hearing.**

Motion by Ald. Toellner, second by Ald. Hohmann to adjourn the Public Hearing. Motion carried 6-0.

### **Citizen Comments – Public Comments on items other than the Refuse and Recycling as a City Contracted Service.**

Dale Schmidt, a candidate for Dodge County Sheriff spoke. He is currently a day shift patrol sergeant at the Dodge County Sheriff's Department. I have been in law enforcement for 14 years. He has numerous certifications behind him. He has investigated many cases and has the experience needed. Operation Tee-off plan to have an impact on a drug free community. (Treatment, Education and Enforcement). We need to be proactive and not reactive. The New World computer system reduces productivity and officer safety. Dale Schmidt promises he will leave the office better than he found it.

Rob Boelk, 235 N. Clark St., Mayville; he was approached regarding the conceal and carry in municipal buildings. Several employers have removed their signs because they were told if someone would get shot they would be liable. We as the City need to do some investigation with our insurance carrier to find out if this would happen would we have any liability

Christopher MacNeill, 540 N. German St., Mayville; He referenced code 895.46 which his labor attorney provided to him clearly states that an employee acting within his scope of his responsibilities should be able to get reimbursement for his attorney fees. Mentioned this was a civil matter. Court concluded code 895.46 provision was only applicable to civil actions and not criminal proceedings. Crawford vs. City of Ashland, the city disallowed the reimbursement of attorney fees. Wisconsin courts found the city must reimburse attorney fees because he was a city employee and acting within the scope of his employment. Also stated the provision of the statute is not limited to civil matters but covers all criminal and civil actions.

Steve Bachhuber, 30A Cty Hwy Y, Kekoskee, stated the Village of Kekoskee had 12 users in favor and 7 or 8 against regionalizing with Mayville.

Dan Heim, 557 N. German St., Mayville, lots of discussion and conversations on this subject. He said that this is the Mayville City Council, we have to what is right for Mayville. It is a good deal and fair for Mayville, LeRoy and Kekoskee. He would recommend it.

Tom Lechner, 725 Forest Ave., Fond du Lac, own house in Kekoskee, He stated that Village of Kekoskee will be charged connection fees and also every individual in Kekoskee will be charged hook-up charges. This will make Kekoskee a ghost town because residents won't be able to pay their sewer bills or be able to sell their homes.

Sam Kempf, N7823 Deer Trail, Horicon, own property in Kekoskee, commented that REU numbers for his bar/hall are incorrect, no one has come and talked to him about this. These numbers need to be adjusted. Ron Wellner talked about REU numbers and how they are calculated. Didn't know what to charge because it was incomplete. He has no problem changing the numbers. These are only sewer connection fees not water.

Linda Schruafnagel, N10057 Cty Rd YY, LeRoy Sanitary Commission, Chairperson Town of LeRoy, she has sat through these meetings the last 8 years and looked over these numbers and plans, this is the best economic decision to hook up with Mayville..

Don Lechner, 51 Cty Rd Y, Kekoskee, LeRoy Sanitary Commission, nothing has been signed by the Village of Kekoskee, the Commission is set up by the DNR to maintain the facility in Kekoskee and to pay bills. Kekoskee responsible for 40% and LeRoy responsible for 60%. Kekoskee gets 2 votes and LeRoy gets 3 votes.

Dawn Dethardt, 42 S Elm St., Kekoskee, the connection fee calculator she has a lot of problems with those numbers.

Gill Hodge, from MSA, has been working on this 11 years and still don't have a resolution. Rules are continuing to get stricter with the DNR. Discrepancy in the REU's should be no be deciding factor. His recommendation is for the City of Mayville to approve the agreement with leaving the door open for REU adjustments.

Carol Kreif, 16 Hwy Y N, Kekoskee, owns a business in Kekoskee, feels the residents were not well informed. The amount of money we are talking about is outrageous. A lot of people in Kekoskee are on fixed income. This contract will bankrupt Kekoskee. 150 residents can't come up with that kind of money and going into that kind of debt doesn't make sense to her.

### **Consent Agenda.**

**Approve the minutes of the March 3, 2014, March 10, 2014, March 26, 2014, April 15, 2014, April 21, 2014 and April 29, 2014, Meetings.** Motion by Ald. Toellner, second by Ald. Hohmann to Approve the minutes of the March 3, 2014, March 10, 2014, March 26, 2014, April 15, 2014, April 21, 2014 and April 29, 2014, Meetings. Motion carried 6-0.

### **REPORT OF OFFICERS:**

#### **Approve LeRoy/Kekoskee Revised Contract Pending any Adjusted Final REU Numbers Upon Completion.**

Motion by Ald. Toellner, second by Ald. Longo to Approve the LeRoy/Kekoskee Revised Contract Pending any Final Adjusted REU Numbers Upon Completion. Rob Boelk questioned the phosphorus levels. Ron said we still would be compliant. The cost to cover the 3% will be minimal. We will have to upgrade our plant but not because of the connection to LeRoy/Kekoskee. It will be an environment improvement. We have spent an excess of \$30,000. We had 6" of rain last week and we wouldn't have had to bypass but a farmer knocked off a manhole. The loan is a 40 year term. Responsible for the lift station and to our facility. We bill one bill to the Commission. We maintain the lift station. We will replace things when needed. Requiring a 3rd spare pump. Profit for Mayville \$5,000-\$6,000. Joseph Hohmann spoke and said it is good for Mayville, relieved to find out we are not responsible for Kekoskee's clay pipes. We should help or neighbors. We have invested to much money for this not to happen. If their is an issue with this lift station it could be potentially costly for Mayville. The length of the contract (50 years) is too long and he will not increase the burden on Mayville taxpayers. We need to make this contract better or cut our losses. He cannot risk the future of Mayville residents. Lets send this back to work on this contract a little bit more. Rob Boelk stated this reminds him of something his Grandpa always said, "Threesomes never work." Mayor Bob Redeker said the City was approached by

two neighbors to help them out. We have incurred a lot of expenses and spent a lot of time. We have an unanimous go ahead by our Water Wastewater Commission. I urge the council to vote for this agreement. Motion denied 2-4.

**Resolution 4815-2014 – (Appreciation of Service to Kathy Sertich).**

Motion by Ald. Schmidt, second by Ald. Toellner to Approve Resolution 4815-2014 (Appreciation of Service to Kathy Sertich). Motion carried 6-0.

**Resolution 4816-2014 – (Appreciation of Service to Jerry Moede).**

Motion by Ald. Toellner, second by Ald. Neumann to Approve Resolution 4816-2014 (Appreciation of Service to Jerry Moede). Motion carried 6-0.

**Resolution 4817-2014 – (Appreciation of Service to David Pasbrig).**

Motion by Ald. Schmidt, second by Ald. Neumann to Approve Resolution 4817-2014 (Appreciation of Service to David Pasbrig). Motion carried 6-0.

**Mayor-Monthly Report.**

Mayor Redeker thanked them for their service. He also thanked DPW director Mike Kurutz and his crew for turning around the downtown benches, the Mayville Facebook page is now up and running. We are going to wait and see how the Golf Course & TAG Center websites look before we set up our new site. There are sites left for the Community Garden.

**City Clerk - Monthly Report.**

**Fermented Malt Beverage and Liquor Licensing Renewal Update.**

The Renewal of the Fermented Malt Beverage and liquor Licensing will be on the next Public Safety Committee Meeting on Monday, May 19, and then the Common Council meeting on June 9. Payment of fees is due not less than 15 days prior to July 1, 2014, **June 16, 2014**. The licenses will be available for pick up after June 16<sup>th</sup>.

**Discuss/Approve the following Operators Licenses.**

Diane Voight, Mayville	Nelsy Fernando, Mayville	Daniel Belligan, Mayville
Kelly Lang, Mayville	Matthew Porten, Horicon	Anthony Rader, Mayville
Ann Rader, Mayville	Jessica Ryan, Theresa	Don Mandick, Allenton
Christine Kleinert, West Bend	Nataly Hill, Fond du Lac	Ryan Fillion, Theresa
Kathleen Braeutigam, Mayville	Kayla Haase, Horicon	Catherine Elert, Brownsville
Linda Zangl, Mayville	Deborah Willis, Mayville	Timothy Heesen, Iron Ridge
Curt Schmidt, West Bend	Derek Kolaga, Mayville	Mary Budahn, Mayville
Taylor Gogert, Mayville	Christine Dargatz, Mayville	Tammi Steldt, Brownsville
Zackery Schmude, Theresa	Matthew Bonack, Mayville	Fred Zubke, Watertown
Amy Marschke, Horicon	Ashley Callies, Slinger	Gregory Justman, Mayville
Clarence Kanas, Mayville	Sara Golder, Hartford	Melissa Stefl, Mayville
Morgan Jones, Lomira	Amy Raeder, Mayville	

Motion by Ald. Schmidt, second by Ald. Boelk to approve the Operator's Licenses. Motion carried 6-0.

**COMMITTEES, COMMISSIONS AND BOARDS:**

**Library Board:**

Date and Time of Next Meeting Thursday, June 12, 2014, at 6:00 p.m.

**Personnel Committee:**

Date and Time of Next Meeting Monday, May 19, 2014, immediately following Public Works.

**Finance Committee:**

**Payment of Bills for March and April.**

Motion by Ald. Schmidt, second by Ald. Neumann to approve the payment of the bills for March and April. Motion carried 6-0.

**Resolution 4813-2014 – (Disallowance of Claim of Chief Chris MacNeill).**

Motion by Ald. Toellner, second by Ald. Schmidt to Approve (Disallowance of Claim of Chief Chris MacNeill). Rob Boelk feels we need to do more research on the Crawford Vs. The City of Ashland before making the decision. Mayor Redeker stated that the Chief had the right to an attorney but the City is not responsible for the reimbursement. Chief MacNeill spoke regarding the conflict of interest because the city attorney drafted the complaint against him and the city labor attorney could not get involved, so he had to find his own counsel. Motion Denied 2-4.

**Resolution 4814-2014 – (Approve Resolution Providing for the Sale of \$945,000 General Obligation Promissory Notes).**

2003 Water Revenue Bond refinanced. Refinancing a bank note for TID #5 which was used to finance water sewer improvements for Hwy 28. This would be a savings of approximately \$305,000.

Motion by Ald. Toellner, second by Ald. Boelk to (Approve Resolution Providing for the Sale of \$945,000 General Obligation Promissory Notes). Motion carried 6-0.

Date and Time of Next Meeting is Monday, May 19, 2014, immediately following Personnel.

**Public Safety Committee:**

**Discuss/Approve Original Alcohol Beverage Retail License Application for The Natural Way.**

Motion by Ald. Schmidt, second by Ald. Hohmann to approve the Original Alcohol Beverage Retail License Application for The Natural Way. Motion carried 6-0.

**Discuss/Approve Picnic License for Cramer Cancer Foundation, Throwing Bags for a Cure, on June 7, 2014, at Theiler Park.**

Motion by Ald. Neumann, second by Ald. Hohmann to approve the Picnic License for Cramer Cancer Foundation, Throwing Bags for a Cure, on June 7, 2014, at Theiler Park. Motion carried 6-0.

Date and Time of Next Meeting is Monday, May 19, 2014, immediately following the Finance Committee Meeting.

**Public Works Committee:**

Date and Time of Next Meeting is Monday, May 19, 2014, at 5:00 p.m.

**Planning Commission:**

Date and Time of Next Meeting is Wednesday, May 28, 2014 at 5:00 p.m.

**Water/Wastewater Commission:**

Date and Time of Next Meeting is Tuesday, June 3, 2014, at 6:00 p.m.

**Park Board:**

Date and Time of Next Meeting is Wednesday, June 4, 2014, at 4:30 p.m.

**Senior Center Board:**

Date and Time of Next Meeting is Tuesday, June 10, 2014, at 6:00 p.m. at the Senior Center.

**Golf Course Advisory Commission:**

Date and Time of Next Meeting is Wednesday, May 14, 2014, at 7:00 p.m. at the Golf Club.

**ADJOURNMENT.**

Motion by Ald. Longo, second by Ald. Toellner to adjourn the meeting at 8:43 p.m. Motion carried 6-0.

Darlene Smith, City Clerk