

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

Members Present: Ald. Toellner, Ald. Sertich, Ald. Pasbrig, Ald. Redeker, Ald. Boelk, Ald. Schmidt

Members Absent:

Others Present: Mayor Moede, Deanna Boldrey, Kathie Wild, Mike Kurutz, Ben Brown, Don Neitzel, Megan Sheridan, Ben Brown, Katie Leb, Attorney David Crass, Attorney Jim Hammes, Mike Kurutz, The Gallery was full and overflowing to the lobby. Pat Chamberlain, John Westphal, Sally Kahlhamer, Merlin Kahlhamer, Carla Hagen, Ken Neuman, Colleen Toellner, Marge Nitschke, Marge Nitschke, Greg Justman, Jan Loosley, Scott Dutzle, Mary Ann Kenitz, Tom Stollenwerk, Jeremiah Bartsch, John Gable, Andy Welton, Julie Staffin, Sharon Chmielewski, Bob Smith, Don Bauer, Laura Congdon, Lori Tapola, Tom Stollenwerk, Jr., Carol Billington, Diane Trevarthen, Tom Kempf, Jake Zemlica Regzlaff, Debbie Gasper, Tony Trunkel, Bob and Pat Rinka, Marjean Sertich, Madden, Judy Bauer, Rob and Tina McCoy, Bill Braun, Carolyn Mathews, Judy McNamara, Lourdeen Robson, Cynthia Beecraft, Dianne Slater, Melissa Fausett, Jody Hockers, Julann Zemlicka Retzlaff, Matthew Kuehn, Ryan and Maria Vossekuil

Pledge of Allegiance to the Flag.

Motion by Ald. Pasbrig, second by Ald. Sertich to take items out of order and move the Mayor's report up on the agenda. Ald. Boelk questioned the motion, that there were people here to speak. The Mayor responded that Attorney Crass was present for the Landfill item, and the item needed moved up because of his rate. Motion carried 5-1, Ald. Boelk voted no.

#### **REPORT OF OFFICERS:**

##### **Mayor-Monthly Report.**

##### **Resolution 4728-2013 Approve Advanced Disposal Services Glacier Ridge Landfill Negotiated Agreement.**

Motion by Ald. Redeker, second by Ald. Sertich to Approve Resolution 4728-2013 Approve Advanced Disposal Services Glacier Ridge Landfill Negotiated Agreement.

Attorney David Crass came to the podium as the special environmental counsel for the City as far as the landfill negotiations. He commented that this is for expansion of the landfill. The municipalities affected are the City of Mayville, Town of Williamstown, and Town of Hubbard and Dodge County. Negotiations are done through a local committee. This agreement is from that committee. If not approved by any one of the bodies then the agreement is void. The landfill operator has agreed to the agreement. This is an expansion of glacier ridge landfill but the existing closed LGRL was a major factor.

David gave history to the item and LGRL.

This current agreement is for the 2013 South East Expansion, will supplant and replace the 2005 agreement. Essentially the old closed landfill will be exhumed and will be moved to modern constructed cells on site in a sequence with environmental control. Total life is 15 years. The next expansion could occur within that period.

This expansion was initiated by Veolia. Mayville has been well represented by Ken Oechsner, Dan Bell, David Schrab, and Bob Smith. Meetings began in 2010.

Highlights of the major issues include: Maintains key operational and property value protections; Makes revisions as necessary to recognize the new owner, Advanced Disposal; And, includes a corporate guarantee of the operational entity. Additionally, waste haul routes are reauthorized as and limited to County V and Hwy 28/67 to John Street and to V. David Crass noted that the legal liability pollution insurance doubles and each municipality is named as additional insured. It increases the annual

reimbursement to the County for road maintenance. Also, doubles the direct payments to affected property owners, none of which are residents City of Mayville. Host fees per ton are increased. Advanced Disposal will accept 45 ton of bulk waste, and will pay \$400,000 to the City of Mayville for street impacts over 10 years at \$40,000 a year starting in January. The 5 cent per ton impact fee remains on top of the \$40,000 per year.

Additionally, Advanced will provide the City with a complete release and indemnification for its share of the exhumation and relocation of the LGRL landfill. The City is released of this cost that would have been 12.5% estimated cost of the project which would have been slightly over 1 million dollars. The City is now released of that cost. City will have four members on the standing committee. Motion carried 6-0.

**Resolution 4729-2013 Approve Appointments to the Landfill Standing Committee.**

Motion by Ald. Boelk, second by Ald. Toellner to Approve Resolution 4729-2013 Approve Appointments to the Landfill Standing Committee. Motion carried 6-0.

**Resolution 4730-2013 Approve Agreement with Dodge County in regards to Quit Claim Deed for 201 S Main Street, 251-1216-2341-001.**

Motion by Ald. Pasbrig, second by Ald. Boelk to Approve Resolution 4730-2013 Approve Agreement with Dodge County in regards to Quit Claim Deed for 201 S Main Street, 251-1216-2341-001. Motion carried 6-0.

**Discussion and Motion Calling for a Public Hearing to be held by the Planning Commission on August 29<sup>th</sup>, regarding creation of TID #5.**

Motion by Ald. Sertich, second by Ald. Boelk to Call for a Public Hearing to be held by the Planning Commission on August 29<sup>th</sup>, regarding creation of TID #5. Motion carried 6-0.

**Citizen Comments.**

Sally Kahlhammer of 90 Riverview Heights spoke in favor of the police department.

Carla Hagen of 434 Janssen spoke in favor of the police department.

Ken Neuman of 304 German Street spoke in favor of the police department and of selling the golf course.

Skeeter Colleen Toellner, 322 Horicon Street spoke in favor of the police department.

Marge Nitschke of 232 Henninger spoke in favor of the police department.

Gregory Justman of 19 Turner Street spoke in favor of the police department.

Jen Loosley of 344 S Walnut Street spoke in favor of the police department.

Lois of Grand Blvd spoke in favor of the police department.

Scott Dutzle of the Mayville EMS spoke in favor of the police department.

Mary Ann Kenitz of 1439 Dayton Street spoke in favor of the police department.

Tom Stellenwerk of 365 Park Road spoke in favor of the police department.

Jeremiah Bartsch of 720 Meadow Lane spoke in favor of the police department.

John Gable of 721 Forest Drive spoke in favor of the police department.

Andy Wellington of 3413 Kestler Court Madison WI spoke in favor of the police department.

Julie Staffin of 799 Emmer Street spoke in favor of the police department.

Merle Kahlhammer of 90 Riverview Heights spoke in favor of the police department

Sharon Chmielewski of 1684 Dayton Street spoke in favor of the police department.

Bob Smith of 5 Cottonwood Lane spoke in favor of the police department.

Don Bauer of 803 Kekoskee Street spoke in favor of the police department.

Laura Condon of 1733 Dayton Street spoke in favor of the police department.

Larie Tapola of 1105 W Milwaukee Drive, West Allis spoke in favor of the police department.

Tom Stellenwerk Jr. of 365 Park Road spoke in favor of the police department.

Carol Billington of 1390 Horicon Street spoke in favor of the police department.

Diane Trevarthen 322 N John Street spoke in favor of the police department.

Tom Kempf of School Street Apt 5 spoke in favor of the police department.

Jake Zemlicka Retzlaff of the Mayville EMS spoke in favor of the police department

Debra Gasper of 317 Kekoskee Street spoke in favor of the police department.

Motion by Ald. Sertich, second by Ald. Redeker to Recess at 8:35 p.m. Motion carried unanimously.  
Reconvened at 8:50 p.m.

**Consent Agenda.**

**Approve the Minutes of July 8, 2013, and July 15, 2013, meetings.** Motion by Ald. Pasbrig, second by Ald. Schmidt to Approve the Minutes of July 8, 2013, and July 15, 2013, meetings. Motion carried 6-0.

**REPORT OF OFFICERS:**

**City Clerk - Monthly Report.**

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

Haley Leissring, Juneau

Motion by Ald. Pasbrig, second by Ald. Schmidt to approve the Operator's Licenses as noted on the agenda. Motion carried 6-0.

**COMMITTEES, COMMISSIONS AND BOARDS:**

**Library Update:**

**No Report.**

Date and Time of Next Meeting is Thursday, September 12, 2013, at 6:00 p.m.

**Personnel Committee:**

Date and Time of Next Meeting is Monday, August 19, 2013, immediately following Finance.

**Finance Committee:**

**Payment of Bills. (\$410,955.01)**

Motion by Ald. Toellner, second by Ald. Redeker to approve the payment of the bills. Motion carried 5-1, Ald. Boelk voted no.

**PUBLIC HEARING – With Regards to the Sale of a Portion of City Property at 522 Ruedebusch Ave, 251-1216-2342-093.**

(Citizen Comments are to be kept to a maximum of five minutes per speaker unless the chairperson allows an extension of time. Each citizen is to make comments at the podium after stating name and address. Each citizen may comment only one time per public hearing / meeting.)

John Engmann of 329 S Walnut Street, noted it is good idea to sell the property to Mayville Public Schools but he wants to see a plan.

**Resolution 4731-2013 – Approve Sale of a Portion of City Property at 522 Ruedebusch Ave, 251-1216-2342-093.**

Motion by Ald. Redeker, second by Ald. Toellner to Approve Resolution 4731-2013 – Approve Sale of a Portion of City Property at 522 Ruedebusch Ave, 251-1216-2342-093.

Don Neitzel commented on the morning issues of drop off at Park View School. The school approached the City in regards to acquiring the property. There was a joint Finance and Park and Recreation Meeting. The School looked at doing this in phases; since then the school met and agreed as on the map. They would like to bring bus traffic in off of Ruedebusch. At the committee meeting there was no determination on the amount. Mike Kurutz commented that there would be site plan approval.

Ald. Toellner questioned why the tennis courts are remaining the City's and not the basketball courts. Mike commented that the school can certainly utilize the basketball courts and the basketball courts are remaining. Ald. Toellner commented he would like to see it stay as part of the park.

Ald. Boelk commented that he talked to 30 constituents and no one is jumping up and down to get rid of the pool. He continued that the City does not have the money to open the pool. Could we solicit for a non-profit organization to open the pool? Ald. Sertich commented that previously the City reached out and there was a lot of expenses with the pool that equipment. There was a lot of things that surfaced that was extremely expensive. She noted the prior council took it off. Ald. Pasbrig questioned if we would get DNR approval. Mike noted it will take alot money. Ald. Sertich commented that there was one person that did a lot of hard work to raise funds but nothing got kick started on it. Items had to be addressed for liability reasons. Ald. Pasbrig commented on the safety aspect on Oak Street in the morning.

Pat Chamberlain commented that this is needed as soon as possible as the school's annual meeting is on August 19.

Ald. Toellner questioned the bus route. Ald. Toellner commented to move the tennis courts and basket ball court. Move them over at the schools expense. Ald. Toellner commented that the green space is important. Ald. Schmidt commented that it is a lot of dollars to move them around.

Don Neitzel noted there will be a site plan review and CSM as part of the process.

Ald. Sertich commented that the school has helped the City out as well recently with the fiber optics coming in at the Police Department with the monitors.

Amendment motion by Ald. Sertich to request one dollar for the property and all survey and recording costs and additional costs would be at the expense of the school. Second by Ald. Redeker. Ald. Toellner questioned what the property was worth and he does not like the plan and splitting the park in half. Amendment Motion carried 5-1, Ald. Toellner voted no.

Ald. Toellner commented that he would like to see the final design.

Motion by Ald. Toellner, second by Ald. Boelk to postpone the item. Ald. Schmidt questioned how the postponement would affect the school plans. John Westphal of the school board commented that this is to be at the annual meeting. If post-poned would have to schedule another special meeting. The School would like to get this going. Motion to post pone failed 5-1, Ald. Boelk voted yes.

The basketball courts are going to remain the same and the old pool could turn to an educational area. Motion on the original motion as amended carried 5-1, Ald. Boelk voted no.

**Police Department Budget Update.**

Chief Chris MacNeill came to the podium. A pie chart graph was handed to the Clerk.

Ald. Sertich noted that the copies would be supplied Monday night (August 19).

Chief MacNeill noted that his hand out is an over-time usage year to date. He commented that the retirement hurt them this year staffing wise as it is hard to budget for. Unfortunately, they will go over on the over-time budget if not already. He continued that the over-time budget has not increased over the past three years. Staffing has been reduced and calls for service has increased. So far year to date calls for service has increased 27% over last year.

The Chief continued that while he cannot prevent from going over on the over-time budget he is working to mitigate the amount they go over. He has cancelled any training that will have a propensity to create over-time, frozen discretionary over-time, and he will flex his shift to cover morning shifts eliminated twelve over-time shifts, or for the remainder of the year.

The Chief continued that some things have taken place at the last few Finance Meetings that he finds troubling and need to be brought to the Council's Attention. During the July Finance Meeting the Council was told that at the end of June the Police Budget was \$21,988 or 2.4% over where they should be for the year and that was correct. But what the Council was not told is that at the end of April, the Police Department was \$40,656 or 4.5% over where we should have been. He continued that if the Council was given that information, the Council would have realized that he has reduced the overage by over \$18,000 and with the figures he received from the Comptroller Treasurer on August 3<sup>rd</sup>, the Police Department at the end of July is now only \$8,800 or 1% over where we should be for the year. Chief MacNeill continued that instead, the Council was given limited information intended to make the Council believe the budget was out of control and being mismanaged when in actuality he has reduced the overage by over \$31,000 in three months.

Chief MacNeill questioned, How he has done this. By responsible management, freezing discretionary spending, diverting cost from national night out to the police trust fund which is the fundraiser account, purchasing only essential items needed to maintain the services of the police department. This has been a collaborative effort of the entire police department that would not be possible without the cooperation of the police union and administrative staff. He will continue to work on reducing the overage and is confident that at the end of the year barring any unforeseen expenditures that the police department will come in at or below budget.

Chief MacNeill noted that it is obvious to everybody in his department, most city employees and even people in the community that Ald. Kathy Sertich appears to have an axe to grind with the Chief of Police and that is extremely unfortunate. By using her position to manipulate the Council and by deliberately providing select information in an attempt to portray the Chief of Police, Police Budget or Police Department in a negative light is wrong and it stops now. You as the Council deserve the whole picture not the bits and pieces as she sees fit. The Mayville Police Department provides cost effective and high quality police services to the Citizens of Mayville and regardless of one alderperson's motives we will not waiver in our commitment to serve and protect this great City. Thank you. Applause from gallery.

Ald. Sertich commented that she would like advice from Attorney Jim Hammes on the statements.

Attorney Hammes commented that if there are statements that have been made that are not supported by the facts, he does not know all of that background and the history, those are matters for the Police and Fire Commission. If there are statements that are not backed up by facts those are matters that can be referred to the Police & Fire Commission by a citizen or by a member of the Common Council.

Ald. Sertich noted that she will be happy to accommodate the Chief with all of the back up on next week Monday along with the Attorney on several topics and will keep the citizens posted on what has transpired on his budget. She continued to the Chief that, he signs off on the information, it is your budget, and we just report it. We will get it straightened out. We will be able to provide any open records and feel free to come to City Hall and request any information you require.

Date and Time of Next Meeting is Monday, August 19, 2013, at 5 p.m.

**Public Safety Committee:**

**Ordinance 1053-2013 – To Be Introduced (An Ordinance Amending Chapter 397-7 Vehicles and Traffic, Parking Restrictions (North German Street) of the Mayville Municipal Code).**

Introduction Motion by Ald. Boelk.

Date and Time of Next Meeting is Monday, August 19, 2013, immediately following Personnel.

**Public Works Committee:**

Date and Time of Next Meeting is Monday, June 17, 2013, immediately following Public Safety.

**Planning Commission:**

Date and Time of Next Meeting Wednesday, August 28, 2013, at 5:00 p.m.

**Water/Wastewater Commission:**

Date and Time of Next Meeting Tuesday, September 10, 2013, at 7:00 p.m.

**Park Board:**

Date and Time of Next Meeting Wednesday, November 6, 2013, at 4:30 p.m.

**Senior Center Board:**

Senior Center Board Update:

A. Rentals to Date.

Ald. Toellner reported that there have been fourteen rentals to date and there are four more scheduled. The cost is \$150 per day to rent the Senior Center.

B. Fund 72 Balance.

The Fund 72 has a balance of \$16,046.74.

C. Senior Center Overall Budget.

No Report.

Date and Time of Next Meeting, Tuesday, September 10, 2013, at 6:00 p.m.

**Golf Course Advisory Commission:**

Date and Time of Next Meeting Wednesday, August 14, 2013, at 7:00 p.m.

**ADJOURNMENT.**

Motion by Ald. Pasbrig, second by Ald. Schmidt to adjourn the meeting at 9:31 p.m. Motion carried 6-0.

Deanna Boldrey, City Clerk