



**MINUTES**  
**CITY OF WAUPUN COMMON COUNCIL**  
**Waupun City Hall – 201 E. Main Street, Waupun WI**  
**Tuesday, August 17, 2021 at 6:00 PM**

**CALL TO ORDER**

Mayor Nickel called the meeting to order at 6:00pm.

**PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION**

Pledge of Allegiance is heard, followed by a moment of silence.

**ROLL CALL**

Council in attendance on roll call is:

**Virtually:** Mayor Nickel

**In-Person:** Alderman Kaczmariski, Alderman Langford, Alderman Bishop, Alderman Vanderkin, Alderman Westphal, and Alderman Matoushek.

No members are absent.

Management Staff present is:

**Virtually:** Clerk Hull, Attorney VandeZande, General Utility Manager Brooks, Fire Chief Demaa, Police Chief Loudon, Library Director Jaeger, Recreation Director Kaminski, and Finance Director Kast.

**In-Person:** Administrator Schlieve and Director of Public Works Daane

Staff absent and excused is Utility Finance Director Stanek.

City Staff present virtually is Community and Economic Development Coordinator VanBuren.

Audience in attendance is Philip Cosson of Ehlers and Jason Whitford.

No media is present.

**PERSONS WISHING TO ADDRESS COUNCIL**

No persons address the Common Council.

**CONSENT AGENDA**

Motion Vanderkin, second Matoushek to approve the consent agenda. Motion carried 6-0 on roll call.

**RESOLUTIONS AND ORDINANCES:**

**18. Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,035,000 General Obligation Promissory Notes, Series 2021A**

Phil Cosson of Ehlers is present. City is looking to refinance 2013 Pool bonds and the Rock/Newton street construction project, in an amount not to exceed \$3,035,000, to receive a lower interest rate and provide a savings of \$104K.

Motion Matoushek, second Kaczmariski to adopt Resolution #08-17-21-01 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,035,000 General Obligation Promissory Notes, Series 2021A. Motion carried 6-0 on roll call.

**19. Ordinance to amend Chapter 6.05(3c) entitled Traffic Code-Handicapped Parking Stalls- Brandon St./Rock River Ave Handicap parking area**

ADA Improvements recommendation from the 2015 facilities assessment. This ordinance allows that addition of a handicapped parking stall on Brandon Street/Rock River Avenue near Heritage Park.

Motion Kaczmariski, second Matoushek to waive the first reading and adopt Ordinance #21-04 to amend Chapter 6.05(3c) entitled Traffic Code-Handicapped Parking Stalls to add Handicap parking stalls at Heritage Park. Motion carried 6-0 on roll call.

**20. Ordinance to Amend Chapter 6.05(3c) entitled Traffic Code-Handicapped Parking Stalls- Buwalda Drive Handicap parking area**

ADA Improvements recommended in the cities 2015 ADA facilities assessment. This ordinance allows that addition of a handicapped parking stall on Buwalda Drive near Buwalda Park.

Motion Matoushek, second Bishop to waive the first reading and adopt Ordinance #21-05 to amend Chapter 6.05(3c) entitled Traffic Code-Handicapped Parking Stalls to add Handicap parking stalls at Buwalda Park. Motion carried 6-0 on roll call.

**CONSIDERATION - ACTION**

**21. Stormwater Compliance Appeal to WI-DNR**

In September 2011, United States Environmental Protection Agency (USEPA) approved a Total Maximum Daily Load (TMDL) for the Rock River Watershed that identified reductions of Total Suspended Solids (TSS) and Total phosphorus (TP) necessary to restore water quality to achieve designated uses for selected reaches of the Rock River and its tributaries. Despite ongoing investment in stormwater infrastructure, the 2017 report found the City's stormwater management system to fall short of TSS and TP reduction requirements identified in the TMDL for all three Reaches of the Rock River Watershed. For TMDL reaches where MS4s are not in compliance with the TMDL, the current permit requires additional reductions be achieved by the end of the permit term (April 30, 2024). To move toward compliance, the City's December 2017 stormwater study identified 21 potential locations where new water quality best management practices (BMPs) may be constructed or where significant modifications to existing BMPs could be made to substantially improve water quality treatment performance. However, even if all 21 sites were built out, the city would still not achieve full compliance and additional BMPs will be required to meet USEPA standards. The City did apply for an Urban Nonpoint Source Grant to partially fund a project for 2024 to expand on the 2017 plan to identify the additional BMPs, however, that grant was not awarded. Because of the extreme economic hardship that would be imposed on the City of Waupun to implement a stormwater quality compliance program in accordance with the requirements of General Permit WI-S050075-3, the City is requesting that WDNR allow a relaxed implementation schedule for achieving water quality targets. We are required to submit to the Wisconsin Department of Natural Resources (WDNR) a plan to achieve the target level of reduction by October 31, 2021.

Motion Westphal, second Matoushek to submit an appeal to WI-DNR for consideration and feedback on a modified TMDL plan for the purpose of obtaining feedback for inclusion in updated TMDL plan from City due October 31, 2021. It is understood that the final plan (due October 31, 2021) will be reviewed and approved by Council prior to submittal. Motion carried 5-1 on roll call with Bishop voting Nay.

**22. Authorize a Stormwater Utility Rate Study**

The storm water utility generates roughly \$600K annually and our annual expenditures over the last three-years have been around \$1M. Given the requirements being imposed by USEPA, Daane recommends a rate analysis be conducted this fall for review by the council.

Motion Matoushek, second Vanderkin to conduct a rate study of the Storm Water Utility. Motion carried 6-0 on roll call.

### **23. Transfer of K-9 Ownership to City of Beaver Dam**

K9 Officer Schneider has submitted his resignation as he has accepted employment with the City of Beaver Dam K9 Unit. Officer Schneider has been the handler of K9 Boomer, which is age 6, for 4.5 years. According to the National Police Dog Foundation, depending on a police dog's age, the dog may retrain with a new handler, but frequently the dog transitions with its current handler if age and circumstances permit. The average service life for a K9 is around ten years. The department recruiting Officer Schneider is interested in acquiring Boomer. Proceeds from the sale of Boomer would be combined with ongoing community fundraising efforts to secure a new K9 at some point in the future.

Motion Westphal, second Matoushek to approve the sale of K9 Boomer and incidentals to the City of Beaver Dam for the purchase price of \$5,000. It is understood that the proceeds from this sale will be segregated in a separate K9 fund to support acquisition of a K9 when staffing levels permit. Motion carried 6-0 on roll call.

### **24. Consideration of Table Sponsorship-REACH Benefit Event**

REACH is holding a benefit, Hawaiian Luau, on October 2, 2021 at the Rock. The benefit invites a table sponsorship of \$1000 for eight people.

Motion Westphal, second Matoushek to pledge the \$1000 for a table for the REACH benefit and allow REACH membership to appoint the eight individuals to attend. Motion carried 6-0 on roll call.

### **25. COVID-19 Policies and Updated CDC Guidance**

Schlieve provides an update on the continuance of COVID-19 with the Delta variant increasing locally. The City's currently policy calls for adherence to current CDC guidelines which call for masking indoors for both vaccinated and unvaccinated people. As an employer we are required to take steps to ensure a safe workplace for all.

No motion is heard. The current policy stands.

### **CLOSED SESSION**

At 7:08pm, Motion Vanderkin, second Langford to adjourn in closed session under Section 19.85 (1) (c)(e)(g) of the WI Statutes for reasons of Sworn Officer Retainment, Employment, and Compensation, Land Negotiations of 520 McKinley Street (TID 6), and Ambulance Services. Motion carried 6-0.

### **OPEN SESSION**

At 8:05pm, Motion Bishop, second Matoushek to reconvene to open session under Section 19.85(2) of the WI Statutes. Motion carried 6-0.

### **ACTION FROM CLOSED SESSION**

No action in open session is taken.

### **ADJOURNMENT**

At 8:06pm, Motion Vanderkin, second Bishop to call the meeting adjourned. Motion carried 6-0.