



MINUTES
CITY OF WAUPUN COMMON COUNCIL MEETING
Waupun City Hall – 201 E. Main Street, Waupun WI
Tuesday, November 12, 2019 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 Mayor Nickel, Alderman Westphal, Alderman Kaczmarski, Alderman Mielke, Alderman Matoushek, Alderman Vossekuil, and Alderman Vanderkin. No members are absent.

Management Staff present is Attorney VandeZande, Clerk Hull, Administrator Schlieve, Finance Director Oosterhouse, Library Director Jaeger, Fire Chief Demaa, Deputy Police Chief Rasch, Public Works Director Daane, Utility General Manager Posthuma, and Recreation Director Kaminski. No staff is absent.

Other City Staff present is Fire Dept Mike Beer, Economic Development Coordinator Sarah Van Buren, and Accountant Michelle Kast.

Members in the audience are Kris Snow, Mike Schwandt, Art Ehlert, Bob Raddatz, Jerry and Shirley Harmsen, Nathan Hall, Kaitlyn Schwanke, Jenny Schatz, Serena Freriks, Makya VandeBerg, Morgan Flier, Dave Ferris, Jodi Mallas, Scott Roffers, Kurt Devries, Kyle Devries,

Media present is Ken Thomas of Daily Citizen and Ken Warmbold of WBEV.

PERSONS WISHING TO ADDRESS COUNCIL

1. Dodge County Circuit Court Judge Candidate Kristine Snow

Attorney Kristine Snow appears before the Council to inform them that she is a candidate for the 2020 seat of Dodge County Circuit Court Judge.

2. WHS Senior Democratic Seminar-Shellie Cupery, Morgan Flier, MaKya VandeBerg, Jenny Schatz, Katie Schwanke, Serena Freriks

Kaitlyn Schwanke, Jenny Schatz, Serena Freriks, Makya VandeBerg, and Morgan Flier of the Waupun Jr/Sr. High School Senior Democratic Seminar class are before the Council informing them of their project to better the community. This group provided maintenance support to the Medema Fields restroom by painting the walls from a yellow to a light grey to match other City park restrooms.

PUBLIC HEARING

3. 2020 Waupun Budget and Tax Levy

The Public Hearing is held for the 2020 Waupun budget, tax levy, and tax rates. Schlieve and Kast provide information on the proposed budget. Resolution 11-12-19-01 Adopting the 2020 Budget and Tax Levy is provided for consideration. The Resolution provides a levy amount of \$3,192,938 to fund the 2020 expenses of city government.

No audience participation for the public hearing is heard.

Motion Kaczmarski, second Matoushek to close the public hearing. Motion carried 6-0 on roll call.

4. Resolution Adopting 2020 Budget and Tax Levy

Motion Vanderkin, second Vossekul to adopt Resolution 11-12-19-01 Adopting the 2020 Budget and Tax Levy. Motion carried 6-0 on roll call.

CONSENT AGENDA

City Clerk requests authorization to release future expenses if the Common Council does not convene due to lack of agenda items during the holiday season.

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

ITEMS REMOVED FROM THE CONSENT AGENDA FOR FURTHER DISCUSSION/ACTION

No items were removed from the Consent Agenda.

CONSIDERATION - ACTION

19. Recreation Program Leader Substitute Position and Job Description (Occasional Status)

In August, the Council approved a limited term Recreation Program Leader job description and position which expires November 15, 2019. It is requested to retain this position as occasional status to fill in during leave times. This position would not exceed 40 hours per year.

Motion Kaczmariski, second Westphal to approve the job description and position for an occasional status Recreation Program Leader. Motion carried 6-0 on roll call.

20. Authorize Police Department Records Clerk/Support Staff Position from Part Time to Full Time Status and Job Description Revision

The Police Department holds two (2) part time Records Clerk/Support Staff positions. Due to a notice of retirement, the Police Department makes request to eliminate the two (2) part time positions, combine to one full time position, and revise the job description to reflect full time.

Motion Matoushek, second Vanderkin to eliminate the part time positions of Records Clerk/Support Staff and combine to one full time position, effective with the retirement, and for the job description to reflect that of full time. Motion carried 6-0 on roll call.

ORDINANCES AND RESOLUTIONS

21. Resolution Supplementing Res 1-26-93-1 Authorizing Issuance & Sale of \$5,405,000 Water/Electric System Revenue Refunding Bonds, Series 2019b & Providing for the Payment of the Bonds and Other Details and Covenants with Respect Thereto

The Waupun Utilities Commission made recommendation to proceed with refunding the 2014 and 2016 Water and Electric System Revenue Bonds. The Common Council then authorized the sale of approximately \$5,405,000 Water and Electric System Revenue Bonds. Ehlers solicited bids for the purchase of these bonds and the results are before the Council.

Dave Ferris of Ehlers informs the Council that due to the winning bid, they were able to downsize the issue, providing a net bond size of \$5,175,000.

Motion Kaczmariski, second Westphal to approve Resolution 11-12-19-02 Supplementing Res 1-26-93-1 Authorizing Issuance & Sale of \$5,405,000 Water/Electric System Revenue Refunding Bonds, Series 2019b & Providing for the Payment of the Bonds and Other Details and Covenants with Respect Thereto. Motion carried 6-0 on roll call.

22. Resolution for DNR Grant Funding-ADA Canoe/Kayak Launch at Shaler Park

Due to the Recreation Board favoring a canoe/kayak launch, Daane is applying for a DNR grant which requires resolution authorizing Daane to act on behalf of the City and submit an application for possible grant consideration. The Board of Public Works has made recommendation to the Council to approve this resolution.

Motion Vossekui, second Vanderkin to approve Resolution 11-12-19-03 to authorize Daane to submit an application for an ADA Canoe/Kayak Launch at Shaler Park. Motion carried 6-0 on roll call.

23. Ordinance- Amend Ch.6.05(3)(n) entitled Traffic Code-Parking Limitations-Restricted Parking at Any Time-Christian Home Loading Zone

Ch. 6.05(3)(n) entitled Traffic Code-Parking Limitations provides "Christian Home Loading Zone. An area of not more than 30 feet along the north side of Grandview Ave., extending 15 feet easterly and 15 feet westerly from the centerline of the sidewalk leading from the Christian Home for the Aged to Grandview Ave., shall be designated as a "Loading Zone" and no parking shall be permitted in such area except for the sole purpose of permitting persons residing at or visiting the Christian Home for the Aged to exit from or enter into motor vehicles". As the Christian Home has relocated, there is no need for this loading zone and Daane requests to update the ordinance by eliminating this language. The Board of Public Works has made recommendation to the Council to approve this ordinance change.

Motion Kaczmariski, second Matoushek to waive the first reading and adopt Ordinance 119-08 to amend Ch. 6.05(3)(n) entitled Traffic Code-Parking Limitations to eliminate (n) Christian Home Loading Zone. Motion carried 6-0 on roll call.

24. Ordinance to amend Ch. 6.11 entitled Traffic Code - ATV/UTV Usage in City Limits

Attorney Vande Zande provides the draft ordinance which was provided to Council reflects change of night hours of no operation from 10p to 6a, technical corrections to clarify that we are only trying to control ATV/UTV usage in our City jurisdiction, at the request of the Police Chief to confirm ATV/UTV registration is a public use registration not a private use registration, and clarify in the reference to the use of intoxicates or a restricted controlled substance, to include any combination of these elements.

Vande Zande comments that since that draft was provided to Council, another proposed amendment was added. In section 4b of the draft provided, the speed limit reflects 40 MPH and statute is 35 MPH. Vande Zande states the language change to 4(b) shall state "In accordance with section 23.33(11) (am) (4) of the Wisconsin Statutes, the City authorizes the operation of ATVs and UTVs on all approved ATV and UTV routes within the City as identified in subsection (a) above, and on all county highways, state trunk highways or connecting highways with a speed limit of 35 MPH or less where the applicable county or state authority approves such a designation."

Deputy Chief Rasch makes request on behalf of Chief Loudon to restrict the ATV/UTV usage to a one passenger.

Westphal is not in favor of a one passenger restriction and would like to change the no use hours to 12am to 6am and comments this use could be reviewed in one year. Kaczmariski would like the hours to be consistent with surrounding communities. Vossekui would like to see a one-year trial period, only one passenger, and the hours to remain at 10p – 6a due to safety factors. Mielke prefers a specified route.

Daane informs the Council that the DOT informed him that some areas in the Industrial Park (Kinzy and Barnes) Will not allow ATV/UTV access as the speed limit exceeds more than 35mph and Fond Du Lac County has tabled all of their ATV/UTV ordinances and opening streets/county roads at this time until possibly next year which will limit City streets, such as Birdie Blvd and Dog Leg as they access a county road.

Jerry Harmsen states they do make ATVs for a one and two passenger vehicle and questions registration for an ATV. Mike Schwandt states there are two seater ATVs. Curt Devries states there are two seater ATVs. Bob Raddatz has a two seater and questions putting a plow on the front of his ATV for snow removal and if there are regulations on safety lighting. VandeZande states that our ordinance would reflect the Statutes. Kyle Devries states he would favor a longer time frame.

Motion Westphal, second Matoushek to waive the first reading and adopt the ordinance to amend Ch. 6.11 entitled Traffic Code - ATV/UTV Usage in City Limits with accepting the revision to Section 4(b) as stated and amend the no use hours to reflect 12a-6a. Motion provides 3-3 with Vossekui, Vanderkin, and Mielke voting Nay. Mayor votes Nay and motion fails.

Mayor states her reasoning is due to numerous emails and phone calls from Citizens she recently received, with complaints on noise, the time limits, and the use of all City streets.

Motion Westphal, second Matoushek to waive the first reading and adopt the ordinance to amend Ch. 6.11 entitled Traffic Code - ATV/UTV Usage in City Limits with accepting the revision to Section 4(b) as stated. Motion provides 3-3 with Vossekui, Vanderkin, and Mielke voting Nay. Mayor votes Nay and motion fails.

Motion Matoushek, second Westphal to accept the first reading of the ordinance to amend Ch. 6.11 entitled Traffic Code - ATV/UTV Usage in City Limits with the inclusion of the revision to Section 4(b) as stated. Motion provides 3-3 with Vossekui, Vanderkin, and Mielke voting Nay. Mayor votes Aye.

The proposed ordinance will return for a second reading on December 10, 2019 at 5:30pm.

25. Ordinance to amend Ch.9.02(4) entitled Zoning Code-Public Nuisances Affecting Peace and Safety-Swimming Pool Covers

Motion Matoushek, second Vossekui to waive the first reading and adopt Ordinance 19-09 to amend Ch.9.02(4) entitled Zoning Code-Public Nuisances Affecting Peace and Safety. Motion carried 5-1 with Mielke voting Nay.

MAYORAL CORRESPONDENCE

26. Mayoral Proclamation - Giving Tuesday

Mayor reads the Proclamation requested by REACH to declare December 3, 2019 at Giving Tuesday.

CLOSED SESSION

Motion Vossekui, second Matoushek to adjourn in closed session under Section 19.85 (1)(g) of the WI Statutes for Contracted Ambulance Service. Waupun. Motion carried 6-0.

OPEN SESSION

Motion Vossekui, second Matoushek to reconvene in open session under Section 19.85(2) of the WI Statutes. Motion carried 6-0.

ACTION FROM CLOSED SESSION

No action in open session.

ADJOURNMENT

Motion Vanderkin, second Matoushek to duly call the meeting adjourned at 8:239pm.