



**MINUTES**  
**CITY OF WAUPUN SPECIAL COMMON COUNCIL**  
**MEETING**  
**Waupun City Hall – 201 E. Main Street, Waupun WI**  
**Tuesday, October 22, 2019 at 5:30 PM**

**CALL TO ORDER**

Mayor Nickel called the meeting to order at 5:30pm.

**ROLL CALL**

Council in attendance on roll call is Mayor Nickel, Alderman Westphal, Alderman Kaczmariski, Alderman Mielke, Alderman Matoushek, and Alderman Vossekuil. Those absent are Alderman Vanderkin.

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

Other City Staff present is Code Enforcer Mike Beer and Accountant Michelle Kast.

Audience in attendance is Scott Roffers, Jodi Mallas, Mike Schwandt, Carrey Terlisner, Alexis Terlisner, Mark Lehman, Jeff Butzke, and Jayden Schwandt.

Media present is Ken Thomas of Daily Citizen and Kevin Haugen of Good Karma Brands.

**PERSONS WISHING TO ADDRESS THE COMMON COUNCIL**

No persons appear before the Council.

**CONSENT AGENDA**

**1. Future Meetings & Gatherings, License and Permit Applications, Expenses**

Council accepted the Consent Agenda.

**RECOMMENDATIONS FROM BOARDS, COMMITTEES, COMMISSIONS**

**2. Certified Survey Map - Ed Hull Property**

Motion Matoushek, second Vossekuil to approve the Certified Survey Map for Edwin & Alene Hull Life Estate.

Motion carried 5-0 on roll call.

**3. 2020 Business Improvement District Budget**

At the October 9, 2019 Business Improvement District Board meeting, recommendation was made for the Council to accept the 2020 Business Improvement District Budget.

Motion Kaczmariski, second Westphal to approve the 2020 Business Improvement District budget. Motion carried 5-0 on roll call.

**ADMINISTRATOR UPDATE ON HEALTH INSURANCE TRANSITION**

The employee health insurance is transitioning from the Employee Trust Funds to our vendor selection, Associated Benefits Risk Consultants. Employee have been involved in educational and informational meetings.

**CONSIDERATION - ACTION**

**4. 2020 Proposed Budget and Publication of Public Hearing Notice**

Schlieve and Kast provide a presentation for the 2020 budget and request the approval for the publication of the public hearing.

Motion Kaczmariski, second Westphal to approve the publication of the public hearing of the 2020 Waupun Budget and Tax Levy. Motion carried 5-0 on roll call.

## **RESOLUTIONS AND ORDINANCES**

### **5. First Reading ATV/UTV Ordinance**

Attorney VandeZande provides a draft ordinance which provides ATV/UTV usage in City limits as Council previously requested. Discussion of the hours of restricted use (draft ordinance reflects 10p-7a) consisted of revising the hours to 10p-6a and also to have no limit. Vossekuil questioned providing ATV/UTV use on a temporary, review basis, which is acceptable. VandeZande provides options if the Council wishes to do a review period- they may enact the ordinance and have it expire automatically within a certain period of time unless you take action within that time to extend it, or pass the ordinance and announce you will be reviewing it in a certain time period, such as one year, to re-evaluate how the ordinance is operating and possibly make changes at that time, or just pass the ordinance and address issues as they come. Chief Loudon requests a review period as this is new for the City as well as other communities leading to the City.

Payment of signage/poles will be assumed by the Marshland Riders with the assistance of placement by the City Public Works. Daane will work with the Marshland Riders in acquiring the full quote of costs.

VandeZande understands the Council is authorizing a resolution, not necessarily an ordinance, to bring this back for review in one year after the route opens (will be placed on an agenda for discussion, possible extension, or holding a public hearing) and change restricted hours as 10p-6a. The revisions will be brought forward at the next Common Council meeting, anticipated as November 12, 2019.

Motion Westphal, second Matoushek to accept the first reading with changes as directed. Motion carried 3-2 on roll call with Kaczmariski and Mielke voting Nay.

### **6. Resolution - Local Road Improvement Program Grant Madison Street Pedestrian and Bicycle Facilities**

This resolution is a requirement for submitting for reimbursement from the State for the Local Road Improvement Program Grant for N. Madison Street for a pedestrian/bicycle lane.

Motion Vossekuil, second Kaczmariski to approve Resolution 10-22-19-01 Local Road Improvement Grant Madison Street Pedestrian and Bicycle Facilities. Motion carried 5-0 on roll call.

### **7. Halt Spirit Fields Plat and Rezoning Ordinance**

The Plan Commission made motion to notify the State of Wisconsin to stop recording the Spirit Field Plat. The City will maintain the parcel as originally proposed Lot 1 of Mayfair Estates. Also to recommend to the Council the approval of the rezoning ordinance to repeal the original rezoning petition. The property will now be back in the PCD District.

Motion Kaczmariski, second Mielke to approve ordinance 19-07 to amend Ch. 16.01(10) entitled Zoning Ordinance-Zoning Map. Motion carried 5-0 on roll call.

### **8. Ordinance Amendment to include safety covers in the Swimming Pool Ordinances.**

Scott Roffers is before the Council for the consideration of a pool cover vs. a fence. This ordinance was before the Plan Commission for consideration and provided a 3-3 split. Building Inspector recommends a conditional use permit so this can be reviewed annually. VandeZande comments that the owners may not need to report back each year, it could be reviewed if a complaint was received.

Motion Westphal, second Matoushek to accept the first reading of the ordinance to amend Ch. 9.02 (4) entitled Zoning Code-Public Nuisances Affecting Peace and Safety, in its original form, and return to the next meeting of the Common Council for final passage. Motion carried 4-1 on roll call with Mielke voting Nay.

**CLOSED SESSION**

Motion Vossekuil, second Matoushek to adjourn in closed session under Section 19.85 (1) (c) (e) of the WI Statutes for Land Negotiations along Harris Street (TID 8), negotiation of City-Owned Land at Corner of W Main and Fox Lake Road (abutting Horicon State Bank), and discussion of Employment, Promotion, Compensation or Performance Evaluation Data of Public Employees. Motion carried 5-0.

**OPEN SESSION**

Motion Vossekuil, second Matoushek to reconvene in open session under Section 19.85(2) of the WI Statutes. Motion carried 5-0.

**ACTION FROM CLOSED SESSION**

No action is taken.

**ADJOURNMENT**

Motion Matoushek, second Mielke to call the meeting adjourned at 7:18pm. Motion carried 5-0.