

## MARION COMMON COUNCIL MEETING – September 12, 2016

Mayor Mielke called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

*Present:* Arlyn Fischer, Ken Williamson, Scott Hoffmann, Aaron Schoen, Tom Nolan

*Absent:* Scott Zillmer

*Others present:* Chief Kevin Schultz, Dave Mattes, Dan Brandenburg, John Bork, Trinitie Wilke, Veronica Isherwood, Joe Stuhr, Attorney Mike Meyer

m/s/c Schoen/Williamson to approve the agenda.

m/s/c Fischer/Schoen to deviate from the order of agenda if necessary.

m/s/c Schoen/Hoffmann to approve the minutes from August 8<sup>th</sup>, 2016.

**Acknowledgement of Citizens/Open Forum:** Veronica Isherwood introduced herself as a candidate for Waupaca County District Attorney.

**Communications/Petitions/Correspondence:** Newsletters from Focus, the Waupaca County Economic Development Corp and the Wisconsin Taxpayer were in the packets. Also in the packets were invitations to the 118<sup>th</sup> Annual Conference of the League of Wisconsin Municipalities, a Brownfield Grant Conference and the Annual Fall Meeting of the Waupaca County Highway Department. Also in the packets was a public notice of reissuance of a discharge permit for Dupont Cheese.

### **Standing Committee Reports:**

#### Personnel:

Public Protection: Hoffmann reported on the meeting held September 6<sup>th</sup>. Federal Security will have a quote for additional security cameras next month. The proposed 2017 budget includes replacement of the 2012 K9 SUV. Public Nuisance properties were reviewed and detailed in the minutes. Illegal activity at Lions Point has decreased since police made contact with some individuals. m/s/c Schoen/Fischer to approve the minutes from Public Protection.

Community Properties: Fischer reported on the meeting held September 6<sup>th</sup>. A citizen requested lighting at Cannon Park. The dam gearbox replacement will cost \$13,135; Lunda will do the work; some additional work will be done at the same time. The air transfer system in the fire hall garage is working. The alley project is complete and went very smoothly. Bids for the new announcer's booth came in higher than expected; the project was then bid as separate items with the materials ending up coming from Torborgs, labor from Robinson Construction and concrete from Carleton. There was a lengthy discussion on the Lions Point/Sr. Center; a FEMA grant would pay 75% of the demolition cost plus the Fair Market Value of the building. A Federal Emergency Declaration for flooding up north could possibly cut the city portion of the demolition costs in half. Options are still being explored. The W. Garfield project would be a separate FEMA grant application. Williamson relayed concerns over the bidding process for the announcer's booth; construction under \$25,000 does not have to be put out to bid per statute; Meyer sees no issues with it; council is aware that approving the minutes means approving the committee's recommendations for the booth construction. m/s/c uroll Williamson/Hoffmann to approve the Community Properties meeting minutes from September 6<sup>th</sup>; Schoen abstained.

City Finance: Nolan reported on the meeting held August 8<sup>th</sup>. The monthly bills, bank statements and money transfers were reviewed and found to be in order. They are waiting on 2 quotes for Property & Liability Insurance. The policy on the limitation of the number of pets was tabled. They recommended approving an ordinance allowing city employees to sell fermented beverages at city events on city property. m/s/c Schoen/Fischer to approve the City Finance meeting minutes of August 8<sup>th</sup>.

#### Water & Sewer:

#### Streets & Highways:

### **Board Reports:**

Library Board:

Zoning Board of Appeals:

Board of Health:

Utility Board: Minutes were on the table.

City Plan Commission:

### **Department Reports:**

Clerk-Treasurer: Changes in the election laws leaves the start date of absentee voting up to the clerk; Marion may start September 26<sup>th</sup>, but Rogers is checking with surrounding clerks. Budget information was in the packets for review in advance of a special meeting on the budget.

Fire: Written report was in the packets. Stuhr reported on 3 calls for the month. The MFD participated in a MABAS drill. The gun raffle is this Saturday. The first female firefighter is joining the department.

Library: Wilke reviewed the September event calendar. The 1<sup>st</sup> after school program had 35-40 kids; staffing may need to be restructured to accommodate the large turnout. They are continuing to work with the schools. Wilke is also working on strategic planning and employee evaluations. Pat James has another book out and will be doing a book signing on the 21<sup>st</sup>.

Police: Written report was in the packets. Schultz reported on a homeless person living in the athletic park. The pile of tires behind Laatsch Auto is being addressed. A pick-up truck reported stolen from Marion was found wrecked at Keller's Lake Park; an investigation is underway. Part-time Officer Josh Zenter accepted a full-time position with the State Patrol. Schultz thanked Grace Family Church for the 911 service.

Street: Mattes reported the alley project is finished and went smoothly. 300 tons of contaminated soil remains to be disposed of.

Water & Sewer: Nothing new.

### **Miscellaneous Reports:**

Mayor's Report: Mielke expressed her appreciation for everything while she has been off her feet. She also addressed citizen concerns over the hiring someone to oversee the alley project. The city engineer suggested hiring someone local to verify quantities and the work completed. The city had past experience where work was not completed to specifications. Mattes solicited Ray Mielke to oversee the project; it was much cheaper than having an engineer stand by. Stibbe turned out to be a very good contractor and finished ahead of schedule.

Marion Pond Association:

### **New Business:**

- a. Deadline Extension – Removal of Billboard on City Owned Property: Bessette was due to have the sign removed today; he is requesting more time because it's too wet. m/s/c Schoen/Fischer to give an extension until October 10<sup>th</sup> for the removal of the billboard on city owned property.
- b. Status of Raze Order – 735 S. Main: Meyer reported all deadlines are past. Citations will commence on the 15<sup>th</sup>.
- c. Ordinance 2016-005: Amending Chapter 383: Intoxicating Liquor and Fermented Malt Beverages to add a new section authorizing city officers and employees to sell fermented beverages in city parks and buildings at authorized events: Public hearing was held earlier. m/s/c uroll Schoen/Hoffmann to waive the reading and approve Ordinance 2016-005.
- d. Set Public Hearing Date & Time - Ordinance 2016-006: Correcting the location of the polling place and adding a section providing for the use of alternate election officials and split shifts as necessary: Public hearing will be October 10<sup>th</sup> at 5:45 p.m.
- e. Resolution 2016-06: Authorizing the Clerk-Treasurer to appoint tabulators as necessary for the November 8<sup>th</sup> General Election: m/s/c uroll Schoen/Hoffmann to waive the reading and approve Resolution 2016-06.
- f. Approval of the City of Marion Election Contingency Plan: Plan covers emergencies that might interfere with Election Day activities to ensure the voting can continue. m/s/c Hoffmann/Schoen to approve the City of Marion Election Contingency Plan.

- g. Appointment of additional Election Inspectors to the current term ending December 31, 2017 – Lois Droes, Pat James & Jan Mielke: m/s/c Schoen/Hoffmann to approve the appointment of Lois Droes, Pat James and Jan Mielke to the current term of election inspectors.
- h. Approval of New Firefighters- Harry Faehling & Kali Haufe: m/s/c Hoffmann/Schoen to approve the new firefighters Harry Faehling and Kali Haufe.
- i. Software Maintenance Agreement between the City of Marion and Transcendent Technologies for the Waupaca County Property Tax Programs: Transcendent is taking over the J Mauel Programs. Cost increases from \$200 to \$575. m/s/c Schoen/Hoffmann to approve the Software Maintenance Agreement between the City of Marion and Transcendent Technologies for the Waupaca County Property Tax Programs.
- j. Land Transfer Agreement between Jennifer Heling and the City of Marion: The transfer results in the city paving Heling's property as part of the alley project in exchange for the city obtaining some parking space and squaring off the property. It was overlooked until the project was underway. An authorization and acknowledgment was drafted and signed by Heling so the project could continue without interruption. Approximate cost of the paving was \$1,750. The deed is waiting to be recorded pending formal approval. m/s/c Fischer/Williamson to approve the land transfer agreement between Jennifer Heling and the City of Marion.
- k. Option-to-Purchase Main Street lots as indicated in lease dated September 1,2013 – Seth Laatsch, Laatsch Auto Sales and Service: Lease is up on the downtown lots. Laatsch wants to exercise the provision of the lease that allows him to purchase the property for \$15,000. \$50 of his monthly rent was applied to the sale resulting in a balance due of \$13,200. m/s/c uroll Williamson/Schoen to approve the option-to-purchase Main Street lots as indicated in lease dated September 1,2013 – Seth Laatsch, Laatsch Auto Sales and Service.
- l. Revised Joint Municipal Court Agreement: Biggest change is billing at the beginning of the year so the funds are available to the court throughout the year. Audits are showing it's running much better. We are getting paid on time. m/s/c Hoffmann/Fischer to approved the revised Joint Municipal Court Agreement.
- m. Business Revolving Loan Fund Update: Rogers gave background on the program and its requirements. There are strict rules and reporting that apply. 27 businesses have participated over the last 30 years. The majority have been repaid with only a couple losses due to bankruptcies. Marion Home Center made full payment on their loan today, that leaves 2 open loans- Laatsch Auto and Country Corner Sales. Laatsch Auto is on an aggressive payback schedule and should be paid off early next year. There are still 2 inactive loans on the books, Marion A-Maze-Ment Park and Bootleggers Hole. Neither have had activity since 2008. We need to show collection efforts or consider writing off these loans. Attorney Meyer will review the files and the collateral agreements. There is a cap of \$150,000 that can be kept in this account, anything in excess of that amount needs to get turned back to HUD; we are at that level now. Eligible businesses are encouraged to apply.
- n. Set Halloween Trick-or-Treat Hours: m/s/c Schoen/Hoffmann to set the Halloween trick-or-treat hours between 5– 7 p.m. on October 31<sup>st</sup>.
- o. Applications for Operator Licenses: Presented for approval were Megan Koral, Cory Handrich, Carrie Williams and Caitlin Kjendalin. All were approved by the police department. m/s/c Schoen/Fischer to approve the four applications for operator's licenses as presented.

**Unfinished Business:**

**Approval of Payments:**

a. Clerk-Treasurer, Fire Department, Library, Police Department, Senior Center, Street Department, Payroll Vouchers and Utility Vouchers: The Finance Committee reviewed and signed the bills prior to the meeting and found them to be in order. Copies of the check register were on the table; invoices total \$157,347.86. m/s/c uroll Schoen/Hoffmann to approve the payments as presented.

**Treasurer's Report:**

*a. Approval of the Treasurer's Report and Money Transfers:* Money transfers included \$59,623 transferred on August 11<sup>th</sup> from the City Money Market to Pooled Cash to pay monthly bills and \$192,408 transferred on August 25<sup>th</sup> from Pooled Cash to the City Money Market to earn higher interest on idle funds. m/s/c uroll Schoen/Williamson to approve the treasurer's report and money transfers as presented.

**Announcements:** Meeting Dates:

Public Protection w/Town	9/15	6:00 pm (fire hall)
Special Council	10/3	4:15 pm
Utility Board	10/5	4:00 pm
Finance	10/10	4:45 pm
Public Hearing	10/10	5:45 pm
Council	10/10	6:00 pm

**CLOSED SESSION:** m/s/c uroll Schoen/Hoffmann to move into closed session according to ss19.85(1)(e) Deliberating or negotiation the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (consider possible sale of industrial park property). TIME: 7:00 p.m.

**OPEN SESSION:** m/s/c Schoen/Fischer to move back into open session. TIME: 7:15 p.m.

m/s/c Schoen/Hoffmann to adjourn. Time: 7:15 p.m.

Mary S. Rogers  
Clerk-Treasurer