

**CITY OF WAUPACA  
COUNCIL PROCEEDINGS**

**REGULAR MEETING  
COUNCIL CHAMBERS, CITY HALL  
(With the Option to Attend Physically or  
Virtually Via Video – Teleconferencing)**

**TUESDAY NOVEMBER 16, 2021**

**6:05 P.M.**

**1. CALL TO ORDER**

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Pursuant to regulations, the Common Council of the city of Waupaca met on the above date and time.

**2. PLEDGE OF ALLEGIANCE**

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**3. REPORT FROM CLERK ON OPEN MEETING LAW COMPLIANCE**

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City Administrator Aaron Jenson stated this meeting and all other meetings of the Common Council are open to the public. Proper notice has been posted and given to the Media in accordance with Wisconsin State Statutes so that the citizens may be aware of the time, place, and agenda of this meeting.

**4. ROLL CALL**

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**Present:** Mayor Brian Smith, Alderpersons Collin Dykstra, Lori Chesnut, Paul Hagen, Alan Kjelland, Scott Purchatzke, Dave Peterson, Paul Mayou, Dmitri Martin, Mary Phair and Eric Olson

**Absent:** none

**Others Present:** Aaron Jenson, City Administrator, Sandy Stiebs, City Clerk, Kathy Kasza, Finance Director/Treasurer, Peg Burington, Library Director, Jarod Rachu, Community and Economic Development Director, City Attorney Tom Hart, Justin Berrens, Public Works Director, Andrew Whitman, Parks and Recreation Director, Patrol Officer Paul Benzschwal, and Josh Werner, IT Community Media Director

A quorum was declared.

**5. CONSENT AGENDA**

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**A. MONTHLY REPORTS:**

1. Finance Director/Treasurer's Report for the Month of October 2021
2. Community and Economic Development Director's Report for the Month of October 2021
3. Director of Public Works Report for the Month of October 2021
4. Parks & Recreation Department and Income Report for the Month of October 2021
5. Police Department Report for the Month of October 2021
6. IT/Community Media Director Report for the Month of October 2021
7. City Clerk's Report for the Month of October 2021
8. City Administrator's Report for the Month of October 2021

**B. PAY REQUESTS AND CHANGE ORDERS, INVOICES FOR PROJECTS/CONTRACTS HAVING PRIOR COUNCIL APPROVAL AND ANY OTHER INVOICES THAT MAY COME BEFORE THE COUNCIL:** none

**C. MONTHLY/QUARTERLY/ANNUAL REPORTS:** none

## **D. APPROVAL OF BILLS – CITY GENERAL, WATER, SEWER, AND SPECIAL FUNDS**

### **E. MEETING MINUTES:**

1. AIRPORT BOARD
  - Minutes of a Special Called Meeting on November 1, 2021
2. COMMITTEE OF THE WHOLE
  - Minutes of a Special Called Meeting on October 19, 2021
3. SENIOR CENTER ADVISORY BOARD
  - Minutes of a Regular Meeting on October 19, 2021
4. CITY PLAN COMMISSION
  - Minutes of a Special Called Meeting on September 22, 2021
  - Minutes of a Public Hearing and Regular Meeting on October 6, 2021
5. POLICE AND FIRE COMMISSION
  - Minutes of a Regular Meeting on November 9, 2021
6. COUNCIL PROCEEDINGS
  - Minutes of a Regular Meeting on November 2, 2021

**MOVED** by Ald. Chesnut, **SECONDED** by Ald. Kjelland Council **APPROVES** of the Consent Agenda as amended by uploaded Finance Director/Treasurer's and City Administrator's October Reports to the city website. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

## **6. REGULAR AGENDA**

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**MOVED** by Ald. Martin **SECONDED** by Ald. Chesnut Council **APPROVES** of the Regular Agenda as printed. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

## **7. NON-AGENDA ITEMS AND ANNOUNCEMENTS**

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### **A. ANNOUNCEMENTS AND CORRESPONDENCE:**

1. **Certificate of Appreciation to Joshua C. Peterson for 15 years of service to the city.** Josh C. Peterson was not present; Parks and Recreation Director Andrew Whitman will give Mr. Peterson his Certificate of Appreciation.
2. **Proclamation Designating December 1, 2021 as Christmas Stamp Day in Waupaca, Wisconsin.** Mayor Smith read the Proclamation into the record.

### **B. PUBLIC INPUT:**

1. Christine Burnett, 218 High Street was upset about the invoice she received from the city for shoveling her snow last winter (February 2021) while she was out of town.

### **C. COMMUNITY / DEPARTMENT HEAD ANNOUNCEMENTS/REPORTS:**

- Kathy Kasza, Finance Director/Treasurer** reported that interest rates are extremely low and all city accounts are in a good position.
- Peg Burington, Library Director** reported that the Library Board passed the FY2022 Budget and that February 17, 2022 is her last day. Sue Abrahamson and Patsy Servey will be sharing her duties in the interim until a new Library Director is hired.
- Jarod Rachu, Community and Economic Development Director** reported that the city has received complaints regarding the difficulty to fill out zoning and building-related application forms. Staff has since reviewed all forms and made revisions that they hope will aid residents when filling them out. Mr. Rachu reported on the new city developments and provided an update on the River

North Subdivision. At the December City Plan Commission meeting, Attorney Steve Sorenson will be giving a presentation and providing guidance on the city's signage ordinance. Mr. Rachu invited everyone to attend.

**-Justin Berrens, Public Works Director** reported that the WDNR completed the city's 3-year lab audit at the Wastewater Treatment Plant and all went well. Main Street is substantially complete, leaf pickup is in full swing and the snowplow equipment is ready.

**-Andrew Whitman, Parks and Recreation Director** reported that his department received two more donations totaling \$75,000 for the Swan Park playground and splash pad project, and that the city's obligation is under \$100,000 to meeting the goal of \$1.4 million dollars needed to fund this project. Mr. Whitman added that staff has been considering a raise in the Senior Center Membership fee.

**-Paul Benzschwal, Patrol Officer** reported that Paul Jensen would begin employment on December 6, 2021. The Drug Take Back was held on Saturday October 23, 2021 and collected 46 ½ pounds of medication. Chief Hoelzel attended the Main Street dedication with the new squad and it was a successful event.

**-Josh Werner, IT/Community Media Director** reported that his department has completed the Camera System Maintenance, Software/Firmware upgrades and he has set up the new Police Squad with IT equipment. He reported that the new Waupaca County towers would be set up by the end of the year and ready for WOL.Net equipment to be installed.

**-Sandy Stiebs, City Clerk** reported that Declaration of Candidacy packets are available with nomination signatures of 20-40 required for the office of Alderperson and 50-100 for the office of Mayor. December 1, 2021 is the first date start gathering signatures and January 4, 2022 at 5:00 p.m. is the deadline to file the papers with the Clerk's Office.

**-Aaron Jensen, City Administrator** reported that Kathy Kasza, Finance Director/Treasurer has submitted her resignation and will be working part-time afternoons until her replacement is hired. Mr. Jensen also provided an update on River North Subdivision and added that the Main Street Halloween Event was a huge success.

## **8. UNFINISHED BUSINESS - none**

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## **9. NEW BUSINESS:**

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### **a. Waupaca Area Arts and Culture Network Yuletide Trail Event Details and Request for Approval – Tracy Behrendt and Ann Buerger Linden**

Ann Buerger Linden representing the Waupaca Area Arts and Culture Network described the events of the 3<sup>rd</sup> Annual Yuletide Trail and the route that Santa and his Elves would be traveling on Saturday December 4, 2021 from 11:00 a.m. to 5:00 p.m. with a police escort. They will also have tables on the square along with cookie stops, popcorn, hot chocolate, carolers, craft tables, and Santa's Elves will be handing out books; one to a family. The Community Arts Board is also requesting fire pits on the front lawn of City Hall.

**MOVED** by Ald. Martin **SECONDED** by Ald. Olson Council **APPROVES** of the Waupaca Area Arts and Culture Network Yuletide Trail Event to be held on December 4, 2021 from 11:00 a.m. to 5:00 p.m. AND approves of the request to have Fire Pits on the front lawn of City Hall. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

**b. First Amendment to Land Lease Agreement between City of Waupaca and SBA Towers II LLC – Aaron Jenson, City Administrator**

Aaron Jenson, City Administrator explained that SBA Communications has requested to add a generator to their leased property located to the east of the city's Water Tower on Mt. Tom, 250 Bailey Street. As staff reviewed the proposal, it was discovered that SBA had previously placed one of their pieces of equipment outside their original legally described lease area meaning a change to the agreement was required. It is staff's recommendation to approve the amendment to the land lease between the city of Waupaca and SBA Towers II LLC for the property located at 250 Bailey Street.

**MOVED** by Ald. Hagen **SECONDED** by Ald. Chesnut Council **APPROVES** of the First Amendment to the Land Lease between the City of Waupaca and SBA Towers II, LLC for the property located at 250 Bailey Street. **ON A CALL OF THE ROLL**, Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

**c. Option to Purchase Property for Potential WHEDA Tax Credit Project: Mosaic Development – Aaron Jenson, City Administrator**

City Administrator Aaron Jenson said that Mosaic Development is interested in applying for a WHEDA Tax Credit for the River North Neighborhood Multifamily site and staff feels this will benefit the city. The application is due by December 10, 2021. Mr. Jenson is requesting that the Option to Purchase between the city of Waupaca and MF Housing Partners, LLC for the River North Neighborhood Multifamily be approved. Marissa, a representative for MF Housing Partners, LLC provided additional information describing the multi-family units as 45 units in a cottage style, single story, and individual entry with attached garage and is happy to be working with the city.

**MOVED** by Ald. Kjelland **SECONDED** by Ald. Martin Council **APPROVES** of the Option to Purchase Property for potential WHEDA Tax Credit Project with Mosaic Development, MF Housing Partners, LLC. **ON A CALL OF THE ROLL**, Ald. Olson, Ald. Phair, Ald. Martin, Ald. Mayou, Ald. Peterson, Ald. Purchatzke, Ald. Kjelland, Ald. Hagen, Ald. Chesnut and Ald. Dykstra voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

**d. Resolution No. 1497 (2021), A Resolution Designating Appropriations and Levying a Tax for the 2022 Budget of the City of Waupaca – Kathy Kasza, Finance Director/Treasurer**

Finance Director Kathy Kasza said that nothing has changed from the October 19, 2021 meeting as far as the city is concerned. Ms. Kasza then recapped all city accounts including TID's and the new 2022 Budget Worksheet for the Refuse Fund.

**MOVED** by Ald. Mayou **SECONDED** by Ald. Hagen Council **APPROVES** Resolution No. 1497 (2021), A Resolution Designating Appropriations and Levying a Tax for the 2022 Budget of the City of Waupaca. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

**e. Years 2022-2026 Agreement and Lease of Crop Land Between the City of Waupaca, Wisconsin and Mrs. Kathy Nickel, VN Grain Farms, LLC – Justin Berrens, Public Works Director**

**MOVED** by Ald. Hagen **SECONDED** by Ald. Kjelland Council **APPROVES** of entering into an Agreement and Lease of Crop Land between the city of Waupaca, Wisconsin and Mrs. Kathy Nickel, VN Grain Farms, LLC for Years 2022-2026 for a total of \$10,795/year. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

**f. Resolution No. 1495 (2021), A Resolution Supporting Snow Fighters Appreciation Day – Justin Berrens, Public Works Director**

**MOVED** by Ald. Chesnut, **SECONDED** by Ald. Martin Council **APPROVES** Resolution No. 1495 (2021), A Resolution Supporting Snow Fighters Appreciation Day. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

**g. Foxfire Subdivision Groundwater Study – Storm Sewer Re-Installation – Justin Berrens, Public Works Director**

Public Works Director Justin Berrens said that he advertised a Request for Proposal (RFP) to relay the storm sewer pipe from the pond to the city's storm sewer located in the Foxfire Subdivision and received only one proposal from Faulks Brothers Construction, Inc. in the amount of \$31,200. He is confident that Faulks can complete this work as they have a long history of good work within the community and with the city. Work is anticipated to start in the spring of 2022.

**MOVED** by Ald. Peterson **SECONDED** by Ald. Hagen Council **APPROVES** of Awarding Faulks Bros. Construction, Inc. with an amount not to exceed \$36,200 (includes a \$5,000 contingency) for the re-installation of Storm Sewer in the Foxfire Subdivision Area with Funding from TIF #6. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

**h. Construction Management Firm Selection for Future Public Works Facility – Justin Berrens, Public Works Director**

Public Works Director Justin Berrens recapped the progress made for the future public works facility and said that as staff worked through the process with Barrientos they decided to bring on a Construction Manager (CM) "at risk" to help with the process. The CM will act as the general contractor and will assist with design reviews and ensuring constructability of the facility. Furthermore, the CM will develop cost estimates and is tasked with keeping the project within budget as well as seek competitive bids and subcontract various elements of the construction. One of the main advantages of utilizing a CM at risk is the ability to procure materials and locking in pricing well in advance of actual construction. Staff sees this as vital with today's economy and the effects long material lead times and highly variable commodity prices. Staff is asking Council to approve a contract with Miron Construction Co., Inc. for an amount not to exceed \$475,575 for construction management at risk services for the future public works facility with funding to be reimbursed with 2023 bond issue.

**MOVED** by Ald. Purchatzke, **SECONDED** by Ald. Phair Council **APPROVES** of entering into a Contract with Miron Construction Co., Inc. for an amount not to exceed \$475,575 for Construction Management at Risk

Services for the Future Public Works Facility with funding to be reimbursed with 2023 Bond Issue. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE**

**i. Conditional Use Permit – Michael Wedelstadt & Kelsey Hayes, Commercial Drive – Jarod Rachu, Community & Economic Development Director**

Jarod Rachu, Community & Economic Development Director said that Michael Wedelstadt and Kelsey Ann Hayes, Toy Shed, LLC are looking to construct self-service storage units and mini-warehouses on property located on Commercial Drive that is zoned I-1 Light Industrial District and a Conditional Use Permit is required for this type of project. Mr. Rachu added that staff is recommending approval of issuing a Conditional Use Permit to Michael T. Wedelstadt and Kelsey Ann Hayes, subject to the following conditions:

1. The Conditional Use shall be operated and maintained compliant with the requirements of the authorized Site Plan.
2. No use other than the applicable Conditional Use listed in Chapter 17.104(3) of the zoning ordinance and identified in Section IV of this Report permissible under the terms of this Conditional Use Permit other than uses ancillary and customarily incidental to said use.
3. Any substantive change in the use shall require an amendment to the authorized Conditional Use Permit.
4. The Conditional Use Permit shall be valid as long as the Conditional Use is maintained compliant with the zoning ordinance.
5. The parcel shall be maintained and free from accumulation of trash, debris and other rubbish.
6. At no time should this use, its elements or its customers become a nuisance to public health or safety.
7. At no time should this use, its elements, or its customers negatively interfere with the safety of the airport or its associated elements.

**MOVED** by Ald. Kjelland, **SECONDED** by Ald. Martin Council **APPROVES** of issuing a Conditional Use Permit to Michael Wedelstadt & Kelsey Hayes, Toy Shed, LLC for property located on Commercial Drive, subject to the conditions stated above. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE**

**j. Ordinance No. 18-21 (2021), An Ordinance Amending Chapter 17, City of Waupaca Zoning Ordinance (1<sup>st</sup> Reading) – Jarod Rachu, Community & Economic Development Director**

Community & Development Director Jarod Rachu read Ordinance No. 18-21 into the record for the first reading.

**k. Fee Schedule Change for Change of Use – Jarod Rachu, Community & Economic Development Director**

Community & Economic Development Director Jarod Rachu said that staff is working to revise the Change in Use Site Plan Permit Application to add ease to the process, while still having the applicant provide all necessary information to staff for their review. He added that a fee of \$25 would be sufficient to cover the costs of materials needed and review time of these applications.

**MOVED** by Ald. Mayou, **SECONDED** by Ald. Olson Council **APPROVES** of the Fee Schedule Change for Change of Use as presented. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Kjelland, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE**

**I. License Report No. 1558, Operator’s Licenses – Sandy Stiebs, City Clerk**

**MOVED** by Ald. Chesnut **SECONDED** by Ald. Phair Council **APPROVES** of License Report No. 1558, Operator’s Licenses, pending background checks and payment of any monies owed to the city. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

**10. ISSUES/PROJECT DISCUSSION (30 MINUTE MAXIMUM)-NO ACTION REQUIRED - none**

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**11. COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR**

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Mayor Smith reminded the Council that there is a City Plan Commission meeting on December 1, 2021 at 5:15 p.m. where Attorney Steve Sorenson will speak on signs. There is also an employee/council member luncheon on December 8, 2021 at noon at the Recreation Center and Mayor Smith is considering canceling the second council meeting in December.

**12. ADJOURNMENT**

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**MOVED** by Ald. Hagen, **SECONDED** by Ald. Kjelland Council **ADJOURNS** until the next Regular Council Meeting on Tuesday December 7, 2021, subject to call. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

MEETING ADJOURNED AT 8:26 P.M.

Mayor Brian Smith

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