

**CITY OF WAUPACA
COUNCIL PROCEEDINGS**

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

TUESDAY AUGUST 16, 2022

6:09 P.M.

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. REPORT FROM CLERK ON OPEN MEETING LAW COMPLIANCE

City Clerk Sandy Stiebs 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

Present: Mayor Brian Smith, Alderpersons Collin Dykstra, Lori Chesnut, Paul Hagen, Henry Veleker, 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, Eric Bailey, Library Director, Jarod Rachu, Community and Economic Development Director, Justin Berrens, Public Works Director, Chief Brian Hoelzel, and Josh Werner, IT Community Media Director

A quorum was declared.

5. CONSENT AGENDA

A. MONTHLY REPORTS:

1. Finance Director/Treasurer's Report for the Month of July 2022
2. Interim Library Director's Report for the Month of July 2022
3. Community and Economic Development Director's Report for the Month of July 2022
4. Director of Public Works Report for the Month of July 2022
5. Police Department Report for the Month of July 2022
6. IT/Community Media Director Report for the Month of July 2022
7. City Clerk's Report for the Month of July 2022
8. City Administrator's Report for the Month of July 2022

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:

1. T Hangar, Lot Lease and Traffic Count Report for the Month of July 2022
2. Waupaca County Economic Development Corp. (WCEDC) Report for the Month of August 2022

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

E. MEETING MINUTES:

1. AIRPORT BOARD
 - Minutes of a Regular Meeting on August 3, 2022
2. LIBRARY BOARD
 - Minutes of a Regular Meeting on July 20, 2022
3. POLICE AND FIRE COMMISSION
 - Minutes of a Regular Meeting on August 9, 2022

Under Consent Agenda, Letter D, Approval of Bills were uploaded to the city website. Consent Agenda, Letter A, Monthly Reports, No. 1 Finance Director/Treasurer's Report for the month of July 2022 was removed.

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

Additional information was uploaded to the city website regarding No. 9, New Business, Letter A. Conditional Use Permit for Harmoni Towers, LLC.

6. REGULAR AGENDA

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

7. NON-AGENDA ITEMS AND ANNOUNCEMENTS

A. ANNOUNCEMENTS AND CORRESPONDENCE:

1. **Presentation on School Referendum by Steve Klismet and Todd Klismet** – informational.

B. PUBLIC INPUT: none

C. COMMUNITY REPORT / DEPARTMENT HEAD REPORTS:

-City Administrator Aaron Jenson representing the Waupaca Rotary Club provided the report for the Waupaca Area Arts and Culture Network (WAACN). Mr. Jenson spoke about the Waupaca Rotary Club's "Rocktoberfest" to be held on September 23, 2022 under the tent on East Fulton Street that will feature the Spicy Tie Band and encouraged everyone to attend.

-Aaron Jenson, City Administrator reported that the vacant Building Inspector position would be posted for a second time as the top candidate turned the job down. The previously scheduled FY2023 Budget Committee of the Whole meeting has been rescheduled to Wednesday August 31, 2022 at 6:00 p.m. The 21st Triathlon will be held on Saturday August 20, 2022 along with Arts on the Square.

-Eric Bailey, Library Director reported on the success of "Life Sized Monopoly Day" that was held on the front City Hall / Library lawn. The History of the Iola Car Show Exhibit saw visitors from Texas, Utah, New Jersey, Colorado, Arizona, Illinois, Alaska and Australia. The Arts Hub Exhibit is now up and is a huge hit.

-Jarod Rachu, Community and Economic Development Director reported that due to staff shortages, code enforcement has slowed substantially but they are making efforts to handle any concerns/complaints that have immediate health or safety elements. River North Subdivision zoning changes are completed and approved with a couple of Conditional Use Permits yet to finish.

-Justin Berrens, Public Works Director reported that the 8000 Digester Project is nearing completion. The Bowlby Lift Station had VFD failure and will be replaced soon. The Street Department has been patching potholes, the High and Harrison Street Reconstruction project commenced on August 3, 2022 with lead line replacement starting in this section. The Water Department upgraded 64 residential properties to cellular and endpoint, with one new account added. The Facilities Maintenance Department coordinated electrical and irrigation contractors for the City Hall Front Lawn Project and coordinated annual fire inspection for all buildings and extinguisher inspection.

-Chief Brian Hoelzel reported that Speed Awareness Day was held on July 27, 2022, which resulted in 15 warnings and 2 speeding tickets issued. The department has replaced three exterior doors on the building, the doors and frames were rusted through causing security concerns. While replacing the doors they also found the sensors for the alarm system needed replacing. The Police Department will be conducting a fundraiser at Lakemen Field on Augusts 14, 2022. Sgt. Zube will be smoking pork shoulders and smoking homemade mac and cheese. The money raised will be used to purchase updated evidence processing equipment.

-Josh Werner, IT/Community Media Director reported on the ongoing implementation of online licensing/permitting system, adding that staff training is completed. June and July have been busy months for Waupaca Online with 26 new customers added each month. Due to customer count and anticipated, continued growth, he has secured another class C IP block from Spectrum.

-Sandy Stiebs, City Clerk reported that during the August 9, 2022 Partisan Primary Election the Clerk's Office issued 341 absentee ballots of which 306 were returned to be counted and registered 56 new voters on Election Day. After the Polls were closed we tallied the votes and ended with 1,293 total voters overall or a 42% voter turnout. The Badger Books (E-Poll Books) are here and we will begin training shortly for use in the November General Election.

8. UNFINISHED BUSINESS:

- a. Ordinance No. 17-2022, An Ordinance Amending Chapter 8, City of Waupaca Public Works Ordinance (2nd Reading) – Jarod Rachu, Community and Economic Development Director and Justin Berrens, Public Works Director**

Justin Berrens, Public Works Director said this is a new ordinance to deal with small cell positions within the city, also known as 5G and will set up regulations on new companies when they approach the city for installation.

MOVED by Ald. Chesnut **SECONDED** by Ald. Phair Council **ADOPTS** Ordinance No. 17-2022, An Ordinance Amending Chapter 8, City of Waupaca Public Works Ordinance. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, 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.**

9. NEW BUSINESS:

- a. Conditional Use Permit / Harmoni Towers, LLC and AT&T Mobility, applicant, Mount Tom, LLC, owner, Bailey Street – Jarod Rachu Community and Economic Development Director**

Community and Economic Development Director Jarod Rachu said that Harmoni Towers, LLC submitted an application for a new mobile tower to be constructed on Bailey Street. If approved, staff recommends the conditional use permit be subject to the following conditions:

1. The Conditional Use shall be operated and maintained compliant with the requirements of the authorized Site Plan.
2. Applicants/property owners shall ensure that all state and federal requirements are met and maintained.
3. The applicant shall complete and receive approval of all other zoning permits and building permits.
4. Any substantive change in the use may require an amendment to the authorized Conditional Use Permit.
5. A site plan change may require a site plan permit.

Mr. Rachu asked six questions taken from Wisconsin State Statute 66.0404(2)(b) and said if the council can answer yes to a majority of these questions then there should be no problem in issuing a conditional use permit to Harmoni Towers, LLC. The questions are as follows:

1. Was the identity of the applicant properly provided in the application?
2. Did the application provide sufficient detail so that the Council could determine the location of the structure and related mobile service facilities?
3. Did the application contain a construction plan, which describes the mobile service structure & associated elements that complies with all Building & Zoning Code requirements?
4. Did the application provide an explanation as to the reasons behind the choice of the particular location?
5. Did the applicant provide an explanation as to why collocation was not chosen?
6. Did the applicant provide the Council with a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting one or more of the following are sufficiently met:
 - a. That collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity?
 - b. Is technically infeasible?
 - c. Is economically burdensome to the mobile service provider?

Mayor Smith added that the City Planning Commission has recommended issuing a conditional use permit and submitted to Council for approval.

MOVED by Ald. Veleker **SECONDED** by Ald. Purchatzke Council **APPROVES** of issuing a Conditional Use Permit to Harmoni Towers, LLC and AT&T Mobility, applicant, Mount Tom, LLC, owner, for property located on Bailey Street. **ON A CALL OF THE ROLL** Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 1 nay (Ald. Dykstra), 1 Abstain (Ald. Peterson) 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

- b. Request from Waupaca Rotary to Close East Fulton Street for Rocktoberfest on Friday, September 23, 2022 – Aaron Jenson, City Administrator**

MOVED by Ald. Chesnut **SECONDED** by Ald. Hagen Council **APPROVES** of the request by the Waupaca Rotary Club to Close East Fulton Street for “Rocktoberfest” on Thursday September 22, 2022 from 5:00 p.m. through the end of the Farmers Market on Saturday September 24, 2022, approximately 2:00 p.m. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

- c. Bid Package “B” Approvals for Swan Park Splash Pad / Playground Project – Aaron Jenson, City Administrator**

City Administrator Aaron Jenson summarized that the Parks and Recreation Department, Friends of Waupaca Parks and community partners have been fundraising to bring a splash pad, new playground equipment and additional bathroom facilities to Swan Park. Mr. Jenson said that on June 23, “Package B” bid documents were

opened and he is recommending rejecting bids from Ellis Construction and S. D. Ellenbecker for the original Contract “B” and awarding the bids as stated in the following motions:

MOVED by Ald. Chesnut **SECONDED** by Ald. Purchatzke Council **ACCEPTS** the bid from Faulks Brothers, Waupaca, WI for General Site Construction for an amount not to exceed \$426,577.89. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

MOVED by Ald. Peterson **SECONDED** by Ald. Phair Council **REJECTS** bids from both Ellis Construction and S. D. Ellenbecker for the original Contract “B”. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

MOVED by Ald. Martin **SECONDED** by Ald. Veleker Council **APPROVES** Hubbartt Electric, Inc., Manitowoc, WI Contract for Site Electrical at a cost not to exceed \$28,449.00, to be paid from private donor dollars. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

MOVED by Ald. Olson **SECONDED** by Ald. Veleker Council **APPROVES** Huffcutt Concrete, Chippewa Falls, WI contract for a cost not to exceed \$147,950.00, to be paid from private donor dollars. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

d. Distribution Facilities Installation Agreement Swan Park – Justin Berrens, Public Works Director

Public Works Director Justin Berrens explained that by entering into this agreement it would allow Wisconsin Public Service Corporation to install facilities and provide electrical service to Swan Park for the proposed Splash Pad at a total cost of not to exceed \$10,200.21.

MOVED by Ald. Phair **SECONDED** by Ald. Chesnut Council **APPROVES** of entering into a Distribution Facilities Installation Agreement with Wisconsin Public Service Corporation for Swan Park in an amount not to exceed \$10,200.21. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

e. Resolution No. 1522 (2022), Resolution Authorizing Execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement – Justin Berrens, Public Works Director

Public Works Director Justin Berrens explained that the city has been awarded up to \$280,000 in principal forgiveness financial assistance through the Wisconsin Department of Natural Resources to replace lead service lines on the private side for homeowners.

MOVED by Ald. Martin **SECONDED** by Ald. Chesnut Council **APPROVES** of Resolution No. 1522 (2022), Resolution Authorizing Execution of The Department of Natural Resources Principal Forgiven Financial Assistance Agreement. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker,

Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

f. Revised Aircraft Hangar Lot Lease – Ald. Paul Hagen

Ald. Paul Hagen said that the current Aircraft Hangar Lot Lease calls for a \$1,000 first year payment and then \$500 for the next two years; this rate includes new construction and sales of existing hangars. The Airport Board felt if an existing hangar sells that the initial first year fee should be \$500 and the \$1,000 first year fee should only pertain to new construction. The Hangar Lot Lease has been adjusted to reflect this.

MOVED by Ald. Hagen **SECONDED** by Ald. Purchatzke Council **APPROVES** of the Revised Aircraft Hangar Lot Lease. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Hagen, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 0 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

g. Mayor’s Appointment of Bruce Doscher to the Airport Board to replace Andrew Whitman – Council President Paul Mayou

MOVED by Ald. Olson **SECONDED** by Ald. Chesnut Council **APPROVES** of the Mayor’s Appointment of Bruce Doscher to the Airport Board. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

h. License Report No. 1588, Operator’s Licenses – Sandy Stiebs, City Clerk

MOVED by Ald. Phair **SECONDED** by Ald. Hagen Council **APPROVES** of License Report No. 1588, 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

11. COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR

Mayor Smith reminded Council of the upcoming Special Committee of the Whole meeting that is scheduled for Wednesday August 31, 2022 at 6:00 p.m.

12. ADJOURNMENT

MOVED by Ald. Hagen **SECONDED** by Ald. Peterson Council **ADJOURNS** until the next Regular Council meeting on Tuesday September 6, 2022, subject to call. 10 ayes, 0 nays, 0 absent. **MOTION CARRIED ON A VOICE VOTE.**

MEETING ADJOURNED AT 7:30 P.M.

Mayor Brian Smith