

**CITY OF WAUPACA
COUNCIL PROCEEDINGS**

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

TUESDAY SEPTEMBER 20, 2022

6:00 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, Henry Veleker, Scott Purchatzke, Dave Peterson, Paul Mayou, Dmitri Martin, Mary Phair and Eric Olson

Absent: Ald. Paul Hagen (excused)

Others Present: Aaron Jenson, City Administrator, Sandy Stiebs, City Clerk, Eric Bailey, Library Director, Jarod Rachu, Community and Economic Development Director, Stephanie Reif, Assistant Finance Director, Russ Montgomery, Facilities Superintendent, Laura Colbert, Parks and Recreation Director, Officer Wes Zube, 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 August 2022
2. Interim Library Director's Report for the Month of August 2022
3. Community and Economic Development Director's Report for the Month of August 2022
4. Director of Public Works Report for the Month of August 2022
5. Police Department Report for the Month of August 2022
6. IT/Community Media Director Report for the Month of August 2022
7. City Clerk's Report for the Month of August 2022
8. City Administrator's Report for the Month of August 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 August 2022

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

E. MEETING MINUTES:

1. CITY PLAN COMMISSION
 - Minutes of a Five (5) Public Hearings and a Special Meeting on July 18, 2022
 - Minutes of a Public Hearing and a Regular Meeting on August 3, 2022
2. POLICE AND FIRE COMMISSION
 - Minutes of a Regular Meeting on September 13, 2022
3. PARKS AND RECREATION BOARD
 - Minutes of a Regular Meeting on September 1, 2022

Under Consent Agenda, Letter A, Monthly Reports, No. 9 the City Administrator’s Report for the month of August 2022 was uploaded to the city website.

MOVED by Ald. Chesnut, **SECONDED** by Ald. Martin Council **APPROVES** of the Consent Agenda as amended. 9 ayes, 0 nays, 1 absent. **MOTION CARRIED ON A VOICE VOTE.**

6. REGULAR AGENDA

MOVED by Ald. Martin **SECONDED** by Ald. Phair Council **APPROVES** of the Regular Agenda as presented. 9 ayes, 0 nays, 1 absent. **MOTION CARRIED ON A VOICE VOTE.**

7. NON-AGENDA ITEMS AND ANNOUNCEMENTS

A. ANNOUNCEMENTS AND CORRESPONDENCE:

1. **Proclamation Designating December 1, 2022 as Christmas Stamp Day in Waupaca, Wisconsin**

MOVED by Ald. Phair **SECONDED** by Ald. Chesnut Council **APPROVES** of the Proclamation Designating December 1, 2022 as Christmas Stamp Day in Waupaca, Wisconsin and places in on file. 9 ayes, 0 nays, 1 absent. **MOTION CARRIED ON A VOICE VOTE.**

B. PUBLIC INPUT: none

C. COMMUNITY REPORT / DEPARTMENT HEAD REPORTS:

- Michael Koehler, Danes Hall** - Mr. Koehler reported for the Waupaca Area Arts and Culture Network (WAACN) on the historic Danes Hall of Waupaca and WAACN’s role in “Placemaking”.
- Alderson Collin Dykstra** – Ald. Dykstra reported for the Waupaca Area Youth Hockey Association (WAYHA) providing their history, accomplishments and achievements over the years. He stated that the association is in need of volunteers if anyone is interested.

The Department Head reports are included in the Council packet.

8. UNFINISHED BUSINESS:

- a. **Ordinance No. 15-2022, An Ordinance to Amend the City of Waupaca Year 2030 Comprehensive Plan (2nd Reading) – Jarod Rachu, Community and Economic Development Director**

Community and Economic Development Director Jarod Rachu explained that the Waupaca Foundry desires to build a multi-family unit on the corner of Tower Drive and Royalton Street to house their employees, which

requires that the property be rezoned. Prior to rezoning the city's Future Land Use Map Year 2030 Comprehensive Plan needs to be amended. This is the second reading of Ordinance No. 15-2022, An Ordinance to Amend the City of Waupaca Year 2030 Comprehensive Plan.

MOVED by Ald. Chesnut **SECONDED** by Ald. Purchatzke Council **ADOPTS** Ordinance No. 15-2022, An Ordinance to Amend the City of Waupaca Year 2030 Comprehensive Plan. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 1 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

b. Ordinance No. 16-2022, An Ordinance Amending 17.102 Zoning Districts Map as Allowed for under 17.700 (2nd Reading) – Jarod Rachu, Community and Economic Development Authority

Community and Economic Development Director Jarod Rachu said this is the rezoning of property located at the corner of Tower Road and Royalton Street and is being rezoned at the Waupaca Foundry's request.

MOVED by Ald. Peterson **SECONDED** by Ald. Chesnut Council **ADOPTS** Ordinance No. 16-2022, An Ordinance Amending 17.102 zoning Districts Map as Allowed for under 17.700. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 0 nays, 1 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

9. NEW BUSINESS:

a. Halloween on Main Temporary Expanded Premise and Open Intoxicant Request – Mitch Swenson, VP of Tourism, Waupaca Area Chamber of Commerce and Convention & Visitors Bureau

City Administrator Aaron Jenson said that Mitch Swenson has contacted Simpson's Restaurant, Weasels of Waupaca, LLC, Little Fat Gretchen's, LLC, The Pub, LLC and Sulten Belly in connection with the "Halloween on Main" event being held on October 28, 2022 and they would like to temporarily expand their alcohol licensed premises from 4pm-8pm. The expansion would also allow for live music outside in these areas during this time. In addition to the premise expansion, a request is being made to allow open intoxicants on Main Street from Badger Street to Granite Street with appropriate signage stating "no alcohol beyond this point".

MOVED by Ald. Purchatzke **SECONDED** by Ald. Phair Council **APPROVES** of Simpson's Restaurant, Little Fat Gretchen's LLC, Weasels of Waupaca, LLC, the Pub LLC and Sulten Belly to temporarily expand their alcohol licensed premise descriptions for "Halloween on Main" Event held on Friday October 28, 2022 from 4:00pm – 8:00pm and to allow open intoxicants on Main Street from Badger Street to Granite Street with appropriate signage. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Veleker, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Phair and Ald. Olson voted aye, 1 nay (Ald. Chesnut), 1 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

b. Halloween on Main Street Closures – Laura Colbert, Parks and Recreation Director

Parks and Recreation Director Laura Colbert described the street closures as Main Street from Granite Street to Badger Street, Union Street and E. Fulton Street for the Halloween on Main event on October 28, 2022.

MOVED by Ald. Peterson **SECONDED** by Ald. Olson Council **APPROVES** of the Halloween on Main street closures on Main Street from Granite Street to Badger Street, Union Street and E. Fulton Street. 9 ayes, 0 nays, 1 absent. **MOTION CARRIED ON A VOICE VOTE.**

Ald. Henry Veleker left the meeting at 6:45 p.m.

c. Conditional Use Permit / Fox Valley Technical College Foundation Inc., 1979 Godfrey Drive – Jarod Rachu, Community and Economic Development Director

Community and Economic Development Director Jarod Rachu said that Fox Valley Technical College is requesting a Conditional Use Permit to be in compliance with their current zoning. Mr. Rachu recommends approval subject to the following conditions:

1. Any substantive change in the use of the parcel shall require an amendment to the authorized Conditional Use Permit.
2. The Conditional Use Permit shall be valid as long as the Conditional Use is maintained compliant with the zoning ordinance.
3. The parcel shall be maintained and free from accumulation of trash, debris and other rubbish.
4. At no time should this use, its elements, or its customers become a nuisance to public health or safety.
5. Any change or addition in the use of this parcel shall require a change of use site plan application.

MOVED by Ald. Martin **SECONDED** by Ald. Chesnut Council **APPROVES** issuing a Conditional Use Permit to Fox Valley Technical College Foundation Inc., 1979 Godfrey Drive. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 2 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

d. Conditional Use Permit / Carousel Gymnastics LLC, 1906 Godfrey Drive – Jarod Rachu, Community and Economic Development Director

Community and Economic Development Director Jarod Rachu said that Carousel Gymnastics, LLC is requesting a Conditional Use Permit to be in compliance with their current zoning. Mr. Rachu recommends approval subject to the following conditions:

1. Any substantive change in the use of the parcel shall require an amendment to the authorized Conditional Use Permit.
2. The Conditional Use Permit shall be valid as long as the Conditional Use is maintained compliant with the zoning ordinance.
3. The parcel shall be maintained and free from accumulation of trash, debris and other rubbish.
4. At no time should this use, its elements, or its customers become a nuisance to public health or safety.
5. Any change or addition in the use of this parcel shall require a change of use site plan application.
6. Nonconforming use can exist as is but cannot be expanded, rebuilt or re-exist in the case of any removal.

MOVED by Ald. Olson **SECONDED** by Ald. Phair Council **APPROVES** of issuing a Conditional Use Permit to Carousel Gymnastics, LLC, 1906 Godfrey Drive. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 2 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

e. Six-Month Review / Conditional Use Permit Home & Away Ministries, Inc., 705 W. Fulton Street

Community and Economic Development Director Jarod Rachu reminded the Council that this was a six-month review of the Conditional Use Permit for Home & Away Ministries, Inc., property located at 705 W. Fulton

Street and that it could be extended for an additional six-month review or it could be approved. Mr. Rachu added that staff is recommending approval subject to the following conditions and are recommending removal of the six-month review:

1. The Conditional Use shall be operated and maintained compliant with the requirements of the authorized Site Plan.
2. All site improvements agreed-upon under the terms of the authorized Site Plan shall be maintained compliant with said Site Plan throughout the duration of the proposed use(s).
3. No use other than the applicable Conditional Uses listed in Chapter 17.104(3) of the zoning ordinance and identified in Section IV of this Report are permissible under the terms of this Conditional Use Permit other than uses ancillary and customarily incidental to said use.
4. Twenty-four hour deliveries and operation of tractor-trailers would be permissible subject to a prohibition against loud and disturbing noise between the hours of 10:00 PM to 7:00 AM and operation of refrigerated tractor-trailers permissible only on Friday 4:00 PM to 7:00 AM.
5. All product and material storage shall occur within the proposed Principal Structure. Exterior storage is specifically prohibited, including within trucks, tractor-trailers, and other such vehicles.
6. Vehicular ingress/egress/ shall be limited to West Fulton Street. No other access is permissible under the terms of this Conditional Use Permit.
7. The property shall be maintained free from accumulation of trash and debris.
8. Any substantive change in the use of TKN-34302213 shall require an amendment to the authorized Conditional Use Permit.
9. Any addition or alterations to the proposed Principal Structure or the addition of any Accessory Structure(s) may require an amendment to the authorized Conditional Use Permit when determined necessary by the Zoning Administrator or Community Economic Development Director.
10. Limiting a total number of tractor/trailer and hauling type vehicles used for distribution to a maximum of 15 per day unless a revised conditional use permit is submitted.

MOVED by Ald. Chesnut **SECONDED** by Ald. Purchatzke Council **APPROVES** of issuing a Final Conditional Use Permit for Home & Away Ministries, Inc., (Ruby's Pantry), 705 W. Fulton Street subject to the conditions as stated. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 2 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

f. Certified Survey Map / Michael Koch, 1948 Godfrey Drive additional adjacent land purchase from City of Waupaca – Jarod Rachu, Community and Economic Development Director

Community and Economic Development Director Jarod Rachu said that Mike Koch is requesting to purchase 10,348 square feet of a city owned vacant lot adjacent to his property located at 1948 Godfrey Drive and this purchase requires a Certified Survey Map be prepared of the property. Mr. Rachu said that staff is recommending approval of the Certified Survey Map.

MOVED by Ald. Martin **SECONDED** by Ald. Peterson Council **APPROVES** of the Certified Survey Map for Michael Koch, 1948 Godfrey Drive. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 2 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

g. Resolution No. 1525, Authorizing Cost-Share Grant from Wisconsin Department of Natural Resources – Justin Berrens, Public Works Director

Russ Montgomery, Facilities Superintendent said that this Resolution is required and authorizes the City to apply for an Urban Forestry Grant from the Wisconsin Department of Natural Resource.

MOVED by Ald. Dykstra **SECONDED** by Ald. Phair Council **APPROVES** of Resolution No. 1525, Authorizing Cost-Share Grant from Wisconsin Department of Natural Resources. **ON A CALL OF THE ROLL** Ald. Dykstra, Ald. Chesnut, Ald. Purchatzke, Ald. Peterson, Ald. Mayou, Ald. Martin, Ald. Olson and Ald. Phair voted aye, 0 nays, 2 absent. **MOTION CARRIED ON A ROLL CALL VOTE.**

h. License Report No. 1590, Operator's Licenses – Sandy Stiebs, City Clerk

MOVED by Ald. Chesnut **SECONDED** by Ald. Peterson Council **APPROVES** of License Report No. 1590, Operator's Licenses, pending background checks and payment of any monies owed to the city. 8 ayes, 0 nays, 2 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 Special Committee of the Whole meeting that is scheduled immediately after the Council meeting. There will also be a Special Council meeting on September 27, 2022. Facilities Superintendent Russ Montgomery reported about the Water Department's hydrant flushing currently happening in the city and that the Public Works Facility Bid Opening will be held on September 21, 2022 at 2:00 p.m.

12. ADJOURNMENT

MOVED by Ald. Olson **SECONDED** by Ald. Peterson Council **ADJOURNS** until the next Regular Council meeting on Tuesday October 4, 2022, subject to call. 8 ayes, 0 nays, 2 absent. **MOTION CARRIED ON A VOICE VOTE.**

MEETING ADJOURNED AT 6:58 P.M.

Mayor Brian Smith

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