

## **COMMON COUNCIL MEETING**

**MARCH 11, 2013**

The meeting was called to order at 7:00 p.m. by Mayor Moede with the following roll call:

Members Present: Ald. Toellner, Ald. Sertich, Ald. Schmidt, Ald. Pasbrig, Ald. Redeker, Ald. Schaefer

Members Absent:

Others Present: Mayor Moede, Deanna Boldrey, Kathie Wild, Mike Kurutz, Rob Boelk, Jr. , Lori Lubinsky, Jim Hammes, Alixe Bielot, Megan Sheridan, Katie Leb, Dean Richards, Brian Field, Joel Iakiri, Dan Langdon, Trish Roll, Rick Roll, Dianne Slater, Russell Kotke, John Corey, Jim Mielke, Ben Brown

Pledge of Allegiance to the Flag.

### **Citizen Comments.**

Rob Boelk of 235 Clark Street came to the podium. He introduced himself as a candidate for ward 5.

### **Consent Agenda.**

**Approve the Minutes of February 6, 2013, February 11, 2013, February 18, 2013, February 19, 2013, and February 28, 2013, meetings.** Motion by Ald. Redeker, second by Ald. Pasbrig to Approve the Minutes of February 6, 2013, February 11, 2013, February 18, 2013, February 19, 2013, and February 28, 2013, meetings. Motion carried 6-0.

### **REPORT OF OFFICERS:**

#### **Mayor-Monthly Report.**

#### **Resolution 4672-2013 – Approve Land Use Agreement for 850 Mallard Drive, 251-1216-1414-005.**

Motion by Ald. Sertich, second by Ald. Schmidt to approve Resolution 4672-2013 – Approve Land Use Agreement for 850 Mallard Drive, 251-1216-1414-005.

Mayor Moede introduced attorney Lori Lubinsky. Lori gave a summary of the Land Use Agreement.

She commented that the document requires execution by multiple parties and the City is the first. The document will not be legally binding until all parties have signed it.

Lori explained that a PILOT agreement is included in the Land Use Agreement. The payment will come at the closing of the sale of the property, probably in a few weeks. The amount of the PILOT agreement is the sum of \$465,000 and of that amount \$296,674.94 is allocated towards the TID and the remaining \$168,325.06 is allocated toward the General Fund. Lori explained that the TID amount was calculated based on the current 2012 taxes on that property which is \$42,096.42. She noted it is a simple multiplication for 7 years that will go into the TID. The amount for the general fund is for future City property tax losses for this property.

In exchange for the payment, the City will provide all necessary approvals for this transaction and for the County to utilize the property. The City will provide the County with a Certificate of Occupancy, allowing the County to occupy and utilize the property. In addition, the City will be authorizing and providing interpretation of ordinances, concluding that the County's proposed use is consistent with the ordinance. In essence the County would be able to use the property as a county garage and the City would be approving the construction of a new building for a salt shed. Lori noted the location of the salt shed, noting a new location of the salt shed. The new location of the salt shed is away from the road. The City Engineer has approved the new location.

Lori noted in the future she will be making recommendations to the City in regards to amendments to the TID covenants and the City zoning ordinances.

If this agreement goes through it gives the county full legal authority to use the property.

Ald. Redeker commented that tax payers should know that the \$465,000 is coming from the private party not Dodge County.

Lori continued that there is nothing for the City to prevent the sale from happening and once the County is the owner, the property is tax exempt. The only authorization for the City is the zoning. This money is from the private current property owner. This property will be exempt from taxes and there will be a loss of tax revenue. Lori commented that the balance is struck well and the city negotiation team arrived at the best number possible. All parties were represented and this is an agreement that Lori strongly suggests. Ald. Sertich thanked and acknowledged M-6 for coming up to the plate. Mayor Moede commented that there have been long discussions on this; and it is a consensus of the group that this is the right direction and Win – Win for all. Motion carried 6-0.

(Lori Lubinsky, Dean Richards, Brian Field, Joel Iakiri, Dan Langdon, Russell Kotke, John Corey, and Jim Mielke leave the meeting.)

### **City Clerk - Monthly Report.**

#### **Spring Election Update.**

Deanna reported The Spring Election is on April 2, 2013. Polls will be open from 7 am – 8 pm. Absentee voting in the clerk's office is from March 18 – March 29. She will be in the office on March 29 for absentee voting even though it is considered a Holiday.

Wards 1, 3, and 5 will be on the ballots. For Ward 5, Ald. Schaefer, has filed his non-candidacy paper. Ward 1 incumbent Ald. Toellner, will be on the ballot. Ward 3 incumbent, Ald. Schmidt, will be on the ballot. And, For Ward 5, Rob Boelk Jr. will be on the ballot. In addition State Superintendent, Justice of the Supreme Court, Court of Appeals Judge, Circuit Court Judge and Mayville School District Zone four will be on the ballots.

#### **April Organizational Meeting - April 16, 2013.**

Deanna reported the Organizational Meeting will be on April 16, 2013, at 7 p.m.

#### **April Committee Meetings – April 22, 2013.**

Deanna reported that the April Committee Meetings will be on April 22, 2013, at 5 p.m.

#### **Open Book – April 25, 2013. 10 a.m. – 1 p.m.**

Open book will be on April 25, 2013 from 10 a.m. – 1 p.m. at City Hall.

#### **Board of Review Date – May 21, 2013. 5 p.m. – 7 p.m.**

Deanna reported that Board of Review will be on May 21, 2013, from 5 p.m. – 7 p.m. at City Hall.

#### **Discuss/Approve the following Operators Licenses:**

Marco LaPorta, Mayville                      Shannon Salzman, Brandon                      Michael Klemme, Horicon  
Motion by Ald Schmidt, second by Ald. Redeker to approve the Operator's Licenses as noted on the agenda. Motion Carried 6-0.

### **COMMITTEES, COMMISSIONS AND BOARDS:**

#### **Library Update:**

#### **2012 Annual Report of Circulation Numbers.**

Alixé Biehot reported on the 2012 Mayville Public Library Circulation Numbers. She noted that there are over 6,000 patrons in Mayville. There were over 28,000 people that visited the library in 2012. She is required to report the numbers to the state.

**Upcoming Events.**

Alixé reported on the following upcoming events:

**Second Annual Peeps Contest – Submit Peeps Entry Based on Historical, Current Events, Pop Culture or Own Idea, Between March 2 and March 16. All Entries Displayed Between March 18 and March 23. Judging and Awards will be on March 23. Open to All Ages.**

The library is accepting entries this week.

**Book Club First Meeting on April 16, 2013, at 6:30 p.m.**

Alixé reported that there are 15 people signed up. The first book will be “Defending Jacob” by William Landay.

**“Shipwrecks” by the Wisconsin Maritime Museum on April 17, 2013, at 6:30 p.m.**

This will be during National Library Week.

**Mrs. Frizzle from the Magic School Bus “Dig into Reading” on May 8, 2013, at 6:00 p.m. – Explore Rock Layers, Fossils, and Dinosaurs.**

This will be a prelude to the summer reading program.

Date and Time of Next Meeting is Thursday, March 14, 2013, at 6:00 p.m.

(Alixé Bielot leaves the meeting.)

**Personnel Committee:**

**Resolution 4673-2013 – Approve Non-Probationary Status of Deputy Clerk.** Motion by Ald. Pasbrig, second by Ald. Toellner to Approve Resolution 4673-2013 Approve Non-Probationary Status of Deputy Clerk. Motion carried 6-0.

Date and Time of Next Meeting is Monday, March 18, 2013, immediately following Finance.

**Finance Committee:**

**Payment of Bills. (\$1,643,750.03)**

Motion by Ald. Schmidt, second by Ald. Schaefer to approve the payment of the bills. Motion carried 6-0.

**Resolution 4674-2013 – Approve Land Lease with Charles Wagner.** Motion by Ald. Schmidt, second by Ald. Schaefer to approve Resolution 4674-2013 – Approve Land Lease with Charles Wagner. Motion carried 6-0.

**Resolution 4675-2013 – Approve Land Lease with Ron Luedtke.** Motion by Ald. Toellner, second by Ald. Schmidt to approve Resolution 4675-2013 – Approve Land Lease with Ron Luedtke. Motion carried 6-0.

**Resolution 4676-2013 – Approve Increase of Ambulance Fees.** Motion by Ald. Pasbrig, second by Ald. Schmidt to approve Resolution 4676-2013 – Approve Increase of Ambulance Fees. Motion carried 6-0.

**Resolution 4677-2013 – Approve Bananas Entertainment LLC, Sonic Circus, Rock Band Contract.** Motion by Ald. Redeker, second by Ald. Pasbrig to approve Resolution 4677-2013 – Approve Bananas Entertainment LLC, Sonic Circus, Rock Band Contract. Motion carried 6-0.

**Resolution 4678-2013 – Approve Lunacy Rock Band Contract.** Postponed to a future meeting.

Date and Time of Next Meeting is Monday, March 18, 2013, immediately following Public Works

**Public Safety Committee:**

Date and Time of Next Meeting is Monday, March 18, 2013, following Personnel.

**Public Works Committee:**

**Ordinance 1051-2013 – To Be Introduced and or Acted Upon An Ordinance Amending Section 355-17, Water Utility Fluoridation, of the Mayville Municipal Code.** (Second reading of Ordinance 1051-2013 may be waived by temporary suspension of the rules.)

Motion by Ald. Schmidt to introduce Ordinance 1051-2013 An Ordinance Amending Section 355-17, Water Utility Fluoridation, of the Mayville Municipal Code.

Motion by Ald. Toellner, second by Ald. Schmidt to suspend the rules and allow for one reading of Ordinance 1051-2013 – An Ordinance Amending Section 355-17, Water Utility Fluoridation, of the Mayville Municipal Code. Motion carried 6-0.

Motion by Ald. Redeker, second by Ald. Pasbrig to approve Ordinance 1051-2013 – An Ordinance Amending Section 355-17, Water Utility Fluoridation, of the Mayville Municipal Code. Motion carried 6-0.

Date and Time of Next Meeting is Monday, March 18, 2013, 5 p.m.

**Planning Commission:**

There will not be a March Planning Commission Meeting.

**Water/Wastewater Commission:**

Date and Time of Next Meeting Tuesday, March 12, 2013, at 7:00 p.m.

**Park Board:**

Date and Time of Next Meeting Wednesday, March 13, 2013, at 4:30 p.m.

**Senior Center Board:**

Senior Center Board Update:

No Report.

Date and Time of Next Meeting, Tuesday, March 12, 2013, at 6:00 p.m.

**Golf Course Advisory Commission:**

Date and Time of Next Meeting Wednesday, March 13, 2013, at 7:00 p.m.

**Convene in Closed Session Pursuant to Wisconsin Statutes 19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.**

**A. Police Department Regards to Operations, Policies, and Procedures Involving the Use of Departmental Funds Designated for Confidential Investigations.**

**B. Reconvene into Open Session with Possible Action.**

Motion by Ald. Schmidt, second by Ald. Redeker to Convene in Closed Session at 7:37 p.m. Pursuant to Wisconsin Statutes 19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for the purposes to discuss Police Department Regards to Operations, Policies, and Procedures Involving the Use of Departmental Funds Designated for Confidential Investigations and to include the Council, the Mayor, Attorney Jim Hammes, and Kathie Wild. Chief of Police, Chris MacNeill, was included in a portion of closed session as requested. Motion carried 6-0.

Motion by Ald. Schmidt, second by Ald. Redeker to reconvene into open session at 9:03 p.m. Motion carried 6-0.

**ADJOURNMENT.**

Motion by Ald. Pasbrig, second by Ald. Schmidt to adjourn the meeting at 9:04 p.m. Motion carried 6-0.

Deanna Boldrey, City Clerk