

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. Pasbrig, Ald. Redeker, Ald. Boelk, Ald. Schmidt

Members Absent:

Others Present: Mayor Moede, Deanna Boldrey, Kathie Wild, Mike Kurutz, Ben Brown, Don Neitzel, Megan Sheridan, Katie Leb, Attorney Jim Hammes, Mike Kurutz, Marge Nitschke, Shelly Nied, Andrew Johnson, Mark Fox, Bob Smith, Sue Smith, Pam Fox, John Westphal, Karen & Rick Hondlik, Paula Storck, Jeff McKean, James Congdon, Cindy Steinbach, Michelle Martin, Kevin Martin, Sue Perry, Brian Perry, Jeff Schellpfeffer, Kathy Benter, Pat Antony, Ann Krueger, Kurt Krueger, Cheryl Congdon.

Pledge of Allegiance to the Flag.

Attorney Jim Hammes pointed out that the item B. Resolution 4734-2013 on the Shopko Agreement the final draft of the agreement was not available to the Council prior to the meeting. He talked to representatives of C.D. Smith on the matter. The item will be put over until the next meeting when the annexation and TID #5 is considered.

### **Citizen Comments**

Shelley Neid questioned if citizen comments are open in respect to the annexation.

The Mayor stated that she can say what she wants to.

The Attorney clarified that the annexation will be introduced at tonight's meeting.

Jeff Schellpfeffer of 570 North German Street came to the podium. He commented on the No Parking Ordinance on North German Street. He commented that he has been there for 28 years and is not aware of any accidents there. He noted the No Parking Signs and moving them out of the City Limits. He commented on the yellow line and there is not enough room to park and not go over the center line. He also commented on the elevation problem. In the curve it should be no parking. Sign used to be by water shut off valve.

Mark Fox of 913 Green Bay Drive came to the podium. He spoke in regards to TID #5 with concern of the gamble. He questioned how many are not in favor of TID #5 in the gallery. A majority raised their hands.

Karen Hondlik of 769 Green Bay Drive came to the podium. She questioned the TID and distributed questions on the TID.

John Westphal of W3600 Hwy Z came to the podium. He noted that if Shopko wants to come to town that is their right; he noted the \$650,000 incentive. John commented that the school district asked the City to spend \$6,000 on the fiber optics for the Police Department and the City said they did not have the money in the budget. The school district installed the fiber optics. He commented on the risk. He commented on the possible of increase of school taxes.

Bob Smith of 5 Cottonwood Lane came to the podium. He commented that he is not opposed to the TIF but he is confused by the City Attorney that the anticipated development agreement is not in hand. It is unusual not to have the agreement in hand at this point and to get another opinion.

Ann Krueger of 1100 Crystal Lane came to the podium. She commented that she has been told that the City did not have enough money for fireworks, and the pool, and then told they want to spend \$650,000 for Shopko. She noted to spend the money in other ways. She spoke in support of local businesses.

James Congdon of Schwarze road came to the podium. He distributed a map in regards to the farmland in the area. He commented to restore the downtown area.

Laurie Westphal of W3600 Hwy Z came to the podium. She spoke in favor of local businesses and her work at one of the local businesses.

Shelley Nied W3773 Prawatschke came to the podium. She commented on the Smart Growth Plan.

Sheryl Congdon came to the podium. She spoke in favor of local businesses.

**Consent Agenda.**

**Approve the Minutes of August 12, 2013, and August 19, 2013, meetings.** Motion by Ald. Redeker, second by Ald. Pasbrig to Approve the Minutes of August 12, 2013, and August 19, 2013, meetings. Motion carried 6-0.

**REPORT OF OFFICERS:**

**Mayor-Monthly Report.**

**Recognition of Marjean Sertich-Fifteen Year Service Anniversary.**

Mayor Moede commented that Marjean was hired on August 17, 1998, and has taken (an early) retirement. We thank her for that time and wish her well.

**Resolution 4734-2013 Approve Shopko Development Agreement for TID #5**

Item postponed to future meeting. (Point of Order on Page 5 for a motion to postpone.)

(Motion by Ald. Schmidt, second by Ald. Redeker to Postpone Resolution 4734-2013. Motion carried 6-0.)

**Ordinance 1055-2013 – To Be Introduced An Annexation Ordinance Adopted by the Common Council of the City of Mayville Pursuant to Section 66.0217 of the Wisconsin Statutes, Annexing Territory form the Town of Williamstown.**

Motion by Ald. Pasbrig to introduce Ordinance 1055-2013 – An Annexation Ordinance Adopted by the Common Council of the City of Mayville Pursuant to Section 66.0217 of the Wisconsin Statutes, Annexing Territory form the Town of Williamstown.

**Discussion with Possible Action of Saturday Clay Haul Hours for the Landfill.**

Don Neitzel commented that the landfill has started the construction of their new cell. Currently, the clay has started and they are hauling Monday – Friday from 6 a.m. – 6 p.m. They would like to haul Saturdays from 7 a.m. – 3 p.m. The clay hauling would be completed by November 1<sup>st</sup>. There will be no hauling on Sundays. Hwy 28 and 67 to John Street to Landfill; nothing on Clark Street. Ald. Pasbrig commented it would be their normal route. Their hours were recently expanded. Ald. Pasbrig commented on John Street and Janssen Avenue and the traffic. We need to give these people a break. Ald. Pasbrig questioned how many trucks go through. Don commented they will be done by November 1<sup>st</sup>. The clay haul is for the lining of the landfill. It was noted to check on a longer way to go around Mayville and come in the back way. Check on the route of Hwy 33 and keep off John Street on Saturdays. The item will come back.

**REPORT OF OFFICERS:**

**City Clerk - Monthly Report.**

**Report on Receipt of Statement Intent to Circulate Recall Petitions.**

Deanna reported that Statement of Intent to Circulate documents were received on August 19, 2013, and the document that was sent to the petitioners. No other documents have been filed.

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

Ashley McFarlane, Mayville; Taylor Gogert, Mayville; Matthew Keith, Mayville.

Motion by Ald. Toellner, second by Ald Redeker to approve the Operators Licenses. Motion carried 6-0.

**COMMITTEES, COMMISSIONS AND BOARDS:**

**Library Board:**

Library Update:

September is Library Card Sign-Up Month.

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

**Personnel Committee:**

Date and Time of Next Meeting is Monday, September 16, 2013, at 5:00 p.m.

**Finance Committee:**

**Payment of Bills.** (\$338,593.01)

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

Date and Time of Next Meeting is Monday, September 16, 2013, immediately following Public Works.

**Public Safety Committee:**

**Police Chief Report:**

**2012 Annual Report.**

Chris reviewed the 2012 Police Department Annual Report. Calls for service are up 1.52% over 2011. At the end of August they were up 26% over last year. January and October have the highest number of calls for service. Second Shift has the highest volume of calls. The report is available on line at [Mayvillepolice.org](http://Mayvillepolice.org).

Ald. Sertich commented that the calls of service for second shift, are from 2 pm to 10 pm which is a carryover. The Mayor had a question in 2011 that 2<sup>nd</sup> shift is taking a beating and there is some truth to that except that it is misleading. There is rotation of officers every three months. The reports can land on either one of the ladies desks, so if you have a lot of activity at night those reports can fall wherever the officer is assigned.

Chris commented that the calls for service does not go by when the calls are dictated; it goes by when the officer on the shift is called for service. The reports are broken down shift, not by officer or by administrative assistant.

**Use of Youth Memorial Building for EMS, Police, and Fire Community Programs.**

Chris reported on the use of the Youth Memorial Building. Currently, the Boy and Girl Scouts use the Youth Memorial Building.

EMS, Police and Fire Department Heads got together and discussed the use of the building for community programs. Christine Churchill had expressed interest in the use of the building for community CPR classes. The Fire Department also wanted to host some community classes. The Police Department may want to use it for neighborhood watch, citizen's police academy or any other community program. He noted to utilize the building for a community building. He noted the three budgets would split the utilities to get it off of the parks budget.

Ald. Sertich commented that we need to figure out what you want to do because of the budget. She commented on businesses in town. She was approached by contractors in town that certain buildings have been looked at for improvements that need to be done. Since she has been sitting here, we have requested for fairness for all local businesses to be able to bid in. If there is maintenance that is going to be required she commented that the three departments will give that opportunity to the businesses. She commented the building is not in the best of shape. She noted that if we have to put in a sealed bid, and we can open them like sealed bids.

Ald. Toellner commented that there are a lot of vacant conference rooms that are under-utilized. It just seems it would be extra expense.

Ald. Redeker commented that the building has been talked about for a while now. This building needs to be upgraded and needs to be ADA Compliant. We have talked about selling the property. He agrees with Ald. Toellner.

Ald. Schmidt questioned the Chief on what precisely are you proposing and do you need a building that size.

Chris commented it would work out for the three to use for community programs. This was an option to help the City.

Ald. Boelk commented that if we are not going to use the building, then let's get it back on the tax roll. May cost more to maintain.

Ald. Schmidt commented to bring the item back with more information about how much it would be utilized. The building was donated by the Rotary. The location of the building was noted.

Mike Kurutz commented that the building was used for scouts. Now it is not used as much for scouts. We do not rent it a lot. It is not ADA Accessible. The City owns that whole block.

Ald. Pasbrig commented that he would like to see more ideas.

**Resolution 4735-2013 Approve Updated Dodge County EMS Mutual Aid Agreement.**

Motion by Sertich, second by Boelk to Approve Resolution 4735-2013 Approve Updated Dodge County EMS Mutual Aid Agreement. Motion carried 6-0.

**Ordinance 1053-2013 - To Be Acted Upon An Ordinance Amending Chapter 397-7 Vehicles and Traffic, Parking Restrictions (North German Street) of the Mayville Municipal Code.**

Motion by Pasbrig, second by Ald. Toellner to Approve Ordinance 1053-2013 An Ordinance Amending Chapter 397-7 Vehicles and Traffic, Parking Restrictions (North German Street) of the Mayville Municipal Code. Chris distributed a map of the area. Amendment motion by Ald. Pasbrig, second by Ald. Redeker to amend the ordinance to be 191 Feet from the City Limit Sign to a point 276 point thereof. Ald. Schmidt invited Jeff Schellpfeffer to the podium as he is a resident in that area. Jeff Schellpfeffer commented that the yellow line will need to be moved because there is still not enough room with a parked car. You always have to go over the yellow line. He noted to move it over a couple of feet. The Chief commented on the speed limit and the egress from the City and the line is there for a reason. The parking was not supposed to be that way. Ald. Sertich questioned if there is any additional room on the road for parking. Ald. Redeker questioned that the street is marked for one side of the street for parking. Amendment motion carried 6-0. Ordinance as amended carried 6-0.

**Ordinance 1056-2013 – To Be Introduced An Ordinance to Repeal and Remove Chapters 105-4 Health Officer, 22-7 Board of Health, and 303-11 Regulation of Nuisance Type Businesses, of the Mayville Municipal Code.**

Motion by Ald. Sertich to introduce Ordinance 1056-2013 –An Ordinance to Repeal and Remove Chapters 105-4 Health Officer, 22-7 Board of Health, and 303-11 Regulation of Nuisance Type Businesses, of the Mayville Municipal Code.

**Ordinance 1057-2013 – To Be Introduced An Ordinance Amending Chapters 150-14 Quarantine or Sacrifice of Animals and 303-7 Abatement of Public Nuisances of the Mayville Municipal Code.**

Motion by Ald. Pasbrig to introduce Ordinance 1057-2013 An Ordinance Amending Chapters 150-14 Quarantine or Sacrifice of Animals and 303-7 Abatement of Public Nuisances of the Mayville Municipal Code.

**Ordinance 1058-2013 – To Be Introduced An Ordinance Amending Chapter 303-10 Health Nuisances of the Mayville Municipal Code.**

Motion by Ald. Redeker to introduce Ordinance 1058-2013 – An Ordinance Amending Chapter 303-10 Health Nuisances of the Mayville Municipal Code.

Date and time of Next Meeting, September 16, 2013, immediately following Personnel.

Ald. Redeker called a point of order that we did not postpone item A under the Mayor's Report,  
**Resolution 4734-2013 Approve Shopko Development Agreement for TID #5.**

Motion by Ald. Schmidt, second by Ald. Redeker to Postpone Resolution 4734-2013. Motion carried 6-0.

**Public Works Committee:**

**Ordinance 1054-2013 - To Be Introduced An Ordinance Amending Section 387-7 Vehicles and Traffic, Parking Restrictions, Relating to Parking Lot Designations of the Mayville Municipal Code.**

Motion by Ald. Schmidt to introduce Ordinance 1054-2013 An Ordinance Amending Section 387-7 Vehicles and Traffic, Parking Restrictions, Relating to Parking Lot Designations of the Mayville Municipal Code.

Date and Time of Next Meeting is Monday, September 16, 2013, immediately following Public Safety.

**Planning Commission:**

Date and time of Next Meeting is Wednesday, September 25, 2013, at 5:00 p.m.

**Water/Wastewater Commission:**

Date and Time of Next Meeting is Tuesday, September 10, 2013, at 7:00 p.m.

**Park Board:**

Date and Time of Next Meeting is Wednesday, November 6, 2013, at 4:30 p.m.

**Senior Center Board:**

Date and Time of Next Meeting is Tuesday, September 10, 2013, at 6:00 p.m.

**Golf Course Advisory Commission:**

Date and Time of Next Meeting is Wednesday, September 11, 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.
- B. Discuss Performance Evaluation of Police Chief and Referral to the Police and Fire Commission.**
- B. Reconvene into Open Session for Possible Action.**

Motion by Ald. Toellner, second by Ald. Redeker to Convene into Closed Session Pursuant to Section 19.85 (1) (e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purposes of discussion of Performance Evaluation of Police Chief and Referral to the Police and Fire Commission. Convened into closed session at 8:30 p.m. Motion carried 6-0.

Motion by Ald. Toellner, second by Ald. Boelk to reconvene into open session. Reconvened into open session at 9:10 p.m. Motion carried 6-0.

Motion by Ald. Redeker, second by Ald. Pasbrig to Advise the Mayor to file a formal complaint as outlined in September 9, 2013, draft document. Motion carried 6-0.

**ADJOURNMENT.**

Motion by Ald. Schmidt, second by Ald. Sertich to adjourn the meeting at 9:12 p.m. Motion carried 6-0.

Deanna Boldrey, City Clerk