

**MINUTES OF A REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF FENNIMORE, GRANT COUNTY, WISCONSIN  
HELD ON MONDAY, SEPTEMBER 24, 2018**

This meeting was called to order by Mayor Ryan Boebel at 6:00 p.m.

*Roll call* was taken with the following alderpersons answering present: Dave Streif, Jeff Hagen, Pete Adam, Greg Ashmore, Ashley Walker, Jonah Roth, and Jessie Strack. Sara Brodt was absent. Others present were: DPW Dennis Biddick, Clerk Misty Molzof, Ben Heidemann and Evan Chambers with Town & Country Engineering, Jane Wonderling, and Barbara Brown.

*Agenda:* Proof in the form of a certificate of public notice given as required by Section 19.84, Wis. Stats., as to the holding of this meeting, was presented by the Clerk. Motion by Streif, second by Hagen to approve the proof of posting and agenda. Carried 7-0.

*Public Hearing regarding proposed rezoning of parts of Outlots 215 & 216 of the Assessor's Plat of the City of Fennimore from A1 to R2:* Mayor Boebel opened the public hearing at 6:01 p.m.

Pre-registered citizens present: Jane Wonderling and Barbara Brown. Boebel asked for comments from the pre-registered citizens.

Brown stated that it should be R2, and not R1. Molzof agreed and stated that the documents and notices were correct; however, agenda item for public hearing was listed incorrectly.

There being no further comments, Mayor Boebel closed the public hearing at 6:03 pm.

*Agenda Reorder:* Mayor Boebel asked the Council to consider moving some agenda items around to accommodate parties present at the meeting. The Council agreed.

*10a- Rezone Outlot 215:* Biddick reported that the two properties requesting the rezone are on the North Side of 18<sup>th</sup> Street going west from Lincoln Avenue to Foxmoor Heights Subdivision. There are two CSM's included in the materials sent out with the Agenda that show the properties. Outlot 215 is currently owned by Noyes' and company and the next one, Outlot 216, is directly north of that. Biddick reported that these went through Planning Commission and the recommendation was to rezone from A1 to R2, and the process was initiated at the request of Council. Motion by Streif, second by Hagen to approve the rezoning from A1 to R2 as requested. Upon roll call vote, all members present voted aye, Carried 7-0.

*10b-. Rezone Outlot 216:* Boebel reported that this is just North of Outlot 215 rezoned just minutes ago, owned by Benrud's, located just South of Madison and Monroe Streets dead-ends and they are requesting to rezone from A1 to R2. Motion by Ashmore, second by Walker to approve the rezoning from A1 to R2 as requested. Upon roll call vote, all members present voted aye, Carried 7-0.

*11b – Keys to school district:* Jane Wonderling stated that they developed a plan for the elementary school to evacuate to the Memorial Building Gym and they are requesting two keys, one will be located in grade school principals' office and the other will be in the district administrators office. Twice a year, the school will do evacuation drills and this will be pre-arranged with the City office. Biddick asked if there needs to be an agreement because he believes that Good Sam has an agreement with us for their evacuation plan. Motion by Hagen, second by Streif to approve the release of 2 keys pending an agreement if required by attorney. Carried 7-0.

*11a - WWTP Project Work Order Change Directives:* Heidemann stated that there are four proposals in the packet. One of which has since gone away. If the Work Order Change Directives are approved, they would like to get the each approval individually. Heidemann recommends that all of them are done.

1<sup>st</sup> Proposal – RFI #37-F&I Buried Plug Valve 10-WW-21 for \$6,738 - Chambers reported that this one has since gone away.

2<sup>nd</sup> Proposal – RFI #31-Generator Retaining Wall Expansion \$7,489 – Chambers reported that this could be done at the current grades; however, it is a lot steeper and could cause mowing and other issues. They could have another contractor do it; however, there could be some cause for liability and it is in best interest to keep with general contractor. It is useful because of the grades and the steep hillside. After the generator was installed, the retaining wall was put up, and actually seeing the grades, putting in more retaining wall would help the grade and avoid undermining the generator. The wall would be 4-5' at the tallest and it would taper off as it comes down. There is railing called for in the bid so OSHA requirements will be covered. Biddick reported that the map on pg. 76 shows our electric junction box and transformer and with the elevations as they are now, there would be too steep a slope and cause access issues for the electric utility. Motion by Streif, second by Ashmore to approve RFI #31-Generator Retaining Wall Expansion for \$7,489 as presented. Upon roll call vote, all members present voted aye, carried 7-0.

3<sup>rd</sup> Proposal-RFI #28-STR 10 Pump Room Floor Slopes \$19,108. Heidemann reported that there are two options – contractor re-slopes floor with concrete and applies a coating, the stairs that are in place and they would have to come out to re-slope, or the other option is to have a subcontractor come in and place a thin concrete system, mortar with urethane and coat it. Currently the slope is about 2" the wrong way, sloping away from the sump pump and needs to be built up. Heidemann stated that the floor was constantly wet because of the amount of water, sloping, and pumps, and this proposal will call for a depth of concrete from 2" to 4". The contractor did not want to do it because it is difficult to do that much concrete in a small space below grade working around pumps and piping, etc, and Indue Industrial Flooring is a company that specializes in this. The Proposal includes a plan to modify the stairs and put in a landing. Heidemann stated that there is also a 14-day extension with this request. Heidemann stated that there has been quite a few little things come up that are likely going to cause a request for extension. The architect strongly recommended modifying the bottom tread, but other option is to pursue individually with Indue Industrial Flooring and not through Gridor. Streif stated that he is not opposed to the floor; however, is opposed to the extension. Heidemann stated that if we want to approve as part of the contract contingent upon no extension, or we can pursue it later once Gridor is done. Heidemann recommends modify the stair, have even tread, and a landing at the bottom. Heidemann stated that it could be decided by staff and what they are comfortable with. Most of the cost associated is the modification of the stairs. Motion by Streif, second by Roth to deny RFI #28 STR 10 Pump Room Floor Slopes Work Order Directive Change and to have Gridor to change the contract to only strip the floor. Upon roll call vote, all members present voted aye, carried 7-0.

4<sup>th</sup> Proposal-RFI #35-Final Clarifier Drive Replacement \$63,530. Heidemann stated that they salvaged two of the clarifiers and built one additional. On the two existing, there is a large mechanism that slowly rotates where partially clean water goes into the tank, the solids settle out, the mechanism rotates the solids so that the pump can take them out. The two clarifier drives are about 15 years old. There is some question as to the capacities of the drives in place, and because of their age, the company does not have the spec information. By installing a new drive, it would match the new clarifier and add years to the life of the salvaged clarifier parts. Putting a new drive on each clarifier that is exactly the same as the new clarifier and tying into the electrical. The total proposed would be \$63,530, and this would be independent of

substantial completion. The drives take about 12 weeks to deliver and they would likely be installed in the spring. Anticipated life on these would be 20 years, and then a major overhaul and then an additional 20 years, so a total of 40 years. Heidemann said option is this, or to upgrade the existing minimally at a couple of thousand each. The two existing clarifiers will be run a month per year and then turned on in the event of a large rain storm. Heidemann stated that this is all grant funding that we are looking at, and if we don't use it, we may have to look at other projects to use the grant funding. Biddick stated that one of these drives was removed and some work done in the last 2-3 years. Wiring design from Class 1 Div 1, and we will not be able to start them up without the new motor. Motion by Streif, second by Ashmore to deny RFI #35-Final Clarifier Drive Replacement work change directive and revisit when we have a better handle on where we are going to be. Upon roll call vote, all members present voted aye, carried 7-0.

#### Consent Agenda

*Operator's License:* Motion by Strack, second by Walker to approve operator licenses for Dalton Scott Michek and Morgan Elizabeth Schneider as presented. Carried 7-0

*Mobile Home Park License:* Motion by Streif, second by Strack to approve the Mobile Home Park License for James & Laurie Whitish, Maple Lane Trailer Park to expire 6/30/2019. Carried 7-0.

*Minutes:* Motion by Hagen, second by Strack to approve the minutes of the September 10, 2018 regular meeting as presented. Carried 7-0.

#### Reports of City Officers:

*Clerk-Treasurer Report:* Molzof reported that her September goals have been achieved, the August, 2018 financial records are attached, she is working on updating and combining some forms that will be brought to Council in the future, the new mailbox is up and being used, the Utility Clerk is working on the newsletter and public power week, and the Deputy Clerk said Thank you for allowing her to attend the annual Clerks Conference.

*Director of Public Works:* Biddick stated that he is working with staff to go to Pennsylvania to look at a cardboard truck. Biddick stated that he is having some difficulty finding a truck that will suit our needs and other contacts have reiterated to him that they are difficult to find. Boebel asked about the shipping costs if we purchase a truck from out of state and have it shipped here. Biddick responded that it would be about \$3-4,000 to get it shipped back and this would be necessary due to CDL restrictions and proper endorsement requirements. Biddick stated that the Wastewater Plant has a pump that has had some issues due to a crack in the motor; however, it should be under warranty. The Jet Vac truck has had some issues with the fuel, filters, and injector, there were also some error codes on the auxiliary which required repairs at a company out of town. This has all been fixed, it was out today and seems to be working correctly. Biddick stated that the invoices will be turned over to the company that we purchased the vehicle from and while there was no written warranty, there was a verbal one and he is hoping that they will stand by it. The owner of the company promises to make good on the issues. With the nearing Energizer purchase of Rayovac, the title company contacted Biddick regarding Rayovac Drive. There has been assumptions that it was public, the city has constructed and maintained it over the past 50 years; however, Biddick has been unable to find documentation when it became public property and it appears as though it is private property. Since there are no documents to substantiate Rayovac Drive as public property, we will have to proceed with the assumption that Rayovac Drive is privately owned. We do have public utilities through there and those easements will have to be cleared up. Roth asked if they would dedicate to us now, and Biddick responded that he met with Jeff Birchman from Rayovac, but is unsure as to where it is at right now. Biddick believes that they would not want to have private ownership, but is unsure. Biddick stated that we should look at getting this cleared up in the near future.

*Chief of Police:* No questions or comments.

*Promotions Coordinator:* Molzof reported that Parrish had asked to mention the dates in the report so that Council members may attend if they are available. No other questions or comments.

*Semi-Monthly Claims:* Streif, member of Finance and Progress Committee presented total claims of \$177,868.97, including City general fund - \$25,965.97-; Electric and Water Utility - \$143,075.46; Wastewater - \$8,827.54; and 9/24/2018 payroll \$55,824.16 including City general fund - \$33,222.49-; Electric and Water Utility - \$14,975.22; Wastewater - \$7,626.45. Motion by Streif, second by Walker to approve claims as presented. Upon roll call vote, all alderpersons present voted aye. Carried 7-0.

*Gridor Payment:* Motion by Streif, second by Strack to approve Gridor Construction payment request #16 in the amount of \$178,332.10. Upon roll call vote, all alderpersons present voted aye. Carried 7-0.

*CDBG/TIF Project Claims:* None.

*Committee Reports:* Infrastructure & Property 9/12/2018. Biddick reported that he was going to put together some figures for tonight's meeting and now has to sit down with Molzof to look at what is going on behind the scenes, for example PILOT, user fees, or other effects on the financial side.

Personnel & Administrative 9/17/2018 – Boebel reported that there are no recommendations at this time.

*Resolution #09-24-2018.* Biddick reported that this is a matching cap grant because the other has been exhausted. There was a tree board ad hoc meeting last week to discuss the grant and what they want to put in it. They are going to be applying for three items: tree purchases, tree removals, and tree trimming. It is a significant portion of our budget and whatever funding we can get from grants, we can help offset those costs. Also looking at a landowner educational opportunity where we would host training sessions by arborists. We are looking at a \$20,000 match and hopefully with the tree board and several community members helping out, we may be able to accomplish this. Biddick reported that Margaret Sprague is on the tree board and she will be helping him write the application. Motion by Streif, second by Roth to approve Resolution #09-24-2018. Upon roll call vote, all alderpersons present voted aye. Carried 7-0.

*Compost site availability to the public:* Biddick and Boebel have discussed the possibility of opening the gate at the compost center and leaving it open to the public. Biddick stated that while some people come in and ask for the key, others drive up over the bank to get in there and there has been mention that multiple keys are all over the place. Strack asked if installing cameras would be helpful and Biddick stated that we could do still/trail cameras out there. Biddick stated that we still have a few people who bring leaves in bags and throw them in there, and there is always going to be a need for monitoring. Boebel stated that he has received requests from people asking that we leave it open, and since we get materials that we do not want out there when it is locked and someone is there, he suggests that we try leaving it open all the time as a trial period through the end of the 2018 season and then revisit. Strack asked what the issue is with asking for a key at the city office. Discussed and decided to leave the compost site open to the public the remainder of 2018.

*Foxmoor Playground Park Bench Donation:* Adam stated that a park bench is being donated to Foxmoor Playground Park that looks just like the existing one and will be a nice addition to the park. No action taken.

*Building and Zoning Permit from Butter Solar:* Adam removed himself from the meeting at this time. Biddick stated that we received an application from Butter Solar last week to construct a solar farm and the next step was for notices restricting adjacent landowners; however, Butter Solar is not going to restrict any

landowners. Following that is Council Approval and attached is Hampton's letter to the Council regarding what is required. Walker asked if the applicant can change the restrictions later, and Biddick stated that they cannot restrict someone who already has something approved. The only land affected right now is Wiederholt farm. Biddick stated that in Arcadia, they worked with the landowner and came to agreements with them, and that is what they will do in this case as well. That will then be recorded and it is something outside of this process. Biddick stated that according to the new zoning code, the permitting process requires council approval. Hampton included one contingency in the letter, the site plan is marked preliminary and that a final plan be submitted and attached to the zoning permit. Motion by Streif, second by Walker to approve contingent upon final site plan being submitted and accepted by Building and Zoning Administrator. Upon roll call vote, all alderpersons present voted aye. Carried 6-0.

Citizens Present: None.

Mayor Communications:

Announcements for next council meeting or committee meetings.

Personnel & Administrative – 9/26/2018 at 6 pm

Finance & Progress – When date is closer, check with members for availability.

Infrastructure & Property – None at this time.

Motion by Boebel, second by Streif to adjourn at 7:40 pm. Carried 6-0.

This meeting was adjourned at approx. 7:40 p.m.

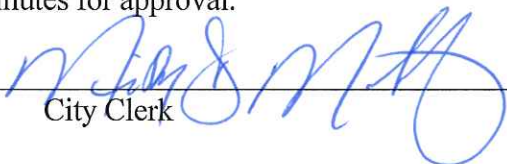
  
\_\_\_\_\_  
City Clerk

I hereby approve all actions of the City Council except \_\_\_\_\_

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Mayor

I certify that I have submitted the above minutes for approval.

  
\_\_\_\_\_  
City Clerk