

**CITY OF ANTIGO  
COMMON COUNCIL  
APRIL 13, 2016**

Common Council of the City of Antigo met in regular session on the above date at 6:00 p.m. in the Council Chambers, City Hall, Mayor Brandt presiding.

Roll Call – Present: Alderpersons Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak and D. Bauknecht. Absent: Dunn.

Mayor Brandt excused Alderperson Dunn.

Department Managers in attendance were: Mark Desotell, Director of Administrative Services; Kaye Matucheski, Clerk-Treasurer; Robert Piskula, Street Commissioner; James Pike, Communication and Technology Supervisor; Jon Petroskey, Fire Chief; Roger Musolff, Building Inspector/Zoning Administrator; Charley Brinkmeier, Land Surveyor/Project Manager; and Sarah Repp, Parks, Recreation, and Cemetery Supervisor.

Others in attendance were: Michael Winter, City Attorney; Jeanne Jensen, Deputy Clerk-Treasurer; Fred Berner, Antigo Daily Journal; Tommy Horswill and Bill Obenauf, Infrastructure Alternatives; Scott Martin, MSA Professional Services; Jake Leiterman, Antigo School District; Nick Wachtel; Katy Schmutzer; Mary Spychalla; Jayne Paulson; Trent Meyer; Danielle Meyer; Susan Arrowood; Terry Brand; Bonnie Brand; Jim Andraschko; and Jim Alfonso.

The Pledge of Allegiance was recited followed by a moment of silent meditation.

Alderperson Bugni moved, Alderperson Darling seconded, to approve the minutes from the March 9, 2016, meeting. Carried.

### **Citizen Comments**

Mayor Brandt talked to Danielle Meyer, 810 Arctic Street, referring her request to discuss the City's pitbull ordinance to the Finance, Personnel, and Legislative Committee.

Jim Alfonso, 312 Sunset Drive, addressed Council regarding sidewalk installation along Sunset Drive. Mr. Alfonso referenced a letter he received from the City on April 7th which states the proposed sidewalk is a done deal. He stated he feels the City should spend this money in better areas. He commented on several rumors being heard. He stated he observed pedestrian patterns for six days with very low activity. Mr. Alfonso suggested sidewalk be placed along Elm Street because he thinks more students walk that street.

Mary Spychalla, 118 Sunset Drive, addressed Council regarding sidewalk installation along Sunset Drive. She commented on a sentence in the letter received from the City regarding "There is no initial cost to the property owner" and asked for an explanation of what is meant by initial cost. If the sidewalk goes in, it needs to be maintained by the property owners. She questioned why do Tenth Avenue property owners not need to maintain their own sidewalks as the school maintains theirs? Ms. Spychalla also questioned what will happen to the mill rate and taxes if sidewalk is installed. She noted she has seen about three kids walking in the morning. She also saw three kids walking home in the afternoon. She stated she feels the kids are not walking down Sunset Drive and feels it is a waste of money to put in sidewalks.

Mayor Brandt noted he has no idea why the school is maintaining the sidewalks along Tenth Avenue as it is no agreement the City reached with anyone. Charley Brinkmeier, Land Surveyor/Project Manager, explained initial costs cover the installation of the sidewalks but would not cover future maintenance or replacement. Future replacement costs would be billed at 75% to the property owner with the City paying 25%. Mark Desotell, Director of Administrative Services, explained installation of sidewalk will not affect the assessed value of property.

Jayne Paulson, 124 Sunset Drive, stated she agrees with everything Ms. Spychalla had to say and did not need to address Council separately.

April 13, 2016

Nick Wachtel, 218 Sunset Drive, noted he has seen minimal foot and car traffic along Sunset Drive and he walks regularly. He stated he concurs with Mr. Alfonso and Ms. Spsychalla. He noted he does not see the necessity of putting in these sidewalks.

Terry Brand, 224 Sunset Drive, noted his biggest concern is lack of notice received or input accepted from the property owners affected along Sunset Drive. He referenced ordinance 38.266 regarding no parking along Sunset Drive during school days. He stated he never heard of any incidents of pedestrian/vehicle accidents. He asked where will snow go when plowed? He noted concerns with losing off street parking area when not allowed to park on street. He stated the Safe Routes to School study referenced in the letter received from the City expired in 2015, and was dropped along the way. He stated he feels it needs to be updated and completed.

Glenn Bugni, 516 Sunset Drive, noted he is the Seventh Ward Alderperson. He stated he felt there was not much notice to property owners so he felt an obligation to let the people on the west side of Sunset Drive know. During his discussions, he found one person that was indifferent with everyone else being opposed. He stated he does not feel there is a problem to walk without sidewalks and feels the money could be better used to improve additional roadways. Mr. Bugni then read a statement he received from Steve and Lynn Fermanich, 302 Sunset Drive, wondering reasoning for putting in sidewalk twenty-two years after the high school was built.

Mayor Brandt noted it was not required to bring this item to Council as it is budgeted but he felt it needed to be for input from the residents affected.

Jake Leiterman, W6782 Rabe Lane, representing the School District as Supervisor of Buildings and Grounds, stated he cannot speak about the smartest decisions for dollars being spent but that the School District feels safety of children is most important. He noted his concerns with the safety of children and that the school would support all safety improvements. He further commented as far as he knows there are no verbal or legal agreements for maintaining the sidewalks along Tenth Avenue but the groundskeeper drives down the road next to the curb from the High School to the Middle School with the machine so it is safer to travel on the sidewalk therefore clearing it as he goes. He stated he does not want to speak against those that live on Sunset Drive but wanted to state the importance of safety for the children.

There were no other individuals wishing to address Council.

### **Update on Citizen's Referrals from Previous Council Meeting**

No previous referrals were reported on.

## **CONSENT AGENDA**

### **Resolutions**

#### **Resolution No. 034-16 re Approving Operator's Licenses**

BE IT RESOLVED BY THE COMMON COUNCIL, City of Antigo that an Operator's License be issued to Frances A. Guth, Russell Sorano, Daniel D. Buck, Stephen M. Baake, Sharon Goeks, Susan R. Rine, and Cory D. Olson pursuant to payment of fees.

#### **Resolution No. 035-16 re Approving Waiver of Bidding Requirements Under the Special Purpose Clause for Primary Clarifier Centerdrive Replacement**

WHEREAS, Infrastructure Alternatives Inc. (IAI) assists the City of Antigo as part of our joint agreement for the Operation and Maintenance of the Water and Wastewater Treatment Facilities in the planning and implementation of CIP projects including the 2016 project scheduled for the replacement of the center drive mechanism associated with Primary Clarifier #1 at the Wastewater Treatment Plant; and,

WHEREAS, IAI has provided the City of Antigo with a summary letter identifying the project parameters, associated costs, necessary material suppliers, sub-contractors and coordination with the Wisconsin Department of Natural Resources; and,

WHEREAS, in order to complete the proposed Primary Clarifier #1 replacement project with funds already dedicated within the City's 2016 Capital Equipment/Improvement Plan (CIP) Budget for the Wastewater Treatment Plant; IAI has recommended the following:

April 13, 2016

- Projected Costs for 2016 Primary Clarifier Project
  - Materials & Equipment purchased by City \$107,100
  - IAI Additional Labor (no charge/current staff) \$ 18,200
  - Subcontractor Services \$ 28,500
  - Misc. Expense (i.e. crane rental & etc.) \$ 6,200

**Total Project Cost = \$160,000**

WHEREAS, the project has been approved by the Public Works Committee as the funds were budgeted in the 2016 CIP; however, a request has been made to waive the bidding requirement as the City's purchasing policy allows for exceptions under Section 3 for special purposes and this is considered a special purpose due to the IAI agreement.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize Infrastructure Alternatives Inc. to act on behalf of the City of Antigo as the project's construction management consultant and contractor in order to advance the Primary Clarifier #1 project; and,

BE IT FURTHER RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to waive the City's bidding requirement under the Exceptions to Bidding Requirement (Section 3 for Used or Special Purposes of the City's Purchasing Policy) and to authorize the Mayor and Clerk-Treasurer to execute the necessary project documents in conjunction with Infrastructure Alternatives.

(Committee Approved 3-0, Absent 2)

**Resolution No. 036-16** re Notice to Riparian Landowner Steve Martyn to Address the Maintenance and Repair to an Approximate 25 Foot Section of Retaining Wall Located on the West Side of Springbrook Creek

WHEREAS, the City of Antigo has identified the need for riparian landowner Steve Martyn to address the maintenance and repair to an approximate 25 foot section of retaining wall located on the west side of Springbrook Creek approximately 150 feet north of the center of Sixth Avenue; and,

WHEREAS, Wisconsin State Statute 30 Navigable Waters, Harbors and Navigation under Section 30.30(3)(b) Dock Walls and Shore Protection Walls requires that the Board of Harbor Commissioners if such Board has been established by the Municipality, or the local legislative body if no such Board has been created shall make a determination by resolution; and,

WHEREAS, it has been determined that the retaining wall failure along the property held by riparian owner Steve Martyn presents a significant threat to public safety and welfare while being of significant blight to the community; and,

WHEREAS, it is the recommendation of staff that commencement of repairs for this section of retaining wall be started no later than August 1, 2016 in a manner that returns the field stone retaining wall back to its original condition and alignment in a mortar bed sufficient to prevent further degradation while also replacing the concrete wall cap to provide necessary lateral stability; and

WHEREAS, the property owner shall receive a certified copy of this resolution by registered mailing and shall have until August 1, 2016 to notify the City of Antigo that work will be commenced and completed as specified in the resolution; and,

WHEREAS, failure to complete said repairs will cause the matter to be turned over to the City's Attorney for filing with the Circuit Court for further action; and,

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to provide notice by certified resolution via registered mailing to riparian landowner Steve Martyn requiring the commencement of repairs by August 1, 2016 to the failed retaining wall section located along the west side of Springbrook Creek approximately 150 feet north of the centerline of 6<sup>th</sup> Avenue; and,

BE IT FURTHER RESOLVED, the City Attorney is authorized to seek enforcement through Langlade County Circuit Court upon failure the riparian landowner Steve Martyn to complete the stated repairs.

(Committee Approved 3-0, Absent 2)

**Resolution No. 037-16** re Approval of Waiver of Insurance Requirements and Event Permit Fee for Langlade County Salvation Army Rummage Sale

WHEREAS, the Park, Recreation, & Cemetery Supervisor has received a request to waive the Salvation Army of Langlade County event permit fees and insurance requirements for their City Wide Rummage Sale held June 4, 2016, and

WHEREAS, this event is free to the public, is hosted by a non-profit organization, and proceeds will be used to benefit area residents.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize waiving the event permit fees and insurance requirements for the Salvation Army of Langlade County on June 4, 2016.

(Committee Approved 6-0)

**Resolution No. 038-16** re Approval to Waive Event Permit Fee for Antigo Fillies Youth Softball Tournament

WHEREAS, the Park, Recreation, & Cemetery Supervisor has received a request to waive the Antigo Fillies Fastpitch event permit fees for their 2016 Youth Softball Tournament held July 8-10, 2016, and

WHEREAS, this event is a weekend tournament so this would benefit restaurants, hotels, shopping outlets, etc.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize waiving the event permit fees for Relay for Life on August 19-20, 2016.

(Committee Approved 6-0)

(NOTE: Resolution No. 038-16 was amended. See below.)

**Resolution No. 039-16** re Approving Waiver of Bidding Requirements Under the Special Purpose Clause from Ruekert Mielke and their Subcontractors to Complete a Public Tree Inventory and Update GIS Accordingly

WHEREAS, the City of Antigo created a purchasing policy providing guidelines for bidding; with an exception for special purchase items, and,

WHEREAS, Ruekert Mielke has been approved by the Park, Cemetery and Recreation Commission to provide services to update the current tree inventory in public right-of-ways, parks, and cemeteries, which qualifies as a special purchase item, and,

WHEREAS, the City of Antigo currently works with Ruekert Mielke for the management of the GIS mapping software; and,

WHEREAS, Ruekert Mielke will provide continuity of services and electronic information; and

WHEREAS, the project is a budgeted item and 50% will be covered by an urban forestry grant, so the city's cost will be approximately \$9,500.00,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL, City of Antigo, to waive the bidding policy and utilize Ruekert Mielke's services to complete the tree inventory.

(Committee Approved 6-0, Absent 1)

**Resolution No. 040-16** re Approving Letter of Support for a Shelter/Trailhead Facility in Langlade County near Elcho

WHEREAS, the City of Antigo Park, Cemetery and Recreation Commission approved a letter of support for facility upgrades that include a shelter/trailhead facility at the Langlade County Park that functions as a recreational area for Moccasin Lake Ski Trails,

WHEREAS, the letter of support shows cooperation and collaboration between the city and the county, and

WHEREAS, Langlade County has been supportive of City of Antigo recreational projects, which has provided the city opportunities for grant funding, and

April 13, 2016

WHEREAS, with the City of Antigo Common Council's support we can collectively continue to promote the community to visitors, potential new businesses, and employees, and, offer another opportunity for low cost and diverse recreational opportunities,

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL, City of Antigo, to provide a letter of support for facility upgrades that include a shelter/trailhead facility at the Langlade County Park that functions as a recreational area for Moccasin Lake Ski Trails.

(Committee Approved 6-0, Absent 1)

### **Communications**

Reports from the department managers and agencies (placed on file).

Proclamation Proclaiming April 5, 2016 as National Service Recognition Day.

Mayor Brandt removed Resolution No. 038-16 from the Consent Agenda.

Aldersperson T. Bauknecht moved, Aldersperson Darling seconded, to approve the Consent Agenda as amended.

Ayes to approve the Consent Agenda as amended were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak, and D. Bauknecht. Noes were: None. Absent: Dunn. Carried.

Aldersperson Kassis moved, Aldersperson Darling seconded, to approve Resolution No. 038-16.

Aldersperson Darling moved, Aldersperson Kassis seconded, to amend Resolution No. 038-16 to change the name and date in the last paragraph. Carried.

### **RESOLUTION NO. 038-16**

WHEREAS, the Park, Recreation, & Cemetery Supervisor has received a request to waive the Antigo Fillies Fastpitch event permit fees for their 2016 Youth Softball Tournament held July 8-10, 2016, and

WHEREAS, this event is a weekend tournament so this would benefit restaurants, hotels, shopping outlets, etc.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize waiving the event permit fees for ~~Relay for Life on August 19-20, 2016~~ the 2016 Youth Softball Tournament to be held July 8-10, 2016.

(Committee Approved 6-0)

Ayes to approve Resolution No. 038-16 as amended were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak, and D. Bauknecht. Noes were: None. Absent: Dunn. Carried.

## **NEW BUSINESS**

### **Resolutions**

**Resolution No. 041-16** re Amendment to State/Municipal Agreement for the Eighth Avenue Springbrook Bridge

WHEREAS, the City of Antigo received a fully-executed State Municipal Agreement (SMA) from the Wisconsin Department of Transportation (WisDOT) dated January 31, 2014 for the design and construction of the Eighth Avenue Bridge over Springbrook Creek; and,

WHEREAS, the City initially sought matching funds (80%) from WisDOT for the inclusion of architectural form liners in a "field-stone" pattern on the outside bridge fascia and exposed areas of the retaining walls and was subsequently denied by WisDOT due to a lack of program funds for local projects; and

April 13, 2016

WHEREAS, the third party Management Consultant for WisDOT, Cedar Corporation, contacted staff in March indicating that funding for the use of architectural form liners was now available for local bridge projects and subsequently initiated a revised SMA document allowing for the 80% funding of the additionally proposed work; and

WHEREAS, the Public Works Committee met on March 23, 2016 and approved the revised SMA in order to accommodate the inclusion of architectural form liners.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo to approved the revised State Municipal Agreement with the Wisconsin Department of Transportation for the inclusion of architectural form liners for the Eighth Avenue Bridge over Springbrook Creek with 80% State funding and 20% local funding.

(Committee Approved 2-1, Absent 2)

Mayor Brandt referred Resolution No. 041-16 back to the Public Works Committee as the State has other problems with the agreement.

**Resolution No. 042-16** re Approving Reduction in Monthly Payment on Lease between the City of Antigo and Duffek Sand and Gravel, Inc.

WHEREAS, Duffek Sand and Gravel, Inc. has a public improvement loan with the City of Antigo for their facility at 1625 West Center Street with monthly payments of \$10,830.76, and,

WHEREAS, Duffek has requested a decrease in the monthly payment amount as they have closed a portion of their business which has caused the annual revenue to decrease, and,

WHEREAS, by lowering the monthly payments, Duffek will be able to maintain operating funds for the remaining portion of the business, and,

WHEREAS, the Economic Development Committee approved a decrease in the monthly payment amount to \$7,000 per month.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize the decrease of the public improvement loan payment for Duffek Sand and Gravel, Inc. to \$7,000 with payments to be applied to interest first.

BE IT FURTHER RESOLVED, this payment decrease is effective for one year and will be reviewed at that time.

(Committee Approved 6-0, Absent 1)

Aldersperson Balcerzak moved, Aldersperson Darling seconded, to approve Resolution No. 042-16.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak, and D. Bauknecht. Noes were: None. Absent: Dunn. Carried.

**Resolution No. 043-16** re Approval of New Sidewalk Construction on the West Side of Sunset Drive

WHEREAS, the City of Antigo has identified a priority to improve pedestrian traffic safety along Sunset Avenue from Fifth Avenue to Tenth Avenue with a sidewalk connecting residential neighborhoods to the sidewalk located along Tenth Avenue connecting to the Antigo High School campus; and,

WHEREAS, the Public Works Committee discussed the need to improve pedestrian safety along this Sunset Drive corridor at their January 27, 2015 meeting; and,

WHEREAS, Sunset Drive is scheduled for asphalt surface reconstruction from Fifth Avenue to Eighth Avenue in 2016 as part of Wisconsin Department of Transportation's (WisDOT) Local Road Improvement Program (LRIP) under the Municipal Street Improvement Program (MSIP) category with the remaining portion from Eighth Avenue to Tenth Avenue anticipated for reconstruction in 2017; and

WHEREAS, the Public Works Committee met on March 23, 2016 to consider the parameters for the inclusion of new sidewalk along one side of Sunset Drive in conjunction

April 13, 2016

with the 2016 asphalt surface reconstruction project and approved the west side location based on the available space and fewer construction conflicts.

NOW, THEREFORE, BE IT RESOLVED, BY The COMMON COUNCIL, City of Antigo, to approve the priority installation of new sidewalk along the west side of Sunset Drive starting from Fifth Avenue moving south towards Tenth Avenue to an extent allowable within the existing program funds already budgeted in 2016 with any remaining unfinished portions to be considered for completion within the 2017 budget process; and,

BE IT FURTHER RESOLVED, BY THE COMMON COUNCIL, City of Antigo that said costs for the placement of this priority sidewalk, including any associated costs for driveway apron impacts requiring reconstruction, will be funded 100% by the City under Chapter 34/Article II Public Works Streets and Sidewalks, Section 34-40 (3)(a) for infill of sidewalks considered a high priority with no cost to the adjoining property owners.

(Committee Approved 3-0, Absent 2)

Aldersperson Kassis moved, Aldersperson Balcerzak seconded, to approve Resolution No. 043-16.

Aldersperson Kassis moved, Aldersperson Darling seconded, to amend Resolution No. 043-16 to remove "with any remaining unfinished portions to be considered for completion within the 2017 budget process" and end the paragraph at 2016. Carried.

Aldersperson Bugni stated he feels it behooves Council to further study this issue and send back to committee.

Aldersperson Bugni moved, Aldersperson Feller Gottard seconded, to refer Resolution No. 043-16 back to the Public Works Committee.

Ayes were: Kapusta, Feller Gottard, Bugni, and D. Bauknecht. Noes were: Darling, Kassis, T. Bauknecht, and Balcerzak. Tie vote. Mayor Brandt voted Aye. Carried.

### **Ordinances**

**Ordinance No. 1277B** Ordinance Amending Section 185-326 of the Municipal Code of the City of Antigo Excepting Sixth Avenue Between Superior Street and Field Street from the Street Use Petition

Aldersperson Darling moved, Aldersperson Balcerzak seconded, to approve Ordinance No. 1277B.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak, and D. Bauknecht. Noes were: None. Absent: Dunn. Carried.

**Ordinance No. 1278B** Ordinance Amending Section 2-932(g) of the Municipal Code of the City of Antigo Adding Subsection (30) to Add the Period of Retention and Destruction of Fire/Ambulance Records

Aldersperson Balcerzak moved, Aldersperson Bugni seconded, to approve Ordinance No. 1278B.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak, and D. Bauknecht. Noes were: None. Absent: Dunn. Carried.

### **Licenses**

Dance Hall License for Annaville Purdun dba Belle's Smokehouse, LLC (contingent upon completion of inspections)

Aldersperson Kassis moved, Aldersperson Balcerzak seconded, to approve a dance hall license for Annaville Purdun dba Belle's Smokehouse, LLC. Carried.

**MISCELLANEOUS BUSINESS**

**Payment of Bills**

Aldersperson Darling moved, Aldersperson Bugni seconded, that Direct Deposits for March 11 and 25, 2016, payrolls, City First Merit Bank Accounts Payable Check Nos. 62555-62802, both inclusive, and Self-Funding Health Insurance Check Nos. 1880-1882, both inclusive, be allowed as approved by the Mayor; and the Clerk-Treasurer be directed to pay the same.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Bugni, Balcerzak, and D. Bauknecht. Noes were: None. Absent: Dunn. Carried.

**Committee Referrals**

Mayor Brandt noted ground breaking at Hydratight will be at 9:00 a.m. on Friday morning and asked Alderspersons to let Mark know tonight if they will be attending.

Aldersperson Darling referred no parking on Sunset Drive to the Finance, Personnel, and Legislative Committee.

Mayor Brandt noted the Council Reorganizational meeting will be Tuesday, April 19<sup>th</sup> at 5:00 p.m.

Mayor Brandt noted the Sixth Ward Aldersperson position will be discussed at the Finance, Personnel, and Legislative Committee next Wednesday.

There were no other committee referrals.

**Adjournment**

Aldersperson Kassis moved, Aldersperson Bugni seconded, to adjourn at 6:40 p.m. Carried.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk-Treasurer