

March 14, 2017

The regular meeting of the Common Council of the City of Fountain City was called to order at 7:00 pm on Tuesday, March 14, 2017 by Mayor Kevin Hutter. Alderpersons present: Judith Ganger, Barb Schmidtknecht, Sol Simon, Bobbi Farrand and Gwen Katula. Absent: John Sagan. Others present: David Brommerich, Ann Murphy, Ann Bohri, Keith Slocum, Claire Waters, Mike & Kelly Lynch, Delton Hoyt, Cally Ligman, Chris Pickering, Bill Katula and Richard & Colleen Kennerly.

Motion Sol, second Bobbi, all alderpersons agreed to approve the minutes of the February 14, 2017 regular Council meeting as submitted. Motion carried.

Citizens: Claire – 2nd annual Salute to Rhubarb to be held 9-5pm on June 3rd with rhubarb tasting, perennial sales, fresh rhubarb & baked goods, new games including adult kickball and more. Cally – top of slide there is a little crack. Richard – parking concerns on his block; wondering how many cars can you have? Ann – street sweeping and sand.

Delton Hoyt, Police Officer, presented the Council with a report from Feb. to current. He noted twenty-six parking citations, twenty calls for service, boat landing funds collection, and revamping of police department facilities.

Keith Slocum, Public Works Supervisor, noted that his departmental personnel would be taking classes in April, getting ready for spring, bids for repairs and street sweeping.

Committee Discussions: Streets-Roads/Recycling: Met on Feb. 23rd about ordinance information for the public hearing and street sweeping. Park-Rec/Tourism/City Properties/Cemetery: Ordered hanging baskets, no banners this year & cemetery flowers. Finance: Met on March 8th for insurance renewal and sewer rate analysis. PZED: Meeting on Thurs. at 6pm about lawn/weed ordinance. WWTP Plan Committee: Met on Feb. 28th with overview; projected finish in Sept.; change orders; alternative company found to do roofs; if extra money will reline 1000' pipes; SOP training to happen possibly in May for PW employees. Public Works: Support staff in getting certifications; keeping overtime down; additional well options with approach taken to plan for what it will take in the future; good idea to finish sewer projects first. Mayor's Report: Commended both Cally and Richard, who both are running as write-in candidates for first ward alderperson, for coming to the meetings to get information; public hearing went well with people being respectful and their comments didn't fall on deaf ears. Gwen ED: First meeting is March 22nd at 4pm. Seven members are: Bill Katula, Paul Lorenz, Liz Bremer, Amanda Burrows, Laura Nilles, Neil Isakson and Brian Semling.

Motion Sol, second Barb, all alderpersons agreed to refer the Census agenda items going forward to the Planning-Zoning/Economic Development Committee. Motion carried. All felt we need to move forward as population impacts funding.

After a lengthy discussion of the options with regard to a snow event ordinance, motion Gwen, second Judith, all alderpersons agreed to direct the Public Works Supervisor to modify the parking signs to include the time of day. Motion carried. An ordinance was not recommended at this time.

Motion Sol, second Bobbi, all alderpersons agreed to take a 15 minutes recess at 7:48pm. Motion carried. The meeting was called back to order at 7:56pm by Mayor Hutter.

Discussion of a proposed dumpster ordinance included: business/resident resistance and opposed; parking issues with regard to dumpsters; time limit; tie to building permit, and recourse through health/safety. An ordinance was not recommended at this time.

Discussion of proposed Mill Street ordinance included: warrants revisiting; John Schlesselman's thoughts on Corp. of Engineers responsibility; Bob Platteter's shared thoughts on appropriate charges, and Streets/Roads-Recycling Committee was encouraged to pursue this.

Mayor Hutter adjusted the agenda to address Mike Lynch's request for a livestock permit, culvert information and tent pads next. Property is zoned residential and it was suggested by one alderperson to poll his neighbors. This area doesn't allow animals he has requested. He would like five turkeys in a coop and a goat fenced in. Drain holes on culvert is plugged – Public Works will investigate. Also, wants to erect tent pads framed on hillside with wood chips. Sol noted that this would fall more within the scope of landscaping and a building permit is not required.

Motion Gwen, second Judith, all alderpersons agreed to approve R.J. Jurowski's contractor's application for payment no. 7 of \$250,679.52 for the WWTP project. Motion carried.

Motion Gwen, second Barb, all alderpersons agreed to approve R.J. Jurowski's change order #4 of \$114,168 for piping for the WWTP project. Motion carried.

Motion Gwen, second Judith, all alderpersons, except Sol who opposed, agreed to approve R.J. Jurowski's change order #5 of \$10,825 to install unit heater and piping for building 100. Motion carried. Sol would have liked to get a second bid, but Kevin did not, as he was told waiting would cost us more in the long run. Per Kevin, John Schlesselman felt this needs to go forward as the price is only good while the raw sewage is out of the plant.

Motion Sol, second Bobbi, all alderpersons agreed to renewal of City insurance for \$17,257 with the Badger Agency effective 4/1/17. Motion carried. It was advised to move forward in getting bids in the future, but felt the property list should be up-to-date before soliciting other bids.

Motion Sol, second Barb, all alderpersons ratified the Mayor's appointment of Joe Drazkowski as an alternate to the Board of Appeals to replace Jake Abts who wished to retire. Motion carried.

Motion Sol, second Gwen, all alderperson agreed to a sewer rate increase to \$150/quarter per REU (residential equivalency unit) effective with first quarter 2017, with the exception of Bobbi, who was opposed. Motion carried. The Mayor thanked the Finance Committee members and Clerk-Treasurer for their hard work in crunching numbers and getting it down from \$160 to \$150/quarter.

Motion Gwen, second Barb, all alderpersons agreed to send out a sewer rate increase letter created by Barb, as amended by Council, and to be placed on Fountain City letterhead to all residents using the sewer system. The recommendation was to get the letters out yet this week. Motion carried.

The repeal of City Ordinance number six was discussed at length as initiated by Sol. The discussion turned to the validity of this ordinance as well as numbers 4, 13, 13A & 13B. Sol believes they all establish sewer rates that haven't been repealed, and without a legal opinion, we are liable. The Mayor advised that the Clerk did solicit a legal opinion and that previous rate increases did not require repeal of an ordinance. The purpose of the ordinance did not change, just the rate associated with it. Sol made a motion to seek written legal opinion from the City attorney. That motion failed for lack of a second. Bobbi read through the ordinances and believes they were repealed with the exception of 13B, and Gwen stated she didn't know the legality, but doesn't feel it justifies seeking a legal opinion based upon the precedence set with past Mayor/Councils adjusting rates without repealing the respective ordinance. Gwen made a motion to table this agenda item, and then after the information from Bobbi regarding that all ordinances had been repealed, she withdrew that motion and noted that she felt that all Council members should review this issue on their downtime and place it on the agenda next month if it is warranted that it needs further attention.

Motion Bobbi, second Sol, all alderpersons agreed that it was their desire to support the Buffalo County Humane Society and to work in conjunction with them in the disbursement of funds pointed out this evening through Buffalo County. Motion carried. (Ann Murphy left at 9:45pm.)

The review of the existing ordinance on stray dogs as per the agenda item was discussed. Sol noted that the article of Ordinance #48 pertaining to running at large allows: 1) capture by private citizen; 2) capture by police; 3) notify owner if known; 4) notice to C-FC Recorder to redeem within 5 days and 5) disposal of dog after that time period. Gwen feels we are in good hands, especially now that we are working with the Humane Society. No action was taken.

Motion Sol, second Barb, all alderpersons agreed that all Council members would receive agendas as a notice of all committee meetings. Motion carried. Barb had requested this to keep the entire Council in the loop as committee agendas aren't on the website. In the past, only the members of that committee and the Mayor were sent the agenda, not the entire Council.

Motion Judith, second Gwen, all alderpersons agreed to pay the bills presented. Motion carried.

Motion Judith, second Barb, all alderpersons agreed to adjournment at 9:57pm. Motion carried.

Respectfully submitted,

Janet LaDuke, Clerk-Treasurer