

COMMON COUNCIL
October 5, 2010

A regular meeting of the Common Council was called to order at 7:02 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Wiegand, Vandertie, Lodi, Abeyta, Mann, Benzshawel, and Schlicht were present.

Lodi/Mann to adopt agenda. Carried.

The Council reviewed the unfinished business list.

Abeyta/Lodi to approve following bills: General Fund - \$49,893.23, Capital Fund - \$259,775.31, Cable TV - \$5,829.93, TID #2 - \$363.00, TID #3 - \$95,005.22 and Solid Waste Enterprise Fund - \$4,284.30 for a grand total of \$415,150.99. Roll call: All voted aye. Carried.

Benzshawel/Schlicht to approve consent agenda:

- a. Approval of 9/21/10 regular Common Council minutes.
- b. Approval of the following minutes:
 - (1) Personnel Committee – 9/15/10
 - (2) Personnel Committee Closed Session – 9/15/10
 - (3) City Plan Commission – 9/15/10
 - (4) Parking & Traffic Committee – 9/20/10
 - (5) Finance/Purchasing & Building Committee – 9/21/10
 - (6) Zoning Board of Appeals – 9/27/10
 - (7) Harbor Commission – 9/22/10
- c. Place following report on file:
 - (1) Community Service Officer Report – August 2010
- d. Consideration of: Beverage Operator licenses.

Carried.

The Mayor made the following appointment: Joe Stutting to Cable Communication System Advisory Council. Abeyta/Schlicht to confirm. Carried.

Wiegand/Schlicht to approve first reading of ordinance as follows:

Section 1: The following described property is hereby conditionally rezoned from Single-Family Residential (R-1) to Two-Family Residential (R-3):

New High Estates No. 2, Lots 8 & 9 in Block 9.

Property Address: 405 N. 18th Avenue, tax parcel # 281-36-21090801

Section 2: The rezoning of the property described in Section 1 above shall be subject to the following conditions:

- The design of the addition to create a two-family dwelling shall be consistent with the submitted plan.
- Occupants shall be limited to immediate family members.
- The zoning classification shall revert to R-1 upon the sale of the property, or when the new dwelling unit is no longer occupied by an immediate family member, or after four years, whichever occurs first.

Wiegand/Schlicht to amend the motion to add:

- The use of the premises shall revert to a single-family dwelling upon the sale of the property or when the new dwelling unit is no longer occupied by an immediate family member, whichever occurs first.

Vote taken on the amendment. Carried. Vote taken on the original motion as amended. Carried.

Community Development Director Marty Olejniczak summarized the Amendment to the Memorandum of Understanding. Discussion took place regarding whether there would be sign or flashing warning lights of the upcoming roundabouts, the timetable of the improvements, and the long range plan for the DOT. Benzshawel/Abeyta to approve the 9/3/2010 Amendment to the Memorandum of Understanding dated April 17, 2001. Roll call: Wiegand, Vandertie, Abeyta, Benzshawel, and Schlicht voted aye. Lodl and Mann voted no. Carried.

RECOMMENDATION

We, the Parking & Traffic Committee, hereby recommend to approve the purchase of 2 "No Parking, Stopping, Standing At Any Time from 7:00 a.m. to 4:30 p.m. on School Days" to be installed on the south side of Maple Street from 100' west to 200' east of the crosswalk.

PARKING & TRAFFIC COMMITTEE

By: Stephen C. Mann, Chr.

Introduced by Mayor Birmingham. Mann/Benzshawel to adopt. Mann/Abeyta to amend the motion to change 200' to 165'. Vote taken on the amendment. Carried. Vote taken on the original motion as amended. Carried.

RECOMMENDATION

We, the Parking & Traffic Committee, hereby recommend to increase the speed limit to 35 mph in the Industrial Park in the following areas: Neenah Avenue from Deck Street to Wilson Road and from Shiloh Road from the south city limit to a point 1,200' to the north.

PARKING & TRAFFIC COMMITTEE

By: Stephen C. Mann, Chr.

Introduced by Mann. Mann/Benzshawel to adopt. Carried with Abeyta voting no.

No one spoke during public comment.

The Mayor made his comments.

After the Mayor announced the statutory basis, Benzshawel/Schlicht to convene in closed session in accordance with the following exemption: Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Wis. Stats. 19.85(1)(c) Consideration of: Police Chief compensation/benefits. Roll call: All voted aye. Carried. The meeting moved to closed session at 7:36 p.m. and reconvened in open session at 8:18 p.m. Abeyta/Benzshawel to compensate Police Chief Porter in parity with Fire Chief Herlache in the salary amount of \$75,673.04 effective immediately. Schlicht/Lodl to amend the motion to go back to the date of appointment by the Fire & Police Commission of August 28, 2010. Roll call: Lodl and Schlicht voted aye. Wiegand, Abeyta, Mann, and Benzshawel voted no. Motion failed. Vote taken on the original motion. Roll call: Wiegand, Lodl, Abeyta, Mann, Benzshawel, and Schlicht voted aye. Carried.

Lodl/Abeyta to adjourn. Carried. The meeting adjourned at 8:27 p.m.

Respectfully submitted,

Stephanie L. Reinhardt
City Clerk