

**Minutes of the Public Hearing held on Tuesday, May 8, 2018 Pursuant to Notice Duly Given:**

The Public Hearing was called to order by Mayor Heier at 5:45 p.m.

Present were Mayor Heier, Al Schreiber, Roger Reed, Kim Bronikowski, Robert Le Breck, Dean Reed, Sara Perrizo, Mike Rehberg, Joe Last, John Reed, Deputy Clerk/Treasurer Julie Galik and other interested parties.

The agenda of the public hearing was as follows:

Exercise of police power in accordance with 66.0703, Stats. to levy special assessments upon property on

Lindsey Avenue and Washburn Avenue

for benefits conferred upon the property by the improvement of the following streets and the installation of Sidewalks, Curb & Gutter, Driveway Aprons and Storm Laterals for OC-18-3.

Mayor Heier asked three times for input. None was received.

**Moved by Schreiber, seconded by Bronikowski to close the public hearing at 5:47 p.m.  
Motion carried upon verbal voice vote.**

**5 ayes**

**Immediately Following: Regular Meeting of the City Council Pursuant to Notice Duly Given:**

1. Meeting called to order by Mayor Heier at 5:48 p.m.
2. Roll Call: Mayor Heier, Roger Reed, Dean Reed, Al Schreiber, Kim Bronikowski, Robert Le Breck, Jean Feldt (arrived at 6:44 p.m.), Attorney Calvert  
Also Present: Fire Chief John Reed, Interim Police Chief Mike Rehberg, Building Inspector Joe Last, Sara Perrizo, Administrator and as recording secretary and other interested parties
3. Invocation and Pledge of Allegiance by Alderperson D. Reed
4. Approval of Agenda  
**Moved by Schreiber, seconded by Le Breck to approve the agenda as presented.  
Motion carried upon verbal voice vote.** **5 ayes**
5. Approval of Minutes as Presented from City Council and any Special Council Meetings  
**Moved by D. Reed, seconded by Bronikowski to approve the minutes as presented.  
Motion carried upon verbal voice vote.** **5 ayes**
6. Approval of Department Reports as Presented  
**Moved by Schreiber, seconded by Bronikowski to approve the department reports.  
Motion carried upon verbal voice vote.** **5 ayes**
7. Correspondence/Public Input.
  - a. Special City Council Meeting – May 22, 2018 at 5:45 p.m.  
Perrizo explained that this meeting will be to address the resolution for an upcoming CDBG grant that Newcap has requested the City apply for on its behalf.

Justin Ingalls, 145 Van Dyke St, feels that there should be a process established to have the City pay for the cost of things that are normally assessed to property owners. He opined that having

to pay for assessments puts some people in “impossible” positions financially. Ingalls also spoke on the city noise ordinance and the requests to waive it that are on this agenda. He believes that people have the right to enjoy their property without being disturbed and stated that someone else’s wants should not impinge on others’ rights.

Paul LeTourneau, 1441 Kord Court, thanked the City for its support of the Miles4Madison event. Alderperson Schreiber thanked LeTourneau and his company for the improvements they have made at the entrance to the City.

8. Discussion/Recommendation/Action on the Following

- a. Alcohol Beverage License Applications, Applications for Temporary Class B Retailer’s License, Applications for License to Serve Fermented Beverages and/or Intoxicating Liquor and Appointment of Agents

Mayor Heier read the list of applications aloud and Interim Chief Rehberg stated he had no objections.

**Moved by Schreiber, seconded by D. Reed to approve the Alcohol Beverage License Applications, Applications for Temporary Class B Retailer’s License, Applications for License to Serve Fermented Beverages and/or Intoxicating Liquor and Appointment of Agents.**

**Motion carried upon electronically recorded vote.**

**5 ayes**

- b. Building Inspection Report

Last stated that 24 permits were issued in April, for a year-to-date total of 79 permits. The year-to-date project value is approximately \$850,000. Last informed that the “plywood house” on Adams Street will be coming down this week. Also, inspections were done on all of Joel Portmann’s properties, with one being condemned and two still in operation. The home located at 109 Huron has a raze order which will be going to court on June 4. Calvert spoke with Mr. Portmann’s attorney and feels as though most of these properties will likely go back to the County on back taxes.

- c. Police and Fire Reports

Interim Chief Rehberg stated that there were 31 ordinance violations in April and 390 other complaints, of which 43 were traffic citations. Recently two search warrants were executed simultaneously in the City by the Police and Sheriff Departments. The result of this was that a large amount of drugs were seized. The church summits have been very successful, with several churches beginning to develop security plans. May 19 is the “Fill the Cruiser” fundraiser event for the Human Society. Finally, Rehberg informed that 18 applications were received for the open Officer position. They have been narrowed down to 13 who will take an agility test.

Chief Reed stated that the Fire Department did a lot of training last month. The “Stop the Bleed” program is running successfully and 93 people have been trained. There was a MCI (mass casualty incident) training that had great turnout from area agencies. Finally, Reed reiterated how important it is for the Council to take NIMS training.

- d. Accounts Payable for the Month of April 2018 in the Amount of \$867,891.38, Payroll for the Month of April 2018 in the Amount of \$135,651.49 and Other Financial Reports as Presented

**Moved by Le Breck, seconded by D. Reed to approve the accounts payable for the month of April 2018 in the amount of \$867,891.38, payroll for the month of April 2018 in the amount of \$135,651.49 and other financial reports as presented.**

**Motion carried upon electronically recorded vote.**

**5 ayes**

- e. Final Resolution Authorizing the Special Assessments Against Benefitted Property Owners in the City of Oconto, Oconto County, Wisconsin – Washburn Avenue and Lindsey Avenue

**Moved by Bronikowski, seconded by Le Breck to approve the Final Resolution Authorizing the Special Assessments Against Benefitted Property Owners in the City of Oconto, Oconto County, Wisconsin – Washburn Avenue and Lindsey Avenue.**

**Motion carried upon electronically recorded vote.**

**5 ayes**

- f. Request from Bill Griffin/WUMPA Pullers to Waive the City Noise Ordinance to Run Truck Pulls on June 8, 2018 from 10:00 p.m. to 12:00 a.m.

Bill Griffin, W1422 Highway 64, Marinette, ran the pull for the first time last year and it ended at 11 p.m. The event is going to be bigger this year and they won't be able to do it if the cutoff time for noise is 10 p.m. Mayor Heier asked if, in the future, this event could be held on Saturday and therefore begin earlier in the day. Griffin stated that is possible as long as it doesn't collide with other clubs' dates. Le Breck opined that doing this would pull people away from Copperfest. Mayor Heier suggested sitting down with the Copperfest Committee to discuss this for next year. Schreiber opined that what should be done is what is best for the citizens regarding noise.

**Moved by Bronikowski, seconded by R. Reed to approve the request from Bill Griffin/WUMPA Pullers to extend the city noise ordinance hours to run truck pulls on June 8, 2018 from 10:00 p.m. to 12:00 a.m.**

**Motion carried upon electronically recorded vote.**

**6 ayes**

- g. Request from Oconto Copperfest Steering Committee to Waive the City Noise Ordinance on Friday, June 8, 2018 from 10:00 p.m. to 11:00 p.m. and on Saturday, June 9, 2018 from 10:00 p.m. to 11:30 p.m.

Schreiber talked to people who live at OKATO Manor and many believe it is a problem to run the music this late. We need to keep in mind the rights of others.

**Moved by Schreiber, seconded by Le Breck to extend the noise ordinance hours to 10:30 p.m. for Copperfest.**

D. Reed understands Schreiber's point of view, but also noted that the previous agenda item was approved and therefore the truck pulls are allowed to extend the ordinance hours. Schreiber feels that there is a huge difference between the two events and they are held in two completely different settings. Bronikowski understands that some residents have concerns, but pointed out that this is only once a year. She opined that 10:00 or 10:30 is too early to end. Perrizo feels that ending Copperfest at 10 or 10:30 will essentially kill an event that brings a lot of people to this community. Mayor Heier noted that the Police Department has stated that they will address any situation that gets out of control. Schreiber has complete confidence in the Police Department.

**Motion and second withdrawn.**

Calvert suggested that Copperfest look at how everything is set up and possibly consider pointing the speakers in a different direction. D. Reed agreed.

**Moved by D. Reed, seconded by Bronikowski to approve the request from Oconto Copperfest Steering Committee to extend the noise ordinance hours for their event on Friday, June 8, 2018 from 10:00 p.m. to 11:00 p.m. and on Saturday, June 9, 2018 from 10:00 p.m. to 11:30 p.m.**

**Motion carried upon electronically recorded vote. 4 ayes, 1 nay(Schreiber)**

- h. Request from Crivello's and Log Jam to Waive the City Noise Ordinance on Saturday, June 9, 2018 from 10:00 p.m. to 11:30 p.m.  
Venna Dreshek, 230 Frank Street, stated that there used to be three nights of music from St. Peter's Fourth of July celebration. The music is entertaining and she doesn't see why the time can't be extended for one event. If we want young people to stay in this city, we have to accommodate them.

**Moved by Bronikowski, seconded by D. Reed to approve the request from Crivello's and Log Jam to extend the city noise ordinance hours on Saturday, June 9, 2018 from 10:00 p.m. to 11:30 p.m for their event.**

**Motion carried upon electronically recorded vote. 5 ayes, 1 nay(Schreiber)**

- i. Request from the United Methodist Church to Waive the City Noise Ordinance on August 25, 2018 from 1:00 p.m. to 2:00 p.m.  
Perrizo explained that they feel as though the live music may exceed the decibel limit as set in the ordinance.

**Moved by Schreiber, seconded by Feldt to approve the request from the United Methodist Church to waive the city noise ordinance on August 25, 2018 from 1:00 p.m. to 2:00 p.m.**

**Motion carried upon electronically recorded vote. 6 ayes**

- j. Invoice from JFTCO, Inc. in the Amount of \$3,372.61 for WWTP Generator Repair

**Moved by Schreiber, seconded by Le Breck to approve the invoice from JFTCO, Inc. in the amount of \$3,372.61 for WWTP generator repair.**

**Motion carried upon electronically recorded vote. 6 ayes**

- k. Approval of Amendment to Ordinance 13-1-122(d) Parking Requirements  
Perrizo explained that this allows commercial properties to have a temporary surface of crushed stone or gravel for a period of up to two years. After that, the surface must be dustless.

**Moved by Schreiber, seconded by Feldt to approve the amendment to ordinance 13-1-122(d) – parking requirements.**

**Motion carried upon electronically recorded vote. 6 ayes**

- l. Approval of Pay Request from Dorner, Inc. for Work Completed on McDonald Street

**Moved by Schreiber, seconded by Feldt to approve the pay request from Dorner, Inc. for work completed on McDonald Street.**

**Motion carried upon electronically recorded vote. 6 ayes**

- m. Approval of Pay Request from KCG Excavating for Work Completed on Holtwood Way

**Moved by Bronikowski, seconded by Schreiber to approve the pay request from KCG Excavating for work completed on Holtwood Way.**

**Motion carried upon electronically recorded vote. 6 ayes**

- n. Approval of Curb Design for Lindsey Avenue

This item was not approved at the Board of Public Works. No action.

- o. Mayor Heier stated that the Council may vote to convene into Closed Session at approximately 6:55 p.m., pursuant to notice duly given and as allowed by Wis. Stats. 19.85(1) (e) for the purpose of deliberating or negotiating the purchasing 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 following items:

- i. Development Proposal

**Moved by Schreiber, seconded by Feldt to enter into closed session at 6:55 p.m.**

**Motion carried upon electronically recorded roll call vote. 6 ayes**

Also present in closed session: Administrator Perrizo, Deputy Clerk/Treasurer Julie Galik

- p. **Moved by Feldt, seconded by Le Breck to return to open session at 7:11 p.m.**

**Motion carried upon verbal voice vote. 6 ayes**

- q. Action/Discussion on Matters from Closed Session

None.

9. Adjournment.

**Moved by Le Breck, seconded by D. Reed to adjourn at 7:12 p.m.**

**Motion carried upon verbal voice vote. 6 ayes**

Respectfully Submitted:  
Sara J. Perrizo  
Administrator