

These are the minutes of the Regular Session of the City of Adams, WI held on March 19, 2012 in the City Municipal Building.

Meeting was called to order by Council President Manthey. On roll call were Alderpersons Jensen, Kierstyn, Marti, Scott, Suhr, Council President Manthey, Administrator Ellisor, Attorney Pollex, and Chief Hanson. Mayor Baumgartner was excused.

The Pledge of Allegiance was recited.

In the absence of the Mayor, Council President Manthey stated she would retain her voting privilege and forgo veto powers as Acting Mayor.

Motion by Jensen, second by Suhr to approve the minutes of the March 5, 2012 meeting as printed. Roll call vote, all voted aye.

Petitions and Communications: None

Report of Standing Committees:

Policy & Procedure Committee:

There were no Petitions and Communications.

Discussion was held on the Personnel Administrative Policies Handbook.

Fire District:

A discussion was held regarding the Fire District Agreement with no action taken.

Motions were made to approve the Finance Report.

Chief's Report:

There were 5 calls.

Motions were made to use the money, being paid to the Fire District by Friendship, to make payments in advance for trucks 312 and 321, instead of placing it in the contingency fund.

Motions were made to present the money from the Bud Goggins scholarship fund to the school.

Motions were made to bill the DNR for services provided during the 2011 tornado.

Public Works Committee:

During Petitions and Communications there was a discussion held regarding the problems with the loader and also the status of flower planters that will be placed down Main Street.

South Business Park – EDA Project – It was a consensus of the committee to recommend the bid by Allen Steele Company in the amount of \$680,355.25.

Capital Projects – Alley Paving and Holtz St. - Discussion was held regarding 19 blocks of alleys being paved in the Spring and Summer season. A map of identified alleys was reviewed.

Public Works Department Activity – Brush pickup is starting Monday, March 19th.

Sludge Hauling Contract – Discussion was held regarding annually budgeting through the five year contract. Recommendations were made to award Bytec the Sludge Hauling Contract for a five year term, contingent on the gasoline surcharge schedule.

Tree Nursery – Work on the City's Tree Nursery is progressing very well. Fencing for the tree nursery was reclaimed from Well House #2 for use at the tree nursery.

Wellhouse #2 Removal - Well House #2 is scheduled for demolition in Spring/Summer of this year.

Antenna on Water Tower - Discussion was held regarding a communications antenna on the City's east water tower.

Report of City Officers:

Administrator Ellisor: Reported the Leaf Vac is out and it is anticipated it will be out up to the end of April, then it will go to the bagged collection. The schedule will also be in the Newsletter. Manthey stated that it should be noted that they can not be raked onto the streets. The Centennial Committee met last week and Street Superintendent Mead and Chief Hanson were there to offer

their assistance and provided information. The Council will be looking at different requests in regards to permits blocking streets, alcohol distribution that areas have been designated for that. The requests will be made in one package instead of separate requests.

Attorney Pollex: Reported he had returns this week and pre-trials last week. Returns are when he goes back and tells the Court how we did at the pre-trials the preceding week. No trials are on the calendar for this week. The Mayor had him working on a Public Records request this last week. He reminds everybody with the spring time is the annual issue of yard maintenance and abatements. Any issues should be brought to the Chiefs attention.

Chief Hanson: Reported the Officers are out compiling a maintenance list. The department will be holding training on April 18 with the Department Apartment Association conducted by Dale Hicks. The topic covered will be law and the landlord. The cost of the training is \$15 per person and anyone that is interested should contact the Police Department at 339-6839 for reservations. The training cost includes materials and a copy of Wisconsin Way, a guide for Landlords and Tenants. The registration deadline is April 13th. The Department will be ordering a Digital Video System for the squad; the cost is approximately \$3,000. This will be purchased from the money awarded from the WIDOT Safeties Grant. Kids Day is April 21. Take Back for medications is April 28. He reminded everyone that a burn permit is required for burning and can be picked up here at City Hall and are good for camp fires and burning leaves and available at no cost. Manthey stated that they are good for the year.

New and Unfinished Business:

Motion by Kierstyn, second by Suhr to Authorize Issuance of Fermented Malt Beverage and Intoxicating Liquor, agent transfer for A-F VFW Post 6279. Motion by Marti to Table the Issuance of Fermented Malt Beverage and Intoxicating Liquor, agent transfer for A-F VFW Post 6279 so the Council can meet with the City Attorney and Attorney Wood to explain to Council Members in a Special Session scheduled. Attorney Pollex explained that motion fails if it doesn't have a second where we are back in discussion where I can try to fill in some of those holes. So if you let your motion to table die without a second, I can update the Council, we have a motion to table. **The motion to table was Second by Scott. Roll Call Vote; Marti, Manthey, Jensen and Scott – yes, Kierstyn and Suhr – no.** Attorney Pollex stated the motion is tabled. The seconded motion to authorize the issuance has been tabled. Manthey asked Attorney Pollex if we can have a closed session. Pollex stated not today we can't. Manthey asked to schedule a date soon. Attorney Pollex stated that the motion allowing this conversation to happen has been tabled; I'll explain that I spoke with Attorney Wood who indicated that he wasn't going to be here tonight. I gave him what I felt the City's position was, which was in agreement with the opinion we got from the Municipal Attorney, and that I already discussed not only with Administrator Ellisor but also with the Mayor. I indicated to him, if there were confusion or questions from Council that you could probably anticipate a motion to table, which isn't all bad so that Attorney Wood can be at the next meeting and make his position known. But his position is pretty well laid out in his opinion letter that I have which is different than the Municipal Attorney and different than mine. So that is procedurally where we are. Marti asked when to schedule the Special Meeting. Attorney Pollex stated a week from today. President Manthey stated that the consensus is that we will hold a Special Meeting on Monday, March 26 at 6:00 p.m. with Attorney Wood and Attorney Pollex. Attorney Pollex stated that it is his opinion that this doesn't fall into the very limited exceptions for a closed session, we are not negotiating so we should not only have it posted as the first item on the agenda for the open session and if necessary go into closed.

Administrator Ellisor stated that there were a fair amount of bids received and a copy provided. Allen Steele was the low bid for the South Business Park project. It entails road, curb, water & sewer utility as well as the extension toward Super 8. It is 75% Grant project and the City portion

is 25%, the total project budget is roughly \$830,000. The City share is approximately \$200,000, which is set aside and being paid through TIF #2. Alternate 1 is extending sewer for Highway 13 east on Dixie past the entrance sign and service property south. **Motion by Marti, second by Kierstyn to approve the bid award to Allen Steele Co., Inc for the base bid and Alternate 1 in the total amount of \$680,355.25 (Base bid \$668,872.75, Alternate A 11,482.50) All voted aye.**

Administrator Ellisor stated that we received a proposal that he would like to have recommended to the Finance Committee.

Acting Mayor Manthey stated that as the Mayor is not present tonight we will discuss the Public Works Mayoral Appointment at the next meeting.

Motion by Scott, second by Jensen to approve the rental and waive the fees for use of Lions Park to the Adams County Humane Society to use on June 30, 2012 from 11:00 a.m. to 3:00 p.m. for their Ice Cream Social/Fundraiser. Marti would like to have the City look at the fees for the non profit organizations to waive the deposit fees and still charge the rental fee. **All voted aye.**

Motion by Marti, second by Kierstyn to approve the contract with BYTEC Inc. for Hauling of Sludge from the Wastewater Treatment Plant. All voted aye.

Motion by Jensen, second by Suhr to approve the Payment of Bills. Roll call vote, all voted aye.

Chief Hanson stated that Sheriff Wollin was invited to sit in on a Council meeting to see how efficiently our Council meetings are run.

Motion by Marti, second by Suhr to Adjourn from Open Session and Reconvene in Closed Session for Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – consider acquisition/purchase of public property (land) with the City – SS 19.85 (1) (e). All voted aye.

Acting Mayor Manthey called the closed session to order. On roll call were Alderpersons Jensen, Marti, Scott, Suhr, Mayor Baumgartner, Administrator Ellisor and Attorney Pollex.

Discussion was held.

Motion by Marti, second by Scott to adjourn. All voted aye.
Meeting adjourned at 6:45 P.M.

Respectfully Submitted,

Janet L. Winters, CMC, WCMC
Clerk/Treasurer