



"Wild Goose Center of Wisconsin"



City of Waupun

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Waupun Common Council Minutes of Meeting Tuesday, January 10, 2017

The Waupun Common Council met in regular session on Tuesday, , January 10, 2017 at 6:00pm in the Common Council Chambers of the Waupun City Hall with Mayor Nickel presiding.

City Staff present are City Attorney VandeZande, City Clerk Hull, Administrator Schlieve, Police Chief Heeringa, Public Works Director Daane, Fire Chief DeMaa, Finance Director Oosterhouse, Utility Manager Posthuma, and Library Director Jaeger.

Audience present is Chuck Willinger.

Mayor Nickel called the meeting to order at 6:00pm.

The Pledge of Allegiance was heard followed by a moment of silence.

Members present on roll call are Mayor Nickel, Alderman Westphal, Alderman Mielke, Alderman Vanderkin, Alderman Matoushek, Alderman Johnson, and Alderman Kaczmarek. No members are absent.

No public hearing.

No audience wishing to address the Council.

Motion Vanderkin, second Westphal to approve the minutes of the December 13, 2016 regular meeting. Motion carried on roll call 6-0.

Motion Westphal, second Matoushek to approve the Boards, Committee, and Commission meeting minutes as provided. Motion carried 6-0.

Fire Chief Demaa informs the Council that Jim McNabb, Emergency Government Director for Fond Du Lac County, has retired. Bobbie Hicken is appointed in interim and County Executive Buechel is going to recommend Bobbie Hicken to fill that position permanently. April 1, 2017 is planned for the open house for the training facility. April 3, 2017 will be the first live burn training.

Police Chief Heeringa continues with the hiring process to fill the Patrol Officer vacancy.

Mayor Nickel welcomes Jeff Daane, the newly promoted Public Works Director.

Utility Manager Posthuma, Commission member Thurmer, and Mayor Nickel will be attending American Public Power Association Rally in Washington DC at the end of February.

Administrator Schlieve has posted 2016 City department accomplishments to the City website.

On December 27, 2016, the Committee of the Whole made recommendation to the Council to adopt Ordinances Ch.8.11 entitled Orderly Conduct-Cigarette or Tobacco Products and Ch. 6.01 entitled Traffic Code-State Traffic Laws Adopted. The revisions for these two ordinances are technical corrections designed to bring our local code of ordinances more in line with the current WI State Statutes and adopt the statutory prohibitions as ordinance violations.

Ordinance 17-01 is to amend Ch.8.11 entitled Orderly Conduct-Cigarette or Tobacco Products is revised to extend the underage restriction on tobacco products to include nicotine and other type products that may not ordinarily found in cigarettes and cigar products.

Motion Westphal, second Kaczmariski to waive the first reading and adopt Ordinance 17-01 to amend Ch.8.11 entitled Orderly Conduct-Cigarette or Tobacco Products. Motion carried on roll call 6-0.

Ordinance 17-02 is to amend Ch. 6.01 entitled Traffic Code-State Traffic Laws Adopted is revised to extend our current ordinance code to include or capture the provisions of the Wisconsin administrative code such as required vehicle equipment

Motion Kaczmariski, second Matoushek to waive the first reading adopt Ordinance 17-02 to amend Ch. 6.01 entitled Traffic Code-State Traffic Laws Adopted. Motion carried on roll call 6-0.

Resolution 01-10-17-01 Authorizing 2016 Budget Amendments in a Series of Funds and Resolution 01-10-17-02 Approving the Carryforward of Unexpended 2016 Appropriations is provided to the Council for approval consideration.

Oosterhouse informs the Council that these ordinances are amendments based on action the Council has already authorized, transfers or appropriations of equipment purchased in the equipment replacement fund, and an amendment related to the Taxi Grant Fund.

2011 to 2015 there were operating losses in the Taxi Grant fund that accrued in the amount of \$73,000 and due to this the General Fund advanced the funds to the Taxi Grant. Taxi rates and levy were raised to aid in this but will be at least 5-6 years to be fully paid. Oosterhouse would like this paid in one year. We have excess funds due to public works when revenue exceeded expenses and this advancement affects the City's ratings.

Reclassification of funds was performed due to hiring of the Administrator, creating the tourism fund and branding consulting, and Taft Lane development in TIF 5. Transferring of funds was performed for the equipment replacement fund for the police department server and 2017 squad equipment. Due to these, resulted in \$16,853 for General Fund, \$151,000 for TIF 5, \$51,800 for adding revenue to the tourism fund, and \$73,000 for Taxi fund.

Motion Vanderkin, second Matoushek to approve Resolution 01-10-17-01 Authorizing 2016 Budget Amendments in a Series of Funds. Motion carried on roll call 6-0.

Motion Matoushek, second Westphal to approve Resolution 01-10-17-02 Approving the Carryforward of Unexpended 2016 Appropriations. Motion carried on roll call 6-0.

Police Chief Heeringa informs the Council that a Patrol Officer has resigned from the Police Department and requests authority to fill this vacancy.

Motion Kaczmariski, second Matoushek to authorize the Police Chief to fill the vacant Patrol Officer position. Motion carried on roll call 6-0.

Richard Flynn terminated his employment with the City of Waupun on January 6, 2017. According to the City Employee Manual, employees hired prior to January 1, 2011 upon voluntary separation of employment, the employee may receive payment for 75% of unused accumulated sick leave or a greater amount if approved by the Common Council. Flynn is requesting 100% payout of his unused accumulated sick leave.

Flynn also questions the payout for accumulated vacation, if he should be compensated for the full 2017 accrual (160 hours). According to the employee manual, "Full-time employees are eligible to accrue vacation in a pro-rated manner during the year from the employee's anniversary date of hire to be used the following year. Employees are not eligible to use paid vacation during the first year of employment unless previously approved by the Common Council or Library Board. Prorated vacation shall be paid to any employee in event of termination of employment of the vacation leave that has not been taken prior thereto. In the event an employee resigns, is laid off, or discharged prior to the anniversary date after having taken or been paid value of the unearned portion of the vacation taken or vacation pay received shall be deducted from the employee's paycheck."

Hull informs the Council that Flynn received vacation on day one of hire as approved by Council, instead of the 1 year waiting period. He did not have the one year accrual period, so he would only accrue vacation from January 1 to January 6 which is 3 hours.

Motion Matoushek, second Kaczmariski to approve 75% payout of unused accumulated sick leave. Motion carried on roll call 6-0.

Motion Matoushek, second Kaczmariski to approve 3 hour of unused accumulated vacation. Motion carried on roll call 6-0.

Motion Vanderkin, second Matoushek to authorize the City Clerk to release payment of the monthly expenses. Motion carried on roll call 6-0.

Motion Johnson, second Vanderkin to approve the Operator License to Wesley Immel and Sujana Thapa. Motion carried 6-0.

Future tentative City Hall meetings of the body of the Common Council are noted as, Committee of the Whole on January 31, 2017 at 5:30pm, Common Council on February 14, 2017 at 6:00pm, and Committee of the Whole on February 28, 2017 at 5:30pm.

No Closed Session.

Motion Vanderkin, second Matoushek to call the meeting adjourned at 6:28pm. Motion carried 6-0.

Angela Hull, City Clerk