

City of Phillips
Committee of the Whole Meeting
Municipal Building, Municipal Hall
174 S Eyder Avenue
December 5th, 2023
5:30 pm

Mayor: Charles Peterson

Committee Members: Jerry Clark, Richard Heitkemper, Laura Tomaszewski, Marty Stephan, Bill Elliott, John Klimowski.

City Attorney: Bryce Schoenborn

Department Heads: Public Works Director–Jim Heizler; Water/Wastewater Supervisor–Todd Toelle; Police Chief–Michael Hauschild; Fire Chief–David Lontcoski; Library Director–Rebecca Puhl; Clerk/Treasurer– Shelby Kosmer.

Following the open session of the meeting the Common Council will convene into closed session pursuant to Wis. Stat. Section 19.85(1)(g) Conferring with Counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current litigation for Phillips Lionite Property regarding raze order and nuisance order and pursuant to Wis. Stat. Section 19.85(1)(c) Compensation and Evaluation – To review applications for the Deputy Clerk/Treasurer and Police Administrative Assistant position.

This meeting is held in compliance with Wisconsin's Open Meeting Law, WI § Chapter 19, Subchapter V. As such it is open to the public.

City Council members present may also represent a quorum of any Committee or Board of the City Council listed below and, as such, may proceed to meet and conduct business as listed under that Committee or Board portion of the agenda below, if the full City Council doesn't have sufficient members present to satisfy quorum requirements to enable it to meet as the Committee of the Whole.

Call to Order (presiding officer) Time: _____

- a. Greeting
- b. Certification of compliance with Open Meeting Law
- c. Pledge of Allegiance

Roll Call: Chuck Peterson ____, Jerry Clark ____, Richard Heitkemper ____, Laura Tomaszewski ____, Marty Stephan ____, Bill Elliott ____, John Klimowski ____.

Public Comment:

DISCUSSION-ACTION ITEMS:

General-Mayor/Clerk

1. Set next month's meeting date and time: Tuesday January 2nd, 2024, at 5:30 p.m.
2. Motion to approve the minutes from the November 7th, 2023, meeting.
3. Mayor updates:
4. Clerk updates:
5. Potential recommendation from the Phillips Planning Commission regarding the rezone of 541 S Lake Ave from R-2 to C-1 Commercial to open a chiropractic office as requested by Joe & Jaime Adomaitis.
6. Discussion/Action WEDC grant application for the Express Mart/Belan property: David Wierzb

7. Discussion/Action regarding annual review of City Fee Schedule
8. Discussion/Action regarding approval of 2024 Election Workers
9. Discussion/Action regarding potential proposal from Bennish Auto pertaining to the Phillips Lionite Property cleanup.

Board of Public Works/Recreation –Klimowski/Elliott

10. DPW and Water/Sewer Updates:

Public Safety - Heitkemper

8. Fire Department updates:
9. Police Department Updates:
 - a. Discussion/Action regarding letter to Embrace regarding the self-injection kits in the Harm Reduction Vending Machine

Licensing/Permits – Tomaszewski

Personnel/Budget/Finance – Clark

10. Discussion/Action regarding 2024 Water/Sewer Budget

Legal

City Council

11. Council Update
12. Convene into closed session. Authority: Pursuant to Wis. Stat. Section 19.85(1)(g) Conferring with Counsel who either orally or in writing will advise governmental body on strategy to with respect to current litigation for Phillips Lionite Property regarding issuance of raze order and nuisance order. And Pursuant to Wis. Stat. Section 19.85(1)(c) Compensation and Evaluation – To review applications for the Deputy Clerk/Treasurer and Police Administrative Assistant Job
Jerry Clark___ Richard Heitkemper ___ Laura Tomaszewski ___ Marty Stephan ___ Bill Elliott ___ John Klimowski ___. Time_____
13. Reconvene into open session. Authority: Wisconsin §19.85(2). Jerry Clark___ Richard Heitkemper ___ Laura Tomaszewski ___ Marty Stephan ___ Bill Elliott ___ John Klimowski ___. Time: ____
14. Motion on the subject of the closed session
15. Adjournment: Time: _____

Mayor Charles Peterson called the meeting of the Committee of the Whole to order at 5: 30p.m.

Members Present: Jerry Clark, Richard Heitkemper, Laura Tomaszewski, Marty Stephan, Bill Elliott, John Klimowski, Bryce Schoenborn, Shelby Kosmer

Also Present: David Lontcoski, Blaine Peterson, Joe Perkins, Jim Heizler, Todd Toelle, Michael Stoffel, Darin Baratka, Bo Bennish, David Wierzba, Lyn Ludwig, John Baxter, Anne Baxter, and Tom LaVenture and Sanja Patel via phone.

Public Comment: None

DISCUSSION-ACTION ITEMS:

General-Mayor/Clerk

1. Set next month's meeting date and time: Tuesday January 2nd, 2024, at 5:30 p.m.
2. Clark/ Elliott moved to approve the minutes from the November 7th, 2023, meeting. Carried
3. Mayor updates: Christmas Parade was well attended as was the Tree lighting.
4. Clerk updates: Working on getting tax bills finished up to get those in the mail by next week.
5. Potential recommendation from the Phillips Planning Commission regarding the rezone of 541 S Lake Ave from R-2 to C-1 Commercial to open a chiropractic office as requested by Joe & Jaime Adomaitis. No action. Planning Commission approved at 12/4/23 meeting.
6. Discussion/Action WEDC grant application for the Express Mart/Belan property: David Wierzba

4:54 Dave Wierzba was in attendance to give the council a little more information regarding the grant application for the Express Mart/Belan property and the City's requirements and the process. It is an online application process, they are reimbursable grants, The City would be the applicant, it is an online application, we would fill out our contact information and some financial information and then the developer would have some financial information to put in as well. There are 3 funding options for this project: Site assessment grant, can pay up to 150k (20%) of assessment costs to test the sites. Brownfield grant can pay towards demolition of the property, this I a closed site and there as not been a phase 1 or 2 that would need to be do. Community development investment program, this will pay for looking for catalytic projects to spur some other development in the area. Dave would help us submit the best application we can. We need a resolution saying that we support the project, and if we do the CDI program then a developer's agreement. IN the past the CDI the municipality had to be the application and was the pass through of the funds, new this year the developer can be the applicant but still need a resolution to know that the City supports the project. They run the applications in a fiscal year. CDI program would need to be in by March 1st just do the popularity. Stephan questioned the cost to the city, Daved explained there is no cost to the city other than Shelby's time working with the developer, and just the cost of the audit (which could be 3-4k). Klimowski questioned if the City was the applicant if it would affect the City's debt capacity. The developer will need to prove to Shelby (City) with receipts and then she would submit it to the program and then WEDC would disburse the money and then the City would pay back the developer.

7. Discussion/Action regarding annual review of City Fee Schedule. The Director of Public Works Jim Heizler would like to see the chipper rates increased to \$3 per minute for anything over 5 minutes. There are a lot of tree services coming in and taking down these trees and leaving the stuff for the City to chip for \$20-\$30 because it's cheaper than having the tree service do it. Raising to \$3 would be more in line with the state equipment rates and labor rates. This would be different if there was a storm coming through and we had to assist with the cleanup of that.

Elliott/ Heitkemper moved to raise the chipping rate to \$3 per minute after the first 5 minutes. Roll Call: Clark – aye, Heitkemper -aye, Tomaszewski – aye, Stephan – aye, Elliott – aye, Klimowski – aye.
Motion Carried

8. Discussion/Action regarding approval of 2024 Election Workers

Heitkemper/ Tomaszewski moved to recommend to the Common Council to approve the list of election workers for the 2024 election year to the Common Council. Carried

9. Discussion/Action regarding potential proposal from Bennish Auto pertaining to the Phillips Lionite Property cleanup.

Bo Bennish from Bennish Scrap and Transport has interest in removing the collapsed portion of the Lionite building at no cost to the City, there could be fees for removing the items inside and disposing of them. Bo did talk to a company that would be able to take care of the pallets in the building. Would take about 4 days to get this taken care of. Bo would just like to take and salvage the metal from the collapses portion. He would also be interested if the City does a spring cleanup date that his company could arrange. Right now since the City has an order in place that is being challenge and we do not have the rights to that building to accept a proposal at this time.

Board of Public Works/Recreation –Klimowski/Elliott

10. DPW and Water/Sewer Updates:

DPW: Working on trimming trees and catching up on some maintenance, working on filling the skating rink, but the weather is not cooperating, may not have it ready by Christmas

WS: Treatment plant come around pretty good and we should be able to meet our limits this month. Verizon is working and moving forward. Toelle did talk to Verizon about working with Lane Tank regarding the repainting of the tank. Going to be starting water meter reading this week and things have been running good. Had a class last Friday and they did a tour at the Treatment Plant and we received a lot of compliments on that. Hopefully just had to do our last PFAS test on Well 7 and everything is coming back as non-detectable, but testing the treatment plant every other month for the next 2 years, but so far that testing as been going good so far. (35 mins) The County shop discharges super high chloride concentrations, and they think that is what came through the plant. And the County is well aware of what is going on and there is language in our ordinances that can protect us, but we could maybe amend the language regarding these types of facilities.

Public Safety - Heitkemper

11. Fire Department updates:

Talk to custom fire and did receive the contract for the chassis. Did get a phone call from Rita from Ayres and the doors are 12 weeks out, so they would probably be looking at April/May. Mayor Peterson stated that they should keep moving forward to take this project out for Bids so we can get the actual costs. Rita was looking if we should bid it as a public project or if this is a maintenance project. Bryce advised to put it out on bids if we have the time. So that could be coming back to the Council in February.

12. Police Department Updates:

- A. Discussion/Action regarding letter to Embrace regarding the safe injection kits in the Harm Reduction Vending Machine. Lt. Peterson presented the council a letter to Embrace opposing the Safe injection kits.
Heitkemper/ Elliott moved to sign and deliver the letter as presented. Roll Call: Clark – aye, Heitkemper – aye, Tomaszewski – aye, Stephan -aye, Elliott – aye, Klimowski -aye.
Motion Carried

Calls: 2023 2022
Nov 135 151
YTD 1730 1696

The flock cameras are set to be installed at the end of the month.
Tomaszewski questioned the bus parking no parking zone.

Licensing/Permits – Tomaszewski

Personnel/Budget/Finance – Clark

13. Discussion/Action regarding 2024 Water/Sewer Budget. A simplified rate case would be submitted to the PSC instead of a large.
Klimowski/ Elliott moved to recommend to the Common Council to approve the 2024 Water/Sewer budget as presented. Carried

Legal

City Council

14. Council Update:
Klimowski requested we keep an eye on Walnut street between walnut and Eyder and keep that section on our radar for future street construction.as it heaves with the swamp and its just a rough patch of road
Klimowski proposed moving the school zone signs on turner street to over by NTC.
- 15.Tomaszewski/ Clark Convene into closed session. Authority: Pursuant to Wis. Stat. Section 19.85(1)(g) Conferring with Counsel who either orally or in writing will advise governmental body on strategy to with respect to current litigation for Phillips Lionite Property regarding issuance of raze order and nuisance order. And Pursuant to Wis. Stat. Section 19.85(1)(c) Compensation and Evaluation – To review applications for the Deputy Clerk/Treasurer and Police Administrative Assistant Job
Jerry Clark- aye Richard Heitkemper – aye, Laura Tomaszewski - aye Marty Stephan -aye, Bill Elliott – aye, John Klimowski – aye. Time 6:28pm
16. Klimowski/ Clark Reconvene into open session. Authority: Wisconsin §19.85(2). Jerry Clark- aye, Richard Heitkemper – aye, Laura Tomaszewski – aye, Marty Stephan – aye, Bill Elliott – aye, John Klimowski - aye. Time: 6:57pm
17. Motion on the subject of the closed session. No action
18. Klimowski moved for adjournment: Time: 6:58pm



Shelby Kosmer
Clerk/Treasurer