

**REGULAR COUNCIL MEETING
TUESDAY, AUGUST 18, 2009
7:00 P.M.**

Mayor Lampsa called the regular monthly Council meeting to order at 7:00 p.m. with council members Batchelor, Campbell, Englebretson, Froeba, Kowalczyk, Schmitt, and Tesch present. Gluch-Voss was absent.

Citizens present were Craig Brandt, Joe Brock, Noah Lobner, Matthew Prein, and Kory Anderson from General Engineering.

Brandt had some concerns that there are two phone boxes in his back yard that are falling apart. He called and talked to Verizon and Charter Communications, and neither of them are claiming that these are their boxes. Brandt wanted to make sure that it was okay to take the boxes out. Brandt also spoke on the storm sewer in his back yard of which the cover has popped up again. He asked if the Public Works Department could come down and put it back on again. Brandt also wanted to remind everyone of the Car Show that will be held on September 13, 2009. He also stated that if anyone wanted to help, volunteers are welcome.

Brock spoke about his storage shed on Bluebird Lane and wanted some direction on how to get the property back in compliance with the City. Duell explained that his options are to build a house, sell the property to an owner with the exception that a house would have to be built or to sell to a neighbor, but that neighbor would have to remove their other shed. Brock asked for an extension to get into compliance with the City so that he could apply for a State building permit or sell the property with the clause of within 90 days a building permit must be applied for. Campbell made a motion to give Joe Brock a 90-day extension and will not be giving another extension unless the State is holding up the permit, seconded by Schmitt. Motion carried.

Clerk Toufar verified the postings.

No corrections or additions were made to the August 18, 2009, council agenda.

Motion was made by Campbell to approve the minutes from the July 21, 2009, regular Council meeting, seconded by Schmitt. Motion carried.

Treasurer's report was approved on a motion made by Schmitt, seconded by Englebretson. Motion carried.

Utility Committee-Meeting was held on August 4, 2009. Kowalczyk reported on the well project. The Utility Committee took a tour out to the well field. Kowalczyk reported that concrete was being poured and wells 8 & 9 were drilled, and everything is going well. Kowalczyk reported on the Industrial Park project. August 10, 2009, is the approximate starting date. The pipe and hydrants have been ordered from HD Supply. We are just waiting for the final approval from the Wisconsin Department of Natural Resources to move forward. Kowalczyk reported that the City crew has replaced the rotten poles and painted the picnic tables in the corn shelter. They have also pressure washed the entire shelter. Kowalczyk reported on the discussion of the 2010 budget. Kowalczyk reported that the DNR said that we are not able to use the ponds from the old sewer plant. It would cost the City \$40,000 to \$50,000 to remove the sludge. Kowalczyk stated that Todd Hoepfer offered \$10,000 for the land and ponds which totals 10 acres. Duell stated that he has been talking to the City of Greenwood of possibly purchasing the property. Kowalczyk reported on the water increase. Kowalczyk made a motion to approve a 15% water increase through the Public Service Commission, seconded by Campbell. Motion carried. Kowalczyk reported that Tom Loos would like a 5-year contract with the City of Loyal on the City View Estates property; this has been referred back to the Utility Committee. Next Utility meeting will be held on September 1, 2009, at 6:30 p.m.

Police/Fire and Ambulance Committee- Fire and Ambulance meetings were held on May 27, 2009, and August 5, 2009. Batchelor reported that the fire department is in the process of applying for a grant for a new fire truck and turnout gear. Batchelor reported that the Ambulance has made 27 runs to date and that Therese Hoerer is not a licensed EMT.

Finance Committee - Meeting was held on August 10, 2009. Campbell reported on the 2009 budget status and everything is looking good with the exception of the Water Department due to waiting on the grants. Campbell reported on the 2010 budget. The Finance Committee talked with the Library Committee and they will be budgeting for four hours a month for the clerks and \$500 for the annual audit. Campbell asked the Library about using some of their LGIP fund to repair the Library roof. Campbell reported that there would not be much change in the 2010 budget except for in the retirement, health insurance and dental insurance. Froeba made a motion to increase the cigarette license fee from \$25.00 to \$200.00, seconded by Batchelor. Motion carried. Campbell read the 1st reading of Ordinances 7-2-5 License Fees, 7-2-23 Operator License Fees, and 10-6-2 (d) (1) and (2) Building Permit Fees.

AN ORDINANCE PROVIDING FOR THE REPEAL AND RECREATION OF SECTION 7-2-5, SECTION 7-2-23 AND SECTION 10-6-2 (d) (1) and (2) OF THE MUNICIPAL CODE OF THE CITY OF LOYAL RELATIVE TO THE PAYMENT OF FEES.

WHEREAS, the City of Loyal has not adjusted the fee for various licenses for a significant period of time.

NOW, THEREFORE, the Common Council for the City of Loyal repeals Section 7-2-5 License Fees, Section 7-2-23 Fee Section, Section 10-6-2 (d) (1) and (2) and replaces them as follows:

7-2-5 LICENSE FEES

"The following fees shall be chargeable for licenses issued by the Common Council.

- (a) Retail Class "A" Intoxicating Liquor License-\$175.00 annually
- (b) Retail Class "B" Intoxicating Liquor License-\$200.00 annually
- (c) Class "A" Fermented Malt Beverage Retailers License-\$125.00 annually
- (d) Class "B" Fermented Malt Beverage Retailers License-\$125.00 annually

- (e) Special Class "B" Fermented Malt Beverage Picnic License-\$25.00 per day
- (f) Wholesaler's License-\$50.00 annually or fractional part thereof
- (g) License applicants shall also pay publication costs

7-2-23 FEE

"The fee for a new operator's license shall be Thirty (\$30.00) Dollars per year. The fee to renew an operator's license shall be Twenty (\$20.00) Dollars per year."

10-6-2 (d) fees

- (1) New Construction-\$25.00
- (2) Additions, alterations and repairs
 - 0 to \$4,999.00 -\$25.00
 - \$5,000.00 to \$9999.99 -\$50.00
 - \$10,000.00 to \$14,999.99 -75.00
 each additional \$1,000 after \$15,000.00 is \$5.00, up to a maximum of \$250.00.

Campbell made a motion to approve the 1st reading of the recreation of Ordinances 7-2-5 License Fees, 7-2-23 Operator License Fees, and 10-6-2 (d) (1) and (2) Building Permit Fees, seconded by Tesch. Campbell made a motion to increase the hall rental to \$50.00 with no return, seconded by Batchelor. Motion carried. Campbell reported that General Engineering is looking for an additional payment to Subphase 7 in the amount of \$18,185 due to an error by a previous employee. Campbell made a motion to pay General Engineering an additional \$4,885.00 in addition to the \$13,300.00 that was already paid to cover the sub-contractors costs, seconded by Froeba. Froeba stated that General Engineering is not making any money on this and you hate to see them work for nothing. Kowalczyk questioned costs on the wastewater project and General Engineering over charged there 15%.

Roll call vote was taken:

- Batchelor-no
 - Campbell-no
 - Englebretson-no
 - Froeba-no
 - Kowalczyk-yes
 - Schmitt-no
 - Tesch-yes
- Motion denied on a vote of 5 no and 2 yes.

Batchelor made a motion to pay General Engineering half of the \$18,185.00; which comes to \$9,093.00, seconded by Schmitt.

Roll call vote was taken:

- Batchelor-yes
 - Campbell-yes
 - Englebretson-yes
 - Froeba-no
 - Kowalczyk-yes
 - Schmitt-yes
 - Tesch-yes
- Motion carried on a vote of 6 yes and 1 no.

Next Finance meeting will be held on September 14, 2009, and September 17, at 6:00 p.m.

Library Committee – No meeting held.

Personnel Committee – Meetings were held on July 24, 2009, and August 5, 2009. Campbell made a motion to amend the minutes from the July 20, 2009, personnel meeting, seconded by Batchelor. Next Personnel meeting will be on August 24, 2009, at 6:30 p.m.

Park and Recreation Committee–No meeting held.

City View Estates Committee – No meeting held.

Planning Commission – No meeting held.

Economic Development – No meeting held.

Clerk Toufar- Clerk Toufar reported that she has spent many hours on the Public Service Commission water rate increase. Otherwise, everything is going well.

Mayor's Report-Mayor Lampsa reported that the Cascade clean up will be on September 17th and 18th. She will have more information after the next Mayor's meeting.

Campbell made a motion to approve a bartender license for Lindsey Schoonover, seconded by Englebretson. Motion carried.

Campbell made the motion to approve vouchers in the following amounts:

GENERAL FUND: \$65,495.41 WATER UTILITY: \$14,218.36

WASTEWATER UTILITY: \$11,710.59

Seconded by Batchelor. Motion carried.

Schmitt made the motion to adjourn, seconded by Tesch. Motion carried.