

CITY OF HAYWARD
SAWYER COUNTY, WISCONSIN
REGULAR CITY COUNCIL MEETING
Monday, November 14, 2016
MINUTES

The meeting was called to order by Mayor Swinkowski at 6:00 p.m.

Roll Call

Council Present: Mayor Swinkowski, Ald. Gillis, Ald. Johnson, Ald. Kennell, Ald. Kreyer, Ald. Miller, Ald. Munich, Ald. Voight, and Ald. Speros
Others Present: Attorney Kelsey, Director McCue, Assistant Chief Wohling, Clerk Poppe, Deputy Clerk Metcalf, Barb Hand, Jan Beatty, Bernard & Kathleen Tworek, and Frank Zufall

Jan Beatty / Barb Hand, A Lure of Lights – Parade Routes and Other Event Requests

A motion was made by Ald. Kennell, seconded by Ald. Kreyer to approve the requests, as submitted by Jan Beatty & Barb Hand, for the 2016-2017 A “Lure” of Lights parade dates & routes, Friday & Saturday evening street closures and Main Street banner. Motion carried.

Kathleen Tworek – Issues with Storm Sewer Running Under Moccasin Bar

Kathleen Tworek addressed the council regarding the collapse of the storm sewer running under the Moccasin Bar. Mrs. Tworek is concerned that the foundation of the building may give way due to the collapse of the storm sewer; and if someone gets hurt as a result, who will be liable. Attorney Kelsey stated that Knight Barry was contacted to research the history of the property in question. Attorney Kelsey also stated that there are a number of legal and liability issues involved with this situation. Additional research needs to be conducted and information obtained before the City can make an informed decision regarding the storm sewer issue. No action was taken.

Municipal Court – Feasibility of Creating a Municipal Court in the City of Hayward

Ald. Munich presented the council with limited information regarding the start of a municipal court in the City of Hayward. Startup costs and expenses listed included \$3,000 for Quick Clerk Software and yearly software maintenance of \$1000. Estimated net revenue was listed at \$40,000 per year. The revenue was estimated based on one month (April) of citation history.

Ald. Gillis stated that he would like to have additional information; a history of the number of citations written over a five year period, not just one month. Mayor Swinkowski stated that the idea of a municipal court was brought up several years ago and was dropped due to more negative than positive aspects; now the aspects appear to be all positive. Clerk Poppe stated that she didn't feel enough research has been conducted. Clerk Poppe suggested going to the Sawyer County Clerk of Courts office to obtain five years' worth of citation data. Just because the officers are writing citation does not mean that all the citations are being prosecuted. See how many citations have actually been prosecuted and how many of the forfeitures are actually being paid; as a citation issued does not generate money unless the citation is prosecuted and the forfeiture is paid. Compare the revenues received through the county court over the last five years with what the revenues would have been if prosecuted through a municipal court. Ald. Gillis felt there was not enough information presented to make an informed decision at this time.

A motion was made by Ald. Gillis, seconded by Ald. Miller to table a decision regarding the startup of a municipal court in the City of Hayward until additional information is obtained. Roll Call Vote: Ald. Gillis – yes, Ald. Johnson – yes, Ald. Kennell – no, Ald. Kreyer – yes, Ald. Miller – yes, Ald. Munich – no, Ald. Voight – no, Ald. Speros – yes. Motion carried. Ayes (5), Nays (3)

Ordinance No. 528: Rights of Way

As presented, Ordinance No. 528: Rights of Way, refers to chapters and sections of the City's “draft” codification manuscript. Since the “draft” codification manuscript has never formally been adopted by the council, Ordinance No. 528 should be amended to refer to the City's original code of ordinances. It was a consensus that the adoption of Ordinance No. 528 be postponed until such time that the correct references are made in the ordinance.

Ordinance No. 529: Cross Connection Control

A motion was made by Ald. Munich, seconded by Ald. Kreyer to adopt Ordinance No. 529: Cross Connection Control, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Munich – yes; Ald. Voight – yes; Ald. Speros – yes. Motion carried. Ayes (8), Nays (0)

Ordinance No. 505: Noise Ordinance – Chief Clapero’s Findings Regarding Decibel Levels and the Request to Amend the Decibel Level Limits Listed in the Ordinance

Assistant Chief Wohling stated that he and Chief Clapero were advised that the sale of the McCormick House fell through. Since it was the potential buyer of the McCormick House that requested the decibel levels listed in the City’s noise ordinance be amended, it was decided that the decibel levels listed in the City’s noise ordinance remain unchanged at this time.

Resolution No. 16-08: Collection of the 2016 Real and Personal Property Taxes

A motion was made by Ald. Gillis, seconded by Ald. Munich to approve Resolution No. 16-08: Collection of the 2016 Real and Personal Property Taxes, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Munich – yes; Ald. Voight – yes; Ald. Speros – yes. Motion carried. Ayes (8), Nays (0)

RESOLUTION NO. 16-08

THE COMMON COUNCIL OF THE CITY OF HAYWARD hereby indemnifies Sawyer County for the collection of the 2016 real and personal property taxes collected by the City of Hayward Treasurer.

That the City of Hayward Treasurer will account for and pay over according to law all taxes of any kind which are received and which are required to be paid to the county treasurer.

In the event that the treasurer thereof shall fail to do so, the City of Hayward is obligated to pay all taxes of any kind required by law to be paid by such treasurer to the county treasurer.

A motion was made by Ald. Gillis, seconded by Ald. Kreyer to approve the following:

1. **Minutes:** License Permits & Ordinance of 10/10; Public Works of 10/10; Finance of 10/10; Regular Council of 10/10 (abridged / unabridged); and Finance of 11/02
2. **From Public Works of 11/14:**
 - A. Bratley Funeral Home – The request to waive the \$300 open & close fee for the cremains burial of an indigent person, Jeffrey Miller, was removed from the agenda at the request of Mike Bratley.
 - B. The purchase of a 2004 International plow truck from the Town of Seneca for an amount of \$28,000.
 - C. Update on the Wastewater Treatment Plant permit – Director McCue stated that the WI DNR has issued a five year permit to the City of Hayward for the wastewater treatment plant. The five year permit was effective on January 1, 2016.
 - D. Payment of the second pay request in the amount of \$651,122.21 submitted by Haas Sons Inc. for the 5th Street Project.
3. **From Finance of 11/14:**
 - A. The payment of City General Fund checks numbered 30040 through 30144; and Water & Sewer Fund checks numbered 9665 through 9698, as presented. The October account transfer list was incorrect and will be presented at next month’s meeting for approval.
4. **Operator Licenses** – Regular (June 30, 2017): Lauren H Stojek; Nicole M Olsen; Linda M Buffa; Gail M Kaarto; Roxanne M Ferguson; Harley N Bernard; Andrea L Dawson; Kimberly A McGill; and Annie M Asmus (approval of one of the operator licenses is pending correction of the application.)
5. **2017 Wages & Benefits for non-represented employees:** Department Heads - \$62,524.80; Assistants - \$52,707.20; Public Works Laborers - \$20.46 per hour; Police Department Full Time Office Staff - \$17.80 per hour; Police Department Part-Time Office Staff - \$14.26 per hour; Reserve Officer Ride Along - \$8.00 per hour; Reserve Officer Training - \$12.09 per hour; Reserve Officer Shift & Special Events - \$17.27 per hour; Fire Inspector - \$12.00 per inspection; Fire Administration - \$11.00 per hour;

Election Chief Inspector - \$11.00 per hour; Election Inspector - \$10.00 per hour; Weeding / Watering - \$10.00 per hour; Fire Department Annual Service Award Program - \$344.11 per participant; Employee Contributions toward Health Insurance Premiums (Single & Family Plans) – 10% of premium; Employer Contribution to Health Savings Accounts: Single - \$3,000 per year / Family - \$5,500 per year; Employee Contribution towards Wisconsin Retirement – 6.80%.

Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Munich – yes; Ald. Voight – yes; Ald. Speros – yes. Motion carried. Ayes (8), Nays (0)

Public Comments

No public comments were made.

Clerk’s Report

A picnic license was issued to the Hayward Area Chamber of Commerce for a “Business After 5” event held on October 27, 2016; and to the Hayward Area Rotary Club for a “Ladies Night Out” event to be held on November 22, 2016.

Adjournment

A motion was made by Ald. Munich, seconded by Ald. Kreyer to adjourn. The meeting was adjourned at 6:35 p.m.

*William L Swinkowski, Mayor

*Lisa Poppe, City Clerk-Treasurer