

**CITY OF ANTIGO
COMMON COUNCIL
FEBRUARY 10, 2016**

Common Council of the City of Antigo met in regular session on the above date at 6:00 p.m. in the Council Chambers, City Hall, Mayor Brandt presiding.

Roll Call – Present: Alderpersons Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Absent: D. Bauknecht.

Mayor Brandt excused Alderperson D. Bauknecht.

Department Managers in attendance were: Mark Desotell, Director of Administrative Services; Kaye Matucheski, Clerk-Treasurer; Eric Roller, Police Chief/Public Safety Director; Charley Brinkmeier, Land Surveyor/Project Manager; Robert Piskula, Street Commissioner; James Pike, Communication and Technology Supervisor; and Jon Petroskey, Fire Chief.

Others in attendance were: Michael Winter, City Attorney; Jeanne Jensen, Deputy Clerk-Treasurer; Amy Lynch, Human Resource Specialist; Lisa Haefs, Antigo Daily Journal; Drew Kelly, Radio; Scott Martin, MSA Professional Services; Dean Peters and Mark Hafferman, Associated Appraisal; Terry Brand; Jon Wald; Rhonda Wald; Ryan Gurder; Kirsten Yose; Laura Stefancin; Marie Foss; John Krueger; Bryan Stefancin; Brett Hefty; Nathan Zellner; and Amy Stefancin.

The Pledge of Allegiance was recited followed by a moment of silent meditation.

Alderperson Bugni moved, Alderperson Darling seconded, to approve the minutes from the January 13, 2016, meeting. Carried.

Chief Jon Petroskey – Bryan Stefancin swearing in as Fire Fighter

Jon Petroskey, Fire Chief, noted Mr. Stefancin has been with the department since February 2015 and has completed his probationary training.

Kaye Matucheski, Clerk-Treasurer, administered the Oath of Office to Mr. Stefancin.

Marie Foss, Mr. Stefancin's girlfriend, pinned his badge on.

Citizen Comments

There were no individuals wishing to address Council.

Update on Citizen's Referrals from Previous Council Meeting

Mayor Brandt noted Jon and Rhonda Wald's assessment issue will be addressed tonight.

CONSENT AGENDA

Resolutions

Resolution No. 013-16 re Approving Operator's Licenses

BE IT RESOLVED BY THE COMMON COUNCIL, City of Antigo that an Operator's License be issued to Emmy Lou Fleischman, Tristien Kuenzli, Jordan M. Heistad, Carrie L. O'Connor, Brittany Sabatke, Megan M. Diestler, and Kyle J. Geiger pursuant to payment of fees.

Resolution No. 014-16 re Approval of Request to Waive Event Permit Fee from American Cancer Society, Inc. for Relay for Life of Langlade County for Event on August 19-20, 2016

WHEREAS, the Park, Recreation, & Cemetery Supervisor has received a request to waive the American Cancer Society-Relay for Life of Langlade County event permit fees for their annual Relay for Life held August 19-20, 2016, and

WHEREAS, this event is free to the public and is hosted by a non-profit organization.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize waiving the event permit fees for Relay for Life on August 19-20, 2016.

(Committee Approved 6-0)

Resolution No. 015-16 re Approval of New Job Description for Seasonal General Laborer

WHEREAS, currently there is not a separate job description for the Seasonal General Laborer; and

WHEREAS, it is important to distinguish the Seasonal General Laborer position with a specific, approved job description

WHEREAS, the job duties and descriptions have been reviewed by the Street Commissioner, Park, Recreation, & Cemetery Supervisor, and the Human Resources Specialist

NOW, THEREFORE, IT BE RESOLVED, BY THE COMMON COUNCIL, City of Antigo to approve the attached job description for the position of Seasonal General Laborer

(Committee Approved 6-0)

(Attachment on file in the Clerk-Treasurer's Office)

Resolution No. 016-16 re Approval to Allow the Clerk-Treasurer to Waive the Annual Recurring Event Permit Waiver Requests and Insurance Waivers

WHEREAS, the Clerk-Treasurer has requested authorization to approve waiving event permit waiver requests and insurance waiver requests for recurring community events using the following criteria:

- The event has occurred in the past with similar usage requests as in prior years.
- The event is open to the public and community at no charge and offers either an education experience for attendees or a remembrance or memorialization for those within our community.
- The picnic or event recognizes volunteers that have participated in a community service project.
- The organization or group is not creating a profit from the event. If funds are raised during the event they are invested back into our community and used for various community projects, events, programs or local organizations.

WHEREAS, the following would be approved for 2016 event permit fees and insurance waivers by the Clerk-Treasurer:

1. Rural Fire Control
2. Antigo Baseball
3. Stand for Children Day
4. Music in the Park
5. Play and Learn Time
6. Healthy Ways Coalition Spring Walk
7. Kids Fishing Day
8. Clifford Hausmann Memorial Vietnam Vet Cookout
9. Antigo Rotary Club – Kids from Wisconsin Picnic
10. Kiwanis Club Picnic
11. Missing Not Forgotten
12. Antigo Tator Trot
13. Antigo Elks Lodge #662
14. American Legion Post #3
15. Antigo First Great Duck Derby
16. Badgerland Classic Car Show
17. Volunteer Appreciation by Antigo First
18. Boys & Girls Club of Langlade County – Cops vs Shops
19. Antigo Optimist After Fair Picnic
20. Out of Darkness (Suicide Prevention Awareness Walk)
21. CROP Walk To End Hunger
22. UW Extension Antigo Field Research Day

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NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL, City of Antigo, to authorize the Clerk-Treasurer to waive the event permit fees and insurance waivers for the above requests.

(Committee Approved 7-0)

Resolution No. 017-16 re Approval of Quote for Services from Frisch Greenhouses and Waiver of Bid Process

WHEREAS, the City of Antigo's Hanging Flower Basket program is entering into its second year of service in the Downtown and adjacent corridor; and,

WHEREAS, the program is being developed as a transitional solution as certain ground planters located along Fifth Avenue are being eliminated due to either the removal of mid-block bump-outs or because they have served their useful life; and,

WHEREAS, the Downtown Antigo First Group continues to support the use of hanging flower baskets as an alternative to ground planters and conducts fundraising efforts to support the program including an Adopt a Basket campaign; and,

WHEREAS, Frisch Greenhouses has been the long-term vendor utilized by the City of Antigo for the spring placement, summer maintenance and fall removal of plantings while providing the necessary expertise for the successful transition to hanging baskets; and,

WHEREAS, a quote for services to implement the 2016 planting program was received from Frisch Greenhouses in the amount of \$14,750; and,

WHEREAS, the Director of Administrative Services requested and received authorization from the Finance, Personnel & Legislative Committee to approve the quote from Frisch Greenhouses under the Exception to Bidding Requirements under Category #3 (Used or Special Purpose) of the City's Purchasing Policy.

NOW, THEREFORE, BE IT RESOLVED, BY The COMMON COUNCIL, City of Antigo, to waive the bid process under the Exception to Bidding Requirements under Category #3 (Used or Special Purpose) of the City's Purchasing Policy; and,

BE IT FURTHER RESOLVED, BY The Common Council, City of Antigo to approve the quote received from Frisch Greenhouses in the amount of \$14,750 for the 2016 ground planter and hanging basket programs with funds being derived from the Contractual Services budget item from Alleys and Boulevards (Item # 100-530-53410-52280), which will be partially offset by donations from the Antigo First program.

(Committee Approved 6-0)

Communications

Reports from the department managers and agencies (placed on file).

Aldersperson Darling moved, Aldersperson Bugni seconded, to approve the Consent Agenda.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

NEW BUSINESS

Resolutions

Resolution No. 018-16 re Approval of 2015 Budget Transfers

WHEREAS, the City budgets funds based on estimating the services that will be needed throughout the year within each department, and

WHEREAS, adjustments need to be made based on where the services are actually performed within each department, and

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WHEREAS, these budget transfer requests are existing funds that are being reallocated and the budget adjustments are to reflect grant dollars and participant program fees received,

WHEREAS, these transfers are in addition to those approved with Resolution #004-16.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to approve the attached budget transfers and adjustments for 2015.

(Committee Approved 6-0)
(Attachment on file in the Clerk-Treasurer's office)

Aldersperson Balcerzak moved, Aldersperson Kassis seconded, to approve Resolution No. 018-16.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Resolution No. 019-16 re Approval of Sale or Lease/Purchase of Edison Club

WHEREAS, the Finance, Personnel & Legislative (FP&L) Committee met in December of 2015 to discuss options for the disposition of the Edison Club located at 623 Edison Street which was relinquished back to the City of Antigo by Marcody LLC after exercising the default clause in their rental agreement effective December 9, 2015; and,

WHEREAS, the FP&L Committee was presented with a recommendation to solicit proposals for either the outright sale or the lease/purchase of the Edison Club through a Request for Proposal (RFP) process; and,

WHEREAS, staff provided projected payment information relative to lease/purchase terms and conditions for several asking price amounts based on a 3% interest rate amortized over a 20 year period including a Payment in Lieu of Taxes; and,

WHEREAS, it was recommended by Mayor Brandt to solicit proposals through the RFP process for either the outright purchase or the lease/purchase of the Edison Club based on a purchase price of \$150,000 with terms for the lease/purchase to be based on a 3% interest rate amortized over a 20-year period including a monthly Payment in Lieu of Taxes for a total of \$1,140 per month.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to authorize the Director of Administrative Services to advertise a Request for Proposals with options for either the outright purchase or the lease/purchase of the Edison Club in the amount of \$150,000 based on the terms for a lease/purchase option at 3% interest amortized over 20 years including a Payment in Lieu of Taxes for a total payment of \$1,140 per month.

(Committee Approved 6-0)

Aldersperson Bugni moved, Aldersperson Kassis seconded, to approve Resolution No. 019-16.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Resolution No. 020-16 re Approval of Marcody, LLC Debt Repayment Schedule for Outstanding Edison Club Rent

WHEREAS, the City of Antigo's month-to-month rental agreement with Marcody, LLC for the operation of the Edison Club located at 623 Edison Street included default language based on the actions of either party; and,

WHEREAS, Marcody, LLC notified the City of Antigo of their desire to exercise the default clause effective on December 9, 2015; and,

WHEREAS, The Director of Administrative Services along with the City Attorney and Clerk-Treasurer were instructed by the Finance, Personnel & Legislative Committee at their December 16, 2015 meeting to establish terms for the repayment of any rental and utility monies owed to the City by Marcody, LLC; and,

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WHEREAS, a mutually agreeable payment plan consisting of a \$500 per month payment from Marcody, LLC to the City of Antigo was reached for the outstanding rental amount of \$4,050 plus any remaining sewer/water balance on their account effective on December 9, 2015 payable on the 15th of each month starting on January 15, 2016 until paid in full; and,

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, City of Antigo, to approve the repayment plan established for the Marcody, LLC debt in the monthly amount of \$500 due on the 15th of each month until paid in full.

(Committee Approved 6-0)

Aldersperson Balcerzak moved, Aldersperson Darling seconded, to approve Resolution No. 020-16.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Ordinances

Ordinance No. 1273B Ordinance Amending Section 38-202 of the Municipal Code of the City of Antigo so as to allow for the erection of “Deaf Child” signs in the vicinity of 711 Lincoln Street in both directions

Aldersperson Darling moved, Aldersperson Balcerzak seconded, to approve Ordinance No. 1273B.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Ordinance No. 1274B Ordinance Amending Section 6-153 of the Municipal Code of the City of Antigo regarding refuse collection

Aldersperson Balcerzak moved, Aldersperson T. Bauknecht seconded, to approve Ordinance No. 1274B.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Ordinance No. 1275B Ordinance Amending Section 34-42 of the Municipal Code of the City of Antigo to change any and all references to the Street Commissioner issuing excavation permits to the Building Inspector/Zoning Administrator or his/her designee

Aldersperson Kassis moved, Aldersperson Balcerzak, seconded, to approve Ordinance No. 1275B.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Claim

Claim to Recover Unlawful Taxes by Jonathan and Rhonda Wald for Property Taxes Levied on Vacant lots 5, 6, 11, 12, and 15 of the Windy View Heights subdivision.
(Property Owner and Assessor to Present Testimony)

Mayor Brandt noted this is a hearing much like Board of Review and is a quasi-judicial hearing. Council’s decision is to be based only on the evidence presented here tonight.

Jonathan Wald, 818 Thomas Street, distributed information to the Alderspersons. Mr. Wald explained evidence was compiled on existing lots and subdivisions in the City.

Mr. Wald noted the information presented is from the Langlade County GIS system. He listed his property values for 2014 and 2015 reflecting a 323 – 384% increase in the assessed values. The nearest comparison is Laurisa Lane. There were two lots sold in 2015, one at \$8,000, and one at \$9,000. There are three other vacant lots on Laurisa Lane, one which the value did not change and with two of the lots the values dropped 10%. Sunrise Estate vacant lots are valued between \$8,200 and \$9,200. Moonlit

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Meadows vacant lots are valued at \$700 each, and some decreased to \$600. Some of the lots do not have water but they all have sewer. Whispering Pines lots are valued at \$1,300 with some dropping to \$1,200. One lot had increased but it had a house built on it. Thomas Street home land values have decreased.

Upon inquiry by Alderperson T. Bauknecht, Mr. Wald advised that the last four homes on Thomas Street are valued at \$11,500 to \$15,400. There are some in the subdivision valued at approximately \$21,000, but these all have homes on them.

Upon inquiry by Alderperson Kassis, Mr. Wald stated he did not have a third party appraiser because state statutes note comparables are the best to include using arm length value.

Dean Peters, Associated Appraisal, and Mark Hafferman, Associated Appraisal, designated as assessor for City of Antigo addressed Council. Mr. Peters gave background information to Council regarding reassessments. He stated overall 2015 residential values decreased 6% and commercial values increased 8%. All assessments were done from scratch independent of what old values were.

Mr. Peters explained the process of Open Book and Board of Review noting typically appeals are rare. He stated Mr. Wald was at open book and did give comparable information at that time. Somehow the information taken at open book did not make it to Mr. Hafferman. He stated both the dates of Open Book and Board of Review are included in the original assessment change letter and Board of Review is also publicly noticed.

Mr. Peters distributed a copy of State Statutes including a list of errors qualified for a claim on page two.

Mr. Peters commented that the lots were assessed at about one-quarter of the value of the lots in the subdivision that have houses on them. The assessments did increase substantially, however, they were under assessed for years. The assessment is completed on the market value.

Mark Hafferman distributed a subdivision map for 2014 and 2016 with assessed values. He noted he did not have a chance to review information the Wald's provided at Open Book as he acknowledged he did not receive it and did not send any notification. He reviewed land values noting he could not figure out the rationale as to why the values were so low. Wald's vacant lots are the only ones that changed but they are being treated no differently than other lots in the subdivision. They were being assessed quite a bit less previously.

Mr. Hafferman noted the previous assessor used the front foot method which is more for lake front property; therefore, Associated Appraisal used the square foot method which is more equitable for overall lot size.

Upon inquiry by Alderperson T. Bauknecht, Mr. Hafferman advised that six staff members were here for open book to meet with attendees with changes only being made by Mark Hafferman after review. Other appraisers take information and give it to him for review.

Alderperson Kassis questioned how Council is to decide on a value as they are not appraisers. Mr. Hafferman advised that there is no clerical or math error. Yes, the assessment increased by 300%, but, they were 300% behind for previous years.

Mayor Brandt noted he understands they are not required to send a letter after open book but they usually do as a good course of business. Mr. Hafferman noted that he normally does send a letter after open book.

Mr. Wald advised that he filed an appeal and lost it which is why he is here. He also asked why other vacant lots did not increase. He noted concern with comparing to lots sold eight years ago where it should be a recent sale. He stated he does not understand why the values on the other side of town did not change. He has current listings of vacant lots in the City and their current values, which do not compare to his vacant lots.

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Aldersperson Kassis commented he felt an outside appraisal would be better. Mr. Wald advised that the information he provided would be similar to what an outside appraiser would have used.

Mr. Peters indicated that if this was Board of Review, the property owners would be given the chance to give their opinion on the property value.

Upon inquiry by Mr. Peters regarding Mr. Wald's opinion on the value of the property, Mr. Wald indicated that there is an offer to purchase on one of the properties for \$5,000.

As there were no further questions, Mayor Brandt closed testimony.

Mayor Brandt noted if you looked at 2014 taxes for lots 7, 8, and 10 values were \$20,000 plus. The Wald's property was valued at approximately \$5,000. That is why the City had the whole City re-evaluated.

Aldersperson Kassis noted he feels without a third party appraiser it is hard to go back to the 2014 values.

Aldersperson T. Bauknecht moved, Aldersperson Kassis seconded, to uphold the appraisals on the properties.

Aldersperson Bugni commented everyone knew about the reassessment but we have a tendency to look at last year's tax bill. He feels these new values are excessive.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, and Balcerzak. Noes were: Bugni. Absent: D. Bauknecht. Carried.

MISCELLANEOUS BUSINESS

Payment of Bills

Aldersperson Darling moved, Aldersperson Dunn seconded, that Direct Deposits for January 15 and 29, 2016, payrolls, City First Merit Bank Accounts Payable Check Nos. 62149-62369, both inclusive, and Self-Funding Health Insurance Check Nos. 1874-1875, be allowed as approved by the Mayor; and the Clerk-Treasurer be directed to pay the same.

Ayes were: Kapusta, Darling, Kassis, T. Bauknecht, Feller Gottard, Dunn, Bugni, and Balcerzak. Noes were: None. Absent: D. Bauknecht. Carried.

Committee Referrals

There were no committee referrals.

Adjournment

Aldersperson Bugni moved, Aldersperson Kassis seconded, to adjourn at 7:05 p.m. Carried.

Approved:

Mayor

Attest:

Clerk-Treasurer