

CITY OF SHULLSBURG  
COMMON COUNCIL MINUTES  
AUGUST 6, 2008  
6:30 P.M.

A regular meeting of the Common Council of the City of Shullsburg was held at 6:30 p.m. August 6, 2008 in the Community Room of the Shullsburg Community Townsend Center, 190 N. Judgement Street, Shullsburg, Wisconsin. Mayor Tom Curran called the meeting to order at 6:30 p.m. Notice of the meeting was posted and given to the official newspaper. Roll Call- Cheryl Fink, Darrell Morrissey, Carol Korn- Present. Josh Jerry- Absent. Others present: Bill Graham, Irene Graham, Mike Jackson, Dan Christopher, Don Dickinson, Ken Westemeier, Jean Westemeier, Tom Pedley, Mary Alice Pedley, Tim Strang, Joyce Peters, Dave Leahy, Ellen Doyle, John Weiskircher, Dave Weiskircher, Donna Van Lent, Peg Rowley, Wayne Gehrt, Brad Mootz, Dan Morrissey, Donna Roger, Bill Nethery and Steve Curran.

Motion by Fink second by Morrissey to approve the minutes of the July 16, 2008 meeting as amended. Fink, Morrissey- Aye. Korn- No. Motion carried.

Mayor Curran stated that the purchase price that was stated in the June 16, 2008 minutes for the Richards Property was incorrectly stated at \$175,000 and should have been stated as \$225,000.

Committee Reports:

Ald Morrissey reported Purchase Order #1506 for the purchase of the steel pipes for the safety net at the ball field.

Ald Fink reported a leave request for Chief Strause. Ald Korn reported a leave request for Verne Jackson and Steve Staver.

Motion by Fink second by Morrissey to accept the committee reports and approve the purchase order. All aye, motion carried.

Mayor Curran reported that Marsha Einsweiler would like to attend a PSC Training given by the Rural Water Association. Motion by Korn second by Fink to allow Einsweiler to attend the training. All aye, motion carried.

After reviewing the bills, a motion was made by Fink second by Korn to approve the payment of the bills for the general, water, sewer, electric, library and pool funds. All aye, motion carried.

A discussion was held regarding a complaint about the Fireworks at Badger Park. Bill and Irene Graham were present to express their concerns regarding the fireworks. Graham explained he has spoken with council members in the past and was told "we have insurance". Graham feels his home is in jeopardy, especially this past July with the addition of the fire balls to the fire works display. Graham stated that he has spoken with the State Fire Marshall and was informed that the fireworks display must be 500 ft from any persons. Graham stated that the park is not big enough and is requesting that the city move the fireworks display. The

city council understands the Grahams' concerns and will investigate the matter further.

Regarding the appointment to the Redevelopment Authority, Mayor Curran appointed Ron Pole. Motion by Fink second by Morrissey to deny the appointment of Ron Pole to the Redevelopment Authority. All aye, motion carried.

Motion by Fink second by Korn to deny the operator license for Eileen Freitag and Jeremy Neilson. All aye, motion carried.

Motion by Fink second by Korn to approve a payment to the Shullsburg Fire District in the amount of \$18, 977.09 for one half of the annual assessment. Roll Call- Korn, Fink, Morrissey – All aye, motion carried. The second half of the assessment will be paid in November after the city receives the shared revenue.

A discussion was held regarding the location of the skate park. Several residents were present to voice their concerns regarding the location of the skate park at the East Water Street Park. Ellen Doyle presented the council with a petition signed by several residents. Doyle stated that they didn't feel the East Water Street Park was the best location for the Skate Park for the following reasons: No Restrooms, language not appropriate for smaller children, noise, speed of vehicles in street, water runoff in the park and the playground equipment that is currently there is not made for older children. No action was taken by the council, therefore the location of the park will stay at it's original location of the volleyball court in Badger Park. Tim Strang questioned whether anyone has looked that the maintenance costs of a skate park. Brad Mootz commented that the city has tennis courts that aren't maintained, and suggested that the money be spent on the tennis courts before any is spent on the skate park.

A brief discussion was held regarding the purchase of retirement plaques for Ron Schardt and Pat Byrne. Mayor Curran stated that the plaques would cost \$55. Mayor Curran also suggested that the city purchase Shullsburg bucks to be given to the retirees. Motion by Korn second by Morrissey to purchase retirement plaques at a cost of \$55 and purchase \$100 in Shullsburg Bucks to be given to Byrne and Schardt for their retirement. Roll Call- Fink, Korn, Morrissey- All aye, motion carried.

A discussion was held regarding Section 13.14 of the City of Shullsburg Municipal Code- Private Sewer Treatment. Mayor Curran called the city attorney to inquire about amending the code. Currently Section 13.14 allows for a private septic system by approval from the city council. The proposed amendments would add more guidelines for the property owner should a private septic be granted by the council. The proposed amendment would add the following to Section 13.14: 1. Annual permit must be purchased from the city and authorized by the mayor and city council. The amount of the permit shall be determined by the mayor and city council and shall not fluctuate more than 8% per year. 2. Persons requesting a private septic must have at least 2 acres of land

and the septic must be pumped every 2 years. An invoice must be provided to the city office.

Ald Fink stated that she had contacted the DNR and spoke with Rich Edwards. Fink was advised by Edwards that septic tanks fail and could contaminate the water supply and the city would be liable. Fink further stated that the DNR does not approve septic tanks within the city limits. John Weiskircher feels that the city is condemning the properties to no development by not allowing private septic tanks in the city. Motion by Morrissey to amend Section 13.14 of the City of Shullsburg Municipal Code as presented. Motion failed due to a lack of a second. John Weiskircher will be requesting a variance and to be reconsidered at the next council meeting with a full council.

A brief discussion was held regarding Amending Section 17 of the City of Shullsburg Municipal Code. Ald Fink stated that the Historic Preservation Commission has been working on the amendments for over a year and is ready to take it to the proposed amendments to public hearing. A public hearing date was scheduled for September 3, 2008 at 7:00 p.m.

Regarding Section #5- Nepotism of the City of Shullsburg/Shullsburg Utilities Personnel Policy Manual, no discussion or action was taken. It will be addressed at the next meeting.

Motion by Korn second by Morrissey to temporarily close Water Street October 4, 2008 from Mineral Street to Judgement Street for CheeseFest activities. All aye, motion carried. The street will be closed from 6:30 a.m. to 4:00 p.m.

A discussion was held regarding the East Shelter House. Ald Morrissey stated that someone has approached him regarding renovations to the shelter house. Morrissey further stated that the party is willing to donate funds for the renovations and engineering costs. Motion by Korn second by Fink to hire Delta 3 Engineering Firm to do the engineering for the renovations of the East Shelter House. All aye, motion carried.

A discussion was held regarding the job description for the newly created position of Assistant Clerk/Treasurer. Mayor Curran stated that he had met with the union representatives. The union is willing to accept the job description as written by the city and will accept \$12 per hour as the starting wage in exchange the position will be a union position with a probationary period of 6 months as stated in the current union contract. If the council is not in agreement with these terms, the non-union employees' insurance benefits will be cancelled and the union will take the issue to arbitration. The council would like to see a written agreement before making a decision.

During the public comment session of the meeting, Gehrt inquired about whether the union is a closed or open shop. It is an open shop. John Weiskircher inquired about the next step for the variance process. The Clerk will check into it tomorrow.

At 8:25 p.m. a motion was made by Korn second by Fink to convene into closed session pursuant to Wis. Stats. 19.85 (1)(f) for the

purpose of discussing employee grievances. Roll Call- Morrissey, Curran, Fink, Korn. All aye, motion carried.

In closed session a discussion was held regarding employee grievances.

At 8:45 p.m. a motion was made by Korn second by Morrissey to reconvene into open session. Roll Call- Fink, Korn, Morrissey, Curran. All aye, motion carried.

No action or further discussion was held in open session.

At 8:46 p.m. a motion was made by Korn second by Morrissey to adjourn. All aye, motion carried.

Marsha Einsweiler  
City Clerk/Treasurer