

COMMON COUNCIL MEETING  
FEBRUARY 14, 2006

A regular and open meeting of the City of New London Common Council was held on Tuesday, February 14, 2006 at 7:00 p.m. in the Council Chambers of the Municipal Building. After the Pledge of Allegiance, roll was called. Presiding: Mayor Toltzman

Members Present: Way, Herter Morack, Renning, Heise, Henke, Tate, O'Connell, Romberg Excused: Kopitzke

Officers Present: Luaders, Hager, Villiesse, Radtke, Polley, Thompson

Others Present: Biese, Rousseau, Melissa Mulroy, John Faucher, Betts, Rachel Rausch, Graham

AGENDA: Henke/Tate to adopt agenda as distributed. Carried 9-0.

MINUTES: Minutes of January 10, 2006 were approved as distributed. Heise/Renning carried 9-0.

BILLS: Romberg/Morack to authorize the payment of invoices incurred during January 2006 in the amount of \$597,455.19. Carried 9-0.

PUBLIC HEARINGS: Public Hearings were held regarding Curb, Gutter, Sidewalk and Sanitary Sewer special assessments. There were no participants. Director of Public Works, Carol Radtke, stated that anyone missing the Public Hearing may contact her office regarding these assessments.

SPECIAL PRESENTATION: Melissa Mulroy announced the theme of this year's St. Patrick's week events will be "Ceol agus Rince" (Music and Dance). Henke/Tate to allow the Shamrock Club to change the entrance signs to "New Dublin" for the week of March 12-18, 2006. Carried 9-0.

PUBLIC COMMENT: Brad Graham insisted that the fence boarding his parents property had been changed by more than 50% and distributed before and after photography to illustrate his point. City Attorney Luaders responded that this amounts to a difference of opinion between Mr. Graham and Paul Hanlon, the Building Inspector, which has to be brought before the Board of Appeals, which has the duty of hearing objections to the actions of the Building Inspector. Mr. Luaders stated that the Board of Appeals has the statutory authority to overrule the Building Inspector's decision, and the Common Council does not. Mr. Graham stated that he is further convinced that the Board would rule in favor of the Building Inspector, and therefore, feels he would be wasting his \$200 hearing fee and therefore demands that the Council act on what he feels is an obvious error. Luaders thanked Graham for this appearance but repeated that his recourse is to go before the Board of Appeals. Graham responded that he will forward this matter to the State Attorney General for review. He informed the Council that he had spoken to her and she said she would take up his case.

STANDING & SPECIAL COMMITTEES:

BOARD OF PUBLIC WORKS -

1. The minutes of 2/7/06 were read by Heise.
2. Heise/Renning to adopt Resolution No. 1166. Carried 9-0.

FINAL RESOLUTION AUTHORIZING IMPROVEMENTS AND  
LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY

RESOLUTION NO. 1166

WHEREAS, a public hearing was held for the City of New London, Waupaca-Outagamie Counties, Wisconsin, in the Council Chambers of the Municipal Building at 7:10 P.M. on February 14, 2006 for the purpose of hearing all interested persons concerning the Preliminary Resolution and Report of the Director of Public Works for new construction and rehabilitation of curb and gutter within the rights-of-way of all property fronting upon the following streets:

**CURB & GUTTER REHABILITATION:**

All property fronting upon both sides of Mayflower Court from the intersection of Martin Street to the south end of Mayflower Court.

All property fronting upon both sides of Spring Street from the intersection of Oshkosh Street to the intersection of Wyman Street.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of New London, Waupaca-Outagamie Counties, Wisconsin, as follows:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvements, including final plans and specifications therefore, is hereby adopted and approved.

2. That the Board of Public Works is authorized and/or directed to carry out the work of such improvement in accordance with the Report of the Director of Public Works.

3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said Report.

4. That the assessments shown on said Report are correct estimates and have been determined on a reasonable basis and are hereby confirmed.

5. That the assessments for all projects included in said Report are hereby combined as single assessment, but any interested property owner shall be entitled to object to any assessment separately or all assessments jointly for any purpose or purposes.

6. That the assessments may be paid in cash in three (3) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due, shall bear additional interest on the amount due at the rate of 8% per annum.

7. The City Clerk is directed to publish this Resolution as a Class I Notice in the official newspaper.

8. The City Clerk is further directed to mail a copy of this Resolution and a statement of final assessment against his property to every property owner whose name appears on the assessment roll who post office address is known or can with reasonable diligence be ascertained.

Adopted this 14th day of February, 2006.

\_\_\_\_\_  
Wayne Toltzman, Mayor

Attest: \_\_\_\_\_  
James R. Villiesse, Clerk-Treasurer

3. Heise/Way to adopt Resolution No. 1167. Carried 8-1 (O'Connell against).

FINAL RESOLUTION AUTHORIZING IMPROVEMENTS AND  
LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY

RESOLUTION NO. 1167

WHEREAS, a public hearing was held for the City of New London, Waupaca-Outagamie Counties, Wisconsin, in the Council Chambers of the Municipal Building at 7:10 P.M. on February 14, 2006 for the purpose of hearing all interested persons concerning the Preliminary Resolution and Report of the Director of Public Works for rehabilitation of sidewalk within the rights-of-way of all property fronting upon the following streets:

SIDEWALK REHABILITATION:

All property fronting upon both sides of Washington Street from the intersection of Oshkosh Street to the intersection of Division Street.

All property fronting upon both sides of Hancock Street from the intersection of Nassau Street to the intersection of Division Street.

All property fronting upon the west side of Division Street from the intersection of Washington Street to the intersection of Beacon Avenue.

All property fronting upon both sides of Dickinson Street from the intersection of Washington Street to the intersection of Beacon Avenue.

All property fronting upon both sides of Nassau Street from the intersection of Washington Street to the intersection of Beacon Avenue.

All property fronting upon both sides of Smith Street from the intersection of Washington Street to the intersection of Beacon Avenue.

All property fronting upon both sides of Lawrence Street from the intersection of Hancock Street to the intersection of Beacon Avenue.

All property fronting upon the south side of Beacon Avenue from the intersection of Shawano Street to the intersection of Division Street.

All property fronting upon both sides of South Pearl Street from the intersection of Beacon Avenue to the intersection of Washington Street.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of New London, Waupaca-Outagamie Counties, Wisconsin, as follows:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvements, including final plans and specifications therefore, is hereby adopted and approved.

2. That the Board of Public Works is authorized and/or directed to carry out the work of such improvement in accordance with the Report of the Director of Public Works.

3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said Report.

4. That the assessments shown on said Report are correct estimates and have been determined on a reasonable basis and are hereby confirmed.

5. That the assessments for all projects included in said Report are hereby combined as single assessment, but any interested property owner shall be entitled to object to any assessment separately or all assessments jointly for any purpose or purposes.

6. That the assessments may be paid in cash in three (3) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due, shall bear additional interest on the amount due at the rate of 8% per annum.

7. The City Clerk is directed to publish this Resolution as a Class I Notice in the official newspaper.

8. The City Clerk is further directed to mail a copy of this Resolution and a statement of final assessment against his property to every property owner whose name appears on the assessment roll who post office address is known or can with reasonable diligence be ascertained.

Adopted this 14<sup>th</sup> day of February 2006.

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Wayne Toltzman, Mayor

Attest: \_\_\_\_\_  
James R. Villiesse, Clerk-Treasurer

4. Heise/Herter to adopt Resolution No. 1168. Carried 9-0.

FINAL RESOLUTION AUTHORIZING IMPROVEMENTS AND  
LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY

RESOLUTION NO. 1168

WHEREAS, a public hearing was held for the City of New London, Waupaca-Outagamie Counties, Wisconsin, in the Council Chambers of the Municipal Building at 7:10 P.M. on February 14, 2006 for the purpose of hearing all interested persons concerning the Preliminary Resolution and Report of the Director of Public Works for construction of sanitary sewer main within the rights-of-way of all property fronting upon the following streets:

SANITARY SEWER MAIN CONSTRUCTION:

All property fronting upon both sides of Spring Street, from the intersection of Shawano Street to the intersection of Wyman Street.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of New London, Waupaca-Outagamie Counties, Wisconsin, as follows:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvements, including final plans and specifications therefore, is hereby adopted and approved.

2. That the Board of Public Works is authorized and/or directed to carry out the work of such improvement in accordance with the Report of the Director of Public Works.

3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said Report.

4. That the assessments shown on said Report are correct estimates and have been determined on a reasonable basis and are hereby confirmed.

5. That the assessments for all projects included in said Report are hereby combined as single assessment, but any interested property owner shall be entitled to object to any assessment separately or all assessments jointly for any purpose or purposes.

6. That the assessments may be paid in cash in three (3) annual installments to the City Treasurer, deferred payments to bear interest at the rate of 8% per annum on the unpaid balance. Installments or assessments not paid when due, shall bear additional interest on the amount due at the rate of 8% per annum.

7. The City Clerk is directed to publish this Resolution as a Class I Notice in the official newspaper.

8. The City Clerk is further directed to mail a copy of this Resolution and a statement of final assessment against his property to every property owner whose name appears on the assessment roll who post office address is known or can with reasonable diligence be ascertained.

Adopted this 14th day of February, 2006.

\_\_\_\_\_  
Wayne Toltzman, Mayor

Attest: \_\_\_\_\_  
James R. Villiesse, Clerk-Treasurer

FINANCE & PERSONNEL -

1. The minutes of 2/8/06 were read by Romberg.
2. Romberg/Morack to authorize the City Administrator to negotiate the purchase of the former Simmons parking lot on West Beacon Avenue from its current owner. Carried 8-1 (O'Connell against).
3. Romberg/Henke to adopt Resolution No. 1169. Carried 9-0.

A RESOLUTION DESIGNATING FUND BALANCE

RESOLUTION NO. 1169

WHEREAS, it is good fiscal policy to anticipate expenses, and to set aside money for predicted events,

NOW, THEREFORE, BE IT RESOLVED that the City of New London Common Council hereby resolves as follows:

To set aside and designate fund balance to be spent in the following categories:

New Library Reserve	\$ 2,988
Urban Forestry Grant	12,858
Capital Projects Reserve	137,082
2006 Revaluation Reserve	62,040
Pool Roof	56,818
Equipment	<365,291>
Cable TV	209,334
Debt Service Reserve	608,091
Boat Launch	<150,718>
Landfill & Testing	21,000
Property Tax Adjustment	5,000
Trails	15,000

Adopted this 14<sup>th</sup> day of February, 2006

BY: \_\_\_\_\_  
Wayne Toltzman, Mayor

ATTEST: \_\_\_\_\_  
James R. Villiesse, City Clerk

4. Romberg/Tate to set the Committee of the Whole Meeting for 6:30 p.m. on Tuesday, February 22, 2006. Carried 9-0. This meeting will be to discuss the projected 2007 Budget deficit and how to mitigate it.

5. Romberg/Herter to grant licenses listed below: Carried 9-0

#### FEBRUARY LICENSE LIST

##### BEVERAGE OPERATORS

Dawn L. Peeters  
25 E. 2<sup>nd</sup> Street  
Clintonville, WI 54929  
Marty's

Patricia J. Porter  
215 W. Quincy Street  
New London, WI 54961  
Bree's Inn

Jamie Stroud  
316 E. Pine Street  
New London, WI 54961  
Marty's

Brandon L. Shadduck  
513 Partridge Dr. #1  
New London, WI 54961  
The Firehouse Rest/Bar

Lisa Weyland  
W8772 Cloverleaf Lake Road  
Clintonville, WI 54929  
Kwik Trip North

Tristan Stuebs  
E8146 Ritchie Lane  
New London, WI 54961  
Kwik Trip North

Marissa M. Rabideau  
1311 1/2 Division Street  
New London, WI 54961  
The Firehouse Rest/Bar

##### CLASS A LICENSE

Chicago Oil Corporation  
Satinder P. Kaur  
984 N. Shawano Street  
New London, WI 54961  
Formerly NL Shell

##### CIGARETTE LICENSE

Chicago Oil Corporation – Satinder P. Kaur  
984 N. Shawano Street  
New London, WI 54961  
Formerly NL Shell

COMBINATION SODA WATER LICENSE

Chicago Oil Corporation - Satinder P. Kaur  
984 N. Shawano Street  
New London, WI 54961

Formerly NL Shell

PARKS & RECREATION -

1. Minutes of February 7, 2006 were read by Renning.

CABLE COMMISSION - No Report.

Mayor Toltzman explained that Mr. Kopitzke was absent due to illness.

PLAN COMMISSION -

1. Minutes of January 26, 2006 were read by Henke.

REPORTS & MINUTES DISTRIBUTED:

Utility Commission - 1/3/06, 1/17/06

Police & Fire Commission - 1/16/06

Library & Museum – 1/16/06

Cemetery Superintendent's Report - January

Building Inspector's Report - January

REPORT OF OFFICERS on recent events and announcements to the Public -

Mayor -

1. Toltzman reminded the public that he is still seeking persons to serve on the Tree Board.

City Administrator -

1. Hager remarked that the RFP is out for demolition of the City property on W. Wolf River Avenue.
2. Updated the Council on Chamber of Commerce events.

Clerk-Treasurer -

1. Villiesse reported that this year's Christmas Assistance Program through our Community Cupboard assisted 82 families, which included 197 children.

City Attorney - Nothing further tonight.

Director of Public Works -

1. Mrs. Radtke reported on initial staging of the Shawano Street project, tree cutting, and issues dealing with the railroad crossing. She also saluted Joe Kosmerchock on his 30<sup>th</sup> anniversary with the Street Division.

Parks & Recreation Department -

1. Mrs. Polley said her Department is working on its Summer Program Guide which she hopes will be out in March along with the Annual Boat Launch stickers. She also commented on Pool lessons, the ice rinks and that Dan Kepner is celebrating his 8<sup>th</sup> anniversary with the Parks Division.

Utility Manager -

1. Mr. Thompson remarked that ATC is already working on their subdivision and hope to have it completed by December. He also presented the Utility payment in lieu of property tax check to the City.

Other comments –

Romberg commented on the latest TABOR move in the legislature.

There being no other business, O'Connell/Morack to adjourn. Council adjourned at 7:41 p.m.