



Council Meeting Minutes
Tuesday, August 6, 2013
Omro City Hall Council Chambers

Attendance Mayor Robert R. Breu, City Administrator Linda K. Kutchenriter, Attorney Lud Wurtz, Aldermen Ken Cady, Steve Jungwirth, Larry Wright, and Jason Reeves. Public Works Director Mark Van Pelt, Residents Jim Decker and John Steen, and Omro Herald Reporter Julie Schmidt. Michael Siewart of Martenson & Eisele, Inc.

Call to Order Mayor Breu called the meeting to order at 7:00 pm in the council chambers at Omro City Hall.

Invocation and Pledge of Allegiance The invocation was given by Jason Reeves, followed by presentation of the Pledge of Allegiance.

Roll Call Gordon Garvens and Rod Brusius were absent. A majority quorum of council members was in attendance to conduct the official business of the city.

Citizens Statements

Jim Decker of 242 Waukau Road addressed the council with drainage concerns regarding stormwater runoff. In the summer the landscaping handles it but in the Spring ice builds up and comes over the berm. Winnebago County called the city on the issue because of the ice on the road causing hazards. One solution may be the installation of a storm sewer in the back yard. He is looking to the city for an answer.

Mark Van Pelt responded that there is an existing drainage ditch on Sunset Court where you could put a storm sewer. An easement would be needed. There is a practical solution but it could be expensive.

Michael Siewart of Martenson & Eisele, Inc. (engineering firm) offered to get a preliminary engineering cost estimate for a solution to the drainage issue and bring that information to the next council meeting.

Minutes **Larry Wright motioned and Jason Reeves seconded to approve the July 2, 2013 Council Meeting Minutes as presented. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Absent. Motion carried by unanimous voice vote of the council members present.**

Expenditures Ken Cady motioned and Jason Reeves seconded to approve RES: 130806-A 'Expenditures' as presented. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Aye. Motion carried by unanimous roll call vote of the council members present.

Stearn's Park Sidewalk Portion of Capital Improvement Project Jason Reeves motioned and Larry Wright seconded to reject any and all bids for the 'Stearn's Park Walk, Concrete Slab, and Block Wall' portion of the park improvement projects in Stearn's Park. Only one bid came in at a quoted price way over the estimated budget for this portion of the project. The Public Works director decided to go out and solicit bids from local companies for this work as it is anticipated that all bids will be less than the statutory \$25,000.00 limit. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Absent. Motion carried by unanimous roll call vote of the council members present.

\$14,030.00 Change Order #3 for Stearn's Park Bulkhead / Transient Dock Rehab Jason Reeves motioned and Larry Wright seconded to approve RES: 130806-B 'Change Order #3 Authorization for a Fund Balance Transfer of \$14,030.00 from the General Fund to Parks Capital Improvements for the Replacement of 14 Pilings along Stearn's Park Seawall' as presented. Radtke Contractors wanted to replace 23 pilings, and the engineering firm of Martenson & Eisele Inc representative and the Public Works Director Mark Van Pelt are recommending the replacement of 14 pilings. The pile caps were removed showing extreme deterioration on the inside of the pilings that was not anticipated as the pilings looked fine on the outside. The pilings would be cut off below water and a new piling placed next to the old one. The panels will have to be of a different length to match up with the new pilings. The mobilization and demobilization of the crane and mats to install the pilings is quoted at \$5,770.00 and each installed piling is quoted at \$590.00 for a total of \$8,260.00 for pilings and project change order of \$14,030.00. Ken Cady/No, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/No, Jason Reeves/No, and Rod Brusius/Absent. Motion failed by majority roll call vote of the council members present.

Jason Reeves indicated that he would like a third (impartial) party to examine the pilings and determine that this needs to be done. Mayor Breu stated that if we put a new wall on bad pilings, all he can see is wall failure down the road. Another engineering opinion would cost additional funds that are not available.

Ken Cady motioned and Steve Jungwirth seconded to reconsider approval of RES: 130806-B 'Change Order #3 Authorization for a Fund Balance Transfer of \$14,030.00 from the General Fund to Parks Capital Improvements for the Replacement of 14 Pilings along Stearn's Park Seawall' as presented. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/No, Jason Reeves/No, Rod Brusius/Absent, and Mayor Breu/Aye. Motion carried by majority roll call vote with the Mayor casting the final approval vote.

Ambulance Contract Renewal with Oshkosh Fire Department	Steve Jungwirth motioned and Jason Reeves seconded to approve RES: 130806-C 'Approval of Ambulance Service Agreement With the City of Oshkosh for the Period of January 1, 2014 – December 31, 2018' as presented. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Aye. Motion carried by unanimous roll call vote of the council members present.
Approval of Temporary Class B Picnic Liquor Licenses	Larry Wright motioned and Jason Reeves seconded to approve RES: 130806-D 'Approval of Temporary Class B Fermented Malt Beverage Licenses' – St. Mary's Church and Omro Rushford Volunteer Fire Department' as presented. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Absent. Motion carried by unanimous roll call vote of the council members present.
Ordinance C#459 Amending Loud and Unnecessary Noise Prohibited and Park Regulations Sound Devices and Amplification Systems	Larry Wright motioned Ken Cady seconded to waive the 1 st Reading of 'Ord: 130806-C#459 An Ordinance Amending Chapter 9.12.070 Loud And Unnecessary Noise Prohibited And 12.24.010 (B)(2) Park Regulations Sound Devices And Amplification Systems For The City Of Omro, County Of Winnebago, State Of Wisconsin' as presented. Jason Reeves would like to keep the park rental amplification and noise allowed until 11:00 pm. Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Absent. Motion carried by unanimous roll call vote of the council members present. Council will look over the language of the ordinance and get back to staff suggested changes.
Next Meeting	The next meeting of the common council will be held on Tuesday, August 20, 2013 at 7:00 pm in the council chambers of city hall.
Adjournment into Closed Session	Jason Reeves motioned and Steve Jungwirth seconded to adjourn the council meeting and convene into closed session pursuant to 19.85(1)(e). Ken Cady/Aye, Steve Jungwirth/Aye, Gordon Garvens/Absent, Larry Wright/Aye, Jason Reeves/Aye, and Rod Brusius/Absent. Motion carried by unanimous roll call vote of the council members present.

Respectfully submitted by,

Barbara Van Clake, MMC, WCPC
Deputy Clerk / Treasurer



(Derived from notes taken by Linda K. Kutchenriter)