

**CITY OF HARTFORD
COMMON COUNCIL
April 18, 2023**

The Common Council of the City of Hartford, Washington and Dodge Counties, Wisconsin, met for its regularly scheduled meeting on Tuesday, April 18, 2023 7:00 p.m., in the Common Council Chambers of Hartford City Hall, 109 North Main Street, Mayor Timothy Michalak presiding.

PLEDGE OF ALLEGIANCE

Mayor Michalak led the Common Council in the Pledge of Allegiance.

ROLL CALL

The Mayor and all Alderpersons were present, except Alderpersons Hegy and Sikora who were absent and excused. Alderpersons Kohler and Turchi appeared via Zoom.

OATH OF OFFICE

1. City Clerk Lori Hetzel administered the oath of office to Alderpersons Regan and Savage.

NOMINATION AND ELECTION OF COUNCIL PRESIDENT

1. City Administrator Steve Volkert called for nominations for Council President. Alderperson Carroll nominated Alderperson Rusniak, who accepted and Alderperson Garza nominated Alderperson Turchi, who accepted.

Votes were counted as follows:

Rusniak: 5

Turchi: 4

MAYOR'S APPOINTMENTS TO BOARDS, COMMISSIONS & COMMITTEES

1. City Clerk Lori Hetzel read the list of the appointments to boards, commissions and committees.
 - a. City Administrator clarified that there are no citizen members of the Business Improvement District, they are all paying members of the BID.

MOTION by Alderperson Carroll, seconded by Alderperson Fulop approving the mayoral appointments to boards, commissions and committees as read.

COMMUNICATIONS

1. City Clerk Lori Hetzel advised the city has received the following annexation petition. Ridgeway Investments, LLC has submitted a petition for direct annexation by unanimous consent for approximately 11.69 acres of land located at tax key number T6039300-C. The address is 7520 and 7542 W State Trunk Highway 60. The petition will be referred to the Plan Commission for review and recommendation before returning to the Common Council for a public hearing and action.

MAYOR'S REPORT

1. Mayor Michalak read the May National Tennis Month Proclamation.

ALDERMANIC REQUESTS

Alderperson Rusniak thanked everyone for their votes for Council President. He also mentioned that Dennis Hegy will be in the hospital for the next couple of weeks for a special treatment, and asked for everyone's thoughts and prayers to be with Dennis and Lynnell.

Alderperson Regan thanked his family and the residents of the second district for electing him. He will do his part in fulfilling the responsibilities of the position. He also mentioned that he attended the Mid-Moraine Legislative Committee meeting with Dennis Hegy last week. The topics of discussion included the type and status of various fire departments, and the sales tax referendum question. The Mid-Moraine Legislative Committee will move forward with the sales tax issue by meeting with county officials to work toward getting some of the sales tax revenue back to the municipalities it came from.

Alderpersons Garza, Carroll, Webb, Fulop, Kohler, and Turchi welcomed Tina and Dennis to the council and congratulated Wayne for becoming Council President.

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Aldersperson Savage thanked everyone who supported her and she is excited to work with everyone on the council.

STANDING COMMITTEE REPORTS

Finance & Personnel

1. Discussion and consideration of approving a fermented malt beverage and intoxicating liquor license to A&M Café, LLC at 39 N Main Street.
 - a. City Clerk Lori Hetzel explained A&M Café is looking to buy out Perc Place, so they need to apply for a new liquor license.

MOTION by Aldersperson Fulop, seconded by Aldersperson Garza approving a fermented malt beverage and intoxicating liquor license to A&M Café, LLC at 39 N Main Street.

MOTION CARRIED UNANIMOUSLY.

CITY ADMINISTRATOR'S REPORT

1. Discussion of funding for Centennial Park Project and DNR findings.
 - a. City Engineer John Griffin explained that some contamination was found during the boring process. The project has continued, with the materials being sent to the landfill as footings are dug. The city has been working with the Washington County Brownfield Program, who is funding this work, but the city has a 20% ownership in paying for the environmental investigation. The DNR has directed the city to remove 2 feet of the soil of the green areas of the park and replace it with clean fill, to remedy the contamination. The actual work to remove the soil would not begin until the DNR approves the city's plan to accomplish that goal. That would result in about 4 weeks' worth of a delay to the project. Mr. Griffin's estimate of the cost of this project is just over \$272,000. He did find a way to finance this unanticipated project cost. Washington County has an EPA grant for remediating sites, which is a revolving loan fund which is managed through the county. Next month will bring more details in the meetings with the Public Works committee and again with the Common Council.
 - i. Mayor Michalak clarified that the city would only have 10% of the revolving loan forgiven. He also asked if there were additional costs associated with obtaining that loan and what the odds would be for the city being approved for the loan. Mr. Griffin explained that the chances are good for approval, but it would add more time to the project, probably going into the end of August before all of the approvals are secured. He also pointed out that another complication is that the loan money would be federal money, so the project would have to be re-bid and prevailing wage would come into play. Mayor Michalak then interjected that prevailing wage could end up costing the city more than the 10% of the loan that would be forgiven. Mr. Griffin explained that he is not too worried about prevailing wage because Wondra Construction is a union shop, so they are paying very close to prevailing wages. Mayor Michalak is concerned that introducing the prevailing wage component would increase costs far and beyond what would be forgiven through the loan. Mr. Griffin assure Mayor Michalak that he is looking at this issue from both standpoints.
 - ii. Aldersperson Rusniak asked if using undesignated fund balance would be an alternative option for funding, and Mr. Volkert answered that it is the only alternative option, other than a very generous donation. Aldersperson Rusniak made sure that other donations for the park would not be used for this unanticipated cost. Mr. Volkert explained that there are fees that donors pay that could be used toward this additional cost, but most of those funds have already been used due to this project being overbudget for some time.
 - iii. Aldersperson Fulop asked about the process of obtaining the loan through the county and what potential violations could be that could prevent the city from getting the loan. Mr. Griffin explained that it could be anything as simple as not following procurement procedures properly, because federal procedures vary greatly from municipal procedures. If there are violations, it is unknown if they would revoke the funds. This loan was being presented as an alternative to using up the undesignated fund balance. Aldersperson Fulop then asked about the remediation process of removing contaminated

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soil and replacing it. Mr. Griffin explained that the concrete areas are considered capping because the concrete is impervious. Removing the two feet of soil in the open green areas and replacing it is how the DNR is considering that area capped as well. Alderperson Fulop clarified that the contamination is present further down than two feet, and asked about the safety of runoff into the pond. Mr. Griffin explained that the contamination has always been present in this area, but during previous projects rules and regulations were different so remediation wasn't necessary. Alderperson Fulop asked if there is any liability from the railroad or Chrysler plant that was there previously. Mr. Griffin answered that in the agreement between the city and the Chrysler plant, the city was responsible to take down the building and fill in the park.

ADJOURNMENT

MOTION by Alderperson Savage, seconded by Alderperson Regan for adjournment at 7:38 p.m.
MOTION CARRIED.

Respectfully submitted,
Lori Hetzel, City Clerk

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