

**CITY OF HARTFORD
COMMON COUNCIL**

June 14, 2022

The Common Council of the City of Hartford, Washington and Dodge Counties, Wisconsin, met for its regularly scheduled meeting on Tuesday, June 14, 2022 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

All Alderpersons were present.

UNANIMOUS CONSENT AGENDA

MOTION by Alderperson Hegy, seconded by Alderperson Turchi approving the following items:

1. The Common Council minutes of May 10, 2022.
2. The purchase and installation of a new sign/electronic message center from Able Signs at a total cost of \$64,484 with the City of Hartford portion of the project expense approved at \$7,242.

MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS

1. Discussion and consideration of moving the August 9th Common Council meeting to August 16th and the November 8th Common Council meeting to November 15th due to 2022 fall elections.

MOTION by Alderperson Turchi, seconded by Alderperson Rusniak to move the August 9th Common Council meeting to August 16th and the November 8th Common Council meeting to November 15th due to 2022 fall elections.

MOTION CARRIED UNANIMOUSLY.

APPEARANCES/CITIZENS COMMENTS

Chief MacFarlan played a video created by Rachel Womack for Officers Patrick and Craig Beine. He then introduced Police Officer Craig Beine. City Clerk Lori Hetzel administered the oath of office.

MAYOR'S REPORT

1. Mayoral appointment of Todd Rusniak to the Parks and Recreation Board.

MOTION by Alderperson Sikora, seconded by Alderperson Kohler appointing Todd Rusniak to the Parks and Recreation Board.

MOTION CARRIED UNANIMOUSLY.

ALDERMANIC REQUESTS

Alderperson Hegy welcomed Officer Craig Beine and thanked Officer Pat Beine for his service. He also mentioned that the Hartford Area Chamber of Commerce Board of Directors will be meeting June 15 at Forte Bank to discuss ongoing summer events

Alderpersons Rusniak, Carroll, Garza, Turchi, Sikora, Kohler, Webb and Fulop all welcomed Officer Craig Beine and congratulated Officer Pat Beine on his retirement. All of the Alderpersons are confident that Craig will be a wonderful addition to the police department and has a great role model in his father.

RESOLUTIONS AND POSSIBLE ACTION THEREON

1. Resolution No. 3630 – A resolution approving the 2021 Wastewater Treatment Plant Compliance Maintenance Annual Report.

- a. Director of Sewer Utility Dave Piquett explained this report and resolution is required by the DNR in order to show the facility's overall condition and sewage collection system and its

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ability to treat waste without requiring a costly upgrade or expansion. The Hartford plant remains in full regulatory compliance for the 2021 reporting year.

MOTION by Alderperson Sikora, seconded by Alderperson Fulop for the adoption of proposed Resolution No. 3630.

MOTION CARRIED UNANIMOUSLY.

CITY ADMINISTRATOR'S REPORT

1. Discussion and consideration of approving a proposal from Washington County addressing lifeguard shortage.
 - a. City Administrator Steve Volkert explained that Washington County Executive Josh Schoemann contacted him regarding the countywide lifeguard shortage after West Bend decided to close their facility due to lack of lifeguards. The city remains six lifeguards short of a full staff for the season. In order to be able to fully open, around \$63,000 was the figure determined was needed in order to get a full staff for the Veteran's Memorial Aquatic Center (VMAC) for the 90-day season. Washington County will be utilizing ARPA funding for this agreement, so it was decided that this agreement would stretch over the 5 years the county has to spend the ARPA funds. It was also determined that whatever agreement was made would also apply to lifeguards who work in the off-season at the indoor Signicast Aquatic Center. A feathered payment structure was developed, so that each year Washington County would be paying 20% less until eventually the city would be absorbing all of the costs. The small increase over time is more palatable to the expenditure restraint program. The increased costs could be offset by minor tax increases or increasing entry rates to the VMAC. The agreement also includes the caveat that since the VMAC is the only facility open in Washington County, all Washington County residents will be able to purchase passes at the resident rate. Washington County will reimburse the city for the difference between resident and non-resident rates for those who do not reside in Hartford.
 - b. Alderperson Kohler pointed out that capacity at the VMAC needs to be taken into consideration, as the facility is still short-staffed and not able to open fully. Mayor Michalak mentioned that there were discussions about allowing Hartford residents a priority time in order to ensure that Hartford residents were not turned away due to capacity issues. Mr. Volkert explained that VMAC staff expressed the logistics of doing that would create more problems and congestion at the admission counter.
 - c. Alderperson Rusniak asked about an article in the newspaper that there would be buses coming from other communities, bringing patrons to the VMAC. Mr. Volkert explained that the article was inaccurate. There will not be buses coming from other communities. Alderperson Rusniak was also concerned with capacity limits and residents of the city getting to enjoy the facility.
 - d. Alderperson Turchi asked about how the increase in wages was determined and what the plan is to attract the additional lifeguards to the city. Mr. Volkert explained that individuals had been hired, only to turn the offer down after citing they could earn around \$3 more at another location. He also mentioned that this year, we are the only municipality taking advantage of this agreement, as West Bend and Kewaskum had already decided to close their facilities. That wage increase may need to be adjusted if those other municipalities take advantage of this agreement, which they most likely will.
 - e. Mayor Michalak asked if the city enters into the agreement, is it locking the city into the terms of the agreement with regard to the increase in the tax levy. Mr. Volkert explained that the expenditure budget would be locked in. The possibility exists that the cost could be offset by an increase in revenue, but it is not guaranteed. Alderperson Turchi added that he does not want to lock into an increase in the levy. He would be in favor of determining what the operational costs of the VMAC are and increasing entry rates to cover those costs. Alderperson Hegy then pointed out that there are estimated increases to the tax rate

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included in the executive summary that were calculated without increasing entry rates. This agreement is not automatically locking into an increase in the tax rate, instead it is giving notice of what the increases could be, as Mr. Volkert also mentioned.

- f. Alderperson Kohler mentioned that in 2020 the Common Council voted to allow the VMAC to exceed their budget by \$85,000, as that was the estimated difference in what was needed to keep the VMAC open at that time. Mike Hermann and his team came up with great options to make up that difference and did not come near needing the entire \$85,000. He also mentioned that lifeguards are not the only positions that are below competitive wages. He cited the lower wages as reasons why there are still openings in some city departments.
- g. Alderperson Sikora asked if the city would be contacting those lifeguards who passed on employment previously to see if they are now interested with the pay increase, and if the city still is unable to find lifeguards will the funding percentages be rolled over to next year. Mr. Volkert explained that the VMAC has a set operational budget that includes a \$30,000-\$40,000 budgeted loss. If the funding is not used to pay the additional lifeguards, it would most likely go toward any overtime from current employees or take away from that budgeted loss amount, essentially allowing the VMAC to lose less.
- h. Alderperson Webb asked if the agreement is binding for the entire five years. He asked if the city could enter into the agreement now and decide to exit the agreement next year. Mr. Volkert answered yes.
- i. Alderperson Rusniak stated that VMAC entry rates could be increased each year and it could be a possibility that the city would not even have to worry about increasing the tax levy. He also stated that patrons would almost expect some kind of increase in entry rates each year.
- j. Mayor Michalak asked for clarification as to what exactly the city is being locked into by entering into the agreement. Mayor Michalak had asked earlier in the discussion if the agreement locked the city into the tax levy increase, to which Mr. Volkert answered yes. But now Mayor Michalak asked if the agreement is locking the city into the understanding that the cost of increasing staff wages needs to somehow be balanced by revenues and that the amount of money being granted by the county will decrease over five years. Mr. Volkert answered that unless the city agrees to increasing the entry rates for the VMAC every year, the tax levy will need to increase in order to balance the expenses.
- k. Alderperson Turchi asked about the mechanism to increase entry rates for the VMAC. Mr. Volkert answered that it begins with the Parks and Rec Commission, but eventually comes to the Common Council for approval.
- l. Alderperson Fulop asked if the numbers had been run based on 2021 attendance to see what the increase in entry rates might look like to offset the current wage increase. Mr. Volkert answered that those numbers had not been calculated yet.
- m. Alderperson Garza asked if extending the VMAC's hours had been looked at. Mr. Volkert explained that extended hours mean additional staff is needed, which is the whole reason this discussion is taking place. However, if the weather suggests more people would like to get into the pool, it would be considered.
- n. Alderperson Kohler recused himself from voting because he is an employee of the Parks and Recreation Department.

MOTION by Alderperson Fulop, seconded by Alderperson Hegy approving a proposal from Washington County addressing lifeguard shortage.

MOTION CARRIED UNANIMOUSLY.

2. Discussion and consideration of approval to seek abatement of a public nuisance by court action for a property located at 109 West Washington Avenue.
 - a. Mayor Michalak wanted to clarify why this issue is being held in open session instead of closed session. City Administrator Steve Volkert explained that this issue does not fall under any of the statutory requirements for closed session.

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- b. City Attorney Ian Prust explained that this property has been a nuisance in the city for many years. The city has attempted to remedy this by issuing numerous citations to the property owner, but the property remains a nuisance. After discussing with Justin Drew and Tim Algiers, it has been decided to take court action. The first step is an order for the property owner to abate the nuisance themselves. If that is not done, a court order would be obtained for the city to abate the nuisance and any costs would be charged back to the property owner. The issue with this property is a garage that is falling in on itself as well as car parts and other debris in the yard. If the city was granted the court order, both issues would be taken care of at the same time. Approval by Common Council would be required before any action is taken by the city.
- c. Mayor Michalak asked if there would be any interest charged on the amount the city charges to the property owner. Mr. Prust explained that interest would be accrued whether the amount was in a judgment or added to the tax bill.
- d. Alderperson Garza asked if the court order was obtained, would law enforcement escort the contractor on the property. Mr. Prust stated that would be addressed as needed. Most of the time with raise orders, the property is vacant so law enforcement is not needed.

MOTION by Alderperson Carroll, seconded by Alderperson Fulop to approve to seek abatement of a public nuisance by court action for a property located at 109 West Washington Avenue.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MOTION by Alderperson Sikora, seconded by Alderperson Fulop for adjournment at 7:57 p.m.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,
Lori Hetzel, City Clerk

CCJUN14.22