

City of Phillips
Committee of the Whole Meeting
Municipal Building, Municipal Hall
174 S Eyder Avenue
February 6, 2024
5:30 pm

Mayor: Charles Peterson

Committee Members: Jerry Clark, Richard Heitkemper, Laura Tomaszewski, Marty Stephan, Bill Elliott, John Klimowski.

City Attorney: Bryce Schoenborn

Department Heads: Public Works Director–Jim Heizler; Water/Wastewater Supervisor-Todd Toelle; Police Chief-Michael Hauschild; Fire Chief-David Lontcoski; Library Director–Rebecca Puhl; Clerk/Treasurer- Shelby Kosmer.

Following the open session of the meeting the Common Council will convene into closed session pursuant to Wis. Stat. Section 19.85(1)(g) Conferring with Counsel who either orally or in writing will advise governmental body on strategy to be adopted with Consideration of Indemnification Request from CAP Minnesota, LLC, for Razing of Lionite Building.

This meeting is held in compliance with Wisconsin’s Open Meeting Law, WI § Chapter 19, Subchapter V. As such it is open to the public.

City Council members present may also represent a quorum of any Committee or Board of the City Council listed below and, as such, may proceed to meet and conduct business as listed under that Committee or Board portion of the agenda below, if the full City Council doesn’t have sufficient members present to satisfy quorum requirements to enable it to meet as the Committee of the Whole.

Call to Order (presiding officer) Time: _____

- a. Greeting
- b. Certification of compliance with Open Meeting Law
- c. Pledge of Allegiance

Roll Call: Chuck Peterson ____, Jerry Clark ____, Richard Heitkemper ____, Laura Tomaszewski ____, Marty Stephan ____, Bill Elliott ____, John Klimowski __.

Public Comment:

DISCUSSION-ACTION ITEMS:

General-Mayor/Clerk

1. Set next month’s meeting date and time: Tuesday March 5, 2024, at 5:30 p.m.
2. Motion to approve the minutes from the January 2, 2024, meeting.
3. Mayor updates:
 - a) Appointment of Mark Brzeskiewicz to the City Council Ward 3 District 2
 - b) Administer Oath of Office to Mark Brzeskiewicz
 - c) Appointment of Mark Brzeskiewicz to the following committees: Phillips Planning Commission, Zoning Board Adjustments and Appeals, Recreation Committee, Personal/Budget/Finance Committee, Board of Review, Chair of the License Committee, Library Board, and Housing/CDBG Committee.
4. Clerk updates:

5. Discussion/Action regarding Parcel on County Rd H where the old bridge crossed to Forest Lane potential sale of land.
 - a) Discussion/Action regarding offers from interested parties

Board of Public Works/Recreation –Klimowski/Elliott

6. DPW and Water/Sewer Updates:
7. Fifield/Ash Street Reconstruction Updates:
 - a) Acceptance of bids for Fifield/Ash Street Reconstruction Project.

Public Safety - Heitkemper

8. Fire Department updates:
 - a) Engine 442 pump repairs
 - b) Overhead door project update:
 - c) Junior Firefighter program:
9. Police Department Updates:

Licensing/Permits – Brzeskiewicz

Personnel/Budget/Finance – Clark

Legal

City Council

10. Council Update
11. Convene into closed session. Authority: Pursuant to Wis. Stat. Section 19.85(1)(g) Conferring with Counsel who either orally or in writing will advise governmental body on strategy to be adopted with Consideration of Indemnification Request from CAP Minnesota, LLC, for Razing of Lionite Building.
Jerry Clark___ Richard Heitkemper ___ Mark Brzeskiewicz ___ Marty Stephan ___ Bill Elliott ___ John Klimowski ___. Time_____
12. Reconvene into open session. Authority: Wisconsin §19.85(2). Jerry Clark___ Richard Heitkemper ___ Mark Brzeskiewicz ___ Marty Stephan ___ Bill Elliott ___ John Klimowski ___. Time: _____
13. Motion on the subject of the closed session
14. Adjournment: Time: _____

Mayor Charles Peterson called the meeting of the Committee of the Whole to order at 5: 30p.m.
Members Present: Jerry Clark, Richard Heitkemper, Marty Stephan, Bill Elliott, John Klimowski, Bryce Schoenborn, Shelby Kosmer, and Mark Brzeskiewicz.

Also Present: Patty Stephan, Shirley Smith, Marcie Bogdanovic, David Lontcoski, Michael Hauschild, Jim Heizler, Travis Abraham, Michael Stoffel, Justin Schuenemann, Todd Toelle, Joe Perkins, Janene Rivet, Thomas LaVenture, Anne Baxter, John Baxter, and Lyn Ludwig.

Public Comment: Anne Baxter with Northwoods Players asked if they could utilize the Hall for laying out a backdrop to dry and paint for the play, Kosmer stated it wouldn't be any issue and we would just coordinate with the hall rental schedule.

Lyn Ludwig just wanted to update she is still pursuing the EPA Community Change Grant. Mayor Peterson informed her this was going to be an agenda item for next Tuesday February 13th, 2024.

DISCUSSION-ACTION ITEMS:

General-Mayor/Clerk

1. Set next month's meeting date and time: Tuesday March 5, 2024, at 5:30 p.m.
2. Clark/ Elliott moved to approve the minutes from the January 2, 2024, meeting. Carried
3. Mayor updates: Mayor Peterson lead a moment of silence and offered thanks to Laura Tomaszewski for her service to the City with the news of her passing.
 - a) Appointment of Mark Brzeskiewicz to the City Council Ward 3 District 2. Elliott moved to confirm the appointment of Mark Brzeskiewicz to the City Council Ward 3 District 2. Roll Call: Clark – aye, Heitkemper – aye, Tomaszewski – absent, Stephan – aye, Elliott – aye, Klimowski – aye. Motion Carried
 - b) Clerk Kosmer administered the Oath of Office to Mark Brzeskiewicz.
 - c) Heitkemper/Elliott moved to confirm the appointment of Mark Brzeskiewicz to the following committees: Phillips Planning Commission, Zoning Board Adjustments and Appeals, Recreation Committee, Personal/Budget/Finance Committee, Board of Review, Chair of the License Committee, Library Board, and Housing/CDBG Committee. Roll Call: Clark – aye, Heitkemper – aye, Stephan – aye, Elliott – aye, Klimowski – aye. Motion Carried
4. Clerk updates: Kosmer updated the council that the auditors will be here tomorrow and the ladies auxiliary, Jean Klimowski, have informed the city they would like to donate \$1000 towards replacing tables for the armory.
5. Discussion/Action regarding Parcel on County Rd H where the old bridge crossed to Forest Lane potential sale of land.
 - a) Discussion/Action regarding offers from interested parties: Janene Rivet expressed interest in purchasing part of Tax ID 25373 part lying west of squaw creek and east of County Rd H. Janene provided an offer to

Lyn Ludwig requested the Council to consider not selling it because she is in purchase agreements with Mark Puls to purchase his parcel and she is requesting to be part of the bidding process so she can have this land to utilize the land as part of her EPA Change grants for more trail systems to create a bridge where there used to be.

There was much discussion over ownership and right of ways and easements over property.

Klimowski/ Stephan moved to table this to matter to confer with legal counsel, as City Attorney Bryce Schoenborn as a conflict of interest, regarding ownership

Board of Public Works/Recreation –Klimowski/Elliott

6. DPW and Water/Sewer Updates:

DPW: Skating rink is closed due to the weather. Prevea Health closed, they handled all our DOT Random Drug Screenings, so he is in the works of finding another company to do this through.

Water/Sewer: Got their DNR survey/ inspection took place the other week, so they are working on taking care of the items noted in the survey. Everything else is working good, the County cleared up the issue with the chlorides with the brining process.

7. Fifield/Ash Street Reconstruction Updates: City Engineer Mike Stoffel gave update about the reconstruction project, we SDWL which is principal forgiveness and 20-year loan and received the Clean Water Fund Loan (CWFL) totally about 2.4 million received in grants. Klimowski questioned the traffic control line item of 66k when other bids only had 12k allocated. Stoffel advised that we cannot negotiate a bid and a lot of bids they see come through have skewed line items. The bids were as follows: Hass Sons, Inc \$1,464,338.85, A-1 Excavating LLC \$1,465,990.00, Francis Melvin, Inc \$1,477,729.28, and James Peterson Sons, Inc \$1,596,258.75.

- a) Klimowski/ Elliott moved to award the bid for Fifield/Ash Street Reconstruction Project to Hass Sons, Inc, in the amount \$1,464,338.85. Roll Call: Clark – aye, Heitkemper – aye, Brzeskiewicz– aye, Stephan – aye, Elliott – aye, Klimowski – aye. Motion Carried.

Public Safety - Heitkemper

8. Fire Department updates: Did get one of the furnaces replaced, they are coming back to replace the second unit as well. Which has drastically improved their heating.

- a) Engine 442 pump repairs: Engine 442 is their main engine; they are having issues with the 2-stage pump valve. It pumps in one mode but not the other, the cost is approximately \$4,800 to repair the pump. Newer trucks don't have these two stages pumps. The council instructed if it is in their budget to just get it repaired.
- b) Overhead door project update: Bids have been posted and the bids are due at the end of the month and we will see how those bids come in for the cost of the project.
- c) Junior Firefighter program: Got the application done for the junior firefighter program, they utilized something similar to what Fifield fire department does, it includes their name age, why they are interested in joining the program. The department will be creating a policy and the kids must maintain a C average for school to be a part of the program.

9. Police Department Updates:

Calls for Service:	2024	2023
Jan	154	160

The full-time person we had hired to send through the academy did not pass the physical agility test to be accepted into the academy, so the job has been reposted.

New bids for squad cars 2025 ford police interceptor, they are unsure of the date of delivery of the vehicle, they are hoping for receiving it mid-Summer and then it would be outfitted by Belco.

Licensing/Permits – Brzeskiewicz

Personnel/Budget/Finance – Clark

Legal

City Council

10. Council Update:

Brzeskiewicz thanked the council for the opportunity to be a part of the Council.

11. Clark/ Elliott moved to convene into closed session. Authority: Pursuant to Wis. Stat. Section 19.85(1)(g) Conferring with Counsel who either orally or in writing will advise governmental body on strategy to be adopted with Consideration of Indemnification Request from CAP Minnesota, LLC, for Razing of Lionite Building.

Jerry Clark – aye, Richard Heitkemper -aye, Mark Brzeskiewicz -aye, Marty Stephan – aye, Bill Elliott – aye, John Klimowski – aye. Time 6:30pm

12. Elliott/Clark moved to reconvene into open session. Authority: Wisconsin §19.85(2). Jerry Clark – aye, Richard Heitkemper - Mark Brzeskiewicz ___ Marty Stephan ___ Bill Elliott ___ John Klimowski ___. Time: 6:46pm

13. Motion on the subject of the closed session

Clark/Heitkemper moved to authorize City Attorney Bryce Schoenborn to move forward with contracting with Bennish with the indemnification clause for Cap. Roll Call: Clark – aye, Heitkemper – aye, Brzeskiewicz – aye, Stephan – aye, Elliott – aye, Klimowski – aye. Motion Carried.

14. Clark moved for adjournment: Time: 6:47pm



Shelby Kosmer
Clerk/Treasurer