

CITY OF PRESCOTT, WISCONSIN  
MEETING NOTICE  
REGULAR CITY COUNCIL MEETING  
MONDAY, FEBRUARY 25, 2019 AT 6:30 P.M.  
PRESCOTT MUNICIPAL BUILDING, 800 BORNER STREET  
PRESCOTT, WI 54021  
WEBSITE: PRESCOTTWI.ORG

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENTS – THE CITY COUNCIL WILL RECEIVE PUBLIC COMMENTS ON ANY ISSUE(S) RELATED TO AGENDA ITEMS. LIMITED DISCUSSION BY THE CITY COUNCIL MAY TAKE PLACE.
5. CONSENT AGENDA
  1. REGULAR CITY COUNCIL MEETING MINUTES FEBRUARY 11, 2019
  2. PERSONNEL COMMITTEE MEETING MINUTES FEBRUARY 11, 2019
  3. ORDINANCE COMMITTEE MEETING MINUTES FEBRUARY 11, 2019
6. REPORTS OF STANDING COMMITTEES
  - A. HEALTH & SAFETY
  - B. PLANNING COMMISSION
  - C. PUBLIC WORKS
    1. NEXT MEETING SET FOR MARCH 11<sup>TH</sup> AT 5:00 PM
  - D. PERSONNEL
  - E. ORDINANCE
    1. 1<sup>ST</sup> READING WITH POSSIBLE WAIVER OF 2<sup>ND</sup> & 3<sup>RD</sup> READING OF ORDINANCE 01-19 “PROHIBITED POSSESSION OF VAPING DEVICE PRODUCTS UNDER AGE OF 18”
  - F. LICENSE
    1. OPERATOR LICENSE
  - G. FINANCE COMMITTEE
    1. REQUEST FROM PRESCOTT SENIOR GATHERING TO RELEASE \$2,000 GRANT PROCEEDS INCLUDED IN 2019 BUDGET
    2. REQUEST TO TRANSFER FUNDS FROM CONTINGENCY TO PURCHASE REPLACEMENT OF THREE BALLISTIC VESTS FOR POLICE DEPARTMENT
  - I. PARKS & PUBLIC PROPERTY
    1. SET MEETING DATE TO MEET WITH GROUP CREATING FAIRY GARDEN PARK
  - J. COMMUNICATIONS & NEW BUSINESS
    1. PUBLIC COMMENTS THE CITY COUNCIL WILL RECEIVE PUBLIC COMMENTS ON ANY ISSUE(S) NOT RELATED TO AGENDA ITEMS. LIMITED DISCUSSION BY THE CITY COUNCIL MAY TAKE PLACE; HOWEVER NO ACTION WILL BE TAKEN ON ANY ITEMS. THIS INCLUDES RECEIVING WRITTEN REQUESTS OR DOCUMENTATION AND POSSIBLE ACTION AT A FUTURE COUNCIL MEETING
    2. OTHER BUSINESS
    3. ADJOURNMENT

NOTICE

ACCESS TO THE MUNICIPAL BUILDING FOR THE DISABLED IS AVAILABLE THROUGH THE REAR PARKING LOT ENTRANCE. ALL THOSE WITH SPECIAL NEEDS SHOULD CALL CITY HALL OFFICES (715-262-5544) IF ASSISTANCE IS NEEDED

## FEBRUARY 11, 2019 REGULAR CITY COUNCIL MEETING MINUTES

Pursuant to due call and notice thereof, a regular meeting of the Prescott City Council was held on Monday, February 11, 2019 in the Prescott Municipal Building, 800 Borner St., Prescott, WI 54021.

Call to order/Roll Call: Mayor David Hovel called the meeting to order 6:30 p.m. Members present were Joshua Gergen, Galen Seipel, Dar Hintz, Bailey Ruona, Maureen Otwell and Robert Daugherty. Chief of Police Eric Michaels and City Administrator Jayne Brand represented staff. Also present Greg Adams, City Engineer from Cedar Corporation. Pledge of Allegiance was said.

**Public Comments:** None were given.

**Daugherty/Ruona motion to approve the consent agenda which included the approve of regular city council meeting minutes for January 28, 2019, Plan Commission meeting minutes for February 4, 2019, cash balances, budget year to date, accounts payable, payroll and review of receivables passed without a negative voice vote.**

Police Chief Eric Michaels reviewed a year- end report with the council. Calls for service were 3,786 which were 873 calls less than the previous year. The reason for the lesser amount of calls was due to being short of Officers. 2019 is up about 25 calls from the same time last year. There were two major incidents which took a number of staff hours. Computers and docking stations have been purchased and will be completely set up shortly. There have 3 new Officers hired, 2 fulltime and 1 part-time Officer. These Officers are going through the Field Training right now and training should be completed by end of March or early April. Chief Michaels stated he would like to hire a couple more part-time Officers but is having trouble finding candidates. Chief Michaels stated he will fill the School Resource Officer, Investigator and Patrol Sergeant positions once the new Officers are trained. Most of the items in the assessment have been completed. The items which are left have a financial issues involved with them.

Tyler Erickson presented the plan for the Prescott Senior Living. Grades for the building are not changing from the existing building. Stormwater detention is being directed to an area in the parking lot. **Gergen/Seipel motion to approve the plans for Prescott Senior Living as presented passed without a negative voice vote.**

Greg Adams, City Engineer presented the final payment for the public works cold storage building. All of the punch list items have been completed and the operating and maintenance manuals have been turned over to the city. **Gergen/Hintz motion to approve final payment for public works cold storage building in the amount of \$11,894.42 passed without a negative voice vote.**

Greg Adams, City Engineer presented the bids for phase 2 of the Albert/College Street project. Bids ranged from \$635,112.30 to \$881,913.80. **Gergen/Ruona motion to award bid for phase 2 of the Albert/College Street project to McCabe Construction in the amount of \$635,112.30 passed without a negative voice vote.**

City Administrator Jayne Brand reviewed with the Council a memo from West Central Wisconsin Biosolids Facility. The facility is currently running into issue with hauling of waste from the treatment plants due to the weight limits. The facility has been running under the exemption for "recycle scrap". The Department of Transportation is no longer going to allow them to run under this exemption. There are two issues which need to be addressed. Changing the law by legislative action and/or seek an

administrative ruling under Wisconsin Statutes that would require the DOT to modify its stated position and issue a permit under existing law.

**Gergen/Ruona motion to approve Resolution 01-19 "Form Member Resolution Approving Legislative Action to Expressly Authorize the Department of Transportation to issue a permit that allows the West Central Wisconsin Biosolids Facility to haul biosolids in excess of statutory limits" passed without a negative voice vote.**

City Administrator Jayne Brand presented information regarding the submitting of an application for phosphorus multidischarge variance with Wisconsin Department of Natural Resources. Dennis Eaton, Supervisor of Wastewater has been notified the city will receive a reduction in the limit for phosphorus from 1.0 to .02. **Ruona/Gergen motion to proceed with the application for a multidischarge variance for phosphorus with the Department of Natural Resources passed without a negative voice vote.**

**Other Business:**

Alderman Seipel asked about when the public works department starts plowing. He was told they start plowing at 4:00 am and begin with downtown and then move to the streets around the school. It takes about 4 hours to open all of the streets. The public works employees will then go back and round out corners and push back snow. The second day following a snow fall they will come back in at 4:00 am and haul out the snow out of the middle of Broad Street.

**Gergen/Daugherty motion to adjourn passed without a negative voice vote.**

Respectfully Submitted,

Jayne M. Brand  
City Administrator

CITY OF PRESCOTT, WISCONSIN

PERSONNEL COMMITTEE MEETING MINUTES FOR FEBRUARY 11, 2019

Pursuant to due call and notice thereof, a meeting of the Personnel Committee was held February 11, 2019, 800 Borner St., Prescott, WI 54021.

Call to order/Roll Call: Alderperson Rob Daugherty called the meeting to order at 5:40 p.m. Members present were Rob Daugherty and Dar Hintz. Maureen Otwell arrived at 5:45 pm. Police Chief Eric Michaels and City Administrator Jayne Brand represented staff.

**Hintz/Daugherty motion to approve the minutes for December 4, 2018 passed without a negative voice vote.**

Police Chief Eric Michaels reviewed the summary and conclusions from the Police assessment. Policy manual review and update has been completed. The software Lexipol was purchased and a total of 88 policies have been rolled out. There are about 40 more policies to be worked on. The Officers receive training bulletins which need to be completed as part of the training process. Job descriptions have been completed for all positions including School Resource Officer/Investigator and Sergeant. Reporting obligations was discussed. Chief Michaels meets at least weekly with his Sergeant. He keeps the City Administrator up to date on issues within the department. Specialized and in service training. The in service training has been completed for all Officers. Each Officer will be doing some type of specialized training each year. The training budget was increased to \$7,000 but more funding will be needed for training. Staffing and work assignments were discussed. 2017 & 2018 were challenging years for the department with the homicide and attempted homicide. They were short Officers so fulltime Officers had to cover shifts for vacation and sick time. New shifts are being set up and there will be 2 Officers on duty during the day and night shifts. Performance evaluations have not been completed. After discussion the personnel committee will work with city staff on looking for evaluation forms and all staff will work on doing annual evaluations. Personnel file management has been worked on. All files have been reorganized. Separate files are kept for training. Other files have been sent to city hall for keeping. All personnel files are under lock and key. Inter-agency collaboration was discussed. The department is doing training with Pierce County Sheriff department and other agencies in the area. The relationship between the Police Department and Sheriff Department is greatly improved. Chief Michaels has stated the department is not active in any fundraising activities. Any new program implementation will need to be presented to the personnel committee. This was done when the School Resource Officer/Investigator position was created. Chief Michaels stated the department will continue to work together to do what is best for the community.

**Hintz/Daugherty motion to add an addendum to the City Administrator contract to allow the Administrator to live outside of the city passed without a negative voice vote.**

**Daugherty/Hintz motion to adjourn passed without a negative voice vote.**

Respectfully Submitted,

Jayne M. Brand  
City Administrator

**CITY OF PRESCOTT, WISCONSIN  
FEBRUARY 11, 2019 ORDINANCE COMMITTEE MEETING MINUTES**

Pursuant to due call and notice thereof, a meeting of the Ordinance Committee was held Monday, February 11, 2019 at the Municipal Building, 800 Borner St. Prescott, WI 54021

Aldersperson Hintz called the meeting to order at 5:00 p.m. Members present were Bailey Ruona and Dar Hintz. Galen Seipel was absent. Chief of Police Eric Michaels and City Administrator Jayne Brand represented staff.

**Ruona/Hintz motion to approve the minutes for August 6, 2018 passed without a negative voice vote.**

Police Chief Eric Michael presented the proposed ordinance which would prohibit possession of vaping device products under the age of 18. This ordinance would only apply to minors. Chief Michaels stated the School District currently has their own guidelines on how they handle a student who is found with the vaping products. The police department is contacted to issue tickets. The proposed ordinance would cover the entire city which was requested by one of the Aldersperson. **Hintz/Ruona motion to recommend approve the ordinance for prohibiting possession of vaping device products under the age of 18 passed without a negative voice vote.**

**Hintz/Ruona motion to adjourn passed without a negative voice vote.**

Respectfully Submitted,

Jayne M. Brand  
City Administrator

# CITY OF PRESCOTT, WISCONSIN

## ORDINANCE 01-19

**Section 1.** The City Council of the City of Prescott, Wisconsin, Do Ordain as Follows:

The following ordinance is hereby enacted and made a part of the City Code of Ordinances:

### **CHAPTER 271 – Article III Prohibited Possession of Vaping Device Products Under the Age of 18**

- (a) **Purpose.** This section is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of the City of Prescott.
- (b) **Definition.** For the purposes of this section, the term, “Vaping Device Product” means any noncombustible product, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form including but not limited to an electronic cigarette, electronic cigarillo, electronic pipe, vaporizers, or similar products or devices. “Vaping Device Product” shall include any vapor cartridge, solution or other container, that may or may not contain nicotine, that is intended to be used with an electric cigarette, electronic cigar, electronic cigarillo, electronic pipe, vaporizers, or similar products or devices. “Vaping Device Product” does not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.
- (c) **Possession.** No Person under the age of 18 years may possess electronic nicotine delivery systems (ENDS) or any of their components or parts. Components or parts of ENDS include e-liquids, cartridges, atomizers, cartomizers and clearomizers, tank systems, drip tips, and flavoring for ENDS. ENDS include what are commonly referred to as vapes, vaporizers, vape pens, hookah pens, electronic cigarettes, e- cigarettes, e-cigs, and e-pipes, which produce an “e-liquid” which may contain nicotine as well as other compositions. ENDS includes, but is not limited to, ENDS and their components and parts regulated by the Federal Drug Administration, under rules set forth in the Federal Register, 81 FR 28973

**Section 2.** A copy of Prohibited Possession of Vaping Device Products Under the age of 18 shall be kept on file in the Office of the City Administrator, preserved in loose-leaf form or in such other form as designated by the City Administrator or person authorized by the City Administrator, and said person shall insert in their designated places all amendments, ordinances or resolutions, which indicate the intention of the Common Council to make the same a part of the Municipal code when the same have been printed or reprinted in page form, and to extract from the Municipal code all provisions, which may be repealed from time to time by the Common Council. This copy of the Code shall be available for all persons desiring to examine it.

**Section 3.** If this ordinance conflicts with any other ordinances or parts of ordinances, to the extent of such conflict, this ordinance shall control in all matters related to **“Prohibited Possession of Vaping Device Products Under the age of 18.”**

**Section 4.** This ordinance shall become effective upon due notice and publication as required by law.

Passed, Approved and Adopted by the Prescott City Council on this \_\_\_\_ day of February, 2019

Pursuant to Section 66.035, Wis. Stats.

\_\_\_\_\_  
David B. Hovel, Mayor

ATTEST:

\_\_\_\_\_  
Jayne M. Brand  
City Administrator/Clerk

Introduced:  
Adopted:  
Published:  
Effective:



CITY OF PRESCOTT

800 Borner Street North • Prescott, Wisconsin 54021-2012  
(715) 262-5544

PAID FEB 21 2019 \$50

### OPERATOR'S LICENSE APPLICATION

**Instructions:**

1. Submit signed and completed application.
2. Pay \$25.00 renewal license for 2 years due in odd number year, \$50.00 new license fee (\$25.00 of this fee is for the background check).
3. All licenses are subject to City Council approval. Allow two weeks for processing.

Full Name (first, middle, last) Jacob Scott ~~D Parmeter~~

Address 451 Flora St. South

City Prescott State WI Zip Code 54021

Telephone # 715-533-0563 Driver's License # & State P653-4378-8023-07 Wisconsin

Date of Birth 01/23/1988 Place of Birth Red Wing MN

New License  Renewal

Have you completed responsible beverage server training course?  Yes  No

Establishment where license will be used NO NAME SALOON Starting Date 3-18-19

Have you ever been convicted of a felony? Yes  No   
If yes, date of conviction \_\_\_\_\_ Court \_\_\_\_\_  
Nature of Offense \_\_\_\_\_

Have you ever been convicted of violating any laws of the State of Wisconsin or the United States? Yes  No   
If yes, date of conviction \_\_\_\_\_ Court \_\_\_\_\_  
Nature of Offense \_\_\_\_\_

Have you ever been convicted of violating any license law or ordinance regulating the sale of alcohol beverages or intoxicating liquors?  
Yes  No

The applicant hereby applies for a license to sell/serve fermented malt beverages and intoxicating liquors and agrees to comply with the following:  
A. All federal, state, and local laws, resolutions, ordinance statues and regulations affecting the sale of fermented malt beverages and intoxicating liquors.  
B. Wisconsin Statues 125.32(2) and 125.68(2).

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

**City Use Only:**

Date Filed \_\_\_\_\_ Fee Paid \_\_\_\_\_ Receipt # \_\_\_\_\_ Application # \_\_\_\_\_  
Chief of Police Approval \_\_\_\_\_ Date \_\_\_\_\_  
City Council Approval \_\_\_\_\_ Date \_\_\_\_\_



## Jayne Brand

---

**From:** magnanthomas07 <magnanthomas07@gmail.com>  
**Sent:** Tuesday, February 19, 2019 3:41 PM  
**To:** Jayne Brand  
**Subject:** To the Prescott City Council.

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

On behalf of the Prescott Senior Gathering Place i would like to thank the Prescott City Council for the generous grant of \$2000 they have authorized for our organizations operational needs. We would like to request the release of these funds at your earliest convenience.

Respectfully submitted by

Tom Magnan

Prescott senior gathering place

Finance committee chairman

Sent from my T-Mobile 4G LTE Device