

REGULAR MEETING OF THE COMMON COUNCIL

APRIL 5TH, 2011

The Common Council of the City of Richland Center, Wisconsin, met in the Council Room of the municipal building on Tuesday, April 5th, 2011 commencing at 7:00 P.M., Mayor Larry D. Fowler presiding. Alderpersons Susan Fruit, Lester Parker, Jay Buchanan Mueller, Steve Deets, Judy Shireman, Bill Kloehn, and Lorna Dilley present. Alderperson Marie Rakow was absent. Mayor Fowler ascertained from the Clerk that the meeting was properly noticed.

Motion by Fruit, second by Kloehn to waive the reading of the minutes of the last meeting (March 15th, 2011) in lieu of printed copies and to approve the same. Motion carried.

TREASURER’S REPORT: Treasurer Jude Elliott presented the General Fund Report for March, 2011. The complete Treasurer’s report follows:

GENERAL FUND:

Treasurer’s balance at start of month	1,226,752.07
Receipts	254,559.76
Disbursements	723,297.02
Treasurer’s balance end of month	798,014.81
Money Market Tax Acct.	21,241.47

INVESTMENTS:

State Pool - Account # 1	561,112.60
State Pool – Account #2 Long Term Care	526,460.32
State Pool - Account # 4 - Project Carryover	494,495.53
State Pool - Account # 6 - TIF - 2-5	1,009,175.20

SPECIAL ACCOUNTS

CDBG - Housing RLF	114,302.33
Cemetery	3,864.33
Revolving Loan Fund- Savings	457,221.57
Revolving Loan Fund – Checking	9,324.71
Park / Community Center	23,042.32
Park and Rec Checking	3,022.34
Recycling	15,952.29
Landfill Care – CD	476,286.65
Landfill Closure	88,633.95
Room Tax	24,527.08
Library Checking	98,400.35
RDA Checking	108,091.40

ELECTRIC UTILITY FUND:

Treasurer's balance at start of month	84,347.03
Receipts	941,611.00
Garbage Receipts	20,229.50
Public Benefit	13,688.23
Telecom Utility	5,064.00
Disbursements	919,999.09
Treasurer's balance at end of month	144,940.67
Investments	1,506,925.94

WATER UTILITY FUND:

Treasurer's balance start of month	33,193.55
Receipts	83,885.49
Disbursements	63,003.58
Treasurer's balance end of month	54,075.46
Investments	1,519,099.57

SEWER UTILITY FUND:

Treasurer's balance start of month	373,103.06
Receipts	101,455.57
Disbursements	421,108.92
Treasurer's balance end of month	53,449.71
Investment	5,523,657.58

LOANS:

Telecom from Elect	67,720.08
Electric advance to TIF	0.00
Water advance to TIF	257,932.16
Water advance to TIF	
WWTP advance to TIF	18,351.00
WWTP advance to TIF	32,311.58
WWTP advance to TIF	139,480.31
Total due TIF	448,075.05
City	400,000.00

RESOLUTION HONORING PUBLIC WORKS SUPERINTENDENT RICHARD WILSON:

Mayor Fowler read the resolution. Motion by Kloehn, second by Mueller to adopt Resolution 2011 – 5.

RESOLUTION HONORING RICHARD WILSON

RESOLUTION 2011 – 5

WHEREAS, RICHARD WILSON has served the City of Richland Center, Richland County, Wisconsin with distinction since May 6th, 1974; and

WHEREAS, RICHARD WILSON has served, the City in many capacities over the years, first starting as a Street Maintenance Worker, becoming the Street Superintendent and then as Public Works Superintendent, providing direction and leadership dealing with a variety of issues and projects and;

WHEREAS, RICHARD WILSON during his long tenure, has been a valuable resource lending his knowledge and experience with all of the numerous street projects, landfill operations including waste and recycling contracts along with shop and equipment maintenance; and;

WHEREAS, RICHARD WILSON, has earned respect for his fairness and genuine concern for the citizens, the Council and employees of the City; and;

WHEREAS, the City has been extremely fortunate in having a person such **RICHARD WISLON** who has willingly dedicated his time and talents to bring about a better community and the citizens of the City have been the direct beneficiaries of his dedicated service;

NOW THEREFORE, BE IT RESOLVED that the members of the Common Council and Officials of the City of Richland Center do hereby express their deepest appreciation to **RICHARD WILSON** for his outstanding service for these past Thirty Seven years; and

BE IT FURTHER RESOLVED, that said City Council on behalf of the citizens of the City of Richland Center further extend best wishes to **RICHARD WILSON** in anticipation of his well deserved retirement.

Adopted this 5th day of April, 2011

Mayor Larry D. Fowler

Attest:

City Clerk / Treasurer Jude Elliott

PLANNING COMMISSION RECOMMENDATIONS:

CONSIDER CONDITIONAL USE PERMIT APPLICATION OF CONSUMERS COOPERATIVE TO ALLOW FOR AN OPEN SALES LOT (RENTAL EQUIPMENT). THE PROPERTY IS LOCATED IN THE 100 BLOCK OF S. ORANGE ST. NEXT TO VETERINARY CLINIC:

Clerk Elliott stated that this is their third application. He said in the past the Council has only gone one year with the permit. He said the only condition placed on the permit was that the area be kept clean and the grass mowed. Mayor Fowler noted that notice to adjoining neighbors was sent out and no one responded. Clerk Elliott said the recommendation was to approve the permit for three years. Motion by Fruit, second by Kloehn to approve the permit for three years and that the lot be kept neat and clean. Motion carried 6-1 with Alderperson Deets voting no.

CONSIDER CONDITIONAL USE PERMIT APPLICATION OF JAMES EWING TO OPERATE AN AUTO REPAIR AND SALES OF AUTOMOTIVE PARTS BUSINESS AT 930 SEXTONVILLE ROAD. THE FORMER VETESNIK MOTORS LOCATION:

Clerk Elliott stated that the Plan Commission recommended approval. He said the location has been used for auto service for many years. He said notices were sent out and no one responded back. Mr. Ewing said at present, this would be a one man operation. Alderperson Mueller asked if he would be selling any cars and the answer was no. Alderperson Fruit asked if he planned to just use the middle building at Vetesnik's and the answer was yes. Motion by Mueller, second by Dilley to approve the permit to Mr. Ewing to operate a automotive repair facility at 930 Sextonville Road. Motion carried 7-0.

CONSIDER CONDITIONAL USE PERMIT APPLICATION OF WEGNER AUTO SERVICE TO OPERATE AN AUTOMOTIVE SERVICE AND TOWING BUSINESS AT 1185 HWY. 80 SOUTH. THE FORMER LOCATION OF THE BATTERY BOX:

Mayor Fowler stated that notices were sent out to adjoining neighbors and no one responded back. Mr. Wegner said he would not be able to move this whole business as there is not enough room, but he said he likes this location and the exposure it would give his business. He said they tow anything 24 hours a day. Mayor Fowler asked if he planned to build and Mr. Wegner said he would plan to build later as the present buildings are not large enough but we may be able to use them. He said he needs the permit to proceed first. He said the plan would be to move the auto body shop to his location along with the towing business. Mr. Wegner said part of his business would stay in Orion Township. He said he wants his business to look professional as image is important. He said his business is growing and he will be expanding but he just does not know how fast. Mayor Fowler pointed out that Mr. Wegner does not own the property at this time. He said the recommendation from Planning was to approve the permit for two years contingent upon the purchase of the property. Motion by Fruit, second by Mueller to allow the permit for an auto service and towing business at 1185 Hwy. 80 South for two years after the purchase of the property. Alderperson Parker asked if Mr. Wegner would be willing to put a limit on the number of autos being stored on the lot. Mr. Wegner said it would be hard to set a limit as it varies all of the time. He said he has a daily storage charge that helps get rid of the autos. He said he wants to keep the place nice looking. Motion carried 6-1 with Alderperson Parker voting against.

APPROVE APPOINTMENTS TO BOARD OF CANVASS:

Clerk Elliott said he would like to appoint Melinda Jones and Gretchin Jelinek along with himself to the Board of Canvass and asked the Council to ratify the appointments. Motion by

Deets, second by Shireman to approve the appointments to the Board of Canvass. Motion carried.

PAYMENT OF MONTHLY BILLS:

Motion by Mueller, second by Parker to approve the bills. Motion carried 7-0.

DISCUSSION ON THE PROPOSED NEW WASTEWATER TREATMENT FACILITY BEING PLANNED BY FOREMOST FARMS AND SCHREIBER FOODS:

At this point in the meeting the Utility Commission joined the meeting. Commission President Rod Perry called the meeting to order and noted the meeting was properly noticed. Members present were Scott Sawle, Jim Heiar, David Siefkes, Dick Beggs and Council Representatives Lorna Dilley and Lester Parker.

Mayor Fowler introduced Wastewater Treatment Superintendent Todd Fischer. Mr. Fischer introduced Gene Laschinger, our engineer on the project and Lawrie Kobza our attorney working on this project.

Mr. Fischer provided a handout covering the current wastewater treatment plant and the problems associated with it. He also mentioned our commitment to build a new treatment plant and our community goals. He said we assumed a certain amount of industrial usage and a contractual commitment from the industries for a share of capital costs built to serve them. Mr. Fischer then gave a history of the negotiations starting back in September of 2004 to present.

At this point, Mr. David Ewing from Foremost and Jim Turek from Schreiber Foods gave a power point presentation on their new proposed plant. It was said that they plan to create their own facility to handle both industrial and high strength waste from all three plants in the City as Schreiber has purchased the Dean Foods operation here. Mr. Turek introduced the people from Schreiber and Foremost in attendance. Mr. Turek said the power point presentation would cover the industry dynamics, proposed solutions, impacts and work to be done. Mr. Turek said Schreiber Foods is employee owned and committed to the community. He said their business is cheese, cream cheese and yogurt. He said yogurt is a very dynamic product as there are many options here. He said they must consider utilities in their operation and that could limit our growth. He said Schreiber competes internally with other Schreiber plants to provide the lowest cost for production. He stated that Schreiber Foods purchased Hilltop Valley Dairy in 2005 and that was our first time in the yogurt business. He said their high strength waste has increased each year and now we have purchased the Dean Food operation here. He said we need to put more emphasis on handling our waste.

Mr. David Ewing from Foremost stated that he has only been with the cooperative for the last three years. He said Foremost has a long history in the business and in this community. He said Foremost has three major projects underway now with their cheese plant in Appleton and adding capacity in Rothschild. He said they also are expanding their butter business in Reedsburg. He said as a business we have a social responsibility to the community. He said our business is very

competitive and we always need to find better ways to compete. He said this new plant will take both our regular waste and our high strength waste eliminating land spreading.

Mr. Turek said some of the key benefits to the new plant would be that there would be no human waste at this plant. He said the plant operation would be fully automated to handle spikes that may occur in the waste being treated at any one time. He noted that the waste would be in an enclosed area and should control odor. He also mentioned that there would be limited truck traffic. He said the number of trucks going through the City now is 20 to 22 per day. He said the new plant will cut truck traffic by 16 of 17 per day. Mr. Turek said the noise would be minimal and no more than 65 decibels at the property line. He said the plant would be jointly owned by Foremost and Schreiber Foods. He said the estimated cost of the plant is at \$18,000,000.00 which will be designed, built and managed by Probst Group. Mr. Turek said they and Foremost have used the Probst Group for years. He said they have a good track record of handling the treatment facilities. He also noted the green energy generation and electric production.

Mr. Ewing showed a slide of the proposed plant located on the Schmitz property. He said they have purchased an option on the property. He said there are a lot of benefits to this site as it is in an agricultural setting and we will be able to meet all DNR setbacks. Mr. Ewing said they have already set up a website to help answer questions. Mr. Ewing noted that road into the facility would be used for receiving and loading of sludge. He said the facility will have cement storage tanks and 6 silos, 45 foot tall. He said the plant will produce power as well. He said the main way out of the plant will be on County Truck 00 to Highway 80 South. Mr. Ewing said the DNR requires a wastewater plant to be 500 feet from any residential property and we are almost 1300 feet away from the nearest house. He said the noise levels should not be an issue as it would be similar to people carrying on a normal conversation. He said the plant would meet the setback requirements from the river and we are aware of the flood plain. He said they do not anticipate any problems with the DNR. Mr. Ewing said the purchased land is just under 5 acres and there is room for potential expansion. The road in and out of the area would be right across the road from the first house after turning to the left off of Bowman Drive. Mr. Ewing said we want feedback from the public on our proposed plant. A question on spill and over flow protection was raised and Mr. Ewing said that was a technical question he could not answer at this time, but they would address it on their website. There was a question on the flood waters in the area and Mr. Ewing said the plant was just outside of that area. It was said the pipe lines would be underground and they would bore under the river. A question on there being truck traffic all of the time. Mr. Ewing said he did not anticipate truck traffic 24 / 7. He said they want to be a friend to the area. He said he did not anticipate any traffic leaving the plant to use Bowman Drive. It was noted that traffic on 00 moves at a fast pace. Mr. Ewing said there would be no more than 2 or 3 trucks leaving or coming a day. He was asked if he could be held to that and he answered yes. He said this site needs to meet our local industry needs today and in the future and they would like to eliminate as much truck traffic as possible. There was discussion on sludge being hauled from the plant and Mr. Ewing said some may be used on the Schmitz farm and the rest would be hauled away. He said the likely route would be 00 to Highway 80. Mr. Ewing was asked if he was aware of the condition of 00 to 80 South. Mr. Ewing said they were and Mr. Probst spent some time with the County Highway Commissioner on what would be needed and if there are any plans to upgrade the road. Mr. Ewing talked about the impacts of the new plant. He said their plant would be out of the City and away from downtown. He said it would also free

up capacity in the City's plant, there would be less truck traffic and a lower debt burden to the City. Mr. Ewing said there is much work ahead. He said they would be hosting a community open house and we already have the web site up which is www.rcrenwable.com

Mr. Turek said we still have a lot of work to do on the site and there are many approvals and permits needed. He said the City is going to do a comparison of the two sites but just a note, we have not had any input into this.

Mr. Fischer first showed a map of the location of the proposed wastewater treatment facility near Twin Bluffs. He reviewed the three force main routes being considered.

Mr. Fischer then provided another handout comparing the two options which are follows. He noted that all of the numbers on this power point came from direct negotiations with the industries.

Economics	New City WWTP and industrial pretreatment facility at the Buena Vista site	Industrial full treatment facility and renovation of City WWTP at current location
Overall project cost to cover both City needs and industries' needs	\$40 to \$42 million (City estimate) <i>New City WWTP (\$34.6M) and industrial pretreatment facility(\$5.5M to \$7.5M)</i>	\$32 million (City estimate) <i>New industrial full treatment facility (\$20M) & renovations to City's existing WWTP (\$12M)</i>
Amount to be borrowed by City for project (includes industrial share)	\$29.6 million (City estimate) <i>\$34.6 million for new City WWTP, less \$5 million cash on hand</i>	\$6 million (City estimate) <i>\$12 million for renovation of existing City WWTP, less \$6 million cash on hand</i>
Debt allocated to the City customers other than industries	\$15.1 million (City estimate) <i>\$29.6 million borrowing, less \$14.5 million of industries' share of new City WWTP</i>	\$6 million (City estimate) <i>\$6 million borrowing and no share to industries</i>
Debt allocated to industries, includes industrial facilities	\$20 - \$22 million, less grants (City estimate) <i>Industries' share of new City WWTP (\$14.5M), plus debt for pretreatment facilities (5.5M to 7.5M), less grants received</i>	\$20 million, less grants (City estimate) <i>Industries' debt for new industrial full treatment facilities, less grants received</i>
Grant money for the industrial treatment facility	Same amount (City estimate)	Same amount (City estimate)
Annual operational cost for industries	\$1.27 million, plus unknown costs for pretreatment facility	Unknown by City

Share of annual City WWTP costs borne by City customers other than industries	\$1.689 million <i>\$0.615 million - operations \$0.045 million - existing debt service \$1.029 million - new debt service</i>	\$1.798 million <i>\$1.181 million - operations \$0.136 million - existing debt service \$0.481 million - new debt service</i>
Monthly cost per residential user	\$51.40/month (City estimate)	\$53.20/month (City estimate)
Environmental/ Aesthetic		
Moves City's wastewater treatment facilities outside the City	Yes <i>New WWTP at Buena Vista site</i>	No <i>City WWTP remains at current location, with the new industrial facility located just outside the City</i>
Reduces odor in the City	Yes <i>WWTP outside City</i>	Maybe <i>Reduction in industrial waste at City's WWTP</i>
Eliminates spreading of industries' high strength waste spreading (100,000 gpd of waste)	Yes	Yes
Decreases truck traffic in City and towns from trucks hauling waste from industries for land spreading	Yes	Yes
Does not increase truck traffic to the wastewater treatment plant(s)	Yes	Maybe <i>Waste may be trucked into the industrial treatment plant</i>
Produces Class A sludge	Yes	No
Produces 1.4 megawatts of power	Yes	Yes
Potential for energy recovery back to the industries	No	Yes
Potential for regionalization of wastewater treatment services	Yes <i>Buena Vista location can service larger region</i>	No
Allow space for future expansion	Yes <i>Addition land area at Buena Vista location</i>	No <i>No additional land area at current City location</i>
Allows storage space for other City uses at existing WWTP site	Yes	No

Mr. Fischer opened the floor for questions after the power point presentation. He stated that the negotiating team for the City consisted of Mayor Fowler, Gene Laschinger, Lawrie Kobza, Rod Perry, Scott Sawle and himself. Someone asked if both plants were going to be built and the answer was only one plant would be built. Mr. Laschinger discussed pretreatment and high strength waste. He said there would be dual force mains and both plants would generate electricity. Someone asked how negotiations broke down and Mr. Fischer said there was never a breakdown, just the industries came up with another option. He said they still have a lot of work to do before any construction would begin. He said the Commission recommended to proceed with final design and plan to go out for bid. He said we just want to find out what the final costs will be. He said we cannot force the industries to join with us. He noted that this meeting tonight was informational only. This was the first open meeting on this project. He said the industries want the public to know what is being proposed. There was some discussion on existing debt and length of the loan. It was said that only Foremost and Schreiber Foods would be part of this new plant and AlCam would stay with the City. Another question was when is the plan to build? Mr. Fischer said we plan to have bids back by May 11, 2011. He said this will tell us how close we are to the engineers estimates. He said we need to know, as we are exceeding limits and we need a good plan in place. Mr. David Ewing said they have a process to follow here. He said hopefully they would be operational by 2012. He said they are moving ahead as fast as they can and would like to break ground yet this year. He said they are very conservative and cautious business and this decision to build their own plant has created some hardships for the City, but feel we now have the best solution. Mayor Fowler said once the industries finish their plant, the City would then start on remodeling our plant. There was a question on who has the final say if the industries can build their own plant. Mr. Fischer said there are several approvals required. He said there are zoning issues, flood plain issues, DNR issues as well as approvals from the Council and the Township. Mr. Fischer said when we have the public hearings all adjoining neighbors will be notified. There was discussion on the land the City purchased for the new plant and what will happen with that. Mr. Fischer said the top soil had to be removed on all 30 acres for an archeological scrape. He said if this site is not used for a new wastewater facility the dirt will be put back and return to farm land.

Mayor Fowler said he believed the industries accomplished what they wanted. He said there will be several more meetings on this issue. He thanked everyone for coming.

Mr. Ewing said they have a handout of frequently asked questions if anyone wants one. He said we are eager to listen and communicate with everyone. He thanked the Council and the Mayor for allowing the informational meeting.

Aldersperson Shireman leaves at this point in the meeting.

Motion by Heiar, second by Sawle for the Utility Commission to adjourn. Motion carried.

MAYOR LARRY D. FOWLER:

He reminded everyone of the Big Top Chautauqua show set for this coming Saturday, April 9. He said April 18 is Arbor Day and the plan is to have trees planted on Central Ave. with young kids from the schools helping out. He also noted that there was a meeting on the Highway 14

West project that is scheduled for 2013 which will run from Orange St. past the entry to the High School. He also stated that the speed limit will be reduced to 30 MPH on this stretch of highway. He congratulated everyone on being reelected to the Council. He said next week he plans to meet with everyone to finalize appointments to the Committees and Boards.

ALDERPERSON BILL KLOEHN:

He commented that this was a very interesting meeting.

ALDERPERSON JAY MUELLER:

He congratulated Mr. Wilson on his retirement. He said the next time it snows, he can just rollover and go back to sleep.

ALDERPERSON LESTER PARKER:

He stated that Mr. Wilson was dedicated employee and he will be missed.

ALDERPERSON SUE FRUIT:

She wished Alderperson Rakow a speedy recover from her surgery.

PARKS AND RECREATION DIRECTOR SHANE STIBBE:

He noted that the new backstops will be in shortly and they will be able to start playing on May 13. He said this is a two week delay, but we have new backstops.

COUNTY BOARD MEMBER FRED CLARY:

He said the County will have a redistricting meeting on next Tuesday at the Court House from 1:00 P.M. to 3:00 P.M.

ADJOURN:

Motion by Parker, second by Fruit to adjourn. Motion carried.

Mayor, Larry. D. Fowler

Attest:

City Clerk / Treasurer Jude Elliott