

**ADJOURNED MEETING OF THE COMMON COUNCIL  
July 19, 2011**

The Common Council of the City of Richland Center, Wisconsin, met in the Council Room of the municipal building at 450 S. Main Street on Tuesday, July 19, 2011 at 7:30 P.M., Mayor Larry D. Fowler presiding. Alderpersons Marie Rakow, Susan Fruit, Lester Parker, Jay Buchanan Mueller, Steve Deets, Judy Shireman, Bill Kloehn and Lorna Dilley present. Mayor Fowler ascertained from the Clerk that the meeting was properly noticed.

Motion by Kloehn, second by Parker to waive the reading of the minutes of the last meeting (July 5) both open and closed sessions, in lieu of printed copies and to approve the same. Motion carried.

**CONSIDER AND POSSIBLE APPROVAL OF RESOLUTION OPPOSING THE PROPOSED ROUNDABOUTS FOR HIGHWAY 14 EAST:**

Mayor Fowler read the resolution opposing the roundabouts and urging the Department of Transportation to work with affected local businesses toward coming up with a mutually acceptable plan for the project. Motion by Fruit second by Parker to approve Resolution 2011-10 opposing the proposed roundabouts for Hwy 14 East. Motion carried 8-0.

**PUBLIC SAFETY COMMITTEE RECOMMENDATIONS:**

**CONSIDER ALLOWING PICNIC LICENSE FOR KNIGHTS OF COLUMBUS FOR ST. MARY'S PARISH FESTIVAL – AUGUST 19 & 20:**

Aldersperson Shireman said there is no recommendation from Public Safety but it is the same event they have had for many years. Motion by Deets, second by Fruit to approve the picnic license for the Knights of Columbus for St. Mary's Parish Festival on August 19 and 20. Motion carried 8-0.

**CONSIDER ALLOWING USE OF THE EXTENDED PREMISES AT CENTER LANES FOR EVERYDAY RATHER THAN JUST WEDNESDAY NIGHTS:**

Aldersperson Shireman said there is no recommendation from Public Safety. Mr. Tom Hauber of Center Lanes said that a diagram has been provided and there is nothing extravagant here. He said there may be a tv and or music outside to relax. He said it is a smaller area taking up 6-8 parking stalls rather than the area provided for on Wednesdays. Aldersperson Parker asked if alcohol would be sold outside and the answer was all alcohol sales would be inside and customers could take their drinks outside in plastic containers. He said the area is off the street far enough so there would not be any interference with traffic. Aldersperson Shireman said the Wednesday night events were approved last year with the restrictions that drinks be served in plastic, the crowd remains under control and they can be seen from inside. Motion by Shireman, second by Parker to amend the liquor license for Center Lanes to extend the premises to allow

the outside area as presented in the printed diagram, with drinks being served in plastic, the crowd remains under control and that the crowd can be seen from inside . Motion carried 8-0.

**PUBLIC WORKS COMMITTEE RECOMMENDATIONS:**

**CONSIDER ALLOWING ADDITIONAL DRIVEWAY FOR RESIDENCE AT 1162 W. SEMINARY STREET:**

There was discussion if the driveway in back of the lot which is Fries Road would be in the City or if it would be in the Township. Clerk Elliott informed the Council of the Ordinance procedures and that they have been followed. Lynn Newkirk said that their whole lot is in the City and that normally township roads are split down the middle. She left to obtain further information on Fries Road.

**CONSIDER AND APPROVAL OF INCURRING EXPENSES FOR REPAIRS TO CURB AND SIDEWALK AT FORMER ACCENTS BUILDING LOCATED AT 101 W. COURT STREET:**

Mayor Fowler said this is an emergency situation as the east wall has collapsed and the curb and gutter has settled. Attorney Robb said he notified the property owners and they are cooperating by allowing the City do the work and put the expense on the tax roll. He said the Proutys have until July 25<sup>th</sup> to fix the wall or the City can proceed. Mayor Fowler said that Clerk Elliott and Terry Nelson discussed the issue with contractors. Quotes were reviewed with Falk Concrete at \$2750.00 and Brown's Construction at \$2800.00 and it includes tank removal. Mayor Fowler said the fuel tank is not listed in the quote from Falk Concrete. Alderperson Parker said he thought the Gas Company opened the area up and should be billed for repairs of a 3' x 3' section. Motion by Shireman to approve the quote from Brown's Construction as printed, pay for the project out of contingency, not to begin work until July 25<sup>th</sup> and to put the charges on the tax roll but approach the Gas Company about their liability. Alderperson Mueller made the second and the motion carried 8-0.

**PARKS & GROUNDS BOARD AND TREE BOARD RECOMMENDATIONS:**

**DISCUSSION AND POSSIBLE APPROVAL OR RENAMING THE CITY ARBORETUM:**

Parks & Grounds Supervisor K. Terry Sime said the Rotary Club approached him with some projects and wanted something done in memory of Fred Koenecke. He said Mr. Koenecke established the tree board in 1996 and was the first City Forrester. He said he became the Forrester shortly after he was hired and Mr. Koenecke remained an Assistant Forrester until his death. Mr. Sime said the Rotary would help with the signs, pamphlets and finishing the arboretum if it is named after Mr. Koenecke. He said the Tree Board and Park Board both approved the renaming. Motion by Shireman to rename the arboretum to Fred Koenecke City Arboretum. Alderperson Mueller made the second and the motion carried 8-0.

**CONSIDER AMENDMENT TO CHAPTER 40 FIXING THE BOUNDARIES OF THE WARDS AND ALDERMANIC DISTRICTS.**

Deputy Clerk / Treasurer Melinda Jones stated that after we adopted the amendment at the last meeting, it was discovered that two County Board members were not in their correct districts and by switching two blocks from ward 4 to ward 5 and switching 4 blocks from ward 5 to ward 4, it takes care of the problem. The ordinance was for introduction only, no action was taken.

**CONSIDER ALLOWING ADDITIONAL DRIVEWAY FOR RESIDENCE AT 1162 W. SEMINARY STREET:**

Mrs. Newkirk returned to the meeting and said she did not find any additional information. She asked for approval of the second driveway contingent upon Richland Township approval if necessary. Motion by Parker, second by Mueller to approve the driveway permit, determine if Fries Road is divided in the center of the street between the City and Township and if not, the permit would be contingent on Township approval. Motion carried 8-0.

**PAYMENT OF MONTHLY BILLS:**

Motion by Mueller, second by Kloehn to pay the bills as presented. Motion carried 8-0.

**MAYOR LARRY D. FOWLER:** He said bids are due in Tuesday for the new Community / Senior Center.

**ALDERPERSON JAY BUCHANAN MUELLER:** He said he heard rumors that the swimming pool is closing and that is not true. He said it was just refinished and will remain open.

**CITY CLERK / TREASURER JUDE ELLIOTT:** He said there is a Planning meeting this Thursday, Open Book is scheduled for August 3<sup>rd</sup>, the Board of Review date is set for August 23<sup>rd</sup> and there will be a City / County meeting on August 1st.

**DEPUTY CLERK / TREASURER MELINDA D. JONES:** She said on Thursday she will be attending mandatory training on absentee ballots for the statewide voter registration system.

Motion by Shireman, second by Fruit to go into closed session per WI Statute 19.85 (1) (e) to consider investment of public funds, RLF application of Fillback Ford. Motion carried 8-0.

Closed session.

Aldersperson Shireman left at 9:04 p.m.

Motion by Deets, second by Kloehn to reconvene into open session to vote on matters pertaining to WI Statute 19.85 (1)(e). Motion carried.

Motion by Mueller, 2<sup>nd</sup> by Rakow to approve the loan to Fillback Ford, Inc. and Fillyland 2 LLC based on the same terms as previously approved, however, under the 2<sup>nd</sup> general business security agreement deleting the words “second only to a security interest securing the same \$750,000.00 loan secured by the first mortgage as described above” and adding another condition that Mr. Fillback pay all attorney fees and out of pocket expenses associated with the closing of the loan. Motion carried 7-0.

Mr. Fillback mentioned he would like the restrictive covenants removed that are related to expansion because he will be forced to expand once Ford and Chrysler tell him what he needs to do. No action was taken.

**ADJOURN:**

Motion by Mueller, second by Rakow to adjourn. Motion carried at 9:18 p.m.  
Minutes by Melinda D. Jones, Deputy Clerk /Treasurer

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Mayor, Larry D. Fowler

Attest:

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City Clerk / Treasurer Jude Elliott