

REGULAR MEETING OF THE COMMON COUNCIL

July 5, 2011

The Common Council of the City of Richland Center, Wisconsin, met in the Council Room of the municipal building on Tuesday, July 5th, 2011 commencing at 7:30 P.M., Mayor Larry D. Fowler presiding. Alderpersons Marie Rakow, Susan Fruit, Lester Parker, Jay Buchanan Mueller, Bill Kloehn, and Lorna Dilley present. Alderpersons Judy Shireman and Steve Deets were absent. 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 (June 21, 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 June, 2011. The complete Treasurer’s report follows:

GENERAL FUND:

Treasurer’s balance at start of month	171,182.60
Receipts	524,907.08
Disbursements	512,956.81
Treasurer’s balance end of month	183,132.87
Money Market Tax Acct.	13,243.27

INVESTMENTS:

State Pool - Account # 1	286,351.52
State Pool – Account #2 Long Term Care	526,653.78
State Pool - Account # 4 - Project Carryover	546,358.37
State Pool - Account # 6 - TIF - 2-5	897,299.26

SPECIAL ACCOUNTS

CDBG - Housing RLF	107,565.85
Cemetery	3,864.33
Revolving Loan Fund- Savings	477,550.92
Revolving Loan Fund – Checking	8,460.81
Park / Community Center	19,947.58
Park and Rec Checking	2,715.52
Recycling	2,647.27
Landfill Care – CD	476,477.93
Landfill Closure	88,633.95
Room Tax	23,686.66
Library Checking	79,685.09
RDA Checking	108,773.40

ELECTRIC UTILITY FUND:

Treasurer's balance at start of month	63,156.39
Receipts	868,752.79
Garbage Receipts	19,217.46
Public Benefit	4,918.19
Telecom Utility	5,064.00
Disbursements	903,237.20
Treasurer's balance at end of month	57,871.63
Investments	1,555,193.67

WATER UTILITY FUND:

Treasurer's balance start of month	52,490.91
Receipts	683,423.49
Disbursements	683,863.63
Treasurer's balance end of month	52,050.77
Investments	2,051,900.41

SEWER UTILITY FUND:

Treasurer's balance start of month	62,419.60
Receipts	317,046.76
Disbursements	308,434.45
Treasurer's balance end of month	71,031.91
Investment	5,317,515.42

LOANS:

Telecom from Elect	67,720.08
Electric advance to TIF	0.00
Water advance to TIF	257,932.16
Water advance to TIF	0.00
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

PLANNING COMMISSION RECOMMENDATIONS:

CONSIDER APPLICATION OF PINE RIVER SPORTS ASSOCIATION TO ANNEX A PARCEL OF LAND INTO THE CITY. THE PROPERTY IS LOCATED ON VACATED PIERCE STREET JUST NORTH OF THE CEMETERY:

Mayor Fowler noted that his company did the survey work on this and he would not participate in the discussion nor would he vote. Clerk Elliott reviewed the handout papers which included

the signed annexation petition, the certified survey map, and the ordinance describing the property. He said the property would come in zoned Commercial. He also said the Plan Commission recommended approval. Motion by Mueller, second by Dilley to suspend the rules. Motion carried.

Motion by Mueller, second by Rakow to adopt Ordinance 2011 – 5 annexing land into the City, waive the reading and authorize the necessary signatures. Motion carried 6-0.

CONSIDER GRANT OF ACCESS EASEMENTS TO PINE RIVER SPORTS ASSOCIATION:

Clerk Elliott referred to the certified survey map which showed the ingress and egress easement. He said this would also allow for extension of water and sewer to the property. Motion by Fruit, second by Mueller to grant the easement to the property, waive the reading and authorize the necessary signatures. Motion carried 6-0.

CONSIDER APPLICATION OF CITY OF RICHLAND CENTER TO ANNEX A PRCCEL OF LAND INTO THE CITY. THE PROPERTY IS LOCATED JUST NORTH OF INDUSTRIAL PARK NORTH:

Mayor Fowler reviewed the map showing the location of the property. He noted this land was part of the old Sheafor Farm and would allow for a 30 to 40 acre buildable site. He said the Bowen Cemetery would also be annexed into the City. He said the land would come in zoned Industrial Park. Motion by Rakow, second by Parker to suspend the rules. Motion carried.

Motion by Mueller, second by Kloehn to adopt Ordinance 2011 – 6 annexing land into the City, waive the reading and authorize the necessary signatures. Motion carried 6-0.

CONSIDER AMENDMENT TO CHAPTER 40 OF THE CODE OF ORDINANCES FIXING THE BOUNDARIES OF THE WARDS AND ALDERPERSON DISTRICTS OF THE CITY:

Mayor Fowler said this was introduced at the previous meeting. He said the map and the ordinance describing the wards did not change. Motion by Fruit, second by Mueller to suspend the rules. Motion carried.

Motion by Mueller, second by Parker to adopt Ordinance 2011 – 7, waive the reading and authorize the necessary signatures. Motion carried 6-0.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS:

CONSIDER AMENDING CHAPTER 399 ALLOWING FOR ONE ADDITIONAL CLASS “ B “ BEER LICENSE:

Aldersperson Parker said the recommendation out of Public Safety was to approve another license. He said the Dragon Buffet has applied for a beer license. Mayor Fowler read the

ordinance. He said this would allow for 5 beer only licenses. Motion by Parker, second by Fruit to adopt ordinance 2011 – 8 and authorize the necessary signatures. Motion carried 5-1 with Alderperson Rakow voting against.

CONSIDER MUNICIPAL LICENSES – VIDEO GAMES AND TREE CUTTING:

Mayor Fowler read the renewals. There was one from David Smiley for tree cutting and one from Stansfield Vending for video games at Dewey’s Dugout. Motion by Fruit, second by Dilley to approve the licenses presented. Motion carried.

AIRPORT COMMITTEE RECOMMENDATION:

CONSIDER TRADING ENTITLEMENT FUNDS WITH ANOTHER MUNICIPALITY AND AUTHORIZE AN EXPENDITURE FOR ACQUISITION OF PROPERTY AT THE AIRPORT:

Aldeperson Kloehn stated that with the help from the State we are in the process of purchasing some land next to the airport. He said the City did not have enough funds to purchase all of the land this year and would have to decide which parcels would have to wait another year. He said by trading entitlements with the City of Portage, we can purchase all of the land at one time. He said entitlements are \$150,000.00 per year. He said each City has a five year window to use the funds or lose them, although he said trading is acceptable. Mayor Fowler said we are just trading our 2012 funds with the City of Portage for their 2011 funds. He said we could save some money by purchasing all of the property now. He also said the City’s share of the acquisition is approximately \$9,000.00 of which is budgeted. Motion by Kloehn, second by Rakow to authorize the Mayor to sign the agreement for transfer of entitlements. Motion carried 6-0.

PERSONNEL / INSURANCE COMMITTEE RECOMMENDATION:

RESOLUTION BY THE COUNCIL OF THE CITY OF RICHLAND CENTER IMPLEMENTING CITY PICK – UP OF EMPLOYEE RETIREMENT CONTRIBUTIONS PURSUANT TO IRC SECTION 414 (H) (2):

Mayor Fowler said this resolution is just repeating what the new State law has approved. The employee’s retirement to be deducted from their paycheck is pre- tax. Motion by Mueller, second by Kloehn to adopt Resolution 2011 – 8. Motion carried 6-0.

CONSIDER ADOPTING A RESOLUTION APPOINTING AN AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM STATE AND WISCONSIN ENVIRONMENTAL FUND:

Mayor Fowler said when the Utilities are applying for grants and loans and signing the accompanying paper work, the Utility Commission President has been signing on behalf of the Utility. He said we received a letter from the DNR asking us to adopt another resolution as the current one states that the Utility Administrator is authorized to sign any necessary paperwork. He said this resolution replaces the Utility Administrator with the Utility Commission

President. Motion by Parker, second by Dilley to adopt Resolution 2011 – 9 and authorize the necessary signatures. Motion carried 6-0.

PAYMENT OF MONTHLY BILLS:

The bills were reviewed. Motion by Mueller, second by Kloehn to pay the bills as presented. Motion carried 6-0.

MAYOR LARRY D. FOWLER:

He said he saw some familiar faces at Thunder in the Hills. He said he got good feedback on the fireworks display but said we need comments from others that attended to give us ideas on what you thought of the show or other suggestions on how to improve the celebration.

He said they met with Mohammed Saeed from the US Department of Commerce who awarded the City \$600,000.00 for the project in Industrial Park North. He said the project is under budget and we are trying to get Mr. Saeed to allow us to use funds to loop a water main to Allison Park from Industrial Park North. He said at this time Mr. Saeed is saying no to the extra work.

He said at present, Viner Construction is working somewhere else. He said the work must be done by early October. He noted that some lateral connections have broken and need to be replaced but they will now have to work around other utilities.

He said he attended the Grand Opening of the new Dreams Bridal Boutique at 100 S. Main St. in downtown Richland Center, He said it is really nice and he wished them success.

He noted that the Clerk's office provided everyone with a map showing the streets actually affected by the ordinance not allowing bikes on downtown City sidewalks. He also commented that we need to know how to handle the concealed weapons law once it is passed.

ALDERPERSON SUE FRUIT:

She said the fireworks were great.

ALDERPERSON LESTER PARKER:

He said he had a lot of positive feedback on the fireworks.

ALDERPERSON LORNA DILLEY:

She said the Library Board was wondering about the concealed weapon law and what the Library needs to do. She said are we obligated to post signs or not.

POLICE CHIEF JOHN ANNEAR:

He said he would provide the Council with a formal report on the new concealed weapon law. He said the law will not go into effect until October or November. He also mentioned that Star Spangled Celebration was very successful and he thanked Alderperson Mueller for being their representing the City for emergency management. He said the Police Dept. was awarded a \$7,000.00 grant for a new radio repeater.

ADJOURN:

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

Larry D. Fowler, Mayor

Attest:

Jude Elliott, City Clerk / Treasurer

PARKS AND RECREATION DIRECTOR SHANE STIBBE:

He said the parks is recovering after all of the events. He said the camping went well and he grounds are in good condition. He said any ideas for next year would be greatly appreciated.

DISCUSSION ON PROPOSED RESOLUTION IN REFERENCE TO ROUNDABOUTS FOR HIGHWAY 14 EAST:

Mayor Fowler said several businesses and residents of the area were at the last meeting with comments about the roundabouts. He said he is not aware what the Council wants to see on a resolution but asked for input so Attorney Robb can draft it. He said this stretch of Highway is a safety concern but we have to work with the Department of Transportation every year on other projects. Alderperson Parker said he felt we should ask the DOT to look at alternatives for the safety issues. He said the east exit at the square could have the median taken out so there would be no left turns at the intersection or look at stop lights there. Alderperson Deets said he emailed Rob Winterton at the DOT with some options and the response was that stop lights need to meet certain warrants and they do not. He said a frontage road was looked at and there is not enough room without significantly impacting businesses. He said a speed change from 40 to 30 mph would not work because as reported in their speed studies, people drive the speed they are comfortable with. Alderperson Kloehn asked out of all the accidents, how many accidents at the Burnstad's intersection were due to a left hand turn. Chief Annear said each accident report would have to be looked at to find that information. Alderperson Dilley said she did not feel there was a need for 3 roundabouts and people are opposed to them. Alderperson Rakow suggested all the business owners should be named on the resolution. Attorney Robb said it is important to remember to be careful with the wording. Mr. Bob Bellman suggested another dialog with the DOT so we can let them know how we feel and they can validate their statistics. Mayor Fowler said there could be another public hearing with the DOT engineers so we can have the opportunity to be involved. Alderperson Mueller said he agreed with Mr. Bellman because they have just given informational meetings in the past and we need the chance to respond. Mr. David Foth agreed that in the past there has not been open dialog. Meegan Thompson said she has asked for timelines and have not had any feedback to let us know what is happening on their end. Mr. Foth said he would pay for a ½ page ad in the paper with all Alderpersons names and phone numbers so residents can call with their opinions. Alderperson Deets asked that the meeting with the DOT be scheduled in the evening but not on a Council night and have that the only agenda item. Alderperson Mueller suggested deciding on a resolution after a public meeting with the DOT. Alderperson Kloehn asked the businesses to write down their thoughts about how the safety issues could be resolved. Alderperson Deets said he felt a stoplight should be installed at Starlite Drive. Mr. Bellman said the local people have knowledge of driving on Hwy 14 East and the intersection with Starlite Drive is the problem. He said the DOT comes to do their study, they leave and do not drive in the traffic every day. Mayor Fowler mentioned that

thousands of people are also driving through the City. He said we have already asked all these things to the DOT and have been told no but we could contact them again. He said this was presented to the City a few years ago and the City asked them at that time to look at another option and this is what they have decided on. Larry Ferguson said this is a DOT highway but it is our City and we will have to live with their decision for a long time.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS:

CONSIDER MUNICIPAL LICENSES:

Clerk Elliott said on the list provided in the handouts, the Video Game license from National Entertainment Network, Inc. at Wal-Mart is new and the rest are all renewals. He said there will be more licenses at a later date. Motion by Mueller, second by Dilley to approve the licenses as provided. Motion carried.

CONSIDER LIQUOR LICENSES:

Clerk Elliott reviewed the list of liquor license that were up for renewal. He mentioned that he has an application on his desk for a new class B Beer license for the Dragon Buffet. Motion by Mueller to approve the liquor licenses as presented. Alderperson Fruit made the second and the motion carried.

INTRODUCTION AND POSSIBLE ACTION ON ORDINANCE PROHIBITING BIKES AND SKATEBOARDS ON SIDEWALKS IN DOWNTOWN AREA.

Alderperson Deets asked everyone to read the ordinance as it is for introduction only and there is no recommendation from Public Safety yet. No action was taken.

FINANCE COMMITTEE RECOMMENDATIONS:

CONSIDER RESOLUTION FOR CARRY OVER FUNDS FROM 2010 BUDGET:

Alderperson Deets said last year there were some projects that did not get completed and Department Heads would like to finish them. He reviewed the list of items that are requested for carryover. He said Finance recommended to approve the resolution for carry over funds from the 2010 budget that amount to \$77,580.00 to be transferred. He said there are funds in State pool #4 that amount to \$43,661.81 to be reallocated along with a transfer of \$8,000.00 from the Money Market account be designated as Street Projects. Motion by Mueller, second by Kloehn to approve the resolution for carry over funds from the 2010 budget that amount to \$77,580.00 and with funds in State pool #4 that amount to \$43,661.81 along with the transfer of \$8,000.00 from the Money Market account be designated as Street Projects. Motion carried 7-0.

CONSIDER TREE CONSULTING PROPOSALS.

Parks & Grounds Supervisor K. Terry Sime said on the Central Avenue, Church Street and Jefferson Street projects it would be a good idea to obtain an opinion of the current conditions of trees and to look at the plans for the project to see if any trees can be saved or not. Mr. Sime said specifications were sent to 6 people and only 2 were returned. He reviewed the proposals from

Hamm's ArborCare, Inc., which was the low bid, and Bluestem Forestry Consulting, Inc. He mentioned that the trees on Jefferson Street could be removed, saved and replanted because they are not very old so he did not think it would be worth the cost for a professional to evaluate the trees on Jefferson St. He said there are only 2 Ash trees that would need cutting. Mr. Sime said that Public Works recommended Hamm's but Finance recommend to approve Hamm's ArborCare, Inc. proposal for item #1 Church Street, and #2 Central Avenue, at a cost not to exceed \$3,420.00. Alderperson Parker asked if any grant funds would be applied for and Mr. Sime said he would be able to write a grant application for the 2012 Jefferson Street project but we have been denied the past two years. He said the more things put into the application, the more points you receive and he didn't think the Jefferson Street project alone would be awarded. Motion by Mueller, second by Fruit to approve Hamm's ArborCare, Inc. proposal for item #1 Church Street, and #2 Central Avenue, at a cost not to exceed \$3,420.00 and to be paid for from the project funds. Motion carried 7-0.

CONSIDER HIRING CHOSEN VALLEY TESTING FOR GEOTECHNICAL INVESTIGATION ON CHURCH STREET.

Mayor Fowler said soil borings are needed along Church Street and the cost would be split between the Water, Waste Water and Street Departments. He said this is important to know what the soil conditions are and how thick the base needs to be. He said Public Works and Finance recommended Chosen Valley Testing at a cost of \$702.00, contingent on Utility Commission approval. Motion by Mueller, second by Dilley to approve the contract with Chosen Valley Testing at a cost not to exceed \$702.00, contingent on Utility Commission approval. Motion carried.

APPOINTMENTS TO COMMITTEES, COMMISSIONS AND BOARDS.

Mayor Fowler said he is looking for people willing to serve on the Plan Commission, Board of Appeals, Redevelopment Authority, Historic Preservation and the Cable TV Committee.

BUILDING / DEMO PERMITS:

Clerk Elliott said NHS is building two new houses on Cairns Avenue next to the former medical center parking lot.

PAYMENT OF MONTHLY BILLS:

Motion by Mueller, second by Kloehn to approve the bills as presented. Motion carried 7-0.

MAYOR LARRY D. FOWLER: He said the community center / senior center committee met two to three times with the consultant in the last couple weeks and they are reviewing geo-thermal heat. He said the building plans are 95% done and will be completed with a heating component. He said this will delay the start date about 1 ½ months to the end of August. He said geo thermal heat has a quick payback and saves money on heating. He said tomorrow at 7:30 A.M. the Community Business Outreach Committee will be at the Campus with a tour from 8:00 to 9:00 A.M. He said the Richland Chamber & Development Alliance had their annual

meeting and have several new members with Shannon Clark returning as President. He thanked all those who have helped with their first year of transition. Mayor Fowler said he hopes everyone enjoys the dairy breakfast and the rodeo.

ALDERPERSON LESTER PARKER: He said at the most recent Highway Safety Committee meeting the DOT was on the agenda for the Hwy 14 East project and there was no new information. He asked why the City is not doing anything with the hole in the road at the former Accents location. Mayor Fowler said an inspector is scheduled to look at the situation but there is a problem with the building.

ALDERPERSON JAY BUCHANAN MUELLER: He said the Akey School Museum had an open house on June 4th with a lot of people attending. He said it is open on Sundays from 1-4 P.M. He said that Public Works and all three Utilites had a meeting on the Church Street project and he wanted to compliment them on how well they all work together to be fiscally responsible.

ALDERPERSON BILL KLOEHN: He said an ultra-light plane and an engine were stolen from the airport and the Sheriff's Department is investigating.

ALDERPERSON LORNA DILLEY: She welcomed everyone to come to the Campus tomorrow for the tour.

PARKS AND GROUNDS SUPERVISOR K. TERRY SIME: He said the soil is dry and he asked property owners to thoroughly water the trees that were recently planted once every 2-3 days. He said there have been complaints about lawns not being mowed. He said the department went out and found 29 that will get notices tomorrow. He said they have 5 days to correct it or the City will mow and charge them. Mr. Sime mentioned that the City put in two canoe ports, not the County, and there will be three more being installed yet this year. He mentioned there have been complaints and concerns that when a family wants burial plots, they are only available in the new memorial section with no trees. He said planting trees in the memorial section would be placed on the next Park Board agenda.

Mayor Fowler said the rock walls have been replaced at the cemetery and the former rocks have been reused at North Lake. He said the Parks Department did a nice job and it is a huge improvement.

POLICE CHIEF JOHN ANNEAR: He said the rodeo parade will be June 18th and the staging area is on Central Avenue. He asked for people to avoid sitting in the staging area with the new seeding on Central Avenue to avoid damage.

CITY CLERK/TREASURER JUDE ELLIOTT: He said there will be a Planning meeting on June 16th.

DEPUTY CLERK/TREASURER MELINDA JONES: She said she handed out both the current and tentative new ward map to comply with the redistricting laws so everyone could see where the changes may be. She said she would be happy to answer any questions.

PUBLIC COMMENTS: Fred Clary said the fiber optic cable is now in place between the City and the County. He said the County Finance Committee recommended approval of the next part of the project which includes connections that are scheduled to be completed by the end of September.

Motion by Mueller, second by Rakow to go into closed session per WI Statute 19.85 (1) (e) to consider investment of public funds, application of Fillback Ford. Motion carried 7-0.

Closed Session.

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

ADJOURN:

Motion by Mueller, second by Parker to adjourn. Motion carried at 9:45 p.m.

Mayor, Larry. D. Fowler

Attest:

City Clerk / Treasurer Jude Elliott