

**ADJOURNED MEETING OF THE COMMON COUNCIL
June 21, 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, June 21, 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 Rakow, second by Fruit to waive the reading of the minutes of the last meeting (June 7) both open and closed sessions, in lieu of printed copies and to approve the same. Motion carried.

CONSIDER APPLICATION OF BI-RITE AUTO SALES FOR A CONDITIONAL USE PERMIT TO ALLOW FOR AUTOMOBILE OR OTHER VEHICLES OF TRANSPORTATION SALES WHETHER NEW OR USED. THE PROPERTY IS LOCATED AT 2030 HIGHWAY 14 EAST:

Clerk Elliott said the property is located east of the Starlite Motel and it is their 3rd renewal. He said notices were sent and no complaints were received. He said Planning met and approved with the same conditions without any timeline set. Alderperson Deets asked if the permit goes with the land and Attorney Robb said it would be permanent and any new owner has the same conditional use permit. Alderperson Deets said he felt a timeline needs to be set. Attorney Robb said if there are any violations, the permit can be revoked. Motion by Fruit to approve the permanent conditional use permit for Bi-Rite Auto Sales with a limit of 15 cars or trucks, and 10 motorcycles or mopeds. Alderperson Rakow made the second and the motion carried 8-0.

CONSIDER APPLICATION OF PAUL ROMLOW TO SPLIT A PARCEL OF LAND IN THE CITY. THE PROPERTY IS LOCATED AT 2410 HIGHWAY 14 EAST:

Mr. Gary Antoniewicz from Boardman Law Firm was present to represent Mr. Romlow. He said there is an offer to purchase the west parcel of the Richland County Chrysler property by Mr. Mark Fillback. He said the parcel on the east is 1.3 acres and is adjacent to the City well. He said Mr. Romlow wants to retain ownership and will lease the property back to Mr. Mark Fillback. He said there are no other plans for the property other than to reduce the purchase price. He said Mr. Romlow is only asking for a land split but all the use restrictions will still be in place. He said any change for future development would still have to come to City Council for approval. Alderperson Deets asked if an easement for the driveway is needed and Mr. Antoniewicz said there is already an easement mentioned on the CSM with respect to the shared driveway and it is recorded on the real estate records. Attorney Robb said there is a list of things that cannot be done on the property but it can be used for sales. Alderperson Rakow asked if there is something done that causes problems, who would be responsible. Attorney Robb said the City would go to court after both Mr. Romlow and Mr. Fillback if he is the one leasing the

property. Motion by Deets, second by Shireman to approve the land split provided all paperwork and deed restrictions apply to lot #2 and not divide the land any further. Motion carried 8-0.

CONSIDER APPROVAL OF FINAL PLANS AND AUTHORIZE BIDS FOR SENIOR / COMMUNITY CENTER:

Mr. Bill Ryan and Ray Bolton from ADCI gave a presentation on the progress being done for the new senior / community center building. Mr. Bolton said that the electric utility has some light fixtures in stock that can be used instead of having to purchase new one. He said they have selected equipment from the energy efficient guidelines, they plan to use reusable materials and the end result would be a state of the art facility that is fulfilling the requirement for a prairie style design. Mr. Ryan reviewed the budget and timeline with construction scheduled to begin August 18th. Motion by Mueller, second by Rakow to approve the final plans and authorize bids for the senior / community center. Motion carried 8-0.

PLANNING COMMITTEE RECOMMENDATIONS:

CONSIDER SALE OF VACANT LAND ON BOHMANN DRIVE:

Mayor Fowler said there is a 146' x 141' lot on Bohmann Drive that is owned by the City and has a 40' utility easement on the south end and a 10' easement on the north end. He said the lot is not needed and the Utility Commission unanimously recommended proceeding with the sale. He said Electric Superintendent Dale Bender will complete the necessary paperwork and set a minimum price. He said the covenant states the land must be zoned residential. Motion by Mueller to proceed with selling the land. Alderperson Deets made the second and the motion carried 8-0.

CONSIDER PURCHASE OF LAND FROM THE FOUNDRY:

Mayor Fowler said this project to move semi traffic off of Bohmann Drive and on to Foundry Drive has been discussed with the Foundry for several years. He said the land has been surveyed and the agreed purchase price was one dollar (\$1.00) plus the cost of the necessary paperwork to finish the project. He said there is a grant for the project from the Department of Commerce and the City is close to hearing back on the other grant from the DOT that was applied for, the two grants would cover half of the project costs and the other half would be TIF expenses. Motion by Kloehn, second by Dilley approve the purchase of land from the Richland Center Foundry for \$1.00 for the Foundry Drive project. Motion carried 7-0 with Alderperson Deets abstaining.

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

Attorney Robb said every 10 years after the census, the wards need reapportionment. He said the map shows the wards. He said Melinda Jones has worked on where the lines should be drawn to get the total number of people in each ward as equal as possible. He said this ordinance

has to describe those boundaries. Mayor Fowler said Lynn Newkirk from the County has also been working on this with Mrs. Jones. Attorney Robb said it is procedure to read an ordinance when it is introduced and read again before the vote but it could be waived in lieu of written copies. Motion by Mueller to suspend the rules and waive the reading in lieu of written copies. Alderperson Kloehn made the second and the motion carried 8-0.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS:

CONSIDER MUNICIPAL LICENSES:

Alderperson Shirman read the licenses requested by Crossroads Youth, Galaxie Skate Center, Michael Dibble and Studio Graphics and said that Public Safety recommended approval of all licenses unanimously. Motion by Shireman to renew all municipal licenses as presented. Alderperson Parker made the second and the motion carried.

CONSIDER ADOPTION OF ORDINANCE PROHIBITING BIKES AND SKATEBOARDS ON SIDEWALKS IN DOWNTOWN AREA.

Alderperson Shireman said the Ordinance was introduced. She said Public Safety recommended approval unanimously. Motion by Dilley to suspend the rules and waive the reading in lieu of printed copies. Alderperson Parker made the second and the motion carried 8-0. Motion by Rakow to approve Ordinance 2011-4 prohibiting bikes and skateboards on sidewalks in the downtown area. Motion carried 8-0. Alderperson Mueller said he would like to see a map prepared for people to look at if they have questions.

INTRODUCTION AND POSSIBLE ACTION ON AMENDING CHAPTER 399 ALLOWING FOR ONE ADDITIONAL CLASS "B" BEER LICENSE.

Attorney Robb read the proposed Ordinance amendment. He said in the Statutes there is no limit on the number of class B licenses in which beer is consumed on the premises that the City can approve. He said there is a limit on the class B liquor licenses. He said there are presently 9 authorized beer licenses that include liquor and 4 that only sell beer. Clerk Elliott said the fee for the City is \$125.00 for the application, there are background checks, it is published in the paper and the applicant needs state licenses along with state and federal excise taxes to sell beer. He said the class b intoxicating liquor license procedures are the same with the cost \$500.00 higher. No action was taken.

PUBLIC WORKS COMMITTEE RECOMMENDATION:

CONSIDER ENGINEERING PROPOSALS AND AWARD CONTRACT FOR IRA STREET AND PARKING LOT BEHIND KWIK TRIP:

Mayor Fowler said Ira Street is very narrow and substandard with no curb and gutters and has failing pavement. He said there needs to be a survey completed and design work done to be sure we stay in the right-of-way. He said they will check with the utilities to see if they have any work to be done. He reviewed the bid from Jewell Associates that was \$5850.00 and the one

from MSA was \$3000.00. He said the recommendation from Public Works and Finance was to approve the bid from MSA. Motion by Parker, second by Kloehn to approve the bid from MSA not to exceed \$3000.00 with the funds coming from the project. Motion carried 8-0.

Mayor Fowler said the parking lot behind Fiesta Fe needs work but the City does not own all of the paved area. He said a boundary survey and a topography survey needs to be done to find the property lines. He said then the City would meet with the adjoining property owners. He said storm sewer may be needed but to what extent has to be figured out. He reviewed the proposal from MSA that was \$2500.00 and from Jewell for \$4980.00. Motion by Mueller, second by Fruit to approve the contracts with MSA with the money coming from the project funds. Motion carried 8-0.

APPOINTMENTS TO COMMITTEES, COMMISSIONS AND BOARDS: Mayor Fowler said Kay Ziegahn has agreed to continue as a Library Board member for another 3 year term and asked for the Council to ratify the appointment. Motion by Shireman, second by Rakow to approve the appointment. Motion carried.

PAYMENT OF MONTHLY BILLS:

It was stated the bill from Krueger Pyrotechniques was added in the amount of \$11,000.00 for the fireworks on July 2nd. Motion by Mueller to pay the bills as presented with the addition of Krueger Pyrotechniques bill for \$11,000.00. Alderperson Fruit made the second and the motion carried 8-0.

MAYOR LARRY D. FOWLER: He said he represented the City at the Veteran's Memorial dedication. He said it is getting closer to the end and is a tremendous job! He said he was also at the dedication of the memorial at the Courthouse and it was nicely done. He said it is already the middle of June and there is so much to do with the rodeo and star spangled celebration.

ALDERPERSON BILL KLOEHN: He said he was at the Clary Funeral Home open house and stated it is a fine facility. He said there are signs on the sidewalks in the downtown area and asked the ordinance be enforced.

ALDERPERSON SUSAN FRUIT: She asked that people avoid parking their vehicles directly across from one another because the streets become too narrow near the intersection of Church Street and Burton Street.

PARKS, RECREATION & GROUNDS DIRECTOR SHANE STIBBE: He said on July 2nd the City will hold Thunder in the Hills and have a Medieval show at 3 and 8 p.m. He said there will also be go cart racing from 4-7 p.m. with proceeds going to local charities. He said there will be arts and crafts, a food stand for the veteran's memorial and free swimming at 5 p.m. He said the fireworks would be at dusk.

CITY CLERK / TREASURER JUDE ELLIOTT: He said there is a Personnel meeting at 3:15 p.m. tomorrow and the Board of Review date would be set soon.

Motion by Kloehn, second by Shireman 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.

Motion by Mueller, second by Fruit to reconvene into open session to vote on matters pertaining to WI Statute 19.85 (1)(e). Motion carried. No action was taken.

ADJOURN:

Motion by Deets, second by Shireman to adjourn. Motion carried at 9:40 p.m. with Alderperson Mueller opposed.

Minutes by Melinda D. Jones, Deputy Clerk /Treasurer

Mayor, Larry D. Fowler

Attest:

City Clerk / Treasurer Jude Elliott