

**ADJOURNED MEETING OF THE COMMON COUNCIL**

**Tuesday, December 16, 2014 at 7:30 P.M. in the Council chambers  
of the Municipal Building at 450 S. Main St.**

The Common Council of the City of Richland Center, Wisconsin, met in the Council Room of the municipal building on Tuesday, December 16, 2014 commencing at 7:30 p.m., Mayor Paul Corcoran presiding. Alderpersons Susan Fruit, Marie Rakow, Jay Buchanan Mueller, Marsha Machotka, Judy Shireman, Dawn Elliott and Lester Parker were present. Mayor Corcoran ascertained from the Clerk that the meeting was properly noticed and a quorum is present.

Motion by Rakow, second by Fruit to waive the reading and approve the minutes of the last meeting in lieu of printed copies. Motion carried 7-0.

**Concerns to be addressed at a future meeting:** Clerk Jones reported she would like the size of the Tourism Committee reduced, the time changed or the issue of not having a quorum addressed at a Council meeting soon as it has not been productive having five meetings cancelled throughout the year due to not having a quorum present.

**Planning Commission Recommendations:**

**Public Hearing, Consider and possible action on application of Mindy J. (Pugh) Baker and Chad Baker to rezone a parcel of land in the City from Commercial General (CG) to Residential Single Family (R-1). The property is located at 908 S. Sheldon Street also known as property tax parcel number 276-2160-0000:** Mrs. Baker spoke stating the property is used as residential and the properties around are mostly residential. Motion by Machotka, second by Fruit to close the public hearing. Motion carried 7-0. Motion by Machotka, second by Elliott to suspend the rules. Motion carried 7-0. Motion by Rakow, second by Elliott to waive the reading and approve the ordinance, number 2014-8, to rezone the property at 908 S. Sheldon St. Motion carried 7-0.

**Consider and possible action on resolution authorizing the issuance and sale of \$3,225,000 Electric System Revenue Bonds, Series 2014C of the City of Richland Center, Richland County Wisconsin, and providing for the payment of the bonds and other details with respect to the bonds:** Mr. James Mann from Ehlers was present to explain the closing would be happening with Pinnacle Bank who had the low bid of a 2.65% interest rate and the cost savings of the refinancing would pay for the extra funds needed for a new substation. Mr. Dale Bender, Electric Superintendent, stated the growth in the community makes it necessary to construct a new substation and then refurbish the Olson substation that was built in the 1960's and last updated in 1976. He said there is about a 3-5 year window that the City has before the load is too large for one substation. Motion by Rakow, second by Machotka to approve Resolution 2014-29. Motion carried 7-0.

**Public hearing on the following proposed changes to the zoning ordinance:** Motion by Machotka, second by Rakow to open the public hearing for the following items. Mayor Corcoran asked if anyone wanted to speak and Clerk Jones stated that under conditional use permits item, one person contacted her stating he felt the optional notice of violation should not be optional but "required" by the City.

- a. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to issuance of conditional use permits and enforcement for conditional use permit violations:** Attorney Robb said it has always been the policy of the city to give notice and there has never been a permit revoked that he is aware of, however, does the city want to send notice after notice to someone continuously in violation that does not correct the problem? Attorney Robb stated the ordinance change is cleanup of the enforcement and procedure.
- b. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to modernizing the forfeiture and other remedy provisions for zoning ordinance violations:** The changes are to update forfeiture and remedy provisions.
- c. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to regulation of private garages and other accessory buildings:** The changes are for better clarification of what can and cannot be done regarding garages or accessory buildings. Discussion took place on the size of garage allowed and it was decided to pull this item for further discussion at the next meeting.
- d. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to incorporating changes in Wisconsin Statute and Wisconsin Administrative Code provisions which are incorporated in the zoning ordinance:** There are changes in state laws or within state departments or agencies and this ordinance will automatically reference the changes at the state level without making the City update every ordinance individually.
- e. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to assignment of annexed property to zoning district upon annexation to the City:** The ordinance currently zones properties as residential single family upon annexation and the changes presented today allows designation of the proper zoning with the annexation.
- f. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to use of barbed wire on fences within the City:** This ordinance allows barbed wire on top of a fence in commercial, industrial or industrial park zoning districts with an approved conditional use permit.
- g. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to requirements for decks:** This item should be eliminated because the definition is included with 9h.
- h. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to defining or amending definitions of certain terms used in the zoning ordinance:** There are terms referred to within current ordinances and this adds a definition of those terms. Some terms are new and some are revised.

**i. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to outside storage of firewood:** The ordinance currently refers to a cord of wood may be stored on residential property for personal use and there are a few clarifications made.

**j. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to the amount of time for loss of prior nonconforming use status after cessation of the use:** This change from 6 months to 12 months for nonconforming use that is required by state statute.

**k. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance incorporating changes in the Wisconsin Statutes relating to limitations on restoration of nonconforming structures:** This ordinance change relates to the restoration of nonconforming structures being rebuilt and the cost association has been removed.

**l. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to refuse, grass and weed control, trimming trees over sidewalks and outside burning to eliminate discrepancies between the zoning ordinance and other ordinances:** Attorney Robb stated the City has an ordinance on junk, weeds, trimming trees over sidewalks and a burning ordinance that are all newer than the zoning ordinance. The changes in the zoning ordinance are being updated to bring it in compliance with the other ordinances.

**m. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to regulation of antennas to reflect changes in federal law:** Attorney Robb stated the Federal Government regulates antennas and the City can regulate the transmitting antennas. The changes relate to transmitting antennas.

**n. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to vision triangles to clarify the definition of a vision triangle and limitations on obstructions in a vision triangle:** Attorney Robb stated the visibility triangle is listed differently in several ordinances and this defines what the triangle is and how it is calculated at 33 feet back from the curb in each direction then to draw a line creating a triangle.

**o. Consider and possible action on suspending the rules and amending the provisions of the zoning ordinance relating to setbacks applicable to corner lots:** This ordinance was not ready for review.

Mayor Corcoran asked twice if anyone in the audience wanted to speak during the public hearing and no one responded. Motion by Machotka, second by Rakow to close the public hearing. Motion carried 7-0. Motion to suspend the rules by Fruit, second by Rakow. Motion carried 7-0. Motion by Shireman, second by Fruit to waive the reading and approve the ordinances related to items 9a, 9b, 9d, 9e, 9f, 9h, 9i, 9j, 9k, 9l, 9m, and 9n also to bring item 9c back to the next meeting. Motion carried 7-0.

**Public Safety Recommendations:** **Consider and possible action on application from Empire Grill LLC for a Class C Wine License at 101 W. Court Street:** Motion by Shireman, second by Elliott to approve the license. Motion carried 7-0.

**Consider and possible action on renewal of taxi licenses for 2015:** Motion by Shireman, second by Elliott to approve the renewal of Towne Taxi and Running Inc licenses for 2015. Motion carried 7-0.

**Finance Committee Recommendations:** **a. Consider and possible action on equipment installation in new squad car:** Motion by Shireman to approve the use of existing funds on hand for the police department in the amount of \$1500 and \$500 from the 2015 budget for equipment to be transferred from the old squad car to the new one when it arrives. Elliott seconded and the motion carried 7-0.

**b. Consider and possible action on resolution to write off uncollectable accounts receivable:** Motion by Fruit, second by Rakow to postpone item b and c to the next meeting. Motion carried 7-0.

**Utility Commission Recommendations:** **a. Consider and possible action on pay application from James Peterson Sons, Inc. for construction of the force main to the WWTF under Contract B:** Motion by Rakow, second by Fruit to approve the payment request in the amount of \$642,767.42. Motion carried 7-0.

**b. Consider and possible action on pay application from Staab Construction Corporation for construction of the WWTF & Lift Station under Contract A #RC-55:** Motion by Machotka, second by Rakow to approve the payment request in the amount of \$1,076,860.15. Motion carried 7-0.

**Consider and possible action on resolution authorizing public depositories:** Motion by Rakow, second by Machotka to approve the resolution. Motion carried 7-0.

**Zoning Permits / Street Cutting Permits.** Clerk Jones reviewed the estimated cost of new construction in 2014 through November within the city that was valued at over \$22 million dollars.

**Payment of Monthly Bills.** Motion by Mueller, second by Fruit to approve the payment of bills as presented. Motion carried 7-0.

Motion by Shireman, second by Rakow to adjourn. Motion carried 7-0 at 9:14 p.m.

Minutes by Melinda D. Jones, City Clerk/Treasurer

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Paul F. Corcoran, Mayor

Attest:

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Melinda D. Jones, City Clerk