

**COMMON COUNCIL PROCEEDING OF
THE CITY OF LADYSMITH**

Monday, June 13, 2022

5:15 pm

Ladysmith Council Chambers

Members Present: Mayor Grotzinger, M. Platteter, N. Johnson, J. Pohlman, A. Christianson, J. West, A. Hraban, M. Reynolds

Others present: L. Klink, A. Christianson, A. Kenyon, S. Kavanagh, D. Parker, T. Carter, K. Gorsegner, James Norris, John Pohlman, II and Chief K. Julien.

Call to order. Mayor Grotzinger called the meeting to order at 5:15 pm.

Roll Call. Clerk Kavanagh took roll call and a quorum was present.

Pledge of Allegiance led by Mr. West.

Minutes and Agenda. Motion by A. Hraban, seconded by J. Pohlman, to approve the May 23, 2022 Council minutes and this evening's agenda. Motion passes by voice vote 7-yes, 0-no.

Presentation by James Norris, EO Johnson LockNet. James Norris updated council members on the need for additional cyber security support due to increased cyber attacks and hacks. The upgraded cyber support is entitled "Keysuite" and includes unlimited support, guaranteed response times, monitoring and management of servers, managing antivirus and firewalls and event/third party monitoring. These upgraded measures are being required by insurance companies in order to remain insurable against possible cyber attacks and hacks.

Resolution 2022-05. Motion by J. Pohlman, seconded by M. Platteter, to approve Resolution 2022-05 Declaring Official Intent to Reimburse Expenditures for Wisconsin Department of Natural Resources Safe Drinking Water Loan Program (SDWLP) for the STH 27 Water Main Loop Project. M. Platteter-yes, N. Johnson-yes, J. Pohlman-yes, A. Christianson-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes. Motion passes with 7-yes, 0-no.

Resolution 2022-06. Motion by A. Hraban, seconded by M. Platteter, to approve Resolution 2022-06 Declaring Official Intent to Reimburse Expenditures for Wisconsin Department of Natural Resources Safe Drinking Water Loan Program (SDWLP) and Clean Water Fund Loan Program (CWF) for the W 5th Street North Reconstruction Project. N. Johnson-yes, J. Pohlman-yes, A. Christianson-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter -yes. Motion passes with 7-yes, 0-no.

Resolution 2022-07. Motion by M. Reynolds, seconded by A. Hraban, to approve Resolution 2022-07 Authorizing Official Representation by City Administrator to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund (STH 27 Water Main Loop). Motion passes by unanimous voice vote. 7-yes, 0-no.

Resolution 2022-08. Motion by M. Reynolds, seconded by A. Hraban, to approve Resolution 2022-08 Authorizing Official Representation by City Administrator to File Applications for

Financial Assistance from State of Wisconsin Environmental Improvement Fund (W 5th St N). Motion passes by unanimous voice vote. 7-yes, 0-no.

District 1, Platteter. Mr. Platteter asked that a Finance Committee meeting be scheduled for Thursday, June 16, at 5:00 pm.

Locknet Keysuite Security Package. The annual cost for upgrading to Keysuite IT support is \$28,800. The increased cost to transition to Keysuite IT support for the remainder of 2022 will be about \$3,000 higher than originally budgeted. Motion by J. Pohlman, seconded by M. Reynolds, to approve the Locknet Keysuite IT cyber security package in the amount of \$28,800 annually. M. Platteter-yes, N. Johnson-yes, J. Pohlman-yes, A. Christianson-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes. Motion passes by 7-yes, 0-no.

District 2, Johnson. Mr. Johnson reported that the Library Board will be meeting on Tuesday, June 14; the Park Board did approve the September installation of solar panels on the hill east of the library. The Park Board will be meeting on Wednesday, June 15, to approve the adirondack chair location in Memorial Park.

District 3, Pohlman.

Eligibility List. After accepting a resignation from the Wastewater Treatment Plant Superintendent, the Personnel Committee recommends hiring an entry level position from the eligibility list. Mr. Gorseger explained that the plan would be to promote the current Asst Wastewater Treatment Plant employee to the position of Wastewater Treatment Plant Superintendent. Motion by A. Christianson, seconded by M. Reynolds, to approve hiring an entry level employee from the eligibility list N. Johnson-yes, J. Pohlman-yes, A. Christianson-yes, J. West-no, A. Hraban-yes, M. Reynolds-yes, M. Platteter-yes. Motion passes with 6-yes, 1-no.

Maintenance Position. At a recent Personnel Committee meeting, the committee members made a recommendation that the Finance Committee look into the cost of adding a maintenance position and how that new position would be funded.

Code of Conduct for Elected Officials. Mr. Pohlman asked that all council members review the Code of Conduct for Elected Officials to possibly use it to update our current ordinance on the subject or include it in the Personnel Policy; Adm Christianson offered to e-mail it out to everyone.

Riverside Cemetery Contract with Servants of Mary. Council members reviewed the Contract between the City of Ladysmith and Servants of Mary for purchase of cemetery lots in Block 15 of the Riverside Cemetery. Motion by J. Pohlman, seconded by A. Christianson, to approve Attorney Kenyon to make revisions to the contract to reflect monuments must be flush mounted markers and clarification of the future development of a memorial area. Motion by J. Pohlman, seconded by A. Christianson, to revoke the previous motion.

Motion by M. Reynolds to table the discussion, seconded by J. Pohlman, until the City Attorney has reviewed the contract and provides clarification as to the type of monuments allowed,

clarification on the proposed memorial area and clarification on the fee schedule for future burials. The contract is to be brought before the council in two weeks for further review. Motion passes by 7-yes, 0-no.

Mr. Pohlman thanked the city crew for all their hard work in getting the Riverside Cemetery ready for Memorial Day weekend; it looked very nice.

District 4, Christianson. Mr. Christianson plans to send in a response to a letter to the editor regarding criticisms of City street conditions.

District 5, West. Nothing to report.

District 6, Hraban.

Chip Seal Bid. Motion by A. Hraban, seconded by A. Christianson, to approve the chip seal bid from Scott Construction in the amount of \$75,740 for W 4th St from Lake Ave to Miner Ave; W 5th St from Fritz Ave to Corbett Ave; W 6th St from Lake Ave to Pederson Ave and Menasha Ave from 3rd St to 16th St to be funded as follows: \$75,000 from crack seal budget and \$740 from parking lot budget. J. Pohlman-yes, A. Christianson-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter-yes, N. Johnson-yes. Motion passes 7-yes, 0-no.

DPW Gorsegner reported that due to increased costs the City is only able to do about 75-80% of the typical chip sealing done in a normal year.

Mr. Hraban and Mr. West attended a Rusk County Transit Board meeting last week and would like to set up a time for the RCTC manager to attend a council meeting in August to present information on how the transit system is funded.

District 7, Reynolds: Mr. Reynolds would like to schedule a Legal Affairs meeting on Wednesday, June 15, at 5:00 pm to discuss CN rail crossing blockage issues and the quiet zone.

The May 17, 2022 Board of Review minutes were reviewed.

Police and Fire Report. The Police and Fire Commission will not be meeting on their regular meeting night due to a scheduling conflict. Chief Julien reported that one officer is on light duty and another officer is out due to a work-related injury.

Canadian National immediately contacted Chief Julien when there was a maintenance issue with a train last week resulting in rail blockages from Doughty Rd all the way up to Hwy 27. Even though the initial projection was the blockages could last for 3-10 hours, the crossings were opened up within 3 hours.

Public Works Report.

Petition for Removal of Dead End Sidewalk. Motion by M. Reynolds, seconded by A. Hraban, to approve the petition filed by property owner, Philip Unterschuetz, to remove the dead end sidewalk at 400 Roesler Ave, at property owner's expense. Motion passes by 7-yes, 0-no.

Resolution 2022-09/CMAR Report. Motion by M. Reynolds, seconded by A. Christianson, to approve Resolution 2022-09 Compliance Maintenance Annual Report for 2021 receiving a 4.0 GPA. Motion passes with 7-yes, 0-no.

Mr. Reynolds commended wastewater treatment plant employees for a job well done, as reflected on the CMAR report.

Mr. Pohlman, II asked that the City look into a Stop sign that is placed in the middle of the sidewalk at the corner of Miner Ave and Hwy 27 which can cause issues for someone in a wheelchair.

Administrator Report. The Joint Review Board will meet on Tuesday, June 28 at 3:00 pm to review TID revenues and expenditures.

Attorney's Report. Mr. Kenyon reviewed state law which requires an alderman reside in the district he/she represents unless it is a temporary absence with plans to move back into their district. It is up to the council to declare that a councilman no longer lives in his/her district.

He also reviewed the definition of recreational immunity explaining that as a general rule governments are immune from lawsuits under certain conditions. If the government is aware of a hazard and does nothing about it, the entity has the potential of losing their recreational immunity.

Mr. Reynolds commented that he did consult with a state attorney and was told that if a person is trying to find another home in their district, that is fine. Mr. Reynolds wasn't able to find a home in his district after selling the property located in the 7th District, so he has moved into a property outside his district. He mentioned willingness to abide by any decision the council makes in this situation.

Mr. Pohlman also mentioned the importance of only using the "city issued e-mail" for city business. Mr. Kenyon mentioned the risk of a public records request of your personal e-mails if your personal e-mail is being used for city business.

Licenses and Permits. Motion by A. Christianson, seconded by A. Hraban to approve Operator Licenses listed for Holiday Stationstore, Miner Station, West Cove Lanes, Flambeau River Outfitters, Ladysmith Fresh Market, Lois, Lann & Bean Boutique and Independent Operators, Elizabeth Patterson and Roxann Wilde. Motion passes by 7-yes, 0-no.

Motion by J. Pohlman, seconded by A. Christianson, to approve Temporary Class B license for Rusk Area Chamber of Commerce's Burger Battle on June 18, 2022 in Memorial Park. Motion passes 7-yes, 0-no.

Motion by A. Hraban, seconded by J. Pohlman, to approve Temporary Class B license for Ladysmith Fire Department's Water Ball Fights on July 16, 2022 at the Ladysmith Fire Hall. Motion passes 7-yes, 0-no.

Mayor's Forum. Mayor Grotzinger mentioned the passing of Elmer Wisherd, one of the members of our "greatest generation" and thanked community members for cleaning up around

the Doughboy statute. He mentioned the first Music on Miner was a great event and he encouraged everybody to get involved and attend the many events going on in our community.

Closed Session. Motion by A. Hraban, seconded by J. Pohlman, to go into closed session under authority granted in Sec. 19.85(1)(e) when deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; to-wit: Discussion of lease of city owned building. J. West-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter-yes, N. Johnson-yes, J. Pohlman-yes, A. Christianson-yes. Motion passes.

Mayor Grotzinger announced that in closed session the city council did accept the revised lease agreement between the City of Ladysmith and TNT Tire & Auto for the industrial building on Doughty Road that they are currently leasing.

Motion by J. Pohlman, seconded by N. Johnson, to adjourn at 7:00 pm.

Respectfully submitted,

Shari Kavanagh, City Clerk