

**NOTICE OF COMMON COUNCIL MEETING TO BE HELD**  
**6:30 P.M., MONDAY, JANUARY 8, 2018**  
**LADYSMITH COUNCIL CHAMBER**  
**107 WEST SECOND STREET SOUTH**  
**LADYSMITH, WISCONSIN**



Invitations to: Council members, Mayor, City Atty., Adm., DPW, Asst. DPW, Police Chief, W. Stoll, media.

**AGENDA**

- 1) Call to order at 6:30 p.m.
- 2) Roll call and Pledge of Allegiance.
- 3) Approve December 14, 2017 Council minutes. pp.3-6
- 4) Approval of the evening's agenda.
- 5) Introductions, hearings, appearances and public comments.
  - a. Hearing on possible revision of Zoning Code to allow rear yard setbacks to be reduced on a case by case basis by conditional use permit. p.10
  - b. Appearance by A. Albarado with updates in regard to promotion strategies and efforts.
- 6) Resolutions and Ordinances.
  - a. Action on Resolution #2018-01 a preliminary resolution declaring intent to exercise special assessment police powers under Section 66.0703 Wis. Stats. relating to sidewalk, curb and gutter repair and replacement.p.7
  - b. Approve Director of Public Works' Report on planned sidewalk, curb and gutter repair and replacement.pp.8-9
  - c. Action on Ordinance #2018-01 to amend rear yard setback requirements.p.10
  - d. Action on Resolution #2018-02 approving sale of real property by the City.p.11
- 7) District One/Youth and Recreation/Library Board/Plan. Comm.
  - a. Report on December 12, Library Board business/meeting.p.6
  - b. Report on Youth and Recreation business/meeting.
  - c. Note upcoming (Jan.15) Planning Commission meeting.
- 8) District Two/Personnel Comm./Rail Display.
  - a. Minutes of Personnel Committee meeting/business.
  - b. Report on rail display activities.
  - c. Report an Animal Control Board.
  - d. Action to allocate \$25,000 from TIFD #9 to continued rail display upgrades.
  - e. Action to authorize use of Camp Flambeau labor on rail display, at an estimated cost of \$4,000.
- 9) District Three/Property/ Emergency Government/Joint Management.
  - a. Report on Property meeting/business/farmer's market.
  - b. Report on Joint Management Committee meeting/business.
  - c. Report on Emergency Gov't./Emergency Plan. meeting/business.
- 10) District Four/Finance/All Committees/Tourism Committee.
  - a. Report on All Committees meeting/business.
  - b. Report on Finance meeting/business.
  - c. Action to approve monthly invoices.
- 11) District Five/Legal Affairs/Zoning Appeals/RLF Board.

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  - b. Report on Finance meeting/business.
  - c. Action to approve monthly invoices.
- 11) District Five/Legal Affairs/Zoning Appeals/RLF Board.
- a. Report on Legal Affairs meeting/business.
  - b. Report on RLF Board meeting/business.
  - c. Report on Zoning Board meeting/business
- 12) District Six/Public Works Committee/Cemetery/Ethics/Transit.
- a. Report on Public Works Committee meeting/business.
  - b. Report on Cemetery meeting/business
  - c. Report on Ethics meeting/business.
  - d. Action on recommendation to expend \$3,600 annually from Water Utility to replace meters rather than expending even more to remove, clean, test and re-install them.
- 13) District Seven/Comm. Dev. Comm./Police and Fire.
- a. Report on Park Board meeting/business.
  - b. Report on Police and Fire meeting/business.
  - c. Report on Community Dev. Comm. meeting/business.
  - d. Action to approve updated Outdoor Recreation Plan.
- 14) Police and Fire Department Report.
- 15) Public Works and Building Inspection Report.
- a. Action on Pay Request No. 2 from McCabe Const., in the amount of \$28,499.16, for work completed on the W. 2<sup>nd</sup> St. N. project.
  - b. Action on Pay Request No. 2 from McCabe Construction, in the amount of \$246,582.50, for work completed on the Center Ave./Pederson Ave./ E. 8<sup>th</sup> St. S. project.
- 16) Administrative Report.
- a. Action on Hoover Const. proposal to do initial repair (SW corner post) of old log pavilion in Memorial Park for \$200.
  - b. Action on MSA invoice in the amount of \$3,375, for SDWP administration.
  - c. Action on MSA invoice in the amount of \$4,500, for CDBG administration.
  - d. Review photos and take action on Proposal to expend up to \$1,210 from The Mining Fund to upgrade and update industrial area directory sign.
- 17) Attorney's Report.
- 18) Mayor's Comments.
- a. Action to approve appointment of replacement for resigned Tourism Commission member.
- 19) Licenses and Permits.  
Action on operator's license applications, for changes of agent, on application for fermented malt beverage or liquor licenses, including picnic licenses, and including requests for new alcohol beverage licenses.
- 20) Adjourn.

Prepared on 01/03/2018 by A. Christianson

*The City of Ladysmith is an Equal Opportunity Employer.*

RESOLUTION NO. 2018-01

**PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS UNDER SECTION 66.0703, WISCONSIN STATUTES**

RESOLVED, by the Common Council of the City of Ladysmith, Wisconsin:

The Common Council hereby declares its intention to exercise its police power under Sec. 66.0703, Wis. Stats., to levy special assessments upon property within the following described area for special benefits conferred upon such property by the installation of replacement sidewalk, curb and gutter in the locations specified on the lists attached hereto.

The public improvement shall include the installation and/or repair of sidewalk, curb and gutter.

The total assessment against properties shall not exceed 100% of the cost of the improvements. The Common Council determines that the improvements constitute an exercise of the police power and that the amount assessed against each parcel shall be based on a front footage assessment.

The assessment against any parcel may be paid in cash or in up to five (5) annual installments. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of 5.5% per annum.

The office of the Director of Public Works shall prepare a report which shall consist of:

- a. Preliminary / final plans and specifications for the improvements.
- b. An estimate of the entire cost of the proposed improvements.
- c. Schedule of proposed assessments.

When the report is completed, the Director of Public Works shall file a copy of the report with the City Clerk for public inspection.

Upon receiving the report of the Director of Public Works, the Clerk shall cause notice to be given stating the nature of the proposed improvement, the general boundary lines of the proposed assessment district, the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class 1 notice and a copy shall be mailed, at least 10 days before the hearing, to every interested party.

The hearing shall be held in the Council Chambers in the City Hall at a time set by the Clerk in accordance with Sec. 66.0703, Wisconsin Statutes.

Passed by voice vote at a regular meeting of the Common Council held the 8 day of January 2018.

Signed: \_\_\_\_\_  
Marty Reynolds, Mayor

Attest: \_\_\_\_\_  
Shari Kavanagh, City Clerk

**REPORT OF THE DIRECTOR OF PUBLIC WORKS ON PROPOSED  
SIDEWALK AND C & G INSTALLATION FOR YEAR 2018**

In accordance with the preliminary resolution of the Common Council, dated January 8, 2018. I hereby submit my report on the proposed assessments for sidewalk and curb & gutter replacements to be made.

This report consists of the following schedules attached here to:

Schedule A – Estimated cost of improvements;

Schedule B – Schedule of proposed assessments against each parcel affected.

**Schedule A. Cost of Improvements.**

The estimated total cost of improvements is estimated at \$32,971.00. This cost is determined as follows:

4"-6" Thick sidewalk	\$26,221.00
Curb and Gutter	\$6,750.00

**Schedule B. Proposed Assessments.**

The following properties against which the proposed assessments are to be made under the City's police power are benefited by the removal of sidewalk and curb & gutter by the removal of standing water, which can become a health hazard and by the removal of trip and fall hazards, which can increase liability. The proposed assessments and affected properties are as follows:



PUBLIC HEARING NOTICE 1217  
Ladysmith City Council Chamber  
107 W. Second Street S.  
5:15 p.m., Monday, January 8, 2018

Residents of the City of Ladysmith please take notice that the City Council will hold a public hearing at the time, date and place specified above. The public is invited to attend this hearing. The purpose of the hearing is to hear and consider public input on a proposed zoning code amendment to add rear yard setbacks in single family residential districts as an item the Planning Commission may consider altering by Granting of Conditional Use Permits on a case by case basis.

At the hearing, all interested persons will be afforded a reasonable opportunity to obtain information and present their views about the subject of hearing. Written comments are invited from those not able to attend. All written comments must be received no later than 5:00 p.m. on the day of the hearing in order to be read into the record. Submit written comments to the City Administrator, Ladysmith City Hall, P.O. Box 431, Ladysmith, WI 54848.

By Alan Christianson, Administrator-Deputy Clerk

ORDINANCE #2018-01

AMENDING REAR YARD SETBACK REQUIREMENTS

The Common Council of the City of Ladysmith do ordain as follows:

1. That Sec. 13-1-24 (b) (14) of the Ladysmith Municipal Code or Ordinances is hereby created to read as follows.

(14) A rear yard setback of less than Twenty-Five Feet may be allowed by Conditional Use Permit.

2. That Sec. 13-1-24 (c) (3) of the Ladysmith Municipal Code of Ordinances, Standing Committees, is hereby repealed in its entirety and recreated to read as follows.

(3) Rear Yard. Twenty-Five (25) Feet. Any rear yard less than Twenty-Five Feet requires a Conditional Use Permit pursuant to (b) (14), above.

3. That this ordinance amendment shall take effect upon passage and publication.

\_\_\_\_\_ by \_\_\_\_\_ vote at a regular meeting of the Common Council held the \_\_\_ day of January, 2018.

Signed: \_\_\_\_\_  
Marty Reynolds, Mayor

Attest: \_\_\_\_\_  
Alan Christianson, Adm.-Dep. Clerk

**RESOLUTION #2018-\_\_**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LADYSMITH  
APPROVING THE SALE OF REAL PROPERTY BY THE CITY**

WHEREAS, the City of Ladysmith desires to sell the following described real property in order to increase the City's real estate tax base and generate commerce within the City.

A part of the Southwest Quarter of the Northwest Quarter (SW¼-NW¼) of Section Eleven (11), Township Thirty-four (34) North, Range Six (6) West, more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter of the Northwest Quarter (SW¼-NW¼); thence South and parallel to the West line of said Section 11 to the South right-of-way line of Doughty Road then West along said right-of-way line of Doughty Road a distance of 200' feet, which is the point of beginning; thence west and parallel to the South right-of-way line of Doughty Road a distance of 200' feet; thence South and parallel to the West line of said Section 11 a distance of 435.6' feet; thence East and parallel to the South right-of-way line of Doughty Road a distance of 200' feet; thence North and parallel to the West line of said Section 11 a distance of 435.6' feet and the point of beginning,

WHEREAS, the City Administrator of the City of Ladysmith made a verbal report to the Common Council of the City of Ladysmith stating that John Schindler and Carol Schindler will make a one-time payment of \$7,500.00 to the City for the property, which represents the best interest of the public.

WHEREAS, the Common Council of the City of Ladysmith deems it advisable and to be in the best interests of the inhabitants of the City to sell the above described property located in the City of Ladysmith, County of Rusk, and State of Wisconsin for the benefits anticipated of increasing the tax base.

WHEREAS, John Schindler and Carol Schindler agree to assume all maintenance costs including lawn mowing, tree trimming and snow removal.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ladysmith, that such body approves the sale of the above described property for \$7,500.00 and that the Administrator, Attorney, Clerk and Mayor of the City of Ladysmith are hereby authorized on behalf of the City of Ladysmith to enter into such contract for sale of property as provided by law, including but not limited to the usual supporting documentation.

Adoption of the above Resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a regular meeting of the Common Council of the City of Ladysmith held December \_\_\_\_, 2018. This Resolution was \_\_\_\_\_ by the following roll call vote:

Platatter- ; Morgan- ; M. Hraban- ; Moore- ; Stoneberg- ; A. Hraban- ; Pearson- .

By: \_\_\_\_\_  
Martin L. Reynolds, Mayor

Attest: \_\_\_\_\_  
Shari Kavanagh, City Clerk

**CERTIFICATION**

I, THE UNDERSIGNED, Clerk of the City of Ladysmith, do hereby certify that the foregoing is full, true and correct copy of a resolution which was duly \_\_\_\_\_ and \_\_\_\_\_ by the Common Council of the City Ladysmith at a regular meeting of said Common Council of the City of Ladysmith held on December \_\_\_\_, 2018 in the City of Ladysmith, County of Rusk, State of Wisconsin.

Dated: \_\_\_\_\_, 2018

\_\_\_\_\_  
Shari Kavanagh, City Clerk