

**NOTICE OF COMMON COUNCIL MEETING TO BE HELD**  
**5:15 P.M., MONDAY, NOVEMBER 12, 2018**  
**LADYSMITH COUNCIL CHAMBER**  
**107 WEST SECOND STREET SOUTH**  
**LADYSMITH, WISCONSIN**



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

**AGENDA**

- 1) Call to order at **5:15 p.m.**
- 2) Roll call and Pledge of Allegiance.
- 3) Approve October 22, 2018, Council minutes. pp.3-6
- 4) Approval of the evening's agenda.
- 5) Introductions, hearings, appearances and public comments.
  - a. Appearances, if any, and introduction of new police officer.
- 6) Action on Resolutions, Ordinances and other selected matters
  - a. Action to adopt a simplified water utility user rate increase.
  - b. Action to adopt Ordinance #2018-07 providing for Public Works Dept. Charges to recover costs for certain services. p.7
  - c. Action on Res. 2018-22 ordering repair/replacement of certain sidewalks. p.8
  - d. Action on Res. #2018-23, a preliminary resolution declaring intent to exercise special assessment police powers under Sec. 66.0703, Wis. Stats. pp.9-11
  - e. Action on amendment Ord. #2018-08 to eliminate requirement that bonds be purchased for staff that handle cash, as City has insurance for this. p.12
- 7) District One/Finance Comm./Library Board/Plan. Comm.
  - a. Report on Library Board business/meeting.
  - b. Report on Finance Comm. business/meeting.
  - c. Report on Planning Commission meeting/business.
- 8) District Two/Personnel Comm./Rail Display.
  - a. Report on Nov. 5, Personnel Committee meeting/business. p.13
  - b. Report on Highway Safety meetings/business.
  - c. Report on Animal Control meetings/business.
- 9) District Three/Property/ Emergency Government/Joint Management.
  - a. Report on Oct. 29, Property and All Committees meetings/business. pp.14-17
  - b. Report on Joint Management Committee meeting/business.
  - c. Report on Emergency Gov't./Emergency Plan. meeting/business.
  - d. Action on recommendation to accept Rands Trucking \$2,600 Proposal to demo and `dispose of former animal shelter facilities.
  - e. Action on recommendation to approve The Gutter Guy's \$3,550 Proposal to install new rain gutter on north side of the fire hall.
- 10) District Four/Farmer's Mkt./Community Dev./Tourism Commission.
  - a. Report on Community Dev. Comm. meeting/business.
  - b. Report on Farmer's Market /Tourism Comm. meeting/business.
  - c. Report on Community Dev. Comm. meeting/business.
- 11) District Five/Legal Affairs/Police and Fire/RLF Board.
  - a. Report on Legal Affairs meeting/business. handout

- b. Report on Housing Revolving Loan Fund Board meeting/business.
- c. Report on August Police and Fire 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 replace ballasted rubber roof on City Hall as \$15,400 cost to building maintenance.
  - e. Action on recommendations to approve various recommendations pertaining to W. 2<sup>nd</sup> St. project (W2) and E. 8<sup>th</sup> St./Center/Pederson Ave. (8CP) projects.
    - C.O. No. 1 W2, in the amount of (-)\$762.14.
    - Final Pay Request #5 W2, in the amount of \$1,552.75.
    - C.O. No. 2 8CP, in the amount of (+)\$20,630.54.
    - Final Pay Request #5 8CP, in the amount of \$17,349.65.
    - Project acceptance form for both W2 and 8CP projects for SDWLP.
- 13) District Seven/Youth and Rec./Park Board.
  - a. Report on Park Board meeting/business.
  - b. Report on Youth and Rec. Comm. meeting/business.
  - c. Report on Zoning Appeals meeting/business.
- 14) Police and Fire Department Reports.
- 15) Public Works and Building Inspection Report.
  - a. Updates on current activities.
  - b. Action on MSA invoice, in the amount of \$3,375, for SDWLP administration.
  - c. Action to approve gravel stockpile bids.
  - d. Action on new mural light bid of \$3,560.
- 16) Administrative Report.
  - a. Action to approve expenditure of \$1,200 for materials to roof 1920s House garage to serve as seasonal work site.
  - b. Review Proposals for new signage and possible action on same.
    - Replacement sign for former elementary school playground-\$545
    - Plow museum sign to go underneath real plow-\$280 (oval)-\$350 (triangle).
  - c. Action to approve Hoover Const. Proposal of \$1,000 from LFD maintenance to repair double doors on alley side of fire hall.
  - d. Action to approve recommendation to prepare three military mural style depictions of rail workers to occupy displayed vehicles as follows:
    - Two workers to be seated in motorcar on Lake Ave. as \$550 cost to TIFD #8.
    - One conductor to occupy FP7 locomotive doorway as \$275 cost to TIFD #9.
  - e. Update on Comptroller applications.
  - f. Action on recommendation to award contract for investigating buildings for conversion to a community center.
  - g. Consider action to authorize proceeding with development of clean fill site.
  - h. Action to authorize plumbing repairs to armory garage as cost to Fund 290.
- 17) Attorney's Report.
- 18) Mayor's Comments.
- 19) Licenses and Permits.
  - a. 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) Action to go into closed session under authority granted in S. 19.85 (1) (c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; to wit; to consider terms of an offer of employment; and, to consider modifications to City hall staff work hours.
- 21) Return to open session.
- 22) Action on matter considered in closed session.
- 23) Adjourn.

Prepared on 11/07/2018 by A. Christianson 1

ORDINANCE #2018-07

PROVIDING FOR PUBLIC WORKS DEPT. CHARGES  
TO RECOVER COSTS FOR CERTAIN SERVICES

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

1. That Sec. 5-3-3 (c) of the Ladysmith Municipal Code of Ordinances, Recovery of Costs, is hereby added to read as follows.

(c) The Ladysmith Public Works Department may, in its sole discretion, charge for non-public response services provided, when it deems that the necessity of providing such services was within the control of the party to which the services were rendered. Such services could include, but are not limited to, the following examples.

-Filling a swimming pool with water or filling water storage tanks or filling a contractor's truck mounted tanks, which are elective acts.

-Pumping storm water from private property when the property owner is aware of the property's tendency to flood but did not take reasonable action to install such holding tanks or pumps as would be capable of dealing with the issue without necessity of Department assistance.

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

\_\_\_\_\_ by \_\_\_\_\_ vote at a regular meeting of the Common Council held the 12th day of November, 2018.

Signed: \_\_\_\_\_  
Alan Christianson, Mayor

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

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

**ORDERING THE REPAIR OR REPLACEMENT OF CERTAIN SIDEWALKS**

WHEREAS, the Public Works Committee of the City of Ladysmith has found that the sidewalk or part thereof in front of the properties listed in the attached report of the Director of Public Works are unsafe and are in need of repair in accordance with the standards shown in Ordinance 6-2-2; and

WHEREAS, the City of Ladysmith has the authority under Sec. 66.907, Wis. Stats. to order the repair of such sidewalk;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ladysmith that all owners fronting on the sidewalks listed in the attached report of the Director of Public Works are ordered to repair the portion of sidewalk abutting their premises within twenty (20) days.

BE IT FURTHER RESOLVED that if any owner fails to comply with this order within 20 days, the City of Ladysmith shall cause the work on his/her sidewalk to be done and shall charge a portion of the cost as a special tax against his/her lot or parcel.

Passed by voice vote at a regular meeting of the Common Council of the City of Ladysmith held the \_\_\_\_ day of November 2018.

Signed: \_\_\_\_\_  
Alan Christianson, Mayor

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

**REPORT OF THE DIRECTOR OF PUBLIC WORKS ON PROPOSED  
SIDEWALK AND C & G INSTALLATION FOR YEAR 2019**

In accordance with the preliminary resolution of the Common Council, dated November  
    , 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 \$47,413.00 This cost is determined as  
follows:

4"-6" Thick sidewalk	\$38,138.00
Curb and Gutter	\$9,275.00

**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:

Schedule B

Repair Tag #	Property Address	Owner	Sidewalk replace: (sq. ft.)	Sidewalk replace: (lin. ft.)	C&G replace: (lin. ft.)	Estimated SW cost:	Estimated C&G cost:	Estimated total cost:	Estimated City share:	Estimated Assessment:
#1	413 Worden Ave E	Kristina Aderwaala	155			\$930.00	\$0.00	\$930.00	\$232.50	\$697.50
#2	405 Worden Ave E	Wikiewicz Trust C/O Diane C	100			\$600.00	\$0.00	\$600.00	\$150.00	\$450.00
#3	508 Worden Ave E	Dale & Jessica Olsen		55		\$385.00	\$0.00	\$385.00	\$96.25	\$288.75
#4	520 Worden Ave E	Robert & Jont Stojp	155		12	\$930.00	\$300.00	\$1,230.00	\$322.50	\$907.50
#5	708 Worden Ave E	Violet Biller	135	24		\$978.00	\$0.00	\$978.00	\$244.50	\$733.50
#6	710 Worden Ave E	Chad Heath	70			\$420.00	\$0.00	\$420.00	\$105.00	\$315.00
#7	602 Worden Ave E	Stephen Mackeiler	230			\$1,380.00	\$0.00	\$1,380.00	\$345.00	\$1,035.00
#8	City Alley	City of Ladysmith		80		\$560.00	\$0.00	\$560.00	\$140.00	\$420.00
#9	520 Miner Ave E	Kent & Dawn Ohlfs		10		\$70.00	\$0.00	\$70.00	\$17.50	\$52.50
#10	601 E 6th St S	Walter & Sheila Paradish	205		26	\$1,290.00	\$650.00	\$1,880.00	\$307.50	\$1,572.50
#11	624 E 6th St S	Ladysmith School District	130			\$780.00	\$0.00	\$780.00	\$195.00	\$585.00
#12	405 Lindoo Ave	Kay Manning	125			\$750.00	\$0.00	\$750.00	\$187.50	\$562.50
#13	625 E 3rd St S	Bernard & Dorothy Aspenes	20	90		\$750.00	\$0.00	\$750.00	\$187.50	\$562.50
#14	412 Miner Ave E	Gerald Ludvik	30			\$180.00	\$0.00	\$180.00	\$45.00	\$135.00
#15	402 Miner Ave E	Peterson Revocable Trust	80			\$480.00	\$0.00	\$480.00	\$120.00	\$360.00
#16	City Alley	City of Ladysmith		260		\$1,820.00	\$700.00	\$2,520.00	\$455.00	\$2,065.00
#17	119 Miner Ave W	Erik Ostenson	220		25	\$1,320.00	\$625.00	\$1,945.00	\$330.00	\$1,615.00
#18	200 Lake Ave W	Rock Top Auto LLC	297		27	\$1,782.00	\$675.00	\$2,457.00	\$445.50	\$2,011.50
#19	City Sidewalk	City of Ladysmith	33		3	\$198.00	\$75.00	\$273.00	\$49.50	\$223.50
#20	213 Miner Ave W	Carolyn Snyder	260		26	\$1,560.00	\$650.00	\$2,210.00	\$390.00	\$1,820.00
#21	721 Worden Ave E	Ladysmith School District	150		30	\$900.00	\$750.00	\$1,650.00	\$225.00	\$1,425.00
#22	513 E 6th St S	Dana Woebeking	165		18	\$990.00	\$450.00	\$1,440.00	\$247.50	\$1,192.50
#23	103 Worden Ave E	JBC Property Management LL	330		18	\$1,980.00	\$450.00	\$2,430.00	\$495.00	\$1,935.00
#24	817 Miner Ave W	Steven Clark	100		10	\$700.00	\$250.00	\$950.00	\$175.00	\$775.00
#25	815 Miner Ave W	Steven Clark	490		30	\$3,430.00	\$750.00	\$4,180.00	\$857.50	\$3,322.50
#26	813 Miner Ave W	Steven Clark	445		64	\$3,115.00	\$1,600.00	\$4,715.00	\$778.75	\$3,936.25
#27	721 Miner Ave W	Steven Clark	415		16	\$2,905.00	\$400.00	\$3,305.00	\$726.25	\$2,578.75
#28	Lot 6 Block B	Heritage Credit Union	325			\$2,275.00	\$0.00	\$2,275.00	\$568.75	\$1,706.25
#29	701 Miner Ave W	Heritage Credit Union	460	80	22	\$3,780.00	\$550.00	\$4,330.00	\$945.00	\$3,385.00
#30	City Street	City of Ladysmith	160		16	\$960.00	\$400.00	\$1,360.00	\$240.00	\$1,120.00
			5285	599	371	\$38,138.00	\$9,275.00	\$47,413.00	\$9,534.50	\$37,878.50

RESOLUTION NO. 2018-

**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 \_\_\_ day of November 2018.

Signed: \_\_\_\_\_  
Alan Christianson, Mayor

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

Ordinance 2018-\_\_

Amending Bond Requirement for City Officials

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

- 1. That Sec 2-3-18 (b) Officers Bonds, is hereby repealed in its entirety and recreated to read as follows:

The Council does not require any or all of these officials to execute and file an official bond. In lieu of the bond, the City's insurance policy includes an Employee Dishonesty Endorsement that covers such officials according to Wis. Statute 62.09 (4) (b).

- 2. That Sec 2-3-4 (c) City Clerk Bond, is hereby repealed in its entirety and recreated to read as follows:

The Council does not require any or all of these officials to execute and file an official bond. In lieu of the bond, the City's insurance policy includes an Employee Dishonesty Endorsement that covers such officials according to Wis. Statute 62.09 (4) (b).

- 3. That Sec 2-3-6 (c) City Treasurer Bond, is hereby repealed in its entirety and recreated to read as follows:

The Council does not require any or all of these officials to execute and file an official bond. In lieu of the bond, the City's insurance policy includes an Employee Dishonesty Endorsement that covers such officials according to Wis. Statute 62.09 (4) (b).

- 4. That Sec 2-3-15 (e) Judge Bond; Oath, is hereby repealed in its entirety and recreated to read as follows:

The Municipal Judge shall execute and file with the Clerk of Circuit Court of the County the oath prescribed by Sec. 755.03, Wis. Stats. The Council does not require any or all of these officials to execute and file an official bond. In lieu of the bond, the City's insurance policy includes an Employee Dishonesty Endorsement that covers such officials according to Wis. Statute 755.03 (1).

These ordinance amendments shall take effect upon passage and publication.

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

Signed: \_\_\_\_\_

Attest: \_\_\_\_\_

Alan Christianson, Mayor

Shari Kavanagh, Clerk