

**COMMON COUNCIL PROCEEDINGS OF THE CITY OF LADYSMITH**  
November 11, 2019 6:30 p.m. Council Chamber

**Announcement:**

Mayor Christianson announced that, absent any objections, he would change the order of business at the beginning of the meeting to accommodate presentation of awards for The Mayor's Reading Challenge.

**Pledge of Allegiance:**

Mr. Hraban led the Pledge of Allegiance.

**Awards:**

Children's Librarian Valerie Spooner led an award ceremony for the Mayor's Reading Challenge. After 1st, 2<sup>nd</sup> and 3<sup>rd</sup> place awards were provided for each age category, those present enjoyed a cake.

**Roll Call.**

Members present: A. Christianson 2, J. Fields, B. Groothousen, A. Hraban, M. Platteter, M. Reynolds. Absent: B. Morgan, B. Stoneberg.

Others present: R. Carlson, A. Christianson 1, K. Gibbs, K. Gorsegner, A. Kenyon, L. Klink, D. Parker, C. Schultz, V. Spooner. Many award recipients and their families were also present.

**Call to Order:**

Mayor Christianson called the meeting to order and served as chair.

**Minutes:**

Motion was made by Hraban, seconded by Groothousen and carried by voice vote to approve the minutes of the October 28, 2019, Council meeting.

**Agenda:**

Motion was made by Groothousen seconded by Hraban and carried by voice vote to approve the evening's agenda with duplicative item 11) d. deleted.

**Hearings and Appearances:**

Ray Carlson appeared to advise that minutes relating to Corbett Lake activity Folders need revision. Adm. Christianson will meet with him to attempt to clarify as necessary.

**Licenses and Permits:**

Motion was made by Hraban, seconded by Fields and carried by voice vote to Approve the following tavern operator's licenses, contingent upon LPD approval:

- Scott C. Revak and LouAnn McBain for Holiday.
- Rachael A. Rosolowski for 211 Club.
- Cecelia Berg for DJ's American Pizza.

**Resolutions and Ordinances:**

Asst. DPW Parker provided copies of lists of sidewalk, curb and gutter sections planned to be repaired or replaced in 2020 along with the PW Department's summary report. Motion was made by Hraban, seconded by Platteter and carried by voice vote to approve the report.

Motion was made by Hraban, seconded by Platteter and carried by voice vote to adopt Resolution #2019-19, ordering the repair or replacement of certain sidewalk, curb and gutter referenced above.

Motion was made by Platteter, seconded by Groothousen and carried by voice vote to adopt Resolution #2019-20, a Preliminary Resolution declaring intent to exercise special assessment police powers under Sec. 66.0703, Wis. Stats., which calls for a Public Hearing to be held December 2<sup>nd</sup>, regarding the sidewalks, curb and gutter work referenced above.

Motion was made by Groothousen and seconded by Platteter to adopt Resolution #2019-21 to approve the 2020 General Operations budget for the City, with expenditures at \$4,977,964; and, to set the 2019 real estate tax levy at \$1,446,519, or 29% of the budget. Mr. Reynolds questioned whether enough effort was put in to keep the tax levy down. Mr. Groothousen pointed out that there were many years when the City didn't raise taxes at all or very little, when it probably should have, putting it in a position where it needs to do so now. Fortunately, owing to a steep drop in the local school levy, most taxpayers aren't likely to see much increase, if any, overall. Roll call vote: Platteter-yes; Morgan-absent; Groothousen-yes; Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-no. Motion carried.

After recalling that the All Committees had discussed, but not acted on, the idea of allowing use of levied special assessments as required local match for the Main Street façade assistance program, Adm. Christianson put it into the resolution form that has been used to approve previous modifications to that program. He asked members to review this draft before the next All Committees meeting and hopes it can be worked with.

**District and Committee Reports:**

**District One, Mr. Platteter:**

Mr. Platteter advised that the Library Board will meet Nov. 12th, at 5 p.m.

**District Two, Mr. B. Morgan:**

In Mr. Morgan's absence, Mr. Carlson reported that, on Nov. 6, the vintage rail baggage car that had been stored at the E. 6<sup>th</sup> St. S. rail crossing was finally moved.

**District Three, Mr. B. Groothousen:**

Mr. Groothousen reported that LHS students will look at some logo designs for the planned Flambeau Fish and Float event.

**District Four, Mr. J. Fields:**

Mr. Fields reported that he has made contact Eric Rademaker regarding his potential involvement with the aforementioned Flambeau Fish and Float event the Youth and Rec Committee is working on.

**District Five, Mrs. B. Stoneberg:**

Mrs. Stoneberg was absent.

**District Six, Mr. A. Hraban:**

Mr. Hraban called attention to minutes of the Nov. 4, All Committees meeting.

**District Seven, Mr. M. Reynolds:**

Mr. Reynolds noted a correction to the November 4, All Committees meeting in regards to when (after making his report) he left that meeting to meet with Veterans' office reps.

**Police and Fire Dept. Reports:**

No report.

**Public Works Dept. Report, Mr. K. Gorsegner:**

The DPW asked approval of Air Tech's Proposal to inspect the former armory for asbestos at a cost not to exceed \$2,885 to The Mining Fund (290). Motion was made by Hraban and seconded by Platteter to approve. Roll call vote: Groothousen-yes; Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes; Platteter-yes; Morgan-absent. Motion carried.

Approval was requested for the low bid of \$4,025, or \$5.75/yd. delivered, from Thompson Excavating, to provide a winter gravel stockpile. Motion was made by Reynolds and seconded by Groothousen to approve. Roll call vote: Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes; Platteter-yes; Morgan-absent; Groothousen-yes. Motion carried.

This being Veteran's Day, a timely motion was made by Reynolds and seconded by Fields to waive the building permit fee for a shed VMA plans to construct behind the Drop Zone next spring. Roll call vote: Hraban-yes; Reynolds-yes; Platteter-yes; Morgan-absent; Groothousen-yes; Fields-yes; Stoneberg-absent. Motion carried.

Motion was made by Reynolds and seconded by Hraban to accept a deductive Change Order from Monarch Paving, in the amount of (-) \$1,044.58, for the repaving of E. 16<sup>th</sup> St. N. Roll call vote: Reynolds-yes; Platteter-yes; Morgan-absent; Groothousen-yes; Fields-yes; Stoneberg-absent; Hraban-yes. Motion carried.

DPW Gorsegner advised that Morgan and Parmley is willing to prepare Multimodal Local Supplement program (MLS) applications on the City's behalf for surface repaving on Barnett and Gustafson Roads, and Flambeau Ave. These will be done at a cost not to exceed \$475 each from the 2019 Street Construction budget line. Applications are due in

early December. Motion was made by Reynolds and seconded by Hraban to approve. Roll call vote: Platteter-yes; Morgan-absent; Groothousen-yes; Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes. Motion carried.

**Administrative Report, Mr. A. Christianson:**

Motion was made by Hraban and seconded by Reynolds to advance \$1,000 to the LHS Fab Lab for purchase of materials it will use next semester to fabricate metal fencing for the City to use to create uniformity of appearance downtown. Mr. Reynolds commented on how the City has supported the Fab Lab in the past and needs to continue to. Motion was then made by Hraban and seconded by Reynolds to approve. Roll call vote: Morgan-absent; Groothousen-yes; Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes Platteter-yes. Motion carried.

Adm. Christianson asked approval to have the Barefoot Painter paint/repaint (in 2020) those exterior walls of City Hall that face the alley, for \$1,200. He noted that Mr. and Mrs. Reynolds had given the backside of their adjacent building a nice facelift, adding that the City promotes upkeep of other properties so needs to help lead the way by keeping its own looking good. Motion was made by Reynolds and seconded by Hraban to approve. Roll call vote: Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes; Platteter-yes; Morgan-absent; Groothousen-yes. Motion carried. It was noted that sealing, tuck pointing and installation of a downspout mail may all need to be done in advance of this painting.

**Attorney's Report, Mr. A. Kenyon:**

Nothing to report.

**Mayor's Forum, Mr. Christianson:**

Mayor Christianson reported that, earlier in the day, he had attended Veteran's Day observances at both OLS and Memorial Park on the City's behalf.

**Closed Session:**

At 6:15 p.m. motion was made by Hraban and seconded by Groothousen to go into Closed Session under authority cited in 21) of the Meeting Notice. Roll call vote: Hraban-yes; Reynolds-yes; Platteter-yes; Morgan-absent; Groothousen-yes; Fields-yes; Stoneberg-absent. Motion carried.

Motion was then made by Fields and seconded by Hraban to approve enter into an agreement with River Valley Architects to perform a spatial allocation analysis of the current hospital as cost to TIFD #9 at a cost not to exceed \$16,000 to TIFD #9. The analysis will determine how space in that facility might be allocated going forward to meet local elderly housing needs.

Motion was made by Fields, seconded by Hraban and carried by voice vote to return to Open Session.

Motion was then made by Hraban and seconded by Fields to go into Closed Session under authority cited in 23) of the Meeting Notice. Roll call vote: Platteter-yes; Morgan-

absent; Groothousen-yes; Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes.  
Motion carried.

Motion was made by Groothousen, seconded by Hraban and carried by voice vote to return to Open Session.

Adm. Christianson explained that the City has allowed him the to serve as the Ladysmith Community Industrial Development Corporation's (LCIDC) corporate secretary on City time for many years, along with use of the City offices and equipment. He would like the City to continue to provide him an office so he can continue in his role as corporate secretary on a voluntary basis for an as yet to be determined time after he has retired from City employment. Atty. Kenyon then recounted a case where the City of Beaver Dam and its development corporation were found to be so closely bound that they were felt for legal purposes to be one and the same. A key finding in that case was, however, that Beaver Dam provided all its development corporation's operating funds, whereas the LCIDC operates from its own rental income funds, from non-City sources, a very key difference. LCIDC also supplies its own postage and stationery. When Mr. Christianson leaves City employment the LCIDC will be another step removed from the City.

Motion was made by Groothousen and seconded by Reynolds to recommend to the Council that it provide the LCIDC office space within City Hall and also use of equipment and facilities therein for One Dollar per year, after the Administrator's retirement, until such time as the City needs the space. Roll call vote: Fields-yes; Stoneberg-absent; Hraban-yes; Reynolds-yes; Platteter-yes; Morgan-absent; Groothousen-yes. Motion carried.

**Adjourn:**

Upon motion by Hraban, which was seconded by Fields and carried by voice vote, the meeting was adjourned at 6:48 p.m.

**Recorded by:** \_\_\_\_\_  
Alan Christianson  
Adm.-Deputy Clerk

**Publication:**

Date submitted: \_\_\_\_\_  
Date published: \_\_\_\_\_

ORDINANCE #2019-0?

AMENDING ZONING DISTRICT CLASSIFICATION OF PARCEL

WHEREAS, the City of Ladysmith is in receipt of a petition to amend the zoning district classification of the area described below, commonly known as the former Mount Senario College athletic fields.

**Subject Property Description**

**A parcel of land located in Government Lots 3 and 4, Section 4, Township 34 North, Range 6 West, City of Ladysmith, Rusk County, Wisconsin, described as follows: All that part of said Government Lot 4 lying east of Bruno Creek and lying south of Port Arthur Road, formerly College Avenue, and all that part of the West 32 rods of said Government Lot 3 lying South of Port Arthur Road, EXCEPT the North 150 feet of the East 100 feet.**

WHEREAS, the City of Ladysmith, as owner of the property, is fully supportive of the efforts of MCHS, Inc. to construct, own and operate a new clinic and hospital on the property to serve a vital community need.

WHEREAS, the Common Council concurs with findings made by the City’s Planning Commission that the intended use of the subject property for a clinic, hospital and related medical facilities is consistent with adjacent and nearby commercial property uses, such as Wal-Mart and the Pregnancy Resources Center.

WHEREAS, the Common Council finds that Port Arthur Road provides adequate access to the property and that the City’s water and sewer utility systems will, when intended modifications are made to provide redundant capability, also provide adequate service to the property.

NOW, THEREFORE, the Common Council of the City of Ladysmith DO HEREBY ORDAIN AS FOLLOWS:

1. That the zoning district classification of the area described above is hereby changed from R-3, multiple family residential, to C-1, Commercial.
2. That this amendment ordinance shall take effect upon passage and publication.

\_\_\_\_\_ by \_\_\_\_\_ vote at a regular meeting of the Common Council held the \_\_\_ day of \_\_\_\_\_, 2019.

Signed \_\_\_\_\_  
Alan Christianson  
Mayor

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

Date of Publication \_\_\_\_\_

**RESOLUTION #2019-22**

**CLARIFYING FACADE INCENTIVE PROGRAM**

WHEREAS, the Common Council has approved a storefront facade incentive program, financed through Tax Incremental Finance District #8, with the intent of bolstering the downtown and arresting decline of both its tax base and function in the community;

WHEREAS, the Ladysmith Main Street program's Design Committee administers this program on the City's behalf, but the City establishes the policies under which the Design Committee does so and both the City and Design Committee believe some further modifications to the program will help it meet mutual goals of downtown rehabilitation.

WHEREAS, the storefront incentive program currently consists of a program whereby the City will grant up to one third of the cost of a project qualified under Main Street guidelines, as an incentive to encourage such projects with a requirement that investments to be made in a new project and investments made over the preceding three years may be accepted as the two thirds applicant match.

WHEREAS, it is the City of Ladysmith's intent to continue to identify and implement ways to make this program as usable as reasonably possible to meet the varying needs of program area businesses and property owners and the City believes that one way to do so is to further refine the program guidelines to increase the level of activity, but what can be counted as applicant match is not entirely clear.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Ladysmith that it does hereby approve revising the façade incentive program guidelines to add the following:

1. That, in addition to counting other qualified monies as required applicant match for their application for façade assistance, it is hereby clarified that up to 50% of the amount of a special assessment levied by the City against the façade assistance applicant's property may also be counted as applicant match.
2. The specific assessment counted as match as provided for in 1., above, shall be positively identified by amount and percentage applied and as to the date said assessment was formally levied and by the number of the City Council resolution ordering such assessment.
3. That the same special assessment referenced in 1., above, may not be counted as applicant match for more than one application for such assistance.
4. That, notwithstanding the above, the maximum assistance per side of building for which façade assistance is sought shall not exceed \$10,000; up from the previous limit of \$7,500.
5. That, regardless of the project cost, the applicant will be responsible for at least a \_\_\_\_\_ of the project's overall cost when special assessments are used as the applicant's match.
6. That this provision shall only apply within the Ladysmith Main Street program area as defined at the time application is made and processed.

This resolution was adopted by voice vote at a regular meeting of the Common Council held the \_\_\_ day of November, 2019.

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

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