

**COMMON COUNCIL PROCEEDINGS OF  
THE CITY OF LADYSMITH**

Monday, November 22, 2021

5:15 pm

Ladysmith City Council Chamber

Members Present: M. Platteter, B. Morgan, J. Pohlman III, G. Schueller, A. Hraban, M. Reynolds

Absent: J. West

Others Present: K. Vacho, T. Devine, Adm A. Christianson, A. Kenyon, K. Gorsegner, K. Gibbs, Terry Carter, Wayne Stoll, Ray Carlson, Luke Klink

**Call to Order:** Mayor K. Vacho called the meeting to order at 5:15 pm.

**Roll Call:** Dep. Clerk took roll call and a quorum was present.

**Pledge of Allegiance:** M. Platteter led the Pledge of Allegiance.

**Minutes and Agenda:** Motion by A. Hraban to approve the November 22nd, 2021 Council Agenda, the November 8th Council Minutes, seconded by J. Pohlman. Motion carried 6-0 by voice vote.

**Introductions, Hearings & Public Comments:**

- a) Review and possible action to adopt Ordinance 2021-07 – Drug or Criminal Gang Houses:

Mr. Kenyon pointed out a typo in the ordinance that needed correction. Mr. Kenyon also advised that this ordinance will be useful to landlords in evicting problem tenants, noting that delinquent rent is often not an issue with drug dealers. Judge Carter had not seen the ordinance prior to the meeting and requested time to review the new ordinance. Mr. Pohlman clarified that main result of this ordinance would be that the police chief could write a letter to a landlord notifying him/her that there may be an issue with some tenants. Then the landlord can proceed to evict. Mr. Reynolds clarified that this ordinance is stronger than the State Statute. Mr. Pohlman pointed out a typo in the references under “termination and tenancy”. Motion by M. Reynolds to delay action on the ordinance until next meeting, following Judge Carters review. Seconded by J. Pohlman. Motion carries by unanimous voice vote.

- b) Annual summary for 2021 of Corbett Lake Long-Range Management Plan (LRMP):

Ray Carlson advised that Mr. Parker has posted the LRMP on the website, and distributed the summary to the council members. Mr. Carlson noted that it there should be a vote to 1) accept the plan, 2) send the plan to the DNR and SEH Engineering. Mr. Kenyon noted that once the council accepts the LRMP, they can distribute it as they see fit. No additional votes are necessary. Motion by Mr. Reynolds to accept the LRMP, seconded by Mr. Hraban. Motion carries by unanimous voice vote.

**District 1, Platteter:** Mr. Morgan expressed concern over the traffic delays caused by the trains as they line up cars in the switching yard. It has caused delays in emergency vehicles getting to their destinations. Mr. Morgan's concern is that it could result in a civil lawsuit. Discussions with the railroad seem to fall on deaf ears. Viable solutions are not easily found, short of creating duplicate emergency crews for each side of the tracks. Chief Gibbs advised that, currently, the Fire Department doesn't have the resources to accommodate that type of duplication.

**District 2, Morgan:** Mr. Morgan would like to see the sidewalk sweeper continue to sweep the railroad's sidewalk on Lake Ave., as well as the stretch on Miner by Ziegler's Electric.

**District 3, Pohlman:** Cemetery Board meeting is scheduled for December 20<sup>th</sup> at 5:15pm.

**District 4, Schueller:** Nothing to report.

**District 5, West:** Nothing to report (absent).

**District 6, Hraban:** There is a Transit Commission meeting on December 3<sup>rd</sup> at 9:00am.

**District 7, Reynolds:** The Joint Review Board will meet December 14<sup>th</sup> at 3:00pm, and The Planning Commission will be meeting, then the Council will be taking up some TIF issues.

**Police & Fire Commission:** Chief Gibbs advised that the Fire Department has received some donations that will be used for a new sign.

**Public Works:** Mr. Gorsegner presented a final change order for the 2021 Downtown Street Projects. The total of the change order was \$29,110.61. That project will then be closed out. Motion to approve the change order in the amount of \$29,110.61 by Mr. Hraban, seconded by Mr. Pohlman.

Roll Call Vote: B. Morgan-yes, J. Pohlman-yes, G. Schueller-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter-yes. Motion carries 6-0.

Mr. Gorsegner then presented an engineering proposal from Morgan & Parmley for Flambeau Avenue, not to exceed \$20,200. Mr. Gorsegner has filled out a grant application for MSID funds for this project. This is in cooperation with the Town of Flambeau, which has applied for LRIP (Local Road Improvement Projects) funding. Mr. Reynolds confirmed that the overall plan for Flambeau Avenue is to repave from Highway 27 to Highway J (though 2<sup>nd</sup> street from Flambeau Ave. to Highway J is not part of Morgan & Parmley's proposal). B. Morgan is of the opinion that we don't need any engineering on this project. Mr. Gorsegner advised that we are less likely to get grant funding without the engineering plans. Mr. Reynolds requested that the council not take action on this proposal until the next meeting, pending a Public Works Committee review.

Motion by M. Reynolds to table discussion until Public Works Committee review, seconded by B. Morgan. Motion carries by unanimous voice vote.

**Administrator's Report:**

Mr. Christianson advised that the Joint Review Board met to amend TID 11 to allow it to be a donor district to TIDs 12, 14, 15 & 16. It will now go to the Planning Commission for review, and if it is approved, will be before the Council during the December 13<sup>th</sup> meeting. If approved by the Council, it will go back to the Joint Review Board on December 14<sup>th</sup>, with the goal of having it finalized by the end of the calendar year.

Mr. Christianson advised that Small Business Saturday is November 27<sup>th</sup>.

**Attorney's Report:**

Mr. Kenyon discussed what a city's liability is with respect to slip hazards and the natural accumulation of snow. Mr. Gorseigner added that accumulation of ice in the gutter, and in parking lots, does not constitute a liability for the city as they are not considered "walking surfaces". Mr. Kenyon then distributed and commented on some of the highlights from the 2020 audit report. These included a better position in unassigned fund balance. The Mining Fund received some grant monies. And the city's debt limit is at 54% of maximum borrowing capacity. Mr. Kenyon noted that many of our bond interest rates are lower than inflation.

**Licenses and Permit:** Motion by A Hraban to approve an Operator's License for Chris Carlton. Seconded by J Pohlman, motion carries by unanimous voice vote.

**Mayor's Forum:** Nothing to report.

**Closed Session:** Action to go into closed session under authority granted in S.19.85(1)(c) Wis Stats. to deliberate or negotiate the purchasing of public property, the investing of public funds, or conducting other specified business, whenever bargaining or other reason require a Closed Session; to wit: to consider TIF Developer Grant. Motion by M Platteter, seconded by G Schueller.

Roll Call vote: M Platteter-yes, B Morgan-no, J Pohlman-yes, G Schueller-yes, A Hraban-yes, M Reynolds-no. Motion carries 4-2.

Motion to return to open to session by J Pohlman, seconded by M Reynolds. Motion carries by unanimous voice vote.

**Closed Session:** Action to go into closed session under authority granted in S.19.85(1)(c) Wis Stats. to consider employment, promotion, compensation or performance evaluation of any public employee, to wit: to consider hiring candidate for Deputy Clerk/Treasurer position. Motion to go into closed session by M Platteter, seconded by J Pohlman.

Roll Call Vote: B. Morgan-no, J. Pohlman-yes, G. Schueller-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter-yes. Motion carries 5-1.

Motion to return to open session by M Reynolds, seconded by J Pohlman. Motion carries by unanimous voice vote.

Motion to Adjourn by M. Reynolds, seconded by A. Hraban. Motion carries by unanimous voice vote.

Adjourn at 7:05 pm.

Respectfully submitted,

Tony Devine, Deputy Clerk