

COMMON COUNCIL PROCEEDINGS OF THE CITY OF LADYSMITH
February 22, 2016 6:30 p.m. Council Chamber

Roll Call. Members present: K. Brown, A. Hraban, B. Morgan, J. Pearson, M. Platteter, M. Reynolds, B. Stoneberg. Absent: M. Hraban.

Others present: A. Christianson, T. DuSell, K. Gorseger, C. Huiras, A. Lobermeier, A. Kenyon, L. Klink, D. Parker, M/M K. Kinsley, G. Kinsley, M/M E. Monnier, K. Schotzko, T. Van de Voort, J. Winczek.

Call to Order:

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

Pledge of Allegiance:

Mrs. Stoneberg led the Pledge of Allegiance.

Minutes:

Motion was made by A. Hraban, seconded by Morgan and carried by voice vote to approve the minutes of the February 8, 2016 Council meeting.

Agenda:

Motion was made by A. Hraban, seconded by Brown and carried by voice vote to approve the evening's agenda, to include advancing items. 17) b. and 20) a.

Hearings and Appearances:

Kelly Schotzko, representing Rusk County Memorial Hospital, then appeared in regard to both a street closure and a Memorandum of Understanding between RCMH, the City and LCIDC in regard to operation of a jointly funded electronic message board.

Street Closure

Motion was made by Brown, seconded by A. Hraban and carried by voice vote to grant A Street Use Permit to Rusk County Memorial Hospital for a Tap Into Wellness Health Fair from 8:30 a.m. to 12:30 p.m. on Saturday, April 16th in conjunction with the Sugarbush Festival. Abutting owners have all consented to closure of the following sections:

*1st St. from the alley between Lake and Miner Avenues to Miner Ave.

*Miner Ave. from W. 2nd St. to E. 2nd St.

Memorandum

Motion was made by Brown, seconded by Morgan and carried by voice vote to approve entering into the Memorandum of Understanding with RCMH and LCIDC relating to the electronic message board.

Truck Route Hearing

Mayor Reynolds convened a public hearing in regard to a request to add Pederson Ave. from W. 5th St. to W. 9th St. as an approved heavy truck route to improve exiting from the rail yard to the north. The following were among comments offered/observations made:

- *Verso Papers actually operates the rail yard.
- *CN spots 12-13 gondolas two to three times a week.
- *Deliveries are allowed to those businesses like Ace and Albus Mfg. that are not on a designated truck route.
- *Most truckers prefer to exit by Holiday rather than Pederson Ave. and had done so for some time until the City increased enforcement following complaints last winter.
- *Truckers exit on Garfield or Clark Avenues when they can.
- *If the west log pile could be relocated trucks could be turned near the south end of the yard and routed back to the north to exit.
- *The west log pile is there to be loaded onto rail during spring break up to keep the mill supplied.
- *Pulp to be hauled on main highways during spring break up is also stored in the Olynick gravel pit off Highway 27 north.
- *The yard's storage capacity is estimated to be 30,000 cords and it is about 70% full.
- *CN was asked to relocate some materials it has stored that impede trucks, but declined.
- *If CN is pushed it may simply close the yard leaving truckers no good options.
- *The railroad is arrogant and indifferent to our community.
- *Pulp comes into the yard primarily from the N, E and W. Wood sourced south of here tends to go all the way to the mill by truck.
- *CN has recently closed wood loading sidings in Stone Lake and south of Stanberry.
- *One trucker had ticket (load) number 104 for the day when he left the yard recently.
- *Pulp trucks come into this yard from places like Bloomer, Chippewa Falls, Elk Mound, and Iron Mountain.
- *Owing to multiple axles, pulp trucks often exert less ground pressure than pickup trucks.
- *If truckers can get through the next three weeks, spring break up will halt use of the yard and provide time to investigate a long term solution.
- *Of residents visited along the potentially impacted sections of W. 6th St. and Pederson Ave., only one, who resides along Pederson Ave. near Highway 27, expressed objection to pulp trucks passing her residence.
- *The rail yard should be considered a business just like Ace and Albus Mfg. so far as allowing business specific truck traffic to it.

Mr. Morgan advocated allowing exiting as requested on a limited term basis until the feasibility of creating a turnaround within the rail yard can be investigated. The hearing was closed at about 7:30 p.m.

Motion was then made by Morgan and seconded by Pearson to allow use of W. 6th St. from Lake to Pederson, and Pederson from W. 6th to the CN r.o.w., on a three week trial basis to exit the rail yard with empty pulp trucks. Both Mrs. Stoneberg and Mr. Platteter indicated objections to the motion. Mrs. Stoneberg stated that she is sympathetic to the trucker's plight, but feels the action amounts to the City not following its own laws. Mr. Platteter also expressed concern about the City violating its own rules. Roll call vote: Platteter-no; Morgan-yes; M. Hraban-absent; Brown-yes; Stoneberg-no; A. Hraban-yes; Pearson-yes. Motion carried.

It was noted that MSA engineer Scott Martin will be at the February 29, All Committee meeting to discuss potential CDBG assisted street reconstruction projects.

Sidewalk, Curb and Gutter

Mayor Reynolds convened a second public hearing in regard to proposed levying of special assessments for sidewalk, curb and gutter repairs and replacements. Asst. DPW Parker reviewed photos of sections slated for work. Mr. and Mrs. Earl Monnier appeared to request they be allowed to remove their walk on E. 2nd St. [or College?], which dead ends after fronting one more property. The DPW read from the Municipal Code wherein the Council has authority to order repair, replacement or removal of walk. Motion was made by Stoneberg, seconded by Brown and carried by voice vote to allow the Monniers to remove the section of sidewalk in question.

Atty. Kenyon indicated that, in view of work on the Monnier sidewalk just across the street being deleted from the City's plans, he would be interested in having his walk done. Motion was made by Pearson, seconded by Stoneberg and carried by voice vote to substitute work on the Kenyon walk for work on the Monnier walk.

Resolutions and Ordinances:

Attention was called to Resolution #2016-04 to authorize conveyance of the new plow museum to Rusk County, which will then operate and maintain the facility going forward, as has been the intention since inception of the project. Motion was made by Brown and seconded by A. Hraban to adopt Resolution #2016-04. Roll call vote: Morgan-yes; M. Hraban-absent; Brown-yes; Stoneberg-yes; A. Hraban-yes; Pearson-no; Platteter-yes. Motion carried.

Attention was called to Resolution #2016-05 to modify guidelines for the façade assistance program to allow a look back period of up to three years at applicant investments in the subject property, which amounts could be counted as required applicant matching funds. Mr. Brown stated that he hopes this will help increase usage of the program. Motion was then made by Brown and seconded by A. Hraban to adopt Resolution #2016-05. Roll call vote: M. Hraban-absent; Brown-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes. Motion carried.

Adm. Christianson introduced two amendment ordinances which will, presumably, be required to allow consideration of chicken keeping. He noted the two ordinances may be combined. The first takes chickens off the list of animals prohibited from being kept in the City. The second adds chicken keeping as a conditional use permit that can be considered for approval by the City's Planning Commission.

District and Committee Reports:

District One, Mr. Platteter:

Mr. Platteter had nothing to report.

District Two, Mr. B. Morgan:
Mr. Morgan had nothing to report.

District Three, Mr. M. Hraban:
Mr. Hraban was absent.

District Four, Mr. K. Brown:
Mr. Brown made a motion, which was seconded by A. Hraban to approve the monthly invoices. Roll call vote: Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-absent; Brown-yes. Motion carried.

Mr. Brown called attention to minutes of the February 15, All Committees meeting.

District Five, Mrs. B. Stoneberg:
Mrs. Stoneberg had nothing to report.

District Six, Mr. A. Hraban:
Mr. Hraban had nothing to report.

District Seven, Mrs. J. Pearson:
Mrs. Pearson called attention to minutes of both the February 15, Community Development Committee meeting and the February 16, Library Board meeting. She noted that our library is ranked #9 in circulation. It was also noted, however, that theft of materials from our facility is believed to be a \$10,000/year problem. A video surveillance system is being investigated, which may cost \$10-15,000. It was also noted that area door companies will be asked for quotes for a new main entrance door. [The current main door is nearly 20 years old and twisted to a degree that it doesn't close tightly allowing heat to escape and, potentially, for mice to get in.]

Police and Fire Dept. Reports, A. Lobermeier:
Chief Lobermeier explained why there wasn't a Police and Fire meeting this month. A concern was raised that someone reported seeing a fire truck drive around railroad gate arms. Chief Lobermeier stated this is the first he has heard of it.

It was reported that a CN employee had pulled a motorist over and warned the motorist for proceeding while a railroad signal light was activated at the Highway 27 south rail crossing. Chief Lobermeier replied that this was likely one of two CN police officers who do have police powers on railroad property and were here in the past few days. Everyone present is of the understanding that a motorist must stop when signals are activated, but may proceed at his or her own risk in the absence of gate arms, if the motorist determines approaching or departing trains don't present a hazard due to their speed or distance from the crossing.

Public Works Dept. Report, Mr. K. Gorsegner:
Mr. Gorsegner reported that building permit calls have been coming in about one new house, some garages and some remodeling projects.

The DPW Gorsegner provided an update on recent water service and main breaks. A professional service that locates leaks did help to pinpoint leaks which our crew was generally aware of. The water main break repaired at the bottom of lower end of the Brooklyn Bridge was major and that excavation is simply going to require time to dry out and heal before barriers can be removed.

Motion was made by Brown and seconded by A. Hraban to approve payment of an invoice from MSA in the amount of \$1,141.25, for engineering oversight work on the W. 8th and Roesler rebuild project. He anticipates one more small invoice after site restoration is completed this coming spring. Roll call vote: M. Hraban-absent; Brown-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-no. Motion carried.

DPW Gorsegner advised that he is awaiting receipt of operating and maintenance (O&M) manuals before proffering an SEH oversight invoice for the WWTF project. It was mentioned that a Public Works Committee meeting is tentatively being planned for 3 p.m. on March 7th and that the agenda is lengthy.

Administrative Report, Mr. A. Christianson:

It was mentioned that there will be a meeting with Xcel at Pioneer Park at 11 a.m. this Thursday to review plans for rebuilding the power line in that vicinity.

Adm. Christianson asked for action to authorize updating the plow museum site survey in the manner of an as-built, at a cost of \$485. Doing so will make it easier to plan for further improvements such as sidewalks, driveways, fences, etc., [as a cost to TIFD #8.] Motion was made by A. Hraban and seconded by Platteter to approve. Roll call vote: Pearson-no; Platteter-yes; Morgan-yes; M. Hraban-absent; Brown-yes; Stoneberg-yes; A. Hraban-yes. Motion carried.

Attorney's Report, Mr. A. Kenyon:

Atty. Kenyon distributed copies of information concerning litigation that led to adoption of a law allowing carrying of so called "switchblade" knives.

Mayor's Forum, Mr. M. Reynolds:

Mayor Reynolds reported that the Joint Management Committee met earlier in the day and took action to assist a local business.

Mayor Reynolds stated that, in view of concerns about the access out of the north rail yard, there will be a brief special Council meeting at 5:15 p.m. on Wednesday, February 24th to deal with it further. He clarified that the Public Hearing Notice did allow for subsequent action on an ordinance.

Licenses and Permits:

Motion was made by Morgan, seconded by A. Hraban and carried by voice vote to grant a tavern operator's license to Carlee R. Starin for Krist Food Mart.

Adjourn:

The meeting was adjourned shortly before 8:30 p.m.

Recorded by: _____

Alan Christianson
Adm.-Deputy Clerk

Publication:

Date submitted: _____

Date published: _____