

**COMMON COUNCIL PROCEEDING OF
THE CITY OF LADYSMITH**

Monday, February 28, 2022 5:15 pm Ladysmith Council Chambers

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

Others present: L. Klink, A. Christianson, K. Gorseger, A. Kenyon, S. Kavanagh, D. Parker, T. Carter, Robert Grotzinger, Laura Stunkel, School District Admin, Jennifer Pearson, Officer Dane Lihrman, Officer Rene Ruff, Matthew Fye, Chief K. Julien, Chief, K. Gibbs and Nathan Johnson.

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

Roll Call. Clerk Kavanagh took roll call and a quorum was present.

Pledge of Allegiance led by Mr. Schueller.

Minutes and Agenda. Motion by A. Hraban, seconded by J. Pohlman, to approve the February 14, 2022 Council minutes and this evening's agenda. Motion passes by 7-yes, 0-no.

Motion by M. Reynolds, seconded by M. Platteter, to correct the parcel number on Agenda item 6(a) to 246-02106-0001. Motion passes 7-yes, 0-no.

Presentation of Life Saving Awards. Chief Julien recognized the exemplary actions of Officer Lihrman and Officer Ruff on the early morning hours of January 6, 2022 in saving the life of an unresponsive female in a burning vehicle. Chief Julien also recognized the outstanding efforts of citizen, Matthew Fye, for his exemplary action at this same accident by assisting law enforcement in gaining access to the unresponsive female in the burning vehicle. They all received a round of applause.

School Referendum Presentation. Laura Stunkel, Dist Admin for School District of Ladysmith, presented all council members with an informational brochure on the School District of Ladysmith Referendum that will be on the Spring Election ballot on April 5, 2022. She encouraged everyone to go on the school's website and view an informational video that includes comments by students, teachers and community members. She explained that the referendum has two questions for the voters to consider; Question #1 asking for authorization to exceed the revenue limit by \$600,000 for five years for maintaining current educational programs, student services and general maintenance. Question #2 asks for authorization to issue a general obligation bond not to exceed \$21,000,000 for facility improvements, security improvements, building systems and infrastructure updates, construction of additions of classroom and gymnasium space, outdoor site improvements, equipment and furnishings at LHS/LMS and roof replacement at Elementary School. The District can fund the entire project without increasing taxes over the current level and should have no new tax impact. If referendum passes, the hope would be to begin construction during the spring of 2023. Ms Stunkel invited everyone to

several upcoming public information meetings to be held on Tuesday, March 1 at 5:00 pm and Monday, March 14 at 5:30 pm in the LMHS Auditorium.

District 1, Platteter.

City Owned Parcel 246-02106-0001. In late November or early December, council members approved demolition and removal of an old railroad building on city-owned Parcel 246-02106-0001. Adm Christianson doesn't see any strategic value in keeping the property and the Property Committee's recommendation is to sell it. Motion by M. Reynolds, seconded by J. Pohlman, authorizing City Administrator to put together a listing to sell Parcel 246-02106-0001 and put it out for sealed bid to be sold "as is, where is, with all faults, open to inspection by bidders". Motion passes 7-yes, 0-no.

Termination of Industrial Park Ag Land Lease. Motion by M. Platteter, seconded by B. Morgan, to provide a Notice of Termination of Industrial Park Ag Land Lease to current leaseholders, Terry and Elizabeth DuSell, and to put the ag land out for bid in March, 2022. Motion passes 7-yes, 0-no.

Request for Proposals on Phillips Avenue Development. In an effort to shift the former Animal Shelter property from City ownership onto the tax roll, a Request for Proposal has been prepared and council members were asked to review. Adm Christianson reviewed the timeline for any interested developers and mentioned that if a housing developer were wanting to use tax credits, ideally, the developer would need to be selected by mid-summer so tax credit applications could be submitted by the end of November. Also handed out for council review was a feasibility study prepared by SEH to forecast what it would look like if the City took on developing the property into residential lots itself. The 2018 estimate to develop the property into residential lots was approximately \$355,000. If the City wanted to re-coop their investment, each of the 10 lots would have to sell for \$35,000.

Mr. Morgan asked Luke Klink to place the "volunteers needed for opening/closing the Train Display" ad in the Ladysmith News next week beginning March 10.

District 2, Morgan.

Sale of End Loader Wing. Motion by B. Morgan, seconded by J. West to sell the end loader wing. Motion passes 7-yes, 0-no.

Mr. Morgan has received several phone calls about visibility issues with high snowbanks, potholes at the 4 corners and the need to clear snow from the fire hydrants. Chief Gibbs commented that the fire department has been responsible to dig out hydrants in the past, if needed. Residents with a hydrant in their yard are encouraged to keep it clear of snow.

District 3, Pohlman. Nothing to report.

District 4, Schueller. Nothing to report.

District 5, West. A Personnel Committee meeting is scheduled for Monday, March 7 at 5:00 pm to discuss the City’s hiring policy and possibly draft an ordinance that outlines hiring procedures.

Atty Kenyon reviewed Ordinance 2-3-2(b) which states that all officers of the City shall be appointed by the mayor, subject to confirmation by the Common Council except the Police Chief and Fire Chief who are appointed by the Police & Fire Commission. He suggested that a way to elevate the policy for hiring employees “other than officers” would be to draft new Ord. 2-3-2(c) and simply clip Sec. 2-4 (page 8-9) from the Personnel Policy and place it in front of the council for adoption.

Atty Kenyon also suggested that each committee should get together and write their job description as there are currently no jurisdictional guidelines on what individual committees may or may not do.

District 6, Hraban. Nothing to report.

District 7, Reynolds. Mr. Reynolds confirmed that the end of March is the deadline to receive a discount on Christmas ornaments. A Community Development meeting will be held next Wednesday, March 9, to discuss the purchase of additional decorations for downtown and Memorial Park to be purchased through TIF. The other topic of discussion is setting up a new grant program (similar to BERF or the façade program) that would be made available to more people, thus providing more benefit to the community.

Police and Fire Report. Chief Gibbs reported the purchase of 18 new pagers; the Enbridge grant of \$7,500 was used for the purchase of the pagers. Donations are coming in for a new LED marquee sign at the Ladysmith Fire Hall at an approximate cost of \$5,000. The boiler at the Fire Hall is having issues and will probably need to be replaced this year at a cost of approximately \$10,000. Three more exterior doors will be replaced this summer and possibly blacktopping the upper lot to help with water drainage and appearance.

Chief Julien along with other city officials met with CN officials about rail crossings being blocked for up to an hour at times and reported being optimistic when the CN public relations official responded that they don’t want to slow down emergency services. Although immediate changes are not expected, another meeting will be held in a month with CN to provide an update on how things are going.

Mr. Reynolds mentioned that the City is allowed to adopt an ordinance that essentially says “you can’t block the crossings”; that rail crossing blockages create a hardship. Such an ordinance, if adopted, would allow law enforcement to issue citations for this type of violation. Mr. Reynolds thanked Chief Julien for his efforts on this issue.

The Police Department Annual Report was passed out to all council members. Chief Julien reviewed some of the highlights, as follows: having to replace an officer, having a patrol squad totaled, replacing the totaled vehicle with a 2021 Chev. Tahoe, COVID absences and having to replace their records management system. The plan for 2022, now that the department is fully staffed, would be to limit overtime. From January-July, 2021, the PD had 89 hours of posted

overtime but after Officer Anderson resigned, the overtime hours increased to 361 hours from July to December, 2021. The remainder of the report consisted of calls for service, squad maintenance and community events that the PD participates in.

Adm Christianson mentioned two WWII Vets, Clarence Stine and Elmer Wisherd, were recognized as Hometown Heroes in Madison last week. Chief Gibbs was thanked for his willingness to use a fire truck to provide a “welcome home” escort to them even though the weather was crummy that night.

Public Works Report. DPW Gorsegner handed out bid tabulation sheets for three street projects (Lindoo Ave, E 10th St N and Summit Ave) that were bid out on February 25, 2022. Zech Gotham, from Morgan & Parmley, was in attendance to answer any questions on these street projects.

Mr. Reynolds would like the council to commit to completing the Flambeau Ave project regardless of the outcome of the 50/50 grant application that has been submitted for this project. The City is expected to hear on the outcome of the grant application by the end of June or first part of July, 2022. If the grant application is denied, he mentioned the possibility of using “undesignated fund balance” to complete this street work.

Motion by M. Reynolds, seconded by M. Platteter, to accept the bid for Summit Avenue Cul De Sac reconstruction project so the project can be discussed.

Zech Gotham mentioned the City was not approved for any “principal forgiveness” loans for these 3 street projects but would be eligible for low interest loan funding through the Safe Drinking Water Loan Fund (SDWLP) or Clean Water Fund (CWFP) for water and sewer/waste water improvements. The interest rate is typically around .9% depending on where the City sits with their median household income.

Adm Christianson commented that the 2022 approved street construction budget may be used to complete Flambeau Avenue if that is what the council’s intention was. He needs to confirm that the Summit Avenue project is within the ½ mile halo zone of TID #16 and if so, that funding could be used. The E 10th St N project is within TIF #11.

Zech Gotham informed the council that the ITA’s (Intent to Appy) were filed the end of October so that if the City chose to only complete 2 out of the 3 street projects, due to budget constraints, the CWFP/SDWLP loans could be pushed out to next year.

M. Reynolds would like to see 1 or 2 of these presented projects completed this year but in addition to those, Flambeau Avenue must be done using the approved street construction budget or using “undesignated fund balance” or borrowing.

DPW Gorsegner commented that E 10th Street N has been gravel for quite some time and is eligible to be completed using TIF #11 funding. Summit Avenue has serious water main issues that need to be corrected but the Lindoo Ave project can be put off until a determination is made on the former elementary school project.

Zech Gotham mentioned that he heard comments from some contractors that they are anticipating at least another 10% increase on all pipe materials for municipal projects by the end of March or first part of April. The other thing council should keep in mind is if they apply for a Safe Drinking Water Loan over a certain amount, the DNR may require another rate increase for the water utility. Mr. Gotham also noted the Summit Ave bid came in 18% below the engineer's estimate; the E 10 St N bid was within \$2,000 of the engineer's estimate and the Lindoo Ave bid was 2% above the engineer's estimate.

DPW Gorsegner responded to questions about the LRIP grant that has been applied for to complete the Flambeau Ave street project in the approximate amount of \$360,000. The Town of Flambeau is responsible for one-third of the project cost; council approved having the Flambeau Ave project engineered in order to be able to apply for the LRIP grant.

Adm. Christianson recommends holding off on the Lindoo Ave street project until the City determines the future of the former elementary school but would like E 10th St N and Summit Ave completed using DNR low interest funding and TID #11. This strategy would leave the General Fund available to complete the Flambeau Ave project.

Zech Gotham explained the differences in the LRIP grant (50% grant/50% match) and the DNR BIL grant (80% grant/20% match) program. The LRIP grant is locally engineered and locally bid versus the DNR's BIL program is set up with two solicitation periods (April 1st and June 1st). The first go round of BIL funding won't cover any engineering costs and the project has to have plan specs submitted to the DOT by August 1st (80% award for the construction) but the job is completely bid and administered by the state. If the City applied for and was awarded BIL grant funding for the Flambeau Ave street project, the timeline would not allow for project completion in 2022.

The contract to have plans drawn up for the Flambeau Ave street project was awarded to Morgan & Parmley by council in December of 2021 and field work should begin in April. Once the plans and specs are completed, the City can bid out the project whenever it is ready to do so.

The Mayor recommended doing Summit Ave, E 10th St N and Flambeau Ave this year but pointed out that council cannot take action on committing to Flambeau Ave tonight because it isn't on the agenda.

A. Hraban then called the question on the motion originally made by M. Reynolds, seconded by M. Platteter, to accept the bid from Haas Sons, Inc. for \$356,846.82 for the Summit Ave cul-de-sac street project. B. Morgan-no, J. Pohlman-yes, G. Schueller-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter-yes. Motion passes with 6-yes, 1-no.

Motion by J. Pohlman, seconded by J. West, to accept the bid from Haas Sons, Inc. for the E 10th St N project in the amount of \$362,959.75 to be funded through TIF #11.

J. West then withdrew his second to the motion.

Motion amended by J. Pohlman, seconded by J. West, to accept the bid from Haas Sons, Inc. for the E 10th St N project in the amount of \$362,959.75 to be funded through TIF # 11 or DNR

borrowing or a combination of both funding sources. J. Pohlman-yes, G. Schueller-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes, M. Platteter -yes, B. Morgan-yes. Motion passes with 7-yes, 0-no.

Motion by M. Reynolds, seconded by A. Hraban, to delay any action on the Lindoo Avenue street project until 2023. M. Platteter-yes, B. Morgan-yes, J. Pohlman-yes, G. Schueller-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes. Motion passes 7-yes, 0-no.

DPW Gorsegner answered Atty Kenyon’s question about current frost depth; the frost is “all of 70” deep” and with the warmer temperatures, the frost continues to go deeper. The PSC has a statewide procedure in regard to handling frozen water service lateral lines. After the PSC rule change, the City was required to send three annual letters to property owners who have had frozen water lines in the past informing them that it is their responsibility to remedy issues by either lowering their service lateral lines or by running their water in order to avoid freeze up, all at their own expense.

Administrator’s Report.

Easter Egg Hunt. Motion by J. West, seconded by M. Platteter, to approve ALANO Club or other nonprofit group to use the elementary /community center field for Easter Egg Hunt on April 9th. Motion passes with 7-yes, 0-no. The event organizers will be responsible to clean up any litter generated by their event.

Attorney’s Report. Nothing to report.

Licenses and Permits. Motion by M. Reynolds, seconded by A. Hraban, to approve Operator Licenses for Amandamae Bailey and Rod Vogeier. Motion passes 7-yes, 0-no.

Mayor’s Forum. M. Reynolds was asked that the Northland Mardi Gras request for \$3,000 from the Council Grants & Aids be placed on the upcoming Community Development agenda for further discussion.

The Mayor wanted to thank the Public Works department for continuing to patch pot holes at the 4 corners; he sees them out there all the time.

Motion by M. Reynolds, seconded by A. Hraban to adjourn at 7:40 pm.

Respectfully submitted,

Shari Kavanagh, City Clerk