

**COMMON COUNCIL PROCEEDINGS OF THE CITY OF LADYSMITH**  
April 25, 2016 6:30 p.m. Council Chamber

**Roll Call.** Members present: A. Hraban, M. Hraban, R. Moore, B. Morgan, J. Pearson, M. Platteter, M. Reynolds, B. Stoneberg. All present.

**Others present:** R. Carlson, T. Carter, A. Christianson, K. Gorsegner, B. Grunseth, M. Klund, A. Lobermeier, A. Kenyon, L. Klink, D. Parker, J. Pohlman, J. West, D. Williams.

**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 M. Hraban and carried by voice vote to approve the minutes of the April 19, 2016 Council meeting with a revision to indicate Mr. Moore was in attendance, but Mr. Brown was not.

**Agenda:**

Motion was made by M. Hraban, seconded by A. Hraban and carried by voice vote to approve the evening's agenda.

**Hearings and Appearances:**

At 6:35 p.m. Mayor Reynolds convened a public hearing on proposed Ordinance #2016-03 to amend ATV/UTV route access rules. Mr. Pohlman stated that he understands the purpose of the amendment and isn't against it, but questioned if it is enforceable as written. There was good discussion during which desired changes to the language were reduced to writing by Atty. Kenyon, which Mr. Pohlman, Chief Lobermeier and others felt will work. The hearing was closed at 6:50 p.m.

At 6:50 p.m. Mayor Reynolds convened a public hearing on proposed Ordinance #2016-04 revising sewer user rates. Among other things, Mr. J. West advocated that the City use fund balance to buy the jetter and lease it to the sewer utility to help keep user rates down. He said the City needs to do all it can to keep costs of living down and need to stop the trend of increasing costs. Mayor Reynolds noted that the increase is for more than the jetter, that similar financing arrangements had been considered at a previous meeting, and thanked him for his input. Comptroller Verdegan indicated the proposed increase would be 2.8% without covering jetter financing and 6.7% with that included.

The Mayor went on to say that he feels the City has worked very hard to control costs. Mr. M. Hraban echoed those same sentiments, adding that he worked his tail off for 16 years to provide needed services as affordably as possible.

It was also noted that \$400,000 of the fund balance is planned to be used for street work, which Mr. West has previously advocated for.

Mrs. Stoneberg suggested that, if anyone present has not seen the facilities operated by the City water and sewer utilities they should. That will provide a better insight to the complexity of these operations, what they do, and why they are not inexpensive to operate. DPW Gorsegner will gladly provide tours if requested.

Mr. Pohlman asked if consideration has been given to hiring out the jetter to help defray costs. It was noted that none of the communities in neighboring counties responded to a survey of interest in having contractual access replied. Even so, Hawkins had asked that it be taken over there to help clean out a collapsed manhole.

**Resolutions and Ordinances:**

Motion was made by M. Hraban and seconded by Morgan and carried by voice vote to adopt Ordinance #2016-03 to amend ATV/UTV route access rules.

Motion was made by Morgan and seconded by M. Hraban and carried by voice vote to adopt Resolution #2016-09, a final resolution authorizing sidewalk, curb and gutter replacement and levying special assessments against benefitted property.

Asst. DPW Parker reviewed bids received for 2016 sidewalk, curb and gutter repair and replacement. Motion was made by M. Hraban and seconded by Stoneberg to award the contract to low bidder Bill Campion for \$18,800. The other bidder was Norcon from Weston at \$27,996.50. Roll call vote: Platteter-yes; Morgan-yes; M. Hraban-yes; Brown-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes. Motion carried.

**District and Committee Reports:**

**District One, Mr. Platteter:**

There was brief discussion of possibly granting temporary access across the old WWTF grounds to a building site that fronts on platted, but undeveloped E. 4<sup>th</sup> St. S. until such time as that street may be extended south 300' from Phillips Ave. This access was to be to a planned new dwelling although nothing more has been heard about this for some time. One existing dwelling is currently accessed across this same City-owned property. It was decided to hold off pending further contact.

There was consensus to slate a public hearing on the chicken keeping ordinance for Monday, May 16th. Atty. Kenyon advised that he hopes to add one more article to the current draft, which would provide that the Planning Commission could consider granting a conditional use permit for chicken keeping for an arrangement that deviates from what might be automatically allowed.

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

Mr. Morgan made a motion, which was seconded by A. Hraban to authorize E. Mogenson to proceed with building new cab windows for Old Smoky with the City to pay for materials from its 2016 rail display set aside. Roll call vote: Morgan-yes; M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes. Motion carried.

Mr. Morgan advised that the rail display will open for the season next week. He went on to say that visitors there have indicated they would like to see a soft drink machine and cheese for sale.

**District Three, Mr. M. Hraban:**

Mr. Hraban suggested holding a Property Committee meeting at 3 p.m. on Monday, May 2nd.

**District Four, Mr. K. Moore:**

Mr. Moore thanked members for electing him Council President.

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

Mrs. Stoneberg had nothing to report.

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

Mr. Hraban referenced the PW Committee meeting concluded just prior to this meeting.

Mr. A. Hraban made a motion, which was seconded by Morgan to accept the low bid of \$27,977 from Bloomer Ford for a new F-250 pickup with plow package for the PW Dept. Roll call vote: M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes. Motion carried.

Mr. M. Hraban made a motion, which was seconded by A. Hraban to accept the low bid of \$2,037 from Lake Region Enterprises of Chippewa Falls for furnishing and mounting a V box on a good packer truck chassis the City already has available. Roll call vote: Moore-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-no; M. Hraban-yes. Motion carried.

Mr. A. Hraban made a motion which was seconded by M. Hraban to accept the bid of \$104,721 from Macqueen Equipment for a Sno Go demo end loader mounted snow blower. Mr. Morgan advocated buying new unit offered by Fair Mfg. for \$25-30,000 less. City crew members offered comments favoring the Sno Go for what they feel is heavier duty construction, comparative ease of repair and other factors. It was also stated that the two are like comparing apples and oranges as the Sno Go has more hydraulics while the Fair unit is largely mechanically operated. Roll call vote: Stoneberg-no; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-no; M. Hraban-yes; Moore-no. Motion carried.

DPW reviewed the Consumer Confidence Report, which serves somewhat as an annual report card for the City's water utility.

**District Seven, Mrs. J. Pearson:**

Mrs. Pearson advised that once Chief Tuma has had a chance to get cost information together, LFD will meet with the Finance Committee to consider financing replacements for leaking on-board water tanks.

**Police and Fire Dept. Reports, A. Lobermeier:**

Chief Lobermeier reported on a stabbing that occurred over the recent weekend and commented on the amount of time required of several personnel. The Wausau Crime Lab assisted. He went on to say this occurred 20 years to the day after the last homicide that occurred here. Mrs. Stoneberg noted she was involved in the previous investigation adding that these are emotionally draining for those involved.

A question was raised what authority the CN police have beyond the railroad crossings. Chief Lobermeier believes it is about the same as local law enforcement, but will verify that by the time of the next meeting.

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

The DPW advised that the Town of Flambeau will be removing pavement from selected portions of Rocky Ridge Road tomorrow, including portions under City jurisdiction. It makes more sense to do the work at one time rather than piecemeal.

It was requested that JL Electric be prompted to put a couple lights on the military mural as soon as possible so the City can get an idea on how suitable they will be.

Motion was made by M. Hraban and seconded by A. Hraban to award the contract for reconstruction of the 400 W. block of Corbett Ave. to John S. Olynick in the amount of \$108,632.20. Roll call vote: A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes; Moore-yes; Stoneberg-yes. Motion carried.

DPW Gorsegner reviewed the Consumer Confidence Report for the Ladysmith Utility. He noted that the only issue of note for 2015 was that a fluoride sample was lost in shipping.

Motion was made by A. Hraban, seconded by M. Hraban and carried by voice vote to pay \$650 to participate in UDSA-Wildlife Services (APHIS), which will entitle City to use that entity's beaver removal service as needed. Roll call vote: Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-yes. Motion carried.

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

Adm. Christianson had nothing to report.

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

Atty. Kenyon reported reading that the City of Madison is subsidizing replacement of lead water services in that City. It was clarified that all Madison water customer's user fees are the source of the subsidy.

**Mayor's Forum, Mr. M. Reynolds:**

Motion was made by A. Hraban, seconded by Stoneberg and carried by voice vote to approve Mayor Reynolds' appointment to Council committees. The Mayor passed out ideas that each of these standing Council committees may want to consider.

The Mayor emphasized a need to protect the integrity of agendas.

**Licenses and Permits:**

Motion was made by Stoneberg, seconded by A. Hraban and carried by voice vote to approve a temporary Class "B" Beer License for the Ladysmith Firefighters, Doug Pavlik agent, for a cancer benefit for Ryan Tuma on June 4<sup>th</sup> at the Fire Hall.

**Closed Session:**

The Council did not go into closed session.

**Adjourn:**

The meeting was adjourned 8:15 p.m.

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

**Publication:**

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

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

**ORDINANCE #2016 \_\_\_\_\_**  
**Amending City Sewer User Rates**

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

1. That Sec. 9-3-21 of the Ladysmith Municipal Code of Ordinances, Sewer User Rates, is hereby repealed in its entirety and recreated to read as indicated in Appendix A, attached hereto.
2. That this ordinance amendment shall take effect upon passage and publication.

\_\_\_\_\_ by \_\_\_\_\_ vote at a regular meeting of the Common Council held the 25th day of April 2016.

Signed: \_\_\_\_\_  
Marty Reynolds, Mayor

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

**APPENDIX A**  
**SEC. 9-3-21 SEWER USER RATES Effective 4-25-2016**

Being that the City of Ladysmith must adopt an equitable sewer user charges system and being that all this time all users discharge wastewater similar in strength, but varying in quantity, the following rates are adopted and take precedence over any and all pre-existing agreements:

(a) <b>Metered Services</b>	Per Quarter
(1) Operations & Maintenance Charge	\$27.48
(2) Replacement Fund Charge	6.68
(3) Debt Retirement Charge	17.68
Total Quarter Unit Charge	\$51.84
<b>Volume Charges (per 1,000 gallons)</b>	
(1) Operations & Maintenance Charge	2.74
(2) Debt Retirement Charge	1.33
Total Volume User Charge	4.07
(b) <b>Unmetered Services</b>	
(1) Operations & Maintenance Charge	27.48
(2) Replacement Charge	6.68
(3) Debt Retirement Charge	17.68
(4) Flat Rate User Charge	50.00
(based on 11,000gal/qtr)	
Total Unmetered Services Charge	101.84
(c) <b>Septage Disposal Fee</b>	
(1) Holding Tank Waste	18.60
(2) Septic Tank Waste	33.95
(d) <b>Surcharges</b>	
Any user discharging wastewater with:	
BODS in Excess of 292 mg/1 per lb	.26/lb
TSS Greater than 343 mg/1 per lb	.062/lb

	Current Rates	Proposed Rates	Change	
			\$	%
<b>Metered Service:</b>				
Quarterly Unit Charge				
Operations and Maintenance Charge	\$ 27.48	\$ 27.48	\$ -	0.0%
Replacement Fund Charge	6.68	6.68	-	0.0%
Debt Retirement Charge	17.68	17.68	-	0.0%
Total Quarterly Unit Charge	51.84	51.84	-	0.0%
Volume User Charge (Per 1,000 Gallons)				
Operations and Maintenance Charge	2.40	2.74	0.34	14.2%
Debt Retirement Charge	1.33	1.33	-	0.0%
Total Volume User Charge	3.73	4.07	0.34	9.1%
<b>Unmetered Services Charge:</b>				
Operations and Maintenance Charge	27.48	27.48	-	0.0%
Replacement Fund Charge	6.68	6.68	-	0.0%
Debt Retirement Charge	17.68	17.68	-	0.0%
User Charge (Based on 11,000 Gallons/Quarter)	50.00	50.00	-	0.0%
Total Unmetered Services Charge	101.84	101.84	-	0.0%
<b>Septage Disposal Fee:</b>				
Holding Tank Waste (Fee Per 1,000 Gallons)	15.70	18.60	2.90	18.5%
Septic Tank Waste (Fee Per 1,000 Gallons)	33.95	33.95	-	0.0%
<b>Surcharges:</b>				
Any user discharging wastewater with:				
BODS in Excess of 292 mg/1 Per lb	0.26	0.26	-	0.0%
TSS Greater Than 343 mg/1 Per lb	0.062	0.062	-	0.0%
<b>Rate Adjustment Impact:</b>				
Total Annual Revenue Generated by Rates	\$ 757,842	\$ 808,370		
Additional Annual Revenue Generated		\$ 50,528		
Net Revenue Increase Percentage		6.7%		

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Includes 7 year lease on Jetter

Other Community Holding Tank Waste Fees:	Chetek	\$20/1000 gallons
	Bloomer	\$25/1000 gallons

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