

- Attorney Chris Gierhart from Weld Riley stated that nearly all his clients use special Assessments noted in response to a question that Wis. Stats. which have enabled use of special assessments since the 1800s are based on an assumption that benefits are conferred upon adjoining properties when public improvements are made.
- City Atty. Allen Kenyon outlined statutorily prescribed steps in the Wis. Stats. stating that this process is exactly what the City is required to do and is doing.
- Asst. DPW Doug Parker reviewed how actual assessments are calculated noting that the City pays assessments on intersections and on property that it owns. It was clarified that, although they don't pay real estate taxes, churches and non-profits do have to pay special assessments just like private owners.

The Mayor and Terry Carter, who moderated the comment period, then outlined ground rules they would follow in allowing questions and comments. Some of the questions and comments received and responses elicited are contained in a news article within the pouch that follows these minutes.

After all questions and comment were concluded the Mayor closed the Public Hearing at 7:40 p.m. After a short recess the meeting was reconvened at 7:45 p.m.

Licenses and Permits:

Motion was made by A. Hraban, seconded by M. Hraban and carried by voice vote to grant tavern operator's licenses for all of the following, contingent upon LPD approval:

- Faith Krueger for Holiday #176.
- Kyle Peterson for Ladysmith Fresh Market.
- Nichole A. Davis for Ladysmith Motel & Suites.
- Samantha Nelson for Krist Oil.

Resolutions and Ordinances:

Motion was made by M. Hraban, seconded by A. Hraban and carried by voice vote to approve amendment Ordinance #2019-01 to modify the first sentence of Sec. 3-2-21 (b) b. of the Municipal Code of Ordinances to essentially extend the term for repayment of special assessments from a maximum of 20 years to a maximum of 30 years.

District and Committee Reports:

District One, Mr. Platteter:

Mr. Platteter advised that the Library Board will meet on April 9, at 5 p.m. Mr. Platteter also reported that the Planning Commission met April 4th and granted a permit to owners of the building at 111 W. 2nd St. S. to convert the lower level of that building from commercial to residential use.

Motion was made by M. Hraban, seconded by A. Hraban and carried by voice vote to approve the monthly invoices.

Motion was made by Platteter and seconded by M. Hraban to write off a snow removal charge of \$74.94, which is uncollectible owing to a bankruptcy. Roll call vote: Platteter-

yes; Morgan-yes; M. Hraban-yes; Fields-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes. Motion carried.

District Two, Mr. B. Morgan:

Mr. Morgan reported that railroad equipment vendor Eric Thompson visited the visitor center display over the past weekend to determine what it will take to raise the nose of the FP7 locomotive. Mr. Morgan asked if he may seek a quote from Mr. Thompson to do the work. No objections were expressed to his doing so. Mr. Morgan reported that he also plans to erect a refurbished railroad "order board" at the Lake Avenue Rail Display if the weather will cooperate. He added that he will need City assistance with this through provision of the bucket truck and operator.

District Three, Mr. M. Hraban:

Mr. Hraban noted that the RC Emergency Government Committee will meet at 8 a.m. on April 10th.

District Four, Mr. J. Fields:

Mr. Fields had nothing to report.

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 made a motion and A. Hraban seconded to approve a \$13,440 Proposal from Anderson Landscaping to construct trail sections 1-3 along the Corbett Lake shore in Falge Park and to name that trail the "Ray Carlson Trail" in recognition of his dedication to pursuing upgrades to the Lake through promotion of activities covered in the Lake Management Plan. Mr. Morgan stated he doesn't see trails used and suggested if one were to be built it should be along the Lake's south shore where there isn't a road nearby to walk on. He went on to say that if the City has money to use at Corbett Lake, aerator repairs and mowing the shoreline would be better uses than a trail. Mrs. Stoneberg suggested that in view of the Council's steadfast support for rail display work that he advocates, he should be more supportive of efforts championed by others. "We never deny you". Roll call vote: Morgan-no; M. Hraban-yes; Fields-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes. Motion carried.

Police and Fire Dept. Reports, K. Julien:

LPD Chief Julien had nothing to report.

Public Works Dept. Report, Mr. K. Gorseger:

The DPW asked approval of the following Morgan and Parmley invoices.

Motion was made by A. Hraban and seconded by M. Hraban to approve payment of \$15,464.80 for work on the Fritz (W. 2nd to W. 5th St.) and Worden Ave. projects. Roll

call vote: M. Hraban-yes; Fields-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes. Motion carried.

Motion was made by M. Hraban and seconded by A. Hraban to approve payment of \$8,262.30 for work on the Summit Ave. project. Roll call vote: Fields-yes; Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-yes. Motion carried.

Motion was made by M. Hraban and seconded by Pearson to approve payment of \$4,130.00 for work on Fritz Ave. repave only (W. 5th to W. 9th St.) project. Roll call vote: Stoneberg-yes; A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-yes; Fields-yes; Motion carried.

DPW Gorseger reported that the latest water temperature test indicated 37 degrees and rising. As such he will publish a notice advising City water customers that they may discontinue running water.

Administrative Report, Mr. A. Christianson:

Adm. Christianson requested approval of a \$180 payment needed to clear title to a City-owned property. the payment will be from the City to the City's revolving housing loan program, operated by NWRPC. Motion was made by A. Hraban and seconded by M. Hraban to approve. Roll call vote: A. Hraban-yes; Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-yes; Fields-yes; Stoneberg-yes. Motion carried,

Attorney's Report, Mr. A. Kenyon:

Atty. Kenyon reminded those present of what constitutes a "walking quorum" and also that it is an illegal act.

Mayor's Forum, Mr. Christianson:

Mayor Christianson asked approval of his appointment of Cindy Pohlman to the Library Board to succeed Colleen Peters, who retired, until her term ends in April, 2020. Motion was made by Stoneberg, seconded by Pearson and carried by voice vote to approve.

The Mayor also offered the following:

- Thanked the public for its input during the hearing earlier in the meeting.
- Thanked the Council, staff and others representing the City for their patience during the hearing.
- Thanked Mr. Carter for keeping the question and comment period orderly.

Mr. Fields also thanked the public for good questions

Mayor Christianson advised that, beginning with the Council's organizational meeting on April 16th, he will be tightening up the protocol for Council meetings to require that people be more respectful of those who have the floor. Each person who wishes to speak will need to raise their hand and be "recognized" to be authorized to speak.

Closed Session:

Motion was made by M. Hraban and seconded by A. Hraban to go into Closed Session under authority cited in the Meeting Notice. Roll call vote: Pearson-yes; Platteter-yes; Morgan-no; M. Hraban-yes; Fields-yes; Stoneberg-yes; A. Hraban-yes. Motion carried.

Within the Closed Session a motion was made by M. Hraban and seconded by Pearson to agree to extend Rockwell's lease from May 1, 2019, through April 30, 2025, a period of six years, with a three year renewal option at the same terms and conditions, which shall a rate reduction from \$210,000 annually to \$189,000 annually, a 10% reduction.

Adjourn:

Upon motion by Morgan, which was seconded by A. Hraban and carried by voice vote, the meeting was adjourned from Closed Session at 8:25 p.m.

Recorded by: _____

Alan Christianson
Adm.-Deputy Clerk

Publication:

Date submitted: _____

Date published: _____

RESOLUTION NO. 2019 - ____

FINAL RESOLUTION AUTHORIZING SIDEWALK, CURB & GUTTER, WATER MAIN AND SANITARY SEWER INSTALLATION AND STREET RECONSTRUCTION AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY PURSUANT TO SPECIAL ASSESSMENT POLICE POWERS UNDER SECTION 66.0703, WISCONSIN STATUTES

WHEREAS, the Common Council of the City of Ladysmith, Wisconsin, held a public hearing at the City Hall at 5:15 p.m. on the 8 day of April, 2019 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Director of Public Works on proposed sidewalk, curb & gutter, water main and sanitary sewer installation in conjunction with reconstruction of the following described streets.

1. ALL PROPERTY FRONTING WORDEN AVE BETWEEN EAST 4th STREET SOUTH & WEST 4TH STREET SOUTH
2. ALL PROPERTY FRONTING FRITZ AVE WEST BETWEEN WEST 5th STREET SOUTH & WEST 2ND STREET SOUTH

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Ladysmith, as follows:

1. That the report of the Director of Public Works pertaining to the construction of the above-described public improvements is adopted and approved.
2. That the City of Ladysmith has advertised for bids and will carry out the improvements in accordance with the report of the Director of Public Works.
3. That payment for the improvements shall be made by assessing the cost to the property benefited as indicated in the report.
4. That the assessments shown on the report, representing an exercise of the police power, have been determined on a reasonable basis and are hereby confirmed.
5. That the assessments for all the projects included in the report are hereby combined as a single assessment but any interested property owner may object to each assessment separately or all assessments jointly for any purpose.
6. That the assessments may be paid in cash or in up to 30 annual installments to the City Clerk, deferred payments to bear interest at the rate of ____% per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of ____% per annum.
7. That the City Clerk shall publish this resolution as a Class 1 notice in the assessment district and mail a copy of the final assessment against the benefited property to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

_____ by a vote of _____ for and _____ against at a regular meeting of the Common Council held the ____ day of _____, 2019.

Dated: _____

Signed: _____
Alan Christianson, Mayor

Attest: _____
Shari Kavanagh, City Clerk

Published: _____