

COMMON COUNCIL PROCEEDINGS OF THE CITY OF LADYSMITH

July 10, 2017

6:30 p.m.

Council Chamber

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

Others present: S. Barfknecht, A. Christianson, G. Davis, P. Farrington, K. Gorsegner, A. Lobermeier, A. Kenyon, L. Klink, L. Opsal, D. Moore, T. Verdegan.

Call to Order:

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

Pledge of Allegiance:

Mr. Gorsegner led the Pledge of Allegiance.

Minutes:

Motion was made by M. Hraban, seconded by Moore and carried by voice vote to approve the minutes of the June 26, 2017 Council meeting.

Agenda:

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

Hearings and Appearances:

Georgi Girl and Don Anderson appeared to ask questions about the amphitheater currently under construction in Memorial Park, including the following:

- Why were there no plans or building permits?
- Why has planned seating increased from 288 to 500+?
- How is City worker's time on the project being recorded?
- Who is making decisions?
- Who will patch broken blacktop/concrete?

Mr. Gorsegner explained that the primary purpose of a building permit is to let him know what is going on. He has been observing this project closely and so is very familiar. As it is to be a tax exempt City building, no permit was required. He also noted that time City workers spend on parks is just labeled as that, except for Mardi Gras, preparations for which are logged separately. He also advised that the broken sidewalk was planned to be converted to a handicap ramp anyway, and that the blacktop can be patched.

Dick Moore, representing the Lions Club along with fellow members Greg Davis and Paul Farrington, provided the following responses:

- How much seating is really available will depend on the size of those seated, children vs. adults.
- The footprint of the project hasn't changed since its inception.
- Basketball court users are excited that amphitheater lighting will allow them to play later into the evening.

-Chain link fence will be placed. Temporary fencing will be used during Mardi Gras.

Mr. M. Hraban again recommended that usage conflicts (like basketball vs. singing) be anticipated with some effort to work out solutions before the conflicts arise.

Leroy Opsal also had questions, as follows:

-Are City workers being drawn off other jobs to work on the amphitheater.

-Why are lawns not being mowed?

It was noted, that, yes, city workers are assisting the amphitheater project as necessary. It was explained that 50+ letters have been sent out directing owners to mow lawns, but that the follow up process to gain compliance is lengthy.

This discussion concluded at 6:48 p.m.

Mr. Opsal also suggested more emphasis on street improvements. Nobody disagreed.

Skip Barfknecht appeared to request the City waive fees for use of the Beachview Pavilion for the 7th annual Harvest of Talents motorcycle ride. This is a fund raiser, proceeds from which are closely tracked. He noted that last year 9 bikes participated in the approximately 100 mile ride, raising nearly \$500 from sponsors. Motion was made by M. Hraban seconded by Moore and carried by voice vote to approve the waiver. Mayor Reynolds invited submission of a request for automatic approval of this annual request going forward in the absence of concerns from either party.

Resolutions and Ordinances:

Motion was made by Moore, seconded by M. Hraban to approve the 2016 general fund balance, as attached, so that 2016 audit work can be completed. Roll call vote: Morgan-yes; M. Hraban-; Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes. Motion carried. Comptroller Verdegan advised that intentions are for audit results to be presented on July 24th.

Motion was made by Moore and seconded by M. Hraban to adopt Resolution #2017-13 amending the 2017 operating budget. Roll call vote: M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes; Morgan-yes. Motion carried.

Motion was made by Pearson and seconded by Moore to adopt Resolution #2017-14 contributing additional funds toward cost of animal shelter site development. The Mayor noted that, owing to levy limits, the City can't simply raise taxes to pay for a portion of a new animal shelter, which led to the idea of essentially paying professional service fees, which are TIF eligible. Roll call vote: Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-no; Morgan-yes; M. Hraban-yes. Motion carried.

District and Committee Reports:

District One, Mr. Platteter:

Mr. Platteter advised that the Library Board's focus at its July 11, meeting will be its 2018 budget Proposal.

District Two, Mr. B. Morgan:

Mr. Morgan reported that Ken Phillips has completed painting undercarriages on the rail display vehicles.

It was reported that a lady from Rochester, MN commented recently on how nice the Memorial Park beach looks and also on how well it is operated.

District Three, Mr. M. Hraban:

Mr. Hraban called attention to an upcoming Emergency Government meeting.

Mr. Hraban made a motion which was seconded by Stoneberg to have Wiemer Artworks make two 4' x 8' aluminum For Sale signs for the Armory at a cost of \$380. Roll call vote: Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-yes; Moore-yes. Motion carried.

District Four, Mr. R. Moore:

Mr. Moore asked if there were any questions regarding minutes of the June Finance meeting.

Mr. Moore questioned street painting on July 3rd, in view of heavy traffic. DPW Gorsegner explained that the crew talked about it that morning and felt the traffic was actually lighter than on an ordinary business day.

District Five, Mrs. B. Stoneberg:

Mrs. Stoneberg asked other Legal Affairs Committee participants what evenings that will work for them to meet. Items to be considered will include revision of both water lateral installation rules and campfire rules. It was decided to meet July 19th at 4 p.m.

District Six, Mr. A. Hraban:

Mr. M. Hraban made a motion, which was seconded by Pearson to approve a three part paving Proposal from Monarch Paving provided, however, that the cost shall not exceed \$35,000. This is based on an understanding that the High School Drive job cost will increase by some \$3-4,000 to extend it to include a culvert replacement patch west of where the job was originally to stop. Roll call vote: Pearson-yes; Platteter-yes; Morgan-yes; M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-absent. Motion carried.

Mr. Hraban advised that the Rusk Co. Transit Commission has moved its offices (only) to the Enterprise Center.

District Seven, Mrs. J. Pearson:

Mrs. Pearson reported that she had attended a recent County Board meeting and heard some comments about the City that she deemed "unprofessional".

Mrs. Pearson advised that the Park Board meeting has been postponed until July 26th.

Police and Fire Dept. Report:

No report.

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

There was discussion of whether or not to pave under the next military mural west of the Post Office. Doing so will certainly minimize weeding in the future. Mr. Morgan described how a string line could be run down the support post line with a skid steer mounted auger to follow that line backwards eliminating turning movements that tend to damage new pavement.

The DPW explained how it will be cost effective to add reconstruction of two blocks of W. 5th St. N. to the planned Summit Ave. project as these two blocks intersect Summit. The sanitary sewer is collapsing in these two blocks. Morgan and Parmley will soon provide a quote to design this additional work. Motion was made by M. Hraban, seconded by Stoneberg and carried by voice vote to authorize the Public Works Committee to approve this Proposal.

Motion was made by M. Hraban and seconded by Morgan to approve a Change Order with John S. Olynick, in the amount \$808.56, for actual materials used on the E. 6th St. N. project. Roll call vote: Platteter-yes; Morgan-yes; M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes. Motion carried.

Motion was made by M. Hraban and seconded by Morgan to approve final payment to John S. Olynick, in the amount of \$2,808.56 from the street construction fund, for work completed on the E. 6th St. N. project. Roll call vote: Morgan-yes; M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes. Motion carried.

Motion was made by M. Hraban and seconded by Moore to approve a Change Order with John S. Olynick, in the amount of \$210.47, to account for actual materials used on the Shady Lane project. Roll call vote: M. Hraban-yes; Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes; Morgan-yes. Motion carried.

Motion was made by M. Hraban and seconded by Pearson to approve final payment to John S. Olynick, in the amount of \$35,507.25 from the street construction fund, for work completed on the Shady Lane project. Mr. Morgan stated his continued objection to that project being approved to include ditch and driveway work when just rebuilding the street proper would have sufficed. Roll call vote: Moore-yes; Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes; Morgan-no; M. Hraban-yes. Motion carried.

Administrative Report, Mr. A. Christianson:

Motion was made by M. Hraban and seconded by Morgan to approve spending \$890 from The Mining Fund to improve the curb appeal of the manufacturing building at 1506 Barnett Rd. Roll call vote: Stoneberg-yes; A. Hraban-absent; Pearson-yes; Platteter-yes;

Morgan-yes; M. Hraban-yes; Moore-yes. Motion carried. Mr. Morgan suggested that the gravel parking and access areas surrounding this building be dragged to remove unsightly weeds growing there.

Motion was made by Moore and seconded by M. Hraban to pay the following MSA invoices relating to the pending Pederson Ave./ Center Ave./E. 8th St. projects:

-In the amount of \$1,090.42 for CDBG application work.

-In the amount of \$1,500 for CDBG administration.

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

DPW Gorsegner explained that AECOM is seeking permission to install electronic probes and take soil samples from City r.o.w. These are located between a contaminated area behind Buchholz Feed and the nearest point of the river near the Gerard Hotel. This work is part of an attempt to determine whether a plume of trichloroethylene or TCE is migrating or has migrated in that direction in order to determine how, if at all, to deal with it. TCE is an industrial solvent most often used as a cleaning agent. These are to be temporary installations and sites will be restored. AECOM has been advised that even if this work is approved it will be with limitations as it is planned to be done over Mardi Gras. It was noted that this needs to happen sometime, but nobody is happy that the work was planned with little prior notice to the City and to be done over the busy Northland Mardi Gras. A very costly to operate vibrating driver is being brought in from NY to install numerous probes. Motion was made, seconded and carried by voice vote to grant Asst. DPW Parker authority to place limitations on where the contractor works and when to minimize any disturbance of at least the following events:

-Farmer' Market.

-Mardi Gras street parade.

-Mardi Gras Arts and Crafts Fair.

It was decided to hold discussion of the status of the City's TIF districts over to a future meeting.

Attorney's Report, Mr. A. Kenyon:

Atty. Kenyon advised that he will also hold his comments over to a future meeting.

Licenses and Permits:

Motion was made by Moore, seconded by Pearson and carried by voice vote to approve the application for a Beer Garden License on the attached list, contingent upon LPD approval.

Motion was made by Moore, seconded by M. Hraban and carried by voice vote to approve the Temporary Class B Retailer's license application on the attached list contingent upon LPD approval.

Motion was made by Moore, seconded by M. Hraban and carried by voice vote to approve the Direct Seller's Permit application on the attached list contingent upon Park Board approval.

Motion was made by M. Hraban, seconded by Moore and carried by voice vote to approve the Class B Beer Liquor license for 2017-2018 on the attached list.

Motion was made by M. Hraban, seconded by Moore and carried by voice vote to approve the tavern operator's licenses on the attached list contingent upon LPD approval.

Adjourn:

The meeting was adjourned at about 8:30 p.m.

Recorded by: _____
Alan Christianson
Adm.-Deputy Clerk

Publication:
Date submitted: _____
Date published: _____