

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

Monday, September 27, 2021 5:15 pm Ladysmith City Council Chambers

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

Others present: A. Christianson, A. Kenyon, S. Kavanagh, D. Parker, Luke Klink, K. Gorsegner, K. Gibbs, Ray Carlson, Dan Penzkover, SEH, Brea Grace, SEH.

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 Gerard Schueller.

Minutes and Agenda. Motion by A. Hraban, seconded by J. Pohlman, to approve the September 13, 2021 Council minutes and this evening's agenda. Motion passes 7-yes, 0-no.

Resolution 2021-18. Adm Christianson reviewed the Project Plan for TID #13 with all council members; TID #13 boundary encompasses the new hospital property, the current Marshfield Medical Center along with several government owned parcels which will serve to capture tax increment revenue from the development of the new hospital/clinic as well as rehabilitation of the old hospital site. It is a "mixed use" district which provides for 15 years of expenditures plus another 5 years of capture period. The Planning Commission asked that TID #13 and #14 be set up as donor districts but Brea Grace (SEH) reported that the WI Department of Revenue does not recommend doing that. Motion by M. Reynolds, seconded by A. Hraban, to approve Resolution 2021-18 Approving the Project Plan and Establishing the Boundary of TID #13, with one revision – deleting "Wisconsin Indianhead Technical College" and replacing it with "Northwood Technical College". Motion passes 7-yes, 0-no.

Resolution 2021-19. Adm Christianson reviewed the Project Plan for TID #14 with all council members; TID #14 encompasses the former animal shelter site, qounset hut, dog run on the north side of the Flambeau River and real estate parcels zoned predominately I-2 standard industrial on the south side of the Flambeau River. There are twelve parcels from TID #10 that are overlapping into TID #14. This is a mixed use district which provides for 15 years of expenditure period and another 5 years to recapture. Motion by M. Reynolds, seconded by A. Hraban, to approve Resolution 2021-19 Approving the Project Plan and Establishing the Boundary for TIF #14, with one revision – deleting "Wisconsin Indianhead Technical College" and replacing it with "Northwood Technical College". Motion passes 7-yes, 0-no.

Resolution 2021-20. Adm Christianson reviewed the Project Plan for TID #15 with all council members; TID #15 encompasses 5 real property parcels. Specifically, TID #15 comprises of the former Finish Line Bar property, the former FlambeauLand Laundromat, former Barb's Flowerland, the current skate park and the parking lot between W 2nd St S and 1st St South on Worden Ave E. This is a rehabilitation/conservation district which allows a 22 year expenditure period to demolish buildings and make improvements to the site in order to encourage future

development. There is a another 5 year recapture period. Motion by J. Pohlman, seconded by A. Hraban, to approve the Project Plan and Establishing the Boundary of TID #15 with one revision – deleting “Wisconsin Indianhead Technical College” and replacing it with “Northwood Technical College.” Motion passes 7-yes, 0-no.

Resolution 2021-21. Adm Christianson reviewed the Project Plan for TID #16 with all council members; TID #16 is a small district which encompasses a single parcel that is currently owned by Indianhead Community Action Agency to operate their Connections store. This will also be a conservation/rehabilitation district which will allow for future commercial or residential development. Possible projects would be extending W 11th St N and possible remodel/demolition of current retail building. Motion by J. Pohlman, seconded by M. Platteter, to approve the Project Plan and Establishing the boundary of TIF #16 with one revision – deleting “Wisconsin Indianhead Technical College” and replacing it with “Northwood Technical College.” Motion passes 7-yes, 0-no.

The Joint Review Board will be meeting on Thursday, September 30, 2021 at 3:00 pm; all TID paperwork will be filed with the Department of Revenue by the end of October. The Wisconsin DOR should put their official stamp of approval/certification sometime in January of 2022.

Ordinance 2021-04. This ordinance is being revised to remove the verbiage that excludes travel on city streets by ATV/UTV since all city streets have been opened for ATV/UTV travel. Motion by M. Platteter, seconded by J. Pohlman, to adopt Ordinance 2021-04 amending Sec 10-4-5(c) entitled Designated Street Use. M. Platteter-yes, B. Morgan-yes, J. Pohlman-yes, G. Schueller-yes, J. West-yes, A. Hraban-yes, M. Reynolds-yes. Motion passes.

District 1, Platteter. Ray Carlson appeared to answer any questions about the rail display budget item handout. There were no questions other than Mr. Morgan asked Adm Christianson to contact Haas Construction and inquire whether they are willing to guarantee their 2021 quote for constructing the shelter over the caboose/boxcar if this project cannot be completed until 2022.

Adm Christianson asked that item 6(b) not be discussed until possibly the next council meeting; he is waiting for a developer to get back to him with a better timeline.

Westlake Enterprises Lease. City auditors, Clifton-Larson, suggested updating the lease with Westlake Enterprises as the existing lease is at least 10 years old. The new Lease includes a \$50 per month/per year increase on January 1st of each year going forward; 2022’s rent would be \$2,350. It was also noted that paragraph 5 references paragraph 3 but the current lease as drafted doesn’t have a paragraph 3. It was asked that the Lease be revised and brought back for council approval after Westlake Enterprises has finished reviewing it.

Sale of Two City owned CDBG Lots. The City has owned two residential lots for over a decade; keeping them insured and off the tax roll. The Department of Administration has given their blessing to sell these lots at fair market value, as determined by the City Assessor, to anyone for any purpose without any income restrictions or to anyone meeting HUD definition of low to moderate income for below market value. Currently, one of these residential lots is valued at \$4,000 and the other at \$3,000. After placing signs on these lots about a year ago,

Adm Christianson hasn't had anyone interested in purchasing them. The Property Committee approved having the Administrator offer the lots to the neighbors and if unsuccessful, contact a local realtor to list the lots. Motion by M. Reynolds, seconded by J. Pohlman to authorize Adm Christianson to contact the neighbors about purchasing the lots and if that is unsuccessful, to list the two lots with a local realtor. Motion passes 7-yes, 0-no.

Lighting/Landscaping of Industrial Park Sign. The Property Committee authorized clean up of the industrial park sign and recommends that lighting be installed. The entire landscape bed has been torn out and grass seed has been spread. Motion by M. Reynolds, seconded by M. Platteter, to install lighting of some sort and that council recommend a lighting source for the industrial park sign. Motion amended by M. Reynolds, seconded by J. Pohlman, to look into placing solar powered lighting on the industrial park to be taken out of TID #10 or TID #14. Motion amended by M. Reynolds, seconded by J. Pohlman, to authorize the City Administrator to bring proposals to the next council meeting on lighting the Industrial Park sign using solar power. Motion passed with 7-yes, 0-no.

District 2, Morgan. Mr. Morgan is no longer interested in serving on the County Highway Safety Committee; the Mayor was asked to appoint someone else to this committee.

Ladysmith Park Kitchen Pavilion Rental Rates. The Park Board recommends that daily rates for renting a kitchen pavilion be increased to \$85.00 and rates for a non-profit, tax-exempt organization to rent a kitchen pavilion Monday – Thursday be increased to \$55.00. In addition, language was added to the rental agreement that “pavilions may be rented January 1st for the current year”. Motion by B. Morgan, seconded by M. Platteter, to approve the revised Ladysmith Park Rental Agreement increasing rental rates for a kitchen pavilion to \$85, \$55 for a non-profit/tax exempt organization to rent from Monday-Thursday and to no longer collect a security deposit per recommendation by the Park Board. Motion passes 7-yes, 0-no.

Macrophyte Growth on Corbett Lake. Because the DNR has to be involved before any harvesting of macrophytes (weeds) can take place, Ray Carlson would like the Council to authorize he and Doug Parker to talk with the DNR about what can or can't be done. Motion by J. Pohlman, seconded by M. Platteter, to approve Ray Carlson and Doug Parker to contact the WI DNR about limiting the macrophyte growth in Corbett Lake. Motion passes 7-yes, 0-no. The estimate to dredge the lake a couple years ago was around \$1 million dollars and the installation of a dam to lower the water level approximately 4 feet doesn't seem to have effectively settled the sentiment. Mr. Morgan reported at the Park Board, some members didn't want to see any more money spent on Corbett Lake until there is available funding to make major improvements to Corbett Lake, which could be another 10-20 years.

District 3, Pohlman.

Discussion on Requiring Liability Insurance for ATV/UTV Operation in the City. After discussing pros and cons of requiring liability insurance for ATV/UTV operators in the City, it was decided to set up a public hearing and invite the chairman of the ATV Club to attend. Some comments included:

- Wisconsin State law does not require liability insurance for the operation of an ATV/UTV.
- The City is allowed to impose stricter regulations but not lessen state law.
- How do you inform ATV/UTV operators that the City of Ladysmith has stricter regulations?
- There is a possibility that if you have homeowners' insurance, you may be covered for any liability issues that may arise from operating an ATV/UTV.
- Law enforcement will not be stopping someone for the sole purpose of checking for liability insurance; they will be stopped for possible issues with speed, equipment violation, etc.

District 4, Schueller. Nothing to report.

District 5, West. The Personnel Committee will be meeting next Monday, October 4, 2021 at 5:15 pm.

District 6, Hraban. The Finance Committee will be meeting next Monday, October 4, 2021 at 6:00 pm. There is a Transit Committee meeting at the courthouse on Friday, October 1, 2021 at 9:00 am. Mr. Platteter asked Mr. Hraban about the wage increases for a couple of Library employees; Mr. Hraban will contact Ms. Pohlman about the details since he wasn't able to attend that meeting.

Sewer Rate Increase. April Anderson, of Clifton-Larson, recommends a 21% sewer rate increase is needed to begin operating the sewer utility in the positive. The Finance Committee was not open to imposing a straight 21% increase in 2022 but alternatively is considering either a 10% increase in 2022, 5% in 2023, 3% in 2024 through 2026 **OR** a 10% increase in 2022 and a 3% increase in 2023-2026. In order to qualify for DNR grants for our street projects, the City has to show responsible fiscal management of our water and sewer operations.

District 7, Reynolds. The Joint Review Board will be meeting on Thursday, September 30, 2021 at 3:00 pm to authorize the four new TIF Districts.

Police and Fire Report. New gutters were installed last week at the Fire Hall by Complete Rain Gutters out of Cameron for \$4,200. Finance Committee asked the Fire Department to reduce their 2022 by a couple thousand dollars. The process of gathering information on replacing the rural pumper has started with plans to replace it within the next 3-5 years. The estimated cost of a new pumper is estimated at \$500,000-\$600,000 and it is hoped that some grant funding can be identified to help defray the cost. Chief Gibbs invited everyone to the Fire Prevention Open House which will be held on Monday, October 4, from 6:00-8:00 pm at the Fire Hall.

Public Works Report.

Morgan & Parmley Proposal to Apply for WI DNR SDWLP and CWLP for Lindoo Ave, Summit Ave and E 10th St. Motion by J. Pohlman, seconded by A. Hraban, to approve Morgan & Parmley/Cooper Engineering's proposal for \$20,250 to apply and administer the WI

DNR Safe Drinking Water Loan Program and Clean Water Loan Program for Lindoo Ave, Summit Ave and E 10th St. Motion passes 6-yes, 1-no (Morgan).

Morgan & Parmley Proposal to Provide Specification and Bidding Services and Construction Oversight Services for Lindoo Ave, Summit Ave and E 10th St N. Motion by A. Hraban, seconded by J. West, to approve Morgan & Parmley’s proposals to provide specification and bidding services as well as construction oversight services in the amount of \$43,250 for Lindoo Ave, \$33,250 for Summit Ave and \$33,250 for E 10th St N projects. Motion passes 6-yes, 1-no (Morgan).

The Department of Transportation did send an estimate of \$31,718 which will be the City’s responsibility for the Hwy 8 Street project from River Ave to Prentice Street – estimated timeline is 2024 or 2025. It is the City’s responsibility to cover the cost of paving the parking lane as well as utility adjustments for manholes and valve boxes.

Administrator’s Report. Nothing to report.

Attorney’s Report. Atty Kenyon highlighted a recent lawsuit filed by the Lakeland Times alleging violation of the open meeting law by 5 of 6 Rhinelander council members and their mayor.

Mr. Pohlman asked Atty Kenyon to look into current state law on vaping.

Licenses and Permits. Motion by M. Reynolds, seconded by A. Hraban, to approve the Operator License for Frederick Niles, Jr. Motion passes 7-0.

Mayor’s Forum. Motion by M. Reynolds, seconded by A. Hraban, to appoint John Hoover to the Ladysmith Planning Commission to fill the vacant seat left by Rachel Rodriguez. Motion passes 7-yes, 0-no.

Motion to adjourn by A. Hraban, seconded by J. Pohlman, at 7:20 pm.

Respectfully submitted.

Shari Kavanagh, City Clerk