

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on November 15, 2010, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Smith, White, Soviak, Kemp, Riedel, Schwesb, Kolve, Solberg, Brogan, Beety and Gabriel.

SPECIAL RECOGNITION Mayor Knaack welcomed Shelly Stewart as the new Executive Director for Main Street Menomonie.

MOTION was made by Riedel, seconded by Soviak, and carried to approve the minutes of the November 1, 2010 meeting.

PUBLIC HEARING Mayor Knaack announced time for the public hearing relating to the proposed sewer, water, storm sewer, curb and gutter, sidewalk and street improvements for Wilson Street from the I-94 bridge to the Union Pacific Railroad crossing.

Terry Pritchard requested to not put sidewalk in front of his property at 2508 Wilson Street.

Miguel Flores asked for assistance to remove the easement that is on his property and that the dollar amount corresponding to the footage of the easement be deducted from his assessment. Hearing was declared closed.

Mayor Knaack announced time for the public hearing relating to the proposed ordinance to establish the 2011 General Fund Operating Budget and Tax Levy.

Kate Hearley, Interim Director of Main Street Menomonie, thanked the City Council for their past support and requested continued support in the 2011 budget.

Scotty Nelson expressed his gratitude towards Main Street Menomonie for the support they provided during the recent improvements that he made to Ba Da Bingz at 414 Main Street.

John Anshus, Anshus Jewelers, also spoke in support of the proposed subsidy to Main Street Menomonie in the 2011 budget.

Chuck Backus, representing the Dunn County Historical Society, exhibited the "Reuben Gold Thwaites Trophy" that was recently awarded to the Dunn County Historical Society which recognizes excellence in overall service to the community and stated that he is grateful for the proposed subsidy in the 2011 budget. Hearing closed.

PUBLIC COMMENTS

Josh Fritz and Dennis Spader spoke in support of the City adopting an "intoxicated server" ordinance".

Nathan McKeeth spoke in opposition to the City adopting an "intoxicated server" ordinance:

Gary Johnson expressed his opinion that students watch and listen to the behavior of adults and therefore it is important to set a good example.

MOTION was made by Brogan, seconded by Solberg, and carried to waive the rules and extend the public comments for up to an additional thirty (30) minutes.

The following continued to speak in support of the City adopting an "intoxicated server" ordinance": Tim Hoel, Kate Kasmerick and Geena Wallace.

The following continued to speak in opposition to the City adopting an "intoxicated server" ordinance: Dennis Ruckheim, Jennifer Minton, Bradin Sowle, Michaela Erickson, Scott Evers, Bill Ostwald, Marty Johnson and Scott Nelson.

Andrew Dickson suggested that additional police officers walking the streets would be beneficial.

Steve Wood said that business owners should regulate their own establishments and he requested the Council to consider "tabling" the issue at this meeting.

Angelakay Athena and Heidi Hooten, representing Stepping Stones of Dunn County, requested permission to run a Kettle Campaign at up to three locations in the downtown area and collect donations to be used for emergency purposes from November 26th through December 24th, 2010.

MOTION was made by White, seconded by Smith, and carried on roll call vote authorizing bidding the proposed Wilson Street project through the Wisconsin Department of Transportation (with 80% of the funding coming from an STP grant, and 20% from special assessments, as proposed on Schedule "C" of the Preliminary Special Assessment Report dated November 4, 2010).

MOTION to set the 2011 mill rate for the City of Menomonie at \$6.49 per thousand dollars of assessed valuation was made by Schwebs, seconded by Smith, and carried on the following roll call vote: Ayes: Smith, Schwebs, Kolve, Solberg, Brogan, and Gabriel. Noes: White, Soviak, Kemp, Riedel, and Beety.

MOTION to increase the subsidy for the Historic Preservation Commission from \$2,000 to the original 2011 request of \$4,000 (the \$2,000 increase to come from Contingency 01.60000.699) was made by Solberg, seconded by Brogan, and carried on the following roll call vote: Ayes: Soviak, Schwebs, Kolve, Solberg, Brogan, and Gabriel. Noes: Smith, White, Kemp, Riedel, and Beety.

ORDINANCE appropriating the necessary funds of \$5,650,000 for the operation of the government and administration of the City of Menomonie for the year 2011 was introduced by Beety. MOTION to waive the first reading was made by Beety, seconded by Solberg, and carried. MOTION to waive the second reading was made by Kolve, seconded by Solberg, and carried. MOTION to adopt the ordinance was made by Beety, seconded by Smith, and carried on roll call vote with Riedel opposed.

MOTION directing the City Attorney to draft an intoxicated server ordinance with a BAC of .08 or more for bartenders, servers, and bouncers was made by Smith, seconded by White, and lost on the following roll call vote: Ayes: Smith, White, Beety, and Gabriel. Noes: Soviak, Kemp, Riedel, Schwebs, Kolve, Solberg, and Brogan.

MOTION was made by Solberg, seconded by White, and carried to start the process of reviewing fines (including underage) and all current policies relating to licenses and the renewal process.

MOTION to approve the request from Stepping Stones of Dunn County to operate a Kettle Campaign and collect donations on public property in the downtown area from Nov. 26th through Dec. 24th, 2010 was made by Solberg, seconded by Brogan, and carried.

MOTION to approve the proposed 2011 and 2012 maintenance assessment contract with Bowmar Appraisal, Inc. was made by Smith, seconded by Brogan, and carried on roll call vote.

MOTION to postpone review of the proposed 2011 Capital Improvements Program until the December 6, 2010 meeting was made by Soviak, seconded by White, and carried with Brogan and Beety opposed.

RESOLUTION NO. 27 designating Bremer Bank as a depository for public funds was introduced and moved for adoption by Smith, seconded by Brogan, and carried.

APPOINTMENTS MOTION was made by Schwebs, seconded by Gabriel, and carried to approve the following appointments, as recommended by the Mayor:

Airport Commission – Bruce Trimble, Jr. (to replace Joe Woodford) for a term through 2016;
Bicycle/Pedestrian Advisory Committee – David Williams, Peter May, Don Kuether, Andrew Steele, Terese Wentworth, Logan Mathers, Rory Feddersen, and Mark Mastalir. Advisors – Randy Eide, Director of Public Works, and Patrick Beilfuss, Cedar Corporation.

BUDGET TRANSFER MOTION was made by Brogan, seconded by Solberg, and carried on roll call vote to approve the budget transfer of \$6,595 from Contingency 01.60000.699 to Leisure Services Center 01.55130.781 Heat Pump.

COMMUNICATIONS AND MISCELLANEOUS BUSINESS Included in the agenda packet was a report from David Schofield, Cedar Corporation, summarizing the results of the Wolske Bay Pilot Water Circulation Project in 2010; the 2009 financial audit report from the auditors, Wipfli, LLP; and monthly activity reports from the Fire Department and the Inspection Department.

MOTION was made by Beety, seconded by Kolve, and carried on roll call vote to approve payment of the following claims:

Claims

A T & T	\$ 1,396.45
CDW-Government	2,555.00
Cardmember Services	3,909.43
Fastenal	8.27
Flatwork Specialists	3,352.01
Google, Inc.	5,379.75
Ken-Way Services of Rice Lake, Inc.	15,100.00
Lighting Design Solutions	29.33
Martin's	495.61
Monarch Paving	11,356.36

Northwest Petroleum Service, Inc.	222.50
Quality Autobody, Inc.	323.98
Senn Blacktop	9,829.58
Stabb Construction	605,802.00
Two Way Communications	10,020.22
Two Way Communications	336.11
U. S. Postal Service	1,175.79
Verizon	3,413.99
Verizon	1,044.47
Ward Aviation	1,007.84
Western Petroleum	6,601.30
WIPFLI	37,660.00
<u>Parking Utility</u>	
Streicher's	\$ 84.98
Transmotive Auto Repair	57.05
WIPFLI	305.00

LICENSES - MOTION was made by Soviak, seconded by Kemp, and carried to approve the following licenses:

CLASS "A" BEER and CIGARETTE (effective December 1, 2010):

Northern Tier Retail LLC (SuperAmerica #4482 – 1708 North Broadway);

Northern Tier Retail LLC (SuperAmerica #4483 – 1903 Stout Road);

Northern Tier Retail LLC (SuperAmerica #4484 – 2020 South Broadway),

SUBJECT TO SUBMITTAL OF A COPY OF THE PURCHASE/LEASE AGREEMENT.

OPERATORS: Benjamin J. Hendricks; Beth A. Topper; Kelly A. Wellington.

TAXI CAB DRIVER: Travis D. Swenby.

MOTION to take no action on the available "Class A" Liquor license until November 15, 2011 was made by Smith, seconded by Gabriel, and carried with Soviak opposed.

MOTION to adjourn was made by Solberg, seconded by Kolve, and carried.

JoAnn L. Kadinger, City Clerk