

## OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on May 2, 2011, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Smith, White, Hausler, Dickmann, Riedel, Schwebs, Solberg, Cruz, Beety and Mercil.

MOTION was made by Smith, seconded by Hausler, and carried to approve the minutes of the April 18, 2011 regular meeting, and the April 19, 2011 organizational meeting with the following corrections:

- 1) Amend the April 18, 2011 minutes (Mayor's Report, page 116) to reflect Patrick Soviak – Ward 3 Alderperson; and
- 2) Amend the date on the organizational meeting to April 19, 2011.

PUBLIC HEARING MAYOR KNAACK announced time for the public hearing relating to the proposed Cedar Falls Road reconstruction from Wilson Street to Bundy Lane for sewer, water, storm sewer, curb & gutter, sidewalk, trail and street improvements project. Randy Eide, Director of Public Works, provided an overview of the project and a proposed time frame for construction and assessments.

Ben Evan spoke in support of installing sewer and water but requested deferral of their assessment until sale of their property because their current system is in good working condition.

Jim Welch spoke in support of the road improvements but does not support sewer, water and the bike trail as part of the project. Mr. Welch also requested that the assessment be deferred with no interest for ten years.

Mike Statz, representing Twin Springs Campground, requested that he be provided with information as soon as it is available relating to dates of construction, signage, detours and GPS information so that he can relay the information onto his campground customers.

Jeff Luther expressed several concerns about the bike trail including the proposed width, the placement of the trail on the south side of the street (would be safer on the north side), and the requirement that the adjacent property owner maintain the trail (snow removal and repairs).

Dave Williams, member of the Bicycle/Pedestrian Advisory Committee, spoke in support of the bike trail as a safer alternative and he acknowledged an understanding of the financial burden on adjacent property owners.

Doug Hamilton stated that growth is not occurring as it was predicted in 2005, and he proposed that the Council act on this item in two separate votes – one vote to address the sewer and water improvements, and a separate vote for the trail improvements.

Richard Hanson acknowledged that the public does receive benefit from this ~~profit~~ project and that a cost remediation to the property owners is in order.

Vicki Jess stated she understands the need for the project but spoke against the requirement that the property owners maintain the trail, and requested that as many trees as possible be saved.

Jeremy Gragert stated that he would like to see the trail open year round and that he would like the City to be responsible for plowing the trail. Hearing closed.

PUBLIC COMMENTS Karen McCalla requested approval of the proposed Mind Over Matter (M.O.M.) half marathon and 5K event which will start at Wilson Park, and requested that the date for the event be changed to May 19, 2012.

Bob Colson and Trevor Peterson requested approval to have food sales at Phelan Park during the Menomonie Community Garden opening day celebration on May 22, 2011 from 1:00 p.m. to 3:00 p.m.

Lauren Evans, Treasurer of the Irvington ATV Riders Association, thanked the City Council for considering the proposed ordinance to allow ATV's on various sections of Midway Road, and announced that she was available for questions.

MOTION was made by Smith and seconded by Cruz to proceed with planning and bidding the Cedar Falls Road project from Wilson Street to Bundy Lane and direct the Administration to postpone final action on this project and prepare for Council consideration at the next meeting a revised assessment Schedule C using Option #5 (one with trail costs included and one without trail costs).

MOTION to amend the original motion and authorize forgiveness of the trail assessments in excess of 300 feet was made by Schwebs, seconded by Solberg, and carried on the following roll call vote: Ayes: Smith, White, Dickmann, Schwebs, Solberg and Cruz. Noes: Hausler, Riedel, Beety and Mercil.

ORIGINAL MOTION, AS AMENDED, carried unanimously on roll call vote with the following additional friendly amendments:

- authorize final design of the project be submitted to the DOT at this time.
- remove the requirement to postpone action for two weeks.
- remove the requirement to prepare a revised assessment Schedule C using Option #5 (one with trail costs included and one without trail costs).
- direct the city engineer to revise assessment Schedule C and reduce the trail assessments for those properties with frontage in excess of 300 feet, and that all property owners be mailed a copy of the revised Schedule C.

ORDINANCE regarding operation of all-terrain vehicles on designated public streets was introduced by Smith. MOTION to waive the first reading of the ordinance was made by Smith, seconded by Beety, and carried. MOTION to waive the second reading was made by Beety, seconded by White, and carried. MOTION to adopt the ordinance was made by Smith, seconded by Solberg, and carried.

MOTION was made by White, seconded by Beety, and carried to approve the request from Menomonie Community Garden to sell/serve food at Phelan Park during the 2011 opening day celebration on May 22, 2011 from 1:00 p.m. to 3:00 p.m.

MOTION was made by Schwebs, seconded by Mercil, and carried to approve the request from Mind Over Matter (M.O.M.), Inc. to host a half marathon and 5K event in Menomonie on May 19, 2012.

MOTION was made by Smith, seconded by Schwebs, and carried directing the City Clerk to advertise the 7<sup>th</sup> Ward Council vacancy in the Dunn County News, UW-Stout mass email News Release, and the city web site with a resume deadline of noon on May 16<sup>th</sup>, 2011.

MOTION was made by Cruz, seconded by Beety, and carried on roll call vote to approve the purchase of seven additional city provided email accounts for the city council members.

ORDINANCE annexing Parcel A; Map of Survey #577137 located between STH 25 and Wilson Street was introduced by Schwebs. MOTION to refer the ordinance to the Plan Commission was made by Hausler, seconded by Schwebs, and carried.

BUDGET TRANSFER MOTION was made by Riedel, seconded by Smith, and carried unanimously on roll call vote to approve the transfer of \$950 from Contingency 01.60000.699 to Celebrations & Entertainment 01.55340.790 New & Replacement Flags.

COMMUNICATIONS The agenda packet included an update from Christopher Smith, Greater Menomonie Area Development Corporation, regarding recent activity; notice of the MDA fundraising On the Street campaign scheduled for May 11, 12, and 13, 2011; a copy of the 2010 City of Menomonie Top Ten Property Taxpayers; and a Happenings Around Menomonie (HAM) report from the Director of Public Works.

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

**Claims**

Brownells, Inc.	\$ 211.94
Cedar Corporation	23,918.25
EMC Insurance Companies	3,000.00
First Supply	720.00
Northtown	16,552.93
TJ Electric	308.00
Tierney Bros. Inc.	13,281.30

**Parking Utility Claims**

Cedar Corporation	\$ 199.00
Fastenal	23.10
Mike Kraft	273.00

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

**CLASS "A" BEER and "CLASS A" LIQUOR (Change of Agent):**

Marketplace Foods Menomonie, Inc. (Marketplace Foods Menomonie - 207 Pine Avenue W.), New Agent – Thomas J. Maher.

**OPERATORS:** Cole J. Cassidy; Juan M. Castro Morales; Daniel D. Dicks; Jennifer L. Graetz; Samantha J. Hansen; Vito S. Meinking; Brandon J. Mondlock; Brenda L. Morlan; Joshua A. Radzak.

**TAXI CAB DRIVER:** Porter L. Thomas.

MOTION to adjourn was made by Hausler, seconded by Cruz, and carried.

JoAnn L. Kadinger, City Clerk