

## OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on February 17, 2014, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Luther, Traxler, Sutherland, Dickmann, Riedel, Schwebs, Brown, Solberg, Cruz and Mercil. Beety was absent.

SPECIAL RECOGNITION – Mayor Knaack introduced and welcomed Josh Dalton, the new Executive Director of the Dunn County Humane Society.

MOTION was made by Dickmann, seconded by Cruz, and carried to approve the minutes of the February 3, 2014 meeting.

PUBLIC HEARING – Mayor Knaack announced time for the public hearing regarding levying the special assessments for sidewalk reconstruction on the following streets:

**6<sup>th</sup> Avenue (south side, 9<sup>th</sup> Street to 13<sup>th</sup> Street)**  
**12<sup>th</sup> Street (west side, Main Street to 4<sup>th</sup> Avenue)**  
**12<sup>th</sup> Street (east side, 6<sup>th</sup> Avenue to 5<sup>th</sup> Avenue)**  
**11<sup>th</sup> Street (west side, 4<sup>th</sup> Avenue to 80 feet south)**  
**516 11<sup>th</sup> Street**

Jean Biggs described concerns that she has with the sidewalk that was installed adjacent to her three properties and she requested the Administration ensure that her concerns have been addressed prior to signing off on the project. Hearing closed.

PUBLIC COMMENTS – Jim Rooney (Heartland Contractors) thanked the Council for reconsidering the rezoning request for his property located north of the Whisper Ridge PUD (Nicholas Drive) and south of the Technology Park (Kothlow Avenue), and he disagreed with the statement that he has abandoned the Whisper Ridge development.

Krista Ogden spoke on behalf of several of her Whisper Ridge neighbors expressing opposition to the proposed new development when the Whisper Ridge development is less than 10% finished.

Ted Pertaski, owner of Accent Paint Store, disagreed that the Whisper Ridge development has been abandoned, and he spoke highly of the quality developments of Jim Rooney (Heartland Contractors), and urged the Council to support the rezoning request.

Rick Wagner stated that he cleans approximately 95% of Heartland Homes and they are all upscale units, and he highly recommended the Council to support the proposed development.

Dave Leisses stated that upscale rental units are hard to find and he urged the Council to support the proposed development.

Dan Westlund questioned the extension of the road in the proposed development, and stated more research should be done relating to the “emergency management” aspect for the development.

Sean Bohan, project engineer, spoke in support of the proposed development and stated that it is a smart transition from the Industrial Park.

MOTION was made by Brown, seconded by Dickmann, and carried to waive the rules to hear from Bill Albright, representing Heartland Contractors. Mr. Albright said that he is bothered when he hears they have “abandoned” the Whisper Ridge development. He said this is not the case and that they build the units as fast as they will sell.

Bryan Renton and Adam Wamboldt spoke in support of the proposed development stating Heartland builds quality housing and this provides a good option in today’s economic times.

FINAL RESOLUTION NO. 5 – Brown introduced the resolution authorizing special assessments for sidewalk reconstruction on the following streets to be levied over a 5 year time period at 7 percent interest:

**6<sup>th</sup> Avenue (south side, 9<sup>th</sup> Street to 13<sup>th</sup> Street);  
12<sup>th</sup> Street (west side, Main Street to 4<sup>th</sup> Avenue);  
12<sup>th</sup> Street (east side, 6<sup>th</sup> Avenue to 5<sup>th</sup> Avenue);  
11<sup>th</sup> Street (west side, 4<sup>th</sup> Avenue to 80 feet south); and  
516 11<sup>th</sup> Street**

**MOTION** to adopt the resolution was made by Solberg, seconded by Luther, and carried on roll call vote with Sutherland abstaining.

**MOTION** - “I wish to move to reconsider the vote regarding the motion to approve Heartland Contractor’s request to rezone property by ordinance and I voted in the majority on that vote” was made by Traxler, seconded by Solberg, and carried on the following roll call vote: Ayes: Luther, Traxler, Sutherland, Schwebs, Solberg and Cruz. Noes: Dickmann, Riedel, Brown and Mercil.

**MOTION** to postpone action until the 2<sup>nd</sup> meeting in March when Alderperson Beety will be back was made by Brown, seconded by Dickmann, and resulted in the following tie vote: Ayes: Traxler, Dickmann, Riedel, Brown and Mercil. Noes: Luther, Sutherland, Schwebs, Solberg and Cruz. The motion to postpone failed when Mayor Knaack broke the tie vote and voted “no”.

*The original motion from February 3, 2014 is now back on the floor.*

**MOTION** was made by Schwebs, seconded by Cruz, and carried to waive the rules to hear from the Plan Commission Chairman, Paul Peltier. Mr. Peltier stated the Plan Commission discussed many aspects of the proposed development including additional traffic, multi-housing, green space and connectivity to the Middle School, and then favorably recommended City Council approval of the rezoning request.

**ORIGINAL MOTION** from February 3, 2014 (to approve the Heartland Contractors rezoning request) carried on the following roll call vote: Ayes: Luther, Traxler, Sutherland, Schwebs, Solberg and Cruz. Noes: Dickmann, Riedel, Brown and Mercil.

**MOTION** to approve the proposed 2014 labor contract agreement with the Menomonie Staff Officer’s Association was made by Schwebs, seconded by Traxler, and carried unanimously on roll call vote with Cruz being absent from voting.

**MOTION** was made by Schwebs, seconded by Solberg, and carried unanimously on roll call vote to approve the request to sell various surplus city items, as listed by Street Supervisor, Bruce Heath.

**BIDS** were received for the purchase of three cardiac monitor defibrillators as follows: Zoll - \$95,974.07; Physio Control - \$107,552.05; and Phillips - \$117,390.30. **MOTION** was made by Mercil, seconded by Brown, and carried unanimously on roll call vote to accept the bid from Zoll of \$95,974.07 plus approve an additional \$5,000 for basic start-up expenses and a five year preventative maintenance agreement (for a total of \$100,974.07 – from Bond Construction Fund 33.52310.754 First Aid Equipment).

**MOTION** was made by Brown, seconded by Luther, and carried to approve the request for the Dakota Lain’s Walk to Stop Child Abuse fundraiser walk in Wakanda Park on October 4, 2014, including approval for sales on city property. *Note: a certificate of liability insurance for the event must be submitted.*

**BUDGET TRANSFER – MOTION** was made by Luther, seconded by Solberg, and carried unanimously on roll call vote to approve the following budget transfer:

- \$5,000 from Water Utility – Maintenance of Treatment Equipment 61.65200.226 Repairs to 61.65200.476 Supplies.

MAYOR'S REPORT – Mayor Knaack thanked the City Water Department staff for their long hours and hard work thawing frozen water laterals.

COMMUNICATIONS AND MISCELLANEOUS BUSINESS - The January 2014 Building Inspection monthly report was included in the agenda packet.

CLAIMS - MOTION was made by Traxler, seconded by Solberg, and carried unanimously on roll call vote to approve payment of the following claims:

**2014 Claims**

Graber Manufacturing, Inc.	\$ 1,023.66
Two Way Communications	2,710.53

**2013 Claims**

Menomonie Chamber of Commerce	\$27,784.66
Shredaway	54.00
WIPFLI	23,610.00

**2014 Parking Utility Claims**

City Treasurer	\$ 1,580.90
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LICENSES - MOTION was made by Brown, seconded by Traxler, and carried to approve the following licenses:

**OPERATORS:** Marilla M. Benson; Robert M. Bourget; Claire E. Hines; Jordan P. Knutson; Lynda E. Lamon; Robyn R. Larson; Katie J. McCann; Jared A. Prokop; Rachel F. Radzak; Selina R. Sillars; Allison M. Van Heuklom.

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

JoAnn L. Kadinger, City Clerk