

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on December 5, 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, Dickmann, Riedel, Schwebs, Halloran, Solberg, Cruz, Beety and Mercil. Hausler was absent.

MOTION was made by Dickmann, seconded by White, and carried to approve the minutes of the November 21, 2011 regular meeting, and the November 28, 2011 special session.

MOTION to postpone review of Title 1, Chapter 5 regarding City Council composition, terms and ward boundaries until the May 21, 2012 meeting was made by Smith, seconded by Dickmann, and carried.

REVIEW – the Administration and City Council discussed various projects and capital equipment acquisitions proposed in the 2012 Capital Improvements Plan. MOTION to endorse the proposed 2012 Capital Improvement Plan was made by Schwebs, seconded by Solberg, and carried.

MOTION was made by Smith, seconded by Cruz, and carried to approve the request dated November 16, 2011 from National Straightline Snowmobile Racing, Inc. (Ron Bray, Race Director) to hold a special event on Lake Menomin on February 11, 2012 (with a back up date of February 12, 2012 in case of inclement weather and a race test session on February 10, 2012 from 1:00 to 4:00 p.m.).

MOTION to increase the fee for Wakanda Waterpark season passes for non-resident families from \$165 to \$185 was made by White and lost for lack of a second.

MOTION to accept the Wakanda Waterpark fee schedule, as presented, was made by Beety, seconded by Mercil, and carried on roll call vote with White opposed.

BUDGETS – MOTION to approve the proposed 2012 Water Utility Budget was made by Smith, seconded by Schwebs, and carried unanimously on roll call vote.

MOTION to approve the proposed 2012 Wastewater Utility Budget was made by Beety, seconded by White, and carried unanimously on roll call vote.

MOTION to approve the proposed 2012 Landfill Utility Budget was made by Solberg, seconded by Smith, and carried unanimously on roll call vote.

MOTION to approve the proposed 2012 Stormwater Utility Budget and authorize an increase of the Equivalent Runoff Unit (ERU) rate to \$9.00 per quarter (an increase of \$1.00 per quarter) beginning January 2012 was made by Smith, seconded by Schwebs, and carried unanimously on roll call vote.

MOTION was made by Cruz, seconded by White, and carried unanimously on roll call vote authorizing the repayment of \$31,469.59 to Phillips Plastics Corporation (from TID #11) for an overpayment of their 2010 property taxes due to their over reporting their taxable manufacturing equipment.

MOTION was made by Schwebs, seconded by Solberg, and carried unanimously on roll call vote to approve the revised Cedar Falls Road final plat and relocation order.

REVIEW – the Administration, City Attorney and Council members reviewed abstention from voting procedures at meetings.

MOTION directing the City Attorney to draft an ordinance relating to abstention/determination of quorum voting requirements similar to the City of Madison ordinance was made by Smith, seconded by Cruz, and carried on the following roll call vote: Ayes; Smith, Schwebs, Halloran, Solberg, Cruz and Mercil. Noes: White, Dickmann, Riedel and Beety.

COMMUNICATIONS AND MISCELLANEOUS BUSINESS – Councilmember Cruz requested a review and possible reconsideration of the subsidy to the Menomonie Public Library be placed on the next agenda. The agenda packet included a 2011 Tax Dollar Comparison informational graph; and the October activity report from the Inspection Department.

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

Claims

Aramark Uniform Services	\$ 552.54
Cedar Corporation	16,957.75
Chippewa Valley Newspaper	1,648.62
EO Johnson	258.00
Fastenal	15.36
Fuel Service DJ's Mart LLC	24,356.52
Multi Electric	688.75
North American Salt	30,804.16
QT Technologies	79.24
R M Schlosser Excavating LLC	217,104.61
Registration Fee Trust	74.50
Schofield, Higley & Mayer, SC	6,586.99
Steigerwaldt Land Services, Inc.	500.00
Swanson Flo Systems	1,548.97
Transmotive Auto Repair LLC	149.78
Tri-Mart Corp.	66.83
US Postal Service	524.24
Wal-Mart	114.16
Wal-Mart	67.99
Zee Medical	62.30

Parking Utility

Team Distributing	\$ 1,091.20
Transmotive Auto Repair, LLC	148.10

MOTION was made by Dickmann and seconded by Beety to approve the following licenses, as presented:

CLASS "B" BEER: T J Food Service LLC (Perkins Restaurant & Bakery – 1720 N. Broadway).

MOBILE HOME PARK: Dale K. Schmitz (Ideal Mobile Home Park, 3415 Wilson St. NE).

OPERATORS: Mark T. Cory; Chelsea A. Kensinger.

PAWNBROKER: Pawnex (Terry J. Mercer, Jr.) 620 Main Street.

TAXI CAB DRIVER: Darin T. Hoel.

MOTION to amend the list by removing the Class "B" Beer application from T J Food Service LLC (Perkin's Restaurant & Bakery) was made by Beety, seconded by Dickmann, and carried.

ORIGINAL MOTION, AS AMENDED, carried.

MOTION to approve the issuance of a Class "B" Beer license to T J Food Service LLC, Perkin's Restaurant & Bakery at 1720 North Broadway was made by Beety and seconded by Solberg. MOTION to suspend the rules to hear from Kathy Schlough, representing Perkin's, was made by Cruz, seconded by Halloran, and carried. Kathy Schlough explained their intent to serve fermented malt beverages only between the hours of 11:00 a.m. and 11:00 p.m. and urged the Council to approve the license application.

A roll call vote on the original motion to approve the Class "B" Beer license application from TJ Food Service LLC resulted in the following tie vote: Ayes: Schwebs, Halloran, Solberg, Cruz and Beety. Noes: Smith, White, Dickmann, Riedel and Mercil. Mayor Knaack voted "aye" to break the tie and the license is granted.

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c), (e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Cruz, seconded by White, and carried on roll call vote.

MOTION to return to open session was made by Cruz, seconded by Beety, and carried on roll call vote.

No action was taken.

MOTION to adjourn was made by Smith, seconded by Dickmann, and carried.

JoAnn L. Kadinger, City Clerk