

JUNE 26, 2007

1. Roll call:

The regular meeting of the Common Council was called to order at 7:30 p.m. by Mayor Larry Fanta with Alderpersons Marc Polsean, John Bjerke, Gary Krause, Weston Mack, Roger Hatlem, Gail Frie, Terry Noble, Jeff Clifton and Dave Tryggestad present. Also present were City Administrator Jeff Gohlke, Clerk John Severson, City Attorney David Jenkins, Chief of Police Mark Rahr, Assistant Chief Daron Jefson, David Jackson, Priscilla Jackson, David Engle and Sarah Kamin.

2. Approval of the June 12, 2007 Council Minutes.

Motion by Alderperson Frie to approve the minutes of the June 12, 2007 meeting as corrected. Seconded by Alderperson Mack. All voted aye on voice vote. Motion carries.

3. First period for public comment.

No comments.

4. Public hearing on the application by Sarah Kamin to permit the use of property at 637 Garfield for a day care center.

Mayor Fanta reported that on Monday, June 25 the Plan Commission held a public hearing on the application and were recommending approval. The day care will be County certified. Alderperson Mack asked if property owners within 100 feet had been notified of the hearing. Mr. Jackson said that he had been notified and was at the Plan Commission hearing. The Mayor added that Mr. & Mrs. Peterson were also at the hearing. Sarah Kamin told the Council that her hours of operation would be from 8:30 am to 3:30 pm. with a maximum of six children. Motion by Alderperson Mack to approve the request. Seconded by Alderperson Krause. Alderperson Noble asked if there were any comments from the public at the Plan Commission hearing. Mayor Fanta responded that fencing was discussed, but the County does not require it for this size day care. Attorney Jenkins commented that a conditional use permit cannot be revisited unless the Council so states in its initial approval. Alderperson Tryggestad asked that the motion to approve be amended to allow the Council to address the fencing of the property within one year. Alderperson Mack amended his motion to approve with the Council reserving the right to address the fencing of the property at 637 Garfield Avenue within a period of one year. Alderperson Krause seconded the amended motion. All voted aye on voice vote. Motion carries.

5. Consider the request of David and Marta Engle to modify the Restrictive Covenants that apply to their property located at 224 E. State Highway 56.

Jeff Gohlke reviewed the history of the property and the restrictions. The Engle's are asking modification of the covenants to allow the rental of the upper two floors for residential purposes and to change the language relating to business hours. Alderperson Frie commented that it is in the best interest of the City to have the Engle's make money on the property so that improvements can be made. Alderperson Tryggestad asked if there were objections from any of the neighbors. Jeff Gohlke said that he had received three letters objecting to changing the covenants, which is not a majority of the surrounding property owners and would allow the Council to take action. Discussion continued. Motion by Alderperson Frie to remove restrictive covenants 1 & 2 and substitute that the lower level may be used for the professional office of David J. Engel and that the two upper floors may be used for residential purposes and to direct the City Attorney to draft the necessary documents. Seconded by Alderperson Polsean. All voted aye on voice vote. Motion carries.

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6. 07RS017 Initial Resolution Authorizing \$1,500,000 General Obligation Bonds for Street Improvement Projects..

Motion by Alderperson Frie to approve Resolution No. 07RS017 – Initial Resolution Authorizing \$1,500,000 General Obligation Bonds for Street Improvement Projects. Seconded by Alderperson Hatlem. All voted aye on roll call vote. Motion carries.

7. 07RS018 Initial Resolution Authorizing \$500,000 General Obligation Bonds for Refunding Purposes.

Motion by Alderperson Hatlem to approve Resolution No.07RS018 – Initial Resolution Authorizing \$500,000 General Obligation Bonds for Refunding Purposes. Seconded by Alderperson Polsean. All voted aye on roll call vote. Motion carries.

8. 07RS019 Resolution Directing Publication of Notice to Electors.

Motion by Alderperson Krause to approve Resolution No. 07RS019 – Resolution Directing Publication of Notice to Electors. Seconded by Alderperson Tryggestad. All voted aye on roll call vote. Motion carries.

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9. 07RS020 Resolution Providing for the Sale of Not to Exceed \$2,000,000 General Obligation Corporate Purpose Bonds.

Motion by Alderperson Frie to approve Resolution No. 07RS020 – Resolution Providing For The Sale Of Not To Exceed \$2,000,000 General Obligation Corporate Bonds. Seconded by Alderperson Clifton. All voted aye on roll call vote. Motion carries.

10. 07RS021 Resolution Providing for the Sale of \$600,000 Water System Revenue Bonds.

Motion by Alderperson Hatlem to approve Resolution No. 07RS021 – Resolution Providing For The Sale of \$600,000 Water System Revenue Bonds. Seconded by Alderperson Polsean. All voted aye on roll call vote. Motion carries.

11. 07RS022 Resolution Providing for the Sale of \$1,300,000 Sewerage System Revenue Bonds.

Motion by Alderperson Mack to approve Resolution No. 07RS022 – Resolution Providing for the Sale of \$1,300,000 Sewerage Revenue Bonds. Seconded by Alderperson Krause. All voted aye on roll call vote. Motion carries.

12. 07RS023 Resolution Providing for the Sale of Not to Exceed \$1,000,000 General Obligation Promissory Notes.

Motion by Alderperson Polsean to approve Resolution No. 07RS023 – Resolution Providing for the Sale of not to Exceed \$1,000,000 General Obligation Promissory Notes. Seconded by Alderperson Tryggestad. All voted aye on roll call vote. Motion carries.

13. Ordinance regarding cross connections – second reading.

Motion by Alderperson Mack to approve Ordinance No. 07OR005. Seconded by Alderperson Frie. All voted aye on voice vote. Motion carries.

14. Public Works recommendation – Airport Mower.

Aldersperson Polsean reported on the request of the Airport to purchase a new mower. Portland Implement had quoted a price of \$7,500 after trade for a 12 ft Woods finish mower. The Committee is recommending the purchase. Motion by Aldersperson Frie to approve the purchase. Seconded by Aldersperson Tryggestad. All voted aye on roll call vote. Motion carries.

15. Appointment to the Board of Appeals – Don Long

Mayor Fanta asked approval for the appointment of Don Long to the Board of Appeals. Motion by Aldersperson Hatlem to approve the appointment. Seconded by Aldersperson Krause. All voted aye on voice vote. Motion carries.

16. Refer Petition to Vacate Alley to Plan Commission for public hearing and recommendation and for Council action on August 14, 2007.

Motion by Aldersperson Frie to refer the Petition to Vacate Alley to the Plan Commission. Seconded by Aldersperson Clifton. All voted aye on voice vote. Motion carries.

17. Alcohol License renewals – Bowl-A-Way Lanes, Local General Store, Driftless Café.

Motion by Aldersperson Mack grant a “Class B” Liquor and Class “B” Beer license to Bowl-Away-Lanes, a “Class A” Liquor and Class “A” Beer license to the Local General Store and a Class “B” Beer and “Class C” Wine license to Driftless Café. Seconded by Aldersperson Tryggestad. All voted aye on voice vote. Motion carries.

18. Operator licenses – new and renewals.

The Council reviewed the list of operator license applications. Motion by Aldersperson Mack to approve the operator license renewals as presented. Seconded by Aldersperson Tryggestad. All voted aye on voice vote. Motion carries.

Motion by Aldersperson Mack to approve new operator licenses as presented. Seconded by Aldersperson Polsean. All voted aye on voice vote. Motion carries.

19. Temporary Class “B” licenses – Viroqua Fire Department for Wild West Days, Wild West Days for Rodeo.

Motion by Aldersperson Mack to grant Temporary Class “B” licenses to Wild West Days for September 8 & 9, 2007 and the Viroqua Fire Department for August 18 & 19, 2007 as recommended by Public Safety. Seconded by Aldersperson Krause. All voted aye on voice vote. Motion carries.

20. Payment of bills.

Motion by Aldersperson Krause to pay the bills as presented. Seconded by Aldersperson Frie. All voted aye on roll call vote. Motion carries.

21. Second period for public comment.

No comment.

22. Adjournment.

Motion by Alderperson Polsean to adjourn the Council meeting until 7:30 pm Tuesday, July 10, 2007.

Seconded by Alderperson Krause. All voted aye on voice vote. Motion carries.

John Severson, Clerk