

## NOVEMBER 29, 2005

### **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 David Tryggstad, Marc Polsean, John Bjerke, Vernie Smith, Weston Mack, Roger Hatlem, Gail Frie, Robert Suhr, and Terry Noble present. Also present were City Consultant Jeff Gohlke, City Clerk John Severson, City Attorney David Jenkins, Rich Grams, Police Chief Mark Rahr, Assistant Chief Daron Jefson, Mike Bankes, Tom Wilson, Lynn Chakoian, Clark Nordberg, Carolyn Reber, Marv McNeal, Stuart Fortney, Steve Apfelbacher, Dan Stalsberg, Tim Hunt from the Broadcaster and WVRQ radio.

### **2. Approval of the November 8, 2005 regular Council minutes**

Motion made by Alderperson Smith, seconded by Alderperson Frie to approve the minutes of the November 8, 2005 regular meeting of the common council. All aye, motion carries.

### **3. First period for public comment:**

Rich Grams informed the Council that he had been denied a permit to hook up to the water main due to the November 15 deadline for street openings and was requesting that the Council reconsider his request. The Council discussed the reasons for the deadline. A motion was made by Alderperson Hatlem to allow the street opening. Alderperson Frie noted that the item was not on the agenda. Attorney Jenkins agreed and stated that no action could be taken by the Council. Alderperson Smith questioned whether the deadline was by ordinance or policy. Attorney Jenkins left to check on the issue. Mayor Fanta asked that the Council move on to item 4 on the agenda.

### **4. Resolution of the City of Viroqua, Wisconsin authorizing the issuance and sale of \$920,000 health care facility refunding revenue bonds, series 2005 ( Bethel Home and Services, Inc project ).**

Clark Nordberg reviewed the request for the revenue bond on behalf of Bethel Home and Services Inc. Steve Apfelbacher of Elers & Associates introduced Resolution No. 05RS039 to the Council and reviewed the history of the Cities involvement with the Bethel Home Industrial Development Revenue Bonds. Motion made by Alderperson Mack to accept Resolution No. 05RS039 and move for its adoption, seconded by Alderperson Hatlem. Alderperson Smith asked if there is a fee involved to be paid to the city. Jeff Gohlke responded that a fee did not apply because a prior resolution was adopted before the fee was enacted. On roll call vote 9 voted aye, there were no nays, motion carries.

Mayor Fanta asked Attorney Jenkins if he had found an answer to the street opening question. Attorney Jenkins said that ordinance 12.08.060 stated that no opening in street shall be permitted when the ground is frozen except when necessary. Jenkins suggested that Tom Henry confer with him and that perhaps the Public Works Committee could review the request.

### **5. Public hearing of 2006 budget.**

Mayor Fanta called the 2006 budget hearing to order at 7:55 p.m.. City Consultant Jeff Gohlke reviewed the 2006 budget with the Council. Gohlke thanked the department heads for their work in developing the budget. Mayor Fanta closed the public hearing. Motion by Alderperson Frie to approve the 2006 budget as presented and levy a 2005 property tax of \$1,234,760.00 collectable in 2006, seconded by Alderperson West. On roll call vote, 8 voted aye, Alderperson Smith voted nay. Motion carries.

### **6. Municipal court juvenile ordinance.**

Attorney Jenkins explained Ordinance No. 050OR010 to the Council. Alderperson Smith asked if the ordinance pertained only to Viroqua or if the other municipalities were also involved. Chief Rahr said the ordinance was for only Viroqua. Additional discussion took place. Motion by Alderperson Frie to approve the first reading of Ordinance No. 050OR010 – An Ordinance authorizing the Municipal Court to impose alternative juvenile dispositions and sanctions – seconded by Alderperson Suhr. Alderperson Smith questioned if ordinances should be published prior to the second reading so that the public is more informed. Attorney Jenkins responded that state statutes require publication after passage.

#### **7. Summary of comprehensive plan.**

Alderperson Smith introduced Mike Bankes, Tom Wilson and Lynn Chakoian of Comprehensive Planning Commission. The members of the commission presented a summary of the comprehensive planning process and answered questions from the Council. The upcoming survey was also discussed with the Council.

Mayor Fanta asked if there were no objections that the Council would consider item 11 on the agenda next. No objections were heard.

#### **11. Resolution Authorizing Legal Action to Repair or Raze Building at 321 South East Ave.**

Stuart Fortney told the Council that he was making repairs to his property, but needed more time. Mayor Fanta asked Attorney Jenkins to give an overview of the situation. Jenkins said the matter had been before the Public Property Committee and that an order had been served on Mr. Fortney on October 30, 2005. Alderperson Frie commented that this resolution does not start legal action, but is just an authorization resolution. Discussion continued. Alderperson Smith offered a motion to approve Resolution No. 05R040 as presented. The Council discussed at length how the resolution would be enforced. Alderperson Smith stated that his motion stands. The motion was seconded by John Bjerke. Mayor Fanta asked for clarification of the motion. After discussion the motion stood as presented. On voice vote all voted aye. Motion Carries.

#### **8. Alcohol Licenses.**

Alderperson Mack reported that Public Safety was recommending the approval of operators licenses for Mary Jo Kast and Sam Leighton. Motion by Alderperson Mack, seconded by Alderperson Tryggestad to approve the operators licenses as presented. All vote aye of voice vote. Motion carries.

#### **9. Possible Closed Session Under Section 19.85(1)c-Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Non Union Wages.**

Motion made by Alderperson Frie, seconded by Alderperson Mack to adjourn to closed session. All voted aye on roll call vote

#### **10. Non Union Wage Consideration.**

Motion by Alderperson Frie to give a one time increases of \$1,500.00 to the Deputy Clerk, \$500.00 to the Police Chief, \$500.00 to the Assistant Chief and in addition to that all non union would receive a one and one half percent increase on January 1, 2006 and an additional one and one half percent increase on June 30, 2006, seconded by Alderperson Noble. On roll call vote Alderpersons Polsean, Mack, Hatlem, Frie, Suhr and Noble voted aye, Alderpersons Tryggestad and Smith voted nay, Alderperson Bjerke abstained. Motion carries.

#### **12. Proposed Ordinance Establishing the Procedures for Application and Permit to Demolish a Building.**

Jeff Gohlke reviewed the proposed ordinance with the Council. The Council discussed the ordinance at length. Motion by Alderperson Polsean, seconded by Alderperson Smith to Approve the first reading of

Ordinance No.050R11- An Ordinance establishing the procedures for application and permit to demolish a building. On voice vote all voted aye. Motion carries.

**13. Appointment to the Board of Review.** Tabled

**14. Appointment to the Board of Appeals.** Tabled

**15. Police Office Status Change.**

Chief Rahr informed the Council the Emilee Nottestad would be going from full time to part time.

**16. Non-lapsing Tourism Account.**

Aldersperson Noble explained the reason for the non-lapse account. Some of the projects such as new banners require funds that exceed a single years budget. Motion by Aldersperson Frie to have the Clerk work with Vig's office to set up the non-lapsing account for tourism, seconded by Aldersperson Noble. All voted aye on roll call vote. Motion carries.

**17. Fire Department request to expend \$9,100.00 of budgeted funds to purchase equipment.**

Aldersperson Frie said that finance was recommending the request with \$6,100.00 for radios with the balance to be used for equipment purchases. Motion made by Frie, seconded by Mack to approve the request of the Fire Department to expend \$9,100.00 . All voted aye on roll call vote. Motion carries.

**18. Discussion and Possible Action on Website Promotional Campaign.**

Aldersperson Noble reported on the City website and requested \$516.00 for a half page ad in the Broadcaster to promote the site. Aldersperson Frie asked if radio should be used also. Motion by Aldersperson Frie to approve the \$516.00 and add \$200.00 for radio, seconded by Hatlem . All voted aye on roll call vote. Motion carries.

**19. Payment of Bills**

Motion by Aldersperson Suhr, seconded by Aldersperson Tryggestad, to pay the bills as recommended by Finance. All voted Aye on roll call vote. Motion carries.

**20. Second Period for Public Comment.**

None

**21. Adjournment.**

Motion by Aldersperson Hatlem, seconded by Aldersperson Suhr to adjourn the council meeting until 7:30 p.m. Tuesday, December 13, 2005. All voted aye on voice vote. Motion carries.

**22. Willow Street certified survey map.**

The Council discussed the Willow Street survey map with Mr. Grams. Mayor Fanta reported that the Plan Board had approved the survey map. Motion made by Aldersperson Hatlem to approve Resolution No. 05RS036 - a resolution approving certified survey map – seconded by Aldersperson Bjerke. All aye, motion carries.

**23. Aldersperson Compensation.**

Aldersperson Polsean suggested that the base rate for Alderspersons be increased to \$300.00 per month and meeting pay be abolished. The council discussed proper procedure for increasing Aldersperson pay and past history. Motion made by Aldersperson Mack to refer the matter to Finance, seconded by Aldersperson Hatlem. All voted aye, Motion carries.

**24. Possible Closed Session Under Section 19.85 (1)c Compensation of Non Union Employees.**

No recommendation; Items Tabled.

**25. Non Union Wages.**

No recommendation; Items Tabled.

**26. Borrowing Resolution for Capital Projects.**

Jeff Gohlke reviewed the 2005 budgeted borrowing for capital projects that had not been concluded. Since the state trust fund would not have monies available until March, local banks had been contacted with interest rates being quoted of 3.6% and 3.35%. Gohlke presented Resolution No 05RS037 – a resolution authorizing short term borrowing for capital projects in the amount of \$400,00.00 . Motion by Alderperson Noble to approve Resolution No. 0RS037, seconded by Alderperson Suhr. On roll call vote 7 voted aye, Alderperson Smith voted nay, Alderperson Frie was absent. Motion carries.

**27. Resolution Granting a Franchise to Vernon Communication**

Jeff Gohlke presented Resolution No. 05RS038 – a resolution granting a franchise to Vernon Communications, LLC . Gohlke noted that the franchise would be for 15 years and would be subject to the 5% franchise fee. Motion made by Alderperson Suhr to approve Resolution No. 05RS038, seconded by Alderperson Mack. Alderperson Smith questioned whether the ordinance required an agreement and to how much authority they would have in public right of ways. Attorney Jenkins responded to the questions. 7 voted aye, Alderperson Smith voted nay, Alderperson Frie was absent, motion carries.

**28. Mayoral Appointments to the Board of Review**

Tabled

**29. Mayoral Appointments to the Board of Appeals.**

Tabled

**30. Payment of Bills.**

Motion made by Alderperson Mack, seconded by Alderperson Suhr to pay the bills as recommended by Finance. All voted aye , motion carries.

**31. Second Period for Public Comment.**

Mike Bankes informed the Council that the next Comprehensive Planning cluster meeting would be held November 14, 2005 at 7:30 pm in the Viroqua Town Hall.

**32. Adjournment.**

Moved by Alderperson Tryggestad to adjourn the council meeting until 7:30 p.m. Tuesday, November 29, 2005, seconded by Alderperson Polsean. All voted aye, motion carries.

John Severson

Clerk