

**CITY OF VIROQUA
COUNCIL MINUTES
JUNE 13, 2017**

1. Roll call:

The regular meeting of the Common Council was called to order at 7:30 p.m. on Tuesday, June 13, 2017 by Mayor Larry Fanta with Alderpersons Marc Polsean, Steve Bekkedal, Terry Noble, Mike Bankes, Mike Koppa, John Thompson, Cyndy Hubbard and Jeff Gohlke present. Sondra Naxi was excused. Also present were City Administrator John Severson, City Clerk Lori Polhamus, Attorney Stephanie Hopkins, Public Works Director Sarah Grainger, Police Chief Daron Jefson, Park & Rec Director Dan Stalsberg, Fire Chief Chad Buros, Mark Maederer, Randy Skinner, JoEllen & Bill Mapp, Carolyn Eness, Roberta Ducharme, Casey & Neil Funk, James Hallberg, Jan Rasikas, Bill Ludovice, Angie Cina, Debbie Tewalt, KJ Jakobson, Evan Blatner, Tanja Birke, Vicky Ramsay and Arwyn Wildhack

2. Approval of the May 30, 2017 Regular Council minutes – Alderperson Hubbard stated a correction to item #10 replacing other things with solar panels. Motion by Alderperson Hubbard/second by Alderperson Koppa to approve the minutes from May 30, 2017 with the correction. Voice vote all in favor. Motion carried.

3. First period for public comment – Jim Hallberg thanked the Council for the public hearing on the spraying issue and expressed his concern regarding spraying and consider the number of people that spoke against spraying. Bill Mapp stated he has water drainage issues caused from the Bethel Home. Vicki Ramsay reminded the Council that 65 people have signed up to pull weeds by hand.

4. Certified survey map – Brett Janzen (Plan Commission) – Motion by Alderperson Gohlke/second by Alderperson Hubbard to approve the certified survey map for Brett Janzen. Voice vote all in favor. Motion carried.

5. Certified survey map – extraterritorial – Cheryl Bean (Plan Commission) – Motion by Alderperson Gohlke/second by Alderperson Bankes to approve the extraterritorial certified survey map for Cheryl Bean. Voice vote all in favor. Motion carried.

6. Public hearing on Conditional Use application for 421 N. East Avenue for an in-home hair salon – Casey Funk – the public hearing was opened at 7:40 p.m. Casey is looking at having a one chair salon with a maximum of two clients at a time. There is parking in their driveway with hours of Tuesday and Wednesday from 9-8 and Thursday and Friday from 8-5 with some weekends for special occasions. The Plan Board stated that if she wanted to expand she would have to come back to the Plan Board for permission. The public hearing closed at 7:42 p.m.

7. Consideration of conditional use application for Casey Funk (Plan Commission) – Motion by Alderperson Thompson/second by Alderperson Hubbard to approve the conditional use application for Casey Funk. Roll call vote seven in favor, one against. Motion carried. Alderperson Bekkedal voted no.

8. Public hearing on Conditional Use application for 620 Garfield Avenue for fourteen additional units to be added to existing memory care specific community based residential facility constructed in 2015 – Bethel Home and Services, Inc. – the public hearing was opened at 7:46 p.m. The additional fourteen bed unit would be connected to the current building on the south side. They currently have 8-10 people on their waiting list. Their current drainage system is adequate for the addition and when phase one was built they prepared for this and already have the water and sewer sized correctly. There is adequate turn-around for our fire truck and will only be adding seven new parking stalls. They also intend to add a four-foot high retaining wall with the excavation needed. They have also had neighborhood meetings regarding the project. The public hearing closed at 8:55 p.m.

9. Consideration of conditional use application for Bethel Home and Services, Inc. (Plan Commission) – Motion by Alderperson Gohlke/second by Alderperson Koppa to approve the conditional use application for Bethel Home. Roll call vote all in favor. Motion carried.

10. Discussion with possible action on method of weed control in City streets – Alderperson Bekkedal proposed if someone doesn't want to have the weeds in front of their house sprayed to pull the weeds on an on-

going basis so when we come around we won't need to spray that area. The method proposed will be with a wand to spray the cracks while walking and only in the streets with minimal spray to protect the pavement. The continuous use of mechanical devices is only getting the top of the weed and loosening up the aggregate making the cracks bigger. Alderperson Noble feels a general notice should be put out when we plan to spray also so if groups are going out to help they know when we are coming. Alderperson Hubbard would like to try using the volunteers, think about the environment and not spray at all. Alderperson Bankes stated we also need to train the employees how to use the spray properly. Alderperson Koppa stated two years is not enough time for a fair test, alternatives have been discussed and it should be County wide that we don't spray. Public Works Director Grainger updated the Council on how the last two years have been and the procedures used for the manual removal and options used by other communities. Alderperson Gohlke suggested selecting a number of streets where there are no spraying and other streets to spray to test. There are 34 miles of streets. Alderperson Noble feels that the entire City could be the test if we let the public know when the spraying would happen. Alderperson Hubbard stated with public education we could do it without spraying at all which would be easier. Park & Rec Director Stalsberg suggested using a date of June 1st that if all the weeds are pulled we don't spray. Motion by Alderperson Bekkedal/second by Alderperson Polsean to have the city continue to spray where there are weeds, not with a high-pressure system, hand spray in the street cracks only, no boulevards and no sidewalks. Clarification of a weed was any green in the street regardless of size. Roll call vote five in favor, three against. Motion carried. Alderpersons Noble, Koppa and Hubbard voting no. Alderperson Noble asked that we have a window of time for a notice put out before spraying and encourages people to pull the weeds where they don't want spray.

11. Approval of Wapasha Construction Co. Pay request #9 – Wastewater Treatment Facility project (Public Works) – Motion by Alderperson Polsean/second by Alderperson Bekkedal to approve Wapasha Construction Company pay request #9 for \$239,031.34. Roll call vote all in favor. Motion carried.

12. Approval of pavement painting contract with Fahrner (Public Works) – Grainger stated they will warranty 50% of the work from last year since with the cold weather it did not hold up. Therefore, our total bill for this year will be \$6331.30 which is half the normal cost and they will be starting sooner. Motion by Alderperson Thompson/second by Alderperson Hubbard to approve the Fahrner painting contract for \$6331.30. Roll call vote all in favor. Motion carried.

13. Viroqua Food Coop request for name change to VFC Holdings, LLC on project agreement – Severson stated we did a development agreement in Tid 6 for Viroqua Food Coop. Jan Rasikas stated with the new market tax credits they need to create an LLC according to IRS tax code which will be owned by the Food Coop. Motion by Alderperson Hubbard/second by Alderperson Gohlke to approve the name change to VFC Holdings, LLC on the development agreement and authorize the Mayor and Clerk to resign the documents. Voice vote all in favor. Motion carried.

14. Operator license approvals (Public Safety) – Motion by Alderperson Gohlke/second by Alderperson Polsean to approve the operator license renewals presented to Council for the 2017-2018 term. Voice vote all in favor. Motion carried.

15. Approval of temporary Class B beer license – Viroqua Legion Baseball (Public Safety) – Motion by Alderperson Hubbard/second by Alderperson Bankes to approve the temporary Class B beer license for Viroqua Legion Baseball for June 14-15, June 22-26, July 4, July 6 and July 16. Voice vote all in favor. Motion carried.

16. Approval of temporary Class B beer license – Fairshare CSA Coalition – Bike the Barns Event (Public Safety) Motion by Alderperson Hubbard/second by Alderperson Gohlke to approve the temporary Class B beer license for Fairshare CSA Coalition for June 25th. Voice vote all in favor. Motion carried.

17. Acceptance of land donation at Court Street Park – David Guetzke (Park & Rec) – Guetzke was the original donor of property for the park and wants to donate an additional parcel to enlarge the park. It is a flat area adjacent and north of the current property. Motion by Alderperson Bankes/second by Alderperson Thompson to accept the donation of land from David Guetzke. Roll call vote all in favor. Motion carried. A resolution will be brought back to the next meeting for formal acceptance.

18. Approval of Personnel manual (Finance/Personnel) – Motion by Alderperson Hubbard/second by Alderperson Bankes to approve the final draft of the Personnel manual. Voice vote all in favor. Motion carried.

19. Resolution – authorized representative to file applications for financial assistance – lead service lateral replacement program – Motion by Alderperson Gohlke/second by Alderperson Hubbard to approve resolution 017RS006 for the authorized representative to file the applications for financial assistance. Voice vote all in favor. Motion carried.

20. Ordinance 17OR003 - zoning ordinance amendment for conditional uses in R2 district – Second Reading (Plan Commission) – Alderperson Bekkedal would like to see charitable organization defined and is opposed to this in a residential area. Motion by Alderperson Bekkedal/second by Alderperson Noble to add 501(c)(3) in front of charitable organization under item J. Voice vote all in favor. Motion carried. Motion by Alderperson Hubbard/second by Alderperson Noble to approve the second reading of Ordinance 17OR003 with the amendment. Roll call vote five in favor, three against. Motion carried. Alderpersons Bekkedal, Bankes and Thompson voting no.

21. Ordinance 17OR004 - regulating dogs, cats and other animals – Second Reading (Public Safety) – Motion by Alderperson Noble/second by Alderperson Hubbard to approve the second reading of Ordinance 17OR004. Voice vote all in favor. Motion carried.

22. Ordinance – Amendment to Chapter 8.32 of code of ordinances regarding weeds – First Reading (Public Safety) – Severson met with a small group to work on the wording of this ordinance and the enforcement would go through the court. The procedure would start with a notice sent and they have ten days to abate the issue. If not abated, a citation would be issued with a required court appearance. If found guilty or no contest they would have 48 hours to mow. If not mowed, the city would do it and a bill would be sent which if not paid would go on the tax bill. Alderperson Koppa would like the wording of any grass changed to turf grass. Vicky Ramsay stated she would like to see burdock, nettles and velvet leaf still allowed. KJ Jakobson stated there should still be an appeal process beyond the municipal court level. Motion by Alderperson Hubbard/second by Alderperson Polsean to approve Ordinance 17OR005 leaving nettles, burdock and velvet leaf out of the list of noxious weeds, add turf grass and waive the second reading. Voice vote all in favor. Motion carried.

23. Acceptance of resignation of interim building inspector and appointment of new interim building inspector – Marc Polsean will no longer be doing these and John Severson has volunteered to issue the permits and fees in the interim. A zoning administrator ordinance will also be brought forward. Motion by Alderperson Noble/second by Alderperson Hubbard to accept Polsean's resignation as interim building inspector and appoint John Severson as new interim building inspector. Voice vote all in favor. Motion carried.

24. Payment of bills (Finance) – Motion by Alderperson Hubbard/second by Alderperson Noble to approve the payment of bills on report date 06/08/17 in the amount of \$61,301.59 and additional bills on report date 6/13/2017 in the amount of \$72,890.10. Roll call vote all in favor. Motion carried.

25. Second Period for Public Comment – Tanja Birke stated she felt the meeting was not following Roberts Rules of Order and needs to be reviewed whether the vote on the weed spraying should be voided and brought back and whether motions should be separated instead of combined. KJ Jakobson stated no one was concerned about the health of the worker doing the spraying and she will provide a sheet of info for the employee. Also on the weed ordinance she does not believe it is in the City's authority to regulate the height of grass in someone's yard and will provide Hopkins with a copy of a court case. Arwyn Wildhack, Evan Blatner and Jim Hallberg expressed disappointment in the Council decision on spraying. Vicki Ramsay wished that more scientific evidence was used in the decision making of the Council, to keep our minds open and work together.

26. Adjournment - Motion made by Alderperson Polsean/second by Alderperson Bankes to adjourn the meeting at 9:45 p.m. Voice vote all in favor. Motion carried.

Minutes respectfully submitted by: Lori Polhamus, City Clerk