

**CITY OF VIROQUA
COUNCIL MINUTES
AUGUST 30, 2022**

1. Roll call:

The regular meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, August 30, 2022 by Mayor Justin Running at City Hall with Alderpersons David Tryggstad, Dave Goss, Joe Ahler, Tanja Birke, Todd Spaeth, Cyndy Hubbard, John Thompson, Kristal Welter and Steve Willis present. Also present were City Clerk Lori Polhamus, City Administrator Nate Torres, Police Chief Rick Niedfeldt, Fire Chief Chad Buros, Library Director Trina Erickson, Attorney Stephanie Hopkins, City Engineer/Public Works Director Sarah Grainger, Utility Clerk Cheryl Purvis and several members of the public.

2. Approval of the August 16, 2022 Regular Council minutes – Motion by Alderperson Welter/second by Alderperson Ahler to approve the minutes of the previous meeting. Voice vote all in favor. Motion carried.

3. Council Announcements – None

4. First period for public comment –Several residents spoke on agenda item #10 including: Karen Dahl, 510 Garfield spoke regarding transparency in government and that a petition will be coming for the spring election from WI United to Amend. She also supports mixed residential housing and local involvement of the community for the old highway shop project. Charles Knowler, 314 Minshall believes we need to have more time for dialogue on the project. Drew Shonka, 643 S Washington would like the city to review other options for the project. Rebecca Wainscott, 622 S Washington requested that no action be taken on item #10 and have some public inclusion. Alicia Leinberger, 330 Minshall finds this to be an opportunity for younger people to be involved and this would be a cornerstone of Viroqua. Peg LaMartina, 304 Western Ave should have a forum and wants to hear Gregory Splinter’s proposal for the project. Katherine Dahl, 328 S Washington wants a local architect involved. Robert Carr, 418 N Washington – questioned who the stakeholders were and has a background in affordable housing. Gregory Splinter, W. Decker St – the city was awarded a six million grant that North Pointe wrote on behalf of the city. He has a plan for the development of 78 units. LaVon Felton, Hwy 27 stated he was involved at the County and City level since the beginning. This is County owned land and they only received one bid and they sold it to North Pointe. They plan on having 65-70 units with green space and a day care. Tim Hundt, Washington Hgts – the grant funds were ARPA federal funds and questioned if the money has to stay with the current proposal.

5. Presentation on Ridges and Rivers Book Festival – Library Director Trina Erickson and Lisa Henner informed the Council of the first annual festival to be held April 28 – May 9, 2023.

6. Public hearing regarding conditional use application by Door of Hope Pregnancy & Family Center to permit the use of property located at 304 N Washington Ave as a family support and care center in a R-2 zoning district - the public hearing was opened at 7:44 pm. Jennifer Eitsfelt, 557 E Hillcrest is concerned about religious promotion and they need evidence-based care with total transparency that is unbiased. Nora McLaughlin, 216 E Terhune stated she is also concerned about the care they would provide. Dennis Siler stated he is the Living Waters Bible Camp Director of the Door of Hope and they do not condemn choices or opinions and provide care regardless of someone’s beliefs. Alycann Taylor, 311 N Washington stated this is a controversial topic and is concerned for the neighbor’s protection and suggested hours of operation be while children are in school. Robert Carr, 418 E Washington stated that this should not be decided based on the methodology of the clinic as a conditional use. The public hearing was closed at 7:58 pm.

7. Review and approval of conditional use application for Door of Hope Pregnancy & Family Center at 304 N Washington Ave (Plan Commission) – They are currently open one day a week from 10 am-2pm but would like to expand. Attorney Hopkins stated that under the conditional use laws there needs to be substantial evidence to deny the application if it falls within the conditional uses allowed in our zoning ordinance. This falls under a professional office which is an allowed condition. We can put conditions on such as parking, hours of operation, etc. Alderperson Birke would like to see a condition of creation of a neighborhood safety plan and have a medical

director. Motion by Alderperson Thompson/second by Alderperson Welter to approve the conditional use without any further conditions. Voice vote eight in favor, one against. Motion passed. Alderperson Birke voting no.

8. Approval of certified survey map – Marvin Hansen (Plan Commission) – Motion by Alderperson Hubbard/second by Alderperson Birke to approve the certified survey map. Voice vote all in favor. Motion carried.

9. Update regarding request for ethics opinion from WI Elections Commission – Attorney Hopkins stated they made the request and the Elections Commission stated they are delayed and should have it by the end of the month. She anticipates they will only address WI Statute 19 and not address the private interest in public contract part of the statutes. Once she receives it, they can provide a summary with consent from Mayor Running, however this is not a public record and cannot be shared.

10. Discussion with possible action regarding timeline for approval of North Pointe Development project – Old Highway Shop location (602 North Main St) – Torres reviewed the timeline of events that have occurred with the project and the future events regarding the project. The City tried to purchase this property in the fall of 2021 and was unsuccessful. The County sold the property to a private entity on 5/24/2022 being North Pointe so they have control of the property and they were the only bidder. On 3/3/2022 we were awarded a six million dollar grant for the housing development that North Pointe wrote for this location with the support of the city at a Council meeting held 10/26/2021. Who the city works with depends on who has control of the property which at this time is North Pointe Development. Future public meetings have been incorporated into the timeline. Motion by Alderperson Hubbard/second by Alderperson Ahler to approve the timeline as presented. Voice vote all in favor. Motion carried.

Council took a five-minute break at 9:15 pm.

11. Discussion with possible action on professional services agreement with Vierbicher for North Pointe Development project administration – With this being a larger project and with grant funding involved we requested a proposal from Kurt Muchow of Vierbicher for project administration that would be paid through Tid #6. The proposal for the time and labor contract is an estimate of \$15,000. Motion by Alderperson Thompson/second by Alderperson Ahler to approve the agreement up to \$15,000. Roll call vote all in favor. Motion carried.

12. Approval of note anticipation note extension with Royal Bank for City Hall project – the original draw note for city hall came due on August 1st and the project is still not complete so we will need to do an extension. We had an interest rate of .39% which will now be a 2.00% interest rate. We hope to close with USDA in a couple of months and any additional interest accrued should be passed onto the contractor for the delay. With the low interest rate, we have had we should still be under budget. Motion by Alderperson Hubbard/second by Alderperson Ahler to approve the note extension with Royal Bank. Roll call vote all in favor. Motion carried.

13. Update on Technical College Extension for Tid #3 (Joint Review Board) – the Joint Review Board met and agreed to extend the Tid out an additional three years with a new expiration date of 9/12/2025.

14. Discussion with possible action on date change for November 8, 2022 Council meeting to November 15, 2022 due to General Election – Motion by Alderperson Willis/second by Alderperson Ahler to approve the date change. Voice vote all in favor. Motion carried.

15. Review of budget process and assignment of budget team – Torres reviewed the potential timeline with the Council and recommendation from the Finance Committee. Motion by Alderperson Birke/second by Alderperson Ahler to appoint the Mayor, Administrator, Finance Chair-Kristal Welter and Cyndy Hubbard to the budget team. All in favor. Motion carried.

Council moved to agenda items #21 & #22, then items #18-20 before returning to item #16 on the agenda.

16. Possible closed session per WI Stats. 19.85(1)(e) – deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – Shade Haven Development Agreement – Motion by Alderperson Hubbard/second by Alderperson Spaeth to enter closed session at 10:16 pm. Roll call vote all in favor. Motion carried.

17. Reconvene in open session with possible action on items discussed during closed session – Motion by Alderperson Thompson/second by Alderperson Willis to reconvene in open session at 10:29 pm. Roll call vote all in favor. Motion carried. Motion by Alderperson Ahler/second by Alderperson Hubbard to approve the Grazing shade DBA Shade Haven development agreement. Roll call vote all in favor. Motion carried.

18. Discussion with possible action on organizational restructuring of police department (Public Safety) – Chief Niedfeldt reviewed the organizational chart for the changes. This went before Public Safety and the Police/Fire Commission were also in support of the changes. Alderperson Birke would also like consideration of a social worker in the PD. Torres reviewed the financials and the plan would be to promote one lieutenant now and one in January to meet the budget for 2022. The ordinances will also need to be updated per Attorney Hopkins. Motion by Alderperson Thompson/second by Alderperson Tryggestad to approve the restructuring of the police department. Voice vote all in favor. Motion carried.

19. Possible closed session per Wis. Stats 19.85 (1)(c) – considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility – status of police department LTE employee (Public Safety) (Police Commission) – Motion by Alderperson Hubbard/second by Alderperson Willis to enter closed session at 10:11 pm. Roll call vote all in favor. Motion carried.

20. Reconvene in open session with possible action on items discussed during closed session – Motion by Alderperson Ahler/second by Alderperson Thompson to reconvene in open session at 10:15 pm. Roll call vote all in favor. Motion carried. Motion by Alderperson Ahler/second by Alderperson Thompson to approve what was discussed in closed session. Roll call vote all in favor. Motion carried.

21. Possible closed session per Wis. Stats 19.85 (1)(c) – considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility – Utility Billing Clerk one year review (Public Works) – Motion by Alderperson Tryggestad/second by Alderperson Welter to enter closed session at 9:44 pm. Roll call vote all in favor. Motion carried.

22. Reconvene in open session with possible action on items discussed during closed session- Motion by Alderperson Hubbard/second by Alderperson Willis to reconvene in open session at 9:52 pm. Roll call vote all in favor. Motion carried. Motion by Alderperson Hubbard/second by Alderperson Birke to proceed as discussed in closed session. Roll call vote all in favor. Motion carried.

23. Payment of bills (Finance) - Motion by Alderperson Hubbard/second by Alderperson Ahler to approve the payment of bills on report date 08/23/2022 in the amount of \$113,880.73 and additional bills on report date 08/30/2022 for \$155,188.80 with Torres checking on the SMRT bus contribution amount. Roll call vote all in favor. Motion carried.

24. Second Period for Public Comment – None

25. Adjournment - Motion made by Alderperson Ahler/second by Alderperson Willis to adjourn the meeting at 10:39 p.m. Voice vote all in favor. Motion carried.

Minutes respectfully submitted by: Lori Polhamus, City Clerk