

**CITY OF VIROQUA
COUNCIL MINUTES
SEPTEMBER 13, 2022**

1. Roll call:

The regular meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, September 13, 2022 by Mayor Justin Running at City Hall with Alderpersons David Tryggestad, 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, Attorney Stephanie Hopkins, City Engineer/Public Works Director Sarah Grainger, Park & Rec Director Dan Stalsberg and several members of the public.

2. Approval of the August 30, 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 #6 including:

Gregory Splinter, W. Decker St – hopes his representative will vote against ATVs as 1% own them but it affects 100% of the town. He has a plan for affordable housing at the old Highway shop location and requests to be put on the next Council agenda.

Eric Sherry, E6535 Cty Rd Y – wants to get through town without a roadblock, we are not all drunken joy riders
Jenny Cain, 212 SE Ave – not in favor, special routes more acceptable and DWIs don't count against driver's license which is a concern

Cade Cary, 707 Dionne Ln – wants opportunity to get through town, if abused it can be taken away

Wayne Primmer, 504 Meadowood Ct – urge to pass it, bring money into community and businesses are for it

Evan Blattner, 651 E Court St – all voices should be heard, concerns about safety of public, consider all benefits and consequences of your decision

Anthony Wangen, Railroad Ave – neighboring communities all have this, talk to them, we are a blended community that wants passage through town and he has clients that look for communities that allow ATVs

Tonelle Thompson, West of Viroqua – has not heard of any communities pulling their ordinances that were passed

Tom Speldrich, 701 E Linton – snowmobiles can get a DWI, this brings in money, give them a try, they will use common sense

Richard Loomis, 535 W Maple – local folks won't be irresponsible it is a rural community. The penalty for violation does seem a little weak and designated routes would be helpful

David Banner, 544 E South St – opposed due to noise level and daughter was injured on an ATV

5. Appointment of Carson LaBelle to Library Board for three-year term expiring 4/30/2025 to replace Julie Falkers (Library Board) – Motion by Alderperson Hubbard/second by Alderperson Tryggestad to appoint Carson LaBelle to the Library Board. Voice vote all in favor. Motion carried.

6. Discussion with possible action on ATV/UTV ordinance (Public Safety) – Alderperson Birke thanked those that spoke during public comment and stated she strongly opposes this ordinance because it blatantly ignores all guidance, recommendations and standards set by industry professionals, manufacturers, safety experts and the DNR and is a violation of public trust. Alderperson Hubbard feels that we need to consider all the emails, noise and traffic related to this ordinance. Attorney Hopkins stated Council should consider when this is effective so signage can be put up if this passes. It was also clarified that an OWI on an ATV doesn't affect your driving record, but an OWI in a vehicle would and you need a license to operate an ATV under this ordinance. There is state legislation being considered currently to work on this loophole. Motion by Alderperson Thompson/second by Alderperson Ahler to pass ordinance 22OR005 as presented, effective when the signs are put up and waive the second reading. Roll call vote five in favor, four against. Motion passes. Alderpersons Birke, Hubbard, Welter and Willis voting no.

Council took a ten minute break before continuing the agenda.

7. Discussion with possible action on options for Shared Ride Taxi program for 2023 – Clerk Polhamus and Attorney Hopkins updated the Council on the options to continue the fifth year of our taxi contract, go out for a new procurement or have Westby consider being the administrator of the program for 2023. There is a very short turn-around time for a procurement and Westby isn't interested in taking over at this time per Danny Helgerson who was in attendance. The city has done everything in regards to the ethics concern, however the statute relating to public contracts can put the mayor at risk. The WI DOT is fine with whichever we decide to do. Motion by Alderperson Ahler/second by Alderperson Hubbard to exercise the option to continue the contract with Running Inc for 2023 at CPI as the first option and do a full procurement as the second option if Running Inc does not accept. Roll call vote all in favor. Motion carried.

8. Discussion with possible action on Keller Inc. proposal for public works facility study (Public Works) – this proposal is for site and building planning similar to what they are doing for the fire department at a cost of \$1500. Motion by Alderperson Thompson/second by Alderperson Hubbard to approve the Keller Inc. proposal. Roll call vote all in favor. Motion carried.

9. Discussion with possible action on TAP planning grant acceptance (Public Works) We have been awarded a \$50,000 planning grant with \$10,000 local match for safe routes to school, bike paths, etc. This will sunset in five years. Motion by Alderperson Hubbard/second by Alderperson Birke to accept the TAP planning grant. Roll call vote all in favor. Motion carried.

10. Discussion with possible action on vehicle purchase for police department (Public Safety) – they ordered four vehicles in August 2021 that have not come in and Viola received one that they do not want that is at Sleepy Hollow. The cost is \$37,700 for a 2022 F-150 truck. We would be trading in two vehicles. Motion by Alderperson Thompson/second by Alderperson Spaeth to approve the truck purchase. Roll call vote all in favor. Motion carried.

11. Discussion with possible action regarding Early Occupancy Agreement with Grazing Shade LLC – the agreement has been reviewed by the title company and attorneys. They don't own the property yet but they want to start tomorrow. The farmer has been notified and signed a waiver for the 30-day notice. Motion by Alderperson Spaeth/second by Alderperson Willis to approve the Early Occupancy Agreement with Grazing Shade LLC. Roll call vote all in favor. Motion carried.

12. Review and approval of 2022 tax incremental project revenue bond payments – Motion by Alderperson Hubbard/second by Alderperson Welter to table. Voice vote all in favor. Motion carried.

13. Resolution in recognition of Curt Witynski and Gail Sumi, League of WI municipalities retirements – Motion by Alderperson Birke/second by Alderperson Welter to approve resolution 022RS011. Voice vote all in favor. Motion carried.

14. Discussion with possible action on overall 2023 budget goals – Torres gave a slide presentation of efficient use of scarce resources to achieve prioritized goals. He reviewed past budget goals and year to date figures. Alderperson Welter mentioned other communities have solar arrays and wind generators. Alderperson Birke stated we need to move forward on smaller projects and hold on some larger ones if possible. A comprehensive plan is needed soon so we have a plan for housing and development instead of reacting. We need to support our community partners such as the SMRT bus. Vernon County did not receive the grant for Sidie Hollow so the funds are not committed for that project.

15. Payment of bills (Finance) - Motion by Alderperson Hubbard/second by Alderperson Ahler to approve the payment of bills on report date 09/08/2022 in the amount of \$57,827.50 and additional bills on report date 09/13/2022 for \$71,815.69. Roll call vote all in favor. Motion carried.

16. Second Period for Public Comment – None

17. Adjournment - Motion made by Alderperson Tryggestad/second by Alderperson Willis to adjourn the meeting at 9:21 p.m. Voice vote all in favor. Motion carried.

Minutes respectfully submitted by: Lori Polhamus, City Clerk