

**CITY OF VIROQUA
COUNCIL MINUTES
MAY 9, 2023**

1. Roll call:

The regular meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, May 9, 2023 by Mayor Justin Running at City Hall and via Zoom with Alderpersons Andrew Bergum, Todd Kirking, Todd Spaeth, Cyndy Hubbard, John Thompson and Kristal Welter present. Alderpersons David Tryggstad, Tanja Birke and Steve Willis were excused. Also present were City Clerk Lori Polhamus, City Administrator Nate Torres, City Engineer/Public Works Director Sarah Grainger, Police Chief Rick Niedfeldt, Fire Chief Chad Buros, Park & Rec Director Kale Proksch, Deputy Clerk Joy Conley, Attorney Stephanie Hopkins, Kelly Boyd, Vernie Smith, Carson LaBelle, Julie Mills, Michael and Amanda Hautanen and Chris Clemens.

2. Approval of the April 25, 2023 Special Council minutes – Motion by Alderperson Welter/second by Alderperson Spaeth to approve the minutes of the previous meeting. Voice vote all in favor. Motion carried.

3. Council Announcements – Alderperson Bergum stated he was contacted by Vernie Smith who does not feel we should move forward with the sign conditional use.

4. First period for public comment – None

5. Proclamation recognizing Public Works Week – Mayor Running read the proclamation stating May 21st-May 27th will be Public Works week.

6. Public hearing regarding conditional use application for Lamar Advertising to permit the use of a LED message board at property located at 1330 N Main Street – the public hearing was opened at 7:05 pm. Vernie Smith – 540 E South St – he opposed the conversion to a digital display. The billboard is in non-conforming status and doesn't meet the setbacks, size or height and this would set a precedence if approved. Chris Clemens – 115 W Terhune stated the Chamber has not taken a position on this but has not found a lot of support for this so urge taking time with decision. The public hearing was closed at 7:14 pm.

7. Discussion with possible action on conditional use application for LaMar Advertising at 1330 N Main Street (Plan Commission) – Torres stated that a letter was drafted by Attorney Hopkins that stated that this doesn't fit the ordinance for either a billboard or a variable message sign. It was a non-conforming sign that was grandfathered in as billboards aren't allowed and the electronic sign cannot be the entire sign but only 25% of the sign only so it does not conform. Therefore, the only option the Council has is to deny the application and consider an ordinance amendment. Plan Commission also did not approve the application. Motion by Alderperson Welter/second by Alderperson Hubbard to deny the conditional use and to not move forward with an ordinance amendment. Voice vote all in favor. Motion carried.

8. Public hearing regarding conditional use application for Kelly Boyd to permit the use of property at 126 W Jefferson St for automobile sales – the public hearing was opened at 7:16 pm. Plan Commission forwarded their approval for this application. They plan on selling a couple cars a month indoors. The public hearing was closed at 7:16 pm.

9. Discussion with possible action on conditional use application for Kelly Boyd at 126 W Jefferson St (Plan Commission) – Motion by Alderperson Spaeth/second by Alderperson Welter to approve the conditional use application for Kelly Boyd. Voice vote all in favor. Motion carried.

10. Appointment of Julie Mills to Viroqua Housing Authority for five-year term expiring 6/1/2028 replacing retiring Sue Walby – Motion by Alderperson Thompson/second by Alderperson Hubbard to approve the appointment of Julie Mills. Voice vote all in favor. Motion carried.

11. Appointment of Todd Kirking as Council representative to Tree Board replacing Joe Ahler – Motion by Alderperson Bergum/second by Alderperson Welter to approve the appointment. Voice vote all in favor. Motion carried.

12. Discussion with possible action regarding Ag land lease agreement for Viroqua Business Park – this is 13 acres in the new business park that doesn't have direct access so they contacted the farmer that is leasing the county land surrounding it and they are willing to lease it for \$50/acre for eight months expiring 12/31/2023. This would not be organic and no land spreading. Motion by Alderperson Thompson/second by Alderperson Spaeth to approve the lease agreement as discussed. Voice vote all in favor. Motion carried.

13. Park & Rec Department Annual Report – Kale Proksch presented his report and answered questions from the Council.

14. Discussion with possible action on change of date for Council meeting from May 30, 2023 to May 23, 2023 Motion by Alderperson Thompson/second by Alderperson Spaeth to change the Council meeting to May 23, 2023. Voice vote five in favor, one against. Motion passed. Alderperson Hubbard voted no.

15. Authorization to issue RFP for Chicago Avenue project (Public Works) – these are appropriations through the EPA and they are requiring us to go out for RFPs for engineering services for these projects. They requested shovel ready projects which required engineering to apply for the grant, however now they want us to go back out for proposals for these services. Grainger is meeting with Senator Baldwin's office tomorrow to see if there are any alternatives. Motion by Alderperson Welter/second by Alderperson Hubbard to authorize the RFP. Voice vote all in favor. Motion carried.

16. Discussion with possible action on bike/pedestrian plan contract negotiations (Public Works) – this is a DOT planning grant for the TAP project which was qualifications based. We received a \$50,000 grant and the contract we received from Toole Design Group is for \$49,950. Motion by Alderperson Hubbard/second by Alderperson Bergum to approve the contract with Toole Design Group. Roll call vote all in favor. Motion carried.

Council moved to items 19-21 before finishing the remainder of the agenda.

17. 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 – MOU for Olson Storage, LLC at Tax Parcel 286-01356-0002 – Motion by Alderperson Welter/second by Alderperson Hubbard to enter closed session at 7:46 pm. Roll call vote all in favor. Motion carried.

18. Reconvene in open session with possible action on items discussed during closed session – Motion by Alderperson Thompson/second by Alderperson Spaeth to reconvene in open session at 8:05 pm. Roll call vote all in favor. Motion carried. Motion by Alderperson Thompson/second by Alderperson Spaeth to approve as discussed in closed session. Voice vote all in favor. Motion carried.

19. Review/approval of chicken permit for 520 Independence Street – Motion by Alderperson Hubbard/second by Alderperson Thompson to approve the chicken permit. Voice vote all in favor. Motion carried.

20. Discussion with possible action on chicken ordinance amendment – Motion by Alderperson Welter/second by Alderperson Spaeth to approve the amendments to the chicken ordinance and waive the second reading of ordinance 23OR003. Voice vote all in favor. Motion carried.

21. Discussion with possible action on 2022 vacation carryover for Street Superintendent and Operator in Training (Public Works) – all vacation is to be used by March 31st but with the snow season they weren't able to take their vacation. The street superintendent has nine hours remaining and the operator in training has 1.5 hours. Motion by Alderperson Thompson/second by Alderperson Bergum to approve the carryover of this vacation to be used by June 1, 2023. Voice vote all in favor. Motion carried.

22. Payment of bills (Finance) - Motion by Alderperson Hubbard/second by Alderperson Spaeth to approve the payment of bills on report date 05/03/2023 in the amount of \$263,169.13 and additional bills on report date 05/09/2023 for \$71,323.96. Roll call vote all in favor. Motion carried.

23. Second Period for Public Comment – None

24. Adjournment - Motion made by Alderperson Bergum/second by Alderperson Spaeth to adjourn the meeting at 8:14 p.m. Voice vote all in favor. Motion carried.

Minutes respectfully submitted by: Lori Polhamus, City Clerk