

REGULAR MEETING OF THE COMMON COUNCIL

October 4, 2011

The Common Council of the City of Richland Center, Wisconsin, met in the Council Room of the municipal building on Tuesday, October 4th, 2011 commencing at 7:30 P.M., Mayor Larry D. Fowler presiding. Alderpersons Marie Rakow, Susan Fruit, Lester Parker, Jay Buchanan Mueller, Steve Deets, Bill Kloehn, and Lorna Dilley present. Alderperson Judy Shireman was absent. Mayor Fowler ascertained from the Clerk that the meeting was properly noticed.

Motion by Fruit, second by Parker to waive the reading of the minutes of the last meeting (September 20, 2011) in lieu of printed copies and to approve the same. Motion carried.

TREASURER’S REPORT: Treasurer Jude Elliott presented the General Fund Report for September, 2011. The complete Treasurer’s report follows:

GENERAL FUND:

Treasurer’s balance at start of month	488,369.22
Receipts	85,010.10
Disbursements	416,980.57
Treasurer’s balance end of month	156,398.75
Money Market Tax Acct.	13,224.45

INVESTMENTS:

State Pool - Account # 1	315,740.05
State Pool – Account #2 Long Term Care	526,801.27
State Pool - Account # 4 - Project Carryover	536,240.13
State Pool - Account # 6 - TIF - 2-5	1,266,155.83

SPECIAL ACCOUNTS

CDBG - Housing RLF	85,702.46
Cemetery	3,872.84
Revolving Loan Fund- Savings	186,544.82
Revolving Loan Fund – Checking	7,885.91
Park / Community Center	17,744.19
Park and Rec Checking	2,505.37
Recycling	27,785.03
Landfill Care – CD	478,307.04
Landfill Closure	88,767.99
Room Tax	30,586.28
Library Checking	57,243.40
RDA Checking	109,483.40

ELECTRIC UTILITY FUND:

Treasurer's balance at start of month	25,100.52
Receipts	921,487.27
Garbage Receipts	18,674.62
Public Benefit	3,999.86
Telecom Utility	5,064.00
Disbursements	969,314.83
Treasurer's balance at end of month	5,011.44
Investments	1,556,328.55

WATER UTILITY FUND:

Treasurer's balance start of month	64,110.80
Receipts	85,443.15
Disbursements	75,160.04
Treasurer's balance end of month	74,393.91
Investments	2,099,949.62

SEWER UTILITY FUND:

Treasurer's balance start of month	154,984.70
Receipts	493,722.68
Disbursements	206,026.02
Treasurer's balance end of month	442,681.36
Investment	5,975,564.46

LOANS:

Telecom from Elect	67,720.08
Water advance to TIF	334,130.00
WWTP advance to TIF	190,827.00
Total due from TIF	524,957.00
City (loan from WWTP)	400,000.00

PUBLIC SAFETY RECOMMENDATION:

CONSIDER ORDINANCE AMENDING CHAPTER 101.09 REGULATING PARKING IN THE BREWER LIBRARY PARKING LOT:

Aldersperson Deets said this was introduced at the last meeting and under item number 3a the Library employees were added and the recommendation was unanimous by Public Safety to approve. He said the lot could be used for snow emergencies. Motion by Parker, second by Dilley to suspend the rules. Motion carried 7-0. Attorney Robb read the ordinance and mentioned in the heading the word Chapter needed to be corrected to say Section. Motion by Fruit, second by Dilley to amend Section 101.09 of the code of ordinances of the City of Richland Center regulating parking in the Brewer Library parking lot as read and corrected by Attorney Robb. Motion carried 7-0.

CONSIDER CLASS B LIQUOR AND BEER LICENSE FOR ANDRES VALENCIA DBA VIVA CINCO DE MAYO LOCATED AT 155 RICHLAND SQUARE:

Alderson Deets said a \$10,000.00 check has been received and Public Safety recommended by a 3-0 vote to approve the license. Motion by Deets to approve the Class B Liquor and Beer license for Viva Cinco De Mayo. Alderson Parker made the second and the motion carried 5-2 with Aldersons Rakow and Dilley voting against.

TREE BOARD COMMITTEE RECOMMENDATIONS:

CONSIDER APPROVING FORESTRY GRANT:

Parks & Grounds Supervisor Terry Sime said a grant application is ready to be signed and mailed. He said the plan is that the grant would cover 50% of the cost to update the Emerald Ash Borer plan, provide training, update the tree inventory, produce information pamphlets and a map of the arboretum, create an information area for the arboretum, purchase and install signage, purchase trees for replanting, hire a consultant for future street projects, and train staff on pruning and identification. He said there is no cost to submit the application and he felt that if the grant is successful, some of the City's 50% of the expenses may be supplied by civic groups. Motion by Kloehn, second by Dilley to approve Resolution 2011-11 in support of a 2012 Urban Forestry Grant application. Motion carried 7-0.

CONSIDER APPROVING SALE OF TIMBER IN CITY FORESTS:

Mr. Todd Kenefick said that 2 years ago the City accepted bids and it was not approved. He said the bid amount is twice the amount it was 2 years ago. There was only one bid received and that was from Riverside Sawmill of Muscoda in the amount of \$8177 for the area by the Landfill and \$10702 for the area by the Armory. Mr. Kenefick said the one by the Armory will require a land use agreement with the State that they drafted because the land has to be accessed across a small corner of the Armory property. Clerk Elliott said the City has to look into the grant agreement when the land was purchased from Mr. Ewers to see if there are any covenants that restrict cutting trees. Terry Sime said the Tree Board approved both bids and noted that the prime lumber is not being sold. Motion by Deets, second by Fruit to approve the sale of timber to Riverside Sawmill, Inc. at the landfill site for \$8177.00. Motion carried 7-0.

FINANCE COMMITTEE RECOMMENDATION:

CONSIDER PURCHASING TITLE INSURANCE FOR PROPERTIES BEING PURCHASED NEXT TO AIRPORT:

Clerk Elliott said purchasing title insurance is not a requirement but Phil Ramlet of OMNI highly suggested the City obtain title insurance for the 6 parcels that are being purchased. He said the Federal Government will not reimburse any money towards title insurance but the State will reimburse 50%. Clerk Elliott reviewed the bids from Richland County Title, Title Works, LLC and Southwest Title which is the lowest. He said both Airport and Finance recommended approval. Motion by Rakow to approve the expenditure, not to exceed the City's share of

\$1000.00 for title insurance with Southwest Title for 6 parcels of land being purchased for the airport by OMNI Associates, Inc. Alderperson Fruit made the second and the motion carried 7-0.

CONSIDER ADDITIONAL EXPENSE FOR REPLACEMENT OF 225 AMP SQUARE D BREAKER AT LIBRARY:

Clerk Elliott said he talked with Dale Bender about the situation and he approved the purchase. He said not long ago a main breaker was approved for about \$4500.00 but smaller breakers need replacing as well because they are rusted and not turning off. Motion by Dilley to approve the Miller Electric invoice in the amount of \$1267.00 to be paid out of the Library capital improvement budget. Alderperson Rakow seconded the motion and the motion carried 7-0.

PAYMENT OF MONTHLY BILLS:

Mayor Fowler read the approval of the bills from the Finance Committee. Motion by Mueller, second by Parker to approve the bills as presented. Motion carried 7-0.

ALDERPERSON MARIE RAKOW: She said she attended the business outreach tour at the Foundry and it was very interesting. The Foundry was established in 1963 for iron casting and sand molds. They currently have 150 employees on 3 shifts and are looking for employees.

ALDERPERSON LESTER PARKER: He said the large item collection is October 15th.

ALDERPERSON JAY BUCHANAN MUELLER: He said a Public Works meeting needs to be scheduled. He reported the open house at the Akey School and tour-of-homes were successful. He said the food pantry is in need of food as there are 60-70 families each week getting 60-70 pounds of food. He said happy birthday to Mayor Fowler.

MAYOR FOWLER: He said happy anniversary to Mr. Deets.

ALDERPERSON STEVE DEETS: He said he did not feel a breaker should be an outlay expense and would like to have a meeting between Finance and the Library Board.

ALDERPERSON BILL KLOEHN: He said the height limitation ordinance is in the hands of Attorney Robb and the Airport Committee recommended proceeding. He said it requires a 3 week notice for a public hearing at Planning. Attorney Robb said the ordinance refers to a map that he is still working on with the consultants.

ALDERPERSON LORNA DILLEY: She said she went to the Park Hotel open house and was pleased at how nice and clean the apartments are. She said the tour-of-homes for the Foundation went very well.

ALDERPERSON MARIE RAKOW: She said she spent her honeymoon at the Park Hotel.

PARKS & GROUNDS SUPERVISOR K. TERRY SIME: He said community / senior center footers were poured today and it is exciting to see progress. He said there will be a construction meeting on October 5th at 10:00 a.m.

POLICE CHIEF JOHN ANNEAR: He said the Police Department is taking part in the prescription drug take back program on October 29th from 10:00 a.m. until 2:00 p.m. and drugs can be brought into the police department lobby. He said it is free for the proper disposal of drugs and no questions will be asked. He said Trick – or – Treating will be October 31st from 5:00 to 7:30 p.m. Chief Annear also mentioned that concealed carry permits will be available on November 1st and the topic will be discussed at the next Council meeting.

CITY CLERK/TREASURER JUDE ELLIOTT: He said RDA will meet tomorrow to discuss a proposal for Orange Street. He said budget meetings are scheduled. At the next Council meeting we will have the auditor's presentation of the 2010 audit. He said he will meet with Vig & Associates and Ehlers about the TIF districts on October 14th. He said at the Planning & ETZ meeting last night they approved the conditional use permit for RCRE and the conditions that were recommended to be placed on the permit are being drafted by Attorney Robb.

ATTORNEY JAY ROBB: He said the first draft of the conditions is done.

Clerk Elliott said he did not feel the next agenda item needed to be in closed session and Attorney Robb concurred.

CONSIDER A RELEASE OF OUR SUBORDINANTE MORTGAGE INTEREST – WHEN PIGS FLY LLC:

Clerk Elliott read an email from Michael Rohr who is a receiver for managing the sale of property at 178 S. Central Avenue that the City has a second mortgage on. Mr. Rohr would like to sell this property by auction but needs a release of the mortgage interest if the sale price does not cover the amount of mortgage debt. Mr. Rohr felt that it would be beneficial to the City by most likely getting a better qualified new owner to operate the facility and much faster than a Sheriff's sale. Motion by Fruit, second by Rakow to approve proceeding with an auction and release the subordinate mortgage interest if the sale price does not cover the amount of \$410,175.86. Motion carried 5-2 with Alderpersons Parker and Kloehn voting against.

ADJOURN:

Motion by Mueller, second by Rakow to adjourn. Motion carried at 8:50 p.m.

Mayor, Larry. D. Fowler

Attest:

City Clerk / Treasurer Jude Elliott