

JULY 12, 2010 CITY OF WASHBURN CITY COUNCIL MEETING

Present: City Council Members: Kristy M. Jensch, Mary McGrath, John F. Baregi, Ruth F. Amraen, Robert D. Fiegle, Richard M. Avol
Municipal Personnel: Mayor Ralph C. Brzezinski, City Administrator Scott J. Kluver, City Clerk-Treasurer Vicki E. Swanson City Attorney David J. Siegler
Excused Absence: Carrie L. Wartman

Call to Order - Mayor Brzezinski called the meeting to order. Roll call attendance depicted six members of the seven-member Common Council in attendance. Quorum recognized. **Pledge of Allegiance.**

Approval of Minutes – City Council Meetings – June 14, 2010 - a motion to approve Record of Official Proceedings made by McGrath, and seconded by Baregi, unanimously carried.

Approval of Expenditures - a motion to approve monthly expenditure vouchers by Finance Committee Member, Avol, and seconded by Finance Committee Member, Baregi, unanimously carried on roll call vote of the Council.

Public Comment – no comment from the floor.

Mayoral Announcements, Proclamations, and Appointment - Consideration of Resolution #10-011 – Support of US-2 Expansion to a 4-Lane Highway – Bayfield County Board requesting local government entity(s) support via Resolution. Motion to approve Resolution #10-011 by Baregi, seconded by Amraen. Motion carried 4 to 2 with Avol and Jensch in opposition.

Site Plan Approval-Existing Home Structure Addition, 413 West Omaha Street, C2 General Retail Sales & Service District, John Cook, Petitioner – structure located in Commercial District requiring site plan approval; report from Deputy Zoning Administrator and recommendation to approve. Motion to approve made by Avol, and seconded by McGrath, unanimously carried.

Site Plan Approval-Washburn Hardware Exterior Building Improvement Project, 110 West Bayfield Street, C1 District, Nate Swiston, Petitioner - report from Deputy Zoning Administrator and recommendation to approve. Project also having been reviewed by Washburn Development Authority. Motion to approve by Avol, seconded by Fiegle, unanimously carried.

Consideration of Allowance of Two Driveways on Property, 711 Wisconsin Street, Phyllis Melin, Petitioner – current code designating only one driveway per parcel. Melin parcel, a corner lot, abutting both avenue and street; driveways to be located one on the avenue, one on the street. Melin having also provided the Council in the written petition rationale for request and photographs of the lot which illustrated the current used and upgraded driveway leading to an existing detached garage structure and the area where a prior 2nd driveway had, at one time, been located which would be in the location of the 2nd garage attached to a planned home addition. Motion to open the floor to allow Melin to address the Council by Avol, seconded by Baregi, unanimously carried. Motion to close the floor by McGrath, seconded by Baregi, unanimously carried. Motion by Avol to grant the installation of the 2nd driveway due to a “grandfathered” status and attributes of the parcel considering adequate service to the property and safety, convenience, and utility of adjacent thoroughfares. Motion seconded by Baregi, unanimously carried.

Discussion & Action on Request to Allocate an Additional \$5,000 in the Capital Budget for Library Building Windows – Library Board of Trustees requesting municipal assistance in amount of \$5,000 for a planned window repair project following professional recommendation for replacement rather than repair. Discussion followed on source/reallocation of funds. Motion by Avol to approve, seconded by McGrath to utilize a portion of the City Hall Building improvement planned project funds delaying the upgrade of planned building window upgrade or anticipated unexpended monies from the Washington Avenue Project. Hesitation expressed by Councilor Baregi on the delay of the City Hall window project and requesting reinstatement of those funds in the 2011 budget unless monies did remain from the Washington Avenue Improvement Project to allow the window project to continue this year. Council receptive. The motion carried unanimously.

Discussion & Action on Resolution #10-013 – Authorization for the Borrowing for Potential TIF Development Projects – motion to approve the initial resolution addressing a general obligation borrowing not to exceed \$250,000 by McGrath, seconded by Amraen. Avol expressing hesitation on the golf course lending citing personal observations on calculations of the City’s potential of fiscal recovery. Discussion ensued during which Councilor Jensch also expressed hesitation on issue of land purchase assistance in the Golf Course request. The Council roll call vote on the motion to approve Resolution #10-013 for the public purpose of financing proposed Tax Increment Finance (District #2) development projects including redevelopment of the Civic Center Building and improvements for Lake Superior Golf & Range projects carried 4 to 2 with Jensch and Avol in opposition.

Discussion & Action on Proposed UTV Ordinance – discussion on Bayfield County pilot program to permit Utility Terrain Vehicle (UTV) operation in the same locations as ATV’s. Only action required would be that of opposition. No action by the Washburn Common Council.

Alcohol Licensing Matters - Bartender License Applications – New & Renewal – applicants #50-12 through #54-12 approved on motion of Avol, seconded by Baregi, and unanimously carried.

Annual Alcohol License Renewal /Transfer of Ownership – Mattson Properties LLC – explanatory memo from the City Clerk outlined a real estate transfer from Dan Schick to Emery Mattson of that Combination Class B Alcohol License granted during the June Council session for the operation of Schicky’s Saloon. Release of license pending due to obligations due the City. Mattson, the property owner, under a land contract type arrangement, having honored those obligations. Communication from Schick relinquished his interest and rights of claim to the granted license to Mattson. Proper application documents and background research on Mattson presented to the Council. Motion to grant the license to Mattson Properties, LLC, dba Port of Call, Emery R. Mattson, Agent, by Avol, seconded by Baregi. The motion unanimously carried. City Clerk to release that license upon receipt of applied-for State of Wisconsin Sellers Permit.

Request for Ordinance Amendment as to Quota on Class “A” Off-Sale Beer Licenses – Craig Puchat, proprietor of Outdoor Allure requesting Council consider amendment to the existing ordinance Section 7-2-7 (h) Limitation as to the Number of Fermented Malt Beverage Licenses wherein a quota existed limiting granted licenses for the class of off-sale license to one per one thousand inhabitants of the City. Application as filed by Puchatt, as well as personal background check conducted by the Chief of Police, in order. Motion by Avol to dissolve the quota by ordinance amendment. The motion was seconded by Baregi and unanimously carried. Ordinance Amendment scheduled to be adopted following drafting by the City Attorney. Council to address the granting of a license to Craig Puchat dba Outdoor Allure, 1813 West Bayfield Street also during the next meeting. City Clerk to commence Public Notice requirements of the application filed; releasing of any granted license

could only take place following the meeting of all requirements including publication of any adopted ordinance amendment.

Request for Use of Municipal Facilities–West End Park – Paddling In (Northland College Outdoor Orientation Trip) – motion to approve Special Event Use of Municipal Facilities for dates of September 5-6, 2010 for Northland College Students, faculty, and staff, traveling to Washburn via voyageur canoe from Saxon Harbor to Ashland by Baregi, seconded by Fiegle. The motion unanimously carried.

Discussion & Action on Resolution #10-012 – Combination of Wards – September and November 2010 Elections – motion to approve Resolution #10-012 combining wards and districts and use of a single polling place for the upcoming September Partisan Primary and the November General Election by Avol, seconded by Baregi. The motion unanimously carried.

Discussion on Status of Alley in Block #21, Original Townsite, Municipal Garage Area – referral to Planning Commission for analysis of the vacating of a portion of the alley to facilitate Department of Public Works operations while simultaneously ensuring ingress/egress for property owner with a driveway off the alley moved by Avol, seconded by Jensch; the motion unanimously carried.

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Discussion & Action on Preliminary Survey Map for Potential Business Park Development Area Adjacent to Athletic Fields – survey map reflecting property where on the City currently holds annual Clean-up Days and also location of one ball diamond. Proposed was the creation of a single lot consisting of 4.3 acre for potential future development of a Business Park at which time the ball field would be relocated to area of former dog pound. Motion by Fiegle, seconded by Baregi, to approve the survey with the creation of a single lot and commence the process for necessary Comprehensive Plan and Zoning Map changes as well as adding the parcel to the City's For Sale listing. The motion carried 5 to 1 with Jensch in opposition.

Discussion & Action on Offer Received for Purchase of Lot #1, Grand View Blvd, James R. Bratley – to be addressed in closed session.

Discussion & Action on Offer(s) Received for Purchase of Pump House Property – Council to address in closed session.

Closed Session Items - Discussion on Offer Received for Purchase of Lot #1, Grand View Blvd, James R. Bratley - Discussion on Received Offers of Purchase - Parcel #35 Municipal Property Sale Listing–Former Pump House Property - Discussion on Evaluation Report for City Administrator - Avol moved the Council go into a closed session pursuant to Wisconsin State Statute §19.85(1)(c),(e) for personnel matters-discussion on Evaluation Report for City Administrator; deliberating or negotiating the purchasing of public property, the investing of public funds, or the conducting other specified public business whenever competitive or bargaining reasons require a closed session; following which the Council may reconvene in open session to take any action that may be necessary on the closed session items. The motion was seconded by McGrath and carried unanimously on roll call vote. The closed session commencing at 6:10 PM. Attendance in the closed session depicted the six Councilors remaining present, along with the Mayor, City Administrator, City Clerk, and City Attorney. The City Administrator, City Clerk, and City Attorney remaining in the closed session until such time as the Council addressed the Performance Evaluation Report for the City Administrator. The City Administrator and City Attorney depart; City Clerk remaining in other sections of the building until such time as Council reconvened in open session.

Open Session – motion to re-convene in open session by Baregi, seconded by Avol, unanimously carried. Councilors Kristy M. Jensch, Mary McGrath, John F. Baregi, Ruth F. Amraen, Robert D. Fiegle, and Richard M. Avol remaining in attendance. Also in attendance, Mayor Brzezinski and City Clerk Swanson.

Discussion on Offer Received for Purchase of Lot #1, Grand View Blvd, James R. Bratley – motion by Baregi, seconded by McGrath, to accept the offer of \$4,000.00 from James R. Bratley, and instruct the City Attorney to prepare the necessary documents; motion unanimously carried.

Discussion on Received Offers of Purchase - Parcel #35 Municipal Property Sale Listing–Former Pump House Property – motion by Avol to reject both proposals received with that of Brad Dyer as being too low, and that of Mary Ross containing unacceptable conditions/contingencies. The motion seconded by McGrath, unanimously carried.

Adjournment - The evening's session concluded in the closed session at 6:40 PM.

Vicki E. Swanson
City Clerk-Treasurer

FINANCE COMMITTEE MEETING 4:30PM

Committee Members Avol, Baregi, and McGrath reviewed monthly expenditure vouchers for favorable recommendation to City.

