

OCTOBER 10, 2011 CITY OF WASHBURN COMMON COUNCIL MEETING

Present: City Council Members: Kristy M. Jensch, Mary McGrath, Carrie L. Wartman, John F. Baregi, Jeremy P. Oswald, Suzanne M. VanGilder, 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

Harbor Commission: Josie Lupa-Fleig, Ruth F. Amraen, Carol Avol, John F. Baregi, Donald Swedberg, Robert Arquette

Call to Order - Meeting called to order at 5:30PM by Mayor Brzezinski. Roll call attendance depicted all members of the seven-member Common Council in attendance. Quorum of the Council recognized. **Pledge of Allegiance.**

Approval of Minutes – City Council Meeting – September 12, 2011 - a motion to approve Record of Official Proceedings of the September 12th City Council Meeting, made by Avol, and seconded by Baregi, unanimously carried.

Approval of Expenditures – a motion to approve the monthly expenditure vouchers made by Finance Committee Member Baregi, and seconded by Finance Committee Member Avol. The motion carried unanimously on roll call vote of the seven Councilors present.

Public Comment – Robert D. Fiegle, 925 West Bigelow Street, addresses Council on more open and up-to-date communications between the City and residents with reference to lack of availability for varying reasons of the Community Access station to many residents; Fiegle suggesting the possible usage of a Facebook account as a possible consideration. Colene Lee, 716 West 5th Street; Matt Bushman, 77395 Washington Avenue; Ryan Brady, 75355 Bourgo Road; David Bratley 402 2nd Avenue East; Linda Hobbs, 30 East 3rd Street; Theresa Fish, 612 West 4th Street; Tom Kvanbach, 716 West 12th Street; addressed the Council with similar opinions in regard to ground maintenance in areas of city-owned property along the lakeshore and municipal parks and greenspaces, the methods for overseeing such areas. Ruth F. Amraen, 320 West Omaha, addressed the Council on the existence of numerous Plans for such areas on file in City records.

Mayor Brzezinski requests Council census to move the agenda item dealing with the Marina and the agenda item dealing with Breweries to this point of the evening's session as the Harbor Commission was in attendance in recess, and proprietor of the South Shore Brewery, Bo Belanger, also in attendance. Council census of approval.

Discussion & Action on Resolution #11-017 Providing for the Issuance, Sale & Delivery of \$465,000 of General Obligation Promissory Notes - Marina Bulkhead Wall Project – situation having arisen with regard to qualification of the borrowing as the intended tax-exempt versus taxable. The Harbor Commission, having met in a special session at 4:30PM, recessed that session to make themselves available during the Council session for purpose of any questions of the Council and/or any action that may be required of them; members as recorded above in attendance and recommending to the Council to proceed with a taxable borrowing of the \$465,000 due to the fact although the activity of maintenance on a City / Public Entity asset would normally qualify for tax-exempt borrowing, the fact that it could also be determined to not qualify if the subject of the borrowing is not managed by that City / Public Entity, raised questions in regard to terms the existing Agreement with the Operator of the Marina, Marina Management, Inc. Legal Opinion had been sought of the City Attorney and the Bond Counsel Attorney utilized by the City in prior borrowing issues. The Commission having studied options and legal opinions as presented to them. Motion by Baregi, seconded by Jensch, to accept the recommendation of the Commission and proceed with a taxable borrowing. Motion to proceed with the taxable borrowing carried unanimously by the Council. Motion to Approve Resolution #11-017 accepting the proposal of Bremer Bank for a taxable promissory note in the amount not to exceed \$465,000 for the Marina Bulkhead Wall Project made by Baregi, seconded by Wartman. The motion unanimously carried. On motion of Commissioner Swedberg, seconded by Commissioner Avol, the Harbor Commission adjourned. The action taken by Council nullified any further address of the agenda item **Discussion & Action on Amendment to Incentive Payment Provisions of Marina Management Agreement** and there was no Council address of the issue.

Discussion & Action on Amendment to Zoning Code Sec #13-1-28(b) C2 District to Permit Breweries – current Allowable Uses in the C2 District not addressing operation of a brewery, and related activities such as small retail operation and tours of the facility. South Shore Brewery expressing interest in locating in the former bowling alley building located in the District at 6th Avenue West and Highway 13. Mr. Belanger in attendance for any questions of the Council. Motion by Baregi, seconded by Avol, indicating support, referred the Amendment to the Planning Commission and the mandated subsequent Public Hearing; the motion unanimously carried.

2012 Budget Year Matters Discussion & Action on 2012 General, Debt Service & Capital Budgets – Mayor Brzezinski requests Council consider certain areas of the presented Budget such as a County potential cut to Library funding; allocation of \$500 contribution to the Superior Vista Bike Tour reducing the Mayor's Expense line-item. Motion by Avol to adopt the General Fund including the Mayor's recommendations and a request from the Washburn Youth Hockey group for an allocation of \$1550; the Debt Service; and the Capital Budgets. To facilitate discussion, motion seconded by Baregi. Under discussion, Washburn Youth Hockey request resulted in a motion by Baregi to reserve \$1,000 for the Program to be accessed on a case-by-case request to the Council; motion seconded by Oswald, unanimously carried. Motion by Baregi, seconded by McGrath, to increase the allocation to the Superior Vista Bike Tour to \$1,000 as requested by the Mayor; motion unanimously carried. Motion by Baregi, seconded by Wartman, to restore the Library funding should a cut come down from the County; motion unanimously carried. Motion by Jensch, seconded by McGrath, for the purchase of crosswalk traffic control signs from the current Police Department line-item(s) for placement in area of Coco Café & Bakery, and Humble Be Yoga & Dance Studio crosswalks; motion unanimously carried. Request for placement on November agenda was address of citizen access to the City's Public Access Television Channel under the Basic Plan recently re-located from Channel 7 to Channel 97. Request for placement on November agenda was address of an issue found disturbing to the Council Liaison to the Library Board involving the Library and Library personnel. Motion by Avol, seconded by Baregi, to allocate \$15,000 for an Employee Health Savings Fund to provide relief for expenses; motion unanimously carried. Motion by McGrath, seconded by Wartman to allow for a 2% salary increase for non-represented employees; motion unanimously carried. Vote on the main motion to adopt the General Fund, Capital, and Debt Service Budgets, including items as addressed and moved on during the discussion, carried unanimously.

Discussion & Action on Proposed 2012 Harbor Commission Budget & Approval of 2012 Slip Fees – motion to adopt the 2012 Harbor Commission Budget, and approval of the 2012 Slip Fees dependent on the Harbor Commission final approval of Slip Fees by Baregi, seconded by McGrath. The motion unanimously carried.

Discussion & Action on 2012 Storm Water Utility Budget – a motion made by McGrath, seconded by Baregi, to adopt the 2012 Storm Water Utility Budget unanimously carried.

Approval of Contract for Asphalt Patching/Overlay Services – Council review of the two proposals received – one from Angelo Luppino, Inc., Ashland, WI, in amount of \$11,194.00, and a second from Northwoods Paving Co, Ashland, WI, in amount of \$7,879.66. Motion by Baregi, seconded by VanGilder to award the Project to Northwoods Paving in amount of \$7,879.66; the motion unanimously carried.

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Discussion & Action on Placement of Identification Signs at Memorial & Thompsons West End Parks – Council addressed the loss (due to weather conditions) of and replacement of the large West End Park sign. Recommended was to maintain the theme of signage of municipal facilities and replace the sign at Thompsons West Park campground and place a similar sign at Memorial Park campground. Estimated cost of each sign in amount of \$1,475. Following discussion, motion by Oswald, seconded by Avol, to approve the replacement of the signs to be placed in an appropriate location, and in the future, explore a method or additional signage facilitating easier vehicular view from the highway. The motion unanimously carried.

Discussion & Referral to Plan Commission – Washburn Floodplain Ordinance – motion by Baregi, seconded by Wartman, to move the Floodplain Ordinance to Public Hearing and to Planning Commission for that body's approval. The motion unanimously carried.

Due to a prior commitment, the City Attorney departs the session at 7:00 PM

Alcohol Licensing Matters - Bartender License Application(s) – applications #25-13 through 27-13 approved on motion of Baregi, seconded by Wartman, which unanimously carried.

Request for Single Campsite Reservation In Conjunction with Pavilion Reservation & Wedding Ceremony in 2012 – request by the Council for more particulars on the event such as number of guests, and more specific identification of site requested.

Discussion & Action on Assigned Task for Ad Hoc Committee – Expansion of West End Park – motion by McGrath, seconded by Wartman to form an Ad Hoc Committee whose task it will be to prepare an RFP for the expansion of West End Park. Under discussion, recommended composition to be two (2) Councilors and five (5) citizens. Further under discussion, friendly amendment by Oswald to delineate more specifically the task to be expansion of West End Park and how it interacts with Washburn's other parks and trails; the amendment accepted by McGrath and Wartman. Vote on the motion including the amendment carried unanimously. The Mayor's appointments to be addressed during the November session.

Authority to Fill Vacant Public Works Position and Approve Job Description – authorization to fill the recently-vacated Equipment Operator / Laborer position and approve the job description as presented by Avol, seconded by VanGilder; the motion unanimously carried.

Adjourn – the evening session adjourned at 8:03PM on motion of VanGilder, seconded by Jensch, and unanimously carried.

Vicki E. Swanson
City Clerk-Treasurer

NOTICE OF FINANCE COMMITTEE MEETING October 10, 2011 4:30PM

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