

**June 8, 2020**

**CITY OF WASHBURN COMMON COUNCIL MEETING**

5:30PM

Washburn City Hall & Remote Call-In

City Council Members:

Present, in-person:

Karen Spears-Novachek, Laura Tulowitzky, Tom Neimes,  
Carl Broberg, Dave Anderson

Present, remote:

Jennifer Maziasz

Municipal Personnel:

In-person:

Mayor Mary D. Motiff, City Administrator Scott J. Kluver,  
Assistant City Administrator Tony Janisch, City Attorney Max  
Lindsey

Present, remote:

None

Excused Absence:

Mary McGrath

**Call to Order** - Meeting called to order at 5:30PM by Mayor Motiff. Roll call attendance depicted six (6) of seven (7) members of the Common Council in attendance. Quorum of the Council recognized.

**Approval of Minutes – City Council Meeting of May 18, 2020 & Board of Review Meeting of May 26, 2020** - A motion was made by Novachek to approve the May 18, 2020 minutes of the City Council, second by Broberg. Motion carried unanimously. A motion was made by Novachek to approve the May 26, 2020 minutes of the Board of Review, second by Neimes. Motion carried with five (5) voting in favor, Broberg abstained.

**Approval of Expenditures**- No expenditures were presented for approval.

**Public Comment** – There was no public comment.

**Mayoral Announcements, Proclamations, Appointments**- The Mayor noted vacancies on the Plan Commission and CDBC Housing Review Committee. The Mayor further acknowledged the Washburn Police, she received positive feedback of Officer interaction with attendees of the Protest Demonstration that occurred at City Hall recently. The Mayor further stated that a review of police policies will occur and a public statement that will summarize what policies are in place to the community safe.

**Discussion & Action on Resolution #20-010 Extending the Mayor’s Proclamation of March 17, 2020 and Declaring a Health Emergency in the City of Washburn** – No discussion occurred. Broberg moved to approve Resolution 20-010, to extend the Mayor’s proclamation for declaring a Health Emergency, seconded by Tulowitzky. Motion carried unanimously.

**Discussion & Action on Request to Amend the Land Purchase Agreement with Pearl Beach Construction** – Kluver stated that a condition of the purchase agreement with Pearl Beach Construction that if substantial completion has not occurred by August 31, 2020 the City may grant a 6 month extension before exercising its buy-back option. Mr. Dornburg has requested an extension, citing that his building manufacture had closed down because of the pandemic. The Mayor confirmed that the agreement was sign in March 2019 and asked Mr. Dornburg why construction had not occurred prior to the Covid-19. Mr. Dornburg answered that 2019 was an extremely busy year for the company and that work had begun with building design and approvals. The building has been ordered and that construction is scheduled to begin in July. He is however concerned that if building delivery is delayed, construction would be delayed. Anderson questions why Dornburg did not supply State approved designs to Council. Dornburg answered that he did speak with the State engineer and that State approval was not necessary to proceed. Moved by Tulowitzky to open the floor, seconded by Novachek. Motion carried unanimously. John Weinel, owner of Stage North, stated that his land was taken away by the City because the Council determined that his development plans were not far along. He further questioned why Pearl Beach should get preferred treatment while he was not. Novachek questioned if Weinel was reimbursed for the land when it was taken away. Weinel answered yes that he was, less the property taxes. John Carlson, attorney representing his client, stated that the City was sold a bunch

of promises that have not occurred, jobs, income at the Coal Dock, completion of a building. In 2018, his clients presented the concept of residential development on another parcel of property and the idea was denied. Moved by Anderson to deny the Extension, second by Neimes. Lindsey clarified that the motion is to deny the request for amendment of the agreement, and not to deny any extension should that come forward. Anderson stated that he will amend his motion and moved to deny the request to amend the agreement, excepted by Neimes. Broberg stated disagreement with the motion, this is a contractor that will bring business to the Coal Dock, and the City spent \$2 million to upgrade the facility. As a representative of the Harbor Commission, this is work that needs to get done. Novachek stated that she is disappointed that development has not occurred yet, but believes that the agreement should go forward, increasing the penalty fee if desired. Dornburg stated that the request would be to extent to December 31, 2020 and indicated that an increased penalty would be agreeable. Maziasz stated that if progress has occurred by Aug 31<sup>st</sup>, she would have no problem supporting an extension. Via roll call vote: Anderson, Maziasz, Neimes, Tulowitzky voted in favor; Broberg, Novachek voted against. Motion carried. Novachek moved to close the floor, second by Broberg. Motion carried unanimously.

**Discussion & Action on Redistricting Concepts and Preparations** – Kluver stated that with the completion of the Census, redistricting preparation will need to occur. If the Council has any thoughts on changing districting, change of terms or structure of Council; now is the time for this discussion. Novachek stated that the current structure seems workable and then suggested that the mayor term be changed to 4 years. Her reasoning being that better continuity would occur, especially with budgets. Neimes stated that both mayor and council members should be 4 years. Maziasz stated that the mayor should be a longer term and asked if there would be an arrangement that would be better for staff, regarding elections and transitions of officials. Kluver stated that decisions did not need to be made tonight, but that discussions and planning need to occur. Novachek moved to change the Term of Mayor from 2-year to a 4-year term, second by Anderson. Motion carried with six (6) voting in favor, Tulowitzky voted against.

**Discussion & Action on Resolution #20-009 Approving the 2019 Compliance Maintenance Annual Report for the Sewer Utility** – No discussion occurred. Moved by Broberg to approve Resolution #20-009, seconded by Novachek. Motion carried unanimously. The Mayor complimented Utility Operator-in-Charge Joel Weber with this report and encouraged anyone to take a tour of the facility.

**Alcohol Licensing Matters – Approval of Annual Alcohol and Beer Garden License Renewal Applications** – Assistant Administrator Janisch stated that publication of license renewals had occurred, Chief Johnson had visited most facilities and recommend approval of licenses. Johnson had not been able to contact the Stage North agent but has not had problems with the facility in the past and recommends approval on the condition that he inspect the facility. Moved by Novachek to approve Alcohol and Beer Garden License Renewals on the condition inspections have been completed, second by Broberg. Motion carried unanimously.

**Closed Session - Consideration of Employment Offer for a Public Works Director** – A motion was made by Novachek to go into closed session at 6:55 pm pursuant to Wisconsin State Statute §19.85(1) (c), to consider employment offer for a public works director, following which the Council may reconvene in open session to take any action that may be necessary on the closed session items, second by Niemes. Motion carried unanimously via roll call vote.

A motion was made by Novachek to return into Open Session at 7:05 pm, second by Tulowitzky. Motion carried unanimously. Moved by Novachek to confirm the employment offer indicated in memo dated May 29, 2020, second by Anderson. Motion carried unanimously.

**Adjourn** – Mayor Motiff adjourned the meeting at 7:06PM.

Tony Janisch  
Assistant City Administrator