

July 10, 2023

CITY OF WASHBURN COMMON COUNCIL MEETING

5:30PM

Washburn City Hall & Remote Video Conferencing

City Council Members:

Present, in-person:

Tom Neimes, Jennifer Maziasz, Jared Trimbo, John Hopkins,
Mary McGrath, Tracey Snyder, Dave Anderson

Present, remote:

none

Municipal Personnel:

Present, in-person:

Mayor Mary D. Motiff, City Administrator Scott J. Kluver,
Asst. City Administrator Tony Janisch, City Attorney Max Lindsey,
Public Works Director Gerry Schuette, Police Chief Ken Johnson

Present, remote:

none

Absent:

none

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. Anderson arriving later, after roll call.

Approval of Minutes – City Council of June 12, 2023 - A motion was made by Neimes to approve the June 12, 2023 minutes of the City Council & Historic Preservation Commission, second by Trimbo. Motion carried unanimously.

Approval of Expenditures – A motion was made by Neimes to approve the monthly expenditures, second by McGrath. Motion carried unanimously via a roll-call vote.

Public Comment – Jewel Pickert, 17 E. 3rd St., commented about a proclamation that the Mayor read at the June 12th Council Meeting, specifically the Community for All Proclamation. Pickert stated that this was about inclusivity and that the Mayor mentioned that this was a hot topic at school board meetings and that she read this at the school board meeting. Pickert continued that the Mayor is not in charge of the school board and that school board issues belong at the school board meeting not at a city council meeting. She added that the Mayor is not in charge of lecturing Washburn residents about how they should think or feel. She believed Washburn residents would exhibit best behavior, if best behavior was exhibited toward them. Pickert continued that when reading the proclamation, the Mayor singled out older people; while not giving an age, she assumed it was anyone older than the Mayor is; and implied that older people were intolerant. She concluded that the US Constitution gives all citizens the freedom of speech, not just special interest groups, and that the Constitution supersedes any proclamations.

Mayoral Announcements, Proclamations, Appointments – There were no mayoral announcements, proclamations, or appointments.

Discussion & Action on Authorization to Bid Holman Lakeview Drive Stormwater Improvement Project – Maziasz moved to approve to authorize bidding for the Holman Lakeview Dr. Stormwater Improvement Project, seconded Neimes. Maziasz commented that improving the stormwater system in the City is a good thing. Motion carried unanimously.

Maziasz made a motion to move the next two items on the agenda, Social Media Policy & Staff Serving on Committee/Commission, later in discussion, seconded by Neimes. Motion carried unanimously.

Discussion & Action on Resolution #23-013 for DNR Outdoor Recreation Grant Application for Campground Expansion – McGrath moved to approve Resolution 2023-013 for support of a DNR Grant Application for Campground Expansion, second by Anderson. Hopkins questioned the price and asked if yurts were necessary. Janisch responded that the requested amount was estimated based on initial costs from the engineer. Maziasz commented that the City’s match will likely deplete the Parks Outlay funding, which is nice to have for emergency and community needs. Kluver commented that a portion of the project could be funded with the borrowing for the Bayfield Street Project. Discussion continued. Motion carried unanimously.

Councilor Anderson arrived to the meeting.

Discussion & Action on Extensions of Street Closure and Relaxation of Open Container for Cruise-In at Patsy’s Bar on July 11, 2023 – Tammy DeMars, Petitioner – McGrath moved to approve the extension of Street Closure and Relaxation of Open Container request for the Cruise-In at Patsy’s, seconded by Neimes. Motion carried unanimously.

Discussion & Review of Social Media Policy - Anderson stated that he’s asking for a review of the employee social media policy and if it’s in step with current standards. He further asked how other governmental agencies handle social media. Kluver responded that the current policy was provided by the labor attorney and that it is similar to what many communities are using. Anderson asked if any employees have been written up for violating. Kluver answered that it has been brought up to employee in the past. Snyder questioned if this was an appropriate use of Council time. The Mayor answered that this item was requested to be put on the agenda. Anderson responded that there was no need to go through line-by-line, but that he wanted to bring the policy to attention. Discussion continued. Maziasz moved to request the Personnel/Finance Committee review the Social Media Policy, seconded by Neimes. McGrath added to check with the labor attorney for any changes. Motion carried unanimously.

Discussion on Establishment of Policy/Amendment of Ordinances Related to Staff Serving on Committees/Commissions/Council – Anderson asked Attorney Lindsey if a municipality can prohibit paid staff from serving on committees. Lindsey responded that the City can do anything that is not in conflict with State statutes. He gave the example that the City cannot prohibit a firefighter making less than \$25K a year from serving on committees, because this is in State statute; and anything not inconsistent with State code that the City could do. Anderson stated that he brings this up because there may be a conflict of interest of paid staff “with skin in the game” may not be bringing clear and neutral representation of what the community wants or what’s best for the interests of the City. The Mayor responded that everyone who serves on committees/commissions comes with a background & perspective and brings this experience, and that it would be very difficult to find people that are completely neutral on all issues. She continued that she has not seen any conflicts of interest; and if there have been, people have been good abstaining on particular issues. Discussion ensued. Maziasz asked what other communities are doing. Lindsey responded that larger cities may have policies in place but that in Northern Wisconsin no city or municipality has this restriction. Anderson encouraged to advise staff that serve on committees/commissions that they are there as a citizen representing the City, not as an employee. The Mayor ended discussion.

Closed Session –

o **Consideration of Appeal of an Operating License Denial – Frank Means, Petitioner –**
A motion was made by Anderson to go into closed session at 6:32pm pursuant to Wisconsin State Statute §19.85(1)(f), to consider the appeal of an Operating License denial – Frank Means, Petitioner, second by Neimes. Motion carried unanimously via roll call vote.

Mr. Means addressed Council regarding the denial of his application for an Operator's License. Chief Johnson provided comment. Discussion occurred. McGrath moved to grant an Operator's License to Frank Means with the condition that if any new offences occur the license will be recalled, seconded Anderson. Motion carried unanimously.

Anderson moved to reconvene back to Open Session at 6:41pm, seconded by Neimes. Motion carried unanimously.

Presentation on Open Records/Open Meeting Requirements – Cooper Kohlman, Summer Associate with Anich, Wickman & Lindsey S.C law firm, provided a presentation of Wisconsin Public Records Law regarding Open Records & Open Meetings. Kohlman and City Attorney Lindsey provided answers to the Council's questions as the presentation commenced.

Adjourn – Mayor Motiff adjourned the meeting at 7:39 pm.

Tony Janisch
Assistant City Administrator

FINANCE COMMITTEE MEETING 4:30pm

Committee Member Mary McGrath, Tracey Snyder, Tom Neimes reviewed monthly expenditure vouchers.