

August 17, 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:

Present in-person:

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

Present, remote:

City Attorney Max Lindsey

Absent:

Mary McGrath

Call to Order - Meeting called to order at 5:33PM 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 July 13, 2020 - A motion was made by Novachek to approve the July 13, 2020 minutes of the City Council, second by Broberg. Maziasz, Neimes, Tulowitzky, Novachek, & Broberg voted in favor. Anderson abstained. Motion carried.

Approval of Expenditures - A motion was made by Novachek to approve the monthly expenditures as reviewed, second by Tulowitzky. Motion carried unanimously via a roll call vote.

Public Comment – Colene Lee, 229 E 4th St, spoke about the recently approved ordinance to regulate kayaking outfitters on city property. Ms. Lee stated that she frequents the Coal Dock Beach and that this area has a community of users that have been diminished by the outfitter presence. Ms. Lee further stated that the quick passage of the ordinance followed by an approved permit the following week did not give citizens enough time to comment. She further shared her concern that participants and instructors and standing shoulder-to-shoulder and not wearing masks that recommended to prevent spreading Covid-19, as well as other safety concerns.

Mayoral Announcements, Proclamations, Appointments- The Mayor noted that Michelle Shrider, Washburn Marina Manager, was featured as “Women Who Inspire” by the Wisconsin 19th Amendment Celebration Committee as announced by First Lady Evers. The Mayor further thanked City staff for all their extra effort and hard work during a difficult and unusual summer and especially to Asst. Administrator Tony Janisch for filling the vacancy in Public Works. The Mayor then nominated Angel Croll to the Parks Committee term ending April 2021, Caroline Nelson to the Harbor Commission term ending April 2023, and reappointment of Dora Kling & Tracey Snyder to the Lake Superior Scenic By-Way Council for a two-year term. A motion was made by Novachek to approve appointments as listed, second by Broberg. Motion carried unanimously.

Public Hearing, Discussion & Action on Recommended Updates to Municipal Land Sale List –Broberg moved to open the Public Hearing on the Municipal Sale List, seconded by Neimes. Motion carried unanimously. No comments were received. Broberg moved to close the Public Hearing on the Municipal Sale List, seconded by Novachek. Motion carried unanimously. Broberg moved to approve the Municipal Land Sale List, seconded by Anderson. Kluver stated that the recommendation is to add a portion of Lot 19 and create at least one lot. A surveyor would be hired, and the surveyed lot would come to Council for approval. Discussion continued. Motion carried unanimously.

Discussion & Action on Special Exception Request to Place Overhead Doors at 205 E. Omaha St. - Fishnote Properties Petitioner – Tulowitzky moved to approve the Special Exception Request as recommended by the Plan Commission, seconded by Novachek. Novachek commented that this request is appropriate for a special exception. Anderson commented that in this instance the road in question at one time was an alley. Discussion continued. Motion carried unanimously.

Discussion & Action on Ordinance No. 20-005 to Amend the City's Subdivision Code Related to the Approval of Certified Survey Maps– Kluver stated that in the situation of transfer of existing platted lots, this would apply. With subdividing lots, surveying would still need to occur. Novachek moved to approve Ordinance #20-005, seconded by Broberg. Motion carried unanimously.

Discussion and Recommendation on Ordinance No. 20-007 to Amend the City's Zoning Map to Change Three Parcels from R-6 Mixed Residential to C-2 General Commercial – No discussion occurred. Moved by Broberg to approve Ordinance #20-007, seconded by Novachek. Motion carried unanimously.

Discussion and Recommendation on Ordinance No. 20-006 to Amend the City's Zoning Code to Update the City's Regulation of Yard Sheds Chapter 13, Article 8, Section 554 and Appendix B – Kluver summarized that the issue occurring is that the ordinance allows for one or two garages, depending on the district, and then a yard shed or minor shed but that it does not clarify what a minor shed is. This ordinance clarifies what a minor shed is and identified square footage; giving more flexibility. Moved by Novachek to approve Ordinance #20-006, second by Broberg. Maziasz questioned the specifics of R-1 Zones, being larger sized parcels and if this ordinance applies or can a variance be sought. Kluver stated that a provision was included to add an addition 250 sq.ft of shed space for every full acre over 4 Acres in size. The parcel is still limited to two structures. Motion carried unanimously.

Discussion & Action on Proposed Contract with Ayres Associates, Inc. for Engineering and Consultation Services Related to Various Utility Work and Other Improvements for the STH 13 Reconstruction Projects Scheduled for 2024 and 2026 – Kluver stated that 7 proposals were received, this was narrowed down to two firms which were invited to give presentations. The committee has recommended Ayres Associates for Engineering & Consultation Services. The Mayor questioned if grant application fees can be included in grant requests. Mike Stoffel, Ayres Associates, answered that yes with some grants the application fees can be included in the request. Moved by Broberg to approve the Contract with Ayres Associates, second by Novachek. Motion carried unanimously.

Discussion & Action on Ordinance #20-010 for Enforcement of Orders Made by Local Health Officers and the Governor During A Declared Emergency – Attorney Lindsey presented that local municipalities have the ability to enforce public health order regarding the Governor's declared emergency with a maximum penalty of \$200. Moved by Novachek to approve Ordinance #20-010 for the enforcement of orders made by Local Health Officers and the Governor during a Declared Emergency, second by Tulowitzky. Broberg stated that this as a burden to local police having to enforce order from a higher authority. It should be the responsibility of these authorities for enforcement. Lindsey continued that this ordinance allows for the streamlining of enforcement of the orders as compared to referring to the district attorney. Maziasz stated that having the flexibility for city officers would be good. Discussion continued. Tulowitzky, Novachek, Neimes, Maziasz, Anderson voted in favor, Broberg voted against. Motion carried.

Discussion & Action on Disposal of Surplus Property– Broberg stated that the item in question is a stove that was received in trade and never used. Anderson began a motion regarding the donation of this item then withdrew his motion. Discussion ensued. Moved by Tulowitzky to donate surplus property to an area non-profit first; otherwise list for auction, second by Novachek. Motion carried unanimously.

Discussion & Action on Approval of Change Order for West End Boat Ramp Project to Extend Sheeting 180 feet from Project End to the West Following Lake Drive – No discussion occurred. Moved by Tulowitzky to approve the change order for West End Boat Ramp to extend the sheeting along Lake Drive, second by Novachek. 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 7:11PM 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 Tulowitzky. Motion carried unanimously via roll call vote.

A motion was made by Broberg to return into Open Session at 7:22PM, second by Novachek. Motion carried unanimously. Moved by Broberg to confirm the employment offer indicated in the letter dated August 11, 2020, to Gerald Schuette, second by Neimes. Motion carried unanimously.

Adjourn – Mayor Motiff adjourned the meeting at 7:23PM.

Tony Janisch
Assistant City Administrator