

June 9, 2014

CITY OF WASHBURN COMMON COUNCIL MEETING

Present: City Council Members: Richard M. Avol; Linda S. Barnes; Kristy M. Jensch; Christine M. Kelly; Mary McGrath; Mary C. Nowakowski; and Jeremy P. Oswald.

Municipal Personnel: Mayor Scott A. Griffiths; City Administrator Scott J. Kluver; and Assistant Administrator Kenneth Cammilleri.

Excused Absence: City Attorney David Siegler.

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

Approval of Minutes – City Council Meeting – May 12, 2014 – Motion by Oswald to approve Records of Official Proceedings for the May 12, 2014 City Council Meeting with proposed corrections to the adjournment motion, seconded by Jensch. Motion was unanimously carried.

Approval of Expenditures – A motion by Finance Committee Member Avol was made to approve the monthly expenditure vouchers, seconded by Nowakowski. Motion unanimously carried on roll call vote of all seven Councilors in attendance.

Public Comment – There was no public comment.

Mayoral Announcements, Appointments, or Proclamations –

Mayor Griffiths announced that there will be a second Design Planning Meeting for Thompson’s West End Park scheduled for July 9th at 5:30pm at the Washburn Elementary School Cafeteria. He noted that this event will be an opportunity for those in the community who were unable to provide input at the first design meeting to do so.

The Mayor also noted that the Super Vistas Bicycle Tour’s organizers are asking for volunteers to assist with some of their rest stops areas. If anyone is interested, they are asked to contact the Chamber of Commerce.

Public Hearing(s) and Council Action -

Conditional Use Permit Amendment Application for Home Occupation 3 E. Third Street – Pete’s Shooter Supply, Patrick and Melissa Hoefling Petitioners– Collen Lee of 229 E 4th Street spoke in opposition to allowing gun sales in residential areas. David Bratley of 2 2nd Avenue East was concerned whether or not the property owners retain a good security system, have the ability to do gun checks, and if they follow the proscribed waiting periods. He also argued that notice of the discussion of this issue should have been done better. Cheryl Gustafson of 1 W 3rd Street spoke in support of allowing the amendment to the Conditional Use permit. She said that she never had any trouble with their business. Joe Gustafson of 1 W 3rd Street did not know that anyone was selling weapons but shared his support of the amendment to the Conditional Use Permit. Patrick Hoefling of 3 E 3rd Street, permit applicant and co-owner of Pete’s Shooter Supply, responded to comments in the gallery. He indicated that he has been in the firearm business since 1999. He further stated that he is very knowledgeable about the gun sales business and complies with will all US Department of Alcohol, Tobacco, and Firearms (ATF) and State regulations. He confirmed that his property had a proper security system and indicated that his interest in modifying his conditional use permit was to sell guns that he has accumulated from trade-ins received for the sale of antique and collectable guns. He noted that 90-95% of his sales are online and that his end goal is to become a business owner in downtown.

The Hoeflings are still able to sell Antiques and collectable firearms under their original conditional use permit.

Mark Boming of 307 3rd Street West also spoke on this issue and shared that he was not concerned with used of the word “shooter” in the Hoefling’s business. McGrath motioned, Nowakowski seconded, to approve an amendment to the Conditional Use Permit for 3 E 3rd Street, owner Patrick and Melissa Hoeflinger to include the allowable sale of new and used firearms and related accessories on their property. Motion carried with objections.

Discussion & Action on Site Plan Approval for Solarium, Greenhouse, and Other Exterior Changes at the Washburn High School, 305 W. 4th Street –Avol motioned, Jensch seconded, to approve the site plan for Washburn High School’s new solarium and greenhouses. Motion carried unanimously.

Discussion & Referral on Proposed Zoning Ordinance Amendment #14-008 to Change the Membership of the Historic Preservation Commission – Motion by McGrath, seconded by Avol, to refer the proposed Zoning Ordinance Amendment #14-008 for the purpose of altering the number of members of the Historical Preservation Commission from 7 members to 5 members to the Plan Commission. Motion carried unanimously.

Draft Special Event Permit Ordinance - The Council indicated that they were not prepared to offer guidance on the development of this proposed ordinance and indicated that there are many complex interplaying issues that would likely need to be addressed if this ordinance was to meet Council expectations and be effectively administered. Council requested that an Ad Hoc Advisory Committee be formed on the issue. Councilors Barnes and Avol volunteered to join the sub-committee.

Alcohol & Cigarette Licensing Matters

Approval of Annual Alcohol and Beer Garden License Renewal Applications; Cigarette License Renewal Applications– Council held a second presentation of Alcohol Applications and the first presentation of Cigarette Licensing. Council received a report from the Assistant Administrator that indicated no delinquencies are due the City, and basic premise inspection, as relates to the licensing privilege, report by Chief of Police showed all applicants in compliance. Establishments and Class of License as follows: Uncle Walleye’s, LLC, Barbara Engelhard, Agent, Patsy’s Bar, Corporation Combination Class B Fermented Malt Beverage & Intoxicating Liquor, with Beer Garden, 328 West Bayfield Street; Dauson, Inc., Harlan Guske, Agent, Firehouse, Corporation Combination Class B Fermented Malt Beverage & Intoxicating Liquor, with Beer Garden, 10 West Bayfield Street; John’s Prime Steak Pit, Inc., Edith M. Deutsch, Agent, The Steak Pit, Corporation Combination Class B Fermented Malt Beverage & Intoxicating Liquor with Beer Garden , 125 Harbor View Drive; Washburn IGA Bitzer’s Inc., Robert J. Bitzer, Agent, Washburn IGA, Corporation Class A Fermented Malt Beverage and Intoxicating Liquor, 226 West Bayfield Street; David P. Nickels, A Nickel’s Worth, Individual Combination Class B Fermented Malt Beverage & Intoxicating Liquor, 800 West Bayfield Street; Lyndale Terminal Co., dba Holiday Station store #227, Eugene Rich, Agent, Corporation Class A Fermented Malt Beverage, 606 West Bayfield Street; Leino’s Gas & Goods, Inc., Susan M. Tibbits, Agent, Corporation Class A Fermented Malt Beverage, 137 West Bayfield Street; Timothy F. Ledin, Hugo’s Log Cabin, Individual Class B Fermented Malt Beverage License, 905 W. Bayfield Street; StageNorth LTD, Scott Burchill, Agent, Stage Door Bar, Corporation Combination Class B Fermented Malt Liquor, with Beer Garden, 123 West Omaha Street; DaLou Bistro, Inc, Dale Hanson, Agent, DaLou’s Bistro, Corporation Class B Fermented Malt Beverage and Class C Wine, with Beer Garden, 310 West Bayfield Street; the Snug, LLC, dba The Snug, Kristi M. Doman, Agent, Corporation Class B Fermented Malt Beverage & Intoxicating Liquor with Beer Garden, 308 West Bayfield Street; Washburn Bay, LLC, dba Sauce, Jeremy Michael Olson, Agent, Corporation Combination Class B Fermented Malt Beverage and Intoxicating

Liquor, 631 West Bayfield Street; Washburn Asian, LLC, dba Golden Dragon Chinese & Japanese Restaurant, Yan Lin, Agent, Corporation Class B Fermented Malt Beverage and Class C Wine, 211 West Bayfield Street; and Naturally Superior, Inc., dba Superior View Golf, Dale A. Brevak, Agent, Corporation Class B Fermented Malt Beverage License, 950 County Highway C. Motion by McGrath, seconded by Barnes, approved annual Alcohol, Beer Garden, and Cigarette licensing for the establishments applying; including the Golden Dragon Restaurant upon obtaining licensed operators for the premise by the end of the month. Motion unanimously carried.

New Beer Garden Application for Golden Dragon Restaurant, 211 W. Bayfield Street - Motion by Avol, seconded by Nowakowski, to approve a Beer Garden Permit, 211 W. Bayfield Street, for Golden Dragon Restaurant contingent on meeting all alcohol licensing requirements. Motion carried unanimously.

Temporary Class “B” Retailers License for Washburn Chamber of Commerce, Board Across the Bay – Thompson’s West End Park, July 26, 2014 – The permit Application notes that licensed servers will be provided through Delta Dinner’s Catering Service. Nowakowski motion, Kelly seconded, to approve a Temporary Class “B” Intoxicated Beverage Retailer License to the Washburn Chamber of Commerce for the Board Across the Bay event held in Thompson’s West End Park on July 26, 2014. Motion carried unanimously.

Temporary Class “B” Retailers License for Friends of Washburn Fire and Ambulance, EMS 500 Fundraiser, July 25, 2014; Permission to Hold Event on City Grounds; Relaxation of Noise Ordinance for Event – Council was asked to consider the approvals for the annual fundraiser for the Fire and Ambulance Departments. The event will have beer served and will host live music. Motion by Nowakowski, seconded by Kelly, to approve a Temporary Class “B” Intoxicated Beverage Retailer License to the Friends of the Washburn Fire and Ambulance from 6:00PM to 11:59PM on July 25, 2014 on the Grounds of the Ambulance and Fire Halls; and to approve relaxation of the City Noise Ordinance from 6:00PM Friday July 25th until 12:01 AM Saturday July 26th. Motion carried unanimously.

Bartender License Applications – New Licenses 49-15 through 52-15, and New and Renewals 27-16 through 43-16 – Avol motioned, Barnes seconded to approve the new Bartender License Applications numbers 49-15 through 52-15 and renewal applications 27-16 through 43-16. Motion carried unanimously. Bartender Licenses, otherwise known as operator licenses expire two years after issuance.

Discussion and Action on Recreation Coordination Services Agreement with the School District of Washburn –Council considered the approval of the revised Recreation Coordination Services Agreement with the Washburn School District. This agreement was created to help identify the shared responsibility of administering the youth softball program. Under this agreement the City assumes the responsibility of providing the facilities and liability insurance for the softball program. McGrath motioned, Kelly seconded, to approve the Recreation Coordination Service Agreement with the School District as presented. Motion Carried unanimously.

Approval of Resolution #14-004 - Compliance Maintenance Annual Report (Treatment Plant) – This report, required for annual submission to the Wisconsin Department of Natural Resources (DNR), identifies the plant’s physical and financial operating conditions for the 2013 operation and budget year. Motion by McGrath, seconded by Avol, to adopt Resolution 2014-004 for the Review and Submission of the 2013 Compliance Maintenance Annual Report for the City’s Waste Water Treatment Plant to the DNR. Motion carried.

Discussion and Action on Amendment #1 to Agreement with the Department of the Army for Design and Construction Assistance for the Wastewater Treatment Headworks Modification Project – The agreement with the US Army Corps of Engineers for grant funding will cover approximately 50% of the cost of required to complete the treatment plant upgrades that have been mandated by the DNR. Motioned by Nowakowski, seconded by Kelly, to approve amended agreement. Motion carried unanimously.

Denial of Claim for Injuries and Damages from Ice Fall – Ryan Jensen – Upon the completion of an investigation, the City’s insurance company has provided the City with the recommendation to deny Mr. Ryan Jensen’s injury claim. Motion by Avol, seconded by Kelly, to deny claim and send Mr. Jensen the draft notice supplied by the City Administrator. Motion carried unanimously.

Discussion on Cost Estimates on Items for Potential Borrowing – At the last April Re-Organizational Meeting & Retreat Session, the Council had discussed the possibility of authorizing a debt issuance to address various capital needs of the City. At that meeting, a tentative list of capital priorities was established based on preliminary estimates. After that meeting, staff sought out cost estimates from area equipment dealers to refine earlier estimates. The newly obtained estimates were provided to the Council at this meeting. These included estimated equipment replacement costs that were considerably less than original estimates. Council requested that citizens be notified of bonding proposal and requested that Mayor Griffiths lead and coordinate the development of a letter outlining the plans and motivations behind the consideration to finance the City’s pressing capital needs. No official Action was taken on this item.

Closed Session Item - Discussion and Action on Offer for Public Works Director Position– Motion by Avol, seconded by McGrath, to go into Closed Session pursuant to Wisconsin State Statute §19.85(1)(c) for purposes of discussion and action related to extending a job offer for the position of Public Works Director. Motion carried unanimously via roll call vote of all seven Council Members present. Council convened into close session at 7:31PM with the Mayor, City Administrator, and Assistant City Administrator present.

Adjourn – Council adjourned from closed session and adjourned the meeting at 7:57PM on a motion by Avol, seconded by Nowakowski. Motion unanimously carried.

Kenneth J. Camilleri
Assistant City Administrator

FINANCE COMMITTEE MEETING 4:30PM

Committee Members Richard Avol, Mary McGrath and Mary Nowakowski reviewed monthly expenditure vouchers.