

October 13, 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, Assistant City Administrator Kenneth Cammilleri, and City Attorney David Siegler.

Absent: None

**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 – September 8, 2014 and September 22, 2014 – Motion by Jensch, seconded by Oswald, to approve Records of Official Proceedings for the September 8, 2014 and September 22, 2014 City Council Meetings with listing of who voted for the West End Goose Hunt. 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, to approve the monthly expenditures. Motion unanimously carried on roll call vote of all seven Councilors in attendance.**

**Public Comment** – None

**Mayoral Announcements, Appointments, or Proclamations –**

Mayor Griffiths announced that there is a newly vacant set on the Washburn Development Authority. He indicated that he has been talking to several possible candidates but asked the Council to feel free to provide him with suggestions.

The Mayor announced that the Thompson’s West End Park Framework Plan Feedback Meeting will be held at the Washburn Elementary School Cafeteria at 6:00PM on Thursday, October 23, 2014. He encouraged the Council and anyone in the audience to attend.

The Mayor indicated that he will be absent for this December City Council Meeting to attend EMT Training.

**Discussion & Referral to the Plan Commission for Discussion and Referral to Plan Commission for Request for Vacation of Certain Alley and/or Thoroughfares in DuPont Park Addition, Melanie & Stephen Dvorak, Petitioners for the following right-of-ways:**

- Terrace Drive b/w Castle Drive and Sunset Avenue, abutting Lots 12-23, Block 25 and Lots 1-13, Block 32.
- Alley in Block 32 b/w 4<sup>th</sup> Avenue and Sunset Avenue, abutting Lots 1-10 and 14-21.
- Grove Blvd between 4<sup>th</sup> Avenue and Sunset Avenue, abutting Lots 15-21,

- Block 32 and 1-5, Block 33.
- Alley in Block 33 b/w 4<sup>th</sup> Avenue and Sunset Avenue, abutting Lots 1-4 and Lot 6.
  - 4<sup>th</sup> Avenue East b/w 10<sup>th</sup> St., and just northwest of Sunset Ave., so that the actual location of Gravel Pit Road at the south end of Block 33 is unaffected, abutting Lots 8, 9, 14, and 15 in Block 23.

Motion by Avol, second by Nowakowski, to refer the Dvorak vacation requests to Plan Commission. Oswald noted that there should be future discussion of use of a Terrace Drive for a potential recreation trail. Attorney Siegler noted that he questioned whether or not the request to vacate the portion of 4<sup>th</sup> Avenue is a sufficient petition because Mr. Bodin is not part of the petition as an adjoining land owner. He indicated that the City could pursue it if it is found to be in the public interest to do so. Siegler also noted that there is some question as to whether or not that segment of 4<sup>th</sup> Avenue was already vacated. Oswald motioned, Avol seconded, to open floor. Motion carried. Attorney Mike Fauerbach spoke on behalf of the Dvoraks. He requested that the Council make a determination of whether or not a particular part of 4<sup>th</sup> Avenue East has not been vacated and presented arguments about access and topography of Terrace Drive. Council requested clarification on who is responsible to deciding whether or not 4<sup>th</sup> Avenue East was vacated. Melanie Dvorak spoke to the Council and spoke about the history of her property. She indicated that their interest is to clean up their parcels and property lines.

#### **Public Hearing(s) and Council Action –**

**Public Hearing, Discussion, and Action on Plan Commission Recommendation to Approve Conditional Use Permit Application for Tourist Rooming House at 900 Superior Ave., John & Ellen Binder, Petitioners** – Mayor Griffith's noted that the floor is still open for members of gallery to speak on this issue. No one spoke on this issue. Avol motioned, Nowakowski seconded, to close the floor. Motion by Barnes, seconded by McGrath, to approve a conditional use permit to John and Ellen Binder for the operation of a Tourist Rooming House at 900 Superior Avenue. Motion Carried.

**Discussion and Action On Request to Fund and Construct a Shed on the Athletic Field Property for Ice Rink Maintenance, Leo Ketchum, Petitioner** – Motion by McGrath, seconded by Avol, to approve request a request to fund and construct shed on the Athletic Fields for the purpose of storing snow blower equipment and to allow staff to determine the location of the shed lowering the this item in the 2015 budget by \$500 to allow construction to proceed in the 2014 year. Motion carried.

**Discussion and Referral to the Plan Commission of Proposed Ordinance 14-012 for the Purpose of Regulating the Location of Mobile Service Support Structures and Facilities** - This Ordinance was introduced to implement regulations on radio and cell towers that are within recently State Statutes regarding the local regulation of such structures. Motion by Barnes, seconded by Nowakowski, to refer Ordinance 14-012 to Plan Commission. Council members requested that the Plan Commission include a review process and that clarification is made on to page 8 sections (1) and (2) that required landscaping is the cost of applicant. Motion carried.

**Report and Discussion on Status of City Campgrounds** – Council requested that staff reintroduce the issue campground conditions at a later date. No action was taken on this issue.

**Discussion and Action on Request to File Complaint with Appropriate Agencies in the Name of the City of Washburn on Inability to Receive Broadcast of Packer Games in the Washburn Area** – McGrath motioned, seconded by Oswald, to approve the request to file a complaint with the appropriate agency regarding the inability to receive Green Bay Packer games in the Washburn area. Motion carried.

**Discussion and Action on 2015-2016 Maintenance Contract with Bowmar Appraisal, Inc. for**

Assessment Services – Avol motioned, Nowakowski seconded to approve the 2015-2016 Maintenance Contract with Bowmar Appraisal, Inc for Assessment Services. Motion carried.

**Discussion and Action on 2015-2017 Contract with Diversified Benefit Services, Inc. for Employee Flexible Benefit Spending Plan Services – Motion by McGrath, seconded Kelly, to approve the 2015-2017 Contract with Diversified Benefits Services, Inc. for administration of the Employee Flexible Benefit Spending Plan Services. Motion carried.**

**Introduction, Discussion, and Action on 2015 Harbor Commission and Stormwater Utility Budgets – Motion by Avol, seconded by Jensch, to provisionally approve the Harbor Commission and Stormwater Utility Budget. Motion carried.**

**Discussion and Action on 2015 Fee Schedule – Motion by McGrath, seconded by Kelly to approve the 2015 City of Washburn Fee Schedule. Motion carried.**

**Discussion and Action on 2015 General Fund, Capital Projects, and Debt Service Budgets -**

- Review of Finance Committee Recommendations/Council Member Considerations
- Changes to Employee Health Insurance Deductible Assistance Plan
- Public Works Equipment Lease Approval

Administrator Kluver requested that that the Council approved an additional \$450 for the Police Budget to cover unanticipated additional expenses for computer software.

Due to recent healthcare law changes, the City can no longer administer its Deductible Reimbursement Program in the same way. Administration has proposed the City maintain the same funding levels of \$500 for single employees and \$1,000, but to split the contribution 50/50 between employees current Deductible Reimbursement Accounts and a bonus that employees can deposit in their Flexible Spending Accounts. Motion by McGrath, Seconded by Avol, to approve City Administration’s plan for 2015 Health Insurance Deductible Assistance Plan. Motion Carried.

Council was requested to review and approve a plan to lease a new grader and backhoe for the Public Works Department. McGrath motioned, Nowakowski seconded, to approval of equipment leases for a grader and backhoe for the Public Works Department for the total of \$41,398.00. Motion carried.

The Council discussed the inclusion of the City Hall Plaza Fountain as part of the \$40,000 the City Hall roof and fountain repairs in the Capital Budget.

Motion by McGrath, seconded by Kelly to provisionally approve to General Fund Budget, Capital Budget, Debt Budget with the inclusion an additional \$450 for the police department budget and the inclusion of fountain repairs within the \$40,000 allocated for City Hall roof repairs in the Capital Budget. Motion carried.

**Discussion and Action on Resolution No. 14-011 for Appointment of a Representative of the City Authorized to File the Recycling Grants to Responsible Units and Recycling Efficiency Incentive Grant Applications – Avol motioned, Barnes seconded, to approve Resolution 14-011 for the Appointment of a Representative of the City Authorized to File the Recycling Grants to Responsible Units and Recycling Efficiency Incentive Program Grants. Motion carried.**

**Discussion and Action on Resolution No. 14-012 for Renewal of a \$50,000 Line of Credit for the Washburn Marina Operations** – This line of credit must be renewed each year, and under the City’s current contractual requirements with Marina Management, Inc. a line of credit must be provided in the amount of \$50,000. There are no principal or interest charges on this line of credit unless it used, and if it were used, Marina Management, Inc. would be responsible for these costs Motion by Nowakowski, seconded by McGrath, to approve Resolution 14-0012 for the Renewal of a \$50,000 Line of Credit for the Washburn Marina Operations. Motion carried.

**Discussion and Action on Resolution Nos. 14-013, 14-014, and 14-015 for the Purpose of Borrowing Funds from the Board of Commissioners of Public Lands for the Following Respective Applications:**

- Application ID #05604052 - \$166,000 For the Purpose of Refinancing the Taxable Promissory Note of 2010
- Application ID #05604053 - \$365,000 For the Purpose of Financing the Marina Boat Ramp Project
- Application ID #05604054 - \$160,000 For the Purpose of Financing a Land Purchase

Motion by McGrath, seconded by Nowakowski, to approve Resolution 14-13, Resolution 14-14, and Resolution 14-15 for the purpose of Borrowing of Funds from the Board of Commissioners of Public Lands. Motion carried.

#### **Alcohol Licensing Matters**

**Temporary “Class B” Retailers License for Chequamegon Bay Arts Council, 1 E. Bayfield St., November 6, 2014** – Motion by McGrath, seconded by Kelly to approve a temporary “Class B” Retailers License for Chequamegon Bay Arts Council for an event held at the Washburn Cultural Center at 1 E Bayfield Street on November 6, 2014. Motion carried.

**Discussion and Approval of Bartender License Applications – 46-16 through 51-16** – McGrath motioned, Kelly seconded, to approve Bartender License Applications 46-16 through 51-16. Motion carried.

**Adjourn** –The meeting was adjourned at 6:40PM on a motion by Avol, seconded by Nowakowski. Motion carried.

**Kenneth J. Cammilleri**  
**Assistant City Administrator**

#### **FINANCE COMMITTEE MEETING 4:30PM**

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