

March 9, 2015

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 – February 9, 2015 – Motion by McGrath, seconded by Kelly, to approve Records of Official Proceedings for the February 9th City Council Meeting with correction to clarify Councilor McGrath’s absence. Motion was unanimously carried.

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

Public Comment –

Randy Daigle – Owner/Operator of C R Treasurers 1047 W Bayfield St - Expressed his opposition to a proposed zoning change that would split his existing parcel between the cottage commercial zoning district and a residential zoning district. Mr. Daigle has expressed interest in building storage building on the property as part of an expansion of his business.

Michele Shrider – Marina Manager for the Washburn Marina – Commented regarding the project proposal from Movin’ Out, Inc. She noted that a new development at the City’s newly reacquired Omaha Street property should enhance the marina, not detract from it. She encouraged the Council to consider the impact on Marina growth and commercial activity as they determine the future of this site.

Roth Edwards - Ashland, WI – Spoke regarding economic development, improving tourism, and his opposition to Concentrated Animal Feeding Operations (CAFOs).

Jack Stewart - 810 N Washington Ave – Indicated that he fully supports the Resolution 15-003 regarding CAFOs.

Mike Mertes – 429 E Bayfield St – Voiced his concern regarding CAFOs and offered compliment regarding Resolution 15-003. He further recommended that the City adopt an economic development mission statement to guide further development that acknowledges such types of environmental issues.

Alex Strachota – 222 2nd Ave E – Offered his support of Resolution 15-003. He argued that the City should always find ways to be proactive about environmental issues.

Jim Nowakowski – 126 W. Bayfield St – Spoke regarding the City’s newly reacquired Omaha Street property. He urged the City to take careful consideration of the type of development it chooses to locate there.

Mary Motiff - 302 W Omaha St – Shared concerns about locating affordable housing units on the City’s Omaha Street property. She indicated that she sees the need for affordable housing but noted that care should be taken as to where it should be placed. She argued that there may be other places where it might be better suited.

Bob Mackrath – 500 Woodland Dr – Spoke on his opposition and concern regarding locating CAFOs in the region.

Betty Cummings – Resident of Autumn Manner, 420 E 3rd St - As a resident of the City of Washburn/Bayfield County Housing Authorities, Ms. Cummings indicated that she was concerned that existing public housing will not get occupancy if a new affordable housing development were to be located in the City.

Rick Geisen – 610 Hillside Dr – President of the Washburn Development Authority – Urged the Council to move forward with an exploratory committee regarding the Movin’ Out Project. He argued that a feasibility study and underwriting due diligence to confirm need for housing in community is needed and would be supplied as part of investigating this project. He also noted that there are many challenges that may impede the success of this project, including the competition in obtaining WEDA Tax Credits.

Jeff Silbert – 502 E 4th St – Spoke in support to Resolution 15-003.

Karen Guski – 425 W Pine St – Chair of City of Washburn Housing Authority – Shared concern with regard to the proposal from Movin’ Out, Inc. She noted that that the Housing Authorities have difficulty maintaining full occupancy. 1/3rd of residential income is used for their share of the rent. She cautioned that the Movin’ Out project could impact rent for housing authority residents going forward.

David Bratley – 2 2nd Ave E – Shared his support the Resolution 15-003. Noted that the library now has a book regarding Concentrated Animal Feeding Operations (CAFOs).

Mayoral Announcements, Appointments, or Proclamations –

Mayor Griffiths announced that former Mayor Larry Mertsching recently passed away on February 6th of this year. Mertsching served as the City’s 23rd Mayor from 1992 to 1996.

Discussion and Action on Resolution #15-003 Requesting that the Bayfield County Board Adopt More Stringent Safeguards, Protections and Standards than are Contained in ATCP-51 Which Relates to Concentrated Animal Feeding Operations (CAFOs) and that the Wisconsin Department of Natural Resources Require that a Full Environmental Impact Study be Performed Prior to the Siting of a CAFO in Bayfield County – Mayor Griffiths presented a draft resolution to the Council regarding Bayfield County’s recent decision to enact a moratorium on siting additional CAFOs in order to explore regulatory options and the City’s formal stance on this issue. Motion by Oswald, seconded by Jensch, to approve Resolution 15-003, which is to include Councilor Jensch’s amendment with application of the word “protest”. Motion carried unanimously.

Public Hearing, Discussion & Action for Conditional Use Permit Application for Tourist Rooming House at 1101 Washington Ave., Kristen Bobb, Petitioner – The City’s Plan Commission unanimously recommended the approval of this request at its February 19, 2015 meeting. The Council reviewed the Conditional Use Permit and its conditions. Kristen Bobb was present to answer questions of the Council. Motion by Avol, seconded by Nowakowski to open the floor for the public hearing. Motion carried. No one from the public commented on this issue. Motion by Avol, seconded by Jensch, to close floor. Motion carried. Motion by Avol, seconded by Barnes, to approve a Conditional Use Permit for a Tourist Rooming House at 1101 Washington Avenue to Kristen Bobb. Motion carried.

Discussion and Referral to Plan Commission for Conditional Use Permit Application for Home Occupation of a Healthcare Practice at 1129 – 8th Ave. W., Amy Arnao, Petitioner – Motion by Jensch, seconded by Nowakowski, to refer the Conditional Use Permit application for a healthcare practice at 1129 W 8th Avenue by Amy Arnao to Plan Commission for consideration and recommendation; and to proceed with advertising a public hearing. Motion carried.

Discussion & Action on Recommendation from Washburn Development Authority to Consider Next Steps Regarding Movin’ Out Housing Development Proposal/Appointment of Ad-Hoc Committee Members – Mayor Griffiths explained the proposed purpose of the proposed ad hoc committee, noting that its intent is obtain more information regarding the project proposal, explore the viability of the project and to identify possible sites in the City that would be suitable for the project. Councilors discussed Movin’ Out Inc. proposal, the formation of the committee, the City’s Omaha Street property, the proposed committee scope, and its name. Motion by Jensch, seconded by Avol, to approve the creation of an exploratory ad hoc committee, open to all properties with a membership of the Mayor, City Administrator, City Attorney, a Council Representative (Christine Kelly), the Washburn Development Authority President, a to be appointed representative from the City of Washburn/Bayfield County Housing Authority, and a citizen representative as appointed by the Mayor. Motion carried with Nowakowski voting no.

Presentation and Discussion of Details and Status of Proposed Tax Increment District #3 Project – Staff presented to the Council recent preparations and plans for establishing a new tax increment district in the City. The TID#2 has now reach the end if it’s useful life for funding new projects and will spend the remainder of its existence paying down debt obligations and remaining project commitments. Council members shared their support of the project and directed staff to include the Maloff Properties on the 400 Block of West Bayfield Street into district. No official action was taken on this item.

Discussion & Action on Acceptance of Bid and Award of Contract for Wastewater Treatment Plant Modifications Project/Appointment of Responsible Representative – Motion by Avol, seconded by Barnes, to approve the contract for the base bid and alternate one with KBK Services, Inc. contingent on funding approval from the US Army Corps of Engineers for a total up to \$750,000. Motion carried unanimously. Staff noted that if the City can keep this project to \$750,000, there may dollars left over to complete some of the elements of the project alternates related to Waste Water Treatment Plant improvements, repairs, and upgrades.

Discussion & Action on Proposed Contract with Ruckert & Mielke, Inc. for Engineering Services Related to Phase 2 of the West End Park Beach Restoration Project – With Phase I of the West End Park Beach Restoration completed, the City must now complete Phase II of this project in order to keep current grant funding from the Wisconsin Coastal Management Program. Motion by Kelly, seconded by Barnes, to approve the contract agreement with Ruckert & Mielke, Inc. for Design and Engineering Services for Phase 2 of the West End Park Beach Restoration Project; and to include a memo for distribution to Ruckert & Mielke and Marek Landscaping (current West End Park planning and design consultants) to keep design conformity between the two projects. Motion unanimously carried.

Discussion & Action on Ordinance 15-002 for the Purpose of Modifying Provisions Related to the Retention of Public Utility Easement in Vacated Rights-of-Way – Motion by Nowakowski, seconded by Kelly, to approve Ordinance 15-002 for the purpose of modifying provisions related to the retention of public utility easements in vacated rights-of-way. Motion unanimously carried.

Discussion & Action on Proposed Changes to the City's Chicken Permitting Ordinance – Motion by Oswald, seconded by Barnes, to have proposed notice and objection process of the Chicken Ordinance be reflected in the draft Bee Ordinance and to instruct staff to draft changes appropriate changes to the Chicken Permitting Ordinance. Motion unanimously carried. Council requested staff provide examples of standards and presumptions.

Discussion & Action on Proposed Website Linking Policy – Motion by Kelly, seconded by Nowakowski, to table action and discussion on a proposed website policy until staff and the City Attorney have the opportunity to revise the proposed policy. Motion unanimously carried.

Alcohol Licensing Matters

Bartender License Applications – 57 through 59 -16 – Motion by McGrath, seconded by Kelly, to approve Bartender License applications 57-16 through 59-16. Motion unanimously carried.

Closed Session Items –

Potential Litigation Regarding Delinquent Personal Property Taxes – Avol motioned, seconded by Nowakowski, to go in closed session pursuant to Wisconsin State Statute §19.85(1) (g) for the purpose of conferring with legal counsel on matters which may lead to litigation; following which the Council may reconvene in open session to take any action that may be necessary on the closed session items. Motion carried upon unanimous roll call vote.

Closed session notes:

Motion by Oswald, Seconded by Barnes, to direct the City Attorney to move forward with a suit against Sachin, LLC to recover delinquent personal property taxes. Motion carried.

Adjourn – Motion to leave Closed Session and adjourn meeting at 8:21PM by Nowakowski, seconded by Barnes. Motion carried unanimously.

**Kenneth J. Cammilleri
Assistant City Administrator**

FINANCE COMMITTEE MEETING 4:30PM

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