



# City of MONDOVI

156 S. Franklin St., Mondovi, WI 54755

Tel. 715-926-3866

## **COUNCIL MINUTES December 11, 2018**

### **CALL TO ORDER:**

Meeting was called to order at 6:30 p.m. by Mayor Brady Weiss, presiding over the meeting at City Hall Council Chambers, 156 S. Franklin Street, Mondovi, WI.

### **ROLL CALL:**

Council members present: Nathan Nelson, Rita Brunkow, David Schultz, Angie Risen, Lynn Smith, and Greg Bauer. Also present were City Administrator/Clerk Hanson and Mayor Brady Weiss. Absent was Ginny Gunderson

### **CERTIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW:**

Hanson advised Council that the Mondovi Herald-News was provided the agenda notice on Friday, November 30, 2018. It was posted at public posting notice locations and delivered to Councilmembers through their place of business or residence on Friday, December 7, 2018.

### **CITIZEN COMMENTS:**

Mike Krisik, assisted with the forensic audit, which included a review of the developer's agreement for North Creek Developers, and advised the agreement had been breached. He wasn't involved in the financial part of the investigation and believes the TILR numbers are acceptable, but feels the city owes the taxpayers more transparency. His professional opinion was that the city and the developer's group were entangled and feels the citizens will be upset with the TILR report.

Rick Geraghty spoke about only one personal guarantee from the developer's group to the city. The city agreed to the development with no collateral with chance of it being not being successful and the developer's group had much to gain. He asked why there was no law suit against the prior city administrator, and was informed it was due to the risk of Wisconsin law regarding paying both legal fees for City and current or former employees.

Rita Brunkow talked about the smell coming from SPF and the involvement with them with the waste water plant. She feels the plant's decisions are being made somewhere other than council. Mayor noted meeting not well attended by the public meeting for the waste water plant.

### **ACCEPTED AGENDA:**

Motion by Schultz and seconded by Nelson to accept the consent agenda with the following changes made during discussion: November 13, 2018 minutes change to Lynn Smith's statement about a citizen coming in to City Hall to voicing a complaint; Add what time candidates must have Council forms returned by; November 29, 2018 Special Meeting under Resolution R-18-11-04 changing buy-out wording to state prior to officer attending training upon council approval; Utility Meeting Minutes need addition to have staff ensure utility is not paying over what is serviced; Take out wording in Residential Rehab; Adding EVOG information and police department policies and procedures regarding the canine program to the MAC. Motion carried.

### **ITEMS REMOVED FROM THE CONSENT AGENDA:**

There were no items removed from the Consent Agenda.

### **UNFINISHED BUSINESS [for heading purposes only]:**

#### **1. FORENSIC AUDIT CLOSE OUT:**

- a. Approve Total Income Loss Report (TILR) as to detail of the Forensic Audit Findings

- b. Release closed session meetings for Forensic Audit
- c. Peeso Creek Terrace neighborhood privately held lots letter
- d. Insurance Claim Update

Discussion regarding information being released with caution after Smith spoke with Biskupic. Council would like to see a complete final report from the forensic audit other just the TILR Report. Krisik not releasing his report. Nelson understood that funds were paid for finalization of the final report and not the TILR report created by Hanson. Smith stated errors in the police departments hours paid for hours not worked in the TILR report and wants it removed. Wants (g) removed from TILR report. Schultz questioned publicly speaking of the forensic audit and he was advised to have citizens request open records. Mayor suggested revisiting the TILR report for additional review after reaching out to special council regarding changes to the report. Motion by Schultz and seconded by Nelson to have a finalized report from Special Council in conjunction with the TILR report to be reviewed at the January 8, 2019 council meeting or as soon as administratively possible. Motion carried.

Motion by Schultz and seconded by Nelson to remove (g) from the TILR report and include an updated forensic audit report for council review. Motion carried.

Motion by Nelson and seconded by Smith to postpone the release of closed session minutes from the forensic audit until after it is reviewed. Motion carried.

Discussion under Chair Schultz of Peeso Creek Terrace neighborhood privately held lots letter that was requested by council. Reviewed draft of letter that the City Attorney suggested will be sent to privately owned lot owners in Peeso Creek terrace with their intentions of building. Nelson concerned of Statute of limitations on the lots. Schultz questioned the Mayor if owners were told they didn't have to build within a certain timeframe. Mayor Weiss stated he was not required to build within a timeframe. Deed restrictions are on records at Buffalo County. Motion by Brunkow seconded by Risen not to send the information-request letter dropping the matter regarding capital improvement issue with privately-held lot owners as of January 1, 2018 and move forward as the current system in place has corrected this issue. Motioned carried with Smith voting no and Bauer abstaining.

Hanson updated council on insurance claim. No action.

2. POLICE DEPARTMENT CANINE (K-9) PROGRAM POLICIES: Chief Severson updated council on the Police Department's canine program policies.

**NEW BUSINESS [for heading purposes only]:**

1. KELLER REVIEW OF CITY HALL PRELIMINARY PLANS: Devin Flanigan from Keller Engineering presented council with updated plans for the proposed new library building. No action
2. ATV/UTV OPENING OF COUNTY ROADS ACCORDING TO 2017 WISCONSIN ACT 87: Discussion of making County Road H available for ATV/UTV's use to access trail. Motion by Schultz and seconded by Risen to open County Road H for ATV/UTV use in accordance with all legal roads within Act 87 from the southern city limits to the northern city limits per Wisconsin State Law. Motion carried with Brunkow voting no.
3. ANIMAL CONTROL ORDINANCE REVIEW: Motion by Smith and seconded by Schultz to postpone the animal control ordinance review until January 8 or January 22, 2019. Motion carried.
4. RESOLUTION R-18-12-01 DURAND SANITATION EXTENDED AGREEMENT: Motion by Schultz and seconded by Bauer to accept Resolution R-18-12-01 with changes extending the sanitation agreement with Durand Sanitation. Motion carried.
5. APPOINTMENT OF ELECTION OFFICIALS: No election of officials this calendar year. No action.
6. ORDINANCE O-18-12-01 AMENDING THE 2018 BUDGET FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE CITY OF MONDOVI, BUFFALO COUNTY, WISCONSIN: Motion by Smith and seconded by Bauer to accept Ordinance O-18-12-01 amending the 2018 budget for the operation of the government and administration of the City of Mondovi, Buffalo County, Wisconsin. Motion carried.
7. LAWSUIT DEFENSE POLICY REGARDING RECOVERY OF LEGAL EXPENSES: Discussion to research state legislation regarding frivolous law suits. No action.

**REPORTS OF CITY OFFICERS:**

Mr. Hanson reported an update on Buffalo County Recycling Center regarding items being dropped off during closed hours, delinquent utility bills accessed to property taxes, and paperwork deadline for council elections, updates on matching grants available to the city. Mayor reported on communications with police department. Requested Brad to contact SPF on their future intentions along with CBS Squared for an update. Risen asked for the Personnel Handbook meeting to be rescheduled from Monday, December 17, 2018 until Tuesday, December 18, 2018 due to a personal conflict.

**APPROVAL OF LICENSE APPLICATIONS:**

1. **OPERATOR'S LICENSE APPROVAL:** Motion by Nelson and seconded by Brunkow to approve operator's licenses applications for:
  - a. Asher J. Kohler for The Valley
  - b. Erika R. Kohler for The Valley
  - c. Brooklyn F. Mueller for The Valley
  - d. Amalah M. Hjort for Hansen's IGA
  - e. Kimberlee A. Potts for Hansen's IGA
  - f. Morgan J. Kacures for Hansen's IGA
  - g. Brooklynn A. Howell for Hansen's IGA
  - h. Shelby M. Reyes-Lueptow for Hansen's IGAMotion carried.
2. **PICNIC LICENSES:** Motion by Nelson and seconded by Bauer to approve a Temporary Class B Picnic License application for Mondovi Gilmanton Sno-Blazers' event on January 12, 2019 located at the Buffalo County Fairgrounds tent and midway area and pulling track. Motion carried.

**COMMUNICATIONS AND OTHER BUSINESS:**

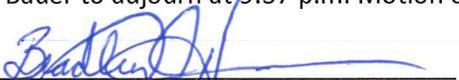
Nelson reported being contacted by a citizen regarding SPF and the odor that comes from their plant. Discussion regarding whether an ordinance is in place regarding this issue. Hanson stated he spoke with a representative from SPF stating they are having issues with their filtration system and they are attending to the issue.

**SET NEXT MEETING DATE:**

Next regular meeting of the Common Council will be held on January 8, 2019 at 6:30 p.m.

**ADJOURNMENT:**

Motion by Risen and seconded by Bauer to adjourn at 9:37 p.m. Motion carried.

  
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Bradley J. Hanson, City Administrator/Clerk  
December 14, 2018