



City of MONDOVI

156 S. Franklin St., Mondovi, WI 54755

Tel. 715-926-3866

COUNCIL MINUTES

January 22, 2019

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, David Schultz, Ginny Gunderson, Angie Risen, Lynn Smith, Greg Bauer, and Rita Brunkow arriving at 6:32 p.m. Also present were City Administrator/Clerk Hanson and Mayor Brady Weiss.

CERTIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW:

Hanson advised Council that the Mondovi Herald-News was provided the agenda notice on Friday, January 18, 2019. It was posted at public posting notice locations and delivered to Councilmembers through their place of business or residence also on Friday, January 18, 2019.

CITIZEN COMMENTS:

Gerry Goss was present to hear information on Peeso Creek Terrace and Dwight Winberg was present to voice concerns regarding the lots at Peeso Creek.

ACCEPTED AGENDA:

Motion by Nelson and seconded by Bauer to accept the consent agenda with the following changes made during discussion: January 8, 2019 minutes under accepted agenda to list the changes made during the discussion under the accepted agenda. MAC addition to add SPF's attendance at a future meeting in order to keep track of it. Motion carried.

ITEMS REMOVED FROM THE CONSENT AGENDA:

No items were removed from the Consent Agenda.

UNFINISHED BUSINESS [for heading purposes only]:

1. **CBS SQUARED WASTE WATER TREATMENT PLANT UPDATE AND PRESENTATION:** CBS Squared Engineer John Strand was present to update council and community on the Waste Water Treatment Plant (WWTP). Clearas Water Recovery representative Autumn Fisher presented a video explaining the process of removing nutrients from the water through algae use in a WWTP and harvesting it for other uses allowing for possible cost recovery for the facility. Strand explained the USDA financing program available for the plant. Grants are available along with 40-year financing with the USDA-RD. He explained the differences in Government versus private funding. He also explained the reason waste water rates will need to be increased to meet requirements for funding. Gerry Goss encouraged Council to reach out to local banks for their interest in financing the plant. Brunkow questioned whether the plant needs to be the size proposed and the cost associated with it. Strand explained the mandates with the Wisconsin Department of Natural Resources (WDNR) regarding the size of the plant allowing for future growth of a community. Brunkow would like information in writing before council is asked to take action on the plant. Hanson will supply the information requested. No action.
2. **MOTION TO RESCIND COUNCIL'S PREVIOUS MOTION NOT TO SEND THE LETTER TO OWNERS OF PEESO CREEK TERRACE PRIVATELY HELD LOTS PRIOR TO JANUARY 1, 2018 MADE AT THE DECEMBER 11, 2018 COUNCIL MEETING:** At 7:34 Mayor Weiss and Bauer excused themselves from the meeting. Smith discussed

the reason for considering rescinding this motion was due to failure to follow policy in the city code. The letter was drafted after a closed session meeting, and now in open session before closed session approval. Smith voiced concerns with the previous vote with the presence of individuals owning Peeso Creek lots at the dias. Smith stated the City attorney shared that Bauer and Weiss should not be involved in discussions regarding this issue. Julie Weiss commented on her feelings about the council's intentions of the Peeso Creek lots. She stated previous council members ok'd the purchase of more than one lot when they purchased them knowing only one house would be built. Discussion about the TIF district's main purpose was its benefits to the city through taxes paid on a housing development. Motion by Brunkow and seconded by Risen to rescind Council's previous motion to send the letter to owners of Peeso Creek Terrace privately held lots prior to January 1, 2018 made at the December 11, 2018 council meeting. Motion carried.

3. MOTION TO SEND THE LETTER TO OWNERS OF PEESO CREEK TERRACE TO PRIVATELY HELD LOTS PRIOR TO JANUARY 1, 2018 (ONLY IF MOTION TO RESCIND IS APPROVED): Motion by Risen and seconded by Brunkow not to send the letter to owners of Peeso Creek Terrace privately held lots prior to January 1, 2018 and from this day forward following the terms of the covenant. The purpose of the letter was to inform lot owners of the restrictions affiliated with the lot purchase. Smith read aloud the memo from the City Attorney to inform the public regarding information included in closed session; including restricted covenants that apply to Peeso Creek Terrace lots. Lot Covenants were recorded in 2006 at The Register of Deeds. City-owned lots have followed these covenants on the lots they have sold since taking ownership. Brunkow stated the Attorney mentioned too much time had lapsed to send the letter. She said we can't go back and fix it, furthermore, what would the point be. Gunderson and Smith both feel the public should be aware that there were covenants in place that were not followed. Schultz stated the city allowed the sale of two lots and they were aware that only one house was being built, and still gave building permits. Nelson stated council agreed to move forward in a past-meeting motion and the letter seems to be taking them backward. Gunderson felt it was important to note that the agreement (listing covenants) was signed by the purchasers stating the requirements of the lots. Motion carried with Smith voting no. At 8:07 Weiss and Bauer returned to the meeting.
4. PUBLIC INPUT REGARDING COMMON COUNCILS POTENTIAL DIRECTION WITH TIF 2 REPAYMENT TO THE CITY OF MONDOVI'S GENERAL FUND: No objections from public entities regarding Common Council's potential direction with TIF 2 repayment of nearly \$1.9 million to the City of Mondovi's general fund. Rob Ganshow from WIPFLI was present to explain this repayment direction. No action.
5. RESOLUTION R-19-01-03 TIF 1 "DONOR" DISTRICT TO TRANSFER SURPLUS TO TIF 2 "DONEE" DISTRICT TO REPAY THE CITY'S GENERAL FUND LOAN OF NEARLY \$1.9 MILLION: Motion by Nelson and seconded by Risen to approve Resolution R-19-01-03 TIF 1 "donor" district to transfer surplus to TIF 2 "donee" district to repay the city's general fund loan to assist in the repayment of the City's General Fund loan of \$1,899,250. Motion carried.
6. EMERGENCY VEHICLE OPERATION AND CONTROL (EVOC) POLICY: Sergeant Tim Hollister was present to explain the Emergency Vehicle Operation and Control Policy. State statutes allows first responders to use lights and sirens to respond to the garage in the case of an emergency within the city limits. Hanson will look into whether personal vehicles would be covered by city insurance if an emergency responder had a collision during their response. Motion by Schultz and seconded by Gunderson to review the Emergency Vehicle Operation and Control Policy with changes at the February meeting. Motion carried.
7. APPOINT LIBRARY BOARD AND PARK BOARD MEMBERS TO FILL VACANCIES: Mayor Weiss recommended the approval of Heidi Weber to the Library Board upon her acceptance. Motion by Schultz and seconded by Bauer to accept Mayor Weiss' appointment of Heidi Weber to the Library Board upon her acceptance. Motion passed with Gunderson abstaining. Weiss noting there is a vacancy on the Park Board. Anyone interested should notify City Hall.
8. WIPFLI AGREEMENT FOR 2018 AUDIT: Hanson reported costs of three agencies for the 2018 Audit recommending WIPFLI for the 2018 Audit. Motion by Gunderson and seconded by Nelson to accept WIPFLI's agreement for the 2018 audit. Motion carried.

9. RESOLUTION R-19-01-04 A RESOLUTION TO LIFT THE RESTRICTIONS OF THE OPEN CONTAINER ORDINANCE, SECTION 9.01 OFFENSES ENDANGERING PUBLIC SAFETY, PARAGRAPH (5) OPEN BOTTLE, FOR THE MONDOVI BUSINESS ASSOCIATION'S ANNUAL SHAMROCK SHUFFLE ON THURSDAY, MARCH 14, 2019: Motion by Nelson and seconded by Risen to accept Resolution R-19-01-04 lifting the restrictions of the open container ordinance, section 9.01 offenses endangering public safety, paragraph (5) open bottle, for the Mondovi Business Association's annual Shamrock Shuffle on Thursday, March 14, 2019. Motion carried.
10. ANIMAL CONTROL ORDINANCE UPDATE AND SUB-COMMITTEE ESTABLISHED: Hanson updated Council on the animal control ordinance and sub-committee established thus far. He will publish notice in paper for citizen input and Council will act on it in March. No action.

NEW BUSINESS [for heading purposes only]:

1. SET JOINT MEETING SESSION DATE WITH SCHOOL BOARD FOR 6:30 P.M. WEDNESDAY, FEBRUARY 13, OR 27, 2019: Motion by Bauer and seconded by Risen to set the date for the joint session meeting with the school board for February 27, 2019 at 6:30 p.m. located in the IMC at the High School. Motion carried
2. ORDINANCE O-19-01-02 FUND TRANSFER CODE REPEALED AND RECREATED: Motion by Nelson and seconded by Bauer to accept Ordinance O-19-01-02 fund transfer code repealed and recreated. The City Treasurer and/or City Administrator will explain to the Finance Committee the reason for the proposed transfer of funds, and the Finance Committee adopts a motion that includes a recommendation to the Common Council regarding Council action on the proposed fund transfer. Motion carried.
3. ORDINANCE O-19-01-03 COUNCIL MEETING ORDER OF BUSINESS CODE REPEALED AND RECREATED: Motion by Smith and seconded by Nelson to accept Ordinance O-19-01-03 Council meeting order of business code repealed and recreated to allow changing the agenda order during meetings if needed. Motion carried.

REPORTS OF CITY OFFICERS:

Hanson noted Joel Street has a possible waste water line issue. Park Board Meeting is January 23, 2019; Personnel Meeting will be early February; Utility Meeting is January 31, 2019; Planning and Zoning Meeting February 21, 2019; He also said that property tax numbers were correct as stated in the City's article in the Mondovi Herald regarding the property tax increases.

Weiss will contact Durand Sanitation regarding contract. He will also meet with the police department regarding issues that have arose.

APPROVAL OF LICENSE APPLICATIONS:

1. OPERATOR'S LICENSE APPROVAL: No license applications.
2. PICNIC LICENSES: No picnic license applications.

COMMUNICATIONS AND OTHER BUSINESS:

Smith resigned from City Council effective January 23, 2019 as she no longer resides in the City of Mondovi.

SET NEXT MEETING DATE:

Next regular meeting of the Common Council will be held on February 12, 2019 at 6:30 p.m.

ADJOURN INTO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTES 19.85 (1) (G) REGARDING

BERTRANG V. CITY OF MONDOVI ATTORNEY UPDATE AND DIRECTION: Motion by Nelson and seconded by Bauer to adjourn into closed session pursuant to Wisconsin State Statutes 19.85 (1) (G) regarding Bertrang V. City of Mondovi attorney update and direction. Motion carried.

RETURN TO OPEN SESSION: At 10:20 returned to open session.

ACTION ON CLOSED SESSION: Motion by Schultz and seconded by Nelson to approve action in closed session.
Motion carried.

ADJOURNMENT:

Motion by Risen and seconded by Bauer to adjourn at 10:25 p.m. Motion carried.



Bradley J. Hanson, City Administrator/Clerk
January 24, 2019