



**City of
RIVER FALLS**
*CITY OF RIVER FALLS, WISCONSIN
COMMON COUNCIL PROCEEDINGS*

May 10, 2016

Mayor Toland called the meeting to order at 6:30 p.m. in the City Council Chambers located in City Hall.

City Council Members Present: Todd Bjerstedt, Jeff Bjork, David Cronk, Christopher Gagne, Scott Morrissette, Diane Odeen, Hal Watson

Members Absent: None

Staff Present: Dan Gustafson, City Attorney; Scot Simpson, City Administrator; Gordon Young, Police Chief; Ray French, Management Analyst Fellow; Kevin Westhuis, Utility Director; Reid Wronski, City Engineer; Brent Buesking, Management Analyst Fellow; Lu Ann Hecht, City Clerk; Julie Bergstrom, Finance Director/Assistant City Administrator; Bridget Hieb, Deputy Clerk; Keri Schreiner, Management Analyst; Mary Zimmermann, Communications Manager

Others: Jim Farmer, Abbie Testaberg, Carole Mottaz, Chris Blasius, Dan Vande Yacht, Gary Donath, others

The Pledge of Allegiance was said.

APPROVAL OF MINUTES:

April 26, 2016, Regular and Closed Session Meeting Minutes and April 12, 2016, Closed Session Meeting Minutes

MSC Cronk/Morrissette to approve minutes. Unanimous.

APPROVAL OF BILLS:

Bills - \$1,106,389.83

MSC Bjerstedt/Odeen move to approve bills subject to the comptroller. Unanimous.

PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:

Jim Farmer, 804 Chapman Drive, addressed Council about the solar garden. He said that the solar garden wasn't installed the way it was guaranteed to be. Farmer spoke at length about his continuing concerns and displeasure with the project. He concluded his remarks by telling Council he wanted the situation resolved in ten days or the lawyers would be coming on line. City Administrator Simpson cautioned Council about a response since they just had been threatened with a lawsuit.

There were no other comments.

PUBLIC HEARING:

Ordinance 2016-03 – Providing Minor Corrections to the Municipal Code – Second Reading and Disposition

The Mayor recessed into a public hearing at 6:42 p.m. With no comments, the Mayor moved back into Open Session at 6:43 p.m. MSC Cronk/Morrissette move to approve ordinance. Unanimous.

Combination “Class B” Liquor and Class “B” Beer License for Dish and the Spoon Café, Inc. – Disposition by motion

The Mayor recessed into a public hearing at 6:43 p.m. With no comments, the Mayor moved back into Open Session at 6:44 p.m. MS Morrissette/Gagne move to approve the Class “B” Beer License. Alderperson Morrissette said he would not ask his normal questions. He was confident that Abbie was an acceptable agent. The Mayor asked for a vote. It passed unanimously.

CONSENT AGENDA:

Resolution No. 6028 Authorizing 2016 Chip Seal Program

Resolution No. 6029 Awarding Bid for Sterling Ponds Corporate Park Phase 2 – Bid Package A

Resolution No. 6030 Approving Assessing Contract for Years 2017-2019

Resolution No. 6031 to Designate Official Newspaper

MS Cronk/Morrisette move to approve Consent Agenda. Alderperson Gagne said he would like to see the chip seal project go out to bid. **With no other comments, the Mayor asked for a vote. The Consent Agenda passed unanimously.**

ORDINANCES AND RESOLUTIONS:

Ordinance 2016-04 Amending Chapter 3.14 of the City Code Regarding the Room Tax- First Reading

Management Analyst Fellow Brent Buesking gave a presentation on the room tax ordinance. The room tax program, adopted in 2009, is a partnership between the City and the River Falls Chamber of Commerce and Tourism Bureau. In 2015, the Wisconsin legislature made changes in the statutes regarding room tax. The new law regulates spending and the allocation of the local room tax revenues, sets state reporting rules, and modifies the definition of ‘tourism entity.’ Buesking went over the changes and talked about the next steps. There were no questions from the Council.

Ordinance 2016-05 Amending Wellhead Protection Regulation-First Reading

Management Analyst Ray French provided a presentation for Council regarding this ordinance created protection zones around municipal wells with permitted uses and adopted separation distances for uses from DNR Administrative Code. Changes to the ordinance includes creating a groundwater protection overlay district in the zoning code and shows the districts in the zoning map, changes the review procedure for exemptions and reflects updates in the Administrative Code. Upon conclusion, French stood for Council questions.

Alderperson Bjerstedt asked if anything changed functionally. French said no. Alderperson Bjork asked if there were any areas were grandfathered in due to existing situations. French said no but talked about areas reflected on the City’s map. Alderperson Watson asked for the definition of a recharge area for a well. French provided a brief answer.

Resolution No. 6032 Rescinding Resolution # 5937 - Termination of Tax Increment District #4

MS Cronk/Bjerstedt move to approve the resolution. Alderperson Morrisette said this was money in search of a project, and he felt that wasn’t a good practice. He commended staff for discovering the opportunity but was not in favor of it. Gagne asked for clarification and potential uses of the funding.

Simpson provided background including the adoption of the resolution by Council to close TID 4. He talked about the TID funds upon the closing of the TID. Recently, it was discovered that TIDs could be extended by one year if the funds were used for housing. A list of projects have not compiled due to this fact. He talked about what happened if the Council did not pass the resolution. Simpson talked about possible projects if the Council passed the resolution. He said the staff recommends passing the resolution.

Gagne said that explanation helped him understand and was in favor of it. Odeen was not in favor and explained her reasoning. **With no other comments, the Mayor asked for a vote. Since the voice vote was difficult to understand, the Mayor asked for a roll call vote. The roll call vote passed 4-3 with Bjork, Cronk, Gagne and Watson voting in favor and Bjerstedt, Morrisette, and Odeen voting against.**

Resolution No. 6033 Authorizing One Year Extension to the Term of Tax Increment District #4 (Industrial Park)

MS Watson/Cronk move to approve the resolution. The Mayor asked for a roll call vote. The roll call vote passed 4-3 with Bjork, Cronk, Gagne and Watson voting in favor and Bjerstedt, Morrissette, and Odeen voting against.

REPORTS:

Police and Fire Commission Report

Chair Carole Mottaz provided a report for Council on the Police and Fire Commission (PFC). She introduced members Dan VandeYacht and Gary Donath who were present and Mark Sams and Jeanne Wespetal who were not present. She talked about the City Code Chapter 2.60 which talked about the PFC. She provided a list of accomplishments which happened in the past year and talked about 2016 goals. There were no questions from Council.

Report on Liquor License Process

Deputy Clerk Bridget Hieb provided Council with a presentation on liquor licensing. Hieb talked about the chapters governing liquor in City and State Code, types/classes of alcohol licenses, agents, new and renewal liquor licenses. She noted liquor licenses are not a right. Alderperson Morrissette asked how many picnic licenses were issued last year. Hieb didn't know but talked about the groups which requested the licenses in the past.

Strategic Plan Update

City Administrator Simpson provided a first quarter update for the 2015 Strategic Plan. He touched upon the difficulty in measuring job growth and also the Kinnickinnic Corridor Plan. There are five measures of the plan. He talked about the initiatives under each category and provided a status update on each. Upon the conclusion of his presentation, Simpson stood for questions. Alderperson Morrissette expressed continued concern regarding monitoring water infrastructure. He encouraged that it should be added. Simpson said there would be workshops in the future for discussion and water was a focus for the future.

Administrator's Report

Simpson reminded Council about upcoming events.

ANNOUNCEMENTS

Mayor Toland read two proclamations – one for Public Works Week and one for EMS Week.

Mayor's Appointments

The Mayor asked for consideration of the following appointment:

Patrick Richter to the Utility Advisory Board through April 2019

MSC Cronk/Gagne move to approve the Mayor's Appointments. Unanimous.

CLOSED SESSION:

MS Morrissette/Gagne move to recess into Closed Session at 7:45 p.m. per Wisconsin State Statutes § 19.85(1) (e) for the following purposes:

“deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session, to wit: purchase and sale of property in River Falls Industrial Park; sale of property(ies) in Sterling Ponds Corporate Park and Mann Valley Corporate Park; consideration

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of developer's agreement(s) for commercial/industrial facilities in River Falls and property conveyance and use agreement with St. Bridget Catholic Church."

The roll call vote to adjourn into Closed Session was unanimous. Closed Session items were discussed.

MSC Morrissette/Odeen move to return to Open Session at 8:12 p.m. Unanimous. Motion by Cronk to adjourn the meeting at 8:12 p.m. Unanimous.

Respectfully submitted,

Kristi McKahan,
Deputy City Clerk