



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

**February 13, 2018**

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

**City Council Members Present:** Jeff Bjork, Sean Downing, Christopher Gagne, Scott Morrissette, Diane Odeen, Hal Watson

**Members Absent:** Todd Bjerstedt

**Staff Present:** City Administrator Scot Simpson; City Attorney Dan Gustafson; Police Sergeant Jeff Sather; Utility Director Kevin Westhuis; Management Analyst Keri Schreiner; Development Services Director Amy Peterson; Community Development Director Buddy Lucero; Operations Director Mike Stifter; City Engineer Reid Wronski; Recreation Coordinator Cindi Danke; Human Resource Director Karen Bergstrom

**Others Present:** William Hansen, Ben Fochs, Michael Page, Patricia LaRue, Bonnie Jones-Witthuhn, Lauren Kaminski, Dave Fodroczi, Gary Horvath, Dave Drewiske, Scott Wagner

**The Pledge of Allegiance was said.**

**APPROVAL OF MINUTES:**

January 23, 2018, Regular Meeting Minutes

**MSC Morrissette/Bjork approve minutes. Unanimous.**

**APPROVAL OF BILLS:**

Bills \$927,053.58

**MSC Bjork/Downing move to approve bills subject to the comptroller. Unanimous.**

**PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:**

Bonnie Jones-Witthuhn – Volunteer Director for Among Friends, along with other volunteer officers, came to talk about a five-part series on dementia to be held at the public library.

Gary Horvath, Pine Street – came to talk about the corridor project. He thanked the Mayor for appointing him to the committee. He is Vice President of Trout Unlimited. He talked about the group's concern for the river. Horvath talked about concern about rising river temperatures. He is very appreciative on the early data on the Powell removal and would like to move the date of removal up for Junction Falls.

Lauren Kaminski, 1110 Wasson Circle- she is Vice President of Friends of the Kinni. She came to deliver a petition to free the Kinni of the two dams. She read a prepared statement in support of dam removal. Kaminski thanked the Council for its consideration.

Dave Fodroczi, retired Director of the Kinnickinnic River Land Trust – he thanked Council for the opportunity to participate on the committee and for its commitment to the process. He appreciates a long-term vision for a free-flowing Kinni and associated restoration of the river. He also mentioned there are other parties that would feel this process is taking too long.

David Drewiske, Director of the Kinnickinnic River Land Trust – finds many good things in the resolution especially a free-flowing stream. He talked about the outcome needing to be done in an environmentally sound

manner and be fiscally prudent. Drewiske feels sooner is better for the health of the river. He likes the thought of a public/private partnership. He talked about working with the City for a mutually beneficial outcome.

Michael Page, 315 N. Fremont Street – is President of Friends of the Kinni. The committee has appreciated the interactions with the City. The resolution is an amazing step forward for the community. He noted the removal of the lower dam. Page is concerned about Section 5 which addresses the time frame for the removal of the upper dam. He feels far too much time is elapsing before complete restoration of the river. Page asked for reconsideration of Section 5.

William Hansen, Town of River Falls – he is a great fan of renewable energy and emergency power. He talked about the dams which provide energy and profits. Hansen also talked about emergency power and the importance of having a backup plan and being prepared.

Scott Wagner, resident of Hudson – he is an example of someone outside of the community who is willing to use his time and energy for the benefit of the community and watershed. He is a member of the Kinni Land Trust and Trout Unlimited. He feels there is a lot of others like himself. Wagner talked about the removal of the dams and would appreciate moving up of the timeframe for dam removal.

Bill Hansen – he felt the dates in Section 5 don't seem too soon. He feels they could be extended dependent on what we learn after the removal of the dam. He gave examples. Hansen feels like there could be better uses for spending money that would benefit more of the community such as a waterpark like Hastings.

Patricia LaRue, 489 Marcella Court – she is a member of the Kinni Corridor committee. She shared the committee's mission which was engaging and listening to the community. LaRue said people didn't mention the subject of trout or renewable energy but were interested in was having restrooms and a drinking foundation along the pathway, controlling the buckthorn to be able to see the river and lake, and having benches. The community talked about improvements to Lake George and maintaining the health of the river – not for the trout but for us. She said the committee considered all the issues and landed on a recommendation which respects each of our neighbors, the process, and the City which invested in the process where everyone had a voice.

Aldersperson Downing thanked Among Friends for coming to the meeting. He also recognized Police Chief Young for his efforts regarding an emergency detention center. He talked more about caring for mentally ill people.

Aldersperson Gagne noted the long drive the Police Department must make to Winnebago for someone who needs assistance. He feels State officials are now taking steps to address this. Gagne feels mental illness is an important issue.

**PUBLIC HEARING:**

Ordinance 2018-03 - An Ordinance Annexing Certain Territory of the Town of Troy to the City of River Falls, Wisconsin-Second Reading and Disposition

**The Mayor recessed into a Public Hearing at 6:56 p.m.**

Ben Fochs, 680 County Road MM – he was concerned about access to the properties from the south. **As there were no other comments from the public, the Mayor moved back into Open Session at 6:58 p.m. MSC Morrissette/Odeen move to approve resolution. Unanimous.**

**CONSENT AGENDA:**

Resolution No. 6230 - Regarding EMS Rates for 2018

Resolution No. 6231 – Resolution Regarding Hoffman Park Camping Rates

Resolution Approving Farm Lease with Peterson Family Dairy Inc. →→ **Pulled by Downing**

**MSC Morrissette/Odeen move to approve remainder of Consent Agenda. Unanimous.**

Resolution No. 6232 - Approving Farm Lease with Peterson Family Dairy Inc.

Aldersperson Downing asked about when this land may become a park. Aldersperson Watson, who is the Park Board representative, said that hasn't come up lately. He feels originally the land purchase was for soccer fields but the direction has changed since then. The land has continued to be leased. Adjacent to this land, there is discussion about putting in a dog park. **MSC Downing/Bjork move to approve the resolution. Unanimous.**

**REPORTS:**

Relicensing of the Hydro Electric Facilities Report with presentation by SEH

Mark Lobermeier from SEH provided a presentation to Council. He thanked the committee for its hard work for the last 15 months. They worked hard to come together with a resolution.

Lobermeier started by talking about the power generation from 1986-2016. He talked the net revenue from the hydro facilities. He provided information about each of the hydro facilities including construction, capacity, electrical production and depreciation date.

Lobermeier talked about the three scenarios: 1) relicense both the Junction Falls (upper) and Powell Falls (lower) hydro facilities; 2) surrender the existing license and remove both facilities; 3) relicense and keep the Junction Falls facility and remove the Powell Falls facility.

He then talked about the costs to relicense versus the cost to surrender in 2017 dollars. The numbers were presented to the UAB in January.

Lobermeier talked about the Corridor Committee and the work they have done. He talked about the highlights of the policy framework including a vision for a free-flowing river and action target dates. He finished by talking about the next steps in the process. He stood for questions.

Aldersperson Morrissette asked if Lobermeier could add more narrative on the financial projections and cost estimates. Lobermeier said it was a compilation of work by different groups in particular Inter-Fluve. He talked about their numbers that they used.

Aldersperson Bjork asked what the Council would be voting on at the next meeting. City Administrator Simpson noted they had been given the draft resolution on which they would be voting. It would be modified only by feedback received from Council. Simpson explained the Council's options on making any changes to the resolution. He noted there was only one project; the license is for the project. The Corridor Committee has provided policy guidance. He provided further information.

Bjork looks at it in two ways: financially and freeing the river. He said financially, it makes no sense to take either dam out. Bjork talked about the life spans of the dam and the timeline for removal. He noted the history and livelihood of River Falls is important to him. Bjork asked if the lower dam was removed, does the area remain a 'natural river' or do things like beaver dams get removed? Lobermeier felt it would be managed the same as the upper river is now. It would be natural but managed as it is classified. Bjork further asked about turtle habitat. Lobermeier talked about the number of studies being done and the need to review them. Bjork asked if we are even ready to take the dams out.

City Administrator Simpson said that was a policy question for Council. The committee believes they have forwarded Council enough information to make that decision knowing that this isn't happening tomorrow. Simpson said this was a decision Council needs to make on whether it has enough information to proceed. Bjork questioned including removal dates in the resolution. He talked further about renewal energy. Simpson explained the committee's thought process in detail.

The Mayor, who is a member of the committee, said it did a lot of hard work on the resolution. This was its recommendation to the Council. The committee would like the Council to pass the resolution as is. Bjork appreciated the committee's work but he preferred to take out the dates and the statement saying that this is the final time to license.

Aldersperson Odeen commended the committee and appreciated all the hard work and compromises that have been done. She sees this as a policy document, and she supports putting dates in it. Odeen feels the Council needs to make a statement about what direction it wants to go. She is appreciative.

Aldersperson Morrissette understands the necessity for having dates in the resolution. He has listened to the community's input. He spoke about a vision for a public/private partnership for the river. Morrissette's biggest concern is stormwater. He feels removal of the lower dam will be good practice for us to figure out what is before us with the upper dam. He is in favor of this option and is willing to listen to other dates and different avenues to explore.

Aldersperson Watson thanked the committee and is proud of the community for coalescing around vision of a free-flowing river. He feels the document points us in the right direction. He appreciates the dams' history but believes now is the time to move into the future. Watson talked about the process and his pride for the community. He would like to talk more about the date on the upper dam - he feels it too long. The Council needs to be a leader, and he doesn't want to leave it up to the next generation. He is looking for a date around 2040. Watson feels a public/private partnership is a great concept.

Aldersperson Gagne commended the committee and the people who got involved. He noted a couple of things on the resolution that could worked – maybe the dates. He thought the committee did a great job.

Aldersperson Downing asked how the timeline was established. Lobermeier said dates and language were developed over the course of several meetings of the group. There was discussion about the cost of a new dam and removal costs of the dam at Willow River State Park.

Aldersperson Bjork asked what action the Mayor was looking for on the resolution. The Mayor explained the options. The Council would be voting on it in two weeks. Watson asked about formally receiving the report. City Attorney Gustafson said that wasn't needed. Morrissette cautioned Council not to violate any open meeting laws. Bjork asked about the upcoming process.

Mayor Toland shared his thoughts about the process. He is proud to be part of the committee and recognized the committee for its work. He thanked the community for participating and showing they care. Toland has tried to look at this issue from both sides and feels that a framework has been developed that the community can make happen over time. No one will get everything they want. He fully supports the resolution. One of his main concerns is the potential financial impact on the City's taxpayers. There is language that requires any implementation to be fiscally responsible meaning tax levy will not be used to fund this project. The Mayor talked about the City's many priorities. It will be crucial for the ultimate plan to be supported with funding ideals that not only avoid tax impacts but rate impacts also. He talked about supporters of this project needing to turn their energy to assisting the City in finding ways to fund it. Toland hoped everyone would continue to stay involved in the process. He offered his thanks again.

#### Administrator's Report

Aldersperson Morrissette asked about an impasse with the DOT regarding speed limits on Highway 35. Simpson provided a detailed explanation on the status. There was more discussion by Council. City Engineer Wronski said there is a meeting with the DOT in March. He talked about concern with speed regarding the multi-modal operations in that part of the City. There was further discussion and explanation.

Morrissette asked about dates for the jug handle. Simpson felt it wasn't a significant modification in our staff's mind. Wronski provided further details.

Aldersperson Downing asked about the grant for the Falls Theatre. Simpson provided details about the project, the grant, and funding for the project. Downing thanked Jason Rohloff who was the grant writer on the project.

Aldersperson Odeen reminded citizens of the Spring Primary on February 20.

**ANNOUNCEMENTS:**

Mayor's Appointment

Plan Commission

Appointment of Craig Hinzman through May 2021

**MSC Morrissette/Watson move to approve appointment. Unanimous.**

**CLOSED SESSION:**

**MS Morrissette/Watson at 8:14 p.m. to move to *Recess into Closed Session per Wisconsin State Statutes § 19.85(1)(e) for the following purposes: “deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to wit: property in Sterling Ponds/Whitetail/River Falls Industrial Park.”* The roll call vote to move into Closed Session was unanimous.**

**MSC Watson/Bjork move into Open Session at 8:45 p.m. Unanimous.**

**MSC Watson/Morrissette move to adjourn at 8:46 a.m. Unanimous.**

Respectfully submitted,

Kristi McKahan, Deputy City Clerk