



**CITY OF RIVER FALLS, WISCONSIN  
COMMON COUNCIL ORGANIZATIONAL MEETING**

**April 18, 2023**

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

**Members Present:** Alderpersons Todd Bjerstedt, Jeff Bjork, Sean Downing, Scott Morrisette, Alyssa Mueller, Diane Odeen

**Members Absent:** Nick Carow

**Staff Present:** Scot Simpson, City Administrator; City Attorney Chris Gierhart (virtual); Community Services Director/City Clerk Amy White, Assistant to the City Administrator Jennifer Smith, Management Analyst Ellen Massey, Deputy Police Chief Matt Kennett

**Others:** Patricia LaRue  
The pledge of allegiance was said.

City Clerk White gave the Oaths of Office for the newly elected Council officials including Alderperson at Large Diane Odeen, Alderperson District 1 Sean Downing, and Alderperson District 3 Alyssa Mueller. Alderperson District 2 Nick Carow had taken his oath prior to the meeting.

**ELECTION OF COMMON COUNCIL OFFICERS:**

Council President

**MS Odeen/Bjerstedt nominate Scott Morrisette as Council President. The roll call vote was 7-0 with all voting in favor.**

Comptroller

**MS Morrisette/Mueller to nominate Diane Odeen as Comptroller. The roll call vote was 7-0 with all voting in favor.**

Deputy Comptroller

**Comptroller Odeen appointed Jeff Bjork as Deputy Comptroller.**

Parliamentarian

**The mayor appointed Diane Odeen as Parliamentarian.**

**ELECTION OF COUNCIL MEMBER TO PLAN COMMISSION:**

**MS Morrisette/Bjerstedt nominate Diane Odeen to Plan Commission. The roll call vote was 6-1 with all voting in favor except for Bjork.**

**APPOINTMENTS BY MAYOR/CONFIRMATION BY COUNCIL:**

Mayor Toland recommended the following appointments:

|                                  |                  |
|----------------------------------|------------------|
| Historic Preservation Commission | Alyssa Mueller   |
| Library Board                    | Jeff Bjork       |
| Parks and Recreation Board       | Scott Morrisette |
| Design Review Committee          | Sean Downing     |
| Utility Advisory Board           | Nick Carow       |

Housing Authority  
River Falls Creates Public Art

Todd Bjerstedt  
Sean Downing

**MS Morrisette/Bjerstedt move to approve the mayor's appointments. The roll call vote was 7-0 with all voting in favor.**

Resolution No. 6770 – Designating Public Depositories for Public Monies Held by the City of River Falls

**MS Downing/Odeen move to approve the resolution.** Alderperson Morrisette abstained from voting because his employer was included in the resolution. **The roll call vote was 6-0 with all voting in favor except for Morrisette who abstained.**

Resolution No. 6771 - Designating Official Newspaper

**MS Morrisette/Mueller move to approve the resolution.** Alderperson Bjork abstained from voting because it is his employer. **The roll call vote was 6-0 with all voting in favor except for Bjork who abstained.**

### **REPORT ON ORGANIZATIONAL UPDATES**

The mayor noted this was included in the packet and asked if there were any questions. Alderperson Bjork asked why Planner Kendra Ellner wasn't listed in the resignations. City Administrator Simpson said the resignation was probably received about the time we published the list. It will be a vacancy.

### **REVIEW OF BYLAWS**

Simpson said bylaws come back to the organizational meeting for review. The bylaws will be on a May agenda to made changes. Simpson noted he wasn't sure there was a consensus on the number of councilors needed to put an item on the agenda. It was drafted with two. We want to make sure we are complying with the opening meeting law. If the council wants three, he will have to consider a walking quorum and other things. Simpson provided further information.

Alderperson Morrisette is in favor of three. If it doesn't make it to the agenda, and it's that important, it should take three. He doesn't think three is too much to ask and understands it could be a process dilemma.

Alderperson Downing had also talked about three. Part of it is we have to figure out how that process would work but thinks it makes a lot of sense.

Alderperson Mueller asked a process question about violating open meetings law. Simpson referred to the attorney. City Attorney Gierhart talked about discussing items in an email to the entire council. He said councilors should avoid copying in the entire council so inadvertent discussion doesn't occur.

Morrisette doesn't like the reply-all's. He talked about two issues with them: the actual walking quorum violation of open meetings laws and the perceived issue of deals being done behind doors. Neither of which the council needs. He doesn't think it is a good practice for council to "reply all." He suggested replying to individuals instead.

Simpson provided clarification on emails received today. He spoke further about emails. Morrisette didn't think there were any violation of the open meeting law. He provided further clarification. Downing said there could be more of a formal process for the council.

Downing asked about the 24-hour notice. He has interest in changing it to 2-4-hour notice. He

talked about emergencies, work related issues – something unplanned that people have no control over. Flexibility with the technology might be important in the future for the council. If it is not reasonable, he wants to hear why.

Simpson said it is reasonable for the council to set whatever policy they would like. He said what staff heard at the workshop is that council wanted to establish an expectation for remote attendance. If you give us 24 hours' notice, we will facilitate your ability to participate. If you give us less than 24 hours, we will still try. Simpson talked about impacts if time changes were made. He talked about this applying only to council and not the public. Simpson recommended sticking to 24 hours for the public. He provided further details.

Aldersperson Odeen thought what we are doing now works. Simpson said we are trying to accommodate requests. He isn't aware of issues. Odeen feels it is reasonable to have a deadline. Simpson talked about accommodations for impairments or limits. Morrisette suggested adding another sentence saying, "Staff will make every effort to accommodate requests for remote access made less than 24 hours in advance." Morrisette talked further. Odeen said if we know we are not able to attend in person, it's only fair to give staff notice at least 24 hours. She sees it as council's accountability too. Aldersperson Bjerstedt said we have no control with the equipment on the other end either. Simpson clarified that the council was it still talking about council and boards and committees. The answer was yes.

Morrisette asked if council came to an agreement on two or three. The mayor asked for thoughts. Do we have a consensus on three? Odeen thought three was good. The mayor asked if there was a consensus and then he asked about the process. Simpson thought the straw poll indicated three. We can draft it that way and council has the ability to set reasonable rules for the agenda. The mayor thought three and then the 24 hours with Scott's amendment that we will do everything that we possibly can to make sure. Odeen thought it should say, "all reasonable efforts." Simpson said we can draft based on your conversation.

Simpson talked about revisions to meeting minutes and making amendments. He said council doesn't unlimited right to amend the minutes like congress does. It's the clerk's job to record reasonably what they heard.

Downing asked if minutes could be released on Wednesday instead of Thursday. Simpson said it would be too much for him to say it's not possible. He said we'd like to hear that from council and to let staff know. He talked about the packet versus minutes being released on Wednesday. Odeen said doesn't think we need the packet earlier than Thursday. It gives us five days. She appreciated having that time. The mayor asked for other comments.

Aldersperson Bjork said his was about public communications - letters to the editor. The bylaws say, "councilmembers are discouraged from submitting letters to the editor relating to city issues excepting for stating or clarifying city policy." He agrees but wonders if we need to expand it to social media. He talked about discouraging those comments being put out on social media by a councilmember.

Odeen thought it was a good point. She talked about first amendment rights and that council can say what they want to say. She thought discourage might be a good reminder that we are representatives of the city. We should be respectful and cautious about what we say because we are public officials. The mayor said when people read what we say, the public assumes that we are speaking for the city. We have to be careful or what we say or do. Odeen said we have a responsibility to think. The mayor asked that something be put in about social media.

Simpson said we will do our best to give you some thoughtful research on that, but he won't pretend he has spent a lot of time thinking about that. He supplied further clarification and talked about the city's official communications plan and the council's role within that. He doesn't want to discourage council to have your voice. He asked the council to give it some thought and let us know.

Morrisette asked that a change be made to Section F.5.B. It should be struck. It refers to councilors being elected to Plan Commission and the Utility Advisory Board. It is not an elected position anymore. It should be a part of number 6. Simpson said staff will verify.

Morrisette suggested a change under 6.C. joint meetings. It thinks it might be helpful to add "as needed" or "at least annually." He thinks it is important to have those meetings. Simpson thinks the school board has been at least every other year. He believes the UAB has been done every year. He asked if there are any thoughts about the joint meeting of the Plan Commission for capital improvement or master plan. Do you want to compel yourselves to do an annual meeting with the Plan Commission jointly? There was support from council. Simpson asked about removing the CIP part and modify it to comp plan and development issues. Downing asked if the strategic plan was included. Simpson said no; he probably won't draft it that way. Morrisette asked if generic language could be used so we could talk about whatever we want. There was continued discussion about meeting with the school board.

Odeen thought it might be more flexible to keep the bylaws as it is and then have a policy that we want to do. Morrisette's thought is to formalize it. There was further council discussion. Mueller asked if there was a meeting with the university. Simpson said the chancellor has done presentations. He has quarterly meetings with the chancellor. He spoke further.

Odeen suggested meeting with the county supervisors that represent River Falls. Odeen's husband serves on the Pierce County Board of Supervisors. Some of their concerns – legislative priorities – overlap with us. Simpson asked if council was okay with that not being in the bylaws but just part of the legislative strategy. There was further conversation.

**SETTING OF COUNCIL MEETING DATES:**

The Board of Review meeting date is set for May 23, 2023, at 6:15 p.m. but will adjourn to meet on August 3, 2023, at 4 p.m.

Bjork wanted to make sure the discussion about the environmental impact fee was on the next agenda. The mayor said it is on the first meeting in May. Simpson explained the reasoning. He thinks the council want to do some modifications for the environmental impact fee and the street light fee. We are working to update the software.

The mayor asked council if they were okay with the meeting dates. The consensus was yes.

**MSC Bjerstedt/Morrisette moved to adjourn at 7:12 p.m. Unanimous.**

Respectfully submitted,

Kristi McKahan, Deputy City Clerk