



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

**May 24, 2022**

Mayor Dan Toland called the meeting to order at 6:31 p.m.

**City Council Members Present:** Todd Bjerstedt, Jeff Bjork, Nick Carow, Sean Downing, Alyssa Mueller, Diane Odeen

**Members Absent:** Scott Morrissette

**Others Present:** Ben Fochs, Linda Vivoda-Sadée, Robert Johnson, Brian Sandy, Andrew Coon, Robert Comstock, Johnson Larson, Pat Bilbrey, several others

**Staff Present:** City Administrator Scot Simpson; Assistant City Administrator Jason Stroud; City Attorney Chris Gierhart; IT Specialist Sterling Hackney; Community Development Director Amy Peterson; Deputy Clerk Jackie Hanson; Administrative Services Manager/City Clerk Amy White; Utility Director Kevin Westhuis; City Planner Emily Shively; City Engineer Todd Nickleski; Finance Director Josh Solinger; Economic Development Manager Keri Schreiner; Deputy Chief Matt Kennett

The Pledge of Allegiance was said.

**APPROVAL OF MINUTES:**

Approval of Minutes – May 10, 2022, Minutes

**MSC Downing/Carow move to approve minutes. Unanimous.**

**APPROVAL OF BILLS:**

Bills: \$1,245,588.54

**MSC Carow/Bjerstedt move to approve bills subject to the Comptroller. Unanimous.**

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

Benjamin Fochs, 2529 Powell Avenue – came to thank the Mayor and Councilors who supported him in his veto regarding spending of the ARPA funds.

Linda Vivoda-Sadée, 583 Wyngate - from PC Grow. She read a statement from PC Grow regarding their “No Mow May” campaign.

Aldersperson Bjork talked about Memorial Day events and National Dairy Month.

**PUBLIC HEARING:**

Annual Liquor License and Beer License Renewals – Hearing and Disposition by Motion for each License Class  
**At 6:38 p.m., Mayor Toland recessed into a Public Hearing. With no one wishing to comment, the Mayor moved back into Open Session at 6:38 p.m.**

Aldersperson Odeen had questions for the new agents. Odeen called Robert Johnson from American Legion Post 121 to the podium. She asked Johnson if he had successfully completed the responsible server beverage training course; if he understood the role of an agent; and if he understood if there was a violation, he is responsible even if he is not there. Johnson answered yes to all.

Odeen asked Brian Sandy from Bold Burger the following: if he had successfully completed the responsible beverage server training course; if he understood the role of an agent; and if he understood if there was a violation, he was still responsible even if he wasn't there? Sandy answered yes to all.

Odeen asked Andrew Coon from Dollar General the following: if he had successfully completed the responsible beverage server training course; if he understood the role of an agent; and if he understood if there was a violation, he was still responsible even if he wasn't there? Coon answered yes to all.

Odeen asked Robert Comstock from Nutty Squirrel the following: if he had successfully completed the responsible beverage server training course; if he understood the role of an agent; and if he understood if there was a violation, he was still responsible even if he wasn't there? Comstock answered yes to all. Odeen thanked the new agents and all the others there were present.

The Mayor took a roll call of the agents present which included the following businesses: Aldi, American Legion Post 121, Bob & Steve's Store #4 & #6, Bold Burger, Broz Sports Bar & Grill, Devine Liquors, Dick's Hometown Liquor, Dollar General, Emma's Bar, Falls Theatre, Family Fresh Market, Holiday Station store, Johnnies Bar, Junior's Restaurant and Tap House, Kwik Trip Store #301, Kwik Trip Store #453, Kwik Trip Store #1104, Lazy River Bar & Grill, Luigi's Pizza, Mariachi Loco, Mel's Midtowner LLC, Nutty Squirrel Sports Saloon, Paddys Pub & Boxy House, River Falls Baseball Council, River Falls Golf Club, River Falls Moose Lodge, Shooters Pub, Smokey Treats LLC, St. Croix Lanes, Steve's Pizza, Swinging Bridge, Tarnation Tavern, Tattersall Distilling Company, Walgreens, WE Market Co-op, and Westwind Supper Club.

**After the roll call, the Mayor asked for a motion to grant renewals for the Class "A" Beer Licenses and Class "A" Cider Only licenses contingent that all licensing requirements are met at the time of issuance (Bob & Steve's Store #4 and #6 and Holiday Station stores #8). MS Mueller/Odeen to grant the renewals.** The Mayor asked for comments. Alderperson Downing encouraged businesses to use security cameras in their outdoor areas which would help the city be more secure. **With no other comments, the Mayor asked for a vote. The motion passed unanimously.**

**The Mayor asked for a motion to grant renewals for the Combination "Class A" Liquor and Class "A" Beer Licenses contingent that all licensing requirements are met at the time of issuance (Aldi #49, Devine Liquors, Dollar General, Dick's Hometown Liquor, Family Fresh Market #322, Kwik Trip Store #301, #453, and #1104, Walgreens #10585, WE Market Co-op). MS Mueller/Downing to grant the renewals.** The Mayor asked for comments – there were none. **The motion passed unanimously.**

**The Mayor asked for a motion to grant renewals for the Class "B" Beer Licenses contingent that all licensing requirements are met at the time of issuance (Luigi's Pizza, River Falls Baseball Council, Smokey Treats BBQ, Steve's Pizza). MS Mueller/Bjerstedt to grant the renewals.** The Mayor asked for comments – there were none. **The motion passed unanimously.**

**The Mayor asked for a motion to grant renewals for the Combination "Class B" Liquor and Class "B" Beer Licenses contingent on all licensing requirements being met at the time of issuance (American Legion Post 121, Bold Burger & Club Bold, Broz Sports Bar & Grill, Emma's Bar, Falls Theatre, Johnnies Bar, Junior's Restaurant and Tap House, Swinging Bridge Brewery, Lazy River Bar & Grill, Mariachi Loco, Mel's Midtowner, Nutty Squirrel, Paddy's Pub and Boxy House; River Falls Golf Club, River Falls Moose Lodge, Shooters Pub, St. Croix Lanes, Tattersall Distilling company, Tarnation Tavern, Westwind Supper Club). MS Mueller/Bjerstedt to grant the renewals.** The Mayor asked for comments – there were none. **The motion passed unanimously.**

**The Mayor asked for a motion to grant renewal of the "Class C" Wine Licenses contingent that all licensing requirements are met at the time of issuance (River Falls Baseball Council, Smokey Treats BBQ, Steve's Pizza). The roll call vote passed unanimously 7-0 with all voting in favor. MS Mueller/Bjerstedt to grant the renewals.** The Mayor asked for comments – there were none. **The motion passed unanimously.**

The Mayor thanked the agents for coming.

Ordinance 2022-03 – Annexation of land and right of way in the Town of Troy to the City of River Falls; changing the Future Land Use Classification from Industrial to High Density Residential (Parcel Identification Numbers (PIDs) 04-1090-60-000 and 040-190-40-100 at Paulson Road and Radio Road); and applying a temporary Zoning Classification of R-3 Multifamily Residential (High Density) – First Reading  
**At 6:48 p.m., Mayor Toland recessed into a Public Hearing.**

Benjamin Fochs, 2529 Powell Avenue – expressed concern about the R-3 designation on the north of Paulson and talked about lack of walkability and services for future residents in the area.

John Larson, 232 Paulson Road – said the annexation was next to his property. Larson expressed concern about a possible roundabout near his property. If the project is done, he would like a berm in front of his property because he doesn't want to look a roundabout. He doesn't want big apartments put in. He would like to be well-informed of future planning there.

Pat Billbrey, 121 Winter Street – was concerned about the location along the freeway. We are trying to encourage River Falls to be eco-friendly. He doesn't see that happening if development is pushed out from the corridor of the city.

**With no other comments, the Mayor closed the public hearing at 6:53 p.m.** City Planner Emily Shively provided a presentation. A unanimous petition for annexation was submitted by Mary Thompson for 43 acres adjacent to Paulson Road. Comments have been received from St. Croix County which resulted in a minor change in the annexation boundary to maintain consistency with supervisor district boundaries. The Department of Administration has also reviewed the request and had no substantive comments. The parcels are for sale and the owner has purchase agreements with two different developers who are planning for residential development.

Shively reviewed the four guidelines Council should consider for approving an annexation and provided answers regarding them. She talked about future land use designation needing to change to residential, the infrastructure and roadway capacity. Shively provided other details and talked about the zoning classification of R3, and the next steps. She stood for questions.

Aldersperson Bjork is in favor of the annexation but is not in favor of the north property being zoned R3. He thinks it should be commercial property. Bjork talked about future development and needing gas stations for residents. He doesn't think it is a vision of the city to have apartments along the highway.

Aldersperson Carow asked about the number of units included in the two parcels. Shively said the developers are proposing about 200 rental townhomes, twin homes on the south, and possible multifamily on the west side.

Odeen thanked staff for the research. She understood people's concerns and she has some of her own. It is privately owned property, and we have interested people who have done their research and want to develop it. The boundary between appropriate consideration for private property rights pushes up against some greater public concerns. Odeen will be thinking about that between now and the 14<sup>th</sup>.

City Administrator Simpson wanted to give some context where staff is at with the project. There was discussion at the front end related to the policy question and if the Council wanted to answer that first. The Council has not instructed staff to stop development and wait until the comp plan is done. We are operating that Council has not put a moratorium in nor asked to slow up on development. Staff is dealing with a comprehensive plan that is outdated and limited in coverage of areas for expansion in boundaries. Staff recognizes that Council could say they are not comfortable with proceeding with development. We want to know that. Simpson spoke about future land use and zoning. At this time, we don't have a land use classification that is consistent with the community's vision – industrial. The Council can signal timeout; we don't want to rezoning or annexations while we are waiting for the plan. It is a valid policy choice but has consequences on our ability to keep filling our housing needs assessment. Simpson spoke further talking about next steps and the Council's options at the

second reading. Council is not approving the entire annexation but are signaling that it is working for you. Council might have some reservations; specifically concerns about the R3 zoning for the parcel north of Paulson.

Bjork wanted to clarify that he was talking about the lot being commercial not industrial. He doesn't know what the timeframe is. He said there are more people getting worried about development of the city.

**CONSENT AGENDA:**

Acknowledgement of the following minutes: Historic Preservation Commission – 4/13/22; Library Board – 4/4/22; River Falls Housing Authority – 4/13/22; Plan Commission Comprehensive Plan Steering Committee Workshop – 3/24/22; Utility Advisory Board – 4/18/22; West Central Biosolids – 4/21/22; Park and Recreation Advisory Board – 4/20/22

Resolution No. 6673 - Approving the Final Plat for Highview Meadows 7th Addition

Resolution Referring the Un-Dedication of Parkland to the Plan Commission → → *pulled by Carow*

Resolution No. 6674 - Approving the Specific Implementation Plan and Development Agreement for Dawes Place Phase 2

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

Resolution No. 6675 - Referring the Un-Dedication of Parkland to the Plan Commission

Carow asked how often there are undedications in recent history. Simpson wasn't aware of any recent undedications. He talked about it being a master plan residential community with all the parkland placed in one location. A third of the proposed housing units were developed. If Council looks at the future land use map, this will more align with that future land use plan. This is uncommon and something we should all pay attention to and determine whether we think it makes sense to go forward with. **With no other comments, MSC Carow/Downing to approve resolution. Unanimous.**

**ORDINANCES AND RESOLUTIONS:**

Resolution No. 6676 - Approving West Central Wisconsin Biosolids Contract Extension Recommendation

**MS Downing/Carow move to approve resolution.** Simpson said if people are interested in more information, there was a presentation at the Utility Advisory Board meeting. It's not a decision that staff takes lightly. We have talked about it for some time. Recommending approval of this does indicate that Council is prepared to move forward with our own facility. We would notify West Central Biosolids that we will not renew the contract at the end of the term. **With no further comments, the Mayor asked for a vote. The resolution passed unanimously.**

**REPORTS:**

Comptroller's Report for April 2022

Comptroller Odeen read the following: General Fund revenues through the end of April were \$4,579,054 or 39 percent of total budgeted revenues for the year. Revenues in April include \$25,000 for an urban forestry DNR grant, \$11,028 in building permit fees, and \$10,073 in recreation program fees. Year to date expenditures through the end of April were \$3,309,288 or 28 percent of total budget expenditures for the year. As of April 30, 2022, revenues in excess of expenditures were \$1,269,766.

**ANNOUNCEMENTS:**

Pride Month Proclamation

The Mayor read the proclamation.

**CLOSED SESSION:**

**At 7:17 p.m., MS Odeen/Carow move to recess into Closed Session 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 or bargaining reasons require a closed session, to wit: Cascade Avenue property and Paulson Road property”. **The roll call vote to move into Closed Session passed unanimously.**

**MSC Odeen/Downing move to reconvene into Open Session at 7:57 p.m. Unanimous.**

**MSC Bjerstedt/Carow move to adjourn at 7:58 p.m. Unanimous.**

Respectfully submitted,

Kristi McKahan, Deputy Clerk

