



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

**June 23, 2020**

Mayor Dan Toland called the meeting to order at 6:30 p.m. in a virtual meeting format due to the Covid 19 pandemic. The City Council Chambers was open for public to attend.

**City Council Members Present:** Todd Bjerstedt, Sean Downing, Christopher Gagne, Scott Morrissette, Diane Odeen, Ben Plunkett

**Members Absent:** Hal Watson

**Staff Present:** City Administrator Scot Simpson; IT Specialist Jon Smits; Utility Director Kevin Westhuis; City Clerk Amy White; Assistant City Administrator Jason Stroud; City Engineer Crystal Raleigh; others

**Others Present:** Hugh Down, Serena Weber, Matt Beranek, Damon Holter, Cory Hart

The Pledge of Allegiance was said.

**APPROVAL OF MINUTES:**

June 9 Regular Meeting Minutes

**MS Morrissette/Downing move to approve minutes. The roll call vote passed unanimously 6-0 with all voting in favor.**

**APPROVAL OF BILLS:**

Bills: \$957,874.66

**MS Plunkett/Morrissette move to approve bills subject to the Comptroller.** Alderperson Plunkett asked the Council what information they find relevant when they do the bills. Comptroller Odeen offered to speak with him offline. She said Council keeps an executive eye on the bills. Alderperson Gagne noted an incorrect roll call vote reflected in the online packet minutes which had since been corrected. **With no other comments, the roll call vote passed 6-0 with all voting in favor.**

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

There was no public comment.

**PUBLIC HEARING:**

Annual Liquor License and Beer License Renewals

**At 6:35 p.m., the Mayor moved into a Public Hearing.** He noted there were two new agents – Hugh Ward for Holiday Station Store #8 and Serena Weber for WE Market Co-op.

Alderperson Morrissette asked Ward if he understood the role of an agent, if he currently had a bartender's license, and if he is not present and there's an alcohol related violation, he is as the agent is responsible. Ward answered yes to all and said he understood that he was responsible for all aspects.

Alderperson Morrissette asked Weber if she understood the role of an agent; Weber answered yes. Morrissette said according to her application, she completed her responsible server's license. Weber confirmed she had. Morrissette asked if she understood that if there was an alcohol related violation and even if she was not there, she is still responsible. Weber answered yes.

**At 6:38 p.m., the Mayor closed the Public Hearing and moved back into Open Session.** Plunkett had questions for the agents and asked Ward and Weber if they understood a liquor license was a privilege and not a right. Both answered yes.

Plunkett asked what steps their businesses have taken to protect the community from Covid 19 transmission that is likely to occur indoors from unmasked individuals. Weber said WE Market requires masks for employees and customers, they do regular wipe downs, self-serve items have been removed, they monitor the number of people in the store and encourage people to shop at different times of the day.

Ward said Holiday does not require masks for customers, employees wear masks if handling food products, employees wash prior to handling food, and every 30 minutes surfaces are wiped down.

**MS Odeen/Gagne move to grant renewals for the Class “A” Beer Licenses and Class “A” Cider Only licenses for Indianhead Oil, Co., LLC dba Holiday Station Store #8 contingent that all licensing requirements are met at the time of issuance.**

The Mayor asked for discussion. **Plunkett moved to amend motion to allow no sampling of alcohol on premise until such time the City Council deems to allow it and to require mask usage by customers and employees at all times while in indoor spaces until such a time that the Council decides to rescind that condition of the licensing. The motion failed as there was no second.**

**The Mayor asked for a roll call vote on the original motion. The roll call vote passed 5-1 with all voting in favor except for Plunkett.**

**MS Odeen/Morrisette move to grant renewal for the Combination “Class A” Liquor and Class “A” Beer License contingent that all licensing requirements are met at the time of issuance for Whole Earth Cooperative of River Falls dba WE Market Coop.** The Mayor asked for discussion.

**Plunkett moved to amend motion to no sampling of alcohol on premises, mask use be required of both customers and employees as a condition of licensure until such a time the City Council votes to remove that condition. The motion failed as there was no second.**

**The Mayor asked for a roll call vote on the original motion. The roll call vote passed 5-0 with all voting in favor except for Plunkett who abstained noting he was an owner/member of WE Market.**

**MS Morrisette/Gagne move to grant renewals for the Class “B” Beer Licenses contingent that all licensing requirements are met at the time of issuance for Balazi, LLC dba as Kinni Café.** The Mayor asked for discussion.

**Plunkett moved to amend motion as a condition of licensure no sampling of alcohol on premise, that all employees and customers are required to wear masks on premise until the City Council removes that requirement of licensure. The motion failed as there was no second.**

**The Mayor asked for a roll call vote on the original motion. The roll call vote passed 5-1 with all voting in favor except for Plunkett.**

**MS Morrisette/Gagne move to grant renewal of the “Class C” Wine Licenses contingent that all licensing requirements are met at the time of issuance or Balazi, LLC dba as Kinni Café.**

**Plunkett moved to amend motion as a condition of licensure no sampling of alcohol occurs on premise at this time and that all employees and customers are required to wear masks at all times. The motion failed as there was no second.**

**The Mayor asked for a roll call vote on the original motion. The roll call vote passed 5-1 with all voting in favor except for Plunkett.**

Request for a Combination “Class B” Liquor and Class “B” Beer License – JRKM Management dba Swinging Bridge Brewery, 122 S. Main Street or Jena Beranek dba Smokey Treats, 127 N. Main Street

**At 6:49 p.m., the Mayor moved into a Public Hearing.**

Matt Beranek from Smokey Treats wanted to talk about reasons why he wanted the liquor license. He talked the density of bars to restaurant in town with bars exceeding restaurants. The license was surrendered from a restaurant and it would be nice for that to continue. Beranek talked about possibly purchasing the building and expansion possibly a whiskey/bourbon room. He talked about the potential of a 20-25 percent increase in gross sales. Beranek talked about a Bloody Mary sauce he wanted to showcase. He appreciated the opportunity to speak.

Damon Holter spoke on behalf of Smokey Treats. He talked about assisting the owners with putting together a destination restaurant, his 25-year background in the restaurant industry and more recently his involvement in a BBQ community. He spoke about people coming to the community from the ‘BBQ Trail’. Holter talked further about craft cocktails, comfort food and more.

Cory Hart from Swinging Bridge and Juniors talked about expansion. He spoke about going from a brewery to brew pub, the expansion of wine and spirits, bringing a larger crowd to downtown River Falls, and serving food. We would appreciate your vote.

**At 6:56 p.m., the Mayor closed the Public Hearing and moved back into Open Session. MS Morrissette/Downing to approve a request for a “Class B” Liquor and Class “B” Beer License – JRKM Management dba Swinging Bridge Brewery or Jena Beranek dba Smokey Treats.**

Morrissette said this was a tough decision for the Council. Listening to the agents speak makes it more difficult due to the respect shown to the other business. Both businesses are viewed positively in the community, both are current agents with clear records. Morrissette makes decisions upon quantitative, measurable things. He talked about staff being fantastic and Clerk White providing criteria for Council review, but it didn’t help him come to a conclusion.

**MS Morrissette/Odeen move to amend his motion that a coin toss be done by the City Clerk with both agents present to determine who will be awarded the license; furthermore, both parties shall be present for the coin toss with all applications/paperwork in accepted order as a condition of issuance.**

Aldersperson Odeen talked about reading the applications and knowing the businesses, she could easily justify the license to either but there’s no reason to deny it to the other. She talked in further detail about the businesses including being well-respected and the diversity of offerings they provide the community.

Aldersperson Bjerstedt asked about the quota of liquor licenses. City Clerk White explained it was a state established quota based on the population in 1994. Bjerstedt asked if a license could be purchased for \$10,000. White said yes. Bjerstedt asked the license could be resold. White said no. Bjerstedt asked further clarifying questions. Both White and City Administrator Simpson provided answers.

Gagne shared the sentiment of the rest of the Council. It is a difficult decision. He spoke further about the two establishments feeling they both had great reputations. Gagne suggested whoever doesn’t get picked may be able to obtain a license if it gets surrendered in the future. He is in favor of a coin toss.

Downing felt state law was tyrannical. He felt both establishments were in good standing and supported Morrissette’s fair approach. He will be voting in favor of this.

Plunkett asked about the original motion and amendment. Morrissette provided clarification.

**With no other discussion on the amendment, the Mayor asked for a vote.** City Administrator Simpson asked the Mayor to clarify that the City Clerk will determine the method and process of doing the coin flip. The Mayor affirmed and said that White will set that up with the two owners and get that figured out with them.

**The Mayor asked for a roll call vote on the amendment. The roll call vote passed 6-0 with all voting in favor.** Morrisette noted question 9 on Smokey Treats application needs to be addressed. Beranek said it was left blank unintentionally and the answer should be a no.

**Plunkett moved to amend motion for licensure to require mask usage by employees and customers at all times, no sampling of alcohol on the premise, and off sale only until such a time as the Council chooses to amend those conditions. The motion failed as there was not a second.**

Plunkett wanted to ask the agents questions. Plunkett asked Dustin Hanson from Swinging Bridge do you understand that the license is a privilege and not a right; Hanson said he did. Plunkett asked what steps your business has taken to protect other members and businesses of the community from transmission of Covid 19 through cases acquired at your business. Hanson said extra sanitizing steps, all staff are required to wear face masks and gloves; customers are not required to wear masks.

Matt Beranek from Smokey Treats said they were one of the first businesses to close and one of the last to reopen. They have removed tables and spaced out seating, employees are required to wear gloves but not masks, extra sanitizing. Beranek said we have been doing this long enough and people know what they need to do. He's not going to force employees to do something they are not comfortable with. He's left it up to customers if they don't feel comfortable.

**The Mayor asked for a roll call vote on the original motion. The roll call vote passed 6-0 with all voting in favor.**

#### **ORDINANCES AND RESOLUTIONS:**

Ordinance 2020-06 - Amending the Official Traffic Control Map of the City of River Falls (Speed Limit on South Main from Cemetery Road north to the UWRF Falcon Center entrance) – Second Reading and Disposition

**At 7:16 p.m., the Mayor moved into a Public Hearing. As there were no public comments, the Mayor closed the Public Hearing and moved back into Open Session. MS Downing/Bjerstedt move to approve the ordinance. The roll call vote passed 6-0 with all voting in favor.** After the vote, there was discussion about when the speed limit would take effect and if flags would be put up.

#### **CONSENT AGENDA:**

Acknowledgement of the following minutes: River Falls Housing Authority – 5/13/20; River Falls Public Library – 5/4/20; Police and Fire Commission – 5/6/20

Resolution Awarding 2020 Sanitary Grout and Lining Project→→*pulled by Downing*

**MS Odeen/Morrisette move to approve the rest of the Consent Agenda. The roll call vote passed 6-0 with all voting in favor.**

Resolution No. 6490 - Awarding 2020 Sanitary Grout and Lining Project

Downing asked the City Administrator to provide a timeline for the project and how it segues with the North Interceptor project. Simpson talked about location of the project and the North Interceptor project which is being reconsidered for the Capital Improvement Project. The timeline is likely 2022 or 2023.

City Engineer Raleigh said analysis has been done. The capacity in this segment of sewer is good as long as we can line the pipe and make it more structurally sound. That is why we choose the lining for that section of pipe. We will be looking at the interceptor project.

Downing asked how costs was estimated. Simpson said it was by linear footage bids. He explained how the bidding process worked. The City received several bids.

Utility Director Westhuis talked about eliminating groundwater infiltration in the joints.

Plunkett asked about difference in cost between lining and replacement and lifetime of lined pipe. Westhuis said estimated replacement cost is about \$300 per foot resulting in \$650,000-\$900,000 for replacement versus \$150,000 for lining which will last approximately 20-50 years.

**MS Downing/Odeen move to approve resolution. The roll call vote passed 6-0 with all voting in favor.**

**REPORTS:**

Administrator's Report

Simpson thanked Council for its continued patience with the new technology. Simpson talked about moving to Phase 2 of the Crushing Covid Plan. He talked further about the plan, benchmarks, and how it effects the City in terms of outdoor activities and splashpad. He talked about the parks and spring clean-up.

Downing asked about events for the rest of the year. Simpson said the City has virtually none except meetings. Simpson talked about Bacon Bash, Music in the Park, using the City trails.

Gagne talked about Covid 19 in the community and the Pierce County Board meeting.

Morrisette recognized Mike Stifter and the Public Works crew in regard to a downed boulevard tree. He talked about residents' appreciation for information on social media and the quick response.

Comptroller's Report for May 2020

Comptroller Odeen read the following: General Fund revenues through the end of May were \$4,608,231 or 42 percent of budgeted revenues. Revenues in the month of May include \$228,044 for Rural Fire Association. Expenditures for the same period were \$4,420,298 or 40 percent of expenses. Expenditures for the month of May include \$26,910 for appraisal services. As of the end of May, net revenues over expenditures were \$187,933.

**ANNOUNCEMENTS:**

Mayor's Appointments

Plan Commission

Appointment of Rebecca Prendergast through July 2023

**MSC Gagne/Bjerstedt move for approval of the Mayor's appointments. The roll call vote passed 6-0 with all voting in favor.**

**MSC Bjerstedt/Downing move to adjourn at 7:39 p.m. Unanimous.**

Respectfully submitted,

Kristi McKahan, Deputy Clerk