

## Common Council Meeting Minutes

June 20, 2017

*Approved*

Call to order at 7:02 pm by Mayor Stanek

Roll Call.

All here. Plus Attorney Jefferson, Chief Tony Green, Treasurer, Carole Brown, Clerk, Lynn Thorson

Pledge of allegiance

Garvin/Huber motion to approve the minutes. All ayes. Carried.

Public Comment (5 minute limit, no action to be taken, items not on agenda)

Carole Brown, City of Elroy treasurer and secretary of the Fire and Ambulance Association announced that the city park, Elroy Ambulance, and Elroy Fire Department all received an \$83,000+ donation from the Mildred Freymiller estate.

Steve Green voiced his concerns about the downtown building owned by Lynwood Warner. Steve doesn't want to see it cobbled. He says he can't use the alley between his building and the Warner building. Attorney Jefferson said letters were sent to Warner and he was given until August 14<sup>th</sup> to fix the building or there would be a raze order will be upheld. Steve reported that work is being done on weekends/nights and is wondering if it will be subject to inspections. Steward said that repairs are not structural so an inspection is not required. The Warner's plans for repairs were also discussed.

### Council Communications:

Mayor – nothing

Council – nothing

Administrator – nothing

Recognition of Bill Jefferson (38yrs) and Mark Steward (6yrs) for their service to the City of Elroy.

### Public Hearing:

Conditional Use Permit Request 01-2017

Steward explained Darrell Becker's original request to rezone from business to residential to allow him to make the lower portion of his business into apartments. He has decided instead to ask for a conditional use permit so it could revert back to a business at a later date as needed. No objections from the audience. Public hearing was closed. Lindemann/Madden to approve Conditional Use Permit 01-2017. Roll call. All ayes. Carried.

Conditional Use Permit Request 02-2017

Steward explained that Mrs. Ogiela, the owner of 1502 Academy Street (formerly the Cherry Tree Restaurant) has applied for this permit to allow her to use this property located in a business district as her residence. Mrs. Ogiela explained that when she purchased the property she had intended to open it as a restaurant but found out that to get it to code would cost 90,000. She has tried to get other businesses in to no avail. Shirley Cox, Mrs. Ogiela's friend. Spoke about a possible business in the front of the building and that Mrs. Ogiela could reside in the back. Shirley also reported that John Miller, a neighbor, would like to see her stay there but was unable to make the meeting and wanted her to pass that on to the council. Steward recommended that a residential inspection be done on the building as a condition to the approval of the request. There were no more comments. Hearing was closed. Garvin/Huber to approve Conditional Use Permit 02-2017 contingent on an inspection being done of the building. Roll call. All ayes. Carried.

### Consent Agenda:

Discussion of snow removal invoice-Lynn Leatherberry-Attorney Jefferson reported on the citation to Lynn Leatherberry for obstructing a sidewalk. Citation was dismissed because of an incorrect ordinance that was used. (Should have been failure to clear sidewalk of snow/ice.) Lynn discussed the weather at the time that the shoveling was done by the city. Said she came to do it and it was already done by the city. She disputed the time given to clear the sidewalk (24 hours after snow ceases to fall). Lynn Thorson, clerk, explained the snow/ice removal procedure. Leatherberry cited that she had contacted Ed Brooks office and we had used a statute in our letter that didn't exist. Attorney Jefferson explained that it had existed but was changed but was still enforceable. Garvin saw no reason to forgive the invoice. Elliott and street department aren't looking for snow to shovel in the winter. Assured her she isn't being singled out. Garvin/Huber made a motion that the snow removal invoice should be paid. Roll call. All ayes. Carried.

#### Resolution # 1024-Raze Order for 103 S. Brooklyn Avenue

Attorney Jefferson gave a summary of the value of the property and its condition. \$9,700 assessed value and 54,000+ to bring it to code as determined by General Engineering after their inspection. Owner spoke about a raze of the building putting two disabled people out into the street. Garvin explained to her all of the programs and assistance that could be available to her. The CDBG program was offered to her and she was given the contact information for the administrator of the program. She was given 60 days to come up with a plan. The owner explained her situation and how the house got in its present condition. She was told that if the house doesn't qualify for CDBG, Juneau County may be of assistance to her in finding another place to live. The owner disputed some of the inspector's findings of the condition of the house. Huber/Garvin motion to proceed with the raze order of 103 S. Brooklyn Avenue Resolution #1024. Roll call. All ayes. Carried.

#### Resolution # 1025-Offer to purchase city property-Parcel #29221844.003

Dan Wildes of Ultimate Custom Concrete LLC was given two years to build a 30X60 building/business in the industrial zone. He intends to build a building to house his concrete business. Wildes will get his money back (\$5,000) if he builds within the two years. No further discussion. Garvin/Lindemann to approve offer to purchase land on Tilmar Street for \$5,000 from Dan Wildes. Resolution #1025 Roll call. All ayes. Carried.

Garvin/Huber to approve a Class "A" Combination Malt Beverage & Intoxicating Liquor License for Jason Dulinsky-Hansen's IGA and Mitchell Kirk-Kwik Trip #320 Roll call. All Ayes. Carried.

Klipstein/Madden to approve a Class "B" beer/Class "B" Liquor Combination Malt Beverages & Intoxicating Liquor Licenses for James Bender-Elroy American Legion; Wanda Dogs-The Dog House Bar; Paula Vierck-Sportsman's Bar & Grill; Patti Kaczmarek-Kaz's Bar & Grill Roll call. All ayes. Carried.

Lindemann/Huber to approve a Reserve Class "B" Liquor License and Class "B" Beer Combination Malt Beverage & Intoxicating Liquor License for Martin Koenecke-Valley Inn Roll call. All ayes. Carried.

Lindemann/Huber to approve a temporary Class "B" retailer's license for the Elroy Area Fire Department for the Elroy Fair (6/22-6/25) and the Fall Feed (10/7-10/8) Roll call. All ayes. Carried.

Lindemann/Huber to approve multiple operator's licenses. Roll call. All ayes. Carried.

Vacate Portions of Genrich and Badger Streets. We will revisit this in August with the new city attorney. The process has not been started yet.

Lindemann/Garvin to approve renting space to store their equipment to Dairyland Power Cooperative for when they do their substation project on Miller/VonHaden Road (Donna Nelson property) They have agreed to pay us \$1,200 and an additional \$300 a month if the project goes beyond the first of the year. Roll call. All ayes. Carried.

Lindemann/Garvin motion to approve easement for Dairyland Power to allow them to vacate the Franklin Street substation and move it to the east. Kuester will work on a price with Dairyland to sell us the substation. May do a trade for the easement. Roll call. All ayes. Carried.

Jim Mann was unable to attend so we will reschedule the TID loan discussion for another date in either July or at the special meeting on June 28 @ 5:30 depending on his availability.

Discussion of possible raze order of 205 Spring Street. Owner was sent a letter today (June 20) asking for a key so an inspection of the property can be done. Tony Green agreed to call the owner to see if we could get a key to do the inspection on Friday (June 23).

Resolution #1026-Raze Order for 1416 Academy Street. The inspection showed this structure to be uninhabitable. \$31,250 to fix exceeds its assessed value. Lindemann/Garvin to make a motion for a raze order of 1416 Academy Street, Resolution #1026. Roll Call. All Ayes. Carried.

1208 Academy has not had an inspection yet. Letter was sent to owner for Attorney Jefferson offering CDBG program for fix up. Revisit in July to consider inspection order.

Academy Street Project-Huber reported that we are waiting on Vince for chip sealing. MSA has a timeline of the project. Bids will be due July 15<sup>th</sup>.

Expenditures.

Klipstein/Garvin motion to approve expenditures. Roll call. All ayes. Carried.

Admin report – No update on solar. Public hearing in July where property owners from Weger and Ackerman Road will be invited to speak. Update on police storage-Chief Green thinks we could do it ourselves. There have been no offers on the old city hall building-signs need to be removed from the front-talk to Elliott about it. Mobile Home Park update-Tenant is finding a place to relocate. Waiting on Hamm Brothers to give a demo date. 205 Second Main St-Roehling to take building down and we will split the cost with the county. \$9,800 each. Jimm Mann will be here on Hune 26<sup>th</sup> at 10:00am for the TID annual meeting.

City Attorney Report- No progress in effort to collect money for homes razed in 2016.

CDA - Carole and Jim Garvin gave updates.

Finance/Personnel – New city attorney, Rebecca Richards-Bria, will be here Wednesday, June 28<sup>th</sup> and will work under an extention of Bill Jefferson's contract for the remainder of the year. City Attorney will be reappointed every year. Will offer her the same contract as Bill Jefferson. Personnell commite will go through applications for the new City Administrator and present to the council in July.

Ordinance – No meeting. Attorney Jefferson will give Lynn any ordinance changes that need to be made.

Parks – none. Need to schedule a meeting to discuss park repairs.

Streets – working on projects.

Tourism – none.

Fire and Ambulance – full coverage for the ambulance service since February and were able to do transfers again. There have been \$16,000 in donations so far and now the addition of the money from Millie Freymiller. All EMR's passed their class.

Library – none. Librarian reports good attendance at the library and with the summer reading program.

Police – no meeting. Meeting scheduled for Wednesday, June 28<sup>th</sup> at 5:00pm

Utility – Met earlier today.

Klipstein/Garvin motion to adjourn at 8:51 pm. All ayes. Carried.

Mark Steward  
City Administrator