

**June 12, 2014**

**COUNCIL PROCEEDINGS**

**6:00 p.m.**

Mayor Jim Wilkie called the regular monthly meeting of the Common Council of the City of Alma to order.

Pledge of Allegiance was said.

Clerk Linda Torgerson took roll call with the following members present: Mayor Jim Wilkie, Robert J. Oium, Gary Ruff, Monica Moham, Mary Johnson, Matthew Olson and David Earney. Absent: Larry Farl.

Motion by Ruff seconded by Johnson to approve the May 5, 2014 Council Proceeding minutes as presented. All members voting yes.

Motion by Oium seconded by Earney to approve the Financial Report as presented. All members voting yes by roll call vote.

Motion by Oium seconded by Ruff to approve the Treasurer's Report as presented. All members voting yes.

Citizen comments:

Richard Olson, 606 N. 2<sup>nd</sup> St., informed the Council that after the collapsed wall was replaced by his property there was a lot of mud from the project preventing him to drive onto his lot. Mayor Wilkie referred this matter to the Utilities Committee for study, review and resolution.

Jim Hoffman, President of Hoffman Construction, presented to the Council the full background of the Grand Encampment Island removal project of the U.S. Corps of Engineers. Hoffman introduced those present being Mike Wilcox of Hoffman Construction along with Jason Ivers, Travis with Brennan Company and Paul Majeski-U.S. Corps of Engineers.

Hoffman stated the following events:

- 10/16/2013 bid opening for the Grand Encampment Project. Black River Contractors a joint venture of Hoffman Construction and J.F. Brennan Company submitted a bid with Hoffman Construction doing the land portion part, the hauling of the sand and J.F. Brennan doing the water part of the project with the dredging of the material
- 10/22/2013 bid was awarded to Hoffman Construction and J.F. Brennan Company
- 12/10/2013 Notice to proceed was given

Hoffman stated that the following permits were applied for and received:

- NR216 Storm Water Permit
- NR504 Low Hazard Exemption-dredged material
- Fish & Wildlife – who has control of the landing
- City of Alma road agreement
- Town of Nelson Road agreement
- County of Buffalo Road agreement
- Buffalo County zoning permit

Hoffman further explained that they had applied for a Conditional Use Permit for the Greshik property south of Alma on January 12, 2014 and the Sass property north of Alma on February 3, 2014. Both sites

would accommodate approximately half of the material and would meet the criteria of the permit requirements. After review of the Zoning Administrator, he found that this project did not fall into the guidelines of a Conditional Use Permit, however, it would require a Zoning Permit under substantial alteration of land criteria. On February 27, 2014 the Buffalo County Zoning office issued them a Zoning permit.

Hoffman reported that Mike Wilcox had met with the Town of Belvidere and the Town of Nelson in the month of February to let them know their plans for this project. At that time neighbors were concerned of runoff and site restoration, all of which Hoffman stated they addressed with a 1% grade and restoration of the site.

Hoffman stated that on June 2, 2014 the Buffalo County Land Conservation met and rescinded their zoning permit. Hoffman stated that they were never notified of the meeting and this was direct violation of the Open Meeting Law and that the Land Conservation did not have the power to rescind this permit. Buffalo County did concede to that and is now somewhat in a holding pattern. The County felt there was not enough input regarding the project. Hoffman stated that they in agreement with the County adding the following list of conditions to their existing zoning permit:

- \$50,000 guarantee until 2025 that all the erosion issues were complete
- Enter into an agreement with the adjoining property owner
- Cannot plow the soil without DNR permission-concern of runoff of a 1% grade

Hoffman stated that the key to this project is the navigational aspect of the Corps of Engineers to continue doing their maintenance dredging.

Hoffman stated that he anticipated that it would be late August before the Sass property is full and hauling to the Greshik property, which would require driving through the City of Alma to South, would begin and hopefully this would avoid the busy tourist time. Hoffman further stated that he knows that hauling through the City is a safety issue and that there should be public input supporting keeping the sand hauling to one location.

Mike Wilcox handed out site plans and truck routes for each property.

Mayor Wilkie stated that he was pleased with the agreement for Beach harbor road and thanked them for their attendance and presentation this evening.

Hoffman stated that their safety director has been in contact with Buffalo County Sheriff's Department regarding the truck traffic and they are also trying to address noise concerns as well in regards to tailgate noise and beeper backup devices.

Mayor Wilkie asked for comments from police Chief Ritscher.

Police Chief Todd Ritscher stated that he has had zero incidents regarding speed or other violations. Ritscher stated that they are truly professional drivers and complimented Hoffman for his team of drivers.

Jason Ivers, project leader, stated that every morning a safety meeting is held. Hours of operation are: Monday through Thursday – 7 a.m. to 7 p.m., Fridays 7 a.m. to 4 p.m. and 8 a.m. to 4 p.m. with a 48 hour notice if these times are altered.

Mary Johnson inquired if the trucks could haul at night. This would be a problem especially with J.F. Brennan doing the dredging and with property owners with night noise.

It was suggested that Hoffman construction come back in August before the hauling through the City would begin.

Jim Wilkie stated that the area behind the ball field adjacent to the sand pile is in need of some fill along the shoreline. Hoffman stated that they will look into the situation and what permitting would be required and respond back.

Hoffman thanked the Council and stated that if anyone has concerns to have them contact him directly or anyone from the company.

### **UTILITIES COMMITTEE**

Phil Johnson, with Ayres Associates, went over the bid results for the Elm Street Stairway Improvement project:

- Pember Companies, Inc. – Menomonie, WI ----- \$213,305.50
- Janke General Contractors – Athens, WI ----- \$223,052.00
- Winona Mechanical – Winona, MN ----- \$236,153.00

Johnson stated that all bids submitted were reviewed and are in order and recommended the hiring of the lowest responsible bidder which is Pember Companies, Inc. out of Menomonie, WI.

Earney inquired about the timeline of the project. Johnson stated that the seeding portion of the project would be done between August and September to establish growth to prevent erosion. Johnson stated that other aspects of the project could be done while that is going on.

Mayor Wilkie stated that he had reviewed the TIF funds available from the auditor's report and funds are sufficient for this project. Wilkie further stated that this is the project for the TIF amendment as previously approved.

Oium commented that he had a problem with the whole project because it involves tax dollars for a project that directs people into a city street and to walk behind parked cars. Oium stated that someone would walk down the steps walk behind a car and get hit. He further stated that he would not be responsible for a child getting hit by a car caused by this project and felt it was a waste of tax payer's dollars.

Oium stated that Buena Vista is the best viewing platform as noted by Better Homes & Gardens and that the viewing platform at Elm & 2<sup>nd</sup> St is not needed. Oium suggested using money to improve the bathroom at Buena Vista since that is the only complaint he receives regarding Buena Vista Park.

Oium stated that the steps could only be used part of the year. Wilkie stated that these steps are designed to be maintained during the winter. Oium was concerned regarding kids coming down the steps and falling on the slippery street at the bottom of the steps.

Earney stated that there are a lot of concerns with the infrastructure of this area; power lines, sewer, storm sewer etc. Earney stated that there are different avenues to improve pedestrian traffic and the stairs addresses only a portion of that.

Oium stated that no one uses the steps and that he had it had set a camera for a two week period. He further stated that a group of people helped pay for his flight back for this council meeting to stop this project and that they might take legal action against the City if this project proceeds.

Mayor Wilkie stated that he was disappointed that the project would be sabotaged at this stage of the game and that it should have been done prior to the project getting to this point. Public hearings were done, as required by law, during the TIF amendment for the stairway projects.

Mary Johnson stated that since she has worked downtown she has become aware of the fact that some people come to Alma just to climb the stairs and hike the Buena Vista hiking trail. The Elm Street stairway project would provide easy access from downtown to the hiking trail. The hiking trail starts off of 2<sup>nd</sup> Street onto Elm Street.

Johnson stated that our stair steps are world famous and a huge part of Alma's heritage.

Monica Moham stated that if the new steps were built this would possibly eliminate some of the foot traffic on Alley Street.

Oium requested that Mayor Wilkie state on the record that this project is not a waste of tax dollars. Mayor Wilkie did state that he felt the Elm Street Stairway project is not a waste of tax dollars.

Matt Olson stated he was not aware of this project and felt he needed more information. Earney explained to Olson the project background.

Motion by Earney seconded by Moham to recommend Pember Companies, Inc. for the Elm Street Stairway improvement project in the amount of \$213,305.00. 3 no (Oium, Ruff & Earney), 2 yes (Moham and Johnson) and 1 abstain (Olson) by roll call vote.

Concerns of Alley Street were discussed regarding the break in the sewer line that was discovered after videotaping the sewer on Alley Street behind 125 N. Main St.

Motion by Oium seconded by Olson to authorize Cal Loewenhagen to contact Flow-Rite to video tape the sewer Alley Street from the top down. All members voting yes.

Shawn Welte, Davy Engineering, suggested that the City stay with Ayres Associates regarding the study and review of Alley Street and the wall situation. Videotaping the sewer line will help the City better budget for repairs. Videotaping of the storm sewer should be done as well.

Motion by Oium seconded by Olson to amend the motion to add storm sewer videotaping on Alley Street. All members voting yes.

Shawn Welte went over the bids for the Well #2 Renovation project. Shawn Welte explained that the cost for the project increased due to the flow meters being added to the project. Welte stated that seven plans were taken out, however, only two bids were returned:

- Winona Mechanical, Inc. – Winona, MN --- \$99,062.00
- Municipal Well & Pump – Waupun, WI --- \$93,050.00

Welte stated that approval from the WI DNR for the plans and specifications has been received, all of the bids received were responsive and acknowledged the Addendum, bidding was competitive and Municipal Well & Pump had performed work on similar projects for them in the past. Welte stated that substantial completion of the project is set at November 30, 2014. Welte recommended the bid be awarded to Municipal Well & Pump.

Motion by Oium seconded by Earney to approve the bid for Municipal Well & Pump from Waupun, WI for the Well #2 renovation project in the amount of \$93,050.00. All members voting yes.

Shawn Welte explained that the cost for the project increased due to the flow meters being added to the project. Welte stated that seven plans were taken out, however, only two bidders returned sealed bids.

Dave Earney explained that the annual compliance maintenance report has been completed by sewer operator, Cal Loewenhagen, and Earney shared that the overall rating for the sewer was an "A" for the year.

Motion by Earney seconded by Oium to approve the Compliance Maintenance Annual Report resolution as presented. All members voting yes.

Motion by Earney seconded by Olson to approve the Utilities Committee report as presented. All members voting yes.

### **FINANCE/TAX & LICENSE COMMITTEE**

Oium reported that the committee had met and approved all vouchers, bills and receipts.

Oium reported that the committee had met on May 30<sup>th</sup> regarding the lot at 401 N. Main Street. It was decided at that meeting to contact Jeff Reglin regarding options for bank stabilization and lot preparation.

Motion by Oium seconded by Earney to approve the Assessor's Contract for 2015 to Kleven Property Assessment, LLC. All members voting yes.

Motion by Oium seconded by Earney to approve a Combination Class "A" Beer & Liquor license to Waliki USA, LLC-William Allen Hedberg agent. All members voting yes.

Motion by Oium seconded by Earney to approve the following Class "B" Beer & Liquor Licenses:

American Legion Post #224, Peter Mueller, Agent, 501 N Main St

Julie Ann Fagerland, Julie's Fin & Feather, 211 N Main St

Gregory A. Stevens, Dam View Bar, 415 N Main St

RBO Business Services, Inc., Rebecca B. Oium, agent, 201 N  
Main St.

Tansy's on Main, LLC-Sтивен Hornberg, agent, 115 N. Main St.

Michael D. Henderson, Henderson's Silver Moon, S1582 STH 35

The Burlington Hotel, LLC, Kathi Korum, agent, 809 N Main St

The Red Ram, LLC-Lee Fluekiger, agent, 207 N. Main St

Motion by Oium seconded by Earney to approve a "Class B" Winery and Class "B" Beer license to Danzinger Vineyards, LLC-David Danzinger, agent, S2015 Grapeview Lane. All members voting yes.

Motion by Oium seconded by Ruff to approve the following Class “B” Fermented Malt Licenses-On premise only:

Alma Rod & Gun Club, Darrold Abts-agent, 1562 CTH "I"

P & M Malrick Corp. – Paul Malrick, agent, Pier 4 Café & Smokehouse, 600 N Main Street

Motion by Oium seconded by Earney to approve the following Class “A” Beer licenses:

Kwik Trip, Inc., Margie Haeussinger, agent, 601 N. Main St.

Lockport Marine, Inc.- Shawn Auman, agent, 125 Beach Harbor Rd.

Motion by Oium seconded by Earney to approve the following 2014-2015 Operator License applications:

1. Daniel Gerson
2. Margie Haeussinger
3. Penny Heller
4. Sara Langhorst
5. Kathleen Loewenhagen
6. Mykayla Muench
7. Laura Theis
8. Donna Baker
9. Tamara House
10. Jackie Huebner
11. Anita Janda
12. Adam Meier
13. Bonnadine Ottum
14. Crystal Wiczorek
15. Tabitha Blank
16. Sara Fuher
17. Nathan Poltiske
18. James Scott
19. Lynn Bennett
20. Cindy Danzinger
21. Matt Danzinger
22. Penny Danzinger
23. Sarah Danzinger
24. Kathryn Gehrke
25. Mallory Villeneuve
26. David Bautch
27. David Danzinger
28. Vernon Langhorst
29. Charles Michaels
30. Lee Salisbury

31. David Baum
32. Mark Brovold
33. Donald Jay Ganz
34. Judith Goeldner
35. Gregory Green
36. Wayne Grotjahn
37. Marvin Rieck
38. James Ruff
39. Thomas Schultz
40. Carolyn Thomsen
41. Michael Henderson
42. Mackenzie Loewenhagen
43. Tyler Fink
44. Bonnie Ottum
45. Darlene Pickering
46. Taylor Treinen
47. Jackie Brownell
48. Lindsey Frost
49. Ricky Hager
50. Kati Hanson
51. Shirley Henderson
52. Sharon Rieck
53. Gary ruff
54. Janine Stevens
55. Valerie Dehnke
56. Jacob Hughes
57. Rebecca Livingston

All members voting yes.

Motion by Oium seconded by Earney to approve the Tax/License/Zoning Committee report as presented.

All members voting yes.

#### **PARKS AND RECREATION COMMITTEE**

Ruff informed the Council that the committee approved spending \$850 toward an addition to the Little League concession stand building.

Motion by Oium seconded by Earney to approve the Parks and Recreation committee report. All members voting yes.

#### **SERVICES COMMITTEE**

Ruff reported that he attended the fire meeting and the department will be doing a train derailment practice in the future.

Motion by Oium seconded by Earney to approve the Services committee report. All members voting yes.

#### **HISTORICAL PRESERVATION ADVISORY COMMISSION**

Earney reported that the commission had met and approved two applications. One for signage and one for a deck.

Motion by Earney seconded by Oium to approve the Historical Preservation Advisory Commission report as presented. All members voting yes.

### **BOARD OF REVIEW**

Mayor Wilkie informed the Council that the Board of Review met on May 14, 2014 and no taxpayers appeared before the Board.

Motion by Oium seconded by Earney to approve the Board of Review report as presented. All members voting yes.

Mayor comments:

- Very disappointed that the Elm Street Stairway project was sabotaged at this point of the project.
- Would like to continue the topic of a maintenance committee. Matt Olson offered to assist the mayor regarding this matter.
- Encouraged all council to look at their Open Meeting Law material that was provided to them and have questions ready at the next council meeting for our city attorney.

Upcoming meetings:

Utilities -- Monday, June 30<sup>th</sup> at 7 a.m.

Finance/Tax/License/Zoning – Monday, July 7<sup>th</sup> at 11 a.m.

Next Council will be Monday July 7<sup>th</sup> at 6 p.m.

Motion by Earney seconded by Oium to adjourn. All member voting yes.