

These are the minutes of the Regular Session of the City of Adams, WI held on January 19, 2009 in the City Municipal Building.

Meeting was called to order by Mayor Romell. On roll call were Alderpersons Jensen, LaQuee, Manthey, Robinson, Smith, Williams, Administrator Ellisor, Attorney Pollex, and Street Superintendent Mead. Chief Hanson was excused.

Motion by Williams, second by Robinson to approve the minutes of the January 5, 2009 meeting as printed. Roll call vote, all voted aye.

Petitions and Communications: None presented.

Report of Standing Committees:

Adams County Fire District: (The District met January 8, 2009)

Motions were made to approve the Finance Report.

Chief's Report:

There were 7 calls. (2 to Northern Bay)

City has not paid the \$6,000 for the old tanker.

Fire Inspector quit - May have to hire outside.

Discussed radio upgrade (must be narrow band compliant)

Public Safety Committee: (The Committee met January 13, 2009)

In petitions and communications, discussion was held regarding the State Highway 13 corridor study.

Motions were made to approve the Police Report.

Motions were made to approve the Building Inspector/Zoning Administrator's Detail Report.

Policy and Procedure Committee: (The Committee met January 15, 2009)

Recommendations were made to approve the Ordinance relating to Room Tax.

Recommendations were made to approve the Ordinance relating to Off Road Motor Vehicle Operation.

Recommendations were made to approve the Ordinance relating to Building Code.

Report of City Officers:

Mayor Romell: Read the letter received from Cynthia Eichman, C.E.O. at Moundview Memorial Hospital. The letter was sent to all Municipalities seeking assistance in increasing reimbursement for expenses. Without substantial changes, the likely continued operation of the hospital is seriously in doubt. The City has paid the four year discounted rate. Mayor Romell, Alderperson Williams and Administrator Ellisor plan to attend the meeting on Monday, January 26, 2009 at 6:00 P.M.

Administrator Ellisor: Reported that also on Monday, January 26th at 4:00 P.M. a Personnel Committee meeting will be held with the Union on negotiations. The submittal has been fully prepared to the Public Service Commission regarding the fire protection plan charges. He has been working with the City Attorney regarding the agreement with the Village of Friendship. There are issues that need to be settled that have been overlooked. Mayor Romell stated that the agreement will be discussed at the Public Works meeting Wednesday night. Williams stated that collection of past due items need to be addressed with a penalty clause. Administrator Ellisor stated that he had met with the RD Administrator and has brought the past due balances to her attention. LaQuee stated that he had a complaint regarding the ordinances not being distributed for him to review over the weekend. Clerk/Treasurer Winters stated she could not type them up until the weekend due to the Policy and Procedure Committee meeting Thursday evening, and Friday she was busy with the employee Christmas party. Clerk Winters stated that she worked on the ordinances over the weekend and did not get them distributed until Monday. Administrator Ellisor stated it is very difficult to turn them around in that amount of time. Mayor Romell stated that there is nothing that states you have to pass these tonight. Attorney Pollex stated there is nothing that states the Clerk has to work on weekends.

Attorney Pollex: Reported that he is working with Administrator Ellisor on the Village of Friendship agreement. He stated that the Village of Friendship has to have the agreement in place prior to getting the RD loan they are applying for. He continues working on the Housing Authority agreement. He questioned if he needs to attend the Personnel Committee meeting. Administrator Ellisor stated that it is not necessary unless he would want to attend. He has pre-trial returns on Wednesday. He reported that a citation has been issued to a business that has not yet complied with utility hook-up. Williams questioned how often the citations will be issued. Attorney Pollex stated he would like to pre-tri first to see if they will come in to talk to him first. The citation will take up to one month before going to court. However, if Council wishes, he will send citations out weekly. Williams stated they have been promising to connect for months, and more time will go by with waiting for them to talk to you, either do it or don't. Manthey stated that the City has enough empty store fronts and with the economy the way it has been, to wait and see if they attempt to meet with Attorney Pollex first. If they do not make an attempt, then Council should make the decision on how often citations are issued. Administrator Ellisor stated the action that the Attorney is taking does initiate the enforcement and brings it to another forum for them to respond.

Street Superintendent Mead: Reported they have been busy on snow removal. They were out clearing sidewalks today, and approximately twenty-five owners will be billed. This includes a couple on Main Street that had ice build up. Although the City clears the sidewalks, it is the property owner's responsibility to keep them safe to walk on. Equipment repair continues. The representative from CTW will send us a quote for the snow blower adapter for the back-up power at the well. Williams questioned chlorination. Mead replied, due to bad samples returned, and last week they had to run well #2, chlorination continued. There is approximately one week of chlorine left and he would like to run it out. If Council wishes, he will stop the chlorination.

New and Unfinished Business:

Mayor Romell stated that Council has four ordinances presented to them, he feels ordinances 02-2009, and 03-2009 relating to Street Use Permit and All-Terrain Vehicles is of the importance. The Room Tax and Property Maintenance ordinances could be laid over. Manthey stated that maybe they should be tabled for Council to review. Williams stated if the ordinances are read, he agrees with that however, he would like them explained.

Motion by Manthey to table the Room Tax to the next meeting. Motion failed for lack of second. Attorney Pollex stated that this will be placed on the next agenda. LaQuee questioned if it can be discussed. Attorney Pollex explained that it can not be discussed as there was no second.

Attorney Pollex informed the Mayor and Council that Ordinances do not have to literally be read in their entirety. Ordinances are part of public record and available to the public from the Clerk's office. By statute, they are presumption of a voluminous document. The Ordinances should be announced, and with the title proclaimed. By Parliamentary Procedure, it can be discussed at the first meeting, which draws the motion to pass it at the next meeting. If someone is interested in the ordinance they can come in and read the entire ordinance.

Motion by Williams, second by LaQuee to approve Ordinance 02-2009 relating to Regulating Street Use Permit. LaQuee stated the reason for the second was he wanted to discuss it. He asked for the Mayor and Councils patience to point out the problems he has with it. Section (a) & (e) "public works director" the City does not have this position. Section (b) states the operator shall be required to have a certificate of comprehensive general liability insurance on file. LaQuee stated he has a problem with that, as it is for plowing driveways and sidewalks. Section (c) states an approved helmet must be worn. LaQuee stated helmets are cold, restrict your view, they restrict your peripheral vision, and there are no requirements for snowmobiles, or no citations. Why should the City put that in there for a 10 mph speed limit?

Section (e) states the permit may be revoked at the discretion of the Chief of Police or Director of Public Works. He doesn't believe, in his personal opinion that the Chief of Police or Director of

Public Works if in their opinion the operation is done in an unsafe manner. “If there are traffic violations, so forth like that, that’s fine, but he feels everyone should have a day in court...put it that way.” LaQuee also stated, if Dave or Chief don’t like the way they are doing it, they can have it revoked. He feels, if they got traffic violations or something like that, that’s fine. He stated if Dave does not like someone, he won’t let them have one and that is not valid. LaQuee stated he was going to start this in October and he put it off. By the looks of it, he should have started it in July. Williams and LaQuee withdrew their motion. ***Motion by Williams, second by LaQuee to table to the next meeting. All voted aye.***

Motion by Manthey, second by Williams to table ordinance 03-2009 regulating All-Terrain Vehicles and Off Road Motor Vehicle Operation to the next meeting. All voted aye.

Motion by Williams, second by Smith to approve ordinance 04-2009 regulating Property Maintenance. LaQuee questioned what was changed. Mayor Romell stated this is a new ordinance creating this section. Smith stated this prohibits people from living in a residence without running water. Williams questioned if there is a fine for not having running water while living there. Manthey stated how can we possibly fine someone who can’t afford their water bill? Williams stated it would go on their tax statement. Mayor Romell asked if there is a penalty. Smith stated there is not. Robinson stated this is something that Inspector White wanted added to the ordinances. Attorney Pollex stated that it would come down to placement on the tax roll for non-payment. Also, as there is a motion to approve this ordinance, he recommends that it be tabled until the next meeting. If anyone is watching it on television, or reads it in the paper, it would give anyone an opportunity to come in to read the ordinance.

Motion by Manthey, second by Jensen to table ordinance 04-2009 to the next meeting. All voted aye.

Motion by Jensen, second by Manthey to adjourn. Roll call vote, all voted aye.

Janet L. Winters
Clerk/Treasurer