

These are the minutes of the Regular Session of the City of Adams, WI held on December 20, 2010 in the City Municipal Building.

Meeting was called to order by Mayor Williams. On roll call were Alderpersons Baumgartner, Jensen, Manthey, Newberg, Scott, Suhr, Administrator Ellisor, Chief Hanson and Street Superintendent Mead. Attorney Pollex was excused.

**Motion by Jensen, second by Newberg to approve the minutes of the December 6, 2010 meeting as printed. Roll call vote, all voted aye.**

Petitions and Communications: None

Report of Standing Committees:

**Public Safety Committee:**

Motions were made to approve the Building Inspector's Report.

No discussion was held relating to Municipal Court.

Discussion was held regarding Papa's Pizza being cited for not having a licensed operator on duty for the sale of beer. This has been referred to the City Attorney for further action. The Police Department received an award, in the form of a plaque, from the WI Tobacco Coalition for their work on an ordinance related to clean air and enforcement of the new smoking regulations

Motions were made to approve the Police Report.

Recommendations were made to accept the bid from Ewald to purchase a new Crown Victoria for \$18,384.00.

**Public Works Committee:**

In Petitions and Communications the Mayor ordered the Public Works Department to wait 2 weeks before checking on sidewalks for snow removal.

For the time being there will be a hold on the City Improvement Projects-West Liberty/North Cedar Street.

Once information is received from the DNR and MSA the Well #5 – SDWLP and the South Business Park – EDA Projects will move forward.

Waiting on State approval to build the Salt Storage Shed.

**Fire District:**

Motions were made to approve the Finance Report.

Chief's Report:

There were 9 calls.

Motions were made to purchase 2 tires.

Motions were made to approve the automatic mutual aid.

A discussion was held regarding the yearly maintenance on all trucks is complete. All known defects have been repaired. Need to replace all tires on 303.

The question was brought up about how the fire department is to dispose of their garbage now that there are no longer any dumpsters.

Report of City Officers:

**Mayor Williams:** Reported that the Public Works Department did an excellent job on this last snowfall. He stated that we will put a hold on the Liberty Street project as now is not the time to borrow money. We need to tighten our belts, as we are unsure of the contribution the State makes to the City, we not only have this short fall list this period, but 2-3 billion that has to be saved in the following biennial and that could hurt us very much. So its time to pull in our belts and go on a pay as you go and not borrow any more money, pay off some of these debts. It doesn't mean Liberty Street can't be taken care of; it was discussed, it can be done

for several thousand dollars, just not paved, and curb and gutter, taking care of the problem as discussed. He wished everyone Happy Holidays and safe travels, if traveling.

**Administrator Ellisor:** Stated he echoes the same comments of the Mayor. There is about \$300,000 in the Street Improvement Fund. He suspects that in another year or two it would be built up to \$400,000 - \$450,000 there about. It would be a more prudent time to look at the Liberty Street project at that time. There is the funding on hand but it is uncertain especially with the new Governor and new people in office. Taking a wait and see approach to see how things are going to unfold would be a wise step. We still have some large projects that are in the offing and in the process for some time but at the administrative review. We are still in process of closing out the Safe Drinking Water Loan funding and the EDA South Business Park with information that goes back and forth. We completed the Tree City application and submitting that tomorrow, that would make the City sixteen years of designation.

Mayor Williams asked on the action that all our managers took on the pay increase. Administrator Ellisor replied he doesn't have the financial breakdown on how that works out but all the Department Heads took the 3% with the alternative 5% contribution and the two office workers took the 1% and maintained the 100% coverage of health insurance coverage. Each individual looked at it on how it would affect them individually.

**Chief Hanson:** Reported the officers recertified in the use of the taser last Saturday. He stated that Dave Mead attended and received a hit from the taser and invited anyone to review the tape. He stated that Papas Pizza was inspected by the Wisconsin Department of Revenue, Alcohol and Tobacco on December 2<sup>nd</sup>. They were found to be in violation, as they did not have a licensed operator on site while open. The Department of Revenue referred the violation back to our department for action. He has emailed Attorney Pollex on what course of action should be taken and have not heard anything back from him. He requested that this be placed on tonight's agenda as discussion but it was removed. Duane Sherd the owner of Papas Pizza was the only person licensed. He provided the Council with the report from the State and e-mails to the City Attorney. His question is if we are going to do something as the same as with Cenex Pump 24 with tobacco, we need to do something with liquor licenses as well. His review of City Ordinance 7-2-30 states you shall revoke the operator/agents license, it does not state will or may. He has not had any guidance from Attorney Pollex and wants Council to know this has been a problem on getting correspondence back from our City Attorney on City issues and it needs to be addressed by Council. It's important that our City Attorney address these matters when Department Heads send him information and get back to us so that we can function as a City. He stated that for himself and Janet has had occasions and not sure about Dave. We need to address the issue that the City Attorney is working for us and we need those answers back if we send him a question. Mayor Williams asked if he has discussed this with Bob. Chief Hanson replied yes. Newberg questioned why it was removed from the agenda. Mayor Williams stated he had it removed, because in the Public Safety meeting it was stated and was stated in the report that it was sent to the Attorney. Newberg stated that he is not acting on it and the Chief is not hearing back from him. Newberg asked Chief Hanson when he first contacted the Attorney on this. Chief Hanson replied his first e-mail was December 2<sup>nd</sup>. Mayor Williams stated that the Chief is right you need to review that. In that particular case, if you took the license away, beer and pizza are two major things. Manthey questioned the fines to Wisconsin River Coop. Mayor Williams stated that we could have taken their license away a year ago, not this year. We don't want to make an example out of anybody, we would like to see them follow the law and do right. We should have an item on the books that if something like this occurs where the individual is fined substantially, then have his license taken away. Mayor Williams advised Administrator Ellisor to be camping on Attorney Pollex's doorstep if necessary, and find out what is going on with his attention to the City

Adams. If he does not want us, then we better know and we'll get somebody else and should be handled immediately. The Chief is right and deserves an answer or any of the other managers or any Council member. As it stands right now, we will handle it that way. Chief Hanson stated that he would like it placed on the next agenda as a decision. Mayor Williams stated next agenda is fine, in the mean time we should have an answer from the Attorney to a person we are paying for those answers. Newberg stated that the Attorney has been contacted, he is procrastinating, he chooses to ignore the Chief and now we are going to put this on the back burner, which is not right.

**Street Superintendent Mead:** Reported they have been working on snow removal and more is expected tonight. Adams County Highway Department removed the snow from the 4-lane and the tree bank area which they are responsible for from curb to curb. He attended the Fire District meeting asking for assistance in clearing out fire hydrants. He is also asking for assistance from the citizens. Mayor Williams questioned the status for the Salt Shed. Mead stated they are waiting for the engineer approved plans. Newberg complimented the department on a great job during the snow storm.

**New and Unfinished Business:**

**Motion by Manthey, second by Baumgartner to Approve Operators License to KaSondra J. Hams, Crystal M. Lambert, Heather R. Rhinehart, Walter D. Bonini, and Wendy R. Vera. Roll call vote, all voted aye.**

**Motion by Newberg, second by Baumgartner to Approve Purchase of a Squad Car from Ewald Automotive Group in the amount of \$18,384. Roll call vote, all voted aye.**

**Motion by Suhr, second by Jensen to Approve Payment of Bills. Roll call vote, all voted aye.**

**Motion by Newberg, second by Scott to Adjourn. Roll call vote, all voted aye.**

*Meeting adjourned at 6:34 p.m.*

Respectfully Submitted,  
Janet L. Winters, WCMC  
Clerk/Treasurer