

These are the minutes of the Regular Session of the City of Adams, WI held on August 1, 2011 in the City Municipal Building.

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

Motion by Jensen, second by Suhr to approve the minutes of the July 18, 2011 meeting as printed. Roll call vote, all voted aye.

Petitions and Communications: Kevin Rank addressed Council stating that business owners on Goggin Street are concerned about the ban on parking on Goggin Street. He stated that he has a petition that has been signed by most of the business owners in downtown Adams and a lot of citizens that are concerned that the Goggin Street thing is a nuisance and should be done away with. It is not going to gain anything; the only thing it is going to do is stop over night parking. It does not help any business and quite obviously it doesn't help with snow removal as those things are already covered by a City Ordinance. Mayor Baumgartner stated it was her understanding that we took that into consideration at Public Safety and we were going to give it time to just... Mr. Falk interrupted, and stated, that it was his understanding at Safety that it was suppose to be tabled and we were given the impression that all those people involved were going to be notified of the next meeting, which we were not. It was then brought up at a Policy meeting that none of us were at. So we're at this meeting today to say, this is wrong, this bill need not be passed. Mayor Baumgartner stated that she understands that, and I was going to address that when we get to that point. Because, I stand by my word that we were going to leave it alone and let you guys figure it out, unless it became a problem then we would look into the parking. Mr. Falk stated being tabled to voting on it again, it obviously became someone's problem, and then made it ours. She stated that she was not at Policy and Procedure meeting Thursday night. Mr. Dennis Falk asked if Council wanted to hear a list of the names such as Thomas Croke, or others. Attorney Pollex stated that petitions such as that be presented to the Clerk for copying and presentation to the Council Members so they can consider that when an eventual vote comes up. Mr. Falk gave Clerk Winters a copy of the signed petition. The owner of the Flying Fur addressed the Council and stated that he was kind of the reason some of this came up and he appreciates everybody trying to make an effort to help what I'm doing. But he feels by helping me your hurting the other businesses, he appreciates trying to help his parking problems, but when your going to affect other businesses for one little business, he doesn't want that kind of help. He hates to see any other businesses get hurt, mostly in today's market. It's so hard to make a go at it, and then to take parking away from a bar from overnight so that they can get their customers home is really, a sad situation. He would rather see the customers get a ride home then be in that vehicle and that is kinda what you're making them do is drive home, or get a fine for doing the right thing by parking on the street. He appreciates trying to help his parking situation but thinks there has to be a different way of doing it then affecting another business to help his business.

Report of Standing Committees:

Finance Committee:

Mayor Baumgartner and Administrator Ellisor will be attending a Seminar Thursday and Friday August 17th and 18th – union parameters and various other subjects will be covered.

Ann Street project in process, traffic will be one lane at a time – some adjustments may be necessary. Budget coming on Salt Shed and Liberty project. EDA is still the same.

Expenditures are comparable to budget for 7 months ending July 31, 2011.

Policy & Procedure Committee:

In petitions and communications. Kierstyn handed out requests that he would like to see considered by Council or implemented through the policy committee. The first was Special Events to extend the noise ordinance, Maintenance Request Forms, and Process of Administering Work by Department Heads in Levels of Appointments for Public Works.

Recommendations were made to approve the No Parking Ordinance on Goggin Street from 2:00 A.M. to 6:00 A.M. and to change ordinance 10-1-27(d) extending the time from 2:00 A.M. to 2:30 A.M. for Main Street. Both ordinances will be the same time.

Clerk Winters gave an update on various companies that specialize in recodification of ordinance books. She will be attending the Clerk's Conference in Wisconsin Dells August 23-26 and will speak to various vendors that attend.

Manthey stated that policies and procedures need to be looked into and addressed with the personnel committee. The committee decided to address just the policy handbook next month.

Chief Hanson handed out a sample ordinance with suggestions. He stated that he will be attending a Conference in October on carrying of weapons.

Recommendations were made to approve the Fee Schedule Resolution regarding Storage Charges at \$25.00 per day.

Recommendations were made to approve the Fee Schedule Resolution regarding Greenhouse Vendors to pay the same as Produce Vendors.

Motions were made to table the Hobby Cars on Property to the September meeting.

Chief Hanson will obtain information needed on NEV's and bring back at a future meeting.

Report of City Officers:

Mayor Baumgartner: Reported that she has samples of possible signs for out at the Natural Rain Land Preserve site, where our drainage ditch is. This is made possible from the development of the Harold and Vivian Henning estate. So if anyone wants to look at that later, we're just kind of eyeballing them right now to see what might work.

Administrator Ellisor: Reported that we had a very busy week at the public works, there has been a lot of activity. Ann Street and Liberty Street have been pulverized, and paving is expected to occur in about two weeks. The paving extends further then just the Ann Street area and the Liberty Street area, but also paving on Railroad Street by the Coop where there was sewer excavated, and the salt storage shed floor will be paved as well. Progress has been made on the salt storage shed over the last week and a half, the footings and walls were poured and the back filling started today. It's expected the cover and framing will occur around the middle of the month. The wood chipping service was there for two or three days and the cost for the service is \$3300, it costs \$275 per hour. It is more cost effective then how we use to do it. The foot bridge at Burt Morris Park is virtually complete aside from finish items, such as staining, until the wood cures. He has the monument type brick pavers for Burt Morris Park; they were designed through Tamarack Designs on Main Street. The crew is installing the granite chip walkway from the bridge to the playground area to the pavilion. We are still on a standby with the EDA. Marti asked Administrator Ellisor to enlighten the Council as to the absence of Dave Mead from this meeting tonight, perhaps explain his

absence. Administrator Ellisor stated that it is a matter of a personnel issue that is being worked out department wide. Attorney Pollex stated as such, it's not proper to discuss in an open forum like this if it's currently pending in the personnel level.

Attorney Pollex: Reported he was recently notified that we were successful and the insurance company was successful, in defending the claim in the federal level and in the state local level that was brought by the railroad, with the change in one of their access points that the City was having road destruction occur and changed the grade (weight limit) of the road. The railroad accused us of yanking all access to the railroad yard. The Administrator, Chief of Police and the Public Works Department Head, Dave Mead all met with a lawyer out of Madison who did not know Adams, but well versed in the law but needed to see what was on the ground. We met and explained to her the common sense answer the City had and if you read the decisions along the way, those things played a large part. The Department Heads should be acknowledged for their contributions to that and a big help. There are no complaints with the traffic and that's good. They had trials two weeks ago and the City was successful in handling them to a certain and fair extent. He had a few contacts locally at his office for the bids for the two raze projects, and he is still working with the County on finishing up the one property owned by the County. He is hoping to finalize the bid taking process by the first week in September, if we can, so we can get these buildings taken care of before winter. Now that he received the information about the railroad report, he is now able to finish the audit letter that needed to be prepared. We get quarterly requests, as a City for an update from our insurer. The report basically asks who is coming after you in law suits. As this was still simmering he held off a little bit and now can finalize it.

Chief Hanson: Reported that the department has been very busy with complaints of vandalism. Notices were placed in the paper and radio station of the ongoing issue of person(s) doing damage to property and thefts. He reminds citizens to watch out for person(s) in their neighborhood and report any suspicious activity. He attended the Wisconsin Drug Endangered Children Conference with members from the Adams County Sheriff's Department and Adams County health and human services. They are working together to reinstate this program in the County. The State Director has agreed to come to Adams this month. He will be in the Dunk Tank at the Adams County Fair sometime on Thursday or Friday for the Knights of Columbus. He invited everyone to stop and take a chance to dunk him.

New and Unfinished Business:

Motion by Manthey, second by Jensen to waive the park fee for use of Burt Morris Park to Trinity Church for a potluck and worship of three churches on August 28, 2011 between the hours of 5:00p.m. and 8:00p.m. Roll call vote; Jensen, Kierstyn, Manthey, Scott, and Suhr – aye, Marti – nay.

Motion by Scott, second by Kierstyn to Adopt Ordinance 02-2011. Discussion was held and public input received. Mayor Baumgartner stated that this was discussed in Safety and her understanding was to leave it alone and take it back to Policy to figure out as a community, and she wants to honor that. Attorney Pollex stated at conclusion of discussion from the Council then, he believes that what the Mayor is seeking is a motion to table indefinitely. And if it is brought up again it won't be passed, so discussion can continue, but that is what I think she is looking for is a motion to table indefinitely. After discussion, **Motion by Marti, second by Scott to Table Ordinance 02-2011 Indefinitely.** Discussion was suspended by the motion to table and immediate roll was taken on the motion to table the

motion to adopt Ordinance 02-2011. **Roll call vote; Jensen, Kierstyn, Marti, Scott, and Suhr – aye, Manthey– nay.** Action on underlying motion to adopt Ordinance 02-2011 ceased indefinitely upon the passing of the motion to table.

Motion by Scott, second by Suhr to Adopt Resolution 2011-13R Authorizing Fees to be Charged for Greenhouse Vendors and Storage (See Appendix B of Minutes Book) Roll call vote, all voted aye.

Motion by Marti, second by Jensen to Approve Issuance of Operator Licenses to DuAnne H. Tikkanen and Jeffrey S. Disch. Roll call vote, all voted aye.

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

Motion by Jensen, second by Kierstyn to Adjourn. Roll call vote, all voted aye.

Meeting adjourned at 6:28 p.m.

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