

CITY OF RHINELANDER COMMON COUNCIL
MONDAY, JULY 11, 2011 - 6:00-7:00 P.M.

City Hall Council Chambers
135 S. Stevens St., Rhinelander, WI

CALL TO ORDER

The regular meeting of the Common Council of the City of Rhinelander was called to order by Mayor Johns at 6:00 p.m. Proper notification was given to the press and the public.

ROLL CALL

The following Alderpersons were present: Belliveau, Freudenberg, Gleason, Kelly, Paszak, Pelletier, Salzer and Young.

Others present: Mayor Dick Johns, Golf Course Superintendent Joe Andersen, City Administrator Bill Bell, Dennis Hastreiter, Mike Hastreiter, Water/Wastewater Superintendent Tim Kingman, Ken Krall of WXPB, Candy Krouze, Public Works Director Randy Knuth, Administrative Assistant Lisa Kuczmarski, Marla Malone, Payroll Specialist Beth Mannikko, City Attorney Philip Parkinson, Parks, Buildings & Grounds Director Gunder Paulsen, Police Chief Mike Steffes, Fire Chief Terry Williams and David Wolff.

APPROVAL OF MINUTES

MOTION BY ALD. PASZAK, SECOND BY ALD. GLEASON, TO APPROVE THE COMMON COUNCIL MEETING MINUTES OF 6/13/11. 8 AYE, 0 NAY; MOTION CARRIED.

APPEARANCES BY CITIZENS

Mayor John recognized Northland Printing and Wisconsin Public Service for their generous contributions to the July 4th Fireworks.

COMMUNICATIONS AND PETITIONS – None.

CONSENT AGENDA

MOTION BY ALD. YOUNG, SECOND BY ALD. PASZAK, TO APPROVE THE BARTENDER APPLICATIONS OF MICHELLE WANTY, AUCENCIO JACINTO, LORI A. BOXRUCKER, JENNIFER SLIZEWSKI, ANDREW R. MANGLES, MEREDITH J. LATIMER AND REBECCA JOKI. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. YOUNG, SECOND BY ALD. KELLY, TO SET FOR PUBLIC HEARING ORD. 09-11, 10-MINUTE LOADING ZONE AT 32 N. BROWN ST. 8 AYE, 0 NAY; MOTION CARRIED.

(A) MOTION BY ALD. FREUDENBERG, SECOND BY ALD. YOUNG, TO SET FOR PUBLIC HEARING ORD. 10-11, LICENSED OUTDOOR PREMISES. 8 AYE, 0 NAY; MOTION CARRIED.

UNFINISHED BUSINESS AND PUBLIC HEARINGS

MOTION BY ALD. PELLETIER, SECOND BY ALD. BELLIVEAU, TO ADOPT ORD. 06-11, REZONE THE PROPERTY AT 714 N. STEVENS STREET (RH 289) FROM R2 (TWO-FAMILY RESIDENCE DISTRICT) TO B3 (GENERAL BUSINESS DISTRICT). 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. BELLIVEAU, SECOND BY ALD. PASZAK, TO ADOPT ORD. 08-11, BICYCLE ORDINANCE. 8 AYE, 0 NAY; MOTION CARRIED.

COMMITTEE, BOARD AND COMMISSION REPORTS

Airport Commission – Nothing to report.

Animal Shelter Advisory Committee

MOTION BY ALD. GLEASON, SECOND BY ALD. FREUDENBERG, TO ADOPT RHINELANDER ANIMAL SHELTER VOLUNTEER MANUAL. 8 AYE, 0 NAY; MOTION CARRIED.

Board of Public Works

MOTION BY ALD. PASZAK, SECOND BY ALD. PELLETIER, TO APPROVE RHINELANDER-ONEIDA COUNTY AIRPORT REQUEST TO CLOSE A PORTION OF RIVER ROAD NEAR AIRPORT PROPERTY. 8 AYE, 0 NAY; MOTION CARRIED.

Finance, Wage & Salary

MOTION BY ALD. PELLETIER, SECOND BY ALD. SALZER, TO APPROVE PAYMENT OF CLAIMS IN THE AMOUNT OF \$2,489,426.49. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. GLEASON, TO APPROVE CITY-WIDE FLEET MAINTENANCE PROPOSAL AS SUBMITTED BY CUSTOM COLLISION, INC. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. FREUDENBERG, TO APPROVE CITY-WIDE JANITORIAL SUPPLIES PROPOSAL AS SUBMITTED BY VICTORY JANITORIAL, INC. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. GLEASON, TO APPROVE CHANGES TO THE POLICE DEPARTMENT INTERNET SYSTEM. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. FREUDENBERG, TO APPROVE ADDITIONAL TIF #6 EXPENDITURE OF \$19,000.00 FOR THE SPEE-DEE DELIVERY SERVICE FACILITY EXPANSION PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

Golf Course – Nothing to report.

Parks, Buildings & Grounds

MOTION BY ALD. BELLIVEAU, SECOND BY ALD. PASZAK, TO APPROVE PURCHASE OF AIR CONDITIONERS AND ASSOCIATED ELECTRICAL UPGRADES FOR COUNCIL CHAMBERS IN THE AMOUNT OF \$1,965.25. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

(B) MOTION BY ALD. BELLIVEAU, SECOND BY ALD. YOUNG, TO APPROVE USE OF OLD SKATE PARK PROPERTY FOR FIRE DEPARTMENT TRAINING TOWER. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. BELLIVEAU, SECOND BY ALD. GLEASON, TO APPROVE WAIVER OF MUSIC PERMIT FEE FOR NORTHERN LIGHTS CHURCH OF GOD. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

Planning Commission – Nothing to report.

Protection of Persons and Property

MOTION BY ALD. YOUNG, SECOND BY ALD. KELLY, TO APPROVE THE LATE BARTENDER APPLICATION OF KRISTEN SCHIEK. 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. YOUNG, SECOND BY ALD. PASZAK, TO APPROVE AMENDED DESCRIPTION OF LICENSED PREMISE FOR WOLFF'S LOG CABIN TO INCLUDE "BUCKETS ON THE RUN." 8 AYE, 0 NAY; MOTION CARRIED.

(C) MOTION BY ALD. YOUNG, SECOND BY ALD. KELLY, TO APPROVE AGREEMENT TO LEASE CITY RIGHT-OF-WAY TO BUCKETHEAD'S.

MOTION AND SECOND RESCINDED.

MOTION BY ALD. YOUNG, SECOND BY ALD. KELLY, TO APPROVE LANGUAGE CHANGES TO THE AGREEMENT AS FOLLOWS: #1, CHANGE PARAGRAPH 2 "THE LEASE SHALL CONTINUE UNTIL SEPTEMBER 30, 2011, AND WILL BE REVIEWED FOR POSSIBLE FUTURE RENEWAL"; #2, RAILING HEIGHT TO BE 42"; AND #3, AMEND LANGUAGE REGARDING BARRIER TO STATE: "WILL BE PROTECTED FROM VEHICLES BY A METHOD DETERMINED BY THE PROTECTION OF PERSONS & PROPERTY COMMITTEE," INSTEAD OF "FIRE CHIEF". 6 AYE, 2 NAY (BELLIVEAU, SALZER); MOTION CARRIED.

MOTION BY ALD. YOUNG, SECOND BY ALD. FREUDENBERG, TO APPROVE THE LEASE AGREEMENT AS AMENDED. 6 AYE, 2 NAY (BELLIVEAU, SALZER); MOTION CARRIED.

Water & Wastewater Utilities

MOTION BY ALD. PELLETIER, SECOND BY ALD. PASZAK, TO APPROVE RATIFICATION OF PAY REQUEST #19 IN THE AMOUNT OF \$1,418,902.32 FOR THE WASTEWATER TREATMENT PLANT PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

NEW BUSINESS

MOTION BY ALD. FREUDENBERG, SECOND BY ALD. GLEASON, TO ADOPT RESOLUTION NO. 2011-15, AUTHORIZING OFFER OF GRANT FROM WISCONSIN DEPARTMENT OF COMMERCE FOR THE RENNES DEVELOPMENT PROJECT. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PASZAK, SECOND BY ALD. YOUNG, TO ADOPT RESOLUTION NO. 2011-16, DESIGNATING POLLING PLACE (VFW POST 3143, 120 W. PARK STREET). 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. SALZER, SECOND BY ALD. FREUDENBERG, TO APPROVE 2011 SMALL URBAN OPERATING ASSISTANCE CONTRACT BETWEEN THE STATE OF WISCONSIN AND THE CITY OF RHINELANDER. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. SALZER, SECOND BY ALD. FREUDENBERG, TO APPROVE 2011 URBAN MASS TRANSIT OPERATING ASSISTANCE CONTRACT BETWEEN STATE OF WISCONSIN , DEPARTMENT OF TRANSPORTATION AND THE CITY OF RHINELANDER. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MOTION BY ALD. PELLETIER, SECOND BY ALD. BELLIVEAU, TO APPROVE SALE OF OLD WWTP MECHANICAL SCREEN TO THE CITY OF POYNETTE FOR \$30,000.00, WITH PAYMENT TO BE MADE IN 2012. ROLL CALL: 8 AYE, 0 NAY; MOTION CARRIED.

MISCELLANEOUS BUSINESS AND FUTURE AGENDA REQUESTS

Mayor Johns stated that it's appropriate to recognize Dale Schlieve for the work he's done on the July 4th parades. The Mayor will send Dale a letter of thanks on behalf of the City.

Mayor Johns noted that this is the last Council meeting for Bill Bell, wished him the best.

Sherrie Belliveau noted that we should also send a letter thanking Eric Vaughan for coordinating the July 4th events at Hodag Park. Mayor Johns agreed, and also noted that he walked the park all weekend and it was in beautiful condition. He stated that Gunder and his crew are to be commended.

ADJOURNMENT

MOTION BY ALD. KELLY, SECOND BY ALD. YOUNG, TO ADJOURN THE COMMON COUNCIL MEETING OF JULY 11, 2011 AT 7:00 PM. 8 AYE, 0 NAY; MOTION CARRIED.

Approved by

Received by

(A) ORD. 10-11, LICENSED OUTDOOR PREMISES

Joe Salzer noted that the ordinance states “every outdoor premise shall be enclosed...upon recommendation of inspector and council...” He suggested rewording it to say “approved by Council, upon the recommendation of the inspector.”

Alex Young stated that he will try to get together with the Tavern League to address any questions or concerns they may have .

Bill Bell stated that he and Phil Parkinson have discussed some language changes, which will be done before the next meeting. He noted that there’s a Statute reference that needs to be corrected, as well as some other issues, and Phil will be working on that.

Sherrie Belliveau requested that the Council members receive a copy of the revised ordinance prior to the next meeting.

(B) APPROVE USE OF OLD SKATE PARK PROPERTY FOR FIRE DEPARTMENT TRAINING TOWER

Terry Williams stated that he would like to have a training facility near the Fire Department to increase on-shift training opportunities. He has been looking at different training towers, and some could also be used by the Police Department for tactical training. Terry stated that he won’t be asking the Council for any funding; any tower would be grant-funded, and it will help us in the grant writing process to be able to say that land has been set aside for this purpose.

(C) AGREEMENT TO LEASE CITY RIGHT-OF-WAY WITH BUCKETHEAD’S

Joe Salzer asked if this is intended to be a recurring lease, as the intent was for this to be done on a trial basis. He noted that paragraph 4 talks about a rental period, but doesn’t mention the year. Bill Bell stated that he didn’t give those directions to Phil for drafting the document, and noted that we will also be controlling it through the permit process. Sonny Paszak stated that he would prefer a one-year lease.

Joe Salzer referenced paragraph 2, which provides for 90 days notice to terminate the lease. He noted that this is half of the overall lease term, and asked if that’s appropriate. Bill Bell stated that this is a question for Phil. Mark Pelletier stated that it can be terminated by the City for any reason with 90 days notice, but if there’s a violation, it can be terminated immediately. He feels that gives us even more control. He noted that if the City decides we don’t want to do it anymore for some other reason, Buckethead’s should have some time, with the investment they’ve got in it.

Terry Williams stated that if we use the term “railing,” it has to be 42 inches. He also referenced the language stating that the deck be “protected by vehicles in a manner determined by the Fire Department.” Terry stated that he’s a little nervous about that, and noted that this was discussed at Committee level. Phil Parkinson stated that the issue of concrete barriers was not firmly established, and the barrier should be determined by the Fire Chief, by exercising his discretion. He noted that since no parameters are given, it’s left wide open; he expects Terry will use his best judgment. Terry stated that he doesn’t want to hold up the lease, but asked if either PPP or Council could discuss what kind of barrier they want to see. He stated that he certainly thinks the barriers will be a good stop for traffic, and they’ll be lower than the railing, but questioned if that’s what the Council wants to see there. Terry stated that he’s just looking for some guidance.

Randy Knuth stated that in his opinion, the barrier would be more of a hazard; it will help reduce damage to the deck and to a vehicle, but won’t do much to protect the driver. He feels a better idea would be some type of barrier sheeting with reflective tape to make it highly visible. He also noted that the City doesn’t have any concrete barriers; we’d have to purchase them.

MOTION AND SECOND RESCINDED.

MOTION BY ALD. YOUNG, SECOND BY ALD. KELLY, TO APPROVE LANGUAGE CHANGES TO THE AGREEMENT AS FOLLOWS: (1) PARAGRAPH 2 TO READ: "THE LEASE SHALL CONTINUE UNTIL SEPTEMBER 30, 2011 AND "WILL BE REVIEWED FOR POSSIBLE FUTURE RENEWAL."; (2) RAILING HEIGHT TO BE 42"; AND (3) LANGUAGE STATING "WILL BE PROTECTED FROM VEHICLES BY A METHOD DETERMINED BY THE PROTECTION OF PERSONS & PROPERTY COMMITTEE" INSTEAD OF "FIRE CHIEF".

Mark Pelletier stated that we should leave the term alone. If they violate the lease, they're done; otherwise, both parties have 90 days, which is fair.

Sherrie Belliveau stated that this was originally presented to Council as a one-year trial, and she is not comfortable with a continuing lease.

VOTE ON MOTION: 6 AYE, 2 NAY (BELLIVEAU, SALZER); MOTION CARRIED.

MOTION BY ALD. YOUNG, SECOND BY ALD. FREUDENBERG, TO APPROVE THE LEASE AGREEMENT AS AMENDED. 6 AYE, 2 NAY (BELLIVEAU, SALZER); MOTION CARRIED.