

**CITY OF RIVER FALLS, WISCONSIN
COMMON COUNCIL PROCEEDINGS**

November 25, 2008

Mayor Don Richards called the meeting to order at 6:30 p.m. in the City Council Chambers located in City Hall.

City Council Members Present: Wayne Beebe, Tom Caflisch, Dave Cronk, Bob Ebert, Joleen Larson, Jim Nordgren and Michael Woolsey

Staff Present: Bernie Van Osdale, City Administrator; Bill Thiel, City Attorney; Reid Wronski, City Engineer; Julie Bergstrom, Finance Director; Carl Gaulke, Utility General Manager; Buddy Lucero, Community Development Director; Jeff Rixmann, Ambulance Director

Others Present: Paul Anderson, Wayne Bredahl, and Jerome Rodewald

APPROVAL OF MINUTES

November 11, 2008, Regular Meeting Minutes

MSC Woolsey/Nordgren to approve minutes as submitted. Unanimous.

APPROVAL OF BILLS

City – \$438,057.44 Utility - \$774,902.16

MS Beebe/Woolsey approve the bills subject to comptroller. Nordgren said the Utility paid \$511,711 to WPPI. **The bills were unanimously approved.**

PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:

Paul Anderson, 1834 River Ridge Road, Hudson – came to dispute a bill for snow shoveling fee from February. He felt it was an insignificant snowfall and that the bill was excessive. The Mayor said this item would be taken up in the public hearing.

There were no other comments.

PUBLIC HEARING:

Delinquent Accounts - Resolution Authorizing City and Utility Delinquent Accounts to be placed on the 2008 Tax Roll

Mayor Don Richards recessed Council at 6:35 p.m. and went into a public hearing. The Mayor asked Mr. Anderson if he wanted to add to his last statement. He said he did not.

Wayne Bredahl, 812 State Street – one of his renters did not pay her utility bills and he asked why the City came after him instead of the renter. He said she signed a contract and is responsible for the bills.

Paul Anderson, 1834 River Ridge Road, Hudson – was billed for one of his renters who did not pay their bills and he said in other communities he is responsible for water and sewer but not electric. He asked if that was unique to River Falls.

At 6:39 p.m. with no one else wishing to speak for or against this issue, Council reconvened into Open Session for disposition.

Utility Manager, Carl Gaulke, said after November 1 electricity cannot be disconnected. He said non-payers are taken to small claims and the Utility works with the landlords. He said lease agreements need to be written so that renters can be evicted if they are not paying their utility bills.

Woolsey asked about lease agreements and asked if River Falls was different because it owns a municipal utility.

Attorney Thiel said that because the City owns the utility, it can use this means to collect unpaid bills for water, sewer and electric.

Ebert said that he lives on Bartosh and believed notices were put on the doors before the snow shoveling was done. He said Anderson's property was sometimes shoveled but sometimes not.

Caflisch noted that the City does not shovel the snowfall on the same day. A notice is put on the door and then there is a time that passes before the City shovels it.

Attorney Thiel said that by State law the City is responsible for injuries occurred on unshoveled sidewalks. By ordinance the City has requested that landowners shovel sidewalks and if they do not take care of it, the City will do so.

Nordgren noted three bags of salt were used on the snow removal. He referred to pictures in the packet.

Anderson said anytime it snowed he would shovel or use his truck to remove the snow.

The Mayor asked for a motion. **MSC Cronk/Woolsey move to approve resolution. Unanimous.**

Ordinance No. 2008-32 - An Ordinance Appropriating the Necessary Funds for the Operation of the Government and Administration of the City of River Falls, Wisconsin, for the Year 2009 – Second Reading and Disposition

Mayor Don Richards recessed Council at 6:46 p.m. and went into a public hearing. At 6:47 p.m. with no one wishing to speak for or against this issue, Council reconvened into Open Session for disposition. MS Nordgren/Larson move to approve ordinance.

Beebe asked what the mill rate was. Bergstrom said it was not in the budget now because the City did not have all the numbers to calculate it. Bergstrom said it appears the City portion in Pierce County will decrease by 2.8 percent or \$28 on a \$200,000 home and the St. Croix County amount should be the same or slightly less than last year's amount. She reminded Council that she does not have all the numbers or the State credits to give them a final number.

Caflisch raised a discussion in a prior meeting regarding automatic replacement of vacancies. He said any vacancies need to come before City Council and need to be discussed.

A roll call vote to approve the ordinance passed 7-0 with all Council members voting in favor of the ordinance.

Ordinance 2008-33 - An Ordinance Amending The Official Parking Control Map of the City of River Falls, Wisconsin (North Side of Fairchild Drive east of Ridgecrest Street; East Side of Ridgecrest Street north of Fairchild Drive; East Side of Meredith Circle) – Second Reading and Disposition

Mayor Don Richards recessed Council at 6:50 p.m. and went into a public hearing. At 6:50 p.m. with no one wishing to speak for or against this issue, Council reconvened into Open Session for disposition. MSC Woolsey/Larson move to approve resolution. Unanimous.

Ordinance 2008-34 – An Ordinance Amending the Official Traffic Control Map of the City of River Falls, Wisconsin (Future City Hall Site) – Second Reading and Disposition

Mayor Don Richards recessed Council at 6:51 p.m. and went into a public hearing. At 6:52 p.m. with no one wishing to speak for or against this issue, Council reconvened into Open Session for disposition. MSC Woolsey/Larson move to approve resolution. Unanimous.

Ordinance 2008-35 – An Ordinance Amendment to Extraterritorial Subdivision Area – Second Reading and Disposition

Mayor Don Richards recessed Council at 6:52 p.m. and went into a public hearing.

Jerome Rodewald asked about areas on the map that were included. Lucero said both areas that Rodewald was questioning were included.

At 6:54 p.m. with no one else wishing to speak for or against this issue, Council reconvened into Open Session for disposition. MS Beebe/Larson move to approve resolution.

Cronk said that he had problems with the resolution and did not feel it was in the City's best interest to pass it. He said the City would be allowing new homes with septic systems and water to be built next to the City which could cause problems for future annexation. He also said by passing the resolution, it makes it easier for the Townships not to come to terms on a boundary agreement. He also noted the City would not receive impact fees from the new homes. He did not feel the City could please everyone.

Ebert noted there was a lot regulations tied to the amendment and negative comments about it in the staff report. He did not see a benefit to the City.

Beebe did not disagree with the other opinions but felt there was another side for Council to consider involving previous owners and platting when working with affected landowners. He thinks this amendment will address that need.

Woolsey asked if there was a number of possible property owners that could take advantage of the amendment. Lucero said it was looked at but it was difficult to determine a number. Woolsey agreed with the concerns but also understood what Beebe said.

Larson said this wasn't an easy fix. She noted that River Falls Township has been present at the meetings so the Townships haven't been completely silent on this issue. She said the one in 35 ordinances was for new subdivisions and not intended for small lots. She said it could be reviewed yearly and urged support for it.

The motion to approve the ordinance passed 5-2 with Nordgren and Cronk voting against.

CONSENT AGENDA:

Acknowledge Receipt of the following minutes:

- Design Review Committee – 10/6/08;
- Historic Preservation Commission – 9/10/08, 10/8/08→→→***Pulled by Nordgren***
- Plan Commission – 10/7/08; River Falls Housing Authority – 10/14/08
- Police and Fire Commission – 10/6/08; Ambulance Commission – 10/6/08
- Fire Department – 9/29/08; Utility Commission – 10/20/08, 11/3/08
- Park and Recreation Advisory Board – 10/15/08

Resolution No. 5187 - Approving 2009 Volunteer Ambulance Payroll Structure and Run Rate Adjustments

Resolution Approving Emergency Medical Technician – Paramedic Position/Job Description→→→***Pulled by Caflisch***

Resolution Approving Capital Improvement Plan 2009-2013→→→***Pulled by Caflisch***

Resolution No. 5188 - Approving 2009 Taxi Agreement with Top Hat, Inc.

MSC Larson/Woolsey move to approve remainder of consent agenda.

Historic Preservation Commission Minutes 10/8/08 – Nordgren noted that the minutes contained open discussion of a Closed Session topic from a Council meeting. He wanted to remind staff and Council members to be careful not to bring up these types of items at open meetings.

Caflisch felt there should be some legal emphasis to this.

Attorney Thiel said the intent of the open meetings law is openness in government subject to exceptions. He suggested Close Session minutes be kept separate from Open Session minutes and that when matters get referred to a committee, that discussions be held in Closed Session until further notice.

MSC Nordgren/Cronk move to acknowledge receipt of minutes. Unanimous.

Resolution No. 5189 - Approving Emergency Medical Technician – Paramedic Position/Job Description

Caflisch asked about the anticipated salary level. Rixmann said they are looking at two positions at \$15 per hour with 40-hour workweeks. There was further discussion by Council.

MSC Caflisch/Beebe move to approve resolution. Unanimous.

Resolution No. 5190 - Approving Capital Improvement Plan 2009-2013

Caflisch said the CIP items need to be looked at even though it is being passed. Beebe said they are not budgeted items. Caflisch said items maybe removed if needed.

MSC Caflisch/Larson move to approve resolution. Unanimous.

ORDINANCES AND RESOLUTIONS:

Ordinance 2008-36 – Ordinance to Create Title 19 of the City Code; to Renumber Chapter 17.100 as Chapter 19.100 and to Create 19.100.040 – First Reading

No comment.

Resolution No. 5191 - Accepting Public Improvements in Knollwood and Knollwood First Addition
MS Beebe/Larson move to approve resolution.

Wronski said the only thing unique about this item is that the developer has had their credit of letter non-renewed. He said normally the letter of credit is carried throughout the warranty period. He doesn't feel it is a big deal and doesn't want to waive the warranty period.

The motion to approve the resolution passed unanimously.

REPORTS:

Comptroller's Report

General Fund revenues through the end of the October were \$5,317,859, or 67 percent of budgeted. Revenues include \$11,441 in room tax and \$46,733 in payment in lieu of taxes from the Housing Authority. Expenditures for the same period were \$5,856,488, for a net of expenditures over revenues of \$538,629 for the year. Expenditures to date are 73.6 percent of the amount budgeted.

MSC Cronk/Nordgren to adjourn the meeting at 7:18 p.m. Unanimous.

Respectfully submitted,

Kristi McKahan
Deputy City Clerk