

Common Council Meeting minutes, November 10, 2022 at 6:30 p.m.

Mayor John Rawson called the meeting to order at 6:30 p.m.

Pledge of Allegiance

Council attending: D. Stephenson, C. Ekern, P. Syverson, J. Anderson, T. Wheeler, J. Rawson.
Others in attendance: Attorney-Mark Radcliffe, Street Manager-Andy Graff, Nathan Stobbs-SES, Attorney John Behling-SES, Brea Grace-SEH, Tom Gonyo-GVCC, Deputy Clerk/Treasurer-Peggy Hertzfeldt, Clerk/Treasurer-Debi Fremstad.

Motion by P. Syverson to accept the 10/3 Common Council minutes and 10/27 Common Council of the Whole minutes, 2nd by D. Stephenson. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.

Public Comment: none.

Plan Commission Chair C. Ekern stated that the Plan Commission recommended the acceptance of the GVCC rezone 413 S Peterson Ave back to Residential R-1. **Motion by J. Anderson to accept Plan Commissions recommendation and rezone 413 S Peterson from B-2 to Residential (R-1), 2nd by P. Syverson. Discussion-Attorney Radcliffe will draft the ordinance amending the map. Vote: D. Stephenson-yes, C. Ekern-yes, P. Syverson-yes, J. Anderson-yes, T. Wheeler-yes. Motion carried.**

Dave Pientok from Tri-City Sanitation gave brief presentation on switching from garbage bags to carts. An automated truck would be used to grab the carts. There were 2 sizes: a small 35 gallon bin and a large 64 gallon bin. Safer for his employees, no animals can get into, no more blue bags. Dave asked to meet with Committee to go over questions and concerns.

Source Energy Annexation Petition. Attorney Radcliffe reviewed petition. The LLC was authorized to get all property owners signatures on this petition; there is no one residing at the property within this annexation. The Town of Preston attorney had 2 issues with this petition: it requires a scale map (legal description and boundary of annexing City or Village) and the Town of Preston Clerk had not been served. Therefore, the Town of Preston could challenge this petition. The City would need a 2/3 vote of the council to pass this annexation, need to provide police and fire protection, need to maintain roads, provide 5 years of real estate taxes to the Town of Preston. Andy Graff, Street Manager talked about the conditions of the road within the annexation. The Town of Preston rated the road as a 3 on the WISLR report and to be honest the road is absolute trash. There is a hill that has to be brushed, our equipment needs would have to change. D. Stephenson agreed that the road is in really terrible condition and we are going to be spending a lot of money. He then asked Attorney Behling what the purpose of the annexation was. Attorney Behling stated that it benefits the City with its tax base. This year nothing will be done. Next year we would come back and amend the reclamation plan and it would become part of the ongoing industrial activities. The taxation of it after its zoned industrial increases 10 fold at least. Certainly if there is a road issue, we are very open with working with the City to get it fixed. The annexation rules require us to serve the Town Clerk with the petition. The Town Board chair was served, who coincidentally is married to the Town Clerk and lives at the same residence. We think the rule has been satisfied. Attorney Radcliffe stated again that the Town Clerk needed to be served; not the

spouse, but unless this is challenged, it is not an issue. The City has to grant the CUP as long as the sand mine can show they have met the rules for it. You can't negotiate anymore. D. Stephenson stated that the negatives seem to be outweighing the positives and that the tax base wouldn't be enough to make it beneficial. Attorney Behling stated that the permits needed would be the rezoning, a new reclamation permit, a conditional use permit, and it sounds like a road agreement. The taxation would change as soon as the land is made manufacturing. It would go from agricultural to manufacturing, which is assessed at \$10,000/acre. Even through the tough economic times Source has kept open and has been responsible with its obligations to the City and landowners. D. Stephenson asked if Source would be growing on the other side of the road. Nathan Stobbs, Source representative stated that yes, they own land farther to the south on the other side of the road. J. Anderson asked if this petition is conditional to the Town of Preston approving; it is not. T. Wheeler stated that the City has had a good relationship with Source over the past years. J. Anderson asked if it's zoned industrial in that what we pay the Town of Preston for the next 5 years; no, the tax would be on the current assessment of the land. C. Ekern asked what the estimated time for Source to be mining in that area was. N. Stobbs said the reclamation plan would have to be updated and then mining would start probably in 2024 or 2025. C. Ekern stated that the map showed that clear-cutting has been done right up the parcel and that active mining is real close. N. Stobbs confirmed. P. Syverson asked if there was any anticipated access road being planned off of Larkin. N. Stobbs responded that no there would be no heavy hauling off that road. C. Ekern asked A. Graff what the cost from County was on road rebuilds. A. Graff stated that the bottom base is shot, it's going to need work. D. Stephenson would like to see some kind of road agreement with Source before even thinking about supporting the annexation. C. Ekern agreed, this road stuff needs more discussion, it is a big concern. D. Stephenson asks how many acres this annexation encompassed. N. Stobbs – approximately 30 acres. Attorney Radcliffe stated that this needs to be acted on tonight and you need a 2/3 majority vote of the elected officials, of which there are seven. The Mayor would also vote, since he is an elected official. **Motion by T. Wheeler to approve the annexation petition from Source Energy Services, 2nd by P. Syverson. Discussion-none. Roll call vote: D. Stephenson-no, C. Ekern-no, P. Syverson-yes, J. Anderson-no, T. Wheeler-yes, J. Rawson-no. Motion denied.**

Motion by J. Anderson to approve Soul Sisters road closure for the 12/10/2022 Christmas parade, 2nd by C. Ekern. Discussion: J. Rawson-last year a kid got hit in the head with a little bottle of booze, I'm not going to allow that again. P Syverson- should there be a limit as to how many times someone can apply to close a road? Vote: Ayes-5, Nays-0. Motion carried.

Motion by J. Anderson to open public liquor hearing, 2nd by C. Ekern. Discussion-none. Ayes-5, Nays-0. Motion carried. There was no public comment. **Motion by P. Syverson to close public hearing, 2nd by T. Wheeler. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.**

Motion by D. Stephenson to approve the liquor license for Amey Knopps d/b/a Broadway Bar & Grill, 2nd by T. Wheeler. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.

Motion by C. Ekern to open budget hearing, 2nd by P. Syverson. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried. J. Anderson discussed the proposed 2023 budget. This year we started with our biggest assets first – our employees. They received their raises at different rates as shown

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on the addendum attached; based more on evaluations this year. Money was set aside for Blair Business Development fund and Wildcat Development fund. The general fund contributed \$106,651 towards the Capital Improvement Projects which included: a new lawnmower, trail cameras for the park vandalism, bell tower restoration, a loader, and a new City street truck. The wage increases will take affect with the first payroll in January of 2023. **Motion by T. Wheeler to close the budget hearing, 2nd by D. Stephenson. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.**

Motion by P. Syverson to accept and adopt the proposed 2023 budget as presented, 2nd by J. Anderson. Discussion-none. Roll call vote: D. Stephenson-yes, C. Ekern-yes, P. Syverson-yes, J. Anderson-yes, T. Wheeler-yes. Motion carried.

Motion by J. Anderson to accept committee reports as printed, 2nd by D. Stephenson. Discussion-none. Vote: Ayes-6, Nays-0. Motion carried.

The Blair-Taylor Park & Rec program had all concession expenses paid by Taylor. It was recommended that for this year all bills and all profits from concessions be divided 50/50. **Motion by C. Ekern to pay back the Village of Taylor, 2nd by D. Stephenson. Discussion-more accurate bookkeeping needs to be in the future. Roll call vote: D. Stephenson-yes, C. Ekern-yes, P. Syverson-yes, J. Anderson-yes, T. Wheeler-yes. Motion carried.**

Motion by C. Ekern declaring the public emergency over by Resolution 11-10-2022-1, 2nd by J. Anderson. Discussion-none. Roll call vote: T. Wheeler-yes, J. Anderson-yes, P. Syverson-yes, C. Ekern-yes, D. Stephenson-yes. Motion carried.

Ordinance 32.03 with regards to animals running at large needs changing. Attorney Radcliffe would like an amendment to include any domesticated and non-domesticated animals running at large and off the owners premise.

Motion by J. Anderson to approve server application for Kathleen Annibal, and Jenifer Thorpe, 2nd by P. Syverson. Discussion: none. Vote: Ayes-5, Nays-0. J. Neubauber did list felony conspiracy to deliver meth, didn't list shop lifting or retail theft. This was 7 years ago. J. Anderson recommended that the Clerk/Treasurer contact those who were denied because their application didn't list all violations or convictions. **Motion by D. Stephenson to approve Jessica Neubauber, 2nd by J. Anderson. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.** J. Guza did not list any of his convictions, with the most recent in 2021 being alcohol-related and involving Officer Kokott. **Motion by D. Stephenson to deny Jordan Guza a server license based on an alcohol-related non-reported event, 2nd P. Syverson. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.**

Motion by C. Ekern to pay vouchers, 2nd by J. Anderson. Discussion-none. Roll call vote: D. Stephenson-yes, C. Ekern-yes, P. Syverson-yes, J. Anderson-yes, T. Wheeler-yes. Motion carried. Next meeting is on December 5, 2022.

Motion by C. Ekern to adjourn at 7:55 pm, 2nd by J. Anderson. Discussion-none. Vote: Ayes-5, Nays-0. Motion carried.

Debra Fremstad, City Clerk/Treasurer