

## City of Blair Regular Council Meeting Minutes, January 3, 2022

Mayor John Rawson called the meeting to order at 6:30 p.m. Open meeting requirements verified. Attendance roll call: Mayor J. Rawson-yes, P. Syverson-yes, C. Ekern-yes, D. Stephenson-yes, T. Wheeler-yes, M. Lisowski-yes, and J. Anderson-yes. Others attending: Attorney M. Radcliffe, S.E.S. Nathan Stobb & Attorney Chris Gierhart, Clerk S. Frederixon. Trempealeau County Times, Daniel Zawacki, Andy Graff & Travis Armitage.

Present minutes for approval: Regular Council 12/6/21 & Special Council 12/14/21 Meetings. **Motion by D. Stephenson to approve 12/6/21 & 12/14/21 minutes, 2<sup>nd</sup> P. Syverson. Discussion: none. Vote: Ayes-6, Nays-0. Motion carried.**

2022 Renewal request Source Energy Services Preston Road Agreement: Revisited from 12/6/21 meeting. City Attorney Radcliffe reminded us that after some additional review of the agreement and previous agreements, there really is no way to prove that S.E.S. equipment is doing the damage. Busses, milk trucks, farm equipment, construction and other heavy haul trucks are also on these roads. Attorney Radcliffe asked Clerk to send him the SPW/S.E.S. road agreement information for Bunyan Road. He recommends 'geotechnical testing' to be done by City engineers to determine current status of roads used by S.E.S., what level of heavy traffic these roads can withstand and estimated deterioration timing before he can recommend the City would be ok to sign/renew. Until engineering tests are completed on the City roads in the agreement, which may allow for a way to prove S.E.S.'s vehicles are to blame for any future road damage. Alderperson question on if we can extend agreement again, so S.E.S. can continue business, Radcliffe said the City is in control of their roads and can't pick on any one entity, we can't tell them they can't use the road just as we wouldn't tell any of the other heavy vehicles they can't. They may continue as current. S.E.S. Attorney, Chris Gierhart, of Weld Riley, S.C. stated he understands this agreement is close to the same form since the initial agreement and has been in place for almost a decade. Admittedly the agreement is not a detailed one, but we feel it is enforceable under WI law, City has contract remedies and if S.E.S. were to violate it, City has right to potentially pull the C.U.P. I believe there has been only one instance where Source was asked to assist with road repairs and they did so without any issue. As far as the need to prove S.E.S. did the road damage, S.E.S. feels there is a 'good faith' clause to the contract and S.E.S. feels they will assist as previously if roads deteriorate and assistance is requested from City. We are here to ask that you exercise your discretion and approve the agreement as it is and has been approved for the past 10 years by both City and Township and as the 2022 agreement has already been approved by Town of Preston. Radcliffe responded to do that would be naive on the part of the City Council. Council is responsible to taxpayers to protect City roads, it wasn't done right the first time and needs to be done correctly now. City and Township should have separate road agreements. Attorney Gierhart again reminded Council S.E.S. has been a good partner and City hasn't had to spend a dime to have them comply with agreement and again asked the current agreement be approved at least until the next meeting and further information is available. Council was clear they did NOT want S.E.S. to have to interrupt their business and could continue the use of all roads they need. **Motion by J. Anderson to hire S.E.H. to assist us with appropriate testing of the roads used by S.E.S. 2 mine sites, give us an estimate of the current road conditions, an estimate of the amount of heavy road traffic the roads in the agreement can safely withstand during all 4 seasons, and maybe an estimated deterioration time frame and allow S.E.S. to operate as is without the signing of the road agreement, 2<sup>nd</sup> by P. Syverson. Discussion: None. Roll Call Vote: D. Stephenson-Yes, C. Ekern-Yes, P. Syverson-Yes, J. Anderson-Yes, M. Lisowski-Yes and T. Wheeler-Yes. Motion approved.** Attorney Radcliff and Gierhart will be corresponding while things are being worked out, so S.E.S. is kept informed.

Hi-Crush Blair, LLC Financial Assurance update: M. Radcliffe informed Council Hi-Crush submitted a request to change their current financial assurance from 3 separate bonds/LOC to all be together in one single bond. Radcliffe has reviewed the information, stated new bond company is reputable. Radcliffe recommended one section of language to be stricken from the proposal. When that is completed and reviewed he expects he will

advise Clerk to sign releases of current Financial Assurance and return the original bonds/LOC after we have received the new and it is in place, with no lapse. **Motion by D. Stephenson to approve the Financial Assurance changes requested by Hi-Crush and approved by Attorney Radcliffe, with the language change recommended, 2<sup>nd</sup> by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion Approved.**

Discuss/Take Action on Committee Meeting minutes previously distributed to Council members and Mayor: **Motion by J. Anderson to approve and place on file minutes in the Council packets for Park Commission on 12/5/2021, CDA on 12/30/2021 and Street, Lights & Equipment on 12/30/2021 as presented in iPad & meeting packets, 2<sup>nd</sup> by M. Lisowski. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Clerk Report: Thank you to the tax payers of the City, City Council and Mayor for our Holiday benefits over Christmas and New Year's. At the December 6<sup>th</sup> Council meeting there was an agenda item related to the Clerk Office being closed on Wednesday. Part of the discussion when asked by Susan why this was on the agenda and considered for discontinuation, the answer from the Committee members was that it had never been re-visited as was initially directed. Dennis said since he had been on Council he didn't remember it had, he is correct, Wanda Cartrette was on the Council then. Jill also stated it had not been revisited, but she and the rest of this Council was in attendance at the August 2020 meeting. I wanted to clarify for all of our information, it was revisited as directed by the initial motion, at your August 3, 2020 Council meeting, I sent the minutes to the iPad packets today as that was the soonest I had time to locate. August 3, 2020 Meeting minutes: Council revisited trial period-Wednesday's City office closed to public for work day: Deputy and Clerk/Treasurer stated Wednesday work day is very beneficial to catch up on items not able to be taken care of during the regular day while helping with customer visit's, phone calls and emails, and respectfully request to keep as is. Allows for reports, trainings, research, etc. to be done efficiently. Wednesday's customer calls, emails, etc. are taken care of before the end of that day, also if there is an immediate need, we try to accommodate that. Councilman Wheeler stated people are used to it and seems to be working and should remain. Mayor Knutson verified he is there daily and office is very busy regularly. **Motion by P. Syverson to remain with Wednesdays as 'closed to public' and used as a work day for staff, 2<sup>nd</sup> by W. Cartrette. Vote: Yes-5, No-0. Motion approved.** C. Ekern was absent. I guess it doesn't matter at this point, but I believe it is important the facts are available and it still would be nice to have an explanation as to what the information this Committee considered to make that decision & recommendation, with no input from the City office/Public Works staff? LRIP/Local Road Improvement Program grant application was submitted on time. We would not have made the deadline unless S.E.H. Dave Schofield and Ron Chamberlain wouldn't have helped us at last minute. We were told by Tremp. Co. Hwy Commissioner that we could hire an engineering company to assist with application for about \$500-\$700. I called Dave when I could see that our efforts were not going to make the deadline. They helped the very next day, the S.E.H. LRIP expert came right to our office and assisted with the entire on-line app. He also offered to walk through with Andy to learn correct way to 'rate' our city streets. He was the Hwy Commission for a large county in WI for 20 plus years and worked with the LRIP program since its start. He is now working with S.E.H. **Big Benefit** from S.E.H. We found a section of Gilbert Street that would meet the requirements of the application. We are expecting grant dollars of approximate \$9200, on a \$68,000 project, to be completed hopefully in 2023, Gilbert Street is in much need of an upgrade.

Discuss/Take Action on Fire Board Meeting agenda items: Fire department and Fire Board representatives Travis Armitage, Luke Haarsma and Chris Ekern explained the changes we are facing related to ambulance service to our Community. Due to lack of staffing, the ambulances are most often dispatched from Whitehall, as hospital emergency room staff is being used and makes sense to leave from there. The Ambulance still comes out of Blair, but much more infrequently. In an effort to fill some of that void and the opportunity for quicker response time to our area, the Fire department has agreed to work on creating a First Responder's unit for our Community. There is a loss of some level of care, but the response time can be quicker. Haarsma and Armitage said they have done

work to find out the requirements for a license with the State to be able to run a First Responder unit out of the fire department. They have 9 people signed up to train with 2 of those already qualified. They have gotten a recommendation from the Fire Board that the City and Township give permission to Luke Haarsma to apply for the license. Fire department is intending to use their fund raising money to cover the training and licensing to get started. It is about \$600 per person to be trained. Like everything there is a cost, but Fire department feels this is IMPORTANT. In the future, we will most likely be in a position where we will need to have the Township/City consider some funding of the program. First responders can respond by private vehicle and we plan to designate one of our brush trucks as a responder vehicle with all the equipment needed in it. Communities already with a program like this are Taylor, Ettrick, Galesville, and Trempealeau, most communities around us except Whitehall and Arcadia which both have ambulance services. Ambulance would still be called, First Responders would be there possibly quicker for patient care, assessments, they are not able to transport, etc. There is no liability to the City as they will be operating under Gunderson Lutheran LaCrosse guidance and medical direction, using their S.O.P's and protocols. Training will be through Western Technical College. **Motion by J. Anderson to approve the Fire Department to work to secure a First Responders Unit out of the Blair/Preston Fire Department as described at this meeting contingent on Township approval also, 2<sup>nd</sup> by D. Stephenson. Discussion: Would be helpful if the City can do a letter of endorsement. City did used to have a CIP fund for ambulance and may give some thought to that again. Clerk Frederixon expressed appreciation for their willingness to do the program. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action: CDA recommendations for approval of 2 CDA program loans for 2 local businesses: D. Stephenson/CDA Chairperson explained he has been part of this City funded group for many years, to assist local businesses, they have given multiple loan/grants to local businesses with all of them being paid back in full with no current loans active at this time. The City started this program with \$125,000 and there is \$126,000 plus in that account currently. Our CDA committee has reviewed both applications and documents according to CDA policy and procedure and are recommending approval by the City Council for:

A New Day Adult Family Services and Kaipen Investments, LLC have been approved by our CDA Committee for a \$20,000, 2 % interest loan to be paid back over a 20 year time frame with 10% or \$2,000 given as a grant per policy of 10% up to \$2,500. The payment to the City would be about \$102 per month. They have already put \$15,000 into the buildings at their expense. They will be using the funds to renovate buildings for businesses at 218 W. Broadway to expand the 'Adult Day Services' program and renovations 129 W. Broadway with hope of an eatery business. Values of the 3 property's they own is \$305,000, debt coverage is at 2%, when Stephenson was in banking he liked to see 1.25% so that is good. The mortgage will be on all 3 property's they own with Kailee Jahr and Penny Paulson and will take a guarantee form 'A New Day Adult Services, LLC'. Attorney Radcliff said it is important the City makes sure we have someone like Dennis with professional banking experience assisting with the CDA program, so loans/grants are done with professionalism and the City stays protected. Dennis confirmed that title searches are done before any dollars are distributed. **Motion by J. Anderson to approve the combining of the 2 CDA applications from 'A New Day Adult Day Services and Kaipen Investment, LLC', as recommended by our CDA committee and presented at this meeting, 2<sup>nd</sup> by P. Syverson. Discussion. None. Roll Call Vote: D. Stephenson-Yes, C. Ekern-Yes, P. Syverson-Yes, J. Anderson-Yes, M. Lisowski & T. Lisowski-Yes. Motion approved.**

The Blair Meat Market, LLC and Perry Kujak have been approved by our CDA Committee for a \$50,000 loan/grant, 2 % interest loan to be paid back over a 20 year re-payment @ \$253.00 per month. 2.5 % debt to income ratio which is also good, which did not take in consideration any Meat Market income. Dennis said 'The Blair Meat Market', is getting ready to open in January hopefully, it is a very nice facility. City will have 1<sup>st</sup> mortgage on the real estate at that location, with the estimated fair market value is \$650,000. **Motion by P. Syverson to approve as presented by Dennis, 2<sup>nd</sup> by C. Ekern. Discussion: None. Roll Call Vote: D.**

**Stephenson-Yes, C. Ekern-Yes, P. Syverson-Yes, J. Anderson-Yes, M. Lisowski-Yes, T. Wheeler-Yes. Motion approved.**

Discuss Take Action: Street Committee Public Works equipment needs: Committee discussed the condition of various pieces of equipment:

1. Snow Plow Breakdown: Andy Graff showed pictures of the 1998 Freightliner and also explained the truck broke down. It appears there are some major problems. Truck has only 46,000 miles, has knocking in engine and a lot of oil on the motor. Feeling is the truck should be taken to La Crosse Truck Company for an evaluation and estimate of repairs. Committee instructed Graff to proceed with getting information on getting it fixed. We will have to remove the plow and sand from the truck. The Committee discussed the lack of maintenance from looking at the pictures. We need to find out guidelines on maintaining fluids also. **Motion by M. Lisowski to get Freightliner to LaCrosse Truck Company for a professional evaluation and estimate on repairs or recommendation for us, with money to come out of general budget if exceeds line item for Street equipment repairs, 2<sup>nd</sup> by T. Wheeler. Discussion: Chris Ekern said a new comparable truck is estimated at \$225,000. Mike Lisowski said then it makes sense to fix what we have even if \$15,000. Andy Graff had some same trucks for consideration at much lower prices. Roll Call Vote: D. Stephenson-yes, C. Ekern-Yes, P. Syverson-Yes, J. Anderson-Yes, M. Lisowski-Yes and T. Wheeler-Yes. Motion approved.**
2. Public Works Trucks Condition: Committee again talked about the Preventative Maintenance needs of all City equipment. Many warning lights on a couple of the trucks have been on for many months. Some as long as a year. Engine lights, Air Bag lights, Change Oil soon light, plus others have been unrepaired for some time. One truck did get new tires. Graff has ordered a new Power Washer and feels that regular washing will also help. **No action taken as current Street department Manager, Andy Graff is working on a plan to construct a wash bay in the street department. This will allow for regular preventive maintenance and documentation to be done. All preventive maintenance should be done regularly and incorporated into the Public work meetings for review and verification. C. Ekern said he believes Andy is doing a good job of upgrading our preventive maintenance program.**
3. Public Works/Utility Employee Vehicle Planning: We do have 4 trucks, including the one-ton dually, that are being used. Graff feels this is okay for the winter season as he can use the one-ton when checking the rural roads and would have the plow and sanding equipment if needed. They can swap back and forth. Again the subject of maintenance was discussed. Graff is looking at pursuing getting the maintenance program done as employee safety is a concern if not being done regularly. **No action taken as current Street department Manager, Andy Graff stated we can use the 1-ton and allow Josh to use the Street pick up for the winter months and work on a plan, Council verbal agreement.**
4. City Street Sweeper Condition: We need to get the sand and salt off and also look into getting a concrete pad for dumping each time. Also run a hose so it can get washed each time. Graff to check on getting quotes on getting maintenance done on it. New Street Sweepers are approximately \$200,000. **Council comments are for Graff to develop a sketch of what is needed, get some estimates for the pad, or other options, etc. and bring back to Committee. Graff believes we can fix it if we can get a professional to look at it and recommend a plan to upgrade it.**
5. Other Public Works Equipment Needs: Graff felt we need a bigger Hot Water Heater/Reservoir for washing. A Standup 36" Fan would be good and better lighting in the Shop. The Committee also discussed a Replacement Schedule should be worked on. Graff felt we could get by for now, but hopefully plan to budget for that soon.

Discuss/Take Action: Officer request for exception on the BCO requirement of ‘Officers must live within 15 miles of the City boarder for quick response time. Council verbally agreed they did not want to set a ‘precedent’ and will not approve the request, wish to keep the Ordinance requirement in place.

Consider/Take Action: Part time “Economic Development Coordinator”: Clerk Frederixon said this was discussed at 12/6/21 meeting and asked to be on for this meeting. I emailed WEDC Mark Tallman asking for his thoughts on how we might advertise for this position, but haven’t gotten a reply yet. **Council asked Clerk to touch base with Tallman again, check with League of Municipalities, etc. for idea. Request to have on February agenda. No action taken.**

Server License Applications: Abigail Prindle: Motion by J. Anderson to approve as presented, 2<sup>nd</sup> by C. Ekern. Discussion: None. Vote: Yes 6, No 0. Motion approved. Crystal Moen: Attorney Radcliffe had not seen this application prior to meeting, so recommended Council table until he can review and make a recommendation. **Motion by M. Lisowski to table until Attorney can review, 2<sup>nd</sup> by P. Syverson. Discussion: Moen currently has a ‘provisional’ license for 60 days. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action: Simmon’s Management, LLC: Clerk Frederixon reported, representatives of Simmon’s management located on Main Street, have an opportunity to be the new location of the business in Ettrick, whose building was sadly destroyed by fire. Simmon’s is already renovating to meet the needs of the business and its many employees. This is a great development for the City. Simmon’s wanted to let us know they will most likely want to check with City on possible TID funds for things like parking lot upgrades. **No Action was taken.**

Present Vouchers for review and approval: Motion by J. Anderson to approve the vouchers as presented in packets, 2<sup>nd</sup> by C. Ekern. Discussion: None. Roll call vote: D. Stephenson-yes, C. Ekern, P. Syverson-yes, J. Anderson-yes, M. Lisowski-yes and T. Wheeler-yes. Motion carried.

**Next Council meeting is February 7, 2022 @ 6:30 pm.**

**Motion by C. Ekern to adjourn, 2<sup>nd</sup> M. Lisowski. Discussion: None. Vote: Ayes-6, Nays-0. Motion approved.**

**Time 8:25 p.m.**

Susan Frederixon, City Clerk/Deputy Treasurer