

City of Blair Regular Council Meeting Minutes, September 13, 2021

A meeting of the Common Council of the City of Blair, Trempealeau County, Wisconsin, was duly called, noticed, held and conducted in the manner required by the Common Council and the pertinent Wisconsin Statutes on September 13, 2021. Mayor J. Rawson called the meeting to order at 6:30 p.m. Attendance roll call: Mayor J. Rawson-yes, D. Stephenson-yes, T. Wheeler-yes, J. Anderson-yes, P. Syverson-yes, M. Lisowski-yes, and C. Ekern-yes. Others attending: Police Chief K. Johnson, Clerk S. Frederixon, Attorney M. Radcliffe, Trempealeau County Times, Brian Jahr, Chris Sanders/MCS Internet Support Company and Nate Dahl.

Present minutes for approval: Regular Council Meeting 8/2/2021 & Special Council Meetings on 7/15/2021, 8/5/2021 & 8/11/2021 and revisit 7/12/2021 Regular Council meeting for correction: **Motion by J. Anderson to approve minutes presented and also 7/12/2021 minutes as corrected by the Clerk, 2nd D. Stephenson.**
Discussion: None. Vote: Yes-6, No-0. Motion approved.

Public Comment: Park Superintendent Brian Jahr wanted to compliment the entire City group that came together to assist Bob Fraust, Water Superintendent, after he was injured while assisting the professional company doing required maintenance on the Water Treatment Plant. Bob fell and broke multiple ribs, and was unable to do any physical tasks. Although in pain, he stayed to guide his co-workers Randy Ekern, Brian Stenberg, Mark Hanson and Debi Fremstad on what needed to be done. They were elbow deep in black muck cleaning for hours the water treatment media that needed to be done quickly so the maintenance could be completed and safe clean water maintained for the City. Brian was very proud to be a part of them coming together to get something important done for the City and Bob. He wanted this Council to know these employees stepped up and even Bob Fraust working with broken ribs, Debi and the others coming in at 6:00 am. Mayor Rawson commented 'nice job' by those employees. Thank you very much.

Blair Cheese Festival Committee representative David Mattison: Parade at this time looks like it will be less than the usual amount of entries. We normally have about 90 entries, so far we have about 60, most likely due to COVID concerns. David gave City hall a list of Cheese Festival Board members and that Board is asking all of us to direct people with questions about Cheese Festival to one of those people so the correct information is being shared and Board members are informed. Board is reminding City that area in front of where the Blair Haus fire was needs to be secured; it is a safety concern the way it is now. Clerk said owner of property and his contractor and City Street Department are working on securing that area. Fest Board is reminding Mayor Rawson about the old vehicle on his empty Gilbert Street lot, Mayor said that will be moved and replaced with a new electric vehicle on display, also they need to work with the Police department to have a black truck moved near My Buddy's Garage. Brian Jahr said the Police department was already working on that. Board is also requesting the Police department pay little extra attention to the area the carnival trucks are parked to hopefully deter vandalism and requesting reminders be made to properties along the Parade route that are not in good condition. Mayor said he would remind Police department to do that.

Mural on Dollar General Building project, Pastor Paul Sannerud: project would take 3-4 people approximately 3 days to paint after professionally prepped considering the work needed to get the surface in condition to paint. He would have areas marked on building and people could work with him to paint the certain colors in the certain spots, a community project. Pastor would have all paints and equipment needed. Attorney said the City does not have an Ordinance related to murals, our sign Ordinance does not cover murals. After discussion the Council and City Attorney feel this is NOT a City issue, this issue is between owner & leasee of the building and Pastor Paul to discuss and plan if or if not it will be done. **City will not be involved in mural project on any level.** Attorney Radcliffe said the City Ordinance Committee may want to consider an ordinance to cover this in the future. Something that would address the type of content that is permissible within a mural, so something does not get put up that may not represent the City in the type of fashion you would like, something that would allow Council to regulate what can be painted in a mural.

Temporary Street Closure Permit Application: Bullpen Sports Bar & Soul Sisters Boutique request closing Gilbert Street from Broadway Street to Center Street on Saturday morning, 10/9/2021 and reopen Sunday 10/10/2021 once tents are taken down. Event will be a 'Fall Festival' with vendors, food trucks and music. There was discussion about possibly allowing public consumption in that area during the event. **Attorney Radcliff informed Council we currently have Ordinances that prohibit public consumption in this area, if we wish to allow that for certain events then that Ordinance should be changed to reflect that. Also, Blair does NOT have a Street Closure Ordinance.** Sounds like when this has come up in the past, Council considers on a case by case basis and acts to 'set aside' the public consumption Ordinance and also acted on the Street Closure request. One concern would be that the City Street Department would need to be placing the barricades, NOT the applicant, so they are placed safely and correctly. **Motion by J. Anderson to table this at this time, send to an Ordinance Committee Meeting to update the Ordinance to allow for special event permits, in time to hopefully be taken up at the October 4, 2021 Regular Council Meeting, 2nd by C. Ekern. Discussion: No one wanted to have this new information effect Cheese Festival, and will not be enforcing the current Public Consumption Ordinance and will allow the street closures as needed. The Fall Festival event will not be serving alcohol outside. Attorney and Council saw no reason for Nate Dahl to cancel the event, the plan is to correct the Ordinance issues on October 4th and there is current verbal support for the event to go on as planned.** Wildcat Saloon requesting alley (which they own) closure and band in back of tavern building. After discussion Council, Attorney, Fire Chief and Police Chief agreed that as long as Wildcat Saloon owners **understand they cannot serve alcohol other than the 'footprint' of their license, which is only the inside of the building,** they can close the alley and have band outside. Cheese Fest allows public consumption during that event. **NO Action required by Council.**

Discuss/Take Action on City Office 'IT' support company: Chris Sanders, representative of MCS, currently works with support system assisting our Police Department with upgrades and ongoing 'IT' support. At Council request we researched a company Hanson's recommended, Chestnut Consulting, in your packets is their proposal. After review the Chestnut proposal seems to be less cost and similar service, but since the last meeting Chestnut has withdrawn their proposal and they think it would be better for the City to have just one 'IT' company rather than 2, cost could be duplicated, may be challenging to give efficient support if they need to go through MCS for password information each time they need to assist office. Chris explained the cost for MCS to incorporate the City Hall 3 computers into the P.D. contract would be the quote dated 8/5/2021, # 28758 amount of \$1,225.50-approximately \$43.00 for September 2021. Estimate with no additions or changes would be \$4,537.20 for full year contract PD & Office, with contract effective June 2022 to June 2023. Question: if this contract would include the Water Treatment Plant computer, Chris S. said no, but could be added. MCS does have a safe option that would allow technicians to remote in for troubleshooting/repair maintenance, to save costly travel expenses, option would use the new sonic wall we just installed so no cost for that. **Motion by J. Anderson to accept MCS Support Services Contract from June 2021 to June 2022 and direct MCS to review the Water Plant for computer support/security needs and possibly include those services, 2nd by C. Ekern. Discussion: None. Roll Call vote done: Dennis-Yes, Terry-yes, Jill-yes, Paul-yes, Mike-yes, Chris-yes. Motion approved.**

Motion by J. Anderson to move to agenda item # 12 at this time, 2nd D. Stephenson. Discussion: None. Vote: Yes 6, No 0. Motion approved.

Discuss/Take Action on Plan Commission recommendation on re-zone application of parcel 206-00190-0000 @ 630, 640 & 650 W. Fourth Street, from A-1 (Agricultural) to B-2 (Hwy Commercial/Business for purpose of building and operating a meat processing business: Brea Grace/S.E.H. went through engineering review of the application: 1) Consistency with the Zoning Ordinance 2) Consistency with the Comprehensive Plan 3) Neighborhood Characteristics. Recommendation: Planning staff finds the request does meet all conditions for approval of the rezoning, provided the use does not cause nuisances to adjacent uses of property. Planning staff

recommended the Plan Commission consider requiring several conditions of approval as noted below if a vote of approval is considered for the rezoning request. Those conditions were reviewed. There was a Public Hearing on this topic today during the Plan Commission Meeting. The Blair Plan Commission did vote unanimously to recommend to the City Council to approve this rezoning request @ a meeting today at 6 pm. Attorney Radcliffe said he had drafted an Ordinance for when we rezone property previously, and per that Ordinance there needs to be a 'motion to change the official zoning map' to reflect any approved rezone. **Motion by C. Ekern to rezone parcel 206-00190-0000 (630, 640 & 650 W. Fourth Street), from A-1/Agricultural District to B-2 Business/Commercial District and amend the official zoning map to reflect this change, 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.** S.E.H. and Attorney requested Clerk to send staff report to applicant and remind the applicant that they are responsible for following all Federal rules, State Statutes & Local City Ordinances related to their having a business/property in the City.

Reports: Blair Police Department: no minutes submitted. Minutes were submitted to the full Council for review prior to this meeting, from Park Department; Park Committee Meetings on August 10, September 1 & 7; Blair Business Development Group on August 19; Police/Ordinance Committee on August 24; Joint Review Board Meeting on August 25. (Clerk reported verbally this Board had one agenda item and they approved the TID 6 boundary expansion and plan amendments); Plan Commission Meeting report 9-13-2021: M. Lisowski said this happened just prior to this meeting and the Plan Commission had one agenda item and that was to consider the re-zone application of the Kujak parcel on W. Broadway, the Plan Commission unanimously approved to recommend to the City Council to approve the rezone to B-2 Business/Commercial. **Motion by J. Anderson to accept those minutes as shown in this meeting packet and place them on file, 2nd by M. Lisowski. Discussion: None. Vote: Yes 6, No 0. Motion approved**

Discuss/Take Action on Park Superintendent suggestion of sell/discard items after cleaning out City Salt Shed: Brian reviewed a list of items found during his cleaning/organizing of the City Salt Shed. He and other public works staff felt were not of any use to the City and taking up room, would like to sell on Blair On-line Auction. This allows public a chance to purchase if interested, if they don't go requesting approval to discard. **Motion by M. Lisowski to have Brian arrange for items to go to Blair On-line Auction, if don't sell ok to discard, 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion Approved.**

Discuss/Take Action on Park Superintendent request to adjust daily work schedule to assist with new family responsibilities: Personnel Policies related to Public Works normal working hours, is in meeting packets, currently states 7 am to 3:30 pm as one option and a couple years ago, Randy Ekern worked on a plan for 4-10 hour days with Friday off rotation schedule and the Council approved that change, nice benefit for employees. Brian J. explained he has been here almost a year, likes it and appreciates it. During the past year he has gone through a divorce and with that has challenges related to helping his children getting to school, had to rely on family to assist and it is working, but he is thinking he could limit some of the reliance, by possibly making a small change to his work shift. If not approved he understands and we will continue to figure things out. Brian asked if the City would allow him to work 8:00 am to 4:30 pm on the previously scheduled 7:00 am to 3:30 pm weeks, with no change to the 6:00 am to 4:30 pm, 4-10 hour day week. Discussion: P. Syverson remembered the benefit of having a public works employee working until 4:30 every day, since the Office is open until 4:30 pm. **Motion by M. Lisowski to approve the request to allow Brian Jahr to change his 7 am to 3:30 pm week shifts to 8 am to 4:30 pm, understanding that if there is a snow event that is covered as usual, not only 8 am to 4:30 pm, but as needed per snow event, 2nd by P. Syverson. Discussion: None. Vote Yes 6, No 0. Motion approved.**

Discuss/Take Action on Summer Rec. Program/Trempealeau Valley League: J. Anderson, Park Commission met last night with 13 Community's in our area, Jackson County people were also at this meeting, looking at possibly having our program a little more centrally located. We have another meeting in October and are in contact with

Taylor program as we have joint Rec. program. No decisions were made, so no action is needed. We will keep you updated as things proceed.

Discuss/Take Action on Police/Ordinance Committee recommendation on changes to Blair City Ordinance Chapter 18/Public Nuisance & Dumpsters: Attorney Radcliffe explained there are 2 Ordinance changes to Chapter 18. Chapter 18.04 of your current Ordinance says you cannot put garbage in a dumpster. If you would like this to be removed, and allow people to put garbage in dumpsters, we need a motion to repeal subsection (2) of Ordinance 18.04. **Motion by J. Anderson to repeal Subsection (2) of Ordinance 18.04 of Code of Ordinances, leaving only Subsection (1) of Ordinance 18.04 still in effect, 2nd by M. Lisowski. Discussion: None. Vote: Yes 6, No 0. Motion approved.** Chapter 18 changes related to ‘Public Nuisances’ as follows: renumbering current section 18.08 related to “smoking prohibited” to now be section 18.14, and repealing and recreating section 18.07 of the code of Ordinances relating to Public Nuisances, and creating new sections 18.08, 18.09, 18.10, 18.11, 18.12, and 18.13 related to Public Nuisances. Attorney Radcliffe said there have been several meetings on this and believes the changes proposed here with much assistance from Chief Johnson and recommended by the Ordinance Committee will be very beneficial for the City’s ability have Ordinances to back up needs for improvements. Chief Johnson explained how the changes to the Ordinance will assist the Police Department and Attorney to work toward removal of ‘public nuisance’ type issues, one of which is a section related to ‘maintaining a chronic nuisance’, if a property owner falls in to this category the City will be able to issue citations of hundreds/thousands of dollars, which can be added to property tax bills if not paid when due. **Motion by C. Ekern to approve changes to Code of Ordinance Chapter 18 as stated by Attorney Radcliffe during this discussion, 2nd by D. Stephenson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on Chapter 23 Sewer Use: Attorney Radcliff explained this came up with the new locker plant being built and discussions about water & sewer systems needed for them. They want to put in a septic system and our current Ordinance states anyone in the City boundary HAS to hook up to City water and sewer. This was missed when we annexed in the Sand mines, which are way out in rural areas with no access to sewer lines, similar issues with this business. The solution is to do an amendment to current Ordinance, allowing Council to make exceptions. Ordinance change is as follows: Section 1. Section 23.03(3) of the Code of Ordinances is hereby created as follows: 23.03(3)-EXCEPTIONS (1) City of Blair shall have right to make exceptions to the requirements contained in this Chapter. (2) Properties not directly served by City sewer main to the property boundary shall be allowed to install and use approved private septic systems. However such use shall be by permit which application fee shall be set by resolution of the City Council. Any such use must meet all applicable statutes, codes and rules. In the event that a property utilizing a private septic system under this section is later served by City sewer main to the property boundary, then landowner must hook up to City sewer main and properly abandon private septic at the time said septic system either needs to be replaced or has failed beyond normal and routine maintenance and repairs. **Motion by C. Ekern to approve Ordinance change as described by Attorney Radcliffe and shown in draft Ordinance in meeting packets, 2nd by M. Lisowski. Discussion: Attorney stated the meat processing facility is in compliance with the Cities Wellhead protection plan. Vote: Yes 6, No 0. Motion approved.**

Ratify Joint Review Board approval of Resolution # 08-25-2021 to amend TID 6 Project plan and boundary: **Motion by J. Anderson to ratify the JRB approval of Resolution # 08-25-2021, 2nd by C. Ekern. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on to approve publication of Fair Housing Ordinance referenced in City of Blair Resolution # 043-12-2021C: Clerk concerned it was never published. Attorney believes this was completed and published. Mark and Susan will research but believe nothing needs to be done. No action needs to be taken per Attorney.

Discuss/Take Action on Kleven Property Assessment, LLC proposed contract for 2022 & 2023 contract: City has had Kleven Property Assessment for approximately 15 years, they do excellent work, are very good with one on one discussions with property owners questions & concerns. Kleven Property Assessment letter states this contract is a maintenance proposal and is similar to our contract from last year. He's added wording in Section 1, regarding holding Open Book virtually or by appointment only, if City approves of. Another change we were following for next year was the possibility of Personal Property being exempted. The bill (AB 191) made it to Governor's desk, but was vetoed. With an override unlikely, we'll plan on no changes to how we assess Personal Property for 2022. **Motion by J. Anderson to accept Kleven Property Assessment 2022 and 2023 Maintenance Assessment of Real and Personal Property in the City of Blair, 2022 @ cost of \$7,100 and 2023 cost of \$7,400, as presented in meeting packet, 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Server Licenses presented in the packet: recommended for approval with no background issues are Sheila Simmons, Anna Schrock, Nathan Dahl, Samantha Johnson, Timothy Robertson, Lesley Moen, Lucas Solberg, Sally Steine, Jolene Ekern, and Rachelle Fanello. **Motion by J. Anderson to approve all server license applications presented, 2nd by C. Ekern. Discussion: None. Roll Call Vote: Dennis-Yes, Terry-Yes, Jill-Yes, Mike-Yes, Paul-Yes, and Chris-Yes, No 0. Motion approved.** Server applications added information presented by Police Chief for Council consideration were Nicole Suchla and Ashley Kurth; Attorney Radcliffe said he has not seen these to applications so he cannot comment on these. Reminded by Attorney that he has to be given copies of these questionable applications BEFORE the meeting so he can review and prepare comment. Chief Johnson said he would email them to him. Recommend table these 2, until Chief and Attorney have time to discuss, offer these two applicants a provisional until October 4th Council meeting. **Motion by J. Anderson to table Kurth and Suchla applications and offer them provisional licenses and take up at October 4, 2021 meeting, 2nd by C. Ekern. Discussion: None. Motion approved.**

Clerk Report: Fall Cleanup is set for Wednesday, September 29th from 3pm to 7 pm & Saturday, October 2nd from 9 am to 1pm, takes place at the City Street shop next to Napa Store; Thank you and congratulations to 21 year City employee Randy Ekern who has given notice of his retirement, effective October 10, 2021...YOU WILL BE MISSED; WI Rural Water Conference was attended by City employees Bob Fraust and Brian Jahr.

Motion by J. Anderson for the Council, pursuant to Wis. Stat. 'State Statute 19.85 (1)(c) to convene in Closed Session for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility', 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.

Motion by P. Syverson for Council to stay convened in Closed Session, pursuant to Wis. Stat. 19.85(1)(b) for the purpose of considering the investigation of charges against a public employee of the City of Blair, 2nd by C. Ekern. Discussion: None. Vote: Yes 6, No 0. Motion approved.

Motion by C. Ekern for Council to Reconvene in open session and take any action, if necessary, from closed session, 2nd by T. Wheeler. Discussion: None. Vote: Yes 6, No 0. Motion approved.

Motion by J. Anderson to extend Officer Pott's probationary period 3 additional months, per Chief Johnson's recommendation, to allow for completion of identified training items, 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.

Present Vouchers for review and approval: **Motion by C. Ekern to approve the vouchers as presented, 2nd by P. Syverson. Discussion: None. Vote: C. Ekern-Yes, P. Syverson-Yes, J. Anderson-Yes, T. Wheeler-Yes, D. Stephenson-Yes and M. Lisowski-Yes. Motion approved.**

Page 6, September 13, 2021, City of Blair Regular Council Meeting minutes

Next Council meeting is October 4, 2021 @ 6:30 pm.

**Motion M. Lisowski to adjourn meeting at 8:15 pm, 2nd C. Ekern. Discussion: None. Vote: Yes-6, No-0.
Motion approved.**

Susan Frederixon-Clerk/Deputy Treasurer