

## City of Blair Regular Council Meeting Minutes, August 3, 2020 at 6:30 p.m.

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 August 3, 2020. Mayor Knutson called the meeting to order at 6:30 p.m. The following members were present: Mayor A. Knutson; Alderpersons-W. Cartrette, T. Wheeler, J. Anderson, P. Syverson, M. Lisowski, Interim Police Chief R. Jensen, Clerk/Treasurer S. Frederixon, Attorney A. Robertson, Trempealeau County Times, Alderperson C. Ekern absent.

Public Comment: Ron Rogness, Community Relations Officer reported that Hi Crush filed Chapter 11, on July 12, 2020. After the June quarterly earnings reports came out a 'pre-arranged' plan and agreement with vast majority of bond holders to restructure debt and turn that into equity Hi Crush announced they would likely need to file Chapter 11. R. Rogness met with Mayor and Clerk to inform them this would not affect any agreements, all 2019 real estate & personal property taxes have been paid in full. It does not affect status of Blair mine, it is 'idle'. Decision to re-open will depend on market conditions. There was an 'unprecedented' collapse in oil/gas prices in world and the U.S. Hi Crush went from about 90 million barrels per day to 40 million barrels per day. It had recovered somewhat, but with recent events and resurgence of Corona Virus has decreased demand again. They will keep City informed and will try to answer questions, reminding they are publicly traded company and the FCC restricts them from sharing information in a public forum that isn't provided to investors first. Hi Crush has a very specific plan during this time. Toll-free hotline to answer questions about transaction. 1-866-554-5810. Website managed by the claims agent appointed in this case at <https://www.kccllc.net/hicrush>. M. Lisowski asked about a plan to move large sand piles. R. Rogness said yes they will be doing that and still doing all monitoring and environmental stuff as normal at mine.

Welcome and thank you to Bobby Bishop for starting her new business in our City: PRIDE WELLNESS located at 237 W. Broadway Street. Bobby says, Pride Wellness is an Herbal Life Nutrition Club. She sells healthy meal replacement shakes and energizing teas. She is here to help meet your wellness goals whether it is weight loss, weight gain, building lean muscle or maintaining weight. Hours: 8 am to 12:30 pm Tuesday – Friday. Please consider supporting this new business in our City. Mayor Knutson & Alderperson Cartrette both had high praise for products.

Present minutes for approval: Regular Council Meeting 7/6/2020. **Motion W. Cartrette to approve 5/20/20 & 6/1/20 minutes as presented, 2<sup>nd</sup> J. Anderson. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

Blair Cheese Festival Committee update: David Mattison, Board member stated they are working on a drive-through Chicken & Brat dinner event on the Cheese Fest Saturday, from noon to 3 pm, dependent on County health guidelines. Council expressed full approval.

Bull Pen & Blair Haus Sports Bar owners, Nate Dahl & Jeremy Tranberg: THIS REQUEST IS NOT PART OF THE CHEESE FESTIVAL COMMITTEE – TOTALLY INDEPENDENT FROM THAT COMMITTEE. In an effort to support local businesses, they are requesting to block off streets. Broadway Street from Pearl to Urberg & Gilbert Street from Broadway to City Parking Lot (most of normal area blocked off for Cheese Festival event) on Cheese Festival Friday, 9/18 and Saturday 9/19/20. They wish to have a couple of outside music events. Request also to set aside the 'Public Consumption Ordinance' for this event. No food served outside. They believe the outside area will allow for good COVID-19 & social distancing protocol to be followed. Tent will be set up, band during day and evening. Music done by midnight, no special activities in bar & event organizers will clean up after. After serious thoughtful consideration and some reservations, Motion by W. Cartrette to approve street blocked off & set aside of Public Consumption Ordinance as presented for a 1 day event on Saturday, 9/19/2020, 2<sup>nd</sup> by M. Lisowski. Discussion: None. Vote: Yes-5, No-0. Motion approved.

Tim Nietzel control burn request, across from Kwik Trip. Tim Neitzel explained large pile of debris, trees, old wood, from when he purchased property he wishes to clean up. Fire Chief, Travis Armitage spoke at 7/6/20 meeting, said most likely ok to burn, but should work with Fire department on it. If he does end up taking down the one shed there, Travis believes shed most likely has 'asbestos' roofing and would need to follow some guidelines prior to take down. Ok to approve, contingent on fire department notification and possible assistance. **Motion by W. Cartrette to approve contingent of working with & notifying fire department prior to burn, 2<sup>nd</sup> by J. Anderson. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

Trempealeau County Sheriff, Brett Semingson: Overview of 2019 work, went over department "Use of Force" policy, which is available on Sherriff's website. He stating policy is "only use amount of force reasonably necessary to accomplish a legitimate law enforcement purpose." Policy DOES NOT INCLUDE A CHOKE HOLD, State of WI has never taught this. Policy is reviewed annually. Police officers in WI are required to have minimum of 720 hours of training. Not just hiring someone off street, they are trained thoroughly before given gun, car, badge and assignments. Governors 'Policing Accountability & Transparency Reforms in WI', Semingson said many of the items in this are already being done by us. Policy calls for elimination of 'No Knock Warrant'. This is primarily used for drug cases, with drugs typically come guns. Trempealeau Co. is going to fight to keep this warrant. We need the element of surprise, so evidence is not destroyed and to avoid gun involvement, so surprised occupants don't have time to arm themselves. Warrants are written by law enforcement and reviewed by Court Officials before approved. Likes the part about being able to share employment information that would keep questionable officers from being re-employed as officers, right now employment laws prohibit that. Very proud of his department being awarded a grant to send half of force to 40 hour Crises management related to mental health training this year. Staff that attended said it was great, they were engaged and learned valuable things that will help them while on job. Optimistic we can get same grant next year and send other half of staff. County Board approved 'armed' security at front door of courthouse, at that point you will also be screened for COVID, and this is managed by Sherriff's department. Sheriff Semingson offered a 'ride along for a day' to any City official as a way to see we do lots of good things as we protect & serve. W. Cartrette asked for information on Trempealeau Co. Sherriff non-enforcement of masks policy... Sheriff stated their policy is not to enforce the "mask" mandates by Governor due to simply not having manpower, but encourages each municipality discuss with their police department their wishes on this. Personally he believes masks are effective and will wear mask himself, but would be very difficult to enforce as a department.

**Reports:** Blair Police Department July 2020 report by Randy Jenson (interim Chief): 105 calls-about 20 % down from this time last month. Complaints: 3-911 calls, 1-alarm, 1 car crash, 2 unlocked doors, 1 child abuse, 4 civil disputes, 2 fraud-1 was counterfeit bills, 1 harassment, 1 misc. traffic, 1 suicide attempt, 5 suspicious vehicle calls, 1 disorderly conduct, 1 family domestic, 4 other agency assists, 1 burglary, 1 gas drive off, 1 alarm test, 4 animal complaints, 5-EMS calls, 48 traffic stops, 2 suspicious individuals, 1 fire, 2 fireworks complaints, 1 recovered property, 2 criminal damage, 9 welfare checks. Chief Jensen commented on mask enforcement issue: mirrors the Sheriff's, we are short staffed and we don't know if someone has a valid reason for not wearing a mask. He believes it might be a Constitutional right for the people to decide. Jensen personally will wear mask, but feels department should not actively enforce wearing of masks in City, unless Council directs differently. General consensus to agree to not actively enforce mask wearing. Police Chief Interviews are set for Thursday evening. New squad is in but still needs final equipment installations. Hopefully on road in couple weeks.

Streets, Lights & Equipment Committee met on 7/30/20-P. Syverson reports: Committee member Ekern, Dave Schofield/S.E.H. & resident, Brittany Tollefson in attendance. Committee discussed Mill Road water concerns. Brittany Tollefson talked about the wetness to the west of their house; so wet that a tree actually tipped over and others are leaning. Even with no rain, there are still puddles. Dave Schofield talked about culverts on these property driveways; Tollefson's is plugged, no culvert on Anderson or Moser driveway. The culvert that goes

across Mill Road is totally open but may be too small. Paul will check with County Land Conservation Department on their monitoring of the conservation dam. (Land Conservation has no authority since it is in the City). We will have Susan check who is responsible for monitoring. C Ekern wondered if there could have been a spring that developed that was causing the problem. We will have City crew check. (Bob Fraust was on properties to inspect. No Report). We need to have someone shoot grade on these properties. **The Committee recommends that three culverts get put in (Tollefson, Anderson and Moser) and also one across Mill Road in case the one that is there is too small and to make sure the water goes further to the west of the Noren house. Council gave verbal direction for Clerk/Treasurer to hire S.E.H. to ‘shoot the grades’ and suggest plan for placement of the culverts & to research the ‘modification’ of the Anderson buildings. Committee discussed next plan involving CDBG Grant infrastructure projects.** Dave Schofield discussed possible street projects. Center and Gilbert Streets. Broadway - from Pearl to Tappen. Pearl - from Broadway to Center. Water and Sewer. To apply for CDBG Grants we have to express that it is a Community wide improvement. Suggested Broadway project is estimated at \$2.3 million without the bridge by the Fire Station. With the bridge add \$400,000. The CDBG grants are very competitive. The nice part is that they are now a million dollar cap grant, use to be \$500,000. We can also pursue Safe Drinking Water and Clean Water funds which have a 1%-2% interest rate. The Application is due May, 2021 so we have to start in November 2020. Engineering in fall of 2021. Grant award in 2021 with construction in 2022. **Committee recommends to pursue. Motion by P. Syverson to ask S.E.H. to begin work on CDBG Application for the Broadway project (Broadway from Pearl to Tappen, 2<sup>nd</sup> by T. Wheeler. Discussion: Clerk shared the County seal coated Broadway yesterday. Vote: Yes-5, No-0. Motion approved. Committee also talked about the generator and Park Truck. Recommendation of Committee to advertise again and also put in Municipality magazine. Clerk stated has been placed in Trempealeau Co. Times, posted in City and on website. It was past the deadline to have in the Municipality magazine. 3 bids received so far, deadline of 8/10/20. Dave Schofield update on the Olson Street project. We still hold retainage as some final things need checking. Regarding the Dahl property, water has been standing since at least 2014. Grade was shot and is at 3 feet, but a berm was built on property line. It changed in 2017. City must discuss this problem with the property owner that caused it.** The Committee discussed upgrades to the squad vehicle, which were all taken care of. **Regarding the new Park Truck, Committee recommends to have it rust proofed (about \$500) and also repair some dings and dents (about \$500). Also to make sure it gets washed regularly as well as preventative maintenance.** We will have city clerk as well as C Ekern look for Preventative Maintenance programs and manuals. Bob and Randy came to C Ekern about someone telling them to get bids for their truck repairs. **Motion by P. Syverson to have newly purchased Park Truck rust proofed & small dents taken out at a cost of about \$1,000.00 by Ekern Collision, 2<sup>nd</sup> by T. Wheeler. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

Council revisited trial period-Wednesday’s City office closed to public for work day: Deputy & 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.**

Tax, Finance & Personnel Committee meeting 7/28/20. J. Anderson/Chairperson reported: Brian Reilly/Ehlers went over ‘draft’ of City Financial Management Plan. He requested guidance into our 5-10 year plan for larger expense project. Committee said Lake, Sewer rate increases, downtown district improvements, new business assistance, TID 7 will be done in 2-3 years so that might be a possible way to help Business Development

Committee with new business incentives. 2<sup>nd</sup> meeting is scheduled with Brian R. on 8/12/20 after draft has been updated with information from this meeting. Consideration for Blair Community Development Committee Incentives: Possibility of using TID to match funds; TID funds to assist with ‘razing’ buildings in poor condition; using TID funds to improve the front portions of downtown businesses; Committee didn’t feel water/sewer bill incentive was possible due to those utility funds being in need of financial improvement; Committee didn’t have enough information about ‘tax incentive’ suggestion. Brian Reilly suggested using TID as a resource for new business incentives, instead of money from general fund, which may be difficult for City to recoup. Orkin Pest Control representative: Inspections for termites would be free. Treatment is \$1,700 for 1<sup>st</sup> set up & treatment and \$300 monthly. Orkin said if City chooses to make it a City Business district project would consider a \$200 to \$400 discount depending on amount of work needed. Treatment kills termite colony & chemicals are not harmful to people or animals. **Committee may consider funds toward assisting with the termite management downtown.** Review of City Police Officer wage schedule: After reviewing **Committee is recommending raising Police Officer wages to \$22.00 to \$24.00 per hour.** Full Council motion would be needed, but should be decided before budget time which is soon. Rest of meeting was in ‘closed session’ with no decisions out of that. W. Cartrette asked Committee, on the list presented, if there were any ‘outcomes’ related to incentives presented by Blair Community Development group? J. Anderson said Committee was charged to consider which one they thought could be done, identified were # 3, 9 & 10. TID related assistance has a ‘sample’ developers agreement businesses can use to apply. Clerk explained, for any business/building owner TID funds can be applied for via a developer’s agreement, reviewed by Finance committee and Ehlers then to full Council for consideration. First one done was \$10,000 – 0 % loan paid in 10 years & \$10,000 grant. CDBG funds can only be used for building owners and only if an apartment exists in the building and improvements can only be to benefit the apartment; CDA are funds for building owners to improve outside appearance of building. The gap I believe is we do not have any programs set up for business owners who lease property. Those are difficult as you are using tax payer money without much of a legal way to insure oversight of money, example unable to put a lease on property. BIDCO is one group that is still able to assist new business owners and I have heard the Gilbert Street business has spoken to them and possibly received some assistance. The City’s Business and Economic Development Committee does have a budget, Council decided in 2019 to fund them with \$10,000 per year. Current budget is @ \$ 9, 786.05 with anticipated \$10,000 added after 2020 budget is set. Expected budget to be \$19,786.05 after 1/1/2021. There haven’t been any guidelines developed/approved yet for distribution of those funds. Finance Committee will ask Brian Reilly at meeting on 8/12/20 for more information how developer’s agreement can be used for others.

Blair Community Development Group on 7/16/2020: W. Cartrette reported that group members attended a Connect Communities Orientation meeting on 7/17 and will inform group at next meeting.

Park Committee Meetings 7/29/20–Chairperson W. Cartrette reported Agenda-Pool Attendance: The “at one time attendance” has been low and does not require 4 lifeguards and a manager to be on duty. Resolutions: The pool committee has decided to allow day passes to the BTSD. The passes will be sold in the form of a punch card through city hall (Wanda to send office a template via email and Cathy will drop off card stock tomorrow). Each day pass is \$4.00 per swimmer. The punch card will have 10 punches on it, if someone buys 6, 4 will need to be crossed out by the seller. There will need to still be waivers signed by an adult for each swimmer as the office is doing today. If a repeat buyer comes in to buy more punches the city will need to look up to see if they have a waiver on hand. If so they do not need to sign another one. Sale of passes will start Thursday at noon. The pool attendant will punch the cards (each punch = a swimmer, so if a family comes in and there are 4 swimmers the card gets punched 4 times. Effective August 1 the Pool Managers will get the staff down to 3 lifeguards and 1 manager. Announcement to the Public: We are happy to announce starting July 30<sup>th</sup> at noon the City of Blair Office will be selling day passes for the pool to those living in the Blair-Taylor school district. Day passes will

be in the form of a punch card. Each punch = 1 day/1 person @ \$4 per punch. Punch cards will have up to 10 individual day passes so purchasers can buy multiple day passes at one time. All swimmers will still need to have a waiver signed by an adult on file to enter the pool. Day passes will NOT be sold at the Aquatic Center so please keep in mind that the City Office closes at 4:30pm daily and is not open on the weekends so be sure to get your passes ahead of time. All other rules still apply. Once a punch card is purchased it can be stored at the pool on file or swimmer(s) must bring in each day. City of Blair is not responsible for lost or stolen punch cards.

Consider hire of Bankruptcy Attorney to monitor the Hi Crush Chapter 11 filing: Attorney Robertson says he has very limited experience with bankruptcy law and is recommending this and City Clerk agrees. The type of paperwork that is coming in is very complicated. This is an important enough issue that experienced council is needed. Robertson has spoken with Whitehall City Attorney, John Wagman who is representing Whitehall's interest with the same Hi Crush Chapter 11 filing & he agrees would be wise to hire 1 experienced bankruptcy attorney to represent us all. **Motion by M. Lisowski to work with Whitehall City Attorney to hire one attorney from one firm experienced in bankruptcy law to monitor City of Blair's interest related to Hi Crush Chapter 11 filing. Planning to share costs with Independence and Whitehall on same matter if can be arranged, 2<sup>nd</sup> by W. Cartrette. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

Mayor Knutson requested the City re-evaluate the possibility of a Utility type vehicle for the Park/City Public works departments. He has been approached again by the Parks staff on the value it would add and Mayor agrees. There is a difference between a Public Works vehicle for work use and recreational use on City Streets. Many Cities have Ordinances restricting recreational use of ATV's and work crews still have ATV's. It would be used primarily in Park, but would be helpful to pick up downtown trash, weed spraying on streets. **Motion by W. Cartrette to send back to Equipment Committee for another review, 2<sup>nd</sup> by P. Syverson. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

Building Permits: None

Clerk report: Rise in Park vandalism: Pin pulled out of the dock, causing the dock to become separated on one side, very difficult to get out, need a hammer and even more difficult to get back in, pin was nowhere to be found so new one was purchased, Jim did get it repaired. Picnic table leaned up on side of log cabin shelter, used by kids to climb up on roof. The table broken, needed a bolt. Kids stomping on top of picnic table to break it. Jim N. talked with them and knew the kids names, the next day we had an "I'm sorry note in the drop box" so that was a nice change. Same week Jim found toilet paper had been unrolled in the Schroeder shelter, lit on fire and left to burn... it must have been damp enough in there that it had went out on its own without burning the remainder of the roll ☹️. Mid-July it was reported to City Hall that kids were jumping off the highway 95 bridge into the lake... the person was really upset and worried the kids may be seriously injured. We had no officer on duty so I called the Sheriff's department and they had no officer to send so I left my office and went down to talk with them. Unable to find them, but two different groups of fishermen reported they saw them...couple of kids with bikes and fishing poles☺️. Police officer has been informed and asked to parole the Park more often and ask the public report things they see to us. July 14<sup>th</sup>, message to the City Council from Mike Collins/Account manager for Carrico Aquatic Resources, Inc. "Blair Pool looks GREAT! Jim Nyen does a superb job. You are lucky to have him. Wish he could run ALL our pools. Randy Ekern had a successful 2 week recovery from his 'same day' surgery and back good as new. Very happy to have him back ☺️ Many thanks to Charlotte & Terry Everson for donating the materials and labor for new ADA compliant bathroom stool in our Large Shelter ☺️...very thoughtful, nice improvement and safety upgrade. Usually we have the Rita Tranberg Memorial fundraising liquor license on our August agenda, I checked with group, they will not have traditional event, so won't need license, but are planning some sort of event, possibly a drive through meal fundraising event and have reserved the concession stand for that normal September 12<sup>th</sup> weekend. Water/Sewer Superintendent Bob Fraust says City hydrants

exercised this past month, ensures hydrants are working in case of fire, also moves water around in the dead end areas so fresh, preventive maintenance item. Termite \$ question from last Council meeting update: Clerk/Treasurer emailed **CDBG-businesses do not qualify unless they have apartments in them**. The program still would only cover rehab for the apartments. **WEDC:** Use Ordinances & Inspections to mandate building upkeep. Also sent this to WI Clerk List with no feedback on solutions. Requested preventive maintenance research: Clerk/Treasurer emailed 'WI clerklist' – received about 35 responses no one had one I could review, but 4-5 asked if I would send them what I find out ☺. I emailed the Sand mines, but haven't heard back yet, I can follow up. I did a little searching on line and think we will be able to find something that works for us, just need more time and can get what I find to C Ekern as suggested and then to Council. Thank you from Mill Road residents for additional speed patrolling Mill road. Thanks to much dedication, from our Park Superintendent, we know our new fawn is a doe. We have named her SOLVI which means in Norwegian 'house of strength'. Council asked last meeting where we are at on the 5 year Waste Water increase plan implemented in 2016. That plan had its last increase of 10% January 2020.

Present Vouchers for review and approval: **Motion J. Anderson to approve the vouchers as presented, 2<sup>nd</sup> P. Syverson. Discussion: None. Vote P. Syverson-Yes, J. Anderson-Yes, T. Wheeler-Yes, W. Cartrette and M. Lisowski-Yes. Motion approved Yes-5, No-0. C. Ekern absent.**

**Next Council meeting is September 14, 2020 @ 6:30 pm at the Community Center.**

**Motion J. Anderson to enter into closed session 19.85(1)(c) for purpose of discussions of employment & employee probationary performance evaluation, 2<sup>nd</sup> W. Cartrette. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

**Motion W. Cartrette to return to open session, 2<sup>nd</sup> P. Syverson. Discussion: None. Vote: Yes-5, No-0. Motion approved.**

Action taken out of closed session: **Motion by W. Cartrette to approve \$0.50 increase per hour for Officer J. Pride effective October 1, 2020, (1 year anniversary date) for successful completion of 6 month probation period, 2<sup>nd</sup> J. Anderson. Discussion: None. Vote: Yes-5, No-0. Motion approved.** Reminder: Police are on probation for 1 year, and the new Police Chief discussions were after 1 year a \$0.50 increase if successful completion of probation. Should this motion be revisited?

**Motion W. Cartrette to adjourn meeting, 2<sup>nd</sup> P. Syverson. Discussion: None. Vote: Yes-4, No-0. Motion approved. (M. Lisowski left meeting early).**

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Susan Frederixon-Clerk/Treasurer