

City of Blair, May 3, 2021 Regular Council Meeting Minutes, 6:30 pm

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 May 3, 2021. The Mayor called the meeting to order at 6:30 p.m. The following members were present: Mayor J. Rawson; Alderpersons-D. Stephenson, T. Wheeler, J. Anderson, M. Lisowski, P. Syverson, C. Ekern, Clerk/Treasurer S. Frederixson, Attorney M. Radcliffe, Trempealeau County Times, D. Schofield/S.E.H, K. Johnson Police Chief.

Public Comment: None

Review/Take Action on minutes for Regular Council on 4/12/21 & Re-Organizational Meeting 4/20/21: **Motion by P. Syverson to approve 4/12/21 minutes as presented, 2nd T. Wheeler. Discussion: None. Vote: Yes 6, No 0. Motion approved. Motion by D. Stephenson to approve 4/20/21 minutes as presented, 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on annual Liquor Licenses for publication: **Class A – Dollar General, Express Mart, and Kwik Trip. Class B – Bullpen Sports Bar, Farmers Escape, LLC, The Barnyard Tavern, LLC, Blair Haus Bar & Grill, LLC. Motion by C. Ekern to approve listed establishment for publication, 2nd J. Anderson. Discussion: P. Syverson asked about Broadway Bar, Clerk said they decided to not renew license. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on Class B temporary liquor license/Blair Fireworks 7/3/21 event: **Motion by P. Syverson to approve as presented, 2nd T. Wheeler. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

S.E.H. Engineering report: D. Schofield: Application for the Grant will be submitted to the Department of Administration next week, probably won't hear until August if awarded. Very competitive program, so we will wait to make any new decisions until notified. Dave asked Susan to remind Bob Fraust about the televising information that is needed from him this week, to be able to complete that 30% plan. Dave researched the 'storm sewer' mentioned by Jeremy Tranberg at last meeting, in the NE corner near old township building, says it is an old coal shoot under the sidewalk. History shows there would be grates in sidewalks, pull them off and drop coal down for heating buildings. Best way to deal with is take sidewalk out, remove enough of that structure, back fill with sand and put sidewalk back. Also noticed a 'sink hole' forming in the NW corner, not sure what is going on there, no water or sanitary sewer that he can tell, sidewalk and curb are dipping down, usually means some sort of 'void' is forming under there, would be worthwhile to replace that when replacing the sidewalk over coal shoot. Extension of Taft Street has been discussed a couple of times, as part of the CDBG-PF project, thoughts of a temporary or permanent East/West access. Have found that no 'right of way' exists in that area. If that is something the City wants to explore, let me know I am happy to assist, but at this point I am not aware of any work on this topic being requested. If you decide to pursue, let me know and I can do a contract and estimated costs. Council direction to Dave to work on a worksheet related to Taft Street extension, etc. and bring to next Street Committee meeting.

Discuss/Take Action on Farmer's Market in City/Julie Stevens: hoping to begin a 'farmers market' event on Saturdays, from 8:00 am to 1:00 pm, starting May 8th. Permission has been received from Waumandee State Bank for the group to use the empty lot across from the Dollar General Store. Mayor Rawson said any overflow parking can use the Dollar General Store lot. Farmers Market is planning vendors, with crafts, vegetables, flowers, etc. Anyone wanting information would contact Julie Stevens at 608-790-1412. **Motion by J. Anderson to approve Farmers market as presented to begin on May 8th, 2nd M. Lisowski. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on Blair Lutheran Church community garden idea/Holly Anderson: Holly is part of the Hunger Task Force for the Church, one idea they hope to pursue is having a community garden. Other tasks forces have found this to be very helpful to produce fresh vegetable and such to be donated to Blair food pantry. Looking for spot in City of Blair, couple of thoughts were the 'Dike' area in the Park, another suggestion was the area behind the Spring Street Shop, near NAPA, also looking at spots at both East and West Churches. First step they feel is to find out if City Council would approve this type of project for either of the spots mentioned, and then also seek approval from Church Council for those spots. They are waiting to get results from the church membership if there is enough interest, as many volunteers will be needed for success, if yes they would like to proceed, if not they would not proceed. **Motion by J. Anderson, ok to use either spot mentioned at this meeting, have City Public Works guys help assess City 2 areas for this type of project, 2nd by C. Ekern. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discussion/Take Action on Ordinance approving G.E.C. as City Uniform Dwelling Code enforcement agent: Clerk Frederixon explained this Ordinance needs to be adopted in order for the City of Blair to 'delegate' General Engineering Company as our new Uniform Dwelling Code enforcement agent. The Council has decided to switch from Trempealeau County Land Management Office (this office only provides service for 1 & 2 family home and detached garage projects, no Commercial or State approved plan service) to G.E.C. in order to have service for all types of building inspection/permit needs for our residents. TCLM has done a great job helping with our residential building permit needs. Attorney Radcliffe said he worked with G.E.C. and their requirements for this Ordinance and also compared the Ordinance in your packet to other Communities and reviewed our current UDC Ordinance information, to draft the Ordinance 30 for your consideration. City of Blair current Ordinances on this topic are inadequate to cover us. I believe the 'draft' Ordinance is thorough, will cover adopting the UDC as required, but also commercial and plumbing & electric codes, etc. This Ordinance names G.E.C. as our Code enforcement agent, but can be changed by 'resolution' if ever needed. This Ordinance creates a new Ordinance 30 and repeals sections 46.07(6), (7) and (8) of the current Code of Ordinances. Attorney Radcliffe recommends Council adopt this Ordinance 30 as presented in meeting packets. If Ordinance 30 is passed then Resolution # 05-03-2021 needs to be passed to rescind the Resolution that delegated Trempealeau County as the City UDC enforcement agent. Alderperson P. Syverson said George Brandt, from County Board, wanted him to share with the Council that the County currently does all 26 municipalities, through G.E.C. now, he wondered why we wanted to go on our own. Clerk Frederixon/Alderperson M. Lisowski said the City Council expressed the need for access to 'Commercial' building inspection services and County doesn't have that capability. G.E.C. also suggested it is beneficial to have all building inspection services with one group for clarity. Frederixon also reminded that with the startup of our Business and Economic Development Committee, this Council expressed an important need for the ability to inspect our Commercial structures. **Motion by J. Anderson to accept the creating of Ordinance Chapter 30 of our Code of Ordinances related to Building Permits, the City Building Inspector, Adoption of Wisconsin Building Codes, and Repealing sections 46.07 (6), (7), and (8) of the Code of Ordinances, 2nd by M. Lisowski. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discussion/Take Action on Resolution # 05/03/2021 rescinding Resolution # 7-2010 Delegation of UDC enforcement to Trempealeau County: Attorney Radcliffe said as previously discussed, with the adoption of Ordinance 30, which delegates City UDC enforcement to G.E.C., we need to repeal 'Resolution # 7-2010' which delegated Trempealeau County as the City UDC enforcement agent. Alderperson D. Stephenson questioned if ok to approve before publication and G.E.C. starting? Attorney Radcliff said yes, as County will remain for these services until publication requirement is completed. **Motion by D. Stephenson to approve 'Resolution 3-05-2021' to rescind Resolution # 7-2010, the prior delegation of enforcement of the uniform dwelling code to the County', 2nd by M. Lisowski. Discussion: None. Vote: Yes 5, No 0, Abstain 1 (P. Syverson).**

Discussion/Take Action on Resolution # 05-03-2021B Adopting a Building Permit and Inspection Fee Schedule. Attorney Radcliffe explained: The Building Permit & Inspection Fee Schedule in your packet is General Engineering Company's standard Fee Schedule. Radcliffe recommends this be adopted as the City's building permit & inspection fee schedule going forward. **Motion by C. Ekern to approve Resolution # 05-03-2021B- Adopting a Building Permit & Inspection Fee Schedule as presented in packet, 2nd by T. Wheeler. Discussion: D. Stephenson, point of clarification, G.E.C. fee is \$150.00 & fee is \$165.00, are total fees \$165.00? Yes, G.E.C. receives \$150 and City receives \$15.00 of the \$165.00. Vote: Yes 6, No 0. Motion approved.**

Re-visit Discussion/Take Action on Fair & Open Housing Ordinance that was approved at 4/12/2021 meeting: Attorney Radcliffe explained a version of this Ordinance was passed at your 4/12/21 meeting, as a requirement of the CDBG-PF Grant application for 2022-2023 Street & Infrastructure project. After reviewing it was noticed that it needed some corrections related to overlapping of current Ordinances. It has been redrafted as in your packets: 'Ordinance 58 Repealing & Recreating Chapter 58 of the Code of Ordinances Relating to Fair & Open Housing'. This new draft brings our Ordinance into compliance with new laws that have passed since our previous Ordinance was developed. Attorney Radcliffe recommends passage of this Ordinance so it can be published in time for CDBG-PF Grant Application. **Motion by M. Lisowski to approve recreation of chapter 58 Ordinances related to Fair and Open Housing, as presented @ this meeting, 2nd by D. Stephenson. Discussion None. Vote: Yes 6, No 0. Motion approved.**

Reports: Blair Police Department-Chief K. Johnson: Discuss/Take Action on all Servers licenses listed on agenda & brought to meeting by Chief Johnson, Alisha George, John Rawson, Susan Melby, Jennifer Pabst, Katlin Hoem, Morgan Vehrenkamp, Jamie Rutherford, Lorraine Wasserberger, Julie McConnell, Tracey Berg, Julie Berg, backgrounds have been done & Chief Johnson recommends approval of these applicants. **Motion by J. Anderson to approve server licenses listed on agenda and named by Chief Johnson, with exception of Karen Wall, 2nd by C. Ekern. Discussion: Mayor allowed David Donnelly/Barnyard Tavern to ask question about Provisional licensed offered in City, so applicants and business owners don't have to wait a month or more for servers to be able to work, Attorney Radcliffe said we would have to review Ordinances and discuss with Police Chief before able to answer that question. Nothing able to do tonight. Vote: Yes 6, No 0. Motion approved.** Karen Wall server license application: Chief Johnson and Attorney Radcliffe recommend denial due to incomplete, not truthful & inaccurate information on application. Both Radcliffe & Johnson have talked with Miss Wall on this topic, but no new information has been provided. **Motion by J. Anderson to decline Karen Wall's server application until additional, complete information can be submitted by K. Wall and reconsidered, 2nd by D. Stephenson. Discussion: None. Vote: Yes 6, No 0. Motion approved.** Chief said he is working to assist with the server and tavern license application process to make it easier, taking quite a bit of time. Bullpen Sports Bar event, seemed to have a really good crowd, had zero police related issues, and all 3 department staff worked that evening. Went well and they cleaned up well. Officer Kokott had a pursuit, middle of last month, County assisted, road spikes were used to disable suspect vehicle, went off road suspect got stuck in mud, 2 people were arrested from that vehicle. No injuries, minimal damage to farm field, owner has been talked with. Connor did very well. MCS paperwork has been completed and in process of doing background checks. Chief arranged formal training for City office and Police Department staff from William Gray/Special Agent for Alcohol & Tobacco Enforcement Office of Criminal Investigation for State of WI, Dept. of Revenue, on Wednesday, May, 5th for 2 hours, valuable training, to help us improve and be compliant with State requirements.

Public Works Department reports: None supplied this month; J. Anderson had a question about softball field looks like not dragged or prepared for Summer Recreation program start week of May 17th. Clerk will check with Park Superintendent.

Annual Board of Review Meeting on 4/27/2021 from 6 pm to 8 pm.: Members Present: Mayor John Rawson, Alderpersons, Terry Wheeler, Mike Lisowski, Dennis Stephenson, Assessor Eric Kleven, Clerk-Treasurer Susan Frederixon. Susan took B.O.R. Training on 12/28/2019, which is valid through 12/28/2021 and filed the annual affidavit with the D.O.R. on 3/30/2021. Susan asked for nominations for Chairperson and call 3 times for any other nominations: Mike Lisowski nominated Dennis Stephenson for Chairperson. No other nominations were made. Dennis Stephenson was named 2021 Board of Review Chairperson. Susan announced that there are currently no members of the public in attendance to go before the Board of Review for consideration of Real Estate Taxes or Personal Property Taxes. We will pause the tape at this time (6:05 pm) until someone comes in or we adjourn... Chairperson Stephenson stated it was 8:00 pm and that we have now heard 0 (zero) cases. Points of interest per Assessor Eric Kleven: There were quite a few sales in the City this past year and there was a mix of some going for more than amount assessed for and some going for less than they were assessed for, many Commercial property's he was surprised at the low sale price. 20 home sales in last 12 months, not including commercial sales. His company does more than 50 Board of Review's in Trempealeau, Jackson and Buffalo County. The City has fallen out of compliance this year, which starts the clock ticking, within 3 more years we would have to do a re-evaluation. Last one for us was 2014. We still have 2 more years remaining on a 2 year maintenance agreement with Kleven Property Assessment. 2022(for 2021 data review) Open Book was tentatively scheduled for Monday, April 18, 2022 from 10:00 am to 12:00 pm 2022(for 2021 data review) Board of Review was tentatively scheduled for Monday, April 25, 2022, from 10 am to 12:00 pm. Meeting was adjourned at 8:00 pm.

Plan Commission Meeting on 4/29/2021/M. Lisowski Chairperson: Public Hearing, Discussion and Take Action on a request from Town of Preston to 1. Re-zone the property at 101 W. Broadway Street, Blair, WI from P-1 Public-Semi-Public District to B-1 Business/Commercial District. Commission agreed the property at 101 W. Broadway, without a clear decision as to what is planned at that location, should stay within the Ordinance/Zoning requirements for 'permitted usage'. 2. Public Hearing, Discussion and Take Action on a request from Town of Preston to rezone property at 1102 E. Broadway Street, Blair, WI from Industrial District to P-1 Public-Semi-Public District. Lisowski stated S.E.H., City engineers had done a very good report on each application and told Commission both requests met all conditions for approval of the rezoning. The proposed rezoning is consistent with the Zoning Ordinance, Comprehensive Plan and surrounding low-density neighborhood characteristics. Plan Commission voted to recommend to full Council approval of both re-zoning applications with any future improvements or change of usage be brought to City Council's attention. City Attorney Radcliff reminded Council our Ordinances say there needs to be 2 Public Hearing for a re-zone like these. City did have 1 Public Hearing but was unaware of the requirement and will need publish and reschedule a 2nd one for before the June 7th meeting. **Motion by P. Syverson to defer action on this until we are able to schedule a 2nd Public Hearing, most likely prior to the June 7, 2021 meeting, 2nd by J. Anderson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Blair Business Owner request for exception be allowed for Aquatic Center attendance, even though living outside of the BTSD district. After much discussion the Council decided they cannot make an exception but would like to try opening up to all patrons, not just BTSD, but keeping the 50% attendance at one time rule in place. Typical attendance last year did not hit the 50% mark. The change to open attendance @ 50% cannot be acted on until the June 7th meeting since it was not noticed on this agenda. Council plans to act on the change at the June 7th meeting. **Motion by M. Lisowski to table until Park Committee discusses again if they need to or June 7th meeting with hopes to open up to all @ 50% capacity at one time, 2nd by P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on City Deer update & CWD program enrollment: Hulda our deer that had to be euthanized for 2 positive TB tests, after state autopsy testing we are told she did not have TB, but an environmental organism with a different bacteria. The quarantine will be lifted, this organism is not likely to infect the other deer. The issue at hand at this point is our deer need a 2nd ear tag for CWD program compliance, the deer have to be tranquilized to be tagged, our Veterinarian Service is very hesitant to tranquilize our deer again for a tag, it can be very risky. We checked with the WI Department of Agriculture, Bureau of Animal Disease Control/Division of Animal Health they tell us **CWD program enrollment is not a requirement of having 'farm raised deer'**. The advantage is we are allowed to move live animals from the herd as long as all movement requirements are met. If we were not enrolled in the CWD Herd Status Program we could not move live animals from the herd except directly to a slaughter facility. She outlined a few points of a CWD enrolled herd and a herd that is non-enrolled: **CWD Enrolled Herd requirements:** Yearly registration (\$162.50), Herd record requirements, CWD testing requirements, Annual Census, Physical Inventory every 3 years, Herd Health letter, 2 forms of ID for all deer over 12 months of age, Allowed to move live deer from premises after 5 years of status, TB status (maintained by every 3 year testing and certification application (application fee \$150 for 3 years)), and certificate of veterinary inspection, double fencing requirement. **Non-enrolled Herds:** Yearly registration (\$85 for 15 or fewer animals, non-enrolled), Herd record requirements, CWD testing requirements, No live deer movement allowed anywhere other than to a slaughter facility, No TB status necessary (not moving live animals), Natural additions (animals born in the herd) do not need identification, except upon death and CWD test submission, No double fencing requirement. After discussion, **Motion by Dennis to stay in CWD program, 2nd P. Syverson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action: Re-visit 2020 City \$1,000 flex/health deductible benefit reimbursement for Chief K. Johnson, Employee benefit Company said we could put money back in to 2020, but Auditors say no. There is a lot of paperwork involved, if even allowed to change the 2021 contribution amount (still do not have that information). Hoping the Council will approve/Motion for a \$1,000 check (paid out of the City flexible spending account) to Kent Johnson to reimburse him for the 2020 flex benefit, that was missed at time of hire and is a normal new hire benefit. This amount would have been deducted during the 2020 budget year and will just be accounted for in 2021 instead. Auditors can do a journal entry if needed after 12/31/2021. **Motion by D. Stephenson to authorize Treasurer to issue a check from the City flexible spending account, to K. Johnson for up to \$1,000.00 upon submission of approved expense receipts, 2nd by C. Ekern. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on authorizing City Clerk to review and approve or deny Hen Licenses: Clerk explained we have a pretty detailed Ordinance 32.09 Keeping of Chickens that I can use to review and determine if permit should be allowed/denied. Ordinance calls for applications to be made to Clerk and Clerk shall collect fee/assess late fee if needed. Attorney Radcliffe reviewed Ordinance on Keeping of Chickens and advised the Clerk would have the authority to grant the licenses as long as applications met Ordinance requirements. **Motion by J. Anderson to authorize Clerk to review and issue Hen Licenses effective immediately, 2nd by M. Lisowski. Discussion: None. Vote: Yes 6, No 0. Motion approved.**

Discuss/Take Action on Building Permits: Linda Bautch @ 910 E. Broadway Street for 'deck addition/**Motion by M. Lisowski to approve from City zoning standpoint, with County or G.E.C. approved permit and inspection service copies returned to City office prior to start of project, 2nd by D. Stephenson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**'; Bryan Baldwin @ 226 E. Broadway Street for a metal garden shed; Steve Johnson @ 1011 A & B for front porch improvements: Clerk Frederixson shared both permits seem to meet Ordinance regulations as presented. **Motion by J. Anderson to approve both Baldwin and Johnson permits as long as they follow Ordinance guidelines, 2nd by M. Lisowski. Discussion: Attorney Radcliffe**

said once G.E.C. is on board these types of smaller project like changing deck board will not be needing a permit☺. Vote: Yes 6, No 0. Motion approved.

Discuss/Take Action on: Revisited 4/12/21 meeting Building Permits follow up: Clerk Frederixon reported prior to leaving on vacation I worked through issues with G.E.C. related to what was still required for them to be on board as our Building Inspection Service, they sent me the packet I found out this packet needs to be submitted to the State, they worked through the packet with me the same day and I am ready to send it into the state, as soon as the Ordinance needed for the submittal is published, it has been sent to TCT. Trempealeau County Land management has agreed to assist our residents with Residential type permits as before until the delegation changes. Francis Pyka @ 528 E. Broadway Street for security fence, should be ok as approved previously as his large lot has only 1 address; Ken & Mary Connor for expansion of Bathroom to include laundry, have been told about the County permit process; David Sampson @ 327 S. Peterson Avenue for foundation repair has been told about the county process; Nathan & Mara Lambright @ 909 E. Broadway Street for fence, are willing to withdraw permit application until Ordinance is revised hoping for ability to have all one height fence; Beth Johnson @ 501 Fourth Street for 2 Additions to current home/**Motion by J. Anderson to send Johnson permit to County for review/approval, 2nd by D. Stephenson. Discussion: None. Vote: Yes 6, No 0. Motion approved.**; Tanner Kidd @ 852 E. Taft Street for Egress Window/has been told about the County permit process & already completed it; Lannie Howe at 320 S Peterson Ave for fence, Council decided there wasn't enough information on permit application/has been told we are tabling the fence portion for further comparison to Ordinance **Motion by J. Anderson to refer permit to County for approval, 2nd by M. Lisowski. Discussion: None. Vote Yes 6, No 0. Motion approved.** *Clerk realized County does not review accessory structures a part of their responsibilities as UDC enforcement agent, it will need to come back to Council at June 7, 2021 meeting.

Clerk report: Open book and B.O.R. were already reported on in # 11. At the 4/12 meeting Dave reported a garage door in the creek, I gave Randy Ekern a call to ask him to check it out and he said he had done that a day or two after the street meeting☺. Sand Mine Financial Assurance verification: I checked with Attorney Radcliffe and he agrees the Hi Crush financial assurances have been verified and are in good order. I am sending Attorney Radcliffe the information on Source Energy Services Financial Assurances that I have on file and he will assist me with verification on those, but that is not complete yet, expect it to be worked on yet this week?

Discuss/Take Action on Provare' Marketing invoice/C. Ekern explained \$300 Logo & Slogan Creation and \$200 Facebook Page Creation are one time fees and were a planned expense, \$200 May Facebook Management will be a monthly amount and as things progress is hoped to be offset by business participation and cost sharing. Chris says these items were planned for and approved with the overall package with Provare helping the City of Blair have an 'electronic' presence and requests permission to pay out of the City 'Business & Economic Development Committee' fund. **J. Anderson motion to approve \$700 invoice # 95102 from Provare' Marketing, to be paid out of the City Business Economic Development Committee fund and continued monthly 'Facebook management' payment also out of that fund, 2nd by C. Ekern. Discussion: M. Lisowski asked for little more clarification of charges. 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. Roll Call Vote: J. Anderson-Yes, T. Wheeler-Yes, D. Stephenson-Yes, M. Lisowski-Yes, P. Syverson-Yes & C. Ekern Yes. Motion approved.**

Next Council meeting is June 7, 2021 @ 6:15 for Re-zoning public hearing and 6:30 pm for Regular Meeting Motion C. Ekern to adjourn meeting, 2nd T. Wheeler. Discussion: None. Vote: Yes 6, No 0. Motion approved.