

MAY 13, 2003

The regular meeting of the Common Council was called to order at 7:30 p.m. by Mayor Fanta with Alderpersons Hatlem, Molland, Frie, Bjerke, Mack, Noble, Suhr, Zastrow and Smith present. After a correction of a grammatical error in the April 29, 2003 Council minutes, a motion was made by Suhr, seconded by Smith to approve the minutes of the April 29th Council meeting and May 5th special Council meeting as mailed. All aye, motion carried.

Motion made by Zastrow, seconded by Mack to appoint Jodi Garibaldi to the position of City Clerk/Treasurer effective May 27, 2003. Roll call vote. All aye, motion carried.

Sean Lentz of Ehler's and Associates addressed the Council regarding the issuance, sale and delivery of General Obligation Promissory Notes, Series 2003. Mr. Lentz reviewed the Council's action from the April 29th Council meeting where Resolution 825 was passed. Resolution 825 authorized Ehler's and Associates to solicit bids for promissory note not to exceed \$1,000,000. Lentz said the information was submitted to 6 banks in the Viroqua/Westby area with 2 banks responding with bids. The State Bank of Viroqua submitted a bid with an interest rate of 1.95%, and Fortress Bank of Westby submitted a bid with an interest rate of 2.99%. Mr. Lentz recommended accepting the bid of the State Bank. Lentz then explained that the next step in the process would be to refund this issue along with the \$400,000 State Trust Fund loan of 2000 and the \$153,000 General Obligation Promissory note of 2001. Lentz also explained that approximately 2/3's of the \$956,000 promissory note will go to replenish the draw down of the fund balance and that the other 1/3 would be used for 2003 capital projects. Also, if all the funds for 2003 capital projects are not spent, they can be carried into 2004 and 2005. Alderperson Frie asked what the closing costs would be. Lentz said there are no closing costs involved with this issue, but there will be closing costs for the refunding. Alderpersons Smith had some questions regarding procedure if the City decided not to carry out the process.

Motion made by Molland, seconded by Zastrow to approve Resolution 826, a resolution authorizing the issuance of a promissory note in the amount of \$956,000 from the State Bank of Viroqua at an interest rate of 1.95%. Roll call vote was taken. 8 ayes and 1 nay with Alderperson Smith voting no. Motion carried.

Mr. Lentz addressed the Council regarding soliciting bids for the \$1,475,000 General Obligation Refunding Bonds, Series 2003. The refunding would combine the \$956,000 Promissory Note, Series 2003, the \$400,000 State Trust Fund Loan of 2000 and the \$153,000 General Obligation Promissory Note of 2001. Any action at this time only authorizes Ehler's to solicit bids for the refunding. Any final action for the actual refunding would occur at the June 24, 2003 Council meeting. Alderperson Molland asked if the interest rates for refunding would be fixed, and what kind of savings the City would be looking at. Mr. Lentz said the interest rates would be fixed, and the City could expect to save at least \$30,000 in interest on the Trust Fund Loan. Alderperson Smith asked what the City's costs for the issuance of the Bond would be. Lentz said the cost would be around \$21,000. Alderperson Frie questioned if this refunding should be postponed until the City has a better handle on the 2004 budget. Motion made by Hatlem, seconded by Molland to approve Resolution 827, a resolution authorizing Ehler's and Associates, Inc to solicit bids for \$1,475,000 General Obligation Refunding Bonds, Series 2003. Alderperson Smith suggested holding off on the issue and perhaps getting a line of credit instead. Smith was bothered by paying for minor things as capital

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projects and then borrowing funds to cover the expenses. Smith suggested choosing a few big expense items and borrowing money for those expenses only. Administrator Brown said that the course of action presented by Mr. Lentz is a recommendation of City Auditor Jack Vig, Ehler's & Associates, Inc and himself. Roll call vote on the motion to

approve Resolution 827. 8 ayes and 2 nays with Alderpersons Frie and Smith voting no. Motion carried.

Aldersperson Smith reported on the Comprehensive Planning Commission to the Council. Smith reviewed the history of the Commission and the survey that had been sent out with the tax bills. Smith reported that the agreement to have Mead & Hunt be the consultant for the plan preparation has not been finalized because of an issue over up-fronting the cost. Administrator Brown said the appropriate Council Committee should meet to make a decision on finalizing the agreement.

Aldersperson Mack reported that the Public Safety Committee had met with Police Chief Rahr regarding an ordinance to deal with the use of compression brakes in the City. Motion made by Mack, seconded by Zastrow to approve Ordinance 547, an ordinance prohibiting the use of compression brakes in the City of Viroqua. Police Chief Rahr said that many communities had this ordinance because of the noise issue. Rahr said that City Attorney Jenkins had drawn up the ordinance. Aldersperson Suhr said he was against noise, but he was also against this ordinance. Aldersperson Frie explained the process of using a compression or "jake" brake. Aldersperson Zastrow said that many residents of his ward live on Main Street and have talked to him about this problem. A voice vote on the motion resulted in a no vote requiring a roll call vote on the motion. 7 ayes and 2 nays with Alderspersons Frie and Suhr voting no. Motion carried.

Aldersperson Mack reported that the Public Safety Committee had regarding a dangerous dog ordinance. Mack said the ordinance before the Council was a combination of ordinances from several municipalities. Motion made by Mack, seconded by Suhr to approve Ordinance 548, an ordinance regarding dangerous dogs. Aldersperson Hatlem said it was important for the City to have an ordinance like this. Aldersperson Smith asked where the model for the ordinance came from. Aldersperson Zastrow said that Kate Bonny who works at the dog shelter and is a member of Pals For Pets, did most of the work. City Attorney Jenkins and Police Chief Rahr also reviewed the ordinance for modification. All aye on the motion to approve Ordinance 548. Motion carried.

Motion made by Molland, seconded by Suhr to approve a regular bartender's license for Sandra Johnson. All aye, motion carried.

Motion made by Molland, seconded by Suhr to pay the bills as audited by the Finance Committee. Roll call vote. All aye, motion carried.

Under period for public comment, Fran Dieter, President of the Library Board, provided a hand out to the Council regarding clarification of library items from the May 5, 2003 special Council meeting.

At 8:22 p.m., a motion was made by Molland, seconded by Hatlem to adjourn until 7:30 p.m. Tuesday, May 27, 2003. All aye, motion carried.

Kathleen A. Sime, Clerk