

**JUNE 29, 2004**

**1. Roll call:**

The regular meeting of the Common Council was called to order at 7:30 p.m. by Mayor Larry Fanta with Alderpersons Roger Hatlem, Gail Frie, John Bjerke, Robert Suhr, Marc Polsean, Vernie Smith, Wes Mack, and Terry Noble present. Alderperson David Tryggestad was absent. Also present were City Clerk Jodi Garibaldi, City Attorney David Jenkins, City Consultant Jeff Gohlke, City Assessor Eugene "Bud" Bekkedal, Public Works Director Thomas Henry, Police Chief Mark Rahr, Edward Peterson, Marjorie Macasaet, Marvin McNeal, English Lutheran Evangelical Church, Mark Lepke, Thomas Wilson, Jan Rasikas, Dan Kanis, WVRQ, Broadcaster, and Bill Moffit.

**2. Approval of the minutes of the June 8<sup>th</sup> Regular Meeting of the Common Council:**

Motion made by Alderman Hatlem to approve the minutes of the June 8<sup>th</sup> Regular Meeting of the Common Council, seconded by Alderman Frie. All aye, motion carries.

**3. Approval of the minutes of the June 8<sup>th</sup> Finance/Personnel Committee Meeting:**

The minutes of the June 8<sup>th</sup> Finance/Personnel Committee meeting was approved at the committee level.

**4. First period for public comment:**

No public comment.

**5. Citizen petition regarding opposition to the Hwy 14/61 bypass:**

Citizens opposing the Hwy 14/61 present a signed petition to the Common Council with 400 signatures. Reasons for the opposition include: the downtown and main street businesses will suffer; increased safety hazards at crosswalks; high speed noise on outer limits; and farmlands will be destroyed. Alderperson Noble states that the Viroqua Partners unanimously opposed the Viroqua/Westby bypass. Alderperson Hatlem says that the Department of Transportation has determined that the traffic on Main Street will double in the next few years. Alderperson Noble mentions that the bypass is supposed to ease traffic in the main street area, but the four-block downtown area is the only bottle-neck on Hwy 14/61 and the study was done before the four lanes were added surrounding the four-block downtown area. Alderperson Suhr made the comment that there are four semi-trucks for every car that drives in the city and the city should try to get the semi-truck traffic out of the main street area in case of a tanker accident.

**6. Public hearing and council action on Sanwick conditional use request:**

Public hearing opened at 7:48 p.m. Plan Commission recommends approval for the conditional use request for Jeff and Cheryl Sanwick. Motion made by Alderperson Frie to approve the conditional use to allow a residence in a commercial district, seconded by Alderperson Noble. All aye, motion carries. Public hearing closed at 7:50 p.m.

**7. Public hearing and council action on English Evangelical Lutheran Church conditional use request:**

Public hearing opened at 7:50 p.m. Mark Lepke describes the project of incorporating a school in the church. Tom Wilson expresses his support for the school, but would like the church to consider a design to direct lighting appropriately. Mr. Gohlke would like to see the church set-up a drive through area for dropping off and picking up children to keep it off of the street. Motion made by Alderperson Noble to approve the conditional use to a school in the church, seconded by Alderperson Polsean. All aye, motion carries. Public hearing closed at 7:55 p.m.

**8. Public hearing and council action on Pleasant Ridge Waldorf School conditional use request:**

Public hearing opened at 7:55 p.m. The Plan Commission recommends denial of the conditional use request by Pleasant Ridge Waldorf School due to the property in question having an offer pending. Motion made by Alderperson Hatlem to table the conditional use request until more information is attained, seconded by Alderperson Frie. All aye, motion carries. Public hearing closed at 7:58 p.m.

**9. Public hearing and council action on Bekkedal Court assessment:**

Public hearing opened at 7:58 p.m. Bud Bekkedal would like to see proper wording and a clear formula for the curb and gutter assessment ordinance to properly assess corner lots and does not agree with assessing engineering and seeding. Attorney Jenkins stated that the council adopted a preliminary resolution with an approximate engineering cost of \$5,000.00 and a lab and supply amount of \$18,421.20. Tom Henry approximates the assessment at \$12,000.00 on a front footage basis and the last three projects have been assessed for the full price. Attorney Jenkins read city ordinance 3.12.050(c). Motion made by Alderperson Frie to refer the rewriting of the ordinance to Public Property, seconded by Alderperson Mack. All aye, motion carries. Public hearing closed at 8:09 p.m.

**10. Council action on width of proposed street dedication on CTH BB: Richard Volden property:**

Alderperson Suhr explains that the right of way for the new jail is on the Richard Volden property. The Public Works Committee recommends the width to be 50' instead of 60'. Attorney Jenkins says that the surveyor was working on an acceptable width for the quit claim deed. A 50' road does not provide parking. Motion made by Alderperson Mack approves the width of 50' for the road to the new jail, seconded by Alderperson Suhr. All aye, motion carries.

**11. Resolution regarding the Viroqua Food Cooperative's development of the former Whey Plant site located at East Broadway and North Main in TID No. 4 (04RS001):**

Mr. Gohlke reviews the resolution with the council. The financial institution and the Viroqua Food Cooperative will provide the \$200,000.00 for the construction so there is no cost to the city. Jan Rasikas, from the Food Cooperative, describes the project with a parking lot to provide approximately 30-33 parking spaces. She also extends her appreciation for all of the city's support to the project. Tom Henry offers to locate the water and sewer lines. Motion made by Alderperson Frie to adopt Resolution 04RS001, seconded by Alderperson Hatlem. All ayes, motion carries.

**12. Resolution regarding City water/sewer services outside the corporate limits (04RS002):**

Resolution 04RS002 would require annexation to the City of Viroqua in order to receive City water and sewer services if located outside the corporate limits. Motion made by Alderperson Polsean to adopt Resolution 04RS002, seconded by Alderperson Suhr. Alderperson Frie abstains from the vote on the basis that he is a Vernon County employee. 7 aye, 1 abstain vote by Alderperson Frie, motion carries.

**13. Center Street closing for Nelson Agri-Center's 50<sup>th</sup> Anniversary:**

Dan Kanis describes the 50<sup>th</sup> anniversary of Nelson Agri-Center, which will be the night of July 21<sup>st</sup> and all day July 22<sup>nd</sup>, 2004. The request includes closing Center Street for the block adjacent to the store. The Viroqua Food Cooperative is in favor of closing the street. Motion made by Alderperson Mack to close Center Street for the block adjacent to Nelson Agri-Center from 4:00 p.m., Wednesday, July 21<sup>st</sup> until midnight Thursday, July 22<sup>nd</sup>, 2004, seconded by Alderperson Hatlem. All aye, motion carries.

**14. Public Works Committee recommendation on paving Brendel Lane:**

Tom Henry approximates the paving of Brendel Lane to be \$8,000.00 and needs to coordinate the paving with the Department of Transportation. Motion made by Alderperson Hatlem to approve the paving of Brendel Lane, seconded by Alderperson Frie. Roll call, all ayes, motion carries.

**15. Airport runway marking resolution (04RS003):**

Edward Peterson reads Resolution 04RS003 regarding painting the markings on the airport runway. The painting will have no effects on the crack filling. Attorney Jenkins states that the insurance carrier must be notified concerning the liability for the duration of the painting project. Motion made by Alderperson Polsean to adopt Resolution 04RS003, seconded by Alderperson Frie. All aye, motion carries.

**16. Outdoor open burning ordinance (04OR001):**

Alderson Frie would like to see an amendment to Ordinance 04OR001 on the bottom of the first page, second paragraph. Motion made by Alderson Frie to approve the amendment to Ordinance 04OR001, seconded by Alderson Mack. All aye, motion carries.

Motion made by Alderson Mack to approve Ordinance 04OR001 with the amendment, seconded by Alderson Polsean. All aye, motion carries.

Motion made by Alderson Hatlem to recommend the Public Safety Committee to revisit Ordinance 04OR001 for amendments, seconded by Alderson Smith. All ayes, motion carries.

**17. Alcohol beverage licenses:**

Police Chief Rahr hands out a spreadsheet outlining the recommended alcohol beverage license applications. The Public Safety Committee recommends the new “Class C” license for Pizza Hut for approval. Motion made by Alderson Mack to approve the “Class C” wine license for Pizza Hut, seconded by Alderson Noble. 7 aye, 1 nay vote cast by Alderson Smith, motion carries.

Motion made by Alderson Mack to approve the renewal Class “B” beer license applications for Pizza Hut, Bella Luna Pizzeria, Veterans of Foreign Wars, and Viking Inn Supper Club; “Class C” wine license application for Bella Luna Pizzeria; and “Class B” liquor license applications for Veterans of Foreign Wars and Viking Inn Supper Club; seconded by Alderson Noble. All aye, motion carries.

The Public Safety Committee recommends approval of the Temporary “Class B” picnic license for the Viroqua Area Hockey Association with the condition that the organization provides a detail description of the area that will be designated for the sale of alcohol. Motion made by Alderson Mack to approve the Temporary “Class B” picnic license for the Viroqua Area Hockey Association with the condition that the organization provides a detail description of the area that will be designated for the sale of alcohol, seconded by Alderson Noble. Roll call, 5 aye, 3 nay votes cast by Aldersons Smith, Hatlem, and Suhr, motion carries. Alderson Hatlem does not approve the sale of alcohol to support athletics for children.

Motion made by Alderson Mack to approve the miscellaneous licenses, seconded by Alderson Bjerke. All ayes, motion carries.

The Public Safety Committee recommends the denial of the Temporary “Class B” and Class “B” picnic license for Lee Nerison because the Lee Nerison campaign does not fall within the requirements under the state licensing law. Motion made by Alderson Noble to disallow the application for Lee Nerison under the recommendation of legal council, seconded by Alderson Mack. 7 aye, 1 abstained vote by Gail Frie, motion carries.

Motion made by Alderson Mack to approve the Class “A” beer and “Class A” liquor license application for La De Da, seconded by Alderson Noble. Attorney Jenkins stated that the City has two available “Class A” liquor licenses to issue and the two licenses have already been issued. The City would have to amend the ordinance to allow more than two “Class A” liquor licenses to be issued.

Alderson Mack amends his motion to approve the Class “A” beer license application for La De Da, seconded by Alderson Noble. 7 aye, 1 nay vote cast by Alderson Smith, motion carries.

Motion made by Alderson Noble to table the “Class A” liquor license application for La De Da until the ordinance is amended, seconded by Alderson Mack. All aye, motion carries.

Motion made by Alderson Mack to disallow the Temporary “Class B” picnic wine license for ARTT due to the limited number available for the year and to allow the Temporary Class “B” picnic beer

license for ARTT, seconded by Alderperson Hatlem. Roll call, 7 aye, 1 nay vote cast by Alderperson Smith, motion carries.

**18. Operator's licenses:**

The Public Safety Committee recommends five new operator's license applications. Motion made by Alderperson Mack to approve the new operator's license applications for Maggie Busch, Breanne Conley, Athena Tudor, Justin Olson, and Allison Miller; seconded by Alderperson Noble. All aye, motion carries.

The Public Safety Committee recommends fifteen renewal operator's license applications. Motion made by Alderperson Mack to approve the renewal operator's license applications for Erica Jakobsson, Gregory Tudor, Louise Iverson, Laura Tryggestad, Lora Dolan, Elden Traastad, Lynn Hemmersbach, Todd Johnson, Marlene Favor, Mark Favor, Richard Reed, Patricia Knutson, Dale Royer, Cynthia Juno, and Sarah Joyner; seconded by Alderperson Bjerke. All aye, motion carries.

**19. Update on David Engel project at 224 STH 56 and referral of conditional use and rezoning request to the Plan Commission:**

Mr. Gohlke explains the project at 224 STH 56. Motion made by Alderperson Frie to refer the issue to the Plan Commission, seconded by Alderperson Noble. All aye, motion carries.

**20. Resolution regarding municipal exemption to county library taxes (04RS004):**

Motion made by Alderperson Frie to approve Resolution 04RS004, seconded by Alderperson Hatlem. All aye, motion carries.

**21. Bush Campaign Security Bill:**

Alderperson Frie states that the Finance/Personnel Committee recommends the amount of approximately \$4,000.00 be charge to the Bush Campaign. Motion made by Alderperson Frie to charge the approximately \$4,000.00 to the Bush Campaign, seconded by Alderperson Polsean. 7 aye, 1 nay vote cast by Alderperson Smith, motion carries.

**22. Review permitted uses in all zoning districts:**

Motion made by Alderperson Frie to table the issue until further notice, seconded by Alderperson Noble. All aye, motion carries.

**23. Mayor to reappoint Bob Peterson to the Housing Authority:**

Mayor Fanta recommends that Bob Peterson be reappointed as a member of the Housing Authority. Motion made by Alderperson Frie to table the issue until further notice, seconded by Alderperson Polsean. All aye, motion carries.

**24. Payment of Bills:**

Motion made by Alderperson Frie to pay bills, seconded by Alderperson Noble. Roll call vote, all aye, motion carries.

**25. Second Period for public comment:**

Alderperson Suhr updates the council that the Library has given up on the go-cart racing at the South Main Street Library property.

**26. Adjournment:**

Motion made by Alderman Hatlem to adjourn the council meeting until 7:30 p.m. Tuesday, July 13<sup>th</sup>, 2004, seconded by Alderman Frie. All aye, motion carries. Meeting adjourned at 10:03 p.m.

Jodi L. Garibaldi

City Clerk