

COMMON COUNCIL
CITY OF INDEPENDENCE, WISCONSIN
Meeting Minutes

The Independence City Council met in regular session on Monday, May 6, 2024 at 6:15 p.m. in the Council Room of City Hall.

Meeting Minutes

Call to Order

- Mayor Baecker presided

Roll Call of Members

- Deb Marsolek, Tim Hanson, Jason Ekern, Cleo Skroch, Linda Longmore, and Randy Symicek. Also present were Attorney LaVerne Michalak, City Clerk Tiffany Bautch, Elain Conrad, Ann Miemietz, Alan Pzybylla, Leon Prybylla, Rita Boland, Bob Pietrek, Kayla Mathson, Bianca Najera, Elvecia Najera, Police Chief James Waniorek, and Luis Gonzalez from the Trempealeau County Times.

Proof of Giving Public Notice Given.

Approval of Agenda:

- Motion by Ekern and seconded by Skroch to approve agenda sent. Motion carried. 6-0

Approval of Minutes:

- Motion by Marsolek and seconded by Hanson to approve the minutes of the April 1, 2024 City Council minutes with corrections. Motion carried. 6-0

Public Comments:

- Leon Prybylla addressed council of concern regarding police report that was done on his rental property. Follow up meeting with Attorney Michalek, Mayor Baecker, Chief Waniorek, and Prybylla will be address Monday, May 10th.
- Rita Boland and Ann Miemietz addressed council on concerns with the garbage committee and the timeframe of the dumpster ordinance and how things are getting done.
- Elvecia Najera addressed council on what steps she needs to do in order to get La Hacienda back to an operating alcohol licensing facility. Attorney Michalek commented that the re-zoning of the property would be the first step of many along with fire and health inspections would need to be addressed. Attorney Michalek could work with council down the road if property owner decides to go through the re-zoning process when they have their personal affairs in order.

Old Business:

- **Block One Alley**
 - SEH has still not Surveyed the property.
 - Mayor called SEH again and they are scheduled to come Tuesday, May 7th.
 - Review at June Meeting.
- **Lake Dredge**
 - Pending DNR review and permits to determine the next phase of project.
 - Review at June Meeting.
- **Dumpster Ordinance Amendment**
 - Garbage Committee met in April to review changes to Tri-City dumpster revisions. Determination of contract is as follows.
 - Residence with businesses will be included into the contracts. Meaning farmers with dumpsters would be exempt.

- One residential property name can be associated with one dumpster to a property contract only. Multiple residential properties can NOT be associated to the same dumpster location due to bridging the City contract with Tri- City Sanitation LLC. We want to respect their business and not allow residents to start side businesses.
- Discussion was had around the timeframe this process has taken and ways the council and committee when around handling this process within the community.
- **Evaluation TIF District**
 - Discussion was had on ways to sell the lots on Markham addition.
 - Discussion was had around adjusting the lot size of Lot 20 and Lot 21 at the top of the addition to make them more marketable.
 - The council would like to review the lot prices in their current prices.
 - Review at June Meeting.

New Business:

- **Extension of Backwood Covenants**
 - Discussion was had on the status update of where Backwoods Development is on selling the properties in the Markham addition.
 - Ekern commented he understands the ask and who is asking for this; regardless outside of who is asking; extension has been given multiple times.
 - Motion by Longmore and Seconded by Marsolek to Deny Backwood Development request for another year rental extension. End of the rental covenants will be completed July 31, 2024. Motion Carried 6-0
- **Fire District/ City Responsibility**
 - Discussion was had regarding what responsibilities the City owns and what responsibilities the Fire Department owns vs being the Fire District.
 - Fire District contract is coming up and the City would like to review the current contract and the responsibilities that are held between the two parties.
 - This City will like to review and see what other departments have with there departments with City and Fire working relationships.
 - Attorney Michalek will look at the current Ordinance and Contract with the Fire Department and District.
- **City Signage**
 - Discussion was had on signage for residence with disabilities in town.
 - In the past, City Street Department would order them and put them up for the residents that request them however, it would be at the cost of the property owner requesting them.
 - Discussion was had on a status update on the Sister City and adding a sign to each entry way into town.
 - Attorney Michalek would look further for the June Meeting.
- **Tennis Court**
 - Estimate were presented to Council to fix tennis court and add pickle ball court.
 - Council moved this to add this to our Park Board to meet, discuss, and option to move forward with or not.
 - Review July Meeting.
- **2024 Streets Projects and City Truck Purchases**

- Discussion was had to repair the following street repairs:
 - 2nd Street- Black Top, Curb & Gutter. Water Dept. cover total cost.
 - 2 Blocks of Jefferson- Black Top, Curb & Gutter
 - 1 Block of Maddison- Black Top, Curb & Gutter
 - Seal Coat A-Street
 - Seal Coat 7th Street
- Motion by Hanson and seconded by Skroch to approve the 2024 street project as listed.
- Discussion was had regarding looking for a used pick up truck for the street department to replace the old blue chevy.
- Motion by Symicek and seconded by Skroch to approve the Street Department to purchase a used pick up truck no more than \$18,000. Roll Vote 2 Ayes and 4 Nays. Motion Denied
- Further discussion was had by Ekern of the concern why purchase a used pick up truck when we can utilize an new ATV or different kind of vehicle for multiple purpose use all year round.
- Table discussion back to Street Department to review for an ATV, Pick Up Truck, or Dual Utility Vehicle.
- **Amendments to Sewer Ordinance**
 - Discussion was had to Adopt the resolution to the Sewer Ordinance.
 - Motion by Hanson and Seconded by Ekern to adopt the resolution to the Sewer Ordinance as presented. Motion Carried by Roll Vote, 6-0
- **Designated DNR Financial Authorization for Applications**
 - Discussion was had to Adopt the resolution of the designated DNR financial authorization signer for application representative for the City.
 - Motion by Hanson and Seconded by Skroch to adopt the resolution to the DNR financial authorization application representative as presented. Motion Carried by Roll Vote, 6-0
- **Licenses and Permits**
 - **Building Permit**
 - The following applications for Building Permits were presented to Council for approval:
 - **Robert Mueller- 18x20 Carport Shed**
 - Motion by Skroch and seconded by Ekern to deny application presented and re-apply with accurate building measurements. Motion Carried, 5 Aye – 1 Ney
 - **Music Permit**
 - The following applications for Music Permits were presented to Council for approval:
 - **La Hacienda**
 - Motion by Marsolek and seconded by Longmore to approve music permit contingent of La Hacienda being operational inspected and up to code by Fire and County Health Department. Paperwork must be filed with City Hall by May 19th to clear building inspection as a fully operational building. Motion Carried, 5 Aye- 1 Ney
 - Motion by Hanson and seconded by Skroch to approve application presented. Motion Carried, 6-0
 - **Coin Operator License**

- The following applications for Coin Operator License were presented to Council for approval:
 - **Welcome Bar- Gerardo Cruz**
 - Motion by Hanson and seconded by Skroch to approve application presented. Motion Carried, 6-0
- **Bartenders License**
- The following applications for Bartenders License were presented to Council for approval:
 - **Erica Bauer- Welcome Bar**
 - Motion by Hanson and seconded by Ekern to approve application presented. Motion Carried, 6-0
- **Committee Reports**
 - **Water and Sewer Commission**
 - Review of grease trap ordinance to be published.
 - Discussions have been had with the Public School to work with the School try to find the steps of what is causing the high ammonia levels.
 - Review with SEH and Davy Engineering on the Water Waste Treatment Plant to determine next steps in updating the plant.
 - Approved purchasing a new computer for Utility Supervisor.
- **Correspondence**
 - None to Report
- **Approval of Invoices and Payroll**
 - Motion by Hanson seconded by Skroch to approve the bills as presented. Motion Carried on Roll Vote, 5 Aye - 1 Ney
- **Dates for Next Meeting**
 - Council Moved Thursday, June 6th at 6:15 p.m.
- **Items for Next Agenda**
 - Review and Possible Action: Block One Alley
 - Review and Possible Action: Lake Dredge
 - Review and Possible Action: Dumpster Ordinance Amendment
 - Review and Possible Action: TIF District Review
 - Review and Possible Action: Sister City Signage
 - Review and Possible Action: 2024 Street Projects
 - Review and Possible Action: City Vehicle Purchase
 - Review and Possible Action: Property and Lot Maintenance
 - Review and Possible Action: City Handbook
- **Closed Session:**
 - **Per Section 19.85 (1) (c) Wis. Statutes to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.**
 - **Per Wis. Stat. 19.85(1)(g) to confer with legal counsel for the City who is rendering advice concerning strategy to be adopted by the Council with respect to litigation in which the City is likely to become involved.**
 - Motion by Skroch seconded by Ekern to move into Closed Session.
 - Motion carried 6-0
- **Returned to Open Session**
 - Motion by Symicek seconded by Hanson to reconvene to open session.

- Motion carried 6-0
- **Possible Action from Closed Session**
 - Motion by Skroch and seconded by Longmore to approve City Clerk in progressing with presented Community Development Project and contacting property owner(s) for potential location. Research grant fundings and working with Independence Public Library on Community Conversation Forums.
 - Motion by Longmore and seconded by Symicek to extend part-time help of max of 3 days per week in City Clerk Office to help assist in day-to-day duties interim the Community Development Project deadline and contingent on part-time help agreeing to extending initial planned time with the City.
- **Adjournment**
 - Meeting adjourned at 9:38 p.m.

Tiffany Bautch, City Clerk