

REGULAR COUNCIL MEETING
March 12, 2008

Meeting called to order at 6:32 p.m. by Mayor Gerald Bauer
Roll Call: Present – Council Members Schofield, Schoonover, Polzer, Weissinger, Lieffring, and Gould.
A quorum was present. Administrator Gurney was also in attendance.

Due and proper notice of meeting was confirmed by the administrative staff.

Pledge of Allegiance

Public Comment – None.

Scheduled Appearances: None.

Appointments:

Motion by Council Member Polzer, seconded by Council Member Gould to confirm the appointment of Corine Bien as a Chief Election Inspector. Motion carried by unanimous voice vote.

Motion by Council Member Schoonover, seconded by Council Member Weissinger to confirm the appointment of Poll Workers: Esther Lindstrom, Marge Traun, Juanita Kremer, and Betty Myers. Motion carried by unanimous voice vote.

Motion by Council Member Schofield, seconded by Council Member Schoonover to confirm the appointment of Bill Hoeser to the Park Board. Motion carried by unanimous voice vote.

Public Hearings:

Mayor Bauer called the public hearing to order at 6:35 p.m. for the applications for Temporary Class B Liquor Licenses for the Laura Bechel Benefit as requested by Four the Kids, Herb Schneider – agent. Clarification was provided by Administrator Gurney that the application for a picnic license must be issued to organizations that meet the requirements of Wis. Stats. 125.51(10). Clarification was provided that the benefit event will take place at the Masonic Lodge building on Saturday, March 15th. Administrator Gurney verified that the applications were complete and that the proper notices were provided. Seeing that no one else wished to speak, the public hearings were then closed at 6:40 p.m.

Administrator's Report:

Administration-

Motion by Council Member Lieffring, seconded by Council Member Polzer to approve the Temporary Class B Liquor Licenses as requested. Motion carried by unanimous voice vote.

Discussion regarding the applications for Operator's Licenses. Motion by Council Member Schoonover, seconded by Council Member Weissinger to approve Operator's Licenses for Curt Radle and Sharlene Dock. Motion carried by unanimous voice vote.

Community Development-

Motion by Council Member Schofield, seconded by Council Member Lieffring to convene into closed session at 6:45 p.m. pursuant to Section 19.85(1)(e) Wis. Stats. for the purpose of discussing development negotiation updates for TID #3 and related economic activity within the City of Durand. Administrator Gurney, Engineer Charlie Jones, Legal Counsel John Behling, Mark Pomerence, Brian Wogernese, and Dan Ross were invited to stay. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously. A motion was made by Council Member Schoonover, seconded by Council Member Schofield to reconvene into open session at 7:28 p.m. Motion carried by unanimous voice vote.

Motion by Council Member Schoonover, seconded by Council Member Schofield to approve a Developer's Agreement with the Durand Hotel Group, LLC, Mark Pomerence - WHG Company as agent, contingent on final revisions and additions being completed by Legal Counsel and reviewed and approved by Mayor Bauer and Administrator Gurney. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously. Mayor Bauer noted that the proposed project will redevelop the Hardees property along Prospect Street into a new 31-room Cobblestone Inn & Suites hotel property with a value of at least \$1,600,000. Mayor

Bauer thanked the developer for their interest in the City of Durand and for a mutually beneficial negotiation process. Several Council Members shared the same sentiments and thanked Mayor Bauer and Administrator Gurney for all of their efforts in bringing a new hotel to the City of Durand.

Consideration of the establishment of an adult daycare facility by Gay Hurlburt. Mayor Bauer noted that the Plan Commission had voted to recommend approval by unanimous vote. Administrator Gurney provided background on the request. Motion by Council Member Gould, seconded by Council Member Weissinger to approve the conditional use permit request. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously.

Consideration of the site plan and development project for 26 new units of housing on Lots 5-8, Country Lane Addition. Administrator Gurney reviewed the conditions as offered by the Plan Commission as part of their approval. Motion by Council Member Schofield, seconded by Council Member Gould to approve the development project with the following conditions: 1. Ensure conformity to side yard setbacks. 2. Make the necessary changes to driveway opening widths to comply with the ordinance requirements, specifically not to exceed 50% of the width of each lot. 3. Require that storm water and erosion control plans be prepared and submitted to the City Engineer for review and approval. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously.

Consideration of an RLF Economic Development Loan to Adam Richardson for purchase of Bob's Spur Service on Prospect Street. Administrator Gurney provided the background of the request. Motion by Council Member Schoonover, seconded by Council Member Lieffring to approve the request. Roll Call Vote: 5 ayes, 0 nays, Council Member Schofield abstained. Motion carried unanimously.

Finance-

Motion by Council Member Weissinger, seconded by Council Member Schofield to approve the February Ambulance write-offs in the amount of \$1,244.09. Motion carried by unanimous voice vote.

Park Board-

Administrator Gurney provided the 2007 Annual Report for the Tarrant Park Pool. Motion by Council Member Polzer, seconded by Council Member Lieffring to approve the annual report.

Consideration of approving the Pool Staff and wages for the 2008 season as recommended by the Public Welfare Committee/Park Board. Motion by Council Member Weissinger, seconded by Council Member Schofield to approve the staff and wages as submitted. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously.

Consideration of setting the fees for the Tarrant Park Pool for the 2008 season. Increases to individual and family season passes and to the daily fee for adolescents aged 5-17 were reviewed. Motion by Council Member Lieffring, seconded by Council Member Gould. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously.

Motion to authorize the purchase of the 2008 capital outlay items for the Tarrant Park Pool as budgeted. Motion by Council Member Schoonover, seconded by Council Member Schofield to approve authorization. Motion carried by unanimous voice vote.

Consideration of approval of a new diving board. Administrator Gurney indicated the diving board had not been budgeted and provided information on the funding for the board and the overall capital outlay budget. As a result of a donation from Tom and Kathy Gianforte as well as a rebate incentive provided by Focus on Energy for the new thermal blanket, funds were available to purchase the new diving board at a cost of \$3,300 plus shipping. Motion by Council Member Gould, seconded by Council Member Weissinger to approve the purchase of the new diving board. Roll Call Vote: 6 ayes, 0 nays. Motion carried unanimously.

Public Safety-

Police – Ordinance # 488 to repeal Section 13.2.9 Juvenile Loitering and to recreate it as a Juvenile Curfew Ordinance was offered by Council Member Schofield. Motion by Council Member Gould,

seconded by Council Member Schoonover to approve Ordinance # 488. Roll Call Vote: 6 ayes, 0 naves. Motion carried.

Consideration of a request by Jody Olson on behalf of the Durand Tennis Team to close 14th Avenue between Prospect and Durand Streets for Tennis Tournaments on May 13th and 19th. Council Member Schoonover voiced concern relating to the delivery of mail and vehicles that park during events which block mail boxes. Discussion relating to the related parking issues for other events. Council Member Lieffring thought the issue could perhaps be resolved if the letter sent by the School District for the tennis tournaments could also provide a map of no parking areas and a request not to block mail boxes. Motion by Council Member Lieffring, seconded by Council Member Polzer to approve the request with the requirement that invites being sent out by the school contain information as to where parking is allowed and a request not to block mail boxes. Roll Call Vote: 5 ayes, 1 naye. Motion carried.

Fire – Motion by Council Member Schofield, seconded by Council Member Weissinger to approve the 2007 Annual Report for the City/Rural Fire Department. Motion carried by unanimous voice vote.

Public Utilities-
No report.

Public Works-
Administrator Gurney reported that contact had been made with the WisDOT and that the remaining railing for Chippewa View Park would not be received until May or June. Also, the jurisdictional transfer was discussed.

Engineer's Report:
Charlie Jones from Cedar Corporation was present to discuss the Chippewa Riverwalk Project. A second Public Input Meeting for the Riverwalk Project is being planned. However, schedule coordination with the DNR and Army Corp. has not been completed as of yet. As a result, no meeting date was set. Mr. Jones also indicated that Cedar has been working on title work for property along the project route and would have more information soon.

Consideration of approval to write a grant application to the Wisconsin Department of Commerce for phase II of the Riverwalk project. Motion by Council Member Schofield, seconded by Council Member Polzer to authorize Cedar Corporation to submit a grant application for the Waterfront Program at a cost not to exceed \$1,000. Costs of the grant application would utilize the budget Riverwalk outlay account. Motion carried by unanimous voice vote.

Mayor's Report:

Mayor Bauer acknowledged the Thank You card and membership received from DIG. Mayor Bauer also thanked the Council for all of their efforts and willingness to work cooperatively over the last two years.

Previous Minutes:

Motion by Council Member Polzer, seconded by Council Member Schofield to approve the Council minutes from February 13th and February 27th. Motion carried by unanimous voice vote.

Vouchers:

Motion by Council Member Schofield, seconded by Council Member Gould to approve the vouchers as presented. Roll call vote: 6 ayes, 0 naves. Motion carried unanimously.

Donna West commented that she was very satisfied with the Council's activities and the Hotel project.

Motion to adjourn by Council Member Gould, seconded by Council Member Schoonover at 8:58 pm. Motion carried by unanimous voice vote.

Lance Gurney
Administrator/Clerk