

**REGULAR COUNCIL MEETING**  
**June 11, 2008**

Meeting called to order at 6:32 p.m. by Mayor Gerald Bauer

Roll Call: Present – Council Members Schofield, Lieftring, Polzer, Weissinger, and Gould. A quorum was present. Administrator Gurney was also in attendance.

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

Motion by Council Member Gould, seconded by Lieftring to adopt the agenda as submitted. Motion carried by unanimous voice vote.

**Pledge of Allegiance**

**Public Comment** – None.

**Scheduled Appearances:** Patrol Officers Joshua Christenson and Charles Pollock were present to accept Certificates of Commendation for their roles in apprehending a group of four individuals linked to a series of break-ins and theft in Buffalo County. They were accompanied by Sergeant Silberhorn-Anderson and Reserve Officer Casey Campbell. Council Member Polzer, Chair of the Safety Committee, presented the certificates to the officers on behalf of the City of Durand.

**Public Hearings:**

Mayor Bauer called a public hearing to order at 6:40 p.m. for issuance of alcohol/liquor licenses within the corporate limits of the City of Durand. Administrator Gurney reviewed the applications for Class B Liquor Licenses, Class A Liquor Licenses, Class A Fermented Malt Beverage Licenses and Class B Fermented Malt Beverage Licenses. Gurney stated that the applications had been reviewed and approved by the Police Department and that no objections or claims had been filed with the City following the proper notice of the pending licenses. Mayor Bauer then closed the public hearing at 6:43 pm.

**Administrator's Report:**

Administration-

Consideration of Liquor and Alcohol Licenses. Motion by Council Member Polzer, seconded by Council Member Lieftring to approve all alcohol and liquor licenses as presented with the condition that River's Edge (formerly Curgin's) be approved subject to the applicant closing on the property on June 16, 2008. Roll Call Vote: 5 ayes, 0 nays. Motion carried unanimously.

Consideration of Dance Licenses. Motion by Council Member Gould, second by Council Member Lieftring to approve the Dance Permits as presented. Motion carried by unanimous voice vote.

Consideration of approval of operator's licenses. Administrator Gurney reviewed the applications and indicated all applicants had met the background investigation requirements. Motion by Council Member Schofield, seconded by Council Member Weissinger to approve the operator licenses as submitted. Motion carried by unanimous voice vote.

Consideration of request by Pepin County Historical Society to allow overnight camping in Washington Square for craft demonstrators associated with the Pepin County Sesquicentennial Event on August 9<sup>th</sup>. The camping request is for Friday night, August 8<sup>th</sup>. Motion by Council Member Lieftring, seconded by Council Member Gould to approve the camping request for the Pepin County Sesquicentennial. Motion carried by unanimous voice vote.

Faye Owen, representing the Durand Royalty, was accompanied by 2007 Miss Durand Joslyn Fedie and 2007 Princesses Samantha Kothbauer and Sarah Knecht. Owen presented the 2007 revenue and expenditures report. Each of the Court Members then said a few words about the experience. Mayor Bauer and the rest of the Council congratulated the girls on a job well done and thanked them for representing the community so well.

### Community Development-

Consideration of RLF Economic Development Loan request #31 for the purchase of the Corral Bar. Administrator Gurney provided the background of the loan request and the terms of the loan. The Community Development Committee had reviewed the loan request and recommended approval. Motion by Council Member Polzer, seconded by Council Member Schofield to approve the request as presented. Roll Call Vote: 4 ayes, 0 nays with Council Member Weissinger abstaining. Motion carried.

### Finance-

Motion by Council Member Schofield, seconded by Council Member Weissinger to approve the May Ambulance write-offs in the amount of \$2,346.48. Motion carried by unanimous voice vote.

Consideration of request for a donation to the Blues on the Chippewa Event being planned in Durand August 2<sup>nd</sup>. Administrator Gurney reviewed the request and potential use of the proceeds for leasing porta pots for Memorial Park or for sponsoring the band at Chippewa View Park. Discussion regarding the need and quantity for porta pots at Memorial Park as well as Chippewa View Park. Motion by Council Member Gould, seconded by Council Member Lieftring to donate \$500.00 to the event. Motion carried by unanimous voice vote.

Consideration of Resolution #08-07 to amend the 2008 City of Durand General Fund Budget and create a new separate fund for the Chippewa River Enhancement Project. Administrator Gurney provided the background and rationale for the budget amendment. Council Member Schofield offered Resolution 08-07. Motion by Council Member Polzer, seconded by Council Member Gould to approve Resolution 08-07 as presented. Roll Call Vote: 5 ayes, 0 nays. Motion carried unanimously.

### Public Safety-

*Police* – Sergeant Silberhorn Anderson and Patrol Officer Charles Pollock provided the Council with a recap of the law enforcement activities associated with Fun Fest for 2008. There were 94 calls during the event with 18 charges and/or citations and 23 warnings issued. The Council thanked the Department for a job well done and also commended the staff for interacting with the general public during the event, specifically in Memorial Park.

Discussion and action regarding Resolution #08-08 to approve the Mutual Aid Box Alarm System (MABAS) Agreement was tabled until additional information can be obtained. The matter was referred to the Safety Committee.

Consideration of an increase to the Fire Response charge-out rate. The proposed increase of \$50 would result in a new base rate of \$300.00, which is consistent with the Rural Fire charge-out rate. Motion by Council Member Schofield, seconded by Council Member Gould to approve the \$50 increase and resulting rate of \$300.00. Motion carried by unanimous voice vote.

### Public Utilities-

Administrator Gurney provided information to the Council relative to the billing procedures currently followed for the Water and Sewer Utilities. Gurney indicated that much like all utilities, bill collection and disconnection is not allowed in Wisconsin between November 15 and April 15. As a result, the collection practices followed by Durand include a collection period in June of each year followed by the tax roll collections at the end of each year. Utility rates and the garden meter program were also discussed.

### Public Works-

Consideration of seal coating bids for Madison Street in 2008. Motion by Council Member Gould, seconded by Council Member Lieftring to accept the bid of Scott Construction in the amount of \$15,349.60. Roll Call Vote: 4 ayes, 0 nays. Council Member Schofield abstained. Motion carried. Noted, as part of the project, the Pepin County Highway Department will be repaving a few small areas prior to the seal coat. In addition, Pepin County will also do some crack sealing on 3<sup>rd</sup> Avenue West and Auth Street. A patch on 11<sup>th</sup> Avenue near the intersection with Goodrich and a hole on Washington where the buses unload will also be addressed.

Consideration of 11<sup>th</sup> Avenue East reconstruction project. Russ Kiviniemi was present for Cedar Corporation and indicated that most of the engineering had been completed for the road as part of the site design for Family Dollar. Construction staking will be necessary. As the project is less than \$25,000, the City does not need to bid the project and can contract with Pepin County Highway to complete. Motion by Council Member Weissinger, seconded by Council

Member Gould to approve the 11<sup>th</sup> Avenue east project with Pepin County Highway for a cost not to exceed \$20,000.00. Roll Call Vote: 4 ayes, 0 nays. Council Member Schofield abstained. Motion carried.

Council Member Schofield provided Public Works updates. A water break on Prospect Street has been addressed. The committee approved the trade-in of the skid steer to MDMA for a new Gehl on a similar lease program. The committee will also be looking at storm water issues and erosion problems in some of the ravines at the next scheduled meeting.

Engineer's Report:

Russ Kiviniemi from Cedar Corporation was present to provide updates on the Chippewa River Enhancement Project, 2<sup>nd</sup> Avenue reconstruction project, and the mapping project currently underway. A brief discussion regarding the storm water issues and the process to obtain grant funding from the state followed.

Mayor's Report:

Mayor Bauer discussed the bike ride between Menomonie and Durand on June 7<sup>th</sup>. Despite the weather, a group of approximately 25 individuals came to Durand and took part in some of the Fun Fest activities. The involvement from Durand was much smaller, most likely due to the numerous activities related to Fun Fest that same morning. Discussion has already begun for the event in 2009. Mayor Bauer also indicated that he had received numerous compliments regarding Fun Fest. He acknowledged Herb Schneider and all the folks involved with Fun Fest for a job well done. Council Member Polzer indicated that several of the businesses were not contacted about the street closures and the Tractor Pull. The Council discussed requiring a form of acknowledgement signed by businesses and property owners in the future for similar events.

Old Business:

Council Member Lieftring has been recently approached regarding dogs in Memorial Park and the fact that people do not clean up after their pets when they go for a walk. The City does have an ordinance on the books and may need to step up enforcement. The Council will be considering an ordinance which prohibits dogs and cats in Memorial and Chippewa View Parks. Council Member Lieftring also raised some concerns regarding the street closure and parking from the Tennis Tournaments as well as the residency requirements for City personnel.

**Previous Minutes:**

Motion by Council Member Weissinger, seconded by Council Member Lieftring to approve the Council minutes from May 14<sup>th</sup> and the Board of Review minutes from May 19<sup>th</sup> Motion carried by unanimous voice vote.

**Vouchers:**

Motion by Council Member Schofield, seconded by Council Member Lieftring to approve the vouchers as presented. Roll call vote: 5 ayes, 0 nays. Motion carried unanimously.

**Closed Session:**

Motion by Council Member Schofield, seconded by Council Member Weissinger to go into closed session at 8:56 pm pursuant to Wis. Stat. 19.85(1)(g) for the purpose of conferring with legal counsel with respect to the ERD Claim by former employee J. Weiland. Roll Call Vote: 5 ayes, 0 nays. Motion carried. Council Member Schoonover arrived at 9:15 pm. Motion to go into open session at 10:32 pm by Council Member Gould, seconded by Council Member Lieftring. Motion carried by unanimous voice vote. No action was taken as a result of the closed session.

Motion to adjourn by Council Member Schofield, seconded by Council Member Lieftring at 10:34 pm. Motion carried by unanimous voice vote.

Lance Gurney  
Administrator/Clerk