

REGULAR COUNCIL MEETING
May 14, 2008

Meeting called to order at 6:32 p.m. by Mayor Gerald Bauer
Roll Call: Present – Council Members Schofield, Schoonover, 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 Schofield, seconded by Schoonover to adopt the agenda as submitted.
Motion carried by unanimous voice vote.

Pledge of Allegiance

Public Comment – None.

Scheduled Appearances: Mr. Dick Ricci, legal counsel for the City of Durand, was present. Mr. Ricci announced that he will be retiring from practicing law in Wisconsin. He has served the City of Durand since 1968, spanning 40 years. Mr. Ricci shared several memories and comments with those in attendance regarding the City of Durand and his service. Mr. Ricci was joined by his wife Pat, his legal secretary Diane, and his partner Mr. John Behling, who now serves as the City's legal counsel. Mayor Bauer thanked Mr. Ricci for his 40 years of service to the City of Durand and presented him with a plaque to commemorate his service and efforts. Several other past Council Members were also present for the retirement recognition.

Public Hearings:

Mayor Bauer called a public hearing to order at 6:45 p.m. for the rezone petition submitted by Roy Wayne to rezone lands he owns in the Dan Brown Addition to the City of Durand from an R-1 zoning designation to a I-1 zoning designation. Administrator Gurney provided the background of the zoning request. In addition, Administrator Gurney read the three comments received in opposition to the rezone request from neighboring property owners. Mayor Bauer indicated that the Plan Commission had also recommended denial of the rezone request. Several neighbors were also in attendance and voiced concerns about the rezone and the desire for the request to be denied. Mayor Bauer then closed the public hearing for the rezone request.

Mayor Bauer then called a public hearing to order for the partial vacation of the easterly 16 feet of 11th Avenue East. Administrator Gurney provided the background of the vacation request. Steve Schwarz is a property owner along 11th Avenue East. He stated that he is not so concerned about the street vacation, but rather the storm drainage and grading of the new commercial development and the planned improvements to 11th Avenue East. He is also concerned about increased traffic on the street and the potential loss of on-street parking. He thought that maybe something could be done with some of the County owned land at the end of the street for truck turnarounds. Gary Smith was also concerned about drainage and potential ponding behind his building. Administrator Gurney indicated that the drainage issues would be taken into consideration when the street project is designed by Cedar Corporation and that they were already aware of the concerns in the area. The recommendation from the Plan Commission was to approve the street vacation. Mayor Bauer then closed the public hearing for the partial street vacation. The public hearings were closed at 7:00 pm.

In recognition of those in attendance who were present with regard to the public hearings, Mayor Bauer asked that the Council proceed to agenda items 8(e) 1 & 2 to take action on the issues discussed within the public hearings. Motion by Council Member Schoonover, seconded by Council Member Gould to deny the rezone request as submitted by Roy Wayne. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Council Member Polzer offered Resolution #08-03 Vacating and Discontinuing a Portion of 11th Avenue East between Prospect and Hardy Streets. Motion by Council Member Schofield, seconded by Council Member Weissinger to approve the resolution for a partial street vacation. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Administrator's Report:

Administration-

Consideration of Resolution #08-05 to express support of Wisconsin's 25 x 25 Goals for energy independence. Administrator Gurney provided some information regarding the State's initiatives to reduce energy consumption and generate 25 percent of our electricity and 25 percent of our transportation fuels from renewable resources by the year 2025. City vehicles with greater fuel economy, solar power and methane gas use were all discussed as opportunities. Resolution #08-05 was offered by Council Member Weissinger. Motion by Council Member Gould, seconded by Council Member Polzer to approve Resolution #08-05 to express support of Wisconsin's 25 x 25 goals for energy independence. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Consideration of approval of operator's licenses. Administrator Gurney reviewed the applications and indicated all three applicants had met the background investigation requirements. Motion by Council Member Gould, seconded by Council Member Schofield to approve the operator licenses for Nichole Stoudt, Derek Radle, and Tara Ballard. Motion carried by unanimous voice vote.

Consideration of temporary liquor licenses for Funfest and Funfest Garden Tractor Pull. Four the Kids had remitted payment for the 2007 event of \$500 and also submitted his tax statements. Both applications had been reviewed and approved after a background investigation. Motion by Council Member Schoonover, seconded by Council Member Weissinger to approve the temporary liquor license to Four the Kids for the Funfest beer garden. Motion carried by unanimous voice vote. Motion by Council Member Polzer, seconded by Council Member Schofield to approve the temporary liquor license for the Funfest Garden Tractor Pull. Motion carried by unanimous voice vote.

Administrator Gurney presented the streets requested to be closed for the Funfest celebration. The street closings had been reviewed and approved by Police, Public Works, and Fire Dept. staff. Motion by Council Member Schofield, seconded by Council Member Gould to approve the street closures for Funfest as presented. Motion carried by unanimous voice vote.

Community Development-

Consideration of RLF Economic Development Loan request #28 to Main Street Graphics. 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 Weissinger to approve the request as presented. Roll Call Vote: 4 ayes, 0 nays with Council Member Schoonover abstaining. Motion carried.

Consideration of RLF Economic Development Loan request #29 to Hurlburt's Haven, LLC. 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 Schoonover, seconded by Council Member Polzer to approve the request as presented. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Consideration of RLF Economic Development Loan request #30 to Brandon Weissinger for the purchase of Curgin's. 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 Schofield, seconded by Council Member Gould 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 April Ambulance write-offs in the amount of \$1,260.51. Motion carried by unanimous voice vote.

Consideration of request for a donation to the Pepin County Sesquicentennial Celebration in Durand August 9th. Motion by Council Member Schofield, seconded by Council Member Gould to donate \$250.00 to the event. Motion carried by unanimous voice vote.

Public Safety-

Police – Consideration of Proclamation designating May 15th as Peace Officers Memorial Day as part of the National Police Week. Motion by Council Member Schofield, seconded by Council Member Weissinger to approve the Proclamation. Motion carried by unanimous voice vote.

Discussion regarding a progress update for the 14th Street closing for the Tennis Tournament. It was reported that mail boxes had been blocked from vehicles parked on Durand Street. Staff were asked to follow-up with the School to again request that parking be monitored so as to not create congestion problems or the blocking of mail boxes on Durand Street during the event.

A concern was also brought up regarding vehicles parked on the wrong side of the street. The Police Department will be asked to increase enforcement of the issue.

Public Utilities-

Consideration of the Resolution to approve the Compliance Maintenance Annual Report for the City of Durand Municipal Wastewater Utility. Resolution #08-06 was offered by Council Member Schoonover. Motion by Council Member Schofield, seconded by Council Member Polzer to approve Resolution #08-06. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Consideration of cost estimates to repair the Country Lane lift station. Recommendation by the Finance Committee is to approve the quote from D2 Services in the amount of \$4,212.00. Motion by Council Member Weissinger, seconded by Council Member Schofield to approve the cost estimate to repair the Country Lane lift station in the amount of \$4212.00 by D2 Services. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Zoning-

Consideration of site plan and certified survey map approval for IDDurand, LLC for the new commercial development (Family Dollar) site. Administrator Gurney reviewed the site plan components including setbacks, off-street parking, signage, landscaping and storm water drainage. Motion by Council Member Schoonover, seconded by Council Member Weissinger to approve the CSM and site plan. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Consideration of certified survey map and covenants for the Fedie/Myers zero lot-line conditional use permit. Administrator Gurney reviewed the required elements of the CSM and covenants. Motion by Council Member Weissinger, seconded by Council Member Gould to approve the CSM and covenants as presented. Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Engineer's Report:

Kevin Myer from Cedar Corporation was present to discuss the Chippewa Riverwalk Project. A planning grant application has been submitted to the State of Wisconsin in order to obtain a planning grant to help develop a downtown redevelopment plan as part of the riverfront revitalization plan. Mr. Myer also distributed a few potential site designs for the Chippewa View Park improvements including a pavilion. A post clock feature as part of a traffic calming device or in the park as an alternative was also discussed. Administrator Gurney is working with Cedar Corporation and the DOT to find out for sure whether the project could commence this year. An update will be provided to the Council in June.

Mayor's Report:

Dennis and Jan Brunner were present. They wanted to know what can be done about the erosion and sediment that is being deposited on Auth Street. Administrator Gurney responded that the City was working on some solutions. One of the problems is that the City's water tower overflow needs to be addressed as well. The City is looking into some collective measures to address the issue.

Mayor Bauer had asked Council Members to consider what goals they would have for the next year. The responses ranged from improved signage to the successful completion of the numerous projects the City is currently involved with.

Council Member attendance at upcoming functions was also discussed, including the joint cities meeting to be held in Eau Claire on May 21st and the League of Municipalities Regional Dinner Meeting on June 5th.

Council Member Gould gave the Park Board report. The items discussed included updates for the Tarrant Park Pool, improvements to Chippewa View Park, the Bike Ride between Durand and Menomonie to celebrate National Trails day the morning of June 7th, the possible construction of a chimney swift tower in Tarrant Park, mural projects on several buildings in downtown Durand, the Blues on the Chippewa event scheduled for August 2nd, and a concern regarding animals in Memorial and Chippewa View Parks. An ordinance prohibiting dogs and cats within the parks is being considered due to health concerns.

Previous Minutes:

Motion by Council Member Schofield, seconded by Council Member Gould to approve the Council minutes from April 9th and April 15th with a change to the April 15th meeting minutes to remove the name Mark from the Plan Commission appointments. 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: 5 ayes, 0 nays. Motion carried unanimously.

Motion to adjourn by Council Member Schoonover, seconded by Council Member Schofield at 9:30 pm. Motion carried by unanimous voice vote.

Lance Gurney
Administrator/Clerk