COMMON COUNCIL MEETING  
June 8, 2010

Present: Hansen, Luskey, Peabody, Schraeder, Schueler, Werch, Will
Absent: Brockman, Miller
Others: City Administrator Barg, City Attorney Wurtz, Public Works Drake, Police Chief Lukoski

Mayor Will called the meeting to order at 7:00 p.m.

After the Pledge of Allegiance, Reverend Geoff Arnold gave the invocation.

Schueler moved and Peabody seconded a motion to approve the meeting agenda as presented. Motion carried 6-0.

Public communications and comment
Sharon Wiskow asked that the council review that portion of Chapter 8 of the Ripon City Code requiring petitions signed by 75% of persons within 200 feet of a residence for someone to be allowed to have more than 2 dogs, after some discussion council decided to take no action on this matter.

Presentation – Economic Development Issues (Brenda Hicks-Sorenson)
Brenda Hicks-Sorenson president of the Fond du Lac County, Economic Development Corporation (FCEDC) shared some thoughts and concerns regarding FCEDC’s efforts to work with the City of Ripon among the issues raised FCEDC’s difficulty in marketing the new business park given the possibility that a new hospital will be constructed on the south end of this park, and the city’s lack of a clear vision for economic development in other portions of the community. She also expressed concern that media reports of friction between the mayor and council may be detrimental to attracting businesses.

Consent calendar
Schraeder moved and Luskey seconded a motion to approve items #1 and #3 from the consent calendar. Motion carried 6-0.

Following Barg’s brief clarification of the licenses underlined and shown in bold print on the memo in the agenda Peabody moved and Luskey seconded a motion to approve the list of alcohol related licenses as presented subject to satisfaction of outstanding liquor wholesale bills in one case, and an understanding that a special license may soon be required for outdoor alcohol service related to several other licenses. Motion carried 6-0.

After some discussion regarding the requirement for building materials used on the front side of structures in the proposed light industrial area, along with the compatibility of uses concern raised by the FCEDC president earlier in this meeting, Peabody moved and Schueler seconded a motion to table consideration of covenants for the city’s new business park. Motion carried 6-0.

With these two motions, the Council approved the following items.

1. Reports from standing committees and staff
   a. Historic Preservation Commission minutes – April 5th, May 3rd
   b. Ripon Library Board minutes – May 4th
   c. Common Council minutes – May 11th & May 24th
   d. Plan Commission minutes – May 19th
   e. Community Development Authority minutes – May 24th
f. Park & Recreation Committee minutes – May 26th

g. Ripon Taxi – April

h. Ripon Area Fire District - April

i. Building Inspector’s report – May

j. EMS report – May

k. Police Department report – May

l. Senior Center report – May

m. City Administration reports
   1. Treasurer’s report – May
   2. Budget report – May
   3. Check register – May

2. Fermented malt beverage and/or alcohol beverage licenses (see attached)
   (Staff note: The attached sheets contain the list of annual licenses requested for the period from July 1, 2010 until June 30, 2011 for fermented malt beverages and intoxicating liquor.)

3. Request to modify subordination of a City loan – Advanced Paper Enterprise
   (Staff note: Advanced Paper Enterprise has a loan through the City’s revolving loan fund, and the company is in compliance with terms of its repayment plan. As noted on the attached letter, Hometown Bank is now working with Accurate Controls and Advanced Paper Enterprises to refinance existing loans to expand working capital, enabling both firms to grow further. The City Attorney and I have no objections to their request that our loan stay in place and subordinated to the proposed new debt structure, since our position is not compromised.)

4. Proposed covenants for the City’s business park at Hwy 44 and Douglas Street
   (Staff note: On May 11th, the Council reviewed proposed covenants to establish reasonable standards for land in the new business park, and Council was asked to provide its questions and concerns to the Mayor or City Administrator prior to June 8th. As of now, neither the Mayor nor I have received any comments, and if the covenants are acceptable, staff will work with the City attorney to put these into an appropriate format and record them as soon as possible.)

Request from Creative Enterprise Center for funding from TID #11 for Study
After some discussion Luskey moved and Hansen seconded a motion to deny a request from the Creative Enterprise Center of Ripon College for $750 to help fund a study on the benefit of non-profit entities in the City’s Downtown area. Motion carried 3-2 with Peabody and Schueler opposed and Schraeder abstaining.

Request to amend TID #7 project plan to add $200,000.00 for park improvements
Schraeder moved and Luskey seconded a motion to deny a request forwarded by the Park and Recreation committee to amend the TIF District #7 project plan to add $200,000.00 in anticipated project expenses for park improvements in the Sandmar village development, noting that there are other issues with this development that must be resolved first before an item such as this should be considered. Motion carried 6-0.

Request for $4,000.00 in contingency funds for trees/netting at Barlow Park field
Luskey moved and Schraeder seconded a motion to deny a request from the Park and Recreation committee for up to $4,000.00 in contingency funds for improvements to the baseball field at Barlow Park including planting trees behind the center field fence and extending netting behind home plate to the third base dugout. Motion carried 6-0.
**Ordinance – Create Chapter 6.34 (Outdoor service/beer gardens/sidewalk cafés)**
After considerable discussion, including a clarification from the City Attorney on the distinction between activities conducted on private versus public areas, Peabody moved and Schraeder seconded a motion to approve an ordinance establishing requirements for beer gardens and sidewalk cafes. Motion carried 6-0.

**Occupancy permit – Boca Grande Capital, LLC (Roadhouse)**
Schueler moved and Luskey seconded a motion to approve an occupancy permit to allow Boca Grande Capital, LLC to create an outdoor dining area in front of Roadhouse pizza as set forth in the plan previously approved by the Plan Commission and included with this agenda packet. Motion carried 6-0.

**Proposed policy to give credits on utility bills for extenuating circumstances**
After significant discussion Schueler moved and Luskey seconded a motion to reject staff’s proposed policy granting a one-time credit on the sewer portion of utility bills for certain special circumstances citing that these credits would come at the expense of other utility customers. Motion carried 6-0.

**Possible policy to name Parks, Fields, etc. in recognition of certain individuals**
Following a brief discussion Hansen moved and Schraeder seconded a motion to refer this matter back to the park and recreation committee for further review and study. Motion carried 6-0.

**Review possible future capital project needs**
Although Barg and Drake suggested that discussion of this issue be postponed until a future meeting when operating revenues and other budgetary information can be provided along with the capital project list it was the council’s consensus to review and discuss the major project items independently examining the cost versus benefit of each item and prioritizing the list.

**Project updates and staff reports**
Barg and Drake provided a brief report on the status of ongoing projects and activities including the Newbury Street reconstruction and an update on the council listening sessions.

**Mayor’s communications and appointments**
Mayor Will advised that the first two council listening sessions have been very productive and he invited residents to attend the remaining two meetings which will occur in June. He also commended the police department for the recent good report received from the State of Wisconsin upon inspection of their facility.

**Agenda items for future council meetings –**
Considerable discussion occurred on the sharing of information between the mayor and council with Peabody asking for clarification on businesses and residents that may be planning to leave the community as the mayor was quoted as saying in a recent newspaper article. Questions were also raised on discussions between the mayor and residents during the mayor’s weekly office hours and Will advised that he shares with the city administrator any pressing issues that may require attention by city staff or city council.
II. With no further business before Council in open session, Schraeder moved and Luskey seconded a motion to adjourn to closed session under Wisconsin Statutes 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session”
  
  RE: Preliminary discussion of the 2011-2013 collective bargaining contracts
  RE: Possible developer’s agreement for Phase 2 of Sandmar Village project
  RE: Possible purchase of property by the City
  RE: Request to modify the terms of property leased from the City of Ripon

Council will also review minutes from May 11, 2010 and May 24, 2010 closed sessions for accuracy.

Motion carried 6-0. Will declared the meeting adjourned to closed session at 9:01 p.m.

Respectfully submitted,
Steve Barg, City Administrator