

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
OCTOBER 3, 2011

UNAPPROVED

Meeting called to order by Mayor Alan Burchill in the Council Chambers of City Hall at 7:00 p.m.

PRESENT: Mayor Burchill and Alderpersons Randy Morrisette, Mary Yacoub, Lori Bernard, Lee Wyland, John Hoggatt and Rich Vanselow.

ABSENT: Alderperson John Hoggatt was excused.

OTHERS PRESENT: Catherine Munkittrick, Devin Willi, Tom Zeuli, Marty Jensen, Kelly Burrows, Randy Hanson, Scot O'Malley, Bob Muchlinski, Josh Bernhardt, Dave Prissel, Tom Smith, Phyllis Jensen-Loughney, Ben Straka, Erik Altmann and others.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT: Bob Muchlinski requested City action regarding regulations to prohibit hitting golf balls except in designated areas. Kelly Burrows shared information about a Pink of Life fund raising event that will be held at some downtown businesses on October 7th and 8th, 2011 to benefit the American Cancer Society.

CONSENT AGENDA ITEMS: MOTION by Bernard, second by Vanselow to approve the following consent agenda items:

MINUTES: Approve the Regular Meeting minutes and Closed Session minutes of 9/19/11.

CLAIMS: Approve the following claims for payment:

| Council Claims 10.3.11 | | | | |
|------------------------|-------------------|-------------------|-------------------|-------------------|
| FUND | DESCRIPTION | PAYABLES | PAYROLL | TOTALS |
| 100 | General | 62,618.10 | 163,849.86 | 226,467.96 |
| 225 | Impact Collection | 8,078.07 | 0.00 | 8,078.07 |
| 280 | Park Donations | 2,491.49 | 0.00 | 2,491.49 |
| 290 | Police Donations | 77.00 | 0.00 | 77.00 |
| 450 | Capital Projects | 17,117.45 | 0.00 | 17,117.45 |
| 610 | Sewer | 100,479.04 | 11,686.41 | 112,165.45 |
| 620 | Parking | 1,812.03 | 1,112.58 | 2,924.61 |
| 630 | Ambulance | 33,172.63 | 25,939.47 | 59,112.10 |
| | Totals | 225,845.81 | 202,588.32 | 428,434.13 |

APPLICATIONS FOR OPERATOR'S LICENSES: Approve the issuance of Regular Operator's Licenses for the period 10/04/11 to 6/30/13 to:

| | | |
|---------------------|-------------------------------|-----------------|
| Eric J. Anderson | 209 Foster Street | River Falls, WI |
| Hallie A. Chasensky | 1476 Chatsworth | St. Paul, MN |
| Stacy M. Kupka | 9101 Daily Road | Hudson, WI |
| Brandon J. Ruhoff | 710 8 th St. N. #3 | Hudson, WI |

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And the issuance of a Temporary Operator's License to be used October 25, 2011 at the Pink for Life Fashion Fusion to Kellene M. Burrows, 113 N. 3rd Street, River Falls, WI;

And the issuance of a Temporary Operator's License to be used November 5, 2011 at the Bras for a Cause event to Kimberly A. Parry 1807 Azalea Bay, Hudson, WI

APPLICATION OF AMERICAN CANCER SOCIETY (RELAY FOR LIFE OF HUDSON) FOR TEMPORARY "CLASS B" RETAILER'S LICENSE TO SELL WINE ON 10/25/11 AT THE PINK FOR LIFE FASHION FUSION, 109 LOCUST STREET (PHIPPS CENTER FOR THE ARTS): Approve the issuance of a Temporary "Class B" Retailer's license to the American Cancer Society (Relay for Life of Hudson) to sell wine on 10/25/11 at the Pink for Life Fashion Fusion, 109 Locust Street - Phipps Center for the Arts.

APPLICATION OF AMERICAN CANCER SOCIETY (RELAY FOR LIFE OF HUDSON) FOR TEMPORARY "CLASS B" RETAILER'S LICENSE TO SELL WINE ON 11/05/11 AT THE BRAS FOR A CAUSE EVENT AT 112 WALNUT STREET: Approve the issuance of a Temporary "Class B" Retailer's license to the American Cancer Society (Relay for Life of Hudson) to sell wine on 11/05/11 at the Bras for a Cause event at 112 Walnut Street.

REPORTS OF CITY OFFICIALS, BOARDS, AND COMMISSIONS: Place on file the Advisory Joint Fire Board minutes of 9/14/11 and the Community Access Board minutes of 9/27/11.

Roll call vote taken, all ayes (5) MOTION CARRIED.

REQUEST TO VACATE 30 FEET OF STREET RIGHT OF WAY OF MYRTLE STREET WEST OF FIRST STREET AND ADJACENT TO PROPERTIES AT 925 AND 1001 FIRST STREET - ROXANN/DEAN HANSON AND SARAH ATKINS HOGGATT & JOHN HOGGATT (NOTICE OF PUBLIC HEARING AND RESOLUTION NO. 21-11): Denny Darnold provided information regarding the process that would need to be followed to vacate a street right of way, including publication of a Class 3 notice in the newspaper and a public hearing. He reported that the Plan Commission recommended approval of the discontinuance of the remaining 30 feet of the Myrtle Street right-of-way located west of First Street and between the residences located at 925 and 1001 First Street. He also pointed out that the Public Works Director and the Fire Chief recommended the right-of-way be retained.

MOTION by Morrissette, second by Yacoub to introduce a resolution to begin the process to vacate 30 feet of street right of way of Myrtle Street West of First Street and adjacent to properties at 925 and 1001 First Street, requested by Roxann/Dean Hanson and Sarah Atkins Hoggatt & John Hoggatt (notice of public hearing and resolution No. 21-11).

Lengthy discussion was held regarding concerns about vacating the property, the possible need for access from that point to the river, trail access, the option of an Easement Agreement, and possible storm sewer or fire requirements. The potential tax benefits were also noted. Bernard pointed out

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that the Public Works Committee voted unanimously to deny the request. Mr. Darnold provided additional information on consideration of other options.

Numerous people from the neighborhood spoke in opposition to vacating the property. Vote taken; Ayes (1 - Morrissette), Noes (4), MOTION FAILED.

UPDATE ON PRELIMINARY 2012 BUDGET: City Administrator Devin Willi provided information regarding the proposed draft the of the 2012 City Budget which had been distributed to Council Members. He noted the nearly \$300,000 short fall and outlined a time table for adoption. It was determined that the Finance Committee would hold a meeting on Friday, October 7, 2011 at 7:00 a.m. to review the budget; additional meetings would be scheduled as needed.

CONSIDER AMENDMENT TO MUNICIPAL CODE, CH. 253 RE: WINTER PARKING REGULATIONS - ORDINANCE NO. 17-11: Bernard provided information regarding the proposed changes to the winter parking regulations recommended by the Public Works Committee, including charging a fee for processing exemption applications and a violation fee structure. Discussion was held concerning the time required for processing applications, fee amounts, financial hardships, warning notices, and the need for yearly renewal (at no charge if there were no changes in the applicants or addresses). The need for a location correction in the ordinance was also noted. MOTION by Wyland, second by Bernard for a first reading of Ordinance No. 17-11. All ayes (5), MOTION CARRIED.

CONSIDER WATER, SEWER & PUBLIC WORKS MUTUAL AID AGREEMENT WITH 15 NEIGHBORING MUNICIPALITIES: Bernard presented information on a standard Water, Sewer, and Public Works Mutual Aid Agreement with 15 neighboring municipalities and reported that the Public Works Committee and the Public Utilities Commission recommended approval. It was noted this was a 12-year agreement that is reviewed every 3 years, and a municipality has the ability to withdraw from the agreement with 30 days notice. MOTION by Bernard, second by Yacoub to approve the Water, Sewer and Public Works Service Mutual Aid Agreement, as presented. All ayes (5) MOTION CARRIED.

UPDATE ON PROJECTS: Public Works and Parks Director Tom Zeuli shared information on the status of public projects including the 2011 Mill & Overlay projects, Grandview Park Storm Water improvements, Lakefront Park Bath House pathway improvements, Urban Forestry inventory and management plans, and the Weitkamp Park pathway improvements. Mayor Burchill noted that funding for the Parks pathway and parking lot improvements does not come from General Operating funds; these projects use separate funds that were collected in previous years for park improvements or parking lots improvements. The status of on-going private development projects was also shared.

REVIEW OF INFORMATION FROM AD HOC TECHNOLOGY COMMITTEE: Wyland presented a brief update regarding the findings of the Ad Hoc IT Committee including the charter of the committee, IT assessment background, the role of technology for the City of Hudson, IT assessment high level findings, and recommendations of the IT Committee. He noted a final report would be provided in the near future which would include detailed findings and recommendations. Brief

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discussion was held regarding the need for training, centralized purchasing, and appreciation for the work of the Committee.

CONSIDER AMENDING MUNICIPAL CODE, CH. 235-55, TOWING AND IMMOBILIZING PARKED VEHICLES - ORDINANCE NO. 18-11: MOTION by Morrisette, second by Yacoub to suspend the rules toward adoption of Ordinance No. 18-11. Roll call vote, all ayes (5), MOTION CARRIED. MOTION by Bernard, second by Yacoub to adopt the following:

ORDINANCE NO. 18-11
AMENDMENTS TO CH. 235, TOWING & IMMOBILIZING PARKED VEHICLES
(Copy on file in Clerk's office and attached)

All ayes (5), MOTION CARRIED.

CONSIDER AUTHORIZING TWO ADDITIONAL BANKING INSTITUTIONS AS DEPOSITORIES FOR PUBLIC MONIES - RESOLUTION NO. 21-11: MOTION by Bernard, second by Wyland to suspend the rules toward adoption of Ordinance No. 20-11. Roll call vote, all ayes (5), MOTION CARRIED. MOTION by Wyland, second by Bernard to adopt the following:

RESOLUTION NO. 21-11
AUTHORIZING ADDITIONAL BANKS AS DEPOSITORIES
(Copy on file in Clerk's office and attached)

All ayes (5), MOTION CARRIED.

CONSIDER JOINT EXERCISE OF POWERS AGREEMENT BETWEEN HUDSON POLICE DEPARTMENT AND THE WASHINGTON COUNTY MINNESOTA SHERIFF'S OFFICE: Police Chief Marty Jensen presented information about the consideration of a Mutual Aid/Joint Powers Agreement between the Hudson Police Department and the Washington County Sheriff's Office. The agreement was reviewed by the City Attorney. MOTION by Wyland, second by Vanselow to approve the Mutual Aid/Joint Powers Agreement between the City of Hudson, Wisconsin and the Washington County, Minnesota Sheriff's Office. All ayes (5) MOTION CARRIED.

COMMUNICATIONS AND ITEMS FOR FUTURE AGENDAS: Mayor Burchill announced David Johnson, a long time Hudson High School basketball coach, was being inducted into the Wisconsin Coach's Hall of Fame on October 8, 2011. He congratulated Mr. Johnson on the honor.

City Administrator Devin Willi stated the telephone system changes are being implemented, logistics are being worked on, and an email would be sent when the automated system is in place.

The possibility of changing the date of the next Council meeting to October 18, 2011 was noted.

CLOSED SESSION PURSUANT TO §19.85(1)(E), WIS. STATS. TO CONSIDER DELIBERATING OR NEGOTIATING REGARDING THE POSSIBLE PURCHASE OF PUBLIC PROPERTIES, AND TO CONSIDER THE SALE OF CITY PROPERTY AT THE SOUTHWEST QUADRANT OF HEGGEN STREET AND CREST VIEW DRIVE: MOTION by Bernard, second by Yacoub to convene into Closed Session pursuant to §19.85(1)(e), Wis. Stats. to

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consider deliberating or negotiating regarding the possible purchase of public properties, and to consider the sale of City property at the southwest quadrant of Heggen Street and Crest View Drive. Roll call vote, all ayes (5), MOTION CARRIED at 8:03 p.m.

RECONVENE IN OPEN SESSION FOR POSSIBLE ACTION REGARDING THE ABOVE:
MOTION by Bernard, second by Yacoub to reconvene in Open Session. All ayes (5) MOTION CARRIED at 8:22 p.m.

MOTION by Morrissette, second by Bernard to approve the sale of the City property at the southwest quadrant of Heggen Street and Crest View Drive including the conditions noted in the issue sheet, that title insurance can be discussed at the buyer's cost, and including the stipulations in the agreement. All ayes (5) MOTION CARRIED.

ADJOURNMENT: MOTION by Bernard, second by Vanselow to adjourn the meeting. All ayes (5) MOTION CARRIED at 8:25 p.m.

Nancy J. Korson, City Clerk

I hereby certify that the City Clerk has submitted the foregoing minutes to me, and I hereby by my signature approve said minutes and all acts of the Common Council as set forth therein.

Alan D. Burchill, Mayor

Date approved by Council

ORDINANCE NO. 18-11

In the interest of the public health, safety, and welfare, the Common Council of the City of Hudson hereby ordains that Hudson City Code Chapter 235-55 B shall be amended to read as follows:

Section I. Amendment to §235-55B.

B. Towing and/or Immobilizing Illegally Parked Vehicle with Three or More Uncontested and Unpaid Parking Violations.

In addition to the violations described in Section 235-54 above, an owner of an illegally parked vehicle, which has on the date in question, three or more unpaid and uncontested parking violations outstanding, shall be in violation of this Section 235-55 B and shall be subject to forfeitures plus costs for violating Section 235-55B in addition to being issued a parking ticket for the violation described in 235-54. Such vehicle may be ordered to be towed or immobilized by the police department.

Upon the issuance of the third violation, a notice shall be mailed to the owner's last known address, advising the owner that if he or she fails to pay the outstanding forfeitures within ten (10) days, in the event that another parking violation occurs, his or her vehicle shall be subject to being towed or immobilized using an immobilization device, if found illegally parked at any location in the City. In the event that a vehicle is towed or immobilized under this paragraph, the following procedure shall be applied:

1. If the vehicle is immobilized, in addition to the mailed notice of immobilization/towing required below, notice of the immobilization shall also be affixed to the vehicle with instructions that the vehicle owner or operator may go to the Hudson Police Department to arrange for removal of the immobilization device. The Notice shall contain the address of the Hudson Police Department and the information required in Section 235-55 B 2 below.
2. Within 24 hours of the tow or immobilization, notice of the fact of a towing or immobilizing shall be mailed to the vehicle owner's last known address, together with a copy of the citation for violation of this section. The notice shall inform the owner of the following rights: (a) The right to an immediate hearing, to be held within two business days of his or her receipt of the notice, to determine the validity of the tow or immobilization. If a hearing in front of the municipal court judge cannot be scheduled in two business days,

an informal hearing shall be held by the city prosecutor, with de novo review by the municipal court at the next regular session of the municipal court. The sole issue at the hearing shall be whether or not the owner has three outstanding parking violations which remain uncontested and unpaid. (b) The right to re-obtain possession of the vehicle, upon payment of security in the form of a bond, the amount of which shall be equivalent to the total amount of the unpaid forfeitures outstanding against the motor vehicle in question and the towing, storage, and related charges and/or immobilization removal fee listed in the citation, but not to exceed Five Hundred Dollars (\$500.00); (3) Pursuant to the citation, the right to defend the current citation in the manner prescribed by Wisconsin law and the municipal ordinances.

Section II. Severability. Each section, sentence, provision, of this ordinance, or portion thereof is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any reasons, shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

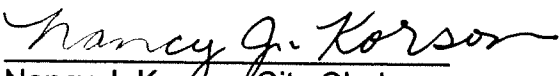
Section III. Effective Date. This ordinance shall become effective upon adoption by the Council and publication as provided by law.

Dated this 3, day of October 2011.

APPROVED:


Alan Burchill, Mayor

ATTEST:


Nancy J. Korson, City Clerk

First reading: --

Date adopted: 10/3/11

Date published: 10/13/11

RESOLUTION NO. 21-11

RESOLUTION AUTHORIZING DEPOSIT AND WITHDRAWAL OF CITY MONIES

RESOLVED, THAT THE FOLLOWING BANKING INSTITUTIONS:

Wells Fargo Bank
600 Second Street
Hudson, WI 54016

Citizens Bank
5597 Highway 10E
Stevens Point, WI 54481

Bank Mutual
2000 Crest View Drive
Hudson, WI 54016

Associated Bank
200 N. Adams Street
Green Bay, WI

Associated Bank
307 Second Street
Hudson, WI 54016

M & I Bank
2417 Monetary Boulevard
Hudson, WI 54016

Citizens State Bank
375 Stageline Road
Hudson, WI 54016

The Riverbank
880 Sixth Street North
Hudson, WI 54016

Central Bank
944 Carmichael Road
Hudson, WI 54016

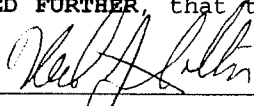
First American Bank
2424 Monetary Blvd., #107
Hudson, WI 54016


qualified as public depositories under Chapter 34 of the Wisconsin Statutes, shall be and are hereby designated, until further action, as public depositories for all public monies coming into the hands of the Finance Officer of the City of Hudson, Wisconsin, St. Croix County, State of Wisconsin.

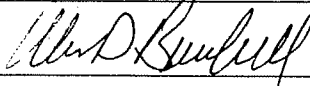
RESOLVED FURTHER, that transactions involving Certificate of Deposit funds, Money Market accounts and other similar investment accounts, and withdrawal of same from any one of the above named depositories shall be by cashing and transferring funds from any said accounts, or by order check, as provided in Section 66.0603 of the Wisconsin Statutes; that in accordance therewith all such transactions shall be conducted by the following persons:

City Finance Officer Neil J. Soltis, and/or countersigned by Devin J. Willi, City Administrator, or Mayor Alan D. Burchill, and shall be so honored.

RESOLVED FURTHER, that their personal signature(s), as shown below,








may be affixed on such documents and or checks; that any one of the above named depositories shall be fully warranted and protected in making payment on any investment vehicle or order check bearing such signature(s) notwithstanding that the same may have been placed thereon without the authority of the designated person or persons.

FURTHER RESOLVED, that a certified copy of this Resolution shall be delivered to each of the above named depositories, and said depositories may rely on this Resolution until changed by lawful Resolution and a certified copy of such Resolution has been given to the cashier of the respective above named depositories.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of a Resolution duly and legally adopted by the Common Council, City of Hudson, at a legal meeting held on the 3rd day of October, 2011.



Alan D. Burchill, Mayor