

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
JULY 5, 2011

UNAPPROVED

Meeting called to order by Mayor Alan Burchill in the Council Chambers of City Hall at 7:10 p.m.

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

OTHERS PRESENT: Catherine Munkittrick, Devin Willi, Denny Darnold, Jim Schreiber, Marty Jensen, Gordon Conard, Tom Zeuli, Dennis Postler, Eric Christensen, Randy Hanson, Brian Zeller, Troy Hemminsch, C.R. Hackworthy, Nick Hackworthy, Reed Ferguson, Craig Woodley, Lisa Bekemeyer, Russ Nicolet, Keighla Schmidt, Daniel and Shannon Jents, and others.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT: Police Chief Marty Jensen introduced Daniel Jents as the new City of Hudson Patrol Officer; Municipal Court Judge Sue Gherty administered the Oath of Office to him.

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

MINUTES: Approve the Regular Meeting minutes of 6/20/11.

CLAIMS: Approve the following claims for payment:

		Council Claims		
		July 5, 2011		
FUND	DESCRIPTION	PAYABLES	PAYROLL	TOTALS
100	General	66,665.07	167,404.11	234,069.18
280	Park Donations	760.79	0.00	760.79
290	Police Donations	80.00	0.00	80.00
450	Capital Projects	8,560.53	0.00	8,560.53
610	Sewer	31,970.16	11,090.77	43,060.93
620	Parking	329.05	1,202.63	1,531.68
630	Ambulance	12,069.34	25,588.33	37,657.67
	Totals	120,434.94	205,285.84	325,720.78

APPLICATION FOR TAXICAB DRIVER'S LICENSE: Approve the issuance of a Taxicab Driver's license to Thomas A. Ebbe, 606 3rd Street, Hudson, for the period 7/6/11 to 6/30/12 (Kilimanjaro Taxi).

REVISE ST. CROIX E.M.S. BYLAWS RE: HUDSON HOSPITAL MEMBER: Approve the revision to Article VII, Section 7 of the EMS Bylaws, as submitted (regarding a member from Hudson Hospital and Clinics).

REVIEW BIDS AND CONSIDER AWARDDING CONTRACT FOR 2ND AND VINE STREET INTERSECTION PROJECT: Award the contract for the 2nd and Vine Street Intersection Project to Uretex ICR Northern US in the amount of \$24,990.00.

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REVIEW SERVICE AGREEMENTS WITH BLUESTEM FORESTRY CONSULTING, INC. AND FOTH FOR THE URBAN FORESTRY MANAGEMENT PLAN: Accept the Urban Forestry Management Plan service agreements with Bluestem Forestry Consulting, Inc. as revised by the City Attorney, and to recommend that Foth provide information regarding the City's access to the software and data for long-term management of the program.

CONSIDER NAME CHANGES FOR TWO BUSINESSES WITH ALCOHOLIC BEVERAGE LICENSES: GRUBBS PIZZA & EATERY TO TERIYAKI CUISINE, AND LA FIESTA MEXICANA TO RANCHO CHICO BAR & GRILL: Approve the name changes of Grubbs Pizza & Eatery to Teriyaki Cuisine, and La Fiesta Mexicana to Rancho Chico Bar & Grill, and direct the City Clerk to amend and issue the respective alcoholic beverage licenses to reflect the changes, upon surrender of their current licenses.

REQUEST OF CHAD & LISA WITT FOR AN EASEMENT AGREEMENT TO ERECT A FENCE AT 1606 LAUREL AVENUE: Approve the request of Chad & Lisa Witt to erect a fence at 1606 Laurel Avenue contingent on execution of an Easement Agreement.

REQUEST OF LEW NICCUM FOR AN EASEMENT AGREEMENT TO ERECT A FENCE AT 38 NICHOLAS WAY: Approve the request of Lew Niccum to erect a fence at 38 Nicholas Way contingent on execution of an Easement Agreement.

REPORTS OF CITY OFFICIALS, BOARDS, and COMMISSIONS: Place on file the quarterly report of the Wastewater Director, semi-annual report of the Compliance Officer, and the 6/22/11 minutes of the St. Croix E.M.S. Commission.

Roll call vote taken, all ayes (6) MOTION CARRIED.

APPLICATIONS FOR OPERATOR'S LICENSE: Morrissette recused himself. MOTION by Bernard, second by Vanselow to approve the issuance of Regular Operator's Licenses for the period 7/06/11 to 6/30/13 to:

Kelsey M. Anderson	N8350 County Road Y	Spring Valley, MN
Jeremy D. Churchill	2217 Homestead Ave.	Oakdale, MN
Michael R. Cook	1668 Rolling Hills Lane	River Falls, WI
Matthew G. Ellis	N2607 464 th St.	Menomonie, WI
Kelli L. Espiritu	1123 Sugar Pine Lane	New Richmond, WI
Ross R. Freeman	315 Third Street	Hudson, WI
Shaun E. Gary	1210 Hanley Road	Hudson, WI
James M. Hanscom	581 132 nd Street	Hudson, WI
Rachel R. Hansen	860 Curtis Street	Baldwin, WI
Cayla A. Holland	1101½ First Street	Hudson, WI
Hallie C. Huppert	1089 Coulee Trail	Roberts, WI
Amber M. Johnson	40 Stone Harbor Pl.	Hudson, WI
Eric W. Johnson	1707 Laurel Avenue	Hudson, WI
Brianne R. Kiefer	441 Krattley Lane	Hudson, WI
Zakerey A. Knudsen	1910 Aspen Dr. #303	Hudson, WI
Philip J. Koppy	1613 Pinewood #2	Hudson, WI
Max J. Malanaphy	1331 Third Street	Hudson, WI

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Lisa M. Mattison	6147 J Tahoe Circle	Woodbury, MN
Israel A. Neumann	329 E. 3 rd Street	New Richmond, WI
Shayna M. Nicolaison	1765 Donegal Dr. #3	Woodbury, MN
Becky J. O'Keefe	P.O. Box 1535	Hudson, WI
Michael S. O'Keefe	P.O. Box 1535	Hudson, WI
Peter F. Rankin	1002 6 th Street	Hudson, WI
Madeline L. Ryan	683 Mary Jo Ct.	Hudson, WI
Randy L. Spring	10150 City Walk Dr. #327	Woodbury, MN
Reilin J. Weber	1122 Hazelcrest Dr.	Hudson, WI
Chelsea M. Wehrman	N13140 Hiline Ave.	Colby, WI

And the issuance of a Temporary Operator's License to be used July 21, 2011 during the art auction at the Phipps Center for the Arts to: Deborah Monicken, 200 7th Street North, Hudson, WI.

All ayes (5) MOTION CARRIED.

INFORMATION ON USE OF CREDIT/DEBIT CARDS FOR SOME PAYMENTS: Mayor Burchill stated that more information will be provided at a future meeting; no action was taken.

CONSIDER FLEET REPLACEMENT PLAN FOR ST. CROIX E.M.S. VEHICLES: Bernard presented information regarding the consideration of a fleet replacement plan for St. Croix E.M.S. vehicles. She noted all the equipment on the current chase vehicle would be moved to the new vehicle, if approved. MOTION by Bernard, second by Vanselow to approve the purchase of a 2011 Ford Expedition (from Hudson Ford at \$26,099.00, minus trade-in) All ayes (6), MOTION CARRIED.

REVIEW BIDS AND CONSIDER AWARDING CONTRACT FOR PUBLIC WORKS GARAGE ROOF REPLACEMENT PROJECT: Bernard presented information regarding the review of bids and consideration of awarding a contract for the Public Works Garage Roof Replacement Project. She noted prevailing wage requirements apply to the project, and only one bid was received. MOTION by Bernard, second by Hoggatt, to approve accepting the bid from Eau Claire Roofing in the amount of \$34,911.00 for the City Garage Roof Replacement Project. All ayes (6), MOTION CARRIED.

DISCUSS OPTIONS FOR DISPOSAL OF YARD WASTE: Bernard presented information about the options for disposal of yard waste. She shared the proposal presented by Veolia and noted the need for a long-term solution. MOTION by Bernard, second by Yacoub to approve the curb side container yard waste program with Veolia, as an addendum to the current contract. All ayes (6) MOTION CARRIED.

CONSIDER AERATION BLOWER REPLACEMENT/ENERGY CONSERVATION PROJECT FOR WASTEWATER TREATMENT PLANT: Wastewater Superintendent Jim Schreiber provided information regarding the replacement of the aeration blower and energy conservation project for the Wastewater Treatment Plant. He shared additional details on the the funding (Equipment Replacement Fund) and the reimbursement of \$14,156.00 from a Focus on Energy grant. MOTION by Bernard, second by Vanselow to approve the purchase of a 50 hp turbo aeration blower from APG-Neuros, Inc. in the amount of \$58,000.

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Discussion was held regarding the need for additional units in the future and that parts from the blower being replaced could be used for the others, if needed. All ayes (6) MOTION CARRIED.

UPDATE ON PROJECTS: Foth Engineer Dennis Postler presented an update on projects. He noted Council's approval of the 2nd and Vine Street Intersection Project earlier at the meeting, the anticipated Mill and Overlay Project schedule, and the Grandview Park Storm Water Improvements Project. He also reported on the significant activity happening at the Comfort Suites private development project.

CONSIDER REZONING 63.8+ ACRE PARCEL FROM GENERAL BUSINESS TO LIGHT INDUSTRIAL DISTRICT AND AMEND THE 2030 MASTER PLAN MAP - ORDINANCE NO. 11-11: Denny Darnold presented information on the rezoning of a 63.8 acre parcel from General Business to Light Industrial District and amending the 2030 Master Plan map. He provided information about the possible options that may be followed.

MOTION by Morrisette, second by Vanselow, to suspend the rules toward adoption of Ordinance No. 11-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Morrisette, second by Vanselow to adopt the following:

ORDINANCE 11-11

AMEND 2030 MASTER PLAN AND REZONE 63.8 ACRE PARCEL
(Copy on file in the Clerk's office and attached)

Lengthy discussion was held, concerns were noted, and comments from the public were acknowledged. All ayes (6), MOTION CARRIED.

CONSIDER AMENDMENTS TO CH. 255-28 AND 255-24 TO ALLOW ACCESSORY DWELLINGS IN ONE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICTS - ORDINANCE NO. 12-11: Denny Darnold shared information about the proposed amendments to the Zoning Code to address accessory dwellings. He noted the Plan Commission recommended approval and provided information regarding the development standards.

MOTION by Morrisette, second by Bernard, to suspend the rules toward adoption of Ordinance No. 12-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Wyland, second by Bernard to adopt the following:

ORDINANCE 12-11

AMEND MUNICIPAL CODE, CHAPTERS 255-28 AND 255-24
(Copy on file in the Clerk's office and attached)

All ayes (6), MOTION CARRIED.

ADOPTION OF WARD PLAN FOR CITY OF HUDSON - RESOLUTION NO. 11-11: City Administrator Devin Willi presented information regarding the requirement to redistrict for local, county, state, and federal offices after each decennial census. He noted the process starts at the county level, where ward boundaries are established to create county supervisory districts which are

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substantially equal in population. Further explanation was provided regarding the process; maps were provided to show the proposed areas.

Aldersperson Yacoub expressed concern regarding the proposed polling places for the wards. She recommended that Wards Three and Four vote at the St. Croix County Government Center, as the area does now. MOTION by Yacoub, second by Bernard to amend Resolution 11-11 to move the polling place for Wards Three and Four back to the St. Croix County Government Center (Community Room). Discussion on locations was held. All ayes (6) MOTION CARRIED.

MOTION by Yacoub, second by Bernard, to suspend the rules toward adoption of Resolution No. 11-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Wyland, second by Bernard to adopt the following amended:

RESOLUTION NO. 11-11

ADOPTION OF WARD PLAN FOR CITY OF HUDSON
(Copy on file in the Clerk's office and attached)

All ayes (6), MOTION CARRIED.

PRELIMINARY REVIEW AND DISCUSSION OF PROPOSED ALDERMANIC DISTRICT MAP: City Administrator Devin Willi provided information regarding the preliminary review of the proposed Aldermanic District map. He presented the timeline, noted the requirement that the number of residents in each District must be substantially equal at the time of the census, and explained the Census Block System. He noted the need for a public notice prior to taking action on the plan. Discussion was held regarding the Council member positions.

The topic will be a Council agenda item again after the public notice is published. Notices regarding the changes adopted will be mailed to all registered voters before the end of 2011.

DISALLOWANCE OF CLAIM OF JAY ROGERS - RESOLUTION NO. 12-11: MOTION by Morrissette, second by Yacoub, to suspend the rules toward adoption of Resolution No. 12-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Morrissette, second by Hoggatt, to adopt the following:

RESOLUTION NO. 12-11

DISALLOWANCE OF CLAIM OF JAY ROGERS
(Copy on file in the Clerk's office and attached)

All ayes (6), MOTION CARRIED.

DISALLOWANCE OF CLAIM OF TOM DATWYLER - RESOLUTION NO. 13-11: MOTION by Vanselow, second by Hoggatt, to suspend the rules toward adoption of Resolution No. 13-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Vanselow, second by Hoggatt to adopt the following:

RESOLUTION NO. 13-11

DISALLOWANCE OF CLAIM OF TOM DATWYLER
(Copy on file in the Clerk's office and attached)

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All ayes (6), MOTION CARRIED.

COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR: Mayor Burchill stated the 2012 Budget process would begin soon and zero percent increases (within the Department budgets) will be required; he noted it will be difficult.

COMMUNICATIONS AND ITEMS FOR FUTURE AGENDAS: City Administrator Devin Willi stated that the changes in the benefits for non-represented City employees regarding retirement contributions would begin soon. Morrisette expressed his thanks to the Hudson Boosters for their efforts to make Booster Days a success. Wyland noted that the Ad-hoc IT Committee had met.

CLOSED SESSION PURSUANT TO §19.85(1)(C), WIS. STATS. TO CONSIDER EMPLOYMENT CONTRACT FOR CITY ADMINISTRATOR: MOTION by Morrisette, second by Yacoub, to convene in Closed Session pursuant to §19.85(1)(c), Wis. Stats. to consider the employment contract for the City Administrator. Roll call vote, all ayes (6), MOTION CARRIED at 8:15 p.m.

RECONVENE IN OPEN SESSION FOR POSSIBLE ACTION RE: EMPLOYMENT CONTRACT FOR CITY ADMINISTRATOR: MOTION by Yacoub, second by Hoggatt to reconvene into open session. All ayes (6) MOTION CARRIED at 8:49 p.m. No action was taken in open session.

ADJOURNMENT: MOTION by Yacoub, second by Hoggatt to adjourn the meeting. All ayes (5), MOTION CARRIED at 8:49 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. 11-11

**AN ORDINANCE AMENDING THE CITY OF HUDSON COMPREHENSIVE PLAN AND REZONING TERRITORY
IN THE CITY OF HUDSON, WISCONSIN**

THE COMMON COUNCIL OF THE CITY OF HUDSON DO ORDAIN AS FOLLOWS:

Section 1. Territory – Amendment to the 2030 Master Plan Map from General Commercial to Industrial and amendment to the city zoning map in accordance with Section 62.23 of the Wisconsin Statutes, and in accordance with Section 255-84 of the Municipal Code of the City of Hudson, and after recommendation of the City Plan Commission, and public hearing thereon, and deliberation by the Common Council, the following described territory in the City of Hudson, St. Croix County, Wisconsin is rezoned from B-2, General Business District to I-1, Light Industrial District as defined in Section 255 – 14, H of the Municipal Code of the City of Hudson:

Part of the N1/2 of the N1/4 of Section 4 and part of the NE1/4 of Section 5, T28N, R19W, City of Hudson, St. Croix County, Wisconsin and generally located at the southwest quadrant of STH 35 and Hanley Road.

It is further ordained that the 2030 Master Plan Map, dated December 31, 2009 as amended and that the Zoning District Map, City of Hudson, dated November 19, 1993 as amended, are amended to show the change in designated land use and change in zoning district classification and said 2009 City of Hudson Comprehensive Plan and said Chapter 255 of the Municipal Code of the City of Hudson is hereby amended to reflect said changes.

This ordinance shall take effect upon passage and publication as provided by law.

Dated this 5th day of July, 2011.

APPROVED:



Alan D. Burchill, Mayor



Nancy J. Korson, City Clerk

First Reading: ---

Date Adopted: 7/5/11

Date Published: 7/14/11; send affidavit of publication

ORDINANCE NO. 12-11
AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF HUDSON, WISCONSIN

THE COMMON COUNCIL OF THE CITY OF HUDSON DO ORDAIN AS FOLLOWS:

Section 255-24 Permitted Uses (table – 255 Attachment 1 – 3, Part 1) – add accessory dwellings in the chart for permitted uses in the R-1, One-family Residential District and the R-2, Two-family Residential District as C – Conditional Use Permit

Section 255-28, Section A – add ACCESSORY DWELLINGS – A dwelling unit located above and as part of a detached accessory one- and two-family residential garage.

Section 255-28, add new subsection Q – Accessory dwellings may be allowed upon review and approval of a conditional use permit by the Common Council, per Section 255-76 – Conditional use permits. Development standards include:

- (1) Dwelling unit can be no larger than 1,000 square feet in area.
- (2) Lot area must be a minimum of 9,000 square feet.
- (3) One off-street parking stall must be provided for the accessory dwelling unit.
- (4) The detached garage / accessory dwelling unit must be located in the side or rear yard.
- (5) The dwelling unit must comply with the Wisconsin One- and Two-family Dwelling Code.
- (6) The applicant must demonstrate that public water and sanitary sewer services can be provided to the accessory building.
- (7) Accessory dwellings shall not have roof dormers that face the adjacent property if the detached garage / accessory dwelling are located closer than six feet to the property line.
- (8) The detached garage / accessory dwelling may not be sold separately from the principal residence.
- (9) An accessory dwelling is permitted only if the owner occupies either the primary residence or the accessory dwelling.
- (10) An affidavit is required to be recorded at the St. Croix County Register of Deeds office that the primary residence or accessory dwelling must be occupied by the property owner.

This ordinance shall take effect upon passage and publication as provided by law.

Dated this 5th day of July, 2011.

APPROVED:



Alan D. Burchill, Mayor



Nancy J. Korson, City Clerk

First Reading: -

Date Adopted: 7/5/11

Date Published: 7/14/11; send affidavit of publication

**RESOLUTION ADOPTING THE WARD PLAN
FOR
THE CITY OF HUDSON**

Resolution No. 11-11

WHEREAS, every ten years the United States Census Bureau conducts a census of the populations and provides population counts to local municipalities; and

WHEREAS, the State of Wisconsin delivered detailed population data and block-level maps to St. Croix County on April 2, 2011; and

WHEREAS, Wisconsin Statutes sec. 59.10(3)(b) requires counties to prepare a tentative county supervisory district plan within 60 days of receiving the population data and block-level maps; and

WHEREAS, St. Croix County Board of Supervisors has held a public hearing and adopted a tentative supervisory district plan; and

WHEREAS, the tentative plan contains supervisory districts that are substantially equal in population; and

WHEREAS copies of the plan have been provided to local municipalities; and

WHEREAS, St. Croix County has indicated the approximately location of the territory from which a ward is sought and the approximate population of the ward; and

WHEREAS, Wisconsin Statutes sec. 5.15 requires municipalities to divide into wards.

THEREFORE, BE IT RESOLVED that the City of Hudson hereby adopts a ward boundary plan as described below:

Ward One, 1139 Population – which shall be in County Supervisory District # 5;
Ward Two, 1011 Population – which shall be in County Supervisory District # 7;
Ward Three, 1085 Population – which shall be in County Supervisory District # 7;
Ward Four, 1084 Population – which shall be in County Supervisory District # 7;
Ward Five, 838 Population – which shall be in County Supervisory District # 6;
Ward Six, 1254 Population – which shall be in County Supervisory District # 5;
Ward Seven, 1272 Population – which shall be in County Supervisory District, # 7
Ward Eight, 892 Population – which shall be in County Supervisory District # 6
Ward Nine, 1037 Population – which shall be in County Supervisory District # 5
Ward Ten, 1041 Population – which shall be in County Supervisory District # 5
Ward Eleven, 1285 Population – which shall be in County Supervisory District # 6
Ward Twelve, 827 Population – which shall be in County Supervisory District # 6

BE IT FURTHER RESOLVED that the ward boundaries are outlined and identified on the attached map, which is incorporated and made a part hereof, and that the map is generated using WISE-LR software in order to incorporate the underlying Census block numbers within each ward.

BE IT FURTHER RESOLVED that the polling place(s) for the wards shall be as follows:

Wards One, Two, Nine and Ten
Hudson City Hall, 505 Third Street

Wards, Five, Six, Seven and Eight
Fellowship Hall, Hudson United Methodist Church, 1420 Laurel Avenue

Wards Three, Four, Eleven and Twelve
Community Room, St. Croix County Government Center, 1101 Carmichael Road

BE IT FURTHER RESOLVED that within five days of adoption or enactment of this ordinance, the Municipal Clerk shall transmit one certified copy of the resolution and all attachments to St. Croix County Clerk Cindy Campbell.

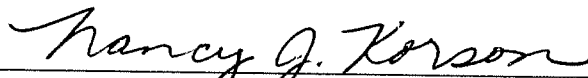
Dated this 5th day of July 2011.

APPROVED:



Alan D. Burchill, Mayor

ATTEST:



Nancy J. Korson, City Clerk

RESOLUTION NO. 12-11

DISALLOWANCE OF CLAIM
of Jay Rogers

WHEREAS, a Notice of Claim was filed on June 8, 2011 in the City of Hudson Clerk's office by Jay Rogers; and

WHEREAS, said Notice of Claim alleges that Mr. Roger's vehicle sustained damages on June 7, 2011 from gravel sprayed from a City vehicle, and alleges that said damages were caused by the City of Hudson and the City of Hudson employees; and

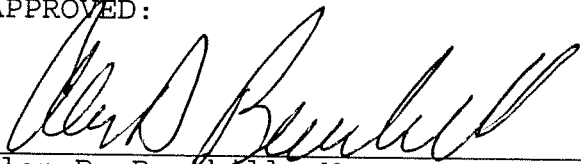
WHEREAS, after a review of this matter by the City of Hudson Common Council, City Attorney, and the City's insurer, it is recommended that the claims be denied. The reason(s) for this denial include, but are not limited to: the investigation shows that the event was not intended nor foreseeable on the part of the City or its employees, and the City is entitled to governmental immunity for any claims arising out of said event.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hudson, Wisconsin that the claim submitted by Jay Rogers, 367 Krattley Lane, Hudson, WI 54016, be and the same is hereby disallowed. No action on these claims may be brought against the City of Hudson or any of its officers, officials, agents or employees after six months from the date of service of this notice upon you, pursuant to Sec. 893.80(1g) of Wisconsin Statutes.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant and their attorneys, if any, by certified mail, return receipt requested, as a Notice of Disallowance.

Dated this 5th day of July 2011.

APPROVED:



Alan D. Burchill, Mayor

ATTEST:



Nancy J. Korson, City Clerk

cc: (Via Certified Mail Return Receipt Requested):

Jay Rogers
367 Krattley Lane
Hudson, WI 54016

RESOLUTION NO. 13-11

**DISALLOWANCE OF CLAIM
of Tom Datwyler**

WHEREAS, the City's insurer has notified the City that a Notice of Claim was filed with the City's insurer on or about June 8, 2011 by Tom Datwyler, owner of T & T Collision; and

WHEREAS, said Notice of Claim alleges that on June 7, 2011 that vehicles parked in Mr. Datwyler's parking lot sustained damages from gravel sprayed from a City vehicle, and alleges that said damages were caused by the City of Hudson and the City of Hudson employees; and

WHEREAS, after a review of this matter by the City of Hudson Common Council, City Attorney, and the City's insurer, it is recommended that the claims be denied. The reason(s) for this denial include, but are not limited to: the investigation shows that the event was not intended nor foreseeable on the part of the City, and the City is entitled to governmental immunity for claims arising out of said event.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hudson, Wisconsin that the claim submitted by Tom Datwyler, 1701 Coulee Road, Hudson, WI 54016 be and the same is hereby disallowed. No action on this claim may be brought against the City of Hudson or any of its officers, officials, agents or employees after six months from the date of service of this notice upon you, pursuant to Sec. 893.80(1g) of Wisconsin Statutes.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant and its attorney, if any, by certified mail, return receipt requested, as a Notice of Disallowance.

Dated this 5th day of July 2011.

APPROVED:



Alan D. Burchill, Mayor

ATTEST:



Nancy J. Kerson, City Clerk

cc: (Via Certified Mail Return Receipt Requested):
Tom Datwyler
1701 Coulee Road
Hudson, WI 54016