

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
JULY 18, 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.

OTHERS PRESENT: Catherine Munkittrick, Devin Willi, Denny Darnold, Tom Zeuli, David Gray, Jim Frye, Marty Jensen, Eric Christensen, Neil Soltis, Dennis Postler, Josh Olson, Gordon Conard, Ginny Ballantine, Donna Zastrow, Margi Miller, Maddie Bailey, Mike Soderland, and others.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT: City Administrator Devin Willi introduced Neil Soltis, the recently hired Finance Officer. He noted he will start on August 1, 2011. Mr. Soltis shared information about his previous experience and stated he is looking forward to the opportunity to work for the City of Hudson. Mayor Burchill called for comments and suggestions from citizens present, none were given.

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

MINUTES: Approve the Public Hearing and Regular Meeting minutes of 7/05/11.

CLAIMS: Approve the following claims for payment:

		July 18, 2011		
		Council Claims		
FUND	DESCRIPTION	PAYABLES	PAYROLL	TOTALS
100	General	126,141.67	142,934.08	269,075.75
225	Impact Collection	780.28	0.00	780.28
280	Park Donations	560.32	0.00	560.32
450	Capital Projects	6,778.02	0.00	6,778.02
610	Sewer	17,687.51	11,326.79	29,014.30
620	Parking	5,633.62	2,534.27	8,167.89
630	Ambulance	6,233.27	7,700.38	13,933.65
	Totals	163,814.69	164,495.52	328,310.21

CHANGE IN ROUTE FOR BRIAN LAUTENBACH FUN RUN ON SATURDAY, SEPT. 17, 2011:
Approve the change in route for the Brian Lautenbach Fun Run on Saturday, 9/17/11, to begin and end at Weitekamp Park.

REPORTS OF CITY OFFICIALS, BOARDS, and COMMISSIONS: Place on file the quarterly reports of the Police Chief, Fire Chief and Building Inspector, and the minutes of the 6/28/11 Community Access Board, the 7/12/11 Public

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Utilities Commission minutes, and the 7/13/11 St. Croix E.M.S. Commission minutes.

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

APPLICATIONS FOR OPERATOR'S LICENSE: Morrissette recused himself. MOTION by Bernard, second by Yacoub to approve the issuance of Regular Operator's Licenses for the period 7/19/11 to 6/30/13 to:

Tyler D. Blaedorn	W724 Golfview Drive	Spring Valley, WI
Haley E. Cameron	982 Drover Trail	Hudson, WI
Daniel L. Claflin	409 Sommers St. N.	Hudson, WI
Katie K. Cook	1823 Stone Creek	Hudson, WI
Jennifer L. Darling	932 16 th St. S.E.	Forest Lake, MN
Andrea J. Dettmann	920 Brave Drive	Somerset, WI
Sandra L. Gramlich	1519 Hunter Hill Road	Hudson, WI
Brian K. Hoyt	514A 8 th Street N.	Hudson, WI
Michelle L. Jacobsen	607 8 th Street N.	Hudson, WI
Jean M. Johnson	2396 110 th St.	New Richmond, WI
Alysha M. Kolodzienski	1474 Golf View Dr.	River Falls, WI
Clarence G. Minke	1442 Cty Rd. K	New Richmond, WI
Ashley J. Schorn	1868 Kristy St.	River Falls, WI
Ivy M. Solum	1157 River Drive	River Falls, WI

All ayes (5) MOTION CARRIED.

WASTEWATER TREATMENT PLANT ENERGY RECOVERY PROJECT: Mayor Burchill provided background information regarding the wastewater treatment plant energy recovery project. He noted the Finance Committee recommended approving the project contingent on review of the biosolids contract. Discussion was held regarding capacity and the Focus on Energy grant. MOTION by Morrissette, second by Bernard to approve the Biogas Project contingent on the City Attorney reviewing the contract. All ayes (6) MOTION CARRIED.

REQUEST/RECOMMENDATION OF ST. CROIX E.M.S. COMMISSION FOR ADVANCE OF FUNDS FROM THE CITY'S GENERAL FUND: City Administrator Devin Willi provided information regarding the request/recommendation of St. Croix E.M.S. Commission for advance of funds from the City's General Fund for the purchase of a new ambulance. Additional information regarding the purchase of a demonstration ambulance for \$140,000 and funding was shared. A proposal for payments was provided. Mr. Willi also noted the City's auditor, Steve Tracey, was consulted and he stated the type of inter-fund transfer being considered was permissible. Discussion was held.

MOTION by Bernard, second by Vanselow to advance funds, from the City's reserve fund, of \$135,000 to the EMS Commission (at the terms and conditions outlined). All ayes (6) MOTION CARRIED.

REQUEST OF ST. CROIX E.M.S. TO PURCHASE AN AMBULANCE: MOTION by Bernard, second by Vanselow to purchase the ambulance (2010 Demo Road Rescue E-450 Ultramedic). All ayes (6) MOTION CARRIED.

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RECONSIDER PURCHASE OF E.M.S. CHASE VEHICLE: Mayor Burchill provided information about the new bid information for the St. Croix EMS quick response vehicle. He noted that the 2011 Ford Expedition, which was originally quoted, is no longer made, and they requested approval to purchase a 2012 Ford Explorer instead for an additional \$201.00. MOTION by Bernard, second by Wyland to approve the purchase of a 2012 Ford Explorer for \$26,300. All ayes (6) MOTION CARRIED.

CONSIDER AMENDMENTS TO MUNICIPAL CODE, CH. 235-54 AND 235-44 RE: TOWING AND IMMOBILIZING PARKED VEHICLES - ORDINANCE NO. 14-11: Yacoub presented information about the Public Safety Committee's recommendation to approve an ordinance change regarding the collection of outstanding parking tickets. She noted that over \$58,000 in outstanding tickets was due to the City; multiple notices are sent to try to obtain payment, and possible options regarding collections were presented. City Attorney Catherine Munkittrick advised that immobilizing or towing of illegally parked vehicles could be an option. Discussion was held.

MOTION by Yacoub, second by Hoggatt, to suspend the rules toward adoption of Ordinance No. 14-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Wyland, second by Yacoub to adopt the following:

ORDINANCE 14-11
Amend Chapters 235-54 and 235-44
Regarding Towing and Immobilizing Parked Vehicles
(Copy on file in the Clerk's office and attached)

All ayes (6), MOTION CARRIED.

REQUEST OF MIKE SODERLAND TO OPERATE PED-O-CAB SERVICE IN LAKEFRONT PARK: Mike Soderland, 757 Kinney Road Hudson, WI presented information about his request to operate a Ped-O-Cab service in Lakefront Park. Information was shared and discussion was held regarding the location where they would operate. MOTION by Wyland, second by Bernard to approve operation of a Ped-O-Cab service in Lakefront Park and the Riverwalk Trail with (proof of) a \$100,000 liability policy. Additional discussion was held regarding the ability to operate on the City streets, the need to follow the road laws, and well as the size of the equipment.

MOTION AMENDED by Wyland, second by Bernard to include allowing the Ped-O-Cab to operate on streets, contingent on presenting a certificate of liability insurance, and after obtaining a background check (for each person operating). All ayes (6) MOTION CARRIED.

REQUEST OF BRIDGE FOR YOUTH WITH DISABILITIES TO DESIGNATE THEIR OCTOBER 1ST WALKABOUT FUNDRAISER AS A COMMUNITY EVENT: MOTION by Morrisette, second by Yacoub to approve the request from Bridge for Youth With Disabilities to designate their October 1, 2011 walkabout fundraiser as a community event. Members from the organization shared information about the event and encouraged participation from the public.

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UPDATE ON PROJECTS: Foth Engineer Dennis Postler presented an update on projects. He noted the 2nd and Vine Street Intersection project was anticipated to occur on either July 31st or August 7th. The 2011 Mill and Overlay project has been advertised for bids to be opened on July 26, 2011; Council may consider approving the bids at the August 1, 2011 meeting.

Wyland requested information about the Vine Street Reconstruction & Drainage Improvements Feasibility Study. Mr. Postler responded that the study is anticipated to be completed in four to six weeks. The recent heavy rainfall in a short amount of time was noted; the design of the storm sewer was shared. Activity in the Private Developments was reviewed.

2011 MILL AND OVERLAY PROJECT, SPECIAL ASSESSMENTS FOR CURB AND GUTTER PRELIMINARY RESOLUTION NO. 14-11: City Administrator Devin Willi provided information about the standard procedures regarding the 2011 Mill and Overlay project, and the special assessments for curb and gutter within the project as noted in Preliminary Resolution No. 14-11.

MOTION by Bernard, second by Yacoub, to suspend the rules toward adoption of Resolution No. 14-11. Roll call vote, all ayes (6), MOTION CARRIED. MOTION by Bernard, second by Yacoub to adopt the following:

RESOLUTION 14-11
SPECIAL ASSESSMENTS FOR CURB AND GUTTER
(2011 Mill and Overlay Project)
(Copy on file in the Clerk's office and attached)

All ayes (6), MOTION CARRIED.

APPROVE NEW BOND SCHEDULE FOR SMOKING VIOLATIONS: City Attorney Catherine Munkittrick explained the proposed new bond schedule recommended by Judge Gherty, regarding violations for smoking in prohibited areas. MOTION by Wyland, second by Bernard to approve the bond schedule for smoking in prohibited areas, as presented. All ayes (6) MOTION CARRIED.

COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR: Mayor Burchill shared information about a recent heavy rainfall and a sewer backup problem on Grandview Drive. Wyland thanked the Public Works crew for their assistance regarding the flooding in his neighborhood, and asked that contact information for emergencies be posted on the City's website. Mr. Wyland also suggested future efforts regarding Emergency Management be combined with North Hudson.

COMMUNICATIONS AND ITEMS FOR FUTURE AGENDAS: None were shared.

ADJOURNMENT: MOTION by Wyland, second by Bernard to adjourn the meeting. All ayes (6), MOTION CARRIED at 7:58 p.m.

Nancy J. Korson, City Clerk

CITY OF HUDSON
ORDINANCE NO. 14-11

WHEREAS, adequate parking is important to the economic vitality and the public health, safety and welfare of the City of Hudson;

WHEREAS, the City has adopted parking laws that are designed to make the most use of the parking spaces available and to prohibit, or otherwise restrict parking in certain areas or for certain times for the benefit of the public health, safety, and welfare;

WHEREAS, enforcement of those restrictions is necessary to encourage compliance with the parking restrictions and to protect the public health, safety, and welfare;

NOW THEREFORE, The Common Council of the City of Hudson hereby ordains as follows:

Section I. That Hudson City Code shall be amended to add Article IV, as follows:

ARTICLE IV - PARKING ENFORCEMENT

Section 235-54. Official Parking Signs and Markings.

- A. **Erection of Signs and Street/Curb Marking.** The Public Works Director shall cause to be erected such parking signs and curb or pavement markings as are necessary to give adequate notice of the parking restrictions, prohibitions and limitations as provided in the Hudson City Code.
- B. **Violation Prohibited.** A violation of any properly noticed parking restriction, prohibition or limitation provided in the Hudson City Code or as shown on the posted signs or markings shall be a violation of the provisions of this municipal code.

Section 235-55. Towing and immobilizing parked vehicles.

- A. **Towing of Parked Vehicles.** Any vehicle parked in violation of Wisconsin Statutes, or contrary to the restrictions, prohibitions and limitations of this Chapter or any provision of the Municipal Code, may be towed or immobilized. Additionally, vehicles may be towed as deemed to be necessary for snow removal, highway maintenance/ construction or in the interest of public safety including, but not limited to, situations in which the parked vehicle is blocking traffic or otherwise creating an emergency. The police department shall facilitate towing under this section.
- B. **Towing and/or Immobilizing Illegally Parked Vehicle with Three or More Uncontested and Unpaid Parking Violations.**

In addition to the circumstances described in Section 235-55 A above, an illegally parked vehicle may be ordered to be towed or immobilized by the police department if the vehicle owner has at least three parking violations, which, as of the date in question, remain uncontested and unpaid. 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:

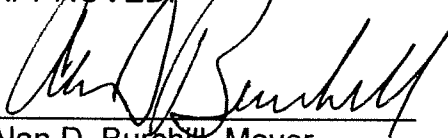
1. If the vehicle is immobilized, in addition to the mailed notice of immobilization/towing required below, notice of the immobilization shall also be affixed to the vehicle with instructions that the vehicle owner or operator may go to the Hudson Police Department to arrange for removal of the immobilization 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.

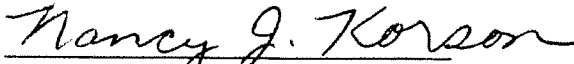
Dated this 18th day of July 2011.

APPROVED:



Alan D. Burchill, Mayor

ATTEST:



Nancy J. Korsor, City Clerk

First reading: ----
Date adopted: 7/18/11
Date published: 8/4/11

CITY OF HUDSON
RESOLUTION NO. 14-11

PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE
SPECIAL ASSESSMENT POWERS UNDER SECTION 66.0703, WIS. STATS.

(2011 Mill and Overlay Project)

BE IT RESOLVED, by the Common Council of the City of Hudson,
Wisconsin:

1. The Common Council hereby declares its intention to exercise its power under Section 66.0703, Wis. Stats., to levy special assessments upon property within the following described area pursuant to the police power of the City, and upon such property by installation of the following improvements:

IMPROVEMENTS: Curb and gutter replacement within the 2011 Mill and Overlay Project.

DESCRIPTION OF BENEFITED PROPERTIES: Parcels adjacent to Coulee Road from approximately 11th Street to 19th Street.

ASSESSED PROPERTY:

1. Parcels adjoining Coulee Road with addresses from 1101 Coulee Road to 1917 Coulee Road.

2. The total amount assessed in such district shall not exceed 100 percent (100%) of the costs of the improvements plus any direct and indirect cost thereof, the damages occasioned thereby, the reasonable charge for the services of the administrative staff of the City, and the cost of any engineering and legal service, and any other item of direct or indirect cost which may be reasonably attributable to the proposed work or improvements. The Common Council determines that such improvement and/or costs shall be made under the police power, and the amount assessed each parcel shall be based on benefits.

3. The assessments against each parcel shall be payable in cash or according to the following schedule, with deferred payments to bear interest at the rate of two percent (2%) above the costs of City-borrowed funds:

\$500 or less.	1 year
\$501 to \$1,000.	2 years
\$1,001 TO \$2,500	3 years
\$2,501 TO \$5,000	5 years
\$5,001 or greater	10 years

Special assessments not paid when due shall be subject to interest and penalty charge imposed by St. Croix County in accordance with Sec. 74.47, Wis. Stats.

4. The Public Works Department is directed to prepare a report consisting of:

- (a) Preliminary plans and specifications for said improvements.
- (b) Exact locations where said improvements are necessary.
- (c) An estimate of the entire cost of the proposed improvements.
- (d) Schedule of proposed assessments.

Upon completing such report, the Public Works Department is directed to file a copy thereof in the City Clerk's office for public inspection.

5. Upon receiving the report, the Clerk is directed to give a Class I notice of a public hearing on such report as specified in Sec. 66.0703(7), Wis. Stats. The hearing shall be held at the Council Chambers in the City Hall in the City of Hudson at a time set by the Clerk in accordance with Sec. 66.0703(7), Wis. Stats.

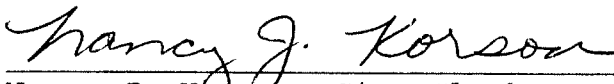
Dated this 18th day of July, 2011.

APPROVED:



Alan D. Burchill, Mayor

ATTEST:



Nancy J. Korson, City Clerk

Approved: 7/18/11

Published: 7/28/11 (send affidavit of publication)

Mailed to property owners: _____