

**CITY OF OWEN COMMON COUNCIL MEETING MINUTES**

**DATE:** Tuesday, August 25th, 2020

**LOCATION:** Owen Community Building 833 W 3<sup>rd</sup> Street., Owen WI 54460

**TIME:** 6:00pm

**CITY OFFICIALS PRESENT:** Mayor Charles Milliren

Alderspersons: Joan Jalling, Pam Jaffke, Bob Wilczek, John Mauer, Al Wagner, Ken Martine

**CITY OFFICIALS EXCUSED:**

**ATTENDANCE LIST:** Clerk Michelle Kind & CDC/Tim Swiggum

**COMMUNITY ATTENDANCE:** Nicole Rogers/Sentinel & Rural News, and Cindy Cardinal/O-W Enterprise, Stacy & Tony Wallace/Last Ace, Sandy Deacon/Withee, Kelly & Mark Hanson/Thirsty Squirrel, Larry Hodnett & Dick Peterson & Betty Boalczkowski/Woodland Hotel, Wally & D Bogseth, and Patty Nelson.

A quorum being present, the meeting was called to order by Milliren at 6:03pm & the Pledge of Allegiance was recited.

**Public Comment:**

Andrea Mahnke submitted via email the following:

A couple of items for open discussion, re-sale of SCE lot 11 & Construction precedent of duplex on Lot 9. Rubbish burn pile simply pushed to the end of 9th St. next to corn field. What is the plan for cleaning this up? Is it acceptable to have piles of garbage left over from construction? Why was there never a dumpster on the construction site as well as porta potty? What is the timeline for finishing the Lot 9 duplex? Siding, fascia, soffit, etc? Landscaping and maintenance?

Milliren to follow up with Bohl Construction to keep the construction area clean and Wilczek noted some building materials have been delayed due to COVID.

**Minutes:**

Motion by Jalling/Martine to approve the minutes from August 11th, 2020 – see attached. Motion carried.

**2020 5<sup>th</sup> Street CDBG Pay application #2 for Steen Construction:**

Motion by Jalling/Jaffke to approve the pay application #2 for \$430,553.06 – see attached. Motion carried. Swiggum noted it is expected the first coat on the roadway will be this fall and the final coat next spring. Kind noted she is working with the Grant Coordinator to process the pay application and grant dollars for a quick turnaround.

**Sewer Commission Appointment through April 2023:**

Motion by Mauer/Martine to appoint Dave Booth to the Sewer Commission through April 2023. Motion carried.

**Beverage Server Applications:**

Motion by Martine/Wilczek to approve the Beverage Server Applications of Patrick Jenness/Skunky's and Maggie Seefluth/Meadowview pending background check approval from Chief Ibarra – see attached. Motion carried.

### **Ordinance/Licensing Report:**

Lengthy discussion held with Council and Liquor licensed establishments regarding the State Statues and the Local Ordinance 7-20-17 mandating 150 days of being open per year, abandonment, license revocation or suspension and a point system for such. There was question as to two establishments of the six issued for 2020. The City Council can extend a variance for this, normally due to a fire or flood of the establishment. The O-W Vets club maintain through their many events they would be available to be open for business to serve for the number of days required by Ordinance and as long as COVID-19 allows them. Mauel noted several establishments changed hands and had to wait for their Liquor license and if they are not in compliance, they should get written notification. Establishments noted to be fair to everyone they all need to be treated equally and follow the same requirements. Kind read a review of the Ordinance form Attorney Alan Harvey of the subsection on Ordinance notes abandonment is for any reason they are not open. It was debated whether the DOJ would talk a license away from the City. Per the Tavern League it is normally 500 people per issued license. Noted the Woodland sellers permit was applied for after the application was submitted and obtained 6/30/20, and the Bartenders Servers certificate was dated July 14<sup>th</sup>. Jalling inquired why this ordinance was not found in past years. Kind noted the Police Dept, Public Works, Clerk/Treasurer are all newly employed, and it takes time to review all the Ordinances the City Council has approved. Chief Ibarra was not made aware of the issues and inspections done previously for each establishment for review when the Woodland was denied in 2015 so he would not have been able to take that into consideration when issued in 2018 & 2019. Wilczek inquired how does it look when two businesses that are open request a license and the City issues to a business that has been closed for several years. The City issues the licenses available and the establishment does not own them, and they cannot be sold with the premise. Building permits were discussed for Commercial buildings a State approved building plan must be submitted and a local building permit issued for electrical and plumbing updates, heating/AC/Hvac updates, ADA compliancy, any renovations to kitchen or bathrooms, entrance and exit updates. Permits are not required for basic maintenance or flooring updates. Swiggum of the Woodland expressed they need the Liquor license for the business plan when they open and have been continuously remodeling doing a lot themselves over the past several years to avoid a large construction loan. When they open, they intend to follow all rules and restrictions. They have not abandoned the premise and are asking for time to finish their historic renovations to the Woodland restaurant and hotel as the best thing for the downtown. Milliren requested the Council wait for the 150 days estimated to be January 2021 as they expect to be able to get the Cavern Tavern open by then. Several Council members requested the Ordinance be clarified. Several attendees thought any new business should be at the meeting to request it. Milliren requested Kind to provide a letter to El Pinal, #Red Daisy, and anyone else interested in in a Liquor License to fill out an application and establish a waiting line for when a license becomes available. Motion by Wilczek/Martine to obtain a clear policy for the Ordinance 7-2-17 & request from the Ordinance Attorney the definition of abandonment, open hours, operational, with keeping the 150 days requirement and to send it back to the Ordinance and Licensing committees for recommendation. Motion carried.

### **Planning Dept Report:**

Wilczek reported on Planning Committee offers to purchase and suggested locations for Casper to move their equipment.

### **Countryside Estates Lot 11 on 9<sup>th</sup> street offer to purchase Parcel #265.0301.013:**

Motion by Mauel/Wagner to approve Bohl's offer to purchase Lot 11 Parcel #265.0301.013 for \$800.00 for duplexes including the curb & gutter at their cost and approved upon inspection by the City – see attached. Motion carried.

**East Side Industrial Park TIF #3 offer to purchase Parcel(s) 265.0291.001 & #265.0291.002:**

Motion by Jalling/Martine to approve Bogseth Transport, LLC offer to purchase the Parcels 265.0291.001 & 265.0291.002 for \$100 per acre of 3.8 acres for a total of \$400 with the landscaping stipulation for a school bus barn, shop, and maintenance facility – see attached. Motion carried.

The current lot renter Casper Construction will be offered another parcel in Owen to rent and will be asked to vacate the property as they have been renting it quarterly through the end of Sept 30<sup>th</sup>.

**Park & Rec Report:**

Wilczek reported meeting with the Will Maki Foundation for the Memorial plans – see attached.

Wilczek called the DNR in response to the plans and boat landing / dry hydrant for use by the fire dept. on north end. The DNR noted the City would need a permit for the riprap & boat landing. City can raise area for Memorial above grade without a permit and do renovation. The Park & Rec committee recommended moving forward the Memorial plans for Council approval. Also discussed acoustical tiles for the band shelter ceiling that would keep the birds out and provide better sound.

**Will Maki Memorial Plans at Mill Pond:**

Motion by Martine/Mauel to approve attached drawing as requested by the Memorial foundation and add riprap along the pond to reduce the overgrown ground and weeds. The park side will be raised to an elevated grade. A DNR permit will be made for the whole pond area with an application fee of \$630 to will allow work for 3 years will include the riprap, boat landing, and dry hydrant. The Foundation is covering everything on the plan with minimal work from our crew. The permit can also be extended past the 3 years for an additional 5 years free of charge to continue the project as budget allows. The Memorial trail will allow people to donate brick pavers for loved ones along the trail along the dock to the memorial bench. Wilczek to review with the Memorial Foundation.

**CDC Car Show Revitalization Committee report:**

Swiggum reported on the 2020 Car Show held on 8/15 – see attached income and expense report. There was a great response from the community and the event had food, bouncy house, DJ, train rides and car show with 69 applicants. The event earned approx. \$2,600.

**Clerk/Treasurer Report**

Election results for August Primary – see attached. Already receiving absentee requests for the November election. A flyer from the WI Election Commission to be mailed out to residents. The website will also note this and residency changed to 28 days from 10 days. Election security grant to be applied for to cover computers and security training as noted.

Dennis Looker Retirement Party will be at the Mill Pond Park Pavilion 8/28/20 from 2-5pm with drinks, food, and cupcakes hope to see everyone there. The office will be there to serve the guests.

**Disbursements/Accounts Payable:**

Motion by Wilczek/Jaffke to approve the accounts payable of \$469,717.49 as presented – see attached including \$430,579.41 to Steen Construction for the 5<sup>th</sup> street project. Motion carried. The Pike Office supply item will be verified for Parks.

**Suggested Items for Future Agendas:**

9<sup>th</sup> street design for the new duplexes from Cedar Corp, Raze Orders and asbestos review and plan, and website photos of the City Council.

Mayor Milliren adjourned the meeting at 7:24pm.  
Next Council meeting is Tues. Sept 8th<sup>th</sup> at 6pm.

Respectfully submitted, Michelle Kind,  
Clerk/Treasurer WCMC