

March 9, 2010 **Common Council Minutes**

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The City of Owen Common Council met in regular session on Tuesday, March 9, 2010 at 7:00 p.m. at City Hall. Mayor Timothy Swiggum presided and City Clerk/Treasurer Terri Ernst served as secretary. Present Alderpersons: Tolzmann, Lulloff, Lorence and Shelton. Absent were Riihinen and Heggemeier. A quorum being present, the meeting was called to order. Also present were Deputy City Clerk/Treasurer Cindy Cardinal and Police Chief Randy Poirier.

Approve Minutes

A Tolzmann/Lorence motion and subsequent vote approved the minutes for the 2/23/10 meeting.

Treasurer's Report

A Lulloff/Lorence motion and subsequent vote approved the Treasurer's report for February 2010.

Police Report

A Tolzmann/Lulloff motion and subsequent vote approved the Owen-Withee Police report for February 2010. Chief Poirier also reported that odor complaints came from Kerry Ingredients and Rick Kopplitz this week regarding Badger Ag Solutions. On average there is 1 complaint every two weeks.

Public Opinion

Present: Judy Vollrath with the O-W Enterprise, Mike Voss with MSA Professional Services, Dennis Anderson with Kerry Ingredients, Jeff Hill, Scott Jalling and Dee Wells. No public comment.

Sale Lot #2

Dee Wells was present to discuss plans for the construction of a new travel plaza in the East Side Commercial Park. Wells offered pictures of a dairy themed building providing 10-12 full time and 12 part time positions. Mayor Swiggum summarized that the Council had approved the sale of Lot #2 to the Wells for \$9,400 on November 24, 2009. Wells expressed concern in securing the deal and the City Attorney was contacted. City Attorney, Bill Thiel, prepared a draft Option Agreement. The Option Agreement would secure the sale of the lot to Wells including several important aspects of the entire project. The City Attorney will be contacted to add more terms to the sale, such as: City getting infrastructure to the park; Travel Center constructed within 2 years of infrastructure installation; Availability of a Class A beer license and liquor license; Guarantee buyer cooperation with MSA Professional Services applications for infrastructure funding; Approval from County or State on driveway and culvert location; Set a minimum value of building & land at \$1 million; Guarantee 15 full time positions; Buyer provide a non-refundable deposit of \$1,000; and failure of buyer to build in the allotted time, the property would revert back to the City. The City is presently working with MSA Professional Services to get water and sewer to the East Side Commercial Park and the Agribusiness Park. A Shelton/Lulloff motion and subsequent vote approved to submit the additions to the City Attorney and to work with the Wells attorney to the satisfaction of both parties.

Kerry Ingredients

Dennis Anderson, Maintenance Manager at Kerry Ingredients was present to inform the Council that they are planning a 2 phase project to construct a wastewater treatment plant and water re-use facility. The project will begin in 2010 and be completed in 2011. A Lulloff/Shelton motion and subsequent vote approved the City to cooperate with Kerry Ingredients during their 2 phase project.

4th Street Sewer Project

A Tolzmann/Lorence motion and subsequent vote approved for MSA Professional Services to prepare a Design to replace part of the sewer main and line the remaining sewer main on 4th Street between the railroad tracks and N. Pine Street. This project was planned and budgeted for in 2010.

2nd Reading of Ordinance

A Shelton/Tolzmann motion and subsequent vote approved the 2nd reading of the Sex Offender Residency Restrictions Ordinance Sec. 11-2-19. The ordinance can be viewed upon request at the Owen City Hall.

Owen Mfg. Property

Director of Public Works Gary Smith obtained an excavator to dig approximately 14 test holes looking for buried contaminants. Deputy Clerk Cardinal reported that the area where a chemical odor was located will require additional testing and a 55 gallon drum containing a hard white substance was also found along with miscellaneous trash and garbage. The use of the excavator saved the City costs of approximately \$2,500.

Donation

Mayor Swiggum presented dates that he will go to attend Leadership Wisconsin educational programs. The Mayor requested the Council donate \$500 to Leadership Wisconsin to be paid from the Mayor's salary budget. A Shelton/Lorence motion and subsequent vote approved the \$500 donation from the Mayor's salary budget.

Payroll Report

Presented were time cards for all employees for the pay period of 2/6/10 through 3/5/10. A Tolzmann/Lulloff motion and subsequent vote approved the report.

Vouchers

A Lorence/Tolzmann motion and subsequent vote approved paying the following vouchers: City Pooled 41422-41474; CDBG/2008 1008. City Total \$58,056.49, Water Total \$12,556.70, Sewer Total \$6,316.35.

Adjourn

A Shelton/Lorence motion and subsequent vote approved to adjourn the 3/9/10 open session meeting at 8:50 p.m.