

**CITY OF HAYWARD  
SAWYER COUNTY, WISCONSIN  
REGULAR CITY COUNCIL MEETING  
Monday, April 8, 2019  
MINUTES**

The meeting was called to order by Mayor Munich at 6:15 p.m.

**Roll Call:**

Council Present: Mayor Munich, Ald. Gillis, Ald. Johnson, Ald. Kennell, Ald. Miller, Ald. Swan, Ald. Voight and Ald. Williamson  
Council Absent: Ald. Kreyer  
Others Present: Attorney Kelsey, Director McCue, Chief Clapero, Clerk Poppe, Deputy Clerk Metcalf, Mike Stoffel, Jeremy Hill, Dan Hinman, Lynn Fitch, Debra Rankin and Frank Zufall

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**Lynn Fitch, Sawyer County / LCO Economic Development Corporation – Update regarding place making**

Lynn Fitch, Sawyer County / LCO Economic Development Corporation provided the mayor and council members with an update regarding a community place making activity scheduled for May 14<sup>th</sup> at the Veterans Community Center. Mrs. Fitch also provided an update regarding the creation of a Business Improvement District, stating that the information should be in place and ready to be presented to the Planning Commission during the first or second week of May.

**Dan Hinman, Rumble on the Lake – Request to have the first block of Main Street blocked off for the Rumble on the Lake event Saturday, June 1, 2019**

A motion was made by Ald. Kennell, seconded by Ald. Swan to approve the request, submitted in a letter by Dan Hinman, Rumble on the Lake, to close the first block of Main Street on Saturday, June 1, 2019, for a Rumble on the Lake motorcycle event; at 6:00 a.m. cones are to be placed on Main Street with signage specifying that there will be no parking on the first block of Main Street after 10:00 a.m.; at 10:30 a.m. the first block of Main Street will be barricaded; Main Street to re-open as soon as all of the Rumble on the Lake event participants have left – approximately 12:15 p.m. Motion carried.

**Hayward Civic Club – Request to display fireworks on July 4, 2019**

A motion was made by Ald. Gillis, seconded by Ald. Williamson to approve the Hayward Civic Club's request to display fireworks on July 4, 2019; provided proof of insurance is on file in the Clerk's Office for both the Hayward Civic Club and Speilbauer Fireworks Co Inc. prior to the event. Motion carried.

**Police Chief & Assistant Police Chief Wages for 2019: Police Chief forgoing his three percent wage increase for 2019; the Assistant Chief receiving a three percent wage increase on January 1, 2019 and a three percent wage increase on July 1, 2019.**

A motion was made by Ald. Kennell, seconded by Ald. Voight to approve Chief Clapero's request to forego his three percent wage increase for 2019 in order for the assistant chief to receive an additional three percent wage increase on July 1, 2019; the assistant chief of police to receive a three percent wage increase on January 1, 2019 and a three percent wage increase on July 1, 2019. Motion carried.

**TID 5: Developer's Agreement between the City of Hayward and Jeremy Hill, Hill Construction LLC – Jeremy Hill's request that changes be made to the proposed agreement**

A motion was made by Ald. Kennell, seconded by Ald. Williamson to approve the following changes to the TID 5 Developer's Agreement between the City of Hayward and Jeremy Hill, Hill Construction LLC as requested by Jeremy Hill: making the agreement such that it applies to the "property owner" or assignees of Hill Construction LLC; if Hill should happen to sell the property within the 15 year payback period, the agreement and payback are to apply to the new owner for the remainder of the 15 year payback period; removal of the cap on the 70% payback dollar amount; receiving the 70% payback within 30 days of a tax payment being made (whether the tax payment is made in January or July); the forfeiture of the 70% payback if Hill owes delinquent water & sewer utility bills, etc. to remain in the agreement – the City shall have the option to show Hill leniency based on the amount and duration of any delinquency. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

**Resolution No. 19-01: Policy to Prohibit the Use of Excessive Force and the Barring of Entrances / Exits for Non-Violent Civil Rights Demonstrations**

A motion was made by Ald. Miller, seconded by Ald. Gillis to approve and adopt Resolution No. 19-01: Policy to Prohibit the Use of Excessive Force and the Barring of Entrances / Exits for Non-Violent Civil Rights Demonstrations, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

RESOLUTION No. 19-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, Sawyer County, Wisconsin  
POLICY TO PROHIBIT THE USE OF EXCESSIVE FORCE AND THE BARRING OF ENTRANCES/EXITS FOR NON-VIOLENT  
CIVIL RIGHTS DEMONSTRATIONS

WHEREAS Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 69 §5304) prohibits the State from expending or obligating any Community Development Block Grant funds to any unit of general local government that does not have or adopt a policy prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and a policy of enforcing State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS it is in the interest of the City of Hayward to pursue Community Development Block Grant Funds and to adopt policy that complies with Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 USC 69 §5304);

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HAYWARD: It is POLICY of the City to prohibit the use of excessive force by law enforcement agencies within the City's jurisdiction against any individuals engaged in nonviolent civil rights demonstrations. It is POLICY of the City to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within the City's jurisdiction. The officials and employees of the City shall assist in the orderly prevention of all excessive force within the City of Hayward by implementing the authority and enforcement procedures set forth in Title I of the Housing and Community Development Act of 1974. The City Council directs the City Police Chief to implement this Resolution by amending applicable City Police Office procedures.

PASSED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAYWARD.

INFORMATION and assistance relative to excessive force complaints shall be directed to the City of Hayward Clerk who may be contacted at the City of Hayward City Hall, 15889 W 3rd Street, Hayward, Wisconsin 54843 or 715.634.2311.

**Resolution No. 19-02: Authorizing the Submission of a Community Development Block Grant (CDBG) Application**

A motion was made by Ald. Gillis, seconded by Ald. Williamson to approve and adopt Resolution No. 19-02: Authorizing the Submission of a Community Development Block Grant (CDBG) Application, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

Resolution No. 19-02

Authorizing Resolution for the Submission of a Community Development Block Grant (CDBG) Application Relating to the City of Hayward participation in the Community Development Block Grant – Public Facilities (CDBG-PF) / Planning (CDBG-PLNG) program;

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the Wisconsin Department of Administration (DOA) Division of Energy, Housing and Community Resources (DEHCR) for the purpose of the provision or development of a City plan (CDBG-PLNG), or for the provision or improvement of public facilities (CDBG-PF); and

WHEREAS, after public meeting and due consideration, the City Council has recommended that an application be submitted to DOA for the following project(s): 2020 Street and Utility Improvements; and

WHEREAS, it is necessary for the City Council to approve the preparation and filing of an application for the City to receive funds from this program; and

WHEREAS, the City Council has reviewed the need for the proposed project(s) and the benefits(s) to be gained there from;

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby approve and authorize the preparation and filing of an application for the above named project(s); and that the Mayor is hereby authorized to sign all necessary documents on behalf of the City; and that authority is hereby granted to the City Council to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

**A motion was made by Ald. Miller, seconded by Ald. Williamson to approve the following:**

1. **Minutes:** Public Works of 03/11; Finance of 03/11; and Regular Council of 03/11 (abridged / unabridged)
2. **From Public Works of 04/08:**
  - A. The submission of a written request to the WI DOT to have the speed limit on Hwy 27 from S. Florida Avenue south to Lee Road (approximately 400 feet) reduced from 45 miles per hour to 25 miles per hour
  - B. The street and utility improvements along Main Street from USH 63 to Fifth Street and 3<sup>rd</sup> & 4<sup>th</sup> Streets from Main Street to Kansas Avenue (Estimated at \$1.48 million) and the replacement of the sanitary sewer from California Avenue to Nyman Avenue (Estimated at \$200,000) as proposed projects for the 2019 Community Development Block Grant application.
  - C. Information Only. Director McCue stated that the Town of Hayward is going to let for bids for the pulverizing and paving of County Hill Road / Johnson Street. The Town of Hayward will include the City's portion of Johnson Street in the bid request. Director McCue estimates the City's portion of the pulverizing and paving to be approximately \$100,000.

- D. Information Only. Director McCue informed the committee members that one of the public works crew will be off work for approximately six weeks. This may create issues with leaf pickup and other spring projects. Director McCue stated that Greg Schultz and his son Dylan may be able and willing to help out should the need arise.
- E. Information Only. Director McCue stated that the Hwy 27 project is currently ahead of schedule. A-1 Excavating brought in an extra crew to work on the water main south of the bridge. The project is to be substantially complete from USH 63 to the bridge by June 27<sup>th</sup>. At that time, the project will be halted; the project is then scheduled to resume later this fall.

**3. From Finance of 04/08:**

- A. The payment of City General Fund checks numbered 32486 through 32560; Water & Sewer Fund checks numbered 10478 through 10501; and the March account transfers.

**4. Operator Licenses: – Regular (June 30, 2019): Candi L Weber and Kenneth B Milender**

**5. The Transfer of Agent – from Ronald Mayfield to Jennifer Reynolds as requested by the Hayward Veterans Association Inc.**

**6. The Transfer of Agent – from Carol Tilleman to Mason Rohde as requested by Thousand Oaks LLC (Flat Creek Eatery & Saloon).**

**Roll Call Vote:** Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

**Pubic Comments**

Frank Zufall asked for clarification regarding the Community Development Block Grant projects and the changes to the TID 5 Developer’s Agreement.

Debra Rankin addressed the mayor and council members regarding the paving of Guard Street.

**Clerk’s Report**

The Hayward Area Chamber of Commerce has applied for a Temporary Class “B” Retailer’s License for a Business After 5 event to be held on April 25, 2019.

**Executive Session**

Executive Session per §19.85(1)(e) for the purpose of deliberating or negotiating the investing of public funds – The council decided not to go into executive session.

**Action from Executive Session**

No action was taken, as the council did not go into executive session.

**Adjournment**

A motion was made by Ald. Gillis, seconded by Ald. Miller to adjourn. The meeting was adjourned at 7:05 p.m.

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\*Charles J Munich, Mayor

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\*Lisa Poppe, City Clerk-Treasurer