

**CITY OF HAYWARD
SAWYER COUNTY, WISCONSIN
REGULAR CITY COUNCIL MEETING
Monday, June 12, 2023
MINUTES**

The meeting was called to order by Mayor Gillis at 6:00 p.m.

Council Present: Mayor Gillis, Ald. Hand, Ald. Herrmann, Ald. Kreyer, Ald. Miller, Ald. Nelson, Ald. Swan and Ald. Williamson
Council Absent: Ald. Hofer
Others Present: Attorney Kelsey, Chief Clapero, Director McCue, Chief Herrmann, Clerk Poppe, Deputy Clerk Metcalf, Greg & Tammi Tikalsky, Quentin Johnson, Heather Sheehan, Tucker Plumstead, Roberto Escamilla, Frank Zufall

Pledge of Allegiance

The Pledge of Allegiance was recited.

Greg Tikalsky, Three Fish, Two Skis and a Wise man – Trolley Tour of Historic Hayward – Request to use a portion of the City’s Municipal Parking Lot (Hwy 63 & Main Street) for loading & unloading and parking for tour participants

A motion was made by Ald. Miller, seconded by Ald. Williamson to approve Greg Tikalsky’s (Three Fish, Two Skis and A Wise man Trolley Tour of Historic Hayward) request to reserve three to four parking spaces in the municipal parking lot at Hwy 63 & Main Street, near the Chamber Office, for loading & unloading of tour participants, on Friday, July 25, 2024, as presented. Motion carried.

Stubborn Mule Adventure Race – June 24-25, 2023 – will be using paved recreational paths & roads throughout the City and the Hayward Lake Boat Landing for the event

A motion was made by Ald. Miller, seconded by Ald. Kreyer to approve the participants of the Stubborn Mule Adventure Race using the paved recreational paths & roads throughout the City and the Hayward Boat Landing for the event on June 24-25, 2023. Motion carried.

Hayward Civic Club – Request to display fireworks on July 4, 2023 and to display a banner across Main Street from June 26th through July 5

A motion was made by Ald. Swan, seconded by Ald. Hand to approve the request submitted by the Hayward Civic Club to display firework on July 4, 2023 and to display a banner across Main Street from June 26th through July 5th. Motion carried.

Resolution No. 23-09: Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

A motion was made by Ald. Williamson, seconded by Ald. Swan to approve and adopt Resolution No. 23-09: Declaring official intent to reimburse expenditures from proceeds of borrowing, as read by Attorney Kelsey. Roll Call Vote: Ald. Hand - yes, Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - yes, Ald. Nelson - yes, Ald. Swan - yes and Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

RESOLUTION NO. 23-09

A RESOLUTION DECLARING OFFICIAL INTENT

TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

WHEREAS, the City of Hayward, Sawyer County, Wisconsin (the “Municipality”) plans to undertake the Reconstruction of 2nd Street (the “Project”); and

WHEREAS, the Municipality expects to finance the Project on a long-term basis by obtaining a promissory note (the “note”); and

WHEREAS, because the note will not be issued prior to the incurring of project costs, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the note; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the note proceeds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hayward that:

- Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until note proceeds become available.
- Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the note, the principal amount of which is not expected to exceed \$500,000.
- Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the note are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.
- Section 4. Public Availability of Official Intent Resolution. This Resolution shall be available for public inspection at the City of Hayward Clerk’s office within 30 days after its approval in compliance with applicable State law governing the

availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the note is issued.

Section 5. Effective Date. This Resolution shall become effective upon approval and adoption.

Resolution No. 23-10: Wastewater Treatment Plant Compliance Maintenance Annual Report

A motion was made by Ald. Kreyer, seconded by Ald. Williamson to approve and adopt Resolution No. 23-10: Wastewater Treatment Plant Compliance Maintenance Annual Report, as read by Attorney Kelsey. Roll Call Vote: Ald. Hand - yes, Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - yes, Ald. Nelson - yes, Ald. Swan - yes and Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

RESOLUTION NO. 23-10

COMPLIANCE MAINTENANCE ANNUAL REPORT

Be it hereby resolved that the City of Hayward informs the Department of Natural Resources that the following actions have been set forth by the City of Hayward Common Council:

1. Review of the 2022 Compliance Maintenance Annual Report (CMAR).
2. Address the groundwater quality issue by:
 - A. Pursuing advanced nitrogen treatment and nitrogen reduction options prior to the next wastewater treatment plant upgrade.
 - B. Continuing to sample groundwater from various monitoring wells and analyzing the samples on a quarterly basis.

Resolution No. 23-11: J&D Properties of Hayward Inc. – Special Assessment of Paving Costs pertaining to the replacement of the Smith Creek Culvert

A motion was made by Ald. Nelson, seconded by Ald. Miller to waive the reading of Resolution No. 23-11: J&D Properties of Hayward Inc. – special assessment of paving costs associated with the Smith Creek Culvert Project. Motion carried. A motion was made by Ald. Miller, seconded by Ald. Nelson to approve and adopt Resolution No. 23-11: J&D Properties of Hayward Inc. – special assessment of paving costs associated with the Smith Creek Culvert Project, as presented. Roll Call Vote: Ald. Hand - yes, Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - yes, Ald. Nelson - yes, Ald. Swan - yes and Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

RESOLUTION No. 23-11

FINAL RESOLUTION AUTHORIZING THE INSTALLATION OF BLACKTOP PAVEMENT; AND PROVIDING FOR ASSESSMENT OF COSTS UNDER SECTION 66.0703, WISCONSIN STATUTES

WHEREAS, the owners of the following described property requested that the City of Hayward provide for the installation of blacktop pavement, and all owners signed and filed a petition with the governing body of the City of Hayward, Wisconsin, for waiver of all special assessment hearings and notices pursuant to §66.0703(7)(b). The City of Hayward provides for the assessment of such for the property described as follows: That part of the Southeast Quarter of the Southwest Quarter of Section 22, Township 41 North, Range 9 West, in the City of Hayward, Sawyer County, Wisconsin, more particularly described as Outlot 1 of Certified Survey Map No. 7114, Volume 27, Page 253, as Document No. 334112 and Outlot 4 of Certified Survey Map No. 6416, Volume 23, Page 239, as Document No. 299977.

Parcel Identification Number: 236-941-22-3418

NOW, THEREFORE, be it resolved by the Common Council of the City of Hayward as follows:

1. Installation of blacktop pavement, as requested by the petitioner.
2. The City Public Works Director shall cause the installation of the blacktop pavement.
3. The costs of the installation of the blacktop pavement shall be paid one hundred percent (100%) by the petitioning property owner.
4. Upon completion of the work authorized by this Resolution, the City Public Works Director shall file a record of the costs of the construction on, or in front of, each parcel in the Office of the City Clerk.
5. Assessments for all projects included in the report are hereby combined as a single assessment, but any interested property owner may object to each assessment separately, or all assessments jointly for any purposes.
6. When the record of the costs of construction has been filed in the City Clerk's office, the Clerk shall enter the costs of the blacktop pavement on the tax roll against the lots or parcels served; and shall notify the owners of the amount of the charges against the premises. The charges shall constitute a lien against the premises served, or to be served, until paid in full. Assessments shall bear interest at the rate of 5.75 percent per annum on the unpaid balance from August 1, 2023 until paid. Assessments may be paid in full or in ten (10) annual installments to the City Clerk. The first installment is due on August 1, 2024, and annually thereafter, until paid in full. Installments not paid when due, shall be placed on the next tax roll after the due date for collections. Installments of assessments, if not paid when due and placed on the tax roll, shall be assessed a ten percent (10%) surcharge.
7. The City Clerk shall publish this resolution as a class 1 notice under Ch. 985, Stats., in the assessment district and mail a copy of this resolution and a statement of the final assessment against the benefited property, together with notice of installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known, or with reasonable diligence can be ascertained.

Petition for Annexation – Patrick T Duffy, Hayward Family Dentistry SC, 10541 N Ranch Rd

A motion was made by Ald. Miller, seconded by Ald. Williamson to accept and approve the petition for Annexation submitted by Patrick T Duffy, Hayward Family Dentistry SC, for the property located at 10541 N Ranch Road. Roll Call Vote: Ald. Hand - yes, Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - yes, Ald. Nelson - abstain, Ald. Swan - yes and Ald. Williamson – yes. Motion carried. Ayes (6), Nays (0), Abstain (1)

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

1. **Minutes:** Licenses, Permits & Ordinances of 05/08; Police & Fire of 05/08; Public Works of 05/08; Finance of 05/08; Regular Council of 05/08 (abridged / unabridged); Board of Review of 05/11; and Planning Commission of 05/11
2. **From Licenses, Permits & Ordinances of 06/12:**
 - A. Authorizing Attorney Kelsey to draft an ordinance addressing public safety, to be presented at next month's meeting.
 - B. Ordinance regarding the regulation of food trucks; and establishing a license fee for same – A motion was made by Ald. Miller, seconded by Ald. Hand to remove this item from the consent agenda and to act on this item separately. Motion carried. (Ald. Nelson – opposed)
3. **From Police & Fire of 06/12:**
 - A. The posting of the second police / school resource officer position as a full time position, with a hire date that coincides with the start of the 2023-2024 school year.
 - B. Chief Clapero addressed the mayor and council members regarding the Police Department's monthly call / activity log (number & types of calls received).
4. **From Public Works of 06/12:**
 - A. Director McCue updated the mayor and council members regarding the Smith Creek Culvert Project. Director McCue stated that all the underground work is complete and that Highway 63 is scheduled to be re-opened to traffic on Monday, June 19th.
 - B. The agreement, submitted by MSA, to perform Greenwood Cemetery data migration and GIS Implementation Services for an estimated cost of \$10,290.
 - C. The Hayward American Legion Post 218 making improvements to the Veteran Section of Greenwood Cemetery; and installing two water access point driven wells with pitcher hand pumps, one at each end of Greenwood Cemetery.
 - D. The quote submitted by Monarch paving in the amount of \$300,000 to fine grade and pave (3" thickness) Ranger Station Road, Ranger Estates Drive, Grant Drive, Laura Drive, Lee Road and Rock Creek Road; paving to be completed this fall.
5. **From Finance of 06/12:**
 - A. Clerk Poppe to meet with each of the department heads to calculate a dollar amount that could be invested in certificates of deposit for varying lengths of time, in order to take advantage of the higher rates of interest.
 - B. The payment of City General Fund checks numbered 36315 through 36393; Water & Sewer Fund checks numbered 11810 through 11839; and the May account transfers.
6. **The issuance of Operator Licenses: Regular (June 30, 2023):** Berkeley W Dietrich; Gretchen A Kuykendall; William D Perlick; Lauri A Perlick; Ella R Bloomquist; Bailey Jo Weingarten; Leah R Thunder-Gajda; Kenneth R Brewer Jr; Cheyenne J E Briggs; Morgan L Rabuck **Regular (June 30, 2024):** Justine E M McLean; Shila J Gillis; Kathryn A Bruflat; Emily M Paffel; Helena E Van Eck; Claire Heinen; Dixie L Hams; Ashley E Paffel; McKayla R Knudson; Elicia L Heinz; Carter J Lang; Jacqueline M Van Eck; Kimberly A Lang; Ashleigh L Magnuson; Adrianna A Nelson; Daniel L Snider; Katherine J LaVick; April M Rasmussen; William S Rasmussen Jr; William D Perlick; Lauri A Perlick; Teresa M Peters; Marie L Stroup; Robert J Davis III; Shawna L Olson; Holly A Davis; Bonnie J Stone; Amber R Benni; Verdaine D Peterson; Dara L Stone; Jade M Swanson; Shawn P Garcia; Darrell E Anderson; Lori A Henderson; Elizabeth A Ambler; Bruce A Larson; Arnold L Rice Jr; Amber M O'Hare; Arlene C ST Clair; Gretchen A Kuykendall; Douglas C Ruckdaschel; Brianna N McKenzie; Keith M Dougherty; Sarah D Miles; Scott B Hudnall; Jessica R Reinhardt; Robyn L Stryker; Heidi A Martens; Candi L Weber; Heather R Gobler; Marissa M Coons; Lauren H Stojek; Kevin S Wheeler; April L Skweres; Sandy D Trocchiano; Nelson J Barber; Hannah L Mahoney; Jarrett J McCarthy; Kenneth B Milender; Madeline R O'Connor; Ann M Thomas; Timothy J Anderson; Terry L Hogan; Nicole R Prochaska; Sherry K Bohnstadt; Misty D Walters; Sheree E Snider; Jean M Gilbert; Dantiele S Harris; Amy C DuPree; Cristian L Peters; Stephanie C Stewart; Kelly R Cashman; Kimberly S Stenzel; Matthew J Ficocello; Laura M Larson; Keith D Dewars; Michael J Boyer; Elizabeth A Korpala; Nancy E Nelson; Dennis W Persells; Timothy P Donovan; Michelle L Avila; Julie Franson; Amy S Jorczak; Kelsey J Neibert; Ella R Susedik; Lori A Welter; Ella R Bloomquist; Bailey Jo Weingarten; Jacob C Wilson; Maria E MacLaughlin; David Thunder; Amy L Quaderer; Jackie L Brown; Iras M Humphreys; Thomas M Matthiae; Patricia C Walling; Leah R Thunder-Gajda; Kenneth R Brewer Jr; Cheyenne J E Briggs; Joseph T Beran; McKenzie R Swarts; Tami L Beran; Berkeley W Dietrich; Isaac B Hanson; Christopher W Bruguier; Lindsay M Ryan; Mary L Lank-Jones; Kelleen Jo Pettermann; Rita A Thompson; Morgan L Rabuck; Theresa L Wilson; Denyse A Blackdeer; Karen J Sigafus; Alan N Rivenes-Brennan; Alyssa D Lessard; Coltin X Henderson; Joe J Eckland; Amanda E Hulquist; Austin J Egge; Charlotte A Jaeger; Alicia M Friermood; Jonathan W Wilber; Steven M Jalowitz; Kimberly S Schultz; Ami S Johnson; Patricia A Jalowitz; Lynn A Melton; Dawn M Quaderer; John W Blank; Tammy L L Casler; Cheri M Turner; John M Pruss; Jennifer L Rein; Nancy D Andrews; Daniel P MacLaughlin; Jess J MacLaughlin; Todd D Hurst; Stephanie A Weber; Farynn R Taylor; Deborah

M Dillon; Alyssa R Nelson; Avery A Wellauer; Alyse J Metcalf; Alayna G Johnson; Hunter J Karaszewski; Erica B McPeak; Melody L Rocaverte; Lora J Hills; Samantha L Mittlesdorf; Ronda E Tworek; Stephanie S Martin; Nancy K Bartlett

7. The issuance of Fermented Malt Beverage, Intoxicating Liquor & Wine licenses for the period of July 1, 2023 through June 30, 2024 as follows:

CLASS A INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGE:

Coborn's, Incorporated, Matthew J Mustafa, Agent, 10514 S Main St
Hayward Bait & Bottle Shoppe, Inc., John P Waggoner, Agent, 15737 Davis Ave
Northwoods Divas LLC, Kathleen S Peterson, Agent, 10531 Dakota Avenue
Wal-Mart Stores East, LP, Sarah J Jahr, Agent, 15594 State Hwy 77

CLASS B INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGE: Quota

Good Knights, Inc., David J Mueller, Agent, 15812 US Hwy 63
Los Portales LLC, Enrique Lopez Leon, Agent, 15546 County Road B
Louies Bar Restaurant LLC, Jay L Welter, Agent, 10583 Gresylon Drive
Lumberjack Village Inc., Fred C Scheer, Agent, 15650 County Rd B
Main Street Tacos, Sandra E Alfaro, Agent, 10560 Main Street
Rivers Edge Saloon LLC, Jon J Weber, Agent, 10175 State Road 27
Sabin LLC, Billie Jo Sabin, Agent, 10547 Main Street

Sam & Gram LLC, Debbi Houston, Agent, 10588 California Ave
TNT Sports Bar and Grill LLC, Timothy J Metropulos, Agent, 10562 Main Street
Thousand Oaks LLC, Douglas G Rohde, Agent, 10290 Hwy 27 S

Kathleen M Tworek d/b/a Moccasin Bar, 15820 US Hwy 63

CLASS B INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGE: Other

Hayward Veterans Association, Inc, Jennifer M Reynolds, Agent, 10534 Main Street
KM Hayward Entertainment, Inc, Margaret A Dobbs, Agent, 15860 T Bone Lane
Park Center Ltd, Connie Finch, Agent, 15791 US Hwy 63

CLASS B INTOXICATING LIQUOR (WINERY) AND CLASS B FERMENTED MALT BEVERAGE:

Hayward Lakes Winery LLC, James J MacLaughlin, Agent, 10588 Main St

CLASS A FERMENTED MALT BEVERAGE & CLASS A LIQUOR (CIDER ONLY):

Indianhead Oil Co LLC, Lawrence D Snider, Agent, 15752 US Hwy 63

Indianhead Oil Co LLC, Jim Suchy, Agent, 10478 State Road 27

Kwik Trip, Inc., Kimberly Stenzel, Agent, 15870 US Hwy 63

Northern Lakes Cooperative, Brenda A Bublitz, Agent, 15867 US Hwy 63

Walgreen Co, Theresa A Wittling, Agent, 10489 State Hwy 27

CLASS B FERMENTED MALT BEVERAGE:

Hayward Sports Center Inc., Hannah R Woller, Agent, 10475 Sutliff Drive

CLASS B FERMENTED MALT BEVERAGE AND CLASS C WINE:

3 Fly Sisters LLC, Caroline M Gerdes, agent, 10574 Main Street

Backroads Coffee & Tea Inc., Alyssa N Menigo, agent, 10526 Dakota Avenue

Little Northwoods Restaurant LLC, Sandra Alfaro, agent, 15768 US Hwy 63

White Stag Hospitality LLC, Michele P DeYoung, Agent, 10634 Kansas Avenue

8. The issuance of a Taxicab License to: Cindy Gerken, Cindy's Taxi Services, for the period of July 1, 2023 through June 30, 2024.

Roll Call Vote: Ald. Hand - yes, Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - yes, Ald. Nelson - yes, Ald. Swan - yes and Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

2. B. Ordinance regarding the regulation of food trucks; and establishing a license fee for same

– A motion was made by Ald. Nelson, seconded by Ald. Swan to amend Chapter 417:

Transient Merchants, to increase the fees for a transient merchant license from \$20 for a week to \$100 for a week; and from \$100 for a year to \$300 for a year. Roll Call Vote: Ald. Hand - yes,

Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - No, Ald. Nelson - yes, Ald. Swan - yes and

Ald. Williamson – yes. Motion carried. Ayes (6), Nays (1)

Clerk's Report

The Hayward Lion's Club has applied for a picnic license for the period of June 23-25, 2023; and the Lumberjack World Championships Foundation applied for a picnic license for the period of July 19-22, 2023.

Public Comments

Director McCue informed the mayor and council members that Main Street would be closed tomorrow morning for painting; and that Paul's Sheet Metal has asked to close part of Main Street tomorrow morning in order to bring in a crane to assist with repairs to Glik's roof. Ald. Swan inquired as to the status of the improvements to the municipal parking lot at Third Street and Dakota Avenue.

Medical Services Inc. (Hayward Hospital) – information & request regarding tax-exempt conduit financing

Heather Sheehan, Hayward Hospital, and Tucker Plumstead, National Health Care Capital, addressed the mayor and council members regarding a \$13 million addition to the Hayward Hospital and the possibility of the City of Hayward helping with conduit financing. A motion was made by Ald. Nelson, seconded by Ald. Swan for the City to go on record as being

amenable to conducting a public hearing regarding the Hayward Hospital's request for tax-exempt conduit financing. Roll Call Vote: Ald. Hand - yes, Ald. Herrmann - yes, Ald. Kreyer - yes, Ald. Miller - yes, Ald. Nelson - yes, Ald. Swan - yes and Ald. Williamson – yes. Motion carried. Ayes (7), Nays (0)

Adjournment

A motion was made by Ald. Swan, seconded by Ald. Williamson to adjourn. The meeting was adjourned at 6:45 p.m.

*Gary Gillis, Mayor

*Lisa Poppe, City Clerk-Treasurer