

**CITY OF HAYWARD
SAWYER COUNTY, WISCONSIN
REGULAR CITY COUNCIL MEETING
Monday, September 10, 2018
MINUTES**

The meeting was called to order by Mayor Munich at 6:10 p.m.

Council Present: Mayor Munich, Ald. Gillis, Ald. Johnson, Ald. Kennell, Ald. Kreyer, Ald. Miller, Ald. Swan, Ald. Voight and Ald. Williamson

Others Present: Attorney Kelsey, Director McCue, Chief Clapero, Clerk Poppe, Deputy Clerk Metcalf, Jeremy Hill, Eileen Simak, Holly Turcotte, Tara Skar, and Frank Zufall

Pledge of Allegiance

The Pledge of Allegiance was recited.

Lynn Fitch, Sawyer County / Lac Courte Oreilles Economic Development Corporation – Update regarding planning & projects and the Business Improvement District

Lynn Fitch was not present at the meeting. Mayor Munich updated the council members regarding the proposed Business Improvement District. Mayor Munich stated that the Planning Commission denied the creation of a Business Improvement District in the City of Hayward at this time by not adopting Resolution No. 18-06 which designated the proposed boundaries and initial operating plan for the Business Improvement District.

Hayward Area Chamber of Commerce – 34th Annual Fall Festival requests for street closures, sidewalk sales and the hanging of a banner across Main Street

A motion was made by Ald. Miller, seconded by Ald. Kennell to approve the requests for street closures, sidewalk sales and the hanging of a banner across Main Street from September 11th through September 23rd, as submitted by Chris Ruckdaschel, Executive Director Hayward Area Chamber of Commerce, in a letter dated September 5, 2018, for the 34th Annual Fall Festival event to be held on Saturday, September 22nd. Motion carried.

Relay for Life Fall Fest – 5K Run / Walk Route Request

A motion was made by Ald. Miller, seconded by Ald. Gillis to approve the requests for the Relay for Life Fall Fest 5k Run/Walk route and street closures, as submitted by Joan Ackerman and Kym Kirk, Co-Chairs, Relay for Life of Sawyer County, in a letter dated September 10, 2018; the event to be held on Saturday, September 22nd in conjunction with the Hayward Area Chamber of Commerce Fall Festival event. Motion carried.

Kathleen Peterson, Northwoods Divas LLC (The Wine Cave) – Request to transfer Class A Fermented Malt Beverage and Intoxicating Liquor License from 10551 Main Street to 10531 Dakota Avenue

A motion was made by Ald. Williamson, seconded by Ald. Gillis to approve Kathleen Peterson, Northwoods Divas LLC's (The Wine Cave) request to transfer the Class "A" Fermented Malt Beverage and "Class A" Intoxicating Liquor License from 10551 Main Street to 10531 Dakota Avenue. Motion carried.

Jeremy Hill, Hill Construction LLC – Request for the special assessment of the costs associated with the construction of the road and the installation of the water & sewer utilities for the development of the property located between Guard Street & Hospital Rd

A motion was made by Ald. Gillis, seconded by Ald. Miller to table any decision regarding Jeremy Hill, Hill Construction LLC's request for the special assessment of the costs associated with the construction of the road and the installation of the water & sewer utilities for the development of the property located between Guard Street & Hospital Rd at this time; the request will be placed on the agenda of the Special City Council Meeting to be held on September 24th. Motion carried.

Removal of Fluoride from the City's Water System

Eileen Simak, Holly Turcotte and Tara Skar presented the mayor and council members with information regarding the benefits of fluoridated water. It was a consensus of the mayor and council members to discuss further, the City's prior decision to remove the fluoride from the City's Water System; removal of Fluoride from the City's Water System will be placed on the agenda of the Special Council Meeting to be held on September 24th. No action was taken.

Award Bids for Street Repaving & Pulverizing

A motion was made by Ald. Gillis, seconded by Ald. Kreyer to approve the quote submitted by A-1 Excavating to pulverize various City streets (Estimate: 32,353 square yards @ \$0.43 per square yard) for an estimated cost of \$13,911.79; and to approve the proposal submitted by Monarch Paving to pave various City streets (Estimate: 2.5 Inch depth; 5068 tons @ \$76.50 per ton) for an estimated cost of \$387,702. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; and Ald. Williamson – yes. Motion carried. Ayes (8), Nays (0)

Ordinance No. 536 – Regulation of Farmer’s Markets and Flea Markets (Second Reading)

A motion was made by Ald. Kennell, seconded by Ald. Voight to approve and adopt Ordinance No. 536: regulating Farmer’s Markets and Flea Markets, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; and Ald. Williamson – yes. Motion carried. Ayes (8), Nays (0)

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

1. **Minutes:** Licenses, Permits & Ordinances of 8/13; Public Works of 8/13; Finance of 8/13; Regular Council of 8/13 (abridge / unabridged); Joint Review Board of 8/27; Planning Commission of 8/27; and Planning Commission of 9/6
2. **From Public Works of 09/10:**
 - A. Denying Mark Johns’ request for the City to take over the security light in the alley behind 10563 & 10567 Dakota Avenue
 - B. Christina Fuller’s request to erect a bench at Shue’s Pond in memory of her late husband; Director McCue to work with Ms. Fuller with the purchase, placement and installation of the bench
 - C. Not implementing an “Adopt-A-Highway” policy; and to deny the request from First Lutheran Church to place “Adopt-A-Highway” signs along Nyman Avenue.
 - D. The proposal (dated September 9, 2018) submitted by Municipal Well & Pump for an estimated amount of \$9,970 to remove both spray irrigation pumps; inspect the pump components; reinstall both pumps and check for proper operation. This does not include repair of the pumps; authorization will be obtained from the City prior to initiating any repairs.
 - E. The proposal (dated August 30, 2018) in the amount of \$19,900 submitted by MSA for all five phases of the ArcGIS Project Asset Management System
3. **From Finance of 09/10:**
 - A. Payment of City General Fund checks numbered 31913 through 31989; Water & Sewer Fund checks numbered 10291 through 10313; and the August account transfers.
4. **Operator Licenses – Regular** (June 30, 2019): Debbie L Kovar; Donna M Dreczko; and Diane B Amy

Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; and Ald. Williamson – yes. Motion carried. Ayes (8), Nays (0)

Sean Lentz, Ehlers Inc. – Review of & discussion regarding the project plan and establishing boundaries for and the creation of Tax Incremental District No. 5, City of Hayward, Wisconsin

At approximately 6:50 p.m., Mayor Munich contacted Sean Lentz, Ehlers Inc. via phone. Mr. Lentz reviewed the project plan for the creation of Tax Incremental District No. 5 with the mayor, council members and others in attendance; addressing questions and concerns when raised.

Consideration of Resolution No. 18-05: Approving the project plan and establishing the boundaries for and the creation of Tax Incremental District No. 5, City of Hayward, Wisconsin

A motion was made by Ald. Kennell, seconded by Ald. Williamson to approve and adopt Resolution No. 18-05: Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 5, as read by Attorney Kelsey. Roll Call Vote: Ald. Gillis – yes; Ald. Johnson – yes; Ald. Kennell – yes; Ald. Kreyer – yes; Ald. Miller – yes; Ald. Swan – yes; Ald. Voight – yes; and Ald. Williamson – yes. Motion carried. Ayes (8), Nays (0)

**CITY OF HAYWARD
SAWYER COUNTY, WISCONSIN
RESOLUTION NO. 18-05
RESOLUTION APPROVING THE PROJECT PLAN AND ESTABLISHING THE
BOUNDARIES FOR AND THE CREATION OF
TAX INCREMENTAL DISTRICT NO. 5
CITY OF HAYWARD, WISCONSIN**

WHEREAS, the City of Hayward (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") is proposed to be created by the City as a mixed-use district in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Sawyer County, the Hayward Community School District, and the Wisconsin Indianhead Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Planning Commission, on August 27, 2018 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Planning Commission designated the boundaries of the District, adopted the Project Plan, and recommended to the Common Council that it create such District and approve the Project Plan and

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

1. The boundaries of the District that shall be named "Tax Incremental District No. 5, City of Hayward" are hereby established as specified in Exhibit A of this Resolution.
2. The District is created effective as of January 1, 2018.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District is suitable for a combination of industrial, commercial and residential uses, defined as "mixed-use development" within the meaning of Wisconsin Statutes Section 66.1105(2)(cm).
 - (b) Based upon the findings, as stated in 3.a above, the District is declared to be a mixed-use district based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (d) The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) The City estimates that approximately 10% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (f) The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
 - (g) Lands proposed for newly platted residential development comprise no more than 35% of the real property area within the District.
 - (h) Costs related to newly platted residential development may be incurred based on the proposed development having a density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.
4. The Project Plan for "Tax Incremental District No. 5, City of Hayward" (attached as Exhibit B) is approved, and the City further finds the Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2018, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Public Comments

Ald. Miller expressed his concern regarding the number of unsightly properties in the City that are not being maintained; and questioned at what point the City can force the property owner's hand regarding maintenance of their property.

Clerk's Report

Greenwood Cemetery Perpetual Care Certificate of Deposit #9011572580 in the amount of \$73,750 (rate 1.13 percent) at Johnson Bank matured on August 12, 2018; the Certificate of Deposit was renewed for an additional 33 months at a rate of 2.40 percent.

The Hayward Library Foundation has applied for a picnic license for a Girls Night Out event to be held on September 26, 2018.

Adjournment

A motion was made by Ald. Gillis, seconded by Ald. Kreyer to adjourn. The meeting was adjourned at 7:17 p.m.

*Charles J Munich, Mayor

*Lisa Poppe, Clerk-Treasurer