

CITY OF SHULLSBURG, WISCONSIN
COMMON COUNCIL MINUTES
SEPTEMBER 20, 2023
6:30 P.M.

A public hearing was held in the Community Room of the Shullsburg Community Townsend Center, 190 N. Judgement Street, Shullsburg, Wisconsin on September 20, 2023 at 6:30 PM. The purpose of the hearing was to hear all interested parties regarding the proposed discontinuance, vacating and removal from the Official Map, of several abandoned right-of-ways located in the NW Addition of the City of Shullsburg Mayor Verne Jackson gave a brief description of each Exhibit listed on the Notice of Public Hearing and then asked for questions and comments from the public. Tom Lethlean and Chuck Tuescher both requested that Exhibit “B” be excluded from the Right-of-Way closures due to driveway and garage access located between their property. The description of this property is as follows: running southwest from West Wood Street to West Clinton Street abutted on the East by Parcel 281.0187.1000 and Parcel 281.0188.1100 and abutted on the West by Parcel 281.0188.1000 and Parcel 281.0189.000. Mayor Jackson asked for additional questions or comments and being none, closed the public hearing.

A public hearing was held in the Community Room of the Shullsburg Community Townsend Center, 190 N. Judgement Street, Shullsburg, Wisconsin on September 20, 2023 at 6:30 PM. The purpose of the hearing was to hear all interested parties in regards to an application for a Conditional Use Permit submitted by Tom Kleiber as required by the City of Shullsburg Municipal Code Section 46-93 (d)(9). The applicant is requesting a Conditional Use Permit to convert the existing commercial buildings to a single family for the following described properties in the City of Shullsburg, Lafayette County WI: 123 State Highway 11 more particularly described as Parcel 33.281.0092.0000; and 127 State Highway 11 more particularly described as Parcel 33.281.0154.0000.

Mayor Jackson gave a brief description of the properties involved and asked for questions or comments from the public. Property owner Tom Kleiber asked for clarification on the zoning and whether the property could be multi-use. It was confirmed the property will remain zoned as B2 Highway Business, but with a conditional use permit for residential use. Mayor Jackson asked for additional questions or comments and being none, he closed the public hearing.

A regular meeting of the Common Council of the City of Shullsburg was held September 20, 2023 in the Community Room of the Shullsburg Community Townsend Center, 190 N. Judgement Street, Shullsburg, Wisconsin. Mayor Verne Jackson called the meeting to order at 6:37 p.m. Notice of the meeting was posted at the Townsend Center, Shullsburg Post Office and Turpin’s Home Town Grocery. Roll Call- Gloria Swenson, Susie Doyle-Wand, Cheryl Mulcahy, Dan Morrissey - Present. Others present- Brian Lund, Nathan Russell, Trent Ubersox, Brad Muth, Susie Champion, Tom Kleiber, Tom Lethlean, Mark Ihm, Chuck Tuescher, Josh Jerry, Laura Weiskircher, Janelle Schumacher and Marsha Einsweiler.

Pledge of Allegiance

Approval of Minutes - *Motion by Swenson second by Morrissey to approve the minutes of the August 16, 2023 meeting and September 13, 2023 meeting. All aye, motion carried.*

Committee Reports & Purchase Orders – Street Committee and Park Committee reports were given. Morrissey gave a special thank you to Truck Country, Tom Turpin and Metz Welding for their help in refurbishing the red slide for Badger Park.

Police Chief Report – Police Report was emailed to the Council for prior review.

Approve Bills - *Motion by Morrissey second by Doyle-Wand to approve the bills for General, Water, Sewer, Electric, Pool, Museum, Library & TIF Funds. All aye, motion carried.*

Public Comment – None

Resolution Authorizing the Vacating & Discontinuing of Public Right-of-Ways -Based on comments and request made during the public hearing, the proposed resolution will be amended to exclude

Exhibit “B” as described in the notice of the public hearing. *Motion by Swenson second by Morrissey to amend Resolution 2023-07 to exclude Exhibit “B” and adjust the names of the remaining exhibits accordingly. All aye, motion carried.*

Motion by Morrissey, second by Mulcahy to approve the amended Resolution 2023-07 regarding the vacation and discontinuance of various public right-of-ways in the Northwest Addition of the City of Shullsburg. All aye, motion carried.

Conditional Use Permit for Properties at 123 & 127 State Highway 11 – The Council reviewed a Conditional Use Permit application submitted by Tom Kleiber for the properties stated. The property will remain zoned as (B-2) Highway Business, with a conditional use permit issued for Single Family Residential use. *Motion by Morrissey, second by Doyle-Wand to approve the Conditional Use Permit for Properties located at 123 & 127 State Highway 11, Shullsburg Wisconsin. All aye, motion carried.*

Implementation of Memorial Tree Planting Program – The Council reviewed a Memorial Tree Donation Application and procedure information. *Motion by Swenson second by Mulcahy to approve proceeding with the implementation of the Memorial Tree Donation Program as described. All aye, motion carried.*

Parkview Subdivision Tree Plan – The Council reviewed a Parkview Subdivision Tree Plan previously presented by Cory Ritterbusch. *Motion by Swenson second by Morrissey to approve proceeding with the implantation of the Parkview Subdivision Tree Plan as presented. All aye, motion carried.*

Attorney Opinion on Downtown Business District Building Use – As requested, Attorney Nathan Russell returned to update the Council regarding Ordinance Enforcement in the Downtown Business District. Russell verified that he believes none of the properties have grandfather clauses that would prevent the ordinance from being enforced. He requested a zoning map so he can confirm they have covered all properties involved. He recommends notifying property owners by certified mail giving them notice to begin cessation of the inappropriate zoning action and will discuss further action with the Police Chief. *Motion by Morrissey second by Mulcahy to approve giving notice to property owners in the Downtown Business District who are in violation of City Ordinance Chapter 46-92. All aye, motion carried.*

Special Event Application Submitted by St. Matthew’s Church for the Fall Festival – *Motion by Morrissey second by Swenson to approve the Special Event Application & Temporary Beer & Wine Permit for Fall Fest on October 15, 2023. All aye, motion carried.*

Special Event Application Submitted by Susan Hicks for Walk/Run To Remember – *Motion by Morrissey second by Doyle-Wand to approve the Special Event Application for the Walk/Run to Remember on October 1, 2023. All aye, motion carried.*

Scott Construction Final Payment – The Council discussed the Scott Construction work that was done and decided to hold the remaining \$5000 of the final payment until April 15, 2024. The Street Committee Chair will send a letter to Scott Construction describing the resolution needed on the project prior to final payment being made. *Motion by Morrissey second by Mulcahy to retain \$5000 on the final Scott Construction Invoice until April 15, 2024. All aye, motion carried.*

Shullsburg Signs – The Council discussed two old Shullsburg signs that are being stored at the City Garage and could be sold to any interested parties, with final approval of the sale being made by the Council in a future meeting. *Motion by Morrissey second by Doyle-Wand to offer the signs for sale to the Public, with final approval made by the Council. All aye, motion carried*

Safe Step Sidewalk Repair Quote – *Motion by Morrissey second by Swenson to approve the updated Safe Step Sidewalk Repair Quote for repairs estimated at \$2169.23. All aye, motion carried*

Shelter House Tables & Benches – The Council discussed using the Shullsburg Fund Grant of \$5000 for purchasing new Tables & Benches for the East and West Shelter Houses in Badger Park. Additional costs will be paid by the City. *Motion by Morrissey second by Swenson to approve the purchase of 8 Tables and 16 Benches to be placed in the Badger Park Shelter Houses using the Shullsburg Fund Grant, plus \$10,000 from American Rescue Funds and \$5,000 from designated park fund. All aye, motion carried.*

Sealcoating Veteran’s Memorial – The Council discussed approving an estimate from PerfectSeal, LLC in the amount of \$1570 to sealcoat the parking lot South of the Veteran’s Memorial at Badger Park. *Motion by Swenson second by Mulcahy to approve sealcoating the Veteran’s Memorial Parking Lot using PerfectSeal, LLC. All aye, motion carried*

Teasdale-Gill Auction Service Request - *Motion by Doyle-Wand second by Mulcahy to approve a street closure on North Iowa Street for Teasdale-Gill Auction Service LLC on Wednesday, October 4, 2023. All aye, motion carried*

Townsend Center Phone System – The previously approved Phone System Company is unable to port the existing phone number to the City Office. The Council discussed forwarding the phone number to a new company, researching other options, or switching to a new phone number. More research will be done and another report given next month.

Clerk/Treasurer Report – Treasurer’s Report was sent to the Council in advance of the meeting. The Midwest Builders invoice for the Badger Park Gazebo was adjusted to a lower amount of \$14,938 and will be paid this month.

Future Agenda Items – 2024 Annual Budget; Closed Session to Discuss Purchase of Property & Personnel Contracts; Downtown Business District Building Use.

Closed Session- At 7:15 p.m. *a motion was made by Doyle-Wand second by Mulcahy to convene into closed session. Roll Call- Morrissey-yes, Swenson-yes, Doyle-Wand-yes, Jackson-yes, Mulcahy- yes. Motion carried.* The closed session is pursuant to Wis. Stat 19.85 (1)(c) for the Purpose of Considering Employment, Promotion, Compensation or Performance Evaluation Data of any Public Employee over which the Governmental Body has Jurisdiction or Exercises Responsibility- Discussion of Union Contract, Police Contract & City Clerk Contract; Discussion of Weekend Part Time Labor Position

Open Session-At 7:49 p.m. *a motion was made by Swenson second by Doyle-Wand to reconvene into open session. Roll Call- Morrissey-yes, Swenson-yes, Doyle-Wand-yes, Jackson-yes, Mulcahy- yes. Motion carried.*

Action on Closed Session- *Motion by Doyle-Wand second by Mulcahy to approve the hiring of Carl Fry and Justin Randecker for shared duties of the part-time weekend laborer position. All aye, motion carried.*

At 7:50 PM a motion was made by Swenson, second by Mulcahy to adjourn. All aye, motion carried.

Janelle Schumacher
Assistant Clerk/Treasurer