

**CITY OF BRODHEAD
COMMON COUNCIL MINUTES
Monday, August 12, 2019**

Present: Mayor Pinnow, Aldermen Nyman, Anderson, Fox and Huffman. City Clerk Withee and City Attorney Schroeder.

Mayor Pinnow called meeting to order at 7:05 PM. Roll call shows all Aldermen present except Bruce and Menzel.

Mayor Pinnow thanked everyone for all of the help for Covered Bridge Days.

Minutes: Motion by Anderson to approve minutes from July 16, 2019 as presented. Second by Nyman. Four ayes. Motion carried.

Hearing on Jenah Rosheisen's appeal of non-renewal of operator license. Attorney Schroeder stated that council had determined not to renew the operator license of Jenah Rosheisen during the last renewal cycle. Clerk Withee swore in Chief Hughes and he presented evidence on behalf of the Public Safety Committee and the Brodhead Police Department. At the June 13, 2019 public safety meeting Jenah Rosheisen's renewal application was recommended for non-renewal of her license based on the guidelines set forth in the Resolution Establishing Guidelines for Issuance of Alcohol Beverage Licenses submitted to council as exhibit A. On Tuesday, June 18, 2019 council voted to deny renewal of her operator license. Clerk Withee mailed the notice of non-renewal on June 19, 2019.

Clerk Withee swore in Jenah Rosheisen and she presented evidence on her behalf. Judge Bennett has been working with her to turn her life around. After the accident she quit her job, moved, got a different job and took custody of her children back. She is working on getting her driver's license back. She stated she is the sole provider of her 3 children. Her career is here in Brodhead. She is now a trainer and a role model for other employees. Fox asked if there is a court date set for her citation. Rosheisen stated yes, September 4th here in Brodhead. Chief Hughes asked if the charge was held over. He stated the judge will hold over until he has information to make a determination. Anderson asked if she received any treatment. Rosheisen stated that because it was her 1st offense that no treatment was required. Anderson asked what she has done to better her life. Rosheisen stated she cut off all contact with old friends that were a bad influence. Pinnow asked if she could still work. Rosheisen stated yes but not alone.

Fox asked if Chief Hughes could read the resolution to council members. Chief Hughes stated it will be submitted as Exhibit A and read the sections that pertained to this case. Pinnow asked if any of her offenses were felonies. Chief Hughes stated no. Chief Hughes stated he will also enter Exhibit B; Officer Incident report from the crash and CCAP printouts, Exhibit C; citations for OAS and no insurance, Exhibit D; CCAP report showing Green County failure to notify of address change. Those are being entered as evidence. Rosheisen had no further questions. Attorney Schroeder stated that the hearing is now closed.

Closed Session per WI State Statutes Sec. 19.85(1) (a), Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. Re: Jenah Rosheisen Operator License Denial

7:35 PM Motion by Anderson to enter closed session. Second by Fox. Roll call 4 ayes. 0 nays.

7:55 PM Motion by Anderson to Return to Open Session. Second by Nyman. Four ayes. Motion carried. Motion by Anderson that Jenah Rosheisen's renewal will be effective January 2, 2020 if she has no further offenses and the municipal court has resolved the pending charges. Second by Huffman. Four ayes. Motion carried.

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Park Board: Director Boegli stated that the adult volleyball league finished up last week. There is one more week of church softball and two weeks of Tuesday night softball remaining. Tots on the run and T-Ball finished up last Thursday and Friday. There were 2 lifeguard classes and two swim meets held this summer. 225 boys and girls participated in youth ball. This is the final week of the 3rd session of swimming lessons. Wally Wilson was awarded a plaque for 33 years of umpiring. The last day of the swimming pool will be Friday, August 30th, that final week the hours will be modified beginning on Monday, August 26th 7am-8am (aqua size and lap swim), 11-3pm (open swim) and 5pm-6pm (aqua size and lap swim). Flag football sign up is underway, the league will begin on Saturday, September 14th and run for 6 weeks.

Public Works: Director Vogel stated all major street repairs and maintenance have been completed. Working with engineer to alleviate storm water issues. Would like to put out for bid early next year. Fox asked about Jones parking lot and was this a storm water issue. Director Vogel stated no plan has been submitted.

Public Safety: Chief Hughes presented an application for an operator license for Christopher Jaworski. Public Safety recommends approval. Motion by Anderson to approve the application as presented. Second by Fox. Four ayes. Motion carried.

Chief Hughes presented a public event permit for Brodhead High School for the homecoming parade on Friday, October 4th. Public Safety recommends approval. Motion by Anderson to approve the public event application as presented. Second by Nyman. Four ayes. Motion carried.

Chief Hughes presented a public event permit for Bridges Bar requesting to close down the street for a private wedding reception on August 31, 2019 from 10am to 11pm. Public safety has recommended approval. Motion by Anderson to approve the public event application as presented. Second by Nyman. Four ayes. Motion carried.

Chief Hughes presented Ordinance 2019-008 Creating Ordinance 432-13 B (6) and 432-19 A restricting parking downtown/square year round. Public Works and BID have requested parking restrictions for street maintenance. Discussion by council. Motion by Anderson to table ordinance 2019-008. Second by Fox. Four ayes. Motion carried. Motion by Fox to have this go back to public safety and public works for further review. Second by Anderson. Four ayes. Motion carried.

Chief Hughes presented Ordinance 2019-009 Amending Ordinances 301-8 and 301-9 Juvenile tobacco and Ordinance 2019-010 Amending Ordinance 272-9 and Ordinance 2019-011 Amending Ordinance 354-24 Smoke free workplace to incorporate e-cigarettes. Discussion by council. Motion by Anderson to approve Ordinances 2019-009, 2019-010 and 2019-011 as presented. Second by Huffman. Three ayes. One nay; Fox. Motion carried.

Chief Hughes presented Resolution 2019-017 to Waive 290-21, Open Intoxicants in Public, as it relates to Bridge's Bar & Grill Street Closure Permit. Police department recommends approval. Motion by Anderson to approve Resolution 2019-017 as presented. Second by Nyman. Four ayes. Motion carried.

Economic Development: Anderson stated a procedure is being worked on for new business prospects and will work with Plan Commission to finalize.

Fire District: Fox stated commissioners wanted to thank the street department for patching their parking lot. They are beginning budget discussions. They are also trying to determine if they need a full audit or just an analysis. There will be having a telephone conference with Baker Tilly on Wednesday. Input has

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been received from the finance committee recommending a full audit.

BID Board & Revitalization: Pinnow stated that downtown crossing signs are up and should be functioning soon.

Historic Preservation: Clerk Withee stated they approved the Independent Register Sign.

Personnel: Fox stated employee evaluations are almost complete and they are reviewing the personnel manual. Discussion was held regarding a city administrator/economic development position, she will meet with the Finance Committee to determine how to pay for. Cyber insurance was reviewed.

Plan Commission: Attorney Schroeder stated there were no action items. There was a public hearing held for a Conditional Use Permit for Taylor Engelhart to obtain a kennel license. The term "kennel" means any establishment wherein or whereon three or more dogs are kept would require a kennel license and CUP. Plan commission granted her license with a limit of 4 dogs. Pinnow stated that kennel only means that they have 3 or more dogs not that they are operating a "kennel".

Mayor Report: Mayor Pinnow stated Hwy 104 should be open by September 15th and seems to be on track. The 2020 Budget Preparation Schedule was reviewed.

Mayor Pinnow asked if council is ready to address the community center per the comprehensive plan. Motion by Anderson to table until the next meeting. Second by Nyman. Four ayes. Motion carried.

Mayor Pinnow stated that according to the memo from the city attorney's office the city is following its ordinance regarding minutes posting. No further action is needed.

Future Agendas: community center, parking ordinance

Attorney Report: no report

Closed Session per WI State Statutes Section 19.85(1) (e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Re: Dysis Group Corp. Obligation to City

8:56 PM Motion by Anderson to enter closed session. Second by Nyman. Roll call 4 ayes. 0 nays.

9:23 PM Motion by Anderson to Return to Open Session. Second by Fox. Four ayes. Motion carried.

Adjournment: Motion to adjourn by Fox. Second by Anderson. Four ayes. Adjourned at 9:25 p.m.

Douglas A. Pinnow, Mayor Approved this 20th day of August 2019.
Teresa Withee, City Clerk