

The Regular meeting of the Common Council was held at the City Hall/Community Room on the above date and time.

The meeting was called to order by Mayor, Gregg Bennett @ 6:00 p.m. Roll call and Alderpersons present: Basting, Schmit, Rash, Oellerich, Mitchell, Pittz and Galle. Clerk Treasurer Heisner and Attorney Pfothenauer were also present.

A motion was made by Ald. Oellerich, seconded by Ald. Mitchell, to accept the minutes of the January 2018 Council Meeting. All in favor – motion carried.

There was no public comment.

There was no Mayors Correspondence

In Clerks Correspondence Clerk Heisner made mention that she is settling with the County on tax amounts. We took in approximately \$3.7 million dollars in taxes. Tuesday, February 20<sup>th</sup> is the Spring Primary. We will be voting on candidates for the Justice of the Supreme Court.

Dave Clutter, Executive Director with the Driftless Area Land Conservancy was present to discuss the property that they now own that was formerly Roland Sardesons. They have plans for this land but are asking the City for some help with parking. The City owns a sliver of land that borders this property that could be used for parking. After much discussion there was a motion by Ald. Schmit and a second by Ald. Pittz to have the City Attorney draft an agreement/lease with the Driftless Area Land Conservancy for \$1 a year that would maintain sufficient right of way with Betty Lane to accommodate parking issues. All in favor – motion carried.

Bart Nies, Delta 3, City Engineer was present to update us on the Capital Improvements plan. The re-constructing of High Street was a topic. Ald. Pittz made a motion to place High Street on each monthly agenda and to include Delta 3 to hold a public meeting to start the planning process to engage public participation. Ald. Oellerich seconded this motion. All in favor motion carried.

There was a recommendation from the Property and Finance Committee to start the process for site preparation on the former IOCO lot. There was much discussion. The new recommendation is to have Ald. Oellerich and Zoning Administrator, Mike Fenley contact the DNR to discuss what if anything needs to be done in order to excavate the site. If samples are needed Bart gave us the name of a firm that can do the sampling. Once this is done then a site plan can be prepared.

There was a recommendation from the Planning Commission to approve a CSM for Ivey Living Trust. This is for 1.72 acres on Jackson and Elm Streets. There was a motion by Ald. Mitchell and a second by Ald. Oellerich to approve this CSM. All in favor – motion carried.

There was a recommendation from the Planning Commission to approve a zoning change for 1.72 acres for Ivey Living Trust. The following Ordinance was approved with a motion by Ald. Mitchell and a second by Ald. Oellerich.

**ORDINANCE NUMBER 788**

**ORDINANCE REZONING THE FOLLOWING PROPERTY:**

Lot Number 1 of Certified Survey Map No. \_\_\_\_\_ recorded in the Iowa County Registry on February \_\_\_\_\_, 2018, in Volume \_\_\_\_ of Certified Survey Maps, Page \_\_\_\_\_, as Document No. \_\_\_\_\_. (Being part of Lot 269 of Harrison's Survey, located in the SE 1/4 of the NE 1/4 of Section 6, Town 4 North, Range 3 East, City of Mineral Point, Iowa County, Wisconsin.)

WHEREAS, Bruce, Debra, and Chase Ivey have made a request to rezone the above referenced property from M-2 heavy industrial district to R-1 single family residential district; and

WHEREAS, the Plan Commission, at a public hearing held February 1<sup>st</sup>, 2018, at City Hall, solicited comments regarding the Iveys' application for rezoning, after which meeting the Plan Commission

recommended that said rezoning be approved; and  
WHEREAS, the Common Council has determined that it is the best interest of the City of Mineral Point that the above described rezoning take place;  
NOW THEREFORE, the Common Council of the City of Mineral Point does ordain that the Property described above be rezoned from M-2 heavy industrial district R1 single family residential district. This Ordinance shall take effect after passage and publication thereof, as required by law.  
Adopted and passed at the regular February meeting of the Common Council of the City of Mineral Point, held at City Hall, in the City of Mineral Point, Iowa County, Wisconsin, on February 12, 2018.  
APPROVED: Gregory Bennet, Mayor  
ATTEST: Debi Heisner, City Administrator/Clerk-Treasurer

There was a recommendation from the Ordinance Committee to approve the following Ordinance. There was a motion by Ald. Schmit and a second by Ald. Basting to approve.

**ORDINANCE NUMBER 789**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING COMMENCEMENT OR CESSATION OF BUSINESS BY A HOLDER OF AN ALCOHOLIC BEVERAGES LICENSE**

**WHEREAS**, the Ordinance and Claims Committee, at a public meeting held February 5, 2018, considered regulations pertaining to the commencement or cessation of business by a holder of a license to sell alcoholic beverages; and

**WHEREAS**, the Ordinance and Claims Committee recommends that the following conditions be applied to holders of a "Class B" intoxicating liquor license or a Class "B" fermented malt beverages license:

1. Commencement of Operations. Within 60 days after the issuance of a "Class B" intoxicating liquor license or a Class "B" fermented malt beverage license, the licensee shall be open for business with adequate stock and equipment. Upon a licensee's failure to do business within such time, the licensee's license shall be subject to revocation by the Council after a public hearing. The Council may, for a good cause shown, extend such 60 day period.
2. Cessation of Operations. If any licensee shall suspend or cease doing business for 60 consecutive days or more, the licensee's "Class B" intoxicating liquor license or Class "B" fermented malt beverage license shall be subject to revocation, suspension, or nonrenewal by the Council after a public hearing. The Council may, for a good cause shown, extend such 60 day period.

**WHEREAS**, the Common Council has determined that the recommendations of the Ordinance and Claims Committee are in the best interests of the citizens of the City of Mineral Point;

**NOW THEREFORE**, the Common Council of the City of Mineral Point adopts, with modification, the recommendations of the Ordinance and Claims Committee and ordains that the Municipal Code of the City of Mineral Point be amended as follows:

Section 110.15(I)(5) and (6) are hereby added to the Municipal Code, reading as follows:

(5) *Commencement of Operations.* Within 60 days after the issuance of a "Class B" intoxicating liquor license or a Class "B" fermented malt beverage license, the licensee shall be open for business with adequate stock and equipment. Upon a licensee's failure to do business within such time, the licensee's license shall be subject to revocation by the Common Council, subject to procedures established by Section 125.12, Wisconsin Statutes. The Common Council may, for a good cause shown, extend such 60 day period.

(6) *Cessation of Operations.* If any licensee shall suspend or cease doing business for 60 consecutive days or more, the licensee's "Class B" intoxicating liquor license or Class "B" fermented malt beverage license shall be subject to revocation, suspension, or nonrenewal by the Common Council, subject to procedures established by Section 125.12, Wisconsin Statutes. The Common Council may, for a good cause shown, extend such 60 day period.

Adopted at the regular meeting of the Common Council of the City of Mineral Point, held on February 12, 2018, at City Hall in the City of Mineral Point, Iowa County, WI.

This ordinance shall be in full force and effect upon passage and publication, as provided by law.

Dated this 12th day of February, 2018.

APPROVED:

Gregory Bennett, Mayor

ATTEST: Debi Heisner, Administrator/Clerk - Treasurer

There was a motion by Ald. Schmit and a second by Ald. Oellerich to approve an operator's license for Scott Palzkill. All in favor – motion carried.

There was a motion by Ald. Schmit, seconded by Ald. Mitchell to approve the monthly bills as presented, General Acct. \$369,748.60, Water Acct., \$30,288.55, and Sewer Acct., \$31,340.60. Motion carried on a roll call vote.

In committee Reports, Jay Oellerich, Street Chair mentioned that a small portion of the floor of the street garage has fallen in to the basement. Water Sewer Chair, Jason Basting mentioned a policy for installing remote/transponders was enacted at the last committee meeting and Gary Galle, who is on the fire truck committee mentioned that he and Chief Marr have been discussing the options of leasing a truck. Lease payments do not go against the levy but have to come out of the general fund.

The next council meeting is scheduled for March 12<sup>th</sup>, 2018 @ 6:00 p.m.

A motion was made by Ald. Oellerich seconded by Ald. Basting to adjourn the February meeting at 7:40 p.m.

Debi Heisner  
City Administrator  
Clerk Treasurer