

**PLATTEVILLE COMMON COUNCIL PROCEEDINGS**  
**October 23, 2018**

The regular meeting of the Common Council of the City of Platteville was called to order by Council President Nickels at 7:00 PM in the Council Chambers of the Municipal Building.

**ROLL CALL**

Present: Barbara Daus, Ken Kilian, Eileen Nickels, Don Francis, Cena Sharp, Robin Cline, and Barbara Stockhausen. Absent: None

**PUBLIC HEARING**

*Ordinance 18-11 Rezoning 130 Market Street* – Community Development Director Joe Carroll presented an application that was submitted by Jeff and Lisa Haas who are interested in rezoning 130 Market Street from CBT Central Business Transition District to B-2 Central Business District. This would allow for the applicants to potentially open a speakeasy style lounge that would serve alcohol on the second floor of 130 Market Street. Staff as well as the Plan Commission recommend approval of the request to rezone the property at 130 Market Street to B-2 Central Business District. Applicants Jeff and Lisa Haas of 755 Grant St spoke in favor of the rezoning and described the new business as being a tavern that would have a full bar with a relaxed atmosphere. They explained the speakeasy lounge title is more of a descriptive style and overall feel that they would like the tavern to have. Public statements in favor included a statement from Nick Baker of 955 S Chestnut St. Public statements against, none. Public statements in general, none. Council discussion included some concern as to how close this potential tavern may be to residential properties and if this would be considered spot zoning. This would not be considered spot zoning as other buildings in the area are made up of both CBT and B-2 zoning. It was also discussed that if this property was rezoned to B-2, it would remain as B-2 unless a future application for rezoning was applied for and approved by the Council. Motion by Sharp, second by Cline to approve Ordinance 18-11 Rezoning 130 Market Street. Motion carries 6-1 on a roll call vote with Nickels voting against.

**CONSIDERATION OF CONSENT CALENDAR**

Motion by Daus, second by Stockhausen to approve the consent calendar as follows: October 23 Regular Council Minutes; Payment of Bills in the amount of \$208,235.94; Appointment to Boards and Commissions, Mark Myers to Water & Sewer Commission for a partial term ending 10/1/21 and Reappoint Troy Maggied to the Airport Commission for a 3 year term ending 11/1/21; One Year Operator License, Ronald Henry, Dylan J McClain, Victoria Medvedeva, and Benjamin M Pollock; Two Year Operator License, Modesto M Cardoza, Kaylynne A Conrad, Mark A Kratzer, Kira M Pratte, and Domingo R Vidal; Taxi License, Angela G Walrock; Street Closing – Main Street for Sweet Treats on October 27 from 10:00 am – 1:00 am; Resolution 18-23 Application for Exemption From the Levy of Any County Library Tax. Motion carried 7-0 on a roll call vote.

Street Closing – St. Mary’s Parish for 2<sup>nd</sup> Harvest and Catholic Charities Mobile Food Pantry on the Third Friday of Every Month from 6:00 am – 11:00 am. Motion by Daus, second by Sharp to approve the application for the next 7 months starting in November and continuing until May. Motion carried 7-0 on a roll call vote.

**CITIZENS’ COMMENTS, OBSERVATIONS AND PETITIONS, if any. None**

**REPORTS**

- A. Board/Commission/Committee Minutes – Zoning Board of Appeals, Water & Sewer Commission, Community Safe Routes Committee, Library Board, Housing Authority Board, Airport Commission, and Historic Preservation Commission

## ACTION

- A. *Resolution 18-22 Partially Discontinue Two Unimproved Alleys – Block 7 of Homestead Addition* – Gloria and Steve Schaefer of 535 Rountree Ave spoke in general with comments regarding the new lot line. Robert Travis, of 550 Campbell Ave, is the Vice President of the condo association. Travis stated that all expenses would be covered by the association and any new lot lines surveys could be shared with the surrounding property owners. Motion by Daus, second by Sharp to approve Resolution 18-22 to Partially Discontinue Two Unimproved Alleys – within Block 7 of the Homestead Addition. Motion carried 7-0 on a roll call vote.
- B. *2018 – 2020 Audit Proposal – Motion* by Kilian, second by Daus to approve 2018 – 2019 Audit Proposal to continue with Johnson Block and Co. Inc. Motion carried 7-0 on a roll call vote.
- C. *Nomination of Museum Property to National Register of Historic Places – Motion* by Daus, second by Cline to support the Historic Preservation Commission’s efforts to apply for a historic preservation sub-grant and to include the museum properties at 385 and 405 E. Main Street in the request for listing on the National Register of Historic Places. Motion carried 7-0 on a roll call vote.

## INFORMATION AND DISCUSSION

- A. *Ordinance Relating to Confidentiality of Income and Expense Records* – City Clerk Candace Koch presented the ordinance that was drafted by Attorney Bill Cole relating to confidentiality of income and expense records. The City is required per Wisconsin State Statute to have this ordinance in place requiring the confidentiality of certain information provided to the assessor. This allows the City to preclude challenge by the property owner of their valuation if they fail to provide the information to the assessor. Approval of this ordinance will bring the City up to compliance with the Wisconsin State Statutes.
- B. *Original Class B Regular Liquor License Applications* – City Clerk Candace Koch presented two applications that were submitted for the Original Class B Regular Liquor License. Application 1 was submitted by Luis R Rivera, III and Tyler Guilette for The Hive at the location of 15 E Main St. At this time, the applicants have not been able to show proof of having control of 15 E Main St. Staff recommends denial of this application as it does not meet the requirements established by state law. Application 2 was submitted by Jeff and Lisa Haas for The Speakeasy Lounge at the location of 130 Market St. The property was approved to be rezoned to B-2 by the Council on October 23, 2018. This rezoning will allow a tavern at this location. The License Committee has recommended approval of application 2 with the following conditions: all inspections pass, and all required fees are paid prior to the issuance of the Class B license. Council discussion included consideration of Jeff Haas’ position as a police lieutenant and potential holder of an Original Class B Liquor License. City Attorney Cole clarified that if the license were to be approved by the Council for issuance to Jeff and Lisa Haas, the lieutenant’s duties would then need to exclude anything related to alcohol licenses or license enforcement to avoid an actual conflict of interest. Cole also noted that the Council would not be prohibited from approving the license based on the potential perception of a conflict of interest, but that concern regarding the perception of a conflict of interest would be a valid reason to deny it. Lisa and Jeff Haas of 755 Grant St spoke in favor of the Council approving issuance of the license.
- C. *Contract 9-18 Snow and Ice Removal* – Public Works Director Howard Crofoot presented the staff recommendation to award contract 9-18 to Southwest Lawncare at the bid price of \$0.19 per square foot or \$39.00 minimum per location for snow only, and \$0.24 per square foot or \$49.00 per location for hard packed snow and ice. Documentation and measurement of snowfalls will be done by the Code Enforcement Officer.
- D. *Land Donation to City – Lot 21 Oakhaven Subdivision* – Community Development Director Joe Carroll explained that Lot 21 in the Oakhaven Subdivision is currently owned by Bob Cody. In June of 2017 Mr. Cody attempted to donate the lot to the City as he determined it was not suitable for the construction of a home. The Council accepted the land donation with certain conditions: 1) the exposed concrete/metal/plastic fill be covered with black dirt and flattened out; 2) dead trees be

removed; 3) a quit claim deed be accepted by one or more of the neighboring property owners for the mowable portion of the property. Mr. Cody was not agreeable to the conditions that were placed on the acceptance, so no action was taken to transfer ownership of the lot. Mr. Bruce Schmidt, a neighbor to the lot has requested the Council reconsider the lot donation and accept the lot 'as is.' Mr. Schmidt is willing to personally address the items that were a concern of the Council at the meeting in June and accept a deed for a portion of the lot. Mr. Cody is still interested in donating the lot to the City. Bruce Schmidt of 190 W Knollwood Way spoke in favor of the City accepting the land donation. Schmidt stated he had already taken care of some of the issues to include the removal of the dead trees.

- E. *2018 City Goals Quarterly Report* – City Manager Karen Kurt presented the quarterly report on the progress of 2018 City Goals. There are some projects currently delayed due to the amount of rainfall. Those include the Hillside Cemetery Street delayed until Spring of 2019 and the Basketball Courts in Smith Park delayed until Spring of 2019.

#### ADJOURNMENT

Motion by Stockhausen, second by Sharp to adjourn. Motion carried 7-0 on a roll call vote. The meeting was adjourned at 9:14 PM.

Respectfully submitted,

Candace Koch, City Clerk