



**CITY OF RIVER FALLS, WISCONSIN
COMMON COUNCIL PROCEEDINGS**

July 9, 2019

Mayor Dan Toland called the meeting to order at 6:30 p.m. in the City Council Chambers located in City Hall.

City Council Members Present: Todd Bjerstedt, Sean Downing, Christopher Gagne, Scott Morrissette, Diane Odeen, Michael Page, Hal Watson

Members Absent: None

Staff Present: City Administrator Scot Simpson; City Attorney Dan Gustafson; Police Chief Gordon Young; Utility Director Kevin Westhuis; Finance Director Sarah Karlsson; Operations Director Mike Stifter; Assistant City Administrator Julie Bergstrom; Senior Engineer Crystal Raleigh; City Engineer Reid Wronski; EMS Director Jason Stroud; City Clerk Amy White; Development Services Director Amy Peterson; Assistant to the City Administrator Brandt Johnson; City Engineer Zach Regnier

Others Present: Melissa Abdouch, Daniel Suffield, others

The Pledge of Allegiance was said.

APPROVAL OF MINUTES:

June 25, 2019, Regular and Workshop Meeting Minutes

MSC Watson/Morrissette approve minutes. Unanimous.

APPROVAL OF BILLS:

Bills \$1,716,050.82

MSC Downing/Page move to approve bills subject to the comptroller. Unanimous.

PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:

There were no public comments.

ORDINANCES AND RESOLUTIONS:

Resolution No. 6378 - Approving the Development Agreement Addendum with King's Hwy, LLC for the Highview Meadows Subdivision

MSC Morrissette/Odeen move to approve resolution. Unanimous.

REPORTS:

Administrator's Report

Simpson talked about a positive meeting with staff from Northwest Regional Division of the Wisconsin Department of Transportation. There were updates about long-range transportation plans including the jug handle project scheduled for 2020 and the Cemetery Road and County FF roundabout stances by the DOT and how we could influence the design. There was also discussion about grant money.

The Mayor reminded everyone about River Falls Days coming up this weekend.

UNFINISHED BUSINESS:

Communication of Mayoral Veto Regarding Resolution Requesting for Open Container Exemption – Special Event Application Elm Street Businesses – Discussion and Possibility of Common Council Override of Veto

The Mayor noted the Council had his letter on this item. **MS Gagne/Page move to approve the resolution.**

Aldersperson Downing asked to hear the Police Chief Young's opinion before Council began voting. Chief Young believed that the event should not be approved as there is alcohol available served by the Chamber of Commerce at Heritage Park. Downing clarified that a no vote would support the veto. A yes vote would override the veto. Downing would be supporting the Police Chief by voting no.

Aldersperson Gagne spoke to Greenwood Tap. They are in favor of the open container for three hours. Gagne talked about other events that have open container including the pub crawl and bed races. He talked further stating if Council doesn't support this event, they should look other events including chamber events.

Aldersperson Page asked about the history of the exemptions. Is the chamber the only entity that we have allowed to do open containers? Gagne responded the chamber and pub crawl. The Mayor said it is only the chamber. Aldersperson Morrissette clarified that the pub crawl is not an open container event.

Page sees this as a benign event planned by downtown businesses. He talked about the event details. Page doesn't see this as stretch to the Council's authority in granting this exemption. He sees it as an opportunity for the businesses to host a nice event which allow responsible adults to consume beverages in a well-defined area. Page will support this event again.

Gagne said there will be security and barriers in place. There are Police resources available if things were to get out of hand. He thinks it's a great opportunity for the businesses.

Aldersperson Odeen will be supporting the Mayor's veto. She understands all the things that were said and doesn't think there will be a problem. She thinks the Council needs to draw the line somewhere. She feels most of the open container events are well-run but there is a culture of alcohol in the state and River Falls that concerns her. This is a family event emphasized as a children's event she doesn't see why adults can't have fun without drinking. She thinks adults can go Heritage Park or step into an establishment to enjoy a beer. Odeen commented that she was persuaded by the Mayor's memo and thoughtful reasons.

Morrissette feels Dan runs a good operation at Shooter's and has no concerns with him. He feels the difference between this and other events is the Police have one area to patrol. We are asking the Police to separate themselves. He will be supporting the veto.

Aldersperson Downing felt there is a point in separating adult and children events. He feels there could be a precedence for more events in the future with possible mistakes. He will be voting no.

The Mayor said there would be a roll call vote. A yes vote would be to override the veto. A no vote would be to support the veto.

Melissa Abdouch asked if she could speak. The Mayor said no, the Public Comments had passed, but then changed his mind and let her speak.

Abdouch said this has continued to be emphasized as a 'family event' but it is not specifically for children. It also for adults. She talked about the businesses coming together to offer this event. Abdouch offered to move back the start time to make it work for everyone. She felt this is a great opportunity to see if an event like this will work. She talked about how alcohol is served at River Falls Days and felt this was no difference. She noted that Shooter's doesn't have a patio to take advantage of River Falls Days. She is hoping the City will support the request.

Morrissette noted if the carnival was happening, it would not have an open container. He said if you are looking to replace what is missing from the carnival, why the open container?

Adbouch said the carnival didn't host a bean bag tournament. The time request on the application was changed to just when the bean bag tournament takes place. She said they are making something for everyone and limited times when containers are outside.

The Mayor appreciated what they are trying to do. He doesn't think there is a need for open container because people can go into Dan's bar. Adbouch said her business will benefit if there is open container or not, but by allowing open container, other businesses will benefit. There was further discussion.

Page felt the businesses weren't trying to strictly to replace the carnival – the loss of the carnival was the impetus for the event. He sees the veto as the City playing favoritism in allowing the Chamber to have open container exemptions for multiple events as they see fit and the Council says yes, every time; no problem – no thought to it.

The Mayor noted the open container decision was up to the Council and you don't put thought into it. The Mayor felt that was what Page was saying.

Page was saying was the veto was showing favoritism to the Chamber over small local businesses that are trying to do nice quality events that are both family and adult events in concert with Chamber events.

Downing said you are saying that; he's not. The Mayor asked for other comments.

Daniel Suffield said they are not trying to replace the carnival but that is what started the process. This is a showcase to invite people into town to the businesses.

Gagne said Rush River has a bean bag tournament. Odeen noted it is a brewery. Gagne said he hasn't heard of any major issues. He talked further about and felt the risk didn't outweigh the benefit.

The Mayor asked for a roll call vote. The motion to approve the resolution failed 4-3 with Odeen, Downing, Morrissette and Bjerstedt voting against and Gagne, Page and Watson voting in favor. The City Administrator announced the veto override failed.

MSC Bjerstedt/Downing move to adjourn at 6:50 p.m. Unanimous.

Respectfully submitted,

Kristi McKahan, Deputy Clerk