

CITY OF SHULLSBURG, WISCONSIN
COMMON COUNCIL MINUTES
JULY 31, 2024
6:30 P.M.

A special meeting of the Common Council of the City of Shullsburg was held July 31, 2024 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 6:30 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, Emmett Reilly, Cheryl Mulcahy, Dan Morrissey - Present. Others present- Melinda Timm, Tom Lethlean, Shawn Roelli, Troy Maggied, Janelle Schumacher.

Pledge of Allegiance

Public Comment – Gloria Swenson addressed the Council and the public regarding her stance on Item #5 on the agenda. She researched the ordinances and found nothing that should prevent a person from working from home. She doesn't understand why the Council could not issue the Conditional Use Permit. She believes Melinda Timm has a viable business that brings people to Shullsburg. She gave an example from her own personal experience of working from home.

Tom Lethlean addressed her comment, stating that it should have been spoken during Item #5 on the agenda.

Conditional Use Permit Application Submitted by Melinda Timm – This item was tabled at the July 24, 2024 meeting in order to get more information. Morrissey began the discussion stating he has not changed his position. He spoke with the attorney and believes the ordinance related to Conditional Use Permits has been changed and he is not in agreement with it. He offered to change his reasoning to deny the permit based on the fact that there is not adequate parking and the business will not be in the home, but actually in a garage. He still believes this will open the door for more people to move their businesses away from downtown. Being pro-business means being pro-business downtown.

Swenson confirmed that Melinda Timm's intent is to only be in her home temporarily and then would prefer to move back to a business on Water Street.

Melinda Timm addressed the Council and confirmed this would be a temporary situation for possibly five years and then she would like to move back to Water Street. She told the Council the drama needs to stop. She questioned the Council as to when the last time someone applied for this type of permit and described the other people who are currently working out of their homes. They weren't denied approval and believes this is discrimination against her.

Reilly asked the Council, specifically Morrissey, which conditions should be added to the permit.

Morrissey replied that there's nothing for him to say.

Reilly stated it's time for them to discuss it as a Council. He confirmed Scott Jelle, zoning administrator, will need a building permit application from Timm so he can issue a permit. He wants it understood that the requirements for the building permit and plans and the state regulations need to be followed or the business will be shut down. He questioned whether there needs to be a time limit to the permit to be revisited yearly since it's conditional use.

Timm addressed the Council again stating that she did in-home childcare for six years before becoming an aesthetician and you don't need any city approval for that.

Reilly stopped her comment and told her there would be no more questions.

Motion by Reilly to approve the conditional use permit for Melinda Timm to conduct an aesthetician business in her home with the condition that it is revisited yearly, second by Swenson. Mayor Jackson called for a roll call vote. Mulcahy – no, Morrissey – no, Reilly – yes, Swenson – yes, Jackson – yes. Motion passed.

Mulcahy commented after the vote her reasoning for her vote is because there was an acupuncturist who applied for a permit previously and it was turned down and she left town; so that sets a standard.

Reilly stated that the next steps are very important for her and said she needs to comply with what the Zoning Administrator requires for the building permit.

Timm was given a building permit application and directed to contact Zoning Administrator, Scott Jelle.

Selecting a Consulting Engineer for the Proposed EDA Grant-Funded Industrial Park Expansion – The Council reviewed the list of Engineering Firms who responded to the Request for Qualifications for Engineering Services. There were five viable options – Collins, Delta 3, Fehr Graham, MSA, Snyder. *Motion by Reilly, second by Swenson to approve Delta 3 Engineering as the Consulting Engineer on the EDA Grant-Funded Industrial Park Expansion. All aye, motion carried.*

EDA Grant Application Process – Troy Maggied addressed the Council regarding the EDA Grant application process and stated there are four things needed to have an eligible and competitive grant application with the EDA: 1. Having secured the property either by ownership or a valid offer to purchase; 2. Have 1-2 business interest/support forms completed 3. Have a phone call with the EDA 4. Complete the procurement process for an engineer. This project still needs to have 1 & 2 completed. Troy requested that he, Verne and Allison Taylor go meet with some potential business support owners together. Troy confirmed the EDA Grant will match our costs of infrastructure for the Industrial Park Project – sewer, water, electrical, storm water and roads.

Morrissey questioned whether the grant can be used for an incubator space; Maggied confirmed the EDA does have a different grant for that, but the one we are discussing is specifically for the Industrial Park.

Reilly questioned the timeline of all this taking place. Maggied described if the land is secured soon and they also secure the business interest forms, he could return to the October Council meeting with a resolution to move forward. Maggied would write the grant, which would take about six weeks and they would hear back about the grant in 2025 for project to start in 2026. No action taken.

Mine Tour Liability Waivers – The Council reviewed the new waiver recommended by the EMC Insurance Company legal department. Morrissey requested that the city look into moving to an electronic waiver system instead of printing the waivers on paper. *Motion by Mulcahy, second by Reilly to begin using the new version of the mine liability waiver immediately. All aye, motion carried.*

Closed Session – At 7:32 p.m. *a motion was made by Swenson, second by Reilly to convene into closed session. Roll Call- Morrissey-yes, Swenson-yes, Reilly-yes, Jackson-yes, Mulcahy- yes. Motion carried.* Closed Session is Pursuant to Wis. Stat 19.85 (1)(e) for the 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 including the consideration of purchase of city property.

Open Session - At 7:51 p.m. *a motion was made by Swenson second by Reilly to reconvene into open session. Roll Call- Morrissey-yes, Swenson-yes, Reilly-yes, Jackson-yes, Mulcahy- yes. Motion carried.*

Action on Closed Session – *Motion by Reilly, second by Swenson to approve the purchase of a 21.11 acre parcel and a 11.76 acre parcel at a cost of up to \$700,000 as discussed in closed session. Roll Call- Morrissey-yes, Swenson-yes, Reilly-yes, Jackson-yes, Mulcahy- yes. Motion carried.*

At 8:00 p.m. a motion was made by Swenson second by Reilly to adjourn. All aye, motion carried.

Janelle Schumacher
Clerk/Treasurer