

MINUTES OF THE TOWN OF WASHINGTON MONTHLY TOWN BOARD MEETING
May 21, 2020

Members Present: Jane Mueller, Micheal Peterson, Robert Solberg, Michael Stacy, Karen Tomesh

Staff Present: Janelle Henning, Jackie Vold

Members/Staff Absent: None

A quorum being present, Chrm. Peterson called to order the monthly Town Board meeting of the Washington Town Board at 5:30 p.m., on Thursday, May 21, 2020, at the Town Municipal Building, 5750 Old Town Hall Road.

Minutes:

Supv. Tomesh moved TO APPROVE THE MINUTES OF THE APRIL 16, 2020 MONTHLY TOWN BOARD MEETING. The motion was seconded by Supv. Stacy.

Aye 5 Nye 0

Public Hearing & Board Consideration for a request from Daniel & Patricia Green & Kerry & Deborah Kjelstad to Rezone 2.29 acres from Rural Residential/Commercial (RH/C3) to Commercial (C2) at 5911 Sandstone Road, Eau Claire and 3.66 acres from Rural Residential (RH) to Commercial (C2) at 6040 Sandstone Road, Eau Claire; (Parcels 024-1162-07-000 and 024-1162-06-010):

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor requested to postpone the Rezone hearing to the June 18 Town Board Meeting. Supv. Stacy moved TO POSTPONE THE REZONE HEARING TO THE JUNE 18 TOWN BOARD MEETING. The motion was seconded by Supv. Tomesh.

Aye 5 Nye 0

Public Hearing & Board Consideration for a request from Kerry & Deborah Kjelstad, Dan & Patricia Green, and Larry Hurt for a Conditional Use Permit for a Planned Unit Development for Multiple Commercial Buildings and uses in the Proposed C2 Neighborhood Business District including: Event Center, Café & Market Building, Rental/Storage, Honeymoon Suite Duplex, and Tree House on Sandstone Road, Eau Claire; Parcels 024-1162-06-010 and 024-1162-07-000.

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor requested to postpone the Conditional Use Permit hearing to the June 18 Town Board Meeting. Supv. Tomesh moved TO POSTPONE THE CONDITIONAL USE PERMIT HEARING TO THE JUNE 18 TOWN BOARD MEETING. The motion was seconded by Supv. Solberg.

Aye 5 Nye 0

Public Hearing & Board Consideration for a request from Ryan McKone & Heidi Mertzig-McKone to Rezone 5 acres from Agricultural (A1) to Agricultural Residential (A2 & A3) for Parcel 024-1175-08-000

Jared Grande, Eau Claire County Planning & Development, Land Use Supervisor requested to postpone the Rezone hearing to the June 18 Town Board Meeting. Supv. Stacy moved TO POSTPONE THE REZONE HEARING TO THE JUNE 18 TOWN BOARD MEETING. The motion was seconded by Supv. Tomesh.

Aye 5 Nye 0

The April 2020 Financial Statement was reviewed.

Checks:

Supv. Tomesh moved TO APPROVE CHECKS #028539 THROUGH #EP0520-5 FOR \$80,394.63. The motion was seconded by Supv. Solberg.

Aye 5 Nye 0

Licenses:

Supv. Tomesh moved TO APPROVE THE CLASS B LIQUOR LICENSE FOR UNO MAS, LLC, DARRIN SCHWAB, AGENT dba OLIVERS. The motion was seconded by Supv. Stacy.

Aye 5 Nye 0

Supv. Tomesh moved TO APPROVE THE BARTENDER LICENSE FOR JESSE WERNER. The motion was seconded by Supv. Solberg.

Aye 5 Nye 0

Amend Ordinance 2.1-2.0555 No Parking Zones, to Include No Parking on Palomino Road & Sindelar Drive:

Admin. Henning is requesting the no parking zones due to individuals parking along this section of road to avoid the fee to park in Lowes Creek County Park. The road is not designed for on-street parking and the road edge is breaking off.

Supv. Mueller moved TO APPROVE ORDINANCE 2018-05-21 NO PARKING ON PALOMINO ROAD & SINDELAR DRIVE. The motion was seconded by Supv. Solberg.

Aye 5 Nye 0

Ratify Appointments to Plan Commission:

Chrm. Peterson requested two year appointments of Don Perry and John Steensland be ratified by the Board.

Supv. Solberg moved TO RATIFY THE TWO YEAR APPOINTMENTS OF DON PERRY AND JOHN STEENSLAND. The motion was seconded by Supv. Tomesh.

Aye 5 Nye 0

2020 Budget Amendment - \$7500 for Cemetery Monument Replacement from Assigned Fund Cemetery Perpetual Care to #6295 Perpetual Care:

Admin. Henning indicated the replacement is due to the deteriorating of the existing monument.

Supv. Tomesh moved TO APPROVE THE 2020 BUDGET AMENDMENT - \$7500 FOR CEMETERY MONUMENT REPLACEMENT FROM ASSIGNED FUND CEMETERY PERPETUAL CARE TO #6295 PERPETUAL CARE (SEE ATTACHED). The motion was seconded by Supv. Stacy.

Aye 5 Nye 0

Law Enforcement Report:

Sheriff Cramer and Agent Gray with the Dept. of Revenue asked to speak to the Board regarding an establishment in the Town in regards to potential non-renewal of the liquor license for Double Days.

Admin. Henning reviewed the criteria for non-renewal outlined in WI State Statutes. The license holder needs to receive written notification of potential non-renewal and the license holder can request a hearing to appeal. The complaint before the Board is based off the criteria in the State Statute that: The

person keeps or maintains a disorderly or riotous, indecent or improper house.

Sheriff Ron Cramer testified before the Board that on March 24, 2020 during the State Safer at Home Act the Sheriff's Dept. responded to a complaint that Double Days was open for an "invitation only" gathering where they were serving alcohol. At approximately 8:00pm, deputies went to the back door and found it to be closed and locked. Sheriff Cramer, while in plain clothes, went to the front door. Sheriff Cramer indicated he could see lights on and activity inside through the makeshift window tint. Uniformed deputies remained at the back door and Sheriff Cramer knocked several times at the front door. He could see the owner, Kevin Patterson, behind the bar and several patrons at the bar. Once let in, it was observed that six patrons were sitting at the bar and at gaming machines. All patrons had drinks in front of them. It was determined all had alcohol drinks except for one subject, who had a cup of water. There were also people smoking in the bar. Patterson admitted to knowing he was supposed to be shut down. This was also clear based upon his deliberate act of concealing the windows with black construction plastic to act as tint and keeping his doors locked. Patterson also acknowledged that people were being allowed to smoke inside the bar. There was an ashtray located on a table with numerous cigarette butts in it. Dan Peterson, Eau Claire County Health Dept. issued a citation for the violation. June 21, 2018 Town Board Meeting: Lt. Schalinske the Field Service Lieutenant with the Eau Claire County Sheriff's Department reviewed the number of law enforcement calls to Double Days since 2016 totaling 62 total cases. He indicated several areas that can be improved: machines that can be utilized at the door to verify whether IDs are real, being alert as to who enters the establishment, having licensed bartenders and not over serving patrons. Kevin Patterson stated the closing of Encore Bar brought "riff raff" to Double Days which caused a lot of issues. He states most issues are outside the bar in the parking lot. He also stated he tells his employees to always check IDs. Chrm. Peterson stated these are not isolated incidents. The Town Board will take action to revoke the license if action is not taken to improve incidents at Double Days. The Board indicated they want Mr. Patterson to make a formal action plan with help from the Sheriff's Department.

July 19, 2018 Town Board Meeting: Admin. Henning reported Kevin Patterson, owner of Double Days has not met with Lt. Schlinske from the Sheriff's Department as discussed at the last Board Meeting. Discussion on next steps.

August 16, 2018 Town Board Meeting: Admin. Henning reported Lt. Schlinske has spoke with Kevin Patterson regarding corrective actions at Double Days. Regular checks will be conducted by the Sheriff's Department. Board will request Kevin Patterson come to the September Board Meeting to outline his corrective actions and results.

September 20, 2018 Town Board Meeting: Kevin Patterson addressed the Board. He indicated that he spoke with Lt. Schalinske regarding changes and reviewed them with his staff. Watched his cameras, removed two problem employees and clientele have improved. Hired two new bartenders recently. Admin. Henning spoke with Lt. Schlinske and there has been no contacts with the establishment by law enforcement since that last Board update.

Agent Gray, ATF Agent with WI DOR testified to the Board via phone. He discussed inspections done at Double Days based upon complaints. He reviewed several cases over the past few years at Double Days:

02/24/2020 – two male individuals smoking marijuana in front of building, one male playing gambling machine inside. Jennifer Halvorsen was the bartender. 3 bottles of contaminated liquor, 5 video gambling machines (after being told they are not allowed).

03/25/2020 – open during the Governor's shutdown order.

6/14/2018 - Alicia Kramer was an unlicensed bartender. 2 bottles of liquor ceased for being purchased from unauthorized sources, invoices not in order (not properly filled out or in sequence), underage patrons on premises without a parent or a spouse, and an unlicensed bartender.

05/31/2016 – Alicia Kramer was an unlicensed bartender serving alcohol, no seller's permit posted, invoices were not properly prepared, and gambling machines.

The Sheriff's Department received 23 calls for service to Double Days between June 16, 2017 and June 14, 2018.

Mr. Patterson did not return calls when asked to contact Agent Gray regarding invoice issues and gambling machines. He shows blatant disregard with noncompliance issues.

Supv. Tomesh moved TO ISSUE A NOTIFICATION OF NON-RENEWAL OF CLASS B LIQUOR

LICENSE TO YT PATTERSON, LLC; KEVIN PATTERSON, OWNER DBA DOUBLE DAYS
BASED ON VIOLATION OF WI STATE STATUTE 125. The motion was seconded by Supv. Stacy.

Aye 5 Nye 0

Supv. Tomesh left the meeting.

Administrator's Report:

Asphalt repairs currently on Peuse, Walnut, and Talmadge in advance of chip sealing.
Fahrner Asphalt has completed the crackfill and microsurface projects.
Cemetery is prepared for Memorial Day weekend.
COVID-19 policies and procedures are being implemented; we are under the authority of the City/County Health Department.
Serving on the Advisory Council in relation to business reopening in the County.
1 ticket issued for semi trailer parked in residential district on Mewhorter Court.
1 letter sent for plow truck parked in yard and accumulation of materials on Karen Court.
2nd notice letter sent for graffiti and broken fence at a business on London Road.
1 letter sent for no tracking pad on S. Lowes Creek Court.
1 letter sent for sump pump discharge into the ditch on Brookwood Drive.
1 letter sent for a vehicle parked in yard on Skeels Avenue.

Chairman's Report:

None

Supervisor's Report:

Supv. Mueller is serving on the Agricultural and Business Sector for the Economic Recovery Task Force

Citizens Input:

None

Future Zoning Requests:

5 public hearings on June 18, 2020.

Items for Next Meeting's Agenda:

None

Adjournment:

Chrm. Peterson moved TO ADJOURN. The meeting adjourned at 5:52 p.m.

TOWN PUBLIC HEARINGS WILL BE ON APRIL 23, 2020
AT 5:00 P.M. AT THE TOWN MUNICIPAL BUILDING, 5750 OLD TOWN HALL ROAD

Jackie Vold
Deputy Clerk/Administrative Assistant

Attendance: Jared Grande, Dan Helgeson, Chad White, Larry Hurt, Ron Cramer