

CITY OF VERONA
COMMON COUNCIL
MINUTES
June 12, 2023

1. Call to order: Mayor Diaz called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call: Kate Cronin, Mara Helmke, Phil Hoechst, Chad Kemp, Christine Posey, and Beth Tucker Long, Rye Kimmett and Evan Touchett were present. Also present: City Administrator Jamie Aulik, City Engineer Carla Fischer, Police Chief Dave Dresser, and City Clerk Holly Licht.
4. Public Comments:
 - Beth Foss, 384 Breckenridge Rd., spoke against the proposed flag policy and resolution declaring pride month and flying the pride flag. She stated allowing commemorative will bring issues in the future and divide community members. She said the policy is not specific enough. Specifically, she noted the confusion between displaying and flying flags.
5. Approval of Minutes from the May 22, 2023 Common Council Meeting
Motion by Kemp, seconded by Touchett to approve the May 22, 2023 Common Council Meeting. Motion carried 8-0.
6. Mayor's Business
 - Mayor Diaz presented the Vietnam Veterans Welcome Home Day Proclamation.
7. Announcements
8. Administrator's Report
9. Engineer's Report: Carla Fischer presented the Engineer's Report, and it was entered into the record.
10. Committee Reports
 - A. Finance Committee**
 - (1) Discussion and Possible Action Re: Payment of bills
Motion by Kemp, seconded by Helmke to pay the bills in the amount of \$918,398.70. Motion carried 8-0.
 - (2) Discussion and Possible Action Re: Acceptance of 2022 Financial Statements—
presentation by Baker Tilly
John Rader, Baker Tilly, stated that the audit went well and there were no adjustments. Baker Tilly issued an unmodified opinion which is the highest level of assurance you can receive. He gave an overview of the City's fund balances. He added that many revenues were over budget, but the City's investments took a hit. Expenditures were under budget by about \$600,000. The City is using 21% of its debt limit (including utilities), down from 28% last year. For water utility, the rate of return was 1.18%. New sewer rates went into effect for quarter 4 of 2022. All utilities had adequate cash reserves.
 - (3) Discussion and Possible Action Re: Resolution No. 23-018 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

Motion by Kemp, seconded by Touchett to approve Resolution No. 23-018 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing. Motion carried 8-0.

- (4) Discussion and Possible Action Re: Resolution No. 23-019 Approving the Sale of Approximately \$3,250,000 General Obligation Promissory Notes, Series 2023A Motion by Kemp, seconded by Posey to approve Resolution No. 23-019 Approving the Sale of Approximately \$3,250,000 General Obligation Promissory Notes, Series 2023A. Motion carried 8-0.

B. Plan Commission

- (1) Discussion and Possible Action Re: Ordinance No. 23-1026 Zoning Map Amendment to Rezone 135 Enterprise Drive to Suburban Commercial (SC) Motion by Posey, seconded by Cronin to approve Ordinance No. 23-1026 Zoning Map Amendment to Rezone 135 Enterprise Drive to Suburban Commercial (SC) with the condition that the approval shall become effective upon the applicant acquiring the property. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Resolution No. 23-020 Approving a Conditional Use Permit to allow for Commercial Animal Boarding located at 135 Enterprise Drive Motion by Posey, seconded by Kemp to approve Resolution No. 23-020 Approving a Conditional Use Permit to allow for Commercial Animal Boarding located at 135 Enterprise Drive. Motion carried 8-0.

C. Public Safety & Welfare Committee

- (1) Discussion and Possible Action Re: Approval of alcohol license renewal applications for the 2023-2024 licensing period Motion by Hoechst, seconded by Touchett to approve alcohol license renewal applications for the 2023-2024 license applications. Clerk Licht noted that there was a typo, and they did not apply for a license. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Approval of cigarette and tobacco products retail license renewal applications for the 2023-2024 licensing period Motion Hoechst, seconded by Touchett to approve the cigarette and tobacco products retail license renewal application for the 2023-2024. Motion carried 8-0.
- (3) Discussion and Possible Action Re: An application for a Reserve "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage license from Ice Inc, d/b/a Verona Ice Arena, located at 451 E. Verona Ave., Michael Obrien, Agent Motion by Hoechst, seconded by kemp to approve an application for a Reserve "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage license from Ice Inc, d/b/a Verona Ice Arena, located at 451 E. Verona Ave., Michael Obrien, Agent contingent upon final inspection by the building inspector and fire department. Motion carried 8-0.
- (4) Discussion and Possible Action Re: Ordinance No. 23-1027 Amending Section 10-1-26 relating to parking on West Harriet Street

Motion by Hoechst, seconded by Touchett to approve Ordinance No. 23-1027 Amending Section 10-1-26 relating to parking on West Harriet Street. Motion carried 8-0.

- (5) Discussion and Possible Action Re: Ordinance No. 23-1028 Amending Section 10-1-27 relating to Parking Prohibited Zones on West Harriet St
Motion by Hoechst, seconded by Touchett to approve Ordinance No. 23-1028 Amending Section 10-1-27 relating to Parking Prohibited Zones on West Harriet St. Motion carried 8-0.

D. Public Works/Sewer & Water Committee

- (1) Discussion and Possible Action Re: Agreement with JT Engineering for Construction Inspection Services for Woods at Cathedral Point Phase 5
Motion by Touchett, seconded by Tucker Long to approve an Agreement with JT Engineering for Construction Inspection Services for Woods at Cathedral Point Phase 5. Motion carried 8-0.

11. New Business

- A. Discussion and Possible Action Re: City of Verona Display of Flag Policy
Attorney Kleinmaier stated that the display of flags should be considered government speech, not private speech and the government should control the flag poles and not the message of the flag and the policy reflects that. Diaz stated that policy will provide consistency with different groups who request to fly flags. He added that the 2/3 majority approval is a higher standard than most council decisions, and that is important. Kemp agreed the City should have a policy. Tucker Long stated if a flag has been previously approved for display, it doesn't need to be previously displayed. She noted that it would be more difficult to research which flags have been displayed vs. which flags have been approved for display. Hoechst stated that the policy could create problems. Helmke stated that we shouldn't not pass the policy because it might upset people. Kimmett stated that it is a good policy with good guardrails in place. She stated there is always going to be risk with every decision the council makes. Touchett stated that the policy should have a designated place for flags to be flown. Posey stated she thinks it's a good policy and if it doesn't end up working or a future council wants to remove the policy, they can easily repeal it. Motion by Tucker Long, Cronin to approve the City of Verona Display of Flag Policy and to remove the "and displayed" language in Section D of the proposed policy. Motion carried 8-0.
- B. Discussion and Possible Action Re: Resolution No. R-23-021 Recognizing LGBTQ Pride Month and Flying the LGBTQ Progress Pride Flag at Municipal Buildings
Mayor Diaz stated there was an error in the packet. The packet stated that 2 alders had requested the flag, but he made the request, not the alders. Motion by Tucker Long, seconded by Kimmett to approve Resolution No. R-23-021 Recognizing LGBTQ Pride Month and Flying the LGBTQ Progress Pride Flag at Municipal Buildings. Posey stated actions are important, and there are people out there that need to see it, and it be very obvious, that they are supported and accepted in our community and in this life. Diaz stated that he is in support

of the resolution and that if we make mistakes, he would rather them being inclusive and accepting of people. Motion carried 8-0.

- C. Discussion and Possible Action Re: Approving the release of a permanent access easement over outlot 4 of the Kettle Creek North plat
Motion by Tucker Long, seconded by Kemp to approve the release of a permanent access easement over outlot 4 of the Kettle Creek North plat. Motion carried 8-0.

12. Adjournment: Motion by Touchett, seconded by Kemp to adjourn at 8:24 p.m.
Motion carried 8-0.

Respectfully submitted,

Holly Licht, City Clerk