

The Common Council met at City Hall in the City of Black River Falls on April 2, 2025 at 6:00 P.M. Alderpersons Gearing-Lancaster, Wussow, Ammann, Peloquin, M. Rave, E. Rave, Dougherty, and Busse were present. Mayor J. Eddy presided.

It was moved by Alderperson Wussow, seconded by Alderperson Dougherty to dispense with the reading of the minutes of the March 19, 2025 Special Common Council meeting and approve as presented. Motion carried.

CITIZENS IN ATTENDANCE

There was 1 citizen in attendance (6:10pm) and the local newspaper editor attended via Zoom meetings.

The City Administrator distributed election results from the April 1, 2025 election. 1,129 ballots were cast which represents approximately 59% of registered voters.

COMMITTEE REPORTS

It was moved by Alderperson Ammann, seconded by Alderperson Gearing-Lancaster to place on file the minutes of the March 17, 2025 Ad Hoc Branding Committee meeting. Motion carried.

It was moved by Alderperson Peloquin, seconded by Alderperson E. Rave to place on file the minutes of the March 20, 2025 Business Improvement District (BID) Board meeting. Motion carried.

It was moved by Alderperson Dougherty, seconded by Alderperson Gearing-Lancaster to place on file the minutes of the March 27, 2025 Plan Commission meeting. Motion carried.

It was moved by Alderperson Dougherty, seconded by Alderperson M. Rave to place on file the minutes of the March 31, 2025 Ad Hoc Branding Committee meeting. Motion carried.

It was moved by Alderperson M. Rave, seconded by Alderperson Wussow to place on file the minutes of the March 31, 2025 Utility Commission meeting. Motion carried.

The City Attorney was in attendance and guided the discussion on a possible sex offender residency restriction ordinance. Attorney Radcliffe has drafted several similar ordinances and provided the City of Blair's ordinance as an example and possible starting point, and recommended if the Council wants to move forward then they need to read and discuss all of the studies listed on page 2, this must go through the public hearing process, three key points for residency restrictions include 1) how many feet from certain locations, 2) safety zones where they cannot be at all, and 3) giving the individuals the opportunity to petition for an exemption which would include a review committee, a background check, interviews, and case transcripts. Attorney Radcliffe cautioned when these types of ordinances are passed the Constitution of the State of Wisconsin, and the U.S. Constitution come in to play so if challenged most likely would be in federal court and talking about equal protections under the law and if someone sues it can be a costly defense. The State doesn't have rules on what the city can or cannot do, but even though we try to draft the best ordinance possible, the city needs to understand it could be challenged and if it is, it will be in federal court. What the offender is convicted of is what the ordinance would be based on, but part of the exemption request background investigation would include finding out what the original charges were and if there was a plea deal. Double jeopardy would not come in to play because the city would not be incarcerating them. WI statutes impose few limits on sex offenders and do not restrict where most sex offenders can live. Under the proposed ordinance, landlords are not supposed to rent to sex offenders in certain areas so they have a burden to do the background check, but difficult to enforce and issue fines to landlords. The maps provided for 1,000 feet and 1,500 feet exclude most of the city. The Council would need to justify why a particular distance was chosen. Exemption hearings can incur a couple of thousand dollars in legal fees plus the cost of staff hours. In the proposed ordinance there are residency restrictions (where they can live) and then there are safety zones (where they cannot be at all). There can be different restrictive distances for different locations. There was consensus the process should include a public hearing followed by a Special Common Council meeting and then at least one more public hearing before a final draft is considered.

It was moved by Alderperson M. Rave, seconded by Alderperson Dougherty to adjourn. Motion carried at 7:07pm.

A. Brad Chown, City Administrator