

The Common Council met at City Hall in the City of Black River Falls on July 1, 2025 at 6:00 P.M. Alderpersons Ammann, Peloquin, Dougherty, Busse, Gearing-Lancaster, and Wussow were present. Alderpersons M. Rave and E. Rave were absent. Mayor J. Eddy presided.

It was moved by Alderperson Wussow, seconded by Alderperson Peloquin to dispense with the reading of the minutes of the June 18, 2025 Special Common Council meeting and approve as presented. Motion carried.

It was moved by Alderperson Dougherty, seconded by Alderperson Gearing-Lancaster to dispense with the reading of the minutes of the June 26, 2025 Special Common Council meeting and approve as presented. Motion carried.

CITIZENS IN ATTENDANCE

There were 4 citizens in attendance – 3 in person and 1 via Zoom meetings.

COMMITTEE REPORTS

It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson Wussow to place on file the minutes of the June 30, 2025 Utility Commission meeting. Motion carried.

It was moved by Alderperson Busse, seconded by Alderperson Ammann to award the bids for the concession stand building and playground at Marks Field in the amount of \$1,437,348.00 with the understanding the Lunda Charitable Fund has committed to covering the cost for all categories except plumbing in the amount of \$66,000 which the city will be responsible for. Motion carried.

It was moved by Alderperson Ammann, seconded by Alderperson Wussow to approve the purchase of the 2017 Freightliner garbage truck from Wisconsin Surplus Online Auction in the amount of 128,132.50. Motion carried.

It was moved by Alderperson Dougherty, seconded by Alderperson Gearing-Lancaster to approve the applications for a Temporary Alcohol Beverage (Picnic) License for the Jackson County Ag Society for the 2025 Jackson County Fair July 23 to August 6, 2025 at 388 Melrose Street (Jackson County Fairgrounds). Motion carried.

It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson Peloquin to approve **ORDINANCE 896** – an ordinance prohibiting smoking, vaping, and tobacco products at the All-Abilities Park. Motion carried.

CITY OF BLACK RIVER FALLS ORDINANCE NO. 896

AN ORDINANCE CREATING SECTION 11.06 OF THE CODE OF ORDINANCES FOR THE CITY OF BLACK RIVER FALLS, JACKSON COUNTY, WISCONSIN REGARDING THE PROHIBITION OF SMOKING, VAPING, AND TOBACCO PRODUCTS AT THE “ALL ABILITIES PARK.”

The Common Council of the City of Black River Falls, Jackson County, Wisconsin, do ordain as follows:

SECTION 1. Section 11.06 of the Code of Ordinances of the City of Black River Falls is hereby amended to read as follows:

11.06 SMOKING, VAPING, AND TOBACCO PRODUCTS PROHIBITED

- (1) Smoking, the use of electronic vaping devices, and the use of tobacco products, is/are prohibited from occurring within the fenced in area surrounding an area commonly referred to as the “All-Abilities Park” located at 1400 Tyler Street in the City of Black River Falls, Wisconsin, or within twenty feet of the outside of said boundary fence.
- (2) The following definitions control this Section:
 - a) “*Smoking*” means burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:
 - i. A lighted cigar.
 - ii. A lighted cigarette.
 - ii. A lighted pipe.
 - iv. Any other lighted smoking equipment.

b) *“Electronic vaping device”* means a device that may be used to deliver any aerosolized or vaporized liquid or other substance for inhalation, regardless of whether the liquid or other substance contains nicotine, including an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. “Electronic vaping device” includes a component, part, or accessory of the device, and includes a liquid or other substance that may be aerosolized or vaporized by such device, regardless of whether the liquid or other substance contains nicotine. “Electronic vaping device” does not include a battery or battery charger when sold separately. “Electronic vaping device” does not include drugs, devices, or combination products authorized for sale by the U.S. food and drug administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

c) *“Tobacco products”* means cigars; pipe tobacco; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking.

(3) *Penalty.* Any person violating the provisions of Section 11.06 shall be subject to a penalty as provided in Section 25.04 of the Code of Ordinances for the City of Black River Falls, Wisconsin.

ORDINANCE 897 – an ordinance creating Chapter 21 of the Code of Ordinances for the City related to sex offender residency was presented for the 1st reading. The City Attorney advised the next steps would include having the public invited one more time to go over the final version of it before the Council votes. The City Administrator made recommendations to add language from the City of Tomah ordinance related to an annual official map, a provision exempting an offender if the offense occurred more than ten years ago, no property owner may allow an offender to reside on their property unless exempted, and changing the process for petitioning for an exemption to have the Chief of Police receive the petition and documentation and make the decision and the offender could appeal that decision to the city’s already established Administrative Review Appeals Board. Kristi Pronschinske, Transportation Director for the School District of Black River Falls, shared information on how bus stops are established and moved, and there was consensus to add language the bus stops would be “as provided by” the school district and the Ho-Chunk Nation.

ORDINANCE 898 – an ordinance creating Section 1.28 of the Code of Ordinances for the City regarding the creation of a Sex Offender Appeals Board was not presented based on conversations to change Ordinance 897 that would eliminate the need to create this board.

It was moved by Alderperson Wussow, seconded by Alderperson Gearing-Lancaster to adjourn. Motion carried at 6:42pm.

A. Brad Chown, City Administrator