

## **Common Council Meeting – 19 April 2011**

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday April 19<sup>th</sup> 2011 at 7:15 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order. **Call to order/Roll Call** – Mary Wayne absent **Certification of the open meeting law agenda requirements** – ACTION: To certify MOTION: Ames SECOND: Munson VOTE: 11-0 (Wayne absent) **Pledge of Allegiance** – Led by Judeen Ames

### **I. PUBLIC HEARINGS, PRESENTATIONS, AND INPUT**

#### **A. UPDATE – Burial of Utility Lines/Electrical Service on St. Feriole Island**

Staff has been meeting with Alliant Energy to begin the next phase of the project on the Island. Work is expected to begin next month. Co-Public Works Manager Terry Meyer explained the current proposal.

#### **B. ACTION on aforesaid agenda item**

ACTION: To approve the utility burial proposal on St. Feriole Island MOTION: Munson SECOND: Pintz VOTE: 11-0 (Wayne absent)

#### **C. PRESENTATION – Adopt-A-Street Program for the City**

Meyer discussed the initiative, with assistance from students at Bluffview Elementary – Emma Jones, Destiny Ray and Autumn Bach.

#### **D. PRESENTATION – 2011 Park and Recreation Summer Guide**

Park and Rec Director Mike Ulrich presented the guide to the Council

### **II. CONSIDERATION OF CONSENT AGENDA**

A. COUNCIL MINUTES – April 6th 2011, B. PARK BOARD MINUTES – February 16th 2011, C. FINANCE COMMITTEE MINUTES – April 6th 2011, D. PERSONNEL, LICENSE AND INSURANCE MINUTES – January 25th 2011, E. PROTECTION AND HEALTH MINUTES – March 1st 2011, F. LARIVIERE PARK BOARD – March 9th 2011, G. PLAN COMMISSION – March 21st 2011, H. SPECIAL EVENT/PARADE PERMIT – June 10th 2011 (Earl Mayer Memorial Blackhawk Mile) ACTION: To approve the consent agenda minus Item H MOTION: Hein SECOND: Munson VOTE: 11-0 (Wayne absent)

### **III. ITEMS REMOVED FROM CONSENT AGENDA**

H. SPECIAL EVENT/PARADE PERMIT – June 10th 2011 (Earl Mayer Memorial Blackhawk Mile) – Ron Felch was present to discuss the proposed route. ACTION: To approve MOTION: Hein SECOND: Ames VOTE: 11-0 (Wayne absent)

### **IV. CITIZENS' COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT**

Nick Barootian was present to discuss a proposed community garden at two locations, the 900 block of South Beaumont and at the corner of Wells Street and South Beaumont, on vacant lots owned by the city. No objections were heard from the Council.

Without objection, the Council moved the agenda.

### **VI. OLD BUSINESS**

#### **A. DISCUSSION AND ACTION – Ordinance 2011-14**

This ordinance would create a slow-no-wake zone on a portion of the Mississippi River west of St. Feriole Island. Those speaking about the proposal – Mike Valley (Prairie du Chien), Marty Mayne (McGregor, IA), Scott Sheckler (Prairie du Chien), Blair Dillman (Prairie du Chien), Sam Ritter (Prairie du Chien), Shawn Redman (Prairie du Chien), Clifford Stram (Prairie du Chien), Shelly Slaughter (Prairie du Chien), Jim Sheckler (Prairie du Chien), Clem Stram (Prairie du Chien). ACTION: To send the item back to the Public Works Committee for a meeting on Monday May 2<sup>nd</sup> at 6 PM MOTION: Riebe SECOND: Munson VOTE: 11-0 (Wayne absent)

## **V. COMMITTEE REPORTS AND ACTIONS**

### **A. FINANCE – Claims**

ACTION: To approve MOTION: Hein SECOND: Pintz VOTE: 11-0 (Wayne absent)

### **B. FINANCE - DISCUSSION AND ACTION – Request for Bid Waiver on TIC Remodeling and Awarding of Project**

Staff is requesting a bid waiver and approval of a proposal from Steiner Construction to remodel the Tourism Information Center. The funds, \$6,897, would come from the Cornelius Fund, and not the General Fund. Due to an issue of trying to complete this project before the tourism season is here, staff is requesting the bid waiver. ACTION: To approve the bid waiver and approve the project MOTION: Hein SECOND: Ames VOTE: 8-3 (Pintz, Titlbach and Jones opposed, Wayne absent). Motion failed due to failure of a  $\frac{3}{4}$  majority approval.

### **C. FINANCE - DISCUSSION AND ACTION – Resolution 2011-17 (AUTHORIZING A JOINT SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR THE FOX-WISCONSIN HERITAGE PARKWAY INTERPRETIVE PLANNING PROJECT)**

This resolution will show the city's support of regional planning efforts for the Fox-Wisconsin Heritage Parkway, a 280-mile waterway in Wisconsin, comprised of the Fox and Wisconsin Rivers and their surrounding lands. ACTION: To approve Resolution 2011-17 with the additional language "Any planning shall respect the rights of private property owners." MOTION: Hein SECOND: Munson VOTE: 11-0 (Wayne absent)

### **D. FINANCE - DISCUSSION AND ACTION - Resolution 2011-18 (AUTHORIZING SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION)**

This resolution would authorize submission of a Community Development Block Grant application for ADA-related improvements to Hoffman Hall. ACTION: To approve Resolution 2011-18 MOTION: Pintz SECOND: Hein VOTE: 11-0 (Wayne absent)

### **F. PROTECTION AND HEALTH/PERSONNEL, LICENSE AND INSURANCE - DISCUSSION AND ACTION – Ordinance 2011-13 (CREATING SECTION 12.02(16) OF THE MUNICIPAL CODE)**

This ordinance would create a "point system" for the regulation and possible suspension/revocation of liquor licenses. Mike Cowie spoke in opposition to the proposal. ACTION: To reject Ordinance 2011-13 MOTION: Titlbach SECOND: Munson VOTE: 11-0 (Wayne absent)

### **E. PROTECTION AND HEALTH/PERSONNEL, LICENSE AND INSURANCE - DISCUSSION AND ACTION – Ordinance 2011-10 (AMENDING SECTION 12.02(15) OF THE MUNICIPAL CODE)**

This ordinance would amend the current revocation/suspension ordinance regulating liquor licenses. Due to the failure of the previous item, no action was required.

## VII. NEW BUSINESS

### A. DISCUSSION AND ACTION - Review and action on the request by Country on the River (Scott Sheckler) to install their temporary fencing prior to this year's event

Country on the River would like to put up the festival grounds fence 2-3 weeks early starting the week of July 18th. It would be open to all the public use until actual site rentals begin. Sheckler and Chase Clausen were present to discuss the proposal ACTION: To approve the request to place the fencing up no earlier than July 18<sup>th</sup>, require Country on the River to provide a letter from BluesFest that the fencing will not interfere with their event, keep both ends open so as to not restrict access to the bike paths, and have the fencing down no later than 15 days after the event concludes or the city will remove the fencing and bill Country on the River MOTION: Hein SECOND: Riebe VOTE: 11-0 (Wayne absent)

### B. DISCUSSION AND ACTION – Reducing the Size of the Council

An advisory referendum on April 6th, asking voters if the Council should be reduced in size, passed by a 663-410 margin. Staff will be seeking direction on how the Council wants to proceed. ACTION: To direct staff to come up with a proposal reducing the Council to eight members, with six members elected from districts and two at-large MOTION: Riebe SECOND: Hein VOTE: 7-4 (Solomon, Fleshner, Pintz and Jones opposed, Wayne absent)

### C. DISCUSSION AND ACTION – Appointment of Redistricting Committee

ACTION: To appoint Garth Frable, Barb Elvert and Aaron Kramer to the Redistricting Committee, to draw up the boundaries of the wards and districts MOTION: Pintz SECOND: Ames VOTE: 11-0 (Wayne absent)

### D. DISCUSSION AND ACTION – Possible ordinance regulating the number of cats and dogs in a home

Aldерwoman Hein has requested that this item be placed on the agenda for the council to discuss. ACTION: To send the item to the Protection and Health Committee MOTION: Munson SECOND: Ames VOTE: 11-0 (Wayne absent)

### E. ADJOURN to CLOSED SESSION under Wisconsin State Statute 19.85 (1) (e) (9:55 PM)

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...RE: Acquisition of the former Northern Engraving property on St. Ferirole Island ACTION: To adjourn into closed session MOTION: Solomon SECOND: Munson VOTE: 11-0 (Wayne absent)

### F. CONVENE into OPEN SESSION (10:10 PM)

ACTION: To convene into open session MOTION: Hein SECOND: Solomon VOTE: 11-0 (Wayne absent)

### G. ACTION from CLOSED SESSION

ACTION: To approve the purchase of the former Northern Engraving site, after two environmental studies showed no signs of major contamination, with the studies being paid for by an EPA grant MOTION: Pintz SECOND: Solomon VOTE: 10-1 (Boylen opposed, Wayne absent) ACTION: To approve Resolution 2011-19 (AUTHORIZING SUBMISSION TO THE WISCONSIN READY FOR REUSE LOAN AND GRANT PROGRAM) MOTION: Pintz SECOND: Ames VOTE: 11-0 (Wayne absent)

**VIII. ADJOURN (10:14 PM)**

MOTION: Ames SECOND: Solomon VOTE: 11-0 (Wayne absent)

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David Hemmer, Mayor

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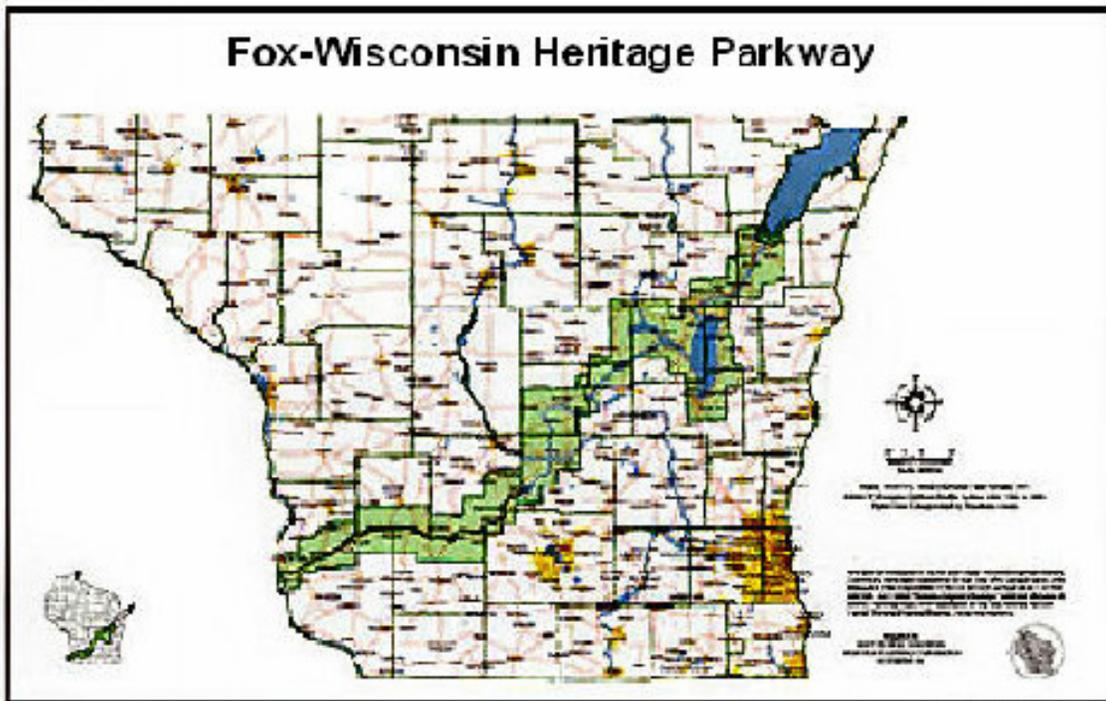
Submitted by City Administrator Aaron Kramer

**RESOLUTION 2011-17**  
**AUTHORIZING A JOINT SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK  
GRANT APPLICATION FOR THE FOX-WISCONSIN HERITAGE PARKWAY  
INTERPRETIVE PLANNING PROJECT**

Relating to the City of Prairie du Chien participation in the Community Development Block Grant - Planning Grant program.

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce (Commerce), for the purpose of undertaking community planning; and

**WHEREAS**, the **City of Prairie du Chien** supports regional planning efforts for the Fox-Wisconsin Heritage Parkway a 280-mile waterway in Wisconsin, comprised of the Fox and Wisconsin Rivers and their surrounding lands.



**WHEREAS**, the **Common Council of the City of Prairie du Chien** supports the preparation and filing of an application for the **Fox-Wisconsin Heritage Parkway Interpretive Planning Project**, and

**WHEREAS**, the **Common Council of the City of Prairie du Chien** has reviewed the need for the proposed plan and the benefit(s) to be gained there from;

NOW, THEREFORE, BE IT RESOLVED, that the **Common Council of the City of Prairie du Chien** does hereby approve and authorize the preparation and filing of an application for the above-named project; and that **Mayor** is hereby authorized to sign all necessary documents on behalf of the **City of Prairie du Chien**. Any planning shall respect the rights of private property owners.

ADOPTED on this 19th day of April, 2011

The governing body of **the City of Prairie du Chien** has authorized the above resolution by Resolution No. 2011-17, dated April 19<sup>th</sup> 2011.

Attest:

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Aaron Kramer, City Administrator

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David Hemmer, Mayor

**RESOLUTION 2011-18**  
**AUTHORIZING SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Relating to the City of Prairie du Chien's participation in the Community Development Block Grant program.

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce (Commerce), for the purpose of the provision or improvement of public facilities; and

**WHEREAS**, after public meeting on Tuesday, April 19, 2011 and due consideration, the **Finance Committee** has recommended that an application be submitted to Commerce for the following project:

**ADA-related improvements to Hoffman Hall - specifically to remove architectural barriers which limit access or mobility for elderly or handicapped persons to Hoffman Hall, and**

**WHEREAS**, it is necessary for the **Common Council of the City of Prairie du Chien**, to approve the preparation and filing of an application for the **City of Prairie du Chien** to receive funds from this program; and

**WHEREAS**, the **Common Council of the City of Prairie du Chien** has reviewed the need for the proposed project and the benefit(s) to be gained there from;

NOW, THEREFORE, BE IT RESOLVED, that the **Common Council of the City of Prairie du Chien** does hereby approve and authorize the preparation and filing of an application for the above-named project; and that **Mayor** is hereby authorized to sign all necessary documents on behalf of the **City of Prairie du Chien**; and that authority is hereby granted to the **City Staff** to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

ADOPTED on this 19<sup>th</sup> day of April, 2011.

The governing body of **the City of Prairie du Chien** has authorized the above resolution by Resolution No.2011-18, dated April 19<sup>th</sup> 2011.

Attest:

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Aaron Kramer, City Administrator

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David Hemmer, Mayor

**RESOLUTION 2011-19**  
**AUTHORIZING SUBMISSION TO THE WISCONSIN READY FOR REUSE  
LOAN AND GRANT PROGRAM**

A RESOLUTION authorizing the submittal of a grant application for the Northern Engraving property by the **City Administrator** and the subsequent appropriation of **City of Prairie du Chien** funds for a Wisconsin Ready for Reuse Grant.

**WHEREAS**, the **City of Prairie du Chien** recognizes that the remediation and redevelopment of brownfields is an important part of protecting Wisconsin's resources; and

**WHEREAS**, in this action the **City of Prairie du Chien Common Council** has declared its intent to complete the Ready for Reuse Grant activities described in the application if awarded funds; and

**WHEREAS**, the **City of Prairie du Chien** will maintain records documenting all expenditures made during the Ready for Reuse Grant period; and

**WHEREAS**, the **City of Prairie du Chien** will allow employees from the Department of Natural Resources access to inspect the grant site or facility and grant records; and

**WHEREAS**, the **City of Prairie du Chien** will submit a final report to the Department which will accompany the final payment request.

**IT IS, THEREFORE RESOLVED THAT:**

The **City of Prairie du Chien Common Council** requests funds and assistance available from the Wisconsin Department of Natural Resources under the Ready for Reuse Program and will comply with state rules for the program; and

**HEREBY AUTHORIZES** the **City Administrator** to act on the behalf of the **City of Prairie du Chien** to: submit an application to the State of Wisconsin for financial aid for Ready for Reuse Grant purposes, sign documents, and take necessary action to undertake, direct, and complete approved grant activities.

Adopted this 19<sup>th</sup> day of April, 2011

By a vote of: \_\_\_\_ in favor, \_\_\_\_ opposed, and \_\_\_\_ abstain

BY: \_\_\_\_\_  
Aaron Kramer, City Administrator

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David Hemmer, Mayor