

## **Common Council Meeting – 5 July 2011**

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday July 5th 2011 at 7:00 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order. **Call to order/Roll Call** – Judeen Ames absent **Certification of the open meeting law agenda requirements** – ACTION: To certify, with addition of two agenda items under New Business: G. CONVENE into Open Session and H. ACTION from closed session MOTION: Wayne SECOND: Hein VOTE: 11-0 **Pledge of Allegiance** – Led by Mary Wayne

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

#### **A. PRESENTATION – Proposal to Modify the Crawford County Dispatch Center**

Sheriff Dale McCullick and 911 Coordinator Julie Cipra will be present to review the proposal and answer questions. The proposal would save the city roughly \$56,000 a year, beginning in 2012.

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

ACTION: To approve the planned realignment and relocation of the Crawford County Dispatch Center  
MOTION: Munson SECOND: Solomon VOTE: 11-0

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

A. COUNCIL MINUTES – June 21st 2011, B. FINANCE COMMITTEE – June 21st 2011, C. PUBLIC WORKS COMMITTEE – May 2<sup>nd</sup> 2011, D. CARSON AND BARNES CIRCUS – To be held Wednesday August 17<sup>th</sup> 2011 at the rodeo grounds on St. Feriole Island (Sponsored by the Prairie du Chien Area Chamber of Commerce), E. COUNTRY ON THE RIVER – To be held from August 3<sup>rd</sup> to August 6<sup>th</sup> 2011 on St. Feriole Island. The City Administrator requested that Item E be pulled, Riebe requested Item C be pulled. ACTION: To approve the Consent Agenda minus Items C and E  
MOTION: Solomon SECOND: Hein VOTE: 11-0

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

C. PUBLIC WORKS COMMITTEE – May 2<sup>nd</sup> 2011. Riebe withdrew his request for the item to be pulled. ACTION: To approve Consent Agenda Item C MOTION: Riebe SECOND: Hein VOTE: 11-0  
E. COUNTRY ON THE RIVER – To be held from August 3<sup>rd</sup> to August 6<sup>th</sup> 2011 on St. Feriole Island. Scott Sheckler Junior was present to address the Council on a request to close off a large portion of the Island on August 5<sup>th</sup> and 6<sup>th</sup>. MOTION: To approve Consent Agenda Item E, contingent on the event organizers providing the Police Chief a detailed map of the camping and RV grounds prior to the event, and to direct staff to report to the Council on July 19<sup>th</sup> on the proposal to close off a portion of the Island during the event. MOTION: Pintz SECOND: Hein VOTE: 11-0

Without objection, the agenda was moved:

### **VII. NEW BUSINESS**

#### **A. DISCUSSION AND ACTION – Proposed docks, piers and boat slips along river wall on St. Feriole Island**

The proposal, from Blair Dillman, has received a “tentative determination” from the DNR that it will issue a permit for the project. The DNR has requested the city publish a Class I Notice requesting public comment on the project. The City Administrator informed the Council that the notice had been published by Prairie Sand and Gravel and the city no longer had to publish. Dillman was present to address questions about the proposal ACTION: To hold a public hearing on the proposal at the July 19<sup>th</sup> Council meeting MOTION: Riebe SECOND: Pintz VOTE: 11-0

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

None

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

### **A. FINANCE – Claims**

ACTION: To approve the Committee report MOTION: Hein SECOND: Pintz VOTE: 11-0

### **B. PUBLIC WORKS – Proposal for Improving the Boat Launches**

ACTION: To approve the Committee report and direct staff develop a plan for improving the Villa Louis, Campion and Marina boat launches, and plan for the eventual closing of the Cedar Street and Fisher Street landings. MOTION: Pintz SECOND: Solomon VOTE: 11-0

### **C. PUBLIC WORKS – Proposed Improvements to the Godden’s Pit Area**

ACTION: To approve the Committee report and direct the staff move ahead with exploring the feasibility of the proposal, as well as a campground concept at the Cedar Street boat landing, which would be closed under the action in the above agenda item MOTION: Pintz SECOND: Titlbach VOTE: 10-1 (Riebe opposed)

### **D. PERSONNEL – Operator’s Licenses**

ACTION: To approve the Committee report MOTION: Titlbach SECOND: Munson VOTE: 11-0

## **VI. OLD BUSINESS**

### **A. COMMITTEE OF THE WHOLE – Abolishing the Harbor Commission**

ACTION: To approve ORDINANCE 2011-19 (AN ORDINANCE REPEALING AND RECREATING SECTION 15.01 (BOARD OF HARBOR COMMISSION) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN) and waive the reading MOTION: Solomon SECOND: Pintz VOTE: 11-0 ACTION: To approve ORDINANCE 2011-20 (AN ORDINANCE REPEALING AND RECREATING THE HARBOR COMMISSION OF THE CITY OF PRAIRIE DU CHIEN) and waive the reading MOTION: Pintz SECOND: Titlbach VOTE: 11-0

## **VII. NEW BUSINESS**

### **B. DISCUSSION AND ACTION – Sheckler Hotel and Convention Center project**

The City Administrator reported that the bank had agreed to the terms of the city’s investment being the last money drawn for the construction of the Convention Center, and that staff is now working to draft the following: 1) An amended to the developer’s agreement between the City and Jill and Scott Sheckler, 2) An escrow agreement between the City and Citizen’s Bank of La Crosse (“Bank”), and 3) A letter of understanding between the City and the Bank. Staff also provided an update on the capping/soil issue discussed last month by the Council. ACTION: To direct staff to submit the new capping requests to the DNR for formal approval, with the city’s contribution to the new proposal to not exceed \$1,000 MOTION: Titlbach SECOND: Jones VOTE: 11-0

### **C. DISCUSSION AND ACTION – Proposed Changes to Ordinance 2.03 (Order of Business) and 2.04 (Consent Agenda)**

The City Administrator reviewed the proposal. ACTION: To direct staff to draft an ordinance reflecting the issues discussed MOTION: Titlbach SECOND: Riebe VOTE: 11-0

NOTE: There was no item “D” on the agenda.

### **E. DISCUSSION AND ACTION – Ordinance 2011-21 (REPEALING SECTION 3.08 (8) OF THE MUNICIPAL CODE (LOCAL PREFERENCE BIDDING ORDINANCE)**

Under the 2011-2013 Wisconsin State Budget, municipalities are prohibited from using a competitive bidding method that gives preference based on the geographic location of the bidder or that uses

criteria other than the lowest responsible bidder in awarding a contract. This ordinance repeals the local preference ordinance which was passed in May. ACTION: To approve Ordinance 2011-21 and waive the reading MOTION: Riebe SECOND: Pintz VOTE: 11-0

F. CLOSED SESSION under Wisconsin State Statute 19.85 (1) (e) 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: Discussions related to negotiations with the Prairie du Chien Police Union, RE: Possible land transaction involving the City and a private individual. ACTION: To go into closed session at 8: 45 PM MOTION: Solomon SECOND: Munson VOTE: 11-0

NOTE: John Rybarczyk and Police Chief Abram were present in the closed session.

NOTE: Alderman Jones left the meeting at 9:15 PM.

G. CONVENE into open session

MOTION: Pintz SECOND: Solomon VOTE: 10-0

H. ACTION from the closed session

ACTION: To reject the proposal from John Rybarczyk MOTION: Solomon SECOND: Munson VOTE: 10-0

ACTION: To accept the offer of the Police Union to re-open negotiations MOTION: Hein SECOND: Riebe VOTE: 10-0

ACTION: To hold the contract negotiations with the Police Union in open session, with all sidebar and caucus discussions to be held in closed session MOTION: Wayne SECOND: Munson VOTE: 7-3 (Thein, Fleshner and Titlbach opposed)

ACTION: To approve the Mayor's appointment of Frank Pintz to the negotiation committee, replacing Joe Ruskey MOTION: Solomon SECOND: Hein VOTE: 10-0

**VIII. ADJOURN (9:30 PM)**

MOTION: Solomon SECOND: Wayne VOTE: 10-0

NOTE: At the conclusion of the meeting, Alderwoman Wayne submitted her letter of resignation, effective immediately, to the City Administrator.

Submitted by City Administrator Aaron Kramer

### **ORDINANCE NO. 2011-19**

#### **AN ORDINANCE REPEALING AND RECREATING SECTION 15.01 (BOARD OF HARBOR COMMISSION) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN**

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin do ordain as follows:

**Section 1:** That Section 15.01 (Board of Harbor Commission) of the Municipal Code of the City of Prairie du Chien, Wisconsin is hereby repealed and recreated to read as follows:

#### **SECTION 15.01 BOARD OF PUBLIC WORKS**

**(1) Duties and Powers.** Subject to approval by the Common Council for the City of Prairie du

Chien, Wisconsin, the Board of Public Works, in addition to all powers and duties set forth in Section 1.27(2) of the Municipal Code shall also oversee the small boat harbor located in the City and also oversee all boat landings and parking lots adjacent thereto located in the City.

**Section 2:** Any ordinance or parts thereof inconsistent herewith are hereby repealed.

**Section 3:** This Ordinance shall be effective from and after its passage and publication as required by law.

Passed and approved this 5th day of July, 2011.

---

David Hemmer, Mayor

ATTEST:

---

Aaron Kramer, City Administrator

**ORDINANCE NO. 2011-20**  
**AN ORDINANCE REPEALING AND RECREATING THE HARBOR COMMISSION OF  
THE CITY OF PRAIRIE DU CHIEN**

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin do ordain as follows:

**Section 1:** That Section 1.32 (Harbor Commission) of the Municipal Code of the City of Prairie du Chien, Wisconsin is hereby repealed and recreated to read as follows:

**SECTION 1.32 (HARBOR COMMISSION)**

(1) Membership. The Harbor Commission shall consist of five (5) citizen members appointed by the Mayor, subject to confirmation of the Council, for staggered three (3) year terms. The City Administrator shall be Secretary for the Commission.

(2) Powers and Duties. The Commission shall have those powers and duties as set forth in Section 30.38 Wis. Stats. now in effect and hereafter amended.

**Section 2:** Any ordinance or parts thereof inconsistent herewith are hereby repealed.

**Section 3:** This Ordinance shall be effective from and after its passage and publication as required by law.

Passed and approved this 5<sup>th</sup> day of July, 2011.

---

David Hemmer, Mayor

ATTEST:

---

Aaron Kramer, City Administrator

**ORDINANCE NO. 2011-21**

**AN ORDINANCE REPEALING SECTION 3.08 (8) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN (LOCAL PREFERENCE BIDDING ORDINANCE)**

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin, do ordain as follows:

**Section 1:** That Section 3.08 (8) of the Municipal Code of the City of Prairie du Chien, Crawford County, Wisconsin, is hereby repealed

**Section 2:** Any ordinance or parts thereof inconsistent herewith are hereby repealed.

**Section 3:** This Ordinance shall be effective from and after its passage and publication as required by law.

Passed and approved this 5th day of July, 2011.

---

Dave Hemmer

ATTEST:

---

Aaron Kramer, City Administrator