

Common Council Meeting – 2 August 2011

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday August 2nd 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** – Linda Munson, Frank Pintz, Judeen Ames with one vacancy **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve MOTION: Titlbach SECOND: Solomon VOTE: 8-0 **Pledge of Allegiance** – Led by Mike Jones

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING – Proposed campground at Fort Fun/Wacouta Aquatic Pool and proposed improvements to Goddens' Pit area

Mayor Hemmer opened the hearing at 7:04 PM. Thein discussed his proposal for the Council and the audience. Lisa Pettera (122 West Washington) spoke in opposition to the loss of the volleyball courts. Bill Howe (300 South Fillmore) was opposed to the campground and improvements to Godden's Pit. Diane Koth (619 South Fremont) was concerned about the campground being in a residential area. Darci Knapp (517 South Wacouta) was opposed to the campground due to the loss of the volleyball courts. The City Administrator notified the Council he had received emails from the following individuals in opposition to the campground: Mike Faas (1006 East Iowa), Mary Jaynes (506 South Fremont), Kathy Koch, Mark Gillitzer (420 South Ohio) and Jim Walz. He also notified the Council he had received a petition opposing the proposed campground. Hemmer closed the hearing at 7:24 PM.

B. ACTION on aforesaid agenda item

ACTION: To accept the petition opposing the campground MOTION: Titlbach SECOND: Hein VOTE: 8-0 ACTION: To have the Parks Committee review the proposed improvements to Godden's Pit and report back to the Council MOTION: Riebe SECOND: Solomon VOTE: 8-0 ACTION: To deny the proposed campground MOTION: Riebe SECOND: Hein VOTE: 3-5 (Thein, Solomon, Fleshner, Boylen and Jones opposed) Motion failed. ACTION: To table the campground issue to the August 16th Council meeting MOTION: Solomon SECOND: Fleshner VOTE: 6-2 (Riebe and Hein opposed)

C. PRESENTATION – Prairie du Chien Economic Development Corporation

Bob McDonald (EDC) provided an update on their current projects, and included a request for \$15,000 in funding in the 2012 budget.

Without objection, the agenda was moved:

VII. OLD BUSINESS

B. DISCUSSION AND ACTION - Ordinance 2011-23 (CREATING SECTION 8.05 (3) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN (DUMPSTER PERMITS AND REGULATIONS))

ACTION: To approve Ordinance 2011-23 and waive the reading MOTION: Solomon SECOND: Hein VOTE: 4-4 (Thein, Fleshner, Boylen and Jones opposed). Mayor Hemmer broke the tie by voting yes.

VIII. NEW BUSINESS (Including items for future agenda consideration or Committee assignment)

A. DISCUSSION AND ACTION – Parking stalls near crosswalks and intersections

A memo from the Public Works Department is included in the packet, outlining the changes needed to bring the city in compliance with state statute. ACTION: To approve the reduction in parking spaces at the following intersections: Blackhawk and Prairie, Blackhawk and Beaumont, Blackhawk and Main and Blackhawk and Michigan MOTION: Hein SECOND: Titlbach VOTE: 8-0

II. CONSENT AGENDA

A. COMMON COUNCIL – July 19th 2011, B. COMMITTEE OF THE WHOLE – July 19th 2011, C. PARK BOARD – June 15th 2011, D. BOARD OF ZONING APPEALS – June 8th 2011, E. PERSONNEL COMMITTEE – July 5th 2011, F. OPERATOR’S LICENSES, G. PRAIRIE DU CHIEN HOMECOMING PARADE – To be held Wednesday September 14th 2011
ACTION: To approve the consent agenda MOTION: Hein SECOND: Titlbach VOTE: 8-0

III. ITEMS REMOVED FROM CONSENT AGENDA

None

IV. CITY ADMININSTRATOR’S REPORT

No action taken

V. CITIZENS’ COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT

None

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

Due to a lack of quorum, no committee recommendation was made. ACTION: To approve the claims
MOTION: Hein SECOND: Riebe VOTE: 8-0

VII. OLD BUSINESS

A. DISCUSSION AND ACTION – Reducing the Size of the Council

This item was directed to staff in April to develop possible scenarios for reducing the size of the Council. ACTION: To table to the August 16th Council meeting MOTION: Hein SECOND: Jones VOTE: 8-0

VIII. NEW BUSINESS (Including items for future agenda consideration or Committee assignment)

B. DISCUSSION AND ACTION – Commuter Bus Implementation

A memo from City Planner Frable was included in the packet. ACTION: To earmark \$20,000 in TIF funds in the 2012 budget for the implementation of the Commuter Bus program MOTION: Hein SECOND: Riebe VOTE: 8-0

C. DISCUSSION - Items for future agenda consideration or Committee assignment

Riebe requested the Public Works Committee action to deny the proposal from Blair Dillman to build a parking lot at the intersection of Blackhawk and Second Street at its June 23rd meeting be brought to the Council for discussion at its August 16th meeting. Hein requested that the Council’s motion to direct staff to plan for the eventual closing of the Cedar Street boat landings, at its July 5th meeting, be brought back to the Council at its August 16th meeting.

D. CLOSED SESSION (8:30 PM)

ACTION: To go into closed session under Wisconsin State Statute 19.85 (1) (c) considering employment....of any public employee over which the governmental body has jurisdiction or exercises responsibility, namely contract with one employee. RE: Employment Contract with City Planner
MOTION: Solomon SECOND: Hein VOTE: 8-0

E. RECONVENE into open session (8:51 PM)

ACTION: To reconvene into open session MOTION: Solomon SECOND: Riebe VOTE: 8-0

F. ACTION from closed session

ACTION: To allow City Planner Garth Frable to enroll in the city's health insurance plan through October 31st 2011, with the employee paying \$100 per month toward the premium MOTION: Titlbach SECOND: Solomon VOTE: 8-0

IX. ADJOURN (8:54 PM)

MOTION: Solomon SECOND: Thein VOTE: 8-0

Submitted by City Administrator Aaron Kramer

ORDINANCE NO. 2011-23

AN ORDINANCE REPEALING AND RECREATING SECTION 8.05 OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN

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

Section 1: That Section 8.05 of the Municipal Code of the City of Prairie du Chien, Crawford County, Wisconsin, is hereby repealed and recreated to read as follows:

8.05 OBSTRUCTIONS AND ENCROACHMENTS.

(1) PROHIBITED. Except as set forth in paragraph (2) below, no person, firm, corporation, or entity shall place any object or encroach upon in any way, nor in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, nor permit such object, encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he/she or it owns or occupies, nor shall any person, firm, corporation, or entity place or allow to be placed leaves or grass clippings onto or into any street, gutter, or storm sewer.

(2) EXCEPTIONS. The prohibition of sub. (1) above shall not apply to the following:

(a) Public utility encroachments duly authorized by State law or the Common Council.

(b) Temporary encroachments or obstructions authorized by permit granted pursuant to 66.0425, Wis. Stats., or any amendments thereto.

(c) Excavations and openings permitted under sec. 8.03 of this chapter.

(d) On premises signs approved by the Design Committee of PDRI and the Design and Preservation Commission of the City and located within the following boundaries: Bounded on the North by Louis Street extended West to its intersection of the Marais de Saint Feriole and East to its intersection with Illinois Street, on the South by Wisconsin Street from Illinois Street to its intersection with the Marais de Saint Feriole, on the West by the Marais de Saint Feriole from Wisconsin Street to the Westerly extension of Louis Street, and the East by Illinois Street.

(e) Dumpsters, if prior to placement of same a permit has been obtained from the City Administrator, subject to the following terms and conditions:

1) Payment of a permit fee of \$25.00 per dumpster, which shall be valid for a twenty (20)-day period from date of issuance.

- 2) Renewal for the permit must be requested 3 days prior to expiration and review/approval may be granted by the Co-Public Works Managers and Police Chief, or their designees. No single renewal period shall last for more than twenty (20) working days, and a renewal fee of \$10.00 is required.
- 3) Dumpsters allowed hereunder shall be secured via reflective barricades or cones and the permit applicant shall immediately upon issuance of the permit notify the Prairie du Chien Police Department of the location of the dumpster.
- 4) Any damage done to the public street, sidewalk, or any other municipal property shall be repaired solely at the permit applicant's expense.
- 5) Failure to obtain a permit or comply with the terms of the permit or failure to remove the dumpster upon expiration of the permit shall be grounds for the City, or the City's contracted agent, to remove the dumpster at the permit applicant's expense, and a fine of \$25.00 per day for each day the dumpster is illegally located on a public street or sidewalk in the City.
- 6) A waiver of the permit due to extenuating circumstances, including, but not limited to, flood recovery and clean-up and other natural disasters, may be granted by the Co-Public Works Managers and Police Chief, or their designees.

Section 2: PENALTIES. Violation of this Ordinance or any part thereof with the exception of Section 8.05(2)(e) shall be punishable under Section 25.04 of the Municipal Code of the City of Prairie du Chien.

Section 3: Notwithstanding Sections 8.06 and 8.07 of the Municipal Code, any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 4: This Ordinance shall be effective from and after its passage and publication as required by law.

Passed and approved this 2nd day of August, 2011.

Dave Hemmer

ATTEST:

Aaron Kramer, City Administrator