

Common Council Meeting – January 17th 2012

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday January 17th 2012 at 7:00 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order. **Call to order/Roll Call** – Jaaren Riebe and Karen Solomon absent **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve MOTION: Hein SECOND: Ames VOTE: 10-0 **Pledge of Allegiance** – Led by Judeen Ames

I. PUBLIC HEARINGS AND PRESENTATIONS - None

II. CONSENT AGENDA

A. COUNCIL MINUTES – January 3rd 2012, B. FINANCE COMMITTEE – January 3rd 2012, C. POLICE AND FIRE COMMISSION – December 20th 2011, D. PLAN COMMISSION – November 8th 2011, E. HOFFMAN HALL BUILDING COMMITTEE – December 5th 2011, F. PUBLIC WORKS COMMITTEE – December 15th 2011, G. AIRCRAFT HANGAR LEASE TRANSFER – Phil Brandt to Bill Herreid, H. AIRCRAFT HANGAR LEASE TRANSFER – Terry Kendall to Jones' Black Angus, LLC ACTION: To approve the Consent Agenda MOTION: Pintz SECOND: Hein VOTE: 10-0

III. ITEMS REMOVED FROM CONSENT AGENDA - None

IV. CITY ADMININSTRATOR'S REPORT – No action

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

Correne Martin, the new reporter at the Courier-Press, introduced herself to the Council. John Lochner (216 Rice Street) addressed the Council about the Pattison Sand operations along the Highway 18 bypass, and urged the Council to continue efforts to re-locate the operation to a different location.

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve the Committee report approving the claims MOTION: Hein SECOND: Munson VOTE: 10-0

B. PROTECTION AND HEALTH - Air Quality/Health Concerns involving Pattison Sand and Gravel Operations

Steve Stroschein (Safety – Pattison Sand) provided a copy of the most recent air quality tests the company is required to perform. Police Chief Abram reviewed the most recent noise investigation, and said no violations were reported by his officer. The City Administrator reported that the City has asked the DNR to conduct additional air tests, at no cost to the City ACTION: To approve the Committee report, which recommended staff contact Pattison Sand and request all air quality and noise tests done by the Company as soon as they are available MOTION: Pintz SECOND: Titlbach - Hein requested that the motion be amended to reflect that city staff is continuing to work with Pattison Sand, state officials and railroad officials on the concerns of the neighbors. The motion and second agreed to the amendment. VOTE: 10-0

C. PUBLIC WORKS - Water System Inspection Report

Co-Public Works Manager Larry Gates reviewed the report with the Council and explained the City's response to the issues raised in the report. ACTION: To approve the Committee report, which recommended accepting the report into the record MOTION: Pintz SECOND: Hein VOTE: 10-0

D. PUBLIC WORKS - Ordinance 2012-01

This ordinance will bring our Municipal Code into compliance with the Wisconsin State Statutes and Administrative Code. ACTION: To approve Ordinance 2012-01 MOTION: Hein SECOND: Ames VOTE: 10-0

E. PUBLIC WORKS – Wells Street Sidewalks

Staff had requested that the Committee hold off on scheduling a public hearing for assessment purposes, and have staff try to seek waivers of special assessments from the affected property owners. Discussion was held on the project, with some Councilmembers questioning why this project is being done over others. ACTION: To approve the Committee report, directing staff to seek waivers of special assessments from the affected property owners MOTION: Pintz SECOND: Hein VOTE: 7-3 (Munson, Ames and Boylen opposed)

F. PUBLIC WORKS – 2012 Spraying Program

A letter from Countrywide Sprayers with the proposed 2012 spraying schedule was discussed and reviewed. ACTION: To approve the Committee report, recommending moving forward with the proposal from Countrywide Sprayers MOTION: Ames SECOND: Jones 10-0

G. PUBLIC WORKS - Donation of land to the State of Wisconsin/Proposed land trade (Villa Louis)

On September 26th, Michael Douglas, Site Director for the Villa Louis, sent a letter to the City Administrator requesting a donation of land from the City on St. Feriole Island. A public hearing to determine if the land is of no future value to the city was held by the Committee on October 27th, but a vote to table any formal action on the land donation request was approved until Douglass and the City Administrator investigated a possible land swap between the city and the state. A letter from the State was discussed, and staff said the land swap did not seem a reasonable approach. The Committee recommended to the Council that the two parcels on St. Feriole Island be given to the Villa Louis in exchange for an agreement of understanding between the City and the Villa Louis, which would allow the City to retain the right to park vehicles and utilize Villa Louis property during special events, as long as that usage does not interfere with the operations of the Villa Louis. ACTION: To hold a public hearing at the February 7th Council meeting to make a determination of no public use for the two parcels MOTION: Hein SECOND: Ames VOTE: 10-0

H. PUBLIC WORKS - Authorization to bid out the Well #2 improvements for 2012

\$15,000 has been allocated for the project in the 2011-2013 Capital Budget. ACTION: To approve the Committee report, which recommended moving forward with the bid process MOTION: Hein SECOND: Pintz VOTE: 10-0

VII. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION – Contract for Safe Routes to School project

This contract between the City and Delta 3 Engineering will allow for the Safe Routes to School project to commence in 2013. Funds for the contract are included in the Safe Routes to School grant. Bart Nies from Delta 3 reviewed the contract and timetable with the Council. Some members said they were disappointed the project will not be done in 2012. ACTION: To approve the contract, and authorize the City Administrator to sign the contract MOTION: Hein SECOND: Munson VOTE: 10-0

B. DISCUSSION - Items for future agenda consideration or Committee assignment - None

IX. ADJOURN (8:16 PM)

MOTION: Pintz SECOND: Hein VOTE: 10-0

Submitted by City Administrator Aaron Kramer

NOTE: Following the meeting, Mayor Hemmer issued the following veto of Agenda Item VI-E (Wells Street Sidewalk). This item will be placed on the February 7th Council agenda for a veto override vote.

To: The Members of the Common Council
From: Mayor Dave Hemmer
RE: Wells Street Sidewalk

As mayor of the City of Prairie du Chien, I am hereby vetoing the Council action of Tuesday evening to move ahead with the Wells Street sidewalk project. My veto is based on two factors:

- * The city is moving forward with the Safe Routes to School program, and needs to see how this and the proposed sidewalk either work together or conflict.
- * The city needs to consider a more comprehensive, rationale and scientific approach to determining where new sidewalks are to be installed, or which existing sidewalks should be replaced and repaired.