

## **Common Council Meeting – February 7th 2012**

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday February 7th at 7:00 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order. **Call to order/Roll Call** – Mark Thein absent **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve MOTION: Munson SECOND: Solomon VOTE: 11-0 **Pledge of Allegiance** – Led by Frank Pintz

### **I. PUBLIC HEARINGS AND PRESENTATIONS** - None

### **II. CONSENT AGENDA**

A. COUNCIL MINUTES – January 17th 2012, B. COUNCIL MINUTES (Special Meeting) – January 31st 2012, B. FINANCE COMMITTEE – January 17th 2012, C. POLICE AND FIRE COMMISSION – January 4th 2012, D. PARK BOARD – November 30th 2011, E. PUBLIC WORKS COMMITTEE – January 16th 2012, F. DESIGN AND PRESERVATION COMMISSION – November 3rd 2011, G. OPERATORS LICENSES, H. Prairie Street Scramble (NOTE: This event, to be held on April 21st, is a city-wide scavenger hunt, starting at Hoffman Hall, and fundraiser for the Skateboard Park.). Hein requested that Item H be pulled. ACTION: To approve the Consent Agenda minus item H MOTION: Munson SECOND: Hein VOTE: 11-0

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

#### **H. Prairie Street Scramble**

Katherine Floyd and Marty Larson were present to discuss the proposed city-wide scavenger hunt. ACTION: To approve the Prairie Street Scramble MOTION: Hein SECOND: Munson VOTE: 11-0

### **IV. CITY ADMININSTRATOR’S REPORT** – No formal action taken

### **V. CITIZENS’ COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT** - None

### **VI. COMMITTEE REPORTS AND ACTIONS**

#### **A. FINANCE – Claims**

ACTION: To approve the Committee report, which was to pay the claims MOTION: Hein SECOND: Pintz VOTE: 11-0

#### **B. FINANCE - Airport Six-Year Improvement Plan**

The Bureau of Aeronautics requires the City to approve the 6-year plan by resolution. ACTION: To approve the Committee report, which was to send the item to the Airport Board MOTION: Pintz SECOND: Solomon VOTE: 11-0

#### **C. FINANCE - Request to waive bid requirements for purchase of Fire Department equipment**

The Fire Chief is seeking a waiver from the requirement to obtain three quotes for the following items – four (4) radios (\$2,284), four (4) sets of gloves (\$276), four (4) sets of rubber boots and flash hoods (\$646), and four (4) sets of turnout gear (\$6,383), for a total of \$9,589. The 2012 budget has \$10,000 set aside for the purchase of this equipment. ACTION: To approve the Committee report, which was to waive the bid requirements and approve the purchase MOTION: Hein SECOND: Ames VOTE: 11-0

#### **D. FINANCE/PUBLIC WORKS - Request to waive bid requirements for repair of Wastewater Aeration Blower**

ACTION: To approve the Committees’ report, which was to waive the bid requirements and approve the bid by Pathfinders for \$5,085 MOTION: Hein SECOND: Munson VOTE: 11-0

E. PUBLIC WORKS - Review and recommendation on request for easement from Beinborn Brothers Construction to use a portion of the 3rd Street right-of-way for access to their proposed apartment complexes on Brunson Street

On January 16th, the Plan Commission approved this request. The Public Works Committee approved the item on January 31st. Dan Beinborn was present to answer questions from the Council on the project, which includes expanding the proposal from a duplex to triplex concept (pending Plan Commission approval at a later date). ACTION: To approve the Committee report, which was to approve the request MOTION: Solomon SECOND: Kozelka. Both the first and second withdrew their motion, and further discussion was held. ACTION: To lay the request on the table MOTION: Titlbach SECOND: Solomon VOTE: 10-1 (Pintz opposed). ACTION: To place the item back on the table MOTION: Solomon SECOND: Kozelka VOTE: 11-0 ACTION: To approve the Committee report, which was to approve the request MOTION: Ames SECOND: Hein VOTE: 10-1 (Riebe opposed)

F. PUBLIC WORKS - Review and recommendation on request from Beinborn Brothers Construction for temporary water service to proposed apartment complexes on Brunson Street

On January 16th, the Plan Commission approved this request. The Public Works Committee approved the item on January 31st. ACTION: To approve the Committee report, which was to approve the request MOTION: Solomon SECOND: Titlbach VOTE: 10-1 (Riebe opposed)

G. PUBLIC WORKS - Ordinance 2012-02 (CREATING SECTION 7.05 (3) (e) 4 AND SECTION 7.05 (3) (e) 5 (PARKING REGULATIONS) OF THE MUNICIPAL CODE)

This ordinance would establish parking regulations for the parking lot adjacent to AmericInn and Fort Mulligans in the downtown. ACTION: To approve Ordinance 2012-02 MOTION: Solomon SECOND: Munson VOTE: 9-2 (Pintz and Hein opposed)

H. PUBLIC WORKS – Ordinance 2012-05 (SIDEWALK RATING SYSTEM)

This proposed point system would prioritize the installation of new sidewalks and repair of current sidewalks. Discussion was held on the ordinance would impact the replacement of sidewalks when they are part of a street replacement project. Hein requested that the ordinance be amended to require that where sidewalks are on both sides of a street, they be replaced on both sides if part of a street replacement project ACTION: To send the Ordinance back to the staff to include language requiring that a sidewalk, if located on both sides of a street, be replaced on both sides if part of a street replacement project MOTION: Titlbach SECOND: Riebe VOTE: 11-0

VII. OLD BUSINESS - None

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

A. MAYORAL VETO – Action to move ahead with waiver of special assessments for sidewalks on Wells Street

Mayor Hemmer vetoed the Council action on January 17th to direct staff to seek waivers of special assessments from the affected property owners. Hemmer withdrew his veto prior to discussion.

B. DISCUSSION AND ACTION – Motion to Rescind

On January 18th, Councilmembers Ames requested a motion to rescind the following December 20th Council motion - ACTION: To approve the proposal for installing and repairing sidewalks on Wells Street MOTION: Pintz SECOND: Hein VOTE: 11-0. Discussion was held on the proposed project. Staff said if the motion failed to pass, they would proceed with the waiver of special assessments, which was approved at the January 17<sup>th</sup> Council meeting. ACTION: To rescind the December 18<sup>th</sup>

Council motion approving the installation and repair of sidewalks on portions of Wells Street  
MOTION: Ames SECOND: Munson VOTE: 3-8 (Kozelka, Riebe, Solomon, Fleshner, Boylen, Pintz, Hein and Jones opposed). Motion failed.

**C. DISCUSSION AND ACTION – Resolution 2012-01 (SUPPORTING SCIENTIFIC TESTING ON THE IMPACT OF HYDROELECTRIC PROPOSALS ALONG THE MISSISSIPPI RIVER LOCK AND DAMS SYSTEM)**

Titlbach said she could not support the resolution without more supporting documents or information.  
ACTION: To table Resolution 2012-01 MOTION: Titlbach SECOND: Munson VOTE: 8-3 (Kozelka, Pintz and Hein opposed)

**D. DISCUSSION – Items for future agenda consideration or Committee assignment**

Pintz requested that the Public Works Committee review the city's policy on alternate side parking.

**IX. ADJOURN (8:15 PM)**

MOTION: Solomon SECOND: Kozelka VOTE: 11-0

Submitted by City Administrator Aaron Kramer

**ORDINANCES APPROVED**

**\* Ordinance 2012-02 (CREATING SECTION 7.05 (3) (e) 4 AND SECTION 7.05 (3) (e) 5 (PARKING REGULATIONS) OF THE MUNICIPAL CODE)**