

Common Council Meeting – April 17th 2012

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday April 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 absent **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve MOTION: Solomon SECOND: Munson VOTE: 11-0 **Pledge of Allegiance** – Led by Linda Munson

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING – Ordinance 2012-07 (AMENDING CHAPTER 17, SECTION 6 (SIGNS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This ordinance would make several changes to the existing code in relation to the temporary event signs and banners. Hemmer opened the public hearing at 7:02 PM. City Planner Frable provided an overview of the proposed changes. Hemmer closed the public hearing at 7:07 PM.

B. ACTION on aforesaid agenda item

ACTION: To approve Ordinance 2012-07 MOTION: Solomon SECOND: Munson VOTE: 11-0

C. PRESENTATION – 2012 Spring-Summer Activity Guide

Park and Rec Director Ulrich provided an update on the guide, and thanked the sponsor - Peoples' State Bank. No action taken.

D. PRESENTATION – Prairie du Chien Tourism Council

Michael Douglass made the presentation and reviewed 2011 and previewed the 2012 calendar of events. He did express some concern over the status of delinquent room taxes. No formal action was taken.

E. PRESENTATION – Texaco Country Showdown

This event will be held on Friday June 22nd in downtown Prairie du Chien. Chamber Director Bob Moses made the presentation to the Council. No formal action was taken.

F. PRESENTATION – Thompson Dredge

Dale Klemme provided an update on the recent efforts to relocate the dredge to St. Feriolo Island. He said financial commitments have been obtained, and the dredge could be relocated to Prairie du Chien by Memorial Day. He asked the Council to approve a planning grant resolution in May. No formal action was taken.

II. CONSENT AGENDA

A. COUNCIL MINUTES – April 4th 2012, B. FINANCE COMMITTEE – April 4th 2012, C. PERSONNEL, LICENSE AND INSURANCE COMMITTEE – March 15th 2012, D. HOFFMAN HALL BUILDING COMMITTEE – March 21st 2012, E. LARIVIERE PARK BOARD – March 14th 2012, F. OPERATORS LICENSES, G. CLASS B LICENSE - St. Feriolo Island Ballpark (NOTE: They get a 6-month beer license each year that runs May-October.), H. CIGARETTE AND TOBACCO LICENSE – Family Dollar Stores of Wisconsin, 700 East Blackhawk Ave., I. TEXACO COUNTRY SHOWDOWN – To be held June 22nd in downtown Prairie du Chien. Ames requested item H be pulled. ACTION: To approve the Consent Agenda minus item H MOTION: Hein SECOND: Munson VOTE: 11-0

III. ITEMS REMOVED FROM CONSENT AGENDA

H. CIGARETTE AND TOBACCO LICENSE – Family Dollar Stores of Wisconsin, 700 East Blackhawk Ave. Ames stated that she did not feel the city needed another cigarette outlet. ACTION: To approve Item H of the Consent Agenda MOTION: Pintz SECOND: Hein VOTE: 9-2 (Ames and Munson opposed)

IV. CITY ADMINISTRATOR'S REPORT

The Administrator reminded the Council of the meeting tomorrow at the Prairie du Chien Memorial Hospital regarding their construction project and advised that a quorum of the Council may be present, but it is not an official meeting and no official action would be taken.

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

Munson made a donation to Hoffman Hall in memory of Jack Kluesner and challenged the remainder of the Council to do so as well.

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

The Committee did not meet earlier this evening, so no committee report was presented. ACTION: To approve the Claims MOTION: Hein SECOND: Munson VOTE: 11-0

B. PERSONNEL – Agreement for Fixed Base Operator

This contract, between the City and Aviation Concessions, Inc., is a 2-year agreement to operate the Prairie du Chien Airport. Solomon asked that the record show she requests the contract be bid out when it is up for renewal in 2014. ACTION: To approve the agreement with the Fixed Base Operator MOTION: Hein SECOND: Munson VOTE: 11-0

C. PERSONNEL - Changes in Pay for Election Inspectors

ACTION: To approve the Committee report, which was to establish the following salaries – Chief Inspector (\$100 per day), Assistant Chief Inspector (\$85 per day), and a hourly rate of \$8.00 for election workers; to permit split shifts; and to direct the City Clerk to establish and incorporate minimum staffing levels needed to provide adequate election services MOTION: Hein SECOND: Solomon VOTE: 10-0-1 (Munson abstained)

VII. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION - Sewer Backup Claim from Judy Doll

Staff recommended rejection of the claim due to 1) the invoices provided were estimates, not actual bills for service and 2) the claim is from July 2010. A memo from the City Administrator, with several attachments, is included in the packet. Doll was present and addressed the Council on her claim, stating she felt that she had attempted to provide the City, in the past, with the documentation of the work, but staff was not responsive. The City Administrator stated that he did not find any errors on the part of the staff in the handling of the matter. ACTION: To reject the sewer backup claim from Judy Doll MOTION: Hein SECOND: Ames VOTE: 11-0

B. DISCUSSION AND ACTION - Reject Commuter Bus proposal received and direct staff to redraft and reissue Request for Proposals

The City only received one proposal for the commuter bus project. After discussions with WDOT and based upon the fact that the proposal's cost is significantly more than the budget can support, City

Planner Garth Frable has directed the review team to cease review of the proposal. ACTION: To reject Commuter Bus proposal received and direct staff to redraft and reissue Request for Proposals
MOTION: Hein SECOND: Pintz VOTE: 11-0

C. DISCUSSION AND ACTION – Resolution 2012-11 (DECLARING APRIL 27TH ARBOR DAY IN THE CITY OF PRAIRIE DU CHIEN)

ACTION: To approve Resolution 2012-11 MOTION: Munson SECOND: Ames VOTE: 11-0

D. DISCUSSION AND ACTION – Resolution 2012-12 (DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING)

This resolution needs to be adopted at the start of the Marquette Road project so all expenditures are eligible to be paid by the tax exempt bonds. The dollar amounts shown in the resolution represent the current total budget for the sanitary sewer and water projects. The City will not need to "front" that much of the project cost, but it is recommended that we use the total project cost so all costs are covered. ACTION: To approve Resolution 2012-12 MOTION: Solomon SECOND: Pintz VOTE: 11-0

E. DISCUSSION AND ACTION – Resolution 2012-13 (DECLARING AN AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND)

This resolution designates the Mayor as the official authorized representative for the City as the City applies for Clean Water Fund and State Drinking Water Loans in the near future for the Marquette Road project. ACTION: To approve Resolution 2012-13 MOTION: Ames SECOND: Jones VOTE: 11-0

F. DISCUSSION AND ACTION – Resolution 2012-14 (PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWER UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES)

This resolution begins the process of special assessing for the Wells Street sidewalk project. The attempt to waive the special assessments was not successful. ACTION: To approve Resolution 2012-14 MOTION: Pintz SECOND: Hein VOTE: 7-4 (Ames, Solomon, Titlbach and Munson opposed)

G. DISCUSSION AND ACTION – Resolution 2012-15 (RESOLUTION SETTING TIME AND PLACE FOR HEARING ON RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWER UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES)

This resolution will establish the May 1st Council meeting as the time for the public hearing for the Wells Street sidewalk assessments. ACTION: To approve Resolution 2012-15 MOTION: Solomon SECOND: Pintz VOTE: 9-2 (Ames and Munson opposed)

H. DISCUSSION AND ACTION – Resolution 2012-16 (MAYORAL RESOLUTION PROCLAIMING APRIL AS SEXUAL ASSAULT AWARENESS MONTH)

A letter requesting this resolution from Passages, Inc., addressed to the Mayor, was included in the packet. ACTION: To approve Resolution 2012-16 MOTION: Pintz SECOND: Solomon VOTE: 11-0

I. DISCUSSION AND ACTION – Resolution 2012-17 (DEVELOPMENT OF THE CAMPION BOAT LANDING)

This resolution authorizes the City to apply for the Wisconsin DNR Recreational Facilities Grant, which may be used to fund such projects as ramps and service docks to gain access to the water and feasibility studies. Due to this application and the one succeeding this one, the Campion Boat Landing project will likely be delayed until 2013. Pintz stated that he would like to see the city do some work

on the landings, but was advised any money spent prior to the grant application deadline would void the city's application. ACTION: To approve Resolution 2012-17 MOTION: Titlbach SECOND: Ames VOTE: 11-0

J. DISCUSSION AND ACTION – Resolution 2012-18 (RESOLUTION FOR OUTDOOR RECREATION AIDS)

This resolution authorizes the City to apply for a grant, to help in funding the Campion Boat Landing improvement project, under the Wisconsin DNR Stewardship Program, which was created in 1989, in part, to expand opportunities for outdoor recreation through the development of recreational facilities. ACTION: To approve Resolution 2012-18 MOTION: Pintz SECOND: Hein VOTE: 11-0

K. DISCUSSION AND ACTION – Amendment to Contract between City and MSA for Marquette Road land acquisitions

This amendment allows the City to make partial claims to the WDOT for work that MSA does on the City's behalf related to Marquette Road. It is important because WDOT will not allow the City to submit partial claims for the consulting work and as a consequence the City has significant expenditures for which the City has not been able to submit for reimbursement. This amendment changes nothing else (term of contract, scope of contract, amount of contract). ACTION: To approve the amendment to Contract between City and MSA for Marquette Road land acquisitions MOTION: Hein SECOND: Munson VOTE: 11-0

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

M. ADJOURN to CLOSED SESSION (8:33 PM)

ACTION: To adjourn into closed session under Wisconsin State Statute 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Possible litigation involving the City MOTION: Ames SECOND: Munson VOTE: 11-0

N. CONVENE into OPEN SESSION (8:49 PM)

MOTION: Hein SECOND: Munson VOTE: 11-0

O. ACTION from CLOSED SESSION - None

IX. ADJOURN (8:50 PM)

MOTION: Hein SECOND: Jones VOTE: 11-0

Submitted by City Administrator Aaron Kramer

ORDINANCES APPROVED

*** Ordinance 2012-07 (AMENDING CHAPTER 17, SECTION 6 (SIGNS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

RESOLUTIONS APPROVED

*** Resolution 2012-11 (DECLARING APRIL 27TH ARBOR DAY IN THE CITY OF PRAIRIE DU CHIEN)**

*** Resolution 2012-12 (DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING)**

- * Resolution 2012-13 (DECLARING AN AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND)**
- * Resolution 2012-14 (PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWER UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES)**
- * Resolution 2012-15 (RESOLUTION SETTING TIME AND PLACE FOR HEARING ON RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWER UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES)**
- * Resolution 2012-16 (MAYORAL RESOLUTION PROCLAIMING APRIL AS SEXUAL ASSAULT AWARENESS MONTH)**
- * Resolution 2012-17 (DEVELOPMENT OF THE CAMPION BOAT LANDING)**
- * Resolution 2012-18 (RESOLUTION FOR OUTDOOR RECREATION AIDS)**