

Common Council Meeting – June 6th 2012

A regular meeting of the Common Council of the City of Prairie du Chien was held on Wednesday June 6th 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** – Linda Munson, Kathleen Hein and Kyle Kozelka absent
Certification of the open meeting law agenda requirements and approval of the agenda –
ACTION: To certify and approve MOTION: Ames SECOND: Solomon VOTE: 9-0 **Pledge of Allegiance** – Led by Ken Fleshner

Without objection, the agenda was moved:

II. CONSENT AGENDA

A. COUNCIL MINUTES – May 15th 2012, B. COUNCIL MINUTES (SPECIAL) – May 30th 2012, C. FINANCE COMMITTEE – May 15th 2012, D. PUBLIC WORKS COMMITTEE – April 25th 2012, E. PUBLIC WORKS COMMITTEE – May 16th 2012, F. PERSONNEL COMMITTEE – April 30th 2012, G. HOFFMAN HALL BUILDING COMMITTEE – May 15th 2012, H. POLICE AND FIRE COMMISSION – May 1st 2012, I. PARK BOARD – March 21st 2012, J. PARK BOARD - Fire Department Street Dance and Chicken-Q (NOTE: This event will be held July 14th on St. Feriole Island), K. MONTHLY REPORT – Fire Department, L. OPERATORS LICENSES
Riebe requested item L be pulled. Boylen requested item C be pulled. ACTION: To approve the Consent Agenda minus items C and L MOTION: Solomon SECOND: Ames VOTE: 9-0

III. ITEMS REMOVED FROM CONSENT AGENDA

C. FINANCE COMMITTEE – May 15th 2012 – ACTION: To approve the minutes MOTION: Boylen SECOND: Pintz VOTE: 9-0
L. OPERATORS LICENSES – ACTION: To approve item L MOTION: Pintz SECOND: Solomon VOTE: 8-0-1 (Riebe abstained)

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 claims MOTION: Pintz SECOND: Ames VOTE: 9-0

B. FINANCE - Proposed sale of Prairie Street Fire Station

Under this proposal, the City would sell the station to the Redevelopment Authority (RDA), and the RDA would then creatively redevelop the site without the need and pressure to market and sell the property to a future user immediately, and potentially to support the radio station relocation. The City generates capital from the sale to the RDA that in turn could be utilized for the new Water Department building the need for which is the result of the Fire Department’s aerial truck and desire to consolidate sites. Discussion was held on the proposal. ACTION: To approve the Committee report, as well as authorization for RDA to proceed with blight determination and to refer sale of property to RDA to City Plan Commission MOTION: Pintz SECOND: Solomon VOTE: 9-0

C. FINANCE - Policy 2012-05 (USE OF FUNDS COLLECTED FROM SALE OF PARK BENCHES, TRASH RECEPTACLES, STREET LIGHTS AND OTHER AMENITIES ALONG THE HIGHWAY 18-60 BYPASS)

This policy is the result of the recently-proposed plan to “sell” the amenities along the bypass, and would establish a procedure for the disbursement of any collected funds. The Committee approved the

Policy at its May 15th meeting. ACTION: To approve Policy 2012-05 MOTION: Riebe SECOND: Pintz VOTE: 9-0

D. PUBLIC WORKS – Policy 2012-04 (Sidewalk Criteria)

This Policy would establish a “rating” system for determining where sidewalks are installed in the future. Pintz said he felt the criteria did not address safety factors. He also felt the proper way to consider sidewalk installation was to have Council or Committee members propose where they should be installed. The City Administrator noted this policy will be used as a tool to recommend where sidewalks should be installed, and the ultimate decision on location and financing is up to the elected officials. ACTION: To approve Policy 2012-04 MOTION: Solomon SECOND: Ames VOTE: 8-1 (Pintz opposed)

E. PUBLIC WORKS – Ordinance 2012-09 (RE-CREATING SECTION 8.09 (5) (SIDEWALKS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This ordinance would change the current special assessment practices of the City – the current formula of assessing 75 percent of costs to the property owner would be changed to 50 percent, the annual interest rate will be set at two percentage points above the Wall Street Journal Prime Rate at the time the special assessments are levied by the Common Council, and when a new sidewalk is constructed in an established or existing commercial or residential neighborhood on one side of a public street, the special assessment shall be divided equally between the property owners on both sides of the public street, as computed on a lineal frontage basis. Pintz said he did not feel the proposal to split the costs equally where sidewalks are installed on one side of the street was workable. ACTION: To approve Ordinance 2012-09 MOTION: Titlbach SECOND: Ames VOTE: 8-1 (Pintz opposed)

F. PUBLIC WORKS – Ordinance 2012-10 (CREATING SECTION 7.43 (NO PARKING ON A PORTION OF BLACKHAWK AVENUE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This ordinance would create a no-parking zone on the north side of Blackhawk Avenue, from the most easterly driveway of Blackhawk Apartments, then east 240 feet. ACTION: To approve Ordinance 2012-10 MOTION: Solomon SECOND: Ames VOTE: 9-0

G. PUBLIC WORKS - 2012-2013 Capital Projects - Overview Court

ACTION: To approve the Committee recommendation, which was to amend the Capital Budget to direct the funds originally earmarked for the work on 14th Street from Brunson to Fowler to the proposed work on Overview from Rice to Glenn Streets, including sanitary sewer and storm water, and expanding to include milling and overlaying Glenn from Beaumont to 1st Streets. MOTION: Riebe SECOND: Pintz VOTE: 9-0

H. PUBLIC WORKS - 2012 Sealcoating

ACTION: To approve the Committee report, which was to approve bidding out the work, which will consist of Beaumont Road, south from Iowa Street. \$40,000 has been earmarked for this project. MOTION: Pintz SECOND: Solomon VOTE: 9-0

I. PUBLIC WORKS - Replacing pavers on Blackhawk Avenue

ACTION: To approve the Committee report, which was to have the City replace the pavers at five (5) crosswalks adjacent to or on Blackhawk Avenue, that currently consist of four (4) feet of brick pavers and two (2) 1-foot wide concrete ribbons supporting the outer edge of the crosswalk and to remove the concrete ribbons and pavers and replace them with poured concrete walks, with each walk consisting

of red-dyed concrete to delineate the crosswalk, with the estimated cost - \$6,162 – to come from the 2012 Street Department asphalt and concrete budget MOTION: Pintz SECOND: Solomon VOTE: 9-0

J. PUBLIC WORKS - Archaeological work on Marquette Road project

ACTION: To approve the Committee report, which recommended approving the expenditure of \$3,100 for the work, using TIF funds MOTION: Solomon SECOND: Ames VOTE: 9-0

VII. OLD BUSINESS - None

I. PUBLIC HEARINGS AND PRESENTATIONS

A. HEARING – Appeal of Operator’s License Denial

On April 4th, the Council denied the Operator’s License application of Emelie McKenzie. On May 11th, she filed a request to appeal the decision. Under Ordinance 12.02 (6) (g), “(i)f the Police Chief, or his designee, recommends denial of an operator’s license application, the applicant has the right to file an appeal with the City Clerk within forty-five (45) days and appear and be represented before the Common Council, to be heard, to present evidence in favor of the granting of the license, and to rebut the evidence presented in opposition to the granting of the license, at a hearing held within forty (40) days of the filing of such appeal.” McKenzie was not present.

B. ACTION on aforesaid agenda item

ACTION: To deny the appeal of Emelie McKenzie regarding the denial of her operators’ license application MOTION: Solomon SECOND: Titlbach VOTE: 7-1-1 (Pintz opposed, Riebe abstained)

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

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

Pintz said he would like the Council to consider more Committee of the Whole meetings in the future.

B. ADJOURN to CLOSED SESSION (8:00 PM)

ACTION: To go into 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: Municipal investment in proposed Industrial Park spec building (TIF funding), and 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: Acquisition of property MOTION: Solomon SECOND: Ames VOTE: 9-0

C. CONVENE into OPEN SESSION (8:35 PM)

MOTION: Titlbach SECOND: Solomon VOTE: 9-0

D. ACTION from CLOSED SESSION

ACTION: To direct the City Administrator to sign and execute an agreement between the City and William Adamany III, for the construction of a 20,000-square foot spec building in the TID #6 Industrial Park, with the City providing \$86,000 in direct assistance and a \$675,000, 11-year loan, with some minor adjustments to the language of the agreement, and with the stipulations set forth in the proposed agreement being met prior to execution MOTION: Titlbach SECOND: Solomon VOTE: 9-0

IX. ADJOURN (8:38 PM)

MOTION: Ames SECOND: Solomon VOTE: 9-0

Submitted by City Administrator Aaron Kramer

ORDINANCES APPROVED

* **Ordinance 2012-09 (RE-CREATING SECTION 8.09 (5) (SIDEWALKS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

* **Ordinance 2012-10 (CREATING SECTION 7.43 (NO PARKING ON A PORTION OF BLACKHAWK AVENUE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

POLICIES APPROVED

* **Policy 2012-04 (SIDEWALK CRITERIA)**

* **Policy 2012-05 (USE OF FUNDS COLLECTED FROM SALE OF PARK BENCHES, TRASH RECEPTACLES, STREET LIGHTS AND OTHER AMENITIES ALONG THE HIGHWAY 18-60 BYPASS)**