

## **Minutes of the Finance Committee – June 19<sup>th</sup> 2012**

A meeting of the Finance Committee of the City of Prairie du Chien was held on Tuesday June 19<sup>th</sup> 2012 at 6:00 PM in Conference Room #2 of City Hall. Chairperson Kathleen Hein called the meeting to order.

### **1. Call to order/Roll Call**

PRESENT – Kathleen Hein (Chairperson), Linda Munson, Judeen Ames, Frank Pintz ABSENT – Jaaren Riebe ALSO PRESENT – Mayor Dave Hemmer, City Administrator Aaron Kramer, City Planner Garth Frable, City Clerk Joni Clausen, City Attorney Tom Peterson

### **2. Certification of the open meeting law agenda requirements and approval of the agenda**

MOTION: Munson SECOND: Ames VOTE: 4-0

### **3. APPROVAL – Minutes of the June 6th 2012 meeting**

ACTION: To approve MOTION: Ames SECOND: Pintz VOTE: 4-0

Without objection, the agenda was moved:

### **5. DISCUSSION AND ACTION – Professional Services Agreement with Vierbicher for the LaPointe Street Extension**

This agreement covers the engineering and planning work the LaPointe Street Extension project, which is scheduled to begin this September. Kurt Muchow (Vierbicher) was present to discuss the proposal, and the project ACTION: To approve the Professional Services Agreement with Vierbicher for the LaPointe Street Extension at a cost not to exceed \$29,500, with the funds to come from TID #5 MOTION: Munson SECOND: Ames VOTE: 4-0

### **6. DISCUSSION AND ACTION – Appeal of Room Tax Penalties/Fines**

This is a continuation of the discussion from the previous Committee meeting. The former owners of the Brisbois Motel, upon sale of the property last month, paid the City \$26,462.40 in fines and penalties for unpaid room taxes, and are requesting \$19,455.55 be considered for return. Jan White (2544 Country Club Parkway, Cedar Rapids, IA), Steve White (325 25<sup>th</sup> Street Drive SE, Cedar Rapids, IA) and Sheila Wubbens (5409 Mayfair Drive, Cedar Rapids, IA) were present to appeal their penalties and fines for unpaid and delinquent room tax assessments dating back to 2010. They had recently sold the Brisbois Motel, and paid the City \$26,462.40 in fines and penalties, and are requesting \$19,455.55 be considered for return. Kramer, Peterson and Clausen explained the City's legal actions against the motel and its owners in 2011 and 2012 due to delinquent room taxes, and said the City was applying the Room Tax Ordinance in relation to the fines and penalties. Kramer reiterated that, prior to the recent sale of the motel, he had been requested by the Whites to waive some of the penalties prior to the sale but did not have any authority to do so. He also stated the City had worked with the hotel in 2011 on a payment schedule to help with the situation, but that the terms of the agreement were not followed through by the motel. The Whites and Wubbens stated that they felt the fines and penalties were excessive, and felt the City had not communicated the increasing amounts of fines as they approached the closing. They also explained the difficulties they had had with the business and their business partner.

ACTION: To deny the appeal for forgiveness of a portion of the penalties and fines MOTION: Ames SECOND: Munson VOTE: 2-2 (Motion failed on a tie vote)

ACTION: To forgive \$8,198.94 in fines and penalties MOTION: Hein. Motion died for lack of a second

ACTION: To table the appeal to a future Finance Committee meeting to be scheduled by the Finance Chairwoman and the City Administrator MOTION: Pintz SECOND: Hein VOTE: 3-1 (Ames opposed)

**4. DISCUSSION AND ACTION – Claims**

No action was taken on this agenda item

**7. ADJOURNMENT (7:00 PM)**

MOTION: Munson SECOND: Pintz VOTE: 4-0

Submitted by City Administrator Aaron Kramer