

Common Council Meeting – July 3rd 2012

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday July 3rd 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** – All present **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve MOTION: Munson SECOND: Solomon VOTE: 12-0 **Pledge of Allegiance** – Led by Jaaren Riebe

I. PUBLIC HEARINGS AND PRESENTATIONS

A. DISCUSSION AND ACTION – Resolution 2012-25 (COMMENDING THE SERVICE OF CYNTHIA “CINDY” L. NOEL TO THE CITY OF PRAIRIE DU CHIEN AND THE PRAIRIE DU CHIEN PUBLIC LIBRARY)

ACTION: To approve Resolution 2012-25 MOTION: Munson SECOND: Boylen VOTE: 12-0

II. CONSENT AGENDA

A. COUNCIL MINUTES – June 19th 2012, B. FINANCE COMMITTEE – June 19th 2012, C. BOARD OF ZONING APPEALS – June 13th 2012, D. PARK BOARD – May 16th 2012, E. PERSONNEL COMMITTEE – June 19th 2012, F. MONTHLY REPORT – Fire Department, G. OPERATORS LICENSES ACTION: To approve the Consent Agenda minus item G MOTION: Pintz SECOND: Ames VOTE: 12-0

III. ITEMS REMOVED FROM CONSENT AGENDA

ACTION: To approve item G MOTION: Hein SECOND: Munson VOTE: 11-0-1 (Riebe abstained)

IV. CITY ADMINISTRATOR’S REPORT – No 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: Hein SECOND: Ames VOTE: 12-0

B. FINANCE – Awarding of Bid for Well #2 Repairs and Upgrade

ACTION: To approve awarding the bid to Municipal Well and Pump – Waupun, WI – for \$21,360 MOTION: Hein SECOND: Pintz VOTE: 12-0

C. PERSONNEL - Issuance of Class A Liquor License

On May 22nd, the Committee approved a motion to take applications for one (1) Class A Liquor License and direct staff to publish the proper public notice. One application – from Walgreens – was received, and the Committee, at its June 26th meeting, recommended issuing the license to Walgreens. The City will retain one unused Class A Liquor License. Pintz said he was opposed to an additional location where alcohol could be sold, as did Boylen ACTION: To approve the issuance of a Class A Liquor License to Walgreens MOTION: Hein SECOND: Munson VOTE: 9-2-1 (Pintz and Boylen opposed, Riebe abstained)

VII. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION – Proposal from Burlington Northern Railroad (BNSF) to close the Haydn Street crossing

The BNSF has filed a request with the Office of the Commissioner of Railroads to close the Haydn Street crossing. The City Administrator confirmed the request with Ben Steinkamp (Manager, Public Projects, BNSF) last week Wednesday and requested a letter from BNSF stating their intent and the reasons for the request. An email confirming the request, from Steinkamp to the City Administrator, was read into the record. The Administrator has also compiled a memo outlining the history of previous efforts to close the crossing, dating back to 1968, which is included in the packet. Considerable discussion was held on the issue. Keith Coburn (Frazier's) spoke, and said he hoped the Council would join him in opposing the closure. ACTION: To direct staff to discuss the closure with BNSF MOTION: Hein SECOND: Pintz VOTE: 12-0

B. DISCUSSION AND ACTION – Country on the River 2012

This item was tabled at the June 19th Council meeting, pending a final location decision by the event organizers. On June 28th, COTR announced its move to the town of Bridgeport. The City Administrator spoke with Scott Sheckler, Jr, who stated COTR would like to have camping remain on the island, and, if camping is not permitted, COTR would like a refund of all their 2012 payments to the City. ACTION: To place the item back on the table MOTION: Hein SECOND: Pintz VOTE: 12-0 Considerable discussion was held on the camping and refund issues. Michael Rider (Carriage Classic) addressed the Council and asked why the special events permit allows for half of the fees to be paid before the event and the other half after. Kramer stated that the City has had difficulty in resolving previous fee and payment issues with COTR in the past, and wanted the full amount to be paid before the event this year, which COTR did in April 2012. Several Councilmembers asked if the COTR organizers had been invited to tonight's meeting. Kramer said he, the Mayor and Mike Ulrich (Park and Rec Director) had met with Scott Sheckler, Sr. earlier this afternoon and had expected COTR to be represented at tonight's Council meeting, but no one appeared from COTR. Some Councilmembers also expressed reservations about refunding the fees for this year due to the late notice of the relocation of the event, and the loss of revenue to the City from the Island being booked until such a late date. Discussion was also held on the legality of camping being on the Island, without a special event on the Island. A memo was provided to the Council in which staff said they felt allowing such camping would violate City Ordinance, and would be in direct contradiction to the Island Re-Use Plan, which the Council had previously adopted. ACTION: To deny the request from Country on the River to have camping on St. Feriole Island during the 2012 event, and to deny the refunding of all fees related to Country on the River 2012 MOTION: Pintz SECOND: Munson VOTE: 10-1-1 (Boylen opposed, Riebe abstained)

C. DISCUSSION – Items for future agenda consideration or Committee assignment

Fleshner asked that discussions be held on the City allowing or holding camping on City property, including St. Feriole Island. The City Administrator recommended the item be sent to the Park Board for initial discussions. Pintz requested an update on several city projects, including the TIF districts and the Prairie Maison project.

D. CLOSED SESSION (7:42 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: Discussions related to negotiations with the Prairie du Chien Police Union MOTION: Munson SECOND: Solomon VOTE: 12-0

E. RECONVENE into open session (8:10 PM)

MOTION: Hein SECOND: Solomon VOTE: 12-0

F. ACTION from closed session

ACTION: To reject the proposal from the Prairie du Chien Police Union, and to direct the City Administrator and Negotiating Committee (Pintz, Munson, Solomon) to draft a counter-proposal
MOTION: Pintz SECOND: Ames VOTE: 12-0

IX. ADJOURN (8:12 PM)

MOTION: Riebe SECOND: Hein VOTE: 12-0

Submitted by City Administrator Aaron Kramer

RESOLUTIONS APPROVED

*** Resolution 2012-25 (COMMENDING THE SERVICE OF CYNTHIA “CINDY” L. NOEL TO THE CITY OF PRAIRIE DU CHIEN AND THE PRAIRIE DU CHIEN PUBLIC LIBRARY)**