

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

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday August 7<sup>th</sup> 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** – Kathleen Hein absent **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve MOTION: Ames SECOND: Munson VOTE: 11-0 **Pledge of Allegiance** – Led by Mark Thein

### **I. PUBLIC HEARINGS AND PRESENTATIONS**

#### **A. PUBLIC HEARING – For the purpose of determining whether or not there is a public need for the Prairie Street Fire Station property**

Hemmer opened the public hearing at 7:02 PM. No one from the public spoke. Staff provided an overview of the proposal to sell the property to the Redevelopment Authority. Hemmer closed the public hearing at 7:05 PM

#### **B. ACTION on aforesaid agenda item**

ACTION: To declare there is no public need for the Prairie Street Fire Station property and to commence with the sale to the RDA MOTION: Pintz SECOND: Solomon VOTE: 11-0

#### **C. DISCUSSION AND ACTION – Resolution 2012-32 (COMMENDING THE SERVICE OF JAAREN RIEBE ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)**

ACTION: To approve Resolution 2012-32 MOTION: Munson SECOND: Solomon VOTE: 11-0

#### **D. DISCUSSION AND ACTION – Resolution 2012-34 (VACATION OF ALL THAT PART OF THE ALLEY ADJACENT TO LOTS 7, 8, 9 AND 10 IN BLOCK 188; UNION PLAT; CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

Stan and Barb Toberman were present to answer questions from the Council on the vacation request. ACTION: To approve Resolution 2012-34 MOTION: Ames SECOND: Munson VOTE: 10-1 (Pintz opposed).

Staff requested a public hearing on the vacation request be held at the September 18<sup>th</sup> 2012 Council meeting. ACTION: To approve Resolution 2012-35 (RESOLUTION SETTING TIME AND PLACE FOR HEARING ON RESOLUTION VACATING PART OF THAT CERTAIN ALLEY LOCATED IN BLOCK 188, UNION PLAT, IN THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN) MOTION: Solomon SECOND: Ames VOTE: 11-0

### **II. CONSENT AGENDA**

A. COUNCIL MINUTES – July 17th 2012, B. FINANCE COMMITTEE – July 17th 2012, C. DESIGN AND PRESERVATION COMMISSION – January 24th 2012, D. PUBLIC WORKS COMMITTEE – May 29th 2012, E. FIRE CHIEF'S REPORT (June 2012 and Second Quarter Report), F. HOMECOMING PARADE – September 26th 2012, G. MISSISSIPPI MUD RUN – To be held on September 15th 2012 on St. Feriote Island, H. OPERATORS LICENSES, I. VARIANCE FROM DNR (NOTE: This variance, which has been approved by the DNR, permits the City to stop further testing for chlordane and 4,4-DDE compounds, which have not been found in the city's water since testing began in July 2010. This will save approximately \$600 per year for the City. Staff recommends approval of receipting the variance approval.) The City Administrator requested item G be pulled. Boylen requested items B and D be pulled. ACTION: To approve the Consent Agenda minus items B, D and G MOTION: Boylen SECOND: Munson VOTE: 11-0

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

B. FINANCE COMMITTEE – July 17th 2012 – No discussion was held. ACTION: To approve item B of the Consent Agenda MOTION: Boylen SECOND: Munson VOTE: 11-0

D. PUBLIC WORKS COMMITTEE – May 29th 2012 – No discussion was held. ACTION: To approve item D of the Consent Agenda MOTION: Boylen SECOND: Pintz VOTE: 11-0

G. MISSISSIPPI MUD RUN – To be held on September 15th 2012 on St. Feriole Island – Lori Floyd addressed the Council on the event, which will raise funds for a proposed skateboard park, and the future plans for the Skateboard Park. ACTION: To approve item G of the Consent Agenda MOTION: Pintz SECOND: Kozelka 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 claims MOTION: Solomon SECOND: Munson VOTE: 11-0

**B. FINANCE – Resort Area Sales Tax**

An analysis by Vierbicher was presented to the Finance Committee on July 17th. It estimated the potential revenue, from a 0.5 percent sales tax, ranged from \$212,000 to \$393,000. The funds would have to be used for infrastructure only. Staff recommended that work begin on the legislative action needed, a policy governing the tax’s uses, and planning for a public information campaign. Kurt Muchow (Vierbicher) was present to answer questions about the analysis. ACTION: To approve the Committee report, which recommended moving forward with the implementation of a resort area sales tax MOTION: Pintz SECOND: Ames VOTE: 10-1 (Boylen opposed)

**C. FINANCE – Resolution 2012-33 (AWARDING THE SALE OF \$1,440,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012)**

This bond sale is being used to refinance the following bonds - Taxable General Obligation Refunding Bonds, Series 2003B (\$905,000) and a 2011 State Trust Fund Loan (\$597,354). A portion of the Water and Sewer debt was paid off with cash proceeds to save interest expenses. The actual amount re-financed was \$1,435,000 due to a slightly lower issuance cost. The winning bid was 1.77 percent from Bankers Bank and Peoples State Bank ACTION: To approve Resolution 2012-33 MOTION: Munson SECOND: Solomon VOTE: 11-0

**D. FINANCE – Copier Lease Agreement with the Gordon Flesch Company**

This is a renewal of the City’s copier lease with Gordon Flesch. Under the new 5-year lease, the City will pay \$305.80 per month versus the current \$324.74 monthly charge and receive an upgraded copier. The City Administrator is also negotiating to have the current copier at City Hall moved to the Police Department as part of the agreement. ACTION: To approve the Committee report, which recommended the Council approve the new copier lease agreement with the Gordon Flesch Company MOTION: Munson SECOND: Ames VOTE: 11-0

**E. FINANCE – Lease with Maritime Information Systems (MIS)**

MIS monitors AIS vessel traffic by setting up host stations to receive transponder signals then relaying them to their servers. This information is used for Search and rescue by the Coast Guard, shipping trends by the Department of Transportation, and funding allocation by the Army Core of Engineers. They have contacted the City about placing their equipment at the fire station in a no-cost arrangement. The equipment consists of one small antenna and two boxes. ACTION: To approve the Committee report, which recommended the Council approve entering into a lease agreement with MIS MOTION: Pintz SECOND: Leys VOTE: 11-0

F. FINANCE/NORTHERN ENGRAVING REDEVELOPMENT COMMITTEE – Request for funds for topographical survey

The Committee voted on July 19th to request the Council use contingency funds to do the survey which would assist in the redevelopment planning of the site. Kozelka, Vice-Chairman of the Committee, outlined the need for the survey. ACTION: To approve the Committee's request and recommendation that the Council approve the hiring of Vierbicher Associates, for a sum not to exceed \$2,800, to do a topographical survey of the Northern Engraving site MOTION: Titlbach SECOND: Jones VOTE: 10-1 (Boylen opposed)

Without objection, the agenda was moved:

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

B. DISCUSSION AND ACTION – Campion Street Right-of-Way Reduction

Between 2003 and 2006, the Plan Commission and Common Council approved several motions which would reduce the right-of-way on from Marquette Road, east to the bluff, from 100 to 66 feet (see attached minutes in packet). In reviewing the right-of-way for the Safe Routes to School project, it was determined the process was never completed. Staff was seeking the Council's directive on whether to re-start the vacation process for reducing the right-of-way. Considerable discussion was held, including what impact the reduction would have on the proposed Safe Routes to School program. Mark Oehler addressed the Council on the issue. ACTION: To take no action at this time MOTION: Leys SECOND: Boylen VOTE: 1-10 (Thein, Kozelka, Ames, Solomon, Fleshner, Boylen, Pintz, Titlbach, Munson and Jones opposed) Motion failed. ACTION: To rescind the Council motion of March 7<sup>th</sup> 2006, which was to approve the reduction of the Campion Street right-of-way from 100 to 66 feet MOTION: Pintz SECOND: Thein VOTE: 11-0

VI. COMMITTEE REPORTS AND ACTIONS

K. PLAN COMMISSION – 2006 Resolution Excluding Certain Business Areas from the Great River Road Wisconsin Scenic Byway Route

This resolution was passed by the Council in December 2006, but was never submitted to the Wisconsin Department of Transportation (DOT). The Plan Commission has been debating the installation of digital billboards, at the request of Olympus Media, for the past several months, and has asked to reconsider the 2006 Resolution. Even if the Resolution were re-submitted and approved, this does not necessarily mean digital signs would be permitted on the Great River Road, and that the Plan Commission would still then have to take up the issue of an ordinance regulating or banning such signs. At its July 16<sup>th</sup> meeting, the Plan Commission requested the Council reconsider the 2006 Resolution Excluding Certain Business Areas from the Great River Road Wisconsin Scenic Byway Route. Jac Shimshak (Market Manager, Olympus Media) and Keith Carson (Real Estate Manager) were present and spoke in support of re-submitting the Resolution to the DOT. ACTION: To re-submit the Resolution to the DOT MOTION: Kozelka SECOND: Pintz VOTE: 3-8 (Thein, Leys, Ames, Solomon, Fleshner, Boylen, Titlbach and Munson opposed) Motion failed.

G. PUBLIC WORKS – Wells Street Sidewalk Project and Related Projects

At the July 24th Committee meeting, the following motions were approved: 1) to rescind the motion to install sidewalks on the south side of Wells Street, 2) to direct staff to report back to the Committee with a plan to spend the remainder of the sidewalk funds in the 2012 budget and the sidewalk funds in the 2011-2013 Capital Budget, and 3) to recommend to the Finance Committee that funds be included in the 2013 budget to install a 10-foot wide multi-use path along the west side of Fremont Street from Wells to Taylor Streets. Discussion was held on each of the proposals. ACTION: To approve the Committee report MOTION: Solomon SECOND: Munson VOTE: 10-1 (Pintz opposed)

**H. PUBLIC WORKS - Authorization to bid the roof replacement on the WWTF administration and blower buildings**

These would be bid on one document with the blower building being an "alternate" bid. ACTION: To authorize the bidding MOTION: Pintz SECOND: Munson VOTE: 11-0

**I. PUBLIC WORKS - Authorization to bid sanitary manhole rehabilitation for 2012**

This is included in the 2012 budget. Staff is seeking approval to expend up to \$20,000 for this work. ACTION: To authorize the bidding MOTION: Munson SECOND: Kozelka VOTE: 11-0

**J. PUBLIC WORKS - Authorization to bid sanitary sewer lining**

This is for the sewer line in the alley between Illinois and Michigan St, from Iowa to Wisconsin Street. This work would be done in 2012. ACTION: To authorize the bidding MOTION: Kozelka SECOND: Ames VOTE: 11-0

NOTE: Jones left the meeting at 9:00 PM

**L. PROTECTION AND HEALTH – Ordinance 2012-13 (CREATING SECTION 9.33 (ANTI-SCAVENGING) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

This ordinance would ban the scavenging of recyclable materials from the public right-of-way. ACTION: To approve Ordinance 2012-13 MOTION: Kozelka SECOND: Pintz VOTE: 6-4 (Solomon, Munson, Titlbach and Boylen opposed)

**VII. OLD BUSINESS** - None

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

**A. DISCUSSION AND ACTION – Amended Contract with Delta 3 for the Safe Routes to School project**

Under this agreement, the following additional services for the 19th Street Project Scope revision will be included, pending DOT approval: 1) Additional initial surveying and data collection on 19th Street; 2) Additional computer-aided drafting and plans' preparation; 3) Additional utilities' coordination for utilities located along 19th Street; 4) Additional Right-of-Way Platting with potential P.L.E.(s) or land acquisition; 5) Additional intersection/crossing design (preliminary and final) at Wells Street/School entrance intersection; 6) Additional preliminary and final design and layout for 19th Street segment of Trail along the existing drainage way; 7) Additional preliminary design and layout for 19th Street/Campion Blvd. connecting intersection; and 8) Additional meetings (three) for the Public Works Committee and City Council. ACTION: To approve the amended contract with Delta 3, pending DOT approval MOTION: Munson SECOND: Kozelka VOTE: 7-2-1 (Boylen and Pintz opposed, Leys abstained)

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

**IX. ADJOURN (9:15 PM)**

MOTION: Solomon SECOND: Kozelka VOTE: 10-0

Submitted by City Administrator Aaron Kramer

**ORDINANCES APPROVED**

\* **Ordinance 2012-13 (CREATING SECTION 9.33 (ANTI-SCAVENGING) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

**RESOLUTIONS APPROVED**

\* **Resolution 2012-32 (COMMENDING THE SERVICE OF JAAREN RIEBE ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)**

\* **Resolution 2012-34 (VACATION OF ALL THAT PART OF THE ALLEY ADJACENT TO LOTS 7, 8, 9 AND 10 IN BLOCK 188; UNION PLAT; CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

\* **Resolution 2012-35 (RESOLUTION SETTING TIME AND PLACE FOR HEARING ON RESOLUTION VACATING PART OF THAT CERTAIN ALLEY LOCATED IN BLOCK 188, UNION PLAT, IN THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**