

Common Council Meeting – October 2nd 2012

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday October 2nd 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 Sharon Boylen

I. PUBLIC HEARINGS AND PRESENTATIONS

A. DISCUSSION AND ACTION – Resolution 2012-38 (DESIGNATING THE WEEK OF OCTOBER 7TH TO OCTOBER 13th 2012 AS FIRE PREVENTION WEEK IN THE CITY OF PRAIRIE DU CHIEN)

Fire Chief Remz addressed the Council on various activities going on in the community in relation to Fire Prevention Week. ACTION: To approve Resolution 2012-38 MOTION: Solomon SECOND: Ames VOTE: 12-0

B. DISCUSSION AND ACTION – Resolution 2012-39 (DECLARING THE COUNCIL’S OFFICIAL OPPOSITION TO THE PROPOSED CLOSING OF THE HAYDN STREET RAIL CROSSING)

ACTION: To approve Resolution 2012-39 MOTION: Munson SECOND: Solomon VOTE: 12-0

C. DISCUSSION AND ACTION – Resolution 2012-40 (RESOLUTION TO APPOINT ELECTION TABULATORS)

According to Wisconsin Statute 6.55(6), not less than 30 days before an election, the governing body may, by resolution, authorize the municipal clerk to select and employ tabulators. Tabulators aid election inspectors in counting and tallying votes at the end of the night. Tabulators are to assist and be under the direction of the election inspectors after the polls close. There is no age or residency requirement for tabulators. We are expecting a large number of absentee ballots to be issued for the November election and have cut back on the workers during the Election Day. Each district may need one more body to help count the paper ballots. We are preparing ahead, due to the possibilities of any of the following: higher than average number of absentees, machine malfunction and long lines that would result in more paper ballots being issued. If there is not a large volume of paper ballots to count, the Tabulators would not be needed. ACTION: To approve Resolution 2012-40 MOTION: Ames SECOND: Solomon VOTE: 12-0

II. CONSENT AGENDA

A. COUNCIL MINUTES – September 18th 2012; B. FINANCE COMMITTEE – September 18th 2012; C. BOARD OF ZONING APPEALS – September 12th 2012; D. OPERATORS LICENSES; E. FIRE CHIEF’S MONTHLY REPORT (August) ACTION: To approve the consent agenda MOTION: Pintz SECOND: Hein VOTE: 12-0

III. ITEMS REMOVED FROM CONSENT AGENDA - None

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: Hein SECOND: Munson VOTE: 12-0

B. FINANCE – Approval of Professional Services Agreements (PSA) with Vierbicher

ACTION: To approve the Finance Committee recommendation which was to approve the Water Utility Storage Building PSA, table the Overview and Glen Street PS; and delay approval of the Bluff Haven Infrastructure until an executed agreement between the City and Bluff Haven for reimbursement of expenses is approved MOTION: Hein SECOND: Pintz VOTE: 12-0

C. FINANCE – Request to increase City Forester’s hours

A memo from Terry Meyer requesting an additional 50 hours of contracted time for the City Forester is included in the packet. The funds could come from existing part-time funds, and will have no impact on the overall 2012 budget. ACTION: To approve the request for up to an additional 50 hours of contracted time with the City Forester MOTION: Hein SECOND: Munson VOTE: 12-0

VII. OLD BUSINESS

A. DISCUSSION AND ACTION – 2012-2016 City of Prairie du Chien Outdoor Recreation Plan

This item was tabled at the September 18th Council meeting. Park and Rec Director Mike Ulrich reviewed the plan with the Council. ACTION: To approve the 2012-2016 Outdoor Recreation Plan MOTION: Pintz SECOND: Ames VOTE: 12-0

B. DISCUSSION AND ACTION – Prairie du Chien Marina

Staff has received an estimate for the proposed inspection of the Marina by a third party, which is \$1,200, and is seeking direction on how to proceed from the Council. Considerable discussion was held on the current status of the marina, the contract between the City and the operators of the marina (“the Regals”), and the hiring of the third party to do the inspection and analysis. ACTION: To approve the expenditure of \$1,200 to hire a third party to do an impartial inspection and analysis of the Prairie du Chien Marina MOTION: Titlbach SECOND: Solomon. Both Titlbach and Solomon withdrew their motion.

The City Administrator requested that the Council allow him, the City Attorney, and the Public Works Chairman (Kozelka) to meet informally with the Regals to see if some agreement can be reached on moving forward with improvements and a possible new lease without accruing any additional costs. No formal action was taken.

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

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

Pintz asked the administration to look into what, if any, plans there are in Wisconsin involving early voting for elections.

B. ADJOURN into closed session

ACTION: To go into closed session under Wisconsin State Statute 19.85 (1) (b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. RE: Ethics Committee recommendation regarding ethics complaint against a member of the Prairie du Chien Common Council; 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; 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: Solomon SECOND: Titlbach
VOTE: 12-0

NOTE: Kramer and Hemmer left the closed session at 8:45 PM. Pintz left the closed session at 8:55
PM. Jones left the closed session at 9:02 PM.

C. CONVENE into open session (9:09 PM)

MOTION: Solomon SECOND: Kozelka VOTE: 11-0

D. ACTION from closed session

ACTION: To accept the recommendation of Ethics Committee, which found that Alderman Frank
Pintz, Jr. be publicly reprimanded for his actions by Resolution of the Common Council to be adopted
and read in open session of the Common Council, and that he be removed from his leadership position
as President of the Common Council for the City of Prairie du Chien, Wisconsin MOTION: Solomon
SECOND: Leys VOTE: 9-1-1 (Fleshner opposed, Pintz abstained)

ACTION: To extend an invitation to the Prairie du Chien Police Union to enter into contract
negotiations MOTION: Munson SECOND: Titlbach VOTE: 11-0

IX. ADJOURN (9:10 PM)

MOTION: Titlbach SECOND: Solomon VOTE: 11-0

Submitted by City Administrator Aaron Kramer

RESOLUTIONS APPROVED

* **Resolution 2012-38 (DESIGNATING THE WEEK OF OCTOBER 7TH TO OCTOBER 13th
2012 AS FIRE PREVENTION WEEK IN THE CITY OF PRAIRIE DU CHIEN)**

* **Resolution 2012-39 (DECLARING THE COUNCIL'S OFFICIAL OPPOSITION TO THE
PROPOSED CLOSING OF THE HAYDN STREET RAIL CROSSING)**

* **Resolution 2012-40 (RESOLUTION TO APPOINT ELECTION TABULATORS)**