

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

A regular meeting of the Common Council of the City of Prairie du Chien was held on Wednesday November 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** – Frank Pintz, Jean Titlbach, Linda Munson, 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: 8-0 **Pledge of Allegiance** – Led by Kyle Kozelka

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

#### **A. PRESENTATION – Rebecca Eby, Executive Director, PDRI**

Eby, who has been PDRI Executive Director for the past three months, discussed the PDRI program and its future plans, and answered questions from the Council. No formal action was taken.

NOTE: Titlbach arrived at 7:05 PM. Munson arrived at 7:08 PM.

#### **B. DISCUSSION AND ACTION – Resolution 2012-44 (DECLARING MARCH 6TH 2013 AS SARAH KNOX TAYLOR DAY IN THE CITY OF PRAIRIE DU CHIEN)**

This resolution is being presented at the request of the Mayor on behalf of James Cashman, who is writing a biography of Sarah Knox Taylor. ACTION: To approve Resolution 2012-44 MOTION: Ames SECOND: Kozelka VOTE: 10-0

#### **C. DISCUSSION AND ACTION – Resolution 2012-45 (DECLARING THE MONTH OF NOVEMBER AS ALZHEIMER’S DISEASE AWARENESS MONTH IN THE CITY OF PRAIRIE DU CHIEN)**

This resolution is being presented at the request of the Mayor and the Regional Aging and Disability Resource Center. ACTION: To approve Resolution 2012-45 MOTION: Fleshner SECOND: Munson VOTE: 10-0

#### **D. DISCUSSION AND ACTION – Resolution 2012-46 (REQUESTING RESTORATION OF STATE SHARED FUNDING)**

This resolution, as well as the next four, were adopted by city and village officials at the League of Wisconsin Municipalities' 114th Annual Conference in Lake Delton. Municipal officials are being urged to adopt these resolutions locally and to send copies of the approved resolutions to our legislators. ACTION: To approve Resolution 2012-46 MOTION: Titlbach SECOND: Ames VOTE: 10-0

#### **E. DISCUSSION AND ACTION – Resolution 2012-47 (ENSURING MUNICIPALITIES RECEIVE TIMELY AND RELIABLE FINANCIAL INFORMATION FROM THE STATE)**

ACTION: To approve Resolution 2012-47 MOTION: Munson SECOND: Solomon VOTE: 10-0

#### **F. DISCUSSION AND ACTION – Resolution 2012-48 (REQUESTING THE STATE TREAT ALL MUNICIPAL EMPLOYEES THE SAME WITH RESPECT TO WISCONSIN RETIREMENT SYSTEM CONTRIBUTIONS)**

ACTION: To approve Resolution 2012-48 MOTION: Solomon SECOND: Kozelka VOTE: 9-0-1 (Fleshner abstained)

#### **G. DISCUSSION AND ACTION – Resolution 2012-49 (REQUESTING PRESERVATION OF TAX EXEMPT FINANCING)**

ACTION: To approve Resolution 2012-49 MOTION: Ames SECOND: Solomon VOTE: 10-0

**H. DISCUSSION AND ACTION – Resolution 2012-50 (REQUESTING PRESERVATION OF MUNICIPAL UTILITY PILOTS)**

ACTION: To approve Resolution 2012-50 MOTION: Ames SECOND: Munson VOTE: 10-0

**II. CONSENT AGENDA**

A. COUNCIL MINUTES – October 16th 2012; B. FINANCE COMMITTEE – October 16th 2012; C. PUBLIC WORKS COMMITTEE – September 4th 2012; D. BOARD OF ZONING APPEALS – October 10th 2012; E. PERSONNEL (ETHICS) COMMITTEE – September 20th 2012; F. NORTHERN ENGRAVING COMMITTEE – August 14th 2012; G. OPERATORS LICENSES; H. FIRE CHIEF’S REPORT – Monthly (September) and Quarterly (July-September); I. AIRPORT LEASE TRANSFER - Hangar D-3 from John & Lois Cummuta Family Trust to Falyer Corporation Inc.; J. PRAIRIE DU CHIEN CHAMBER OF COMMERCE HOLIDAY PARADE – To be held Friday December 7th at 5:30 PM, beginning on St. Feriole Island – Fleshner asked for item I to be pulled. ACTION: To approve the Consent Agenda minus item I MOTION: Solomon SECOND: Ames VOTE: 10-0

**III. ITEMS REMOVED FROM CONSENT AGENDA**

I. AIRPORT LEASE TRANSFER - Hangar D-3 from John & Lois Cummuta Family Trust to Falyer Corporation Inc. – Fleshner asked if this was a transfer or a new lease and was informed it was a transfer. ACTION: To approve item I of the Consent Agenda MOTION: Fleshner SECOND: Solomon VOTE: 10-0

**IV. CITY ADMININSTRATOR’S REPORT** – No formal action

**V. CITIZENS’ COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT** - None

Without objection, the agenda was moved:

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

**A. DISCUSSION AND ACTION – Request from Pattison Sand Company to pave a portion of Taylor Street**

Pattison Sand Company is seeking permission to pave a section of Taylor Street, which is a platted street, west of the Highway 18 bypass. They are not seeking any city funding for this project. Beth Regan (Pattison Sand) and Roger Skalma (Wisconsin Southern) were present to address the Council and answer questions about the proposed paving of the area. ACTION: To approve the request from Pattison Sand Company to pave a section of Taylor Street, west of the Highway 18 bypass, with the city assuming no liability for maintenance of the pavement and Pattison and Wisconsin Southern agreeing to remove the pavement if the sand loading operations are moved; and the City, Pattison Sand and Wisconsin Southern agreeing to an easement for the property MOTION: Kozelka SECOND: Titlbach VOTE: 7-3 (Jones, Fleshner and Boylen opposed)

**VI. COMMITTEE REPORTS AND ACTIONS**

**A. FINANCE – Claims**

ACTION: To approve the claims MOTION: Ames SECOND: Solomon VOTE: 10-0

**B. FINANCE - Wisconsin DOT Seat Belt Enforcement Grant**

A memo in the packet for Sergeant Teynor outlined the specifics of the grant. ACTION: To approve the grant MOTION: Ames SECOND: Munson

**C. FINANCE - LED Lights on City Hall**

PDRI is trying to decorate the rooflines of downtown businesses for the Christmas season. The cost to do City Hall is estimated at \$300, with the funds to come from the Contingency Fund if approved by the Finance Committee and Council. ACTION: To approve the acquisition and installation of the LED lights for City Hall MOTION: Leys SECOND: Jones VOTE: 10-0

#### D. FINANCE/PUBLIC WORKS/PARK BOARD - Construction of Shelter/Concession Stand at Cecil Smith Park

The Park Board, in September, and the Public Works Committee, in October, recommended moving forward with the construction of a new shelter/concession stand/storage facility for the Park. The City is being asked to approve expending up to \$10,000 from 2012 contingency funds to purchase the raw materials for the project, while the Little League could possibly contribute up to \$10,000 more and would provide volunteer labor and other in-kind donations. The City Administrator asked that no action be taken until the November 20<sup>th</sup> Council meeting, so that a resolution for the allocation of the funds can be prepared. No formal action taken.

#### E. FINANCE – Room Tax Update

For the first time in recent memory, all lodging establishments are current with their room tax obligations, and the 2012 collections appear to be on pace for a record number. The City Administrator provided a more detailed report at the meeting. No formal action taken.

#### F. FINANCE - Health Insurance Contribution Rate for 2013

Pursuant to Chapter 22.19 (7) of the Municipal Code, the Finance Committee must set the rate of contribution to the health insurance premium by the employees of the City, unless otherwise provided by collective bargaining agreement or amendment to this ordinance. The current contribution rate is 11 percent. The City Administrator has recommended an increase to 13 percent. The Personnel Committee made a recommendation at its October 25<sup>th</sup> meeting to go to 15 percent. The Finance Committee, at its November 5<sup>th</sup> meeting, voted to approve an increase to 13 percent. ACTION: To approve an increase in the non-represented employee contribution rate to the health insurance premiums from 11 to 13 percent MOTION: Munson SECOND: Titlbach VOTE: 9-1 (Leys opposed)

#### G. PUBLIC WORKS - Variance for Curb Cut

This request, for the Adamany Spec Building on Vena Court, would allow for the construction of a 60-foot curb cut opening to service the building. The current maximum is 30 feet. The additional footage is needed for larger truck traffic. ACTION: To approve the waiver MOTION: Kozelka SECOND: Jones VOTE: 10-0

#### H. PUBLIC WORKS - Winter Maintenance of the Multi-Use Path on the Highway 18 Bypass

There was some discussion last winter on the winter maintenance of the bypass multi-use path. The Public Works Committee approved maintaining the path for the winter of 2012-2013, but that the work be a low priority for the city staff. The City will also stop maintaining the multi-use path in the Town of Bridgeport and re-allocate that staff time for the Highway 18 multi-use path. A 2003 agreement, signed by then-City Street Superintendent Rodney Fishler, to maintain the Town path was discussed, but staff said they found no record the Council ever approved said agreement. ACTION: To approve maintaining the multi-use path along the Highway 18 bypass for the winter of 2012-2013, but making the maintenance a low priority for staff MOTION: Kozelka SECOND: Munson VOTE: 10-0

#### VII. OLD BUSINESS - None

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

B. DISCUSSION AND ACTION - Contract amendment #5 between the City and MSA regarding the Marquette Road Project

ACTION: To approve Contract amendment #5 between the City and MSA regarding the Marquette Road Project, contingent on DOT approval MOTION: Ames SECOND: Munson VOTE: 10-0

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

D. ADJOURN to CLOSED SESSION (8:14 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: Acquisition and sale of property; and under Wisconsin Statute 19.85 (1) (g) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Possible litigation MOTION: Solomon SECOND: Ames VOTE: 10-0

E. CONVENE into open session (8:45 PM)

MOTION: Solomon SECOND: Ames VOTE: 10-0

F. ACTION from the closed session - None

**IX. ADJOURN (8:45 PM)**

MOTION: Solomon SECOND: Ames VOTE: 10-0

Submitted by City Administrator Aaron Kramer

**RESOLUTIONS APPROVED**

\* **Resolution 2012-44 (DECLARING MARCH 6TH 2013 AS SARAH KNOX TAYLOR DAY IN THE CITY OF PRAIRIE DU CHIEN)**

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