

## **Common Council Meeting – December 4th 2012**

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday December 4<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** – Judeen Ames absent **Certification of the open meeting law agenda requirements and approval of the agenda** –ACTION: To certify and approve MOTION: Solomon SECOND: Munson VOTE: 11-0 **Pledge of Allegiance** – Led by Kathleen Hein

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

#### **A. PUBLIC HEARING – Proposed 2013 Budget**

Hemmer opened the public hearing at 7:02 PM. The City Administrator presented an overview of the budget. Pintz said he did not favor portions of the budget, explaining that he felt the city should be spending more on equipment replacement and streets versus funding outside groups and organizations. Hemmer asked Pintz for more specific examples. Hemmer closed the public hearing on 7:18 PM.

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

ACTION: To approve the proposed 2013 budget MOTION: Solomon SECOND: Leys VOTE: 11-0

Without objection, the agenda was moved:

### **VI. COMMITTEE REPORTS AND ACTIONS**

#### **B. FINANCE – Clean Water Fund (Sewer) and Safe Drinking Water Loan (SDWL) for the Marquette Road project**

Both loan applications need to have the Intent to Apply and Priority Evaluation and Ranking Form (PERF) submittals in by December 31st. ACTION: To approve moving forward with the Clean Water Fund (Sewer) and Safe Drinking Water Loan (SDWL) applications for the Marquette Road project Hein MOTION: Hein SECOND: Munson VOTE: 11-0

#### **C. FINANCE - Contract amendment with Vierbicher Associates for the Marquette Road project**

Recent changes to the Community Sensitive Design and infrastructure components of the project require a new services agreement with Vierbicher. The new agreement calls for a reduction in roughly \$18,000 of engineering fees. ACTION: To approve the contract amendment with Vierbicher Associates for the Marquette Road project MOTION: Hein SECOND: Kozelka VOTE: 4-0

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

#### **C. DISCUSSION AND ACTION – Proposed financing assistance for the new Prairie du Chien Memorial Hospital**

The Hospital (Bill Sexton, CEO) and National Healthcare Capital, LLC (Thomas Mayfield) were present to discuss the possible role the City will be asked to take in the financing for the new hospital. They said they are seeking the city's support on tax-exempt bonding for the construction, which would not be a risk to the city's bond rating or debt levels. They said they are working with Crawford County to use their debt capacity as well, and would likely be coming back to the City in the future. ACTION: To send the item to Finance Committee MOTION: Fleshner SECOND: Kozelka VOTE: 11-0

#### **D. DISCUSSION AND ACTION – Hoffman Hall Capital Campaign**

Alderman Solomon has requested an update on the Capital Campaign, including what has been raised and future fundraising plans. Hein presented an update and explained the focus is now on creating a Friends of Hoffman Hall in order to address short-term and long-term financing issues. Solomon asked several questions about usage and out-of-town funding sources. Hein said the City of Marquette, IA has agreed to make a contribution, and Crawford County and McGregor have also been approached. ACTION: To approve the creation of a Friends of Hoffman Hall organization, with the requirement

that the group provide quarterly updates to the Council MOTION: Munson SECOND: Leys VOTE: 10-1 (Solomon opposed)

After the vote, Hemmer asked Solomon why she had voted no. She stated that she has been opposed to the Hoffman Hall project, and felt her vote against was consistent with her position all along.

## **II. CONSENT AGENDA**

A. COUNCIL MINUTES – November 20th 2012; B. FINANCE COMMITTEE – November 20th 2012; C. DROPPING OF THE CARP/CARPFEST – To be held December 26th through January 1st at several sites ACTION: To approve the Consent Agenda minus item C MOTION: Pintz SECOND: Solomon VOTE: 11-0

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

C. DROPPING OF THE CARP/CARPFEST – To be held December 26th through January 1st at several sites – Tom Nelson was present to discuss the event and invite the Council and City staff. ACTION: To approve item C of the Consent Agenda MOTION: Pintz SECOND: Kozelka VOTE: 11-0

## **IV. CITY ADMINISTRATOR'S REPORT**

The City Administrator informed the Council that the latest request for funds under the Safe Routes to School was rejected and staff would be reviewing the rejection and aiming for the next round.

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

## **VI. COMMITTEE REPORTS AND ACTIONS**

### **A. FINANCE – Claims**

ACTION: To approve the claims, with an additional \$27,336.95 claim by J&T Concrete Construction for sidewalk and concrete work done this past year MOTION: Hein SECOND: Pintz VOTE: 11-0

### **D. FINANCE – Approval of contract with Johnson Block for audit services in 2013**

Staff had earlier requested that the audit services be bid out in 2013, but, due to a lack of time to develop a Request for Proposals, staff is recommending approval of a one-year agreement with Johnson Block. ACTION: To approve a 1-year contract for audit services with Johnson Block MOTION: Hein SECOND: Pintz VOTE: 11-0

## **VII. OLD BUSINESS** - None

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

### **A. DISCUSSION AND ACTION – Proposed lease with Regal Marine**

Staff is seeking permission from the Council to sign and execute the 2013 lease. ACTION: To approve the lease with Regal Marine MOTION: Kozelka SECOND: Hein VOTE: 11-0

### **B. DISCUSSION AND ACTION – Acceptance of FEMA grant**

FEMA has awarded the City a grant to purchase the WPRE/WQPC property (not including the tower) on St. Feriolo Island and raze the structures in order to facilitate the radio station's relocation out of the floodway. Documents related to the grant are included in the packet. Staff would recommend approval and authorizing the City Administrator to sign the grant. Norb Aschom (WPRE-WQPC) addressed the Council and thanked them and the City Staff for their work on the grant application. ACTION: To accept the grant MOTION: Pintz SECOND: Titlbach VOTE: 11-0

**C. DISCUSSION AND ACTION – Agreement between City and Monitor Productions**

This agreement would allow for the installation of several hi-def television monitors in Hoffman Hall to update users about upcoming events. There is no cost to the City. Monitor would recoup its costs through advertising. ACTION: To approve the agreement MOTION: Hein SECOND: Pintz VOTE: 11-0

**D. DISCUSSION AND ACTION – Possible changes to the scheduling of Council meeting**

A memo from the City Administrator is included, which outlines several options of the Council to consider regarding the scheduling of Council meetings, including the impact of holidays, elections and extenuating circumstances. ACTION: To direct staff to draft an ordinance with the above recommendations MOTION: Hein SECOND: Munson VOTE: 11-0

**E. DISCUSSION – Items for future agenda consideration or Committee assignment**

Pintz asked for an update and action plan on the proposed resort area sales tax by the second Council meeting in February, and an update on the Prairie Maison project by that date.

**F. ADJOURN to CLOSED SESSION (8:39 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: Block 43 development; 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: Block 43 development; 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: Marquette Road land acquisition litigation; 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: Proposed closing of the Haydn Street Crossing MOTION: Thein SECOND: Munson VOTE: 11-0

NOTE: Marty Rifken joined the Council in closed session. Rifken left the closed session at 9:15 PM. Dan Kanis joined the closed session at 9:20 PM, and Boylen left at 9:20 PM. Kanis left the closed session at 9:50 PM, and Boylen rejoined. Kanis rejoined the closed session at 9:52 PM and left at 9:55 PM. Rifken rejoined the closed session at 10:00 PM and left at 10:05 PM

**G. CONVENE into open session (10:31 PM)**

MOTION: Pintz SECOND: Solomon VOTE: 10-1 (Hein opposed)

**H. ACTION from the closed session**

ACTION: To accept the offer from BNSF Railroad to request a postponement of the Office of the Commissioner of Railroads hearing on the proposed closing of the Haydn Street crossing, scheduled for December 13<sup>th</sup> and 14th MOTION: Thein SECOND: Solomon VOTE: 11-0

**IX. ADJOURN (10:37 PM)**

MOTION: Thein SECOND: Pintz VOTE: 10-0

Submitted by City Administrator Aaron Kramer