

## **Common Council Meeting – January 8<sup>th</sup> 2013**

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday January 8<sup>th</sup> 2013 at 7:00 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order. **Call to order/Roll Call** – Jean Titlbach absent **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify and approve the agenda, but move Item A under New Business (Railroad Crossing Improvements) to after the scheduled closed session MOTION: Munson SECOND: Hein VOTE: 11-0 **Pledge of Allegiance** – Led by Mike Jones

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

#### **A. INTRODUCTION – Accurate Appraisals**

Jim Danielson introduced himself and his company, which will be providing assessment services to the City, to the Council. Brad Cupp, the project manager, was also present. Danielson explained how Accurate will be creating a website with the City's assessment records, which will also allow for on-line appointments to be made. Accurate will be holding office hours every second and fourth Thursday of the month from 8 AM to 4 PM.

### **II. CONSENT AGENDA**

A. COUNCIL MINUTES – December 18th 2012; B. FINANCE COMMITTEE – December 18th 2012; C. PARK BOARD – November 14th 2012; D. POLICE AND FIRE COMMISSION – September 10th 2012; E. OPERATORS LICENSES (if any); F. FIRE CHIEF'S REPORT (November 2012); G. GRANT ACCEPTANCE (\$3,000 from the James Dutton Foundation for Washington Street Park Improvement project \* \$2,000 from the Crawford County Community Fund for the Hoffman Hall renovation \* \$307,326 from the Wisconsin DOT's Supplemental Transportation Rural Assistance Program (STRAP) for the 3-County Commuter Bus System) ACTION: To approve the consent agenda MOTION: Pintz SECOND: Solomon VOTE: 11-0

### **III. ITEMS REMOVED FROM CONSENT AGENDA** - None

### **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, with one addition – Gerke Excavating (\$68,838.41) for the LaPointe Street extension MOTION: Hein SECOND: Munson VOTE: 11-0

#### **B. FINANCE - Disposal of old aerial fire truck**

An update on the most recent efforts to dispose of the old aerial truck was provided. The City Administrator said the truck had been placed on the Wisconsin surplus.com website by the Fire Chief, with a high bid of \$5,400. Several members of the Finance Committee stated that they wanted to see the estimated salvage value of the truck, which was requested at the last Council meeting. ACTION: To direct the item to the Public Works Committee because specifically-requested information has not been provided MOTION: Kozelka SECOND: Hein VOTE: 10-1 (Pintz opposed)

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

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

B. DISCUSSION AND ACTION – Approval of Standard City Lease Agreement

Staff was seeking approval of a basic agreement template to be used in future lease arrangements between the City and other private or public individuals or groups. It was noted that special circumstances in some cases may require some minor adjustments to the lease agreements. Council members had several questions about certain parts of the agreement. ACTION: To approve the standard city lease agreement MOTION: Hein SECOND: Pintz VOTE: 11-0

C. DISCUSSION AND ACTION – Approval of lease with St. Feriole Island Ballpark

This lease will run through December 31st 2015. ACTION: To approve the lease with St. Feriole Island Ballpark MOTION: Hein SECOND: Pintz.

Questions were raised about the insurance component of the agreement. Hein and Pintz withdrew their motions.

ACTION: To table the lease approval pending a review of the insurance requirements MOTION: Ames SECOND: Solomon VOTE: 10-1 (Hein opposed)

D. DISCUSSION AND ACTION – Approval of Highway Maintenance Agreement with Town of Bridgeport

This agreement outlines which roads are plowed during the winter by the City and the Township in the other's jurisdiction. ACTION: To approve the Highway Maintenance Agreement with Town of Bridgeport MOTION: Hein SECOND: Ames VOTE: 11-0

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

Leys said he would like the Personnel Committee to explore the options and legality of Councilmembers being able to vote from home if they are unable to attend Council meetings.

F. ADJOURN to CLOSED SESSION (8:00 PM)

ACTION: To go into closed session 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: Possible and pending 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; 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 MOTION: Munson SECOND: Pintz VOTE: 11-0

G. ADJOURN into open session (9:05 PM)

MOTION: Munson SECOND: Pintz VOTE: 11-0

H. ACTION from closed session

ACTION: To accept the proposal from Marty Rifken to satisfy his obligations on the Block 43 property, with Rifken paying the City \$120,000 upon the sale of the property, and to pay the City the remaining \$28,061 in twelve equal monthly payments at three (3) percent annual interest MOTION: Munson SECOND: Leys VOTE: 11-0

ACTION: To direct Cheryl Kube (1203 South Wacouta) to have her carport in compliance, per the court-ordered judgment, with City Ordinances, no later than May 1<sup>st</sup> 2013, and pay a fine of \$200, and

if said carport is not in compliance by the date so stated that the City move, destroy or relocate the carport MOTION: Pintz SECOND: Solomon VOTE: 8-3 (Fleshner, Boylen and Jones opposed)  
ACTION: To direct City staff to negotiate with BNSF Railroad regarding the Haydn Street crossing and other crossings in the City, with a presentation to be made to the Common Council at their February 5<sup>th</sup> meeting MOTION: Kozelka SECOND: Solomon VOTE: 11-0

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

**A. DISCUSSION AND ACTION – Railroad Crossing Improvements**

Staff is seeking permission to move forward with improvements at the following crossings (estimated costs included in 2014, as part of the Marquette Road Project – Mooney Street (\$144,000), Blackhawk Avenue (\$192,000), Washington Street Mainline (\$120,000) and Washington Street sideline (\$60,000).) ACTION: To direct staff to move forward with the railroad crossing improvements in 2014  
MOTION: Pintz SECOND: Kozelka VOTE: 11-0

**IX. ADJOURN (9:10 PM)**

MOTION: Solomon SECOND: Jones VOTE: 11-0

Submitted by City Administrator Aaron Kramer