

Common Council Meeting (March 19th 2013)

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday March 19th 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** – Kyle Kozelka and Kathleen Hein absent
Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Ames SECOND: Munson VOTE: 10-0 **Pledge of Allegiance:** Led by Frank Pintz

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING - Request from Thomas & Barbara Stram, 200 block of S. Main Street, to rezone from R-3 “High Density Residential” to B-1 “Central Business” Zoning District

The Plan Commission recommended approval of the request at its February 18th meeting. Hemmer opened the Public Hearing at 7:06 PM. Tom Stram addressed the Council on their ideas for the property. Lisa Rogers (200 South Prairie Street) told the Council she had concerns about what could possibly be built on the property. Brad Adrian (219 South Prairie Street) asked about access to the back of his property. Hemmer closed the Public Hearing at 7:16 PM.

B. ACTION on aforesaid agenda item

ACTION: To approve the request from Thomas & Barbara Stram, 200 block of S. Main Street, to rezone from R-3 “High Density Residential” to B-1 “Central Business” Zoning District MOTION: Munson. The motion died for a lack of second.

C. PUBLIC HEARING – Ordinance 2013-02 (REPEALING AND RE-CREATING CHAPTER 17, SECTION 6.17 (a) (SIGNS PERMITTED BY ZONING DISTRICTS - Residential Districts R-1 - Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential and R-4 Mobile Home Districts) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

Last September, the Plan Commission recommended adoption of Ordinance 2012-24, which would have regulated the placement of Electronic Variable Message Signs in the various residential districts. In October, the Common Council unanimously voted against the Ordinance, and, instead directed staff to draft an Ordinance banning electronic variable message signs in the aforementioned zoning districts. The Plan Commission, at its February 18th meeting, recommended adoption of this Ordinance. Hemmer opened the Public Hearing at 7:18 PM. No one addressed the Council. Hemmer closed the hearing at 7:22 PM.

D. ACTION on aforesaid agenda item

ACTION: To approve Ordinance 2013-02 MOTION: Ames SECOND: Solomon VOTE: 10-0

II. CONSENT AGENDA

A. COUNCIL MINUTES – March 5th 2013; B. FINANCE COMMITTEE – March 5th 2013; C. PUBLIC WORKS COMMITTEE – January 31st 2013; D. PROTECTION AND HEALTH COMMITTEE – February 19th 2013; E. PERSONNEL COMMITTEE – December 12th 2012; F. ETHICS (PERSONNEL) COMMITTEE – March 13th 2012; G. PLAN COMMISSION – February 18th 2013; H. FIRE CHIEF’S MONTHLY REPORT – February 2013; I. OPERATORS LICENSES (if any) ACTION: To approve the Consent Agenda MOTION: Munson SECOND: Solomon VOTE: 10-0

III. ITEMS REMOVED FROM CONSENT AGENDA - None

IV. CITY ADMININSTRATOR’S REPORT

Kramer informed the Council about a \$3,000 grant to the Washington Street Park project from the James Dutton Foundation. He also said a copy of the 2012 Community Development Alternatives Annual Report

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

Without objection, the agenda was moved:

VI. COMMITTEE REPORTS AND ACTIONS

B. FINANCE – Awarding of Bid for Overview and Glenn Street project

Meyer reviewed the proposed project, and said work would begin very soon if approved. The construction schedule is two months long. ACTION: To award the bid for the Overview and Glenn Street project to Gerke Excavating for \$279,984 MOTION: Pintz SECOND: Ames VOTE: 10-0

L. PUBLIC WORKS – Use of city truck by Prairie du Chien Downtown Revitalization (PDRI)

The Public Works Department is replacing a 1992 Chevy pick-up (as approved by council) with a 2011 Dodge Ram purchased from Fastenal. PDRI is requesting that their organization be allowed to lease the 1992 Chevy truck to be used for watering the hanging flower baskets this summer and into the early fall. A memo from Co-Public Works Manager Terry Meyer is included in the packet. On March 12th, the Committee recommended the Council approve the lease. Pintz asked who would be responsible for maintenance, and Meyer said that would be PDRI's responsibility, along with insurance ACTION: To approve the leasing of the city truck to PDRI for this summer and fall for \$1 MOTION: Solomon SECOND: Munson VOTE: 10-0

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

E. DISCUSSION AND ACTION – PSA with Vierbicher Associates

The PSA would involve the following projects, and is contingent on action in closed session:

1. Project No. 1: TID No. 5 - Lessard & 22nd Street Extension: Extending Lessard Street easterly to 22nd Street, extend 22nd Street from Lessard Street north to Wells Street, loop water mains on Campion Blvd. and Wells Street, extend the sanitary sewer interceptor located in Brunson Street southerly to Lessard Street, construct a storm water facility at the intersection of 22nd Street and Campion Boulevard, prepare a storm water management plan for street extensions per WisDNR requirements.
2. Project No. 2: TID No. 5 - Residential Subdivision: Preliminary & Final Plat for 37 lot subdivision, extension of streets, sanitary sewer, water main and storm sewer to serve the subdivision, developing a proposed site grading plan for the lots in the subdivision, modify the Welter storm water detention basin to provide a water quality basin and landscaping.
3. Godden Pit Storm water Management Analysis: Prepare a storm water management analysis of Godden Pit and prepare a concept plan for future recommended improvements

Kurt Muchow reviewed the proposal and the timetable, which calls for the work to be done later this year. ACTION: To approve the Professional Services Agreement with Vierbicher Associates for the 22nd Street-Lessard Street Corridor Project MOTION: Pintz SECOND: Ames VOTE: 10-0

VI. COMMITTEE REPORTS AND ACTIONS

P. PERSONNEL – Approval of transfer of liquor licenses

This will approve the application of the Class B Liquor License and Class B Fermented Malt Beverage for Hallberg Enterprise, LLC d/b/a Bob's Bar. If approved, the previous owners of the license will surrender the existing license. The Committee acted on this item earlier this evening. ACTION: To approve the transfer of the liquor licenses to Hallberg Enterprises, LLC MOTION: Munson SECOND: Titlbach VOTE: 10-0

A. FINANCE – Claims

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

C. FINANCE – 2011-2013 Capital Budget Update

A memo from the City Administrator outlining the final projects of the 2011-2013 Capital Budget was included in the packet. Kramer provided an update on the Capital Budget, which has three projects remaining – the Overview and Glenn Street project, the construction of a new water department building (currently underway), and the Washington Street Park upgrade. No formal action was taken.

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

B. DISCUSSION AND ACTION – Professional Services Agreement with Vierbicher Associates for a Stewardship Grant for a slough walkway on St. Feriole Island

The project includes preliminary engineering for the construction of a pedestrian trail and fishing pier on St. Feriole Island between Washington Street and Blackhawk Avenue. Project may include a trailhead parking lot and other amenities associated with the trail including benches, walk-outs, lighting and landscaping. The trail is anticipated to be a combination of concrete trail and boardwalk. Funds for the work (\$6,200) would come from the Contingency Fund ACTION: To approve the Professional Services Agreement with Vierbicher Associates for a Stewardship Grant for a slough walkway on St. Feriole Island, with the funds (\$6,200) coming from the Contingency Fund MOTION: Pintz SECOND: Ames VOTE: 10-0

VI. COMMITTEE REPORTS AND ACTIONS

D. FINANCE – Room Tax and the Tourism Council

The Committee has been discussing this item for the past several meetings. A memo from the City Administrator, outlining several options for the Committee to consider, was included in the packet. On March 5th, the Committee, on a 3-2 vote, approved the following motion: To change nothing at this time, but recommend the Tourism Council review the suggested changes discussed and reviewed by the Finance Committee. The Mayor said he, the City Administrator and Alderpersons Hein and Ames attended the last Tourism Council meeting on March 14th and discussed the proposed changes with the group. ACTION: To accept the Committee report MOTION: Munson SECOND: Ames VOTE: 10-0

E. PROTECTION AND HEALTH – A letter, with assistance from Wyalusing Academy, requesting changes be made to the physical restraint laws and policies

At the March 12th meeting, the Committee approved directing staff to draft such a letter. The City Administrator met with Mary Beth Specht (Wyalusing Academy) on March 6th to prepare a joint letter. ACTION: To approve the letter MOTION: Titlbach SECOND: Pintz VOTE: 10-0

F. PROTECTION AND HEALTH – Resolution 2013-06 (REQUESTING THAT A REVIEW AND REVISIONS BE MADE TO THE STATE LAWS AND ADMINISTRATIVE CODES REGULATING BEHAVIOR MANAGEMENT AND CONTROL)

At the March 12th meeting, the Committee recommended the Council approve the resolution, which will be sent to our state legislators if approved. ACTION: To approve Resolution 2013-06 MOTION: Titlbach SECOND: Pintz VOTE: 10-0

H. PROTECTION AND HEALTH – Ordinance 2013-07 (CREATING CHAPTER 1.38 (WYALUSING ACADEMY COMMUNITY ADVOCACY COMMITTEE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

At its March 12th meeting, the Committee recommended the Council approve the ordinance creating this Committee to provide a forum for information and sharing of issues and concerns between the City, Wyalusing Academy and the surrounding neighborhood. ACTION: To approve Ordinance 2013-07 MOTION: Leys SECOND: Titlbach VOTE: 10-0

G. PROTECTION AND HEALTH - Ordinance 2013-08 (CREATING CHAPTER 3.12 (PUBLIC SAFETY AND FIRE EMERGENCY RESPONSE COST RECOVERY) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

At the March 12th meeting, the Committee recommended the Council approve the ordinance, which would impose a fee for excessive police and fire calls. ACTION: To approve Ordinance 2013-08 MOTION: Ames SECOND: Solomon VOTE: 9-1 (Leys opposed)

J. PUBLIC WORKS – Request for Proposals (RFP) for City spraying services

The RFP was included in the packet. On March 12th, the Committee recommended issuing the RFP. ACTION: To approve sending out the RFP MOTION: Solomon SECOND: Titlbach VOTE: 10-0

O. PUBLIC WORKS – Ordinance 2013-10 (REPEALING AND RE-CREATING CHAPTER 8.07 (SNOW AND ICE REMOVAL) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

ACTION: To place the agenda item from February 2nd 1993 back on the table MOTION: Solomon SECOND: Pintz VOTE: 10-0

In the process of updating the Municipal Code, staff discovered that Ordinance 8.07 (Snow and Ice Removal) was incomplete, and did not define which area of the downtown is exempt from the prohibition of putting snow and ice in the streets. This Ordinance will define that area and grant that exemption, which is needed due to the lack of areas to place snow and ice otherwise. On March 12th, the Committee recommended the Council approve the Ordinance.

ACTION: To approve Ordinance 2013-10 MOTION: Ames SECOND: Munson VOTE: 10-0

I. PROTECTION AND HEALTH - Proposed Municipal Court

The target date, if the Court is approved, for the first session would be July 11th. Discussion was held on various parts of the proposal. Leys said he was opposed, and felt the current Court system through the County was working fine.

ACTION: To approve Ordinance 2013-05 (CREATING CHAPTER 1.08 (MUNICIPAL COURT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN) MOTION: Pintz SECOND: Titlbach VOTE: 9-1 (Leys opposed)

ACTION: To approve the request for applications for the position of Municipal Court judge MOTION: Pintz SECOND: Ames VOTE: 9-1 (Leys opposed)

ACTION: To approve the job description for the position of Municipal Court Clerk MOTION: Munson SECOND: Solomon VOTE: 9-1 (Leys opposed)

ACTION: To establish the salaries for Municipal Court judge (\$600 per month) and Municipal Court Clerk (\$400 per month) MOTION: Titlbach SECOND: Pintz VOTE: 9-1 (Leys opposed)

ACTION: To appoint Cassie Rickleff as Municipal Court Clerk MOTION: Solomon SECOND: Pintz VOTE: 9-1 (Leys opposed)

K. PUBLIC WORKS – Wireless Service in City Hall

A proposal from Dependable Solutions on installing wireless is included in the packet for discussion. On March 12th, the Committee recommended moving forward with the project. The City Administrator asked that no action be taken while an alternative with Mediacom is explored.

M. PUBLIC WORKS – Ordinance 2013-06 (DISPOSITION OF SURPLUS MUNICIPAL PERSONAL PROPERTY)

This Ordinance would establish a procedure for the sale, and donation, of surplus municipal personal property. On March 12th, the Committee recommended the Council approve the Ordinance. ACTION: To approve Ordinance 2013-06 MOTION: Leys SECOND: Solomon VOTE: 10-0

N. PUBLIC WORKS – Ordinance 2013-09 (REPEALING AND RE-CREATING CHAPTER 1.47 (CITY BOUNDARIES AND ANNEXATIONS) AND CHAPTER 8.01 (OFFICIAL MAP) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance will establish the City's boundaries to reflect our most recent annexations. On March 12th, the Committee recommended the Council approve the Ordinance. ACTION: To approve Ordinance 2013-09 MOTION: Solomon SECOND: Ames VOTE: 10-0

Q. PERSONNEL – Ordinance 2013-11 (REPEALING AND RE-CREATING CHAPTER 22.19 (5) (EMPLOYEE BENEFITS – HEALTH REIMBURSEMENT ACCOUNT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance will make some changes to the current Health Reimbursement Account regulations to address hirings and employee status changes during a calendar year. The Committee acted on this item earlier in the evening. ACTION: To approve Ordinance 2013-11 MOTION: Titlbach SECOND: Munson VOTE: 10-0

VII. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION - Review and action on professional services agreement between the City of Prairie du Chien and Community Development Alternatives to manage and implement the FEMA and WDNR grant-supported project to relocate the radio station off of St. Feriole Island

A copy of the PSA was provided at the meeting. ACTION: To approve the professional services agreement between the City of Prairie du Chien and Community Development Alternatives to manage and implement the FEMA and WDNR grant-supported project to relocate the radio station off of St. Feriole Island MOTION: Solomon SECOND: Ames VOTE: 10-0

C. DISCUSSION AND ACTION - Contract amendment to extend the MSA-City contract to September 1, 2013

This extension is needed to complete all acquisition activities for the Marquette Road project: a) extending the project timeline, b) performing additional relocation work, and c) providing support for litigation if necessary. A copy of the contract can be found in the packet. A copy of the PSA was provided at the meeting. ACTION: To approve the contract amendment to extend the MSA-City contract to September 1, 2013 MOTION: Solomon SECOND: Munson VOTE: 10-0

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

NOTE: The Council took a 5-minute recess from 9:00 PM to 9:05 PM.

F. ADJOURN to CLOSED SESSION (9:05 PM)

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; and 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:** Solomon **SECOND:** Munson **VOTE:** 10-0

Kramer left the closed session at 9:40 PM and returned at 10:02 PM.

G. CONVENE into open session (10:03 PM)

MOTION: Solomon **SECOND:** Pintz **VOTE:** 10-0

H. ACTION from the closed session

ACTION: To approve the Ethics Committee report of March 13th that concluded that Alderman Frank Pintz violated Section 1.07 (2) (Code of Ethics - Responsibility of Public Office) and Section 1.07 (3) (Code of Ethics - Dedicated Service) of the Municipal Code of the City of Prairie du Chien, and the Committee recommended that the Common Council, at its March 19th meeting, issue a public reprimand of Alderman Pintz, have him removed from the Protection and Health Committee, and that he not be assigned to the Protection and Health Committee in the future, which the Council accepted **MOTION:** Solomon **SECOND:** Leys **VOTE:** 7-2-1 (Fleshner and Jones opposed, Pintz abstained)

ACTION: To recommend the Council approve the purchase of 23.7 acres of land from Steve Welter, as shown in Exhibit A, for \$625,000 plus closing costs, and the naming rights of the streets to be shared with Welter as the project develops; and to purchase 0.07 acres of land Brian Edwards, as shown in Exhibit B, for \$1,820 plus closing costs; and to purchase 0.76 acres of land from the Mavis Godden Family, as shown in Exhibit C, for \$25,000 plus closing costs, with the funds for these purchases to come from TID #5 and TID #6. **MOTION:** Pintz **SECOND:** Solomon **VOTE:** 10-0

IX. ADJOURN (10:06 PM)

MOTION: Thein **SECOND:** Solomon **VOTE:** 10-0

Dave Hemmer, Mayor

Submitted by City Administrator Aaron Kramer

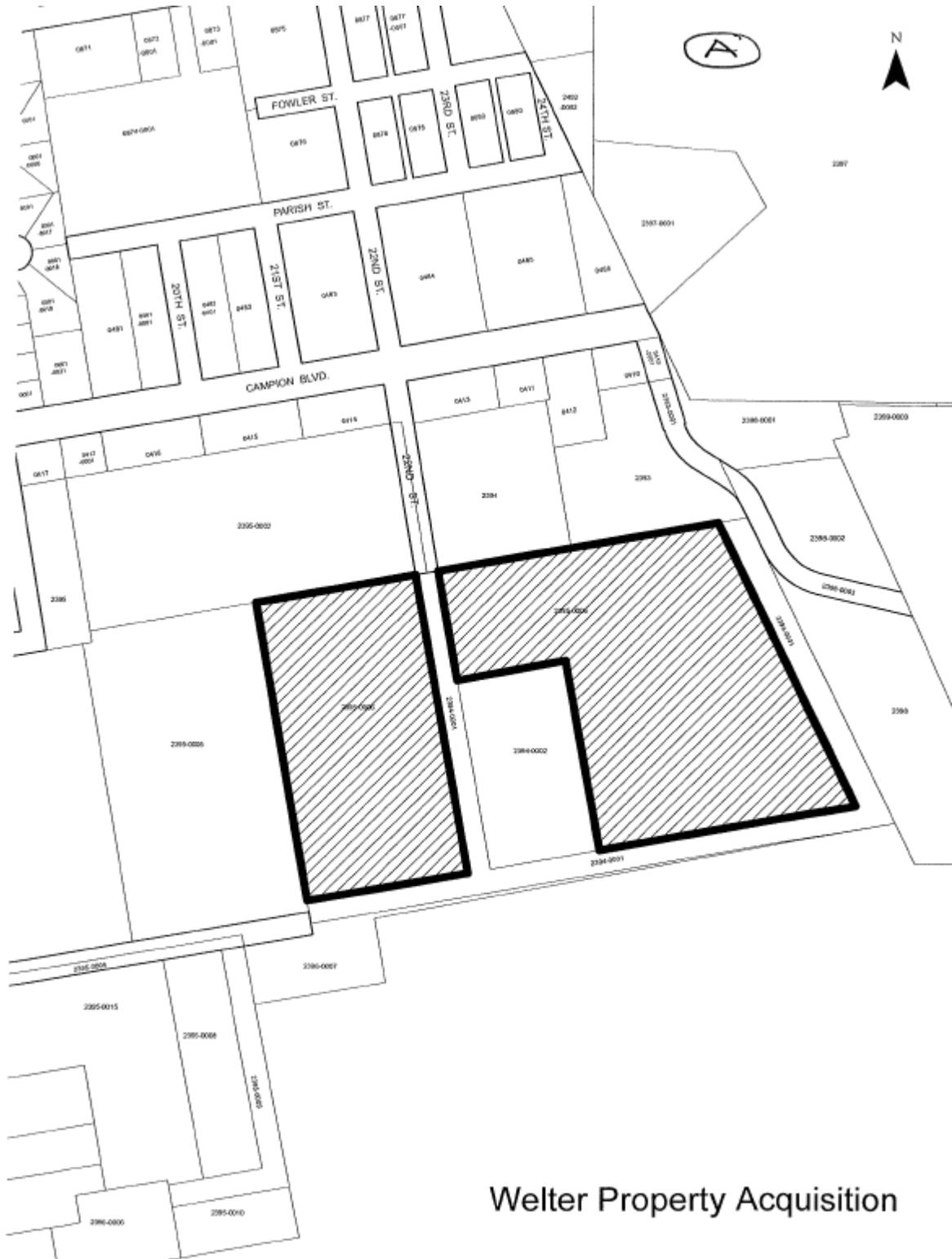
ORDINANCES APPROVED

*** Ordinance 2013-02 (REPEALING AND RE-CREATING CHAPTER 17, SECTION 6.17 (a) (SIGNS PERMITTED BY ZONING DISTRICTS - Residential Districts R-1 - Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential and R-4 Mobile Home Districts) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

- * Ordinance 2013-05 (CREATING CHAPTER 1.08 (MUNICIPAL COURT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-06 (DISPOSITION OF SURPLUS MUNICIPAL PERSONAL PROPERTY)**
- * Ordinance 2013-07 (CREATING CHAPTER 1.38 (WYALUSING ACADEMY COMMUNITY ADVOCACY COMMITTEE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-08 (CREATING CHAPTER 3.12 (PUBLIC SAFETY AND FIRE EMERGENCY RESPONSE COST RECOVERY) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-09 (REPEALING AND RE-CREATING CHAPTER 1.47 (CITY BOUNDARIES AND ANNEXATIONS) AND CHAPTER 8.01 (OFFICIAL MAP) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-10 (REPEALING AND RE-CREATING CHAPTER 8.07 (SNOW AND ICE REMOVAL) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-11 (REPEALING AND RE-CREATING CHAPTER 22.19 (5) (EMPLOYEE BENEFITS – HEALTH REIMBURSEMENT ACCOUNT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

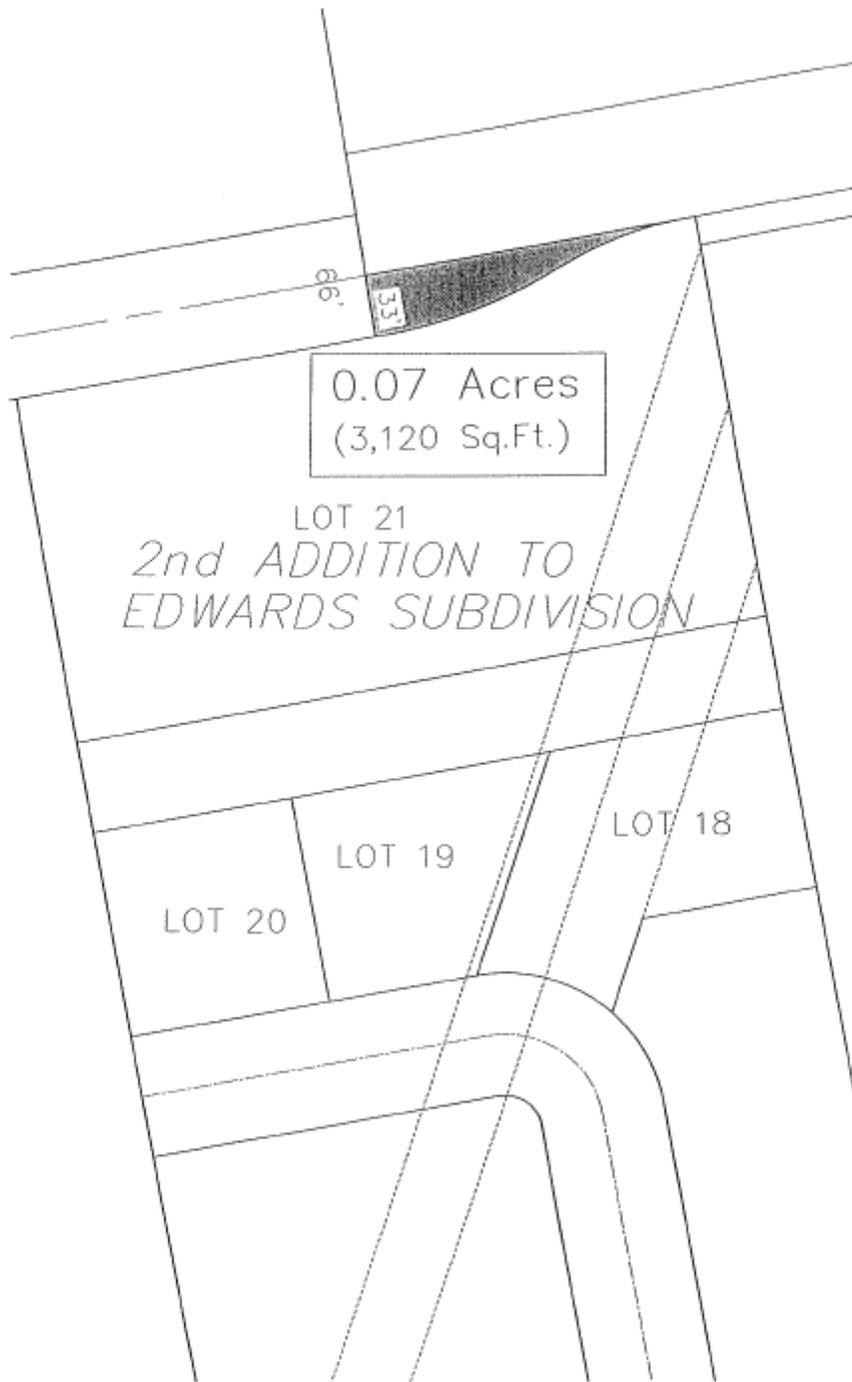
RESOLUTIONS APPROVED

- * Resolution 2013-06 (REQUESTING THAT A REVIEW AND REVISIONS BE MADE TO THE STATE LAWS AND ADMINISTRATIVE CODES REGULATING BEHAVIOR MANAGEMENT AND CONTROL)**

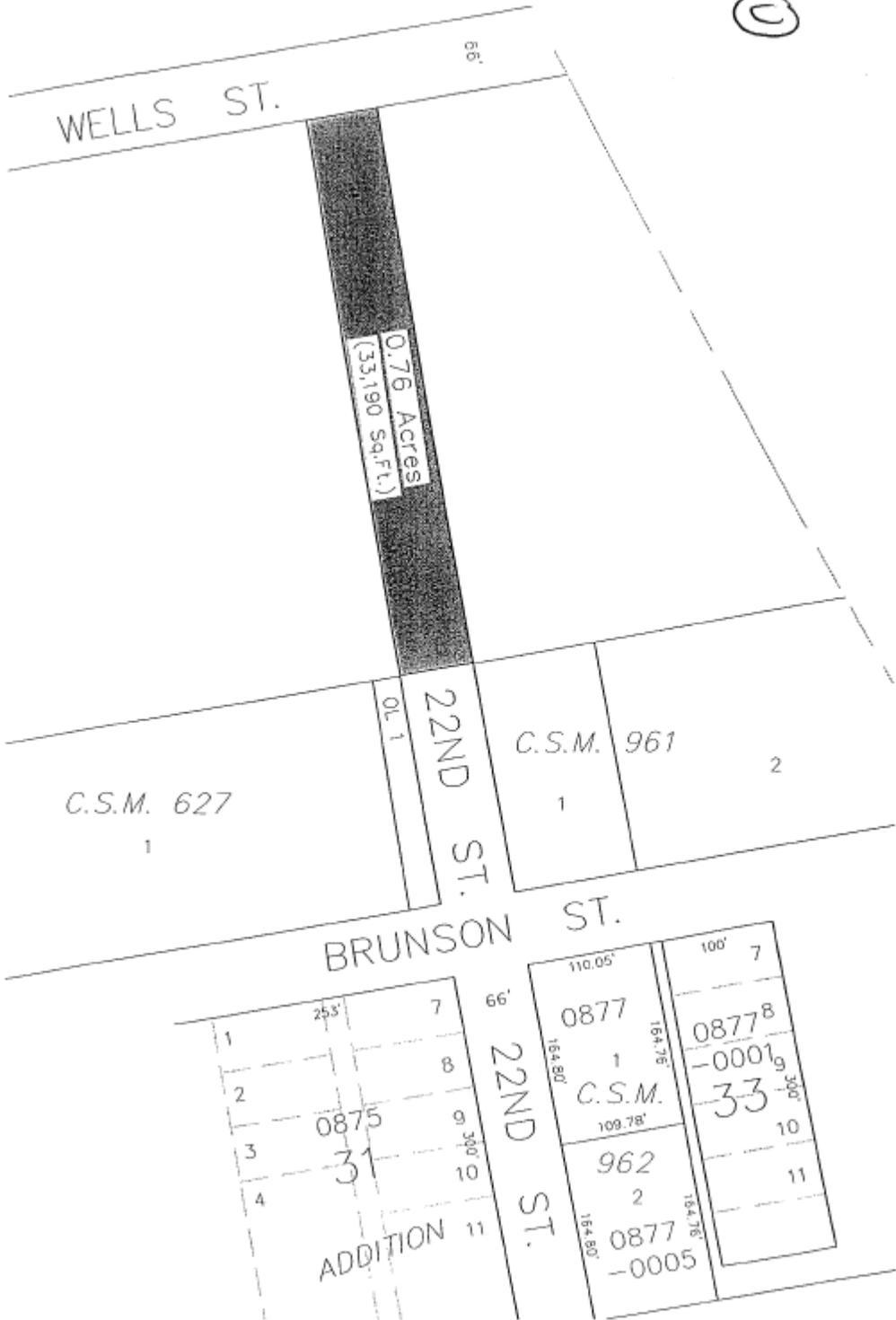


Welter Property Acquisition

(B)



©



Common Council Meeting (March 19th 2013)

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday March 19th 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** – Kyle Kozelka and Kathleen Hein absent
Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Ames SECOND: Munson VOTE: 10-0 **Pledge of Allegiance:** Led by Frank Pintz

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING - Request from Thomas & Barbara Stram, 200 block of S. Main Street, to rezone from R-3 “High Density Residential” to B-1 “Central Business” Zoning District

The Plan Commission recommended approval of the request at its February 18th meeting. Hemmer opened the Public Hearing at 7:06 PM. Tom Stram addressed the Council on their ideas for the property. Lisa Rogers (200 South Prairie Street) told the Council she had concerns about what could possibly be built on the property. Brad Adrian (219 South Prairie Street) asked about access to the back of his property. Hemmer closed the Public Hearing at 7:16 PM.

B. ACTION on aforesaid agenda item

ACTION: To approve the request from Thomas & Barbara Stram, 200 block of S. Main Street, to rezone from R-3 “High Density Residential” to B-1 “Central Business” Zoning District MOTION: Munson. The motion died for a lack of second.

C. PUBLIC HEARING – Ordinance 2013-02 (REPEALING AND RE-CREATING CHAPTER 17, SECTION 6.17 (a) (SIGNS PERMITTED BY ZONING DISTRICTS - Residential Districts R-1 - Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential and R-4 Mobile Home Districts) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

Last September, the Plan Commission recommended adoption of Ordinance 2012-24, which would have regulated the placement of Electronic Variable Message Signs in the various residential districts. In October, the Common Council unanimously voted against the Ordinance, and, instead directed staff to draft an Ordinance banning electronic variable message signs in the aforementioned zoning districts. The Plan Commission, at its February 18th meeting, recommended adoption of this Ordinance. Hemmer opened the Public Hearing at 7:18 PM. No one addressed the Council. Hemmer closed the hearing at 7:22 PM.

D. ACTION on aforesaid agenda item

ACTION: To approve Ordinance 2013-02 MOTION: Ames SECOND: Solomon VOTE: 10-0

II. CONSENT AGENDA

A. COUNCIL MINUTES – March 5th 2013; B. FINANCE COMMITTEE – March 5th 2013; C. PUBLIC WORKS COMMITTEE – January 31st 2013; D. PROTECTION AND HEALTH COMMITTEE – February 19th 2013; E. PERSONNEL COMMITTEE – December 12th 2012; F. ETHICS (PERSONNEL) COMMITTEE – March 13th 2012; G. PLAN COMMISSION – February 18th 2013; H. FIRE CHIEF’S MONTHLY REPORT – February 2013; I. OPERATORS LICENSES (if any) ACTION: To approve the Consent Agenda MOTION: Munson SECOND: Solomon VOTE: 10-0

III. ITEMS REMOVED FROM CONSENT AGENDA - None

IV. CITY ADMININSTRATOR’S REPORT

Kramer informed the Council about a \$3,000 grant to the Washington Street Park project from the James Dutton Foundation. He also said a copy of the 2012 Community Development Alternatives Annual Report

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

Without objection, the agenda was moved:

VI. COMMITTEE REPORTS AND ACTIONS

B. FINANCE – Awarding of Bid for Overview and Glenn Street project

Meyer reviewed the proposed project, and said work would begin very soon if approved. The construction schedule is two months long. ACTION: To award the bid for the Overview and Glenn Street project to Gerke Excavating for \$279,984 MOTION: Pintz SECOND: Ames VOTE: 10-0

L. PUBLIC WORKS – Use of city truck by Prairie du Chien Downtown Revitalization (PDRI)

The Public Works Department is replacing a 1992 Chevy pick-up (as approved by council) with a 2011 Dodge Ram purchased from Fastenal. PDRI is requesting that their organization be allowed to lease the 1992 Chevy truck to be used for watering the hanging flower baskets this summer and into the early fall. A memo from Co-Public Works Manager Terry Meyer is included in the packet. On March 12th, the Committee recommended the Council approve the lease. Pintz asked who would be responsible for maintenance, and Meyer said that would be PDRI's responsibility, along with insurance ACTION: To approve the leasing of the city truck to PDRI for this summer and fall for \$1 MOTION: Solomon SECOND: Munson VOTE: 10-0

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

E. DISCUSSION AND ACTION – PSA with Vierbicher Associates

The PSA would involve the following projects, and is contingent on action in closed session:

1. Project No. 1: TID No. 5 - Lessard & 22nd Street Extension: Extending Lessard Street easterly to 22nd Street, extend 22nd Street from Lessard Street north to Wells Street, loop water mains on Campion Blvd. and Wells Street, extend the sanitary sewer interceptor located in Brunson Street southerly to Lessard Street, construct a storm water facility at the intersection of 22nd Street and Campion Boulevard, prepare a storm water management plan for street extensions per WisDNR requirements.
2. Project No. 2: TID No. 5 - Residential Subdivision: Preliminary & Final Plat for 37 lot subdivision, extension of streets, sanitary sewer, water main and storm sewer to serve the subdivision, developing a proposed site grading plan for the lots in the subdivision, modify the Welter storm water detention basin to provide a water quality basin and landscaping.
3. Godden Pit Storm water Management Analysis: Prepare a storm water management analysis of Godden Pit and prepare a concept plan for future recommended improvements

Kurt Muchow reviewed the proposal and the timetable, which calls for the work to be done later this year. ACTION: To approve the Professional Services Agreement with Vierbicher Associates for the 22nd Street-Lessard Street Corridor Project MOTION: Pintz SECOND: Ames VOTE: 10-0

VI. COMMITTEE REPORTS AND ACTIONS

P. PERSONNEL – Approval of transfer of liquor licenses

This will approve the application of the Class B Liquor License and Class B Fermented Malt Beverage for Hallberg Enterprise, LLC d/b/a Bob's Bar. If approved, the previous owners of the license will surrender the existing license. The Committee acted on this item earlier this evening. ACTION: To approve the transfer of the liquor licenses to Hallberg Enterprises, LLC MOTION: Munson SECOND: Titlbach VOTE: 10-0

A. FINANCE – Claims

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

C. FINANCE – 2011-2013 Capital Budget Update

A memo from the City Administrator outlining the final projects of the 2011-2013 Capital Budget was included in the packet. Kramer provided an update on the Capital Budget, which has three projects remaining – the Overview and Glenn Street project, the construction of a new water department building (currently underway), and the Washington Street Park upgrade. No formal action was taken.

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

B. DISCUSSION AND ACTION – Professional Services Agreement with Vierbicher Associates for a Stewardship Grant for a slough walkway on St. Feriole Island

The project includes preliminary engineering for the construction of a pedestrian trail and fishing pier on St. Feriole Island between Washington Street and Blackhawk Avenue. Project may include a trailhead parking lot and other amenities associated with the trail including benches, walk-outs, lighting and landscaping. The trail is anticipated to be a combination of concrete trail and boardwalk. Funds for the work (\$6,200) would come from the Contingency Fund ACTION: To approve the Professional Services Agreement with Vierbicher Associates for a Stewardship Grant for a slough walkway on St. Feriole Island, with the funds (\$6,200) coming from the Contingency Fund MOTION: Pintz SECOND: Ames VOTE: 10-0

VI. COMMITTEE REPORTS AND ACTIONS

D. FINANCE – Room Tax and the Tourism Council

The Committee has been discussing this item for the past several meetings. A memo from the City Administrator, outlining several options for the Committee to consider, was included in the packet. On March 5th, the Committee, on a 3-2 vote, approved the following motion: To change nothing at this time, but recommend the Tourism Council review the suggested changes discussed and reviewed by the Finance Committee. The Mayor said he, the City Administrator and Alderpersons Hein and Ames attended the last Tourism Council meeting on March 14th and discussed the proposed changes with the group. ACTION: To accept the Committee report MOTION: Munson SECOND: Ames VOTE: 10-0

E. PROTECTION AND HEALTH – A letter, with assistance from Wyalusing Academy, requesting changes be made to the physical restraint laws and policies

At the March 12th meeting, the Committee approved directing staff to draft such a letter. The City Administrator met with Mary Beth Specht (Wyalusing Academy) on March 6th to prepare a joint letter. ACTION: To approve the letter MOTION: Titlbach SECOND: Pintz VOTE: 10-0

F. PROTECTION AND HEALTH – Resolution 2013-06 (REQUESTING THAT A REVIEW AND REVISIONS BE MADE TO THE STATE LAWS AND ADMINISTRATIVE CODES REGULATING BEHAVIOR MANAGEMENT AND CONTROL)

At the March 12th meeting, the Committee recommended the Council approve the resolution, which will be sent to our state legislators if approved. ACTION: To approve Resolution 2013-06 MOTION: Titlbach SECOND: Pintz VOTE: 10-0

H. PROTECTION AND HEALTH – Ordinance 2013-07 (CREATING CHAPTER 1.38 (WYALUSING ACADEMY COMMUNITY ADVOCACY COMMITTEE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

At its March 12th meeting, the Committee recommended the Council approve the ordinance creating this Committee to provide a forum for information and sharing of issues and concerns between the City, Wyalusing Academy and the surrounding neighborhood. ACTION: To approve Ordinance 2013-07 MOTION: Leys SECOND: Titlbach VOTE: 10-0

G. PROTECTION AND HEALTH - Ordinance 2013-08 (CREATING CHAPTER 3.12 (PUBLIC SAFETY AND FIRE EMERGENCY RESPONSE COST RECOVERY) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

At the March 12th meeting, the Committee recommended the Council approve the ordinance, which would impose a fee for excessive police and fire calls. ACTION: To approve Ordinance 2013-08 MOTION: Ames SECOND: Solomon VOTE: 9-1 (Leys opposed)

J. PUBLIC WORKS – Request for Proposals (RFP) for City spraying services

The RFP was included in the packet. On March 12th, the Committee recommended issuing the RFP. ACTION: To approve sending out the RFP MOTION: Solomon SECOND: Titlbach VOTE: 10-0

O. PUBLIC WORKS – Ordinance 2013-10 (REPEALING AND RE-CREATING CHAPTER 8.07 (SNOW AND ICE REMOVAL) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

ACTION: To place the agenda item from February 2nd 1993 back on the table MOTION: Solomon SECOND: Pintz VOTE: 10-0

In the process of updating the Municipal Code, staff discovered that Ordinance 8.07 (Snow and Ice Removal) was incomplete, and did not define which area of the downtown is exempt from the prohibition of putting snow and ice in the streets. This Ordinance will define that area and grant that exemption, which is needed due to the lack of areas to place snow and ice otherwise. On March 12th, the Committee recommended the Council approve the Ordinance.

ACTION: To approve Ordinance 2013-10 MOTION: Ames SECOND: Munson VOTE: 10-0

I. PROTECTION AND HEALTH - Proposed Municipal Court

The target date, if the Court is approved, for the first session would be July 11th. Discussion was held on various parts of the proposal. Leys said he was opposed, and felt the current Court system through the County was working fine.

ACTION: To approve Ordinance 2013-05 (CREATING CHAPTER 1.08 (MUNICIPAL COURT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN) MOTION: Pintz SECOND: Titlbach VOTE: 9-1 (Leys opposed)

ACTION: To approve the request for applications for the position of Municipal Court judge MOTION: Pintz SECOND: Ames VOTE: 9-1 (Leys opposed)

ACTION: To approve the job description for the position of Municipal Court Clerk MOTION: Munson SECOND: Solomon VOTE: 9-1 (Leys opposed)

ACTION: To establish the salaries for Municipal Court judge (\$600 per month) and Municipal Court Clerk (\$400 per month) MOTION: Titlbach SECOND: Pintz VOTE: 9-1 (Leys opposed)

ACTION: To appoint Cassie Rickleff as Municipal Court Clerk MOTION: Solomon SECOND: Pintz VOTE: 9-1 (Leys opposed)

K. PUBLIC WORKS – Wireless Service in City Hall

A proposal from Dependable Solutions on installing wireless is included in the packet for discussion. On March 12th, the Committee recommended moving forward with the project. The City Administrator asked that no action be taken while an alternative with Mediacom is explored.

M. PUBLIC WORKS – Ordinance 2013-06 (DISPOSITION OF SURPLUS MUNICIPAL PERSONAL PROPERTY)

This Ordinance would establish a procedure for the sale, and donation, of surplus municipal personal property. On March 12th, the Committee recommended the Council approve the Ordinance. ACTION: To approve Ordinance 2013-06 MOTION: Leys SECOND: Solomon VOTE: 10-0

N. PUBLIC WORKS – Ordinance 2013-09 (REPEALING AND RE-CREATING CHAPTER 1.47 (CITY BOUNDARIES AND ANNEXATIONS) AND CHAPTER 8.01 (OFFICIAL MAP) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance will establish the City's boundaries to reflect our most recent annexations. On March 12th, the Committee recommended the Council approve the Ordinance. ACTION: To approve Ordinance 2013-09 MOTION: Solomon SECOND: Ames VOTE: 10-0

Q. PERSONNEL – Ordinance 2013-11 (REPEALING AND RE-CREATING CHAPTER 22.19 (5) (EMPLOYEE BENEFITS – HEALTH REIMBURSEMENT ACCOUNT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance will make some changes to the current Health Reimbursement Account regulations to address hirings and employee status changes during a calendar year. The Committee acted on this item earlier in the evening. ACTION: To approve Ordinance 2013-11 MOTION: Titlbach SECOND: Munson VOTE: 10-0

VII. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION - Review and action on professional services agreement between the City of Prairie du Chien and Community Development Alternatives to manage and implement the FEMA and WDNR grant-supported project to relocate the radio station off of St. Feriole Island

A copy of the PSA was provided at the meeting. ACTION: To approve the professional services agreement between the City of Prairie du Chien and Community Development Alternatives to manage and implement the FEMA and WDNR grant-supported project to relocate the radio station off of St. Feriole Island MOTION: Solomon SECOND: Ames VOTE: 10-0

C. DISCUSSION AND ACTION - Contract amendment to extend the MSA-City contract to September 1, 2013

This extension is needed to complete all acquisition activities for the Marquette Road project: a) extending the project timeline, b) performing additional relocation work, and c) providing support for litigation if necessary. A copy of the contract can be found in the packet. A copy of the PSA was provided at the meeting. ACTION: To approve the contract amendment to extend the MSA-City contract to September 1, 2013 MOTION: Solomon SECOND: Munson VOTE: 10-0

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

NOTE: The Council took a 5-minute recess from 9:00 PM to 9:05 PM.

F. ADJOURN to CLOSED SESSION (9:05 PM)

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; and 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:** Solomon **SECOND:** Munson **VOTE:** 10-0

Kramer left the closed session at 9:40 PM and returned at 10:02 PM.

G. CONVENE into open session (10:03 PM)

MOTION: Solomon **SECOND:** Pintz **VOTE:** 10-0

H. ACTION from the closed session

ACTION: To approve the Ethics Committee report of March 13th that concluded that Alderman Frank Pintz violated Section 1.07 (2) (Code of Ethics - Responsibility of Public Office) and Section 1.07 (3) (Code of Ethics - Dedicated Service) of the Municipal Code of the City of Prairie du Chien, and the Committee recommended that the Common Council, at its March 19th meeting, issue a public reprimand of Alderman Pintz, have him removed from the Protection and Health Committee, and that he not be assigned to the Protection and Health Committee in the future, which the Council accepted **MOTION:** Solomon **SECOND:** Leys **VOTE:** 7-2-1 (Fleshner and Jones opposed, Pintz abstained)

ACTION: To recommend the Council approve the purchase of 23.7 acres of land from Steve Welter, as shown in Exhibit A, for \$625,000 plus closing costs, and the naming rights of the streets to be shared with Welter as the project develops; and to purchase 0.07 acres of land Brian Edwards, as shown in Exhibit B, for \$1,820 plus closing costs; and to purchase 0.76 acres of land from the Mavis Godden Family, as shown in Exhibit C, for \$25,000 plus closing costs, with the funds for these purchases to come from TID #5 and TID #6. **MOTION:** Pintz **SECOND:** Solomon **VOTE:** 10-0

IX. ADJOURN (10:06 PM)

MOTION: Thein **SECOND:** Solomon **VOTE:** 10-0

Dave Hemmer, Mayor

Submitted by City Administrator Aaron Kramer

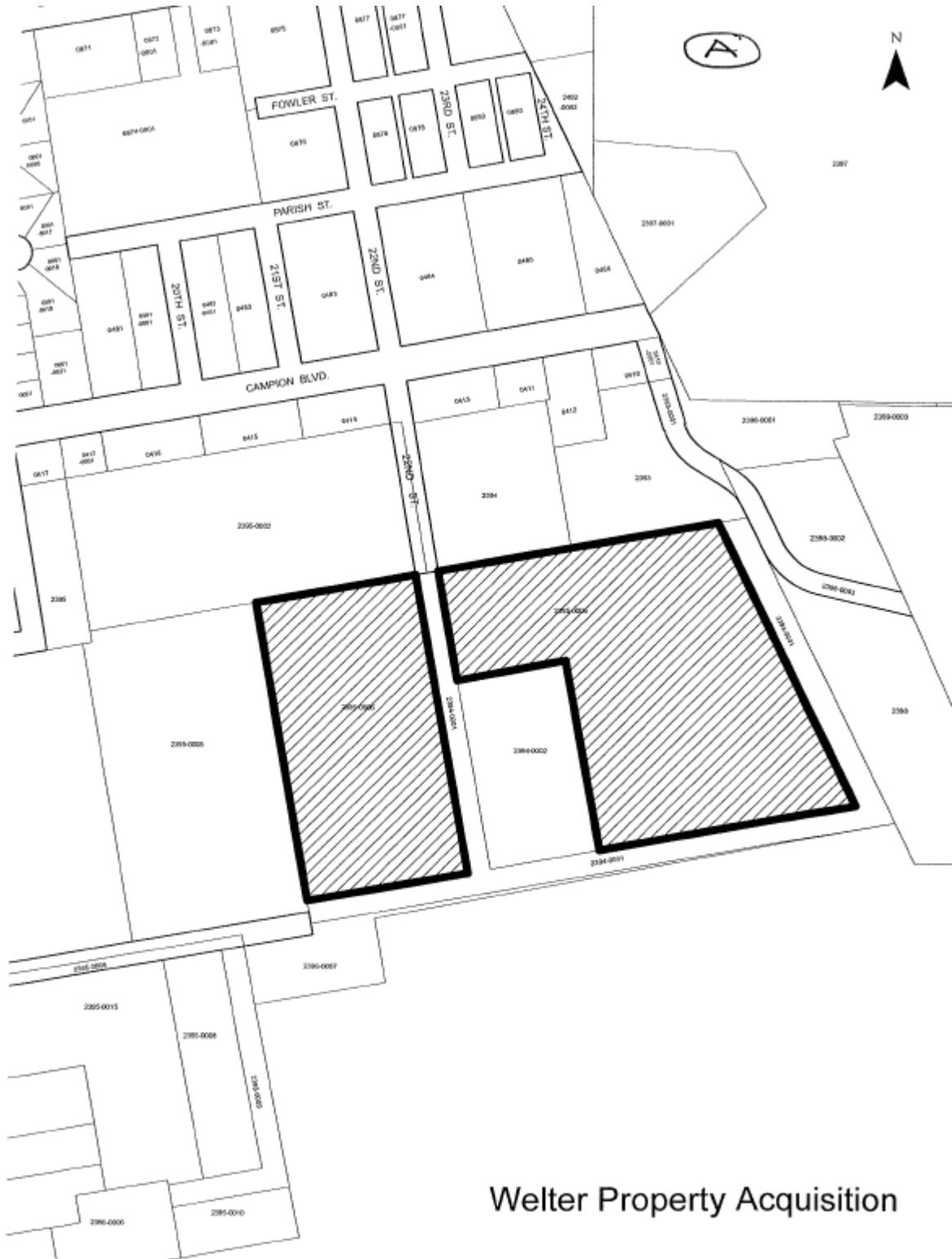
ORDINANCES APPROVED

*** Ordinance 2013-02 (REPEALING AND RE-CREATING CHAPTER 17, SECTION 6.17 (a) (SIGNS PERMITTED BY ZONING DISTRICTS - Residential Districts R-1 - Low Density Residential, R-2 Medium Density Residential, R-3 High Density Residential and R-4 Mobile Home Districts) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

- * Ordinance 2013-05 (CREATING CHAPTER 1.08 (MUNICIPAL COURT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-06 (DISPOSITION OF SURPLUS MUNICIPAL PERSONAL PROPERTY)**
- * Ordinance 2013-07 (CREATING CHAPTER 1.38 (WYALUSING ACADEMY COMMUNITY ADVOCACY COMMITTEE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-08 (CREATING CHAPTER 3.12 (PUBLIC SAFETY AND FIRE EMERGENCY RESPONSE COST RECOVERY) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-09 (REPEALING AND RE-CREATING CHAPTER 1.47 (CITY BOUNDARIES AND ANNEXATIONS) AND CHAPTER 8.01 (OFFICIAL MAP) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-10 (REPEALING AND RE-CREATING CHAPTER 8.07 (SNOW AND ICE REMOVAL) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**
- * Ordinance 2013-11 (REPEALING AND RE-CREATING CHAPTER 22.19 (5) (EMPLOYEE BENEFITS – HEALTH REIMBURSEMENT ACCOUNT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

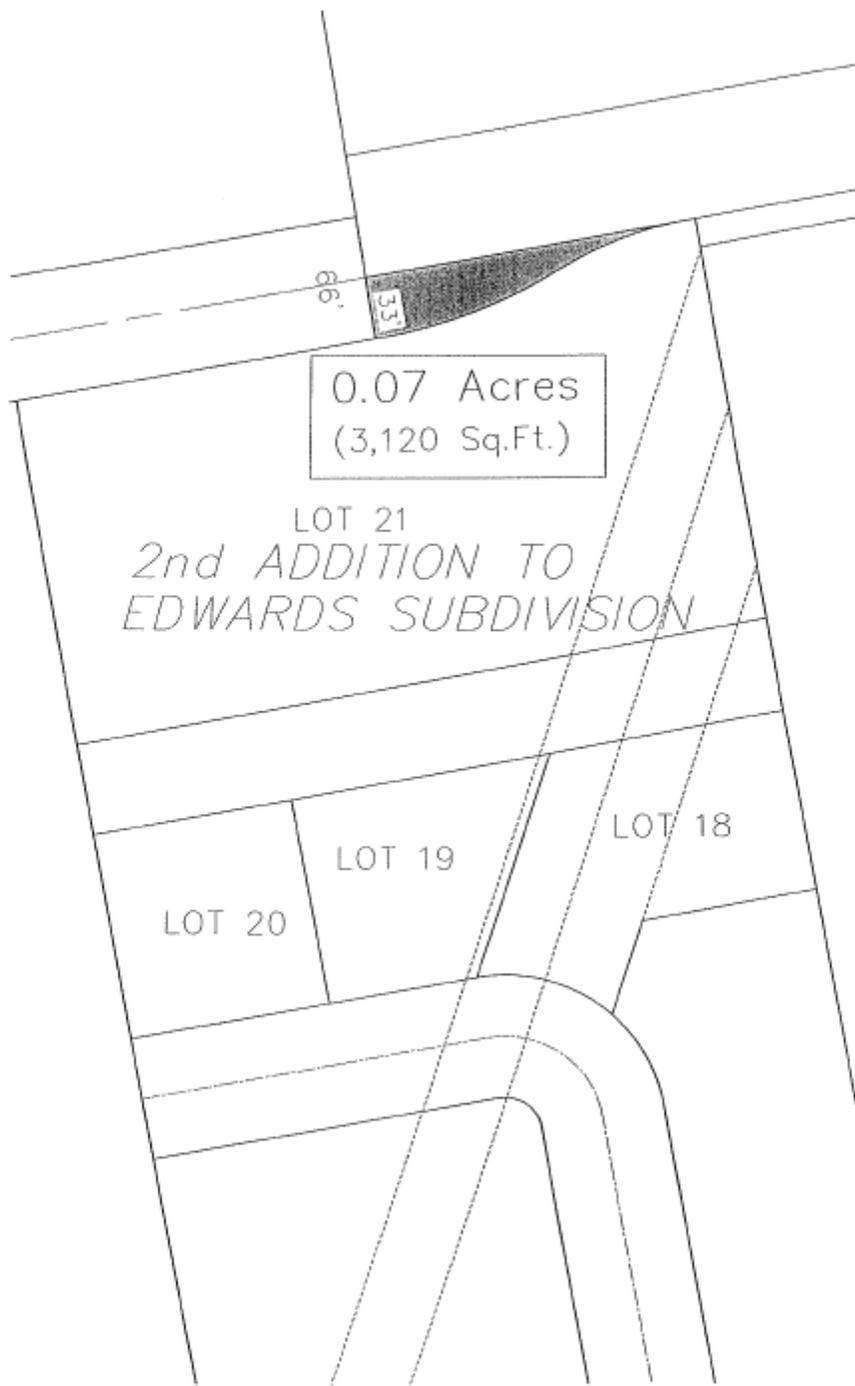
RESOLUTIONS APPROVED

- * Resolution 2013-06 (REQUESTING THAT A REVIEW AND REVISIONS BE MADE TO THE STATE LAWS AND ADMINISTRATIVE CODES REGULATING BEHAVIOR MANAGEMENT AND CONTROL)**



Welter Property Acquisition

(B)



©

