

Common Council Meeting (April 9th 2013)

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday April 9th 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** – All present **Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Ames SECOND: Munson VOTE: 12-0 **Pledge of Allegiance:** Led by Kathleen Hein and Linda Munson

I. PUBLIC HEARINGS AND PRESENTATIONS

A. DISCUSSION AND ACTION – Resolution 2013-07 (HONORING THE SERVICE AND DEDICATION OF MICHAEL DOUGLASS TO VILLA LOUIS AND THE PRESERVATION OF THE HERITAGE AND HISTORY OF PRAIRIE DU CHIEN)

This Resolution honors the 30 years of service and dedication to the Villa Louis by Michael Douglass, who has announced his retirement. ACTION: To approve Resolution 2013-07 MOTION: Hein SECOND: Ames VOTE: 12-0
Douglass thanked the Council for the resolution and addressed the Council.

B. DISCUSSION AND ACTION – Resolution 2013-08 (DECLARING MAY 11TH BICYCLE DAY AND MAY 12TH TO MAY 18TH BIKE TO SCHOOL AND WORK WEEK IN THE CITY OF PRAIRIE DU CHIEN)

ACTION: To approve Resolution 2013-08 MOTION: Solomon SECOND: Munson VOTE: 12-0

C. DISCUSSION AND ACTION – Resolution 2013-10 (COMMENDING THE SERVICE OF LINDA MUNSON ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)

ACTION: To approve Resolution 2013-10 MOTION: Ames SECOND: Titlbach VOTE: 12-0

D. DISCUSSION AND ACTION – Resolution 2013-11 (COMMENDING THE SERVICE OF KATHLEEN HEIN ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)

ACTION: To approve Resolution 2013-11 MOTION: Solomon SECOND: Pintz VOTE: 12-0

E. DISCUSSION AND ACTION – Resolution 2013-17 (SUPPORTING THE DEVELOPMENT OF THE ST. FERIOLE ISLAND TRAIL)

ACTION: To approve Resolution 2013-17 MOTION: Solomon SECOND: Munson VOTE: 12-0

F. DISCUSSION AND ACTION – Resolution 2013-18 (DECLARING APRIL 26TH ARBOR DAY IN THE CITY OF PRAIRIE DU CHIEN)

ACTION: To approve Resolution 2013-18 MOTION: Leys SECOND: Munson VOTE: 12-0

II. CONSENT AGENDA

A. COUNCIL MINUTES – March 19th 2013; B. FINANCE COMMITTEE – March 19th 2013; C. BOARD OF ZONING APPEALS – February 6th 2013; D. PUBLIC WORKS COMMITTEE – March 12th 2013; E. PUBLIC WORKS COMMITTEE – April 1st 2013; F. PERSONNEL COMMITTEE – March 19th 2013; G. Prairie du Chien Half Marathon & 5K Race – This would be for a 3-year commitment on St. Feriole Island. This year's event is scheduled for May 4th; H. Blackhawk Mile (Special Event/Parade Permit) – This event will be held on June 7th; I. Mighty Machines (Prairie du Chien Memorial Hospital and Family Resource Center) (Street Party/Closure Permit) – This even will be held on May 11th from 10 AM to 3 PM; J. OPERATORS LICENSES

The City Administrator requested that item G be removed. ACTION: To approve the Consent Agenda minus item G MOTION: Hein SECOND: Munson VOTE: 12-0

III. ITEMS REMOVED FROM CONSENT AGENDA

G. Prairie du Chien Half Marathon & 5K Race - Jenny Hager addressed the Council on the growth of the event and thanked the City for its support ACTION: To approve item G of the Consent Agenda MOTION: Solomon SECOND: Ames VOTE: 12-0

IV. CITY ADMININSTRATOR'S REPORT – No formal action taken

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)

C. DISCUSSION AND ACTION – 22nd Street Development

Kurt Muchow(Vierbicher) reviewed the proposal with the Council. The following items are related to the recently-announced 22nd Street project:

* PUBLIC WORKS - 22nd Street Subdivision Layout - Staff presented several options for the possible layout of streets and lots in the proposed 22nd Street subdivision at the Committee's April 1st meeting. The Committee met earlier this evening to choose a final design. ACTION: To approve the proposed layout for the subdivision MOTION: Leys SECOND: Solomon VOTE: 12-0

* Resolution 2013-09 (RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$3,850,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2013) - This will begin the financing phase of the 22nd Street Development project. An additional component – installing curb and gutter, and widening Campion Boulevard from 18th to 22nd Streets – has been added to the project for the Council to consider. ACTION: To approve Resolution 2013-09 MOTION: Pintz SECOND: Solomon VOTE: 12-0

* PUBLIC WORKS – Public Informational Meeting on 22nd Street Project - At its April 1st meeting, the Committee voted to hold the meeting on Thursday April 18th at 6:30 PM in the Council Chambers. ACTION: To approve holding the informational meeting on April 18th at 6:30 PM in the Council Chambers MOTION: Kozelka SECOND: Pintz VOTE: 12-0

A. DISCUSSION AND ACTION – Proposed Resort Area Sales Tax Legislation

Senator Shilling's office has provided a draft of the proposed resort area sales tax legislation at the request of the City. A draft of the bill was included in the packet, and the Senator is requesting the Council officially support the proposed bill before it begins the legislative process. ACTION: To approve the draft legislation authorizing the resort area sales tax in Prairie du Chien MOTION: Hein SECOND: Solomon VOTE: 12-0

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve the claims MOTION: Hein SECOND: Munson VOTE: 12-0

B. FINANCE - Resolution 2013-12 (ESTABLISHING AN EQUIPMENT REPLACEMENT AND INFRASTRUCTURE FUND AND DESIGNATING FUTURE BUDGET SURPLUSES)

This resolution outlines a series of policies and new finance and budget goals, including a plan to address the unfunded Compensated Absences (retirement and termination payouts) liability, and investment of any future budget surpluses in an Equipment Replacement and Infrastructure Fund. ACTION: To approve Resolution 2013-12 MOTION: Hein SECOND: Ames VOTE: 12-0

C. FINANCE - Professional Services Agreement with MSA to perform traffic counts for the nine at-grade rail crossings

This information is necessary to maintain quiet zone status. A memo from City Planner Frable was included in the packet. The cost for the traffic counts (\$6,300) would be divided between the City's TIF Districts (\$1,260) and the Contingency Fund (\$5,040). ACTION: To approve the Professional Services Agreement with MSA to perform traffic counts for the nine at-grade rail crossings MOTION: Hein SECOND: Pintz VOTE: 12-0

D. PUBLIC WORKS/FINANCE – Approval of Bids for Bituminous Paving, Concrete and Seal Coating

ACTION: To approve the following bids: Bituminous Paving (Iverson Construction), Seal Coating (Fahrner Asphalt) and Curb and Gutter and Sidewalk Replacement (JT Concrete) MOTION: Kozelka SECOND: Hein VOTE: 12-0

E. PUBLIC WORKS - Water Leak Survey (Informational Item Only)

The Water Department advertised for quotes on the performance of a water leak survey on the water distribution system. The proposal was to have a sound survey on all hydrants and correlate with accessible line valves to locate all leaks and mark in the field, submit report with diagrams of all leaks found and recommendations/observations where appropriate. The City of Prairie du Chien has 55.6 miles of metallic piping which needs to have a leak survey perform upon. There are 318 fire hydrants and 590 main valves in the water system. The City received 4 quotes from responsive companies. The low quote was from Municipal Management Corp. from Madrid, Iowa for the amount of \$3,395.00. This certain company has performed a water leak survey for the City in past years and is highly recommended. This bid is below the threshold needed for Council action, and the bid has been awarded so work can begin. No formal action taken.

VII. OLD BUSINESS - None

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

B. DISCUSSION AND ACTION – Appointment of Independent Hearing Officer

The City and one of its employees are currently involved in a grievance procedure, which has reached the stage where the Council is required to appoint an Independent Hearing Officer (Chapter 22.16 (3) (c) (4) – Grievance Procedure). Bill Sexton has indicated he is willing to serve as the Independent Hearing Officer, and staff would recommend his appointment by the Council. ACTION: To appoint Bill Sexton as the Independent Hearing Officer MOTION: Solomon SECOND: Ames VOTE: 12-0

D. DISCUSSION AND ACTION – Resolution 2013-14 (DESIGNATING THE BOUNDARIES OF THE REDEVELOPMENT AREA, DECLARING AREA TO BE BLIGHTED, AND ADOPTION OF REDEVELOPMENT PLAN)

ACTION: To approve Resolution 2013-014 MOTION: Solomon SECOND: Titlbach VOTE: 12-0

E. DISCUSSION AND ACTION - Finding of no public need of the property proposed to be sold to RDA

ACTION: To find no public need of the property proposed to be sold to RDA MOTION: Titlbach SECOND: Solomon VOTE: 12-0

G. DISCUSSION AND ACTION – Resolution 2013-15 (AUTHORIZING TRANSFER OF FUNDS FROM TID #6 TO TID #4 FOR GRANT TO RDA TO ACQUIRE PROPERTY AND DO REMEDIATION)

ACTION: To approve Resolution 2013-15 MOTION: Solomon SECOND: Ames VOTE: 12-0

F. DISCUSSION AND ACTION - Approve sale of property to RDA

ACTION: To approve the sale of the City's property at Block 43 to the RDA MOTION: Pintz
SECOND: Ames VOTE: 12-0

H. DISCUSSION AND ACTION – Resolution 2013-16 (AUTHORIZING TRANSFER OF FUNDS FROM TID #4 TO RDA TO ACQUIRE AND REMEDIATE PROPERTY)

ACTION: To approve Resolution 2013-16 MOTION: Solomon SECOND: Titlbach VOTE: 12-0

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

J. ADJOURN into closed session (8:20 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: Pending and possible litigation; and under Wisconsin Statute 19.85 (1) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility RE: Municipal Judge Position MOTION: Solomon SECOND: Munson VOTE: 12-0

NOTE: Jones left the closed session at 9:00 PM.

K. CONVENE into open session (9:26 PM)

MOTION: Munson SECOND: Hein VOTE: 12-0

L. ACTION from closed session

ACTION: To take no position in the complaint from De Brad, Inc., v. the Town of Prairie du Chien (d/b/a Town of Prairie du Chien Sanitary District #2) filed before the Public Service Commission MOTION: Pintz SECOND: Titlbach VOTE: 10-0-1 (Kozelka abstained)

ACTION: To direct the City Attorney to draft a letter to Community Health Services Corporation requesting the return of the \$115,000 paid to them under the Prairie Maison development agreement, signed in 2009 MOTION: Solomon SECOND: Kozelka VOTE: 11-0

ACTION: To appoint Daniel Key as the municipal judge for the Prairie du Chien Municipal Court MOTION: Pintz SECOND: Munson VOTE: 9-0-2 (Thein and Solomon abstained)

IX. ADJOURN (9:35 PM)

MOTION: Solomon SECOND: Kozelka VOTE: 11-0

Submitted by City Administrator Aaron Kramer

NOTE: This meeting has been moved from Tuesday April 2nd due to the Spring Election. The Tuesday April 16th meeting has been moved to Tuesday April 23rd at 7:00 PM. The Council will also meet on Tuesday April 23rd at 6:45 PM for a re-organizational meeting.

RESOLUTIONS APPROVED

* **Resolution 2013-07 (HONORING THE SERVICE AND DEDICATION OF MICHAEL DOUGLASS TO VILLA LOUIS AND THE PRESERVATION OF THE HERITAGE AND HISTORY OF PRAIRIE DU CHIEN)**

* **Resolution 2013-08 (DECLARING MAY 11TH BICYCLE DAY AND MAY 12TH TO MAY 18TH BIKE TO SCHOOL AND WORK WEEK IN THE CITY OF PRAIRIE DU CHIEN)**

- * Resolution 2013-09 (RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$3,850,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2013)**
- * Resolution 2013-10 (COMMENDING THE SERVICE OF LINDA MUNSON ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)**
- * Resolution 2013-11 (COMMENDING THE SERVICE OF KATHLEEN HEIN ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)**
- * Resolution 2013-12 (ESTABLISHING AN EQUIPMENT REPLACEMENT AND INFRASTRUCTURE FUND AND DESIGNATING FUTURE BUDGET SURPLUSES)**
- * Resolution 2013-14 (DESIGNATING THE BOUNDARIES OF THE REDEVELOPMENT AREA, DECLARING AREA TO BE BLIGHTED, AND ADOPTION OF REDEVELOPMENT PLAN)**
- * Resolution 2013-15 (AUTHORIZING TRANSFER OF FUNDS FROM TID #6 TO TID #4 FOR GRANT TO RDA TO ACQUIRE PROPERTY AND DO REMEDIATION)**
- * Resolution 2013-16 (AUTHORIZING TRANSFER OF FUNDS FROM TID #4 TO RDA TO ACQUIRE AND REMEDIATE PROPERTY)**
- * Resolution 2013-17 (SUPPORTING THE DEVELOPMENT OF THE ST. FERIOLE ISLAND TRAIL)**
- * Resolution 2013-18 (DECLARING APRIL 26TH ARBOR DAY IN THE CITY OF PRAIRIE DU CHIEN)**