

CITY OF PRAIRIE DU CHIEN

214 East Blackhawk Avenue - PO Box 324 - Prairie du Chien, WI 53821

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Notice is hereby given according to State Statutes that the **COMMON COUNCIL** of the City of Prairie du Chien will meet on **Tuesday May 7th 2013 at 7:00 P.M.** in the Council Chambers of City Hall

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PROOF OF POSTING AFFIDAVIT: This agenda was posted more than 24 hours prior to the start of this meeting as follows: City Hall, 214 E. Blackhawk Avenue (kiosk) - Library, 125 S. Wacouta Avenue - U.S. Post Office, 120 S. Beaumont Rd. - Mailed & emailed to Members - News media as requested

MEETING NOTICE – COMMON COUNCIL

Tuesday May 7th 2013 – 7:00 P.M. – Council Chambers – City Hall

ITEMS TO BE DISCUSSED AND ACTED UPON:

- * Call to order/Roll Call.
- * Certification of the open meeting law agenda requirements and approval of the agenda
- * Pledge of Allegiance

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING - Request from Thomas & Barbara Stram, 200 block of South Main Street, to rezone Lot 1 of CSM #1270 as filed in Vol. 11/CSM/37 as Document #305683, being a part of Lots 15, 16, & 17, Block 121 and Lot 5, Block 122; Union Plat (parcel #271-1893-0000 – 200 block of S. Main St.); from R-3 “High Density Residential” to B-1 “Central Business” Zoning District.

The Plan Commission approved the following motion at its April 15th meeting: To recommend the Council approve the request from Thomas & Barbara Stram, 200 block of South Main Street, to rezone from R-3 “High Density Residential” to B-1 “Central Business” Zoning District, due to the following factors: 1) The proposal conforms with the Downtown Plan, 2) the proposal conforms with the City’s Comprehensive Plan, 3) the land is adjacent to B-1 property, and 4) the proposal puts former public land on the tax rolls.

B. ACTION on aforesaid agenda item

C. PUBLIC HEARING - Request from Prairie du Chien Memorial Hospital, 37868 US Hwy 18, to rezone Parcel “A” described as Parcel 1 in Document #316280, also lands described in Document #317191, Lots 1 and 2 of CSM #1220 and Lot 1 of CSM #239 being located in Farm Lots 41, 42, and 43 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin (as outlined in Attachment “A” – 37868 US Highway 18); from AT “Agricultural Transition” to PCD “Planned Community Development” Zoning District

The Plan Commission recommended approval of the re-zoning at its April 15th meeting.

D. ACTION on aforesaid agenda item

II. CONSENT AGENDA

(The following items may be approved on a single motion and vote due to their routine nature or previous discussion. Please indicate to the Mayor/Council President if you would prefer separate discussion and action.)

- A. COUNCIL MINUTES – April 23rd 2013
- B. COUNCIL MINUTES (Re-Organizational) – April 23rd 2013
- C. FINANCE COMMITTEE – April 9th 2013
- D. BOARD OF ZONING APPEALS – March 27th 2013
- E. POLICE CHIEF’S REPORT – First Quarter 2013
- F. OPERATORS LICENSES
- G. CLASS “B” FERMENTED MALT BEVERAGE LICENSE – St. Feriole Island Ballpark (Anthony Rangel)

III. ITEMS REMOVED FROM CONSENT AGENDA

IV. CITY ADMININSTRATOR'S REPORT

A. DISCUSSION AND ACTION – 2013 Summer Activity Guide

This year's guide is sponsored by Peoples' State Bank.

V. CITIZENS' COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT

(Please limit comments to no more than three minutes)

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

B. FINANCE – Disbursement of funds from inactive account

Staff has recently discovered an inactive fund containing \$15,387.50, which were funds paid to the City in 1989 by a developer to compensate for not providing the required green space and park space in a subdivision. A proposed procedure to expend the funds is included in the packet.

C. FINANCE - Purchase of All Traffic Solutions Speed Board (Police)

A memo from Sergeant Teynor is included in the packet, outlining the rationale behind the purchase and the source of the funds.

D. FINANCE – Resolution 2013-19 (RESOLUTION AWARDING THE SALE OF APPROXIMATELY \$3,850,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2013)

These bonds will finance the 22nd Street project. These bonds will finance the 22nd Street project. The Resolution, with the bid results, will be provided at the meeting.

E. FINANCE – Relocation of a Portion of the Carquest Building on Marquette Road to the Street Department and Waiving of Bid Process

Staff is proposing to save the metal portion of the Carquest building and move it to the Street Department for Public Works use with the long-term plan to tear down the Moore Building on St. Feriole Island. Due to the short time frame to move the building and the uncertainty that there are enough local options to request bids from, staff recommends waiving the bid requirements and awarding the contract to move the building to Heritage Movers (Mt. Hope, WI) for \$9,800. A memo outlining the costs is included in the packet.

F. PLAN COMMISSION – Preliminary Plat for 22nd Street Subdivision

The Plan Commission recommended approval at its April 15th meeting.

VII. OLD BUSINESS

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

A. DISCUSSION AND ACTION – Notification of Deficiency in the Water Department and Corrective Action Taken

Late last month, the Water Department was notified of that it had failed to meet the DNR's requirements to complete all high hazard commercial and industrial cross connection inspections with the 2-year time frame. The deficiency has been resolved, and steps have been taken to prevent this from happening in the future. Larry Gates will be present to address the Council on the matter.

B. DISCUSSION AND ACTION – 2012 Consumer Confidence Report (Water Department)

Staff would recommend approval of the 2012 CCR.

C. DISCUSSION AND ACTION – Approval of Shared Resource and Information Agreement between the City and the Crawford County Land Conservation, Planning and Zoning Department

This agreement would allow the City to utilize the County's resources if a non-metallic mining permit is requested in the future (Ordinance 2013-03).

D. DISCUSSION AND ACTION – Mayoral Appointments

A memo with the appointments is included in the packet.

E. DISCUSSION AND ACTION – Future Council action involving Pattison Sand’s unloading site adjacent to the Highway 18 bypass

The packet includes a letter sent to the Surface Transportation Board (STB) from City Attorney Peterson requesting an information opinion on the issue of pre-emption and the unloading site, and a letter from the STB stating they will not issue an informal opinion at this time.

F. DISCUSSION AND ACTION – Ordinance 2013-14 (AMENDING CHAPTER 9.01 (OFFENSES AGAINST STATE LAW SUBJECT TO FORFEITURE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

In reviewing our Municipal Code in anticipation of the new Municipal Court, staff found several corrections that need to be made to Chapter 9.01. These are state statutes that can be issued as city ordinance violation upon adoption, a common practice among municipalities. Eight are being removed due to being felonies, one is a crime found elsewhere in the code book, and three have been added to the ordinance.

G. DISCUSSION AND ACTION – Motion to Rescind Previous Council Action

On April 23rd, the Council approved the following motion regarding the request of Carriage Classic to hold their event on St. Feriole Island in September –To send the item back to the Park Board for more consideration. On April 30th, Alderman Titlbach notified the City Administrator of her intent to request the motion be rescinded. A majority vote is required to approve the motion to rescind.

H. DISCUSSION AND ACTION – Approval of Bond Schedules for Municipal Court

According to the Wisconsin Court System, the municipal judge shall establish and submit to the Common Council for approval, in accordance with Wisconsin State Statute 800.03(3), a schedule of deposits for violations of city ordinances, resolutions and bylaws. The proposed schedule is included in the packet.

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

J. ADJOURN to CLOSED SESSION

1. Under Wisconsin State Statute 19.85 (1) (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 against the City

K. CONVENE into open session

L. ACTION from the closed session

IX. ADJOURN

Aaron Kramer, City Administrator