

Common Council Meeting (August 20th 2013)

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday August 20th 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** – Mike Jones and Jean Titlbach absent
Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Thein SECOND: Ames VOTE: 10-0 **Pledge of Allegiance** – Led by Karen Solomon

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PRESENTATION AND ACTION – Bicentennial Year of the Battle of Prairie du Chien (2014)
Susan Caya-Slusser (Villa Louis) and Mary Antoine (Prairie du Chien Historical Society-Fort Crawford Museum) discussed the many events scheduled to mark the bicentennial of the Battle of Prairie du Chien. They asked the Council to consider ways that they and the City may be able to participate.

II. CONSENT AGENDA

A. COUNCIL MINUTES – August 6th 2013; B. FINANCE COMMITTEE – August 6th 2013; C. PERSONNEL COMMITTEE – June 4th 2013; D. PROTECTION AND HEALTH COMMITTEE – March 12th 2013; E. PUBLIC WORKS COMMITTEE – August 6th 2013; F. PLAN COMMISSION – July 15th 2013; G. OPERATORS LICENSES; H. PARADE REQUEST – Prairie du Chien High School Homecoming (September 11 – 6:30 to 7:00 PM); I. FIRE CHIEF’S REPORT – July 2013 ACTION: To approve the Consent Agenda MOTION: Pintz SECOND: Wagar VOTE: 10-0

III. ITEMS REMOVED FROM CONSENT AGENDA - None

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

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

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve MOTION: Thein SECOND: Ames VOTE: 10-0

B. FINANCE – Amendment #7 to the Contract between the City of Prairie du Chien and MSA Professional Services

This amendment covers additional work necessary for the real estate acquisition related to the Marquette Road project. \$10,400 of the \$14,200 amendment will be reimbursable by the WDOT. It is anticipated that this will be the final amendment needed to complete the real estate acquisition. ACTION: To approve Amendment #7 to the Contract between the City of Prairie du Chien and MSA Professional Services MOTION: Thein SECOND: Ames VOTE: 10-0

C. FINANCE - Review and action on TIF assistance to Hess Auto for relocation of the gas main at new location

The location for the new Hess Auto building necessitates relocating a large gas main at a cost of \$8,040. The site falls within a half-mile of TID #5 and is an eligible TIF expense. This expense supports the Marquette Road project in assisting in the relocation of this business. ACTION: To approve the TIF assistance to Hess Auto for relocation of the gas main at new location MOTION: Solomon SECOND: Wagar VOTE: 10-0

D. PUBLIC WORKS – Water Main Issue with Town of Bridgeport

The City and the Town of Bridgeport (“the Town”) had a discussion last week on the ownership of the water main serving the new Prairie du Chien Hospital. The Town is claiming the portion which will be in the land annexed to the City last year should remain in their possession. In a letter sent to City Attorney Peterson on August 9th, the Town has indicated it will drop its ownerships claims if the City does the following: 1) Agree to an annexation moratorium through 2033, and 2) extend the current water and sewer agreement, which expires in September 2017, to September 2027. Staff is recommending the City not agree to either stipulation due to the potential long-term negative impact on the City and its future growth. ACTION: To respectfully decline the offer from the Town of Bridgeport, and extend an invitation to the Town to begin discussions on the water and sewer agreement MOTION: Kozelka SECOND: Ames VOTE: 10-0

E. PUBLIC WORKS - Public Works Projects

Staff is proposing two public works projects – 1) grinding the large asphalt heaves on Marquette Road, and 2) removing the concrete islands from the Starks Parking lot downtown. Funds would come from existing budget accounts, and the work would be done later this summer or early fall. ACTION: To approve the projects MOTION: Kozelka SECOND: Pintz VOTE: 10-0

F. PUBLIC WORKS - Wastewater Treatment Facility Compliance Testing

Staff presented the recent results of the WWTP’s Whole Effluent Toxicity (WET) testing, which shows we continue to be discharging high quality effluent from the facility into the Mississippi River watershed. ACTION: To accept the report MOTION: Kozelka SECOND: Pintz VOTE: 10-0

G. PUBLIC WORKS – Annual Water Supply Inspection

The inspection of August 8th shows that most of the deficiencies identified before have been resolved or are in the process of being resolved. ACTION: To accept the report MOTION: Kozelka SECOND: Gilberts VOTE: 10-0

H. PUBLIC WORKS – ArmorMax Reinforcement for the Water Reservoir Road

The June flooding caused a large washout along a road that leads to their water reservoirs. The City is looking at options to permanently stabilize this side slope so future problems do not occur. The City would like to do the project themselves, and are looking at options that will not be overly expensive and relatively easy to install given the site conditions. Staff recommended approval of moving ahead with the ArmorMax Reinforcement option at a cost of roughly \$2,900, with funds coming from the existing budget. ACTION: To approve the Armor Max Reinforcement project for the water reservoir road MOTION: Kozelka SECOND: Pintz VOTE: 10-0

I. PUBLIC WORKS – Marquette Road Rail Spur

In light of the recent ruling from the Office of Commissioner of Railroads, staff would recommend the City approve its participation in the improvement of the spur, at an estimated cost of \$11,000. The funds would come from TID #6. Staff recommended a cap on the city’s contribution to cover any possible appeal or re-ruling on the issue. ACTION: To recommend the Marquette Railroad spur be improved, with the City’s contribution level, coming from TID funds, not to exceed \$15,000 MOTION: Kozelka SECOND: Pintz VOTE: 10-0

J. PERSONNEL - Ordinance 2013-21 (CREATING SECTION 12.35 (TATTOO AND BODY PIERCING ESTABLISHMENTS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance, drafted at the request of Alderman Ames, would regulate the establishment and operations of tattoo and body piercing establishments in the City. It would require a permit and would prohibit such businesses in all zoning districts except B-2 (Highway Commercial District) or I-1 (Industrial/Nonmanufacturing District). Considerable discussion was held. Pintz said he did felt that a tattoo parlor should be allowed to operate in the downtown. Brent Severson (Skin

Gallery) addressed the Council and said he felt the Ordinance had some areas of concern, namely the regulated hours of operation, and provided some written suggestions to City staff to review. ACTION: To refer the Ordinance to the Plan Commission for their September 16th meeting to address the zoning issue, and refer the Ordinance overall back to the Personnel Committee MOTION: Leys SECOND: Wagar VOTE: 10-0

K. PLAN COMMISSION - Review and recommendation on Certified Survey Map located in Farm Lot 37 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin, also being Block 161, replat of Lower Prairie du Chien Addition to the City of Prairie du Chien, part of Block 79, Lower Prairie du Chien Addition to the City of Prairie du Chien, and the vacated 21st Street and alley recorded in Volume 333, Pages 27-29 – brought by Stephen Welter

The Plan Commission recommended approval at its August 19th meeting. The land is located at the intersection of Campion Boulevard and 22nd Street. ACTION: To approve the CSM MOTION: Wagar SECOND: Solomon. Pintz questioned whether the Council could deny the CSM since the land in question is being considered for an animal shelter. The City Administrator said that the CSM met the City's requirements, and possible or proposed usage should not be used as a factor in the Council's vote. The City Attorney was asked for a legal opinion on the possible rejection of the CSM on this factor, and said he would need further time. Wagar and Solomon withdrew their motions. ACTION: To table the issue until the September 3rd Council meeting MOTION: Wagar SECOND: Solomon VOTE: 10-0

L. PLAN COMMISSION - Review and recommendation on Certified Survey Map located in Farm Lots 33 and 34 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin, also being part of Lots 5 and 10, Block 126, Union Plat of the City of Prairie du Chien, and part of Lot 1, Crawford County Certified Survey Map Number 1091, Document Number 292109, and the vacated Webster Street and alley – brought by Richard Sheckler Construction, LLC.

The Plan Commission recommended approval at its August 19th meeting. ACTION: To approve the CSM MOTION: Pintz SECOND: Ames VOTE: 10-0

M. PLAN COMMISSION - Review and recommendation on Certified Survey Map located in Farm Lot 43 of the Private Land Claims at Prairie du Chien including all of Lot 1 of Crawford County Certified Survey Map Number 327, Town of Bridgeport, which is in the extraterritorial limits of the City of Prairie du Chien, Crawford County, Wisconsin – brought by Nathan and Lindsay Cejka

The Plan Commission recommended approval at its August 19th meeting. ACTION: To approve the CSM MOTION: Gilberts SECOND: Kozelka VOTE: 10-0

N. PLAN COMMISSION - Review and recommendation on Certified Survey Map located in Lot 4 of Crawford County Certified Survey Map Number 493, located in the SW1/4 of the NW1/4 of Section 32, T7N, R6W, Town of Bridgeport, which is in the extraterritorial limits of the City of Prairie du Chien, Crawford County, Wisconsin – brought by Eric Frydenlund.

The Plan Commission recommended approval at its August 19th meeting. ACTION: To approve the CSM MOTION: Leys SECOND: Wagar VOTE: 10-0

O. PROTECTION AND HEALTH – Ordinance 2013-22 (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)

This Ordinance would add the following state statute to the list of municipal code violations – 346.25 (Crossing at place other than crosswalk), or more commonly known as “jaywalking”. ACTION: To approve Ordinance 2013-22 (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) MOTION: Wagar SECOND: Solomon VOTE: 10-0

VII. OLD BUSINESS - None

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

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

Pintz said he would like an update on the Hoffman Hall fundraising efforts, and a review of how the funds were spent on the project.

IX. ADJOURN (8:10 PM)

MOTION: Solomon SECOND: Wagar VOTE: 10-0

Submitted by City Administrator Aaron Kramer

ORDINANCES ADOPTED

*** Ordinance 2013-22 (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)**