

## **Common Council Meeting (November 5th 2013)**

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday November 5<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** – Frank Pintz and Jean Titlbach absent **Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Solomon SECOND: Thein VOTE: 10-0 **Pledge of Allegiance** – Led by Ron Leys

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

#### **A. PRESENTATION – Bird City Application**

Denny Kirschbaum provided an update on efforts to designate the City as a Bird City Wisconsin community.

#### **B. DISCUSSION AND ACTION – Resolution 2013-38 (DECLARING MAY 10<sup>th</sup> 2014 AS INTERNATIONAL MIGRATORY DAY IN THE CITY OF PRAIRIE DU CHIEN)**

ACTION: To approve Resolution 2013-38 MOTION: Solomon SECOND: Kozelka VOTE: 10-0

#### **C. PRESENTATION – Pedestrian-Vehicle Safety Issues at Well Street-Marquette Road intersection**

Staff presented an update on the possible options for improving pedestrian-vehicle safety at this intersection. The City Administrator said a number of minor improvements have been made to the intersection, but said that it is not being recommended a High-Intensity Activated Crosswalk Pedestrian Signal (HAWK) system be installed due to cost (\$60-80,000 per unit) and the fact the City would probably not meet the pedestrian crossing requirements to get federal and state approval. He said that staff did meet with the DOT late last month to discuss this crossing and others, and said pedestrian improvements (Rapid Rectangular Flashing Beacons) will be made to Parrish and Marquette in 2014 and Mooney and Marquette in 2017. He said pedestrians should be encouraged to use the Webster-Marquette crossing, and the two improved crossings in the future. No formal action was taken.

### **II. CONSENT AGENDA**

A. COUNCIL MINUTES – October 15th 2013; B. FINANCE COMMITTEE – October 15th 2013; C. POLICE AND FIRE COMMISSION – September 10th 2013; D. PLAN COMMISSION – September 16th 2013; E. DESIGN AND PRESERVATION COMMISSION – October 9th 2013; F. PRAIRIE DU CHIEN CHAMBER OF COMMERCE HOLIDAY PARADE – December 6th 2013; G. OPERATORS LICENSES (if any) ACTION: To approve the Consent Agenda MOTION: Leys SECOND: Jones VOTE: 10-0

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

Without objection, the agenda was moved:

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

#### **D. DISCUSSION AND ACTION – Resolution 2013-40 (DECLARING NOVEMBER TO BE ALZHEIMER'S DISEASE AWARENESS MONTH IN PRAIRIE DU CHIEN)**

ACTION: To approve Resolution 2013-40 MOTION: Solomon SECOND: Wagar VOTE: 10-0

### **IV. CITY ADMINISTRATOR'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, with the addition of two claims for Rule Construction (Campion Boat Landing - \$96,122.26 and Washington Street Park Improvements - \$39,679.27) MOTION: Their SECOND: Kozelka VOTE: 10-0

#### B. FINANCE - Professional Services Agreement (PSA) with Vierbicher Associates

This PSA cover the Marquette Road Construction Phase Services, including the following proposed projects: Water Main and Sanitary Sewer and Landscaping - Community Sensitive Design (CSD). The general services include surveying, engineering, landscape architecture and Safe Drinking Water Loan administration for the construction phase of the above projects. The cost (\$70,610) will come from various sources – the 2014-2016 Capital Budget, TIF District #6, and the General Fund. ACTION: To approve the PSA with Vierbicher Associates MOTION: Solomon SECOND: Wagar VOTE: 10-0

#### C. FINANCE – Resolution 2013-41 (INCLUSION UNDER GROUP LIFE INSURANCE)

Under our current plan with the State, a final post-retirement benefit in the amount of 25 percent of an employee's pre-retirement Basic coverage is 20 percent of the total employee premium. This resolution would increase the final benefit to 50 percent of an employee's pre-retirement benefit, at the cost of 40 percent of the total employee premium (this would result in an increase of roughly \$400 per year, to \$800 per year, to the General Fund). This would allow for retirees to maintain their life insurance coverage post-employment. ACTION: To approve Resolution 2013-41 MOTION: Wagar SECOND: Their VOTE: 10-0

#### VII. OLD BUSINESS - None

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

##### A. DISCUSSION AND ACTION – Possible Changes to Council Agenda and Rules of Procedure

A memo from the City Administrator with a proposed change to the Council Agenda, as well as some proposed changes to the Rules of Procedure for the Council, was discussed. ACTION: To direct the City Administrator to draft an ordinance with the recommended changes MOTION: Wagar SECOND: Solomon VOTE: 10-0

##### B. MAYORAL APPOINTMENTS

A memo with the new Committee assignments is included in the packet. ACTION: To approve the following appointments: a) Jamie Wagar to the Plan Commission replacing Judeen Ames (Council Representative), and b) Jim Welsch to the Park Board, replacing Jaaren Riebe to a term expiring May 1st 2016 MOTION: Solomon SECOND: Gilberts VOTE: 10-0

##### C. DISCUSSION AND ACTION – Resolution 2013-39 (ENCOURAGING THE WISCONSIN LEGISLATURE TO ENACT THREE ECONOMIC DEVELOPMENT BILLS IN THE UPCOMING LEGISLATIVE SESSION)

ACTION: To approve Resolution 2013-39 MOTION: Solomon SECOND: Their VOTE: 10-0

##### E. DISCUSSION AND ACTION – Resolution 2013-42 (OPPOSITION TO SB 349, PREEMPTING MUNICIPAL AUTHORITY TO REGULATE WATER QUALITY AND QUANTITY, AIR QUALITY, USE OF EXPLOSIVES, BORROW PITS ASSOCIATED WITH DOT CONSTRUCTION PROJECTS, AND NONMETALLIC MINING)

The Wisconsin League of Municipalities opposes SB 349 (Eliminating or reducing municipal authority to regulate air quality, water quality and quantity, the use of explosives at quarries, borrow pits and material disposal sites related to DOT construction projects, and non-metallic mining). Senator Tom Tiffany (R-Hazelhurst) introduced the bill on October 22. His committee

held a hearing on the bill on October 24. The League is asking members to pass the enclosed resolution and to share it with our local legislators. ACTION: To approve Resolution 2013-42 MOTION: Fleshner SECOND: Solomon VOTE: 9-0-1 (Kozelka abstained)

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

Leys asked that the staff review its notification process for residents affected by Public Works projects. The City Administrator stated that the review is currently being done in response to some resident concerns on the Campion-22<sup>nd</sup> Street project.

G. ADJOURN into closed session (8:00 PM)

ACTION: To go into closed session 1) 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 litigation; 2) Under Wisconsin 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: Utility Ownership Issue before the Public Service Commission involving the City of Prairie du Chien and the Town of Bridgeport; 3) 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: Haydn Street railroad crossing (litigation); 4) Under Wisconsin State 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: Appointment of a Lead Operator in the Street Department; 5) Under Wisconsin 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: Business Expansion Assistance MOTION: Solomon SECOND: Thein VOTE: 10-0

NOTE: Gilberts left the closed session at 8:30 PM and returned at 8:58 PM

H. CONVENE into open session (9:01 PM)

MOTION: Wagar SECOND: Thein VOTE: 10-0

I. ACTION from closed session

ACTION: To approve the recommendation of the hiring subcommittee to appoint Dan Titlbach to the position of lead operator in the Street Department MOTION: Solomon SECOND: Leys VOTE: 8-1-1 (Boylan opposed, Gilberts abstained)

IX. ADJOURN (9:02 PM)

MOTION: Solomon SECOND: Leys VOTE: 10-0

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Dave Hemmer, Mayor

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Submitted by City Administrator Aaron Kramer

RESOLUTIONS APPROVED

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