

Common Council Meeting (December 3rd 2013)

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday December 3rd 2013 at 7:00 PM in the Council Chambers of City Hall. In the absence of Mayor Dave Hemmer, Council President Ken Fleshner called the meeting to order. **Call to order/Roll Call** – Mike Jones absent **Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Thein SECOND: Solomon VOTE: 11-0 **Pledge of Allegiance** – Led by Mark Thein

I. PUBLIC HEARINGS AND PRESENTATIONS

A. PUBLIC HEARING – Proposed 2014 Budget

Fleshner opened the public hearing at 7:02 PM. City Administrator Kramer reviewed the budget, and said the projected 2014 tax bills would be down \$2.19 on a home assessed at \$100,000. He said the City's portion of that tax bill, which includes a 1.5 percent increase in the tax levy, is down \$11.89 per \$100,000 due to the property growth in the City. He said all of the other taxing jurisdictions were up from their 2013 numbers. Kramer said another large factor in the overall decrease was a \$28.13 increase in the state lottery credit. Pintz asked what future budgets look like, and Kramer said that the Council should not expect a similar large increase in property values in the future. He did say overall the City's finances are in good shape. No one from the public addressed the Council. Fleshner closed the public hearing at 7:09 PM.

B. ACTION on aforesaid agenda item

Kramer said the Ft. Crawford Museum was requesting an additional \$500 for a total of \$4,000 from the City in the 2014 budget. He supported the request, and said the funds could come from the Contingency Fund, which is currently \$107,886. ACTION: To approve the 2014 budget with an additional \$500 being provided to the Ft. Crawford Museum with those funds being taken from the Contingency Fund MOTION: Pintz SECOND: Wagar VOTE: 11-0

C. DISCUSSION AND ACTION – Ordinance 2013-28 (APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE GOVERNMENT AND ADMINISTRATION OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

ACTION: To approve Ordinance 2013-28 MOTION: Pintz SECOND: Solomon VOTE: 11-0

D. PRESENTATION – Godden Pit Analysis Summary

Kurt Muchow (Vierbicher) presented the analysis of the Godden Pit watershed. The purpose of this analysis was to document the existing condition of the Pit, analyze future storm water needs and make recommendations for improvements to Godden Pit. Muchow noted that the Pit has an infiltration problem due to a buildup of clay and sediment at the base, which is increasing the time it takes for the water to drain. He said the June 2013 storms brought the Pit within nine feet of overflowing, but that there was still considerable capacity at the time to take on additional water. Three options were presented. One would involve a pipe to the Mississippi River, at an estimated cost of \$1.1 million. Staff said the pricetag would make this option extremely difficult to finance. The other two options involve creating three forebays at the storm sewer pipe inlets to remove up to 80 percent of the suspended solids which would make future maintenance easier. One option would require the removal of up to 10,507 cubic yards of fill (estimated cost - \$195,000); the other would require the removal of 37,400 cubic yards (\$428,470). Kramer said that staff is supporting the option which includes the larger removal of fill, with the funds coming from TIF Districts #5 and #6. The consensus of the Council was to direct Vierbicher and the staff to develop a dual bid for both options, and present a timetable and formal proposal for the December 17th Council meeting, with work to be done in 2014.

II. CONSENT AGENDA

A. COUNCIL MINUTES – November 19th 2013; B. FINANCE COMMITTEE – November 19th 2013; C. PARK BOARD – September 18th 2013; D. REDEVELOPMENT AUTHORITY – October 9th 2013; E. OPERATORS LICENSES (if any) ACTION: To approve the Consent Agenda MOTION: Titlbach SECOND: Pintz VOTE: 11-0

III. ITEMS REMOVED FROM CONSENT AGENDA – None

IV. CITY ADMINISTRATOR'S REPORT

Kramer reminded the Council of the upcoming spring elections. He also informed the Council that the City has received an award from the DNR for its recycling efforts, and has been named a Bird City USA Community. He also informed them of an award for the Park and Rec Department from the State Park and Rec Association for the Granny Basketball Program at Hoffman Hall.

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

VI. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve MOTION: Thein SECOND: Kozelka VOTE: 11-0

B. FINANCE – Professional Services Agreement (PSA) with Vierbicher for the TID No. 6 Business Park Expansion – Predevelopment Phase Services

The City purchased 35 acres of land adjacent to TID No. 6 to expand the Business Park. A Plat of Survey and several conceptual development plans have been completed for the project. The City would like to implement design and construction of Phase 1 of the Business Park expansion prior to the end of the TID No. 6 expenditure period on September 16, 2014. Prior to starting the actual design of the proposed improvements, the City needs to complete activities to "firm-up" the scope of the project and conditions that may be imposed by the WDOT. The next phase of work will to take the selected Concept Development Plan and further develop the plan. Kurt Muchow (Vierbicher) was present to answer questions from the Council and discuss the work that needs to be done. ACTION: To approve the Professional Services Agreement (PSA) with Vierbicher for the TID # 6 Business Park Expansion – Predevelopment Phase Services MOTION: Thein SECOND: Gilberts VOTE: 11-0

C. FINANCE – State/Municipal Agreement for a Local Let Safe Routes to School (SRTS) Project (Revision #3)

This agreement reflects the most recent changes approved by the Council, which merges the work the City is doing on 22nd Street and Campion Boulevard and the SRTS project. Staff is cautiously optimistic the SRTS work will be done in 2014. ACTION: To approve the State/Municipal Agreement for a Local Let Safe Routes to School (SRTS) Project (Revision #3) MOTION: Leys SECOND: Wagar VOTE: 11-0

D. FINANCE – Awarding of bid for Well #3 Variable Frequency Drive (VFD) (Water Department)

ACTION: To award the bid to Winona Mechanical (\$28,398) MOTION: Pintz SECOND: Gilberts VOTE: 11-0

E. PARK BOARD - Request to name the shelter at Blackhawk Ave & 4th Streets as the Lessard Shelter and to place of a sign

The Park Board recommended approval of the naming at its November 20th meeting at the request of Kathy Lessard. ACTION: To name the shelter at Blackhawk Ave & 4th Streets as the Lessard Shelter and to place of a sign MOTION: Pintz SECOND: Wagar VOTE: 11-0

F. PARK BOARD - Request to name the shelter Fisher & Villa Louis Road as the Fourth Ward Shelter and to place of a sign

The Park Board recommended approval of the naming at its November 20th meeting at the request of Jeff Lessard. ACTION: To approve the request to name the shelter Fisher & Villa Louis Road as the Fourth Ward Shelter and to place of a sign MOTION: Wagar SECOND: Solomon VOTE: 11-0

G. PARK BOARD - Request to hold the 13th Annual Carpfest/Droppin of the Carp at various locations in the city from December 27th 2013 to January 2nd 2014

The Park Board recommended approval at its November 20th meeting. Tom Nelson was present to address the Council on this year's event. ACTION: To approve the Request to hold the 13th Annual Carpfest/Droppin of the Carp at various locations in the city from December 27th 2013 to January 2nd 2014 MOTION: Kozelka SECOND: Wagar VOTE: 10-0-1 (Gilberts abstained)

H. PARK BOARD - Request from Tom & Cathie Nelson representing St. Feriole Island Gardens to paint and utilize the Moore Building for storage

The Park Board recommended approval at its November 20th meeting. Tom Nelson addressed the Council on the ideas for utilizing and improving the building. Kramer said that staff, while supportive of the proposal, has some concerns over liability and a possible hold-harmless agreement. ACTION: To direct staff to meet with Nelson and finalize the proposal for the December 17th Council meeting MOTION: Pintz SECOND: Leys VOTE: 11-0

VII. OLD BUSINESS

A. DISCUSSION AND ACTION – Ordinance 2013-26 (RECREATING CHAPTER 22.19 (5) (HEALTH REIMBURSEMENT ACCOUNT) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

ACTION: To approve Ordinance 2013-26 MOTION: Solomon SECOND: Titlbach VOTE: 11-0

B. PUBLIC WORKS - Ordinance 2013-24 (CREATING CHAPTER 9.35 (DEPOSIT OF REFUSE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance would prohibit the depositing of any refuse in or upon any public property, public beach, public alley, street, or highway, sidewalk, park or other public place in the City, as well as prohibit the disposal of fish waste in city dumpsters. The Ordinance also includes the first "reward" clause for individuals who report violators of the ordinance. Some minor changes to the Ordinance were proposed by City staff since the December 3rd meeting, where the Ordinance received a first reading. Leys said the Park Board had recently met and was opposed to the reward system and wanted staff to review the possibility of fish cleaning stations. Kramer said the Public Works Committee had recently tabled the fish cleaning station issue, and the Park Board's recommendation was advisory, which did not supersede the Public Works Committee's position. Pintz said he was not receptive to an advisory board (Park Board) making recommendations that were in opposition to the Public Works Committee. Tom Nelson, Chair of the Park Board, addressed Pintz's concerns and said that, while the Park Board was only advisory, its concerns should be given consideration. ACTION: To approve Ordinance 2013-24 MOTION: Pintz SECOND: Solomon. Prior to a vote, the following substitute motion was made: To delete the Section of the Ordinance which creates a reward system (MOTION: Leys SECOND: Boylen). More discussion was held on the proposed Ordinance, with concerns about the prohibition of depositing fish waste in city garbage receptacles and the reward system. Kramer said the reward system is being proposed as an alternative to the requests for additional law enforcement for these violations, and could be reviewed in the future on its efficiency.

VOTE ON SUBSTITUTE MOTION: 3-8 (Thein, Kozelka, Myers, Solomon, Fleshner, Pintz, Titlbach and Wagar opposed). Substitute motion failed.

VOTE ON ORIGINAL MOTION: 7-4 (Leys, Boylen, Titlbach and Gilberts opposed)

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

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

B. ADJOURN into closed session (8:37 PM)

ACTION: To go into closed session 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: Block 43 litigation; RE: Utility Ownership Issue before the Public Service Commission involving the City of Prairie du Chien and the Town of Bridgeport MOTION: Thein SECOND: Solomon VOTE: 11-0

C. CONVENE into open session (9:00 PM)

MOTION: Solomon SECOND: Pintz VOTE: 11-0

D. ACTION from closed session

ACTION: To officially appeal the ruling of the Public Service Commission regarding the water main in the City of Prairie du Chien servicing the new Prairie du Chien Memorial Hospital, specifically the requirement to install two meter pits at the two locations where the main enters from and exits to the

Town of Bridgeport, and direct staff to file said appeal MOTION: Solomon SECOND: Gilberts VOTE: 11-0

IX. ADJOURN (9:02 PM)

MOTION: Solomon SECOND: Thein VOTE: 11-0

Dave Hemmer, Mayor

Submitted by City Administrator Aaron Kramer

ORDINANCES APPROVED

* Ordinance 2013-24 (CREATING CHAPTER 9.35 (DEPOSIT OF REFUSE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

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Dave Hemmer, Mayor

Submitted by City Administrator Aaron Kramer

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