

## Minutes of the Common Council (March 4th 2014)

A regular meeting of the Common Council of the City of Prairie du Chien was held on Tuesday March 4<sup>th</sup> 2014 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.

### **ITEMS TO BE ACTED UPON:**

- 1. Call to order/Roll Call** – Ron Leys absent
- 2. Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Thein SECOND: Solomon VOTE: 11-0
- 3. Pledge of Allegiance** – Led by Kyle Kozelka

Without objection, the agenda was moved:

### **7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS**

#### **B. PRESENTATION -2014-2016 Capital Borrowing**

Brian Della (PFM Financial Management) presented the proposed borrowing schedule and information for the 2014-2016 Capital Borrowing, and discussed the long-term impacts on the City's borrowing capacity.

#### **C. DISCUSSION AND ACTION – Resolution 2014-11 (RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$1,940,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2014A)**

ACTION: To approve Resolution 2014-11 MOTION: Titlbach SECOND: Kozelka VOTE: 11-0

#### **D. DISCUSSION AND ACTION – Resolution 2014-12 (RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$495,000 SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2014B)**

ACTION: To approve Resolution 2014-12 MOTION: Pintz SECOND: Thein VOTE: 11-0

#### **E. DISCUSSION AND ACTION – Resolution 2014-13 (RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$885,000 TAXABLE NOTE ANTICIPATION NOTES, SERIES 2014C)**

ACTION: To approve Resolution 2014-13 MOTION: Solomon SECOND: Wagar VOTE: 11-0

### **4. PUBLIC HEARINGS**

#### **A. Proposed Improvements to Marquette Road (2017)**

The Council took comments from the public on the proposed improvements to Marquette Road scheduled for 2017. The section of road that is scheduled to be reconstructed is bordered by La Pointe Street on the south and Mooney Street on the north. Fleshner opened the public hearing at 7:20 PM. The following people addressed the Council:

- \* Dave Bowar (Baraboo, WI)
- \* Doug Krachey (1910 South Marquette Road, Prairie du Chien)
- \* Bob McDonald (1004 South 15<sup>th</sup> Street, Prairie du Chien)
- \* Jason Cathman (1915 South Marquette Road, Prairie du Chien)
- \* Marta Bartlett (521 East Iowa Street, Prairie du Chien)
- \* Steve Sagedahl (1703 East Parrish Street, Prairie du Chien)

Craig Fisher (Wisconsin DOT) explained why the DOT wants to reduce the highway project from five (5) lanes to three (3). Considerable discussion was held on the proposal. City Administrator Kramer suggested that the DOT develop a map/diagram which showed the current lanes and their widths, and what the impact of five and three lanes would be. Fisher said that City could see the project delayed and be more expensive if the Council wanted to stay with five lanes, and would also lose the proposed 10-foot pedestrian path on the west side of the road. Fleshner closed the public hearing at 8:16 PM.

#### **B. ACTION of aforesaid agenda item (Amended Contract with DOT for 2017 Marquette Road project)**

Council members discussed various options for moving forward. The City Administrator said he thought a delay in the vote might be considered to allow the DOT to provide some additional

information and justification for moving to three lanes. ACTION: To table action on the item until the May 13<sup>th</sup> Council meeting MOTION: Pintz SECOND: Boylen. Fisher informed the Council that a 2-month delay would likely push the project past its projected 2017 completion date. VOTE: 2-9 (Kozelka, Myers, Solomon, Fleshner, Boylen, Titlbach, Gilberts, Wagar and Jones opposed). Motion failed. ACTION: To table action on the item until the April 8<sup>th</sup> Council meeting MOTION: Titlbach SECOND: Kozelka VOTE: 10-1 (Pintz opposed)

ACTION: To take a five-(5) minute recess MOTION: Solomon SECOND: Titlbach VOTE: 10-1 (Pintz opposed)

## **5. CONSENT AGENDA**

A. COUNCIL MINUTES – February 18th 2014; B. FINANCE COMMITTEE – February 18th 2014; C. BOARD OF ZONING APPEALS – November 13th 2013; D. PROTECTION AND HEALTH COMMITTEE – August 13th 2013; E. PUBLIC WORKS COMMITTEE - February 18th 2014; F. BOARD OF AIRPORT COMMISSIONERS - February 19th 2013; G. OPERATORS LICENSES (if any) ACTION: To approve the Consent Agenda MOTION: Solomon SECOND: Gilberts VOTE: 11-0

## **6. ITEMS REMOVED FROM CONSENT AGENDA** - None

## **7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS**

A. DISCUSSION AND ACTION – Resolution 2014-10 (DECLARING MARCH 15th 2014 AS "MATTHEW ANTOINE" DAY IN THE CITY OF PRAIRIE DU CHIEN IN HONOR OF HIS ACCOMPLISHMENTS AT THE 2014 WINTER OLYMPICS)

ACTION: To approve Resolution 2014-10 MOTION: Kozelka SECOND: Pintz VOTE: 11-0

## **8. CITY ADMINISTRATOR'S REPORT** – No formal action taken

## **9. COMMITTEE REPORTS AND ACTIONS**

### A. FINANCE – Claims

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

### B. FINANCE – Reallocation and close out of 2011-2013 Capital Budget

Staff is requesting to re-allocate the remaining funds in the 2011-2013 General Fund Capital Account (\$6,314.16) and assign them to the 15th Street Mill and Overlay Project (2013 - \$87,465.30). These funds would then be placed in the General Fund Reserve account. ACTION: To approve the transfer of funds MOTION: Pintz SECOND: Thein VOTE: 11-0

### C. FINANCE – Replacement of City Computers

A memo from the City Administrator outlining the replacement proposal was reviewed. ACTION: To authorize the City Administrator to replace existing computers in City Hall that have been deemed to be outdated, with a limit of not more than \$5,000 to be spent out of the 2014 Contingency Fund, and to report back to the Finance Committee and Common Council when each purchase is made MOTION: Solomon SECOND: Gilberts VOTE: 11-0

### D. PUBLIC WORKS – Awarding of Bid for Godden Pit Dredging Project

Bids were opened on Wednesday February 26th. ACTION: To award the bid for the Godden Pit dredging project to Rule Construction (\$243,680) MOTION: Kozelka SECOND: Wagar VOTE: 11-0

### E. PUBLIC WORKS – Ordinance 2014-05 (CREATING SECTION 7.44 (TRAVEL REGULATIONS IN THE ALLEY EAST OF CITY HALL) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance will restrict traffic in the alley to one-way in a southerly direction. ACTION: To approve Ordinance 2014-05 MOTION: Kozelka SECOND: Wagar VOTE: 11-0

### F. PLAN COMMISSION – Preliminary subdivision plat for the former Prairie Maison Site

This is being brought to the Commission by the City's Redevelopment Authority. ACTION: To approve the Preliminary Plat for the former Prairie Maison Site MOTION: Titlbach SECOND: Wagar VOTE: 11-0

**10. OLD BUSINESS** - None

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

**A. DISCUSSION AND ACTION – Acceptance of FEMA Award**

The City has been awarded \$46,762.24 from the Federal Emergency Management Agency (FEMA) to cover the costs incurred during the severe weather of last June. ACTION: To accept the FEMA award and thank Terry Meyer for his work on the project MOTION: Wagar SECOND: Solomon VOTE: 11-0

**B. DISCUSSION AND ACTION – Vineyard Coulee Road**

A new proposal to improve Vineyard Coulee Road east from Highway 35 to a point midway along the boundary of the land recently annexed into the City was forwarded to the Council from the Town of Bridgeport and Crawford County. The city's section of the road would total 632 feet, but there would be no cost to the City. There would also be no obligation to the City to participate in any future improvements east of the current proposal. ACTION: To approve the improvement of Vineyard Coulee Road that falls within the City limits from the north-westernmost point of the land recently annexed into the City by the Prairie du Chien Memorial Hospital to a point 632 feet easterly, and to direct the City Attorney to draft a Memorandum of Understanding with the Township of Bridgeport and Crawford County that the City would agree to pay for improvements to the remaining 632 feet of road footage in the City if it elects to participate in further upgrades MOTION: Solomon SECOND: Kozelka VOTE: 11-0

**C. DISCUSSION AND ACTION – Meeting with Town of Bridgeport on Water-Sewer Utility Merger**

In February, the Common Council extended an invitation to the Town of Bridgeport to discuss a merger of the water and sewer utilities. In a letter, dated February 18th, the Town's attorney, Todd Infield, replied that the Town would meet under two conditions: 1) The City serves their residents in a "professional, cost-effective and non-discriminatory manner", and 2) The City agrees not to annex any more territory from the Town of Bridgeport. Kramer informed the Council that the issue was on hold for the immediate future due to the recent death of Attorney Infield. ACTION: To direct staff to participate in discussions with the Town of Bridgeport as long as the only topic of discussion and negotiation is the possible merger of the water and sewer utilities MOTION: Pintz VOTE: Solomon VOTE: 11-0

**D. DISCUSSION AND ACTION – Reducing the Size of the Council**

Alderman Kozelka was requesting the Council re-visit the issue of reducing the size of the Council. He pointed out that in an April 2011 advisory referendum, voters approved reducing the Common Council by a vote of 663-410 (62-38%). In December 2011, a motion to reduce the Council to six members, one per ward, and two at-large members failed on a 5-4 vote. Kozelka also pointed out that two seats are not being contested in the upcoming April election. He proposed reducing the Council from its current twelve (12) members to eight (8), with one member from each ward and two citywide at-large members. Pintz said he was opposed to any change, feeling that a larger Council allowed for more discussion and ideas to be considered. Considerable discussion was held on how any change would be implemented, when it would be implemented, and how the Committee structure would be altered. ACTION: To table the item until a future, undetermined date MOTION: Pintz SECOND: Their VOTE: 6-5 (Kozelka, Solomon, Titlbach, Gilberts and Wagar opposed).

**E. DISCUSSION AND ACTION – Mayoral Appointments**

Pintz questioned whether the Mayor had tried to fill the Board with city residents and not with some non-residents. Kramer said the Mayor had worked with Park and Rec Director Mike Ulrich on reviewing a number of candidates, trying to get a broad representation of park users and supporters. ACTION: To approve the following appointments to the LaRiviere Park Board - Dave Shihata (61543 Limery Road – Prairie du Chien) (Chairperson), Mike Mara (960 South Beaumont Road – Prairie du Chien), Dave Troester (410 South Ohio Street – Prairie du Chien), Ivan Hoffland (37003 Wilderness

Road – Prairie du Chien), and Dee Baker (23262 State Highway 27 – Eastman) to 5-year terms expiring April 1st 2019 MOTION: Thein SECOND: Solomon VOTE: 11-0

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

Pintz said he wanted to see a Downtown Parking Lot Regulation and Permitting Plan before the Public Works Committee soon. Titlbach said she would like to see a proposal from the staff on reducing the size of the Council, but was informed she had voted in the minority on the previous motion to table and could not place that item on the agenda for future consideration.

G. ADJOURN to CLOSED SESSION (9:15 PM)

ACTION: To go into closed session 1) 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: Roger Seitz, Sara Seitz and a minor versus the City of Prairie du Chien; and RE: Condemnation of property for public need, and 2) Under Wisconsin State Statute 19.85(1) (c). Considering employment, promotion, compensation or performance data of any public employee over whom the governmental body has jurisdiction or exercises responsibility: RE: Vacancy at City Hall MOTION: Gilberts SECOND: Wagar VOTE: 11-0

H. CONVENE into OPEN SESSION (9:36 PM)

MOTION: Wagar SECOND: Solomon VOTE: 11-0

I. ACTION from CLOSED SESSION

ACTION: To reject the claim of Roger Seitz, Sara Seitz and a minor versus the City of Prairie du Chien, seeking damages of \$425,150.73 MOTION: Wagar SECOND: Solomon VOTE: 11-0

ACTION: To direct the City Administrator and Personnel Committee to move forward with filling a vacancy in the City Hall staff to be created on April 30<sup>th</sup> by the retirement of Sheila Linder MOTION: Titlbach SECOND: Solomon VOTE: 11-0

**12. ADJOURN (9:40 PM)**

MOTION: Thein SECOND: Wagar VOTE: 11-0

Submitted by City Administrator Aaron Kramer

**ORDINANCES APPROVED**

\* Ordinance 2014-05 (CREATING SECTION 7.44 (TRAVEL REGULATIONS IN THE ALLEY EAST OF CITY HALL) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

**RESOLUTIONS APPROVED**

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ACTION: To approve Resolution 2014-11 MOTION: Titlbach SECOND: Kozelka VOTE: 11-0

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ACTION: To approve Resolution 2014-12 MOTION: Pintz SECOND: Thein VOTE: 11-0

#### **E. DISCUSSION AND ACTION – Resolution 2014-13 (RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$885,000 TAXABLE NOTE ANTICIPATION NOTES, SERIES 2014C)**

ACTION: To approve Resolution 2014-13 MOTION: Solomon SECOND: Wagar VOTE: 11-0

### **4. PUBLIC HEARINGS**

#### **A. Proposed Improvements to Marquette Road (2017)**

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ACTION: To approve Resolution 2014-10 MOTION: Kozelka SECOND: Pintz VOTE: 11-0

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