

Minutes of the Common Council – April 8th 2014

A meeting of the City of Prairie du Chien Common Council was held on Tuesday April 8th 2014 at 7:05 PM in City Hall. Mayor Dave Hemmer called the meeting to order.

ITEMS TO BE ACTED UPON:

- 1. Call to order/Roll Call** – Mark Thein, Jean Titlbach, Nate Gilberts and Mike Jones were absent.
- 2. Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Solomon SECOND: Wagar VOTE: 8-0
- 3. Pledge of Allegiance** – Led by Todd Myers

4. PUBLIC HEARINGS

A. PUBLIC HEARING – Amendment to the CY 2014 Operating Assistance for City of Prairie du Chien, Wisconsin

The City of Prairie du Chien uses Federal aid for the SMRT Bus service it operates. The City of Prairie du Chien seeks feedback on the recent elimination of the Prairie du Chien - Viroqua route and the increase in the frequency of the Prairie du Chien - LaCrosse and Viroqua - LaCrosse routes. These changes are based upon the continued underutilization of the Prairie du Chien to Viroqua route and to maximize the ridership of the SMRT Bus system while responsibly managing the system's finances. Hemmer opened the public hearing at 7:06 PM. City Planner Frable discussed the reasons for eliminating the Prairie du Chien-Viroqua route, but said ridership has been steadily increasing elsewhere. No one from the public spoke. Hemmer closed the public hearing at 7:12 PM.

B. ACTION on aforesaid agenda item

ACTION: To approve the Amendment to the CY 2014 Operating Assistance for City of Prairie du Chien, Wisconsin MOTION: Pintz SECOND: Solomon VOTE: 8-0

5. CONSENT AGENDA

A. COUNCIL MINUTES – March 18th 2014; B. COUNCIL MINUTES (Amended) – March 4th 2018; C. COMMON COUNCIL (Special) – March 24th 2014; D. FINANCE COMMITTEE – March 18th 2014; E. PARK BOARD – November 20th 2013; F. PERSONNEL COMMITTEE – February 6th 2014; G. PERSONNEL COMMITTEE – March 20th 2014; H. PROTECTION AND HEALTH COMMITTEE – February 20th 2014; I. PUBLIC WORKS COMMITTEE – March 18th 2014; J. POLICE AND FIRE COMMISSION – January 29th 2014; K. CERTIFICATION OF THE BOARD OF CANVASSERS (April 1st Spring Election); L. BOARD OF CANVASSERS – April 8th 2013; M. FIRE CHIEF'S REPORT – March 2014; N. OPERATORS LICENSES (if any); The City Administrator requested that items D and K be removed. ACTION: To approve the consent agenda minus items D and K MOTION: Solomon SECOND: Kozelka VOTE: 8-0

6. ITEMS REMOVED FROM CONSENT AGENDA

City Administrator Kramer said the Finance Committee did not meet earlier tonight (lack of quorum), so item D was not approved. As for the Certification of the Board of Canvassers (item K), he explained the process for filling the First and Third Aldermanic Districts. On Monday morning April 7th, the Board of Canvassers of the City of Prairie du Chien met to certify the results of the April 1st Spring Election. In the First Aldermanic District, there was a tie among two write-in candidates for the open two-year seat. Ron Leys and Mark Oehler both received two (2) votes. City Clerk Barb Elvert pulled a name from a hat to determine the winner of the election. That person, Ron Leys, has until midnight on Monday April 14th to accept the position. If that he declines the seat, the vacancy will be placed on the April 22nd Council agenda to begin the process of filling the term, which will then be for one year. The person who is then appointed by the Council will fill the seat until April 2015, when the position will again be up for election, once again for a one-year term. The seat will then revert back to its normal two-year term in April 2016. In the Third Aldermanic District, the top write-in candidate for the open two-year seat, after the Board of Canvassers met and certified the election, was Kyle Kozelka, with eight votes. Kozelka has until midnight on Monday April 14th to accept the position. If he declines the seat, the vacancy will be placed on the April 22nd Council agenda to begin the process of filling the term. The person who is then appointed by the Council will fill the seat until April 2015, when the

position will again be up for election, once again for a one-year term. The seat will then revert back to its normal two-year term in April 2016. In addition, any person who received write-in votes in either of these races may request a recount. The deadline to make that request is Thursday April 10th. ACTION: To approve Consent Agenda item K MOTION: Solomon SECOND: Wagar VOTE: 8-0

Without objection, the agenda was moved:

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS (NOTE: Please limit citizens' comments to no more than three minutes)

B. DISCUSSION AND ACTION – Resolution 2014-19 (DECLARING APRIL AS OCCUPATIONAL THERAPY MONTH IN THE CITY OF PRAIRIE DU CHIEN)

Hemmer read the proclamation. Representatives from the Prairie du Chien Memorial Hospital Occupational, Physical & Speech Therapy addressed the Council. ACTION: To approve Resolution 2014-19 MOTION: Kozelka SECOND: Leys VOTE: 8-0

A. PRESENTATION – Future Expansion Plans for the Library

Linda Munson (President of the Library Board) and Cameron Aslaksen Architects presented the proposed expansion and upgrades for the Library. Members of the Library Board and Library Expansion Steering Committee were also present. This project is targeted for 2017, and is projected to cost roughly \$2.9 million. City Administrator Kramer explained how the financing would be proposed. He said a resolution of support for the project will be on the April 22nd Council agenda to officially kick off the project.

9. COMMITTEE REPORTS AND ACTIONS

B. FINANCE – Resolution 2014-14 (RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$1,940,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2014A)

Brian Della (PFM Financial) was present to discuss the results of the City's bond sale earlier in the day. There were as follows - GO Bond 2014 A (10 years)/\$1.94 million, UMB Bank (Kansas City, MO) 2.02 %; Sewer System BANs (4 years)/\$500,000 - BOSC, Inc (Menomonee Falls, WI) - 1.57%, and; Taxable NANs (4 years)/\$885,000 - BOSC, Inc. (Menomonee Falls, WI) - 1.77%. ACTION: To approve Resolution 2014-14 MOTION: Wagar SECOND: Leys VOTE: 8-0

C. FINANCE – Resolution 2014-15 (RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$500,000 SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2014B)

ACTION: To approve Resolution 2014-15 MOTION: Solomon SECOND: Wagar VOTE: 8-0

D. FINANCE – Resolution 2014-16 (RESOLUTION AUTHORIZING THE ISSUANCE OF \$875,000 GENERAL OBLIGATION PROMISSORY NOTES AND THE ISSUANCE AND SALE OF \$875,000 TAXABLE NOTE ANTICIPATION NOTES, SERIES 2014C IN ANTICIPATION THEREOF)

ACTION: To approve Resolution 2014-16 MOTION: Pintz SECOND: Leys VOTE: 8-0

8. CITY ADMINISTRATOR'S REPORT

Kramer informed the Council that the Godden Pit dredging project was back on track after the DNR issued a Wetlands Exemption earlier in the day. No formal action taken.

10. OLD BUSINESS

A. Proposed Improvements to Marquette Road (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. Ian Winger, Craig Fisher and Andy Winga from Wisconsin DOT were present to address the Council and explain the DOT's position on constructing a 3-lane road (one north-bound lane, one south-bound lane, and one turn lane in the middle). Considerable discussion was held on the pros and cons of a 3-lane and 4-lane road. City Administrator Kramer said that a five-lane road would result in the City taking on an additional \$4 million in costs and result in the loss of as many as 12 businesses and residences. He strongly encouraged the Council to reject that concept. Council members requested more crash data on Marquette Road, as well as additional conceptual drawings showing the impact of the adjacent railroad to the road project. Kramer inquired as to whether the DOT would fund the project if it is a 4-lane road, and

Winger could not confirm that the same level of funding would be available as is being proposed for the 3-lane road.

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

ACTION: To postpone the decision on the 2017 Marquette Road project until the April 22nd Council meeting
MOTION: Solomon SECOND: Leys VOTE: 8-0

9. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve the claims MOTION: Pintz SECOND: Fleshner VOTE: 8-0

E. PERSONNEL – Ordinance 2014-08 (RECREATING SECTION 22.06 (2) (COMPENSATORY TIME AND OVERTIME – ADMINISTRATIVE POSITIONS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This proposal would allow for additional compensatory time for administrative employees when there are extenuating and extraordinary conditions. The Personnel Committee recommended adoption at its March 24th meeting. ACTION: To approve Ordinance 2014-08 MOTION: Leys SECOND: Solomon VOTE: 8-0

F. PLAN COMMISSION – Review and recommendation on final subdivision plat for the former Prairie Maison Site (Brunson’s Addition – Blocks 21 & 24) – brought by the RDA

ACTION: To approve the final subdivision plat for the former Prairie Maison Site (Brunson’s Addition – Blocks 21 & 24) MOTION: Wagar SECOND: Solomon VOTE: 8-0

G. PLAN COMMISSION - Name of the proposed plat for the former Prairie Maison site

Both the Plan Commission and Redevelopment Authority recommended that the site be named “Brunson Court”. ACTION: To name the proposed plat for the former Prairie Maison site “Brunson Court” MOTION: Pintz SECOND: Wagar VOTE: 8-0

H. PARK BOARD - Approval of Events on St. Feriole Island – Rendezvous, Jaycees Flea Market, Bluesfest, Carriage Classic, Glow Run for Haiti

Park and Rec Director Ulrich said the commitments for all of the events, except for the Glow Run for Haiti, were for three years. Pintz questioned the staff about what steps they were taking to address the horse manure on the roads during Carriage Classic, as well as the carriages not having slow moving vehicle signs on them when on the city streets. Staff said they have been and will continue to work with Carriage Classic on these issues, and the organizers have been receptive to the concerns. ACTION: To approve the events on St. Feriole Island MOTION: Solomon SECOND: Wagar VOTE: 8-0

I. PUBLIC WORKS - Approval of Concrete and Bituminous Asphalt bids

Bids were opened on March 19th. ACTION: To award the concrete work to JT Concrete (Livingston, WI) and the asphalt work to Iverson Construction (Kieler, WI) MOTION: Kozelka SECOND: Pintz VOTE: 8-0

J. PUBLIC WORKS - Removal of Light Poles at Cecil Smith Park

Park and Rec Director Ulrich said Blair Dillman was willing to remove the poles, at no cost to the City, and then use some of the lumber to side the new concession stand-shelter at the Park. He said the poles are showing considerable aging, and the electrical components are virtually unusable. City Administrator Kramer said replacing the lights would cost over \$100,000 and is not in the 2014-2016 Capital Budget. ACTION: To approve the removal of the light poles at Cecil Smith Park by Blair Dillman, at no cost to the City, with the poles being recycled into siding for the new concession stand-shelter at Cecil Smith Park MOTION: Pintz SECOND: Solomon VOTE: 7-0-1 (Kozelka abstained)

K. PUBLIC WORKS – Approval of Archaeological Work in North Gateway Business Park

Funds will come from TIF #6. ACTION: To award the bid to H James and Sons (\$68,925) MOTION: Kozelka SECOND: Wagar VOTE: 8-0

10. OLD BUSINESS

C. DISCUSSION AND ACTION – Ordinance 2014-09 (RECREATING SECTION 11.07 (GARBAGE AND RUBBISH COLLECTION) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This Ordinance will prohibit the issuing of any refunds or pro-rated refunds for the annual garbage fee placed on the property tax bills. ACTION: To approve Ordinance 2014-09 MOTION: Solomon SECOND: Fleshner VOTE: 8-0

D. DISCUSSION AND ACTION - Ordinance 2014-13 (RECREATING SECTION 2.06 (STANDING COMMITTEES) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This would reduce the number of Committees to three, beginning in April 2015, by merging with the Protection and Health and Public Works Committees, and reducing the number of Council members on each remaining Committee from five (5) to four (4). Pintz said he was opposed, feeling this would increase the workloads for the remaining committees. ACTION: To approve Ordinance 2014-13 MOTION: Wagar SECOND: Solomon VOTE: 7-1 (Pintz opposed)

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

A. DISCUSSION AND ACTION – Request for Waiver from the Amplified Music/Noise Ordinance

Prairie Catholic Schools is requesting the waiver on May 10th from 7:00 to 11:00 PM to host an outdoor community dance as a fundraiser. The Council may issue the waiver under Chapter 9.06 (4) of the Municipal Code. ACTION: To approve the request for a waiver from the Amplified Music/Noise Ordinance MOTION: Kozelka SECOND: Solomon VOTE: 8-0

B. DISCUSSION AND ACTION – Moving the date for the re-organizational meeting

Under Chapter 2.02 (1), the Council shall meet annually on the third Tuesday of April for the purpose of organization. When the Council moved its meetings times when elections fall within a month, this section of the code was not addressed (see Agenda item below). Staff would request that the Council, under Chapter 2.02 (2) (a) - The Common Council, by an affirmative vote of two-thirds of the members, may re-schedule a future regularly-scheduled meeting – move the re-organizational meeting to Tuesday April 22nd at 6:45 PM. ACTION: To move the organizational meeting from April 15th to April 22nd MOTION: Leys SECOND: Wagar VOTE: 8-0

C. DISCUSSION AND ACTION – Ordinance 2014-14 (RECREATING SECTION 2.02 (1) (COUNCIL MEETINGS – Annual Organizational Meeting) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

This will change the current requirement that the Council hold its annual re-organizational meeting on the third Tuesday of April, to the fourth Tuesday of April, to reflect the change in the Council meeting schedule when an election is held on the first Tuesday of April. ACTION: To approve Ordinance 2014-14 and waive the second reading MOTION: Solomon SECOND: Pintz VOTE: 8-0

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

Pintz requested an update on the downtown parking lot issues. Kramer said a new Traffic Code is being drafted by staff and will be presented to the Public Works Committee in May for review, which will address some of the ordinance issues with downtown parking.

E. ADJOURN to CLOSED SESSION (9:51 PM)

ACTION: To go into closed session 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: A. Request for TIF assistance; B. Sale of City Property; C. Block 43 Development MOTION: Pintz SECOND: Kozelka VOTE: 8-0

F. CONVENE into OPEN SESSION (10:20 PM)

MOTION: Solomon SECOND: Wagar VOTE: 8-0

G. ACTION from CLOSED SESSION

ACTION: To hold a public hearing on a Finding of No Public Need for the Stratton Property, located at the intersection of Blackhawk Avenue and Main Street MOTION: Solomon SECOND: Wagar VOTE: 8-0

12. ADJOURN (10:22 PM)

MOTION: Fleshner SECOND: Solomon VOTE: 12-0

Submitted by City Administrator Aaron Kramer

ORDINANCES APPROVED

* **Ordinance 2014-07 (RECREATING SECTION 9.02 (3) (FIREARMS IN PUBLIC BUILDINGS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

* **Ordinance 2014-08 (RECREATING SECTION 22.06 (2) (COMPENSATORY TIME AND OVERTIME – ADMINISTRATIVE POSITIONS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

* **Ordinance 2014-09 (RECREATING SECTION 11.07 (GARBAGE AND RUBBISH COLLECTION) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

* **Ordinance 2014-13 (RECREATING SECTION 2.06 (STANDING COMMITTEES) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

* **Ordinance 2014-14 (RECREATING SECTION 2.02 (1) (COUNCIL MEETINGS – Annual Organizational Meeting) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**

RESOLUTIONS APPROVED

* **Resolution 2014-14 (RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$1,940,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2014A)**

* **Resolution 2014-15 (RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$500,000 SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2014B)**

* **Resolution 2014-16 (RESOLUTION AUTHORIZING THE ISSUANCE OF \$885,000 GENERAL OBLIGATION PROMISSORY NOTES AND THE ISSUANCE AND SALE OF \$885,000 TAXABLE NOTE ANTICIPATION NOTES, SERIES 2014C IN ANTICIPATION THEREOF)**

* **Resolution 2014-19 (DECLARING APRIL AS OCCUPATIONAL THERAPY MONTH IN THE CITY OF PRAIRIE DU CHIEN)**