

Minutes of the Common Council – April 22nd 2014

A meeting of the City of Prairie du Chien Common Council was held on Tuesday April 22nd 2014 at 7:00 PM in City Hall. Mayor Dave Hemmer called the meeting to order.

ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call –Mike Jones and Jamie Wagar were absent.

2. Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Solomon SECOND: Gilberts VOTE: 10-0

3. Pledge of Allegiance – Led by Ken Fleshner

4. PUBLIC HEARINGS

A. PUBLIC HEARING - For the purpose of determining whether or not there is a public need for the City of Prairie du Chien to retain ownership of properties legally described as follows: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9,10, 11, 12, 13, 14 and 15, also including the 12-foot vacated alley between Lots 1, 2, 3, 4, 5, 6 and 7 and that portion of half of the vacated alley to the South of and bordering Lots 7, 8 and 9, and the North ½ of the alley abutting Lots 10, 11, 12, 13, 14 and 15 along the South side of said lots, all in J. Y. Smith's Subdivision, Block 123, Union Plat, City of Prairie du Chien, Crawford County, Wisconsin. (Tax Parcel Numbers 12-271-1912-0000, 12-271-1912-0001 and 12-271-1912-0002)

This is the land commonly known as the Stratton Property, located at the southwest intersection of Blackhawk Avenue and Main Street in downtown Prairie du Chien. Hemmer opened the public hearing at 7:04 PM. City Administrator Kramer explained that this Council action tonight would start the process to put Requests for Proposals to sell the property. Hemmer closed the public hearing at 7:06 PM.

B. ACTION on aforesaid agenda item

ACTION: To declare that there is no public need for the City of Prairie du Chien to retain ownership of properties legally described as follows: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9,10, 11, 12, 13, 14 and 15, also including the 12-foot vacated alley between Lots 1, 2, 3, 4, 5, 6 and 7 and that portion of half of the vacated alley to the South of and bordering Lots 7, 8 and 9, and the North ½ of the alley abutting Lots 10, 11, 12, 13, 14 and 15 along the South side of said lots, all in J. Y. Smith's Subdivision, Block 123, Union Plat, City of Prairie du Chien, Crawford County, Wisconsin. (Tax Parcel Numbers 12-271-1912-0000, 12-271-1912-0001 and 12-271-1912-0002) MOTION: Pintz SECOND: Titlbach VOTE: 10-0

5. CONSENT AGENDA

A. COUNCIL MINUTES – April 8th 2014; B. BOARD OF ZONING APPEALS – March 5th 2014; C. PERSONNEL COMMITTEE – March 27th 2014; D. LaRIVIERE PARK BOARD – March 18th 2014; E. FIRE CHIEF'S REPORT – First Quarter 2014; F. OPERATORS LICENSES (if any); ACTION: To approve the consent agenda MOTION: Pintz SECOND: Gilberts VOTE: 10-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

Without objection, the agenda was moved:

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

D. DISCUSSION AND ACTION – Acceptance of Donation and Request to Waive the Bid Process

The City has received an anonymous donation of \$18,000 to be applied to the upgrade of the current tennis courts adjacent to Hoffman Hall. The Council is being asked to accept the donation and waive the bid process for the upgrades, due to the uniqueness of the project and the produce being used on the tennis courts (with a 10-year warranty). The anonymous donor has committed to another \$18,000 donation once the project is completed, meaning the City will be using no budgeted funds for the project. ACTION: To accept the anonymous donation for the repairs of the tennis courts adjacent to Hoffman Hall MOTION: Gilberts SECOND: Kozelka VOTE: 10-0 ACTION: To waive the bid process for the tennis court improvements MOTION: Solomon SECOND: Gilberts VOTE: 10-0

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS

A. PRESENTATION – Annual Report from the Tourism Council

Patti Wacker (Tourism Council) addressed the Council on the 2013 tourism season and the Tourism Council's 2014 activities. She also answered questions from the Council. No formal action taken.

B. DISCUSSION AND ACTION - RESOLUTION 2014-20 (EXPRESSING SUPPORT FOR THE PROPOSED EXPANSION AND UPGRADES TO THE PRAIRIE DU CHIEN MEMORIAL LIBRARY AND THE CORRESPONDING FUNDRAISING EFFORTS)

This resolution would show the Council's support for the proposed expansion, but not commit to providing funds. ACTION: To approve Resolution 2014-20 MOTION: Titlbach SECOND: Leys VOTE: 9-1 (Thein opposed)

8. CITY ADMINISTRATOR'S REPORT

A. UPDATE – Marquette Road Project

A revised construction schedule, which includes the possibility of work being extended in 2015, was presented by City Administrator Kramer. He said the DOT and the contractor – H James and Sons – are working on a plan to do the work this year, which would require a six-day-a-week, 12-hour-per-day schedule, as well as combining phases. He said a public meeting will be held on Wednesday April 30th at 1:00 PM in City Hall to provide more information. Meetings will then be held every other Wednesday, starting May 7th, at 2:30 PM in City Hall to address public concerns and questions. No formal action taken.

9. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve the claims MOTION: Solomon SECOND: Pintz VOTE: 10-0

B. PUBLIC WORKS – No Parking on Wells Street from 17th to 22nd Streets

This agenda item is being requested by Bluff view School staff. If approved, this will be incorporated in the updated Traffic Code, which will be coming to the Council in May. ACTION: To approve the no parking on Wells Street from 17th Street to 22nd Street during school hours MOTION: Kozelka SECOND: Pintz VOTE: 10-0

C. PUBLIC WORKS - ADA compliant handicapped stall at 113 South Ohio Street

This agenda item is being requested by Alan Mullikin. If approved, this will be incorporated in the updated Traffic Code, which will be coming to the Council in May. ACTION: To approve the ADA compliant handicapped stall at 113 South Ohio Street MOTION: Kozelka SECOND: Solomon VOTE: 10-0

D. PROTECTION AND HEALTH – Ordinance 2014-10 (CREATING SECTION 9.35 (THROWING OF CANDY AND OTHER ITEMS AT PARADES))

This Ordinance would prohibit the "throwing of candy, gifts, favors or other objects from parade participants to spectators". Committee chairperson Titlbach explained the rationale behind the proposed Ordinance. She said the proposal would not ban candy being dispensed at parades, but would require it to be done in a manner that did not lead people into the street. Kramer recommended the following language be added to Section One – from a motor vehicle or parade animal. ACTION: To forward the proposed Ordinance to a second reading at the May 6th Council meeting MOTION: Titlbach SECOND: Leys VOTE: 10-0

E. PERSONNEL – Policy 2014-01 (Cellular and Wireless Devices in the Workplace)

This policy would regulate the use of personal cellular and wireless devices for City employees. ACTION: To approve Policy 2014-01 MOTION: Solomon SECOND: Titlbach VOTE: 10-0

F. PERSONNEL – Policy 2014-02 (Proper Attire for Employees)

This policy amends Policy 2011-03, and adds additional regulations on clothing and attire for employees. ACTION: To approve Policy 2014-02 MOTION: Solomon SECOND: Boylen VOTE: 10-0

G. PERSONNEL – Policy 2014-03 (Compensatory Time and Overtime)

This policy will clear up some confusion on how compensatory time is and is not granted to City employees. ACTION: To approve Policy 2014-03 MOTION: Solomon SECOND: Gilberts VOTE: 10-0

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. Considerable discussion was held on the 3-lane and 4-lane proposals for the road. Several Councilmembers expressed their frustration with the process.

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

ACTION: To direct the City Administrator to sign the amended contract with the DOT for the 2017 Marquette Road project, calling for a 3-lane road to be constructed MOTION: Solomon SECOND: Leys VOTE: 7-3 (Kozelka, Pintz and Gilberts opposed)

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

A. DISCUSSION AND ACTION – Approval of Weed Spraying Contract

The City received one bid - New Image Landscaping, which is the same firm that did our work last year. ACTION: To award the weed spraying contract with New Image Landscaping MOTION: Pintz SECOND: Kozelka VOTE: 10-0

B. DISCUSSION AND ACTION – Review and action on Title VI Transit Plan

This is required for the SMRT Bus and Taxi programs. ACTION: To approve the Title VI Transit Plan MOTION: Pintz SECOND: Solomon VOTE: 10-0

C. DISCUSSION AND ACTION – Authorization to Bid out Brunson Court Improvements

Assuming the Council approves, the request for bids will be issued next week. The updated opinion of probable cost did increase from the preliminary cost opinion prior to detailed design due to a few additional items that include: 1) sidewalk on 15th St (bidding as an alternate); 2) replacement of the inlets on 16th St/Broadway (previous cost opinion assumed only new storm sewer to the inlets, but keeping the existing inlets and pipe in the street); 3) additional sewer and water service to Lot 6; 4) larger wet well and pump sizes on lift station, and: 5) replacement of additional force main. ACTION: To authorize bidding out the Brunson Court improvements MOTION: Solomon SECOND: Myers VOTE: 10-0

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

Kramer reminded the Protection and Health Committee they will meet next Tuesday to review the final draft of the Public Nuisance-Property Maintenance Ordinance.

F. ADJOURN to CLOSED SESSION (8:30 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. RE: Block 43 Development (Agreement between City of Prairie du Chien and Nelson True Value); and 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: Hiring of City Hall Receptionist MOTION: Solomon SECOND: Gilberts VOTE: 10-0

G. CONVENE into open session (9:15 PM)

MOTION: Titlbach SECOND: Solomon VOTE: 10-0

H. ACTION from closed session - None

12. ADJOURN (9:16 PM)

MOTION: Kozelka SECOND: Solomon VOTE: 10-0

Submitted by City Administrator Aaron Kramer

RESOLUTIONS APPROVED

*** RESOLUTION 2014-20 (EXPRESSING SUPPORT FOR THE PROPOSED EXPANSION AND UPGRADES TO THE PRAIRIE DU CHIEN MEMORIAL LIBRARY AND THE CORRESPONDING FUNDRAISING EFFORTS)**