

Minutes of the Common Council – July 1st 2014

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A meeting of the City of Prairie du Chien Common Council was held on Tuesday July 1st 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 – Mark Thein and Mike Jones were absent. (NOTE: The Council currently has two vacancies)

2. Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Solomon SECOND: Gilberts VOTE: 8-0

3. Pledge of Allegiance – Led by Ken Fleshner

4. PUBLIC HEARINGS - None

5. CONSENT AGENDA

A. COUNCIL – June 17th 2014; B. FINANCE – June 17th 2014; C. BOARD OF ZONING APPEALS – April 9th 2014; D. BOARD OF ZONING APPEALS – June 18th 2014; E. OPERATORS LICENSES (if any) ACTION: To approve the Consent Agenda MOTION: Solomon SECOND: Kozelka VOTE: 8-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS

A. DISCUSSION AND ACTION – Filling Vacancy in the Third Aldermanic District

Alderwoman Wagar's resignation took effect on June 6th. The Council approved filling the vacancy after receiving applications for eligible residents. One candidate filed for the position – Edward Hayes-Hall. The term will run through April 2015, at which point the seat will be eliminated due to the previously-approved Council reduction. Hayes-Hall addressed the Council and answered questions from the Council. ACTION: TO appoint Edward Hayes-Hall to the vacant Third Aldermanic District seat MOTION: Solomon SECOND: Kozelka VOTE: 8-0

After the vote, the oath of office was administered by the City Administrator. Hayes-Hall was seated. Mayor Hemmer appointed Hayes-Hall to the Public Works Committee to fill the vacancy on that committee.

B. PRESENTATION – Wisconsin Southern Railroad Unloading Site Expansion

Representatives from Wisconsin Southern Railroad presented an update on the progress of their proposed building project at their unloading site along the Highway 18 bypass. Their plans, introduced to the Council last year, have been expanded to include a rail engine and car storage component. Considerable discussion was held with Council members asking questions and expressing opinions on the proposal.

ACTION: To recess (8:10 PM) MOTION: Solomon SECOND: Hayes-Hall VOTE: 9-0

The Mayor called the meeting back to order at 8:15 PM. Speaking before the Council on the railroad proposal were the following: Teresa Champion (788 South Beaumont, Prairie du Chien), Forest Jahnke (Crawford Stewardship Project), Edie Ehlert (Crawford Stewardship Project), Rob Horzich (Crawford Stewardship Project), Frank Pintz (Town of Prairie du Chien). Kramer addressed the issue that the City may be removed from the National Flood Insurance Program by the Federal Emergency Management Agency (FEMA) if the railroad's project commences. He said he had discussions earlier in the day with an Army Corps of Engineers representative in Minneapolis – George Stringham – who stated that an email from another Army Corps representative to a local resident had been misinterpreted. Kramer said Stringham stated the City appeared to be following the proper procedures of having the Wisconsin DNR and other regulatory agencies involved in the permitting process, which the City had done so last September, and that the City was not at risk of being removed from the Flood Insurance Program. No formal action was taken on the item.

8. CITY ADMINISTRATOR'S REPORT – No action taken.

9. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims

ACTION: To approve MOTION: Gilberts SECOND: Kozelka VOTE: 9-0

B. FINANCE – Police Department Budget Amendments

Chief Abram was requesting amendments to the Police budget to move ahead with filling a vacancy in the department and replacing two squad cars. Discussion was held on the proposals. ACTION: To approve the purchase of two vehicles, the disposition of three vehicles, and move forward with the hiring of a full-time police officer MOTION: Gilberts SECOND: Solomon VOTE: 9-0

C. PERSONNEL – Ordinance 2014-18 (REPEALING AND RECREATING CHAPTER 1.06 (RESIDENCY) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)

The purpose of this Ordinance is to bring the City Residency requirements in compliance with State Statute 66.0502 (Employee Residency Requirements Prohibited), and would require that all full-time employees of the City of Prairie du Chien Police Department shall be required to live within fifteen (15) miles of the corporate boundaries of the City of Prairie du Chien within six months of the date of hiring. ACTION: To approve Ordinance 2014-18 MOTION: Solomon SECOND: Titlbach VOTE: 9-0

10. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION – Request to Place Temporary Event Signs on Private Property in the City

Clay Koenig is requesting permission to place temporary event signage in the City to promote the Blackhawk Challenge Triathlon, under Section (c) 2. c) (Temporary Event Banners and Signs Located on Private Property) of Chapter 17, Section 6.16 (Special Signs) of the Zoning Code: No temporary event sign or banner shall be erected that advertises an event held outside the corporate limits of the City without special permission from the Common Council. ACTION: To approve the request MOTION: Fleshner SECOND: Kozelka VOTE: 9-0

B. DISCUSSION AND ACTION – Approval of Bid for Mott Mower

The City has budgeted \$100,000 for the purchase. The recommended bid was \$9,200 more than the budgeted amount. The City Administrator informed the Council the additional funds would likely come from the remainder of the 2014-2016 Capital borrowing, or from various General Fund line items. ACTION: To award the bid to St. Joseph Equipment (La Crosse) for a 2104 New Holland (\$109,200) MOTION: Kozelka SECOND: Leys VOTE: 9-0

C. DISCUSSION AND ACTION – Approval of Bid for North Main Street Asphalt Replacement (2015 project)

The City had borrowed \$250,000 for the project. ACTION: To award the bid to Iverson Construction (Kieler, WI) for \$190,146 MOTION: Kozelka SECOND: Solomon VOTE: 9-0

D. DISCUSSION AND ACTION – Request for Parking Sign

Ken Pankow, Facilities Director for Prairie du Chien Memorial Hospital is requesting a 10-minute parking sign located on 424 North Beaumont in front of the Hospital's day care from 6:30 am through 5:30 pm effective Monday through Friday. Staff supports the request. ACTION: To approve the request MOTION: Fleshner SECOND: Gilberts VOTE: 9-0

E. DISCUSSION AND ACTION – Policy/Ordinance regarding Sale, Lease and Exchange of Municipal Land

A memo from the City Administrator was included in the packet. Kramer said he felt the Council needed to pass an Ordinance or Policy to establish a clear process for the sale of municipal land in the future. ACTION: To send the item to the Public Works Committee for review and discussion MOTION: Titlbach SECOND: Kozelka VOTE: 9-0

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

Fleshner questioned how the City can proceed with the issue of rail cars blocking the crossings in the City. The City Administrator said the Wisconsin Attorney General Van Hollen, in a 2008 opinion involving Douglas County, had reviewed state and federal case law concerning the effect of the Federal Railroad Safety Authorization Act (FRSA) upon state anti-blocking statutes and local anti-blocking ordinances and concluded that under current case law a court would likely hold that the FRSA prohibits the enforcement of state anti-blocking laws.

12. ADJOURN (9:10 PM)

MOTION: Boylen SECOND: Gilberts VOTE: 9-0

Submitted by City Administrator Aaron Kramer

ORDINANCES APPROVED

*** Ordinance 2014-18 (REPEALING AND RECREATING CHAPTER 1.06 (RESIDENCY) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)**