

## Minutes of the Common Council October 21<sup>st</sup> 2014

A regular meeting of the City of Prairie du Chien Common Council was held on Tuesday October 21<sup>st</sup> 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** – Kyle Kozelka and Edward Hayes-Hall absent. The Council has one vacancy.
- 2. Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Solomon SECOND: Gilberts VOTE: 9-0
- 3. Pledge of Allegiance** – Led by Karen Solomon

### **4. PUBLIC HEARINGS** - None

### **5. CONSENT AGENDA**

A. COUNCIL – October 7th 2014; A. COUNCIL (Special) – October 7th 2014; C. FINANCE – October 7th 2014; D. BOARD OF ZONING APPEALS – September 10th 2014; E. POLICE AND FIRE COMMISSION – October 1st 2014; F. PUBLIC WORKS COMMITTEE – September 24th 2014; G. PARK BOARD – August 20th 2014; H. PLAN COMMISSION – September 15th 2014; I. AMENDED LIQUOR LICENSE – WEWP, Inc.; J. POLICE CHIEF'S REPORT – 3rd Quarter 2014; K. OPERATORS LICENSES (if any); City Administrator Kramer asked that item I be pulled for informational purposes ACTION: To approve the consent agenda minus item I MOTION: Solomon SECOND: Gilberts VOTE: 9-0

### **6. ITEMS REMOVED FROM CONSENT AGENDA**

Kramer said WEWP, Inc., doing business as Eddie's Irish Pub, is seeking to hold an outdoor anniversary event, and their current license restricts the sale of alcohol to the building. He said staff has reviewed the request and supports the change in the license. ACTION: To approve Item I of the Consent Agenda MOTION: Gilberts SECOND: Solomon VOTE: 9-0

Without objection, the agenda was moved:

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

**A. DISCUSSION AND ACTION – Professional Services Agreement with Vierbicher Associates (Ohio Street – 2015):** This agreement covers the Ohio Street reconstruction from Blackhawk Avenue to Washington Street, schedule to begin in June 2015, and calls for the City to pay \$56,165 to Vierbicher for engineering and oversight during the project. Funds will come from the 2014-2016 Capital Fund. Kurt Muchow (Vierbicher) was present to discuss the agreement. ACTION: To approve the Professional Services Agreement with Vierbicher Associates (Ohio Street – 2015) MOTION: Solomon SECOND: Their VOTE: 9-0

**B. DISCUSSION AND ACTION – Professional Services Agreement with Vierbicher Associates (Marquette Road – Phase 2 – 2017):** This agreement covers the Marquette Road project – Phase 2, scheduled for 2017. The PSA calls for the City to pay approximately \$61,000 to Vierbicher for engineering and oversight during the project. Funds will come from a future Capital Fund borrowing. Muchow answered questions from the Council on the agreement. ACTION: To approve the Professional Services Agreement with Vierbicher Associates (Marquette Road – Phase 2 – 2017) MOTION: Solomon SECOND: Titlbach VOTE: 9-0

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

**A. PRESENTATION – Blackhawk Junction Cleanup:** An invitation has been extended to the owner of the property (Tom Gialamas), which was damaged in a fire in April and remains in disrepair, to discuss the situation and present a plan for cleaning and restoring the site. City staff will also review what steps have been taken by the City to address the matter. Kramer said he had been in contact with Gialamas' attorney and project manager, who stated the cleanup is scheduled to begin October 30<sup>th</sup>, at a cost of \$396,000. He said the City has been issuing citations daily to Gialamas and those would cease with the plan to remove the

debris having been prevented to the city, but the citations would resume if the timetable for the cleanup is not followed through. No formal action taken.

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

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

**C. DISCUSSION AND ACTION – PDC Main Street request for former PDRI funds:** PDC Main Street is requesting the City give them the assets of the former PDRI. Those funds (\$4,523), per a Council motion in February, were placed in "a segregated account to be held until said time of the re-organization of PDRI, or failing that action taking place prior to December 31st 2014, that the Common Council of the City of Prairie du Chien disburse the funds in a manner beneficial to the downtown as recommended by the City Administrator of the City of Prairie du Chien." Judy Wall and Marlene Dyer presented the case for the transfer of the funds to the Council, saying their group intended to reorganize the former PDRI organization. Council members inquired about the proposed 3-year budget, which includes a request for \$15,000 annually from the City and \$5,000 from Crawford County, as well as the project plan for the group, asking how the proposed group differed from the former PDRI. Kramer informed the Council that the Prairie du Chien Chamber of Commerce voted earlier in the day to withhold support for the group until it received financial contributions from a majority of the downtown business. Dyer stated that the group has not yet solicited for funds from any business. Kramer said he was uncertain about who or where to issue any check for the group, as it has no bank account, no Federal I.D. number, and no physical location. Wall said the PDC Main Street intended to take over the Federal I.D. number of the former PDRI organization. ACTION: To disperse the former PDRI funds, records and physical assets to PDC Main Street MOTION: Jones SECOND: Leys VOTE: 5-4 (Thein, Myers, Solomon and Gilberts opposed)

**9. COMMITTEE REPORTS AND ACTIONS**

**A. FINANCE – Claims:** ACTION: To approve the claims MOTION: Gilberts SECOND: Thein VOTE: 9-0

**B. FINANCE – Amended 2014 Budget:** ACTION: To approve the amended 2014 budget MOTION: Thein SECOND: Gilberts VOTE: 9-0

**C. PUBLIC WORKS - Request to open and improve the alley in the 1200 block of South 16th (Aaron Kazda):** ACTION: To approve the request to open and improve the alley in the 1200 block of South 16th (Aaron Kazda) MOTION: Thein SECOND: Myers VOTE: 9-0

**D. PUBLIC WORKS – Release of the existing utility easement and creation of a new easement for the Bluff Haven property:** The purpose of this is to relocate the watermain to accommodate their proposed building addition. ACTION: To approve the release of the existing utility easement and creation of a new easement for the Bluff Haven property MOTION: Thein SECOND: Jones VOTE: 9-0

**E. PUBLIC WORKS – Request for Proposals for Farm Leases (2015-2017):** Staff is seeking permission to draft and issue a request for proposals for the city's farm leases, which expire December 31st 2014. ACTION: To approve the issuing of the proposal for the farm leases MOTION: Jones SECOND: Leys VOTE: 9-0

**10. OLD BUSINESS** - None

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

**D. DISCUSSION AND ACTION – CHAPTER 3.13 (DISPOSAL OF CITY-OWNED REAL PROPERTY):** Alderman Fleshner has requested the Committee revisit Section 9 (MISCELLANEOUS PROVISIONS) of the Ordinance which reads – (a) No employee of the City of Prairie du Chien may enter into a purchase or rental agreement which is in violation of Chapter 1.07 (5) (d) of the Municipal Code. (b) No member of the Common Council, whether individually or as a member of any entity in which said member has a financial involvement, may enter into a purchase or rental agreement with the City of Prairie du Chien. Fleshner asked the Council to consider amending Section B so that Council members could be involved in a sale or rental if

it is to the highest bidder at a public sale, or to the highest bidder by sealed bid. ACTION: To direct staff to draft an Ordinance reflecting the changes as discussed MOTION: Thein SECOND: Jones VOTE: 9-0

**E. DISCUSSION - Items for future agenda consideration or Committee assignment:** Gilberts asked about the status of the Godden Pit dredging. Kramer said the water levels had still not dropped to the point where the project can commence. Leys informed the Council about the County's recent hiring of a humane officer.

**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: Proposed Sale of City property MOTION: Thein SECOND: Gilberts VOTE: 9-0

**G. CONVENE into open session (8:36 PM):** MOTION: Solomon SECOND: Fleshner VOTE: 9-0

**H. ACTION from closed session:** None

**12. ADJOURN (8:37 PM):** MOTION: Solomon SECOND: Leys VOTE: 9-0

Submitted by City Administrator Aaron Kramer