

## Minutes of the Common Council November 11th 2014

A regular meeting of the City of Prairie du Chien Common Council was held on Tuesday November 11th 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, Nate Gilberts 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: Thein VOTE: 8-0

**3. Pledge of Allegiance** – Led by Mayor Hemmer after a moment of silence in memory of the veterans

### **4. PUBLIC HEARINGS**

**A. PUBLIC HEARING – Proposed 2014 Amended Budget** - Hemmer opened the public hearing at 7:02 PM. City Administrator Kramer provided an overview of the amended budget. No comments were received by the public. Hemmer closed the hearing at 7:06 PM.

**B. ACTION on aforesaid agenda item** – ACTION: To approve the amended 2014 amended budget MOTION: Solomon SECOND: Titlbach VOTE: 8-0

### **5. CONSENT AGENDA**

A. COUNCIL – October 21st 2014; B. FINANCE – October 21st 2014; C. LaRIVIERE PARK BOARD - September 24<sup>th</sup> 2014; D. BOARD OF ZONING APPEALS – October 8th 2014; E. PUBLIC WORKS – October 15<sup>th</sup> 2014; F. PERSONNEL – October 2<sup>nd</sup> 2014; G. PLAN COMMISSION – October 20<sup>th</sup> 2014; H. SPECIAL EVENT/PARADE PERMIT – Prairie du Chien Area Chamber of Commerce (Annual Holiday Parade – December 5<sup>th</sup>); I. FIRE CHIEF'S REPORT – October 2014; J. OPERATORS LICENSES (if any); Kramer asked the item E be pulled as the Committee had not met earlier in the evening due to a lack of quorum and did not approve the minutes. ACTION: To approve the Consent Agenda minus item E MOTION: Titlbach SECOND: Boylen VOTE: 8-0

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

**7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS** - None

**8. CITY ADMINISTRATOR'S REPORT** – Kramer informed the Council that a ribbon cutting will be held for the Marquette Road project on Monday November 17<sup>th</sup> at 10 AM. He also read an email from Tim Haines (Warden, Prairie du Chien Correctional Institution) that there is the possibility of sex offenders being housed in the future. Kramer said he had invited Haines to address the Council at a future date.

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

**A. FINANCE – Claims** – ACTION: Solomon SECOND: Thein VOTE: 8-0

**B. PUBLIC WORKS – Disposition of the 1982 Massey mower** – Discussion was held on the proposal. ACTION: To approve the sale of the 1982 Massey Mower to St. Joseph's Equipment for \$6,100 and direct the City Administrator to include the purchase of a flail mower for the New Holland Tractor (\$10,900) in the 2015 budget MOTION: Solomon SECOND: Titlbach VOTE: 8-0

**C. PUBLIC WORKS – Awarding Farm Leases (2015-2017)** – Kramer asked that the item be postponed until the November 18<sup>th</sup> meeting. ACTION: To postpone the item MOTION: Titlbach SECOND: Solomon VOTE: 8-0

**D. PUBLIC WORKS – Cross Connection Control Program Contract (2015-2019)** – ACTION: To award the four-year contract to Hydro Designs (New Berlin, WI) MOTION: Solomon SECOND: Titlbach VOTE: 8-0

**E. PUBLIC WORKS – Variable Frequency Drive Specs (Water Department)** - The funds were included in the 2014-2016 Capital Budget. ACTION: To approve hiring Vierbicher to draw up specifications and bid out the installation of a variable frequency drive (VFD) at Well #4 for 2015.

**10. OLD BUSINESS** - None

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

**A. DISCUSSION AND ACTION – Ordinance 2014-26 (REPEALING AND RECREATING CHAPTER 3.13 (9) (DISPOSAL OF CITY-OWNED SURPLUS PROPERTY)** - The purpose of this Ordinance is to amend the current Ordinance which prohibits Council members from entering into a purchase or rental agreement with the City, by allowing such a transaction to occur at a public sale or by sealed bid. ACTION: To approve Ordinance 2014-26 MOTION: Titlbach SECOND: Solomon VOTE: 8-0

**B. DISCUSSION AND ACTION - Request for Proposals Professional Consulting Forestry Service for LaRiviere Park** - Funds for the service will come from a percentage of the sale price of the timber at the Park. Leys recommended waiting a year to do more work on the impacts on the wildlife and aesthetics of the park. He also felt the fees should not be paid out of the sale of the trees cut as he felt this could lead to the consultant having an incentive to cut more to make more money. ACTION: To send the item back to the LaRiviere Park Board for more discussion MOTION: Leys SECOND: Boylen VOTE: 2-6 (Thein, Myers, Titlbach, Boylen, Solomon and Jones opposed) Motion failed. ACTION: To approve issue the Request for Proposals MOTION: Thein SECOND: Solomon VOTE: 6-2 (Leys and Fleshner opposed)

**C. DISCUSSION - Items for future agenda consideration or Committee assignment** – Leys asked if the Marquette Road project would be finished by next week. Kramer and Mayor Hemmer said the railroad crossings are not completed, and may not be done so until December. They said the DOT and City staff are exploring options that would open them up prior to the permanent repairs being completed.

**D. ADJOURN to CLOSED SESSION (8:01 PM)** – ACTION: To go into closed session 1) 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: Employee Compensation and Performance Evaluation, and 2) Under Wisconsin State 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: Hailey Seitz (by her guardian ad litem – William Skemp), Roger Seitz, Sara Seitz and ABC Insurance Companies vs City of Prairie du Chien, Denise Barrett, State Farm Mutual Automobile Insurance Company and XYZ Insurance Companies and RE: Possible Condemnation Action MOTION: Thein SECOND: Titlbach VOTE: 8-0

**E. CONVENE into open session (8:23 PM)** – MOTION: Solomon SECOND: Boylen VOTE: 8-0

**F. ACTION from closed session** – ACTION: To remove the “acting” portion of the title from Zoning Administrator Julie Jackson MOTION: Solomon SECOND: Leys VOTE: 8-0

**12. ADJOURN (8:25 PM)** – MOTION: Myers SECOND: Solomon VOTE: 8-0

Submitted by City Administrator Aaron Kramer

**ORDINANCES APPROVED**

\* **Ordinance 2014-26 (REPEALING AND RECREATING CHAPTER 3.13 (9) (DISPOSAL OF CITY-OWNED SURPLUS PROPERTY)**