

Minutes of the Common Council – April 14th 2015

A regular meeting of the City of Prairie du Chien Common Council was held on Tuesday April 14th 2015 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 Kyle Kozelka absent. The Council has one vacancy.
- 2. Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Solomon SECOND: Titlbach VOTE: 9-0
- 3. Pledge of Allegiance** – Led by Sharon Boylen

4. PUBLIC HEARINGS – None

5. CONSENT AGENDA - A. COUNCIL – March 17th 2015; B. FINANCE – March 17th 2015; C. PUBLIC WORKS COMMITTEE – March 17th 2015; D. PUBLIC WORKS COMMITTEE – March 24th 2015; E. LARIVIERE PARK BOARD – January 14th 2015; F. POLICE AND FIRE COMMISSION – February 26th 2015; G. PERSONNEL COMMITTEE – March 10th 2015; H. BOARD OF ZONING APPEALS – December 18th 2014; I. BOARD OF CANVASSERS – November 14th 2014; J. BOARD OF CANVASSERS ELECTION CERTIFICATION (April 7th 2015 Spring Election); K. FIRE CHIEF'S REPORT – March 2015; L. OPERATORS LICENSES (if any); ACTION: To approve the Consent Agenda MOTION: Solomon SECOND: Gilberts VOTE: 9-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS - None

A. PRESENTATION – Issues involving Prairie du Chien Correctional Institution - Warden Tim Haines discussed issues involving PDCI. He stated the facility has now been approved to house sex offenders by the Department of Corrections. He answered questions from the Council on that issue and others involving PDCI.

B. DISCUSSION AND ACTION – Resolution 2015-10 (OPPOSING COUNTY ASSESSMENT PROPOSAL IN THE STATE BUDGET BILL) – ACTION: To approve Resolution 2015-10 MOTION: Gilberts SECOND: Hayes-Hall VOTE: 9-0

C. DISCUSSION AND ACTION – Resolution 2015-11 (OPPOSING ELIMINATION OF LOCAL GOVERNMENT PROPERTY INSURANCE FUND) – ACTION: To approve Resolution 2015-11 MOTION: Solomon SECOND: Gilberts VOTE: 9-0

D. DISCUSSION AND ACTION – Resolution 2015-12 (COMMENDING THE SERVICE OF MARK THEIN ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN) – ACTION: To approve Resolution 2015-12 MOTION: Solomon SECOND: Hayes-Hall VOTE: 9-0

E. DISCUSSION AND ACTION – Resolution 2015-13 (COMMENDING THE SERVICE OF KEN FLESHNER ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN) – ACTION: To approve Resolution 2015-13 MOTION: Hayes-Hall SECOND: Gilberts VOTE: 9-0

F. DISCUSSION AND ACTION – Resolution 2015-14 (COMMENDING THE SERVICE OF SHARON BOYLEN ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN) – ACTION: To approve Resolution 2015-14 MOTION: Hayes-Hall SECOND: Gilberts VOTE: 9-0

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

9. COMMITTEE REPORTS AND ACTIONS

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

B. PUBLIC WORKS - Awarding of bid for Water Leak Survey – ACTION: To award the bid to Municipal Management Corp. (Madrid, IA) for \$2,700 MOTION: Solomon SECOND: Boylen VOTE: 9-0

C. PUBLIC WORKS – Awarding of bid for Inspection of Reservoirs – ACTION: To award the bid to LiquiVision Technology (Klamath Falls, OR) for \$5,000 MOTION: Leys SECOND: Gilberts VOTE: 9-0

D. PUBLIC WORKS - Amending 2014-2016 Capital Budget (North Ohio Street) – ACTION: To amend the 2014-2016 Capital Budget and add the following items: Public Works – New Dumptruck (\$120,000), Public Works – Continue LED conversion of street lights in parking lots, on St. Feriole Island, Blackhawk Avenue and the bypass (\$39,419), Park and Rec - Hoffman Hall parking lot (\$5,000), Park and Rec – New roof for Aquatic Park building (\$42,000), Public Works – Mill and Overlay 9th Street between Wells and Parrish Streets (\$100,000), Island Electrical Upgrade (\$3,000), Repairs to the Street Department buildings (\$10,626) and Fire Department – Five (5) Air Packs (\$30,000) MOTION: Titlbach SECOND: Solomon VOTE: 9-0

E. PUBLIC WORKS - Awarding RFP for real estate work on Marquette Road 2017 – ACTION: To award the real estate work for Marquette Road 2017 to CORRE MOTION: Hayes-Hall SECOND: Solomon VOTE: 9-0

F. PUBLIC WORKS - Agreement for Purchase of Lift Station, Bill of Sale and Promissory Note – City and Town of Prairie du Chien – Lift Station - Under the proposal, the City will purchase the Meadowlane Lift Station for \$160,000, payable over five (5) years, paid by the Wastewater Treatment Plan budget. Two minor changes to the proposed agreement were discussed. ACTION: To approve the Agreement for Purchase of Lift Station, Bill of Sale and Promissory Note with the recommended changes MOTION: Gilberts SECOND: Solomon VOTE: 9-0

G. PUBLIC WORKS – Lease Purchase of Sewer Washer and Waiver of Bids - Meyer reviewed a proposal from Elliott Equipment (Grimes, IA) to sell the City a new sewer washer for \$410,000, with a \$110,000 trade-in credit on the current 2003 sewer washer, and a 5-year lease to fund the new sewer washer with the first payment due in 2016. He recommended the bid process be waived due to timing, as a delay would reduce the trade-in offer and delay delivery from this spring to the fall or winter. He also said the City has a relationship with Elliott Equipment and purchased the current sewer washer from them. Prior to the vote, Hayes-Hall asked the City Attorney if the waiver of the bid process was in compliance with City Code and State Law. The item was placed on the table and the agenda was moved.

H. PUBLIC WORKS – Awarding Asphalt Bid for 2015 – The City received only one bid (Iverson Construction – Kieler, WI). ACTION: To award the asphalt bid for 2015 to Iverson Construction MOTION: Gilberts SECOND: Solomon VOTE: 9-0

I. PUBLIC WORKS – Awarding Curb & Gutter and Sidewalk Replacement Bid for 2015 - The City received only one bid (Tri-State Curb & Gutter – Rewey, WI). ACTION: To award the curb and gutter and sidewalk replacement bid for 2015 to Tri-State Curb & Gutter MOTION: Titlbach SECOND: Solomon VOTE: 9-0

G. PUBLIC WORKS – Lease Purchase of Sewer Washer and Waiver of Bids – City Attorney Peterson said that the waiver of the bid process was legal under City Code and State Statute, where the waiver of the bid process applies to only public construction project. ACTION: To approve the lease purchase agreement with Elliott Equipment (Grimes, IA) and waiver the bids on a new sewer washer MOTION: Gilberts SECOND: Jones VOTE: 9-0

J. PUBLIC WORKS – Authorization to Bid out South 9th Street (Parish to Wells) - This project is part of the proposed amended 2014-2016 Capital Projects Fund. ACTION: To approve issuing bids for the South 9th Street project MOTION: Titlbach SECOND: Solomon VOTE: 9-0

K. PERSONNEL – Ordinance 2015-04 (REPEALING AND RECREATING CHAPTER 22.05 (2) (HOLIDAYS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN) - The purpose of this Ordinance is to provide additional compensation for employees of the Wastewater Treatment Plant who are required to work on designated holidays. ACTION: To approve Ordinance 2015-04 MOTION: Fleshner SECOND: Leys VOTE: 9-0

L. PERSONNEL – Request for Proposals (RFP) for City Attorney - Kramer presented the proposed RFP and discussed how staff felt that dividing the position into two – City Attorney and Municipal Court Attorney – may be a more cost-efficient model to follow. The RFP does allow for the same person or firm to hold both positions. City Attorney Peterson has announced his plans to step down as City Attorney on July 31st, but is willing to remain on past that date in an advisory role during the transition period. The Personnel Committee made one change to RFP to make it easier for a person who resides out-of-state to apply as long as they are licensed to practice in Wisconsin by not requiring they have a Wisconsin Motor Vehicle license, only a valid driver's license. ACTION: To approve the RFP MOTION: Solomon SECOND: Hayes-Hall VOTE: 9-0

10. OLD BUSINESS

A. DISCUSSION AND ACTION – Appointment of Revolving Loan Committee – Mayor Hemmer announced his appointments – Robert Standorf (Chairperson of the City of Prairie du Chien Redevelopment Authority); Robert McDonald (Chairperson of the City of Prairie du Chien Economic Development Corporation); Lori Bekkum (Designee of the chairperson of the Prairie du Chien Area Chamber of Commerce Board, Tom Harris); Ashley Christensen (Business owner or property owner with said business or property being located in the City of Prairie du Chien corporate limits); Sheri Jackson (At-large member) ACTION: To approve the appointments to the Revolving Loan Committee MOTION: Titlbach SECOND: Gilberts VOTE: 9-0

11. NEW BUSINESS

A. REVIEW AND ACTION - Real estate plat for Wisconsin Department of Transportation Project #1661-05-26, Marquette Road 2017 – ACTION: To approve the plat for WDOT Project #1661-05-26 and authorizing the City Administrator to sign and record the plat MOTION: Titlbach SECOND: Solomon VOTE: 9-0

B. DISCUSSION AND ACTION – Naming of new streets in North Gateway Business Park – Kramer recommended the streets be named after Prairie du Chien's two Olympic athletes – Joe Delagrave and Matt Antoine. ACTION: To name the new streets in the North Gateway Business Park Antoine Way and Delagrave Drive MOTION: Solomon SECOND: Gilberts VOTE: 9-0

C. DISCUSSION - Items for future agenda consideration or Committee assignment - None

D. ADJOURN to CLOSED SESSION (8:32 PM) – ACTION: To go into closed session 1) Under Wisconsin State 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: Sale of City Land; 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. Updates on: a. Excalibur Laundries, Inc. (Jay White) vs. City of Prairie du Chien, and b. 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 MOTION: Solomon SECOND: Gilberts VOTE: 9-0

E. CONVENE into open session (9:03 PM) – MOTION: Solomon SECOND: Gilberts VOTE: 9-0

F. ACTION from closed session – ACTION: To hold a Hearing of Public Need on the following properties: 1) The Western Half of Block 78 bordered on the north by Blackhawk Avenue and the south by Wisconsin Avenue, and 2) Lot 17, Block 79 (208 South Marquette Road) MOTION: Titlbach SECOND: Hayes-Hall VOTE: 9-0

12. ADJOURN (9:05 PM) – MOTION: Hayes-Hall SECOND: Gilberts VOTE: 9-0

Submitted by City Administrator Aaron Kramer

RESOLUTIONS APPROVED

- * Resolution 2015-10 (OPPOSING COUNTY ASSESSMENT PROPOSAL IN THE STATE BUDGET BILL)
- * Resolution 2015-11 (OPPOSING ELIMINATION OF LOCAL GOVERNMENT PROPERTY INSURANCE FUND)
- * Resolution 2015-12 (COMMENDING THE SERVICE OF MARK THEIN ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)
- * Resolution 2015-13 (COMMENDING THE SERVICE OF KEN FLESHNER ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)
- * Resolution 2015-14 (COMMENDING THE SERVICE OF SHARON BOYLEN ON THE COMMON COUNCIL OF THE CITY OF PRAIRIE DU CHIEN)

ORDINANCES APPROVED

- * Ordinance 2015-04 (REPEALING AND RECREATING CHAPTER 22.05 (2) (HOLIDAYS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN)