

Minutes of the Common Council – May 5th 2015

A regular meeting of the City of Prairie du Chien Common Council was held on Tuesday May 5th 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 – Kyle Kozelka absent

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 Mike Jones. After the Pledge of Allegiance, Mayor Hemmer asked for a moment of silence in memory of Leary Peterson, former City Attorney, who passed away May 1st.

4. PUBLIC HEARINGS

A. PUBLIC HEARING - Vacation of all that part of Rice Street lying West of the West Right of Way Line of Main Street, South of and abutting the South Boundary Line of Block 172 of the Union Plat of the City of Prairie du Chien, Crawford County Wisconsin, North of and abutting the North Boundary Line of Block 173 of the Union Plat of the City of Prairie du Chien, Crawford County Wisconsin and North of and abutting a part of Farm Lot 35 of the Private Land Claims of the City of Prairie du Chien, Crawford County Wisconsin – Mayor Hemmer opened the public hearing at 7:02 PM. City Zoning Administrator Jackson provided a synopsis of the vacation of the street, which is located amidst the WSOR transloading site along the Highway 18 bypass. City Administrator Kramer stated that no oral or written objections to the vacation had been filed. Hemmer closed the public hearing at 7:08 PM.

B. ACTION on aforesaid item – Resolution 2015-09 (RESOLUTION VACATING ALL THAT PART OF RICE STREET LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF MAIN STREET, SOUTH OF AND ABUTTING THE SOUTH BOUNDARY LINE OF BLOCK 172 OF THE UNION PLAT OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN, NORTH OF AND ABUTTING THE NORTH BOUNDARY LINE OF BLOCK 173 OF THE UNION PLAT OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN, AND NORTH OF AND ABUTTING THAT PORTION OF FARM LOT 35 OF THE PRIVATE LAND CLAIMS OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN) – ACTION: Gilberts SECOND: Solomon VOTE: 6-1 (Leys opposed)

C. 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: 1) 100 block of S. Marquette Road, West half of Block 78 of the Union Plat bordered by Marquette Road on the west, the alley on the east, Blackhawk Ave. on the north and Wisconsin St. on the south, but excluding the approximately 9000 square foot “pocket park” at SE corner of Marquette Rd. and Blackhawk Avenue; and 2) 208 S. Marquette Road (Parcel #271-1638-0000), Union Plat, Lot 17; Block 79 – Hemmer opened the public hearing at 7:10 PM. City Administrator Kramer and City Planner Frable provided an overview of the parcels under consideration. Hemmer closed the public hearing at 7:11 PM.

D. ACTION on aforesaid agenda item – ACTION: To declare there is no public need for the City of Prairie du Chien to retain ownership of properties legally described as follows: 1) 100 block of S. Marquette Road, West half of Block 78 of the Union Plat bordered by Marquette Road on the west, the alley on the east, Blackhawk Ave. on the north and Wisconsin St. on the south, but excluding the approximately 9000 square foot “pocket park” at SE corner of Marquette Rd. and Blackhawk Avenue; and 2) 208 S. Marquette Road (Parcel #271-1638-0000), Union Plat, Lot 17; Block 79 MOTION: Solomon SECOND: Titlbach VOTE: 7-0

5. CONSENT AGENDA - A. COUNCIL – April 21st 2015; B. COUNCIL (Re-Organizational) – April 21st 2015; C. FINANCE – April 21st 2015; D. FIRE CHIEF’S REPORT – First Quarter 2015; ACTION: To approve the Consent Agenda MOTION: Solomon SECOND: Gilberts VOTE: 7-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS

A. DISCUSSION AND ACTION – Resolution 2015-16 (RECOGNIZING NATIONAL POLICE WEEK 2015 AND TO HONOR THE SERVICE AND SACRIFICE OF THOSE LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING OUR DEMOCRACY) - In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. ACTION: To approve Resolution 2015-16 MOTION: Leys SECOND: Jones VOTE: 7-0

B. DISCUSSION AND ACTION – Resolution 2016-17 (DECLARING MAY 16TH TO 22ND 2015 AS NATIONAL SAFE BOATING WEEK IN PRAIRIE DU CHIEN) – Dan Brewer and A J Sullivan, Jr. (Public Affairs Officer) from the U.S. Coast Guard Auxiliary - Prairie du Chien were present to address the Council. ACTION: To approve Resolution 2016-17 MOTION: Solomon SECOND: Gilberts VOTE: 7-0

8. CITY ADMINISTRATOR'S REPORT

Kramer presented the 2015 Spring and Summer Activity Guide, sponsored by Peoples State Bank. Members of the Prairie du Chien Police Department were present to discuss the new Citizens' Academy, which will begin in June. No formal action taken.

9. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims – ACTION: Gilberts SECOND: Solomon VOTE: 7-0

B. FINANCE - Dispersal of Block 43 Sale Proceeds - A memo from City Planner Frable was included in the packet for review and recommendation. ACTION: To divide the proceeds of the Block 43 sale (\$135,468) as follows - General Fund (\$25,000), RDA (\$12,500), and the Downtown Revolving Loan Fund (\$97,968) MOTION: Solomon SECOND: Gilberts VOTE: 7-0

C. PUBLIC WORKS – 2014 Water Department Consumer Confidence Report – Water Department Manager Larry Gates reviewed the Report with the Council ACTION: To approve the 2014 Water Department Consumer Confidence Report MOTION: Titlbach SECOND: Solomon VOTE: 7-0

10. OLD BUSINESS - None

Without objection, the agenda was moved:

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

C. DISCUSSION AND ACTION – Awarding of Bids (9th Street) - \$100,000 was allocated for the grind and overlay on 9th Street (Parish to Wells), and the one bid was from Iverson (\$64,775). Staff requested that the Council consider using the unallocated funds to expand the project to include additional work on Broadway (Marquette to 10th). ACTION: To approve the bid of Iverson (\$64,775) to grind and overlay 9th Street from Parish to Wells MOTION: Leys SECOND: Hayes-Hall VOTE: 7-0 ACTION: To approve expanding the project to include Broadway Street from Marquette Avenue to 10th Street and waive the bidding process MOTION: Solomon SECOND: Gilberts VOTE: 7-0

B. DISCUSSION AND ACTION – Awarding of bid for Safe Routes to School project (SRTS) - The project would consist of a pedestrian/bike path on portions of Dousman and Wells Street and Campion Boulevard and would be scheduled for construction this summer. The City received one bid for the project - MZ Construction (\$294,019). This bid exceeds the funds remaining under the SRTS grant the City received in 2007 (\$192,000). Kramer and Bart Nies (Delta 3 Engineering) said the Council had four options to consider – 1) the City could cover the unfunded portion – approximately \$102,000 from Capital Projects funds or the General Fund; 2) reject the bid and proceed to re-bid the project, with a high level of confidence from the staff that the bid result will not be considerably lower than was received previous; 3) reject the bid

and proceed with the following action items: a. determine which parts of the project could be done by city staff, b. submit a new scope plan to the state for approval and c. rebid later this year or after January 1st 2016 for completion by June 30th 2016, or 4) reject the bids and decline moving forward with the grant, which could result in the City having to reimburse the state for the funds spent so far on design and engineering (approximately \$82,000). Considerable discussion was held on how to proceed. ACTION: To reject the bid and have staff and Delta 3 Engineering determine which parts of the project could be done by city staff and submit a new scope plan to the state for approval, with a target of rebidding the project later this year or in early 2016 MOTION: Leys SECOND: Hayes-Hall VOTE: 7-0

A. DISCUSSION AND ACTION – Funding Plan for the Proposed Expansion of the Public Library – Kramer presented a plan for financing the proposed expansion and upgrade of the current Public Library. The proposal calls for bids to be let for the project in late 2016, determining the final cost for the project. The City would borrow the funds for the project in early 2017 and challenge the Capital Campaign to raise one-half (1/2) of the total price of the project. The borrowing would be a 4-year note with interest-only payments and a balloon note due in 2021. During this time, donations will be collected on the Capital Campaign, allowing for a 3 or 4-year period for donors to make their contributions, and kept in a segregated escrow account. In 2021, the balloon payment will be refinanced with the principal reduced by two sources: 1) The funds escrowed from the Capital Campaign 2) Any funds contributed to the project from the excess funds resulting from the closure of TIF# 6 (the Cabela's TIF). The debt at this point would be issued as a 20-year bond, with a possible call date for early payoff if a large donation is received during the payback period. Discussion was held on the proposal. ACTION: To proceed forward with the project, directing staff to negotiate a Capital Campaign contract with the Sweeney Group, and bring the proposed contract back to the Council for action in May or June MOTION: Gilberts SECOND: Leys VOTE: 7-0

D. DISCUSSION AND ACTION – Short-term and long-term issues with the St. Feriole Island River Wall - A memo from the City Administrator highlighted the current issues and a plan of action for addressing those short-term and long-term issues is including the packet, as well as the topics of the beach area and the Villa Louis Boat Landing. Discussion was held on what steps to take moving forward. ACTION: To send the item to the Public Works Committee with the following direction – to primarily address the short-term and long-term issues of the Riverwall through an RFP, and also develop future plans for the beach area north of the Riverwall and the Villa Louis Boat Landing MOTION: Solomon SECOND: Gilberts VOTE: 7-0

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

F. ADJOURN to CLOSED SESSION (8:38 PM) – ACTION: To go into closed session 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. Update on: Excalibur Laundries, Inc. (Jay White) vs. City of Prairie du Chien MOTION: Gilberts SECOND: Solomon VOTE: 7-0

G. CONVENE into open session (8:52 PM) – MOTION: Titlbach SECOND: Jones VOTE: 7-0

H. ACTION from closed session – ACTION: To approve the sale of 208 S. Marquette Road (Parcel #271-1638-0000) Union Plat - Lot 17; Block 79 to David Welter for \$17,400 MOTION: Hayes-Hall SECOND: Titlbach VOTE: 7-0 ACTION: To approve the sale of a portion of the 100 block of S. Marquette Road (West half of Block 78 of the Union Plat bordered by Marquette Road on the west, the alley on the east, Blackhawk Ave. on the north and Wisconsin St. on the south, but excluding the approximately 9000 square foot "pocket park" at SE corner of Marquette Rd. and Blackhawk Avenue) to Bridger Acquisitions, LLC for \$101,500 MOTION: Solomon SECOND: Gilberts VOTE: 7-0

12. ADJOURN (8:55 PM) - MOTION: Gilberts SECOND: Solomon VOTE: 7-0

Submitted by City Administrator Aaron Kramer

RESOLUTIONS APPROVED

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