

## **Minutes of the Meeting of the Common Council – 6 July 2010**

A meeting of the Common Council of the City of Prairie du Chien was held on Tuesday July 6<sup>th</sup> 2010 at 7:00 PM in the Council Chambers of City Hall. Mayor Dave Hemmer called the meeting to order.

**Call to order/Roll Call** – Absent – Frank Pintz One vacancy

**Certification of the open meeting law agenda requirements** - MOTION: Ames SECOND: Munson

VOTE: 10-0 (Pintz absent, one vacancy)

**Pledge of Allegiance** – Led by Karen Solomon

### **I. PUBLIC HEARINGS, PRESENTATIONS, AND INPUT**

#### **A. PRESENTATION AND PERMISSION – 1st Annual Rubber Ducky River Race**

Ashley Morga was present to discuss the event which will be held on July 17th on St. Feriole Island.

ACTION: To grant permission MOTION: Wayne SECOND: Solomon VOTE: 10-0 (Pintz absent, one vacancy)

### **V. COMMITTEE REPORTS AND ACTIONS**

#### **S. PROPERTY - Rental of City Hall Space to Crawford County Restorative Justice**

CCRJ is seeking to rent one office space in city hall for their operations. Mary Sterling and Robin Kline appeared before the Council to discuss the proposal. Concerns had been raised at the Committee level over security, impact of current city staff and operations, and hours of operation and the item was sent to Council with no recommendation. ACTION: To direct staff to develop a possible program/lease with CCRJ, addressing the concerns discussed, and bring it back to the Council for a vote MOTION: Hein SECOND: Wayne VOTE: 8-2 (Ruskey and Boylen opposed, Pintz absent, one vacancy)

### **II. CONSIDERATION OF CONSENT AGENDA**

A. COUNCIL MINUTES – June 15th 2010

B. SPECIAL COUNCIL MINUTES – June 22nd 2010

C. DESIGN AND PRESERVATION – January 11th 2010

D. DESIGN AND PRESERVATION – May 12th 2010

E. PLAN COMMISSION – May 17th 2010

F. PARK BOARD – April 21st 2010

G. BOARD OF ZONING APPEALS – May 19th 2010

H. POLICE AND FIRE COMMISSION – June 1st 2010

I. PERSONNEL COMMITTEE – June 8th 2010

J. PROPERTY COMMITTEE – May 17th 2010

K. CLASS “A” FERMENTED MALT BEVERAGE LICENSE – Walgreens, d/b/a Walgreens #10682, 109 North Marquette Road

Ames requested item K be pulled

ACTION: To approve the remainder of the Consent Agenda MOTION: Titlbach SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

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

K. CLASS “A” FERMENTED MALT BEVERAGE LICENSE – Walgreens, d/b/a Walgreens #10682, 109 North Marquette Road – Ames expressed concern over Walgreens selling beer and made a motion to deny the license. Motion failed for lack of a second. ACTION: To approve the license MOTION: Hein SECOND: Wayne VOTE: 8-2 (Ames and Munson opposed, Pintz absent, one vacancy)

### **IV. CITIZENS’ COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT**

None

### **V. COMMITTEE REPORTS AND ACTIONS**

#### **A. PARK BOARD – Donation**

The Park Board on June 16th accepted a request from Paula and Randy Sheckler request to donate up to \$2500 for a new swing set unit for Washington Street Park. The city would assist in the costs of a certified

playground installation with moneys coming from Park Improvement Fund. ACTION: To approve the donation MOTION: Ruskey SECOND: Solomon VOTE: 9-1 (Boylen opposed, Pintz absent, one vacancy)

#### B. PARK BOARD – Request

On June 16th, the Board approved a request from Tony and Sue Rangels request to have an Oktoberfest Event at St. Feriole Gardens on October 16th as a means to promote and raise monies for the gardens subject to council approval and having all proper permits, fees, and insurance. The Rangels were present with Tom Nelson to discuss the event. ACTION: To approve MOTION: Ruskey SECOND: Ames VOTE: 9-1 (Boylen opposed, Pintz absent, one vacancy)

#### C. PARK BOARD – Permission

On June 16th, the Board approved the Villa Louis Carriage Classic event on St. Feriole Island for September 10-12th subject to council approval and having proper permits, fees, and insurance. ACTION: To approve MOTION: Riebe SECOND: Solomon VOTE: 10-0 (Pintz absent, one vacancy)

#### D. PARK BOARD – Permission

On June 16th, the Board approved a request from Darci Collins to hold a Women's Fire Department Auxiliary sponsored Fish Fry and Street Dance at St. Feriole Island on September 25th subject to council approval and all permits, fees and insurance. Collins was present to answer questions. ACTION: To approve MOTION: Wayne SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

#### E. PLAN COMMISSION - Certified Survey Map

Located in Lots 1, 2 and 3, Block 159 and all of Block 160 of the Plat of Lower Prairie du Chien, and part of Block 85, Clark's Addition and the Plat of Lower Prairie du Chien, all located in Farm Lot 37 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin – brought by Wisconsin Power & Light/Alliant Energy. The Plan Commission approved the CSM at their June 21st meeting. ACTION: To approve MOTION: Solomon SECOND: Riebe VOTE: 10-0 (Pintz absent, one vacancy)

#### F. PLAN COMMISSION - Certified Survey Map

Located in Lot 1 of Crawford County Certified Survey Map No. 1257 being a part of Blocks 49 and 50, Prairie du Chien Land Company No. 1 Plat including a part of vacated Eleventh Street and vacated Paquette Street, all located in Farm Lot 39 of the Private Land Claims at Prairie du Chien, Crawford County, Wisconsin – brought by Kingdom Hall of Jehovah's Witnesses. The Plan Commission approved the CSM at their June 21st meeting. ACTION: To approve MOTION: Titlbach SECOND: Ames VOTE: 10-0 (Pintz absent, one vacancy)

#### G. PLAN COMMISSION - Certified Survey Map

Located in NW ¼ of the NW ¼, Section 28, T7N, R6W, Town of Prairie du Chien, which is in the extraterritorial limits of the City of Prairie du Chien, Crawford County, Wisconsin, also being part of Lot 1 of Crawford County Certified Survey Map Number 209 – brought by Donald and Sandra Knapp. The Plan Commission approved the CSM at their June 21st meeting. ACTION: To approve MOTION: Riebe SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

#### H. PUBLIC WORKS - Mailboxes/Parking Stall on Beaumont Road adjacent to Post Office

The committee approved establishing a no parking zone on the east side of South Beaumont Street in front of the CenturyLink property. ACTION: To approve MOTION: Solomon SECOND: Titlbach VOTE: 10-0 (Pintz absent, one vacancy)

#### I. PUBLIC WORKS – Proposed Slow No Wake Ordinance

The committee approved a temporary slow no wake on all city waters north of Highway 18 during the Country on the River event (August 5th to August 8th) and hold a public hearing following the event on making the slow no wake permanent beginning in 2011. ACTION: To approve, with two changes – changing the word "West" to "East" and removing the last sentence making the ordinance effective in 2011. MOTION: Hein SECOND: Solomon VOTE: 10-0 (Pintz absent, one vacancy)

J. PUBLIC WORKS – Parking near prison

The committee approved establishing a no-parking zone from the institution's entrance going east roughly 245 feet to Seventh Street and going west from the entrance for roughly 310 feet to Fifth Street. ACTION: To approve MOTION: Solomon SECOND: Ames VOTE: 10-0 (Pintz absent, one vacancy)

K. PUBLIC WORKS - Sewer back up claim by Amy Check

The committee approved a \$725 reimbursement. ACTION: To approve MOTION: Riebe SECOND: Solomon VOTE: 9-1 (Boylen opposed, Pintz absent, one vacancy)

L. PUBLIC WORKS - Recommendation on bids for roof projects

Bids would be sent out for the roofs on the Tourist Information center, Library and Lochner Park building roofs. The committee approved sending the bids out as separate projects. ACTION: To approve MOTION: Titlbach SECOND: Munson VOTE: 10-0 (Pintz absent, one vacancy)

M. PUBLIC WORKS - Relocating the "Welcome to PdC sign that is at Iowa and Main Street

The committee approved moving the sign to city property at the Tourism Information Center ACTION: To approve MOTION: Solomon SECOND: Ruskey VOTE: 10-0 (Pintz absent, one vacancy)

N. FINANCE – Approval of Claims

ACTION: To approve MOTION: Riebe SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

O. FINANCE - City Hall Computer Upgrade

The committee approved the bid from Camera Corner, based in Green Bay, WI, for \$35,135, with the funds to come from the city's Capital Reserves. The Council had earlier approved expending up to \$50,000 on the project, and an additional \$14,685 in upgrades are proposed in addition to the base bid. ACTION: To approve the committee motion with the add-ons MOTION: Ames SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

P. FINANCE - Amended Budget

The committee approved the amended budget to reflect the removal of grant expenditures/revenues from the General Fund, based on the creation of Fund 205 earlier this spring. ACTION: To approve MOTION: Solomon SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

Q. FINANCE - Salary for new Police Chief

The Police and Fire Commission on June 24th approved the hiring of Chad Abram as the new Police Chief, with a recommended annual salary of \$55,000 for the remainder of the year, to be applied retroactively to June 1st 2010, when he became Acting Police Chief. The committee approved the salary recommendation. ACTION: To approve MOTION: Titlbach SECOND: Ames VOTE: 10-0 (Pintz absent, one vacancy)

R. FINANCE - Water Overcharge Refunding Proposal

A recently discovered error in water rate billings on the June 2009 bills will be refunded in two parts. One-half of the customers would be refunded on the September 2010 bills, the other half on the December 2010 bills. The committee approved the two-part refunding. ACTION: To approve MOTION: Wayne SECOND: Hein VOTE: 10-0 (Pintz absent, one vacancy)

**VI. OLD BUSINESS**

None

**VII. NEW BUSINESS**

A. APPROVAL – Safe Routes to School Grant Application

Council approval is needed for the city administrator to sign the next phase of the Safe Routes to School Grant applications. There is no expected budgetary impact to the city under this program. ACTION: To authorize the City Administrator to sign MOTION: Hein SECOND: Solomon VOTE: 10-0 (Pintz absent, one vacancy)

**B. REQUEST UNDER CITY CODE 1.06 (2) – Becky Hackett**

She is requesting that she remain eligible to serve on the following committees - Zoning Board of Appeals, Community Development, IDC. Under current city law, she may if she receives a 2/3 vote from the Council. ACTION: To approve Hackett remaining on the Zoning Board of Appeals and Community Development MOTION: Wayne SECOND: Solomon VOTE: 5-5 (Ruskey, Riebe, Boylen, Finn and Hein opposed, Pintz absent, one vacancy) MOTION failed due to the 2/3 requirement of City Code

**C. VACANCY IN FIRST ALDERMANIC DISTRICT**

Erwin Mueller and William Lynch filed for consideration to fill the vacancy created by the resignation of Becky Hackett, effective June 1st 2010. ACTION: To table MOTION: Finn SECOND: Boylen VOTE: 2-8 (Ruskey, Wayne, Riebe, Ames, Titlbach, Munson, Solomon and Hein opposed, Pintz absent, one vacancy) MOTION failed. ACTION: To conduct a roll call vote MOTION: Riebe SECOND: Ames VOTE: 10-0 (Pintz absent, one vacancy) ACTION: To approve Erwin Mueller to fill the vacancy by a 9-0 vote (Finn abstained, Pintz absent)

**D. RECONSIDERATION OF MOTION – Judeen Ames**

Councilmember Ames has requested the Council reconsider their May 18th motion involving the fencing on the south edge of LaRiviere Park to include a stipulation that the fencing would not be restored during the term of the city's lease with Gale Beneker, which runs through December 31st 2014. If approved, this item would be sent back to the LaRiviere Board for reconsideration, and come back to the Council for approval on July 20th. ACTION: To reconsider the motion MOTION: Ames SECOND: Riebe VOTE: 7-3 (Riebe, Solomon and Boylen opposed, Pintz absent, one vacancy) ACTION: To send the item back to the LaRiviere Committee for reconsideration MOTION: Ruskey SECOND: Ames VOTE: 7-3 (Riebe, Solomon and Boylen opposed, Pintz absent, one vacancy)

**E. MAYORAL APPOINTMENTS**

Appointment of Brad Steiner to the Harbor Commission, replacing Jeff Smethurst, who has resigned, for a term to end May 1, 2012. ACTION: To approve MOTION: Hein SECOND: Munson VOTE: 10-0 (Pintz absent, one vacancy)

NOTE: Hein left the meeting at 910 PM

**F. ADJOURN to CLOSED SESSION under Wisconsin State Statute 19.85 (1) (e) (9:11 PM)**

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: Prairie Maison purchase. ACTION: To approve MOTION: Solomon SECOND: Munson VOTE: 9-0 (Pintz and Hein absent, one vacancy)

NOTE: Hein rejoined the meeting at 915 PM

**G. CONVENE to open session (9:45 PM)**

ACTION: To convene into open session MOTION: Solomon SECOND: Ames VOTE: 10-0 (Pintz absent, one vacancy)

**H. ACTION from closed session**

ACTION: To request bids on asbestos abatement and demolition of the Prairie Maison property MOTION: Ruskey SECOND: Riebe VOTE: 10-0 (Pintz absent, one vacancy)

**VIII. ADJOURN (9:46 PM)**

MOTION: Ames SECOND: Solomon VOTE: 10-0 (Pintz absent, one vacancy)

Submitted by City Administrator Aaron Kramer