

Minutes of the Meeting of the Common Council – 17 August 2010

A meeting of the Common Council of the City of Prairie du Chien was held on Tuesday August 17th 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 – Joe Ruskey, Kathleen Hein, Mary Wayne and Jaaren Riebe
Certification of the open meeting law agenda requirements - MOTION: Ames SECOND: Munson
VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)
Pledge of Allegiance – Led by Linda Munson

I. PUBLIC HEARINGS, PRESENTATIONS, AND INPUT

A. PUBLIC HEARING - Recommendation to amend the Prairie du Chien Zoning Code

This amendment would affect Lot 1 of Certified Survey Map #1298 as filed in Vol. 11/CSM/65, being located in Block 49 of Prairie du Chien Land Company #1 Addition; from R-1 “Low Density Residential” and AT “Agricultural Transition” to B-2 “Highway Commercial” Zoning District. The Plan Commission approved this on May 17th. Mayor Hemmer opened the public hearing at 7:04 PM. Julie Jackson presented an overview of the rezoning request. No one from the public spoke. Hemmer closed the public hearing at 7:06 PM

B. ACTION – Approval of above agenda item

ACTION: To approve MOTION: Solomon SECOND: Ames VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

E. PRESENTATION – Space Needs Committee Study

The Space Needs Committee, which the Council formed earlier this year, will present its findings and recommendations involving the Fire Department, Library, Police Department, Water Department and City Hall. The report, as presented by the City Administrator, advocated an expansion to the fire station on Blackhawk with a merger of the water department into the facility (2013), a new or expanded library (2015) and a possible relocation of the police department to City Hall, with a municipal court component (2018). Several questions were asked regarding the report, mainly dealing with finance and timing, and Mary Ann Stemper addressed the Council regarding the library portion of the report.

F. APPROVAL – Space Needs Committee Report

ACTION: To accept the Space Needs Committee Report MOTION: Pintz SECOND: Munson VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

I. PRESENTATION – Country On the River

Greg Webster was present to review the 2010 event and hear concerns/comments from the Council, which included concerns on noise levels, as well as costs to the city. He also requested a re-negotiation of the current contract between the event and the city, which runs through 2012, with a 3-year renewal option, and discuss plans for a second concert, Rock On The River, in July 2011. ACTION: To direct staff to negotiate with Country On The River regarding the issues brought up at the meeting, specifically a new contract and a second event. MOTION: Pintz SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

C. PRESENTATION – Audit for 2009

Al Brey from Johnson Block reviewed the 2009 audit, and answer questions from the council and staff. Overall, the general fund ran a surplus of \$642,000 in 2009, leaving the city with a reserve fund at the end of the year of roughly \$660,000. He advocated the city continue to build up its reserve account. No structural audit problems were uncovered.

D. APPROVAL – Audit for 2009

ACTION: To accept the 2009 audit MOTION: Munson SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

G. PRESENTATION – Veterans Memorial

Dean LaPointe and his group are seeking to turn over the property to the ownership of the City upon completion. None of the members were present, but a draft conveyance and acceptance agreement was reviewed.

H. ACCEPTANCE – Ownership of the Veterans Memorial by the City of Prairie du Chien

ACTION: To accept ownership of the Veterans Memorial once completed with all outstanding bills being paid, and to sign the Conveyance Agreement at that time MOTION: Pintz SECOND: Titlbach VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

II. CONSIDERATION OF CONSENT AGENDA

A. COUNCIL MINUTES – August 3rd 2010

B. FINANCE COMMITTEE – August 2nd 2010

C. PLAN COMMISSION – July 20th 2010

D. PUBLIC WORKS COMMITTEE – August 3rd 2010

E. JOINT REVIEW BOARD – July 15th 2010

F. BOARD OF ZONING APPEALS – July 21st 2010

G. POLICE AND FIRE COMMISSION – July 22nd 2010

H. ALCOHOL LICENSE – Diane Rowley, DBA as Rowdy's Bar and Grill, 301 West Blackhawk Street, Prairie du Chien, WI

City Administrator Kramer requested item B be pulled as the Finance Committee did not have a quorum on August 16th and could not approve the minutes of August 2nd. Boylen requested item F be pulled. ACTION: To approve all items except B and F MOTION: Titlbach SECOND: Ames VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

III. ITEMS REMOVED FROM CONSENT AGENDA

B. FINANCE COMMITTEE – August 2nd 2010

No action taken due to the Finance Committee being unable to approve the minutes on August 16th

F. BOARD OF ZONING APPEALS – July 21st 2010

Boylen questioned why Hackett had been removed and other non-city residents are on committees.

ACTION: To approve the minutes MOTION: Pintz SECOND: Ames VOTE: 7-1 (Boylen opposed, Ruskey, Hein, Wayne and Riebe absent)

IV. CITIZENS' COMMENTS, OBSERVATIONS, PETITIONS, AND PUBLIC INPUT

None

V. COMMITTEE REPORTS AND ACTIONS

A. FINANCE – Claims Report

No action was taken at the Finance Committee due to a lack of quorum ACTION: To approve the claims report MOTION: Pintz SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

B. FINANCE – Bid Approval for Roofing Projects

The committee did not have a quorum and the items were sent to the Council with no recommendation.

Bids were opened on August 4th and staff recommended the following projects be approved, with funds to come from the Capital Reserve Account.

1. Tourism Information Center (Entry Park) – Braund Building Center, Onalaska, WI - \$38,213
2. Library – McGregor Roofing - \$48,555
3. Lochner Park Maintenance Building – McGregor Roofing - \$22,845

ACTION: To table the item and send back to the Finance Committee for their September 7th meeting MOTION: Pintz SECOND: Titlbach VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

C. PUBLIC WORKS - Ordinance to Prohibit Swimming/Diving off City Docks/River Wall

The committee recommended approval. ACTION: To approve Ordinance 2010-16 MOTION: Pintz SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

D. PUBLIC WORKS - Ordinance to prohibit fishing from the Washington and Blackhawk Street bridges
The committee recommended approval. ACTION: To approve Ordinance 2010-17 MOTION: Solomon
SECOND: Ames VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

E. PROPERTY – Merger with Public Works Committee

At its August 2nd meeting, the Property Committee approved the merger of their committee with the Public Works Committee. The merger involves only the transfer of responsibilities and duties, not the members. ACTION: To approve Ordinance 2010-18 MOTION: Pintz SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

VI. OLD BUSINESS

A. RECONSIDERATION OF MOTION – Painting of curbs on Blackhawk Avenue

On August 3rd, the Council, by an 8-1 voted, approved eliminating those parking spaces immediately adjacent to the intersections along Blackhawk Avenue from Main to Michigan, but not including those intersections. Alderman Riebe has requested a reconsideration of this motion at tonight's meeting. Mike Cowie spoke briefly in objection to removing the 12 parking spaces in the original motion.

ACTION: To reconsider the Council vote of August 3rd MOTION: Ames SECOND: Finn VOTE: 7-1 (Pintz opposed, Ruskey, Hein, Wayne and Riebe absent)

ACTION: To void the Council vote of August 3rd MOTION: Ames SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

ACTION: To send the item back to the Public Works Committee for reconsideration MOTION: Solomon SECOND: Finn VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

VII. NEW BUSINESS

B. CONTRACT – Marquette Road Project

The Department of Transportation is requesting the City sign an amended agreement for participation in the Marquette Road project from Washington to Webster Streets. The original 2006 agreement, signed by Gordon Gallagher, and the new amended agreement was provided to the Council.

C. APPROVAL – RESOLUTION 2010-23

This resolution authorizes the City Administrator to sign the amended agreement with the DOT, as referenced in the above item. ACTION: To approve Resolution 2010-23 MOTION: Solomon SECOND: Munson VOTE: 7-1 (Boylen opposed, Ruskey, Hein, Wayne and Riebe absent)

D. CONTRACT – MSA

Staff was seeking permission to sign and execute an agreement with MSA to handle the land acquisition needs for the Marquette Road/Iowa and Wisconsin Street projects. This is an amended contract that was already approved. Land acquisition will begin in October 2010. This project is slated to begin in 2014. Glenn Speich was present from MSA to discuss the contract. ACTION: To approve the contract with MSA MOTION: Pintz SECOND: Munson VOTE: 7-1 (Boylen opposed, Ruskey, Hein, Wayne and Riebe absent)

E. CONTRACT - Legal representation for land acquisition

Staff was seeking guidance on whether the city should utilize its current City Attorney, or contract out the legal work, for the land acquisition needed for the Marquette Road/Iowa and Wisconsin Street projects. ACTION: To use the City Attorney for legal representation as needed MOTION: Solomon SECOND: Munson VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

F. MAYORAL APPOINTMENT

1. Char Bender to the Board of Zoning Appeals, replacing Becky Hackett (For term ending May 1st 2011)
2. Jim Gallagher to Board of Harbor Commissioners, replacing B.J. Halverson (For a term ending May 1st 2011)

ACTION: To approve the appointments MOTION: Ames SECOND: Pintz VOTE: 7-1 (Boylen opposed, Ruskey, Hein, Wayne and Riebe absent)

G. APPROVAL – Resolution 2010-26

This mayoral resolution designates September as Fall Prevention Awareness Month. Mayor Hemmer read the proclamation in its entirety. ACTION: To approve Resolution 2010-26 MOTION: Pintz SECOND: Ames VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

A. DISCUSSION – 2011 Budget

Staff was seeking input from the Council on what direction and guidance they wish to provide staff as they move into the 2011 budget preparations. Pintz suggested keeping any tax increase below 5 percent, while another suggestion included exploring a Code Enforcement Officer. No formal action was taken.

H. ADJOURN to CLOSED SESSION under Wisconsin State Statute 19.85 (1) (e) (9:27 PM)

ACTION: To go into closed session for the 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: Possible donation/purchase of land on St. Feriole Island MOTION: Solomon SECOND: Munson VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

I. CONVENE to open session (9:41 PM)

ACTION: To convene into open session MOTION: Titlbach SECOND: Solomon VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

J. ACTION from closed session

No formal action was taken

VIII. ADJOURN (9:44 PM)

MOTION: Solomon SECOND: Boylen VOTE: 8-0 (Ruskey, Hein, Wayne and Riebe absent)

Submitted by City Administrator Aaron Kramer