

PLATTEVILLE COMMON COUNCIL PROCEEDINGS
MARCH 10, 2015

The regular meeting of the Common Council of the City of Platteville was called to order by Council President Eileen Nickels at 7:00 PM in the Council Chambers of the Municipal Building.

ROLL CALL

Present: Dick Bonin, Barbara Daus, Mike Denn, Ken Kilian, Council President Eileen Nickels, Amy Seeboth-Wilson, and Barbara Stockhausen. Absent: None.

SPECIAL PRESENTATIONS

Grant County Economic Development Corporation – Executive Director Ron Brisbois provided an overview of the GCEDC and distributed the strategic goals. The City of Platteville contributes \$19,159 annually to this county-wide organization. Short term goals include creating certified sites in Platteville Industrial Park, marketing videos, and site selection consultants. Long term goals include converting the Nelson Dewey Power Plant in Cassville to create an intermodal hub serving barge, rail, and semi-trucks on the Wisconsin side of the Mississippi River and workforce development. The June meeting will be held in Platteville and the Council was encouraged to attend. Daus asked Mr. Brisbois if every community in Grant County had an industry park and he responded no, that there were only nine and Dickeyville is creating one. Daus also questioned if activity increased, decreased, or stayed the same with the Hwy 151 four lane and he responded that the connection between Dubuque and Madison has been a marked increase.

CONSIDERATION OF CONSENT CALENDAR

Motion by Kilian, second by Bonin to approve the consent calendar as follows: February 23 Special and February 24 Regular Council Meeting Minutes; Payment of Bills in the amount of \$496,534.31; February Financial Report; One-Year Operator License to Rachel Bekele and Henry W Karlzon; Two-Year Operator License to Renee E Abing, Maria A Jerrett, and Karen M Thome; Walk/Run Permits to MS Society of WI for May 5, ALS Association for September 26, and UWP Health and Human Performance for April 11 as presented. Motion carried 7-0 on a roll call vote.

CITIZENS' COMMENTS, OBSERVATIONS AND PETITIONS, if any.

Eileen Nickels stated that the City Manager application deadline is March 18 and noted that the Council will firm up dates to meet with the search firm at the end of the month.

REPORTS

- A. Committee Reports – Meeting reports were submitted by Commission on Aging, Platteville Transit System Joint Committee, Museum Board, Joint Museum Board & Jamison Museum Board, Plan Commission, Police & Fire Commission, and RDA. Stockhausen complemented Seeboth-Wilson and Howard Crofoot for their work on the Platteville Transit System Joint Committee. Daus reminded the public of the March Lyceum programs and noted that the next one was March 21.
- B. Other Reports
 - 1. City Attorney Itemized Statement
 - 2. Water & Sewer February Financial Report
 - 3. Airport February Financial Report
 - 4. Department Progress Reports – Written progress reports of department operations and activities were submitted by Public Works, Director of Administration, City Attorney, Community Planning & Development, EMS, and Senior Center.

ACTION

- A. *Reconsideration of Final Plat – First Addition to Golden Heights Subdivision* – Motion by Bonin, second by Stockhausen to reconsider action taken February 24 on the Final Plat-First Addition to

Golden Heights Subdivision. Motion carried 5-2 with Kilian and Denn voting against. Community Planning and Development Director Joe Carroll stated that he wasn't at the last meeting so he couldn't clarify any discussion from that meeting, and provided an overview of the request to approve the final plat for the First Addition to Golden Heights Estates Subdivision with the condition that the applicant enter into a development agreement with the City to govern the installation of the infrastructure and improvements necessary to convey storm water through the drainage easement within this subdivision. Carroll noted that Staff did not recommend a notation on the plat regarding fill material that was conditioned by the Plan Commission and Council for the primary reason that it's never been a procedure to put fill notations on plats and there is no prior precedent, policy, or ordinance to address that type of situation. In response to a question by Bonin, City Attorney Brian McGraw explained that the owner/seller is required to provide buyers with a real estate condition report and one of the questions is whether the owner is aware that the property has been filled. For every question that is answered yes, an explanation is required. Denn asked if that report would be recorded to which McGraw stated no, it just goes to the buyer. Denn doesn't believe that the original preliminary plat coincides with the final plat and that it shouldn't even be acted on. Motion by Seeboth-Wilson, second by Bonin to approve the Final Plat for the First Addition to Golden Heights Estates Subdivision as shown on the plat by Austin Engineering, with the following conditions: a) the applicant shall enter into a development agreement with the City to govern the installation of the infrastructure and improvements necessary to convey storm water through the drainage easement within the subdivision; and b) the Staff can finalize the development agreement without having to come back to the Council. Motion carried 4-3 with Kilian, Denn, and Daus voting against.

- B. *Appeal of Certificate of Appropriateness Denial – 130 Market Street* – Community Planning and Development Director Joe Carroll explained that the owners of 130 Market Street submitted an application for a Certificated of Appropriateness to the Historic Preservation Commission for some changes to the exterior of the property since it is located in the Main Street Commercial Historic District. The HPC approved changes to the rear of the building, but denied a request to modify the front porch. The applicant would like to appeal the decision and remove the existing front porch and replace it with a smaller porch with a different style. The existing porch is pulling away from the building and is deteriorating in some locations. Staff found evidence that the existing porch is not original to the building, that the original porch was located along the front but also wrapped around the east side, and the columns, railing and skirting are also different. Recommends that the appeal be approved and base the decision on the appropriateness of the style of the structure. The Commission denied the request because both the existing porch and the original porch both extended across the full front façade, so the proposed smaller porch would alter the appearance of the building. Motion by Denn, second by Bonin to approve the Certificate of Appropriateness to allow the porch to be reconstructed as requested. Stockhausen asked if the new porch would complement the other structures on the street. Kilian noted that it would not and that the Commission based their decision on national standards, not a local whim. Applicant Lisa Haas brought some additional pictures, explained this is not a neighborhood but a business and businesses don't usually have a full front porch on them, the only building that has a full porch is the church office to the right, part of the reason she loved the building was the house itself and her clients could see City Park, and answered questions of the Council. Denn called the question. Kilian stated that he was going to vote yes so he could bring it back for reconsideration at the next meeting. Motion carried 7-0 on a roll call vote.
- C. *Farm and Fleet of Platteville Inc. Claim for Excessive Assessment* – City Attorney Brian McGraw explained that the City was served with a Claim for Excessive Assessment on behalf of Farm and Fleet of Platteville Inc. Since the claimant did not file a Notice of Objection or contest the assessment at the Board of Review held in 2014, Staff recommends to disallow the claim. Motion by Daus, second by Denn to disallow the claim and direct the City Attorney to serve a Notice of Disallowance upon the Claimant, Farm and Fleet of Platteville, Inc. Motion carried 7-0 on a roll call vote.

INFORMATION AND DISCUSSION

It was the consensus of the Council to discuss the last information and discussion agenda item first.

- A. *Public Building Design Approval – Library Block Project* – Recommends the approval of the building design, subject to final zoning approval and a development agreement. Architect Michael Brush presented the proposed building design for the Library Block Project. Plan Commission members Tom Nall and James Winters stated that adding greenery and pedestrian access from Chestnut Street to Downtown was very important to the Plan Commission. Action at next meeting.
- B. *Contract 1-15 Fourth Street Reconstruction* – Recommends the award of Contract 1-15 Fourth Street Reconstruction to Maddrell Excavating, including Alternates A (reconstruction of 2 parking lots on the corner of Furnace and Fourth) & C (colored concrete between the sidewalk and curb from Main to Furnace) for a total contract price of \$1,857,332.30. Action at next meeting.
- C. *Ordinance Prohibiting Pit Bull Dogs* – Proposed ordinance drafted at the request of Councilmember Denn to restrict pit bull dogs in the City of Platteville due to a small dog being attacked by a pit bull with no recourse. Speaking against the ordinance was Shelby Stecklein of 2477 Maple Ridge and James Winters of 140 Market Street citing that there should be stricter enforcement of animal laws instead of restricting dog breeds, no bad dogs – only bad dog owners. Registered against Stephanie Banfield of 685 Rountree Avenue and Angela Stecklein and Kathy Stecklein of 2477 Maple Ridge Road. It was the consensus of Council to refer the proposed ordinance to the Freudenrich Animal Trust Care Committee for their recommendations before bringing back to the Council for action, if any.
- D. *Ordinance Amending Section 2.01 Aldermanic District #4 and Election Ward Eight due to Annexation of Property* – Proposed ordinance assigns the annexed property of 680 E Business Hwy 151 to Aldermanic District #4 and Election Ward Eight. Action at next meeting.
- E. *Lease of City Hall Space with Main Street Program* – Recommends the approval of the lease of the former police department space in City Hall to the Main Street Program subject to certain terms. Discussion was held about access to the main part of the building, technology access/firewalls in place, cleanliness/fire hazards, and proposing pricing comparable to PBII. It was the consensus of the Council to allow some tenants to come in and clean/paint while they are on Spring Break next week. Action at next meeting.
- F. *Appeal of Plat Restriction/Sidewalk Waiver – 1775 Progressive Parkway* – Request is for the waiver of a restriction on the plat for 1775 Progressive Parkway (McDonald's USA LLC) that doesn't allow a driveway connection onto Commercial Drive and a sidewalk waiver to allow for a partial installation of sidewalk (along Progressive Parkway and along a portion of Commercial Drive to allow for a connection to the building). Staff recommends approval of the driveway connection with the condition that the driveway is limited to exit traffic only and the sidewalk waiver as proposed. A new site plan will be provided for the next meeting. Concern was expressed about making sure that the driveway design was obviously an exit only and about allowing a sidewalk waiver. Action at next meeting.
- G. *Ordinance Amending Bicycle Parking Requirements* – Proposed ordinance clarifies bicycle parking requirement language to make sure all new bicycle racks support a bicycle upright by its frame at two points of contact to prevent bicycles from pivoting or falling over. Action at next meeting.

CLOSED SESSION

Motion by Stockhausen, second by Denn to adjourn to closed session per Wisconsin 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 – a) *Possible Land Acquisition* and b) *To Negotiate Ambulance Service Agreement with Southwest Health System*. Motion carried 7-0 on a roll call vote.

The Council reconvened in open session at 10:54 PM.

ACTION ON CLOSED SESSION

None.

ADJOURNMENT

Motion by Denn, second by Bonin to adjourn. Motion carried 7-0 on a roll call vote. The meeting was adjourned at 10:55 PM.

Respectfully submitted,

Jan Martin, City Clerk