

**PLATTEVILLE COMMON COUNCIL PROCEEDINGS**  
**JUNE 23, 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: Barb Stockhausen, Ken Kilian, Tom Nall, Eileen Nickels, Mike Denn, Amy Seeboth-Wilson, and Barb Daus. Absent: None.

**PUBLIC HEARING**

*Ordinance 15-07 Rezone of 255 Eastside Road* – President Nickels opened the public hearing. Community Planning & Development Director Joe Carroll explained that this property is currently a vacant parcel located on the southeast corner of Eastside Road and Means Drive. The property is currently zoned a combination of R-3 Multi-Family Residential and B-3 Highway Business. The applicant would like to rezone it to M-2 Heavy Manufacturing to allow the sale and development of this property. The owners of Allegiant Oil are interested in purchasing this property for fuel storage and distribution, which this new zoning would allow. Only a portion of this site would be used for this purpose, the remaining land would be sold in the future for other development. Public statements in favor were given by Jim Schneller who stated the requested zoning change makes more sense with the proposed usage and sidewalks are a good thing but should not be installed carte blanche. Mike Bisbach of Dodgeville and the engineer on the project commented this project would be a better usage for this parcel. No public statements against or in general. Council questions concerned the close proximity to other properties, clean-up procedures in case of contamination, truck entrance and exits from property, and possibility of installing sidewalks. Motion by Daus, second by Nall to close the Public Hearing. Motion carried unanimously on roll call vote. Public Hearing was closed at 7:23 PM. Motion by Daus, second by Denn to approve the zoning change request from R-3 Multi-Residential and B-3 Highway Business to M-2 Heavy Manufacturing. Motion carried unanimously on roll call vote.

**SPECIAL PRESENTATION**

*2014 Audited Financial Statements – Johnson Block and Company, Inc.* – Brent Nelson, CPA Audit Manager for Johnson Block & Co., Inc. presented an overview of the City of Platteville 2014 Audit to the Council. 2014 Financial Highlights included an increase in the overall Fund Balance of \$553,940, General Fund increased \$255,153, Capital Projects increased \$290,391, TIF #4 decreased \$217,543, TIF #8 increased \$222,958 and was closed during 2014, and the Water and Sewer Utility increased \$898,278. The City's valuation increased approximately 11% over a four year period. Shared revenue approximately the same over the past three years. The City's general obligation debt totaled \$17,318,640 with about 44% of its debt capacity remaining. President Nickels thanked him for his presentation.

**CONSIDERATION OF CONSENT CALENDAR**

Motion by Daus, second by Nall to approve the consent calendar as follows: June 9 Regular Council Meeting Minutes; Payment of Bills in the amount of \$292,823.03; Appointment of Julie Loeffelholz to the Plan Commission term to expire 05/01/16, Dick Bonin reappointment to the Commission on Aging for a three year term, and Tracey Roberts to the Museum Board for a four year term; One-Year Operator License to Ivy M Bockhop, Devyn M Isler, Kortney K Kleber, David L McCabe, Ann B Mowbray, and Madilyne R Taylor; Two-Year Operator License to Jennifer A Abing, Doris H Alt, Vincent J Anderson, Matthew T Collins, Mary Jo Craugh, Amy M Fulcher, Danielle S Hall, Scout M Harrison, Autumn R Nelson, Michelle L Pluemer, Denise J Roche, Mohammad Tazin, Nancy L Timmerman, Cindy L VanNatta, Mark A

VanNatta, and Todd M Webb; Permit for a Walk/Run on the 4<sup>th</sup> of July for the July 4<sup>th</sup> Committee; Permit for Fireworks on the 4<sup>th</sup> of July for the 4<sup>th</sup> of July Committee; and a Banner Promoting 09/26/15 ALS Walk from 08/31/15 to 09/13/15. Motion carried unanimously on roll call vote.

**CITIZENS' COMMENTS, OBSERVATIONS and PETITIONS, if any**

Arlene Siss, 130 North Hickory Street, reported on upcoming events at the Stone Cottage. They will hold their Bunny Cottontail presentation, which children love. They are also asking any students 19 and under to bring their homemade items to sell as a promotion to younger people.

Jodie Richards, City Communication Specialist, reported that the City of Platteville has received a Grant from the Clarence Gribble Trust of the Platteville Community Fund, a component of the Community Foundation of Southern Wisconsin, to support the Welcome to Platteville signs. Materials for the sign on Hwy 80 near Alliant Energy have been ordered, and the permit application for this property has been submitted. Communication with Wal-Mart property management has progressed, as this is the ideal location for the second sign.

Howard Crofoot, Director of Public Works, commented on the June 22 storm damage. The tornado siren did sound. Many trees were downed or damaged, most of the wreckage was on South Chestnut Street, Rountree Avenue, and West Main Street. Alliant Energy will work with City crews to get all electrical service up and running throughout the City. Street crews will be out collecting brush, tree limbs, etc. starting Wednesday and will go around town every day for the next week or so.

Barb Daus, Alderperson, made honorable mention to all the neighbors who turned out to help other neighbors who had damage to property/trees. She also mentioned the July 12<sup>th</sup> pancake breakfast at the Platteville Airport assisted by the Boy Scouts and the July 4<sup>th</sup> Heritage Days event at the Mining Museum.

**REPORTS**

- A. Committee Reports – Meeting reports were submitted by the Freudenreich Animal Care Trust Committee; Library Board; Community Safe Routes; Parks, Forestry, and Recreation Committee; Board of Zoning Appeals; Airport Commission; and Police and Fire Commission.
- B. Other Reports
  - 1. Department of Public Works
  - 2. Library Director's Report
  - 3. Senior Center Report
  - 4. EMS Department Progress Report
  - 5. City Attorney Progress Report
  - 6. Director of Administration/Acting City Manager Progress Report

**ACTION**

- A. *Contract 8-14 Industry Park Infrastructure Improvements* – Director of Public Works Crofoot stated there were nine bidders for this project. Miese Construction of Sauk City, Wi had the low base bid of \$1,154,152.17. There are also four alternate bids presented. Alternate Bid A is for installation of a water main loop on the Philips and Evergreen Road extension in the amount of \$108,630; Alternate Bid B is for site grading to prepare lots for development in the amount of \$52,365.10; Alternate Bid C is for a sign designating the Industry Park at the intersection of Vision Drive and Eastside Road in the amount of \$17,300; and Alternate Bid D is for paving the extension of Vision Drive from Eastside Road to Philips Road in concrete instead of asphalt in the amount of \$95,244. These bids must be accepted in order. With our current budgeted amount, only Alternates A – C could be approved. Miese

Construction did the contract at the Airport last year and all reports of their work were favorable. Bid award is also subject to EDA approval. If the Miese Construction bid is accepted with Alternates A – C the total cost would be \$1,331,447.27. Motion by Daus, second by Denn to award Contract 8-14 to Miese Construction, including Alternates A – C for the total Contract Price of \$1,332,447.27, subject to EDA approval. Motion carried unanimously on roll call vote.

B. *Ordinance 15-09 Amending 36.11 (1) Regulations of Licensed Premises* – Alderperson Daus explained state law currently dictates the hours of retail sales for fermented malt beverages and liquor licenses. No beer sales are to be between 12 midnight and 6:00 AM and no intoxicating liquor and wine sales between 9:00 PM and 6:00 AM. Local ordinances may further restrict these hours. Currently, the Platteville Municipal Code does further restrict these hours to fermented malt beverage sales from 6:00 AM to 8:00 AM, but does not address intoxicating liquors and wines. The License Committee met and recommended the City ordinance be changed to follow state law. Motion by Daus, second by Nall to approve Ordinance 15-09 Amending 36.11(1) Regulations of Licensed Premises adopting the hours of retail sales set forth in Chapter 125, Wisconsin State Statutes – No beer sales between 12 midnight and 6:00 AM and no intoxicating liquor and wine sales between 9:00 PM and 6:00 AM for consumption off the licensed premises. Motion carried unanimously on roll call vote.

C. *CDBG Grant: City Policy and Ordinance Updates*

1. *Ordinance 15-08 Fair Housing*
2. *Resolution 15-15 Anti-Displacement and Relocation Plan*
3. *Resolution 15-16 Non-Violent Demonstration Policy*
4. *Fair Housing Proclamation*

Director Carroll explained this is an update of the ordinance, resolutions, and proclamations necessary to achieve compliance with the CDBG program requirements. Motion by Denn, second by Kilian to approve Ordinance 15-08 Fair Housing, Resolution 15-15 Anti-Displacement and Relocation Plan, Resolution 15-16 Non-Violent Demonstration Policy, and Fair Housing Proclamation as presented. Motion carried unanimously on roll call vote.

D. *Waiver of Section 36.09(4)(c) Premises Restriction* – Don Franklin – Attorney Brian McGraw explained Dear Orleans is a restaurant run by Don Franklin. The building is owned by Mark Ihm. Mr. Ihm owes delinquent real estate taxes in the amount of \$28,726.17. Therefore, following the rules of Section 36.09(4)(c) of the Municipal Code would not allow this license to be granted until all taxes are paid in full. Mr. Franklin is requesting this be waived as he is not the owner and has no obligation to pay these taxes. After further Council discussion concerning waiving the back tax payment to the County for a second year, Motion by Daus, second by Nall to waive Section 36.09(4)(c) and allow the alcohol license for Don Franklin to be issued with the provision the property owner must pay all back taxes before renewal time in 2016. Motion carried 4-3 on roll call vote with Kilian, Nickels, and Seebboth-Wilson voting no.

## **INFORMATION AND DISCUSSION**

A. *Contract 14-14 MPO Trails Bid Award* – Public Works Director Crofoot explained this is for the paving & lighting installation for the Moving Platteville Outdoors project. Delta 3 opened the bids. There were five bidders. The low bid came from Rule Construction out of Dodgeville in the amount of \$988,227.30. The project is to be completed by August 15, 2016. An alternate bid of an additional \$20,000 was also received. This would move the completion date to November 15, 2015. The bid calls for 26 lights. Between State and Federal grants and in kind donations, total funding is just over \$1.3 million. Of this amount, there are Engineering and soil contracts of nearly \$225,000 leaving \$1.1

million available. There will be another contract in August to install a new bridge across the Rountree to Valley Road. Current estimate for this is \$150,000 leaving \$1 million for the construction project. Staff is recommending awarding Contract 14-14 to Rule Construction for the total contract price of \$988,227.30, subject to DNR approval. Gene Weber, 1285 Union Street, representative of MPO and PCA Arboretum spoke on the grants, donations, and collaborations of all who helped make this project possible.

- B. *Proposed Review by Council of Chapter 2.04 of Municipal Code* – President Nickels explained Chapter 2.04 (Council Rules) has not been reviewed for a number of years and needs to be updated. A committee consisting of the City Attorney, two or three Council members and the City Clerk should be set up to review this Chapter and bring their suggestions back to the Council for action. Alderpersons Nall and Denn volunteered for this committee.
- C. *Request for Review of Sidewalk Plan Including McDonalds* – DPW Crofoot explained in March 2015 the Common Council approved a partial waiver of sidewalk along Business Highway 151 and part of Commercial Drive for 1775 Progressive Parkway (McDonald’s). In April 2015 the Common Council voted 3-2 against granting a waiver for installation of sidewalk along Business Highway 151 for 1741 Progressive Parkway (Sherwin-Williams). These actions will essentially require a sidewalk in front of Sherwin-Williams that will connect to no other properties. In June 2015 the Community Safe Routes Committee recommended the Common Council reconsider the waiver granted to the McDonald’s property to allow connectivity to the sidewalk required in front of Sherwin-Williams. James Schneller, 620 Ridge Ave., explained he was not against sidewalks, but the Council decision on these two parcels were not consistent. Sidewalk should be installed on all parcels or on none. DPW Crofoot stated to install a crosswalk at the light intersection would cost upward of \$100,000. Council consensus was to have the Safe Routes Committee re-visit this issue and come back to the next Council meeting with further information.

**CLOSED SESSION**

Motion by Nall, second by Kilian to adjourn to closed session per **Wisconsin Statute 19.85 (1) (e)** deliberating 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; and **19.85 (1) (f)** considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigation – *Development Agreement for 1245 North Fourth Street*. Motion carried unanimously on roll call vote. Council went into closed session at 8:53 PM. Motion by Daus, second by Denn to reconvene to open session at 9:50 PM. Motion carried.

**ADJOURNMENT**

Motion by Daus, second by Denn to adjourn. Motion carried unanimously on roll call vote. The meeting was adjourned at 9:50 PM.

Respectfully submitted,

Kim Lowery, Deputy City Clerk