

**PLATTEVILLE COMMON COUNCIL PROCEEDINGS
JANUARY 26, 2016**

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: Barbara Daus, Mike Denn, Ken Kilian, Tom Nall, President Eileen Nickels, Amy Seebth-Wilson, and Barbara Stockhausen. Absent: None.

SPECIAL PRESENTATION

Southwest Health Emergency Medical Services (EMS) Update – Southwest Health Director of EMS Brian Allen distributed near final architectural plans for the Southwest Health proposed ambulance facility and provided an overview to the Council. The \$1.5+million, 8,325 sq ft building addition will closely resemble the look of the hospital. The facility includes a 6-bay ambulance garage, community room/kitchen, offices, staff dorm rooms, locker rooms, and day room, laundry/decontamination room, and supply areas. He noted that bids will be let on February 1, bids will be awarded at the end of February. The project completion deadline is August 31, 2016. Kilian questioned if there was a “safe” room and if the structural design of the outer building would withstand a tornado, to which Mr. Allen responded yes and that the report room was considered a safe room. Daus questioned when the service would become paramedic level. Allen responded that the lengthy process has been started and noted that currently there are 4 staff in the paramedic program. Allen also advised that starting February 7th, there will be 8 full-time and 4 part-time employees. Along with the full-time and part-time employees there will be casual employees who will staff the second ambulance as on call staff.

CONSIDERATION OF CONSENT CALENDAR

Kilian requested to take action on the January 12, 2016 meeting minutes separately. Motion by Daus, second by Denn to approve the consent calendar as follows: Payment of Bills in the amount of \$5,949,337.93; One-Year Operator License to Nathaniel T Berg, Elaine C Campbell, Alyssa J Dickrell, Seth R Kaufmann, and Andrew J Krusiec; Two-Year Operator License to Laurel K Copus, Yvonne E Kraus, Caylan R Laundrie, Valerie M Nelson, and Michael P Sullivan; and Banner Permit to United Way of Platteville from September 12-October 31 as presented. Motion carried 7-0 on a roll call vote.

Kilian wanted to add a statement in the Public Hearing section that he was concerned with outdated parking requirements with respect to big projects downtown. Daus suggested to instead say that the parking requirements were outdated. Motion by Daus, second by Seebth-Wilson to approve the January 12, 2016 Regular Council Meeting Minutes with the addition of “Kilian was concerned that the parking requirements were outdated with respect to big projects downtown.”. Motion carried 7-0 on a roll call vote.

CITIZENS’ COMMENTS, OBSERVATIONS AND PETITIONS, if any.

None.

REPORTS

Committee Reports – Meeting reports were submitted by Rountree Gallery Board, Museum Board, Library Board, Water & Sewer Commission, Airport Commission, and Parks Forestry & Recreation Committee.

ACTION

- A. *Resolution 16-02 Amending the Schedule of Fees* – Proposed changes to the 2016 Schedule of Fees include a new fee (\$10) for provisional taxi and taxi driver licenses, increased fee (\$15) for public records on CD/DVDs, charging different cemetery rates for weekend/holiday burials, and multiple changes to the recreation programs. Recreation Coordinator Luke Peters noted that the Parks Forestry and Recreation Committee voted to recommend the Recreation Department proposed fee

structure with the exception of the non-resident pool pass. They recommended increasing that rate from staff proposed \$60 to \$75. This recommendation is reflected in Resolution 16-02. Motion by Daus, second by Kilian to adopt Resolution 16-02 City of Platteville 2016 Fee Schedule as presented. Motion carried 7-0 on a roll call vote.

- B. *Assign Rights and Obligations Under Development Agreement – McGregor Plaza Sale* – Community Planning & Development Director Joe Carroll explained the owners of McGregor Plaza at 125 E Pine Street are planning to sell the property to Piggly Wiggly Midwest LLC. In 2006, the City agreed to provide financial assistance through TIF 7 to aid in making physical improvements to the property. The development agreement that was completed as part of that assistance included a provision that the terms of the agreement are assignable to another party with written agreement by the City. The current owners are asking that the City agree to the sale of the property. Staff recommends that the sale of the property be approved as requested with the condition that the buyers be subject to all of the terms and conditions of the original Development Agreement. The RDA approved the request at their meeting last night. Motion by Denn, second by Daus to approve the sale of the McGregor Plaza property at 125 E Pine Street as requested with the condition that the buyers be subject to all of the terms and conditions of the original Development Agreement. Motion carried 7-0 on a roll call vote.
- C. *Ordinance 16-02 Amending Section 31.18 to Allow Provisional Taxi and/or Taxi Driver Licenses* – City Clerk Jan Martin explained that the intent of the ordinance is to allow the City Clerk to issue provisional taxi and taxi driver licenses similar to the way provisional operator licenses are currently issued. This 60 day provisional license would cover the qualified applicant during the interim period before regular Council action. Motion by Daus, second by Nall to adopt Ordinance 16-02 Amending Section 31.18 to Allow Provisional Taxi and/or Taxi Driver Licenses as presented. Motion carried 7-0 on a roll call vote.

INFORMATION AND DISCUSSION

- A. *Administration Department Succession Plan* – City Manager Karen Kurt announced that Director of Administration Duane Borgen will retire on May 14 after 38 years of service to the City. Her intent is to promote Finance Director Valerie Martin to this position. Martin is expected to be out on maternity leave during the months of June, July, and August. As a result, it is imperative to begin the process to recruit her replacement as soon as possible so the successful applicant has a few months to train before Martin leaves. They are anticipating that this will increase personnel expenditures in the Finance Department by approximately \$8,000 and recommend that it be paid from contingency funds. Action at next meeting.
- B. *Pool Concession Stand Lease* – Recreation Director Luke Peters explained that the current concession stand lease at the Family Aquatic Center expires September 15. The current tenant, State Theaters LLC has asked for a 5 year extension locked in at \$2,000 per year. The reason for the request is to justify some needed equipment upgrades. Discussion was held regarding healthy choices. Peters noted that the current contract doesn't allow the City to dictate healthy choices. Action at next meeting.

WORK SESSION

- A. *Sidewalk Snow Removal* – City Manager Karen Kurt and Public Works Director Howard Crofoot met with the Council to discuss sidewalk snow removal within the City of Platteville at the behest of Council member Denn. Denn's concern was that the City wasn't following the snow removal ordinance consistently and that contractors were not allowed to work on Sunday during a snow event. Kurt distributed a handout entitled "Sidewalk Snow Removal" and proceeded to provide an overview of the document which started with the current ordinance language – Chapter 4.09 which basically states that no owner of land within the City shall allow accumulations of snow or ice on any public sidewalk for more than 36 hours. If they do, the City will have it cleaned and charge the owner for the time spent clearing the walks and an administrative charge. The purpose of the ordinance is to

set the expectation or standard and provide an enforcement mechanism. The City decides how proactively they wish to enforce the ordinance. Kurt provided a speed limit enforcement example that ranged between reactive enforcement (such as street observation only) vs proactive enforcement (officers assigned to traffic detail daily), or somewhere in the middle (targeted enforcement in complaint areas). She contacted other comparison cities to find out how they handle sidewalk snow removal asking who identifies the issue and how, who clears the sidewalks, and do they issue warnings. Of the 7 cities that responded, all of them have their staff identify the issue – 3 with CSOs, 2 with Streets employees, and one with a part-time code enforcer and the majority was identified by complaints and street observation. 2 of the 7 contract the service, with one more wanting to but couldn't get any bids. 6 of the 7 do some type of warning, some send letters, others door hangers. All 7 of the cities said when to enforce was a judgement call, with examples including using a wheelchair as a barometer in terms of snow depth and width shoveled, 2" – same as plowing the streets, don't enforce until city sidewalks are completed, and 2 people should be able to pass – give one foot leeway for snow banking. She believes the City is in the proactive snow removal enforcement range. She feels the majority of residents contacting her complained about overly aggressive snow removal enforcement. Crofoot explained that the City currently contracts for snow and ice removal and the contractor is provided with a map of all the public sidewalks in the City. When he gives the contractor the go ahead to start removing snow (after the 36 hour timeline), they remove snow from all the sidewalks that are apparent that have not been touched. If it appears that they have been attempted to be cleared, the contractor doesn't clean them on the initial go around. After the initial clearing, then they fall into the reactive mode – mainly complaint based. No warnings are issued.

The Council discussed four proposed enforcement triggers under the current contract:

- 1) Depth of snow – *Consensus was to enforce after 2" of snow.*
- 2) Width of sidewalk – *Consensus was to enforce 3' (wheelchair accessible).*
- 3) Undeveloped areas – *Consensus was to enforce undeveloped areas after 50% developed or when visible pedestrian activity is present*
- 4) Areas alongside streets – *Consensus was if street snow is plowed onto sidewalks that have not previously been cleared, enforcement action should be taken. If plowed onto sidewalks after sidewalks cleared, staff discretion to start with a warning.*

Council discussion also included comments that people feel they are over-enforced and that there is a lack of consistent enforcement. City Attorney Brian McGraw stated that he only prosecuted 2 or 3 violations in the last 20 years.

Considerations for future contracts included the following:

- 1) Institute warnings – may require staff (vs contractor) to identify violations – *Consensus was the Council would like to look at possibly implementing one warning per season.*
- 2) Weekend enforcement/removal – *Consensus that the contract shouldn't prohibit work on Sunday but require work on Sunday.*
- 3) Consideration whether to contract or use staff to clear walks – staff may need more time or hire seasonal workers – *Staff will evaluate potential options for next season.*
- 4) Consideration whether to institute a different payment scheme. Currently the contractor is paid per square foot cleared with a minimum charge and no consideration of depth. There is a separate charge for snow only vs snow and ice (salting). *Consensus was not to change current practice.*
- 5) Staff discretion on when to begin enforcement based on weather forecast. *Consensus was not to change current practice.*

The last issue discussed was a complaint from Platteville Development Corporation regarding a \$5,600 snow removal bill for the housing development at Keystone. The development has 3 houses built so far, with the remainder of the property undeveloped. This year the contractor was sent to the development to clear sidewalks on the undeveloped portion without contacting the owner ahead of

time to give him a heads up that this was going to happen. *It was the consensus of the Council to forgive the \$5,600 snow removal bill for Mr. Schneller and implement the enforcement of sidewalk clearing for undeveloped areas when 50 % of the development is completed.*

ADJOURNMENT

Motion by Daus, second by Stockhausen to adjourn. Motion carried on a voice vote. The meeting was adjourned at 9:10 PM.

Respectfully submitted,

Jan Martin, City Clerk