

PLATTEVILLE COMMON COUNCIL PROCEEDINGS
March 28, 2023

The regular meeting of the Common Council of the City of Platteville was called to order by Council President Barbara Daus at 6:00 PM in the Council Chambers of the Municipal Building.

ROLL CALL

Present: Barbara Daus, Lynne Parrott, Todd Kasper, Eileen Nickels, Kathy Kopp, Jason Artz, and Ken Kilian.

Excused: None.

PUBLIC HEARING – Resolution 23-04 Conditional Use Permit – Tidal Wave Carwash at 1651 Progressive Parkway - Community Development Director Joe Carroll explained that the Kensington Development Partners are interested in purchasing the property at 1651 Progressive Parkway and constructing a carwash facility at that location. The carwash use requires a conditional use permit. The 1.49-acre lot has frontage on Progressive Parkway and Business Highway 151; however, all vehicular access will be from Progressive Parkway. The development will include the main carwash building, an entrance kiosk/pay station building, a vehicle vacuum area that is partially covered by a canopy, equipment enclosures and a dumpster enclosure. The carwash building is 18' x 147' in size and will be entered from the north and exited to the south. The Plan Commission considered this item at their March 6 meeting and recommended approval with conditions: 1) Sidewalks shall be installed along both street frontages of the property. 2) On-site storm water management be provided if the lot coverage exceeds the design limit for the regional pond serving the development area. John Novak, applicant for Tide Wave Carwash, appeared via zoom and spoke to the details of the project. Motion by Kilian, second by Artz to close the public hearing. Motion carried 7-0 on a roll call vote. Motion by Kasper, second by Parrott to approve Resolution 23-04 the Conditional Use Permit for a carwash at 1651 Progressive Parkway with conditions that a public sidewalk be installed along both street frontages of the property, and that on-site storm water management be provided if the lot coverage exceeds the design limit for the regional pond serving the development area, and that the development meet the requirements of Chapter 8, Sewer Service, of the Platteville Municipal Code. Motion carried 7-0 on a roll call vote.

CONSIDERATION OF CONSENT AGENDA

Motion by Artz, second by Parrott to approve the consent agenda as follows: Council Minutes – 3/10/23 Special and 3/14/23 Regular; Payment of Bills in the amount of \$660,247.55; Appointments to Boards and Commissions, None; Temporary Class “B” License to Sell Fermented Malt Beverages - Rountree Gallery at 120 W Main Street on Friday, April 28 from 4:00 P.M. to 7:00 P.M. for Artist Reception - Rountree Gallery at 120 W Main Street on Friday, May 12 from 4:00 P.M. to 7:00 P.M. for The Exquisite Path Artist Reception. Two-Year Operator License – Madeline DN Rand. Taxi Vehicle License - Platteville Transit Taxi, 1250 E Business Hwy 151, Suite I, Platteville, WI 2022 Chrysler Voyager LX, Temp Plate #V39092. Permits – Street Closing – Main Street from Chestnut Street to Water Street for 3rd Annual Platteville Cruise In On Main by the Southwest Wisconsin Auto Club on Saturday, July 15 from 3:00 P.M. to 8:00 P.M. Run/Walk Permit – Kiwanis Badger Crawl 5K Walk/Run on Saturday, May 6 starting at 9:00 A.M. Motion carried 7-0 on a roll call vote.

CITIZENS' COMMENTS, OBSERVATIONS AND PETITIONS, if any. None.

REPORTS

- A. Board/Commission/Committee Minutes – Historic Preservation Committee, Museum Board, Police and Fire Commission, and Commission on Aging.
- B. Taxi/Bus Stats

ACTION

- A. *Contract 1-23 Jefferson Street Reconstruction* – Motion by Kopp, second by Artz to award Contract 1-23 Jefferson Street Reconstruction to Temperley Excavating for the bid price of \$959,730.20. Motion carried 7-0 on a roll call vote.

INFORMATION AND DISCUSSION

- A. *Emmi Roth Right of First Refusal* – Administration Director/Interim City Manager Nicola Maurer explained that in 2012 Emmi Roth entered into a development agreement with the City of Platteville which included the purchase by Emmi Roth of an approximately 19-acre parcel located within tax increment district number six. The purpose of the development agreement was the construction of an artisanal cheese manufacturing and storage building as well as certain related site improvements. Based on the value of the constructed facility and the jobs created, Emmi Roth received the land for a nominal amount of \$1/acre. The development agreement was signed on April 10, 2012, and was accompanied by a Construction Deadline and Repurchase Agreement (CDRA). The CDRA indicates that it was the intention of the City of Platteville to sell lands only for the purpose of development of industry and/or business within the M-4 Applied Technology District. Emmi Roth, as the buyer, expressed the intent to make improvements to the property in accordance with the City of Platteville's zoning Ordinances. During 2022, at the Council's direction former City Manager Ruechel worked with Emmi Roth management on a new development agreement which addressed the future expansion requirements, but the parties did not come to terms. Subsequently the expansion land was offered to Emmi Roth to buy without a developer agreement at a price per acre which reflected current market rates. Emmi Roth countered this offer at a significantly reduced rate, which the Council rejected. As the City prepared to exercise the repurchase of the expansion land, Emmi Roth expressed interest in a Right of First Refusal. At Council direction, ~~s~~Staff worked with City Attorney Cole to draft a ~~R~~Right of ~~F~~First ~~R~~Refusal for a fee that reflects the City's attorney fees accrued to date regarding this matter. If approved by the Council, ~~S~~staff will present Emmi Roth with the Right of First Refusal for their acceptance. Staff recommend approval of the Right of First Refusal.
- B. *Freudenreich Animal Trust Fund Principal Request* – Administration Director/Interim City Manager Nicola Maurer explained that over the past year or more, Dr. Cari Schaffer and supporters of the Grant County Humane Society have been searching for a suitable building to establish a separate site for the animal shelter. The shelter is currently located in a building shared with Lancaster Veterinary Clinic which is not adequate for the needs of the community. A very generous commitment has been made by a private donor to help fund the purchase of a suitable building. With this commitment the group has now made an offer on a building in Platteville and needs to raise approximately \$430,000 by May 1st. Dr. Schaffer has been in discussion with the Freudenreich Animal Trust Fund Committee regarding use of the fund balance to support the building purchase. The Committee is in favor of using the fund for this purpose. The use would be in keeping with the wishes of the benefactor, Ms. Georgeanne Freudenreich, who desired her bequest be used "to establish and maintain an animal shelter" and would provide a beneficial service to the community. The City's agreement with the Community Fund of Southern

Wisconsin (CFSW) indicates that, although the fund was “irrevocably” transferred to the CFSW, the fund principal balance may be spent for major animal related expenses with a 2/3 vote of the Platteville Common Council members present at the meeting. This language was included to abide by the terms of the Memorandum of Understanding made between the City and the Georgeanne Freudenreich Estate. If the Council votes in favor of closing the fund and disbursing the proceeds to the Grant County Humane Society for the building purchase, a letter of request will be presented to the CFSW Board of Directors. At January 31, 2023 the available fund principal was approximately \$150,000. An additional \$270,000 will be needed for the building purchase. This amount is anticipated to be funded through fundraising and/or financing. Ongoing expenses of the Humane Society may be offset through revenue generated from pet boarding, daycare and a small retail space. Staff recommend approval of the request. Dr. Cari Schaffer, Hannah Haas, John Mars, Dr. Jeff Rolwes, and Dr. Jackie Kieler spoke in favor.

- C. *Contract 4-23 Business 151 (Fastenal) Storm Sewer Construction* – Public Works Director Howard Crofoot explained that when the Business 151 safety project took place, they found a buried and plugged storm sewer line. This line was connected to previous storm sewer, but for whatever reason, the water must have bubbled out elsewhere. When the contractor connected a new storm sewer to this line, the DOT did a temporary cleaning of the line and created the rock lined hole. For now, the water fills the hole, pours over onto the grass surface, flows through the tube under the Fastenal driveway, then goes overland in an uncontrolled manner before it is collected in a tube under the PCA trail before discharging into the Rountree. The owner of Fastenal had been happy with the previous situation where the only water was in the grassy ditch that they could mow and maintain. Now the water is in the rock lined hole that is less appealing and harder to maintain. Staff proposed a project to replace the hole with an inlet and tube to connect with the tube under the Fastenal driveway for the budget of \$25,000. Upon further review, there is approximately 250 feet of tube upstream of the hole that is in poor condition and subject to plugging. The project was expanded to include replacement of this tube also, but the budget was not adjusted. There is an alternate bid to connect a tube from the Fastenal driveway tube to the tube under the trail. Staff opened three bids on March 21, 2023. The low bidder for the Base Bid is G-Pro Excavating at \$54,209.90. If the Common Council considers the Alternate bid, the low bidder changes to Rural Excavating at \$75,742.00. Staff recommends the Common Council pass a motion to reject all bids, with the intent to carry over the tax levy funding to next year, and potentially budget additional funding in 2024 to allow for rebidding the project.
- D. *Contract 15-23 Weed and Grass Mowing* – Public Works Director Howard Crofoot explained that this contract is for those properties that require mowing due to non-compliance with the Ordinance requiring lawns to be no more than 8 inches high. For the past few years, there have been no bidders, thus City Staff was tasked to do the compliance mowing. The intent is that the Code Enforcement Inspector will inspect properties or receive complaints regarding lawns. When a property is confirmed to have growth over 8 inches, the Inspector will place a door hanger as a courtesy and send a letter to the owner. The owner/tenant has 5 days to comply. If the lawn is still not mowed, the Inspector will contact the contractor. The contractor provides date/time stamped before and after photos. The owner is billed for the contractor costs, plus a \$50 administration fee. Staff opened two bids on March 22, 2023. The low bidder is Holman Lawncare at \$80.00 per hour and \$80.00 minimum per location. Staff recommends the Common Council pass a motion to award Contract 15-23, Weed & Grass mowing to Holman Lawncare at the bid price of \$80.00 per hour and \$80.00 minimum per location.

- E. *2022 Budget Carryovers to 2023 (Budget Amendment #1)* – Administration Director/Interim City Manager Nicola Maurer explained that Departments have requested the following 2022 unspent funds to be carried over to 2023: CIP Fund Amount \$646,855 General Fund Amount \$18,816. Staff recommends the City Council approves the requested carryovers totaling \$646,855 in the CIP Fund and \$18,816 in the General Fund.
- F. *Swimming Pool Water Tightness Integrity Proposal (Budget Amendment #2)* – Parks & Rec Director Bob Lowe explained that Staff met with pool engineer Andrew Pennekamp of JEO Consulting Group. Enclosed is his general observation and assessment of the issues. Their company does not generally do repairs, just consulting or designing. From his assessment some repairs should be done sooner rather than later. Also, in November Director Lowe contacted Burbach Aquatics, Inc for their observations and assessments. Burbach took a step further and studied the engineering plans as well as conducting site visits. Burbach has provided a proposal with costs for a complete pool system water tightness evaluation. Staff is requesting approval from Council to spend not more than \$62,000 to hire an engineering/contractor to complete an evaluation and repair plan. The hope is the complete evaluation will be done before June to allow for summer opening. Then Staff and Council can assess the plan and move on from there.

ADJOURNMENT

Motion by Daus, second by Kopp to adjourn. Motion carried 7-0 on a roll call vote. The meeting was adjourned at 7:23 PM.

Respectfully submitted,

Candace Klaas, City Clerk