

**UNABRIDGED DECEMBER 14, 2009 REGULAR
CITY COUNCIL MEETING MINUTES**

Pursuant to due call and notice thereof, a regular meeting of the Prescott City Council was held Monday, December 14, 2009 in the Prescott Municipal Building, 800 Borner St. Prescott, WI 54021

Call to Order/Roll Call: Mayor Hunter called the meeting to order at 7:00 p.m. Members present were Eddy Wuorenma, Mark Huber, Clair Eaton, Marissa Holst and Peter Kelly. Julie Arndtson was excused. City Administrator Elizabeth Frueh and Zoning Administrator Jayne Brand represented staff.

Eaton/Kelly motion to approve the consent agenda and the recommendation of the committees contained in the minutes in the consent agenda which included the approval of November 30, 2009 regular city council meeting minutes, acceptance of December 7, 2009 plan commission meeting minutes, cash balances, budget year to date, approval of payables and review of receivables passed without a negative voice vote.

The certified survey map for POWR, Inc was withdrawn for the agenda.

Wuorenma/Holst motion to postpone the certified survey map for POWR, Inc passed without a negative voice vote.

Mike Gerrits of Morton Builders presented the concept plan for a new building for Prescott Chiropractic. The building is proposed to be built on Lot 10 of North Acres Business Park. They will use the same driveway entrance as Tractor Supply. Base off of the concept plan is that the employee parking needs to be setback 5 feet from the property line, the north setback appears to be 20 feet from the building and not the overhang and a conditional use will be needed for grading on a slope that is greater than 20% for a retaining wall. The proposal is to break ground in March and have the building completed within 90 days. **Kelly/Holst motion to approve the concept plan for Prescott Chiropractic passed without a negative voice vote.**

Ordinance 11-09 was reviewed. This is a rerepeal of Section 11-1-1 "Offenses against state laws subject to forfeiture." With this rerepeal the state statute for fireworks will be removed from this section. **Wuorenma/Kelly motion to approve the 1st reading of Ordinance 11-09, an Ordinance to repeal city ordinance Section 11-1-1 "Offenses Against State Laws Subject of Forfeiture" and replace it in its Entirety passed without a negative voice vote.**

Ordinance 12-09 was reviewed. This is an amendment of Section 1-1-6 (b) which deals with the effects of repeals. The following was added to help with the issue of grandfathering: This does not include any activities or claimed rights or privileges which are found to endanger the safety or health of the public under local, state or federal laws, or which are found to be a nuisance under local, state or federal laws. **Wuorenma/Holst motion to approve ordinance 12-09, amend City Ordinance Section 1-1-6 "Repeal of General Ordinances" passed without a negative voice vote.**

City Administrator Elizabeth Frueh presented the information on the recodification of the ordinance book. City staff interviewed the top two providers for the State of Wisconsin which are Municipal Code and General Code. The items that were looked at included the recodification project cost, annual costs for hosting the code on their website, supplemental codification, cost per printed copy of code, new ordinances on the web, printed and electronic updates, multiple code search, the schedule to complete, meeting

with attorneys and their individual websites. Staff recommended going with General Code. This recommendation was based on the attorneys from General Code meet with us on site rather than phone conferences and the creation of a manuscript for the recodification which appears to be very easy to use. **Kelly/Wuorenma motion to approve the selection of General Code for the recodification of the ordinance book passed without a negative voice vote.**

Kelly/Wuorenma motion to approve operator license for Zachary Simones passed without a negative voice vote.

City Administrator Elizabeth Frueh reviewed the Adoption Agreement for Post-Deductible Health Reimbursement Arrangement. This agreement allows the city to set up a Plan Administrator for the administration of the Health Reimbursement Account for employees. **Wuorenma/Kelly motion to approve the Adoption Agreement for Post-Deductible Health Reimbursement Arrangement passed without a negative voice vote.**

Wuorenma/Kelly motion to approve Certificate of Corporate Resolution for Post-Deductible Health Reimbursement Agreement passed without a negative voice vote.

A written report from Police Chief Mike Bondarenko was reviewed by council.

Wuorenma/Kelly motion to approve the election inspectors and poll workers for January 2010 to December 2011 passed without a negative voice vote.

Resolution 26-09 “A resolution requesting state legislators to introduce a local government labor relations reform bill” was reviewed. This resolution is in regards to arbitrations with unions. Alderperson Kelly feels that this resolution curtails the union rights. Alderperson Wuorenma stated that he feels that this resolution is good for the city. **Wuorenma/Huber motion to approve Resolution 26-09 “ A Resolution requesting State Legislators to Introduce a Local Government Labor Relations Reform Bill” passed without a negative voice vote.**

City Administrator Elizabeth Frueh presented the Wisconsin Department of Revenue County Assessment Proposal where they are proposing that the assessments be done by counties rather than municipalities.

Wuorenma/Huber motion to adjourn passed without a negative voice vote.

Respectfully Submitted,

Jayne M. Brand