
COMMON COUNCIL MEETING
January 17, 2005
CITY OF ELKHORN
9 S. BROAD ST., ELKHORN, WI 53121

Mayor Michael Roberts called the Common Council to order at 7:00 p.m. in the Council Chambers followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Michael Roberts; Aldermen John Karcher, William Hoffmann, Scott McClory, Howie Reynolds, Julie Taylor, Charles Van Dyke.

Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson, Police Chief Joel Christensen, City Attorney Ward Phillips, Fire Chief Rod Smith

Others present: James Adams, Jarad Video; Lucas Lauderbach, Elkhorn Independent

CONSENT AGENDA

Motion (Van Dyke/Karcher) to approve the following items on the Consent Agenda: Minutes of the January 4, 2005, Common Council Meeting; Bartender Operator's Licenses for Paul Lauterbach and John L. Palmer to expire June 30, 2005. Motion carried by the majority present.

MAYOR'S REPORT

Mayor Roberts informed Council that Plan Commission and EDC will be meeting on January 20, 2005, to discuss the 2020 Comprehensive Land Use Plan. Council members are invited to attend.

ADMINISTRATOR'S REPORT

City Administrator Tapson said that on January 31, 2005, the Council will meet with Ehlers and Associates to discuss future borrowing. The meeting will be followed by the Finance and Judicial Committee meeting. There will be no Finance and Judicial meeting on January 24.

COMMITTEE REPORTS

Finance and Judicial

Impact Fee Ordinance: Alderman Karcher reported that the Committee discussed the Impact Fee Ordinance. Consensus of the Committee was to implement a 3-tiered form of collection for the Water and Parks impact fees, which included a 3 to 5-year payback periods. In discussion, City Administrator Tapson suggested setting a maximum timeline in the ordinance and establish the payback period in the development agreements. The Council would make the decision as to the maximum amount of years for the payback. The impact fees will affect new developments and subdivisions already platted. Those already platted will be imposed at the time of building permits. The Ordinance will be brought back to Council for a first reading in February.

Sewer Connection Fee Ordinance: Karcher said that the Committee reviewed with the City Engineer a Sewer Connection Fee Ordinance. The Committee was in favor of an across the board fee.

ACTION TAKEN

Conditional Use Permit: Department of Motor Vehicles

Motion (Reynolds/Taylor) to approve CUP Resolution No. 05-01: Department of Motor Vehicle Service Center, 835.S. Lincoln Street, Tax Key Parcel YVSE00017 with the following conditions:

1. Area No. 1 as shown on the site plan shall be designated as the future parking area and shall be installed at any time deemed appropriate by the City of Elkhorn.
2. The applicant shall provide documentation that verifies the existing well on the property has been properly abandoned. If documentation cannot be provided the applicant will properly abandon the well.

Motion carried by the majority present.

Repair and Replacement of City Garage Furnaces Contract/Budget Adjustment

Motion (Van Dyke/Reynolds) to approve a budget adjustment \$26,410.00 and award the contract for the repair of two furnaces and for the replacement of the heated make-up air furnace in the City Garage to Westenn Mechanical. Roll Call vote: Aldermen Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

Design and Specifications for the Ambulance Roof & Fire Station Proposal/Budget Adjustment

Motion (Hoffmann/Van Dyke) to approve a budget adjustment for \$2,550.00 and accept the proposal from Commercial Consultants Group LLC to design, prepare specifications, bidding and inspection of the work for the Ambulance Roof. In discussion, Fire Chief Smith said that the Fire Station roof has 13 to 15 more years before replacement. Roll Call vote: Aldermen Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

Resolution No. 05-02: Adopting a Citizen Participation Plan for the City of Elkhorn/Chemtool

Motion (Reynolds/Taylor) to adopt Resolution No. 05-02: adopting a Citizen Participation Plan for the City of Elkhorn for Chemtool Motion carried by the majority present.

Resolution No. 05-03: Authorizing Submission of a CDBG for Economic Development Application/Chemtool

Motion (Reynolds/Van Dyke) to adopt Resolution No. 05-03 authorizing submission of a CDBG for Economic Development for Chemtool. Motion carried by the majority present.

Resolution No. 05-04: Ratifying IBEW Contract

Motion (Hoffmann/Taylor) to adopt Resolution No. 05-04 ratifying the union contract between the City of Elkhorn and IBEW, Local 2150. Motion carried by the majority present.

Stonegate Farms Amended Final Plat

Motion (Van Dyke/Karcher) to re-certify the Stonegate Farms Amended Final Plat. In discussion, the reason for re-certification is because the developer failed to give the final plat to the City Clerk's office within the 30-day time limit following approval on October 18, 2004. Motion carried by the majority present.

City and Utility Bills

Motion (Van Dyke/McClory) to approve the City and Utilities bills for \$3,502,258.70 (Claims Paid in Interim – Checks #50918 - #51325; Approved a Council – Checks #51326 - #51464). Roll Call

vote: Aldermen Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

Police Squad: Award Bid

Motion (Van Dyke/McClory) to award the contract for the purchase of a 2005 Ford Crown Victoria “Police Interceptor” for \$20,872 to Tom Peck Ford. Roll Call vote: Aldermen Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried. In discussion, Police Chief Christensen said that the purchase of the squad at this time is because the squad was totaled. A vehicle on I-43 rear-ended the squad while the officer was at the scene of another accident. Christensen said it would be an insurance replacement.

STH 67/Market Street Signalization

Motion (Reynolds/Van Dyke) to approve the state awarding the STH 67/Market Street Signalization contract as presented by the state and to adjust the budget for an additional \$37,000.00. In discussion, Tapson said that the bids came in \$37,000.00 over the budgeted amount. Roll Call vote: Aldermen Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

Records Management: Amendment to Consulting Agreement

Motion (Van Dyke/Hoffmann) to approve the amendment to the records management agreement with Precision Organizing and Records Management for \$15,680.00. The agreement is for records management of the Police Department and Municipal Court. Roll Call vote: Aldermen Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

OLD BUSINESS

Conditional Use Permit Resolution No. 04-13: Larson Day Care

City Attorney Phillips presented his opinion concerning the action that took place at the December 20, 2004, Common Council meeting concerning the Conditional Use Permit Resolution No. 04-13 for the Larson Day Care. Phillips said that the failure to disclose a letter and photos most likely violated the Open Meetings law. He asked that the CUP be brought back to Council with the proper disclosure of the letter and photos. He asked that the applicant be notified of the meeting and to include a packet of all the materials given to Council members.

ADJOURNMENT

Motion (McClory/Van Dyke) to adjourn into Closed Session at 8:00 p.m. per SS 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.” Agenda Item: Voss Road Lift Station Project; and, SS 19.85(1)(c) “considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” Agenda Item: City Administrator Evaluation.

Council did not reconvene into open session.

Nancy B. Jacobson
City Clerk

