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## COMMON COUNCIL MEETING

June 6, 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 I Roberts, Aldermen William Hoffmann, John Karcher, Scott McClory, Howie Reynolds, Julie Taylor

Absent: Alderman Charles Van Dyke

Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson, City Attorney Ward Phillips, Police Chief Joel Christensen, Public Works Director Terry Weter

Others present: Representative Jarad Video; Lucas Lauderback, Elkhorn Independent

#### CONSENT AGENDA

Motion (Reynolds/Hoffmann) to approve the following items on the Consent Agenda: Minutes of the May 16, 2005, Council meeting; Temporary Class "B"/ "Class B" Retailers License for Elkhorn Area Fire Department's Annual Dance June 18, 2005, through June 19, 2005. Motion carried by the majority present.

#### REPORTS OF CITY OFFICERS

##### *Mayor's Report*

Mayor Roberts read into the minutes a letter from Ray and Lynda Jantz commending Police Stg. Jennifer Schmidt for her assistance when they lost their vehicle keys at the Lakeland School Fest.

Motion (Taylor/Reynolds) to approve the Mayoral re-appointment of Gene Hoffman and Jim Spencer to the Zoning Board of Appeals. Motion carried by the majority present.

Motion (Karcher/McClory) to approve the Mayoral appointment of Howie Sawyers to the Police and Fire Commission. Motion carried by the majority present. In discussion, the City Clerk said that the agenda was in error. It said that Howie Reynolds was being appointed and it should have said Howie Sawyers. Motion carried by the majority present.

#### ACTION TAKEN

##### *Ordinance No. 05-10: Amending Chapter 23/Fees for City Services*

First reading was held for Ordinance No. 05-10: Amending Chapter 23 entitled Fees for City Services. Tapson said that the fees are consistent with standard practices. The City did not change its fees, but the BZA, building inspectors and zoning administrators for the City, did.

##### *Ordinance No. 05-11: Amending Chapter 19: Forestry*

Motion (McClory/Taylor) to waive the first reading of Ordinance No. 05-11 amending Chapter 19.02 Forestry at Section 19.02.06(1)(d). Motion carried by the majority present.

Motion (Reynolds/Taylor) to adopt Ordinance No. 05-11 amending Chapter 19.02 Forestry at Section 19.02.06(1)(d) making it unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree or grass within terrace areas. Motion carried by the majority present.

***Ordinance No. 05-12: Amending Chapter 19.01 Parks and Recreation***

Motion (McClory/Hoffmann) to waive the first reading of Ordinance No. 05-12 amending Chapter 19.01 Parks and Recreation at Section 19.01(1). Motion carried by the majority present.

Motion (Reynolds/McClory) to adopt Ordinance No. 05-12 amending Chapter 19.01 Parks and Recreation at Section 19.01(1) to include the hours for the Parks as 7:00 a.m. until 10:00 p.m. except for activities under the direction of the Parks and Recreation Department. Motion carried by the majority present.

***Resolution No. 05-22: Disposal of Surplus and Abandoned Property***

Motion (Reynolds/Taylor) to adopt Resolution No. 05-22 allowing for the disposal of surplus and abandoned property. Motion carried by the majority present.

***St. Patrick's Church Conditional Use Permit Extension***

Motion (Reynolds/Hoffmann) to approve an extension to the Conditional Use Permit No. 04-02 for St. Patrick's Church for one (1) year. Motion carried by the majority present.

***Class "A" Beer/ "Class A" Liquor License Renewals to expire June 30, 2006***

Motion (McClory/Taylor) to renew the Class "A" Beer/ "Class A" Liquor licenses expiring June 30, 2006, for the following establishments:

- ~~///~~ Deakin Isle, Ltd., dba Deakin Isle, Ltd., 41 N. Wisconsin St.
- ~~///~~ Elkhorn Wine & Spirits LLC, dba Elkhorn Wine & Spirits, 41 N. Lincoln St.
- ~~///~~ Market Plaza of Elkhorn Inc., dba Frank's Liquor, 58C Market St.

Motion carried by the majority present.

***Class "B" Beer/ "Class B" Liquor License Renewals to expire June 30, 2006***

Motion (McClory/Hoffmann) to renew the Class "B"/ "Class B" Liquor licenses expiring June 30, 2006, for the following establishments:

- ~~///~~ Aune Enterprises, Inc., dba Sperino's Little Italy, Monte Carlo Room & Accustom Catering, 720 N. Wisconsin St.
- ~~///~~ Howard Bennett Knight, dba The Jury Room, 39 N. Wisconsin St.
- ~~///~~ The Nucleus LLC, dba The Reddroom, 15 E. Walworth St.
- ~~///~~ Elk Restaurant, Inc., dba Elk Restaurant, 13 W. Walworth St.
- ~~///~~ Kud's Limited, Inc., dba Two Seasons Bowl, 830 N. Wisconsin St.
- ~~///~~ Moy's Incorporated, dba Moy's Restaurant, 3 N. Wisconsin St.
- ~~///~~ 9 East, Inc., dba Elkhorn Saloon, 9 E. Walworth St.
- ~~///~~ Sports Page, Inc., dba Sports Page, Inc., 29 1/2 S. Wisconsin St.
- ~~///~~ Duggan Management, LLC, dba Duggan's, 35 N. Wisconsin St.
- ~~///~~ Someplace Else, Inc., dba Someplace Else, 1 W. Walworth St.
- ~~///~~ Al's Bistro LLC, dba Al's Bistro, 31 N. Wisconsin St.

Motion carried by the majority present.

***Class "B" Beer License Renewal to expire June 30, 2006***

Motion (McClory/Karcher) to renew the Class “B” Beer license for Four Lakes Athletic Club, dba Four Lakes Athletic Club, 351 E. Morrissy Drive. Motion carried by the majority present.

***Walworth County Smart Growth***

Motion (Reynolds/Karcher) to not pursue the multi-jurisdictional agreement with Walworth County’s Smart Growth. Motion carried by the majority present.

***Jackson Street Reconstruction Project No. 05-09***

Motion (Reynolds/Hoffmann) to award the contract for the Jackson Street Reconstruction Project No. 05-09 to Mann Bros. for \$526,526.00. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***2005 Crack Sealing Program***

Motion (Hoffmann/Taylor) to award the contract for the 2005 Crack Sealing Program to Bartelt Enterprise for \$32,065.60. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***TID 3 Road Construction Project No. 01-10: Change Order & Final Payment***

Motion (Hoffmann/Reynolds) to approve the TID 3 Road Construction Project No. 01-10 Change Order to add a clearspan bridge revising the contract amount to \$642,007.04 and a final payment to Mann Bros. for \$58,784.05. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Sunset Park Improvements (Phase 4) Project No. 03-03: Change order & Final Payment***

Motion (Reynolds/Taylor) to approve the Sunset Park Improvements (Phase 4) Project No. 03-03: change order and the final payment to Mann Bros. for \$9,154.69. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Block Grant Agreement/City of Elkhorn, Wis. Dept. of Commerce/Chemtool***

Motion (Reynolds/Karcher) to approve the Block Grant Agreement between the City of Elkhorn, Wisconsin Dept. of Commerce and Chemtool. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***CDBG Chemtool Administrative Services Agreement***

Motion (Karcher/Reynolds) to approve the CDBG Chemtool Administrative Services Agreement with SEWRPC for administration of the CDBG. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Engineering Services for Lakeland Water Treatment Facility Repair and Expansion***

Motion (Reynolds/McClory) to approve the Lakeland Water Treatment Facility Repair and Expansion Engineering Services contract with Baxter & Woodman for \$98,000.00. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Engineering Services for Water Supply Well No. 8 and Well House***

Motion (Reynolds/Hoffmann) to approve the Water Supply Well No. 8 and Well House Engineering Services contract with Baxter & Woodman for \$60,000.00. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Engineering Services for Well No. 8 Water Transmission Mains***

Motion (Reynolds/Karcher) to approve the Well No. 8 Water Transmission Mains Engineering Services contract with Baxter & Woodman for \$68,000.00. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Janitorial Services Contract***

Motion (Reynolds/Hoffmann) to use the City's labor force to clean the City's facilities with the exception of the Library/Community Center through 2005. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

***Website Consultant***

Motion (Reynolds/Karcher) to authorize the City Administrator to move forward with requesting a proposal from Municipal Web Services to design and develop a City of Elkhorn Website to a maximum of \$15,000. Roll call vote: Hoffmann, yes; Karcher, yes; McClory, yes; Reynolds, yes; Taylor, yes. Motion carried.

**DISCUSSION**

***Common Council Handbook***

City Administrator Tapson asked Council to review the Common Council Handbook prepared by staff and notify him what areas the Aldermen would like to discuss in detail. Special meetings would be scheduled or discussion would take place at a Council meeting.

**ADJOURNMENT**

Motion (Reynolds/Hoffmann) to adjourn at 8:20 p.m. Motion carried by the majority present.

Nancy B. Jacobson  
City Clerk