
COMMON COUNCIL MEETING
March 20, 2006

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; Aldemen William Hoffmann, John Karcher, Scott McClory, Howie Reynolds, Julie Taylor, 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, Electric Utility Director Art Schmitz, Fire Chief Rod Smith

Others present: David Cole; Lucas Lauderback, Elkhorn Independent; James Adams; Diane Riese, Elkhorn Chamber;

PUBLIC HEARING

Mayor Roberts opened the Public Hearing at 7:05 p.m. concerning a Wisconsin Community Development Block Grant Economic Development award received by the City of Elkhorn on behalf of Chemtool Inc. City Administrator Tapson said the \$500,000 grant includes a commitment by Chemtool to provide 50 new jobs at the end of 2006.

Mayor Roberts, having found no one wishing to speak from the public, closed the Public Hearing at 7:10 p.m.

CONSENT AGENDA

Motion (Van Dyke/Taylor) to approve the Consent Agenda for the following items: Minutes of the March 6, 2006, Common Council; Bartender Operator's Licenses to Bridget McMahon, Bridget Cook to expire June 30, 2007. Motion carried by the majority present.

REPORTS OF CITY OFFICERS

Mayor's Report

Courthouse Square update: Mayor Roberts said that the rumor that the City is planning to tear down the Courthouse and run a street through to N. Broad Street is unfounded. There have been a variety of site proposals from the County and the Broad Street was one of them. However, the City has two criteria in considering the site proposals. The first is to preserve the park atmosphere and the second is to embellish the War Memorial with what is there now.

Election Inspector/Special Registration Deputy/Canvasser appointments: Motion (Van Dyke/Karcher) to approve the Mayoral appointments of the following: Election Inspectors Regan Homan, Cheryl Miu, Catherine Yingling, Claritta Abell, Ruth Starck, Anna Schenk, Myrtle Hoover, Cliff Schiefelbein, Carol Lange, Patricia Andreas, Donna Neshek, Election Inspector/Special Registration Deputy Mike Kohl, and Canvasser Laura Koch. Motion carried by the majority present.

City Administrator's Report

Taxpayer Protection Amendment: City Administrator Tapson asked Council to review the Taxpayer Protecting Amendment, which is a version of the TABOR-like legislation. Many municipalities are adopting resolutions in opposition. Tapson said the reason for opposition is that it attacks revenue streams through caps. Tapson will craft a resolution to bring back to Council for review and possible action. Mayor Roberts said it should be recognized that the municipalities have not caused the problem of high taxes; most have kept their taxes down. The state has caused the problem.

Bielinski Commercial Site: A concept plan for a two parcel Certified Survey Map with one defined end user as Walgreens.

“Shodeen” Development: City Administrator Tapson reported on the proposed development of 2,000 acres between Elkhorn and Delavan with a projected 6,000 dwelling units. Tapson said that the City has some influence over the development through Extraterritorial Zoning and Extraterritorial Platting. Mayor Roberts said he was attending the Town of Delavan meetings. He said the proposed project is an extremely, dense populated City and Elkhorn should be very concerned.

Public Works Director's Report

Sewer System and Storm Sewer System Problems due to March 12 Storm: Public Works Director Weter reported on the problems that occurred due to the 2.9 inch rain that fell March 12. The rain and the conditions of the soil caused runoff faster than normal. Weter reported on flooding throughout the City. Weter provided a summary of the areas most affected.

ACTION TAKEN

City and Utility Bills

Motion (Van Dyke/Reynolds) to approve the City and Utility Bills for \$1,804,974.18 (Check #57673 to #58056). Roll call vote: Karcher, yes; McClory yes; Reynolds, yes; Taylor, yes; Van Dyke, yes.

Municipal Wholesale Rate Case Intervention

Motion carried. (Karcher/Reynolds) to approve the payment to Municipal Wholesale Power Group for intervention expenses in the Alliant Energies rate case of \$2,762.56 and \$1,500 for any additional expenses. Roll call vote: Karcher, yes; McClory yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

Motion (Karcher/Reynolds) to approve a Budget Adjustment in the Electric Utility for the MWPG expenses as approved. Motion carried by the majority present.

Planning Service Contract

No action was taken at this time.

Utility Locate Services Contract

No action was taken at this time pending review by the City Attorney.

WE Energies Line Purchase

Motion (Van Dyke/Karcher) to approve the purchase of an overhead line from WE Energies from County Hwy. H to County Hwy. NN for \$23,152. Roll call vote: Karcher, yes; McClory yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

Michael Best & Friedrich Representation: Shodeen Development

Motion (Reynolds/Taylor) to direct staff to prepare the necessary documents to hire Michael Best & Friedrich to represent the City concerning the Shodeen Development not to exceed \$7,000. Motion carried by the majority present.

ORDINANCES AND RESOLUTIONS/ACTION TAKEN

Ordinance No. 05-16: Motion (McClory/Taylor) to adopt Ordinance No. 05-16 amending Chapter 7 Traffic at Parking Restrictions concerning parking in front lawns, vehicle sales, recreational vehicle parking. Motion carried by the majority present.

Ordinance No. 06-04: Motion (Reynolds/Van Dyke) to adopt Ordinance No. 06-04 amending Chapter 13 at Section 13.15 Entitled Sewer Service establishing a sewer rate adjustment. Motion carried by the majority present.

Ordinance No. 06-07: Motion (Reynolds/Van Dyke) to adopt Ordinance No. 06-07 amending Chapter 12 at Special Events concerning exemptions from Special Event application fees. Motion

Resolution No. 06-07: Motion (Reynolds/Van Dyke) to adopt Resolution No. 06-07 establishing stop signs at intersections of N. Patricia/E. Morningside; N. Patricia/E. Emily; and Hilltop Drive/Sunny Hill Drive. Motion carried by the majority present.

Resolution No. 06-08: Motion (Van Dyke/McClory) to adopt Resolution No. 06-08 amending the Police Policy to include sections on Smoking and Use of Tobacco; Agency Jurisdiction; Electronic Recording of Custodial Interviewing. Motion carried by the majority present.

ORDINANCES/FIRST READINGS

Ordinance No. 06-05: Amend Chapter 18 Entitled Fees – Utility Locate Services amending Section 18.87(4) to include requiring a subdivider to pay for utility service locate.

Ordinance No. 06-06: Amend Chapter 23 Entitled “Fees for City Services” - Utility Locate Services setting the fee at \$100.

Ordinance No. 06-08: Rezone of Magill Property at 901-905 Hazel Ridge Road from A-1 (Agricultural District) to Rs-1 (Single Family Residence District), RD-1 (Two-Family Residence District) and C-1 (Conservancy District).

Ordinance No. 06-09: Amend Elkhorn 2030 Land Use Plan to incorporate Low Density Residential on areas previously depicted as Park and Open Space.

Ordinance No. 06-10: Amend Chapter 7 at Speed Limits deleting 30 mph on N. Lincoln Street.

ADJOURNMENT

Motion (Van Dyke/Karcher) to adjourn into Closed Session per 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 by Roll call vote: Karcher, yes; McClory yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried..”

a) Agenda Item: City Administrator Evaluation

Council did not reconvene into open session

Nancy B. Jacobson
City Clerk