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**COMMON COUNCIL MEETING**  
**May 1, 2006**  
**CITY OF ELKHORN**  
**9 S. BROAD ST., ELKHORN, WI 53121**

Mayor John Giese called the Common Council meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and Roll Call.

**ROLL CALL**

Present: Mayor John Giese; Aldermen: John Karcher, Scott McClory, Howie Reynolds, and Julie Taylor

Also Present: City Administrator Sam Tapson, Police Chief Joel Christensen, City Attorney Ward Phillips, Public Works Director Weter and Deputy City Clerk Shari McKinney

Others present: Patrick Slattery, Randall Leece, Elkhorn Independent and Jarad Video

**ACTION TAKEN**

***Consent Agenda***

Motion (Taylor/Karcher) to approve the Consent Agenda which includes the minutes of April 18, 2006 Common Council Meeting subject to a correction under the Clerk's Report on Elections, the total amount of voters should be 1,163. Motion carried by the majority present.

***Report of City Officers***

**Mayor**

Mayor Giese read aloud the proclamation recognizing Elkhorn as a Tree City USA by the National Arbor Day Foundation. Motion (Reynolds/Karcher) to approve the proclamation. Motion carried by the majority present.

**Committee Reports**

***Finance & Judicial Committee***

***Water Revenue Bonds: Borrowing Options***

Motion (Reynolds/Taylor) to approve the water revenue borrowing, choosing Option No. 3 (submitted by Ehlers, financial advisor) and authorizing Ehlers & Associates to act as the City's financial Advisor. Motion carried by the majority present.

***Municipal Services & Utility Committee***

***Carrico Aquatics Contract***

Motion (Karcher/Taylor) to enter into a one-year operation and maintenance of municipal pool contract with Carrico Aquatics for a total amount of \$5,140 with a 2006 budget adjustment of \$140.00. Roll Call Vote: Alderman Reynolds-Yes; Alderman Karcher-Yes; Alderman McClory-Yes; Alderman Taylor-Yes. Motion carried 4-0.

***Lions Den Bids***

Motion (Reynolds/Karcher) to recommend to Council to reject the bids for the construction of the Lions Den and rebid the project with and without the fireplace and sending notification to

Lakeland Builders Association. Roll Call Vote: Alderman Reynolds-Yes; Alderman Karcher-Yes; Alderman McClory-Yes; Alderman Taylor-Yes. Motion carried 4-0.

***Sidewalk Installation/Walworth & West Streets***

Motion (Karcher/Reynolds) moved to install sidewalk on West Street to Sedgemoor with staff to negotiate installation with the two adjacent property owners. Discussion regarding sidewalk policy. Motion carried by the majority present.

**DISCUSSION ITEMS**

***PA 135 RE: Expenditure of Room Tax***

Alderman Reynolds explained with the recent change in state law regarding room tax expenditures, 70% has to impact overnight stays. It was suggested that the City and Chamber think again about the 70% factor, provide a better allocation of events linking it to overnight stays and should the tax be kept in place if Elkhorn is not a tourist destination. The City and Chamber need to work together to change the process so that it will comply with the law.

***PA 203 RE: Expenditure of Impact Fees***

Alderman Reynolds stated that according to state law that impact fees would have to be spent within 7 years from receipt. The City will have to change the impact fee ordinance to comply and determine how to manage the change. Payments can be deferred and the City will have to be more precise when starting construction. Staff to prepare an ordinance and procedure.

***Liability Claims: Sewer & Water Backup***

Alderman Reynolds reported that the City's Insurance Review Committee met and recommended to the Finance & Judicial Committee to deny the sewer and water backup claims from the March 12<sup>th</sup> storm but accelerate the street reconstruction programs for certain streets. On April 24, 2006, the Finance & Judicial Committee held a Closed Session and deferred the matter to the next Common Council meeting for further discussion. Council will meet in Closed Session this evening and reconvene for action regarding these claims.

**BOARDS AND COMMISSIONS**

***Historical Preservation Commission***

Taylor reported that Larry Bray, Sugar Creek Mutual, has submitted an application for the HPC for a grant for façade improvements.

***Plan Commission***

Alderman Reynolds reported that the façade grant application for Bellsini Group/Simon Ultrera was approved.

***Recreation Board***

Alderman Karcher reported that there was no meeting this month.

***Library Board***

Alderman McClory had no report.

***EDC***

Alderman Taylor said that there is a meeting May 4, 2006.

***Downtown Partnership***

Alderman Taylor reported on the new signs installed throughout the community.

***Chamber of Commerce***

No report at this time.

## **ORDINANCES AND RESOLUTIONS**

### ***Resolution No. 06-11/Adoption of Personnel Policies and Procedures Manual***

Motion (Reynolds/McClory) to approve and adopt Resolution No. 06-11 regarding the adoption of the City's Personnel Policies and Procedures Manual revised to include language regarding Library personnel. Motion carried by the majority present..

## **NEW BUSINESS**

### ***MEUW 2006 Annual Conference/Electric Department***

Mayor Giese reported that the MEUW 2006 Annual Conference will be held on April 29<sup>th</sup> and 30<sup>th</sup>. The Electric Utility Director has invited the Mayor and Aldermen to join him in attending the conference.

## **PUBLIC COMMENT**

Patrick Slattery, 236 Winsor Street, said that he submitted a water and sewer backup claim for \$4,000 and requested that the City Council to identify and repair the water and sewer problems and pay all the claims that were submitted including his own.

## **CLOSED SESSION**

Motion (Karcher/Reynolds) to go into Closed Session by Roll Call Vote. Roll Call Vote: Alderman Reynolds-Yes; Alderman Karcher-Yes; Alderman McClory-Yes; Alderman Taylor-Yes. Motion carried 4-0.

## **RECONVENE INTO OPEN SESSION**

Motion (McClory/Reynolds) to reconvene into Open Session. Motion carried by the majority present. Council reconvened into Open Session at 8:33 p.m.

### ***Finance & Judicial Committee***

#### ***Liability Claims Re: Sewer and Water Backup***

Motion (Reynolds/McClory) to deny the sewer and water backup claims from the March 12<sup>th</sup> storm but accelerate the street reconstruction programs for certain streets within the City limits. Roll Call Vote: Alderman Reynolds-Yes; Alderman Karcher-Yes; Alderman McClory-Yes; Alderman Taylor-Yes. Motion carried 4-0.

## **ADJOURNMENT**

Motion (Reynolds/Karcher) to adjourn at 8:35 p.m. Motion carried by the majority present.

Shari McKinney  
City Deputy Clerk