
COMMON COUNCIL MEETING
June 5, 2006

CITY OF ELKHORN
ELECTRIC UTILITY BUILDNG, 400 KOOPMAN LANE, ELKHORN, WI 53121

Mayor John Giese called the Common Council to order at 7:00 p.m. in the Electric Utility Conference Room followed by the Pledge of Allegiance, followed by Roll Call.

ROLL CALL

Present: Mayor John Giese; Aldermen Ronald Dunwiddie, John Karcher, Scott McClory, Howie Reynolds, Charles Van Dyke, Julie Taylor

Also present: City Administrator Sam, City Clerk Nancy Jacobson, City Attorney Ward Phillips, Police Chief Joel Christensen, Parks and Recreation Director Jeff Simons

Others present: Lucas Lauderback, Elkhorn Independent; David Cole, Arthur Duerst, 18 West St. Apt. 310; Lorraine Haessly, 18 West St., Apt. 111; Joann Stewart, 18 West St., Apt. 114; Joanna Rangel, 18 West St., Apt. 112; Gene Schiltz, W5472 County Rd. A

CONSENT AGENDA

Motion (Van Dyke/Dunwiddie) to approve the following items on the Consent Agenda: Minutes of the May 15, 2006, Council Meeting; Temporary Class "B" Beer/Class "B" Wine Retailers License for Elkhorn Area Fire Department Street Dance to be held June 17, 2006; Bartender Operator's License for Tamera D. Boyd to expire June 30, 2007.

Motion carried by the majority present.

REPORTS OF CITY OFFICERS

Mayor

Motion (Van Dyke/McClory) to approve the appointment of Linda O'Connor to Plan Commission for a term to expire May 1, 2009. Motion carried by the majority present.

Motion (Van Dyke/Dunwiddie) to approve the appointment of Gary Wallem to Elkhorn Development Company for a term to expire December 31, 2011. Motion carried by the majority present.

Motion (Dunwiddie/McClory) to hold one meeting in July on July 17, 2006, due to the Fourth of July Holiday. Motion carried by the majority present.

ACTION TAKEN

Ordinance No. 06-14: Chapter 9 Public Peace and Good Order

Council held the first reading of Ordinance No. 06-14 amending Chapter 9 at 9.24 concerning drug paraphernalia. The change is due to the change in state laws.

Municipal Wholesale Rate Case Intervention

Motion (Reynolds/McClory) to approve financially supporting Municipal Wholesale Power Group in an amount not to exceed \$7,500 with the understanding that the City be notified when the costs are 80% to 90% used. Roll Call Vote: Dunwiddie, yes; McClory, yes; Karcher, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

N. Wisconsin Street – STH 67 Project

Motion (Van Dyke/McClory) to direct City staff to file with the Department of Transportation a request for a variance to the street width standards for N. Wisconsin Street to allow for the width to remain at its present width. Motion carried by the majority present.

Letter of Support for WDNR Grant

Motion (Van Dyke/Taylor) to provide a letter of support for Walworth County's application for a WDNR Urban Storm Water Planning Grant. Motion carried by the majority present.

Class "A" Beer/ "Class A" Liquor License Renewals to Expire June 30, 2007

1. Deakin Isle, Ltd., dba Deakin Isle, Ltd., 41 N. Wisconsin St.
2. Elkhorn Wine & Spirits LLC, dba Elkhorn Wine & Spirits, 41 N. Lincoln St.
3. 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, 2007

1. Aune Enterprises, Inc., dba Sperino's Little Italy, Monte Carlo Room & Accustom Catering, 720 N. Wisconsin St.
2. Howard Bennett Knight, dba The Jury Room, 39 N. Wisconsin St.
3. The Nucleus LLC, dba The Reddroom, 15 E. Walworth St.
4. Elk Restaurant, Inc., dba Elk Restaurant, 13 W. Walworth St.
5. Kud's Limited, Inc., dba Two Seasons Bowl, 830 N. Wisconsin St.
6. Moy's Incorporated, dba Moy's Restaurant, 3 N. Wisconsin St.
7. 9 East, Inc., dba Elkhorn Saloon, 9 E. Walworth St.
8. Sports Page, Inc., dba Sports Page, Inc., 29 1/2 S. Wisconsin St.
9. Duggan Management, LLC, dba Duggan's, 35 N. Wisconsin St.
10. Someplace Else, Inc., dba Someplace Else, 1 W. Walworth St.
11. Wildflower Café Elkhorn LLC, dba Wildflower Café, 18 S. Wisconsin St.
12. Mark Jennison, dba Breakers Family Billiards, 41 S. Wisconsin St.
13. Simon A. Utrera Jr., dba Happy's, 20 S. Wisconsin St.

Motion carried by the majority present.

Class "B" Beer License Renewals to Expire June 30, 2007

1. Four Lakes Athletic Club, dba Four Lakes Athletic Club, 351 E. Morrissy Drive
2. Chad E. Steen, dba Fiddlesticks, 101 Evergreen Parkway, Unit #7

Motion carried by the majority present.

Class "C" Wine License Renewal to Expire June 30, 2007

1. Chad E. Steen, dba Fiddlesticks, 101 Evergreen Parkway, Unit #7

Motion carried by the majority present.

Conditional Use Permit/Safety Grooving & Grinding

Motion (Reynolds/McClory) to adopt the Conditional Use Permit Resolution No. 06-13 for Safety Grooving and Grinding. Motion carried by the majority present.

Certified Survey Map/Lot 11 of Fairways Edge Business Park

Motion (Reynolds/Dunwiddie) to approve the Certified Survey Map for Lot 11 of Fairways Edge Business Park. Motion carried by the majority present.

Condo Plat/Lot 11 of Fairways Edge Business Park

Motion (Reynolds/McClory) to approve the Condominium Plat for Lot 11 of Fairways Edge Business Park. Motion carried by the majority present.

Certified Survey Map/Breck Magill

Motion (Reynolds/Van Dyke) to approve the Certified Survey Map to create three lots on one lot on Hazel Ridge Road for Breck Magill. Motion carried by the majority present.

Condominium Conversion/Future Antiques/Mark Bain

Motion (Reynolds/Van Dyke) to approve the Condominium Conversion for a building at 503 Nathan Lane for Mark Bain. Motion carried by the majority present.

Lions Den Bid

Motion (Karcher/McClory) to adjust the 2006 Budget by \$31,143.89 from undesignated surplus in the Capital Improvement Fund for the construction of the Lions Den. Roll Call Vote: Dunwiddie, yes; McClory, yes; Karcher, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Motion (Karcher/Dunwiddie) to award the contract for the demolition and construction of the Lions Den at Sunset Park to RR Walton & Company for \$181,143.89. Roll Call Vote: Dunwiddie, yes; McClory, yes; Karcher, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Westenn Mechanical Contractors Maintenance Contract

Motion (Reynolds/Van Dyke) to approve the Westenn Mechanical Contractors Maintenance Contract with the City for \$8,625 to expire December 31, 2006. Roll Call Vote: Dunwiddie, yes; McClory, yes; Karcher, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

PUBLIC COMMENT

A group of residents that live on Sedgemoor and West Street expressed their concerns over the condition of an empty lot that has not been mowed in three years and is filled with weeds and junk. Mayor Giese said it would be addressed on a future agenda. City staff will look into the problem. An agenda will be sent to the concerned citizens.

ADJOURNMENT

Motion to adjourn into Closed Session at 7:40 p.m. per SS 19.85 (1) (g) “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” by Roll Call Vote: Dunwiddie, yes; McClory, yes; Karcher, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried. Agenda Item: Lovesee Lawsuit.

Council did not reconvene into open session.

Nancy B. Jacobson
City Clerk