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**COMMON COUNCIL MEETING**  
**October 16, 2006**  
**CITY OF ELKHORN**  
**9 S. BROAD ST., ELKHORN, WI 53121**

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

**ROLL CALL**

Present: Mayor John Giese; Aldermen Ronald Dunwiddie, Scott McClory, Gary Payson, 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, Public Works Director Terry Weter

Others present: Lucas Lauderback, Elkhorn Independent; David Cole, Richard Howarth, Roger Wolff

**CONSENT AGENDA**

Motion (Van Dyke/Payson) to approve the following Consent Agenda items: Minutes from the October 2, 2006, Common Council meeting; Farm Land Lease for Ted Grant; Bartender Operator's Licenses to expire June 30, 2007, for Maria C. Kurowski, Mary J. Prien. Motion carried by the majority present.

**REPORTS OF CITY OFFICERS**

***City Administrator***

City Administrator Tapson reported that the 2007 Budget is now ready for review by the Council. The Public Hearing is set for Nov. 20, 2006, with budget approval Dec. 3, 2006.

**ACTION TAKEN**

***City and Utility Bills***

Motion (Van Dyke/McClory) to approve the City and Utility Bills for \$1,828,281.56 (Check #60672 through #60876). Roll Call Vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

***Squad Laptop, Computers, Modems and Mounting Hardware for Police Dept.***

Motion (Reynolds/Van Dyke) to approve the a budget adjustment of \$16,200 in the Vehicle Replacement Fund for the purchase of Squad Laptop Computers, Modems and Hardware and the purchase of the two squad laptop computers from Tough Solution for \$7,046 and the installation from BayComm for \$7,385.70. Roll Call Vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Taylor, yes; Van Dyke, yes. Motion carried.

***Brian Taylor, dba Portabella Grill, 1 N. Lincoln Street Beer and Wine Licenses***

Motion (Taylor/Payson) to grant Class "B" Beer and "Class C" Wine licenses to Brian Taylor, dba Portabell Grill, 1 N. Lincoln Street contingent upon receiving the City of Elkhorn's Occupancy Permit. Motion carried by the majority present.

***Sedgemoor Development Phase II/Condo Conversion***

Motion (Reynolds/Van Dyke) to approve the Condominium Conversion Plat for Sedgemoor Phase II. Motion carried by the majority present.

***McKeegan/Condo Conversion***

Motion (Reynolds/Van Dyke) to deny the Condominium Conversion Plat for Jean Keegan because it does not conform to Chapter 236 of the Wisconsin State Statutes, conflict with the

Elkhorn 2030 Community Development Plan and the requirements of Chapter 18 Subdivisions of the City's Municipal Code. Motion carried by the majority present.

***Prairie Trail Subdivision Preliminary Plat***

Motion (Reynolds/Payson) to approve the Preliminary Plat for Prairie Trail Subdivision as submitted by Alvar Larson to create 144 single family homes and four multiple family buildings with 16 unites each. Motion carried by the majority present. In discussion, City Administrator Tapson said there were dissenting comments. The developers were asked to extend the phasing process 6 to 8 years with 24 homes per year. Larson's representative, Richard Howarth, presented reasons for approval to Council. He said that the homes will have a value greater than \$200,000.

***Ordinance No. 06-22: Annexation of Territory Located in Town of Delavan/Elk Creek Subdivisions***

Motion (Reynolds/Van Dyke) to adopt Ordinance No. 06-22 providing for Direct Annexation by Unanimous Consent of Electors and Property Owners for property located in the Town of Delavan for Elk Creek Subdivision. Motion carried by the majority present.

**ORDINANCES (FIRST READINGS)**

***Ordinance No. 06-23: Annexation City of Elkhorn Owned Land/Town of Delavan***

The Ordinance annexes property located in Elk Creek Subdivision in the Town of Delavan that is owned by the City. It would be considered an island if not annexed. The annexation is a Direct Annexation by Unanimous Consent of Electors and Property Owners.

***Ordinance No. 06-24: Chapter 12 Titled Licenses and Permits***

The Ordinance amends Chapter 12 at Section 12.06 Transient Merchants deleting the section in its entirety to provide more current requirements in number of days to file, length of permit and application cost.

***Ordinance No. 06-25: To Amend Chapter 25: Construction and Effect of Ordinances at 25.09 Issuance of Citation***

The Ordinance amends Chapter 25 at 25.09 to allow Community Service Officers to issue citations in Chapter 7 under parking restrictions; Chapter 8 concerning snow and ice removal; Chapter 9 concerning storage of junk or unlicensed motor vehicles and littering; and, chapter 12 at Dog and Cat licensing and regulations.

***Ordinance No. 06-26: To Amend Chapter 12: Licenses and Permits at 12.03***

The Ordinance amends Chapter 12 to create Section 12.03 (6)(1) requiring visibility of premises holding alcohol licenses during the times they are required to close or during the hours in which the sale of liquor or malt beverages is prohibited from the outside. The premises should also be properly and adequately lighted during the hours when sale of alcohol is permitted.

***Ordinance No. 06-27: To Rezone Certain Property within the Boundaries of the City of Elkhorn at 1701 County Road NN***

The Ordinance allows a rezone for the front portion of a lot located at 1701 County Road NN, Tax Key Parcel YVSE00025A from RS-1 (Single Family Residence District) to RM-1 (Multiple Family Residence District).

**ADJOURNMENT**

Motion (Van Dyke/McClory) to adjourn at 7:35 p.m. Motion carried by the majority present.

Nancy B. Jacobson, City Clerk