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**COMMON COUNCIL MEETING**  
**November 6, 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 Sr., Howie Reynolds, Charles Van Dyke, Julie Taylor

Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson, City Attorney Ward Phillips, Police Chief Joel Christensen

Others present: Lucas Lauderback, Elkhorn Independent; David Cole

**CONSENT AGENDA**

Motion (Van Dyke/Dunwiddie) to approve the following items on the Consent Agenda: Minutes of the October 16, 2006, Common Council meeting; Bartender Operator's Licenses to expire June 30, 2007, for Amanda L. Ramos and Stephanie L. Wagner. Motion carried by the majority present.

**REPORTS OF CITY OFFICERS**

***Mayor's Report***

Motion (Van Dyke/Dunwiddie) to approve the Mayoral appointment of Ken Meinel to the Board of Appeals for a term to expire January 1, 2009. Motion carried by the majority present.

Motion (Van Dyke/Reynolds) to approve the Mayoral appointment of Len Badertscher to the Board of Appeals for a term to expire January 1, 2009. Motion carried by the majority present.

Motion (Van Dyke/Payson) to approve the Mayoral appointment of Richard Howarth Jr. to Elkhorn Development Corporation for a term to expire December 1, 2008. Motion carried by the majority present.

Motion (Van Dyke/Payson) to approve the Mayor appointment of Ronald Condroski to Elkhorn Development Corporation for a term to expire December 1, 2009. Motion carried by the majority present.

Motion (Van Dyke/McClory) to approve the Mayoral appointment of Michael Sarten for a term to expire December 1, 2010. Motion carried by the majority present.

Motion (Van Dyke/Reynolds) to approve the Mayoral appointment of Chris Aune for a term to expire December 1, 2012. Motion carried by the majority present.

**ACTION TAKEN**

***Randall Place Street Reconstruction/Engineering Services***

Motion (Reynolds/Taylor) to approve the Engineering Services Agreement with City Engineer Gary Welsh for \$72,000.00. Roll Call vote: Ronald Dunwiddie, yes; Scott McClory, yes; Gary Payson, yes; Howie Reynolds, yes; Charles Van Dyke, yes; Julie Taylor, yes. Motion carried.

***Tri-Party Agreement Concerning Easement Acquisition***

Motion (Reynolds/Taylor) to approve a tri-party agreement with State Long Distance (SLD) and Charter for obtaining easements for all three parties. Reynolds and Taylor withdrew their motions because City Administrator Tapson said the agreement was not ready. A new motion was made.

Motion (Reynolds/Taylor) to authorize the Electric Utility Director to proceed in drafting an agreement with State Long Distance (SLD) and Charter. Motion carried by the majority present.

***Historic Preservation Commission Façade Grant Program/Sawdust & Stitches***

Motion (Reynolds/Taylor) to approve the Historic Preservation Commission Façade Grant to improve the façade of Sawdust & Stitches located at 13 S. Wisconsin Street, Tax Key YOP 00205. Motion carried by the majority present.

***Historic Preservation Commission Façade Grant Program/Summit Development Group***

Motion (Reynolds/Taylor) to approve the Historic Preservation Commission Façade Grant to improve the façade of property located at 1 E. Walworth Street, Tax Key YOP 00201. Motion carried by the majority present.

***Harvest Point Commercial CSM***

Motion (Reynolds/Van Dyke) to approve the Certified Survey Map for Harvest Point Commercial to create a 2 lot CSM at the corner of Market Street and State Hwy. 67. Motion carried by the majority present.

***Amendment to Ordinance 06-18: Planned Unit Development***

Motion (Reynolds/McClory) to hold a Public Hearing concerning amending Ordinance 06-18 and Planned Unit Development on December 4, 2006. Motion carried by the majority present.

***Amendment to Zoning Code at Section 17.6-3 Parking***

Motion (Reynolds/McClory) to direct Plan Commission to hold a Public Hearing concerning the Zoning Code at Section 17.6-3 at Parking on December 7, 2006. Motion carried by the majority present.

***“East Elkhorn” Neighborhood Concept Plan***

Motion (Reynolds/McClory) to ask developers to provide the City with studies and information concerning the “East Elkhorn” Neighborhood Concept Plan. Roll Call vote: Ronald Dunwiddie, yes; Scott McClory, yes; Gary Payson, yes; Howie Reynolds, yes; Charles Van Dyke, yes; Julie Taylor, yes. Motion carried.

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

Motion (Van Dyke/Payson) to adopt Ordinance No. 06-23 annexing City owned land in the Town of Delavan. Motion carried by the majority present.

***Ordinance No. 06-24: Amend Chapter 12 at Transient Merchants***

Motion (Payson/Dunwiddie) to adopt Ordinance No. 06-24 amending Chapter 12 at Transient Merchants. Motion carried by the majority present.

***Ordinance No. 06-25: Amend Ordinance 25.09 Issuance of Citation***

Motion (Dunwiddie/Van Dyke) to adopt Ordinance No. 06-25 amending Chapter 25.09 Issuance of Citation. Motion carried by the majority present.

***Ordinance No. 06-26: Amend Chapter 12 at 12.03(9) Conditions of License***

Motion (Payson/Dunwiddie) to adopt Ordinance No. 06-26 amending Chapter 12 at 12.03(9) concerning conditions of alcohol beverage licenses. Motion carried by the majority present.

***Ordinance No. 06-27: Rezone Prairie Trail Subdivision***

Motion (Reynolds/McClory) to adopt Ordinance No. 06-27 rezoning the front portion of the lot located at 1701 County Road NN, Tax Key Parcel YVSE 00025A from RS-1 (Single Family

Residence District) to RM-1 (Multiple Family Residence District). Motion carried by the majority present.

***Resolution No. 06-22: Conditional Use Permit Amendment for PUD Harvest Point Commercial***

Motion (Payson/Van Dyke) to adopt Resolution No. 06-22 to amend the Harvest Point Commercial Planned Unit Development at condition number 5 of the original conditional use permit as follows:

1. To allow for future subdivision of the site of up to four lots. The site as a whole will now be approved through a General Development Plan that acknowledges comments provided in Teska Associates, Inc. memo dated: October 19, 2006. Each site specific area will be approved as a Specific Implementation Plan to include a detailed Site Plan with Architecture, Landscape Plan and Lighting Plan.

Motion carried by the majority present.

***Resolution No. 06-23: Authorizing the Disposal of Surplus and Abandoned Property***

Motion (Van Dyke/Dunwiddie) to adopt Resolution No. 06-23 authorizing the disposal of surplus and abandoned property. Motion carried by the majority present.

***Surplus Property Auction Contract***

Motion (Van Dyke/McClory) to approve a contract with Dale Folkers to auction City surplus and abandoned property. Motion carried by the majority present.

***National Register of Historic Places Preparation Services***

Motion (McClory/Van Dyke) to approve the services of Carol Lohry Cartwright, Historic Preservation Consultant, to prepare the information needed for the Elkhorn Municipal Building and the Bandshell to be sent to the National Register of Historic Places and to adjust the budget from contingency funds for \$2,500. Roll Call vote: Ronald Dunwiddie, yes; Scott McClory, yes; Gary Payson, yes; Howie Reynolds, yes; Charles Van Dyke, yes; Julie Taylor, yes. Motion carried.

***Lions Den Final Payment***

Motion (Van Dyke/McClory) to approve the payment of \$24,372.35 to R.R. Walton for the construction of the Lions Den with a \$2,000 retainage. Roll Call vote: Ronald Dunwiddie, yes; Scott McClory, yes; Gary Payson, yes; Howie Reynolds, yes; Charles Van Dyke, yes; Julie Taylor, yes. Motion carried.

***Amendment No. 2 to N. Wisconsin Street Project Contract***

Motion (Payson/Dunwiddie) to approve the amendment for the consultants contract to the N. Wisconsin Street Project in the amount of \$5,558.55. Roll Call vote: Ronald Dunwiddie, yes; Scott McClory, yes; Gary Payson, yes; Howie Reynolds, yes; Charles Van Dyke, yes; Julie Taylor, yes. Motion carried.

**ADJOURNMENT**

Motion (Van Dyke/McClory) to adjourn at 7:50 p.m. Motion carried by the majority present.

Nancy B. Jacobson  
City Clerk