
COMMON COUNCIL MEETING
April 17, 2007

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 and Roll Call.

ROLL CALL

Present: Mayor John Giese; Aldermen Ronald Dunwiddie, Scott McClory, Gary Payson Sr., Howie Reynolds, Julie Taylor, Charles Van Dyke

Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson, City Attorney Ward Phillips, Police Captain Patrick Slattery

Others present: David Cole; Dawn Heath, Elkhorn Independent; Iris Payson; Dwight Davis

CONSENT AGENDA

Motion (Van Dyke/Dunwiddie) to approve the April 2, 2007, Common Council minutes. Motion carried by the majority present. Mayor Giese pulled the Spring Election: Canvas Certification and City Clerk's report from the Consent Agenda to be handled separately.

City Clerk Jacobson presented the statistics of the April 3, 2007, General Spring Election. Of 5,216 registered voters 1, 275 voted at the Spring Election. The Clerk's office sent out 174 absentee ballots with three to military electors and one overseas elector. Two military ballots were returned. The overseas ballot was received after the election.

The City Clerk reported that Alderman Howie Reynolds received 46 write-in votes and was officially elected to represent District 1. Jacobson expressed her concern over abuse of write-in voting. Many of the write-ins were not valid electors of the City or State. In some cases, electors wrote in family members with no intent for them to be elected, never included a name for the write-in or used what could be considered as "silly" names. The time to record the write-ins by the Election Inspectors after the polls are closed is long and unnecessary due to the additional write-ins that are not valid. Jacobson asked that electors take advantage of the write-in privileges seriously in future elections.

The City Clerk announced the dates of Open Book, May 15 from 11 a.m. to 7 p.m.; May 16 from 9 a.m. to 3 p.m., and Board of Review on June 6, from 5:30 to 7:30 p.m.

Spring Election Canvass Certification: Motion (Van Dyke/Dunwiddie) to certify the 2007 Spring Election Canvass. Motion carried by the majority present.

ADJOURN SINE DIE

Motion (Payson/Taylor) to adjourn Common Council Sine Die. Motion carried by the majority present.

OATH OF NEWLY ELECTED ALDERMEN

Municipal Judge Thomas F. Meyer swore in Aldermen Howie Reynolds, District 1; Gary Payson Sr., District 2; and Charles Van Dyke, District 5.

ACTION TAKEN

City and Utility Bills

Motion (Van Dyke/Dunwiddie) to approve the City and Utility Bills for \$1,903,451.32 (Checks from #63490 to #63693). Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Election of Council President

Motion (Taylor/Van Dyke) to nominate Alderman Payson as Council President. Motion carried by the majority present.

Motion (Van Dyke/McClory) to close the nominations. Motion carried by the majority present.

Official City Newspaper

Motion (Dunwiddie/Van Dyke) to approve the Elkhorn Independent as the Official City Newspaper. Motion carried by the majority present.

Resolution No. 07-13: Designating Public Depositories and Authorizing withdrawal of City Moneys

Motion (Van Dyke/Dunwiddie) to adopt Resolution No. 07-13 designating Public Depositories and Authorizing withdrawal of City Moneys. Motion carried by the majority present.

2007 Board of Review Members

Motion (Payson/Reynolds) to approve the appointments of Mayor John Giese, City Clerk Nancy Jacobson, Aldermen Julie Taylor, Ronald Dunwiddie and Charles Van Dyke as members of the 2007 Board of Review. Motion carried by the majority present.

City Attorney Appointment

Motion (Van Dyke/McClory) to approve the appointment of Ward Phillips as City Attorney. Motion carried by the majority present.

Mayoral Appointments for Standing Committees

Motion (Payson/Reynolds) to approve the following appointments to Financial/Judicial Committee – Howie Reynolds (Chair); Scott McClory; Julie Taylor. Motion carried by the majority present.

Motion (Dunwiddie/Reynolds) to approve the following appointments to Municipal Services & Utilities – Gary Payson Sr. (Chair); Charles Van Dyke; Ronald Dunwiddie. Motion carried by the majority present.

Motion (Payson/Dunwiddie) to approve the following appointments to Public Safety Committee – Scott McClory (Chair); Charles Van Dyke; Julie Taylor. Motion carried by the majority present.

Motion (McClory/Reynolds) to approve the following appointments to Human Resources Committee – Gary Payson (Chair); Scott McClory; Ron Dunwiddie. Motion carried by the majority present.

Motion (Reynolds/Payson) to approve the following appointments to Legislature/Regulatory Committee – Julie Taylor (Chair); Gary Payson; Ron Dunwiddie. Motion carried by the majority present.

Mayoral Appointments for Boards and Commissions

Motion (Payson/McClory) to approve the following appointment to Plan Commission – Julie Taylor. Motion carried by the majority present.

Motion (Payson/McClory) to approve the following appointment to Recreation Advisory Board – Howie Reynolds. Motion

Motion (Dunwiddie/Taylor) to approve the following appointment to Elkhorn Development Company – Gary Payson. Motion carried by the majority present.

Motion (Dunwiddie/Payson) to approve the following appointment to Historic Preservation – Julie Taylor. Motion carried by the majority present.

Motion (Reynolds/McClory) to approve the following appointment to Fire Advisory Board – Howie Reynolds

Council Liaisons

Motion (Reynolds/Dunwiddie) to approve the following appointment to Matheson Memorial Library Board – Scott McClory. Motion carried by the majority present.

Motion (Payson/Taylor) to approve the following appointment to Chamber – Ronald Dunwiddie. Motion carried by the majority present.

Motion (Van Dyke/Payson) to approve the following appointment to Elkhorn Downtown Partnership – Julie Taylor. Motion carried by the majority present.

Motion (Dunwiddie/Payson) to approve the following appointments to Police and Fire Commission – Charles Van Dyke (Council Liaison) Paul Martell (Citizen Member - expires May 1, 2012). Motion carried by the majority present.

Ordinance No. 07-06: Amending Chapter 13 of Municipal Code at 13.03 Water Service Area Limited

Motion (Reynolds/Payson) to adopt Ordinance No. 07-06 amending the Municipal Code at 13.03 extending the water service area to include the new Lakeland School property. Motion carried by the majority present.

Resolution No. 07-14: Amending Resolution No. 06-29 Establishing Wages and Salaries for Part-time, Limited Term and Seasonal Employees

Motion (Reynolds/Payson) to adopt Resolution No. 07-14 to combine the Pool Manager's salary for summer and winter pool seasons at \$13,500. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Arbor Day Proclamation

Mayor Giese proclaimed April 27, 2007, as National Arbor Day in the City of Elkhorn and urged citizens to plant trees.

Tuck Pointing Water Plant Budget Adjustment

Motion (Payson/McClory) to approve a budget adjustment of \$5,575 to contract with Vegter Masonry to tuck point the Centralia Street water plant. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Cost Recovery/Escrow Agreement: "East Village" Development

Motion (Reynolds/Payson) to approve an agreement regarding cost of impact study services between the City of Elkhorn and Village Land Fund LLC, BCP Realty LLC, Deluca Development Inc. Motion carried by the majority present.

In discussion, the Agreement will require the developer of "East Village" to pay for the majority of studies required by the City.

Consulting Service Agreement for "East Village" Development: Water Utility Impact: Baxter & Woodman (\$16,600)

Motion (Reynolds/Taylor) to approve an East Elkhorn Master Development Water System Study by Baxter and Woodman Assoc. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Consulting Service Agreement for "East Village" Development: Sewer Utility Impact: Gary Welsh, P.E.

Motion (Reynolds/McClory) to approve an East Side Sewer Study by Gary P. Welsh, P.E. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Consulting Service Agreement for “East Village” Development: Fiscal Impact: Teska & Assoc. (\$12,000)

Motion (Dunwiddie/Reynolds/) to approve a fiscal impact study and growth analysis performed by Teska and Assoc. with \$9,250 going to the developer and \$4,250 to the City. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Consulting Service Agreement for “East Village” Development: Transportation Study: SEWRPC (no cost)

Motion (McClory/Payson) to approve a transportation study performed by Southeastern Wisconsin Regional Planning Commission (SEWRPC). Motion carried by the majority present.

ADJOURNMENT

Motion (Payson/Taylor) to Adjourn into Closed Session at 7:40 p.m. by Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried, per SS 19.85 (1) (e) “deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.”

(a) Agenda Item: DeHaan Enterprises/Request to Purchase City Land
Council did not reconvene into open session.

Nancy B. Jacobson
City Clerk