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**COMMON COUNCIL MEETING**  
**April 7, 2008**

**CITY OF ELKHORN**  
**COUNCIL CHAMBERS, 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, Julie Taylor, Charles Van Dyke

Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson, City Attorney Ward Phillips, Police Chief Joel Christensen, Public Works Director Terry Weter, City Engineer Representative Amy Plato, Electric Utility Director Art Schmitz

Others present: David Cole, Maureen Mayrand, Elkhorn Independent; Gary Payson Jr.

**ACTION TAKEN**

***Consent Agenda***

Motion (Van Dyke/Dunwiddie) to approve the following items on the Consent Agenda: Minutes for the March 17, 2008, Council meeting and the March 31, 2008, Special Council meeting. Motion carried by the majority present.

***Certification of the Board of Canvassers***

Motion (Reynolds/Payson) to approve the Certification of the Board of Canvassers of the offices of Mayor, Aldermanic District 3, Aldermanic District 4, and Aldermanic District 6 for the April 1, 2008, General Election. Motion carried by the majority present.

***Ludwell Estates Sanitary Sewer Request***

This agenda item was removed because it was inadvertently put on the agenda and had already been approved at the March 17, 2008, Council meeting.

***Project No. 08-01 N. Church Street Reconstruction: County Request***

Motion (Payson/Dunwiddie) to approve a request by Walworth County to extend the project to include the section between Voss Road and Edgewood Avenue which is outside the City's maintenance jurisdiction. Motion carried by the majority present.

***Class "B" Beer/Class "C" Wine Licenses for Abel Guitron, dba Casa Maria, 1 N. Lincoln St.***

Motion (Taylor/McClory) to grant a Class "B" Beer and Class "C" Wine license to Abel Guitron, dba Casa Maria, 1 N. Lincoln Street to be issued contingent upon the Building Inspector's approval. Motion carried by the majority present.

***Municipal Judge Term***

Motion (Taylor/Payson) to direct staff to amend the ordinance to change the term of the Municipal Judge from two years to four years. Motion carried by the majority present. In discussion, Mayor Giese asked that language be incorporated that would allow for a cost of living increase during the term if it is allowable.

***Ordinance No. 08-07: To Amend Chapter 12 at Licenses and Permits/Alcohol Beverages***

The first reading was held for Ordinance No. 08-07 to amend Chapter 12 Licenses and Permits at 12.03 Alcohol Beverages. The amendment removes the language concerning hours open and adds language that refers to the State Statutes.

***Project No. 05-11 Water Treatment Facility Chlorination Modifications Change Order to Seater Construction Co***

Motion (Dunwiddie/Reynolds) to approve the Project No. 05-11 Water Treatment Facility Chlorination Modifications Change Order to Seater Construction Co. for \$7,788.40. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Project No. 05-11 Water Treatment Facility Chlorination Modifications: Seater Construction Company Final Pay Request for \$30,388.40***

Motion (Reynolds/Payson) to approve the final payment of \$30,388.40 for Project No. 05-11 Water Treatment Facility Chlorination Modifications: Seater Construction Company. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Award Bid: Hickory Lane Drainage Project***

Motion (Dunwiddie/Van Dyke) to award the contract for the Hickory Lane Drainage Project to Mann Bros. for \$58,190. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, abstained; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried. In discussion, Alderman Dunwiddie stated that the Municipal Services Committee had discussed and endorsed a financing approach whereby the City would pay 68% of the project and the property owners benefiting from the construction would be assessed 32% to be paid back over 7 years.

**PUBLIC COMMENT**

Gary Payson Jr. said he had no contact with the City concerning the Hickory Lane Drainage Project since January. He asked why there was no notification prior to the awarding of the contract. He was told that the financing mechanism was the recommendation of committee. Amy Plato of Bonostroo said she was in contact with property owners and put together a new plan which went out to bid.

**ADJOURNMENT**

Motion (Van Dyke/Dunwiddie) to adjourn at 7:26 p.m. Motion carried by the majority present.

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Nancy B. Jacobson  
City Clerk