
COMMON COUNCIL MEETING
June 2, 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, City Engineer Gary Welsh

Others present: David Cole, Maureen Mayrand, Elkhorn Independent, Jeff Raykovich

REPORTS

Police Department Building

City Administrator reported that a presentation will be given to the Council on June 16 of the plans for the new Police Department.

N. Wisconsin St – Reconstruction

Municipal Services Chairman Gary Payson reported Committee recommended to the City Engineer to go ahead with the infrastructure construction in the fall so that it may be ready for the state's reconstruction of the street. Payson reported that Committee recommended stronger enforcement of those who violate the yard waste pick-up program.

ACTION TAKEN

Consent Agenda

Motion (Van Dyke/Dunwiddie) to approve the following items on the Consent Agenda: Minutes of May 19, 2008, Council Meeting; Bartender Operator's Licenses to expire June 30, 2009, for Stacey L. Gittings; Temporary Class "B"/"Class B" Retailer's License for Harley Fest Block Party, June 7 & 8, 2008; Elkhorn Area Fire Dept. Street Dance, June 14 & 15, 2008; St. Patrick's Brat Fest, June 21 & 22, 2008; and, Land O'Lakes Trailer Park License Renewal.

Mayoral Appointments

Motion (McClory/Reynolds) to approve the Mayoral appointments of Tim Shiroda and Kim Brower to the Matheson Memorial Library first terms to expire July 1, 2008. Motion carried by the majority present.

Nettesheim Lift Station/Prescott Street Sewer Backup

Motion (Payson/Dunwiddie) to approve adding \$125,000 to the sewer improvement borrowing in 2008 for construction of a new sewer connection between the old west side sewer and Deere Road with a portion of the cost recovered at the time the Elk Creek development occurs. Motion carried by the majority present.

Renewal Alcohol Licenses

A. Motion (Taylor/Payson) to grant the following **Class "A" Beer / "Class A" Liquor** licenses:

1. Deakin Isle, Ltd., Agent Lorna Stone, dba Deakin Isle, Ltd., 41 N. Wisconsin St.;

2. Elkhorn Wine & Spirits LLC, Agent G. Timothy Shiroda, dba Elkhorn Wine & Spirits, 41 N. Lincoln St.;
3. Market Plaza of Elkhorn Inc., Agent Stephanie D. Lueptow, dba Frank's Liquor, 58 W. Market St. C;

Motion carried by the majority present.

B. Motion (Taylor/McClory) to grant the following **Class "B" Beer/ "Class B" Liquor** licenses with conditions for specific establishments:

1. Aune Enterprises, Inc., Agent Christopher D. Aune, dba Sperino's Little Italy, Monte Carlo Room & Accustom Catering, 720 N. Wisconsin St.;
2. Howard Bennett Knight, Agent Howard Bennett Knight, dba The Jury Room, 39 N. Wisconsin St.;
3. The Nucleus LLC, Agent Eric K. Messerschmidt, dba The Reddroom, 15 E. Walworth St.;
4. Elk Restaurant, Inc., Agent Brad Wales, dba Elk Restaurant, 13 W. Walworth St.;
5. Kud's Limited, Inc., Agent Bruce Kudick, dba Two Seasons Bowl, 830 N. Wisconsin St. with conditions listed for outdoor entertainment;
6. Moy's Incorporated, Agent King F. Moy, dba Moy's Restaurant, 3 N. Wisconsin St.;
7. 9 East, Inc., Agent Justin Ehrhardt, dba Elkhorn Saloon, 9 E. Walworth St.;
8. Sports Page, Inc., Agent Dan Ward, dba Sports Page, Inc., 29 1/2 S. Wisconsin St.;
9. Duggan Management, LLC, Agent John Duggan, dba Duggan's, 35 N. Wisconsin St.;
10. Someplace Else, Inc., Agent Kristin L. Mohr, dba Someplace Else, 1 W. Walworth St.;
11. Mark Jennison, dba Breakers Family Billiards, 41 S. Wisconsin St.;
12. Roni LLC, Agent Chad E. Steen, dba Fiddlesticks, 101 Evergreen Parkway, Unit #7;
13. Viviana Inc., Agent Raunel J. Torres, dba Calabria, 31 N. Wisconsin St.;

Motion carried by the majority present.

C. Motion (Taylor/Dunwiddie) to grant the following **Class "B" Beer** licenses:

1. Wildflower Café Elkhorn LLC, Agent Margaret Kewaleski, dba Wildflower Café, 18 S. Wisconsin St.;
2. Pura Vida Corp. Agent Abel Guirtron, dba Casa Maria, 1 N. Lincoln St.

Motion carried by the majority present.

D. Motion (Taylor/Dunwiddie) to grant the following **Class "C" Wine** licenses:

1. Wildflower Café Elkhorn LLC, Agent Margaret Kewaleski, dba Wildflower Café, 18 S. Wisconsin St.;
2. Pura Vida Corp. Agent Abel Guirtron, dba Casa Maria, 1 N. Lincoln St.

Motion carried by the majority present.

Original Licenses

A. Motion (Taylor/Reynolds) to grant a **Class "B" Beer** license to Cali's Ventures, Inc., Agent LeeAnn Cali, dba Cali's Italian Grill, 10 W. Evergreen Parkway Unit #1 with the condition that the City Clerk receive an occupancy permit within 180 days from the granting of the license. Motion carried by the majority present.

B. Motion (Taylor/Dunwiddie) to grant a **"Class B" Liquor (Reserve)** to Cali's Ventures, Inc., Agent LeeAnn Cali, dba Cali's Italian Grill, 10 W. Evergreen Parkway #1 with the condition that the City Clerk receive an occupancy permit within 180 days from the granting of the licenses. Motion carried by the majority present.

Resolution No. 08-18: To Approve a Conditional Use Permit Amendment for a “Skilled Nursing Facility” located at 638 N. Broad Street

Motion (Taylor/Reynolds) to adopt Resolution No. 08-18 approving a Conditional Use Permit for a “Skilled Nursing Facility” located at 638 N. Broad St., Holton Manor Nursing Home. Motion carried by the majority present.

Resolution No. 08-19: Authorizing the Combining of Wards for Voting Purposes in the City of Elkhorn for Sept. 9, 2008, Partisan Primary Election

Motion (McClory/Dunwiddie) to adopt Resolution No. 18-19 authorizing the Combining of Wards for Voting Purposes in the City of Elkhorn September 9, 2008, Partisan Primary Election. Motion carried by the majority present.

Resolution No. 08-20: Authorizing a Temporary Polling Place for Voting Purposes in the City of Elkhorn for the General Election for President and Vice President of the United States, Representative in Congress, State Senator, Representative to the Assembly, District Attorney, County Partisan offices and Referenda (if required)

Motion (Dunwiddie/Reynolds) to adopt Resolution No. 08-21 authorizing a temporary polling place for the City of Elkhorn General Election November 4, 2008. Motion carried by the majority present.

Resolution No. 08-21: To Amend the Contract for Collection and Disposal of Residential Solid Waste and Recyclable Materials

Motion (Payson/McClory) to adopt Resolution No. 08-21 to amend the Contract for Collection and Disposal of Residential Solid Waste and Recyclable Materials. Motion carried by the majority present.

Letter of Credit/Final Reduction: Mann Capital Management, LLC

Motion (Reynolds/Taylor) to approve the final reduction of the Mann Capital Management, LLC, Letter of Credit No. 555771 leaving “0” balance. Motion carried by the majority present.

EDRL Loan Recommendation: Brogan Manufacturing

Motion (Reynolds/Dunwiddie) to approve the EDRL Loan to Brogan Manufacturing for \$66,000. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

Contract Award: Cintas Fire Protection

Motion (Payson/Van Dyke) to approve the contract with Cintas Fire Protection for \$3,78.50 for repairs to the Matheson Memorial Library Sprinkler System. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

ADJOURNMENT

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

Nancy B. Jacobson
City Clerk