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**COMMON COUNCIL MEETING**  
**June 16, 2008**  
**CITY OF ELKHORN**  
**COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121**

Mayor John Giese called the Common Council to order at 6:30 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

Absent: Alderman Julie Taylor

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 Gary Welsh, Electric Utility Director Art Schmitz

Others present: David Cole, Maureen Mayrand, Elkhorn Independent, Kurt Zimmerman, Zimmerman Architectural Studio, Inc.

**POLICE DEPARTMENT BUILDING PROJECT**

Kurt Zimmerman of Zimmerman Architectural Studio, Inc., presented a preliminary design of the Elkhorn Police Department building. The building will have a main entrance facing the corner of N. Lincoln Street and E. First Avenue. The design is two-story with the lower story underground to reduce the footprint in the park. The intent is to keep the profile low in keeping with the neighborhood. The Ad Hoc Committee consisting of the Police Chief Christensen, City Administrator Tapson, Mayor Giese, Aldermen Taylor, Payson, Dunwiddie have refined the design to reduce the square footage from 33,000 to 26,000 square feet. The exterior design includes open beam construction, brick and possibly stone accents. A cupola was included in the design. Alderman McClory asked if it was just for decoration and what is the cost. Zimmerman said it may be functional for exhaust or intake, but is a decorative piece. McClory asked about security and would it be key cards. Chief Christensen said it would be a combination of key cards and electronic door strikes.

City Administrator Tapson asked what Zimmerman was asking of the Council. Zimmerman said he wanted confirmation on the aesthetics, parking and size. Tapson asked what the timeline was from construction drawings to bid. Zimmerman said it would take three months to put together the construction documents. He estimated a year-end bidding with the project starting in 2009. He said he would have a refined budget to the City in four to six weeks.

**ACTION TAKEN**

***Consent Agenda***

Motion (Van Dyke/Dunwiddie) to approve the following items on the Consent Agenda: Minutes of the June 2, 2008, Common Council meeting; Bartender Operator's Licenses to expire June 30, 2009, for Cindy Shiroda and Kathy J. Murray. Motion carried by the majority present.

***City and Utility Bills***

Motion (Van Dyke/McClory) to approve the City and Utility Bills for \$1,503,989.36 (Check #69387 through #69601). Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Electric Utility Boring and Excavation Bid***

Motion (Reynolds/Payson) to approve the bid to J.R. Construction for the Utility Boring and Excavation unit price bid. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***SM&P Locating Contract Renewal***

Motion (Reynolds/Dunwiddie) to approve the three year locating contract renewal with SM&P. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Group Health Insurance Renewal***

Motion (Reynolds/McClory) to approve the Health Insurance Renewal with REMouton/AUL not to exceed \$1,456,603.74. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor. Motion carried.

***Utility Mapping Project***

Motion (Payson/Reynolds) to approve a \$40,000 contract with Bonestroo Inc. for mapping of water and sewer utility systems. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Certified Survey Map/Sugar Creek ETP/John Lory***

Motion (Reynolds/Dunwiddie) to approve a three lot Certified Survey Map located in the Sugar Creek for John Lory. Motion carried by the majority present.

***Ordinance No. 08-09: Amending Chapter 1 of the Elkhorn Municipal Code at General Government***

The first reading was held concerning Ordinance No. 08-09 to amend Chapter 1 of the Elkhorn Municipal Code at General Government. The amendment revised the designation of City officers and redefines the City Treasurer, City Comptroller and Finance Director. The new Assistant Finance Director will become the City Treasurer.

***Resolution No. 08-22: WDNR Compliance Maintenance Resolution***

Motion (McClory/Dunwiddie) to adopt Resolution No. 08-22, a Wisconsin Department of Natural Resources compliance maintenance resolution. Motion carried by the majority present.

***Resolution No. 08-23: Amending the Elkhorn Police Department. Policy at Traffic Enforcement (14-1)***

Motion (Dunwiddie/McClory) to adopt Resolution No. 08-23 amending the Elkhorn Police Department Policy at Traffic Enforcement (14-1). Motion carried by the majority present.

***Resolution No. 08-24 Authorizing \$7,650,000 GOB for PD Facility***

Motion (Payson/Dunwiddie) to authorize the City of Elkhorn to borrow an amount not to exceed \$7,650,000 by issuing general obligation bonds for financing the construction of the Elkhorn Police Facility. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Resolution No. 08-25 Directing Publication of Notice to Electors***

Motion (Payson/Dunwiddie) to adopt Resolution No. 08-25 to authorize the City Clerk to notice in the official newspaper to the public the initial Resolution authorizing \$7,650,000 in General Obligation Bonds. Motion carried by the majority present.

***Resolution No. 08-26 Providing for the Sale of \$2,470,000 General Obligation Police Facility Bonds***

Motion (Payson/McClory) to adopt Resolution No. 08-26 to issue \$2,470,000 for the purpose of financing construction of the police facilities at this time. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Resolution No. 08-27 Providing for the Sale of \$2,200,000 Waterworks and Electric System Mortgage Revenue Bonds***

Motion (Reynolds/Payson) to adopt Resolution No. 08-26 to authorize the issuance and sale of \$2,200,000 Waterworks and Electric System Mortgage Revenue Bonds. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Resolution No. 08-28 Providing for the Sale of \$5,320,000 General Obligation Promissory Notes***

Motion (Payson/Dunwiddie) to adopt Resolution No. 08-28 to authorize the issuance and sale of \$5,320,000 general obligation promissory notes. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

***Courthouse Square Boundary Determination***

Motion (Payson/Reynolds) to authorize, in conjunction with Walworth County, SEWRPC to survey the Courthouse Square to establish appropriate boundaries and monuments and prepare a Certified Survey Map. Motion carried by the majority present.

***Local Government Property Insurance Fund Renewal***

Motion (Payson/Dunwiddie) to approve the Local Government Property Insurance Fund renewal with the addition of \$500 to increase the liability to \$3,000,000. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.

**ADJOURN INTO CLOSED SESSION**

**Adjourn into Closed Session at 7:30 p.m. per State Statute 19.85 (1) (g) by Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes. Motion carried.**

“Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.”

1) Insurance Claim Recovery

**Per State Statute 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.”

1) Property Acquisition

**RECONVENED INTO OPEN SESSION**

Motion (Reynolds/Van Dyke) not to seek an insurance claim recovery. Roll call vote: Dunwiddie, yes; McClory, abstain; Payson, yes; Reynolds, yes; Van Dyke, yes.. Motion carried.

**ADJOURNMENT**

Motion (Van Dyke/McClory) to adjourn at 8:07 p.m. Motion carried by the majority present.

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Nancy B. Jacobson  
City Clerk