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**COMMON COUNCIL MEETING**  
**August 4, 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; Warren Hansen, 7 Ridgway Ct.; Dan Carmody, 5803 Glen Haven Dr, Greendale, WI; Dick Howarth, Elkhorn; Gene Hoffman, Elkhorn; Gerhardt Immega, Elkhorn; Dick DeHaan, Elkhorn; Mike Roberts, Elkhorn; Lorraine Kitzman, Elkhorn; Mary Ellen Last, Elkhorn; Gary Cikanek, 645 Estate Ct., Elkhorn; Bill Ghiselli, 675 Estate Ct., Elkhorn; Philip Jones, 241 Randall Place, Elkhorn

**REPORTS OF CITY OFFICERS**

***Mayor's Report***

Mayor Giese reported to Council that he has received numerous comments from the community concerning the Police Department project. He asked the Council to look at two options. The first is to revisit building the Police Department in the downtown courthouse west end. The second is to look at the last drawings and prices from the architect for building at Tasch Park. New estimates from Zimmerman have been reduced from approximately \$8 million and 26, 000 square feet to \$4 million and 15,000 square feet. The Mayor asked for a 30-day moratorium to allow staff to review these two options.

**COMMITTEE REPORTS**

***Legislative and Regulatory Committee***

Alderman Taylor reported that staff has been directed to proceed with an ordinance concerning electric motor cars with the City limits.

Committee also discussed the five acre lot requirement in the Extraterritorial Zoning boundaries. The City Administrator and other staff have received requests for smaller lots. Taylor said staff needs affirmation by the Council that the requirement should remain the same or Council can request Plan Commission to further review the requirement. The consensus of the Council was to leave the requirement in place.

**ACTION TAKEN**

***Market Street Condominiums/Preliminary Plat***

Motion (Taylor/Reynolds) to approve the Preliminary Condominium Plat for a two-family residential subdivision as submitted by Dan Carmody for property located at W. Market Street, Tax Key No. YUNW00243. Motion carried by the majority present.

***Market Street Condominiums Specific Implementation Plan***

Motion (Taylor/Payson) to approve the Specific Implementation Plan for a two-family residential subdivision as submitted by Dan Carmody for property located at W. Market Street, Tax Key No. YUNW00243. Motion carried by the majority present.

***Ordinance No. 08-10: To Amend Ordinance No. 07-09 Rezone if Evergreen Park***

The First Reading was held for Ordinance No. 08-10 to amend Ordinance No. 07-09 concerning the B-6 Commercial Business District PUD Overlay for property located in Evergreen Business Park at Tax Key No. YEBP0001 – YEBP00015 to allow for a “veterinary clinic” for the care, observation, or treatment of domestic animals, limited to small animals only, with no outdoor kenneling allowed.

***Amendment to Pre-Annexation and Development Agreement: Elk Creek Capital, LLC***

Motion (Payson/McClory) to approve the amendment to the Pre-Annexation and Development Agreement with Elk Creek Capital, LLC. Motion carried by the majority present.

***Business Park Agent – Listing Agreement Renewal***

Motion (Payson/Dunwiddie) to approve the listing agreement renewal with the Business Park agent. Motion carried by the majority present.

***Swanson Liability Claim***

Motion (Payson/Dunwiddie) to disallow the liability claim for an accident that occurred April 25, 2008, in the City of Elkhorn as submitted by West Bend Mutual Insurance for \$7,274.03. Motion carried by the majority present.

***Police Department Relocation***

Motion (Payson/Reynolds) to authorize staff to revisit and review the possibility of locating the Police Department in the County Government Center West Wing (former Sheriff’s Department). Motion carried by the majority present.

**PUBLIC COMMENT**

Residents living on Estate Court expressed their concern over the construction of sidewalks along N. Church Street on the back side of their property. Their concerns included security, safety, and the ability to clean the sidewalks of snow. The issue concerning N. Church Street sidewalks will be placed on the Municipal Services and Utilities agenda August 11, 2008.

Property owners addressed their opinion on locating the Police Department in the Courthouse Park. Mike Roberts asked Council to take into account the future of the downtown when determining where the Police Department should be located. Richard Howarth expressed his opinion that the Police Department should be in the downtown. He said any environmental issues are solely the responsibility of the County.

**ADJOURNMENT**

Motion (Van Dyke/McClory) to adjourn at 7:40 p.m.

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Nancy B. Jacobson  
City Clerk