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**COMMON COUNCIL MEETING**  
**September 15, 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

Others present: David Cole, Maureen Mayrand, Elkhorn Independent, Joe Meyer, 631 N. Church St.

**REPORTS OF CITY OFFICERS**

***Mayor's Report***

Mayor Giese responded to a letter to the letter written in the daily newspaper commenting on the Mayor, City Employees and the local newspaper. He corrected the writer concerning the cost of a new Police facility for a \$150,000 home. The writer stated that it would cost \$18,000 over 20 years and in actuality it is \$3,000.

***City Administrator***

City Administrator Tapson reported that a report was sent to him from Police Department architects comparing the downtown west end of the Government Center and the building a new facility. A special Council meeting will be held September 29, 2008, to discussion the report.

Tapson reported the property needed to construct the Northwest Detention Stormwater Basin is now in the possession of the City. The project is moving forward. The jurisdictional offer was rejected by the property owner, City Attorney Phillips said. The owner can challenge the price but the land at this time is owned by the City.

**ACTION TAKEN**

***Consent Agenda***

Motion (Payson/Reynolds) to approve the September 2, 2008, Common Council minutes as corrected to reflect that Alderman Reynolds was not present at the meeting. Motion carried by the majority present.

***Award Contract: Park Signage***

Motion (Reynolds/Taylor) to approve the contract for Park Signage to Great Lakes Specialty Products for \$15,890.59. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Award Contract: Tree & Stump Removal***

Motion (Reynolds/Dunwiddie) to award the contract for Tree and Stump Removal for the Parks and Recreation Department to Arbor Images for \$8,795. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Award Contract: Market Street Shelter***

Motion (Reynolds/Taylor) to award the contract for the construction of the Market Street Shelter to Miller and Associates for the alternative bid of \$24,380. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Award Contract: Police Interceptor Squad***

Motion (Reynolds/McClory) to award the contract for the Police Interceptor Squad to Ewald Automotive for \$21,227. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, no; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried. In discussion, Alderman Payson asked that the bid be rejected and rebid with tighter specifications.

***Award Contract: Squad In-Car Video Cameras***

Motion (Reynolds/Taylor) to award the contract as a sole source purchase of Squad In-Car Video Cameras from L3 Communications for \$16,320. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Award Contract: 2008 Street Resurfacing***

Motion (Reynolds/McClory) to award the contract for the 2008 Street Resurfacing of S. Wisconsin Street and Depot Lane for \$50,326; Third Avenue for \$11,240. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried. In discussion, the resurfacing of First Avenue between N. Broad and N. Church streets will come back when the Public Works Director has the final numbers.

***Final Bill: Rockwell Street Reconstruction***

Motion (Reynolds/Dunwiddie) to approve the final bill for Rockwell Street reconstruction for \$5,074.71. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Electric Utility: Apprenticeship Training Enrollment***

Motion (Payson/Dunwiddie) to authorize the enrollment of Ken Truckey in year two of the Line Technician Apprenticeship Training Program. Motion carried by the majority present.

***Payout of Accrued Sick Leave for Non-Union Employees***

Motion (Payson/McClory) to authorize staff to prepare a resolution amending the Personnel Policy to remove “as the same was in force” concerning Accrued Sick Leave for non-union employees and to allow non-union employees to use 100% of accrued sick leave for any post-employment premiums and/or eligible medical expenses. Motion carried by the majority present.

***City Clerk Recruitment/Selection***

Motion (Payson/Dunwiddie) to authorize staff to move forward with the recruitment and selection of the City Clerk as presented. Motion carried by the majority present.

***Award Bid: N. Wisconsin Utilities Reconstruction***

Motion (Payson/Reynolds) to award the contract for the N. Wisconsin Street utilities to Mann Bros. for \$756,543. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Change Order #1: N. Church Street (Increase of \$18,108.00)***

Motion (Payson/Dunwiddie) to approve the N. Church Street Change Order of an increase of \$18,108 to Mann Bros. Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***City & Utility Bills***

Motion (Payson/Taylor) to improve the City and Utility bills of \$2,002,445.46 (Check #70534 through #70930). Roll call vote: Dunwiddie, yes; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

## **DISCUSSION ITEMS**

### ***WalCoMet In-flow and Infiltration Report***

Council discussed the request by WalCoMet to provide an analysis of the City's in-flow and infiltration (I & I). City Administrator Tapson said the City's sewer system has 40% clear water entering it. The purpose of the analysis is to identify the areas of concern and the progress the City has made in improving the I & I issue. City Engineer Welsh said that the City has made progress and is one of the better communities addressing the I & I. The City has a program of televising the sewers and replacing the worse infrastructure through street reconstruction. Manholes are also being inspected and replaced or repaired which is a main source of infiltration. During reconstruction, laterals two homes are being televised. City Administrator Tapson said in the future there may be a policy decision to be considered concerning laterals. If they are bad who will pay for them and will repair be required.

## **PUBLIC COMMENT**

During Public Comment, Joe Meyer, 631 N. Church Street, expressed his concerns of the following:

- 1) The drainage ditch between Holton Horn Factory and his house. He asked if the flow will go over the new sidewalk that is being constructed.
- 2) His driveway was cracked by the contractor. They said repairs will be made by replacing a 2 foot section. He would like to see a larger section to prevent heaving.
- 3) Boring has taken place near his trees in the front yard. He asked that the trees be removed at the beginning of the N. Church project. The trees have not been removed and he is concerned about their survival.
- 4) He asked why the installed storm system was not carried down Church Street?  
Mayor Giese said the City Engineer would address his concerns.

## **CLOSED SESSION**

The scheduled closed session has been postponed until October.

## **ADJOURNMENT**

Motion (Dunwiddie/Payson) to adjourn at 8:25 p.m. Motion carried by the majority present.

Nancy B. Jacobson  
City Clerk