
COMMON COUNCIL MEETING
November 17, 2008
CITY OF ELKHORN
9 S. BROAD ST., ELKHORN, WI 53121

Mayor John Giese called the Common Council meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and Roll Call.

ROLL CALL

Present: Mayor John Giese; Aldermen: Gary Payson, Scott McClory, Howie Reynolds, Julie Taylor, and Chuck Van Dyke

Also Present: City Administrator Sam Tapson, City Engineer Gary Welsh, Police Chief Christensen, City Attorney Ward Phillips, and Deputy City Clerk Shari McKinney

Others present: Maureen Maynard and David Cole

Visitors: Roger Wolff, Ken Meinel, and Loretta Meinel

PUBLIC HEARING

Operating & Capital Budget 2009

Mayor Giese called this public hearing to order at 7:00 p.m. He asked three times if anyone wished to be heard. No one wished to be heard. Mayor Giese declared this public hearing closed at 7:05 p.m.

CONSENT AGENDA

Motion (Van Dyke/Reynolds) to approve the Consent Agenda which includes the November 3, 2008 Regular Council Meeting and Bartender Operator Licenses for Kathleen Orndorf, Karla Paz, Jacqueline Radtke, and Monra Hamilton to expire June 30, 2009. Motion carried by the majority present.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Giese was recently contacted by citizens who have expressed concerns regarding removal of terrace trees on North Wisconsin Street which will be done in coordination with the State of Wisconsin road construction project (beginning from the Library and extending to Sperino's Restaurant). It was noted this matter had been previously discussed by the City at meetings with the North Wisconsin Street property owners. When questioned about the terrace trees, the City Administrator said property owners could have their terrace trees professionally removed and replanted onto their own private property if they so desire.

City Administrator

The Recreation Director had reported to the City Administrator that when the municipal swimming pool was drained in was not in good shape and may be too costly to repair.

COMMITTEE REPORTS

Public Health/Safety Committee

Police Department Policy/Internal Affairs Policy & Speed Limits

McClory reported both agenda items fall under New Business for discussion and/or action.

Finance/Judicial Committee

Building Inspector/Zoning Administrator Services

Reynolds reported it is Committee's recommendation to enter into a contract with Superior Construction Consulting LLC for building inspection/zoning administrator services.

Elk Creek Development Ownership Transfer

Motion (Reynolds/Van Dyke) to allow the transfer of ownership of Elk Creek Capital, LLC to Elk Creek Partners, LLC as required by the terms of the Development Agreement for Elk Creek Subdivision subject to City Attorney review and closing. Roll Call Vote. Payson-Yes; McClory-Yes; Reynolds-Yes; Taylor-Yes; Van Dyke-Yes. Motion carried unanimously by the majority present.

Lakeland Water Treatment Facility Expansion

Motion (Reynolds/Taylor) to approve the Lakeland Water Treatment facility expansion Construction Engineering Services Work Order with Baxter & Woodman. Roll Call Vote. Payson-Yes; McClory-Yes; Reynolds-Yes; Taylor-Yes; Van Dyke-Yes. Motion carried unanimously by the majority present.

Lakeland Water Treatment Facility Expansion Change Order

Motion (Reynolds/Taylor) to approve Gilbank Construction Inc. change order for \$1,459.50. Roll Call Vote. Payson-Yes; McClory-Yes; Reynolds-Yes; Taylor-Yes; Van Dyke-Yes. Motion carried unanimously by the majority present.

BOARDS/COMMISSIONS

Historic Preservation Commission

Taylor reported that Gary Wallem will be applying for the Façade Grant Program in January for the former Pete's Tire building located on the corner of Walworth and Lincoln Streets.

Plan Commission

Taylor briefly reported on the proposed Kwik Trip Gas Station and Car Wash.

Chamer of Commerce

Taylor reported that the Christmas Parade is scheduled for Saturday, December 6, 2008.

BILLS PAYABLE

City & Utility Bills

Motion (Van Dyke/Reynolds) to approve City and Utility bills totaling \$1,745,806.80. Roll Call Vote. Payson-Yes; McClory-Yes; Reynolds-Yes; Taylor-Yes; Van Dyke-Yes. Motion carried unanimously by the majority present.

NEW BUSINESS

Ordinance No. 08-12: To Amend Chapter 7 Traffic Code/Speed Limits

First Reading of Ordinance No. 08-12, an ordinance to amend Chapter 7 of the Traffic Code regarding speed limit reductions on North Wisconsin Street to West Hidden Trail and on North Church Street.

Resolution No. 08-40: Conditional Use Permit/Kwik Trip Inc.

Motion (McClory/Van Dyke) to adopt Resolution No. 08-40, approving a Conditional Use Permit for a gas station and car wash located at 6 West Hidden Trail requested by Kwik Trip Inc. Motion carried unanimously by the majority present.

Resolution No. 08-41: To Amend the Elkhorn Police Department Policy/Internal Affairs

Motion (McClory/Van Dyke) to adopt Resolution No. 08-41, an amendment to the Elkhorn Police Department Policy regarding the Internal Affairs Policy meeting Wisconsin Law Enforcement Accreditation Group (WILEAG) standards subject to the City Attorney's legal review. Motion carried unanimously by the majority present.

Water Sales Agreement Amendment/Willow Run

Motion (Reynolds/McClory) to approve the Water Sales Agreement Amendment for Willow Run. Motion carried unanimously by the majority present.

Memorandum of Understanding and Agreement/Elkhorn Area School District

Motion (Reynolds/VanDyke) to approve the Memorandum of Understanding and Agreement with the Elkhorn Area School District. Motion carried unanimously by the majority present.

Patrolman Vacancy

Motion (VanDyke/McClory) to approve the patrolman vacancy that exists with the resignation of Michael Nigbor effective April 30, 2009. Roll Call Vote. Payson-Yes; McClory-Yes; Reynolds-Yes; Taylor-Yes; Van Dyke-Yes. Motion carried unanimously by the majority present.

Bartolotta Fireworks Contract

Motion (McClory/Payson) to approve the Bartolotta Fireworks Contract. Roll Call Vote. Payson-Yes; McClory-Yes; Reynolds-Yes; Taylor-Yes; Van Dyke-Yes. Motion carried unanimously by the majority present.

Adjournment

Motion (Reynolds/Dunwiddie) to adjourn. Meeting adjourned at 8:00 p.m. Motion carried unanimously by the majority present.