

**CITY OF ELKHORN
COMMON COUNCIL MEETING
NOVEMBER 16, 2009
COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121**

The Common Council meeting was called to order at 6:00 p.m. in the Council Chambers followed by the Pledge of Allegiance, followed by Roll Call.

ROLL CALL

Present: Mayor John Giese, Aldermen Scott McClory, Gerald Norton, Howie Reynolds, Julie Taylor, Kim DeHaan

Absent: Alderman Ron Dunwiddie

Others present: City Administrator Sam Tapson, City Attorney Ward Phillips, City Clerk Darlene Igl, Police Chief Joel Christenson, David Cole, Maureen Vander Sanden.

2010 BUDGET PUBLIC HEARING

Mayor Giese stated that the 2010 Budget Public Hearing will be held at 7:00 p.m.

CONSENT AGENDA

Motion (Norton/DeHaan) to approve the minutes of the November 2, 2009 Common Council meeting. Motion carried.

BILLS PAYABLE

Motion (Taylor/Reynolds) to approve the City and Utility Bills (check number 76361 – 76714) in the amount of \$2,347,845.28. Roll call vote: McClory, yes; Norton, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Giese announced that the Christmas parade will be held the first Saturday of December. He requested that Council members consider donating to the parade and stated that he will match donations made by Council up to \$20 each.

City Administrator's Report

City Administrator Tapson reported that the car wash on Geneva Street has been taken down with minimal expense. He stated that the pavement will remain in place and may be used as additional parking. He also reported that an agreement between Mann Bros. and the Aune's has been executed related to the Northeast Regional Storm Water Detention Basin project.

COMMITTEE REPORTS

Municipal Services & Utilities Committee

Alderman Reynolds reported that the Committee had reviewed a request from Bielinski to delay the installation of the second lift of asphalt in Harvest Pointe South. The committee recommended that Council allow Bielinski to delay the installation provided that a contract is in place for the paving by April 1st with completion prior to June 15th. Motion (Reynolds/Norton) to allow the delay as recommended by Committee. Motion carried.

Alderman Reynolds reported that the Committee also recommended that preliminary discussions begin with property owners for the potential acquisition of property for the Centralia

Plant replacement. Motion (Reynolds/Norton) to authorize the City Administrator to pursue preliminary discussions with the current property owners. Motion carried.

Legislative & Regulatory Committee

Alderman Taylor reported that the Committee had met to discuss increasing dog license fees. It was reported that the County has increased the fee to \$6 for neutered/spayed animals and \$11 for unaltered animals. After discussion, Committee made the recommendation to Council to increase the City dog/cat licenses to \$8 and \$13.

Plan Commission Report

It was reported that the Plan Commission adopted a resolution to recommend an amendment to the 2030 Comprehensive Plan. Motion (Taylor/Reynolds) to set a public hearing for the amendment to the 2030 Comprehensive Plan. Motion carried.

UNFINISHED BUSINESS

Ordinance No. 09-17: An Ordinance To Amend The Elkhorn Municipal Code At Chapter 3 Titled “Finance and Budgeting”

Motion (Taylor/DeHaan) to adopt Ordinance No. 09-17. Motion carried.

NEW BUSINESS

Ordinance No. 09-18: To Amend the Elkhorn Municipal Code At Chapter 14 Titled “Building Code” – Central Place Design Guidelines

First reading of Ordinance No. 09-18.

Ordinance No. 09-20: To Amend The Elkhorn Municipal Code At Chapter 12 Titled “Dog and Cat Licensing and Regulations”

Motion (Taylor/Reynolds) to waive the second reading of Ordinance No. 09-20. Motion carried. Motion (Taylor/Reynolds) to adopt Ordinance No. 09-20 increasing dog and cat licenses to \$8 and \$13. Motion carried.

Ordinance No. 09-21: To Rezone Certain Property Within The Boundaries Of The City Of Elkhorn: Downtown

First reading of Ordinance No. 09-21.

Ordinance No. 09-22: To Amend The Elkhorn Municipal Code At Chapter 17 Titled “Zoning” – Central Business District Parking Requirements

First reading of Ordinance No. 09-22.

Ordinance No. 09-23: To Amend The Elkhorn Municipal Code at Chapter 17 Titled “Zoning” – Area, Yard and Height Requirement Table

First reading of Ordinance No. 09-23.

Resolution 09-27: A Resolution For Condemnation

Motion (Norton/Reynolds) to adopt Resolution 09-27: A Resolution For Condemnation of 201 West Centralia Street. Roll call vote: McClory, yes; Norton, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Final Payment: Rockwell Street Watermain

A request for final payment in the amount of \$12,084.50 to Mann Bros., Inc. for the Rockwell Street Watermain was presented. Motion (Norton/Reynolds) to approve the final payment request as presented. Roll call vote: McClory, yes; Norton, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Final Payment: N. Church Street

A request for final payment in the amount of \$20,000 to Mann Bros., Inc. for the N. Church Street project was presented. Motion (Reynolds/Taylor) to approve the final payment request as

presented. Alderman Norton raised concerns about the transition from Page Street to Church Street. Alderman Reynolds withdrew the motion; Alderman Taylor withdrew the second. The issue will be referred to Committee.

Professional Services Agreement Extension – Walworth County PC Services

Motion (DeHaan/Reynolds) to approve the Professional Services Agreement Extension with Walworth County for PC Services. Roll call vote: McClory, abstain; Norton, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Change Order No. 1: Street Reconstruction Project

Motion (DeHaan/Taylor) to approve Change Order No. 1 for the 2009 Street Reconstruction Project in the amount of \$34,365.00. Roll call vote: McClory, yes; Norton, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Final Payment: Northeast Regional Storm Water Detention Basin

Motion (Reynolds/McClory) to approve the final payment request in the amount of \$44,186.02 to Mann Bros., Inc. for the Northeast Regional Storm Water Detention Basin as presented. Roll call vote: McClory, yes; Norton, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

Motion (Norton/Reynolds) to adjourn at 6:36.m. Motion carried. Mayor Giese stated that the meeting will reconvene to hold the 2010 Budget Public Hearing at 7:00 p.m.

2010 BUDGET PUBLIC HEARING

Mayor Giese declared the 2010 Budget Public Hearing open at 7:00 p.m. There was no one wishing to be heard and the Public Hearing was closed at 7:01 p.m.

Darlene Igl
City Clerk