

**CITY OF ELKHORN
COMMON COUNCIL MEETING
DECEMBER 7, 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 Ronald Dunwiddie, Scott McClory, Gerald Norton, Kim DeHaan

Absent: Alderman Howie Reynolds, Julie Taylor

Others present: City Administrator Sam Tapson, City Attorney Ward Phillips, City Clerk Darlene Igl, Police Chief Joel Christenson, City Engineer Gary Welsh, Maureen Vander Sanden – Elkhorn Independent..

CONSENT AGENDA

Motion (Dunwiddie/Norton) to approve the minutes of the November 30, 2009 Common Council Special meeting. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Giese announced that he will not be seeking reelection in the April 10th election.

Mayor Giese presented nominations for Election Inspectors. Motion (Dunwiddie/Norton) to appoint the Election Inspectors as presented. Motion carried.

City Administrator's Report

City Administrator Tapson reported that the tree planting operation on the N. Wisconsin project will be suspended until spring as the contractor has exhausted their supply of trees.

COMMITTEE REPORTS

Municipal Services & Utilities Committee

Alderman McClory reported that the Financial & Judicial Committee had met and recommends approval of the Police Department squad radio purchase/installation. The Committee also recommends that the bid for the Police Department relocation project be awarded to Tri-North Builders as the low bidder in the amount of \$1,617,100.

BOARDS/COMMISSIONS

Plan Commission

It was reported that the Plan Commission recommended approval of a Conditional Use Permit for the Mother's Helper Daycare, 618 E. Court Street. Motion (Norton/DeHaan) to approve the Conditional Use Permit as recommended. 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.

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

Motion (Dunwiddie/McClory) to adopt Ordinance No. 09-18. Motion carried.

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

Motion (Norton/McClory) to adopt Ordinance No. 09-21. Motion carried.

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

Motion (Dunwiddie/Norton) to adopt Ordinance No. 09-22. Motion carried.

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

Motion (Dunwiddie/Norton) to adopt Ordinance No. 09-23. Motion carried.

NEW BUSINESS

Resolution 09-29: A Resolution to Adjust Residential Solid Waste Collection Service Fees

Motion (McClory/DeHaan) to adopt Resolution 09-29 increasing the monthly service fee for Solid Waste Collection and Disposal to \$13.63. Motion carried.

Resolution 09-30: A Resoltion Adopting the Law Enforcement Officers Safety Act (LEOSA) of 2004

Motion (McClory/Dunwiddie) to adopt Resolution 09-30 which adopts Policy 9-2 entitled “Concealed Carry of Firearms by Qualified Current & Retired Law Enforcement Officers”. Motion carried.

Ordinance No. 09-24: An Ordinance to Amend Chapter 13 of the Elkhorn Municipal Code at Section 13.15 Entitled Sewer Service Charge

First reading of Ordinance No. 09-24. Administrator Tapson asked that the second reading be waived. Motion (McClory/Norton) to waive the second reading of Ordinance No. 09-24. Motion carried. Motion (Dunwiddie/DeHaan) to adopt Ordinance No. 09-24. Motion carried.

Petition for Direct Annexation

A Petition for Direct Annexation had been received from the Bummel’s for a ,615 acre parcel to be annexed into the City from the Town of Sugar Creek. Administrator Tapson reported that the State Department of Administration had reviewed and approved the annexation. Motion (Norton/DeHaan) to accept the petition for Direct Annexation. Motion carried.

Payment Request: North Church Street

A payment request for \$18,000 from Mann Bros., Inc. was presented for the N. Church Street reconstruction project. A sum of \$2,000 is being retained for repairs at the intersection of Church and Page. Motion (Norton/Dunwiddie) to authorize a payment in the amount of \$18,000 to Mann Bros, Inc. for the N. Church Street project. Roll call vote – Dunwiddie, yes; McClory, yes; Norton, yes; DeHaan, yes. Motion carried.

Surplus Property Auction Contract

A contract with Auction Associates was presented for the sale of a police vehicle and fire vehicle which were previously declared surplus. Motion (Dunwiddie/McClory) to approve the Auction Associates Inc. contract. Motion carried.

Squad Radiio Purchase/Installation

Motion (McClory/DeHaan) to authorize the purchase and installation of mobile radio equipment as recommended by Committee. Roll call vote – Dunwiddie, yes; McClory, yes; Norton, yes; DeHaan, yes. Motion carried.

Contract Award – Police Department Relocation Project

Motion (McClory/Dunwiddie) to award the Police Department Relocation Project bid to Tri-North Builders as recommended by Committee in the amount of \$1,617,100. Roll call vote – Dunwiddie, yes; McClory, yes; Norton, yes; DeHaan, yes. Motion carried.

2010 Budget Adjustment – Purchase of Server and Operating Software

Motion (McClory/Dunwiddie) to approve a budget adjustment for the purchase of a server and operating software in the amount of \$7,745 each for the General Fund, the Water Fund and the Electric Fund. Roll call vote – Dunwiddie, yes; McClory, yes; Norton, yes; DeHaan, yes. Motion carried.

PUBLIC COMMENT

Resident Mary Rossmiller, N.Washington, commended the street department on maintaining the roadways. She commented that a large ice build up forms in the area of her residence and that she believes this may be caused from sump pumps that are discharging into the road. Staff will review the situation to determine whether there may be a way to alleviate the problem.

Gary Payson, Sr. announced that he plans to run for Mayor in the April 2010 election.

ADJOURNMENT

Motion (Norton/Reynolds) to adjourn at 6:34.m. Motion carried.

Darlene Igl
City Clerk