
COMMON COUNCIL MEETING
June 6, 2011
CITY OF ELKHORN
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 Howie Reynolds, Aldermen Julie Taylor, Gary Payson, Sr., Kim DeHaan, Scott McClory

Absent: Aldermen Ronald Dunwiddie, Jerry Anderson

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, City Clerk Darlene Igl, Police Captain Pat Slattery, Finance Director Mary Hinske, City Engineer Gary Welsh, Fire Chief Rod Smith, Maureen VanderSanden – Elkhorn Independent.

CONSENT AGENDA

Motion (Payson/DeHaan) to approve the minutes of the May 16, 2011 Common Council meeting, renewal of operator's licenses (listing provided), a temporary Class "B"/"Class B" Retailer's License for Chamber of Commerce Oktoberfest and a temporary Class "B"/"Class B" Retailer's License for Elkhorn Firefighters Association. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Reynolds appointed Kathy Murray to the Police and Fire Commission. Motion (Taylor/DeHaan) to confirm the appointment as made. Motion carried.

City Administrator's Report

Administrator Tapson updated the Council on recent actions of the state Joint Finance Committee. In addition, he stated that the Supreme Court will take up the matter of Act 10.

It is anticipated that the group health insurance will experience a 20% increase at renewal.

COMMITTEE REPORTS

Finance & Judicial

Alderman Taylor stated that the Committee had reviewed options for the 2011 borrowing and recommended to Council that the upcoming borrowing incorporate the projects of the N. Washington Street reconstruction, Koopman/O'Connor maintenance and Deere Road maintenance.

The purchase of five computers to replace three in the front office, the City Administrator's and the Electric Utility Director's was recommended for approval. Motion (Taylor/DeHaan) to authorize a budget adjustment of \$2,500 from contingency funds to purchase for four of the computers and a budget adjustment for the electric utility in an amount not to exceed \$1,000 for the purchase of a computer and monitor for the Director. Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

Alderman Taylor stated that the Committee had approved payment of the final pay request for the Police Department relocation project in the amount of \$1,000. Motion (Taylor/Payson) to

approve payment as recommended. Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

Committee recommended approval of change order #4 for Alpha Terra on the 201 Centralia project in the amount of \$1,282. Motion (Taylor/McClory) to approve the change order as recommended. Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

Alderman Taylor stated that a listing of receivables that had been deemed as uncollectible was reviewed and recommended that Council approve writing off these receivable. Motion (Taylor/McClory) to authorize writing off of the uncollectible receivables in the amount of \$8,212.76. Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

Committee recommended approval of the final pay request for the NW Storm Sewer project in the amount of \$6,466.47. Motion to approve payment (Taylor/Payson). Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

A draft of the revised fund balance policy was reviewed. Staff is continuing to consider additional modifications for future review.

Legislative & Regulatory

Alderman Taylor stated that renewal liquor license had been reviewed and recommended for approval. Motion (Taylor/DeHaan) to approve renewal Class “A” Beer/”Class A” Liquor licenses for Deakin Isle, Elkhorn Wine & Spirits, Frank’s Liquor and Wilson Farm Meat. Motion carried.

Motion (Taylor/DeHaan) to approve renewal Class “B” Beer/”Class B” Liquor licenses for Sperino’s, The Jury Room, The Reddroom, Elk Restaurant, Two Seasons Bowl, Moy’s, Elkhorn Saloon, Sports Page, Someplace Else, Breakers Family Billiards, Fiddlesticks, and Calabria subject to the renewal license for Breakers Family Billiards being contingent upon compliance with the fire code (annual inspection/testing of fire extinguishers). Motion carried.

Motion (Taylor/McClory) to approve a renewal Class “B” Beer license for Tello’s Restaurant. Motion carried.

Motion (Taylor/Payson) to approve renewal Reserve Class “B” Beer/”Class B” Liquor licenses for Charley O’s, Bernie’s Pub and El Toro Mexican Restaurant. Motion carried.

Draft language for the snow emergency ordinance was presented to Committee for futher review.

Language for a sidewalk clearing ordinance will be discussed at the next meeting.

Code related to events and transient merchants was discussed. Revised language will be reviewed at the next meeting.

Public Safety

Alderman McClory stated that the Committee had discussed the property maintenance code. Alderman McClory asked that Council members submit any suggestions for revisions to the property maintenance code to him for review by the Public Safety Committee on June 20.

NEW BUSINESS

Resolution No. 11-13: Wisconsin Department of Natural Resources NR208-Compliance Maintenance Resolution

Motion (Payson/Taylor) to approve Resolution No. 11-13. Motion carried.

2011 General Obligation Borrowing

Based on the recommendation of the Finance & Judicial Committee, motion (Payson/Taylor) to establish placement of bids for \$3,775,000 in general obligation borrowing. Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

STAFF REPORT: CITY ENGINEER

City Engineer Welsh provided the Council with information on the N. Washington Street reconstruction project. Alderman McClory asked how parking at the library will be handled during hours that the library is open. He stated concerns that patrons of the library may have difficulty parking if residents are allowed to park in the library lot prior to 8:00 p.m. or are not removing their vehicles prior to 8:00 a.m. He asked that the Police Department consider parking enforcement during the project. In addition, Alderman McClory raised concerns about the noise level produced by saw cutting and asked how late this activity will be allowed. Alderman Taylor asked that the four trees which are in question as to whether they will be removed be reviewed on a case by case basis.

PUBLIC COMMENT

No public comments.

ADJOURN INTO CLOSED SESSION

Motion (McClory/DeHaan) to adjourn into Closed Session per State Statute 19.85 (1)(g) by roll call vote “Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

a. Property Acquisition/Potential Ligation: Former Oak Communications Property

Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried. Adjourned into Closed Session at 6:42 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 6:55 p.m. Motion (Payson/DeHaan) to authorize the City Attorney to continue with litigation and proceed with condemnation proceedings (taking title of property) . Roll call vote – Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes. Motion carried.

ADJOURN

Motion (DeHaan/Anderson) to adjourn at 6:56 p.m.

Darlene Igl
City Clerk