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**COMMON COUNCIL MEETING**  
**July 5, 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, Jerry Anderson

Absent: Alderman Ronald Dunwiddie

Others present: City Administrator Sam Tapsopn, Attorney Ward Phillips, City Clerk Darlene Igl, Police Captain Pat Slattery, DPW Director Terry Weter, Finance Director Mary Hinske, Fire Chief Rod Smith, Park & Rec Director Jeff Simons, Nancy Jacobson – Elkhorn Independent, Lisa Lange – Bond Council, John Gardner and Todd Friske of Palmer Hamilton Bill Sigmund.

**CONSENT AGENDA**

Motion (Payson/DeHaan) to approve the minutes of the June 20, 2011 Common Council meeting, a temporary Class “B”/Class B” Retailer’s License for St. Patrick’s Summer Celebration on July 31, a temporary Class “B”/”Class B” Retailer’s License for Rotary Club Festival of Summer on August 5-6 and bartender operator’s licenses for Dylan Hanson, Diane McCarten, Kathy Murray, Melinda Shaffer, Tammara Wilber, Hannah Gibbs, Vicki Manley, Brett Reiff. Motion carried.

**REPORT OF CITY OFFICERS**

*Mayor’s Report*

Mayor Reynolds reported that he was pleased with the Star Spangled Celebration event and that there was a large turnout for the fireworks.

*City Administrator’s Report*

Administrator Tapsopn provided brief updates on the petition for annexation of the Simons trust property, the implementation of Act 32/Act 10 and an update on the delay in receiving the 65 gallon containers requested from Veolia due to a production issue. He also stated that Walworth County Properties, Inc. has filed suit against the City regarding the 201 W. Centralia condemnation.

**COMMITTEE REPORTS**

*Legislative & Regulatory*

Alderman Taylor stated that final drafts of the Snow Emergency ordinance and the Sidewalk Clearing ordinance were sent to Council members for review. The amended ordinances will be placed on the July 18<sup>th</sup> Council agenda for consideration.

Revised language for events and transient merchants will be reviewed at an upcoming meeting.

*Municipal Services & Utilities*

Alderman Payson reported that a utility bill adjustment request had been reviewed. The Committee has asked the resident to attend the July 11<sup>th</sup> meeting to discuss.

A brief update on the N Washington Street reconstruction project was provided.

Chief Christensen stated that modifications to the street standards will be focused on correcting existing conflicts. Further review of the proposed street standards language will take place at the July 11<sup>th</sup> Committee meeting.

Documents related to the supplemental agreement for the engineering costs for the Koopman/O'Connor were not yet available, however, the Committee agreed that the agreement be presented to Council on July 5<sup>th</sup>.

### ***Finance & Judicial***

Alderman Taylor stated that a notice of claim received for the reimbursement of expenses related to a proposed land split was reviewed. Incorrect information had been provided to the property owner by a contractor of the City. The Committee directed the claimant to file directly with the contractor.

The Committee recommended to Council that the 2007 Ford Crown Victoria be declared as surplus and that the services of Auction Associates be utilized to auction the vehicle. Motion (Taylor/McClory) to declare 2007 Ford Crown Victoria as surplus. Motion carried.

The Committee reviewed the Initial Resolution Regarding Industrial Development Revenue Bonds to Benefit Palmer Hamilton and recommended approval to Council.

### **NEW BUSINESS**

#### ***Resolution No. 11-16: A Resolution Authorizing the the Disposal of Surplus and Abandoned Property***

Motion (Payson/McClory) to approve Resolution 11-16 with attached listing of property. Motion carried.

#### ***Ordinance No. 11-03: An Ordinance to Amend the City of Elkhorn Municipal Code at Section 1.01(4) Ward Boundaries***

First reading of Ordinance No. 11-03 amending the ward boundaries based on the results of the 2010 census.

#### ***Ordinance No. 11-04: An Ordinance to Amend the City of Elkhorn Municipal Code at Section 1.01(5) Aldermanic District***

First reading of Ordinance No. 11-04.

#### ***Resolution No. 11-17: Initial Resoslution Regarding Industrial Development Revenue BondFinancing to Benefit Palmer Hamilton, LLC.***

Information with respect to the job impact of the project was available at time of consideration of the Initial Resolution. Motion (Payson/Anderson) to approve Resolution 11-17. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

#### ***2011 Municipal Vehicles and Equipment Contract: Auction Associates***

Motion (Payson/Taylor) to contract with Auction Associates for the disposal of the 2007 Ford Crown Victoria. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

***Petition for Direct Annexation by Unanimous Approval Pursuant to Section 66.0217(2)  
Wisconsin Statutes Where Electors Reside in Territory***

Motion (McClory/Payson) to approve the petition of the Simons Trust property to annex into the City. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

***Bonestroo Supplemental Agreement***

Motion (Payson/Anderson) to approve the supplemental agreement with Bonestroo for engineering costs associated with the Koopman/O'Connor in the amount of \$9,500. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

***Lift Station #2 Repairs***

Motion (McClory/Payson) to approve the necessary repairs needed at lift station #2 in an amount not to exceed \$29,255. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried. It was stated that these repairs would be funded either through the sewer fund or TIF 3.

***EDRL Loan: Lakes Area Rental***

The EDRL committee recommended Council approval of the renewal of the Lakes Area Rental loan in the amount of \$169,506. Motion (DeHaan/Payson) to approve the EDRL renewal for Lakes Area Rental in the amount of \$169,506 subject to the interest rate not drop below 4%. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

***Geneva Street Final Pay Request***

Motion (Taylor/DeHaan) to authorize payment of the final pay request to Mann Brothers for the Geneva Street project in the amount of \$18,973.84. Roll call vote: Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

***Discussion: Use of City Vehicles***

It was discussed that currently the City has two Department Heads that daily use of a City vehicle and four with take home vehicles. Alderman DeHaan stated that it is her opinion that the vehicle for the Park & Recreation Director is unnecessary and should be sold. Administration Tapson stated that all City vehicles are strictly for business purposes and that transporting any individual not employed by the City is not allowed. After discussion, motion (McClory/Taylor) that the Parks & Recreation Director no longer be allowed to take home the City vehicle. Roll call vote: Taylor, yes; Payson, yes; DeHaan, abstained; McClory, yes; Anderson, no. Motion carried. Motion (Payson/McClory) to refer the matter of City vehicles to the Finance & Judicial Committee for further review. Motion carried. Alderman Taylor asked that more information related to costs of City vehicles be provided to the Committee. It was stated that the Park & Recreation Director's vehicle should be parked inside the City garage outside of work hours. Revisions to the City's vehicle policy will be considered by the Human Resources Committee.

Administrator Tapson stated that it would be beneficial for Council members interested in adding topics to an agenda for discussion to prepare a written document outlining the issue. These items should then be presented to the Mayor for his determination as to whether the issue should be added to an agenda.

**PUBLIC COMMENT**

Bill Sigmund questioned what percent of the growth in population since the 2000 census is due to renters versus property owners. In addition, he commented on the north stormwater retention basin and issues related to Parks & Recreation.

**ADJOURN**

Motion (McClory/Taylor) to adjourn at 7:25 p.m.

Darlene Igl  
City Clerk