
COMMON COUNCIL MEETING
October 3, 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 Ronald Dunwiddie, Julie Taylor, Gary Payson, Sr., Kim DeHaan, Scott McClory, Jerry Anderson

Others present: Administrator Tapson, Attorney Ward Phillips, City Clerk Darlene Igl, Police Chief Joel Christensen, Finance Director Mary Hinske, Fire Chief Rod Smith, DPW Director Terry Weter, Paul Fisher, Maureen VanderSanden – Elkhorn Independent.

CONSENT AGENDA

Motion (Payson/Taylor) to approve the minutes of the September 19, 2011 Common Council meeting. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

No report.

Administrator's Report

Administrator Tapson provided a document from CVMIC on the new Concealed Carry Law.

COMMITTEE REPORTS

Municipal Services & Utilities

Alderman Dunwiddie reported that the Committee had recommended approval of the Veolia proposal.

It was discussed that residents are notified when a tree is going to be removed from the terrace in front of their property. It was agreed that these projects will proceed despite complaints being received.

Finance & Judicial

The Committee recommended the tree & stump removal contract be awarded to Arbor Images

A stipend proposal for shift sign-up for EMS coverage was discussed. It was recommended to the stipend payment be implemented with the 2012 budget.

Administrator Tapson presented information on changes to the Levy Limit Law. Options were reviewed including taxing to the maximum level. After discussion, the Committee agreed that the debt service be included in the levy.

The Committee recommended that Council authorize the filing of an Electric Rate increase application with the Public Service Commission.

Human Resources

Due to the resignation of the Deputy Clerk in late August, it was recommended that the position be staffed at the current level of 28 hours per week.

Legislative & Regulatory

An application for the transfer of a Class “B” Beer/”Class B” liquor license for Calabria was reviewed. The restaurant had moved to 1 N.. Lincoln Street. The license transfer was recommended for Calabria subject to the premises description being stated on the application as the interior of the premises at 1 N. Lincoln Street. Motion (Taylor/Dunwiddie) to approve the request for a license transfer for Calabria. Motion carried.

A Class “B” Beer/Class C Wine license application for Lakeland Players was reviewed. It was determined that Lakeland Players was not eligible for a Class C wine license. After discussion, it was recommended for approval subject to the current sellers permit number being provided and the successfully completion of inspections. Clerk Igl stated that the current sellers permit number had been received. Chief Christensen stated that the inspection was complete. Motion (Taylor/Dunwiddie) to approve the issuance of a Class “B” Beer license to Lakeland Players. Motion carried.

Section 12 Events language was reviewed and Committee asked that it be sent to Council.

Section 12 Transient Merchant language was reviewed. Modifications will be brought back to the Committee.

Municipal Code amendments related to Plan Commission membership was discussed and additional clarification on this issue was requested. Alderman Taylor asked that this item be placed on the next Legislative & Regulatory agenda.

Wisconsin’s Concealed Carry law was discussed and the issue was referred to the Common Council.

NEW BUSINESS

Ordinance No. 11-11: An Ordinance to Amend the City of Elkhorn Municipal Code at Section 12.10 Events

First reading of Ordinance No. 11-11.

Tree & Stump Removal

Motion (Dunwiddie/Anderson) to award the bid to Arbor Images in the amount of \$11,650 and authorize a budget adjustment in the amount of \$3,325. Roll call vote – Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

Electric Rate Increase

Motion (Taylor/McClory) to authorize the filing of an Electric Rate Increase application with the Public Service Commission. Motion carried.

Deputy Clerk Vacancy

Motion (Dunwiddie/Payson) to authorize staffing the Deputy Clerk position. Roll call vote – Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

Petition for Detachment

A petition for detachment of the Eugene Boeger property at N4229 County Road H had been received and was referred to the Plan Commission.

Patrolman Vacancy

Chief Christensen stated that Patrolman Thomas Windler submitted his resignation notice effective February 1, 2012. The Police & Fire Commission authorized proceeding with creation of an eligibility list to fill the vacancy contingent upon the Council authorization to staff the vacancy. Motion (McClory/Payson) to authorize staffing the Patrolman position. Roll call vote

– Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

Discussion: Concealed Weapon Ban

There was discussion related to the concealed carry law and whether the City should consider prohibiting concealed carry of weapons on its premises. It was stated that the law specifically provides immunity from liability for any person or employer that does not prohibit an individual or employee from carrying a concealed weapon. It was discussed that the City should adopt an ordinance for violations of the concealed carry law. After discussion, it was the policy decision not to prohibit concealed weapons (public or employees) in City buildings except where prohibited by law.

PUBLIC COMMENT

No additional public comments.

ADJOURN

Motion (Dunwiddie/Taylor) to adjourn at 6:57 p.m.

Darlene Igl
City Clerk