
COMMON COUNCIL MEETING
November 21, 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, Library Director Lisa Selje, City Engineer Gary Welsh, Maureen VanderSanden – Elkhorn Independent, Tony Balestrieri, Mr. & Mrs. Olson.

PUBLIC HEARING

A hearing was convened regarding the proposed issuance by the City of Elkhorn of its Industrial Development Revenue Bonds, Series 2011 (Palmer Hamilton LLC. Project) in an aggregate amount not to exceed \$1,700,000. There were no questions or public comments. Public Hearing declared closed at 6:02 p.m.

CONSENT AGENDA

Motion (Dunwiddie/DeHaan) to approve the minutes of the November 7, 2011 Common Council meeting. Motion carried.

BILLS PAYABLE

Motion (Payson/Taylor) to approve the City and Utility Bills in the amount of \$2,396,746.70 (check number 84891-85251). Roll call vote: Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Reynolds stated that individuals are utilizing the library atrium to gather recall petition signatures, however, the City is not involved. City Attorney Phillips provided his legal opinion on whether this activity is allowed on City property. He stated that "political speech" must be allowed, however, no one engaged in this activity may restrict access and items used such as a table and chairs must be out of the path of those entering/exiting the building. In addition, the individuals collecting signatures are not permitted to harass those individuals that do not sign the petition. Historically, the atrium at the library has been utilized by groups for multiple purposes and was not limited. Therefore, it was Attorney Phillips opinion that the City is prohibited from limiting the collection of recall petitions in the atrium.

Administrator's Report

Administrator Tapson provided Council with an amended transmittal letter and changes pages for the 2012 Budget. He asked that Council respond to the survey he had submitted.

COMMITTEE REPORTS

Public Safety

Alderman McClory stated that the Public Safety Committee had recommended that the two hour parking restriction in the 10 block of N. Wisconsin Street and the 10 block of W. Walworth Street be lifted. The no parking restriction from 3 a.m. to 6 a.m. would remain in place. Motion (McClory/Anderson) to approve this change to the parking restrictions as noted with an ordinance change to follow. Motion carried.

Municipal Services & Utilities

Alderman Dunwiddie stated that the Committee had reviewed a request from the Red Line Group that a resolution supporting the extension of USH 12 between Elkhorn and Whitewater be approved. The Committee recommended the adoption of a resolution which follows later in the agenda.

Financial & Judicial

Alderman Taylor stated that the Committee had held the Public Hearing on the 2012 Operating and Capital Budget. In addition, cooperative purchasing was discussed further and it was recommended that the higher quality paper that is utilized be purchased through cooperative purchasing and to continue to purchase other office supplies through Clark Office Supply. Motion (Taylor/DeHaan) to utilize cooperative purchasing as stated. Motion carried.

Human Resources

Alderman DeHaan stated that a request for a pay grade enhancement for an applicant for the Administrative Assistant/Deputy Clerk position was reviewed. The recommendation was made to approve the suggested pay structure and to release a Tentative Offer of Employment. Administrator Tapson stated that this change had been incorporated into the 2012 Budget.

Legislative & Regulatory

Alderman Taylor stated that the Committee will be reviewing language to regulate PODS, dumpsters and donation drop off boxes. Changes to Section 17.6-3 Parking Regulations will be referred to the Plan Commission. Revised language for Section 7.11 Stopping or Parking Prohibited in Certain Specific Places will be reviewed at the next meeting.

LIAISON REPORTS

Historic Preservation – none

Fire Advisory Board – changed meeting time; approved stipend pay for EMS

Library Board – discussed concealed carry at Library with decision to follow City's decision

Chamber – report on school provided at recent meeting

Elkhorn Downtown Partnership – none

Police & Fire Commission – none

Recreation Advisory Board – meeting scheduled for Nov. 30

Sunset Pool Ad Hoc – discussed ideas for raising funds and increasing revenues

NEW BUSINESS

Ordinance No. 11-14: An Ordinance to Rezone Certain Property within the Boundaries of the City of Elkhorn: Parcel YVSE 00028

Motion (Payson/Dunwiddie) to waive the second reading of Ordinance No. 11-14. Motion carried. Motion (Taylor/Dunwiddie) to adopt Ordinance No. 11-14. Motion carried.

Ordinance No. 11-13: An Ordinance to Amend the City of Elkhorn Municipal Code at Section 12.06 Titled “Direct Sellers”

Motion (Taylor/DeHaan) to adopt Ordinance No. 11-11. Motion carried.

Resolution No. 11-22: A Resolution Adopting 2012 Budget and Tax Levy

Motion (Payson/McClory) to adopt Resolution 11-22 approving the 2012 budget and a tax levy in the amount of \$4,206,958. Roll call vote: Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

Resolution No. 11-23: A Resolution Urgins Wisconsin Department of Transportation to Proceed as Quickly as Possible with the U.S. Highway 12 Environmental Impact Study

Motion (Dunwiddie/Anderson) to adopt Resolution 11-23. Motion carried.

Resolution No. 11-24: A Resolution Regarding Proposed Industrial Development Revenue Bond Financing to Benefit Palmer Hamilton LLC Project

Motion (Payson/Taylor) to adopt Resolution No. 11-24. Roll call vote: Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

Bartolotta Fireworks Contract

Motion (McClory/Payson) to approve the payment of one half of last year’s cost for the fireworks as a deposit for the 2012 fireworks payable to Bartolotta Fireworks. Roll call vote: Dunwiddie, yes; Taylor, yes; Payson, yes; DeHaan, yes; McClory, yes; Anderson, yes. Motion carried.

EMS Americollect Contract

Fire Chief Rod Smith stated that EMS Medical Billing is performing billing services but in addition the use of a collection agency would potentially increase revenues that are uncollected by the billing company. Motion (Taylor/Payson) to approve a contract with Americollect, Inc. Motion carried.

PUBLIC COMMENT

No public comments made.

ADJOURN

Motion (Payson/Anderson) to adjourn at 6:30 p.m.

Darlene Igl
City Clerk