
COMMON COUNCIL MEETING
July 1, 2013
CITY OF ELKHORN
COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121

The Common Council meeting was called to order at 5:30 p.m. in the Council Chambers followed by the Pledge of Allegiance, followed by Roll Call.

ROLL CALL

Present: Mayor Howie Reynolds, Aldermen Brian Olson, Jim Boardman, Jim D'Alessandro, Scott McClory, Hoss Rehberg, Gary Payson, Sr.

Others present: Administrator Tapson, Attorney Ward Phillips, City Clerk Darlene Igl, Police Captin Jon Anzalone, Finance Director Mary Hinske, Electric Utility Director John Murphy, Fire Chief Rod Smith, DPW Director Terry Weter, Rec Director Wendy Ard, Bob Peryea, interested residents

PUBLIC COMMENT

No public comment.

CONSENT AGENDA

Motion (Olson/McClory) to approve the minutes of the June 17, 2013 Common Council meeting, bartender operator's licenses for Ammie R. Smith, Ashley R. Kanak, William Kostock III, Raven DeLange, a temporary Class "B"/"Class B" Retailer's License for St. Patrick's Sumer Fetival on July 21, a temporary Class "B"/"Class B" Retailer's License for Elkhorn Rotary Festival of Summer July 25-27, a temporary Class "B"/"Class B" Retailer's License for Elkhorn Sno-Drifters Truck & Tractor Pull September 14 and a temporary Class "B"/"Class B" Retailer's License for Chamber of Commerce Oktoberfest October 19. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Reynolds recommended appointments to the Ad Hoc Economic Development Committee. Motion (Payson/Olson) to appoint Hoss Rehberg, Ian Van Handel, Chris Clapper, James Duquette, Tom Myrin, Tom Jenson, John Henderson, and Mike Van Den Bosch to the Ad Hoc Economic Development Committee. Motion carried.

City Administrator's Report

Administrator Tapson presented language as drafted by the City Attorney for the advisory referendum planned for fall. After discussion, motion (McClory/Rehberg) to approve the language with the addition that the question include the statement that the referendum is advisory only and include explicit language declaring that the cost of replacement of the swimming facility would be applied to the tax roll. Motion carried. The City Attorney will revise language and provide to the City Clerk for certification to the County.

Administrator Tapson stated that the electric lineman vacancy had been advertised, however, Director Murphy is recommending that the City promote from within and fill the vacancy resulting from the internal promotion. Motion (McClory/Boardman) to authorize the internal

promotion enrolling the employee in the lineman Apprentice Program and then advertise the the vacant Technician position. Roll call vote: Olson, yes; Boardman, yes; D'Alessandro, yes; McClory, yes; Rehberg, yes; Payson, yes. Motion carried.

COMMITTEE REPORTS

Finance & Judicial

Debt refunding was discussed and it was agreed that this should be considered as part of the overall budget discussions.

The Committee recommended authorizing the City Administrator to execute the necessary contract documents to secure coverage on behalf of the City prior to July 1, 2013 with Best Re. Motion (McClory/Rehberg) to authorize as recommended. Roll call vote: Olson, yes; Boardman, yes; D'Alessandro, yes; McClory, yes; Rehberg, yes; Payson, yes. Motion carried.

The Committee reviewed a request for the purchase of new web-based tax collection software and recommended approval. Motion (McClory/Olson) to approve the purchase agreement for tax collection software. Roll call vote: Olson, yes; Boardman, yes; D'Alessandro, yes; McClory, yes; Rehberg, yes; Payson, yes. Motion carried.

The committee briefly discussed the 2014 budget and requested that staff secure quotes for financial planning workshops to be conducted early in 2014.

Human Resources

The Committee reviewed the compensation schedule for employees in the water and electric utilities. The Committee asked that the 2013 MEUW salary survey report be provided for discussion at the next meeting along with DPW compensation information.

The Committee agreed to implement the \$10,000 salary increase effective August 1 from contingency with the City covering the additional salary expense in 2013. A letter was sent to the Towns to notify them of the increase in the 2014 budget. This item will be placed on the Council agenda for consideration on July 15.

An adjustment to the PTO program to incorporate an alternate schedule of accrual that accoodates the 4/10 work schedule was discussed and recommended for approval. Motion (Olson/Payson) to implement an alternate schedule effective immediately. Motion carried.

Legislative & Regulatory

Alderman D'Alessandro stated that a complaint regarding activities at The Reddroom was received. It was agreed that a hearing to determine demerit points would be held on July 8 and the Committee approved issuance of a summons.

Draft language for amendments to Chapter 13 Municipal Utilities was tabled pending the utility merger.

Language for restrictions on sex offender residency was reviewed and it was recommended that the restrictions with a child safety zone of 2,000 feet be considered by Council. After discussion, motion (Olson/D'Alessandro) that the child safety zones be amended to include bus stops and that the ordinance with a child safety zone of 2,000 feet be prepared for consideration at the July 15th Council meeting. Motion carried.

An increased returned check fee was discussed and it was recommended that the City charge customers \$35.00 per check returned to the City for non-payment regardless of the purpose for which the check was written. Motion (D'Alessandro/Boardman) to approve a \$35.00 returned check fee. Motion carried. The ordinance will be presented for a first reading at the July 15th meeting.

Ad Hoc Utility Merger

A meeting of the Ad Hoc Utility Merger Committee was held to review the plan. A proposal for moving the merger forward will be presented to the Council at the July 15th meeting.

NEW BUSINESS

Resolution No. 13-08: A Resolution to Approve Affidavit of Correction/Restriction Removal

Motion (Payson/Olson) to adopt Resolution No. 13-08 which includes the approval of the sale of Lot 1 Certified Survey Map 4433 for a price of \$244,140 to Elkhorn-Hwy 67 Acquisition, LLC, and authorizes Mayor Howard Reynolds and the City Clerk Darlene Igl to execute any and all documents necessary to complete such sale, including Warranty Deed, Owner's Affidavit, GAP Indemnity and Closing Statement. Motion carried.

Resolution No. 13-09: Authorized Representative to File Applications for Financial Assistance from State of Wisconsin Environmental Improvement Fund

Motion (McClory/Rehberg) to adopt Resolution 13-09. Motion carried.

Amendment One to the Declaration of Condominium of Walworth County Energy Center

Motion (Olson/Boardman) to approve Amendment One to the Declaration of Condominium of Walworth County Energy Center which redesignates the storage area at the Electric Utility, addresses the name change of the association and amends operations, maintenance and expenses. Motion carried.

State Debt Collection Program

Finance Director Hinske recommended participation in the State Debt Collection Initiative Program. Cost associated with this program are passed on to the debtor. Costs would only be charged to the City if partial collection is made in which case the fee would be deducted from the payment that the City would receive. Motion (McClory/Boardman) to authorize participation in the State Debt Collection Initiative Program. Motion carried.

Accounts Receivable Write-Off

Finance Director Hinske notified the Council that accounts receivable write-offs would take place in the total amount of \$15,452.34. Motion (Boardman/Olson) to authorize the write-off as presented. Roll call vote: Olson, yes; Boardman, yes; D'Alessandro, yes; McClory, yes; Rehberg, yes; Payson, yes. Motion carried.

Conditional Use Permit No. 13-02: Witte Supply Company, 230 S. Wisconsin

Kevin Fiess, 3 E. Frank, raised concerns regarding the proposed conditional use permit for Witte Supply Company which included hours of operation, traffic, and dust. Stephen Ingram, 210 S. Wisconsin also raised concerns including noise and hours of operation. Owner Dennis Witte responded to the concerns stating that large trees will be along Wisconsin Street to screen the business, and that his normal hours of operations will not be until 7 p.m. but may be necessary on occasion. After discussion, the Council asked whether Mr. Witte would be willing to use a sprinkler system to aid in reduction of dust. Motion (Olson/Boardman) to approve Conditional Use Permit no. 13-02 for Witte Supply Company, 230 S. Wisconsin St. with the additional condition added of installation of a commercial sprinkler system. Roll call vote: Olson, yes; Boardman, yes; D'Alessandro, yes; McClory, no; Rehberg, no; Payson, yes. Motion carried 4-2.

PUBLIC COMMENT

No public comment.

ADJOURN

Motion (Boardman/Rehberg) to adjourn at 6:30 p.m.

Darlene Igl
City Clerk