
COMMON COUNCIL MEETING
June 2, 2014
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 Brian Olson, Aldermen Gary Payson, Sr., Hoss Rehberg, Gregory Huss, Jim D'Alessandro, Scott McClory, Tom Myrin.

Others present: City Administrator Sam Tapson, Attorney Randall Leece, City Clerk Cairie Virrueta, Police Chief Joel Christensen, Utility Director John Murphy, Fire Chief Rod Smith, Rec Director Wendy Ard, Library Director Lisa Selje, DPW Operations Manager Martin Nuss, Reporter Kellen Olshefski.

PUBLIC COMMENT

No public comment.

CONSENT AGENDA

Motion (Payson/Huss) to approve the minutes of the May 19, 2014 Common Council meeting, the May 27, 2014 Committee of the Whole meeting, and a Bartender's Operator License for Jennifer Fink. None opposed. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

None.

City Administrator's Report

None.

COMMITTEE REPORTS

Municipal Services & Utilities

Alderman Payson stated that the MSU Committee met to discuss the recommendation to retain Baxter & Woodman for revising the NE Water Plant design. Baxter & Woodman agree to prepare a revised design for two wells to one well, prepare revised specifications and prepare/submit a Safe Drinking Water Loan application. The foregoing is based on the City retaining Baxter & Woodman for construction management, if the project moves forward. Doug from Baxter & Woodman can attend a future council meeting to answer any specific questions the council may have. Item tabled for future consideration.

Alderman Payson stated an option to refurbish the Nettesheim Lift Station to keep it operational rather than taking it off line, was presented to the committee by DPW Manager Martin Nuss. The estimated cost would be \$90,000 for the refurbishing as compared to \$600,000 to take it off line. The repairs would eliminate all maintenance issues with backups for the next 5-10 years. Funding is available for this project. Motion (Payson/Rehberg) to move forward as soon as possible with the Nettesheim Lift Station repairs with an estimated cost of \$90,000; waiving the bidding process due to the emergency situation to have it operational as expeditiously as possible to avoid overflows and backups. Roll call vote: Rehberg, yes; Payson, yes; D'Alessandro, yes; McClory, yes; Myrin, yes; Huss, yes. Motion carried.

Finance & Judicial

Alderman McClory explained to council that the City will stay with the current insurance company as no interest was generated from other insurers due to in-place rates appearing better than market rates due to recent losses the past two years, and the premium being below the minimum threshold of \$50K.

Alderman McClory stated that the committee recommends that Odling Construction, Inc be contracted to replace and/or repair 75 sanitary sewer manholes. Odling Construction, Inc was selected from 3 bids submitted. McClory also stated that if the DPW department was to perform the work it would be a slow, costly process. Motion (McClory/Rehberg) to award contract to Odling Construction, Inc in the amount of \$138,375 for the repairs and replacements of sanitary sewer manholes. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Alderman McClory informed the committee that the city received a proposal from Wachtel Tree Science for a 2 year program to protect Ash trees from the Emerald Ash Borer by injecting them with a chemical. Trees receiving the treatment would be painted with a green dot. There is no guarantee that the treatment will work, however the city already cut down approximately 45 Ash trees and would like to attempt to save the remaining trees to preserve the tree canopy. Funds are available in the park dedication fund. Wachtel Tree Science provides specialized service in protection of Ash trees from the EAB. Motion (McClory/D'Alessandro) to contract with Wachtel Tree Science in the amount of \$61,029 for two years of treatment of the City's Ash trees. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Alderman McClory informed the council that a Committee of the Whole meeting is planned for June 9th at 5 p.m. for a Pre-Budget Work Session.

Legislative & Regulatory

Alderman Rehberg stated that Elkhorn Saloon recently received two demerits; one for staying open after closing and another for serving alcohol to an intoxicated person. Both demerits could result in the amount of 125 points against Elkhorn Saloon, however, after conversation with the establishment's owner Justin Erhardt, and consideration by the committee, it was decided to assess Elkhorn Saloon with 100 demerit points; 50 points for each violation. Motion (Rehberg/Payson) to support the Legislative & Regulatory Committee's assessment of 50 demerit points to Elkhorn Saloon for Violation of Bar Closing Hours and 50 points for Selling of Alcohol to An Intoxicated Person for a total of 100 points. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Alderman Rehberg indicated that the committee approved the City's Renewal Liquor License applications at the May 22nd meeting. Cali's Ventures II (Mojo's Restaurant) was asked to submit a new application as the current president is deceased. Motion (Rehberg/Payson) to approve all renewal liquor license applicants. None opposed. Motion carried.

The Committee decided that future meetings will be at 5:00 p.m.

NEW BUSINESS

Community Service Officer Vacancy

Police Chief Joel Christensen informed the council that the police department has a vacancy for a part-time Community Service Officer and requested council approval to hire a CSO. Motion (Payson/McClory) to move forward on the hiring of a Community Service Officer for the Elkhorn Police Department. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

CSM, High Hopes Hill II, LLC

No issues were brought forward regarding the High Hopes Hill II CSM located at 4159 Hwy

67 in the Town of Delavan. Motion (Payson/McClory) to approve High Hopes Hill II CSM. Roll call vote: Payson, yes; Rehberg, yes; Huss, yes; D'Alessandro, yes; McClory, yes; Myrin, yes. Motion carried.

UNFINISHED BUSINESS

Council Work Session: 2014 CIP Review, Project Schedule & Borrowing

Discussion by council regarding future projects for CIP borrowing included roads, parks, community facilities, and various other projects of interest to the members. Motion (Rehberg/Payson) to borrow an amount not to exceed 6 million dollars for projects to be decided for CIP. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Council discussed park projects, including rotating the baseball fields, parking, volleyball and a dog park. Motion (Rehberg/Payson) to allot \$500,000 from CIP for park and for staff to come back with a list of improvements and exact numbers. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Council proceeded to discuss road improvements from a list provided by DPW Manager Nuss. Roads needing repair that were considered a priority by council were W. Hazelridge, E. Walworth, N. Sunset, Monica and Maria. Motion (Payson/Rehberg) to spend up to \$1.4 million of the remaining CIP funds on improvements to roads designated by council after reviewing staff recommendations. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Council continued discussion of road improvement projects and their estimated costs. Council decided that three projects could be undertaken with the Sunset Drive intersection needing priority consideration. Motion (McClory/D'Alessandro) to take on three road projects, including engineering redesign per the Police Chief recommendation of the intersection at Sunset, with Monica and Maria to be determined. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

PUBLIC COMMENT

Alderman Rehberg reminded council of the Night Under the Lights (NUTL) event this Friday at 5 p.m. at Harris Park.

ADJOURN TO CLOSED SESSION

Motion (Payson/Huss) to adjourn to closed session pursuant to §19.85(1)(c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercise responsibility" and pursuant to §19.85 (1)(e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session." Roll call vote: Olson, yes; Boardman, yes; D'Alessandro, yes; McClory, yes; Rehberg, yes; Payson, yes. Motion carried. Adjourn to closed session at 6:46 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 7:20 p.m.

Motion (D'Alessandro/Payson) to offer the finance director candidate \$79K, 144 hours PTO, to move to the next PTO level after one year and to not waive waiting period on insurance. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Motion (Rehberg/Payson) to appoint Cairie Virrueta as City Clerk. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Motion (Rehberg/Payson) of a conditional wage offer of \$15.25 an hour to the Rec Administration Assistant candidate suggested by Rec Director Ard. Roll call vote: Huss, yes;

McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

Motion (Payson/McClory) to approve Development Agreement, Land Lease Agreement and Purchase Options between the City and GLC LLC. Roll call vote: Huss, yes; McClory, yes; Payson, no; Rehberg, yes; D'Alessandro, yes; Myrin, no; Olson, yes. Motion carried.

ADJOURN

Motion (McClory/Payson) to adjourn at 7:22 p.m.

Cairie L. Virrueta
City Clerk

Approved 06/16/2014