
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
July 20, 2015
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 Michael Kluck, Hoss Rehberg, Bruce Lechner, Gregory Huss, Scott McClory, Tom Myrin.

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Chief Joel Christensen, Fire Chief Rod Smith, Library Director Lisa Selje, DPW Operations Manager Martin Nuss, City Engineer Paul VanHenkelum, Reporter Kellen Olshefski, Chris Clapper, other interested persons.

PUBLIC COMMENT

No public comment.

CONSENT AGENDA

Motion (McClory/Huss) to approve the minutes of the July 6, 2015 Common Council meeting, Operator's Licenses for Emily Maher and Brock Kaplan, Temporary Class "B" Beer/"Class B" Wine License for Elkhorn Area Chamber of Commerce Wine and Walk at Holton Manor on July 23, and Temporary Class "B" Beer License for Elkhorn Rotary Club Festival of Summer at Veteran's Square on July 25. Motion carried.

BILLS PAYABLE

Motion (Rehberg/Kluck) to approve the City and Utility Bills in the amount of \$2,685,597.24 (Check numbers 97857-98205). Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.

REQUEST FOR ADMINISTRATIVE REVIEW – Robert and Colleen O'Neill

Administrator Tapson said code allows review if a person feels they are aggrieved of an employee decision and this is being brought to the council as plan commission doesn't meet for a while. The O'Neill's own a business in the city, *Little Miss Sweet Peas*, and set up a separate farm stand on private property on Saturdays. The principal use of the private property is a real estate business. The Zoning Administrator determined that the farm stand cannot be on the property as it conflicts with the principal use of the property. If the council approves the farm stand being on the property, Administrator Tapson recommended the zoning code be amended to reflect the decision. There was discussion regarding *Little Miss Sweet Peas* being denied a spot at the Farmer's Market. **Motion (McClory/Myrin) to rewrite the zoning ordinance to allow for sale on Coldwell Banker property.** Alderman Rehberg felt it should include entire city. **Motion (McClory/Myrin) amended to include entire city.** City Attorney Phillips recommended the motion include allowing the O'Neill's to continue their farm stand on the private property while the zoning code is amended. **Motion (McClory/Myrin) amended to allow the farm stand to continue on the present property while the zoning code is amended. Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.**

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Olson said a vacancy on the Park and Rec Board was created and Dan Yesbeck was recommended for the position. **Motion (Huss/Lechner) to approve Dan Yesbeck to the Park and Rec board. Voice vote, motion carried.**

The Mayor reminded everyone about Festival of Summer this Saturday and the United Way Run in the morning.

Library Director Lisa Selje recommended new trustee, Jennifer Sharp, who will serve a three year term.
Motion (McClory/Huss) to approve Jennifer Sharp to the Library Board. Voice vote, motion carried.

City Administrator's Report

Administrator Tapson said the City is eligible for the Safe Drinking Water Loan and funding information comes later. Two federal programs will affect the loan and the City talked to Baxter and Woodman to look at pricing. Finance Director Heilman said debt coverage is large at 25% above P&I and the city needed to look at what made sense.

The departments have turned in their budgets and preliminary numbers should be available for the F&J meeting in early September.

Finance Director's Report

No report.

LIAISON REPORTS

Chamber – The Star Spangled Celebration had one of the best turnouts on record. The Rec Assistant has resigned and the Chamber is looking to hire a replacement. Breakfast will be served at the Festival of Summer and also corn and brats in the afternoon. Music and a Beer Tent will also be part of the festival. Recreation Advisory Board – The pool has been very successful and has reached maximum capacity the last three days, concession sales have been very good also. NUTFEST II brought in \$6,900.

COMMITTEE REPORTS

Financial and Judicial

St. Patrick Parish Temporary Class "B" Beer License for St. Pats Festival of Summer, July 18, 2015

This was approved at the committee.

EMS Ambulance Replacement

An ambulance in the 10 year cycle is ready to be replaced. **Motion (McClory/Lechner) to purchase a new ambulance from Foster Coach, not to exceed \$170,000. Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.**

2015 Street Improvement Projects – Contract Modification for increased curb & gutter repairs

The City Engineer recommended additional gutter and curbs to improve drainage and the construction process. **Motion (McClory/Myrin) to add \$65,000 to program for full curbs and gutters. Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.**

Public Safety

Fire and EMS Staffing Proposal

This committee met before the council meeting. The committee supports working towards a full Fire and EMS program. The towns served will get numbers and information to help them understand the need for a Fire staff program, which costs approximately \$190,000 a year. A meeting with the towns is this Thursday and all are invited to attend.

NEW BUSINESS

Plan Commission: Certified Survey Map for William and Mary Lehner for a 2-lot land division at N6522 Hwy 12 & 67 in the Town of Lafayette

Motion to approve the CSM for William and Mary Lehner for a 2 –lot land division at N6522 Hwy 12 & 67 in the Town of Lafayette. Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.

Payne and Dolan Sunset Entrance and Parking Lot Pay Request

Mayor Olson asked if Payne and Dolan is responsible for the pond by the pool; City Engineer VanHenkelum said yes and the retainage meets the requirements. The City ordinance allows for an alteration with engineer approval and a French drain or connection with the storm sewer could be considered. **Motion (Rehberg/Kluck) to approve the payment to Payne and Dolan for \$196,505.54. Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.**

PUBLIC COMMENT

None.

ADJOURN TO CLOSED SESSION

Motion (Rehberg/Huss) to adjourn to closed session pursuant to Wisconsin Statute 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." Adjourned to closed session at 6:04 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 6:14 p.m.

ADJOURN

Motion (Rehberg/Myrin) to adjourn at 6:14 p.m.

Cairie L. Virrueta
City Clerk

Approved 8/3/15