
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
September 21, 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 Kelly Nickel, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Captain Jon Anzalone, Utility Director John Murphy, Fire Chief Rod Smith, Library Director Lisa Selje, DPW Operations Manager Martin Nuss, Recreation Director Wendy Meyer, City Engineer Paul VanHenkelum, Reporter Kellen Olshefski, other interested persons.

PUBLIC COMMENT

None.

CONSENT AGENDA

Motion (Huss/Kluck) to approve the minutes of the September 8, 2015 Common Council meeting and a temporary Class B Wine & Fermented Malt Beverage License for the Matheson Memorial Library Trick-or-Trivia Event on October 23, 2015. Motion carried.

BILLS PAYABLE

Motion (McClory/Lechner) to approve the City and Utility Bills in the amount of \$2,549,849.68 (Check numbers 98467-98721). Roll call vote: Kluck, yes; Rehberg, yes; Huss, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

No report.

City Administrator's Report

There will be a Committee of the Whole meeting next Monday with the economic development presentation. The 2016 budget is planned to be released the first meeting in October.

Finance Director's Report

No report.

LIAISON REPORTS

Chamber – Oktoberfest plans are underway with a new expanded beer and wine area, they are coordinating with the Rec Department and the Lights and Ladders event that day.

COMMITTEE REPORTS

Municipal Services and Utilities

Clean-up at Compost Site Proposal Approval Recommended

Alderman Huss said the County wants the site back that the City rents for \$1 a year; the site is used for brush collections. The county would continue to rent the site out but it would be too expensive. The City received a proposal to clean-up the site. **Motion (Huss/Kluck) to approve Compost Management to clean-up the site for \$550 an hour, not to exceed \$25,000, with funds coming from the Solid Waste Fund. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.**

Discussion on Proposed Leaf Pickup Bag Costs for Homeowners

The committee discussed costs and options for leaf pickup bagging. The committee agreed to having residents purchase the bags rather than the City doing it and having to store and distribute them. Mayor Olson asked if there was a penalty if residents didn't clean up their leaves. It was unknown.

Additional Asphalt Repairs by Payne & Dolan Approval Recommended

This item is actionable under New Business. The City obtained prices from Payne & Dolan while they are doing work on the streets to do minor spots in need of repair. These spots can be difficult to get prices on as they are so small. The City Engineer said state bid laws allow the adding of these jobs onto the contract.

Emerald Ash Borer Tree Removal Proposal Approval Recommended

The DPW received proposals for Emerald Ash tree removals and recommended Arbor Images. They have worked with the company before; they are responsible and came in under budget. The company will remove the trees and grind the stumps to 6" below grade. The City will add soil and seed afterwards.

Motion (Huss/Kluck) to approve the Arbor Images contract for removal of 48 Emerald Ash Trees for a total cost of \$24,680. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

Visual Assessment of Water Storage Tank Proposal Approval Recommended

This is required per the WI DNR to be completed every five years. KLM Engineering, Inc. provided the best price and has done the work the last three times. Utility Director Murphy recommended them.

Motion (Huss/Kluck) to approve the proposal from KLM Engineering, Inc. for visual assessment of the City water storage tanks for \$15,500. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

Financial and Judicial

Budget Adjustment for DPW Purchase of Multi-use ATV Approval Recommended

This item was budgeted for 2016 but DPW would like to purchase it to use for the 2015 season as their current ATV is no longer working. The ATV will be used year round and the dealer was the closest for warranty repairs. The company will also take some of the City's no longer needed equipment on trade.

Motion (McClory/Rehberg) to approved purchasing a 2016 Bobcat "Tool Cat" ATV with attachments not to exceed \$55,000. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, no; Kluck, yes; Myrin, yes. Motion carried.

CVMIC Liability Insurance Renewal and Investment of CVMIC Dividends Approvals Recommended

Motion (McClory/Huss) to approve the CVMIC renewal with Option 1, the \$25,000 deductible and to reinvest the CVMIC dividend of \$18,418. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

Property Insurance Proposal from Municipal Property Insurance Company Approval Recommended

The state property insurance plan increased 131% so the City looked at switching providers. The quote received by Municipal Property Insurance Company is over \$24,000 less. The City would then opt out of the state plan effective September 30 to avoid penalties. Alderman Rehberg asked what the company's rating was. Finance Director said it is a new company and he didn't know the rating, but that the three companies who formed the new company are A-rated companies. **Motion (McClory/Kluck) to switch to Municipal Property Insurance Company for \$30,870 effective September 30, 2015. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.**

UNFINISHED BUSINESS

Kapur & Associates Inc. Task Order: Planning, civil engineering and surveying services for two T-ball fields and playground equipment at Tasch Park

Motion (McClory/Huss) to approve the Kapur Task Order for Tasch Park for \$2,980. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

Kapur & Associated Inc. Task Order: Civil engineering services for complete design and specification preparation, bidding and construction management for reconstruction of 2,000 ft. of Proctor Drive

Motion (McClory/Lechner) to approve the Kapur Task Order for work on Proctor Drive for \$24,746. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

Resolution No. 15-11 A Resolution Authorizing the City to Withdraw from the Local Government Property Insurance Fund (LFPIF)

Motion (Huss/McClory) to approve Resolution No. 15-11. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

NEW BUSINESS

Payne & Dolan Contract Change Order for Additional Asphalt Repairs

The Change Order also contained additional changes and charges for street work. Motion (Huss/Rehberg) to approve the Change Order for street work and additional asphalt repairs for \$159,078.10. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, no. Motion carried.

Payne & Dolan Streets Pay Request for Work Completed to Date

This is the first pay request for street work from Payne & Dolan. It includes 4% retention. City Engineer VanHenkelum recommended the payment. Motion (Rehberg/Kluck) to pay Payne & Dolan \$942,115.73 for street work completed per Application No. 1. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

Ordinance No. 15-12 An Ordinance to Amend Chapter 17 of the Elkhorn Municipal Code Titled "Zoning" regarding Farm Stands (First Reading)

PLAN COMMISSION

An Ordinance to Rezone 630 E. Court Street (YA291400002), Owner Wilson Trust (First Reading)

Lot Line Adjustment CSM for the City of Elkhorn School District, 222 Sunset Drive

City Engineer VanHenkelum said the school was acquiring 10 feet to the north to meet setback requirements. Administrator Tapson said a legal description and CSM had not been done. Motion (Rehberg/Huss) to approve the Lot Line Adjustment CSM for the City of Elkhorn School District, 222 Sunset Drive with technical corrections and providing easement documentation for the storm sewer. Roll call vote: Huss, yes; McClory, yes; Lechner, yes; Rehberg, yes; Kluck, yes; Myrin, yes. Motion carried.

PUBLIC COMMENT

None.

ADJOURN TO CLOSED SESSION

Motion (McClory/Kluck) 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" regarding Potential sale of lots 5 and 6 at Elkhorn Business Park. Adjourned to closed session at 6:01 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 6:19 p.m.

ADJOURN

Motion (Lechner/Huss) to adjourn at 6:19 p.m.

Cairie L. Virrueta
City Clerk

Approved 10/5/15