
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
March 20, 2017
COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121**

The Common Council meeting was called to order by Mayor Reynolds 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 Michael Kluck, Hoss Rehberg, Bruce Lechner, Cathy Bensaid, Scott McClory, Tom Myrin, Junior Council Member Nathan Chapman

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, Deputy Clerk-Treasurer Corrie Daly, Police Chief Joel Christensen, Utility Director John Murphy, DPW Manager Neal Kolb, Fire Chief Rod Smith, Library Director Lisa Selje, Deputy Clerk/Treasurer Corrie Daly, City Engineer Jason Feucht, Tim Shiroda, Chris Clapper, Gary Wallem, Reporter Kellen Olshefski.

PUBLIC COMMENT

Gary Wallem wanted to express his opinion on the Building Inspector Joe Mesler. He thought Joe was very helpful when he has had to go to him. He has had trouble with the prior Building Inspector Greg Klumko being more difficult. He hopes the council considers that.

CONSENT AGENDA

Motion (Bensaid/Kluck) to approve the minutes of the March 6, 2017 Common Council and Closed Session meetings. Voice vote, all approved, motion carried.

BILLS PAYABLE

Motion (Rehberg/Kluck) to approve the City and Utility Bills in the amount of \$1,809,913.05 (Check number 153191-153384). Roll call vote: Kluck, yes; Rehberg, yes; Bensaid, yes; Lechner, yes; McClory, yes; Myrin, yes, (advisory vote from Jr. CC Member Chapman, yes). Motion carried. Alderman McClory asked about the term "claims" on the agenda. City Administrator confirmed they weren't claims only bills payable.

REPORT OF CITY OFFICERS

Mayor's Report

None.

City Administrator's Report

RFP Design Services: DPW Maintenance Facility

City Administrator Tapson suggested considering putting out an RFP and perhaps interview and selecting a firm to design the new DPW Maintenance Facility. This estimated cost needs to be determined in order to plan what we need to borrow for upcoming projects in the future. Tapson would like to see Council's authorization to circulate an RFP for Design Services. ***Motion (McClory/Rehberg) to engage in an RFP for Design Services for the future DPW Maintenance Facility. Voice vote, all approved, motion carried.***

E. Market Street TIA

The Walworth County Fair has expressed interest in extending a road east-west from E. Market St to the City water tower. They would allow for exiting only at the north gate and entrance onto E. Market and on the new road. In order to accommodate this there would need to be additional work on the TIA which is estimated to cost \$3,000. The idea hasn't been taken to the Fair board yet so they are not able to commit to covering anything at this point. This road could be considered a public benefit because it will reduce traffic at the North Gate during the fair. McClory made a motion to spend the \$3,000 on the E. Market Street TIA. No second.

Waiver of Conflict: Von Briesen & Roper, S.C.

Von Briesen & Roper has been asked to represent a local developer against the City to help them get their assessment lowered. Kyle has represented the City in matters related to labor relations/HR with the Police Department. There is a conflict because it is the same firm. Attorney Phillips said the City has the option to waive if they choose. **Motion (Rehberg/Myrin) not to waive. Voice vote, all approved, motion carried.**

TID 4 Creation: Engagement of Ehlers and Associates

Since the Council has already decided to create a Tax Increment District #4 (TID #4), Administrator Tapson and Finance Director Heilman would like to get approval to have Ehlers and Associates start the process. Having a ready-made district, or even one that is in the process, cuts down on the time lag when negotiating a development proposal. Recommendation has been made to move forward at this time in the anticipation of the pending proposals moving forward. **Motion (McClory/Rehberg) to approve engaging with Ehlers & Associates for TID 4 Creation for up to \$20,000. Roll Call Vote: Kluck, yes; Lechner, yes; McClory, yes; Myrin, yes; Bensaid, yes; Rehberg, yes; (advisory vote from Jr. CC Member Chapman, yes). Motion carried.**

LIAISON REPORTS

Historic Preservation – no report

Fire Advisory Board – no report

Library Board – Upcoming Library programs: Choosing the Right Pet presented by a veterinarian-Thursdays April 6th at 6:30 p.m. for anyone considering on getting a pet so they choose the right pet. During the month of April the Library is having a Food for Fines to benefit the Elkhorn Food Pantry-during the month of April only. For every nonperishable food item donated the Library will take \$1.00 off your book fines up to \$5.00 off. The Library and the Elkhorn Area Schools are collaborating on a children's program on Wednesday April 19th at 10:30 a.m.-Community Helpers

Chamber – had their annual awards banquet March 9th. March 17th-19th the Chamber participated in the Milwaukee Golf show with Stay and Play packages with local hotels and handed out over 1500 bags of information. The final stages of the community guide are in place and that will go out to over 30,000 people. March 12th-15th Executive Director Chris Clapper attended the Governor's Conference on Tourism. Ribbon cutting at the newest restaurant –Market St. Café.

Recreation Advisory Board-Meet this Wednesday

COMMITTEE REPORTS

Municipal Services and Utilities

Deere Road Discussion Regarding Drainage Issues

Alderman Kluck said they had a discussion of Deer Road and the drainage issues. Dave Crosby was in attendance. They all agreed the entrance is too flat which one of the reasons for the drainage issues. A couple solutions were given that the City Engineer thought would work. Dave Crosby thought they would not work and would be temporary. Once they supplied a map which showed a potential drain to connect to. DPW Manager Kolb looked into the drain and was unable to find it. They still want to look into the terrace drains are. They are still in discussion. Dave Crosby won't do anything until he feels it is taken care of. Topic is still in discussion in the Municipal Services and Utilities Committee.

Financial and Judicial

Recommendation to Approve Kapur Task Order for the Second Phase of the TIA Highway 67 in the amount of \$21,956

Motion (McClory/Rehberg) to Approve the Second Phase Task Order for the amount of 21,956. Roll call vote: Lechner, yes; McClory, yes; Myrin, yes; Bensaid, yes; Rehberg, yes; Kluck, yes; (advisory vote from Jr. CC Member Chapman, yes). Motion carried.

Building Inspection/Zoning Administration Contract Service

Motion (Rehberg/McClory) to send it back to Finance & Judicial Committee for further discussion. Voice vote, all approved, motion carried.

Discussion of Budgeting Procedures

Going forward the Committee would like to see budget meetings separate and distinct from the regular committee meetings. They would like to see only one department head a week for five weeks. They would also like to see changes made be outlined in red so they can see easily what changes have been made.

UNFINISHED BUSINESS

ICI Contract Renewal

Alderman McClory said the committee discussed the ICI Contract. They recommend keeping the current year to year contract with ICI Commercial. The contract includes a \$600 per month stipend but would like Stu Rosenberg to submit a quarterly report about what he has been working on in the last few months without breaching confidentiality. They don't need him to come in but would like a report on his progress.

Motion (McClory/Myrin) to renew the current year to year contract with ICI Commercial but add the requirement they submit a quarterly report for an update. Roll call vote: McClory, yes; Myrin, yes; Bensaid, yes; Rehberg, yes; Kluck, yes; Lechner, yes; (advisory vote from Jr. CC Member Chapman, yes). Motion carried.

NEW BUSINESS

Koopman Lane Utility Facility Addition: Award of Contract

Angus & Young has recommended awarding the construction contract for the Koopman Lane Utility Facility Addition to Magill Construction for \$748,710. Alderman Rehberg asked Utility Director Murphy what this project was budgeted for. Murphy said they went in on clean water for \$1.1 million, the engineer estimated it at \$910,000 and it came in at \$748,710. Magill was the contractor that built the original building. ***Motion (Rehberg/McClory) to approve Magill Construction \$748,710 for the Koopman Lane Addition. Roll Call vote: Lechner, yes; McClory, yes; Myrin, yes; Bensaid, yes, Rehberg, yes; Kluck, yes; (advisory vote from Jr. CC Member Chapman, yes). Motion carried.***

Preliminary Letter of Understanding and Written Consent for Addition to Koopman Lane Facility

Now that Council has agreed to allow the Utility Department to put an addition on the Utility facility on Koopman Lane, a special meeting will need to be called by the Board of Directors of the Condo Association to amend the condo agreement. A Preliminary Letter of Understanding needs to be executed and obtain proper approval for the City's agent on the Board of Directors of the Association to approve the draft board resolution. This was reviewed by the City Attorney. ***Motion (Kluck, Rehberg) to approve the Preliminary Letter of Understanding and Written Consent. Voice vote, all approved, motion carried.***

ADJOURN TO CLOSED SESSION

Motion (Lechner/Bensaid) 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 Economic Development Land Acquisition and pursuant to Wisconsin Statute 19.85(1)(c) "considering employment, promotion, compensation or performance evaluation of data of any public employee over which the governmental body has jurisdiction or exercises responsibility" regarding City Administrator Annual Review. Voice vote, all approved, motion carried. Adjourned to closed session at 6:15 p.m.

RECONVENE IN OPEN SESSION at 7:30 p.m.

Motion (Kluck/Lechner) to provide a 1% pay adjustment for the City Administrator. Roll call vote: Kluck, yes; Lechner, yes; McClory, yes; Bensaid, yes; Rehberg, yes; Myrin, no. Motion carried.

ADJOURN

The meeting adjourned at 7:35 p.m.

Corrie
Deputy Clerk

Approved 04/03/17