

CITY OF ELKHORN
Municipal Services and Utilities Committee
Minutes
First Floor Conference Room, 9 S. Broad Street, Elkhorn, Wisconsin

May 8, 2017

Municipal Services and Utilities Committee was called to order at 5:30 p.m. by Alderman Kluck followed by Roll Call.

Roll Call

Present: Michael Kluck, Cathy Bensaïd, Bruce Lechner

Also present: Mayor Howie Reynolds, Alderman Scott McClory, Alderman Tim Shiroda, Administrator Sam Tapson, Finance Director James Heilman, City Clerk Cairie Virrueta, DPW Manager Neal Kolb, Police Chief Joel Christensen, Recreation Director Wendy Meyer, Fire Chief Rod Smith, City Engineer Jason Feucht, Kellen Olshefski, David Crosby (left early), Ken Reynolds, Jeff Auberger

Lauderdale Aqua Skiers Use of Babe Mann Park/Elkhorn Lake: Staff recommendation to consider application

City Clerk Virrueta provided a memo of conflicts within the City's Ordinance, Agreement with Lauderdale Aqua Skiers (LAS) and LAS's Operational Plan. She pointed out that the City issues a Special Event Permit to LAS for its use of the park and lake; however, it is more complex than what the special event portion of the ordinance addresses. Special Events are for one or two day events, not long term use of the park/lake. She also explained discrepancies in LAS's Operational Plan and City Ordinance. In addition, in the past they have used the lake/park without informing the City and have had alcohol at the park. Clerk Virrueta said the City needs to be aware of use dates for safety reasons and because the Rec Department rents the shelter. A conflict occurred last year between LAS and a park renter. She said they also offer "learn to ski" events that invites the general public onto the lake, but the agreement with them doesn't address this. The City's insurance company, CVMIC, reviewed the agreement and recommended the City enter into a Hold Harmless/Indemnification Agreement with LAS. This year they have requested to use the lake in excess of what the City ordinance regulates: 6 weekend dates and 18 weekday evenings. LAS is asking for 16 weekends and 14 weeknights. Jeff Auberger said he was not aware of the ordinance and the selling of alcohol at an event was a misunderstanding. He said he was told bathrooms are available for everyone using the park. He said a large portion of their club are from Illinois and have a difficult time coming during the week. They offer "learn to ski" twice a year, and one of those times is at the Community Days Event at the park. It is open to anyone who wishes to participate and participants sign waivers. Alderman Kluck was concerned with the "learn to ski" event when LAS has stated the lake is not safe. Alderman Bensaïd was also concerned with "learn to ski" and alcohol at the lake. She asked how they make sure a participant hadn't been drinking. Auberger said participants are mostly kids and about six people on the team are safety trained. The LAS Operational Plan says no alcohol will be allowed, however an event last year had it. Alderman Kluck said the City definitely needs the Hold Harmless/Indemnification Agreement executed. He was also concerned with the dates the ski team submitted. He wanted to see the park available for residents use on Saturdays. Chief Christensen said other than the issue last year, they have had no complaints that he is aware of. Rec Director Meyer said she has had renters complain to her about the ski team being there when they rent the shelter. Administrator Tapson said the Agreement created was rushed and needed to be completely redone. He said it should be separated out and not be a Special Event Permit and a scheduling system for use of the park needed to be created. Rec Director Meyer said rentals for the parks being January 2nd and some rentals have already been made. She suggested a system where LAS could rent the park/lake the 1st and 3rd Saturdays of each month during the summer. Alderman Bensaïd asked if LAS parks on the grass; yes, they park their trucks with trailers on the grass. Ordinance requires approval from the Rec Director to park on the grass. **Motion (Lechner/Bensaïd) to approve dates for shows (6/16, 6/17, 7/1, 7/29, 8/19**

and 9/2) and Thursday practices and to work with the Rec Director on additional practices for Saturdays. Police Chief Christensen said fishermen enjoy being at the lake in the mornings to fish. Alderman Bensaid said the public needed an opportunity to use the park on Saturdays and she would like to see more solid dates. **Voice vote, all approved, motion carried.** Administrator Tapson said staff will work with the City Attorney to create a new agreement to begin in 2018. Alderman Kluck wants it to address alcohol not being allowed. Alderman Bensaid asked LAS to give the City what it needs to know regarding their use of the park/lake and that past violations not be repeated. Auberger said no music or electrical is used for practices and they need a minimum of three hours.

Deere Road Drainage: Update from City Engineer

Administrator Tapson said the committee needed to offer a clear decision to Mr. Crosby regarding his Deere Road drainage problem that he has brought to the committee. City Engineer Feucht gave a memo to the committee with his recommendations. They are: 1. Do nothing; 2. Extend the terrace drains or 3. reconstruct Deere Road. He said the terrace drains installed last year are working and he did not recommend reconstruction of the road. DPW Manager Kolb said they excavated around the drain tile and it is bedded with pea gravel, not native soils. Alderman Kluck asked what could be done so Mr. Crosby can redo his driveway. City Engineer Feucht said he can improve the slope on his property but it costs a lot of money. He said he can also install a trench drain when the driveway is reconstructed and improve the slope. He said he felt Crosby's concerns were not just on his driveway but on the whole area and any more work on the drains wouldn't be acceptable to him. If the slope for the driveway is 1% or greater, a driveway contractor will warranty the work. A trench drain would cost approximately \$2,000. Administrator Tapson suggested the committee recommend the City reimburse Crosby the cost for the trench drain. **Motion (Bensaid/Lechner) for the City Administrator to contact Crosby offering to reimburse him for the trench drains when he fixes his driveway, in an amount not to exceed \$2,000.** City Engineer Feucht said when Crosby redoes his driveway the City should replace the curb and gutter of about 20 feet, which would cost about \$30 a foot. **Motion amended (Bensaid/Lechner) to increase amount not to exceed to \$2,800. Voice vote, all approved, motion carried.**

Continued Discussion of 2017 Street Maintenance Projects

Finance Director Heilman provided the difference between \$450,000 and \$650,000. The difference is about \$3 and he recommended going with \$650,000. He also suggested Mackenzie Lane be eliminated and it would be better to complete when the City redoes Centralia Street. Alderman Kluck felt Pinecrest could be delayed a year with all the truck work on it. Administrator Tapson said timing of the projects may carry into 2018. He also reminded the committee that the City is working on an agreement with Sugar Creek regarding Hazel Ridge work. Alderman Myrin asked if mill and overlay is sufficient for Court St.; City Engineer Feucht said it is. **Motion (Lechner/Bensaid) to recommend moving forward with \$650,000 for streets maintenance and repair. Voice vote, all approved, motion carried.**

Adjournment

Motion (Bensaid/Lechner) to adjourn at 6:42 p.m.

Cairie L. Virrueta
City Clerk