
CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
June 3, 2024
COUNCIL CHAMBERS, 311 SEYMOUR CT., ELKHORN, WI 53121

The Common Council meeting was called to order by Council President Payson Jr. at 5:31 p.m. in the Council Chambers, followed by the Pledge of Allegiance.

ROLL CALL

Present: Alderpersons Peter Harvey, Gary Lee Payson Jr., Ron Dunwiddie, Scott McClory, Ken Meinel, Kurt Harkness. Absent: Mayor Tim Shiroda

Others present: City Administrator Adam Swann, Attorney Elaine Ekes, City Clerk Lacey Reynolds, Police Chief Joel Christensen, Director of Public Works Matthew Lindstrom, Fire Chief Trent Eichmann, Finance Director Corrie Daly, Recreation Director Karl Sorvick, Human Resources Generalist Kacey Keogh, Utility Field Office Coordinator Dawn Gall, Water Superintendent Tim Boss, City Engineer Mike Timmers, other interested persons.

PUBLIC COMMENT

Dennis Karbowski of Amos Rd. regarding the City of Elkhorn ATV/UTV signs.

CONSENT AGENDA

Motion (Dunwiddie/Meinel) to approve the Meeting Minutes for Committee of the Whole and Common Council May 20, 2024, Legislative & Regulatory May 22, 2024, Temporary Class "B" Beer license for the Elkhorn Area Chamber of Commerce - Truck and Shuck at 100 W. Walworth St, July 27, 2024; 11:00 am to 7:00 pm and Temporary Class "B" Beer and Class B Wine license for the Elkhorn Area Chamber of Commerce – Oktoberfest at 100 W. Walworth St., Walworth & Wisconsin Streets, October 19, 2024; 11:00 am to 6:00 pm. Voice vote, all approved, motion carried.

REPORT OF CITY OFFICERS

MAYOR'S REPORT – Council President on behalf of the Mayor.

Swearing in of new Patrol Officer Jacob Economy. City Clerk Lacey Reynolds swore in Patrol Officer Jacob Economy and the pinning ceremony was performed by Economy's wife.

CITY ADMINISTRATOR'S REPORT – Administrator Swann reported he attended the Walworth County Housing taskforce meeting last week. Swann announced Sunset Pool pre-season hours began today and ATV's/UTV's are now allowed to drive on city streets.

COMMITTEE REPORTS

Legislative & Regulatory Committee - Recommendation to approve malt beverage and liquor licenses listed under new business. Alderman Dunwiddie reported the L&R committee met on May 22nd and all items the committee reviewed are on the agenda tonight for approval.

PRESENTATION by Karl Sorvick, Recreation Director regarding the Elkhorn Community Band Shell: History and restoration efforts. Sorvick shared a presentation that was put together for the community to keep them informed on what is going on with the bandshell as well as sharing the history of the bandshell.

NEW BUSINESS

Discussion and possible decision regarding New Application for Aadya Shakti, Inc., dba Holiday Inn Express & Suites Class "B" Fermented Malt Beverage, 200 W. O'Connor Dr., Agent: Jennylee Garcia Galindo. *Motion (Dunwiddie/Harkness) to approve the new application for Aadya Shakti, Inc., dba Holiday Inn Express & Suites Class "B" Fermented Malt Beverage, 200 W. O'Connor Dr., Agent: Jennylee Garcia Galindo. Voice vote, all approved, motion carried.*

Discussion and possible decision regarding Renewal Class "A" Fermented Malt Beverage / "Class A" Liquor

- Agam Liquor Inc. dba Elkhorn Wine & Spirits, Amarjot Singh, Agent - 41 N. Lincoln St.
- America's Liquor LLC dba America's Liquor, Jesus F. Sandoval Avila, Agent - 9 N Lincoln St.
- Hansen's IGA Inc. dba Hansen's Liquor, Scott Atwell, Agent - 58 W. Market St. Suite C
- Wilson Farm Meats, Inc. dba Wilson Farm Meats, Amber Corman, Agent - 406 S. Wisconsin St.
- J&G Liquor LLC. dba J&G Liquor, Inderjit Kaur, Agent - 1420 N. Wisconsin St.

Motion (Dunwiddie/Harkness) to approve all five renewal Class "A" Fermented Malt Beverage / "Class A" Liquor licenses listed. Voice vote, all approved, motion carried.

Discussion and possible decision regarding Renewal Class "B" Fermented Malt Beverage / "Class B" Liquor

- 9 East, Inc. dba Elkhorn Saloon, Justin Ehrhardt, Agent - 9 E. Walworth St.
- Brian Patrick Taylor dba Mama T's Italian Eatery, Brian Patrick Taylor, Agent - 781 E. Geneva St.
- Calabria Elkhorn LLC. dba Ricky's Place Restaurant, Ricardo Angeles, Agent - 1 N. Lincoln St.
- Friends Forever LLC dba Friends on the Square, Kelly L. Odling, Agent - 41 N. Wisconsin St.
- Jacquit LLC dba Bernie's Pub and Grill, Jacqueline Lynn Thompson, Agent - 39 N. Wisconsin St.
- Lakehouse Breakfast Bar and Grill dba Lakehouse Breakfast Bar and Grill, Amy Grace Higgins, Agent - 10 W. Evergreen Pkwy Suites 1 &2
- Lechner Enterprises LLC. dba Station 20 Pub N Grub, Sarah Lechner, Agent - 20 S. Wisconsin St.
- Los Tres Hermanos Inc. dba Los Tres Hermanos, Julio C. Hernandez, Agent - 31 N. Wisconsin St.
- New Moy's Inc. dba Moy's Restaurant, Jianping Huang, Agent - 3 N. Wisconsin St.
- Someplace Else Restaurant II LLC dba Someplace Else Restaurant, Kathryn M. Duckworth, Agent - 1 W. Walworth St.
- Sports Page Barr, Inc. dba Sports Page, Jordan Barr, Agent - 29 1/2 S. Wisconsin St.
- Time Bomb Investments LLC. dba Jack Rabbit Fizz, Jodi Lynn Ehrhardt, Agent - 11 E. Walworth St.

Motion (Dunwiddie/Meinel) to approve all twelve renewal Class "B" Fermented Malt Beverage / "Class B" Liquor licenses listed. Voice vote, all approved, motion carried.

Discussion and possible decision regarding Renewal "Class C" Wine and Class "B" Fermented Malt Beverage

- Elkhorn Deli LLC dba Wilson's Whistle Stop, Amber Corman, Agent - 100 Clark St.
- Lakeland Players Ltd. dba Lakeland Players, John Danovich, Agent - 15 W. Walworth St.

Motion (Dunwiddie/Harkness) to approve the two renewal "Class C" Wine and Class "B" Fermented Malt Beverage licenses listed. Voice vote, all approved, motion carried.

Discussion and possible decision regarding Renewal Class "B" Fermented Malt Beverage for Aadya Shakti, Inc. dba Holiday Inn Express & Suites, Jennylee Garcia Galindo, Agent - 200 W. O'Connor Dr. *Motion (Dunwiddie/McClory) to approve the Renewal Class "B" Fermented Malt Beverage for Aadya Shakti, Inc. dba Holiday Inn Express & Suites, Jennylee Garcia Galindo, Agent - 200 W. O'Connor Dr. Voice vote, all approved, motion carried.*

Discussion and possible decision regarding proposal from Restoric, LLC to complete the historical structure report for the Elkhorn Bandshell. A motion was made to approve the proposal then discussion took place regarding the amount of the contract. Recreation Director Sorvick also reported the City will receive 50% of the funds in grant money from the WI Historical Society. *Motion (Meinel/Dunwiddie) to accept the proposal from Restoric, LLC to complete the historical structure report for the Elkhorn Bandshell in the amount not to exceed \$24,888. Roll call vote: Meinel, yes; Dunwiddie, yes; Payson Jr., yes; Harvey, yes; Harkness, yes; McClory, yes. Motion carried.*

Discussion and possible decision regarding Resolution 24-13: A Resolution Approving the Elkhorn Adjusted Urban Area Boundary. *Motion (Dunwiddie/McClory) to approve Resolution 24-13: A Resolution Approving the Elkhorn Adjusted Urban Area Boundary. Voice vote, all approved, motion carried.*

Discussion and possible decision regarding Resolution 24-14: A Resolution Approving Transfer of Funds from General Fund to Capital Equipment Replacement Fund and Capital Projects Fund. *Motion (McClory/Dunwiddie) to approve Resolution 24-14: A Resolution Approving Transfer of Funds from General Fund to Capital Equipment Replacement Fund and Capital Projects Fund. Roll call vote: McClory, yes; Dunwiddie, yes; Harkness, yes; Meinel, yes; Harvey, yes; Payson Jr., yes. Motion carried.*

Discussion and possible decision regarding Resolution 24-15: A Resolution Affirming the Sale of Lot 90 in the Business Park to Sirdome, Inc. *Motion (Meinel/Harkness) to approve Resolution 24-15: A Resolution Affirming the Sale of Lot 90 in the Business Park to Sirdome, Inc. Roll call vote: Meinel, yes; Harkness, yes; Harvey, yes; Payson Jr., yes; Dunwiddie, yes; McClory, yes. Motion carried.*

Discussion and possible decision regarding Resolution 24-16: A Resolution Authorizing the Issuance and Sale of up to \$2,413,041 Sewer System Revenue Bonds, Series 2024B, and Providing for other Details and Covenants with Respect thereto. *Motion (Dunwiddie/Harvey) to approve Resolution 24-16: A Resolution Authorizing the Issuance and Sale of up to \$2,413,041 Sewer System Revenue Bonds, Series 2024B, and Providing for other Details and Covenants with Respect thereto. Roll call vote: Dunwiddie, yes; Harvey, yes; McClory, yes; Meinel, yes; Harkness, yes; Payson Jr., yes. Motion carried.*

Discussion and possible decision regarding Resolution 24-17: A Resolution Affirming the Sale of Lot 74 in the City Business Park to Midwest Exchange Properties, LLC. *Motion (McClory/Meinel) to approve Resolution 24-17: A Resolution Affirming the Sale of Lot 74 in the City Business Park to Midwest Exchange Properties, LLC. Roll call vote: McClory, yes; Meinel, yes; Dunwiddie, yes; Harkness, yes; Payson Jr., yes; Harvey, yes. Motion carried.*

Discussion and possible decision regarding Ordinance No. 24-05: An Ordinance Creating Section 12.03(14)(b) of the City of Elkhorn Municipal Code Relating to Opting Out of the Extended Closing Hours during the RNC Convention Period as Prescribed by 2023 Wisconsin Act 73 (*first and possible second reading of ordinance*). *Motion (Dunwiddie/Harvey) to waive the first reading of Ordinance No. 24-05: An Ordinance Creating Section 12.03(14)(b) of the City of Elkhorn Municipal Code Relating to Opting Out of the Extended Closing Hours during the RNC Convention Period as Prescribed by 2023 Wisconsin Act 73. Voice vote, all approved, motion carried. Motion (Dunwiddie/McClory) to approve Ordinance No. 24-05: An Ordinance Creating Section 12.03(14)(b) of the City of Elkhorn Municipal Code Relating to Opting Out of the Extended Closing Hours during the RNC Convention Period as Prescribed by 2023 Wisconsin Act 73. Voice vote, all approved, motion carried.*

Discussion and possible decision regarding directing interim city attorney to draft proposed ordinance amending ATV/UTV ordinance to allow ATVs/UTVs on County roads greater than 35 mph. Discussion took place. *Motion (McClory/Dunwiddie) to table this item indefinitely. Voice vote, all approved, motion carried.*

ADJOURN TO CLOSED SESSION

Closed Session: The Common Council may entertain a motion to go into CLOSED SESSION pursuant to Wisconsin Statutes Section 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Discussion regarding notice of claim from Colin Cheever of 644 Gerard Street and discussion regarding notice of claim from Ed Davis of 645 Gerard Street. *Motion*

(Dunwiddie/McClory) to adjourn to closed session. Roll call vote: Dunwiddie, yes; McClory, yes; Meinel, yes; Harkness, yes; Payson Jr., yes; Harvey, yes. Motion carried. Adjourned to closed session at 6:20 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 6:34 p.m. The Common Council shall RECONVENE INTO OPEN SESSION reserving the right to take action on the matters discussed in CLOSED SESSION and to move to the remaining meeting agenda(s) as posted. Discussion and possible decision regarding notice of claim from Colin Cheever of 644 Gerard Street and notice of claim from Ed Davis of 645 Gerard Street. *Motion (McClory/Dunwiddie) to deny both claims. Voice vote, all approved, motion carried.*

ADJOURN

Motion (McClory/Dunwiddie) to adjourn at 6:35 p.m. Voice vote, all approved, motion carried.

Lacey L. Reynolds

City Clerk

Approved 06.17.24