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**CITY OF ELKHORN**  
**COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121**

**COMMON COUNCIL MEETING**  
**OCTOBER 17, 2007**

Mayor John Giese called the Common Council to order at 7:00 p.m. in the Council Chambers followed by the Pledge of Allegiance, followed by Roll Call.

**ROLL CALL**

Present: Mayor John Giese; Scott McClory, Gary Payson Sr., Howie Reynolds, Julie Taylor, Charles Van Dyke

Absent: Alderman Ronald Dunwiddie

Also present: City Administrator Sam Tapson, City Clerk Nancy Jacobson, City Attorney Ward Phillips, Police Chief Joel Christensen, Public Works Director Terry Weter, City Engineer Gary Welsh, Water Utility Engineer Doug Snyder

Others present: David Cole, Maureen Mayrand, Elkhorn Independent; Robert Gould, 107 Rainbow, Willow Run; Bill Korsi, Unit 100, W4945 County Road ES, Willow Run; Vern Beddome, 14385 Cedar Trail, New Berlin; Betty Ulbert, Unit 365, W4945 County Road ES, Willow Run; Patricia Triggs, Unit 139, W4945 County Road ES, Willow Run; Ralph Schlicht, Unit 181, W4945 County Road ES, Willow Run, Gerald Kuehl Sr., Unit 159, W4945 County Road ES, Willow Run

**CONSENT AGENDA**

Motion (Van Dyke/Reynolds) to approve the following items on the Consent Agenda: Minutes of October 1, 2007, Council Meeting; Bartender Operator's Licenses to expire June 30, 2009, for Renee S. Yardley, Iga Kasprzycka, Jenny L. Chamboullides; Temporary Class "B"/ "Class B" Retailers License to Elkhorn Area Chamber of Commerce for Elkhorn's Octoberfest Celebration October 20, 2007. Motion carried by the majority present.

**REPORTS OF CITY OFFICERS**

*Mayor's Report*

City Attorney Phillips read a Proclamation presented by Mayor Giese making October the Month of the Young Adolescence.

**ACTION TAKEN**

*City and Utility Bills*

Motion (Van Dyke/McClory) to approve the City and Utility Bills for \$2,667,257.94 (Check #66140 through #66330). Roll call vote; McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

*Digital Recording Equipment*

Motion (Reynolds/Van Dyke) to approve the purchase of digital recording equipment to be implemented for custodial interviews from Cameral Corner for \$7,999.96. Roll call vote: McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***City Hall Lower Level Conference Room Repairs***

Motion (Reynolds/Van Dyke) to hire Nelson Enterprises Building and Remodeling to repair City Hall's Lower Level Conference Room wall for \$1,200. Roll call vote: McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Willow Run Water Supply***

Motion (Reynolds/Van Dyke) to permit staff and legal counsel to pursue an agreement to effect the sale of City water service to Willow Run Development contingent upon the agreement providing absolute immunity to the City from claims by Willow Run for the provided services and that all impact fees would be paid. Roll call vote: McClory, yes; Payson, no; Reynolds, yes; Van Dyke, yes; Taylor, no. Motion carried.

Public Works Director Weter stated in a memorandum, which was sent originally to Municipal Services for consideration of Willow Run's request for water due to issues with their present well, that on the operational side, the water could be sold wholesale to Willow Run.

One meter would be used for all residents of Willow Run. Willow Run would be responsible for the cost of construction, design, review and engineering. This would include the meter. It was estimated that the cost of the project would be about \$150,000. If the water is sold wholesale, an impact fee would be imposed. The approximate amount would be \$224,000. The fees would not be waived, City Administrator Tapson said.

The monthly meter charge would be \$243 plus \$84.30 for the private fire protection rate.

Water Utility Engineer Snyder reported to Council that allowing the connection would be a "win-win" situation. However, he said there would be some problems at the beginning. He said water quality in the park is different than the City's water. The City's water will clean Willow Run's water in the first couple of months. The flushing process will loosen rust and sediment. Mayor Giese asked about the residents who are not there during the winter. Snyder said they would have to have their service cleaned. The City will have no responsibility for what occurs beyond the meter.

William Korsi, Willow Run representative, said the Willow Run Association is comfortable with the City system and has some funds available. They were hoping that it would come in at about \$348,000. Korsi said there are grants available, but they could only be done through the City and asked for the City's help. He said many residents are elderly and cannot afford a large assessment. The timeline imposed by the DNR on removing through treatment the arsenic from the wells or abandoning the wells and seeking other sources, such as the City's water is October 2008. The Association does not want to be in the well business and prefers buying water.

Korsi said at this time the Association bylaws require 100% approval to borrow money for such a project. City Attorney Phillips asked if they are revamping the bylaws. Korsi said it takes 100% to change the bylaws, but it is being worked on with the hopes of changing it to 67%.

Mayor Giese expressed his concern that it would open up the City to a request for sewer and annexation. He said annexation of that area is not in the land use plan for the City. Alderman Payson said he didn't think it was wise to supply water. Alderman Taylor expressed concerns over the affect it would have on the water supply in general.

***Elkhorn West Drainage***

City Engineer Welsh reported that he received two proposals concerning improvements to the drainage in Elkhorn West. Staff will be meeting with the developer to see if the City can get some assistance on the project. The agenda item will be placed on Municipal Services Committee to determine how the project will be paid. City Engineer Welsh said the project will only take a few days to complete

***CSM: N. Church Street & W. Hidden Trail***

Motion (Taylor/Reynolds) to approve the Certified Survey Map for Tax Key No. YUWN00244 to increase the site size of the Hampton Inn to allow for parking in the rear of the building. Motion carried by the majority present.

***Downtown Historic District Façade Grant Approval***

Motion (Taylor/Reynolds) to approve a Downtown Historic District Façade Grant for Dan Ward, Ward Properties LTD, to improve the façade of the Nickel Plate Hotel building located at 25-29 S. Wisconsin Street. Roll call vote: McClory, yes; Payson, yes; Reynolds, yes; Van Dyke, yes; Taylor, yes. Motion carried.

***Ordinance No. 07-14: To Amend the Elkhorn Municipal Code at Chapter 17 Regarding Historic Preservation Commission***

The First Reading was held for Ordinance No. 07-14 amending Chapter 17 Zoning at Article 17.11 Historic Preservation Commission. In discussion, Alderman Taylor said the ordinance relaxes the requirements for membership in an attempt to fill vacancies, adding definitions and removing a section concerning Commission giving assistance to people selling their historic homes.

***Police Department Design Services: Selection of Consultant***

No action was taken. City Administrator Tapson said the ad hoc committee interviewed architects and has chosen a company. Contract documents, scope of service and pricing will be presented in November. Tapson said a Phase 1 environmental study will need to be done to the selected site.

**WORKSHOP – 2008 BUDGET**

City Administrator Tapson presented an overview of the 2008 Budget. He emphasized that the State still hasn't passed its budget which may affect the City's budget. The City has been notified of a decline in General Transportation causing a \$37,000 shortfall in the proposed budget. He has taken into account losing expenditure restraints and developer related revenues are declining. The proposed budget is \$3,052,71. He has imbedded adjustments in utility rates. Solid waste will go up \$2.20 per home per month. The increase will allow for operating funds. Street maintenance has been reassigned to the capital fund and debt service.

Staffing cuts were made in the 1980s. Little has changed since then. The budget proposes an increase of 1 ½ full time people in the electric department and 1 person in finance. Instead of 2000 utility accounts, the City has 4,500 which causes stress on both the electric and finance departments.

In conclusion, Tapson asked Council to look beyond 2008 and 2009 when there may be a need to consider alternative revenue streams outside of the property tax. In the future, the City may not be able to afford some services.

Mayor Giese asked Tapson to provide a cost analysis of the increases in utilities specific to an individual so that residents can understand the impact on their homes.

**ADJOURNMENT**

Motion (Van Dyke/Reynolds) to adjourn at 8:35 p.m. Motion carried by the majority present.

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Nancy B. Jacobson  
City Clerk