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**COMMON COUNCIL MEETING**  
**March 15, 2010**  
**CITY OF ELKHORN**  
**COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121**

The Common Council meeting was called to order at 6:00 p.m. in the Council Chambers followed by the Pledge of Allegiance, followed by Roll Call.

**ROLL CALL**

Present: Mayor John Giese, Aldermen Ronald Dunwiddie, Scott McClory, Howie Reynolds, Julie Taylor, Kim DeHaan

Absent: Aldermen Gerald Norton

Others present: City Administrator Sam Tapson, City Attorney Ward Phillips, DPW Director Terry Weter, Police Chief Joel Christenson, City Clerk Darlene Igl, James Boardman, Sr., Captain Pat Slattery, City Engineer Gary Welsh.

**CONSENT AGENDA**

Motion (McClory/Dunwiddie) to approve the minutes of the March 1, 2010 Common Council meeting and Bartender Operator's Licenses for Zach Wuttke, Krystle Dudin, Theresa Holtz, Jacqueline O'Neill. Motion carried.

**BILLS PAYABLE**

Motion (Reynolds/Taylor) to approve the City and Utility Bills in the amount of \$3,947,256.08. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

**REPORT OF CITY OFFICERS**

***City Administrator's Report***

Administrator Tapson requested authorization from Council to file a formal letter of request with the Department of Commerce to expand the Getzen/EMF Brownfield site to incorporate both the "201" property and the City owned alley. Motion (Dunwiddie/Reynolds) to authorize Administrator Tapson to file the request with the Department of Commerce.

**COMMITTEE REPORTS**

***Finance & Judicial Committee***

Alderman Taylor stated that the Library had requested the City reimburse 50% of the cost for repairs made to the sewer line and the Committee recommended approval. Motion (Taylor/McClory) to amend the 2010 budget by \$4,266.05 for 50% of the sewer repair cost. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried. Motion (Taylor/DeHaan) to reimburse the library in the amount of \$4,266.05. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Alderman Taylor reported that the Committee had recommended authorization to engage the services of an appraiser related to the acquisition of a suitable site for the Centralia Water Plant not to exceed \$300. Motion (Taylor/DeHaan) to authorize an appraisal be conducted not to

exceed \$300. Motion carried. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Alderman Taylor stated that RFP's had been requested for the Community Center cleaning contract with two responses received. It was recommended that the City pay for 50% of the cost of cleaning the lobby and restrooms at the Library. Motion (Taylor/McClory) to amend the 2010 budget in the amount of \$2,160. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried. Motion (Taylor/Reynolds) to approve of the City sharing in the cost of cleaning the lobby and restrooms. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Alderman Taylor stated that the Committee reviewed and recommended a proposal for the purchase of new public safety software from ProPhoenix which was included in the 2010 budget. The software which includes a multi-jurisdictional component which allows users to share information was purchased by the Walworth County Sheriff's Department. Motion (Taylor/Dunwiddie) to authorize a "Sole Source Purchase" from ProPhoenix for public safety software in the amount of \$84,009. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, yes. Motion carried.

Alderman Taylor stated that the warranty and maintenance agreements for the squad digital video system in the Police Department had expired in April of 2008. The vendor states that extended maintenance agreements must be continuous from the end of the initial one year warranty period and that any breaks in extended maintenance require the purchase of an agreement for all years without a maintenance agreement in place. The Committee recommended approval to Council of the warranty and maintenance agreement with L3 Communications in the amount of \$6,740. After discussion, motion (Reynolds/Taylor) to enter into a warranty and maintenance agreement with L3 Communications and adjust the budget by \$6,740 for this cost. Roll call vote: Dunwiddie, yes; McClory, yes; Reynolds, yes; Taylor, yes; DeHaan, no. Motion carried.

Alderman Taylor reported that the Committee had reviewed a listing of receivables deemed uncollectible. The recommendation of Committee was to write off the listing with the exception of a utility billing in the amount of \$854.91 and a property damage of \$2,292.31. Motion (Taylor/DeHaan) to write off uncollectible receivables in the amount of \$2,618.87. Motion carried.

### ***Public Safety***

Alderman McClory stated that a draft of the Elhorn Area Fire Protection Agreement revision was presented for review. It is anticipated that the revised agreement will be presented to Council in May.

Alderman McClory reported that information and signage for the Crime Stoppers program was presented. The Committee recommended that the signage be permitted at arterial roadway locations as well as the industrial park locations. Motion (McClory/Taylor) to allow the Crime Stoppers signage to be placed as recommended by Committee. Motion carried.

### ***Legislative & Regulatory***

Alderman Taylor stated that language allowing for election inspectors to work in shifts had been reviewed and was recommended to Council for approval. The first reading for this ordinance appears later in the agenda.

## **BOARDS/COMMISSIONS**

### ***Plan Commission***

Alderman Taylor reported that the Plan Commission had recommended for approval a conditional use permit for Heritage Auto, 502 Nathan Lane. She stated that additional language excluding general auto repairs will be added as a condition. Motion (Taylor/Dunwiddie) to approve CUP 10-02 for Heritage Auto. Alderman DeHaan voiced concerns regarding hazardous waste and whether guidelines were in place that would apply to this use. She also stated that she is concerned with junk cars being stored in the parking lot of the business. After discussion, motion and second were withdrawn. It was agreed by Council to send the conditional use permit for Heritage Auto back to the Plan Commission for further review.

## **NEW BUSINESS**

### ***Ordinance No. 10-05: An Ordinance To Amend The Municipal Code To Allow Election Inspectors To Work In Shifts***

First reading of Ordinance No. 10-05.

### ***Ordinance No. 10-06: An Ordinance To Rezone Certain Property Settlers Ridge – Hazel Ridge Road***

First reading of Ordinance No. 10-06.

### ***Ordinance No. 10-07: An Ordinance To Amend The Elkhorn Municipal Code At Chapter 17 Titled “Zone” Creating “T-1, Transition District”***

First reading of Ordinance No. 10-07.

## **PUBLIC COMMENT**

No public comments were made.

## **ADJOURN**

Motion (Dunwiddie/DeHaan) to adjourn at 6:42 p.m.

Darlene Igl  
City Clerk