
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
February 5, 2018
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.

ROLL CALL

Present: Mayor Howie Reynolds, Aldermen Tim Shiroda, Bruce Lechner, Scott McClory, Tom Myrin, Junior Council Members Nathan Chapman and Cade Fink; Absent: Cathy Bensaid

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Chief Joel Christensen, Utility Director John Murphy, DPW Manager Matthew Lindstrom, Fire Chief Rod Smith, Library Director Lisa Selje, City Engineer Greg Calhoun, Michael Kluck, Frank Boggs, Charlie Getka

PUBLIC COMMENT

None.

CONSENT AGENDA

Motion (McClory/Myrin) to approve the Regular and Closed Session Minutes of January 15, 2018 Council Meeting, Committee of the Whole Minutes for January 22, 2018, Walworth County Agricultural Society Temporary Class B Beer Licenses for Fairgrounds for: Back in Black Dance on February 9, 2018 from 6-10:30 p.m., Kashmir Dance on February 17, 2018 from 6-10:30 p.m., Strutter Dance on March 3, 2018 from 6-10:30 p.m., and Ribfest on July 12 – 15, 2018 from 11 a.m. to 11 p.m.. Voice vote, all approved, motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Recognition of Former Alderman Michael Kluck

Mayor Reynolds presented a plaque to Michael Kluck and thanked him for his service as alderman.

Consider Candidates for Appointment to District II Alderman

Charlie Getka and Frank Boggs provided letters of interest for the alderman position. Each candidate spoke about himself and answered questions from the Council. Mayor Reynolds asked each alderman to write down his first and second choice for alderman on a piece of paper. Clerk Virrueta tallied the votes. Mayor Reynolds confirmed the tally and said Frank Boggs had the most first choices. Attorney Phillips gave Boggs his Oath of Office for Alderman of District II.

Alderman McClory suggested that Charlie Getka serve on the Board of Review. ***Motion (McClory/Lechner) to appoint Charlie Getka to the Board of Review. Voice vote, all approved, motion carried.***

Mayor Reynolds recommended Bruce Lechner as Chairman of MSU. ***Motion (McClory/Shiroda) to appoint Bruce Lechner as Chairman of the Municipal Services & Utilities Board. Voice vote, all approved, motion carried.***

City Administrator's Report

DPW Building Project

Administrator Tapson said he would like to put Kueny on the next Council meeting at the top of the agenda and start the Council meeting at 5 p.m. The Council agreed to this. He said the plan is to have final specs and bids out by April 3.

COMMITTEE REPORTS

Financial and Judicial

Recommendation to Purchase Police Department Squad Car from Tom Peck Ford

Motion (McClory/Myrin) to approve Tom Peck Ford at \$29,555.58 for purchase of the new Police Department squad car. Roll call vote: McClory, yes; Lechner, yes; Shiroda, yes; Myrin, yes; Boggs, yes; Junior Council Members advisory vote: Chapman, yes; Fink, yes. Motion carried.

Discussion Regarding ADA Assessment/Transition Plan for City

Alderman McClory said this is necessary for the City to do. No one in the City is fully qualified or has the time to devote to doing it. The cost is expected to be \$15,000-30,000 or it could be less. **Motion (McClory/Shiroda) for staff to obtain proposals for a firm to do an ADA Assessment for the City. Voice vote, all approved, motion carried.**

Recommendation to Approve MML Operating Agreement with City

This is under New Business.

Municipal Services and Utilities

Discussion Regarding Sidewalk Management Program

Alderman Lechner said the program is in place, but it needs updating. Staff will work on updating the plan and providing a revised sidewalk inventory.

Discussion Regarding Sewer Lateral Inspection/Rehabilitation Program

This program hasn't been followed due to the cost; however the committee wanted it reexamined as it felt the City needed to maintain its infrastructure. A new option, that lines laterals rather than digging up yards to replace them, costs less and may be better received by residents. The committee asked staff to continue forward with this program.

Public Safety

Updates to Police Department Policy

This is under New Business.

Legislative and Regulatory

Consider New Application for Class B Fermented Malt Beverage/Class C Wine Licenses for Firefly Art Glass, LLC, 39 N. Wisconsin St.

Alderman Lechner said according to the zoning code this business would not be eligible. Staff will look at the options available and provide an update to the zoning code as the committee supported providing the license.

Recommendation to Update City Ordinance on Temporary Class B Beer/Wine Permitting's 30 Day Deadline

The committee recommended changing the wording. This is under New Business.

Recommendation to Remove Chapter 12.08 Titled Taxicabs from City Ordinances

The committee recommended removing Chapter 12.08. This is under New Business.

Recommendation to Approve Complaint and Proceed with Revoking Class B Combination Alcohol License Issued to Plaids, LLC on July 1, 2017

The business hasn't opened since the license was issued July 1, 2017 and the committee recommended proceeding with revocation. **Motion (Lechner/Shiroda) to approve complaint and proceed with revoking the Class B Combination Alcohol License issued to Plaids, LLC on July 1, 2017. Voice vote, all approved, motion carried.**

UNFINISHED BUSINESS

Resolution No. 18-01 A Resolution to Discontinue a Portion of Tasch Drive

Motion (Myrin/McClory) to approve Resolution No. 18-01. Voice vote, all approved, motion carried.

Ordinance No. 17-16: An Ordinance To Rezone Certain Properties as Mixed-Use Planned Unit Development (Second Reading)

Motion (Shiroda/Lechner) to approve Ordinance No. 17-16. Voice vote, all approved, motion carried.

NEW BUSINESS

E&M Subdivision Preliminary Plat: Discussion and Possible Approval

Mayor Reynolds said the Plan Commission approved the preliminary plat for the E&M Subdivision. He said it will come back if there are any major changes. ***Motion (McClory/Shiroda) to approve the preliminary plat for E&M Subdivision. Voice vote, all approved, motion carried.***

Intra-Agency Agreement: City of Elkhorn and Matheson Memorial Library Board

Alderman McClory said it covers expenses and other items discussed. It met with the MML Board's approval. ***Motion (McClory/Lechner) to approve the agreement with the MML Board. Roll call vote: McClory, yes; Lechner, yes; Shiroda, yes; Myrin, yes; Boggs, yes; Junior Council Members advisory vote: Chapman, yes; Fink, yes. Motion carried.***

Resolution No. 18-04 A Resolution Amending the Elkhorn Police Department Policy

Motion (Lechner/McClory) to approve Resolution No. 18-04. Voice vote, all approved, motion carried.

Ordinance No. 18-02 An Ordinance to Repeal and Replace Section 14.04, Section 14.05, and to Create Section 14.06 of the Elkhorn Municipal Code Relating to the Control of Construction Site Erosion and Sedimentation Resulting from Land Disturbing Construction Activities (First Reading)

Administrator Tapson asked the Council to waive the reading and pass the ordinance as it is time sensitive. City Engineer Calhoun said this is part of the MS4 permitting process. It modifies the existing ordinance and adds a section. It makes all municipalities' ordinances uniform. ***Motion (Shiroda/Lechner) to waive the second reading. Voice vote, all approved, motion carried. Motion (McClory/Shiroda) to approve Ordinance No. 18-02. Voice vote, all approved, motion carried.***

Ordinance No. 18-03 An Ordinance to Amend the Elkhorn Municipal Code at Section 12.03 Titled Alcohol Beverages (First Reading)

Motion (Lechner/Myrin) to waive the second reading. Voice vote, all approved, motion carried. Motion (Lechner/Myrin) to approve Ordinance No. 18-03. Voice vote, all approved, motion carried.

Ordinance No. 18-04 An Ordinance to Amend the Elkhorn Municipal Code at Section 12.08 Titled Taxicabs (First Reading)

Motion (Lechner/Shiroda) to waive the second reading. Voice vote, all approved, motion carried.

Administrator Tapson asked why the City would remove the regulation of taxicabs. Police Chief Christensen said it is no longer needed with Vocational Industries, Uber, Lyft and other organizations providing services. Mayor Reynolds said it made sense. ***Motion (Lechner/Myrin) to approve Ordinance No. 18-04. Voice vote, all approved, motion carried.***

Task Order #10: Kapur Civil Engineering Services for Library Parking Lot Improvements

City Engineer Calhoun said this is for the library parking lot work. He would also like to bid it with the streets ASAP to get a good price. The layout is the same. It fixes the bowl and reconfigures the layout with a mill and overlay. The cost is \$18,112. Junior Council Member Fink asked when work was planned to be done; Engineer Calhoun said it will avoid June and July when use is heaviest. ***Motion (Shiroda/Lechner) to approve Task Order #10 with Kapur in the amount of \$18,112. Roll call vote: McClory, yes; Lechner, yes; Shiroda, yes; Myrin, yes; Boggs, yes; Junior Council Members advisory vote: Chapman, yes; Fink, yes. Motion carried.***

ADJOURN TO CLOSED SESSION

Motion (Lechner/Kluck) to adjourn to closed session pursuant to §19.85(1)(c) “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercise responsibility” regarding the City Administrator Annual Review. Voice vote, all approved, motion carried. Adjourned to closed session at 6:10 p.m.

RECONVENE IN OPEN SESSION

Reconvened in open session at 6:30 p.m.

City Administrator Pay Increase

Motion (McClory/Shiroda) to give Administrator Sam Tapson a pay increase of 1.5% Roll call vote: Shiroda, yes; Lechner, yes; McClory, yes; Myrin, no; Boggs, abstain. Motion carried.

ADJOURN

Motion (Shiroda/McClory) to adjourn at 6:32 p.m. Voice vote, all approved, motion carried.

Cairie L. Virrueta
City Clerk

Approved 02/19/18