
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
February 18, 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, Frank Boggs, Bruce Lechner, Cathy Bensaid, Scott McClory, Tom Myrin, Junior Council Members Nathan Chapman and Cade Fink

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, Rec Director Wendy Meyer, Attorney John McDonell, Vito and Leann Cali, Phil Zwieg, Karel Young, Jon Wallenkamp, other interested persons.

PRESENTATION FROM KUENY ARCHITECTS REGARDING PUBLIC WORKS BUILDING

Jon Wallenkamp from Kueny presented a site plan for the building. It utilizes the existing storage building, but with new steel. There is a customer drop-off site outside the fenced-in area with gates to it. There is an impound area. The West property line has a retention pond. The interior of the building includes a repair and wash bay. The square footage of the tool room is 300 square feet based on a list staff put together of assets and where they all go. The building will be precast concrete architectural tilt panels that are load bearing. A future crane bay is included in the repair bay. The size of the salt shed is 60x80. DPW Manager Lindstrom said plans for Getzen Street were being looked at after the building was completed. Alderman McClory was concerned that if the gate for the drop-off area was left open the City would be getting items not allowed for drop-off. Options are being considered for securing the drop-off area. Mellencamp said construction drawings would be ready in three weeks and he continues to meet with the DPW Supervisor and DPW Manager.

HEARING ON INTENT TO REVOKE 2017-18 ALCOHOL BEVERAGE LICENSE FOR PLAID, LLC

Mayor Reynolds asked the Cali's if they were prepared to start the hearing early; they were. Mayor Reynolds opened the hearing at 5:17 p.m. Attorney John McDonell sat in as the City's legal counsel. City Clerk Virrueta provided testimony on behalf of the City. Plaid LLC applied for a Class B Combination License in March of 2017 and was issued the license, effective July 1, 2017. According to Elkhorn Municipal Code they had 180 days from the granting of the license to open for business. As of December 14, 2017 no evidence was seen that it had opened and she sent a courtesy letter informing them of this. The City received a complaint at the February 5 Council Meeting and a Summons was delivered by Elkhorn Police Officer Jane Martin and received by Leann Cali. The aldermen and license holder had no questions. Phillip Zwieg provided testimony on behalf of Plaid LLC. He spoke saying the restaurant planned to open within 1-2 months, or March 19. He said a lot of repairs were needed and it took a while to fix them. He said they had a private party at the restaurant on December 23, 2017. Alderman McClory asked Attorney McDonell if a private party would be considered open for business. Attorney McDonell said it is up to the aldermen to determine. Alderman McClory asked the Cali's if they received the summons? Leann Cali said yes. City Clerk Virrueta asked if the private party had City of Elkhorn bartenders at the event; Zwieg said there were several including the Chef. **Motion (McClory/Myrin) to not revoke the license for Plaid, LLC.** Attorney McDonell reminded the Council that according to City ordinance the business then couldn't close for longer than 90 days once it opened. Since the Council considered the business open as of December 23, the 90 day closing violation date was approaching. Zwieg said they planned to have private parties before the target opening date of March 19. Alderman Myrin said there were some questions in the beginning when considering the license and asked if the Police Chief or City Clerk had any concerns; no they did not. **Roll call vote: McClory, yes; Myrin, yes; Shiroda, yes; Boggs, yes; Lechner, yes; Bensaid, yes; advisory votes: Chapman, yes; Fink, yes. Motion carried.** Mayor Reynolds closed the hearing.

PUBLIC COMMENT

Robert Regnier of 513 Westlawn said he felt the street needed sidewalks. He said he watched a bus drop off kids at the corner of Westlawn and Edgewood and because there were no sidewalks kids walked in the middle of the street or down the sides of the streets. He said it was a dangerous situation. He said sidewalks should be added to at least one side of the street, if not both.

COUNCIL MINUTES

Motion (Lechner/McClory) to approve the minutes of the February 5, 2018 Common Council meeting. Voice vote, all approved, motion carried.

BILLS PAYABLE

Motion (McClory/Lechner) to approve the City and Utility Bills in the amount of \$5,082,916.08 (Check number 155776-156018). Roll call vote: Boggs, yes; Shiroda, yes; Bensaid, yes; Lechner, yes; McClory, yes; Myrin, yes; advisory votes: Chapman, yes; Fink, yes. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Recommendation to Appoint Lisa Heilman to the Board of Review

Mayor Reynolds said one position was open for the Board of Review and he recommended Lisa Heilman.

Motion (Lechner/Myrin) to appoint Lisa Heilman to the Board of Review. Voice vote, all approved, motion carried.

City Administrator's Report

No report

LIAISON REPORTS

Historic Preservation – no report

Fire Advisory Board – no report

Library Board – the library is showing Oscar nominated movies; Memory Café meets on the 4th Tuesdays, AARP is doing taxes for free

Chamber – the Chamber will have an Open House for the Mark Meyer's Loves Development on March 5

Recreation Advisory Board – mass registration for baseball is on Wednesday

COMMITTEE REPORTS

Committee of the Whole

Discussion of Fire/EMS Future Staffing

Mayor Reynolds said, after discussion, it was decided to send this to the Public Safety Committee. He said some tough decisions may need to be made. Administrator Tapson said a date needed to be selected to start meeting; Alderman Lechner said to meet with Fire Chief Smith to find the best dates.

Babe Mann Park: Recommendation to not engage plans

After discussion and consideration of the other projects the City is planning to undertake, it was recommended to not engage plans for Babe Mann at this time. ***Motion (Lechner/Bensaid) to not engage plans for Babe Mann Park. Voice vote, all approved, motion carried.***

Westlawn Sidewalks: Recommendation to eliminate sidewalks from reconstruction project

Alderman Myrin said the City needed to explore options for sidewalks on Westlawn. City Engineer Calhoun said they were originally in the plans, so it can be done. He said it may create some

inconvenience for homeowners, but safety was needed. Administrator Tapson reminded the Council that the right-of-way is the City's property. The Council wanted this topic to go to the next MSU meeting for continued discussion. Alderman Shiroda asked if sidewalks on Edgewood also need to be considered. Alderman McClory wanted to see costs to put a sidewalk on one side of the street and on both sides of the street.

ADJOURN

Motion (McClory/Bensaid) to adjourn at 5:46 p.m. Voice vote, all approved, motion carried.

Cairie L. Virrueta
City Clerk

Approved 03/05/18