
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
May 7, 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, Karel Young, 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, other interested persons

PUBLIC COMMENT

Jeffrey Erikson supported Wisconsin Vision at the former Sentry Store; he read the memo he sent to the council via email. Patricia Kenney, owner of the building, said retail in that area is dead and dying and she doesn't think she will find a retail buyer as the building needs many costly updates. It has been on the market for 17 months with no interest. She said the new business is good for the City as it will bring in new taxes. She also provided a memo via email to the Council. Gary Dunham discussed absorption rates and he says the numbers say the area will not retail based on his research. Mike Reader supports the business at that location as the character of the owners is good. Jonathan Adams of Adams Electric said this is a high caliber, philanthropic company that will be good for the community. They use excellent architects whose design and integrity is high. He said the family has integrity. Bob Milling of Cycles Plus urged the council to approve Wisconsin Vision. He said their building has been for sale for three years and no companies have been interested. If it isn't approved, it could end up an empty building. Christopher Faith of Wisconsin Vision said if the City doesn't want them, he doesn't want to be here. He said his company has struggled to find labor as they have many job openings. His company likes to take care of their employees. He said he heard concerns about the parking lot being empty but the parking lot will be filled and they will put in landscaping. He said the warehouse will be retail focused and they will not be a third shift.

CONSENT AGENDA

Motion (Lechner/Shiroda) to approve the minutes of the April 16, April 17 and April 30, 2018 Common Council meetings. Voice vote, all approved, motion carried.

BILLS PAYABLE

Motion (Myrin/Shiroda) to approve the City and Utility Bills in the amount of \$1 (Check number). Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, yes; advisory votes: Chapman, yes; Fink, yes. Motion carried.

REPORT OF CITY OFFICERS

Mayor's Report

Mayor Reynolds presented Certificates of Appreciation to Junior Council Members Nathan Chapman and Cade Fink. He read a proclamation recognizing May 20, 2018 as Hope Now, Inc. Day.

City Administrator's Report

Phil Cosson from Ehlers explained the two borrowings for the City. He said June 4 is the date for the bids with a June 21 closing date. He said the borrowings include the rest of the DPW facility and infrastructure for TID 4. He said a five year window was used to look at what the City's needs are. He said in the future and long range the City's tax rate for debt significantly drops. The resolutions for the borrowing are under new business.

COMMITTEE REPORTS

Legislative and Regulatory

New Class "B" Fermented Malt Beverage/"Class B" Liquor License Application from New Moy's Inc., 3 N. Wisconsin Street, Frank Ming-Chang Lee, Agent

Alderman Lechner said staff reviewed the application and it all checked out and is good to go. ***Motion (Lechner/Boggs) to approve the Class "B" Fermented Malt Beverage/"Class B" Liquor License Application from New Moy's Inc. Voice vote, all approved, motion carried.***

PLAN COMMISSION

Consideration and Possible Actions on Recommendations for Wisconsin Vision Associates regarding Rezoning and Conditional Use Permit

Mayor Reynolds said the vote at the Plan Commission was 4 to 3, opposed to the project. Alderman McClory wanted to know why they voted the way they did. Mayor Reynolds said he was excited about the project but not the zoning change. Administrator Tapson the rezone to B-5 doesn't fit the definition for access to an interstate. He said the Plan Commission approved the rezone 3-1 at a meeting two weeks ago (three members were missing), but the Conditional Use Permit failed at the meeting last week with a vote of 4-3. He said a warehouse is not listed as a use in B-5 and it would need a conditional use. Alderman Myrin said he voted no at the Plan Commission meeting but is reconsidering his vote because of what the business would bring to the City. He said it is not the typical warehouse company as they bring a lot of good and are engaged in the community. He was concerned with the number of jobs they would bring but if they employed similar to the Burlington location it would be better. He suggested deferring the vote for the next council meeting so the Council could take more time to consider their vote. Alderman Lechner said he heard a lot of good things about the company and the building is still sitting empty. If someone is willing to send the money and redo it, he felt it was good for the City. Alderman Shiroda said the business is a good one, but he had concerns with the location. He said the business wouldn't generate employees or a tax base. He said the City has a 2040 plan and it doesn't fit the plan. He said they needed to follow their plan. Alderman McClory said policies are guidelines, not hard and fast rules. He felt it would be best to wait to vote. He struggled leaving the building vacant and it becoming blighted and was leaning towards giving the conditional use. He would like to know how many deliveries will be made per day and the types of vehicles. ***Motion (Lechner/Myrin) to table the vote for two weeks. Voice vote, all approved, motion carried.*** Council was instructed to send their questions to Administrator Tapson by Wednesday and he can forward them to Jeff. The aldermen would also like to see their operations plan. Alderman McClory will not be at the Council meeting May 21st. ***Motion (Lechner/Myrin) to rescind the revote for two weeks and make it four weeks. Voice vote, all approved, motion carried.***

NEW BUSINESS

Ordinance No. 18-08: An Ordinance to Rezone Part of a Property Located at 801 N. Wisconsin St. (First Reading).

Tabled.

Conditional Use Permit No. 18-01: Wisconsin Vision Associates – 801 N. Wisconsin St.

Tabled.

Resolution No. 18-08: Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$3,840,000 for a Building for the Housing of Machinery and Equipment

Motion (McClory/Myrin) to approve Resolution No. 18-08. Roll call vote: Shiroda, yes; Boggs, yes; Lechner, yes; McClory, yes; Myrin, yes; Young, yes; Advisory votes: Chapman, yes; Fink, yes. Motion carried.

Resolution No. 18-09: Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$5,975,000 for Community Development Projects in Tax Incremental District No. 4

Motion (Myrin/Lechner) to approve Resolution No. 18-09. Roll call vote: Shiroda, yes; Boggs, yes; Lechner, yes; McClory, yes; Myrin, yes; Young, yes; Advisory votes: Chapman, yes; Fink, yes. Motion carried.

Resolution No. 18-10: Resolution Providing for the Sale of Not to Exceed \$6,155,000 General Obligation Corporate Purpose Bonds, Series 2018A

Motion (Myrin/Boggs) to approve Resolution No. 18-10. Roll call vote: Shiroda, yes; Boggs, yes; Lechner, yes; McClory, yes; Myrin, yes; Young, yes; Advisory votes: Chapman, yes; Fink, yes. Motion carried.

Resolution No. 18-11: Resolution Providing for the Sale of Not to Exceed \$3,660,000 Taxable General Obligation Community Development Bonds, Series 2018B

Motion (McClory/Boggs) to approve Resolution No. 18-11. Roll call vote: Shiroda, yes; Boggs, yes; Lechner, yes; McClory, yes; Myrin, yes; Young, yes; Advisory votes: Chapman, yes; Fink, yes. Motion carried.

Resolution No. 18-12: Resolution Directing Publication of Notice to Electors Relating to Bond Issues

Motion (Lechner/Shiroda) to approve Resolution No. 18-12. Roll call vote: Shiroda, yes; Boggs, yes; Lechner, yes; McClory, yes; Myrin, yes; Young, yes; Advisory votes: Chapman, yes; Fink, yes. Motion carried.

ADJOURN

Administrator Tapson encouraged the Council members to attend the Plan Commission meeting on June 7. He said Teska will be at the meeting to discuss ACT 67 and conditional use permits. The meeting is at 6 p.m. ***Motion (Lechner/Boggs) to adjourn at 6:30 p.m. Voice vote, all approved, motion carried.***

Cairie L. Virrueta
City Clerk

Approved 05/21/18