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**CITY OF ELKHORN COMMON COUNCIL  
MEETING MINUTES  
June 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, Karel Young, Scott McClory, Tom Myrin

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, Kellen Olfsheski, other interested persons

**PUBLIC COMMENT**

Resident Robin Taylor presented a petition with over 100 signatures to the council asking not to increase the density for the Copper Square apartments.

**COUNCIL MINUTES**

*Motion (Lechner/Boggs) to approve the minutes of the June 4, 2018 Common Council meeting. Voice vote, all approved, motion carried.*

**BILLS PAYABLE**

*Motion (McClory/Shiroda) to approve the City and Utility Bills in the amount of \$2,088,237.86 (Check numbers 156705-156884). Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.*

**REPORT OF CITY OFFICERS**

**Mayor's Report**

Mayor Reynolds presented a plaque to Police Captain Jon Anzalone who will be retiring after 20 years with the City. He will be working for the school district. Mayor Reynolds also presented a plaque to Jeff Halpin, owner of Annie's Burger Town. He congratulated Annie's on 50 years in business with Jeff owning the business for 25 of those years.

**City Administrator's Report**

**Request to Vacate Unimproved Portions of Monroe and Van Buren Streets, in Harrison's Addition Subdivision**

Administrator Tapson said according to state statute the vacation request needs to be introduced to the Council prior to the Public Hearing, which is planned for July 2<sup>nd</sup>.

**Environmental Assessment DPW Facility: RFP Response/Selection Process**

The City received four proposals from qualified organizations. Administrator Tapson wants to use a quality based selection process at the staff level prior to looking at pricing. He will then bring the results back to MSU for consideration.

**LIAISON REPORTS**

Fire Advisory Board – no report

Library Board – Alderman Shiroda listed events happening at the library, including outdoor programs in the newly updated garden

Chamber – no report

Recreation Advisory Board – the board didn't meet, however, Alderman Boggs presented a report from the Director; a survey will be sent out this week for feedback on Babe Mann Park improvements

## **COMMITTEE REPORTS**

### **Financial and Judicial**

#### **Inclusion of Emergency Vehicle Pre-emption system on STH 67 Improvement Project**

Alderman McClory said the committee is waiting on bids to come back before taking action.

#### **Recommendation to Give the Town of Delavan \$1,000 for the Pellet Treatment Program for Mound Road Ponds and Inlet**

Several municipalities feed into the lake and all have contributed some funds. The City is part of the Delavan Lake watershed. The town is also obtaining a grant and will be paying \$13,000 after receiving the grant and other contributions. ***Motion (McClory/Myrin) to give \$1,000 to the Town of Delavan for the pellet treatment program for Mound Road ponds and inlet. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.***

#### **Recommendation to Accept Proposal with Gerber Life as Reinsurer for Employee Group Health Plan**

Gerber Life, which is slightly higher priced (approximately \$5,000) is not requiring any lasers and is the best overall. Finance Director Heilman said the lack of lasers also make it easier to plan the insurances costs.

***Motion (McClory/Myrin) to go with Gerber Life for the group health insurance. Voice vote, all approved, motion carried.*** Administrator Tapson said the window is open through June 30 to receive proposals and a better deal may still come through. ***Motion amended (McClory/Myrin) to add a contingency to accept a better offer should the City receive one. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.***

#### **Recommendation to Engage Ayers Associates to prepare and submit required WDNR Closure Documents for Getzen/Elkhorn Metal Finishers Brownfield Sites**

Alderman McClory said it is costly however the City wants to assure no mistakes are made on the closure.

***Motion (Shiroda/Myrin) to engage Ayers Associates to prepare closure documents at a cost of \$22,400.*** Alderman Shiroda asked if the cost is being paid back by the property owner; Administrator Tapson confirmed this after speaking to them. ***Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.***

#### **Recommendation to Split Cost 50/50 with Fairgrounds for Construction of a Water Tower Access Road**

After discussion the committee recommended splitting the cost of the road and having the City create an agreement with the Fairgrounds which specifies the types of vehicles that can be used on the road.

***Motion (McClory/Myrin) to split the cost for the tower access road 50/50 with the Fairgrounds with a \$50,000 cap for the City's portion, including creating an interagency agreement on the use of the road. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, yes. Motion carried.***

### **Municipal Services and Utilities**

#### **Recommendation to Obtain a Proposal with Costs from Kapur regarding Deere Road Drainage Issues**

Alderman Lechner said the committee discussed Deere Road drainage issues at length and decided to get a proposal with costs from Kapur. ***Motion (Lechner/Boggs) to obtain a proposal with costs from Kapur regarding Deere Road drainage issues. Voice vote, all approved, motion carried.***

## **UNFINISHED BUSINESS**

**Planned Unit Development/Conditional Use Permit: Copper Square: Possible action on Plan Commission recommendation to conditionally approve a Planned Unit Overlay District and General Development Plan for the property located at the Southeast corner of W. Market and N. Church (Tax Key YUNW00243)**

Roger Wolff spoke and provided drawings on the development. He said it is a townhome development. He said he would have an issue with 72 units as that is a 30% reduction and he can't find the funds to make it work. He asked to keep it at 108 units. He felt the Plan Commission decision to go to 72 units was "out of the blue". Mayor Reynolds said the Plan Commission approved the PUD for 72 units and it is up to the Common Council what to approve. ***Motion (Shiroda/Young) to approve the PUD/CUP for Copper Square development with the same conditions from the Plan Commission (density shall be limited to 6 units/net acre (72 units); Developer, at the Developer's sole expense, shall engage the services of a consultant, selected by the City, to perform a Traffic Impact Analysis (TIA); Developer shall submit a Storm Water Management Plan for review/approval of the City Engineer; City and Developer shall enter into a Development Agreement prior to approval of the Specific Implementation Plan.)*** Administrator Tapson said the City's Comprehensive Plan has the area designated not to exceed 5.4 units/acre. City Attorney Phillips said the Plan Commission's decision wasn't "out of the blue" as they had two opinions from Teska as well as the City Attorney and they considered all of the information provided to them. Alderman McClory asked Wolff why the project is feasible at 108 but not at 72. Wolff said due to the size of the units, an on-site full-time management staff and club house, 72 doesn't allow for it. He would have to remove the club house, staff and downgrade the units. ***Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Lechner, yes; McClory, yes; Myrin, abstain. Motion carried.***

#### **NEW BUSINESS**

##### **Resolution No. 18-15 WNDR NR 208 Compliance Maintenance Report**

DPW Manager Matthew Lindstrom said this is an annual report and the City received an A grade on it. ***Motion (Lechner/Shiroda) to approve Resolution No. 18-15. Voice vote, all approved, motion carried.***

#### **ADJOURN**

***Motion (Lechner/Boggs) to adjourn at 6:00 p.m. Voice vote, all approved, motion carried.***

Cairie L. Virrueta  
City Clerk

**Approved 07/02/18**