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**CITY OF ELKHORN COMMON COUNCIL  
MEETING MINUTES  
August 6, 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, Ron Dunwiddie, Karel Young, Scott McClory, Tom Myrin

Others present: Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Sergeant Daniel Croak, Utility Director John Murphy, DPW Manager Matthew Lindstrom, Fire Chief Rod Smith, Library Director Lisa Selje, City Engineer Greg Calhoun, Rec Director Wendy Meyer, Kellen Olshefski, other interested persons

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

***Motion (Shiroda/Boggs) to approve the minutes of the July 16, 2018 Common Council meeting, Temporary Class B Beer and Wine Licenses for: Lauderdale Aqua Skiers Annual Pig Roast Fundraiser on August 11, 2018 from 5-9:30 p.m. at Babe Mann Park and Friends of the Matheson Memorial Library Trick or Trivia Fundraiser on October 13, 2018 from 7-11:00 p.m. at the Community Center. Voice vote, all approved, motion carried.***

**REPORT OF CITY OFFICERS**

**Mayor's Report**

**WE Energies Lakeshore Lateral Project Presentation**

A WE Energies representative presented information on a lateral project that may go through a power corridor in the north part of the City, just north of the Mobil gas station. No residential properties would be affected. Two routes are to be submitted to the PSC and the other route doesn't go through the City. Comments can be sent to the PSC on their website. Full approval by the PSC is expected in the fall of 2019 and completed in the summer of 2020.

**Election of Council President**

***Motion (Shiroda/Young) to nominate Scott McClory for Council President. Motion (Shiroda/Dunwiddie) to close nominations. Voice vote, all approved, motion carried.***

**Update on New DPW Facility**

Finance Director Heilman said the contractor has broken ground on the building and pieces of equipment have been purchased for use in the new building; four column lifts and a forklift. Everything is right on budget. DPW Lindstrom said the pond was cut in and excavating and the foundation walls will be constructed next; the project is on schedule.

**COMMITTEE REPORTS**

**Legislative & Regulatory**

**Recommendation to Deny Application for a Class A Combination Beer/Liquor License for Someplace Else Restaurant II, LLC, 1 W. Walworth St.**

Alderman Young said based on the application submitted the committee recommended denial. City Attorney Phillips said the new application submitted after the committee meeting is not on the agenda to be voted on. An attorney representing the sellers and assisting the buyers said they would like to close within a week. The problems with the buyers' application have been cleaned up and Dean Pierce is no longer involved. He said there are two transactions, one for the building and one for the business. Katie and Dean will own the building that will be leased to the business under a separate LLC. He said they are asking for a provisional license while the

application goes back to committee with the corrected/new application. City Attorney Phillips said a provisional license doesn't guarantee the new application will be approved and that there is no basis to approve or deny an application based on the landlord or owner of the building. Alderman Shiroda asked Katie if she will own/manage the business; she replied she will. He asked what Pierce's position is; she said he will continue as a cook. **Motion (Myrin/Young) to deny the application for a Class A Combination License from Someplace Else Restaurant II, LLC. Voice vote, all approved, motion carried.** City Clerk Virrueta will issue the Provisional License, which is good for 60 days.

#### **Discussion on Allowing Alcohol at the Community Center and Other City Owner Property**

Alderman Young said the committee discussed having alcohol at the Community Center as an adjacent property owner said he was finding beer cans on his property. The committee also discussed allowing alcohol on other City owned property and chose to table discussion. Mayor Reynolds said he wouldn't want fundraisers not being able to have alcohol sales. Alderman McClory asked if there were other issues; Library Director Selje said no. Alderman Shiroda asked if beer cans have been found elsewhere; Library Director Selje said no, some garbage, but not cans. She also said when cans have been found by the property owner, there weren't any events at the Community Center with alcohol. Sergeant Croak said the PD has not had any issues he is aware of.

#### **PLAN COMMISSION**

##### **Recommendation to Approve Conditional Use Permit for A+ Power Sports/Serenity Land Holdings, LLC, 622 E. Court St.**

Mayor Reynolds said this is just a renewal of the CUP. **Motion (Myrin/Young) to approve the CUP for A+ Power Sports/Serenity Land Holdings, LLC at 622 E. Court St. Voice vote, all approved, motion carried.**

#### **NEW BUSINESS**

##### **Recommendation from CVMIC to Pay Claim for Snowplow Damage to Vehicle in the Amount of \$2,748.55**

City Attorney Phillips said the car was legally parked and our insurance company recommended paying it. **Motion (Shiroda/Boggs) to pay the claim. Roll call vote: Shiroda, yes; Boggs, yes; Dunwiddie, yes; McClory, yes; Myrin, yes; Young, yes. Motion carried.** Alderman McClory asked what follow up was done with the driver; DPW Manager Lindstrom said the driver said he was checking to make sure his salter was on and he always follows up with employees after incidents.

##### **Request to Authorize Staffing Vacant Police Sergeant Position**

As a current Sergeant was promoted to Captain, this position needs filling. **Motion (McClory/Dunwiddie) to approve staffing the Vacant Police Sergeant position. Voice vote, all approved, motion carried.**

##### **Request to Authorize Staffing To Be Vacant DPW Crewman Position**

A crewman retires September 28 and DPW Manager Lindstrom would like to advertise now. **Motion (McClory/Dunwiddie) to approve staffing the vacant crewman position. Voice vote, all approved, motion carried.**

#### **ADJOURN**

**Motion (McClory/Shiroda) to adjourn at 6:06 p.m. Voice vote, all approved, motion carried.**

Cairie L. Virrueta  
City Clerk

**Approved 08/20/18**