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**CITY OF ELKHORN COMMON COUNCIL  
MEETING MINUTES  
September 4, 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, Tom Myrin, Absent: Scott McClory

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Chief Joel Christensen, DPW Manager Matthew Lindstrom, Fire Chief Rod Smith, City Engineer Greg Calhoun, other interested persons

**PUBLIC HEARING**

**Commerce Court Alterations and Discontinuance**

Mayor Reynolds asked for comments three times; no comments.

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

***Motion (Dunwiddie/Boggs) to approve the minutes of the August 20, 2018 Common Council meeting. Voice vote, all approved, motion carried.***

**REPORT OF CITY OFFICERS**

**Mayor's Report**

**Chamber of Commerce Proclamation**

Mayor Reynolds read a proclamation recognizing the month of September as Elkhorn Area Chamber of Commerce month.

**City Administrator's Report**

None.

**COMMITTEE REPORTS**

**Financial and Judicial**

**Recommendation to Renew MPIC Property Insurance**

Insurance rates stayed the same but the cost increased due to the addition of the water treatment plant and builders risk for DPW. ***Motion (Myrin/Shiroda) to renew with MPIC for \$40,486. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Dunwiddie, yes; Myrin, yes. Motion carried.***

**Recommendation to Invest 2018 Premium Dividend with CVMIC**

The dividend was down a bit this year. ***Motion (Myrin/Shiroda) to invest the City's dividend in the amount of \$12,935 with CVMIC. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Dunwiddie, yes; Myrin, yes. Motion carried.***

**2019 Budget Review: Discussion on Budget Adjustment to Purchase PD Patrol Vehicle in 2018**

Alderman Myrin said the committee agreed to access the full capacity of the levy. They will include all of the capital improvement project requests in the budget and review it when it comes back. The Ford patrol vehicle will undergo a model change in 2019 pushing the price up by \$8,000 so the Police Chief recommended purchasing the patrol car this year. ***Motion (Myrin/Dunwiddie) to purchase the police***

*department patrol vehicle in 2018 in an amount not to exceed \$53,000. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Dunwiddie, yes; Myrin, yes. Motion carried.*

#### Legislative & Regulatory

**Recommendation to Approve Class B Combination License Application for Someplace Else Restaurant II, LLC**

*Motion (Young/Boggs) to approve the current application from Someplace Else Restaurant II, LLC for a Class B Combination License with the condition that the applicant is to install video cameras prior to issuance of the regular license; cameras are to be installed anywhere alcohol is served with 360 degree coverage, the ability to zoom, in real time, with a time to save of at least 96 hours. Voice vote, all approved, motion carried.*

#### **PLAN COMMISSION**

**Recommendation to Rezone New Life Senior Care, 504 W. Court St., from I-1 to R-4 with PUD Overlay (Ordinance under New Business)**

Mayor Reynolds said the rezone passed 6 to 1. This is under New Business as a first reading.

**Recommendation to Approve Conditional Use Permit No.18-02 New Life of Elkhorn, 504 W. Court St.**

Administrator Tapson said language needs to be addressed in the CUP. Number 8 is vague and needs a more certain date. Alderman Shiroda suggested the time frame say the securing of the building or beginning of construction, within 30 days. The council discussed additional conditions. *Motion (Shiroda/Boggs) to approve the Conditional Use Permit for New Life of Elkhorn with the conditions: #8 is to read that the facility be secured at the start of construction or within 30 days; the open air court yard is be fenced and secured and an occupancy permit is not to be issued until everything is done. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Dunwiddie, yes; Myrin, no. Motion carried.*

#### **NEW BUSINESS**

**EDRL Committee Recommendation to Approve Loan to Adams Electric Inc.**

Mayor Reynolds said Adams Electric purchased the former Sentry building and met all of the qualifications of the loan. *Motion (Myrin/Boggs) to approve the loan to Adams Electric in the amount of \$450,000 at 1% interest over 8 years. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; Dunwiddie, yes; Myrin, yes. Motion carried.*

**Resolution No. 18-17 to Alter in Part and Discontinue Commerce Court Roadway**

DPW Manager Lindstrom said the TADI restricts left turns out to head south on Hwy 67. This extends Commerce Court down to the signals. Work is planned to start Thursday. *Motion (Myrin/Dunwiddie) to approve Resolution No. 18-17. Voice vote, all approved, motion carried.*

**Ordinance No. 18-10: An Ordinance to Rezone a Property at 504 W. Court St. from I-1 to R-4 (First Reading)**

*Motion (Shiroda/Young) to waive the first reading of Ordinance No. 18-10. Voice vote, all approved/Myrin opposed, motion carried. Motion (Shiroda/Young) to approve Ordinance No. 18-10. Voice vote, all approved/Myrin opposed, motion carried.*

**Resolution No. 18-16: For Abandonment of Sections of Public Right of Ways Known as Monroe and Van Buren Streets**

This is not quite ready to be approved yet, but should be for the next Council meeting.

#### **ADJOURN TO CLOSED SESSION**

*Motion (Dunwiddie/Boggs) to go into Closed Session pursuant to Wisconsin Statue 19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice*

***concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved” regarding the NE Water Treatment Plant Project Close-out. Voice vote, all approved, motion carried.*** Adjourned to closed session at 5:57 p.m.

**RECONVENE IN OPEN SESSION**

Reconvened in open session at 6:06 p.m.

**ADJOURN**

***Motion (Myrin/Boggs) to adjourn at 6:07 p.m. Voice vote, all approved, motion carried.***

Cairie L. Virrueta  
City Clerk

**Approved 9/17/18**