
**CITY OF ELKHORN COMMON COUNCIL
MEETING MINUTES
November 19, 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, Karel Young, Scott McClory, Tom Myrin; Junior Council Member Alex Johnson; Absent: Ron Dunwiddie and Megan Degner
Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Captain Al Brandl, Utility Director John Murphy, DPW Manager Matthew Lindstrom, Fire Chief Rod Smith, City Engineer Greg Calhoun, other interested persons

PUBLIC COMMENT

None.

CONSENT AGENDA

Motion (Myrin/Boggs) to approve the minutes of the November 5, 2018 Common Council meeting and Temporary "Class B" Wine License for Friends of the Matheson Memorial Library with Frank's Liquor for Wine Walk on December 15, 2018 from 10 a.m. to 4 p.m. at Market Plaza (12 locations). Voice vote, all approved, motion carried.

BILLS PAYABLE

Motion (McClory/Shiroda) to approve the City and Utility Bills in the amount of \$4,224,060.99 (Check numbers 157849-158080). Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; McClory, yes; Myrin, yes; Advisory Vote: Johnson, yes. Motion carried.

REPORT OF CITY OFFICERS

MAYOR'S REPORT

No report.

CITY ADMINISTRATOR'S REPORT

Claims Denial for Sewer Back-up (Walworth County Housing/Residents)

Administrator Tapson said he asked for a deferral on this at the last meeting in order to obtain more information. He said documentation is sufficient to support the denial. ***Motion (Shiroda/Young) to deny the claim from Walworth County Housing/residents for sewer back-ups. Voice vote, all approved, motion carried.***

LIAISON REPORTS

Fire Advisory Board – the board reviewed the budget

Library Board – no report

Chamber – Discover Wisconsin will be at the Tree Lighting on November 30 and the Christmas Parade on December 1; the Chamber will host a meal on Christmas Day

Recreation Advisory Board – no report

COMMITTEE REPORTS

PUBLIC SAFETY

Recommendation to Approve PD Policy Updates: Traffic Crash Response and Reporting, Impaired Driving, and Sexual Assault Investigations (Resolution under New Business)

The policy regarding Impaired Driving was modified from "shall" to "may use discretion".

Recommendation to Prohibit Parking of Vehicles with Fluid Leaks

Alderman McClory said concerns about leaking vehicles involved discussion on how to enforce, what is excessive leaking, who is charge of identifying leaks and how to clean up leaks.

PLAN COMMISSION

Certified Survey Map for Jeffrey L. Hubbard for a 3-lot Land Division at W3324 Bray Road in the Town of Lafayette

The County passed the CSM and the Plan Commission recommended approval unanimously. ***Motion (Myrin/Young) to approve the CSM for Jeffrey L. Hubbard, W3324 Bray Road in the Town of Lafayette. Voice vote, all approved, motion carried.***

UNFINISHED BUSINESS

Ordinance No. 18-12 An Ordinance to Amend the Municipal Code at Section 21 Titled “Sex Offender Residing Within 2,000 feet of Schools, Daycare Centers, Parks and Other Specified Facilities and Uses Prohibited; Child Safety Zones” (Second Reading)

Motion (Shiroda/Young) to approve Ordinance 18-12. Voice vote, all approved, motion carried.

NEW BUSINESS

Resolution No. 18-18 A Resolution Adopting 2019 Budget and Tax Levy

Motion (McClory/Myrin) to approve Resolution 18-18. Voice vote, all approved, motion carried.

Resolution No. 18-19 A Resolution Amending the Elkhorn Police Department Policy

Motion (Myrin/Boggs) to approve Resolution 18-19. Voice vote, all approved, motion carried.

Collective Bargaining Agreement with Elkhorn Police Officers Association

Motion (Shiroda/Boggs) to approve the agreement. Voice vote, all approved, motion carried.

Ingress and Egress Easement Agreement with Walworth County Agricultural Society, Inc.

Motion (McClory/Young) to approve the agreement. Voice vote, all approved, motion carried.

Contract Change Order Request #1 for Ram’s Contracting, LTD | Market Street Extension

City Engineer Calhoun said the projected has wrapped up and this is a comprehensive change order. A majority of the cost over runs involved removal of bad material and bringing in good material. Of the \$90,500 change order cost, \$85,000 was to remove the school’s onsite material. ***Motion (McClory/Shiroda) to approve Change Order #1 in the amount of \$90,500. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; McClory, yes; Myrin, yes; Advisory Vote: Johnson, yes. Motion carried.***

Amendment B to Task Order Number 8 Civil Engineering Services

City Engineer Calhoun said this includes construction management for the TID 4 project. It covers all of the services that the DOT didn’t do. Mayor Reynolds reminded everyone that the cost will come from the increment eventually. ***Motion (McClory/Myrin) to approve Amendment B in the amount of \$103,880. Roll call vote: Boggs, yes; Shiroda, yes; Young, yes; McClory, yes; Myrin, yes; Advisory Vote: Johnson, yes. Motion carried.***

ADJOURN

Motion (Myrin/McClory) to adjourn at 5:50 p.m. Voice vote, all approved, motion carried.

Cairie L. Virrueta
City Clerk

Approved 12/3/18