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**CITY OF ELKHORN COMMON COUNCIL  
ORGANIZATIONAL MEETING MINUTES  
April 16, 2024  
COUNCIL CHAMBERS, 311 SEYMOUR CT., ELKHORN, WI 53121**

The Common Council meeting was called to order by Council President Shiroda at 5:30 p.m. in the Council Chambers, followed by the Pledge of Allegiance.

**Swearing in of Mayor Tim Shiroda, Alderpersons Ron Dunwiddie, Scott McClory, Kurt Harkness and Municipal Judge Lori Domino**

**ROLL CALL**

Present: Mayor Tim Shiroda, Alderpersons Gary Lee Payson Jr., Ron Dunwiddie, Scott McClory, Ken Meinel, Kurt Harkness.

Others present: City Administrator Adam Swann, Attorney Elaine Ekes, City Clerk Lacey Reynolds, Police Chief Joel Christensen, Director of Public Works Matthew Lindstrom, Interim Fire Chief Trent Eichmann, Finance Director Corrie Daly, Utility Field Office Coordinator Dawn Gall, City Engineer Mike Timmers, other interested persons.

**COUNCIL REORGANIZATION**

**Election: Council President**

*Motion (Meinel/McClory) to nominate Gary Lee Payson Jr. as Council President. Voice vote, all approved, motion carried.*

**Official City Newspaper: Elkhorn Independent**

*Motion (Payson Jr./Dunwiddie) to approve the Elkhorn Independent. Voice vote, all approved, motion carried.*

**Resolution 24-10: Designating Depositories and Authorizing Withdrawal of City Monies**

*Motion (McClory/Dunwiddie) to approve Resolution No. 24-10. Roll call vote: McClory, yes; Dunwiddie, yes; Payson Jr., yes; Harkness, yes; Meinel, yes. Motion carried.*

**Mayoral Appointments**

City Attorney (interim): Pruitt, Ekes, & Geary, S.C.

*Motion (Dunwiddie/Meinel) to appoint Pruitt, Ekes, & Geary, S.C. as the interim City Attorney. Voice vote, all approved, motion carried.*

**Council Committees**

Financial & Judicial: Gary Lee Payson, Jr. – Chair, Scott McClory, Ken Meinel

Municipal Services & Utilities: Ken Meinel – Chair, Kurt Harkness, New Alderperson for Ward 1

Public Safety: Ron Dunwiddie - Chair, Kurt Harkness, Gary Lee Payson, Jr.

Human Resources: Scott McClory – Chair, Ron Dunwiddie, Gary Lee Payson Jr.

Legislative & Regulatory: Ron Dunwiddie - Chair, Scott McClory, New Alderperson for Ward 1

*Motion (Payson Jr./Dunwiddie) to approve the listed committees. Voice vote, all approved, motion carried.*

**Boards, Commissions & Liaisons**

Planning Commission - Members: Jason Hunter and James Boardman, Liaison: Ken Meinel

Library - Member: Robert Kennedy (City of Elkhorn), Liaison: New Alderperson District 1

Fire Advisory Board - Liaison: Kurt Hartness

Board of Review - Member: Sarah Larsen, Alternate Member: Ken Gaudreau

*Motion (Meinel/McClory) to approve the listed boards, commissions and liaisons. Voice vote, all approved, motion carried.*

**PUBLIC COMMENT**

None.

**CONSENT AGENDA**

*Motion (Dunwiddie/McClory) to approve the Council Meeting Minutes from April 3, 2024 and the special use permit for Wilson Farm Meats at Wilson's Whistlestop – 20<sup>th</sup> Anniversary Celebration; June 1, 2024 from 11:00 am to 3:00 pm. Voice vote, all approved, motion carried.*

*Motion (Payson Jr./Dunwiddie) to approve Pay Request No. 7 from Rock Road Companies for the 2023 E. Centralia Street Reconstruction project in the amount of \$94,128.53. Roll call vote: Payson Jr., yes; Dunwiddie, yes; McClory, yes; Meinel, yes; Harkness, yes. Motion carried.*

#### **BILLS PAYABLE**

*Motion (Dunwiddie/Meinel) to approve the City and Utility Bills in the amount of \$2,072,759.14. Roll call vote: Dunwiddie, yes; Meinel, yes; Harkness, yes; McClory, yes; Payson Jr., yes. Motion carried.*

#### **REPORT OF CITY OFFICERS**

##### **MAYOR'S REPORT:**

Proclamation – May Mental Health Month. Mayor Shiroda declared May Mental Health Month and shared about events that will take place during the month of May.

Recognition of Alderperson Karel Young for 6 years of dedicated service to the City of Elkhorn. Mayor Shiroda thanked Alderperson Young for her service to the City from 2018-2024.

Swearing in of Interim Municipal Court Clerk Lacey L. Reynolds. Attorney Elaine Ekes swore in Interim Municipal Court Clerk Reynolds.

**CITY ADMINISTRATOR'S REPORT** – Administrator Swann congratulated Municipal Court Clerk Last on her retirement. Swann reported work continues with Creekside on their mixed-use development near the DMV. Swann and grant writer Katie James met with Dominic Sergi regarding the new park on N. Wisconsin and staff will meet with the railroad regarding the crossing near the Creekside Community Development.

#### **REPORTS OF CITY BOARDS AND COMMUNITY PARTNERS**

Fire Advisory Board – will meet next Thursday.

Library Board – Jennifer Wharton Youth Services Librarian reported for the month of March 18,000 materials were checked out and 99 new library cards were issued. The library hosted an event with the author of the very hungry caterpillar and hosted the EASD Elementary art show. Library staff participated in the exhale market and the library building needs assessment is moving forward.

Recreation Advisory Board – meeting tomorrow at 5:30 pm.

Chamber of Commerce – no report.

Community Grant Writer – Katie James reported she has been helping nonprofits in the area find funding.

#### **UNFINISHED BUSINESS**

Discussion and possible decision regarding Ordinance No. 24-03: an ordinance to rezone tax key parcel YVSE00001A, located at the intersection of County Hwy H and E Geneva St from B-2 to M-1 (*second reading*). *Motion (Dunwiddie/McClory) to approve Ordinance No. 24-03: an ordinance to rezone tax key parcel YVSE00001A, located at the intersection of County Hwy H and E Geneva St from B-2 to M-1 (second reading). Voice vote, all approved, motion carried.*

#### **NEW BUSINESS**

Discussion and possible decision regarding execution of Contract Change Order No. 5 for the E. Centralia Street Reconstruction project in the amount of \$1,450.00. *Motion (Payson Jr./Dunwiddie) to approve Contract Change Order No. 5 for the E. Centralia Street Reconstruction project in the amount of \$1,450.00. Roll call vote: Payson Jr., yes; Dunwiddie, yes; McClory, yes; Meinel, yes; Harkness, yes. Motion carried.*

Discussion and possible decision regarding proposed contract addendum no. 2 with Foth Infrastructure and Environment, LLC to provide loan application and loan administration services for Clean Water Fund

and Safe Drinking Water Fund loans for Centralia Reconstruction Project (Phase 2). *Motion (McClory/Payson Jr.) to approve contract addendum no. 2 with Foth Infrastructure and Environment, LLC to provide loan application and loan administration services for Clean Water Fund and Safe Drinking Water Fund loans for Centralia Reconstruction Project (Phase 2). Roll call vote: McClory, yes; Payson Jr., yes; Harkness, yes; Dunwiddie, yes; Meinel, yes. Motion carried.*

Discussion and possible decision regarding proposed amendment to listing contract between City and Anderson Commercial Group, LLC. *Motion (Dunwiddie/Meinel) to approve the amendment to the listing contract between the City and Anderson Commercial Group, LLC. Voice vote, all approved, motion carried.*

Discussion and possible decision regarding process for reviewing proposals received in response to City's RFP for building-inspection services. Administrator Swann reported the City received three proposals and asked the Council how they would like to proceed. The Council requested all three companies to be present during a Committee of the Whole meeting at 4:30 pm on May 6<sup>th</sup> prior to the Council meeting and for city staff to check references.

Discussion and possible decision regarding process for filling vacant alderman seat for District 1. Staff will advertise the vacancy asking for anyone living in District 1 interested in the position to submit a letter of interest to the City Clerk. The Council will interview candidates at the May 20<sup>th</sup> meeting.

Discussion and possible decision regarding process for appointing new city attorney. Staff will put together an RFP to be reviewed by the Council at the May 6<sup>th</sup> meeting.

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

*Motion (Payson Jr./Dunwiddie) to adjourn to closed session. Closed Session: The Common Council may entertain a motion to go into CLOSED SESSION pursuant to Wisconsin Statutes Section 19.85(1)(e) to deliberate on offers to purchase public property - Lot 72 (Tax Key YA 396900001). Closed Session: The Common Council may entertain a motion to go into CLOSED SESSION pursuant to Wisconsin Statutes Section 19.85(1)(c)—to consider the employment, promotion, compensation or performance evaluation of data of any public employee over which the governmental body has jurisdiction or exercises responsibility—and pursuant to 19.85(1)(f)—to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations - review of findings from investigation ordered by Council on January 3, 2024. Voice vote, all approved, motion carried. Adjourned to closed session at 6:02 p.m.*

#### **RECONVENE IN OPEN SESSION**

Reconvened in open session at 6:23 pm. The Common Council shall RECONVENE INTO OPEN SESSION reserving the right to take action on the matters discussed in CLOSED SESSION and to move to the remaining meeting agenda(s) as posted.

Discussion and possible decision regarding offer to purchase public property Lot 72 (Tax Key YA 396900001). *Motion (McClory/Harkness) not to accept the offer and continue to negotiate in good faith. Voice vote, all approved, motion carried.*

Discussion and possible decision regarding findings from investigation ordered by Council on January 3, 2024. No action taken.

#### **ADJOURN**

*Motion (McClory/Dunwiddie) to adjourn at 6:24 pm. Voice vote, all approved, motion carried.*

Lacey L. Reynolds  
City Clerk