

**Common Council  
Regular Meeting**

Tuesday, May 8, 2018, 6:30 p.m.  
City Hall, 31 S. Madison Street, Evansville, WI

**MINUTES**

1. **Call to order.** The meeting was called to order by Mayor Bill Hurtley at 6:32 p.m.
2. **Roll Call.** Members present: Mayor Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Larry Dobbs, Dianne Duggan, Ben Ladick, James Montgomery, Joy Morrison, and Erika Stuart. Others present: City Administrator/Finance Director Ian Rigg, City Clerk/Treasurer Judy Walton, City Attorney Mark Kopp, Community Development Director Jason Sergeant, Maureen Holsen from Ehlers, and Norma Bjugstad, 6527 N Weary Road, Evansville.
3. **Approval of Agenda.** Brooks made a motion, seconded by Cole to change the meeting reminder day for the Committee of the Whole to read Saturday and approve the agenda as corrected. Motion approved 8-0.
4. **Approval of Minutes.** Brooks made a motion, seconded by Duggan to waive the reading of the minutes of April 10 and April 17, 2018 and approve as presented. Motion approved 8-0.
5. **Civility reminder.** Recognition of the commitment to civility and decorum at Council meetings.
6. **Citizen appearances.** None
7. **Reports of Committees**
  - A. **Library Board Report.** Rigg presented the report prepared by Library Director Megan Kloeckner as follows:

Vogel Brothers is expecting to finish the new construction in September. At this point, we will shift our operations to the new building. Then renovations on the existing space will begin.

We had a great turnout at the Construction Party in April with about 150 people in attendance. We have some pictures from the event on our website and Facebook page. Summer Library Club sign up begins on Saturday, May 26<sup>th</sup> at 9:30 AM.
  - B. **Youth Center Advisory Board Report.** Brooks reported the April field trip got snowed out and has been postponed until October 8<sup>th</sup>. He is looking forward to working with the new Board members.

Stuart added they are collecting Pig receipts and asked that people share that.

Rigg added that the library will be using the center for some activities during construction.
- C. **Plan Commission Report**
  - (1). Stuart made a motion, seconded by Cole to approve the extraterritorial land division to divide parcel 6-20-317 (Tax ID 0400640030010) into two lots

finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the condition the final CSM is filed with the Rock County Register of Deeds.

Sergeant stated this is an extraterritorial land division, existing farmstead, and totally permitted.

Motion approved 8-0.

- (2). Stuart made a motion, seconded by Cole to approve the final Certified Survey Map to combine two lots into one on parcel 6-27-491 (Tax ID 222033022) located at the Southeast corner of Lincoln and N Forth Street, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances with the following conditions:
  - 1) Final CSM filed with the Rock County Register of Deeds.
  - 2) Utility connections, site grading, and storm water approved by City Engineer.

Sergeant reviewed the conditions and stated the newly created lot could have a single family home by right, a two-unit home by conditional use.

Stuart commented that neither the school, nor the city, has enough green space which this lot could add to.

Morrison pointed out corrections to the motion: ~~N Forth~~ should be S Fourth.

Motion, with corrections, approved 6-2 on a roll call vote with Morrison and Stuart opposing.

#### **D. Finance and Labor Relations Committee Report**

- (1). Cole made a motion, seconded by Brooks to accept the City bills as presented in the amount of \$1,967,685.86. Motion approved 8-0 on a roll call vote.
- (2). Cole made a motion, seconded by Brooks to approve Resolution 2018-12, Authorizing the Issuance and Sale of \$655,000 Storm Water System Revenue Bonds of the City of Evansville, Rock County, Wisconsin, and Providing for the Payment of Bonds and Other Details with Respect to the Bonds.

Rigg stated he sent out a RFP to 3 local banks and Union Bank & Trust was the only bidder, which he attributes to the waning interest in municipal bonds. The interest is 3.875% for 10 years. This will be for the Franklin, Jackson, and 2<sup>nd</sup> street projects in 2018 and 2019. This is much like a line of credit and we will draw amounts as needed.

Motion approved 8-0 on a roll call vote.

- (3). Cole made a motion, seconded by Duggan to approve Resolution 2018-13, Authorizing the Issuance and Sale of \$270,000 Sewer System Revenue Bonds

of the City of Evansville, Rock County, Wisconsin, and Providing for the Payment of Bonds and Other Details with Respect to the Bonds.

Rigg stated this is the same scenario as item 7D2 but only for 2018 projects.

Motion approved 8-0 on a roll call vote.

- (4). Cole made a motion, seconded by Duggan to approve resolution 2018-15, Resolution Authorizing the Issuance and Sale of \$4,220,000 General Obligation Promissory Notes, Series 2018A.

Maureen Holsen from Ehlers presented the Sale Day Report. There were 5 bids received and the low bidder was Bankers' Bank with a true interest rate of 2.6159%. The purpose for the borrowing includes financing street improvement projects, library improvement projects and public works facilities projects and to effect a current refunding of certain outstanding obligations of the city. The total principal and interest is \$78,401 less than the presale estimate. She reviewed the tax impact analysis, G.O. Debt capacity projection, and the Standards and Poor's Rating (which remained at AA-).

Morrison asked what the highest rating was and how could we increase our rating. Holsen stated the highest rating is AAA and then AA+, AA, and AA-. She explained that we are very strong in areas that we have control of, management, budgetary flexibility, and strong liquidity, but are only adequate in economy which we have limited control of.

Cole made a motion, seconded by Brooks to amend the motion changing the amount from ~~\$4,220,000~~ to \$4,180,000. Amendment approved 8-0.

Main motion, as amended, approved 8-0 on a roll call vote.

- (5). Rigg presented the 2018 Q – 1 (first quarter) Treasurer's Report. He directed Council to the last page that lists our cash accounts, which is new. Brooks asked if there are targets for the cash accounts and Rigg responded that there are not with the exception of the DNR Replacement fund that requires a minimum level.

## **E. Public Safety Committee Report**

- (1). Montgomery made a motion, seconded by Stuart to approve successor of agent for Creekside Place from Kelly J Czerwonka to Sara Lynn Elwood. Motion approved 8-0.
- (2). Montgomery made a motion, seconded by Dobbs to approve the Renewal Alcohol Beverage License Applications for a **Class "A" Beer**/**Class A" Liquor License** as listed #1-4. Motion approved 8-0.
- 1) **Casey's Marketing Company**, Emma Monheim, Agent, 702 W. Burnett Street, Beaver Dam, WI 53916, d/b/a Casey's General Store # 3583, 230 E. Main Street, Evansville, WI 53536.
  - 2) **Kopecky's Worldwide Foods, Inc.**, James Dean Kopecky, Agent, 8017 N. Ridge Court, Evansville, WI, 53536, d/b/a Kopecky's Piggly Wiggly, 8 N. County Road M, Evansville, WI 53536.

- 3) **Madison Street Express, Inc.**, Parminder Sekhon, Agent, 2644 Granite Road, Fitchburg, WI 53711, d/b/a All-N-One, 104 S. Madison Street, Evansville, WI 53536.
  - 4) **Olin Oil Co. Inc.**, Kristin Olin Olmedo, Agent, 603 E 2<sup>nd</sup> Avenue, Brodhead, WI 53520, d/b/a Evansville Gas N Go Inc., 350 Union Street, Evansville, WI 53536.
- (3). Montgomery made a motion, seconded by Dobbs to approve the Renewal Alcohol Beverage License Application for a **Class “A” Beer License** for Landmark Services Cooperative as listed. Motion approved 8-0.
- 1) **Landmark Services Cooperative**, Lee Dammen, Agent, 13912 W. Northridge Drive, Evansville, WI 53536, d/b/a Cenex Convenience Store of Evansville, 9 John Lindemann Drive, Evansville, WI 53536.
- (4). Montgomery made a motion, seconded by Dobbs to approve the Renewal Alcohol Beverage License applications for a **Class “B” Beer/“Class B” Liquor License** as listed #1 – 7. Motion approved 8-0.
- 1) **Bernihaus, LLC**, Bernardo J. Morice, Agent, 518 Vision Drive, Evansville, WI 53536, d/b/a Blue Devil Bowl, 108 E. Main Street, Evansville, WI 53536.
  - 2) **Creekside Place Inc.**, Kelly J. Czerwonka, Agent, 5225 N. Grandview Drive, Milton, WI 53563, d/b/a Creekside Place Inc., 102 Maple Street, Evansville, WI 53536.
  - 3) **El Vallarta Mexican Restaurant**, Francisco Lugo, Agent, 31 N Water St, Evansville, WI 53536, d/b/a El Vallarta Mexican Restaurant, 609 E. Main Street, Evansville, WI 53536.
  - 4) **Evansville Memorial Post 6905 VFW**, David Powers, Agent, 38 N. Fourth St, Evansville, WI 53536, d/b/a VFW Memorial Post, 179 E. Main Street, Evansville, WI 53536.
  - 5) **Mama Rita’s Pizzeria, LLC**, Gregory P Ardisson, Agent, 217 N. Sixth Street, Evansville, WI 53536, d/b/a Mama Rita’s Pizzeria & Bakery, 18 E. Main Street, Evansville, WI 53536.
  - 6) **Pete’s Inn Inc.**, Linda A Church, Agent, 555 S. Fifth Street, Evansville, WI 53536, d/b/a Pete’s Inn Inc., 14 N. Madison Street, Evansville, WI 53536.
  - 7) **Romano’s Pizza Inc.**, Francesco Romano, Agent, 74 N. Sixth Street, Evansville, WI 53536, d/b/a Romano’s Pizza, 50 Union Street, Evansville WI 53536.
- (5). Montgomery made a motion, seconded by Dobbs to approve the Renewal Alcohol Beverage License Application for a Class “B” Beer and “Class C” Wine License for Real Coffee at Daun LLC as listed. Motion approved 8-0.
- 1) **Real Coffee at Daun LLC**, Daun Fugate, Agent, 135 S. Sixth Street, Evansville, WI 53536, d/b/a Real Coffee at Daun LLC, 25 W. Main Street, Evansville, WI 53536.

## F. Municipal Services Report

- (1). Brooks made a motion, seconded by Cole to approve Resolution 2018-14, Providing access to the Yard Waste Recycling Facility for commercial and non-resident users and setting fees.

Brooks stated we have a bunch of new wood coming into the site from all the tree trimming and tree cutting and we have seen an influx of waste from outside the city. In order to cover the expenses of the site and to improve service for residents of the city the Municipal Services Director, Chad Renly, has made some changes with the composting beds such as having small chip waste and small firewood available for those who want it and also large clear wood that can be sold per our contract with Wisconsin Urban Wood.

Residents pay for the site through their recycling fee and in order to keep it nice and pay for the expenses it was decided to charge contractors, those outside and inside the city limits, and residents of the school district that are not within the city limits, a fee to use the facility.

There was discussion about how the site will be monitored. Contractors with a permit will be issued a key to the site. When the site is open to the public it is monitored by a staff person.

Motion approved 8-0 on a roll call vote.

**G. Economic Development Committee Report.** Sergeant reported they met and had a brief discussion about the downtown investment and the new building going up.

**H. Redevelopment Authority Report.** No report.

**I. Parks and Recreation Board Report.** Morrison reported the Evansville Jay's made an appearance to ask for a waiver of the rental fee in exchange for improvements made by them, which was approved; there was a presentation by the Boy Scouts to develop a Scout memorial at Leota Park, which was approved; the pool was cleaned on April 21<sup>st</sup> and there was a crew there to fix the decking; St. John's Lutheran Church members, in conjunction with Earth Day, volunteered on April 22<sup>nd</sup> to clean parts of the park; and the Westside Park Study continues.

Rigg reported the contract for the Westside Park Study was awarded to Mead & Hunt which was under the budgeted amount of \$20,000. One of the project leads is former intern Brian Carranza.

Morrison added that registration for swim lessons will occur in May; lifeguard instructor training class was hosted by Evansville, AED was installed and training will be held soon; and the survey continues for Park Master Plan.

**J. Historic Preservation Commission Report.** Morrison reported they approved an application for 25 N 2<sup>nd</sup> St for a new deck and driveway, 104 Garfield Ave for reconstructing a porch, and at Lake Leota Park there were applications for reconstruction of the fireplace, demolishing the Duck House, and constructing a fire pit outside the Scout House.

Rigg reported that the walls of the Duck House may be salvageable but the roof is doubtful.

**K. Fire District Report.** Montgomery reported that Chief Fahey reported that they were denied the FEMA grant in the amount of \$186,000 so they are looking to re-budget for those next year. Officers were elected and once again Town of Porter is Vice President and Town of Union is President. Town of Brooklyn was absent. Montgomery stepped

down as Secretary/Treasurer and Dobbs was elected. All votes were unanimous with the exception of Montgomery voting against Town of Union as President.

- L. Police Commission Report.** Rigg reported they met on April 17<sup>th</sup> and approved hiring David Wickstrum to act as a liaison with the seniors and as a court officer primarily and not a patrol officer. They also hired Derek Johnson as a part-time patrol officer.

Rigg added that there was a meeting with the school about sharing the cost of a resource officer at the school.

- M. Energy Independence Team Report.** Brooks reported they met last week and they believe they have the funding arranged for an electric vehicle charging station for downtown and half of the cost will be paid by WPPI which would leave the city paying less than \$5,000.

- N. Board of Appeals Report.** No report.

## **8. Unfinished Business**

- A.** Brooks made a motion, seconded by Cole to approve Ordinance 2018-04, Amending Chapter 106: Streets and Sidewalks. Motion approved 8-0.

- B.** Cole made a motion, seconded by Stuart to approve Ordinance 2018-03, An Ordinance Rezoning Territory from Regional Business District (B-4) to Community Business District (B-3) on Parcel 6-27-958.091A1 with Tax ID 222070001011, on Brown School Rd, finding that the public benefits of the proposed rezoning outweigh any and all potential adverse impacts, as identified in Section 130-174(3)a-c of city ordinances, with the condition Site Plan Application SP-2018-01 is approved.

Sergeant stated this is a revision to an earlier request to rezone part of the parcel R2. B3 zoning is preferred for a commercial parcel this size.

Motion approved 8-0 on a roll call vote.

- C.** Cole made a motion, seconded by Duggan to approve Ordinance 2018-06, An Ordinance Relating to the Confidentiality of Information About Income and Expenses Requested by the City's Assessor. Motion approved 8-0.

- 9. Communications and Recommendations of the Administrator.** Rigg reported there have been 7 applications received for the Public Works Foreman position; he has been working on the loans which were approved earlier on the agenda; he is starting the budget process; the Expenditure Restraint Program application has been filed and it appears we will qualify for a 2019 payment; and we will be looking for a new yard waste staff person.

## **10. Communications and Recommendations of the Mayor**

- A.** Hurtley presented his Mayoral Proclamation recognizing EMS Week, May 20-26.

- B.** Hurtley presented his Mayoral Proclamation recognizing Public Works Week, May 20-26

- C.** Brooks made a motion, seconded by Montgomery to appoint Jason Knott, 8107 North Territorial Road, for a three year term on the Economic Development Committee. Motion approved 8-0 on a roll call vote.

- 11. New Business.** None.

**12. Introduction of New Ordinances.** None.

**13. Meeting Reminders**

A. Committee of the Whole Meeting is scheduled for Saturday, May 12, 2018 8:00 a.m., EMS Building 11 Church Street.

B. Regular Council Meeting is scheduled for Tuesday, June 12, 2018 6:30 p.m., City Hall

**14. Closed Session.** Brooks made a motion, seconded by Montgomery to convene in closed session pursuant to section 19.85 (1) (e) of the Wisconsin statutes to discuss specific obligations that are due the city, which might entail discussion regarding obtaining public property or payment, where discussion in open session would negatively impact the city's competitive or bargaining position. Upon completion, Common Council will not reconvene in open session. Motion approved 8-0 on a roll call vote at 7:40 p.m.

There was no action taken in closed session and the meeting ended at 8:05 p.m.

Judy Walton, City Clerk/Treasurer

*The minutes are not official until approved by the Common Council at the next regular meeting.*