

**City of Evansville Common Council**  
**Regular Meeting**  
City Hall, 31 S Madison St, Evansville WI 53536  
Tuesday, December 12, 2023, 6:00 p.m.

**MINUTES**

1. **Call to order:** Duggan called the meeting to order at 6:00 p.m.

2. **Roll call:**

<b>Members</b>	<b>Present/Absent</b>	<b>Others Present</b>
<b>Aldersperson, Abbey Barnes</b>	<b>P</b>	Jolene Klitzman, Deputy City Clerk
<b>Aldersperson, Jim Brooks</b>	<b>P</b>	Mark Kopp, City Attorney
<b>Aldersperson, Ben Corridon</b>	<b>P</b>	Jason Sergeant, City Administrator
<b>Mayor, Dianne Duggan</b>	<b>P</b>	Colette Spranger, Comm. Development
<b>Aldersperson, Ben Ladick</b>	<b>P</b>	Rebecca Van Dan, Asst. Library Director
<b>Aldersperson, Gene Lewis</b>	<b>P</b>	Mark Sendelbach,
<b>Aldersperson, Joy Morrison</b>	<b>P</b>	Greg Johnson, Ehler's
<b>Aldersperson, Corey Neeley</b>	<b>P</b>	Members of the public: Peter Hansen,
<b>Aldersperson, Erika Stuart</b>	<b>P</b>	Joe Geoffrion, Jessica & Rodney Pelzek Greg Ardisson, Bob Murray, Trevor Krause Mark Schwengels, Tim Dowden Aaron Tachon, and Keith Henning

3. **Motion to Approve the Agenda, moving 7F1 to follow item 6, by Brooks, seconded by Neeley. Motion passed 8-0.**

4. **Motion to waive the reading of the minutes of the November 14, 2023 regular meeting, the November 30, 2023 Special Budget Hearing minutes, and the December 2, 2023 Committee of the Whole minutes and approve as presented, by Brooks, seconded by Corridon. Motion passed 8-0.**

Morrison - correction to the December 2, 2023 minutes item #2 striking ~~Susan Becker~~ replacing with Abbey Barnes.

Corridon - requested additional verbiage for consistency to include: Colette added, Main Street Program/Coordinator position to the parking lot items.

5. **Civility Reminder:** Duggan noted the City's commitment to civility and decorum at Council Meetings.

6. **Citizen Appearances:** None

7. **Reports of Committees**

A. **Library Board Report:** Van Dan reported that the search for a new Library Director is still in the works, but may have a new Director soon. The report included that the Antemeridians Book Club and the Evening Storytime will occur on December 21<sup>st</sup>. There is a Community Read being planned for February as part of MLK Day events.

B. **Parks and Recreation Board Report:** Neeley shared that the meeting was a short meeting that discussed updates on the fundraising for the Aquatic Center.

C. **Plan Commission Report**

1) *Motion to approve a certified survey map to divide parcel 6-27-533.505 into two lots for a two-family twin residence addressed at 648 and 650 Locust Lane, 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:*

i) *The final CSM and joint maintenance is recorded with Rock County Register of Deeds.*

ii) *The applicant records a joint cross access and maintenance agreement for each of the new lots made by CSM.*

*Motion by Brooks, seconded by Morrison. Motion passed 8-0.*

2) *Second Reading and Motion to Approve Ordinance 2023-14, Annexing and Rezoning Territory from the Town of Union to the City of Evansville Parcel 6-20-232, pending Department Of Administration approval, and applicant accepts and signs the agreement by Brooks, seconded by Neeley. Motion passed by Roll Call 8-0.*

Corridon announced Council members received an email from resident Jessica Pelzek.

Spranger explained the process of annexation, saying that prior to any development, land division, or rezoning, etc. that could take place on the land, it first must belong to the city. The landowner is behind the developer's petition to annex into the city and has a pre-purchase agreement with a developer that hinges on the annexation to the city. If annexation occurs the land would become part of the city, allowing the city authority for the decisions of land use including utility expansions.

Spranger acknowledged a 2018 study conducted by Town and Country Engineering that provided an understanding that if the land were to be developed, a booster station would be necessary to supply water to the area. The estimated price in 2018 was around \$600,000.

Spranger said the annexation would allow for street expansions that are consistent with the Transportation section of the Comprehensive Plan, however, roads in the area have had increased traffic will require a collaboration with the police department and county to address traffic concerns.

Spranger stated current zoning is considered Mixed-Use. Additional discussion occurred.

Morrison had questions on environmental constraints concerns regarding slope and stormwater. Spranger explained the city regulates new land coming into the city and site development, in this case the stormwater surveys and plan requirements that the city's engineer would review.

Brooks reiterated that development plans and potential uses are not on the agenda at this moment. The concern is whether to annex the land into the city, and that the land has been part of the Smartgrowth plan since 2005 as a future Mixed-Use property.

Spranger further explained that if there were a septic or well on the property, they would need to be removed.

**Motion to amend to add that the applicant accepts and signs the annexation agreement, by Brooks, seconded by Ladick. Motion passed 8-0.**

**Tim Dowden:** Dowden had questions in regards to the floodplain and how much water would run south impacting his property. Dowden also had concerns about the booster stations ability to service area in question and why concerns surrounding the city's budget and a cost estimate from a 2008 study isn't alarming. Additional discussion occurred.

Mayor Duggan gave instructions on where to find meeting notices for city meetings where next steps would be discussed.

**Jessica Pelzek:** Pelzek acknowledges the potential annexation is consistent with the current land-use map. However, Pelzek has concerns about the city's actual following of the Smartgrowth Plan as has not been updated since 2014. Additionally, the city has not added schools, streets, and police which the plan also calls for. Pelzek asked to have this matter tabled until the Smartgrowth Plan is updated in 2024.

Spranger did state for the record the Smartgrowth Plan was last updated in September 2022 not 2014. Spranger will upload the updated plan after the city's website upgrade reconfiguration caused a file disruption in December.

**Greg Ardisson:** Ardisson would like to know why the annexation was denied 10 years ago, and if the concerns at that time were still in effect at this time. Sergeant shared that he was given the impression that it was due to the school population at the time. Currently, the school population has been declining so there is a desire to get more families in the area.

- 3) **Second Reading and Motion to Approve Ordinance 2023-15, Amending Chapter 130 (Zoning) of the City of Evansville Municipal Code, by Brooks, seconded by Neeley. Motion passed 8-0.**

Spranger believes that the last time that the entire Zoning Code was updated was in 2014. Ideally this would be evaluated every year to catch any small changes that would be found throughout the year. Spranger anticipates that this will be the first of many updates as the Zoning Code is broken up by different articles. Wisconsin Act 16, which will provide monetary assistance for housing assistance to bulk developers in municipalities. Comprehensive Plan and Zoning Code both must be updated to include easier housing regulations. There are a number of uses that needed updating was in regards to Child Care. The updates follow what is in the state statutes. Spranger addressed the zoning concerns that Corridon had in regards to the location of the EYC.

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

- 1) **Motion to accept the November 2023 City bills as presented in the amount of \$3,130,684.91, by Brooks, seconded by Morrison. Motion passed by Roll Call 8-0.**
- 2) **Motion to Approve Resolution 2023-41, Allocating City of Evansville's ARPA Funds, by Brooks, seconded by Neeley. Motion passed by Roll Call 8-0.**

E. **Public Safety Committee Report:** Stuart shared that Sgt. Rittenhouse broke their foot during the apprehension of a suspect. There was also a physical disturbance outside of Pete's Inn. EMS also has had double the calls in the last month.

F. **Municipal Services Report**

1) **Resolution 2023-39, Commending Mark Sendelbach for his Service to the City of Evansville.**

2) **Second Reading and Motion to Recommend Approve Ordinance 2023-12, Amending Chapter 106 - Streets Sidewalks and Other Public Places, by Brooks, seconded by Morrison. Motion passed 8-0.**

Corridon had concerns on the generality of the language of the ordinance. Sergeant answered to suggest that being general includes more people instead of being singular. Sergeant also explained that some smaller items could be addressed by City employees instead of having them brought to committee. Sergeant explained that the City Forester is more of an appointed position, and currently on the books it is Dale Roberts. There was additional explanation that the City will be responsible for the terrace trees.

3) **Second Reading and Motion to Recommend Approve Ordinance 2023-13, Amending Chapter 122 - Traffic and Vehicles, by Brooks, seconded by Neeley. Motion passed.**

Sergeant answered Corridon questions about the installation and maintenance of traffic signs and bicycle licensing.

Brooks shared that there were 116 properties that had their utility balances put onto the tax bills, totaling \$35,000.

G. **Economic Development Committee:** Brooks shared that there was a follow up for the Business Summit and goals in the process for 2024.

H. **Youth Center Advisory Board Report:** Corridon shared that there has been 25-30 kids averaging for each night. The EYC is looking at engagement to show the community what the Youth Center is doing.

I. **Historic Preservation Commission:** Lewis reported that most of the meeting was spent discussing the Dam repair. Other properties that had staff approved repairs: 136 Garfield had a wooden fence to replace a wooden fence, 17 Mill Street had porch stairs replaced with similar materials, and 25 N Madison replaced sign faces with a new copy.

J. **Fire District Report:** Brooks shared that they are still looking at the qualifications for the full time position with the hope to start the interview process in January or February.

K. **Police Commission Report:** Did Not Meet

L. **Energy Independence Team Report:** Did Not Meet

M. **Board of Appeals Report:** Did Not Meet

8. **Unfinished Business:** None

9. **Communications and Recommendations of the Administrator:** There was an offer made to a building inspector that was accepted. They will start on January 8<sup>th</sup>. There were no candidates that were fully accredited. The gentleman that will be starting has 1 accreditation, with 2 more coming shortly, and the 4<sup>th</sup> one to be tested for in the next few months. While the new Building Inspector will be focusing on the Code Enforcement while finalizing the accreditation, we will be contracting out for the new building inspections. The Town of Beloit has been helping in the interim. There is an assessment process in the works for the current EYC.

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

Duggan thanked everyone for attending the Committee of the Whole. Duggan gave a reminder that the Council follows the Roberts Rules of Order, and to please wait to be addressed prior to speaking.

A. **Motion to Approve the Citizen Appointment of Idalia Winger, 315 W Liberty St, to fill the unexpired three-year term of Greg Lipes to the Eager Free Public Library Board of Trustees ending 2025, by Brooks, seconded by Stuart. Motion passed by Roll Call 8-0.**

11. **New Business**

A. **Motion to Approve the Appointments of Election Inspectors for 2024-2025, by Brooks, seconded by Corridon. Motion passed by Roll Call 8-0.**

Morrison pointed out that Leah Hurtley should have a “t” in it.

B. **Update on CHS Oilseed Processing Facility:** Spranger handed out schedules of CHS timelines through July. Board approval requires two meetings prior to the April Board meeting. Land control would occur after the approval from the Board. Currently, there is work occurring on the Development Agreement, along with the TID certification. The construction documents are in continual work. The air permit is an important part of the process, and they meet every week to work out the very detailed aspects. Construction currently shows about mid-April. The dirt work can start even without the Air Permit. The concrete footings and steel erection will not be able to begin without the Air Permit. There was additional discussion on the exemption for the TID restrictions as well as the infrastructure for the Railroads.

C. **Closed Session:** **Motion to convene in closed session pursuant to section 19.85(1)(e) of the Wisconsin statutes where discussion in open session would negatively impact the city's competitive or bargaining position and pursuant to Sec. 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Upon completion, the Common Council will reconvene in open session, by Brooks, seconded by Morrison. Motion passed by Roll Call 8-0.**

*Closed session began at 7:24pm*

*Open session began at 8:00pm*

~~D. **Possible Discussion and Possible Motion on Development Agreement between CHS and the City of Evansville.**~~

- E. ~~Consideration and possible action~~ Motion to Approve Resolution 2023-40, a “Resolution Creating Tax Incremental District No. 10, Approving its Project Plan and Establishing its Boundaries,” by Brooks, seconded by Neeley. Motion passed by Roll Call 8-0.

Greg Johnson shared that this will be a 20 year, Mix Use TID. Johnson gave some background on the qualification requirements for the creation of the TID and the projects that would be funded by the TID. The majority of the costs will be funded by the developer. This will also make the City not responsible for any monetary shortfalls. Projects would include wastewater, street, stormwater, trails and/or sidewalks. The City will need to prioritize the infrastructure projects. It is anticipated that the TID would remain open for the entire 20 years. The final approval to create the TIF would take place at the Joint Review Board in January, as the Joint Review Board consists of the other taxing entities. The other taxing entities would be foregoing their share of tax revenue. Brooks wanted to look at adding a cap flexibility of \$75 million due to the increasing costs.

Motion to amend the project plan not to exceed \$75 million, by Brooks, seconded by Ladick. Motion passed 8-0.

12. **Upcoming Meeting Reminder:**

- A. City Holiday Gathering: Creekside, Friday, December 15, 2023, at 2:00 p.m.
- B. Regular Council meeting: January 9, 2024 at 6:00 p.m., City Hall

13. **Adjourn:** Duggan adjourned the meeting at 8:21pm

*Leah Hurtley, City Clerk*