Common Council

Regular Meeting

Tuesday, August 9, 2016, 6:30 p.m.

City Hall, 31 S. Madison Street, Evansville, WI

Minutes

1. **Call to order.** Mayor Bill Hurtley called the meeting to order at 6:32 pm.
2. **Roll Call.** Members present: Mayor Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Ben Ladick, Gene Lewis, Josh Manring, James Montgomery, Matt Brown and Erika Stuart was absent. Others present: City Administrator/Finance Director Ian Rigg, City Attorney representative Mike Faust, and Community Development Director Jason Sergeant.
3. **Approval of Agenda.**  Brooks made a motion to approve the agenda moving item 8D to follow 8B, seconded by Manring. Motion approved 8-0.

1. **Approval of Minutes.**  Brooks made a motion, seconded by Manring to waive the reading of the minutes of the July 12, 2016 regular meeting and to approve them as presented. Motion approved 8-0.
2. **Civility reminder**. Recognition of the commitment to civility and decorum at Council meetings
3. **Citizen appearances** – Bill Davis spoke on the matter concerning the funding for the library expansion project. He asked why the City had not better prepared for funding the project after already spending money on the project.
4. Reports of Committees
   1. Library Board Report –Alison O’Brien said that Megan will be back next week. The library is wrapping up summer reading programs.
   2. Youth Center Advisory Board Report – Brooks stated that the 4th of July fund raiser went well. The committee/director has plans to meet with new teachers at the middle school and give them a tour of the facility.
   3. Plan Commission Report –
      1. Manring made a motion to approve, with conditions, the final land division application LD-2016-03 for a certified survey map (CSM) to split parcel 6-27-584 located at 318-322 West Main Street into two lots. Cole seconded that motion. Sergeant gave a quick presentation that the intent is to create two duplexes where one 3-unit house stood before it caught on fire. The conditions are a recorded joint cross access and maintenance agreement for any shared driveways and final land division CSM is recorded with the County. Motion passed 8-0.
      2. Manring made a motion, with conditions, to approve preliminary and final land division application LD-2016-06 for a certified survey map (CSM) to merge portions of existing adjacent parcels with parcel 6-27-580.001 located at 210 Cemetery Road. Cole seconded. Sergeant said the conditions are a final recording of CSM and stormwater easement is removed from lot 1. Motion passed 8-0.
      3. Manring made a motion, with conditions, to approve a revised amendment to the final land dividers agreement and final plat for Windmill Ridge. Cole seconded. Sergeant explained that this agreement was moving lot #3 to #4 to make the subsequent lots slightly larger. Motion passed 8-0
   4. Finance and Labor Relations Committee Report -
      1. Manring made a motion to accept the City and Water & Light bills as presented in the amount of $1,046,403.71, Montgomery seconded. Upon roll call the motion passed 8-0.
      2. Cole moved to approve employment contract with Melanie Crans as Executive Assistant. Montgomery seconded. Rigg explained the only change from what the position offered before is that it will be hourly due to new law changes regarding salary and overtime. Upon roll call the motion passed 8-0.
      3. Montgomery made a motion to place the following language for an advisory referendum the expansion of the Eager Free Library on the November 8th, 2016 general election ballot: “Should the Evansville Common Council, as the representatives of the citizens of Evansville, approve of borrowing $3 million (more or less) in order to contribute toward the cost of expanding the library which would result in adding approximately one dollar ($1.00) to the municipal mill rate if paid back over 10 years (example – $150 per year, for 10 years, on property valued at $150,000)?” Manring seconded. Members of the public spoke on the matter.

Dan Laux spoke on how Evansville is a great place to live and the Library adds to the quality of life. Other communities are doing new libraries or expansions, and it is important we educate young people. To date the fundraisers have raised $532,000 and are set to add another $150,000 or more next month. There is a concern that the library project is being singled out it may reduce fundraising.

Mayor Hurtley said to his knowledge nobody is against the project, the Council wants advice on how to pay for it. The referendum is not binding but allows public input. Rigg gave his recommendation on the financing and how the City’s portion of the taxes are low enough to justify a 10 year note. Brooks asked why is this being placed on the ballot. Manring said the last citizen survey had some mixed feelings about spending more on the library. That is why this is going on the ballot.

Fred Juergens said the City did a referendum on restoring the lake in the 1980’s and it passed, however the Council refused to go forward with the project. If the Council can ignore the referendum, why have it when this project has been discussed since 2004.

Manring said that a positive vote will insure the project happens.

Maryanne Alt asked if the library project was “bumped” out by another project. Rigg responded and said no. This project was not bumped out, but because its only source of revenue is from taxes all at once, it has a much larger impact than other projects spread out.

Dan Laux asked how does the City know it is a dollar and can growth account for some of the mill rate? Rigg explained that 3 million divided by ten years is $300,000 with interest ad approximately $20,000 annually and the assessed value for taxes is $320 million. It equals approximately $1.00 impact. Rigg also stated that we cannot bank or lend on the future of general growth.

After more discussion about the referendum being a matter of how to pay for the project, Montgomery called the question. The Council understood this to end discussion and vote. After roll call the motion passed 6-2 with Brooks and Stuart voting “no”.

* + 1. Montgomery made a motion to place the following language for an advisory referendum the expansion of the Eager Free Library on the November 8th, 2016 general election ballot: “Should the Evansville Common Council, as the representatives of the citizens of Evansville, approve of borrowing $3 million (more or less) in order to contribute toward the cost of expanding the library which would result in adding approximately sixty cents ($0.60) to the municipal mill rate if paid back over 20 years (example – $90 per year, for 20 years, on property valued at $150,000)?” Cole seconded. After roll call the motion passed 6-2 with Brooks and Stuart voting “no”.
    2. Montgomery made a motion to further extend, by 60 days, the WHEDA loan agreement for the Seminary Parks Apartments. Cole seconded. Rigg spoke about how this was a loan, started by a grant, to the developers. Everything on the project seemed to focus on cleaning up blight and creating low income rentals. There had been no attempt to collect payments in 30 years. Rigg is looking into making sure there are not program requirements that failed to be met first. Motion passed 8-0.
  1. Public Safety Committee Report **-** Montgomery reported that the Public Safety Committee meeting was short. The Evansville Night Out is on Thursday, August 11th from 6-8 and encouraged people to show their support and attend.
     1. Montgomery made a motion to approve a block party on August 20, 2016 from 4-10 pm on the block of 44-69 Hancock Lane, and Brown seconded. Manring asked why does the City vote on this. Rigg said the City has always had this go through Public Safety but this was not able to be placed on the agenda in time. Rigg stated that small events like this could be approved by the City Clerk, but reoccurring ones should have a public hearing. Council seemed in agreement that future approvals be done this way. Motion passed 8-0 upon roll call.

* 1. Municipal Services Report **-**
     1. Ladick made a motion to approve the Stormwater Credit Manual and make effective immediately with current credits expiring December 31, 2017. Brooks seconded. Brooks and Rigg explained the manual will have real measurements above the minimum legal requirements for property owners to earn reductions in stormwater fees. Motion passed 8-0.
  2. Economic Development Committee Report – Lewis reported the committee met with the Hispanic Chamber of Commerce to discuss their programs and the City’s programs. They are also promoting shop til’ 8 on Thursday nights in the downtown.
  3. Redevelopment Authority Report - None
  4. Parks and Recreation Board Report – Ladick reported the ADA swings are done and the pool has a lot of work needed.
  5. Historic Preservation Commission Report – Lewis reported they meet to go over a number of permit requests. One was for 318-322 W Main Street split lot to replace the 3 unit house with two duplexes. Other home owners have gone to the committee for advice as well.
  6. Fire District Report – Montgomery reported that the committee is working on detailed accounting of their budget while working on the 2017 budget.
  7. Police Commission Report - None
  8. Energy Independence Team Report – Sergeant said they are meeting the following morning at 7:30 am.
  9. Board of Appeals Report - None

1. Unfinished Business
   1. Brooks made a motion to approve Ordinance 2016-08, amending Article II and creating Article IV of Chapter 22 of the Municipal Code, Cole seconded. Sergeant explained that this change was to clarify certain aspects of the mobile business code. Currently somebody could operate a business for 6 months without regulation. This change gives the City a chance to review the site and type of business at the site. Fees are yet to be decided and a peddler’s permit is still required. Manring asked if this was going to make the City more welcoming to businesses. Sergeant said that for some it will make the process very clear and can be done internally by staff. Sergeant noted a correction to section 22-62. Motion passed 8-0.
   2. Cole made a motion to approve Ordinance 2016-11, to rezone parcel 6-27-222.009367 located at 625 Windsor Lane from R1 to R2, Manring seconded. Motion passed 8-0.
   3. Manring made a motion to approve Ordinance 2016-13, to amend the future land use map of the Smart Growth Comprehensive Plan of the City of Evansville, Wisconsin in response to development application CP-2016-01, Cole seconded. Motion passed 8-0.
   4. Brooks made a motion to approve Ordinance 2016-12, to rezone parcel 6-27-318 located at 104 W Main from R1 to B2, Cole seconded. Motion passed 8-0.
2. Communications and Recommendations of the Administrator – Rigg reported the pool is going to need an extensive overview and repair list for 2017. The audit is complete and he asked if Council had question. Rigg pointed out the unrestricted cash balance is deceiving given our plans to use some of those funds for capital in 2016. Committee of the whole has to be moved to October 1st. Rigg commented on an anonymous letter the City received regarding race in City employment and especially Police Hiring. Rigg stated that the City has hired some minorities within the City for various positions. The pool of applicants from Evansville is limited in diversity so the City will continue to cast a larger net when seeking new applicants.
3. Communications and Recommendations of the Mayor-
   1. Brooks moved to appoint Cheryl Doerfer, 204 W Main Street, to complete the unfinished term of John Decker on the Historic Preservation Committee, Manring seconded. Upon roll call the motion passed 8-0.
   2. Brooks moved to appoint William Alt, 216 W Main Street, to complete the unfinished term of John Decker on the Redevelopment Authority, Manring seconded. Upon roll call the motion passed 8-0.
   3. Discussion regarding street renaming. Mayor Hurtley explained that the Chamber of Commerce wanted to auction off the naming rights of 7th Street for charity. Sergeant explained the road is not built yet and to change the name it would have to go to Council to amend the final plat anyway. The developer has the ability to name the roads in the first place needing only Council approval on the final plat or amendment to the plat. The Council was cautious about this but decided that if the developer can change/create the name anyway, let the person raise money for charity and wait for the plat amendment.
   4. Brooks made a motion to approve Resolution 2016-22, Amending the City of Evansville’s Fee Schedule - Cemetery. Manring seconded. Rigg explained that this can only be done in August and had not been done since 2009. Hurtley also said that we have no fees for dis-interment and that takes more work than interment. Hurtley explained that the prices are close to other cemeteries but less than Janesville. A resident to non-resident charge for interment was questioned. Hurtley said it would be difficult if people bought their plots here and moved out of City limits to a facility or in with a relative for a few years. After estimating the rate of cost for a burial, discussion ended. Upon roll call the motion passed 8-0.
4. New Business - none
5. Introduction of New Ordinances
   1. First reading ofOrdinance 2016-14 Amendment to Chapter 26 of the Municipal Code – Cemetery was presented by Brooks.
   2. First reading of Ordinance 2016-15, Amending Chapter 122 of the Municipal Code, Parking Restrictions for Trailers and Certain other Vehicles on Public Streets was presented by Brooks.
6. Meeting Reminders:
   1. Regular Meeting: Tuesday, September 13, 2016 6:30 p.m., City Hall
7. Adjournment. Manring made a motion to adjourn; Montgomery seconded at 8:38 pm. Motion passed 8-0.