

**Common Council
Regular Meeting**

Tuesday, May 09, 2017, 7:15p.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 7:24 p.m.
2. **Roll Call.** Members present: Mayor Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Ben Ladick, Gene Lewis, James Montgomery, and Erika Stuart. Alderpersons Larry Dobbs and Josh Manring were absent. Others present: City Administrator/Finance Director Ian Rigg, City Clerk-Treasurer Judy Walton, City Attorney Mark Kopp, Community Development Director Jason Sergeant, Library Director Megan Kloeckner, and Kelly Gildner of The Review.
3. **Approval of Agenda.** Brooks made a motion, seconded by Cole to approve the agenda. Motion approved 6-0.

4. **Approval of Minutes.** Brooks made a motion, seconded by Cole to waive the reading of the minutes of the April 11 and April 18, 2017 meetings and approve them after correcting the following:

Item 7F1 – Brooks made a motion, seconded by Cole to amend the motion adding for a cleaning in the amount of \$2,571.44.

Item I - There are new retaining walls near the ~~part~~ park store

Item 9 – Lieutenant Jay Koehler has left city employment to pursue a ~~difference~~ different career

It was noted that the minutes of the April 18, 2017 meeting were not in the packet so Rigg left and made copies but it appeared they were incomplete. Brooks made a motion, seconded by Cole to amend the motion removing approval of the April 18, 2017 minutes. Amendment approved 6-0. Main motion, as amended, approved 6-0.

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.** Kloeckner distributed the Adult Summer Activities brochure; they are promoting reading without borders; Alison O'Brien attended the Wisconsin Mathematics Council Early Childhood Summit; and they will be doing battle of the books again this year.
 - B. **Youth Center Advisory Board Report.** Brooks reported there was a field trip on April 17th to Upham Woods, Baraboo Zoo, Parfrey's Glen, and Merrimac Ferry and included 25 students, 2 high school volunteers, and 2 adults; student and volunteer Sylvan Brachhuber has taken on the youth center as her senior project; and planning is well underway for the Ducky Derby and other 4th of July activities. Rigg added that there is an air conditioning unit that needs to be repaired or replaced due to damage from a lawn mower.
 - C. **Plan Commission Report.** Sergeant reported the Building Inspector has started, is working very hard, and is doing a great job. The Plan Commission approved a

conditional use permit for the Night Owl building and a rezoning for the condos on Brown School Road.

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 \$1,710,288.20. Brooks noted there was a difference in what the amount should be and Cole made a motion, seconded by Brooks to amend the motion changing the amount to \$1,710,228.20. Amendment approved 6-0. Main motion, as amended, approved 6-0 on a roll call vote.
- (2) Cole made a motion, seconded by Montgomery to approve a Rental Agreement with Templeton Farms LLC. Motion approved 6-0 on a roll call vote.
- (3) Cole made a motion, seconded by Montgomery to approve Mutual Aid Agreement with the Town of Beloit for building inspection services. Rigg explained that this would be in place in the event we, or the Town of Beloit, were without an inspector for a period of time exceeding 3 days. Motion approved 6-0 on a roll call vote.
- (4) Cole made a motion, seconded by Montgomery to approve a Convenience Charge Card Agreement with Casey's General Store. Rigg explained that DPW needs a more centrally located place for fuel. Motion approved 6-0 on a roll call vote.
- (5) Cole made a motion, seconded by Montgomery to approve Resolution 2017-13, A Resolution in support of a Community Development Investment Grant for a downtown catalyst project at 15, 17 and 19 E Main Street. Sergeant presented a staff summary of the grant and explained that a resolution in support of the grant is a requirement. Motion approved 6-0 on a roll call vote.

E. Public Safety Committee Report

- (1) Montgomery made a motion, seconded by Stuart to approve the Renewal Alcohol Beverage License applications for **"Class A" Beer/"Class A" Liquor License** as listed, subject to passing any required follow-up inspections prior to license issuance. (Note: amendment to the motion should be made if any Council Member wishes to vote on any license separately.)
 - a. 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.
 - b. 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.
 - c. 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.
 - d. Olin Oil Co. Inc., Kristin Olin Olmedo, Agent, 603 E 2nd Avenue, Brodhead, WI 53520, d/b/a **Evansville Gas N Go Inc.**, 350 Union Street, Evansville, WI 53536.

Motion approved 6-0.

- (2) Montgomery made a motion, seconded by Cole to approve the Renewal Alcohol Beverage License applications for **"Class A" Beer License** as listed,

subject to passing any required follow-up inspections prior to license issuance. (Note: amendment to the motion should be made if any Council Member wishes to vote on any license separately.)

- a. 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.

Motion approved 6-0.

- (3) Montgomery made a motion, seconded by Cole to approve the Original Alcohol Beverage License applications for **Class “B” Beer/“Class B” Liquor License** as listed, subject to passing any required follow-up inspections prior to license issuance. (Note: amendment to the motion should be made if any Council Member wishes to vote on any license separately.)

- a. 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.

Motion approved 6-0.

- (4) Montgomery made a motion, seconded by Cole to approve the Renewal Alcohol Beverage License applications for **Class “B” Beer/“Class B” Liquor License** as listed, subject to passing any required follow-up inspections prior to license issuance. (Note: amendment to the motion should be made if any Council Member wishes to vote on any license separately.)

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

Motion approved 6-0.

- (5) Montgomery made a motion, seconded by Cole to approve the Renewal Alcohol Beverage License applications for **Class “B” Beer and “Class C” Wine License** as listed, subject to passing any required follow-up inspections prior to license issuance. (Note: amendment to the motion should be made if any Council Member wishes to vote on any license separately.)

- a. 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.

Motion approved 6-0.

- (6) Montgomery made a motion, seconded by Cole to approve Mutual Aid Agreement with CAPMAR (Capitol Area Police Mutual Aid Response) by way of Brooklyn Police Department and the Dane County Sheriff's Department and Dane County Public Safety Communications Center. Motion approved 6-0.

F. Municipal Services Report. Ladick reported they increased the minimum amount for disconnections from \$15 to \$40 and they approved road maintenance standards for chip sealing. Brooks added that tomorrow is the League of Wisconsin Municipalities and MEUW Day at the Monona Terrace; a tour at WPPI in the next couple of weeks; and he will be attending the Board of Director's meeting on May 18th.

G. Economic Development Committee Report. Lewis reported they discussed affordable housing needs. Sergeant added that they also talked about underutilized commercial space, especially downtown, and the marketing video should be wrapping up soon.

H. Redevelopment Authority Report. None

I. Parks and Recreation Board Report. Ladick reported they waived the horse barn rental fee for the Grove Society for an event in August and for the Jay's because of the improvements they have made. Rigg added that the previously planned canine appreciation day has been cancelled.

Responding to a question from Stuart about a disagreement regarding field reservations, Rigg stated there was a misunderstanding about who had fields rented, it got heated but is now resolved. Responding to a question from Brooks, Rigg stated the damage to Westside Park included someone tearing down the urinal dividers and the soap dispensers.

J. Historic Preservation Commission Report. Lewis reported they had an application for chimney repair at 112 Grove St; Greg Ardisson was present to discuss the Night Owl building; they had a request to demolish the building at 15 Mill St, which they tabled; and a request to replace a deck at 230 W Church St.

Responding to a question from Montgomery regarding 15 Mill Street, Sergeant said there was some back and forth discussion and a little bit of frustration regarding how to mitigate the loss of a building listed as contributing to the downtown historic district.

K. Fire District Report. Montgomery reported they continue to discuss, and will continue to discuss, consolidating with EMS; and they discussed the reimbursement amount for first responders.

L. Police Commission Report. None.

M. Energy Independence Team Report. They are meeting on May 10, 2017.

N. Board of Appeals Report. None.

8. Unfinished Business

A. Brooks made a motion, seconded by Stuart to approve Ordinance 2017-04, An Ordinance Rezoning Parcel 6-27-958.091B (756 Brown School Rd) from Residential District Two (R-2) to Residential District Three (R-3).

Brooks made a motion, seconded by Cole to amend the motion to read Motion to approve Ordinance 2017-04, Rezoning both parts of Parcel 6-27-958.091B and all 22

condo units contained within at 756 Brown School Rd. from Residential District R-2 to Residential District R-3 Zoning, 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, after taking into consideration the recommendation of the plan commission. Motion to amend approved 6-0.

Main motion, as amended, approved 6-0.

B. Brooks made a motion, seconded by Cole to approve Ordinance 2017-05, Rezoning proposed Lots 13 and 14 of Stonewood Grove Subdivision that includes parcels 6-27-559.5031, 6-27-559.5032 and a portion of 6-27-559.500D from Residential District R-1 to Residential District R-2 Zoning, 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, after taking into consideration the recommendation of plan commission with the following conditions:

1.) Final Land Division Application is submitted, approved and recorded with the Rock County Register of Deeds.

Motion approved 6-0.

9. Communications and Recommendations of the Administrator. Rigg reported he continues to work on the phones and troubleshooting the fax line; he is working through the email conversion; the Westside Park Adhoc Committee met and things are going well; Civics has been working with staff to improve reports to help with proofing; the audit continues; and tomorrow is Legislative Lobbying Day with the League of Wisconsin Municipalities and MEUW

10. Communications and Recommendations of the Mayor. Hurtley asked the Council for their thoughts on whether to appoint a replacement for Josh Manring or hold a special election and the consensus was to place an advertisement for a replacement to be appointed.

He and Sergeant met with staff and a representative from the post office and discussed city concerns, walkability for example, and the post offices need for more time to vacate the building. Sergeant added that the meeting was very productive.

A. Brooks made a motion, seconded by Cole to approve Resolution 2017-12 Commending Josh Manring for his Service to the City of Evansville. Motion approved 6-0.

B. Hurtley recognized the Police Department for re-accreditation with WILEAG.

C. Brooks made a motion, seconded by Cole to approve Teena Nelson, 6668 N Old 92, Evansville to the unfinished term of Stephanie Dudzic on the Evansville Youth Center Committee. Motion approved 6-0 on a roll call vote.

D. Brooks read aloud the Mayoral Proclamation for Municipal Clerks Appreciation Week, May 7-13, 2017.

E. Brooks read aloud the Mayoral Proclamation for EMS Week, May 21-27, 2017.

F. Hurtley read aloud his Mayoral Proclamation for Public Works Week, May 21-27, 2017.

G. Brooks directed Council's attention to the Mayoral Proclamation for Travel and Tourism Week, May 7-13, 2017

11. New Business. None.

12. Introduction of New Ordinances.

- A. Brooks presented the First Reading of Ordinance 2017-06, an Ordinance Rezoning Parcel 6-27-491.2, 460 and 462 South Fifth Street, from Residential District R-1 to Residential District R-2.

13. Meeting Reminders:

- A. Regularly scheduled meeting: Tuesday, June 13, 2017 6:30 p.m., City Hall

- 14. Adjournment.** Cole made a motion, seconded by Stuart to adjourn at 8:50 p.m. Motion approved 6-0.

Judy Walton, City Clerk-Treasurer