

**Common Council
Regular Meeting**

Tuesday, August 14, 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 6:30 p.m.
2. **Roll Call.** Members present: Mayor Hurtley, Alderpersons Brooks, Cole, Dobbs, Duggan, Stuart, Ladick, and Morrison. Alderperson Montgomery was absent. Others present: City Administrator Ian Rigg, City Attorney Mark Kopp, Community Development Director Jason Sergeant and members of the community.
3. **Approval of Agenda.** Brooks made a motion, seconded Cole to approve the agenda noting the “quick” on item 9B should read “quit”. Motion approved 7-0.
4. **Approval of Minutes.** Brooks made a motion, seconded by Cole to waive the reading of the minutes of July 10, 2018 and approve as presented. Motion approved 7-0.
5. **Civility reminder.** Recognition of the commitment to civility and decorum.
6. **Citizen appearances.** None
7. **Reports of Committees**
 - A. **Library Board Report.** Written report from the Library Director to the Council. “We will be meeting later this week to discuss the timeline of the move. We are anticipating the move to start at the end of September or early October. The Construction program on August 2nd was huge success. We had about 130 people attend. Photos have been posted on our Facebook page. Summer Library Club ends this Saturday. All reading records are due by 1:00 on August 18th. This week we have a walk-in program for kids ages 5 and up. They can enter our bookmark coloring contest. All entries will be on display next week, and voting will run from August 20-25. Children’s programming will be taking a break August 20-September 4.”
 - B. **Youth Center Advisory Board Report.** Brooks reported the center is getting ready for the start of school. They held 3 open houses. The board is looking for ways to get parents more engaged.
 - C. **Plan Commission Report.**
 - (1). Cole made a motion, seconded by Duggan to approve the extraterritorial land division to divide parcel 6-16-243 (Tax ID 032030004) 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 applicant files the final CSM with Rock County Register of Deeds. Motion approved 7-0.
 - (2). Cole made a motion, seconded by Stuart, to approve Ordinance 2018-08 and the annexation agreement, finding the annexation is consistent with the Comprehensive Plan, annexing territory to the City of Evansville, with the following conditions:
 - 1) The applicant signs and accepts the Annexation Agreement

- 2) Lot Line adjusted to create a 77.5' to 80' right of way
- 3) A storm water control and site grading plan approved by engineer
- 4) Sidewalk and approved curb and gutter constructed
- 5) DOA approves annexation
- 6) Sewer and Water extension plans are submitted for City Staff and State approval
- 7) Site restrictions agreed to per staff review of sewer and water extension plans

Sergeant gave a lengthy description of the project and responded to the Council's questions about stormwater and other infrastructure issues. The ability to build is limited due to the availability of sewer access. Setback requirements and location of site where sewer is accessible keeps the structure out of the flood way. The City Engineer and Building Inspector will both monitor the project to make sure they remain compliant with the pre-approved plans. The construction should not add to the floodway and retention/control of stormwater is part of the engineer's approval process. Motion pass 5-2 on roll call with Stuart and Morrison voting "no".

- (3). Cole made a motion, seconded by Brooks, to approve Ordinance 2018-09, Rezoning Territory from Temporary Residential (A) to Residential District One (R-1) Zoning, finding that the public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning, as identified in Section 130-174(3)a-c of City ordinance, with the following conditions:

- 1) Annexation Application A-2018-01 and Ordinance 2018-08 is approved by Common Council.
- 2) Conditions of Approval for Application A-2018-01 and annexation agreement are met.
- 3) A storm water control and site grading plan approved by engineer

Sergeant explained that with annexation the next step is to zone the parcel. Given the sensitivity to stormwater control in the area, condition three was added to otherwise standard language. Brooks motioned to amend the original motion and add a fourth condition "a deed restriction for a single residential building". Ladick seconded and the motion for the amendment passed 7-0. Original motion passed upon roll call 6-1 with Stuart voting "no"

D. Finance and Labor Relations Committee Report

- (1). Cole made a motion, seconded by Duggan to accept the City bills as presented in the amount of \$1,860,277.11. Motion approved 7-0 on a roll call vote.
- (2). Duggan made a motion to approve a revised development agreement between Morning Berg LLC and the City of Evansville to Common Council, seconded by Dobbs. There was concern about how the changes have evolved. Brooks commented on the risk and appearance of shopping for a developer without a set plan. Rigg the City risks minor infrastructure costs if the "claw back" provisions were to fail. Cole motion to amend the motion to state "... as a contractual memorandum of understanding and subject to final Council approval at a later date" with the

“claw back” date set for 2023. Brooks seconded and the motion to amend passed 7-0.

Original motion with amendment was approved 5-2 on a roll call vote with Brooks and Cole voting “No”.

- (3). Cole made a motion to approve Resolution 2018-24, Resolution providing for the sale of Note Anticipation Notes not to exceed \$1,250,000, seconded by Duggan. Rigg explained that this is the planned \$1,000,000 loan to cover the immediate costs of construction, repaid by fundraising and \$250,000 for the Ambulance. The City is likely not going to use the full amounts for either purchase, but may need this loan to not deplete cash reserves for operations. The City has 5 years to repay the loan or refinance it. The pledges will be complete prior to the term of the loan ends. Motion passed 7-0 upon roll call.

E. Public Safety Committee Report. Duggan reported the committee took a look at the budgets for Police and EMS. Talked about towing practices and UTVs on road ways.

F. Municipal Services Report. Brooks reported they discussed the capital plan and budget for 2019.

- (1). Brooks made a motion to approve Resolution 2018-23, Amending the City of Evansville’s Fee Schedule – Cemetery, seconded by Cole. Rigg explained this is not an increase but segregating the permitting fees and correcting the winter charges. Motion approved 7-0.

G. Economic Development Committee Report. Ladick reported they discussed the 15% limit of light industrial in commercial districts and Lot 2 development.

- (1). Ladick made a motion, seconded by Stuart, to approve Resolution 2018-21 expanding membership of the Evansville Tourism Commission. Sergeant said there has been an increase in interest so this allows more volunteers to participate. Motion passed 7-0.

H. Redevelopment Authority Report. No report.

I. Parks and Recreation Board Report. Morrison reported the tennis court backboards were complete by staff and paid for by volunteers. The Westside Plan was reviewed and the Committee selected option C with some minor edits as the preferred option but kept all 3 options in the report. Blue Scope is renting the upper shelter for an employee gathering/appreciation picnic this month.

J. Historic Preservation Commission Report. Morrison reported they had a number of permits for building improvement approved at the Commission. One business was approved with stipulations about the front appearance of the building. Educational materials on tax credits were sent to property owners in the historic districts.

K. Fire District Report. Dobbs reported that the District met and 4 firefighters went to training for emergency aid and 3 new officers were added to the department. The budget was presented with future projections and capital planning.

L. Police Commission Report. The commission met and promoted Officer Jones to Sergeant, Officer Hernandez to Full-time status and Intern Tway to part-time officer status after completing academy.

M. Energy Independence Team Report. Brooks reported on his advocacy trip to DC for the electric utility. They discussed finding volunteers for maintaining Bird City and Tree City status. They discussed the importance of the community garden.

N. Board of Appeals Report. No report.

8. Unfinished Business.

9. Communications and Recommendations of the Administrator. Rigg stated he is working on the budget.

A. Brooks made a motion, seconded by Duggan, to authorize signature to an agreement between the City of Evansville and Payment Service Networks. Rigg said this is to allow the City to eventually use credit cards at the front desk. Motion passed 7-0 upon roll call

B. Brooks made a motion, seconded by Cole, to authorize signature to quit claim deed, disposing of City interest in Parcel 6-27-491 located at the Southeast Corner of Lincoln and S Fourth Street without disposing of easements. Upon roll call motion passed 7-0.

C. Rigg asked if any members wanted to attend the League of Wisconsin Municipalities 2018 Annual Conference. Brooks, Duggan and Morrison expressed interest.

10. Communications and Recommendations of the Mayor.

A. Brooks made a motion, seconded by Cole, to approve appointments of Berta Tinglev-Hansen of 21 Montgomery Ct., Heather A. Skumatz of 677 Garfield Ave., and Brooke D Johnsen of 323 S Madison St. to the Evansville Tourism Commission. Motion passed 7-0 upon roll call.

11. New Business. None.

12. Introduction of New Ordinances.

13. Meeting Reminders

A. The next regular Council Meeting is scheduled for Tuesday September 11, 2018 at 6:30 p.m., City Hall.

B. Budget presentation: Wednesday, October 3, 2018 at 6:30 p.m., City Hall

14. Closed Session. Cole made a motion, seconded by Duggan to convene in closed session pursuant to Sec. 19.85(1)(e) of the Wis. Stats. 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 7-0 on a roll call vote at 8:06 p.m. The Mayor left at this time for a different engagement. There was no action taken in closed session and the meeting ended at 8:30 p.m.

Ian Rigg, City Administrator