

**Common Council
Regular Meeting**

Tuesday, September 10, 2019, 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 Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Larry Dobbs, Dianne Duggan, Ben Ladick, Joy Morrison, Jon Senn, 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, Library Director Megan Kloeckner, Tiffany & Joel Bessire, 221 Noahs Arc Ct, Evansville, and Mark Oyan, 435 Bowlavard Ave #1, Belleville.
- 3. Approval of Agenda.** Brooks made a motion, seconded by Duggan to move Item 7E to follow Item 7A and approve the agenda. Motion approved 8-0.
- 4. Approval of Minutes.** Brooks made a motion, seconded by Cole to waive the reading of the minutes of August 13, 2019 and approve as presented. Morrison pointed out an error in Item 9 ~~Milton~~ should be Middleton. Motion, with correction, 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.** Kloeckner gave Summer Reading Updates as follows: We offered 46 programs for kids this summer with a total attendance of 750; 73 kids participated in the reading challenge (57 participated in 2018) which was a 28% increase from last summer; we offered 12 programs for teens this summer with a total attendance of 116; and 42 teens participated in the reading challenge and read 1,445 hours. Other Updates: The new website is live, we still have to add some more photos and descriptions and these will be added as they are completed.
 - B. Public Safety Committee Report.** (*Previously Item 7E*). Duggan reported Jim Brooks, as a member of the Fire District Board, attended the meeting to discuss unbillable ambulance assist invoices. They will follow up with addition members of the Board for additional discussion.
 - (1).** Duggan made a motion, seconded by Senn to approve the Original Alcohol Beverage License applications for a **Class B Beer/Class B Liquor License** for:
 - 1) Bessire Bowl LLC, Tiffany F. Bessire, Agent**, 221 Noahs Arc Court, Evansville, WI 53536, d/b/a Blue Devil Bowl, 108 E. Main Street, Evansville, WI 53536.
 - Motion approved 8-0 on a roll call vote.
- C. Youth Center Advisory Board Report.** Brooks reported they are busy with back to school; a city-wide mailer was sent last week, something they worked very hard on and did

a very good job on; and they are short members. Stuart commented that Oregon's new youth center is very inviting and if we ever get a new facility it would be worth touring.

D. Plan Commission Report.

- (1). Brooks made a motion, seconded by Cole to authorize the Mayor and staff to complete the sale of the lot commonly known as 317 Cherry Street in the amount of \$26,025.00 to Double D Builders of Evansville, LLC, and cause the same lot to be redeveloped as recommended by the Plan Commission.

Sergeant stated the proposal came from the RFP, there was only one proposal, the applicant met almost all conditions, and the proposal has everything we were looking for and more.

Motion approved 7-0 on a roll call vote with Dobbs abstaining.

E. 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 \$1,526,916.29. Motion approved 8-0 on a roll call vote.
- (2). Cole made a motion, seconded by Duggan to approve the City of Evansville Finance Handbook. Cole stated they have been working on this at Finance and Labor Relations for some time. Rigg added they wanted to bring the individual policies together into one handbook. Rigg pointed out the significant changes. Motion approved 8-0.

F. Municipal Services Report. Brooks reported they are stilling finishing up Cemetery Road; the charge point station is in at the Centennial parking lot; and we are filing for both water and electric rate increases. The last full electric rate case was in 2012. He reminded everyone of the Public Power Event and Cookout on September 27th from 5:00 p.m. – 7:00 p.m. at the Water & Light campus.

- (1). Brooks made a motion, seconded by Cole to approve intergovernmental agreement between City of Evansville and Town of Union. Brooks commented that this is a big deal for the utility. Rigg added that the Town of Union would be voting on this agreement on Thursday. Motion approved 8-0 on a roll call vote.

G. Economic Development Committee Report. Ladick reported they made a motion to support a letter in support of PACE and a motion in support of the rezoning of the 12A parcel 6-27-1150.

H. Redevelopment Authority Report. No report.

I. Parks and Recreation Board Report. Morrison reported the creek walls are progressing; the spillway was inspected for cracks in August; there are plans for tree planting; the pad for the duck house is in; Westside Park Soccer Club indicated they were interested in doing some fundraising and supporting grants for the soccer fields; the bushes at the north end of 2nd Street were torn out and may be replaced with hostas; soil boring tests by the pool will be conducted this month; and the Jay's finished their season on Sunday with a win.

Dobbs added that there was a tremendous crowd at the Jay's game and there were a number of comments on the beauty and the accommodations of the park.

J. Historic Preservation Commission Report. Morrison reported on a number of applications that were approved as follows: 120 W Church storm windows, chimney and porch repair; 402 S 1st exterior stairs, 342 S 1st exterior stairs; 114 S 3rd front porch; 20 W Main stairs; 231 S Madison railings; 40 W Liberty constructing a side porch; 112 Grove for windows and railing; 257 W Church stairs and railings; 112 W Liberty storm windows and porch; 228 W Main repair and reconstruct screened porch; 250 W Main steel shed; and 34 N 2nd stairs and railings. They had an update from Roger Berg for the property at 259 W Liberty Street. They discussed options for cedar shingles and stucco at 216 W Main Street. The Local History and Historic Preservation Conference will be October 25th and 26th in Lake Geneva. They discussed projects at Lake Leota Park and there were no staff issued certificates of appropriateness this month.

K. Fire District Report. Senn reported the Chief wanted to thank all who helped with cleaning up around the station. There were 22 calls in August, 175 year-to-date which is up about 19% from last year. The parking lot was resealed and painted; tanker needs to be replaced in 2020 at a cost of approximately \$275,000 - \$325,000; there was discussion and a motion to pay 8 hours injured firefighter pay; and the budget is estimated to increase 2.9%.

L. Police Commission Report. No report.

M. Energy Independence Team Report. No report.

N. Board of Appeals Report. No report.

8. Unfinished Business

A. Brooks presented the second reading and made a motion, seconded by Dobbs to approve Ordinance 2019-03 Rezoning Parcel 6-27-1150. Sergeant explained this is the city owned 12 acre parcel that they are trying to get gold shovel certified and it needs to be zone properly for that. Motion approved 8-0.

9. Communications and Recommendations of the Administrator. Rigg reported he is working with GovHR on the Police Chief search; he is looking into a community survey to see what residents would like to see in the new chief; and city hall is closing early tomorrow for an internal meeting. He stated there was an accident on Cherry Street where an individual was injured and pinned in the rafters under the roof and the Fire Department, Police Department, and EMS responded. At the same time there was a gas leak call. These calls were 30 seconds apart. Staff needed to respond to the calls and handle the press. Many of the volunteers are city employees. He expressed his gratitude for their efforts, professionalism, and response. He stated this brings to light the importance of the permitting process and the importance of having licensed and insured contractors.

10. Communications and Recommendations of the Mayor. Hurtley also commented on how well everyone worked together at the Cherry Street accident. He complimented Jason Sergeant and Town & Country Engineering on the parking lot on Maple Street and thanked everyone in advance for the extra meeting coming up on Thursday for the budget presentations.

11. New Business

A. Brooks made a motion, seconded by Dobbs to allow the Council to suspend its current rule and/or past practice of voting on proposed ordinances only after a first and second reading so that proposed ordinance 2019-04, which is identified as agenda item 12A can be voted on after the first reading. Morrison received clarification that suspending the rules would

be specific to only this proposed ordinance. Motion approved 7-1 on a roll call vote with Senn opposing.

12. Introduction of New Ordinances

- A. Brooks presented the first reading and made a motion, seconded by Stuart to approve Ordinance 2019-04, Amending Chapter 46, Property Maintenance. Sergeant stated the reason this has come up on the priority list is we have had done approximately 100 property maintenance cases since our building inspector started approximately 2 years ago. Most went relatively well, a handful of them we could not enforce all problems as they were not in the code and 4 or 5 ended up in court. This will clean up language and clarify the code to cover problems that have come up. He pointed out all the proposed changes.

Senn questioned the criteria for dilapidated outdoor structures, which he assumed would be like a gazebo or shed. Sergeant responded that the intent was for temporary structures like a car port for example that are not removed when they start to fall apart. Senn stated the way he reads the code it allows staff other than the building inspector to make this determination and he wanted to know what training they would have for this. Sergeant clarified that many times the building inspector needs to partner with other staff and they would be performing their duties, such as an officer writing a citation.

Discussion followed regarding home owner responsibility versus the city's responsibility, verbatim language versus intent, and government overreaching versus meeting standards set forth in the zoning code.

Motion approved 7-1 on a roll call vote with Senn opposing.

- B. Brooks presented the first reading of Ordinance 2019-05, Annexing Territory into the City of Evansville.
- C. Brooks presented the first reading of Ordinance 2019-06, Rezoning Annexed Territory into the City of Evansville.
- D. Brooks presented the first reading of Ordinance 2019-07, Rezoning "Westfield Meadows 1st Addition" in the City of Evansville.

13. Meeting Reminders

- A. Special Budget Presentation: Thursday September 12, 2019 6:30 p.m., City Hall.
- B. Regular Council meeting: Moved to October 15, 2019 6:30 p.m., City Hall.
- C. League of Wisconsin Municipalities Annual Conference (Green Bay, WI): October 23-25, 2019, KI Center/Hyatt Regency.

- 14. **Closed Session.** Brooks made a motion, seconded by Cole that the Common Council shall convene in closed session pursuant to section 19.85 (1) (e) of the Wisconsin statutes to discuss a development agreement, 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 7:55 p.m.

No action was taken in closed session and the meeting ended at 8:04 p.m.

Judy Walton, City Clerk/Treasurer