

**DECEMBER 16, 2019 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:00 p.m.

Present: Sarah Braun, David Esau, Candy Davis, Debbie Olson, Anne Radtke and Jim Burdick

Others Present: City Administrator Ramona Flanigan, City Clerk/Treasurer Cindy Hegglund, Utility Director Randy Oren, Municipal Services Director Howard Moser, Police Chief Bob Kowalski, Library Director Kirsten Almo, City Attorney Bill Morgan and Citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, December 13, 2019 and an emergency amendment to the agenda was posted on December 16th at 1:00 pm. Agendas were posted at the Post Office, Edgerton Library and City Hall.

ACCEPT THE AGENDA: A David Esau/Debbie Olson motion to accept the agenda as posted passed, all voted in favor.

PERSONAL APPEARANCES: Bill Olmulski, 21 Garfield St appeared to discuss the money the City paid for the property at 407 N Main St. He feels the City has already paid too much money on a property they don't own and the taxpayers should not have to pay any more money toward this property.

MINUTES: A Candy Davis/David Esau motion to approve the minutes from the December 2, 2019 Common Council meeting passed, all voted in favor.

A Candy Davis/Debbie Olson motion to approve the minutes from the December 5, 2019 Joint Common Council and RDA meeting passed as corrected, all voted in favor.

COMMITTEE REPORTS:

Finance Committee: A Candy Davis/Debbie Olson motion to approve the bills and payroll list in the amount of \$256,977.76 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve an Operator's License to Alexis Smith passed on a 6/0 roll call vote.

A Candy Davis/David Esau motion to approve a Temporary Class "B" Beer License to the Edgerton Chamber of Commerce on December 17, 2019 passed on a 5/0/1 roll call vote. Candy Davis abstained.

A Candy Davis/David Esau motion to adopt City of Edgerton Resolution 26-19: 2020 Salary Resolution, with correction of Library Admin Salary after 5 years, passed on a 6/0 roll call vote.

Plan Commission: An Anne Radtke/Jim Burdick motion to approve a water main easement reduction at 910 Rock River Rd passed on a 6/0 roll call vote.

An Anne Radtke/Jim Burdick motion to approve a preliminary Certified Survey Map near the west side of the Industrial Park with the Plan Commission's conditions passed on a 6/0 roll call vote.

An Anne Radtke/Jim Burdick motion to adopt City of Edgerton Resolution 27-19: Approving final CSM near the west side of the Industrial Park passed on a 6/0 roll call vote.

PURCHASE AGREEMENT FOR 407 N MAIN ST: A request to extend the purchase agreement for 407 N Main to March 2020 is being made to allow extra time for the completion of the phase 2 soils analysis. The current owner is requesting the maximum carrying cost the city would owe be raised from \$8,000 to \$12,000 if the extension is approved. This increase would cover any additional costs they may incur during the extension. The new agreement would include snow removal and require the City to pay for title insurance and recording fees.

A Candy Davis/Sarah Braun motion to approve the extension of the purchase agreement for 407 N Main St passed on a 6/0 roll call vote.

ORDINANCE 19-09: Attorney Morgan submitted two versions of the ordinance incorporating the changes discussed at the last meeting. He stated version A is more inclusive and restrictive, version B is slightly less restrictive.

Jim Burdick stated he disagrees with the restrictive language of version A. He also disagrees with the language including chewing tobacco and snuff. He stated the purpose of the ordinance is to protect the public health, general welfare, safety and comfort of the people of Edgerton. He does not feel there is a second hand danger to the public if someone uses either chewing tobacco or snuff.

Candy Davis feels going directly to the most restrictive version may cause more problems. She felt that slowly moving in that direction with version B would be the best way to start.

Anne Radtke/Sarah Braun moved to approve the second reading and adopt City of Edgerton Ordinance 19-09: To Amend Section 18.105 "Prohibiting the Use of Tobacco Products using version A as presented in the draft ordinance failed on a 1-5 roll call vote. Sarah Braun, David Esau, Candy Davis, Debbie Olson and Jim Burdick voted against the motion.

Attorney Morgan stated language could be added to address the use of chewing tobacco or snuff. He suggested putting the word "smoking in front of Section 4a items 3-8. This would prohibit only smoking and not chewing tobacco and snuff from those specific areas.

Alderspersons Burdick and Braun expressed concerns about prohibiting smoking in service lines and how it would affect the events in town. The section of the draft ordinance regarding service lines would apply to events where people are waiting in line to purchase tickets or alcohol. They feel this might be a deterrent for some event goers. Attorney Morgan suggested inserting language to Section 4a7 to allow an exception is requested in an events packet.

A Sarah Braun/Jim Burdick motion to amend Section 4A7 to add "Except as exclusively permitted by the event packet passed on a 5/1 roll call vote. Anne Radtke voted against the motion.

A Jim Burdick/Sarah Braun motion to approve the second reading and adopt City of Edgerton Ordinance 19-09: To Amend Section 18.105 “Prohibiting the Use of Tobacco Products using version B with the amendment to insert “smoking” in front of items subsection 4a items 3-8 passed on a 4/2 roll call vote. Debbie Olson and Anne Radtke voted against the motion.

ORDINANCE 19-11: A Candy Davis/David Esau motion to approve the second reading and adopt City of Edgerton Ordinance 19-11: To amend Chapter 20 “Building Regulations” to include commercial inspections passed on a 6/0 roll call vote.

NAMING OF STREET NEAR GEAR DR: With the purchase of the lot from Nelson Young on the west side Industrial Park, a new street will be created to service the lot. The City is given the opportunity to name the street. Mayor Lund listed some possible names.

A Candy Davis/Sarah Braun motion to approve naming the new street west of Gear Drive as Marshview Court passed on a 6/0 roll call vote.

COMMITTEE APPOINTMENTS: A Candy Davis/Anne Radtke motion to approve the Mayor’s recommendation to appoint poll workers as listed (see attached list) passed, all voted in favor.

ADDENDUM TO 2016 SHARED RIDE TAXI CONTRACT: A Candy Davis/Sarah Braun motion to approve the addendum to the 2016 Shared Ride Taxi Contract to extend the contract until December 31, 2020 passed on a 6/0 roll call vote.

CLOSED SESSION: Candy Davis/Jim Burdick moved to go into closed session pursuant to Wis. Stat. 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.” Discuss and consider potential sale of City property. The motion passed on a 6/0 roll call vote.

Being no other business before the Council, a Candy Davis/Debbie Olson motion to adjourn passed, all voted in favor.

Cindy Hegglund/wl
City Clerk-Treasurer
Adopted January 6, 2019