

CITY OF EDGERTON
REGULAR COMMON COUNCIL MEETING
EDGERTON CITY HALL, COUNCIL CHAMBERS
12 ALBION STREET

Monday, August 17, 2020 at 7:00 p.m.

NOTE: PER EMERGENCY ORDER #1 FACE COVERINGS ARE REQUIRED

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, August 14, 2020.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
 - A. The public will be allowed to speak on agenda items during the meeting.
6. Minutes:
 - A. Consider approval of minutes from August 3, 2020 Council meeting.
 - B. Consider approval of minutes from the August 10, 2020 Jt Plan and Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider pay request #2 from R T Fox Contractors for the W Rollin St project.
 2. approval of bills and payroll vouchers.
 3. Consider approval of licenses.
 - a. Operator's License for Chris Nottestad.
 4. Consider bidding process for trash and recycling collection services.
 5. Consider façade grant for 2-8 E Fulton St.
 6. Consider introducing and approving first reading of City of Edgerton Ordinance 20-08: Repeal and recreate Chapter 19 Section 19.17(d) Operator's License.
 - B. Utility Commission:
 1. Consider water utility rate increase.
 2. Consider sewer utility rate increase.
 3. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 - C. Plan Commission:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 2. Consider approval of waiving fencing requirements for outdoor entertainment area at 520 N Main St, Last Nite Bar & Grill.
 3. Consider extraterritorial land division for Bill Morrison, Town of Fulton, Section 8 to create three lots out of two lots on STH 59.
 4. Consider extraterritorial land division for Schumaker, Town of Fulton, Section 16 to combine 2 lots on N Blackhawk Drive.

8. Consider approving the second reading and adoption of City of Edgerton Ordinance 20-07: Adopt an Amendment to the 2015 City of Edgerton Comprehensive Plan for 407 N Main St.
9. Consider lifting hiring freeze for s Public Works Operator's position.
10. Mayor, alderperson and staff reports.
11. 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 sale of City land in the Business Park.
12. Return to open session and consider taking action on items discussed in closed session.
13. Adjourn.

Notice: Some members of the Council may attend by telephone conference for this meeting.

Notice: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: (608) 884-3341.

**AUGUST 3, 2020 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:03 p.m.

Present: Sarah Braun, Casey Langan, Candy Davis, Robert Reynolds, Anne Radtke (remotely), and Jim Burdick.

Others Present: City Administrator Ramona Flanigan, Municipal Services Director Howard Moser, Utility Director Randy Oren (remote), City Clerk Treasurer Cindy Hegglund, Aquatics Director Anne Gohlke, Police Chief Bob Kowalski, City Attorney Bill Morgan, The Edgerton Reporter and citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, July 31, 2020 at the Post Office, City Hall, Edgerton Library and City's website.

ACCEPT THE AGENDA: A Candy Davis/Casey Langan motion to accept the agenda as printed passed on a 6/0 roll call vote.

PUBLIC HEARING: The Council held a public hearing to hear comments regarding the special assessments for the Henderson Street cul-de-sac project.

As part of the resurfacing project for Henderson St, a cul-de-sac will be added. Henderson St will not be extended because it leads into land that has been committed for park land. As part of the 2020 budget, and in the award for that project, the cul-de-sac was included. There is one adjoining property owner that is not the city who will benefit from the improvement.

Debra Benoit, 112 Henderson St, appeared to state she would need enough room to back out of her driveway. She asked why the cul-de-sac couldn't be extended to her driveway. Flanigan stated if the improvements were extended further it would be very expensive for the home owner and the city.

Hearing no further comments, the Mayor closed the public hearing.

Candy Davis/Sarah Braun moved to set the payment terms for a special assessment for the Henderson Street cul-de-sac project with 10 annual installments; a \$200 minimum payment threshold; and 3.5% interest, and adopt City of Edgerton Resolution 11-20: Preliminary Resolution declaring the City Council's intentions for the Henderson Street cul-de-sac project to exercise special assessment police powers under Sec. 66.0703 Wis Stats.

Robert Reynolds felt if this improvement would benefit all the tax payers, one property owner shouldn't have to be the only one being assessed. Flanigan stated the amount being assessed is not the entire amount and the tax payers will be paying for the rest of the cost. He stated the federal rate of inflation was 1.8% in 2018 or 2019 so he felt 3.5% was too high. Flanigan stated the city considers what would have to be paid in interest if we borrowed this money or what income we would forgo by not having this money in the savings account for 10 years.

Robert Reynolds moved to change the interest rate from 3.5% to 1.8%. The motion failed for lack of a second.

Jim Burdick/Robert Reynolds moved to amend the motion to change the interest rate from 3.5% to 2.5%. The motion passed on a 4/2 roll call vote. Casey Langan and Candy Davis voted against the motion.

Candy Davis/Sarah Braun moved to set the payment terms for the special assessment for the Henderson Street cul-de-sac project with 10 annual installments; a \$200 minimum payment threshold; and 2.5% interest rate and adopt City of Edgerton Resolution 11-20: Preliminary Resolution declaring the City Council's intentions for the Henderson Street cul-de-sac project to exercise special assessment police powers under Sec. 66.0703 Wis Stats. The motion passed on a 5/1 roll call vote. Candy Davis voted against the motion.

PERSONAL APPEARANCES: Beth Drew appeared to state she is running for 43rd Assembly.

MINUTES: A Candy Davis/Sarah Braun motion to approve the minutes from the July 20, 2020 Common Council meeting passed on a 6/0 roll call vote.

COMMITTEES:

Finance Committee: A Candy Davis/Sarah Braun motion to approve the bills and payroll list in the amount of \$388,544.30 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a temporary amendment to the premise description at 520 N Main St for the "Class B" combination beer and liquor license for Last Nite Bar & Grill, Terry Nottestad Agent to add an outdoor area consistent with the conditional use permit issued by the Plan Commission until June 1, 2021 passed on a 6/0 roll call vote.

A Candy Davis/Robert Reynolds motion to approve the purchase of a safety partition for the shared ride taxi van not to exceed \$380 passed on a 6/0 roll call vote.

A Candy Davis/Robert Reynolds motion to approve the amendment to 102 W Fulton St façade grant award to include the concrete step repairs for a grant amount of \$433.80 passed on a 6/0 roll call vote.

SWIMMING POOL UPDATE: Aquatics Director Anne Gohlke distributed an analysis report comparing the 5-year average of patrons and revenues for July. She stated the number of patrons were up. The staff has not had to turn any patrons away. Ramona Flanigan noted that although the number of patrons has been up, total revenues have been down due to lack of family passes. The total impact to expenses and revenues for 2020 will not be determined until the end of the season.

CLOSED SESSION: Candy Davis/Sarah Braun 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 sale of City land in the Industrial Park.

AND

Closed Session pursuant to Wis. Stat. 19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect

to litigation in which it is or is likely to become involved.” Discuss and consider 2 Burdick Street. The motion passed on a 6/0 roll call vote

A Candy Davis/Sarah Braun motion to go into open session passed on a 6/0 roll call vote

Being no other business before the Council, a Robert Reynolds/Candy Davis motion to adjourn passed on a 6/0 roll call vote.

Cindy Hegglund/wl
City Clerk-Treasurer

Adopted August 17, 2020

**AUGUST 10, 2020 JOINT COMMON COUNCIL AND PLAN COMMISSION
MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 6:30 p.m.

Plan Commission members present: Christopher Lund, Jim Burdick, Anne Radtke (remotely), Paul Davis, Jim Kapellen, Julie Hagemann, and Ron Webb.

Council members present: Casey Langan, Candy Davis, Robert Reynolds, Anne Radtke (remotely) and Jim Burdick.

Council member Sarah Braun was excused.

Others Present: City Administrator Ramona Flanigan, City Clerk/Treasurer Cindy Hegglund, City Attorney Bill Morgan, and a group of citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, August 7, 2020 at the Post Office, City Hall, Edgerton Library door and City's website.

PUBLIC HEARING: Mayor Lund announced the request by Hillside Properties Edgerton LLC to amend the City of Edgerton Comprehensive Plan for the unplatted area along Hwy 59 and area southwest of Leslie Drive in the unplatted area of Windfield Subdivision has been withdrawn.

PUBLIC HEARING: The Plan Commission and City Council held a public hearing to gather input on the request by Don Cosgrove/Blake George to amend the City of Edgerton Comprehensive Plan for the unplatted area of Orchard Heights Subdivision from Single Family to Planned Neighborhood.

City Administrator Flanigan presented the following background related to the Orchard Heights Subdivision and the Comprehensive Plan:

“The Comprehensive Plan was adopted in 2015. At that time, the Orchard Subdivision was underway with some lots developed; a conceptual lot layout for the entire neighborhood had been reviewed; and the entire neighborhood had been rezoned to R-2 Residential District Two. Because the zoning was already in place for the entire subdivision, the 2015 Comprehensive Plan recommended the neighborhood be developed as single family residential, except for a 7-acre parcel near the street entrance across from Lois Lane which is planned for an Institutional land use (labeled lot 205 in the attached map). Had the undeveloped portion of the neighborhood not already been zoned R-2 when the Comprehensive Plan was adopted, this area would most likely have been designated a Planned Neighborhood land use. The Planned Neighborhood land use is used extensively in the Comprehensive Plan for the other future development areas in the City.”

The following is an excerpt from the Comprehensive Plan describing the Planned Neighborhood land use.

Planned Neighborhood

The Planned Neighborhood land use category encourages a mix of residential development. *Single Family Residential* development is planned to make up the majority of the residential units (approximately 70 percent of residential), integrated with well-designed, limited components of *Two Family Residential* (approximately 10 percent of residential), *Multi-Family Residential* (approximately 20 percent of residential), *Institutional*, *Park*, *Neighborhood Office*, and *Neighborhood Business* land uses. Such plans encourage the use of complementary vehicle and pedestrian transportation networks, urban design strategies including the preservation and enhancement of vistas, neighborhood gathering places, and visual focal points.

The ideal end result for these new areas is new neighborhoods that capture much of the charm and unique character of the best historic neighborhoods in the community, and the added benefit of more completely coordinated land use, open space, and transportation patterns. Areas planned in this manner will be more marketable to a greater diversity of ages, incomes and lifestyles, and will typically appreciate in value faster than single-use neighborhoods which employ “cookie cutter” street patterns, lot sizes, and structures over very large areas that become indistinguishable from each other. The combination of a fine-grained land use pattern with careful aesthetic planning is one of the critical factors in creating the lasting charm of a historic City like Edgerton.

The *Planned Neighborhood* area is intended to provide a highly-planned mix of residential dwelling units and density types; neighborhood-oriented shopping opportunities, such as convenience store or small specialty grocery stores, beauty shops, bakeries, or pharmacies; a range of employment opportunities (usually located on the edges of the neighborhood), including small offices and businesses such as those mentioned above; live-work arrangements, such as apartments or lofts over studio or other commercial space; and educational facilities, such as elementary schools and day care. These neighborhoods should be connected to other neighborhoods by a network of streets that discourage high travel speeds, but still allow access to emergency and maintenance vehicles.

Land use goals, objectives, and policies

Goal: Promote a future land use pattern containing a logical and sustainable mix of uses and building types.

Objectives:

- a) Ensure that adequate development areas are reserved for a variety of land uses.
- b) Balance individual property rights with the needs and vision of the community.
- c) Consider the mix of uses on a property carefully when reviewing zoning and land use decisions. The property’s contribution to the overall balance of uses within the City should also be considered.

Zoning

If the plan amendment were approved, the land owner would then seek to rezone portions of the property. The rezoning process would be the subject of a future public hearing. A draft of the proposed rezoning map is included in this packet **for information only**. The zoning map will not be considered or discussed at the August 10, 2020 meeting.

The draft zoning map presented by the petitioner proposes single family development throughout the unplatted area except for the following:

- Two family lots around the area previously planned for institutional (lot 205)
- Mixed use for the area generally previously planned for institutional near the

- highway
- Larger single family lots referred to as Estate Lots along the eastern edge of the neighborhood.

Flanigan stated the zoning is not being considered this evening. In order to allow for development other than single family, the first step is to amend the Comprehensive Plan as is being considered this evening. If the Plan is amended, the following steps are required: a development plan is presented; a rezoning request is made; and a public hearing is scheduled before any determination by both the Plan Commission and City Council.

Mayor Lund stated the City received a number of written statements regarding the Orchard Heights public hearing. Members of the Plan Commission read each statement for the record. In total, there were 24 statements opposing the amendment, one supporting the amendment and one that was undecided. (Copies of the statements are attached.)

Cassie Riley, 510 Shearer Dr, read her written statement opposing the amendment for the record.

Amber Grenfell, 230 Orchard St, stated her and her partner Zachariah Reynolds are opposed to the amendment for many of the same reasons as others stated. She feels the traffic coming off Highway 51 will increase in numbers and speed where many small children live and play.

Blake George, representing developer Don Cosgrove, stated there is no intent to destroy or change the aesthetics of this neighborhood. There is no economic proof that apartments decrease the value of property or that they over burden schools.

The multi-family units being proposed are planned to be built at market rates with high end amenities. There is no plan for retail development in this area. The 7 acres are being considered for a senior housing complex with twin homes or duplexes around it.

There are two new exists to Highway 51 planned and required so it would not trap people in a neighborhood. These would also service the multi-family areas so less traffic would travel through the single-family area. This area is not abutting any of the existing single-family homes that now exist.

The developer has also planned for estate lots that have larger lot sizes and geared for higher end homes. Mr. George noted that these types of lots would not be included or sellable if large apartment units were planned next to them.

Mr. George stated he understands that the uncertainty of what may develop in the neighborhood is definitely scary. He commends those that are in attendance for gathering the facts and information of what is planned.

Julie Hagemann asked what is the likelihood of a senior housing development happening. Mr. George stated he has spoken to two developers both of which are interested in developing in Edgerton.

Julie Hagemann asked about parking issues with duplexes. She sees street parking as a safety issue with small children. Mr. George gave a couple of examples of alternatives for additional parking. Ramona Flanigan again noted the proposed development is not platted and everything in the unplatted area can change.

Hearing no further comments, the Mayor closed the public hearing.

CONSIDER THE AMENDMENT TO THE CITY OF EDGERTON COMPREHENSIVE PLAN FOR THE AREA KNOWN AS THE UNPLATTED AREA OF THE ORCHARD HEIGHTS NEIGHBORHOOD: Anne Radtke/Jim Kapellen moved to deny City of Edgerton Resolution 12-20.

Anne Radtke asked if the development requires a lift station. The City Administrator stated it does not.

Robert Reynolds stated he represents District 2 that contains the majority of the apartment buildings within the City. He noted he also lives in an apartment and does not feel it is fair that he may have to go back to his constituents to tell them that rent will increase again because the City has turned down the potential of building additional apartments. The lower income residents have to live somewhere and it may be these people's children someday.

Reynolds sees the potential plan well thought out and the duplexes being built in an area that transitions well for the area.

Jim Burdick, representing District 3 where this subdivision is located, stated he wishes more of the neighborhood residents were present to hear Blake George's presentation and proposal. Looking at this and knowing this is only step one of the process makes this not so threatening. He understands the concerns but believes they can be addressed in creating a well-balanced neighborhood.

Amber Grenfell stated she feels Mr. Cosgrove has given the neighborhood a "bait and switch". Many families have other commitments and with the pandemic have chosen not to attend this evening. There are other properties where apartment buildings can be built on but their neighborhood was sold as single-family housing and that is what she wants it to remain.

Eric McDaniels, 536 Falk Dr, stated there is a lot of mistrust in the intent of this amendment. This area has been advertised and sold as single-family lots. City Administrator Flanigan again noted that this is not a rezoning and no one here is trying to mislead. In order to consider anything but single family the first step is to amend the Comprehensive Plan. Without amending the Comprehensive Plan, nothing else can be considered. It does not mean anything else will be approved but does allow developers to work with the neighborhood residents to consider alternatives.

For clarity, the City Administrator stated existing neighborhood covenants go with a platted subdivision. They do not extend to other existing unplatted areas.

Julie Hagemann stated as a Plan Commission member, she feels by approving the amendment the Commission is saying it approves of multi-family and commercial development. Again, the City Administrator stated there will be future decisions with platting and zoning to approve or deny the developers plans. The Plan Commission has control of the development future.

The 7 acres that are not single family are zoned institution. That allows buildings like churches and schools. In order to have a senior development the Comprehensive Plan would need to be amended.

Jim Kapellen stated his concern is the big advertising sign that stated 237 single-family lots. When they were not selling, Mr. Cosgrove came back to the Plan Commission and asked to change two lots for duplexes. He was turned down because the neighbors objected to anything other than single-family homes.

He continued, there are well managed duplexes and not well managed duplexes and there is no guarantee what these may be. Again, this creates uncertainty.

Jim Kapellen stated if the amendment to the Comprehensive Plan is denied tonight, it does not allow the developer to do anything but single-family lots.

Mr. George stated he regrets presenting the current plan. It was something that would work in that area but not necessarily what they wish to do. If he comes back, he may leave it as a blank parcel.

The motion by Anne Radtke/Jim Kapellen to deny City of Edgerton Resolution 12-20: Recommending the amendment to the City of Edgerton Comprehensive Plan for the area known as the unplatted area of the Orchard Heights Neighborhood passed on a 4/3 roll call vote. Voting against the motion were Ron Webb, Chris Lund and Paul Davis.

After the vote, Jim Kapellen recommended Mr. George meet with the neighborhood and come up with an acceptable plan. If that happens, he would then vote for the amendment.

PUBLIC HEARING: The Plan Commission and City Council held a public hearing to gather public input on the request by the City of Edgerton to amend the City of Edgerton Comprehensive Plan for 407 N Main Street from Planned Business to Institutional.

Hearing no comments, the Mayor closed the public hearing.

CONSIDER AMENDMENT TO THE CITY OF EDGERTON COMPREHENSIVE PLAN FOR 407 N MAIN STREET FROM PLANNED BUSINESS TO INSTITUTIONAL: A Jim Kapellen/Ron Webb motion to adopt City of Edgerton Resolution 13-20: Recommending the amendment to the City of Edgerton Comprehensive Plan for 407 N Main Street passed on a 7/0 roll call vote.

A Candy Davis/Anne Radtke motion to introduce and approve the first reading of City of Edgerton Ordinance 20-07: Adopt an amendment to the 2015 City of Edgerton Comprehensive Plan for 407 N Main Street passed on a 5/0 roll call vote.

Being no other business before the Plan Commission, a Chris Lund/Ron Webb motion to adjourn passed on a 7/0 roll call vote.

Being no other business before the Council, a Candy Davis/Robert Reynolds motion to adjourn passed on a 5/0 roll call vote.

Cindy Hegglund
City Clerk-Treasurer

Adopted: August 17, 2020

Memo

To: Common Council
From: Staff
Date: 8/14/2020
Re: August 17, 2020 Meeting

Trash and Recycling service: The City's contract for refuse and recycling services expires at the end of the year. Staff has reviewed available information and believes it would be advantageous to bid out the service.

2021 Utility rates:

The Utility Commission reviewed the five year financial forecast for the utilities. This analysis provides a long term view of the financial health of the utilities; it is used to make decisions about projects, staffing, and other operating expenses; and it provides the basis for determining if a rate increase or borrowing is needed for the next year.

Water Utility: The Utility Commission recommended the city borrow for the S. Main project given the magnitude of the project in order to avoid a significant rate increase. Additionally, the Utility Commission recommended a 3% inflationary rate increase due to the upcoming increase in reoccurring expenses the utility will have associated with addressing the lead in the drinking water issue (\$14,500 in costs annually). The last water rate increase was in 2011.

Sewer Utility: The Utility Commission recommended a 3% rate increase for sewer also to put the Utility in a better position to undertake some larger capital projects in the next 5 years and to allow for the consideration of prepaying loans having long amortization schedules. The last sewer rate increase was a 3% increase in 2017.

A 3% rate increase in both utilities will increase the charges to the average home (12,000 gal / quarter) by \$6.71/quarter.

520 N Main St fence: The Plan Commission granted a temporary conditional use permit for 520 N Main Street to allow the establishment of a beer garden. The temporary fence (snow fence) the petitioner proposes to install does not meet the ordinance requirements (too short and not permanent. Staff recommends the Council allow the installation of a snow fence for the beer garden because it is temporary.

Façade Grant for 2-8 E Fulton Street: The owner of 2-8 E Fulton Street (tenant - Hemp 1848), is requesting approval of a facade grant to replace the awning and windows on the building. The estimated cost of the project is approximately \$30,000. The maximum for the Façade Grant is \$5,000. The Historic commission will review the project for colors and materials.

Ordinance 20-08 Operator's License: The ordinance amendment falls into the "clean-up" category in that many changes are being proposed throughout the ordinance. Due to the extent of the changes, a marked version has not been provided. Substantive changes include the following: clarification of review process by staff; allows but does not require an applicant to appear before the Committee; allows a written statement from the applicant; update of standards for review; requires a conviction (not pending charges) as the violation threshold; requires Council to state reasons for denial and permits applicant to provide evidence as to their rehabilitation.

ORDINANCE NO. 20-08
AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 19 SECTION 19.17(d)
OPERATOR'S LICENSE OF THE CODE OF GENERAL ORDINANCES
OF THE CITY OF EDGERTON, WISCONSIN

Alderperson _____ introduced the following Ordinance and moved its adoption:

The City Council of the City of Edgerton, Wisconsin, does ordain as follows:

Section 19.17(d) shall be repealed and replaced with the following:

(d) OPERATOR'S LICENSE.

1. When Required: No premises operated under a Class "A", Class "B", "Class A", "Class B", or "Class C" license may be open for business unless there is upon the premises the licensee, the agent named in the license if the licensee is a corporation, or some person who has an operator's license and who is responsible for all persons serving any fermented malt beverages, intoxicating liquor or wine to customers. For the purposes of this Subsection, any member of the licensee's immediate family who is at least 18 years of age, who is related to, and reside in the common household of the licensee shall be considered the holder of an operator's license. No person, including an underage member of the licensee's immediate family, other than the licensee or agent may serve or sell fermented malt beverages, alcohol beverages or wine in any place operating under the licenses listed herein unless he or she has an operator's license or is at least eighteen (18) years of age and is under the immediate supervision of the licensee or agent or a person holding an operator's license, was on the premises at the time of the service.
2. Types of Operator's Licenses.
 - (a). **Regular Operator's License: new and renewal.** A Regular Operator's License is one that is issued for a twelve (12) month period or a fraction thereof for the first year. A regular operator's license may be renewed on an annual basis if the applicant meets the standards listed below or is approved by the Common Council.
 - (b). **Provisional Operator's License.** The City Clerk shall issue a Provisional Operator's License to any person who:
 1. Has filed a lawful application for a regular Operator's License with the City Clerk in the manner required by this chapter and has paid the fee required therefore; and
 - 2 At the time of such regular Operator's License application, also applied for a Provisional Operator's License and paid the required fees; and
 - 3 Indicates on the application form that he or she has never ~~had~~ held a regular Operator's License in the City of Edgerton; and
 - 4 Indicates on the application that a Provisional Operator's License has not been denied or revoked by the City; and

5. Shall be enrolled in a Responsible Beverage Server Training Course which is completed during the term of the Provisional Operator's License unless any of the exceptions under 7 above apply; and
 6. Provisional Operator's License shall be issued in the same manner as all other Operator's Licenses.
 7. A Provisional Operator's License is valid for a period not to exceed sixty (60) days from the date of issuance by the City Clerk or until a regular Operator's License is issued to the applicant.
- (c) **Temporary Operator's License.** The City Clerk and/or Common Council may grant a temporary operator's license under the terms and conditions as all other Operator's License except that:
1. This license may be issued only to operators employed by, or donating their services to, nonprofit corporations.
 2. No person may hold more than one license of this kind per year.
 3. The license is valid for any period from one (1) to fourteen (14) days, and the period for which it is valid shall be stated on the license.
3. Application. An operator's license may be issued by the City Clerk upon completion of a written application; payment of the proper initial fee or any renewal fee; and has a positive recommendation from the Chief of Police or the Chief's designee using the standards outlined in section 4 ~~3(v)~~. Applications which are not recommended for approval by the Police Department or which the City Clerk determines merit review by the Common Council, (Review Determination) shall be forwarded to the Finance Committee for a recommendation of approval or denial to the Common Council. Applications for operator's licenses may be denied only by action of the Common Council. The City Clerk shall provide a copy of the Review Determination to the applicant within 10 days of the determination.

Applications submitted to the Finance Committee shall include a written notice to the applicant stating that the applicant has the right to appear at the Finance Committee meeting or provide a written statement responding to the issues raised in the Review Determination before the Finance Committee meeting for individual review of the application. The notification to the applicant shall state that failure to appear or provide a written statement before the Committee meeting may result in denial of the application. The review of any such application may be held in suspension for up to 60 days after the Review Determination to allow for the applicant to appear or respond.

Incomplete applications or those which contain false or misleading information shall be given a negative recommendation unless the Committee finds strong mitigating circumstances. If an applicant receives a negative recommendation because of providing false or misleading information on the application, such applicant must wait at least six (6) months before submitting another application unless the Common Council overrides the negative recommendation and grants the Operator's License to the applicant.

4. Standards for Evaluating Operator's License Applications. The following standards shall govern the City Clerk and Police Chief in considering applications for Operator's Licenses including regular, renewal, provisional and temporary Operator's Licenses. If an applicant's Review Determination finds any of the standards apply, they will be given the right to appear in person or respond in writing at the next Finance Committee meeting.
 - (a) Any alcohol related conviction within the last twelve (12) months.
 - (b) A history of alcohol related convictions as long as the most current conviction is within the last twenty-four (24) months.
 - (c) Any drug related convictions within the last twelve (12) months.
 - (d) Any conviction within the last twelve (12) months which involve resisting arrest, battery to a police officer or obstructing justice.
 - (e) At least two (2) convictions in the last twenty-four (24) months for disorderly behavior type offenses if they occurred in conjunction with activity at a licensed alcohol establishment.
 - (f) Any felony conviction within five (5) years that substantially relate to the purpose of the license.
 - (g) Any pending criminal charges unless the circumstances of the charge relate to an alcohol related matter and which are either an exempt offense under Wis. Stat. Section 111.335(1m)(b) or involve a violent crime against a child.
 - (h) Any incomplete, misleading or falsified application when the incomplete, misleading or falsified information provided by the applicant pertains to either the identification of the applicant or to any matter prior to the date of application.
 - (i) Any outstanding fines, forfeitures, penalties, assessments and/or user fees owed to the City unless the applicant is appealing said fines, forfeitures, penalties, assessments or fees.
5. If the Council denies, suspends or non-renews a license due to a conviction record other than for an exempt offense, the Council shall state its reasons in writing and shall allow the applicant an opportunity to demonstrate evidence of rehabilitation and fitness as provided by Wis. Stat. Section 11.335(4)(d).
6. Renewal Application. All renewal applications shall be submitted on or before May 1st of the year the license is sought to be renewed to be considered without a lapse of coverage.
7. Operator Training. No Operator's License shall be issued unless the applicant has successfully completed a Responsible Beverage Server Training Course approved by the State of Wisconsin Department of Revenue or unless the applicant fulfills one of the following requirements:
 - (a) The person is renewing an Operator's License;
 - (b) Within the two (2) years immediately preceding the application the person held a Class "A", Class "B", "Class A" or "Class B" License or permit or Operator's License;

TO: Edgerton Plan Commission

FROM: Ramona Flanigan

MEETING DATE: August 17, 2020

GENERAL DESCRIPTION

Address: 5323 STH 59, Rock County, Fulton Township Sec. 8

Applicant: Bill Morrison

Parcel Size: 1.5, 5.6 and 32.3 acres

Description of Request: Approval of a 3 lot CSM

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Master Plan and has the following comments:

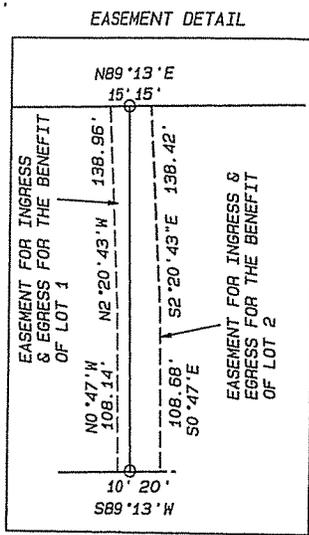
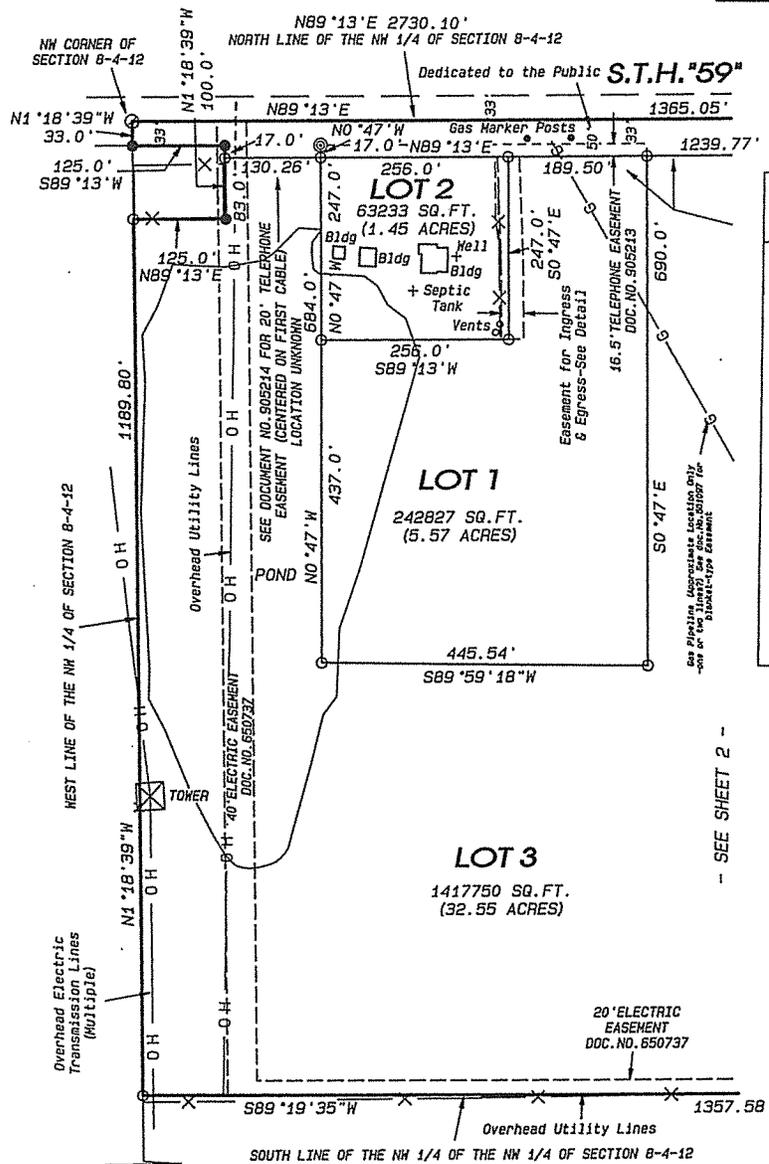
1. The proposed land division is within the City of Edgerton's extraterritorial zone. Therefore, the City has land division review authority.
2. The area of the division is not in the City's gravity sewer service area and unlikely to impede efficient City expansion.

STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend the City Council approve a 3 lot CSM for Bill Morrison on STH 59, Rock County, Fulton Township Sec. 8.

CERTIFIED SURVEY MAP

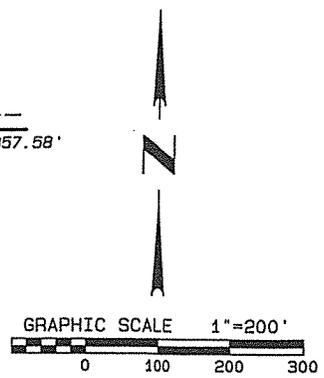
PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 8, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



SEE SHEET 2

LEGEND:

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN. FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND 1" IRON PIPE
- △ FOUND PK NAIL
- FOUND HARDHEAD STONE
- FOUND POLYSTYRENE MONUMENT (broken)
- X— FENCE



Combs & ASSOCIATES

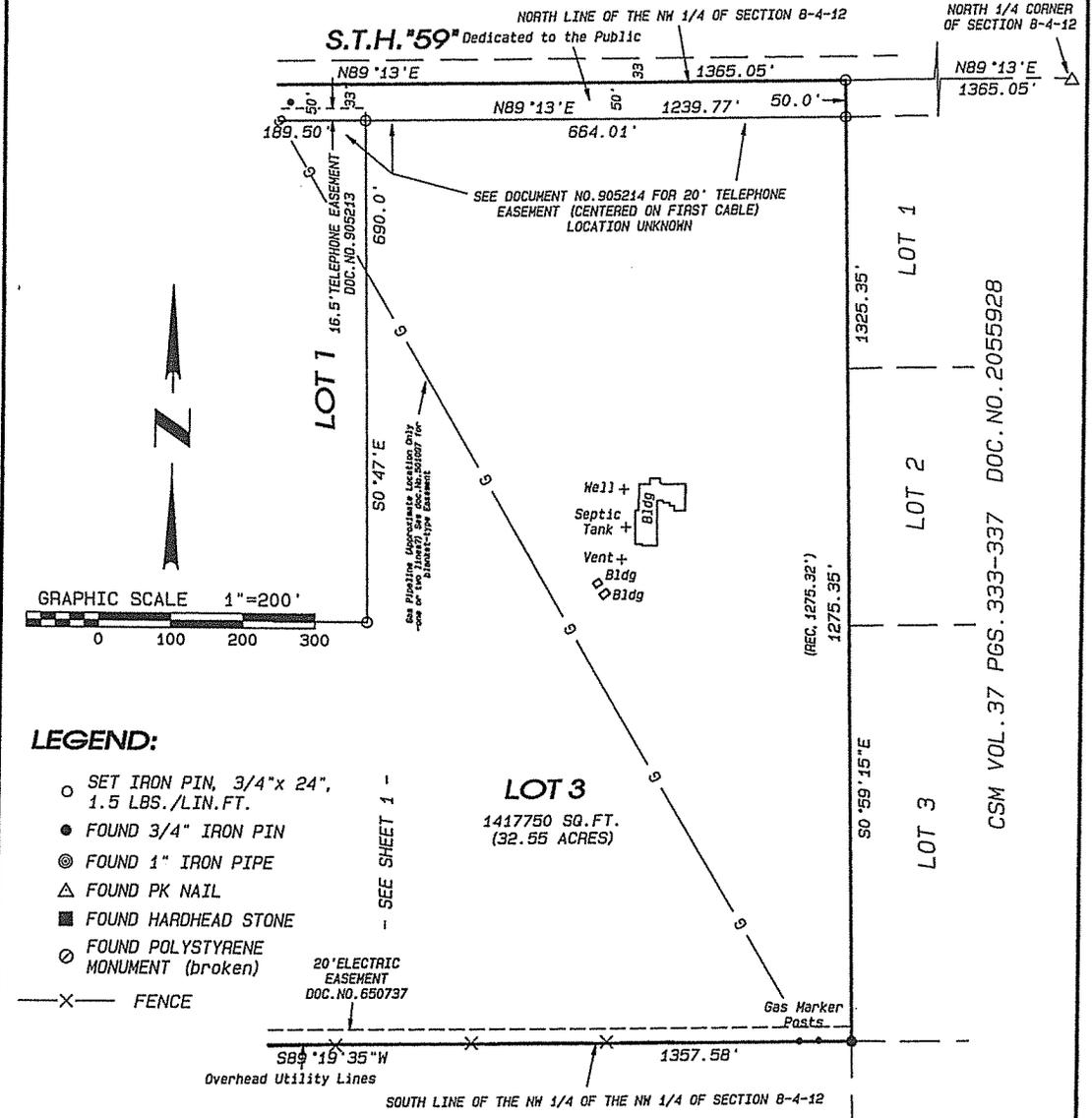
- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 N. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

CERTIFIED SURVEY MAP

PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 8, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



LEGEND:

- SET IRON PIN, 3/4"x 24", 1.5 LBS./LIN.FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND 1" IRON PIPE
- △ FOUND PK NAIL
- FOUND HARDHEAD STONE
- FOUND POLYSTYRENE MONUMENT (broken)
- X— FENCE

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CSM VOL. 37 PGS. 333-337 DOC. NO. 2055928

TO: Edgerton Plan Commission

FROM: Ramona Flanigan

MEETING DATE: August 17, 2020

GENERAL DESCRIPTION

Address: N Blackhawk Dr., Section 16, Town of Fulton.

Applicant: Schumaker

Parcel Size: 0.7 acres

Description of Request: Approval of an extraterritorial certified survey map to combine existing lots.

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Master Plan and has the following comments:

1. The proposed land division is within the City of Edgerton's extraterritorial zone. Therefore, the City has land division review authority.
2. The proposed land division combines two lots and does not create any additional lots.

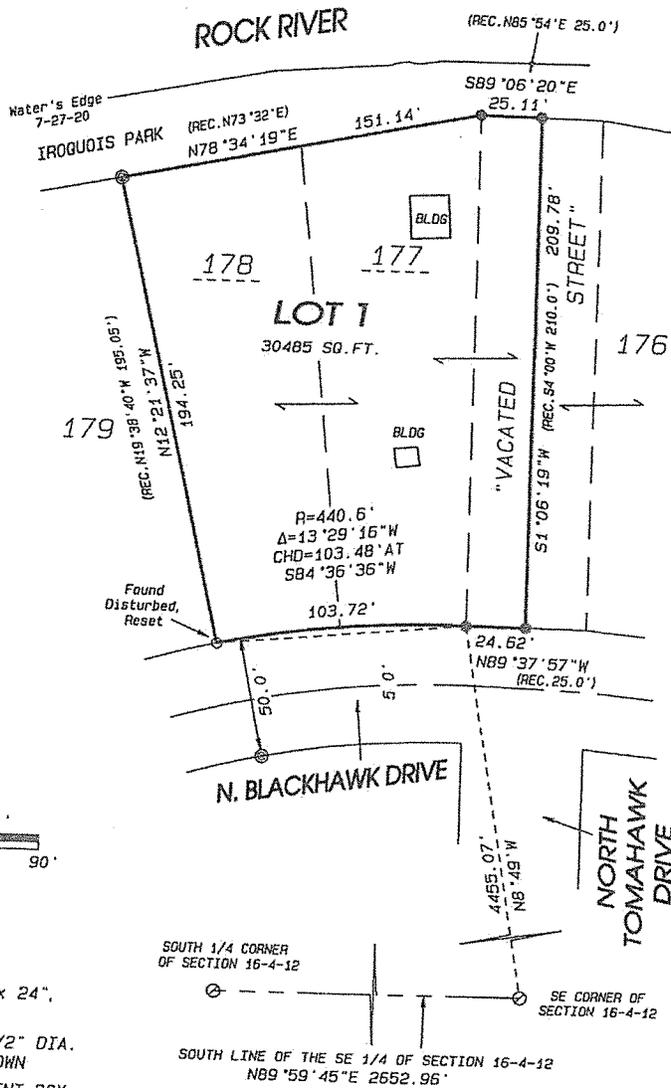
STAFF RECOMMENDATION

Because the petitioner does not propose to create any additional lots with this land division, staff recommends the Plan Commission recommend the City Council approve the proposed land division.

CERTIFIED SURVEY MAP

LOTS 177 & 178 OF ARROWHEAD SHORES ESTATES AND THE WEST 1/2 OF THE VACATED STREET ADJACENT TO SAID LOT 177 AND LYING IN THE NE 1/4 OF THE NE 1/4 OF FRACTIONAL SECTION 16, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.

THIS LAND DIVISION IS IN COMPLIANCE WITH THE ROCK COUNTY LAND DIVISION ORDINANCE.



LEGEND:

- FOUND 3/4" IRON PIN
- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN.FT.
- ⊙ FOUND IRON PIPE 1-1/2" DIA. UNLESS OTHERWISE SHOWN
- ⊗ FOUND DISK IN MONUMENT BDX

NOTES:

FIELDWORK COMPLETED AUGUST 10, 2020.

ASSUMED $N89^{\circ}59'45''E$ ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 16-4-12.

Project No. 120 - 192 For: SHUMAKER

SHEET 1 OF 3 SHEETS

Combs & ASSOCIATES

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

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ORDINANCE NO. 20-07
AN ORDINANCE TO ADOPT AN AMENDMENT TO THE
2015 CITY OF EDGERTON COMPREHENSIVE PLAN
FOR 407 NORTH MAIN STREET
OF THE CITY OF EDGERTON, WISCONSIN

Aldersperson _____ introduced the following Ordinance and moved its adoption:

The City Council of the City of Edgerton, Wisconsin, does ordain as follows:

SECTION 1. Pursuant to sections 62.23(2) and (3) and 66.1001 of Wisconsin Statutes, the City of Edgerton is authorized to prepare, adopt, and amend a comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of Wisconsin Statutes.

SECTION 2. The City of Edgerton has prepared documentation entitled, "Amendment to the City of Edgerton Comprehensive Plan," which will serve to amend the "City of Edgerton Comprehensive Plan" adopted in 2015.

SECTION 3. The City Council of the City of Edgerton has adopted and followed the written procedures outlined in the 2015 City of Edgerton Comprehensive Plan that are designed to foster public participation in the comprehensive plan amendment process as required by section 66.1001(4)(a) of Wisconsin Statutes.

SECTION 4. The Plan Commission of the City of Edgerton, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending to the City Council the adoption of the amendment to the "City of Edgerton Comprehensive Plan for 407 North Main Street".

SECTION 5. The City of Edgerton has held one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of Wisconsin Statutes and provided other opportunities for public involvement per its adopted public participation procedures.

SECTION 6: The City Council of the City of Edgerton, Wisconsin, does, by enactment of this ordinance, formally adopt the document entitled, "Amendment City of Edgerton Comprehensive Plan for 407 North Main Street," pursuant to section 66.1001(4)(c) of Wisconsin Statutes.

SECTION 7. This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Council and publication/posting as required by law.

This Ordinance shall be in full force and effect after its passage and publication.

Seconded by Aldersperson _____

Roll Call: Ayes Noes

1st Reading: August 10, 2020

2nd Reading: August 17, 2020

Adopted: August 17, 2020

Published: August 19, 2020

Christopher Lund, Mayor

Dated: August 17, 2020

Ramona Flanigan, City Administrator

STATE OF WISCONSIN)

)ss.

COUNTY OF ROCK)

I, Ramona Flanigan, City Administrator, City of Edgerton, Rock and Dane Counties, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the ordinance adopted by the Common Council of the City of Edgerton at its regular meeting the 17th day of August, 2020.

Ramona Flanigan, City Administrator